Public Correspondence

Public correspondence received as of September 14, 2010

9-3-10

Janet R. Dyke
49123 Foothill Rd.
Haines, Or. 97833

Dear Sir,

I urge the ODFW not to ignore the rights of Eastern Oregon property owners + the need of Eastern Oregon citizens in Baker County to make use of public + private land. Please ODFW do not ignore the economic needs of Eastern Oregonians in order to protect the Sage Grouse, a bird that is neither threatened or endangered.

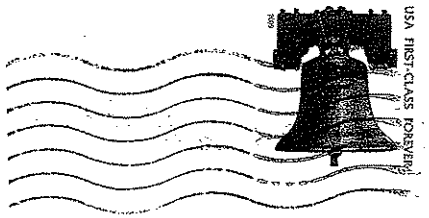
Thank you.

Sincerely,

Janet R Dyke

Janet R. Dyke
49123 Foothill Rd.
Haines, OR 97833-6407

HAINES, OR
SEP 7
PM
2010
97833



SEP 09 2010

ODFW Headquarters
3406 Cherry Ave. NE
Salem, Or. 97303

97303$4424

MEMORANDUM

OREGON DEPARTMENT OF FISH AND WILDLIFE

High Desert Region

DATE: August 26, 2010

TO: Sage Grouse Planning Team

FROM: Dave Budeau

SUBJ: Portland 2010 Sage Grouse Plan Review Public Meeting Questions

Excluding 3 ODFW and 1 USFWS personnel, 15 people were in attendance with 3 additional attendees via conference call.

Below is a summary of the questions/comments from the meeting.

Questions

- Can I get a copy of the powerpoint presentation?
- Why is wildfire considered habitat loss?
- Isn't effect of annual grasses attributed to wildfire?
- Are the 70 and 30% habitat objectives in the Plan based on 2009 data?
- Industry needs to have the opportunity to input finer level data at the site level. Can we incorporate local data collected by energy?
- Who participates with you in this process is critical. Don't want to pit friends against friends. Renewable energy advocates should be one of the stakeholders in developing this plan. How was composition of the sage-grouse team determined?
- When siting new transmission in Category 1 habitat what are the recommendations for clustering and stacking?
- How often will the data in this plan be updated?

Comments

- Timeline for comments is somewhat confusing, where the Nov. 18 deadline is for the Commission packet, but comments will also be accepted through Dec. 3 Commission hearing.

- The coarse nature of your data causes renewable energy concern. Appeared it was applied as a desktop mapping exercise.

- Experiencing frustration based on the core area conclusion which eliminated option of renewable energy development.

- You say that your plan only contains recommendations, but you under-estimate ODFW's authority. An energy application is not considered complete until proposed mitigation is accepted.

- Climate Change is not addressed in the document.

- Sage-grouse response was generalized from oil and gas development which is different than renewable energy – "sage-grouse have returned to the Wildhorse wind farm".

- Plan represents a policy that appears rigid.

- Appears you drew lines all over BLM to prevent development.

- Strip everything out of the document that will not be adopted in rule (habitat and population goals).

- A big map with lots of big dots scares people.

- There is lots of readily available data that could also be included in the plan such as wind potential for most of the area.

- Just 12 of over 200 leks in Harney County will knock out most of the potential for wind development. Our analyses indicate that 63% of Harney County is either Category 1 or 2 under this plan.

- You need to have another public meeting in Harney County with sufficient notice of the meeting date/time.

- Disease and predation were not considered a significant threat to sage-grouse, but WNv and predation can affect local populations of sage-grouse.

- Climate change should be included in the document and climate scientists should be represented on the panel that drafted the plan. Wildfires are part of climate change.

- Give renewable energy the benefit of the doubt given the lack of information about the effects of renewable energy development on sage-grouse.
- Socio-economic factors represented in only 3 paragraphs of this large document.
- Should look at other states and how they are approaching this [renewable energy] issue.
- Geospatial data used in this plan appears to be accurate at statewide scale. Sage-grouse are a landscape species.
- As the land manager BLM will be the final decision maker on BLM land.
- Need to consider implications of drawing lines all over a map which indicate where development can occur on BLM lands.
- In regards to climate change, the amount by which current emission levels need to be reduced is staggering. Much more renewable energy needs to be developed.

P.O. Box 477
Baker City, OR 97814
541-524-9935

Comments on the Sage Grouse Plan Revision, August 11, 2010
By Dick Fleming, owner of range land on virtue flat and observer of said land since 1971.

Based on reading, observations and listening to stories, the traditional, pre-development condition of the virtue flat area was representative of much of eastern and central Oregon. The land was primarily grasslands kept that way by fires that limited the sage brush. There were few breaks to stop a fire and a lightning-started fire would burn until snow fall. Sage brush was scattered and consisted of random mosaic clumps that had escaped fire. Populations of game animals and predators are unknown, but were under continual hunting pressure from the small indigenous population.

After the Oregon Trail started, activities from European descendant peoples were primarily in effect along the trail. After gold was discovered about 1860, there was a large population of miners with ranchers and farmers to support the mining. There were many homesteads on Virtue Flat under the Taylor Grazing Act. Most of the private property on the flat was homesteaded 320 acres at a time. There was sufficient population to support a school on virtue flat.

A grass land of long duration will build up significant energy reserves in the grass roots. Such land will appear to have a larger productivity capacity than it actually has, encouraging overgrazing. Overgrazing will deplete the stored energy after which there is a major decline in productivity and no reserves to recover. In such a situation, usually during a drought year, the land owner was suddenly faced with a seriously overgrazed condition. At this time, the livestock and the property was usually sold to an adjacent land owner and the cabin abandoned. With production down, it then took more land to support a family. Under present conditions on Virtue Flat, it takes at least ten thousand acres of range land to support a family raising cattle.

I believe that the first casualty of overgrazing was the nitrogen fixing plants that were the most palatable. The land is seriously deficient in nitrogen and the plant growth is significantly reduced by this deficiency. The available protein from the plants is limited by this deficiency also. **The eradication of these nitrogen fixing plants also affects the capacity of the land to nourish the growing Sage Grouse chicks. It would be valuable to both wildlife managers and land owners to know what and how to plant to restore the native habitat to pre-overgrazed conditions.**

The development of vast expanses of predominantly sage brush land resulted from the species invading the grasslands following overgrazing. I have seen lands significantly taken over by sage brush following such conditions. The result is little food production other than the sage which is toxic to most animals. When the sage brush is crowded, it can take 30 years for the sage brush to reach

two feet high. By contrast, in a better site without crowding, a sage bush can reach eight feet high in ten years.

As far back as 1941, the sage grouse population was more than triple the existing population. There was also much more human activity in the Virtue flat area than currently exists, except for the OHV "sacrifice" area. During that time, many of the people when riding horses, herding cattle, or prospecting, would have carried a rifle and routinely picked off coyotes and possibly ravens which are voracious predators as well as scavengers. The success of the sage grouse at that time may have been largely due to the human activity including predator control. Your plan quotes two studies reporting increases in population of sage grouse from controlling ravens. While no control may have been used, and the percentages were not given, such information should not be ignored. Incidentally, when did ravens become a protected species?

In the plan, P. 34 is a comment that likely populations were significantly larger before the removal of sage brush. While this may be a reasonable assumption, it is an assumption without significant evidence. It should not be used to make management decisions without verification. Random clumps of sage with more productive grasslands between might be better habitat than the vast sage brush monocultures.

In the plan P. 38 is a comment that sage brush spraying resulted in a decrease of forbs. This is the obvious result of spraying something that would kill sage and all broadleaf plants, including the remaining nitrogen fixers. I agree totally. On P. 40, there is reference to a study showing enhancement of brood rearing habitat from mechanical removal of sage brush.

Page 55 refers to Housing Developments East of Baker City. I am not aware of anything that could be called a housing development east of Baker City. On the dry rangeland, zoning does not allow more than one home per 320 acres. One woman who lives on Virtue Flat full time reports the sage grouse fly in and feed on her lawn with her chickens. There appears to be no avoidance factor operating here.

Page 71 and 96 refer to juniper eradication. Juniper does so efficiently utilize water that nothing else under the tree can grow, leaving bare ground under the tree. The bare soil is exposed to erosion. I support any juniper limitation projects.

Page 100 suggests that if any sage brush removal is done, it be done in strips with at least three times the strip width in untreated width. There is no study quoted or other support to this recommendation. If an area is cleared of sage brush, the sage adjacent will quickly grow taller.

Page 120 refers to a study where the hens prefer a "Patchy Habitat" to a monoculture of sage brush. Information on the nesting locations and the "Patch Sizes" and the distance from a desirable patch

and the next patch would be beneficial for planning mechanical brush removal activities. There is also a recommendation that no mechanical treatment be done during nesting and rearing, but no dates for these activities are given.

Page 105 talks about the sage grouse and their avoidance of power lines. Rather than a set distance, I would think the effect is based on predators and their ability to see each other or the line. A power line in a ravine would allow a predator to rest and survey a limited area. A power line on a ridge would allow a predatory bird to sit on the elevated roost and survey much more distance than if they were on flat ground. The effect of terrain should be considered. Holding the high ground is a long known advantage in military situations. Looking for prey or avoiding a predator is a survival situation for both.

Page 108, WNV guideline 5, refers to taking blood samples from hunters. The hunters may object to having their blood sampled! Did you mean samples from the sage grouse recently shot? If so, what is the time line to get good information?

Page 117 refers to surveys before a wind farm proceeds to full development. I hope this study information is available as it is being collected. A wind farm offers little in the way of roosting space unless a blade is stopped horizontally. It will be interesting to see if the effect is from a tall structure or from the presence of a predator bird roosting on that structure.

Page 119 refers to a population decline in 2008. This was during the WNV impacts. It would be normal for a "predatory factor" to remove the most vulnerable from the population and the resistant would survive and propagate. A resistant population can develop from a few resistant individuals.

In summary, your study shows that predation, even in a hunted environment, gets 85% of the males and 59% of the females, yet your proposals appear to focus only on limiting the effect of humans, which is minimal. All animals including humans need food, shelter from the elements and shelter from predators. A plan that primarily avoids doing anything that could harm is only marginally effective.

This plan and says it is "advisory" on private land. Does this mean advisory to private land owners who can take the advice or leave it as desired, or advisory to county government that they should limit activity and deny permits for development on private land?

Also, Mining operations are very low profile, of limited duration, and generally do not occur until the ground dries out, which is well after the mating season. Is there any reason to limit mining activity within a given radius from a Lek other than not disturbing the actual Lek itself?

MEMORANDUM

Oregon Department of Fish and Wildlife

Date: August 12, 2010

To: Public Meeting Team for Greater Sage Grouse Plan

From: Kevin Blakely

Subject: Baker City Meeting Questions and Comments

We recorded the majority of questions from the Q&A portion of meeting as well as identified some direct public comments.

Questions:

1. What are the time frames for the seasons described in the presentation (breeding, nesting, wintering, migration)?
2. Do the core area recommendations also apply to a mining request that only affects a very small area?
3. There have been a lot of large fires in the last 30-years what is the value of the new growth sage versus old tall stands of sage that are gone?
4. If the sage grouse are listed and mining operations are required have incidental take permits (or not allowed to operate at all…) then how can there still be harvest seasons occurring?
5. Some sage brush stands on private land are so dense that the benefit to sage grouse is gone so what is the best option for these stands to be the most beneficial to sage grouse?
6. What is the state process for enrgy development projects and how will EFSEC use ODFWs recommendations?
7. Describe category one habitat in more detail and give an example.
8. Have there there been other areas with localized population impacts from West Nile virus as was seen in southern Malheur County?
9. When did ravens become a protected species?

Comments:

- There are unitended consequences from the core area concept that need to be recognized when as part of a small scale development (e.g. one residential dwelling on a parcel of land) the recommendation from ODFW is no if it lies within a core area with category one habitat. The unintended consequence is that the landowner cound go "brush hog" the entire parcel for any EFU land use and the value of the land would be lost for sage grouse.
- Even though the ODFW Core Area concept are recommendations – BLM always follows those as requirements.
- The Sage Grouse Plan does not address the significance of predator losses documented in the plan. *NOTE: CHRISTIAN VISITED WITH THE COMMENTER DURING THE BREAK TO POINT OUT THAT THE STATISTICS REFERENCED FROM THE PLAN WERE BEING MISINTERPRETED AND GAVE ADDITIONAL EXAMPLES OF PREDATION LOSS LEVELS.*

John Day Field Office
P.O. Box 9, John Day, Oregon 97845; 305 N Canyon Blvd., Canyon City, OR 97820
Telephone: 541/575-1167, FAX: 541/575-0948

Oregon Department of Fish and Wildlife
3406 Cherry Avenue NE
Salem, OR 97303-4924
(503) 947-6000
www.dfw.state.or.us

Name	Contact information
Ed Harold	TWOHARDTS@ECNI.Com 1695 Auburn Ave #33 Baker City 97814
Dick Fleming	541-524-9935 PO Box 477 97814
Phil Wick	1915 Pear st Baker
Ted Davis	BLM Baker City
Dorothy Mason	BLM Baker
Kristin Jones	5509 S. Orcas St. Seattle, WA 98118
Wannie Mackey	19265 Chandler Lane Baker City Ore
Bill Pedersen	3744 First St. Richland, OR
Stacey Paczkowski	Idaho Power 1221 West Idaho St. Boise, ID 83702
Jeremy & Traci Thomas	jeremy@opsenergy.com
Barbara Fleming	2408 East St. Baker City
Andrew Storer	POB 951 Baker
Craig Martell	BLM Baker

Date AUG 11, 2010 Event PUBLIC MTG - BAKER CITY: SAGE GROUSE PLAN

14 IN ATTENDANCE ODFW

STACEY/SMITH FACILITATE/NOTES
HAGEN
EDDY/MYATT/TOPLIFF

MEMORANDUM

OREGON DEPARTMENT OF FISH AND WILDLIFE

Ontario Field Office

DATE: August 25, 2010

TO: Bob Hooton, Chip Dale, Christian Hagen

FROM: Tom Segal

SUBJ: Greater Sage Grouse Plan Public Review Meeting – Jordan Valley, OR

The purpose of this memo is to summarize the comments and questions that arose from the Sage Grouse Plan Public Review Meeting at the Lions Hall in Jordan Valley, OR on Tuesday August 25th, 2010.

Twenty people were in attendance. The meeting began at 6pm MST.

The following comments/concerns arose from the meeting:

1. There were several comments concerning the "No Development" language in the Category 1 habitat designation. Many ranchers were worried that they would be unable to rebuild fences lost to fire or put in water developments in Category 1 habitat if BLM adopts it into their land use plans.

2. There was concern that land management agencies with regulatory authority will use the habitat designations made by ODFW to set policy.

3. Concern was expressed that much like a BLM Wilderness Study Area; a Category 1 designation will eventually result in no development when litigated.

3. The Sage Grouse plan should support the herbicide use by federal land management agencies.

4. Other invasive plants (i.e. whitetop) should be identified in the Sage Grouse Plan as threats to sage grouse.

5. The public has noticed an increase in Ravens in the general area and would like to know what ODFW can do to combat nest predators.

6. Habitat work completed by private land owners, OWEB and SWCDs needs to be more accurately quantified and recognized in the Sage Grouse Plan.

The following questions arose:

1. Does ODFW have a GIS map that overlays Category 1 and 2 habitat with proposed/potential energy development?

2. Is lek attendance increasing at a healthy rate?

3. Does core habitat designation target other development aside from large scale industrial development?

4. Why are predation, disease, and hunting not being targeted to conserve Sage Grouse?

5. What will the "no development" language be changed to?

6. What would Category 2 mitigation look like?

The meeting concluded at 8pm MST.

Greater Sage Grouse Conservation Plan Assessment Meeting
Harney County Community Center, 484 N. Broadway St. Burns, OR
August 5, 2010

COMMENTS

Grasty:

-Thank you, appreciate the opportunity
-Meeting not properly advertised, no local media
-Worried about comment process, just submitting is not enough
-Want more "sit down" communication
-Plan violates state's policy (ODFW)
- Core habitat changes policy
- Population, habitat, and 5 yr. review
- Factors A&D; local government is not enforceable, counties will not pay for revisiting

-Fire issue, some conflicting goals
-Voluntary plan; it will be used in plans, etc.
- Thinks it will be more forced upon

-WRITTEN COMMENTS TO FOLLOW

McDaniel (BLM):

-Questions about no disturbance; restoration efforts
- If fire burns through core area what do we do?

-Land managers have "written off" large areas
- Converted to cheat grass, etc.
- Temporary conversions, how does that affect sage grouse?

Vetter:

-Any efforts to look at existing condition class of sagebrush communities?
- No broad-scale evaluation

-Is there a parallel to spotted owl issues? (no touch, etc.)
-This meeting not well publicized, lacking detail of announcement
-Disturbance Issue; Lek right next to road, no sagebrush in area is it really that important?
-What are the causes of population flux?
-Livestock and sage grouse; any studies taken into consideration?
-More people; did not know about the meeting
-Map of high wind area overlay with core areas; areas of potential conflict
- 19,000 acres in Harney Co. that have wind and can be developed

-Recommendations get turned into law, how can we prevent that?
-Further clarify the DEFINITION of development
-The term "No Development" is scary
- Had large population on private land, blamed decline on hunting (illegal harvest), livestock industry is being targeted

-As changes are made to draft, any opportunities to view before final?
-Will there be limited access issues in the plan?
-How much say do advisory groups (local) have?

NAME

Hilda Allison
William Renwick
Hoy Wilson
Kenny McDaniel
Jason Brewer
Joan Suther
Mark Doverspike
Linda Johnson
Chris Bates
Pete Runnels
Matt Obradovich
Rick Vetter
Pauline Braymen

CONTACT INFORMATION

P.O. Box 822 Hines, OR 97738 hilda.allison@gmail.com
P.O. Box 773 Burns, OR 97720 william_renwick@hotmail.com
46590 Mann Creek Lane Princeton, OR 97721
P.O. Box 611 Hines, OR 97738
jbrewer@blm.gov
jsuther@blm.gov
30552 Hotchkiss Lane Burns, OR 97720 doverspike@hotchkisscompany.com
793 E Jefferson Burns, OR 97720 lj4131948@yahoo.com (541)413-1948
P.O. Box 784 Hines, OR 97738 wildlife1biology@aol.com
1100 N Diamond Ave. Burns, OR 97720 peterunnels@rocketmail.com
28910 Hwy 20 W. Hines, OR 97738 matthew_obradovich@blm.gov
P.O. Box 833 Hines, OR 97738
pbsage@centurytel.net

MEMORANDUM

OREGON DEPARTMENT OF FISH AND WILDLIFE

High Desert Region

DATE: August 18, 2010

TO: Sage Grouse Planning Team

FROM: Bob Hooton

SUBJ: Bend 2010 Sage Grouse Plan Review Public Meeting Questions

Summarized below are the majority of questions from the Q&A portion of meeting. There were no direct public comments on the plan per se, just questions which Christian and I answered.

Questions

- What are the impacts of West Nile virus on the status of Sage Grouse and did the USFWS consider West Nile virus effects during the listing review?
- With the 70 and 30% habitat objectives in the Plan, is ODFW recommending grazing be stopped on public lands?
- How do we differentiate between a Conservation Plan and a Recovery Plan?
- Are the Core Area maps shown in the Power Point presentation available on the web?
- Did we consult with LCDC regarding DLCD requiring counties to adopt the ODFW Core Area map?
- How did we determine the 30,000 sage grouse and a statewide goal and are we considering revising it upward?
- How do we determine that cutting junipers benefits sage grouse?
- Does the sage grouse core area map reflect recent habitat losses to wildfire and how do you know whether losses of habitat to wildfire are temporary (comes back a s sagebrush) or permanent (comes back as cheat grass)?
- Is grazing on public land compatible with good sage grouse conservation?
- Did removing grazing from Hart Mountain result in increased abundance of sage grouse on the Mountain?

- Question regarding using Wyoming core area model to establish Oregon core area maps when number of male grouse on Wyoming leks is much larger than in Oregon leks.

- How can we say Oregon's grouse populations are relatively stable, when literature says need 2.25 chicks per hen and Oregon has rarely seen that level of production>

- Don't point estimates of Oregon's grouse numbers from 1980 to present actually show a population decline?

ɔuse Plan Comment Log - 2010

	Commentor First	Last	E-ma	HC	Voi	Topic/comment	Response Date
1	Lyle	Rilling		X		Asked for hardcopy of plan	7/14/2010
2	Dennis	Wilkinson	X			Concern Union Co. was not included in plan.	7/8/2010
3	Adam	Novick	X			Promote thesis. Risk to maintenanced dependent species by regulatory disincentives on private land, e.g. ESA listing	7/15/2010
4	Fred	Craig		X		Support for plan. Suggests plan have greater emphasis on impact and management of wild horses and burros. Also the need to consider cumulative effects of wind farm development.	8/2/2010
5	Daniel & Karen	Thee	X			Maintain huntable population as hunter cooperation is a valuable source of info. Also conservation of habitat is most important.	8/2/2010
6	Paul	Peyron		X		A 4-page account of growing up in Baker County. Attributes the decline in sage-grouse to increased predation.	8/2/2010
7	George	Houston	X			Requested copy of plan	3-Aug
8	Bob	Alverts			X	Requested copy of plan	8/5/2010
9	Steve	Grasty		X		Concern over public process in plan development.	8/4/2010
10	Bill	Wilbur			X	Requested copy of plan	8/10/2010
11	Keith	Jones	x			Requested copy of plan	
12	Randy	Matzek	X			Provided 3 items that could help address sage-grouse populations, 1)Juniper control, 2) Water availability, and 3) Wild Horse control.	8/16/2010

13	Brenda	Hughes	X			Include climate change, address research gaps, fill in "doughnut holes" and joining together core areas that are in close proximity for more fluid management, Improve guidelines related to man-made water features, educate landowners about threats, and work with County officials to incorporate recommendations.	8/30/2010
14	Dale	Sarkkinen	X			Include climate change, address research gaps, fill in "doughnut holes" and joining together core areas that are in close proximity for more fluid management, Improve guidelines related to man-made water features, educate landowners about threats, and work with County officials to incorporate recommendations.	8/30/2010
15	Dan	Cecchini Jr.	X			Strongly agrees with concepts in the plan. Commends ODFW.	8/26/2010
16	Donna	Beck	X			No need to protect another bird. Reduce number of [state] employees not farmable acres.	8/30/2010
17	J. Michael	LaNier	X			Need to provide incentives for private landowners and avoid taking of private through additional regulation.	8/30/2010
18	Richard	Crampton	X			ESA has gone too far. Let grouse fend for themselves.	8/30/2010

19	Joe	Walicki	X			Include climate change, address research gaps, fill in "doughnut holes" and joining together core areas that are in close proximity for more fluid management, Improve guidelines related to man-made water features, educate landowners about threats, and work with County officials to incorporate recommendations.	9/1/2010

7-12-10

Mailed 7/14/2010 DB

#1

Please send me a print copy of the 5 year update to the sage grouse conservation plan

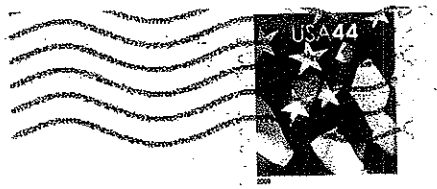
Thank you

Lyle E Rilling
301 NE Marmot Ln
Prineville, OR 97754

541- 447-5029

Mr. Lyle Rilling
301 NE Marmot Ln
Prineville, OR 97754-7920

BEND OR 977
13 JUL 2010 PM 1 T



ODFW
Wildlife Division
3406 Cherry Ave NE
Salem, OR 97303

97303S4924

#2

David Budeau

From: Meg Kenagy
Sent: Thursday, July 08, 2010 3:41 PM
To: David Budeau; Christian Hagen
Subject: FW: Sage Grouse

Do one of you want to answer this? It came to the ODFW info mailbox.

Meg

Meg Kenagy
Oregon Department of Fish and Wildlife
Conservation Communications Coordinator
(503) 947-6021

-----Original Message-----
From: Dennis Wilkinson [mailto:dwilkinson@omnitrac.com]
Sent: Thursday, July 08, 2010 2:14 PM
To: odfw.info@state.or.us
Subject: Sage Grouse

Why wasn't Union County included in the recent study of the Greater Sage Grouse.

Dennis Wilkinson
541 568 4735

#3

-----Original Message-----
From: Adam Novick [mailto:anovick@uoregon.edu]
Sent: Wednesday, July 07, 2010 11:44 AM
To: sage.grouse@state.or.us
Subject: Public comment on final draft Greater sage-grouse plan

Dear ODFW,

Thank you for your efforts to ensure the survival of the Greater sage-grouse. Thank you also for inviting public comment on ODFW's July final draft conservation plan for this species ("Greater sage-grouse conservation and assessment strategy for Oregon", 2010.07.06). In the hope you find it helpful, I offer some comment here.

From a quick glance, it's unclear to me the extent to which the survival of this species might depend on humans actively maintaining its habitat, or on doing so on private land. However, I gather that such management might be necessary.

In case its survival does depend on actively maintaining habitat on private land, I'd like to please suggest that if the species becomes listed under the ESA, USFWS and ODFW might help the species by (1) considering potential harm to the species from inadvertent regulatory disincentives, and (2) considering a broader range of policy options under the ESA.

I am currently seeking to make this argument through my master's thesis (in progress). To explain further, and in the hope you might be interested, I'm attaching a recent slide presentation of my preliminary findings, from a guest lecture for a course here at the University of Oregon.

I'm encouraged to see that in a draft Habitat Conservation Plan for various Willamette Valley prairie species, prepared in consultation with USFWS, Benton County is seems to have incorporated some of these ideas. I find the HCP's implementation of these ideas to be incomplete and unnecessarily conditioned on increased public spending, but I'd like to see the HCP as a sign that conservation policy might be moving in the direction that I humbly suggest considering.

Thank you very much for your consideration.

Best regards,

--Adam

Adam Novick
Master's degree student

Environmental Studies Program
University of Oregon
E: anovick@uoregon.edu
V: 541-345-0467

PS. These views are my own and not necessarily those of the University of Oregon.

OREGON HUNTERS ASSOCIATION

Helping Wildlife • Enhancing Habitat • Protecting Our Hunting Heritage

Mr. Ron Anglin, Division Director
Oregon Department of Fish and Wildlife
3406 Cherry Avenue NE
Salem, OR 97303-4924

July 26, 2010

Re: Greater Sage Grouse Conservation Assessment and Strategy for Oregon

Dear Mr. Anglin:

Thank you for the opportunity to provide comments to the Greater Sage Grouse Conservation Assessment and Strategy for Oregon: draft dated July 6, 2010. The Oregon Hunters Association (OHA) is in support of the sage-grouse conservation guidelines that are identified in the plan, Section V, which state "These guidelines are designed to maintain (at a minimum) or enhance the quality (optimum) of current habitats and will assist resource managers in achieving population and habitat objectives of this plan."

It appears that the plan has identified most of the risk factors associated with the sage grouse; however, OHA feels that more emphasis needs to be placed on wild horses and burros and wind farm development. Proper management of the wild horses and burros has been a challenge for the resource agencies resulting in overpopulation and the degradation of sensitive wildlife habitat. The plan needs to allow for the evaluation of impacts caused by wild horses and burros. Factors to consider include wildlife habitat damage, physical damage to leks, and plant composition changes due to grazing. Similar to livestock grazing, wild horses and burros need appropriate conservation guidelines.

Wind farm development spreading at a rapid rate throughout the state, far more than what was originally anticipated when the plan was first developed. Cumulative effects of wind farm development must be considered in the plan. In addition to carefully evaluating "large" wind farm developments and imposing restrictions that are consistent with the plan, smaller wind farms that are regulated by the county should be subject to the same level of review and mitigation standards.

Thank you for your consideration in the matter. If you have any questions please don't hesitate to contact me at (541) 479-8631.

Sincerely,

Fred Craig

Fred Craig
OHA President

P.O. Box 1706, Medford, OR 97501 • (541) 772-7313 • oha@ccountry.net • www.oregonhunters.org

#5

Oregon Department of Fish and Wildlife
3406 Cherry Ave. N.E.
Salem, OR 97203-4924

Daniel and Karen Thee
P.O. Box 129
Jordan Valley, OR 97910

July 30, 2010

To O.D.F.&W.,:

Regarding public comment of the Department's updated greater sage-grouse conservation plan:

We would like to see the sage grouse remain as a huntable species within Oregon and its range. Hunter co-operation still remains a valuable source of information for collecting data from the field.

Conservation of habitat is the most important and a hands-off approach to sage grouse management is preferred as wildlife needs to be left alone.

.

Sincerely,

Daniel and Karen Thee

#6

Hello:

This Journal is one persons View of the Sage hen situation.

Regarding power Lines effect on sage hens:

In 1955 a Mega Mega watt power line was installed thru the ranch. (inch wires).

Long as I can remember sage hens lived under or near This power line. They were there as long as you had a alfalfa field near the sagebrush line.

Respectfully presented

Paul Seyler

Endangered Species Regarding Sage Hens

By Paul Peyron
456 Sierra Circle
Reno, Nevada
89511

April 2008

copy: Senator Harry Reid Nevada

Endangered Species regarding Sage Hens

What do the following wild animals and birds have in common? Jack Rabbits, Cottontails, Pheasants, Sage Hens, Hungarian partridges, Chukars? They reproduce their young on the ground.

What wild animals eat meat and eggs? Coyotes, Bobcats, Skunks, Weasels, etc.

The biggest concern of now is the Sage Hen. The others are in a bad way also.

I was born on a ranch in Baker County, Baker City, Oregon. We owned a ranch in Baker Valley, which is surrounded by the mountains on the west, and sage brush covered hills up to 2 to 3 thousand feet above the valley floor on the east. We have owned this ranch since 1917, with an average of a few thousand acres in range land. This land was the furthest ranch on the east end of valley, surrounded around the east end by sage brush hills. Plus, up until 1938, the complete ranch was surrounded by sage brush. As you can see my knowledge of these animals came from a lifetime of observing the goings-on around me. I'm at the present going on 89 years of age. The following is my views of these wild animals and birds, plus where I think there is a problem with their survival if something is not done.

Sage Hens

I can recall things when I was 5 years old... 1924. This range land was open and non-fenced, like all of the west, except in rare cases. There were very few cattle on the range. There were many bands of sheep. We had sage hens around from the start. Remember, Sage Hens are a very slow runner and need a short takeoff run to get air borne, and their flight is a slow wobble. They hatch their chicks in a nest among the sage brush.

During the early years, the sheep herders were all over these lands. They always carried a rifle and dug out coyote dens in the spring. I don't recall very many coyotes around the years from 1924. There was a time when people poisoned them in the 30's, the years during the depression. In this one period people were paid bounties on them. During the depression, everyone who could, trapped them as pelts were worth $3 to $8 depending on the type of pelt. We trapped them during this period. Three dollars was a lot of money in those days! So the coyote population was held in check. But since they stopped poisoning them in the 50's, although they have government trappers, the population has exploded. Trapping was only used if someone had a problem.

In the last part of the 40's the sheep men went to cattle. Coyotes had a rough time making it.

Look at time periods. The Sage Hens who were in the hundreds on the ranch in the 30's practically disappeared. They like alfalfa. I can remember hundreds of them flying onto the ranch alfalfa fields in the evenings.

In the last 50 years, there are a few dozen or less living at the edge of the fields in the sage brush – next to any field with alfalfa. Now in the last 5 years, they are gone. The coyotes on the other hand have exploded.

The main ranch buildings lay in the middle of the farm land and you can see almost a mile in every direction. Every day you look out on this land, you can see coyotes.

So these birds... Sage Hens, Pheasants, Hungarian Partridges and Chukars are rarely seen. If you watch these coyotes, which I consider the smartest creature in the animal kingdom, they never stop hunting. They will still be there when all other life is gone. They have their head down looking or smelling for something to eat and occasionally glance around to see if they are safe. They made a counter-clockwise trail around the ranch buildings as they stay a distance, depending on size of firearm you have. Fire one shot out of a 22, they will stay out of range. Fire one shot out of 30.06, they will

stay out of that range. They surely have a message center among them, and they are always hiding behind your back or in ditches or low spots.

Not only are they a menace to these ground level birds, they are disaster to the rabbits that also have young above ground. The ranch had so many jack rabbits in 1920 to early 1940's. In the winter time they came into the fields with loose haystacks in the evening to eat. There were many cottontails on the ranch too. I remember one Fourth of July – two brothers and I went to the hills with our bean flippers and got 24 before noon. You can barely see a jack rabbit or cottontail now.

The other animals I mentioned – Bobcats Skunks and Weasels – the following has happened.

Bobcats were really rare in early years. We caught one during our trapping years. During about a ten year period in the late 50's and early 60's, they showed up every place. Shot a number of them since we hadn't seen them before. Can't explain this, maybe it was nature's cycle.

Another species that came in a cycle were the skunks. Never ever saw one until the late 80's and 90's. They became thick as fleas. In fact, they were always under the buildings during that period. I made a safe catch trap and caught a total of 38 in a two-year period, and carried them five miles into the hills where there was water and dropped them off. Around the year 2000, they just disappeared.

The other bad animal is the weasel. There have always been a few around, but they never exploded like the others. This is the meanest small animal on the earth. We used to trap them in the depression years as pelts turned white in winter – Ermine.

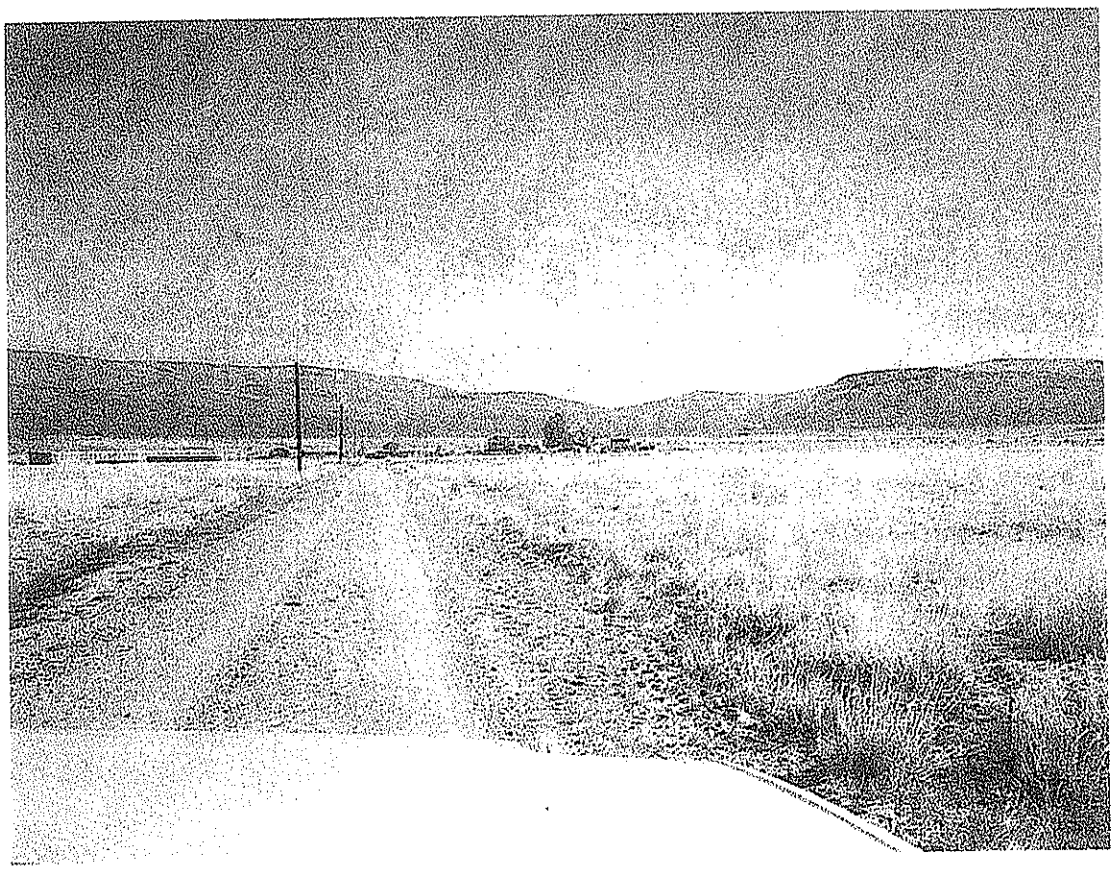
Not only are the coyotes a hazard to the above animals, they keep the herds of deer and antelope down. The young antelope and deer lay down on ground flattened out and don't move. With the scent apparatus of coyotes, they don't have much chance. I've seen them try to catch young

fawns about a month old, but they are generally protected by their mothers and can escape.

I've moved to Reno six years ago and live in an area that has open fields. Coyotes are out hunting in all these fields. There is absolutely no use to try to put these animals or birds on the Endangered Species List until you solve the coyote problem. You're just wasting your time and money!

I want to salute this character the coyote. Nature has made it a survivor and we have aided his already endowed advantages by giving them some more advantages. Remember one thing about nature, "The big ones eat the little ones". Let's hope the last little guy in that chain survives, otherwise we are all gone.

Suggestion: Pay a bounty on any coyotes eliminated. This will solve some of the problems.



HARRY REID
NEVADA

MAJORITY LEADER

United States Senate
WASHINGTON, DC 20510-7012

May 23, 2008

Mr. Paul Peyron
456 Sierra Circle
Reno, Nevada 89511

Dear Mr. Peyron:

Thank you for your thoughtful letter. I appreciate hearing from you.

You clearly have had a great deal of experience with Western wildlife and our public lands. I share your concerns about maintaining a healthy balance between the many species that inhabit our land. I will be closely monitoring the U.S. Fish and Wildlife Service's actions regarding the sage grouse over the coming months.

I have forwarded your letter to officials at the Fish and Wildlife Service. They will respond to your suggestions directly, and also send me a copy of their reply.

Again, thank you for taking the time to share your thoughts with me. I look forward to hearing from you in the near future.

My best wishes to you.

Sincerely,

HARRY REID
United States Senator
Nevada

HR:ct

David Budeau

From: Sage Grouse
Sent: Tuesday, August 03, 2010 9:42 AM
To: Karen D Buell
Cc: David Budeau
Subject: FW: Sage Grouse Plan

HI, Karen

Please send this gentleman a copy of the plan.

Thanks, Meg

From: FHL4444@aol.com [mailto:FHL4444@aol.com]
Sent: Tuesday, August 03, 2010 8:25 AM
To: sage.grouse@state.or.us; ghouston@hevanet.com
Subject: Sage Grouse Plan

Could you folks lease send me a copy of the Sage-Grouse Plan?

Thanks,

George Houston
49714 S.E. Coalman Road
Sandy, Oregon 97055-7723

Sage Grouse Plan Comments from Judge Steve Grasty 7-23-10

Sage Grouse Strategy comments to ODFW and affected counties.

I have attempted to list some (maybe all) of the process concerns I have regarding the way that the Sage Grouse strategy has rolled out. I have also included suggestions on how to resolve those concerns and to take advantage of opportunities. We all need to work together on a strategy that works for our communities, our citizens, the ag businesses, provide economic opportunities and of course Sage Grouse. While I can not commitment them, I suspect that the Oregon Association of Counties might be able to help coordinate some of the suggestions below and certainly can supply examples of how to make this a successful process.

Concerns:

Suggested solutions in red

Process for County Government

- No involvement to this point
  - Stop the process until a serious review can be conducted by county government and provide opportunity for county government to participate directly with working group to identify and resolve issues and to allow consideration of strategies suggested by counties.
- Potential impact to citizens we represent with no consideration to give them an opportunity to participate.
  - Give thorough opportunity for citizens to participate. This will require adequate notification and should occur in at least some of the most remote communities in the state, i.e. those most affect by this strategy. Citizens need the assurance that their input will be included in the strategy and not simply noted for the commission.
- Worried that strategy will move forward in its current form and simply include a list of issues or suggestions raised by county governments
  - Make it clear that strategy at this point is still in draft form (I assume it is) and that there is plenty of opportunity to incorporate suggestions.
- Conflict with county Comprehensive land use plans
  - All Counties and DLCD need time to compare to their plans and ODFW should require staff to review with counties any potential challenges or opportunities.
- Conflict with economic strategies
  - Same as above
- Guidelines suggested in strategy to be established by ODFW commission requiring action by counties.
  - Enter into direct conversations with counties how staff and counties can agree to consider these guidelines and make them workable for counties. This may require ODFW to fund cost of implementation of guidelines at county level?

- Overarching worry that this strategy conflicts with other state agency plans and a lack of coordination with those plans.
    - Review ALL existing plans of state agencies to assure coordination. ODFW has a staff person who did a commendable job on this with the Wildlife Conservation Strategy a few years ago, Gail McEwen

Process for Citizens

- No clear roles for identified partners
    - Identify the role of SWCDs and Watershed Councils as mentioned in strategy. Get them to partner in public meetings?
- No public meetings held in affected areas.
    - Hold meetings throughout the affected area.

David Budeau

From: Sage Grouse
Sent: Monday, August 16, 2010 1:50 PM
To: Karen D Buell
Cc: David Budeau
Subject: FW: Copy of sage grouse plan

Please send a copy of plan. Thanks, Meg

From: SUZAN JONES [mailto:devilscanyonranch@wildblue.net]
Sent: Monday, August 09, 2010 9:34 PM
To: sage.grouse@state.or.us
Subject: Copy of sage grouse plan

Please send a copy of the plan to:

Keith L. Jones
24121 Clarks Creek Road
Bridgeport, OR 97819

Thank you.

--
Devil's Canyon Ranch
Devil's Canyon Guest Ranch
Bridgeport/Clarksville, OR
www.devilscanyonguestranch.com
OR
http://www.facebook.com/?ref=home#!/pages/Bridgeport-OR/Devils-Canyon-Guest-Ranch/252838906758?ref=sgm&ajaxpipe=1&__a=24

David Budeau

From: Sage Grouse
Sent: Monday, August 16, 2010 1:49 PM
To: David Budeau; Christian Hagen
Subject: FW: Comments on ODFW draft plan - Sage Grouse

Fyi, Meg

From: Randy and Terri [mailto:rtmatzek@crestviewcable.com]
Sent: Thursday, August 12, 2010 5:45 PM
To: sage.grouse@state.or.us
Subject: Comments on ODFW draft plan - Sage Grouse

We have been going hunting to the Whitehorse area for sage grouse since the early 90's, have NEVER had trouble finding birds, always send in wings (we use a GWP and have lost FEW birds over the years)....have been on Lek counts with Mike Schlegal IDFW and Ron Garner (retired) ODFW Burns.....The biggest problem I see (opinion) is....

1. ENCROACHMENT OF JUNIPERS.....Trout's have none/few...we have put in and got tags for the Juniper and Steen area which have lots of Junipers NO GROUSE or FEW.....Lets get rid of them...

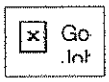
2. WATER...the Trout's are loaded with springs and SEVERAL water troughs...how about some water management

3. WILD HORSES(Steen/Juniper units)....do far more damage then cattle which are taken off the Trout's earlier in the year....habitat is good there....

If we can find answers to these things our problems would certainly be helped.....also I have served on rhe Oregon State Land lease committee for many years with Randy Weist of Bend.....Lets KEEP the environmentalist on the right track and not let them CONTROL our thought process.....Thanks, if you have any questions about sage grouse or the Steen/Trout's area, please feel free to contact me....I have been going to the area since 1969, it has changed, but Fields Station still serves a MEAN hamburger and shake even though the old man (gas) and cook(owners) are now gone.....Take care

Randy Matzek
930 Akins Drive
Prineville, Oregon 97754

Ph 541-447-3605



From: onda@onda.org [mailto:onda@onda.org]
Sent: Sunday, August 22, 2010 3:12 PM
To: sage.grouse@state.or.us
Subject: Greater sage-grouse Conservation Assesment and Strategy for Oregon

Your E-Mail Address
jesusthedude@hotmail.com
Name
Brendan Hughes
City
Joshua Tree
State
CA
Subject
Greater sage-grouse Conservation Assesment and Strategy for Oregon
Comments on the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon
To Whom it May Concern: Thank you for this opportunity to comment on the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon. Though the USFWS determined that Greater sage-grouse should remain unlisted for now, there are still a number of threats facing Greater sage-grouse and sagebrush habitat in Oregon. Without science-based management practices and common sense policies geared to protect Greater sage-grouse we may continue to see their range and numbers decrease. The most pressing threats to sage-grouse include degradation of habitat through development, livestock grazing and agriculture, and energy development coupled with accompanying roads and power lines. However, with policies like mitigation requirements and restrictions in core sage-grouse habitat, the State of Oregon can help facilitate responsible renewable energy development in Oregon while protecting this important landscape and iconic species. The current plan makes assumptions that the amount and quality of sagebrush habitat will be constant for the next 50 years. Nowhere does the plan take into account the potential for sagebrush range contraction due to the action of drought and increased fire intensity as a result of climate change. ODFW needs to use the best available science to model the potential impacts of climate change on sage-grouse and sagebrush habitat in Oregon. ODFW must also address the increase in applications for renewable energy projects within sage-grouse range by creating standards and guidelines for energy development. Currently, 44% of the most important remaining habitat for sage-grouse shares a landscape with future energy development. Now, more than ever sage grouse need a balanced approach to protection. I hope that ODFW will also address the following deficiencies in the final Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: 1. Create a plan to address research gaps that exist related to lek data, nesting habitat, climate change, and energy development. 2. Make changes to the core habitat map by filling in "doughnut holes" and joining together core areas that are in close proximity for more fluid management. 3. Improve guidelines related to man-made water features, such as guzzlers and livestock ponds to reduce the threat of West Nile virus. 3. Create a plan to educate landowners about threats to sage-grouse and how they can help improve sagebrush habitat and reduce impacts to sage-grouse on private lands. 4. Create a plan to work with County officials to incorporate recommendations into county planning and governance. The importance of creating a proactive and authoritative plan to protect Greater sage-grouse and the sagebrush habitats of Oregon cannot be overstated. We need to protect this declining species so that Oregonians today and in the future will have an opportunity to experience and enjoy one of the high deserts most enigmatic creatures. By protecting Greater sage-grouse and the sagebrush habitat they rely on, hundreds of species stand to gain. Currently there are over 20 sensitive or threatened species associated with sagebrush, including Oregon's state bird, the Western Meadowlark. Thank you for considering my comments and this opportunity to take part in this process. Sincerely,

From: onda@onda.org [mailto:onda@onda.org]
Sent: Monday, August 16, 2010 3:51 PM
To: sage.grouse@state.or.us
Subject: Greater sage-grouse Conservation Assesment and Strategy for Oregon

Your E-Mail Address
dvsark@palmain.com
Name
dale sarkkinen
City
madras
State
oregon
Subject
Greater sage-grouse Conservation Assesment and Strategy for Oregon
Comments on the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon
To Whom it May Concern: Thank you for this opportunity to comment on the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon. Though the USFWS determined that Greater sage-grouse should remain unlisted for now, there are still a number of threats facing Greater sage-grouse and sagebrush habitat in Oregon. Without science-based management practices and common sense policies geared to protect Greater sage-grouse we may continue to see their range and numbers decrease. The most pressing threats to sage-grouse include degradation of habitat through development, livestock grazing and agriculture, and energy development coupled with accompanying roads and power lines. However, with policies like mitigation requirements and restrictions in core sage-grouse habitat, the State of Oregon can help facilitate responsible renewable energy development in Oregon while protecting this important landscape and iconic species. The current plan makes assumptions that the amount and quality of sagebrush habitat will be constant for the next 50 years. Nowhere does the plan take into account the potential for sagebrush range contraction due to the action of drought and increased fire intensity as a result of climate change. ODFW needs to use the best available science to model the potential impacts of climate change on sage-grouse and sagebrush habitat in Oregon. ODFW must also address the increase in applications for renewable energy projects within sage-grouse range by creating standards and guidelines for energy development. Currently, 44% of the most important remaining habitat for sage-grouse shares a landscape with future energy development. Now, more than ever sage grouse need a balanced approach to protection. I hope that ODFW will also address the following deficiencies in the final Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: 1. Create a plan to address research gaps that exist related to lek data, nesting habitat, climate change, and energy development. 2. Make changes to the core habitat map by filling in "doughnut holes" and joining together core areas that are in close proximity for more fluid management. 3. Improve guidelines related to man-made water features, such as guzzlers and livestock ponds to reduce the threat of West Nile virus. 3. Create a plan to educate landowners about threats to sage-grouse and how they can help improve sagebrush habitat and reduce impacts to sage-grouse on private lands. 4. Create a plan to work with County officials to incorporate recommendations into county planning and governance. The importance of creating a proactive and authoritative plan to protect Greater sage-grouse and the sagebrush habitats of Oregon cannot be overstated. We need to protect this declining species so that Oregonians today and in the future will have an opportunity to experience and enjoy one of the high deserts most enigmatic creatures. By protecting Greater sage-grouse and the sagebrush habitat they rely on, hundreds of species stand to gain. Currently there are over 20 sensitive or threatened species associated with sagebrush, including Oregon's state bird, the Western Meadowlark. Thank you for considering my comments and this opportunity to take part in this process. Sincerely, dale sarkkien

#15

August 17, 2010

Subject: Comments on ODFW's Greater Sage Grouse Conservation Plan

Dear ODFW Professional:

I appreciate the opportunity to be able to comment on the Greater Sage Grouse Conservation Plan. I strongly agree with the concepts put forth in the ODFW's Sage Grouse Conservation Assessment and Strategy for Oregon, dated July 6, 2010.

The importance of preventing the loss or fragmentation of healthy sage steppe habitat in central and eastern Oregon can't be overstated and the plan addresses it well. The use of the Greater Sage Grouse as an indicator species for the health of the Oregon sage steppe habitat is important for a variety of important reasons, including: economic, recreational, esthetics, and ethical.

The importance of maintaining a healthy, sustainable population of sage grouse to prevent them from being listed as an Endangered Species is important to Oregon, and particularly central and eastern Oregon, where outdoor recreational tourism is a key economic asset. The potential damage to central and eastern Oregon outdoor recreational opportunities should sage grouse be listed will likely be substantial and wide ranging.

The minor impact of hunter harvest, as mentioned in the plan, is inconsequential. The benefit to the sage grouse from hunter advocacy groups working to protect sage grouse and sage grouse habitat can be significant, as long as the grouse remain a renewable, harvestable resource. Ducks Unlimited and Oregon Hunters Association are excellent examples of hunter organizations that make a significant difference to habitat improvement, while their basic reason for existence is to provide hunting opportunities for their members and the public.

I commend the ODFW for allocating the time and resources to produce such a comprehensive document, and advocating the use of the best available science to monitor and evaluate sage grouse population trends. I encourage the ODFW to continue to make rational recommendations on how best to not only preserve existing populations, but to also enhance statewide sage grouse populations.

The state of Oregon should at a minimum adopt and adhere to the ODFW Greater Sage Grouse Conservation Plan, dated July 6, 2010. Permitting and land use decisions need to follow the recommendations in the plan. Protection of the sage steppe habitat is critical for sage grouse and many other unique and valuable wildlife species.

Respectfully submitted,

Dan Cecchini, Jr.

Dan Cecchini, Jr.
Coordinator, Oregon Chapter of North American Grouse Partnership
Past President—North American Falconers' Association
Member – Oregon Falconers Association
Bend, OR
(541) 385-7615
Dan_N_C@hotmail.com

David Budeau

From: Sage Grouse
Sent: Monday, August 30, 2010 1:07 PM
To: David Budeau
Subject: FW: Land use

From: Donna Beck [mailto:db_ab@msn.com]
Sent: Monday, August 30, 2010 12:07 PM
To: sage.grouse@state.or.us
Subject: Land use

With the problems Oregon has providing necessary services the last thing we need is to protect another bird that is not endangered. Just ignore the need for Jobs, schools, fire fighters, and other services, I truly hope that we can reduce the number of employees not the number of farmable acres in Oregon.
I have some shage brush land near Burns that I hope to retire to some day

Donna Beck
2440 Merry Lane White City Oregon 97503

David Budeau

From: Sage Grouse
Sent: Monday, August 30, 2010 1:08 PM
To: David Budeau
Subject: FW: Private property issues

From: Michael [mailto:rsco@mind.net]
Sent: Monday, August 30, 2010 11:42 AM
To: sage.grouse@state.or.us
Subject: Private property issues

The focus of my comments pertains to increased regulations on private land to protect the "sage grouse".

As a land use consultant, I represent numerous land owners of rural land that are coming under increased regulation by the State. Specifically, I represent land owners and operators in both Klamath and Malheur counties who are involved in mining. ANY regulations that would increase the bureaucracy and regulatory impacts of mining on private lands, in my opinion, is counter productive.

First, the State of Oregon is in the depths of a serious recession. I understand that the environmentalist view of the world values fish and wildlife habitat more than jobs for people, but in the long term, additional regulations rarely achieve the goal. Providing INCENTIVES for private land holders to enhance and protect the habitat is twice as valuable as additional taking of private property rights.

Secondly, I was unaware that the sage grouse was an endangered species. If the issue is predation, perhaps providing incentives to reduce the number of predators would be a good idea.

After thirty-five years of experience in the land use arena, my experience is that bureaucrats never mind cutting red tape....as long as they can cut it lengthwise! We do not need additional regulatory takings of private property. We need sensible management of the resource, be it sage grouse habitat or a mine. Government rarely provides sensible management, only regulatory takings.

I urge you to disband this effort.

J. Michael LaNier, Consultant
155 Suncrest Road
Talent, OR 97540

David Budeau

From: Sage Grouse
Sent: Monday, August 30, 2010 1:08 PM
To: David Budeau
Subject: FW: When is enough of the Endangered Spieces act due

---

From: Dick Crampton/ Working Concepts [mailto:dick@softknees.com]
Sent: Monday, August 30, 2010 10:31 AM
To: sage.grouse@state.or.us
Subject: When is enough of the Endangered Spieces act due

The Endangered Spices act has reached the point of abuse and misuse. The productive American property owner is becoming the endangered species due to abuses such as this. Please let the sage grouses fare for themselves, something they have did for many years.

Richard H. Crampton
8217 SE 267th Ave.
Gresham, OR 97080
503-663-5300

richard@softknees.com

David Budeau

From: Sage Grouse
Sent: Wednesday, September 01, 2010 11:12 AM
To: David Budeau; Christian Hagen
Subject: FW: Greater sage-grouse Conservation Assesment and Strategy for Oregon

---

From: onda@onda.org [mailto:onda@onda.org]
Sent: Monday, August 30, 2010 8:31 PM
To: sage.grouse@state.or.us
Subject: Greater sage-grouse Conservation Assesment and Strategy for Oregon

Your E-Mail Address
joewalicki@comcast.net
Name
Joe Walicki
City
Beaverton
State
Oregon
Subject
Greater sage-grouse Conservation Assesment and Strategy for Oregon
Comments on the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon
To Whom it May Concern: Save the Sage-Grouse!!! Thank you for this opportunity to comment on the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon. Though the USFWS determined that Greater sage-grouse should remain unlisted for now, there are still a number of threats facing Greater sage-grouse and sagebrush habitat in Oregon. Without science-based management practices and common sense policies geared to protect Greater sage-grouse we may continue to see their range and numbers decrease. The most pressing threats to sage-grouse include degradation of habitat through development, livestock grazing and agriculture, and energy development coupled with accompanying roads and power lines. However, with policies like mitigation requirements and restrictions in core sage-grouse habitat, the State of Oregon can help facilitate responsible renewable energy development in Oregon while protecting this important landscape and iconic species. The current plan makes assumptions that the amount and quality of sagebrush habitat will be constant for the next 50 years. Nowhere does the plan take into account the potential for sagebrush range contraction due to the action of drought and increased fire intensity as a result of climate change. ODFW needs to use the best available science to model the potential impacts of climate change on sage-grouse and sagebrush habitat in Oregon. ODFW must also address the increase in applications for renewable energy projects within sage-grouse range by creating standards and guidelines for energy development. Currently, 44% of the most important remaining habitat for sage-grouse shares a landscape with future energy development. Now, more than ever sage grouse need a balanced approach to protection. I hope that ODFW will also address the following deficiencies in the final Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: 1. Create a plan to address research gaps that exist related to lek data, nesting habitat, climate change, and energy development. 2. Make changes to the core habitat map by filling in "doughnut holes" and joining together core areas that are in close proximity for more fluid management. 3. Improve guidelines

related to man-made water features, such as guzzlers and livestock ponds to reduce the threat of West Nile virus. 3. Create a plan to educate landowners about threats to sage-grouse and how they can help improve sagebrush habitat and reduce impacts to sage-grouse on private lands. 4. Create a plan to work with County officials to incorporate recommendations into county planning and governance. The importance of creating a proactive and authoritative plan to protect Greater sage-grouse and the sagebrush habitats of Oregon cannot be overstated. We need to protect this declining species so that Oregonians today and in the future will have an opportunity to experience and enjoy one of the high deserts most enigmatic creatures. By protecting Greater sage-grouse and the sagebrush habitat they rely on, hundreds of species stand to gain. Currently there are over 20 sensitive or threatened species associated with sagebrush, including Oregon's state bird, the Western Meadowlark. Thank you for considering my comments and this opportunity to take part in this process. Save the Sage-Grouse for future generations! Sincerely, Joe Walicki Beaverton, Oregon

David Budeau

From: Sage Grouse
Sent: Friday, July 30, 2010 4:57 PM
To: David Budeau
Subject: FW: Due date for sage grouse comments

From: Alan Cowan [mailto:Alan.Cowan@enXco.com]
Sent: Wednesday, July 28, 2010 5:37 PM
To: sage.grouse@state.or.us
Subject: Due date for sage grouse comments

Thank you for extending the due date for written comments. What is the new date to receive comments and have them included in the Commission's briefing materials?

Thanks,
Alan

Alan Cowan, PE
Project Developer
enXco – an EDF Energies Nouvelles Company
517 SW 4th, Ste 300 | Portland, OR | 97204
t: 503.219.3166 x 1020 | c: 503.830.9332 | f: 503.219.3167
alan.cowan@enXco.com
www.enxco.com

Portland General Electric

Dave Budeau
ODFW Upland Gamebird Coordinator
Oregon Department of Fish and Wildlife
3406 Cherry Ave. NE
Salem, OR 97303

Dear Mr. Budeau,

Thank you for the opportunity to provide comments in regard to the Oregon Department of Fish and Wildlife's "Greater Sage-Grouse Conservation Assessment and Strategy for Oregon." Portland General Electric ("PGE") is a vertically integrated utility serving over 815,000 customers in the northern Willamette Valley in a service territory of approximately 4,000 square miles. While none of PGE's service territory overlaps any of the current or historic range of the sage-grouse, we anticipate a future where electric transmission and electric generating facilities to serve our customers might be located within those habitat areas.

Utilities in the State of Oregon have a mandate to meet at least 25% of their load with renewable resources by 2025. This statutory mandate was adopted by the 2007 Legislative Assembly and constitutes a partial expression of Governor Kulogoski's Renewable Energy Action Plan developed in 2005. That plan, along with statutory guidance found, among other places, in ORS 469.010[1] show a distinct state preference for the development and siting of renewable energy resources.

Renewable energy resources differ from fossil based generation resources in that they are typically locationally dependent on their fuel: wind turbines must be sited where there is wind and photovoltaic systems must be sited where there is a good solar profile. In addition to the generation resources themselves, once the power is generated, it must be able to be transmitted to the people who need the energy. In Oregon, some of the best renewable energy generation sources can be found in the eastern portions of the state and much of the load needing to be served by those sources is in the western portion of the state. To get that power to the people who need it will require additional transmission facilities. Moreover, as the state moves to reduce the carbon dioxide emitted from all sources in the effort to achieve the state climate goals,[2] utilities in the state may need to utilize existing or new transmission corridors to access renewable energy sources located

[1] ORS 469.010 provides in part "It is the goal of Oregon to promote the efficient use of energy resources and to develop permanently sustainable energy resources."
[2] ORS 468A.205

outside the state and these corridors may need to go through the habitat areas designated by the department.

Whenever land is taken out of productive use, the costs and benefits for that protection must be carefully weighed. Routing interconnection paths around conservation areas for the sage-grouse could be very expensive or impossible depending on the extent of the designated conservation areas. A better approach would be to encourage the responsible development of renewable resources and associated transmission. That approach would balance the state policies regarding energy development and climate change with those of the needs of the sage-grouse.

PGE believes that a carefully balanced pursuit of environmental conservation and renewable energy project development can support jobs, expand the economy, protect the sage-grouse and reduce carbon emissions for the long-term. On the other hand, a protection plan that prioritizes species protection over all other resources is too narrowly focused and may seriously side-track the recent advances made in renewable energy development.

PGE has a long track record of working for reasonable environmental solutions and we have a longstanding commitment to the protection of other species, especially the restoration and protection of our native salmonids. In recent years we have invested hundreds of millions of dollars in fish protections, including our selective water withdrawal facility at Pelton/Round Butte Dam and the removal of the Marmot Dam in the Sandy River drainage. We believe that energy generation and species protection can coexist, but as we read the conservation plan, the plan might exclude nearly all renewable energy development in southeastern Oregon – and we anticipate that these lands will become of significant value for solar and wind development in the next five years.

We ask that the department consider these views when drafting its final conservation plan. Thank you for the opportunity to comment and we look forward to following this process through to its conclusion.

Respectfully submitted,

Brendan McCarthy
State Government Affairs
Portland General Electric

 #22

David Budeau

From: Sage Grouse
Sent: Wednesday, September 08, 2010 10:52 AM
To: David Budeau
Subject: FW: Public Meeting comment Form
Attachments: completed comment form.pdf

From: Helmick, Darcy [mailto:darcy.helmick@simplot.com]
Sent: Tuesday, September 07, 2010 10:01 AM
To: sage.grouse@state.or.us
Subject: Public Meeting comment Form

I am attaching my Public Meeting Comment Form for the Draft of the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: A plan to Maintain and Enhance Populations and Habitat, meeting in Jordan Valley August 24, 2010.

Darcy Helmick
Rangeland Monitoring Specialist
Simplot Land & Livestock

Oregon Department of Fish and Wildlife
3406 Cherry Avenue NE
Salem, OR 97303-4924
(503) 947-6000
www.dfw.state.or.us

PUBLIC MEETING COMMENT FORM

Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: A Plan to Maintain and Enhance Populations and Habitat

Name Darcy Hetmick cont.

Contact darcy.hetmick@ciwplot.com

Date 9-7-10

pg 91: "Reduce negative impacts of wildfire on sage-grouse through efficient fire suppression techniques." Again, studies should be done to see the effects of grazing on fire intensity; consider increasing utilization in certain core areas to reduce fuel loading.

pg 97: "Broadcast burns.... (i.e. not to exceed 160 acres). This is too restrictive.

pg 98: "Spotted knapweed, yellow star thistle...." add the phrase, "and other noxious weeds" to make this statement more general to allow for larger control of noxious weeds.

pg 106: "1) off highway vehicle (OHV) use should be restricted"
—who is going to enforce this?

The draft plan is available to view on ODFW's website. Request a print copy from the Wildlife Division, ODFW Headquarters, 3406 Cherry Avenue NE, Salem, OR 97303. Comments can be mailed to the headquarters' address or e-mailed to sage.grouse@state.or.us.

Oregon Department of Fish and Wildlife
3406 Cherry Avenue NE
Salem, OR 97303-4924
(503) 947-6000
www.dfw.state.or.us

PUBLIC MEETING COMMENT FORM

Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: A Plan to Maintain and Enhance Populations and Habitat

Name DARCY Helmick

Contact darcy.helmick@Simplot.com

Date 9-7-10

- page 41: "Livestock removal does not necissarily result in large changes to sage-grouse populations." – Have there been any studies completed relating to the reduction of utilization or removal of livestock grazing and the frequency and intensity of wild fires and how that may effect sage grouse habitat?

- page 44: "Predation of sage-grouse increased from 26% to 78%. after a transmission line was constructed" – Does ODFW have plans to increase predator control?

- page 79: "No development in these regions" – Needs to be more specific, according to the meeting range improvements construction will not be effected. would like to see the wording changed to show that.

- page 79: "Conduct construction and maintenance associated with development activities outside of the period from 1 march to 30 June... authorizing authority.. as rees, restrict activity." This again needs to be more specific. Is fence maintenance included in this? Will ranchers have to get authorization to fix fences from the authorizing authority prior to maintenance?

The draft plan is available to view on ODFW's website. Request a print copy from the Wildlife Division, ODFW Headquarters, 3406 Cherry Avenue NE, Salem, OR 97303. Comments can be mailed to the headquarters' address or e-mailed to sage.grouse@state.or.us.

#23

David Budeau

From: Sage Grouse
Sent: Wednesday, September 08, 2010 10:52 AM
To: David Budeau
Subject: FW: Greater sage-grouse Conservation Assesment and Strategy for Oregon

---

From: onda@onda.org [mailto:onda@onda.org]
Sent: Wednesday, September 08, 2010 10:08 AM
To: sage.grouse@state.or.us
Subject: Greater sage-grouse Conservation Assesment and Strategy for Oregon

Your E-Mail Address
dave@ardellgroup.com
Name
David Stowe
City
Bend
State
Oregon
Subject
Greater sage-grouse Conservation Assesment and Strategy for Oregon
Comments on the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon
To Whom it May Concern: Thank you for this opportunity to comment on the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon. Though the USFWS determined that Greater sage-grouse should remain unlisted for now, there are still a number of threats facing Greater sage-grouse and sagebrush habitat in Oregon. Without science-based management practices and common sense policies geared to protect Greater sage-grouse we may continue to see their range and numbers decrease. The most pressing threats to sage-grouse include degradation of habitat through development, livestock grazing and agriculture, and energy development coupled with accompanying roads and power lines. However, with policies like mitigation requirements and restrictions in core sage-grouse habitat, the State of Oregon can help facilitate responsible renewable energy development in Oregon while protecting this important landscape and iconic species. The current plan makes assumptions that the amount and quality of sagebrush habitat will be constant for the next 50 years. Nowhere does the plan take into account the potential for sagebrush range contraction due to the action of drought and increased fire intensity as a result of climate change. ODFW needs to use the best available science to model the potential impacts of climate change on sage-grouse and sagebrush habitat in Oregon. ODFW must also address the increase in applications for renewable energy projects within sage-grouse range by creating standards and guidelines for energy development. Currently, 44% of the most important remaining habitat for sage-grouse shares a landscape with future energy development. Now, more than ever sage grouse need a balanced approach to protection. I hope that ODFW will also address the following deficiencies in the final Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: 1. Create a plan to address research gaps that exist related to lek data, nesting habitat, climate change, and energy development. 2. Make changes to the core habitat map by filling in "doughnut holes" and joining together core areas that are in close proximity for more fluid management. 3. Improve guidelines related to man-made water

features, such as guzzlers and livestock ponds to reduce the threat of West Nile virus. 3. Create a plan to educate landowners about threats to sage-grouse and how they can help improve sagebrush habitat and reduce impacts to sage-grouse on private lands. 4. Create a plan to work with County officials to incorporate recommendations into county planning and governance. The importance of creating a proactive and authoritative plan to protect Greater sage-grouse and the sagebrush habitats of Oregon cannot be overstated. We need to protect this declining species so that Oregonians today and in the future will have an opportunity to experience and enjoy one of the high deserts most enigmatic creatures. By protecting Greater sage-grouse and the sagebrush habitat they rely on, hundreds of species stand to gain. Currently there are over 20 sensitive or threatened species associated with sagebrush, including Oregon's state bird, the Western Meadowlark. Thank you for considering my comments and this opportunity to take part in this process. Sincerely,

#24

David Budeau

From: Sage Grouse
Sent: Friday, September 10, 2010 10:37 AM
To: David Budeau; Christian Hagen
Subject: FW: Comment on Draft Plan

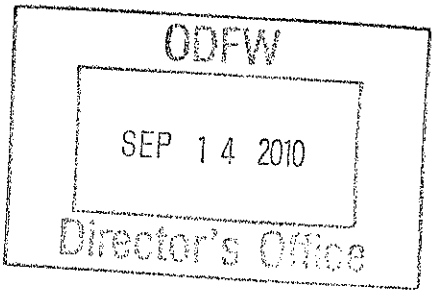
-----Original Message-----
From: Craig_Martell@blm.gov [mailto:Craig_Martell@blm.gov]
Sent: Wednesday, September 08, 2010 3:44 PM
To: sage.grouse@state.or.us
Subject: Comment on Draft Plan

This is a comment on the draft sage-grouse stategy plan.

On page 94, item #5, the statement should be revised to clarify that salt blocks or mineral supplements should be placed over 0.6 mile from a lek during sage-grouse breeding season. I think the lack of any reference to breeding season is likely an oversight, seeing that the language in the 2000 version of these management guidelines focused on physical disturbance to sage-grouse (not sage-grouse habitat). Perhaps the implication that this practice must be followed all year long is intentional, based on the thought that sagebrush hiding cover in close proximity to the lek is essential, and salt or mineral blocks might remove some of this cover. My observation is that the amount of sagebrush cover eliminated by placement of a salt block is very minimal. Furthermore, leks are usually located in open areas and good lek characteristics could possibly be maintained, in some cases, by some limited extent of trampling of sagebrush, preventing the lek from becoming so overgrown with tall sagebrush that it is no longer suitable as a lek. The management guidelines on other actions, such as brush beating, do not have the same 0.6 mile from a lek constraint, even though they obviously would decrease sagebrush cover more so than simply placing a salt block there.

COLUMBIA ENERGY PARTNERS

Marla Rae
Chair, Oregon Fish & Wildlife Commission
3406 Cherry Avenue, NE
Salem, Oregon 97303



September 14, 2010

Dear Chair Rae and Members of the Commission,

As your staff is aware, our company is in the fourth year of working with landowners, local government, federal and state agencies, tribes, stakeholders and ODFW on developing several wind energy projects in Harney County. ODFW staff (including Christian Hagen) have toured one or more of our project sites. ODFW staff have worked with several of our landowners for years to improve habitat for Greater Sage-Grouse and other wildlife on private lands in Harney County.

Please accept the following comments on the *Greater Sage-Grouse Conservation Assessment and Strategy for Oregon* (Draft Plan Revision) in the spirit in which they are offered:

1. That our company shares your concern for the future of the Greater Sage-Grouse;
2. That we agree aggressive action is warranted to protect the species, as is much further study and continuous refinement of any plans to improve the birds' prospects; and
3. That we believe those actions are <u>not</u> inconsistent with also allowing responsible development of renewable energy projects and other economic development activities essential to rebuilding Oregon's economy and slowing the advance of global climate change, which is a major threat to Greater Sage-Grouse and us all.
4. Most importantly, we ask that you stop this flawed process until a far broader cross-section of stakeholders has the opportunity to be fully engaged in a true process that brings equally compelling factors into account for the good of the Greater Sage-Grouse and Oregon's future.

With that preamble, I ask you to instruct staff to revisit this fundamentally flawed Draft Plan Revision, which staff has repeatedly described as "biologically-driven." To devise a Draft Plan on that basis alone ignores essential considerations the Commission is required by law and common sense to examine.

With this letter, I would like to point out five basic failings in the Draft Plan, including:

1. Why is all land treated the same in an assessment of habitat categorization?
2. The potential for conflict between wind power and sage grouse is very limited.
3. The Draft Plan ignores serious economic harm to private landowners and communities.
4. Scientific uncertainty warrants a different approach.
5. To designate habitat classification, a formal rulemaking is required.

1. ***Why is all land treated the same in an assessment of habitat Categorization?***
"Facts on the ground" already preserve hundreds of thousands of acres of the "best of the best" of Oregon's habitat, but the Draft leaves the impression that each acre of Category 1 habitat is equally imperiled.

As ODFW staff is well aware, most of the eastern Oregon counties that are home to sage grouse are predominantly owned by the public. The Draft Report makes no notice of the fact that much of Oregon's publicly-owned lands is already out of bounds to any kind of development.

Harney County, for example, is 73% publicly-owned land. Much of that land is in wilderness or wilderness study classification, which already places it out of bounds for development. If prioritizing habitat classification is the goal, why was this basic fact not taken into consideration?

Category	# acres	% Harney County
Federal Wilderness	170,202	
Wilderness Study Area	846,587	
Malheur Nat'l Wildlife Refuge	188,036	
Total excluded from development in previously existing categories	**1,204,825**	**18.4%**

Furthermore, at 10,134 square miles, with a population of roughly 6,500 people and decades of negative economic conditions, what man-made pressures has staff identified (outside of renewable energy development, which so far does not exist in Harney County) which warrant removing more land in counties such as Harney's from development potential?

Although 73% of Harney County is publicly owned, and more than 18% of the county is already out of bounds for any kind of development, the Draft Plan would push even more of Harney County's lands into another class of 'undevelopable' lands.

Item	# acres	% Harney County
Class One Habitat • Public lands • Private lands	**1,950,557** • 1,550,182 • 400,375	**30%**
Class Two Habitat • Public lands • Private lands	**2,150,099** • 1,709,614 • 440,484	**33%**
Total acreage in Harney County	6,544,854	100%
Total Class 1 & 2	**4,100,652**	**63%**

By what measure is it reasonable – when looking at facts on the ground – to impose habitat classifications on a county with fewer than one resident per square mile, years of negative economic growth and almost 20% of its lands already out of bounds to development to set aside still more acreage from development for renewable energy projects that are vitally important to the county's (and the state's) survival?

2. *The potential for conflict between wind power and sage grouse is very limited.*

The Draft Plan fails to consider the very limited potential for conflict between Greater Sage-Grouse and renewable energy project development. As the attached map of Oregon's leks and lands with potential for development as wind energy projects makes clear, the conflict is very limited. With Oregon's (and the nation's) mandates to develop renewable resources and rebuild Oregon's economy on "green jobs," the Draft must not ignore the very limited basis for conflict and develop a flexible plan that recognizes these equally-important mandates. To do so would likely result in no greater conservation of the Greater Sage-Grouse and a worsening of the already dire economic conditions in Southeastern Oregon. Although the Draft Plan includes a section on socio-economic factors, this section fails to acknowledge the devastating economic effects of eliminating all of the renewable energy resource in Southeastern Oregon from development.

Applying this consideration to the example of Harney County makes it even more obvious why it is important to take into account the very limited areas of potential conflict between sage grouse and wind power.

Under the old Plan... Using the old Plan's recommended 3-mile radius around sage grouse leks, Harney County had 227 leks. However, only 1.4% of Harney County's 10,134 square miles is suitable for wind energy development (due in part to the 18.4% of the county already out of bounds to development under federal wilderness, wilderness study and similar restrictions).

Of 227 leks in Harney County, only 12 leks overlap with developable wind resource areas. Those 12 leks (some of which overlap) would preclude 55% of Harney County's lands with viable wind energy resources from being developed.

Put another way, in Harney County, there are

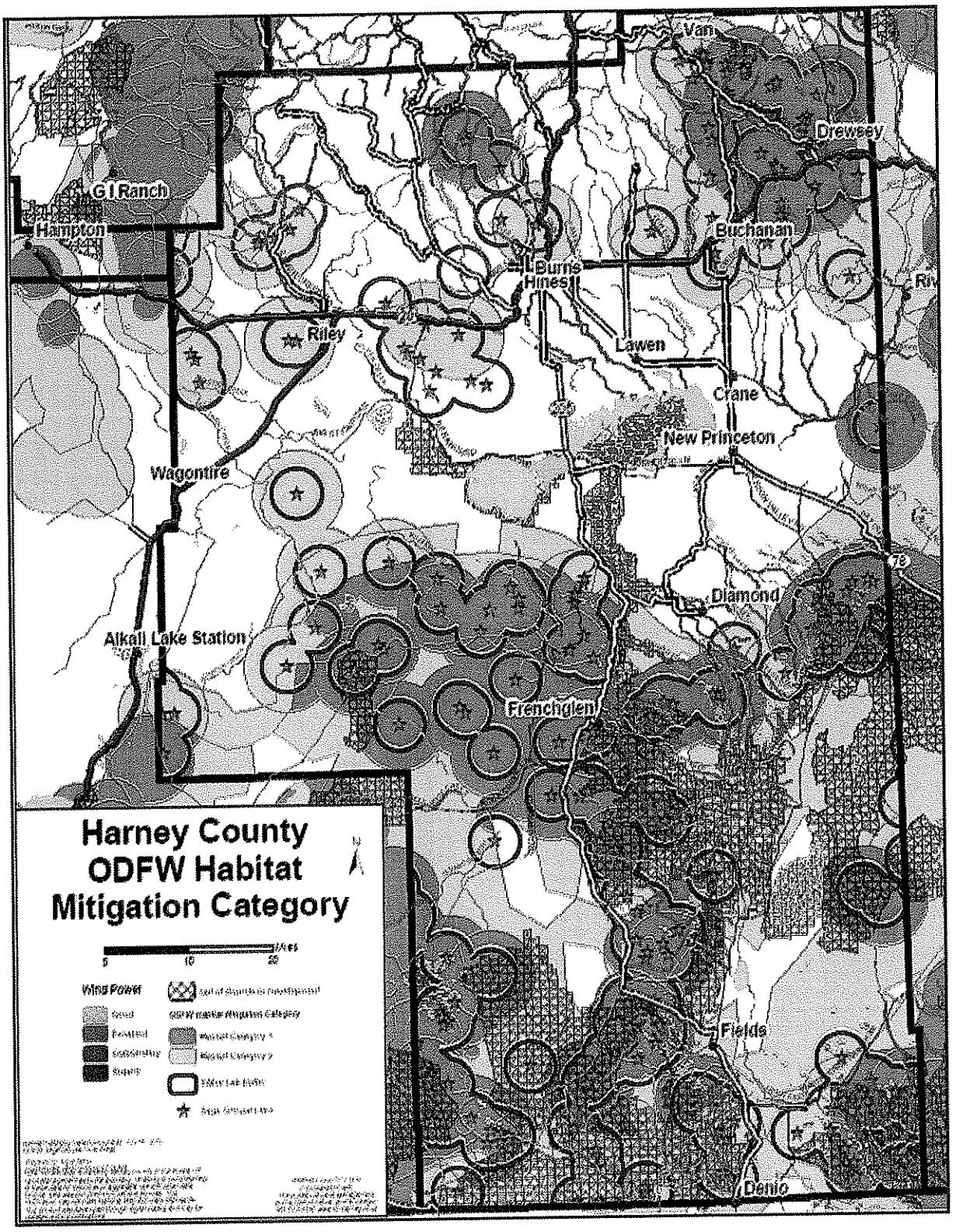
- 92,753 total acres suitable/available for wind energy in Harney County;
- 50,562 acres in just 12 leks (of 227 total) overlap with above windy/available lands, putting 55% of Harney County's wind resources out of bounds for development.
- ***Or, 5% of the 227 leks erase 55% of Harney County's developable wind resources.***

Under the new Draft Plan... it gets even worse.

Item	# developable acres	% total Harney County developable lands
Total	**92,753**	**100%**
In Class 1 Habitat • Public land • Private land	**58,330** • 37,335 • 20,995	**63%**
In Class 2 Habitat • Public land • Private land	**27,830** • 15,071 • 12,759	**14%**
Total Class 1 or 2	**71,089**	**77%**

The map on the following page shows Class 1 & 2 Habitat overlaid on a map of Harney County with developable wind resources also shown.

(See map, next page.)


Van
Drewsey
G I Ranch
Hampton
Buchanan
Burns
Hines
Riley
Lawen
Crane
New Princeton
Wagontire
Diamond
Alkali Lake Station
Frenchglen
Fields
Denio
Harney County
ODFW Habitat
Mitigation Category
Miles
0
10
20
Wind Power

3. *The Draft Plan ignores serious economic harm to private landowners and communities.*

A "biologically-driven plan" completely ignores the important reality that private landowners who have cooperated with ODFW for years to improve habitat for sage grouse and other species now find their work rewarded with a habitat classification that precludes economic development on their lands that is otherwise consistent with their own rights and state and federal mandates. It may be that such efforts on private lands have – in part – accounted for current improvements in trend lines for the birds.

Rewarding those voluntary efforts with Class 1 or Class 2 habitat designation, which means an end to renewable energy development on those rare lands where the available wind resource and habitat intersect, is a sure-fire means to end that cooperation, on sage grouse, fish and other wildlife. ODFW must broaden its considerations of factors and impacts to avoid that dire result.

As a legal matter, Oregon Wildlife Policy requires the Commission to consider seven co-equal goals when implementing policy, namely to: 1) maintain all species of wildlife at optimum levels; 2) develop and manage the lands and waters of this state in a manner that will enhance the production and public enjoyment of wildlife; 3) permit an orderly and equitable utilization of available wildlife; 4) develop and maintain public access to the lands and waters of the state and the wildlife resources thereon; 5) regulate wildlife populations and the public enjoyment of wildlife in a manner that is compatible with primary uses of the lands and waters of the state; 6) provide optimum recreational benefits; and 7) make decisions that affect wildlife resources of the state for the benefit of the wildlife resources and to make decisions that allow for the best social, economic and recreational utilization of wildlife resources by all user groups. ORS 496.012. Unfortunately, the Draft Plan ignores these goals and only considers biology.

4. *Scientific Uncertainty Warrants a Different Approach.*

The Draft Report explicitly states that there is a "lack of specific information about the effects of renewable energy on sage-grouse ecology." Draft Report at 104. To overcome this deficiency, the Draft Report bases its conclusion that renewable energy projects are somehow akin to oil and gas developments, and therefore studies related to those projects demonstrate what will result from wind energy development. The analogy, however, is misplaced. A wind project is vastly different from an oil and gas project, not only in the density of infrastructure, but also in the noise, people, road development and traffic. Indeed, anecdotal evidence suggests that sage grouse do not avoid wind energy projects. Given the lack of scientific data on the effects of wind energy development on Greater Sage-Grouse, it is poor public policy to foreclose a significant sustainable economic opportunity, that also helps slow general environmental degradation important to the sage grouse, based in inapplicable studies.

5. To Designate Habitat Classification, a Formal Rulemaking is Required.

The Draft Report establishes Habitat Classifications as a matter of law, despite the actual quality of the habitat on the ground. By establishing actual habitat classifications, the Draft Report is amending Chapter 635, Division 415 of ODFW's administrative rules to explicitly establish habitat classifications. Because the Draft Report is amending a promulgated administrative rule, any process by the Commission to adopt the Draft Report must necessarily follow a formal rulemaking process.

The specific example of one of our project sites in Harney County raises real concerns about what methodology was applied to designate these Classes of Habitat. ODFW's Christian Hagen, Bob Hooton and other ODFW staff toured our Harney County "West Ridge" site in the summer of 2009. They expressed concerns about the site possibly being used as winter range for Greater Sage-Grouse. After the tour, ODFW consulted with our wildlife biologists on protocols for sage grouse and other avian studies which our consultants then conducted. Our consultants later finished a 16-month survey, including a complete winter season. Not one sage grouse was seen during the winter surveys.

Under the "old" sage grouse plan (3-mile radii around leks), almost 50% of the project that ODFW toured (but none of the project to the east, "East Ridge") would have been excluded as Class One. Under the new Draft Plan, all of both sites would be excluded as Class One.

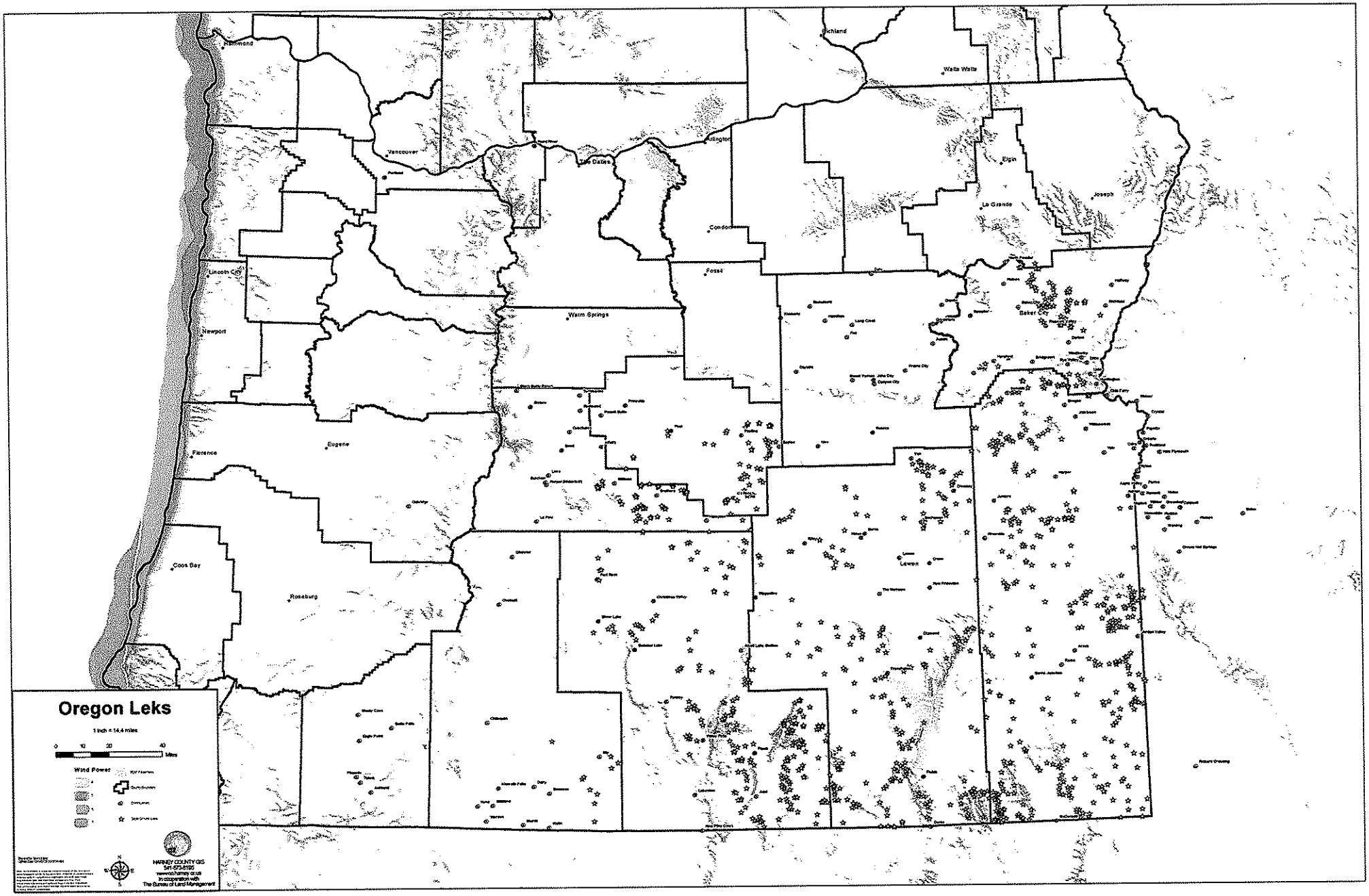
Why? When Christian Hagen was asked at a public meeting about applying field work to the classification of specific lands, he answered that because each survey would likely be conducted differently, the Department could not incorporate site-specific data in determining habitat classifications.

We urge the Commission to take this 'draft plan' for what it actually is: an examination of one important aspect of a complex problem. This "biologically-driven" study must be considered as one part of devising a plan that has a much greater likelihood of working because it takes many other factors into consideration and makes allies, not enemies, of key constituencies. Please instruct your staff to take this piece of the puzzle to a genuine discussion with a much broader range of stakeholders to devise a plan that works for all.

Respectfully,

Chris Crowley, President

cc: Harney County Court
Honorable Ted Kulongoski
Renewable Northwest Project


Oregon Leks
1 inch = 14.4 miles
0 10 20 40
Miles
Wind Power
Richland
Walla Walla
Vancouver
The Dalles
Elgin
La Grande
Joseph
Condon
Lincoln City
Fossil
Warm Springs
Baker City
Newport
Florence
Eugene
Coos Bay
Roseburg
Lakeview
HARNEY COUNTY GIS
541-573-5195
www.co.harney.or.us
In cooperation with
The Bureau of Land Management

The Nature Conservancy
Protecting nature. Preserving life.™

The Nature Conservancy in Oregon
821 SE 14th Avenue
Portland, OR 97214-2537

tel 503 802-8100
fax 503 802-8199
nature.org/oregon

September 14, 2010

Oregon Department of Fish and Wildlife
3406 Cherry Avenue N.E.
Salem, OR 97303-4924
sage.grouse@state.or.us

Dear Oregon Department of Fish and Wildlife and Commission members:

Thank you for the opportunity to comment on the Oregon Department of Fish and Wildlife's (ODFW) July 6, 2010 draft Greater Sage-Grouse Conservation Assessment and Strategy for Oregon.

The Nature Conservancy works in Oregon and around the world with private landowners, local communities, businesses and agencies to address critical conservation issues facing our biological heritage. In Oregon, we own or manage 46 natural areas and work with others to conserve fish and wildlife populations on public and private land across the state with the support of over 23,000 household members.

In Oregon, we are engaged in the management and restoration of shrub steppe habitats on our preserves and across southeast Oregon through participation in the Sagebrush Cooperative. As such, we are familiar with the issues and management challenges related to sagebrush steppe ecosystems and the species that live there, as well as current research findings and data available to natural resource managers and decision makers.

The Nature Conservancy commends the Department's work to update Oregon's Assessment and Strategy for stabilizing and improving sage grouse populations. In the U.S. Fish and Wildlife Service's recent determination that the greater sage-grouse warrants protection under the Endangered Species Act, they cite habitat loss and fragmentation resulting from energy development, urbanization, agricultural conversion, infrastructure development and wildfire as the primary threats to the species (Federal Register, March 4, 2010: Endangered and Threatened Wildlife and Plants; 12-Month Findings for Petitions to List the Greater Sage-Grouse (*Centrocercus urophasianus*) as Threatened or Endangered). The increased likelihood of industrial wind development and presence of West Nile virus were the two new and significant threats that pushed the sage-grouse into a warranted status, since the previous review in 2005.

With growing interest in industrial development for renewable energy production in southeast Oregon, Oregonian's are faced with a number of important decisions regarding land use across the range of the sage grouse. This plan will provide critical information to help us make these

important decisions to meet the state's goals to both expand renewable energy production and maintain healthy fish and wildlife populations.

In particular, the addition of the core area mapping, which identifies the sagebrush steppe habitat in Oregon vital for maintenance of a sustainable sage-grouse population, is a positive step. It will put Oregon on a clearer path to recovering the species now, and in a stronger position to determine how to best address this important species in our state. In our assessment, ODFW's draft plan, implemented with other conservation strategies in Oregon and surrounding states will help to alleviate some of the threats identified in the status review completed by the USFWS, minimizing additional fragmentation and loss of habitat.

In addition, the recommendations regarding fire management are pragmatic and commendable. Though fire can be beneficial to grouse habitat at appropriate spatial scales, frequency, and distribution large, homogeneous fires facilitated by annual grass fuel loads negatively affect grouse habitat viability. For example, recognizing that practical solutions like green-stripping can aid fire management, preventing large and frequent wildfires, is laudable.

Similar to fire management, the recommendations regarding grazing, invasive weeds, conifer encroachment, and recreation generally reflect responsible recognition of the negative consequences of certain management decisions and actions, and the practical tools available to address these concerns.

The core habitat maps and management recommendations provide an important platform for the coordination of creative conservation efforts. For example, the Assessment and Strategy could be used to inform proactive programs such as the Natural Resource Conservation Services's Sage Grouse Initiative to reward and incentivize landowners for maintaining important habitat. In addition, it could inform Candidate Conservation Agreements under the Endangered Species Act to provide landowners and renewable energy developers with certainty in advance of future listing.

We do encourage the Department to consider some additional measures to strengthen the Assessment and Strategy:

1) The Assessment and Strategy should strengthen the specific recommendations regarding avoidance, minimization, and mitigation of habitat loss due to development or conversion. There is an increasing demand for such guidance from the energy sector, conservation community and land managers. While avoidance of Category 1 habitats is required, and Category 2 avoidance is encouraged by the Oregon Department of Energy, there is no such clear directive in county ordinances, and state and federal agencies must work with all Oregon counties to ensure responsible siting of energy development, and appropriate, meaningful mitigation when siting development projects in habitat categories 2-5.

2) It should provide additional guidance on the issues associated with fragmentation and the most important ways to limit fragmentation in the future. While it is mentioned in the Assessment and Strategy, this critical issue deserves greater attention.

3) The Assessment and Strategy essentially calls for protections to maintain 75-80 percent of the current population. For a species that is warranted for listing under the Endangered Species Act, the goal should be at least 100 percent. We recognize and commend the Department's efforts to include some flexibility in the Assessment and Strategy, however that flexibility should be coupled with stronger restoration actions to result in an overall improvement in the population. In particular, we recommend the inclusion of additional guidance on restoration of habitat to improve connectivity between populations and provide better habitat to strengthen the population. In the absence of this specific spatial information further habitat fragmentation, conversion, and degradation may preclude or hamper future recovery efforts. It is especially important to have populations that are more robust in face of emerging threats and uncertainties such a climate change.

4) While the Assessment and Strategy recommends that County Comprehensive Plans adopt core area habitat categories and mitigation recommendations, we further recommend that the Assessment and Strategy describe an iterative, collaborative approach to develop and maintain a mitigation framework based on sound science such as that used in the core habitat mapping and multi-scale habitat assessment process.

In conclusion The Nature Conservancy recommends that the Commission accept the updated Greater Sage-Grouse Conservation Assessment and Strategy for Oregon with the proposed improvements. The Assessment and Strategy provides an important foundation for sage grouse conservation and that with additions and provisions for future iterations and amendments it will serve as a solid platform for both public and private conservation efforts.

Sincerely,

Catherine Macdonald

Catherine Macdonald
Conservation Program Director
The Nature Conservancy

Garth Fuller

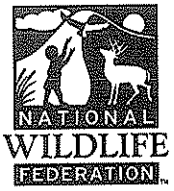
Garth Fuller
Eastern Oregon Conservation Director
The Nature Conservancy

Michelle Tate

From: Dora Overton [doralou402000@yahoo.com]
Sent: Wednesday, September 15, 2010 8:53 AM
To: michelle.l.tate@state.or.us
Subject: Sage Grouse

I have been a resident of Harney County for over 30 years, and am a lifelong resident of Oregon. I have been on and around range land and ranches for all of that time. I know we need to protect the Sage Grouse, but absolutely NOT at the expense of grazing, ranch activities or responsible development. There must be an alternative, and I think the current plan needs to be re-researched and rewritten.

Dora Overton
70669 Red Barn Rd
Burns, OR 97720
541-573-1417



Soda Mountain
Wilderness Council
P.O. Box 512 • Ashland, Oregon 97520

September 14, 2010

VIA EMAIL

Oregon Department of Fish & Wildlife
3406 Cherry Avenue N.E.
Salem, OR 97303
sage.grouse@state.or.us

Re: *Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: A Plan to Maintain and Enhance Populations and Habitat*

Dear Oregon Department of Fish & Wildlife:

On behalf of the Oregon Natural Desert Association (ONDA), Audubon Society of Portland, National Wildlife Federation, Defenders of Wildlife, Sierra Club, and Soda Mountain Wilderness Council, please accept our comments on ODFW's draft plan for Greater sage-grouse (*Centrocercus urophasianus*), the *Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: A Plan to Maintain and Enhance Populations and Habitat* (draft dated July 6, 2010, hereinafter referred to as the "Plan"). We appreciate the opportunity to provide ODFW feedback on the proposed Plan and hope that our comments will be integrated within the final Plan.

Oregon needs a strong strategy to help provide recovery of sage-grouse, not simply baseline survival. An effective strategy must be based on sound science and complement other state and federal policies. The goals of the strategy should be obtainable and meet the overarching objectives with mechanisms to enforce and implement the strategy to achieve goals. ODFW's strategy is based on a "core habitat" approach whereby the agency maps important sage-grouse habitat areas based on lek density and connectivity. We strongly support measures to prohibit development in areas defined as core habitat and feel this policy is necessary for an overall strategy and ODFW's final Plan to be effective.

Although the Plan lacks important mechanisms for enforcement and implementation, it nevertheless is an important step in the formulation of strong conservation measures required to protect this keystone species. We thank you for your efforts to date to use the best available science and conserve this species given the legal uncertainties related to ESA listing. We believe that in order to prevent a future listing a strategy must be as proactive as possible, and then firmly incorporated into the management decisions of the agencies that work in Oregon's sagebrush country.

We have identified some improvements we hope are made to the final strategy. Among others, we ask ODFW to:

- create a plan to address research gaps that exist related to lek data, nesting habitat, climate change, roads, and energy development;
- make changes to the core habitat map by filling in "doughnut holes" and joining together core areas that are in close proximity for more fluid on-the-ground management, corridors for wildlife movement, and to prevent habitat fragmentation;
- keep strong no-development mitigation guidelines in core habitat areas and increase buffers around development to prevent impacts;
- improve or create guidelines related to watering stations and livestock water development to reduce the threat of West Nile virus and other impacts;
- educate landowners about threats to sage grouse and explore methods to encourage landowners to improve habitat on private lands;
- create a plan to work with county officials to incorporate recommendations into county planning and governance;
- obtain commitments from the Bureau of Land Management ("BLM") and other agencies who manage lands in sagegrouse habitat, to follow the Plan's conservation guidelines;
- Identify funding for Plan implementation and insure that Local Implementation Groups have the tools and authority necessary to accomplish their duties; and
- Provide scientifically valid parameters to evaluate and monitor the progress of the Plan.

The Threats to Sage Grouse

Oregon sage-grouse populations and sagebrush habitats comprise about 20% of the North American range wide distribution of the species. Therefore, management actions in Oregon have implications on a range wide scale. About 70% of the sage-grouse habitat in Oregon is managed by BLM. Population fluctuation and decline in Oregon during the past century are similar to those documented throughout the species' range. Because Oregon contains some of the largest expanses of relatively intact sagebrush habitat in North America, and coupled with relatively minimal threats of oil, gas or coal-bed methane development, conservation and protection of sage-grouse in Oregon is extraordinarily important to the species' survival and recovery rangewide.

Habitat fragmentation and disturbance from large-scale development, roads, and agriculture across much of the Greater sage-grouse's range has contributed to significant population declines over the past century. If current trends persist, many local populations may disappear in the next several decades, with the remaining fragmented population vulnerable to extinction. It is in Oregon's best interest to reduce fragmentation and limit and avoid developing in areas identified as core sage-grouse habitat.

The threats to sage-grouse habitat across the West are numerous.[1] Domestic livestock grazing can lead to the establishment and spread of weeds, erosion, denuded vegetation and associated lack of cover, pollution of water, and other impacts to sagebrush habitats. Projects that are necessary with domestic livestock grazing such as barbed-wire fencing provide predator perches and can pose a mortality threat for sage-grouse when flying grouse collide with the fencing, particularly around late brood rearing habitat such as springs, seeps and wet meadows. Other threats that are associated with sage-grouse declines include the proliferation of the non-native

[1] See 12-Month Findings for Petitions to List the Greater Sage-Grouse, 75 Fed. Reg. 13,909 (Mar. 23, 2010)

annual grass cheatgrass, which is spreading rapidly and replacing sagebrush. Periods of drought and the effects of global climate change may exacerbate the expansion of cheatgrass and the loss of sagebrush habitat. Other threats include: West Nile virus, which is spread through mosquito populations as they colonize wet areas on the landscape including livestock water developments; altered and unnatural fire regimes, which are influenced by grazing, climate change and altered vegetative ecosystems; encroachment of juniper trees on sagebrush habitats, which has increased because of fire suppression, livestock grazing, and climatic influences over the last century or more; high road densities, which fragment sagebrush habitats; various types of energy development and utility corridors; and land use issues such as urban development, agriculture, and water development. Nearly all of these threats are present in sage-grouse habitat in Oregon. Of future threats, we feel large-scale development, especially as we expand energy development in Oregon, could significantly contribute to population loss.

Of these threats, the Oregon Plan does not address climate change and road densities. The former is not part of the analysis at all. Climate change should be addressed using the best available science and future scenarios must be included in the modeling, as well as the conservation measures recommended. Agency land use and management decisions must incorporate these scenarios and solutions into their decision-making.

Incorporating Sound Science and Addressing Research Gaps

The strength of this Plan is its use of the best available science. An agency cannot protect a species unless it understands the species' characteristics, behavior, and population dynamics. ODFW demonstrates this knowledge and uses it as guidance in creating the overall strategy. Yet, the Plan still has some limitations and lacks important data, and rightly acknowledges many of these key gaps in the Plan on pages 122–24. We encourage ODFW to prioritize these gaps, including:

- Complete a comprehensive inventory and classification of sagebrush habitat occurring on public and private land in the known Greater sage-grouse range, including areas that have potential for restoration;
- Identify how climate change and the associated vegetative changes in our natural systems will affect sage-grouse habitat and/or exacerbate threats such as fragmentation and potentially change the 70/30 sagebrush goals;
- Identify those habitat areas that have been recently "lost" to fire and incorporate their future habitat potential into the modeling of core areas, as well as future refugia from climate change threats;
- Work with partners and academic professionals to study natal dispersal, recruitment, winter habitat use, and impacts of energy development, particularly wind, solar, and energy transmission;
- Use the best available science to develop a potential and existing energy development GIS model that incorporates available lek and sagebrush habitat data to create a comprehensive analysis of potential conflicts with sage-grouse populations and better guide facility siting and mitigations measures;
- Better understand the impacts of livestock grazing on sage-grouse populations and sagebrush habitat, especially in reference to competition for forbs, reduction of cover,

sage-grouse avoidance, impacts from abandoned, existing and planned livestock grazing facilities and range projects, and potential for mitigation of negative impacts; and

- Further understand the impacts of hunting on Oregon's sage-grouse population dynamics.

In addressing knowledge gaps and incorporating research goals in the Plan, ODFW will be able to modify and improve the strategy. Because current data is limited, we support the use of relevant research from other states and methods to estimate and model behavior, habitat use, and density.

The method ODFW uses to determine core habitat focuses on breeding habitat and connectivity corridors. Because lek data is collected through sampling that is prone to variability, ODFW used techniques to estimate population density along with identifying connectivity corridors. These methods, supported by the current best available science, combine that research with rational methods to estimate population density. The estimated density and habitat quality allows ODFW to geospatially describe the resulting core habitat. Although methods of this nature have their limitations, this is the best way to determine population density and habitat use. We feel this is the right approach, but encourage ODFW to put a greater value or weight on the connecting habitat. In situations where the model may not be able to fully express the characteristics of an area, we suggest ODFW gather on the ground information to more accurately describe the core areas so that management can be fluid and fully reflect the habitat conditions. Minor gaps that appear in the modeling between core areas should be filled where they may interrupt with sage grouse corridors.

Sagebrush-steppe is one of the most diverse and important rangeland types and habitats for the native flora and fauna of the American West, and it has also been identified as one of the ecotypes most vulnerable to the effects of climate change. Altered fire regimes, accelerated invasion by exotic plants, woodland expansion, loss of surface waters, and spread of disease have all been cited as potential outcomes of increasing carbon dioxide levels and a warming climate. Sensitive species such as sage-grouse are vulnerable to regional extirpation as the effects of climate change degrade sagebrush-steppe across Oregon, and as warming temperatures allow diseases like West Nile virus to spread into habitats formerly inhospitable to the *Culex* mosquito. This plan should address these likelihoods by identifying not only current core habitat, but also the best future refugia for sagebrush-steppe habitats and sage-grouse population in relation to key climate-driven factors like exotic plant and woodland expansion, increased fire frequency, desertification, and West Nile virus occurrence.

Policy Changes Should Reflect the Science

The recommendations and guidelines outlined in the strategy should be realistic and reflect the science. ODFW's monitoring plan assumes that the current status of sagebrush habitat in Oregon will persist for at least the next 50 years enabling the state to maintain the 70-30 goal of high-quality sagebrush habitat. In the light of increasing populations and development, as well as the impacts of climate change, managers should not operate under the assumption that sagebrush habitats will exist in the same range that they are found today or for the past 20 years. ODFW should identify and plan for changes in sagebrush communities in terms of contraction of large blocks of intact sagebrush habitat and increased replacement by invasive species. This will allow the State to understand what policies are needed now and into the future for long-term species

protection. While the conservation efforts outlined in the Plan do address some of these issues such as cheatgrass and juniper invasion, they probably do not go far enough to predict possible total loss of some sagebrush habitat, especially at the edge of the current range. Furthermore, given the uncertainty of this assumption and that the sage-grouse were warranted for ESA listing, it seems that the agency's goals should be more proactive than the status quo. Moving toward a recovery plan, a higher goal of at least 75-25 would be recommended.

Guidelines in the strategy need to reduce threats. West Nile virus (WNv) can have potentially deleterious impacts on small and isolated populations of Greater sage grouse. The guidelines should provide for reducing mosquito breeding areas by limiting the development of livestock water developments in sage-grouse habitat and, in particular, near lek sites to reduce potential disruption of breeding adults or trampling of nests. Water developments should incorporate designs that reduce the growth of mosquitoes by reducing shallow stagnant water from accumulating and take steps to reduce sedimentation and vegetation growth. The focus here should remain on controlling mosquito populations in close proximity to sage grouse leks and should not be interpreted as an endorsement of broad scale use of adulticides. Ultimately, no level of control will eliminate mosquitoes from the landscape, nor is such an outcome ecologically desirable. Impacts of WNv should be factored into sage grouse population models and continued research should be devoted to building a better understanding of how sage grouse populations are adapting to WNv and other diseases.

The Plan also should include spatial limitations, a no-net-gain conservation measure, or a radial buffer for livestock water developments. The recommended buffers around new livestock projects on page 95 should be thoroughly reviewed to insure that impacts of grazing are prevented. On page 108, it is not clear whether the 0.6-mile livestock projects buffer includes water development projects, which are not specifically listed in this section of the Plan and we believe should be addressed with an appropriate buffer. To help inform this decision, ODFW should examine the science concerning how far WNv-carrying mosquitoes can travel from their breeding grounds.

In the Plan, the threat of road densities is addressed only indirectly.[2] Again, ODFW should use the best available science to study the impacts of roads and road densities with respect to habitat fragmentation. This is important on BLM lands, where ONDA has documented numerous miles of unnecessary primitive routes that are not in regular use but continue to impact sage grouse habitat. Given the wealth of data available through ONDA's wilderness and route inventories, and BLM's own transportation network mapping, it would be relatively easy to study and map sagebrush habitat fragmentation from motorized vehicle routes.

One threat from roads being documented is the spread of roadside weed infestations into neighboring lands. Many studies show that the number of weed species in an area increases dramatically with the density of roads. Weeds, such as cheatgrass and crested wheatgrass, are not a food source for grouse, can outcompete sagebrush, and make the area more prone to fire. The

---

[2] See, e.g., Draft Plan at 11 (under "Mortality Factors," mentioning direct mortality via collisions with vehicles), 102 (under "Realty," recommending minimizing construction of new roads in occupied habitat), 104 (under "Energy Development and Transmission," mentioning in very general terms that "roads and infrastructure fragment native habitat"), 106 (under "Recreation," suggesting limitations to ORV use), 166 (in Appendix II, listing using GIS to calculate road density to help understand habitat fragmentation).

risk that weeds like this will spread from roads and ORV trails into adjacent ecosystems varies depending on the site. It is highest where ORVs leave designated trails and disturb plants and soils, especially on deeper and more fertile soil types, which tend to be most susceptible to invasion. Less vulnerable habitats, such as rocky, shallow-soiled, shaded and otherwise infertile sites, tend to be relatively resistant to invasion, whatever their distance from roads. These findings suggest that one way to prevent roads from causing weed invasions is to build them through more resistant plant communities and soil types, and to close and restore roads found to be in vulnerable habitats. This type of vulnerability analysis is important because roadless areas are most often our last remaining refuges for native species in southeast Oregon.

Based on this type of information and analysis, ODFW should address in the Plan how BLM route networks and maintenance plans affect sage-grouse and their habitat, and then identify what conservation guidelines will assist resource managers in achieving the Plan's population and habitat objectives. For example, seasonal road closures during breeding seasons, limitations on primitive route upgrades, or a no-net-gain in miles of improved routes within critical habitat areas, would be beneficial conservation measures.

Consistency of Goals with Other States and Federal Agencies

Core habitat modeling already has been completed or is underway in other states. Maintaining consistent policies between Western states will help ensure the survival of the sage-grouse. The approach taken by ODFW to map core sage-grouse habitat and apply regulatory policies to identified areas is the same approach used by the states of Wyoming and Montana. The methodology created by Kevin Doherty of Wyoming Audubon Society has been replicated and adopted by other agencies. We feel this is the best way to map core habitat based on our available science. We recognize that ODFW worked with limited data especially when understanding habitat connectivity. For these reasons we hope revisions to the methodology will put greater emphasis on the importance of connectivity.

Yet, with a mitigation policy framework that seeks to protect only 75 percent of the current sage-grouse population (page 74), we are concerned this may not serve to protect the overall integrity of the species. As with our comments on the 70/30 assumption and the need to plan for recovery, we hope that in revisions to the Plan, ODFW will consider expanding this target to at least 80% so that the aim of species protection is achieved. In Wyoming, the core areas will protect 83.1 percent of the population. Oregon should strive to meet this standard. In this way, only 20% of sage-grouse habitat will be directly impacted by development and the other 80% will be off-limits to commercial or other types of large-scale development. We agree with the proposed stipulations that guide category one areas and the procedure and mitigation applied to category two areas (page 79).

Renewable Energy

With Oregon's goal to provide 25% renewable energy by 2025 and the increase of applications for renewable energy facilities within core sage-grouse habitat, a greater emphasis must be placed on developing standards and guidelines for energy development in known or potential sage-grouse habitat. ODFW should develop more exacting standards and guidelines for energy

and infrastructure development akin to those developed in the Nevada and Eastern California Plan.[3]

While the research outlining the impacts of renewable energy facilities on sage-grouse populations is still in early stages, there does exist substantial research detailing the impacts of oil and gas extraction. While these developments may be inherently different in the footprint they share, as the Plan recognizes, they do include disturbences such as roads, transmission corridors, and fences. The lack of published data on the impacts of renewable energy does not negate the potential for detrimental effects. Negative impacts of these developments can include:

- avoidance behavior, potentially dispersing adults from lek sites or winter ranges;
- increased mortality through collisions, stress, nest abandonment;
- avoidance behavior, potentially dispersing adults from lek sites or winter ranges;
- habitat loss and fragmentation; and
- significantly increased predator populations and success (*i.e.*, corvids and raptors associated with transmission lines).

Because of these real threats associated with new energy development and transmission, ODFW should adopt U.S Fish and Wildlife Service's more stringent recommendations regarding energy facility siting, such as a 5 mile buffer protecting active lek sites. Even in Category 2 habitats, micro-siting should maintain these higher guidelines for wind turbines and transmission lines. Construction should take place outside of breeding season to reduce conflicts with nesting and brood-rearing. Maintenance schedules and seasonal road closures associated with energy developments should be timed to protect breeding populations. Regardless of the availability of independent surveys conducted by consultants, ODFW should review each proposed energy development within 5 miles of known lek or nesting sites, as well as within Class 3, 4 and 5 sagebrush habitat.

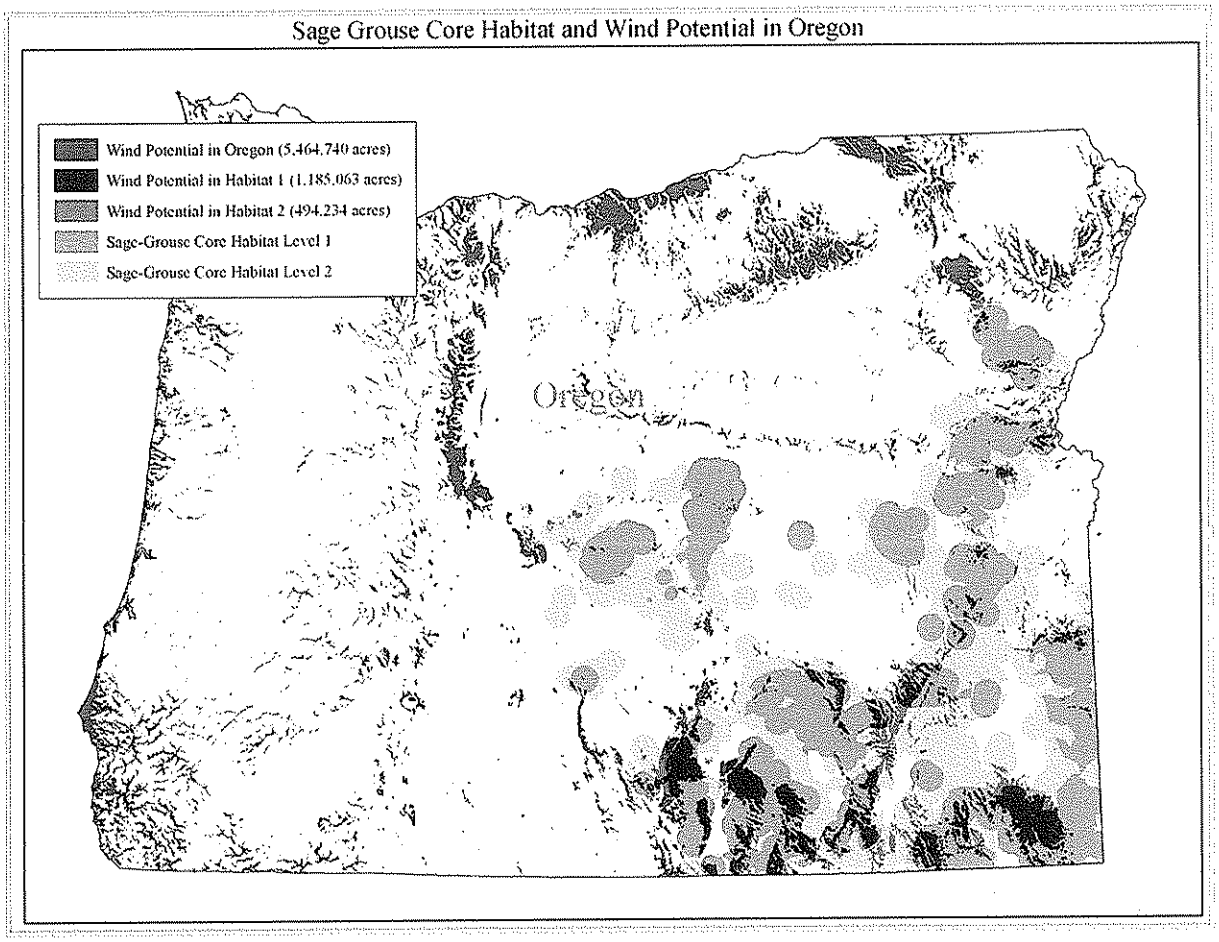
While renewable energy development is needed so that our county can reduce our carbon footprint and gain more energy independence, Oregon should foster a renewable energy economy that is truly sustainable. There are still millions of acres of potential wind development in Oregon that falls outside the core habitat areas (see ONDA Map 1 on next page). Places with important natural resources such as core sage-grouse habitat should be strictly off limits to energy development or any kind of large-scale development. The only mitigation policy that will maintain sage grouse populations, or have any hope to restore populations, must have no-development zones, and all category one habitat should be closed to industrial development. Avoidance is not sufficient.[4]

---

[3] www.ndow.org/wild/conservation/sg/resources/051805_implementation_process.pdf

[4] It is important to note that the impacts of development on sage grouse leks may not be immediately apparent. Sage grouse demonstrate strong fidelity to their lek sites. In some cases, existing populations may tolerate development in the short term, but the development may result in longer term effects such as failure of offspring to return to these sites, failure to recruit new members to the lek, and increased predation. The discussion of development proximal to sage grouse leks too often focuses on immediate and short term impacts when the more important issue revolves around how development affects the integrity of the lek over time.

ONDA Map 1



Hunting

All of our organizations recognize hunting as an important recreational activity. However, we have concerns about the continued harvesting of this species given its listing situation. Taking up to five percent of Oregon's sage-grouse population through hunting, especially when we are seeing sage grouse populations in a persistent decline, seems to be a risk that is unnecessary if we are trying to restore a population to prevent a future listing.

Oregon's harvest regulations need to strive to provide a substantive safety net for small and declining populations of sage-grouse. Where sage-grouse populations are declining because of West Nile virus, hard winters, poor production, or habitat destruction from sod busting, wildfire, or energy development and transmission, harvests are more likely to be additive, thus contributing to population decline. A harvest structure which is responsive to minimizing additive harvest, or harvest of reproductively successful hens (the most important part of the population for rapid population rebound) will likely provide the greatest conservation benefit and assurance to the USFWS that sage-grouse do not need to be added to the endangered species list because of inadequate management of hunter harvest.

It is likely that sport harvest is neither entirely additive nor compensatory, but instead falls along a continuum, and may vary by area, year and/or population. It is likely that hunting is compensatory to some certain threshold, and beyond that threshold any harvest is additive and contributes to local population declines. Also, what has been documented around the West is that sage-grouse populations do not perform uniformly across various states each year. Thus, harvest structure should be linked to local population performance and rigorous population forecasts, not a one-size-fits-all bag limit. It appears that ODFW is following this method by establishing smaller harvest units and is willing to create emergency closures as conditions require, as they have in the past for West Nile virus.

Some states have documented that early September harvest of sage-grouse is often biased towards the hens and broods which summer near watering stations and moist sites until hard frosts kill forbs and insects. Males are generally more dispersed in the late summer and early fall, as are hens and broods after frost. Because hunters know to target these watering areas in early season, a harvest biased towards hens and young birds can be avoided by later seasons. If ODFW wants to reduce harvest impacts, it likely makes sense to move the opener into October (or at least a week or two later as they do in Utah, Nevada, and Wyoming), thus minimizing hen and bird-of-the-year harvest, instead of re-enforcing it by an early-to-mid September harvest.

ODFW Needs to Work with Counties and Landowners

Conservation measures are only as strong as the will to implement them. In Oregon, counties are not required to follow ODFW recommendations when issuing conditional use permits for renewable energy projects under 105 megawatts. In order for the Plan to work, counties need to adhere to the recommendations created by the State. Without this, building renewable energy projects of any size would negate the purpose and overall effectiveness of the core habitat policy. We hope ODFW will work with Oregon counties to help these planning officials incorporate recommendations so that goals can be reached. Also, education initiatives should be included in the final strategy so that landowners, the public, and developers understand sage-grouse threats and know what they can do to implement ODFW recommendations. ODFW could also initiate the creation of incentive programs that help landowners provide better habitat for sage-grouse to help recover the species on private lands.

The Oregon Plan Does Not Meet the PECE Criteria

The U.S. Fish and Wildlife Service's ("USFWS") 2003 Policy for Evaluation of Conservation Efforts ("PECE") provides guidance to Service personnel to use in determining whether an adopted or implemented conservation effort contributes to making listing a species unnecessary or contributes to forming a basis for down-listing a species endangered to threatened. In 2008 comments to USFWS, ONDA reviewed ODFW's 2005 sage-grouse plan and found that the conservation efforts did not meet PECE criteria. Major deficiencies in the prior plan included a lack of commitment by agencies identified as responsible for carrying out the conservation efforts, a lack of funding, no clear process for implementing the plan, and few or no scientifically valid parameters to evaluate or monitor the progress of the plan. We find many of the same issues with the 2010 plan.

The Oregon Plan is divided into six sections describing the background and philosophy of conservation approaches in the strategy, an overview of sage-grouse biology and ecology throughout the species range, an assessment of populations and habitat, conservation guidelines, and implementation components. As was the case in 2008, we are aware of no Local Working Group plans in Oregon.

The main goal of the Oregon Plan is "to restore, maintain, and enhance populations of sage-grouse such that multiple uses of populations and their habitats can continue."[5] The Plan contains statewide and BLM districts population management objectives that specify the numbers of birds to be maintained or enhanced until 2055, as well as habitat percentage retention objectives. Attaining the population objectives is largely dependent on achieving habitat goals.[6]

To achieve its goal, the Plan sets out conservation guidelines designed to maintain or enhance the quality of current habitats on page 89. It describes the guidelines as "tools" to be used "as needed." Implementation of the conservation measures "will be guided by local implementation groups comprised of land managers and land owners." These local implementation groups are to identify management priorities, set timelines for implementation, oversee treatments and monitoring, and facilitate project funding (pages 89, 114–15). Monitoring populations and habitat is critical, and the Plan calls for various types of surveys, as well as identifying important data gaps. The Plan, on page 114, recognizes that most of the conservation actions will be implemented at the local level under the direction of local implementation groups.

The Oregon Plan at page 4 mentions the PECE criteria in its introduction, explaining that the intent of the plan "is to satisfy these criteria where possible." However, the Plan never returns to them and does not actually evaluate whether the Plan satisfies the PECE.

The policy establishes two basic criteria: (1) the certainty that the conservation efforts will be implemented, and (2) the certainty that the efforts will be effective. To determine the likelihood of implementation, USFWS evaluates whether or not the parties have the authority, resources and schedule to complete the proposed efforts. To determine the likelihood of effectiveness, the Service evaluates whether or not the plan describes the nature and extent of threats, establishes specific conservation objectives, identifies steps to reduce threats, and provides quantifiable performance measures to monitor for both compliance and effectiveness.

The following subsections are criteria from USFWS's PECE policy and how ODFW does or does not meet each in its Oregon Plan:

A. The certainty that the conservation measures will be implemented.

1. *The conservation effort; the parties to the agreement or plan that will implement the effort; and the staffing, funding level, funding source, and other resources necessary to implement the effort.*

---

[5] See page 32; see also id. at 70 {analogous goal for habitat management objectives}).
[6] See Id. at 32, 70.

Pages 114-115 of the Oregon Plan outline the overall conservation strategy implementation by authorizing Local Implementation Groups ("LIGs") based on BLM districts. The Plan is not endorsed by any federal or state agencies, private groups, or tribes. Because BLM manages more than 70% of the sage-grouse habitat in Oregon, the Plan indicates that that the agency must identify whether its land use plans conform to the Oregon Plan, including whether existing land use plans will require amendment in order to conform. Funding for projects is the responsibility of the LIGs. The Plan does not meet the PECE for this requirement.

2. *The legal authority of the parties to the agreement or plan to implement the formalized conservation effort, and the commitment to proceed with the conservation effort.*

Since ODFW is the sole author and party to the Plan, it only has the legal authority to implement its portion of the plan. ODFW recognizes five LIGs on page 114. Though the LIGs were established in the 2005 plan, they have not been meeting on any regular basis and the Plan does not specify a timeline for LIG meetings or deliverables. Because many of the conservation efforts, objectives and actions listed in the Plan require other agencies or groups to implement, the majority of the conservation efforts cannot, as the plan stands, be legally implemented. The Plan therefore is in compliance with PECE for a limited purpose only—*i.e.*, authorizing and initiating local working groups. It is not in compliance for any conservation effort requiring non-ODFW resources since there is no legal authority to proceed on lands not managed by ODFW.

3. *The legal procedural requirements (such as environmental review or consultation) necessary to implement the effort; information indicating that fulfillment of these requirements does not preclude commitment to the effort.*

Many of the conservation efforts described by the Oregon Plan involve management practices on public lands not managed by ODFW. Therefore, there are legal requirements associated with these lands under statutes such as the National Environmental Policy Act, the Federal Land Policy and Management Act, and the Endangered Species Act. These legal procedural requirements are not addressed in the plan. In the 2005 plan, ODFW recognized for example that for BLM to amend existing RMP guidance (e.g., in the Lakeview, Andrews-Steens, Southeast Oregon and other BLM land use plans), that agency would need to prepare environmental impact statements ("EISs") under NEPA. This remains true today. These legal issues are significant and many of the conservation efforts listed in the plan cannot be implemented without following the requirements of these laws and regulations. Therefore, the plan does not meet the PECE requirements for this criterion.

4. *Authorizations (e.g. permits, landowner permission, etc.) necessary to implement the conservation effort; level of certainty that the parties to the agreement or plan that will implement the effort will obtain these authorizations.*

This requirement can only be met when the specific conservation efforts have been defined by the LIGs. Since the Plan does not specifically or adequately identify conservation efforts to be implemented, this requirement is not applicable to the Oregon Plan. Moreover, because more than 70% of the sage-grouse habitat in Oregon is managed by BLM, permits and other authorizations concerning use and management of those public lands—for example, federally

issued permits to graze livestock on public land—are beyond the control of the Plan. Conservation efforts directed at private lands are voluntary. The conservation efforts therefore do not meet this PECE criterion.

5. *The type and level of voluntary participation (e.g. by private landowners) necessary to implement the conservation effort; whether a high level of certainty is provided that the parties to the agreement or plan that will implement the conservation effort will obtain that level of voluntary participation.*

This requirement can only be met when the specific conservation efforts have been defined by the LIGs. Since the Oregon Plan does not specifically or adequately identify conservation efforts to be implemented, this requirement is not applicable for the Plan.

6. *Regulatory mechanisms (e.g. laws, regulations, ordinances) necessary to implement the conservation effort.*

This requirement can only be met when the specific conservation efforts have been defined by the LIGs. Since the Oregon Plan does not specifically or adequately identify conservation efforts to be implemented, this requirement is not applicable for the Plan.

7. *The high level of certainty that the parties to the agreement or plan that will implement the conservation effort will obtain necessary funding.*

The Oregon Plan indicates that LIGs will be responsible for identifying funding sources for projects. The Plan lists only one certain source of funding for the limited purpose of private landowner treatment of juniper near leks. Other than that, the plan does not list any other certain sources of funding. Since the only party to the plan is ODFW, it is the only certain source of funding. As with many of the other state sage-grouse conservation plans, lack of funding may plague this plan. There can be no certainty of implementation if there is not an assured source of funding for the conservation measures proposed in the Plan. In this case, funding is not certain and the PECE criterion is not met.

8. *An implementation schedule (including completion dates) for the conservation effort.*

The Oregon Plan does not provide an implementation schedule for the majority of the conservation efforts listed in the plan. The only firm date provided in the Plan is its objectives concerning maintaining sage-grouse populations and habitats until the year 2055. Like the 2005 iteration, the Plan provides trigger dates or time periods for recommended management actions or adaptive management actions (pages 32–37). A detailed implementation schedule is necessary in order to determine if conservation efforts are proceeding towards final implementation. The Plan is silent on these details for most of the conservations measures, where the goal is stated but no other details are provided. The Plan does not provide any details or milestones for how completion dates should be met. This lack of specific information makes implementation uncertain and does not meet the PECE criterion.

9. *Whether the conservation agreement or plan that includes the conservation effort is approved by all parties to the agreement or plan.*

The Oregon Plan is not signed or endorsed by any party. On page 91 of the 2005 plan, ODFW "anticipated that BLM, NRCS, DSL, U.S. FWS Refuges, USFS, and ODFW will formally adopt the Plan and implement its elements at the local level." The current draft plan omits this statement. It is unclear whether those parties adopted the 2005 plan and whether they will adopt the new plan. This formal acceptance of the guidelines by other agencies in critical to whether this Plan will be followed to the fullest extent possible.

B. The certainty that the conservation measures will be effective.

1. *Description of the nature and extent of threats being addressed by the conservation effort.*

The Oregon Plan identifies a number of threats to sage-grouse and sage-grouse habitats. These threats include weather, predation, hunting, parasites and disease, and human influences including roads, wires and fences, agricultural conversion, sagebrush conversion, livestock grazing and range development, mismanagement of riparian and wetland areas, recreation and other land uses (pages 9–11, 38–43).

The nature of these threats is documented in the Plan. The Plan includes sections from a statewide perspective on wildfire, prescribed fire, livestock grazing, juniper expansion, invasive vegetation, vegetation treatments, realty, energy development and transmission, recreation, predation and West Nile virus, which include actions and conservation guidelines specific to each issue. The Plan also contains a brief description of regional conservation measures for the five identified LIG regions. On page 89, the Plan says that conservation guidelines "should be viewed as tools as needed in a region" and implementation "will be guided by [LIGs] comprised of land managers and land owners." Part of the LIGs' responsibilities will be to "identify the appropriate tools to meet the objectives in their region." The extent of the threat is addressed for some issues and not for others. The nature and extent of local threats is assigned to the LIGs.

The Oregon Plan meets the PECE criterion for this requirement, but the LIGs must describe local threats when developing specific conservation efforts.

2. *Explicit incremental objectives for the conservation effort and dates for achieving them.*

The primary goal of the Oregon Plan is to "restore, maintain, and enhance populations of sage-grouse such that multiple uses of populations and their habitats can continue." The primary objective of the Plan is "to maintain large expanses of intact sagebrush habitat for the benefit of sage-grouse and other sagebrush associated species."

The Plan lists some incremental objectives for conservation efforts, some of which are stated in quantitative terms but many of which are stated merely in general terms. For example, on pages 32-33, the Plan states the population levels to be maintained and refers to specific decline rates (*e.g.*, a trend indicating a decline in a population of >7% for more than 3 consecutive years or a decline <7% for 5 or more consecutive years). However, in the event such quantitative measures (*e.g.*, with respect to the declines) are triggered, the Plan merely states that, for example, "federal

and state agencies will need to consider management actions to reverse the decline or at least stabilize the population."

It is questionable whether these are "explicit incremental objectives" as required by the PECE criterion. The LIG plans should therefore be much more explicit when addressing this issue. Section *VI* of the Plan does not list milestones for, for example, local working groups, wildfire, annual grasslands, and habitat and population monitoring. (It does list some accomplishments since the 2005 plan, for example acres of juniper treated in certain areas or helicopter lek surveys conducted.) This section does not address when the goals and objectives of the Plan will be accomplished. Therefore, some aspects of this PECE criterion are met by the Oregon Plan for this requirement and some are not met.

3. *The steps necessary to implement the conservation effort.*

The Oregon Plan outlines the current condition of sage-grouse and sage-grouse habitat in Oregon, the threats at issue, the potential measures to take to address those threats and the general process for setting up (or continuing to set up) LIGs to implement actual conservation efforts.

Section *IV* of the Plan goes into some detail about some (but not all) of the threats to sage-grouse and sage-grouse habitat in Oregon. Section *V* describes conservation measures necessary to reduce, eliminate, or mitigate some (but not all) of the threats. The conservation guidelines are intended to be used by the LIGs which would choose those measures appropriate to the local threats. The Plan discusses the methods to be used for evaluating and monitoring sage-grouse populations and habitat in various places, including in appendices to the document. The Plan includes more specific recommended habitat characteristics for protective cover and food acquisition than did the 2005 version.

Each LIG is expected to identify priority conservation actions and related projects based on their habitat and population objectives, local threat characterizations and other known local factors. Federal land management agencies are then expected to take the lead in facilitating, preparing or contracting necessary (*e.g.*, NEPA) documentation for specific recommended conservation actions on federal lands. Therefore, the LIGs are responsible for meeting these criteria when the specific conservation efforts are described in their plans.

Although most of these steps are general in nature, they do outline the basics of what needs to be done to implement the strategy. Therefore the Plan minimally meets the PECE requirements for this criterion.

4. *Quantifiable, scientifically valid parameters that will demonstrate achievement of objectives, and standards for these parameters by which progress will be measured.*

The Oregon Plan does not adequately list quantifiable, scientifically valid parameters that will demonstrate achievement of objectives. Like the 2005 plan, it emphasizes current deficiencies or gaps in monitoring methods and habitat goals. The basic habitat goal is the "70/30" objective calling for maintenance of 70% sagebrush and 30% potential habitat, which "approximates the current status of intact and disturbances to sagebrush habitat, respectively, in Oregon." (page 70)

Appendix I sets out a protocol intended to standardize collection of data for lek monitoring, population estimation, and hunting procedures/guidelines. The LIGs are responsible for defining the quantifiable parameters for each conservation effort within LIG plans. The Plan recommends that BLM districts adopt the 70/30 framework in land use plans.

5. *Provision for monitoring and reporting progress in implementation (based on compliance with the implementation schedule) and effectiveness (based on evaluation of quantifiable parameters) of the conservation effort.*

The Oregon Plan recognizes that monitoring populations and habitat is critical and calls for various types of habitat and lek surveys (pages 12-18, 120-124). However, the Plan contains little in the way of providing for specific monitoring for the specific threats identified in the document. In Section *VI* ("Implementation and Monitoring"), the Plan briefly describes general inventory and monitoring of sage-grouse distribution and habitat conditions. As was the case in 2005, most of the discussion is devoted to research needs and gaps in current data and information.

Section *V* of the Plan outlines threats and the actions and conservation guidelines intended to address those threats. These are largely qualitative approaches that do not list specific metrics. For example, under "Livestock Grazing" the approaches listed in response to a determination that grazing levels are detrimental to habitat quality include only general, adaptive management measures such as changing the locations of salt, water or fencing, changing the season of use, or reducing grazing use levels (page 94). Range projects (e.g., troughs, fences, corrals) are to be placed at least 1km from leks (page 95). The section does not specifically address development of natural springs. In Section *IV*, the Plan states that at the pasture level, habitat quality can be measured under Rangeland Health Standard #5 on BLM lands (page 73).

Overall, like the 2005 plan, these provisions do not provide comprehensive measures for analyzing the impact of livestock grazing on sage-grouse populations and habitat. By and large, they do not specify the actual metrics to be used to measure accomplishment of goals. Moreover, the Plan includes nothing specifying or requiring any sort of reporting on progress in implementation. Because the LIGs have not met in quite some time, there likewise is no current information on such progress.

6. *Principles of adaptive management are incorporated.*

On page 2, the Oregon Plan states that it is "meant to be a dynamic document so as new information is learned it will be used in an adaptive management process to evaluate, maintain and enhance sage-grouse populations and sagebrush habitat." But there is no section that specifically discusses adaptive management measures or strategies to be implemented. As was the case with the 2005 plan, the only conservation guidelines section to mention adaptive management specifically is the livestock grazing section. Based on this review, the Plan is inadequate in terms of addressing what adaptive management is, how it relates to the sage-grouse conservation plans, and when and how adaptive management will be employed for each of the conservation efforts. The LIG plans must therefore provide additional details on how they will incorporate adaptive management into their conservation efforts. The Oregon Plan does not meet this PECE criterion.

Conclusion

We applaud ODFW for its effort to date to provide guidelines for the conservation of sage-grouse, however, we note that these efforts do not meet USFWS's PECE criteria to protect and enhance a species of concern. Like many other state and local working group plans throughout the West, the current Oregon Plan cannot be relied upon as the key strategy for mitigating the threats to sage-grouse and sage-grouse habitat. The main deficiencies in the Oregon Plan include a lack of commitment by agencies identified as responsible for carrying out the conservation efforts, a lack of funding, no clear process for implementing the Plan, and few or no scientifically valid parameters to evaluate or monitor the progress of the Plan. These and other deficiencies prevent the Plan from providing certainty that it will mitigate or eliminate current threats to sage-grouse in Oregon in order to restore populations or prevent a future listing decision.

If ODFW can positively address these issues in the final plan, especially obtaining formal agreement from other agencies and regulatory bodies that they will incorporate these guidelines in their activities, it will provide a stronger platform for species protection and recovery. Getting firm commitments today and creating proactive standards will save agencies and communities from having to make more difficult and uncomfortable decisions in the future. The Western Association of Fish and Wildlife Agencies ("WAFWA") has concluded that funding, leadership and organizational structure were the three most critical elements necessary to carry out the work of protecting sage grouse. These issues are reflected in the PECE analysis above. Success must be linked to actual progress in terms of habitat improvement or increases in sage-grouse populations. ONDA, Audubon Society of Portland, Sierra Club, Defenders of Wildlife, National Wildlife Federation, and Soda Mountain Wilderness Council therefore ask ODFW to strengthen the final plan in these respects.

Our organizations appreciate the opportunity to comment on ODFW's draft plan for Greater sage grouse. If you have any questions regarding these comments or wish to discuss them further, please do not hesitate to contact Matt Little, Conservation Director at ONDA, or any of our respective staff.

Sincerely,

Matt Little, Conservation Director
Oregon Natural Desert Association

Ben Deeble, Sage Steppe Coordinator
National Wildlife Federation

Borden Beck, Chair
High Desert Committee
Sierra Club, Oregon Chapter

Bruce Taylor
Defenders of Wildlife

Bob Sallinger, Conservation Director
Audubon Society of Portland

Dave Willis, Chair
Soda Mountain Wilderness Council

AOC | Association of Oregon Counties

September 13, 2010

Oregon Department of Fish and Wildlife Commission
3406 Cherry Ave. NE
Salem, OR 97303

RE: Request to Postpone Approval of the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon until 2011

To the ODFW Commission:

The Association of Oregon Counties appreciates the opportunity to comment on the ODFW Greater Sage-Grouse Conservation Assessment and Strategy. We understand that this is a draft update of the Strategy. However, new language in the plan, including the core area maps, will have significant impacts on renewable energy and economic development in eastern Oregon. Additionally, the updates include conservation guidelines that may require counties to amend their Comprehensive Land Use Plans. This could be a significant undertaking with a fiscal impact to counties.
During the month of August, at the request of AOC and Harney County, ODFW contacted some eastern Oregon counties to gather feedback. While we appreciate this outreach, counties would like the Department to further recognize ORS 496.166 which states the need for citizen involvement through partnerships between ODFW and landowners to manage wildlife on private lands. Stakeholder groups or task forces could be formed to facilitate discussion.

Counties continue to have many concerns about the Strategy, in particular the lack of public process. We describe this concern and others below:

1. Lack of transparency and public involvement during the revision of the Strategy. Because the implications of the Strategy are extremely complex and will impact multiple stakeholders representing a wide variety of interests, we support postponing the adoption of the Strategy until after a thorough public process where stakeholders have enough time to assess impacts and express them to the Department. Furthermore, Governor Kulongoski's Natural Resource Office has convened the "Renewable Energy and Eastern Oregon Landscape Conservation Partnership" (an Oregon Solutions Project) to address this complex issue. One of the outcomes of this group will be a workshop held in mid-November, 2010 to allow all stakeholders opportunity to discuss and provide feedback on the Strategy and its integration with renewable energy projects in Oregon. Counties see this as a great opportunity for the Commission to gather feedback. We encourage the

Commission to review the comments before making a decision on approving the Strategy and postponing the approval date until early 2011.

2. ORS 496.012 Wildlife Policy (7) obligates the Commission to "make decisions that affect wildlife resources of the state for the benefit of the wildlife resource and to make decisions that allow for the best social, economic, and recreational utilization of wildlife resources by all user groups".
   Again, we strongly support slowing down the public comment timeframe so that all stakeholders have time to assess the potential economic and social impacts the Strategy may have, particularly in regions where sage-grouse habitat has been identified. We ask the Commission to consider the local and statewide social, economic, and recreational consequences of excluding areas of eastern Oregon from development.

3. Oregon has a renewable portfolio standard (RPS) that requires utilities in Oregon to provide 25 percent of their retail sales of electricity from newer, clean, renewable sources of energy by 2025.
   The Strategy designates much of Eastern Oregon as core sage-grouse habitat which essentially rules out renewable energy development. With a considerable amount of renewable energy available in Eastern Oregon, we need to understand how the state will meet the RPS with these recommendations in place. This discussion should also include an ODFW proposal for mitigation requirements; which has not been developed.

4. Counties understand that the Strategy includes the best known peer-reviewed research on the greater sage-grouse. However this does not mean we know all there is to know about the sage-grouse. We realize and support the need to protect the species and prevent listing under state and federal Endangered Species Act's. Along these lines, caution should be used while updating the Strategy so that it does not become so onerous that the effect of implementation could be similar to a listing.

Counties support a local approach that could be used in conjunction with the Strategy to evaluate impacts to local populations. Extensive biological assessments are conducted by third parties as a part of the planning process prior to renewable energy projects being put on the ground. The data that is collected on the local sage-grouse population is the most accurate available. The Strategy could recognize these studies as a means for evaluating ecological impacts, developing mitigation, and determining how the project is developed instead of making assumptions based on the core area maps.

Furthermore, other states in the Western Association of Fish and Wildlife Agencies have seen an increase in sage-grouse numbers as a result of successful state strategies; the State of Utah is an example. We ask that ODFW discuss other strategies with stakeholders (in a task force setting) to asses other recommendations that may work in Oregon.

Counties appreciate the Commission's consideration of our concerns. We do understand the mission of the Department and want to assist and continue partnerships in any way possible. AOC and counties also continue to work with the Energy Facility Siting Council to maintain consistency on the approval process for all projects. If the plan is approved, the recommendation for including the Strategy in the land use review process will be incorporated into the AOC Wind Task Force Report. Additionally, if funding can be secured, AOC would recommend that counties update their land use plans (which requires a thorough public process) to incorporate the guidelines in the Strategy.

Section 5 of the Strategy states that implementation of the conservation guidelines will be conducted at the local level. In order for this to be successful, the Department needs local input and to keep in mind ORS 496.164 which states that ODFW "may advise, consult and cooperate with other political subdivisions and private landowners with respect to fish and wildlife management." This relationship should be reciprocal so that ODFW is a participant while local governments are making land use decisions.

Much has changed in Oregon over the last five years. Enough to require a thorough public process to update the Sage-Grouse Conservation Strategy and consider the impacts it may have on a growing number of stakeholders. The Association of Oregon Counties maintains our request for a more open, public process for reviewing the plan. We believe that a decision by the Commission in December does not provide adequate time for stakeholders and a new administration to appropriately evaluate and provide feedback on the Departments recommendations.

Thank you again for your consideration,

Steven E. Grasty, Harney County Judge
President, Association of Oregon Counties

Cc: Ron Elicker, Director, ODFW
Mike McArthur, Director, AOC

Renewable Northwest Project

September 13, 2010

Marla Rae
Chair, Oregon Fish and Wildlife Commission
3406 Cherry Avenue, NE
Salem, Oregon 97303

Dear Chair Rae and Members of the Commission,

Thank you for the opportunity to share our comments regarding the *Greater Sage-Grouse Conservation Assessment and Strategy for Oregon* (Draft Plan Revision). The members of the Renewable Northwest Project (RNP) share the Oregon Department of Fish and Wildlife's (ODFW) concern for the health of the greater sage-grouse and its habitat, and hope to work with the Department to enhance species and habitat protection.

Although we support efforts to enhance species protection and habitat restoration, we cannot support the Draft Plan Revision. In our view, the Draft Plan Revision was developed without broad stakeholder participation, reflects an unreasonably narrow interpretation of the Department's mandate, and fails to balance the positive role renewable energy development can play for habitat protection.

Adopting the Draft Plan Revision would, in our opinion, only increase tension among the stakeholders who care about wildlife and habitat protection, decreasing the likelihood affected communities would use the Draft Plan Revision to guide their land use decisions. Increasing the regulatory burden associated with sage-grouse and sage-grouse habitat (SGSH) without supplying new revenue sources to pay for the programs would also decrease the likelihood local, state, or federal agencies would be capable of adopting these guidelines. And the failure to create an environment conducive to responsibly sited renewable energy projects will make it more difficult for federal land managers to accomplish the mandate from both Congress and the President to build renewable energy facilities on federal land, thereby robbing rural communities of the chance to secure badly needed economic investments.

In lieu of adopting the Draft Plan Revision, we respectfully ask the Commissioners to instruct ODFW senior officials to work collaboratively with all interested stakeholders to redraft the proposal. By seeking more balanced input and exploring other conservation strategies to achieve the State's conservation goals, we believe the Agency will earn critical stakeholder support, especially from the communities most directly affected by the proposed Draft Plan Revision. Working directly with renewable energy companies to find ways to enable renewable energy projects in certain areas will not only contribute to the State's efforts to diversify its renewable energy mix, it will also create new revenue streams that both local communities and

917 SW Oak St, Suite 303 • Portland, OR 97205
phone: 503-223-4544 • fax: 503-223-4554 • www.RNP.org

Renewable Northwest Project

Enclosures:

- **Appendix 1:** A Brief History of Renewable Northwest Project
- **Appendix 2:** Combining Values: ODFW's Core Area and Corridor Strategy Map and Renewable Energy Potential
- **Appendix 3:** Renewable Northwest Project Comments on "*Greater Sage-Grouse Conservation Assessment and Strategy for Oregon*"
- **Appendix 4:** Renewable Northwest Project Proposals for a Way Forward
- **Supplement:** Literature Review – "*Greater Sage-Grouse and Wind Energy Development: A Review of the Issues,*" by Greg Johnson, WEST, Inc.

917 SW Oak St, Suite 303 • Portland, OR 97205
phone: 503-223-4544 • fax: 503-223-4554 • www.RNP.org

Renewable Northwest Project

RNP Members

3Degrees
3TIER
American Wind Energy Assoc.
Blattner Energy
Bonneville Environmental Foundation
BP Wind Energy
Calpine
Center for Energy Efficiency & Renewable Technologies
CH2M Hill
Citizens' Utility Board
Climate Solutions
Clipper Windpower
Columbia Energy Partners
Columbia Gorge Community College
David Evans & Associates
Element Power
Environment Oregon
Environment Washington
enXco, Inc.
E.ON Climate & Renewables North America
Eurus Energy America
EverPower
Gamesa Energy USA
GE Energy
Geothermal Resources Council
Green Mountain Energy
Horizon Wind Energy
Iberdrola Renewables
Jones Stevedoring
Lane Powell PC
Montana Environmental Information Center
MontPIRG
Natural Resources Defense Council
NextEra Energy Resources
Northwest Environmental Business Council
NW Energy Coalition
Northwest Environmental Advocates
OSPIRG
Port of Vancouver, USA
Portland Energy Conservation, Inc.
REC Silicon
REpower
RES America Developments
Ridgeline Energy
Solar Oregon
SolarCity
Stoel Rives, LLP
SunPower Corporation
Tanner Creek Energy
Tonkon Torp LLP
Vestas Americas
Warm Springs Power & Water Enterprises
Washington Environmental Council
WashPIRG
Western Resource Advocates
Western Wind Power

Appendix 1: A Brief History of Renewable Northwest Project

Since 1994, Renewable Northwest Project (RNP) has been working to increase the amount of new renewable energy in our electricity portfolio in Oregon, Washington, Idaho, and Montana. Building on the region's renewable energy foundation in hydroelectric and biomass, the goal of RNP is to further expand and diversify the energy stream with the implementation of responsibly sited, new renewable energy.

From our very beginning, the work of RNP has involved the responsible siting of new renewable energy projects. In the mid-'90s, RNP played an instrumental role in efforts to discourage geothermal energy development in the area near Borax Lake. More recently, we led efforts in Washington and Oregon to develop and implement voluntary siting guidelines for wind projects in the Columbia Gorge. In our opinion, "clean energy" must also be "green energy" by meeting the highest standards for minimal environmental impact.

RNP is a 501(c)3. Our strength stems from the diversity of our membership, including the largest renewable energy manufacturers and developers in the world, the most effective environmental advocates for solutions to climate change, and organizations that make sure renewable energy is priced within reach of average citizens. A simple majority of our board members are representatives from environmental organizations - including Climate Solutions, Natural Resources Defense Council, and Environment Oregon - and our Board Chair also represents a non-profit organization (Northwest Energy Coalition). Sixty percent of our funds come from membership dues; the balance of our operating funds come from foundations that care about climate change and the quality of life in the Northwest.

For more information about RNP, please visit www.rnp.org.

Renewable Northwest Project

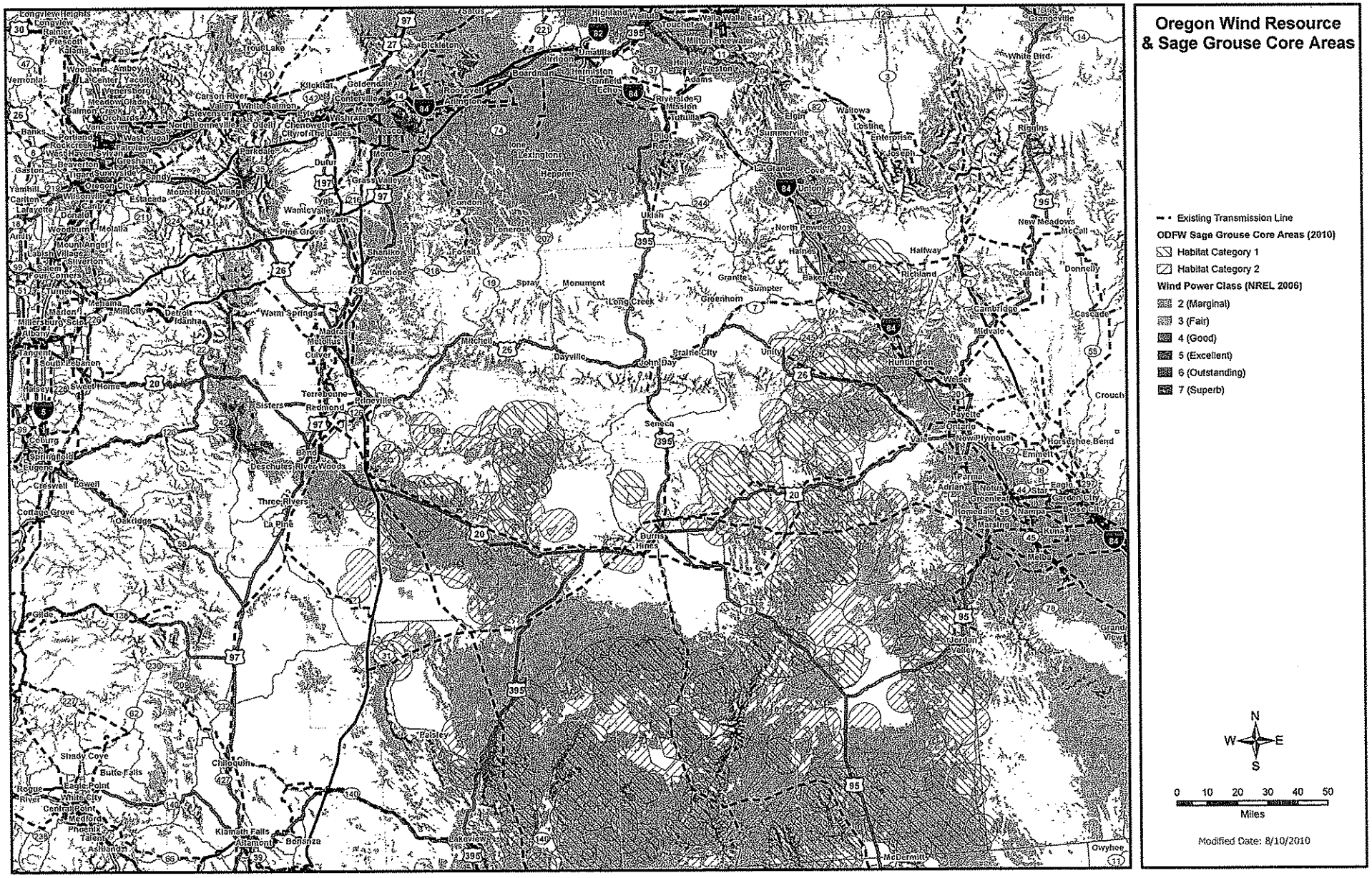
Appendix 2: Combining Values: ODFW's Core Area and Corridor Strategy Map and Renewable Energy Potential

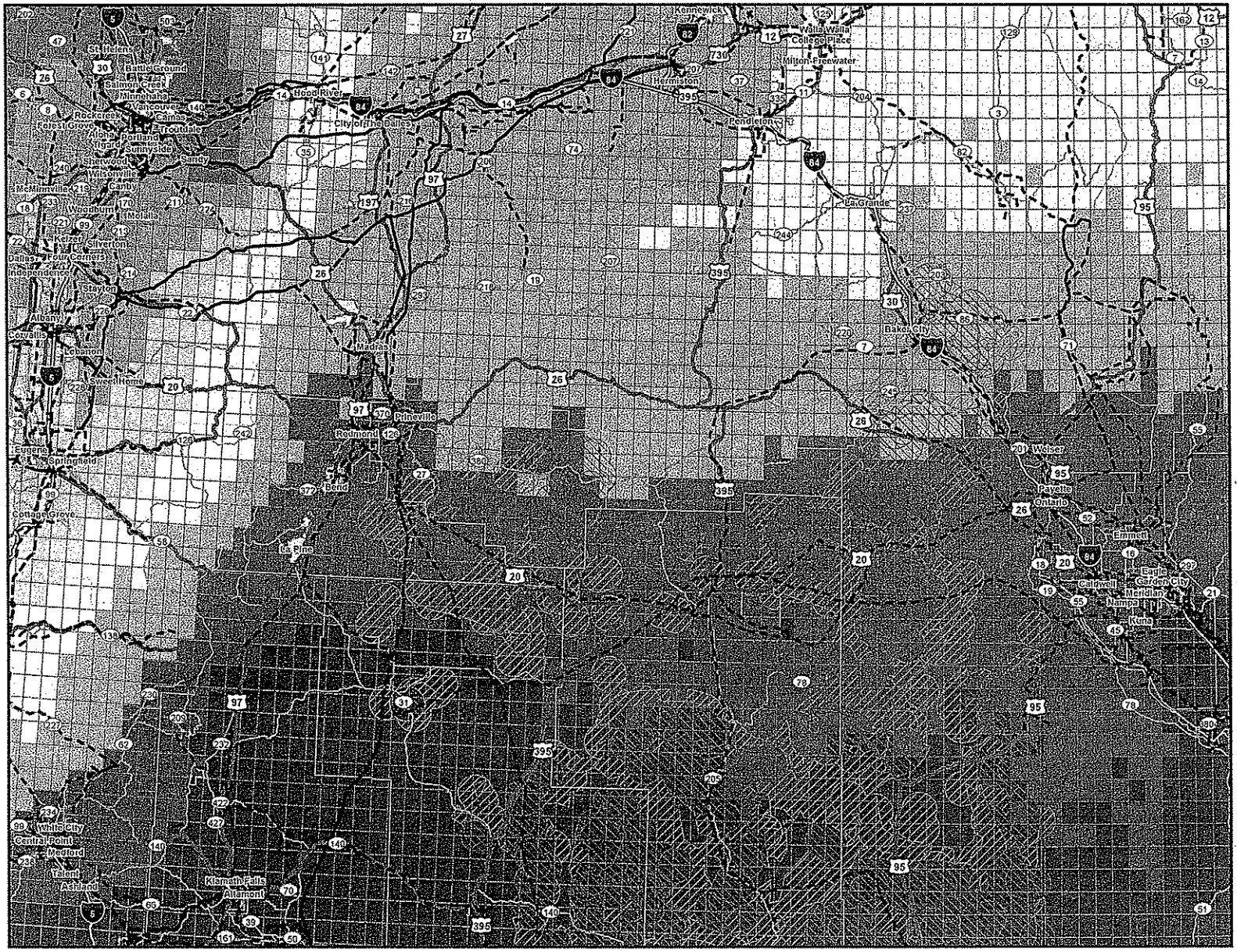
The Department of Energy's (DOE) Core Area Strategy maps combine the Agency's sage-grouse data with its land categorization policy to prioritize certain land parcels as either category 1 or category 2.

Using both actual data samplings and statistical estimations, the Oregon Department of Fish and Wildlife (ODFW) created the new "core area strategy." The Agency proposes using its current land categorization policy criteria to designate critical sage-grouse land as either category 1 (habitat that is irreplaceable, essential to sage-grouse viability) or category 2 (essential).

The accompanying two maps introduce wind and solar resources onto the ODFW core area map. These maps were developed to determine whether or not (or how) the Agency could entertain parcel category adjustments using more current, detailed, biological information provided by private landowners or renewable energy developers who work with professional biologists to achieve siting best-practices prior to pursuing their work. Effectively, without consulting the Oregon Department of Energy (ODOE), the Energy Facility Siting Council, or the developers who depend upon these processes to make important investment decisions, ODFW land categories re-write ODOE's process for developing renewable energy siting proposals. These two maps showcase the prominence of the core areas and connectivity corridors, which essentially removes the potential development of responsibly sited renewable energy projects throughout southeastern Oregon.

917 SW Oak St, Suite 303 • Portland, OR 97205
phone: 503-223-4544 • fax: 503-223-4554 • www.RNP.org


Oregon Wind Resource
& Sage Grouse Core Areas
Existing Transmission Line
ODFW Sage Grouse Core Areas (2010)
Habitat Category 1
Habitat Category 2
Wind Power Class (NREL 2006)
2 (Marginal)
3 (Fair)
4 (Good)
5 (Excellent)
6 (Outstanding)
7 (Superb)
N
W
E
S
0 10 20 30 40 50
Miles
Modified Date: 8/10/2010



Oregon Solar Resource & Sage Grouse Core Areas

- Existing Transmission Line

ODFW Sage Grouse Core Areas (2010)

- Habitat Category 1
- Habitat Category 2
- Existing Transmission Line

GHI Solar Resouce (NREL 2010, 10km)

Annual W/m2/day

- 3171 - 3445
- 3446 - 3669
- 3670 - 3880
- 3881 - 4099
- 4100 - 4314
- 4315 - 4511
- 4512 - 4709

N
W E
S

0 10 20 30 40 50

Miles

Modified Date: 8/10/2010