

CUSTER COUNTY COMMISSIONERS
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September 25, 2019

USDA Forest Service
Attn: Objection Reviewing Officer- Chris French
210 14th Street, SW, EMC-PEEARS, Mailstop 1104
Washington, DC 20250

RE: Custer County, Idaho Objections Regarding the Greater Sage-grouse Draft Record of Decision (ROD) and Land Management Plan Amendment (LMPA) for National Forest System Land in Idaho

Thank you for the opportunity to review the August 2, 2019 Greater Sage-Grouse US Forest Service's Draft Record of Decision (R.O.D.) and Land Plan Management Amendment (LMPA) for Idaho as well as other supporting information.

Custer County submitted timely comments throughout the NEPA process, starting in 2013. They also provided scoping comments and participated in meetings during the planning process. All previous comments submitted by Custer County on this subject matter are herein incorporated by reference.

Custer County herein submits objections to the referenced R.O.D. and LMPA. Custer County is an authorized local governmental entity under the law. The specific objections contained in this letter relate to previously submitted comments regarding the proposed activity per 36 C.F.R. 218.8(c)&(d). This objection letter has been submitted within the 60-day objection period as required by 36 CFR 219.52 (c)(5) and 219.56(b).

Custer County Commissioners commend the US Forest Service in relation to their use of our previous comments as well as comments of others to improve the livestock grazing portion of the documents. We also commend the agency for removing some of the more onerous conditions including sage-grouse focal areas and net conservation gain language. Though these changes were needed and are appreciated, we still object to several parts of the R.O.D and LMPA.

We believe that the agency is still not following the NEPA requirement that they include local governments in their planning processes. Instead, whether it was personalities, or the "big government knows best" attitude, US Forest Service personnel failed to use an interdisciplinary approach on each issue listed below. That failure resulted in the exclusion of the voice of Custer County on critical NEPA issues.

Custer County also believes the US Forest Service failed to use scientific information that is consistent with the standards of the Information Quality Act (44 USC 3516) (see definitions of Quality, Objectivity, Utility, and Integrity) and failed to have the information verified by local agencies.

Custer County is unique in that agencies of the State of Idaho, USFS and BLM manage approximately 97 percent of the land in the County leaving only **3 percent of the land in private ownership**. The economy of Custer County is dependent upon productive ranching, farming, mining, logging, and recreational industries.

The plan amendment and draft R.O.D, if implemented as currently written, will have significant adverse effects on the economic wellbeing of Custer County, Idaho and its constituents. These impacts were not analyzed during the NEPA process, though Custer County repeatedly, since 2013, provided the US Forest Service with detailed information about the harms.

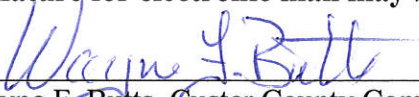
As noted in the Custer County Sage Grouse Management Plan (2013), Attachment 1. *"Since 1971, the sage grouse population has remained the same or increased steadily making the Custer County population of sage grouse one of the most stable in Idaho."* The extreme measures proposed in the LMPA/DEIS are not necessary in Idaho, especially Custer County.

As required by 36 CFR 219.54(c) this Custer County, Idaho Objection Letter includes:

- 1. The objector's name and address along with a telephone number or email address:**

Custer County, Idaho – As a Local Governmental Entity
Represented by Custer County Commissioners, Wayne Butts, Chair
Custer County Courthouse
801 E. Main Avenue
PO Box 385
Challis, ID 83226-0385
Email Lura Baker at lbaker@co.custer.id.us
Tel: (208) 879-2360

- 2. Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the objection)**



Wayne F. Butts, Custer County Commissioner

- 3. Identification of the lead objector, when multiple names are listed on an objection. The Forest Service will communicate to all parties to an objection**

through the lead objector. Verification of the identity of the lead objector must also be provided if requested:

Custer County Commissioners, Wayne F. Butts, Chair for Custer County, Idaho

4. The name and State of the forest plan amendment being objected to, and the name and title of the Responsible Official:

Idaho
Nora Rasure
Regional Forester
Intermountain Region

5. A statement of the issues and/or parts of the forest plan amendment to which the objection applies and a concise statement explaining the objection and suggesting how the proposed plan decision may be improved. If the objector believes that the forest plan amendment is inconsistent with law, regulation, or policy, an explanation should be included.

Protest Issue A: Terrestrial Predator Control

As clearly stated, since 2013 the complete absence of a detailed analysis of terrestrial predator control and minimal coverage of avian **predator control** measures is inconsistent with Custer County's Sage Grouse Management Plan and policies.

The plan amendment and R.O.D are also inconsistent with Section 706(2)(A) of the Administrative Procedure Act which instructs courts reviewing regulations to invalidate any agency action found to be "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law."

The proposed plan and decision are elaborate and extremely detailed in regard to measures to assure sage-grouse populations and their habitat are well managed. However, the decision does not include a discussion of how terrestrial predators that eat sage grouse and sage grouse eggs, harass sage-grouse, negatively affect sage-grouse mating and nesting behavior and otherwise adversely impact sage-grouse will be managed. This is in spite of Custer County comments consistently and thoroughly addressing threats to sage-grouse from terrestrial predators.

According to Forest Service Manual 2560, the US Forest Service has a responsibility to limit damage caused by wildlife. That damage includes deaths caused by terrestrial predators. Why can the US Forest Service manage game birds (sage-grouse) and discuss measures to reduce damage from avian predators and at the same time say that terrestrial predators are "outside their jurisdiction"?

An animal is an animal. A predator is a predator – whether it flies or it walks – whether avian or terrestrial.

The US Forest Service manages sage-grouse biology as well as sage-grouse habitat when it conducts or participates in population surveys, genetic research, health research etc., as described in detail in Finch et al. 2015. USDA Forest Service Sage-Grouse Conservation Science Strategy 2015-2020. USDA Forest Service. Washington, DC.

The US Forest Service decision to manage sage-grouse as well as ravens, ferruginous hawks and other birds and ignore terrestrial predators is arbitrary and capricious. The decision also ignores a significant and real threat to sage-grouse that is documented in Custer County’s previously submitted comments on sage-grouse and the *Custer County Sage-Grouse Management Plan (March 2013)* which has been provided to the US Forest Service as an attachment to Custer County comments since 2013.

The proposed plan amendment can be improved by incorporating terrestrial predator control. This should be done in coordination with other agencies including the State of Idaho as well as local expertise within Custer County. The *Custer County Sage-Grouse Management Plan (March 2013)* provides a tremendous amount of predator control information that has been entirely ignored by the US Forest Service.

We believe the US Forest Service buries the issue because it is “politically sensitive.” This is an excuse for not wanting to deal with human emotions. The people that don’t understand terrestrial predator control as an important tool in sage-grouse management need agencies including the US Forest Service to help educate them. Instead, the US Forest Service seems afraid they may offend a certain part of the public by recognizing predator control as a management tool. However, the US Forest Service seems comfortable addressing measures that will kill ravens and ferruginous hawks, which makes their decision arbitrary and capricious.

Recognizing and correcting this arbitrary and capricious distinction between sage grouse biology and terrestrial predator biology is necessary to identify and manage a significant threat to sage-grouse.

Further, the US Forest Service participates in management of wolves. Wolves are predators of sage-grouse. Though the US Forest Service states they manage wolf “habitat” they also participate in wolf research including genetic studies, population counts, and livestock management studies.

The fact that the US Forest Service participates in wolf management is proof that the agency could participate in other terrestrial predator management including controlling coyotes, badgers, foxes, and other terrestrial predators to sage-grouse.

The decision to state that predators are outside the agencies jurisdiction and to exclude them from the NEPA analysis is arbitrary and capricious.

The proposed plan amendment can be improved by including specific measurable actions the US Forest Service will take to ensure that terrestrial predators do not reduce the number of sage-grouse in Idaho. We recognize that those actions can be taken in conjunction with the State of Idaho and Custer County.

Historically the US Forest Service budgeted money for terrestrial predator control and worked with other federal and state agencies to ensure game animals were protected from excessive predation.

Humans have caused an increase in terrestrial predators. People with pets often leave pet food outside, where coyotes and other terrestrial predators can find it. Peoples pets are often easy prey for terrestrial predators. Over time, terrestrial predators increase in numbers when they intermix with humans, when predator control mechanisms are not in place.

The unnatural benefit terrestrial predators receive from humans results in unnaturally high numbers of predators.

Land managers must address terrestrial predators when they address sage-grouse population numbers and create restrictions on land use that increase if sage-grouse population numbers decrease.

Protest Issue B: Noise Restrictions

Custer County reiterates previous comments about the fact that the noise restrictions are too onerous and do not have science to support arguments that benefits outweigh the significant economic hardship they would cause. Noise limitations can have significant adverse effects to Custer County's ability to provide administrative and emergency functions. For example, maintaining roads or trails could result in temporary exceedance of noise restrictions. The County has been performing these activities since 1881 with no known adverse impact to sage-grouse. The noise restrictions are arbitrary and capricious. They are not based on science. They are based on extrapolations of discredited oil well drilling studies in Wyoming.

Custer County suggested a modification to the above-ambient noise threshold in its document-specific comments to the US Forest Service Greater Sage Grouse Plan in July 2018 as well as in numerous other NEPA comment documents since 2013.

Custer County acknowledges the exception for previously authorized activities. However, the impact the noise threshold will have on the County's ability to expand or improve infrastructure, or conduct administrative functions, including

but not limited to any functions or services not yet authorized, is a significant concern to Custer County. We are also concerned that the US Forest Service is not forward thinking and is therein prohibiting activities that have not been authorized but which nevertheless may be essential.

Custer County requests a complete elimination of the noise standard. In the alternative, they request an exception for public health, public safety, re-authorizations or renewals, and routine administrative functions. We also request that if any noise limits are set, they are limited to specific actions at the time new permits are issued, upon sufficient proof that such limits are necessary to a particular project specific time, place and activity where other mitigation is not possible and that the necessary science is provided to support the restriction.

Issue C: Disturbance Cap

As stated in our July 2018 comments, the disturbance caps are unrealistic and unnecessarily burdensome. Having no disturbance in priority habitat except existing rights and authorized uses is too restrictive and not based on sound science.

Disturbance can benefit sage grouse habitat. Decadent sagebrush often needs considerable disturbance to obtain desired seral stage conditions. Too many valid multiple uses would be overly restricted, even though they have no impact or even a positive impact on sage grouse and their habitat.

The disturbance caps also infringe on private property, since the government is using that land in their calculation.

Custer County has not seen science supporting the US Forest Service disturbance cap restrictions and we believe they are arbitrary and capricious, based on emotional rhetoric without the necessary research.

The disturbance caps will cause Custer County and its constituents' significant adverse economic impacts that were not analyzed during the NEPA process. Custer County respectfully requests that any and all disturbance caps be eliminated. Alternatively, the caps should be calculated without using private land and the caps should be limited to specific permits issued by the agency, when significant direct adverse effects to sage-grouse can be proven and no mitigating actions can be taken.

Issue D: Exclusion of Local Government During Scoping, Coordination and Cooperating Agency Interactions

Custer County objects to the plan amendment because the US Forest Service treated the County the same as the general public instead of recognizing them as a government agency, as explained in detail in the County's comments since 2013.

The plan amendment includes other Idaho County plans but disregarded the Custer County Public Land Resource Management Plan. Why?

The plan amendment restricts travel and interferes with the County's RS 2477 rights as well as the County's obligation to provide regular and emergency services. **The plan amendment interferes with road maintenance, public safety services, private property access as well as prohibiting the travel of ranchers, loggers, hunters, geologists, recreationists and others. These travel restrictions and prohibitions exclude County agreement and are illegal.**

Since 2013 Custer County has requested consultation and coordination prior to any road closures or travel restrictions. Despite Custer County's requests, the plan amendment does not require the proposed coordination or consultation.

Custer County also continues to request an exception be included to allow for County emergency services and administrative functions on any and all necessary roads. Any other treatment of the County would undermine the County's ability to conduct routine administrative functions traditionally under the immediate control of counties, such as weed treatments, fuel reductions, grazing and more. Many US Forest Service roads provide access to private lands and water rights.

Proposed standards implicitly prohibit activities that would otherwise be permitted simply because of that activity's mere proximity to a lek. Many leks exist today despite adjacent roads, trails and other human activity, proving that sage-grouse adapt to some human disturbance. Sage-grouse have also been shown to benefit from ranching and farming activities where roads exist, per previous Custer County comments.

The County needs to maintain trails and roads for public safety. **The plan amendment impedes the ability of the County to perform its basic functions of provide for the health, safety and general welfare** of their constituents. The amendment also impedes otherwise sustainable farming and ranching activities as well as other economically important multiple use activities on National Forest System lands.

Custer County continues to request consultation and coordination with the US Forest Service before considering the closure of roads, seasonal or otherwise.

Conclusion

In summary, the plan amendment does not meet NEPA and the APA requirements as well as other laws, regulations and policies. Please incorporate our input and modify the plan amendment language to assure the flexibility necessary at the

local level to meet sage-grouse needs as well as local custom, culture and economic viability goals and needs.

We will continue to object until our comments are fairly considered by the US Forest Service. The laws, regulations, policies and common decency dictate that our voice be heard and the plan amendment be modified according to local government needs as well as sage-grouse needs. The two are compatible, as evidenced by the healthy and robust sage-grouse populations in Custer County, Idaho at this time as in the past.

If you have any questions, please do not hesitate to contact me at 208-879-3305 and / or email address lbaker@co.custer.id.us

Respectfully submitted by:



Wayne F. Butts, Chairman Custer County Commissioners

Attachments via USDA portal:

1. Custer County Sage-Grouse Management Plan (March 2013)

Attachments via hardcopy regular mail:

2. Custer County Public Land Resource Management Plan (Revised 2018)
3. Appendix R - 2015 Consistency Review
4. 2018 Custer County Comments to USFS Sage-Grouse Plan
5. 2014 Custer County Comments to BLM/USFS Idaho and Southwest Montana Greater Sage-Grouse Draft LUPA/EIS
6. 2013 Custer County Comments to BLM/USFS Admin Draft Idaho and Southwest Montana Greater Sage-Grouse Draft LUPA/EIS

Custer County Sage-Grouse Management Plan

**Prepared by the Natural Resource Advisory
Committee**

March 29, 2013

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Chapter 1: Adoption Resolution

ADOPTION RESOLUTION

State of Idaho
County of Custer

At a specially called meeting of the Board of County Commissioners for Custer County, Idaho, held at the Commissioner's Meeting Room, Custer County Court House in Challis, Idaho on Friday, the 29th day of March, 2013, there were present:

Chairman, Wayne F. Butts, Commissioner Lin Hintze, telephonically, Commissioner Doyle Lamb, telephonically and Clerk Barbara C. Tierney

when the following proceedings were discussed and voted on, to-wit:

RESOLUTION NO. 2013-07

A RESOLUTION APPROVING THE CUSTER COUNTY GREATER SAGE-GROUSE CONSERVATION PLAN

Recitals

- A. In 1997, the State of Idaho provided a management framework for the Greater Sage-Grouse (sage grouse) in Idaho calling for local working groups. The Challis Sage-Grouse Local Working Group (CLWG) was formed to provide local management strategies for Custer County and other areas. The CLWG prepared the Challis Sage Grouse Conservation Plan that was adopted in October, 2007.
- B. The State of Idaho released a plan in 2006, and later modified this and requested that it be considered as an alternative to the National Greater Sage-Grouse Land Use Planning Strategy of the U.S. Bureau of Land Management (BLM) and U.S. Forest Service (USFS). The State's Sage-Grouse Alternative was prepared for the purpose of providing "special management for sage-grouse on lands managed by the BLM and USFS." The State also maintains that with this management framework in place, the State will approach local governments to see what actions are taking place locally that are necessary and appropriate to complement, and perhaps, include in the State's Federal Alternative.
- C. Custer County Board of Commissioners wishes to provide said guidance to the State of Idaho, BLM and the USFS, by adopting the Custer County Sage-Grouse Management Plan (Plan), defining the policies and practices that have been effectively utilized and implemented locally to manage the Sage-Grouse.

- D. The Plan is designed to reflect the unique characteristics of the habitat in Custer County and to acknowledge and support current management practices that have kept the sage grouse and its habitat in Custer County healthy and viable.
- E. The U.S. Fish and Wildlife Service (the Service) listed the Sage-grouse as a Candidate species (warranted, but precluded) for Endangered status in 2010, with a pending decision for a final determination anticipated in September, 2015.
- F. Custer County has entered into a Memorandum of Understanding (MOU) with the Bureau of Land Management, to participate as a Cooperating Agency in the review of the Greater Sage-Grouse.
- G. In addition, Custer County adopted Resolution 2009-01 in 2009 asserting its coordination authority with regard to all federal and state agencies maintaining jurisdiction over lands and/or resources located within Custer County, Idaho. As a result, Custer County has requested the BLM, through the Coordination process, to reconcile their planning efforts with local planning efforts in Custer County.
- H. At the direction of the U.S. Department of Interior, a National Technical Team (NTT) was assembled which produced a set of conservation strategies known as the NTT Report in December, 2011. While the NTT Report used the Wyoming region as the basis for the national habitat range characteristics and subsequent land use management recommendations, it does not address the unique landscape qualities, habitat characteristics or land uses found in Custer County.
- I. Since 1971, the sage grouse population has remained the same or increased steadily making the Custer County population of sage grouse one of the most stable in Idaho.
- J. The State of Idaho continues to allow hunting Sage Grouse. The hunting season is open September 15 through September 21 allowing one-bird daily limits with two in possession. Hunting remains a viable industry in Custer County, and the sage-grouse population has remained stable as well.
- K. The BLM has a statutory duty to manage lands under their direct or indirect jurisdiction for multiple uses of resources, and not for a single purpose. The implementation of the NTT recommendations across large areas of Custer County through an amendment to the applicable Resource Management Plans would burden large areas of private lands that are either not under their jurisdiction or are not suitable sage grouse habitats with severe land use restrictions.
- L. Custer County remains concerned that if the NTT recommendations are adopted across all currently proposed Preliminary Priority Habitat, Preliminary General

Habitat, and Linkage Areas as mapped without regard for local conditions and using inaccurate data, large swaths of non-habitat on public and private lands in the County would be encumbered and burdened with unnecessary regulations that would significantly hurt local economies and misallocate resources which would not help recover the species.

- M. Custer County's primary source of revenue that supports the operations and welfare of the County and its citizens comes directly and indirectly from the ranching, farming, recreation, logging, and mining industries. Custer County's ability to protect the health, safety and welfare of its citizens, as well as, ensure continued protection for all wildlife and their habitats, and the productive uses of land within the County depends on the continuation of balanced development and management of agriculture, mining and recreation interests.
- N. The BOCC held a public meeting on Tuesday, March 26, 2013, to discuss and consider the Plan.
- O. Based on substantial and competent discussion and input at the aforementioned public meeting, the BOCC has made the following determination:
1. That proper public notice was provided for the meeting before the Board of County Commissioners.
 2. The public meeting before the Board of Commissioners was extensive and a majority of members of the Natural Resource Advisory Committee were present with all pertinent matters, issues and facts thoroughly discussed and submitted and all in attendance were heard at the meeting.
 3. For the above stated and other reasons, the Plan is in the best interest of the health, safety, and welfare of the citizens of Custer County.
 4. That the Plan is in general conformance with the Custer County Comprehensive Plan.
 5. Custer County has the explicit authority to plan for land use in the county.
 6. The Board of County Commissioners, pursuant to 43 U.S.C. §1712, has formally enacted Coordination via Resolution No. 2009-01 with all state and federal agencies acknowledging that federal law requires the BLM to (1) make its plans consistent with the Plan and related policies; (2) include this plan as an alternative pursuant to 43 U.S.C. §4332(e); and (3) in the event it cannot reach consistency, state why it cannot resolve the conflicts with Custer County. The same resolution stated above also acknowledges that federal law requires the Service to take into account all local efforts to conserve species prior to making a listing determination and to coordinate with the County when determining critical habitat. The

resolution also acknowledges the County's primary planning authority for lands and wildlife within its boundaries, which it exercises in part by coordinating with all other federal and state agencies to ensure the policies set forth in this plan are consistently and uniformly applied.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Custer County, Idaho that:

- A. The foregoing Recitals are incorporated by this reference as part of this resolution.
- B. Custer County adopts the Plan (attached as Exhibit A). The Plan serves as an updated Plan with policies specific to the County based on the most current and best available data.
- C. Custer County recognizes the statutory obligation of the Bureau of Land Management and the U.S. Forest Service to make its planning, inventory and management activities consistent with the policies of Custer County and will continue to work to resolve the conflicts with the agency.

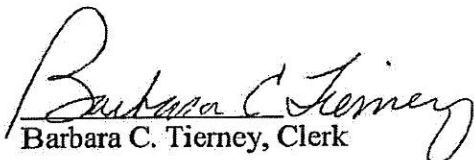
Dated this 29th day of March, A.D. 2013

Upon motion duly made and seconded, the foregoing Resolution was adopted by the following vote: 3 Aye 0 Nay

Commissioner Chair


Wayne F. Butts

ATTEST:


Barbara C. Tierney, Clerk

Chapter 2: Purpose of the Plan

In recent years, the Greater Sage-Grouse (sage-grouse), native to Custer County (County), has received national attention resulting in the U.S. Fish and Wildlife Service's (Service) determination in 2010 to list the species as a candidate for endangered status. This has prompted numerous state and federal agencies to modify their management plans for the species and its habitat in order to preclude an endangered listing in the eleven western states where it resides. As a result, there has been a lack of coordination and cohesiveness of conservation measures between the various agencies; importantly with Custer County.

The sage-grouse has been a vital part of the ecology in Custer County, and an equally important part of the culture. The State of Idaho has permitted the hunting of the species in the County since early settlement. The population has increased and decreased in response to natural environmental factors, primarily weather changes and predator dominance. It has benefited from the active agriculture industry of ranching and farming, which provide essential riparian and meadow habitat used seasonally by the sage-grouse throughout the year.

The sage-grouse habitat in Custer County is located in the rich valley floors hosting several major rivers including the Salmon and Big Lost River, framed by towering mountain ranges. Although the County contains the state's highest mountain ranges, it receives the least amount of precipitation of any county in Idaho, and therefore has a climate, topography and ecology that is unlike any other area with sage-grouse habitat.

Monitoring data for the sage-grouse in the local area has been recorded since 1971 and currently show the species is static or improving. A consistent uptrend in males counted on lek routes has been observed since 1986. This indicates that the current productive agriculture activities and conservation measures being utilized in Custer County today are benefiting the species and should be maintained. Many of the primary impacts and threats identified at the national level, such as fragmentation and connectivity, are not an issue in Custer County. Therefore, conservation measures designed to correct these and other impacts must be thoroughly analyzed at the local level utilizing local expertise to ensure they are appropriate for the long-term health of the species and its habitat.

The State of Idaho has taken the lead in providing a management framework for the Greater Sage-Grouse in Idaho, releasing its first plan in 1997, calling for the development of local working groups. The Challis Sage-Grouse Local Working Group (CLWG) was formed to provide local management strategies for the Challis plan area (See Challis Sage-Grouse Conservation Plan, Figure 1), which includes Custer County. This group, currently made up of primarily federal and state agency personnel, prepared the Challis Sage Grouse Conservation Plan (CWGCP) adopted in 2007.

The State's Plan was released in 2006, and more recently updated to be considered as an alternative in the National Greater Sage-Grouse Land Use Planning Strategy (Strategy) of the U.S. Bureau of Land Management (BLM) and U.S. Forest Service (USFS). Governor Otter's Sage-Grouse Alternative (State Alternative) was prepared for the purpose of providing "special management for sage-grouse on lands managed by the BLM and USFS," (State Alternative, page 3). The State also maintains that "with this management framework in place, the State will approach ... local governments ... to see what actions are necessary and appropriate to complement the State's Federal Alternative" (page 3).

In an effort to provide the State this guidance, and for the purpose of ensuring the conflicts between the County's plans and policies for the sage-grouse are considered and resolved by the BLM and USFS, as required under the National Environmental Policy Act, the County has formally established the Custer County Sage-Grouse Management Plan (Plan), which defines the policies that have been utilized effectively to manage the sage-grouse in Custer County and should be incorporated into all management activities of all agencies with responsibility for managing the species and its habitat.

As implemented, this Plan shall require these policies and principles be applied on public lands as "regulatory assurances" through Coordination and they will be applied on private lands as "incentive-based assurance." In this way, the Plan serves as a planning tool for private land owners by informing and improving their conservation efforts on a voluntary basis with the added opportunity to amend this Plan as a result of their stewardship successes.

Chapter 3: Plan Area and Habitat Characteristics

A. Plan Area

The Plan Area includes all of the lands within the political boundaries of Custer County. This area is a high mountain desert area located in Central Idaho, within the Salmon and Big Lost River drainages. It is comprised of 3,159,124 acres or 4,936 square miles.

The County is almost entirely mountainous, with scattered flatlands generally, but not exclusively, associated with river bottoms, former lakebeds, and glacier courses. Twelve of the 15 tallest mountains in Idaho are in Custer County, with Mt. Borah, the state's highest peak, in the southern part of the county.

The Salmon and Big Lost Rivers are the primary drainage systems, fed by numerous tributaries. Both are valuable sources for agriculture and recreation in the county. The upper regions of both drainages are rugged mountainous terrain, almost entirely on public land. Many streams sink naturally and never reach a river or river tributary, but are utilized for agriculture and recreation. One dam on the Big Lost River creating Mackay Reservoir provides irrigation water storage.

The 40 mile-long section of the Big Lost River valley in Custer County is wider and flatter than most of the Salmon River valleys, and is extensively ranched. The 30 square mile 'Round Valley' at Challis is similarly devoted to agriculture, as is the Stanley Basin.

According to the 1997 Census of Agriculture, the County has 147,913 acres of farmland in 268 farms. Of this total, 67,915 acres are irrigated cropland, 70,470 acres are privately owned irrigated pasture/range land, and 9,528 acres are dry land. The average size of farms in Custer County is approximately 542 acres. (Custer County Comprehensive Plan, 2009)

Agencies of the State of Idaho or USFS and BLM manage approximately 97 percent of the land in Custer County. Because of the limited amount of private land in the County, 3 percent of total land mass, the continuation and expansion of the ranching, farming, mining, logging and recreational industries is vital to the future existence of the County.

With the majority of land being held in public and state ownership, these lands must remain open and utilized for the full potential of their productive, multiple uses. Custer County has demonstrated that this activity can occur and the sage-grouse will continue to thrive and even increase, as long as, the conservation measures employed by all of the agencies with management authority over the habitat and species focus on the primary threats as they exist in Custer County, and not as they exist at the state or national level.

B. Habitat Characteristics

Occupied sage-grouse habitat is categorized into a single delineation in Custer County. This will be known as "suitable habitat." The locations where leks have been cited occur in the valley floors that contain appropriate sagebrush cover. These areas are naturally restricted and fragmented by mixed mountain shrubs, conifers and the mountains themselves. It is not appropriate to designate a primary habitat and a secondary habitat area in Custer County. All habitat that has been identified as either having lek's present or having the characteristics necessary to support the sage-grouse, shall be identified as "suitable habitat."

There is no good estimate of total acres of suitable habitat currently available. For purposes of discussion the areas identified in Appendix D1-D10 as it relates to Custer County in the Challis Sage-grouse Local Working Group Conservation Plan as adopted in 2007 and Figure 3 in the 2009 amendment the to same plan will be used as points of reference.

The following definitions apply to the habitat characteristics in Custer County.

1. Suitable Habitat

Suitable habitat includes all seasonal habitats, including breeding habitats, early breeding habitats, summer late brood-rearing habitats and winter habitats. The description of these habitats can be found in the Challis Sage-grouse Local Working Group Conservation Plan (page 3 & 4), and are as follows:

2. Breeding Habitats

Breeding habitats, called leks, generally occur in open areas surrounded by sagebrush from mid-March through mid-May. Local examples include low sagebrush flats and ridge tops, landing strips, old lakebeds, unpaved roads, cropland, and burned areas. Sage-grouse males form leks opportunistically at sites within or adjacent to potential nesting habitat. Nesting habitat and leks have the following conditions (Connelly, et al. 2000):

- a. Mesic sites have a sagebrush height that is 16-31 inches with a 15-25% canopy cover and a grass-forb height >7 inches with a $\geq 25\%$ (15% perennial grasses and 10% forbs) canopy cover.
- b. Arid sites have a sagebrush height that is 12-31 inches with a 15-25% canopy cover and a grass-forb height >7 inches with a $\geq 15\%$ canopy cover.

Habitats used by pre-laying hens are part of the breeding habitat. These areas should provide a diversity of forbs high in calcium, phosphorus, and protein. The ecological condition of these areas may greatly affect nest initiation rate, clutch size, and subsequent reproductive successes.

Sage-grouse hens typically select nest sites under sagebrush, although other shrub species may be used. Nests occurring under sagebrush cover have higher nest success than other shrub types, height ranges from 12-31 inches and nests tend to be under the tallest sagebrush within a stand. In general, sage-grouse nesting occurs under shrubs having larger canopies and more ground and lateral cover (spreading growth form rather than columnar).

Grass height and cover are important components of sage-grouse nest sites. Herbaceous cover associated with nest sites may provide scent, visual and physical barriers to potential predators.

3. Early Brood-Rearing Habitats

Early brood-rearing habitats occur in upland sagebrush habitats relatively close to nest sites, but movements of individual broods may vary. The period of early brood-rearing is from mid-April to mid-June. These habitats may be relatively open (about 15% sagebrush canopy cover) stands of sagebrush with >15% canopy cover of grasses and forbs. Great plant species richness with abundant forbs and insects characterize brood areas. Insects, especially ants (*Hymenoptera*) and beetles (*Coleoptera*) are an important component of early brood-rearing habitat.

Early brood-rearing habitats should have the following characteristics (Connelly, et al. 2000):

- a. Sagebrush height of 16-31 inches with a canopy cover of 10-25%;
- b. Grass-forb height is variable with a canopy cover >15%.

4. Summer Late Brood-Rearing Habitats

As sagebrush habitats desiccate, sage-grouse usually move to more mesic sites which are higher in forb availability through June through August. These areas include meadows or riparian areas dominated by mesic or hydric (also hydrophytic) plant species. The habitat should not have evidence of excessive erosion, though there may be some bare ground. The habitat suitability decreases as erosion increases or as xeric species invade the riparian/wetland zone. The presence of succulent, green forbs is essential. There should be sagebrush cover adjacent to the riparian areas to provide escape or protective cover. There are some upland sagebrush communities that provide late brood-rearing habitat due to elevation which helps to retain succulent, green forbs later into the summer. Wet meadows, springs, riparian zones and alfalfa fields are locally important.

5. Winter habitats

Movements to winter range are slow and meandering, and occur from late August to December. Wintering habitat is utilized from November through March. Feeding habits generally shift from forbs in early fall to sagebrush in winter. Characteristics of sage-

grouse winter habitats are relatively similar throughout most of the species' range. During winter, sage-grouse feed almost exclusively on leaves of sagebrush in stands generally >15% sagebrush cover. On winter ranges, areas with access to sagebrush above the snow (such as south slopes and wind blown ridges) are important. Winter habitats should allow sage-grouse access to sagebrush stands with canopy cover of 10-30% and heights of at least 10-14 inches above snow cover.

Chapter 4: Threat Assessment

There are numerous federal and state agencies that have management responsibilities for the sage-grouse and/or its habitat in Custer County. There are also other groups, such as the CLWG that have researched and studied the species and has provided advice and recommendations to the agencies. Each of these entities has prioritized the threats to the sage-grouse.

A. U.S. Fish and Wildlife Service (USFWS)

The Service has determined that it should list the species as endangered because it has found there to be (USFWS Candidate Notice, 2010):

1. Habitat Loss
2. Lack of Regulatory Assurances

B. Bureau of Land Management (BLM)

The BLM has determined the greatest threats to the habitat to be (National Greater Sage-Grouse Conservation Measures/Planning Strategy, pg 6) (NTT Report):

1. Fire
2. Invasion of exotic grasses
3. Human Land Use
 - a. Tillage Agriculture
 - b. Historic grazing management
 - c. Energy development
 - d. Roads and power line infrastructure
 - e. Recreation

C. State of Idaho (State)

The State of Idaho has found that the focus of all efforts should be on "enhancement of habitats, populations and connectivity." (State Alternative, pg 31). They find the greatest threats to be:

1. Wildfire
2. Invasive Species
3. Habitat Restoration
4. Infrastructure

Secondary threats are:

1. Recreation
2. West Nile Virus
3. Livestock Grazing Management

4. Livestock Grazing Infrastructure

D. Challis Local Working Group

The CLWG found there to be the following risks to the species (Challis Sage-Grouse Conservation Plan, pg 10):

High Risk

1. Habitat Fragmentation
2. Invasive plant species
3. Inappropriate management strategies

Medium Risk

1. Improper livestock grazing
2. Fire
3. Other natural causes

Low Risk

1. Excessive predation
2. Human disturbance
3. Health risks to sage-grouse populations
4. Over harvest
5. Successional vegetation changes in brood-rearing habitat.

E. Custer Board of County Commissioners (BOCC)

While the Board of County Commissioners (BOCC) recognizes that these threats may be present at the national and state level, they do not represent the predominate threats in the unique climate and landscape of Custer County. Through the research and advisement of the County's Natural Resource Advisory Committee (NRAC) (see Appendix A), and after reviewing all of the plans stated above as well as the latest and best available science, the BOCC has determined that the primary threats to the Greater Sage-Grouse in Custer County are the following:

Primary Threats:

1. Excessive Predation
2. Improper management of public lands (i.e. failure to adapt grazing systems and uses in a timely manner consistent with weather and seasonal changes)
3. Wild Horse and Burro and other wildlife impacts

The BOCC has found that many of the threats prioritized by the federal and state agencies, as well as, the CWLG are low priority threats in Custer County. For instance, wildfires are rare. Also, human disturbances are not a concern as the current and previous populations of Sage-Grouse have successfully habituated to the human activity, primarily the active agriculture community that is continually changing. It is not an uncommon site to see sage-grouse in cultivated fields, jumping from row to row as farming and ranching operations are underway. The sage-grouse depends on the benefits provided by the agriculture community.

In contrast, the primary threat in Custer County to the sage-grouse, excessive predation, has received little, if any, recognition from both federal and state agencies. For this reason, the BOCC will be taking an active role to ensure that the proper cause and effect relationship between the threats and management activities are implemented in Custer County.

Chapter 5: Plan Implementation

The BOCC shall be responsible for managing and implementing the Plan. The principles and policies contained within the Plan shall be used to address functional surface disturbance in the plan area, which is the area within the political boundaries of Custer County.

A. Implementation on Public Lands

The principles and policies contained within this Plan shall be required for the management of sage-grouse and its habitat on public lands that contain suitable habitat as described in **B Habitat Characteristics** above.

B. Implementation on Private Lands

For private lands in the Plan Area, the principles and policies contained within this Plan are voluntary and encouraged to be implemented through Best Management Practices (BMP's) and conservation measures for the management of sage-grouse and its habitat as defined as suitable habitat and depicted in **B Habitat Characteristics** above.

C. Implementation Process

This policy shall serve as the primary conservation policy for the sage-grouse in Custer County. The BOCC has the unique authority to require federal agencies to coordinate their plans and policies with the County, and ability to coordinate with state agencies, therefore, ensuring that all entities with responsibilities for the species and habitat are working together efficiently and effectively and not pursuing counter-productive measures. This Plan is designed to serve as the comprehensive planning document for the sage-grouse in Custer County.

While recognizing that each agency has its own planning processes, federal agencies are required to not only consider the County's policies, but work to resolve conflicts and make federal plans consistent with the county's policies (43 USC 1712). Federal statues require that the County's policies are integrated into the federal conservation strategy for the sage-grouse on federal lands within the County's borders. The State of Idaho has given Custer County planning authority over lands within the County's borders, ensuring consideration of the County's sage-grouse policy with state agencies as well.

Implementation of this plan will be conducted through a formal coordination process with all agencies that have jurisdiction and/or responsibility for the sage-grouse and/or its habitat. The plan will serve as the unifying and primary planning document. Specifically, the BOCC shall utilize this Plan as a tool to evaluate and provide comment regarding land management decisions on both public and private land for which it has land management jurisdiction. More specifically, the BOCC shall utilize this Plan in evaluating land use development applications submitted under the County's

comprehensive plan, as well as, ensuring that any federal or state land management action remains consistent with this Plan.

D. Plan Update / Amendment Process

This Plan is managed under adaptive management principles where it is understood that the scientific understanding of the species and its habitat will be continually expanding. This requires that the policies, principles, and best management practices of this Plan be frequently evaluated and modified as warranted by the best available science appropriate for the unique Plan Area in Custer County.

1. Annual Review

The BOCC will conduct an annual Coordination review, commencing one year from the date of enactment of this Plan with the federal and state agencies that have habitat or species responsibilities within the Plan Area. This review process will evaluate the availability and condition of habitats, direct and indirect impacts, conservation measures, policies and BMP's being implemented by each agency for their effectiveness and applicability to the Plan Area.

Also incorporated in this review is any new science and, if warranted, modifications to the BMP's, policies, and conservation measures within the Plan. The Coordination review shall take place in government-to-government meetings between the different agencies and the BOCC.

The BOCC will also initiate meetings with entities that have private property interests in the Plan Area for the purpose of analyzing their conservation efforts and effectiveness, as well as, any new science they may be able to contribute to the process to ensure Plan updates are also based on the best available science.

The consideration of changes to the Plan shall be discussed in these coordination meetings, followed up with a draft Plan update to be shared with all agencies through the Coordination process and private entities with private property interests for input. The input shall be considered and incorporated where appropriate into a formal written Plan update to be approved by the BOCC within 120 days of the submittal date of the requested change.

2. New Scientific Information

If at any time between the annual review period with federal or state agencies, or private entities with property interests in the Plan Area become aware of or acquire new science regarding the species or its habitat in the Plan Area within Custer County that may warrant changes to the BMP's, conservation measures or policies within this Plan, then they shall submit a written report to the County, including the scientific review and supporting data, for the County's consideration. If the BOCC finds changes to the Plan

are warranted, then it can initiate a formal review of the Plan in coordination with all entities.

3. Additional Coordination Meetings

Additional Coordination meetings are encouraged beyond the required annual review and new scientific information review for the purpose of keeping apprised of and working to resolve all issues impacting the sage-grouse.

Chapter 6: Principles

The Plan Principles are designed to inform and guide all decision making, regardless of specific issue or impact, as they relate to the well-being of the sage-grouse and the health, safety and welfare of the people in Custer County.

- A. The sage-grouse habitat in Custer County is found in narrow valleys and is naturally fragmented with non-sagebrush shrubs, meadows, mountains and conifers in the Plan Area. It is unlike most of the habitats studied, which contain vast expanses of contiguous sagebrush, and for which most conservation strategies are designed. Additionally, the population is currently static or increasing, and has been on a slight uptrend for the past twenty-five years. Because the Custer County population of sage-grouse is one of the most stable populations range wide, it is essential that all policies and conservation measures recognize that current management activities are benefiting the species and that changes or additions, if any, to these be developed utilizing the detailed knowledge of local conditions and expertise.
- B. The economy of Custer County is dependent upon productive ranching, farming, mining, logging, and recreational industries. These industries represent the primary current and historical uses of the land. They are not only the vital part of the local economy, but they have also contributed to the sage-grouse's continued persistence. By enhancing the habitat through activities, such as, riparian improvements and proper livestock grazing, these industries have both protected and improved the species habitat by reducing fuel for wildfires, controlling invasive species and limiting predators.
- C. Custer County has a population of approximately 4,333, and therefore is considered a "small local jurisdiction" as defined by the Regulatory Flexibility Act (5 USC 601). All proposed rules for the purpose of managing the sage-grouse or its habitat by federal agencies requires an economic analysis and consideration of that analysis prior to the finalization of the proposed rule. This analysis shall be prepared in Coordination with Custer County.
- D. Human disturbances have a minimal impact on the sage-grouse as the current population and those before it have been raised surrounded by an active agricultural and recreational community. If this activity were to be removed or reduced, it would create unintended disturbances to the species and may threaten their survivability.
- E. Sage-grouse management decisions shall be made based on the best available scientific information that is applicable to sage-grouse habitat in Custer County. The scientific information used will be consistent with standards of the Information Quality Act (44 USC 3516) (see definitions of Quality, Objectivity, Utility and Integrity), as verified by the County.

- F. Land management plans of all government agencies that have ownership or management responsibilities for the lands or species within Custer County shall be consistent with the policies set forth in this plan subject to valid existing rights.
- G. For private lands, the policies set forth in this Plan are encouraged through conservation incentives and BMP's that do not encumber private property rights of the landowners, but do address long-term needs of sage-grouse.
- H. No policies shall infringe on the private property rights of any landowner within Custer County. All species and land coverage information gathered on private property shall be treated as the property of the landowner and shall not be used by any private or government entity for any purpose unless express, written permission has been obtained from the landowner.
- I. All sage-grouse habitat and species management programs that impact the County, administered by federal and state agencies, shall be coordinated with Custer County, and the data collected by state and federal agencies will be shared with the County in a timely manner and be provided to the County regardless of completeness.
- J. All public lands within the Plan Area containing suitable habitat for sage-grouse shall be managed to continue the multiple-uses of the lands as required by 43 USC 1707(a)(7). No policies shall be implemented that prescribe the management of lands for a single purpose, but all functions of the land, including providing habitat for wildlife and supporting the productive uses of its resources, shall be considered with the objective of balancing and continuing all uses of the land. Unlike public owned land where there are many property interest holders and the multiple uses must be maintained, private land owners have more discretion to manage their property for the primary purpose of conserving sage-grouse, if so desired.
- K. The ability of wildlife, including sage-grouse, to habituate to inanimate manmade structures and changes to the landscape shall be acknowledged.
- L. All sage-grouse conservation measures enacted on public land or through a federal nexus shall be for the purpose of directly benefiting the species and its verified habitats. These measures shall be scientifically defensible. All data and information used to produce conservation measures shall be made available to the public and the County and shall be coordinated with the County. Additionally, the balance of impacts to other species and to human welfare must be weighed prior to approval and implementation. All planning efforts shall be governed through adaptive management principles to ensure that use of the latest scientific research on sage-grouse and their habitat, BMP's, technological advances, and incorporation of impact avoidance, minimization, and mitigation opportunities are vetted and utilized.

M. Private land ownership of sage-grouse habitat areas should be continued and encouraged as private land conservation efforts have been the most effective methods to preserve diverse and healthy habitats for many species.

Chapter 7: Policies

The policies set forth in this chapter are for the purpose of providing specific conservation measures that are to be implemented in the Plan Area in order to eliminate or limit impacts that may affect the suitable habitat of the sage-grouse.

A. Predation

Historically, predation is the primary cause of mortalities on the sage-grouse (Bergerud 1988). This continues to be the greatest impact in Custer County. Sage-grouse are common prey for numerous predators present in the County, including coyotes, ravens, various raptors, eagles, feral cats and, more recently, wolves. Custer County is currently witnessing the desertification of its mountain habitat as the wolf population continues to grow and eliminate the native prey and predators. "While some level of predation should be expected in all sage-grouse populations, in certain situations predator/prey relationships may become disrupted, resulting in excessive predation. For example, the establishment of non-native predator species or an unusually high number of one or more predator species, may be cause for concern." (July 2006 Idaho Sage-grouse Conservation plan, 4-10)

The primary threat to sage-grouse habitat in Custer County is predation. If not properly managed there will be a reduction of nest success, survival of juveniles, and survival of adult birds (Connelly et al. 2004).

Policy

1. Prior to implementing any conservation measures that decrease the productive use of the land for the benefit of the sage-grouse, the impact of predation must be considered. Measures must be put in place to control predation to the satisfaction of the BOCC, if found to be the cause of the impact.
2. The BOCC will coordinate with the Idaho Fish and Game to determine appropriate predator control measures.
3. Encourage private landowners and citizens to document predator occurrences and provide these to the BOCC so that the proper agencies can be notified and appropriate control measures implemented.
4. Anti-perch devices will be encouraged, but not required, for all existing and future transmission lines and structures that may have a deleterious affect on sage-grouse in suitable habitat.

B. Livestock Grazing

Custer County continues to enjoy a long history of livestock grazing both on private and public lands. When properly managed, livestock can coexist with sage-grouse, as well as, help improve suitable habitat and decrease fire hazards.

Policy

1. Maintain sustainable grazing consistent with historic land use and ranching practices.
2. Livestock grazing is an important tool to properly manage sage-grouse habitat, and should not be removed from the Plan Area.
3. Any grazing restrictions or conservation measures that are implemented through a grazing permit shall be based solely on the conditions and activities specific to that permitted grazing allotment.
4. Annual precipitation measurements should become a part of annual operating plans. Although the County contains the states highest mountain ranges, it receives the least amount of precipitation of any county in Idaho, and therefore has a climate, topography and ecology that is unlike any other area with sage-grouse habitat. This uniqueness also contributes to areas with above average precipitation while areas just over the hill are receiving below average precipitation. If the monitoring data shows there is an increase in forage that supports additional livestock in a suitable habitat area, then increased grazing should be considered. If monitoring data shows a decrease in forage in a suitable habitat area, then a reduction in livestock can be considered as long as it is demonstrated that failure to do so would cause a deleterious effect on the sage-grouse.
5. Add sage-grouse guidelines into management plans as desired conditions, recognizing livestock grazing may not always be a causal factor (State Alternative)
6. Prioritize completion of land (range) health assessments and grazing permit NEPA analysis on allotments with declining sage-grouse populations, as verified by Custer County.
7. Allotment Assessments will use published Characteristics of sage-grouse habitat and comply with 43 CFR 4180.2(c).
8. Allotment management changes must be tailored to address specific problems when the cause of that problem has been determined using the best available science including the flexibility to change time on a unit, the number of livestock for a designated period of time and season of use.
9. Changes in grazing management should only occur when monitoring indicates sage-grouse objectives are not being met as a result of grazing practices.
10. Management changes, when needed, must be tailored to specifically address habitat objectives that need improvement, but should not adversely affect the habitat of other species.
11. Altering grazing schemes in allotments, where needed and appropriate, may be facilitated by enhanced grazing opportunities with introduced seeding or areas with lower values to sage-grouse. The unintended consequences of altering grazing use, such as possible increased risk of wildfire, must be carefully considered in any management proposal. (State Alternative)

C. Wild Horse, Burro and Wildlife Management

Significant alterations to sagebrush communities can occur by wild horses and wildlife grazing if these populations are allowed to exceed suitable population levels. Excessive wildlife populations can impact nesting and winter habitat requirements, damage nests by trampling, and damage brood-rearing habitat in riparian areas among other impacts by destroying vegetation.

Policy

1. The BLM Challis Field Office shall follow herd management plans for wild horses and stay within appropriate management levels
2. If it is determined, utilizing the best available science and monitoring data, including private data, that over grazing is causing a deleterious effect on suitable habitat, then the impact of wild horses, burros and wildlife must be considered first before any conservation measures are taken to reduce domestic livestock grazing. Only after reductions in wild horses, burros and wildlife have been taken and not found to sufficiently reduce the impact can the reduction of domestic livestock be considered.
3. If wildlife grazing is determined to be the cause of inadequate sagebrush form and cover, modifications of herd objectives shall be prioritized by the appropriate agencies.

D. Mineral Development

The geology of the county created the extensive mining activities that have contributed so much to the economy, culture, and characteristics of the county and state. Several large mines with decades of production have been a mainstay of the economy. Yankee Fork, north of Stanley, and Bayhorse, south of Challis were early rich gold and silver mining areas. The Alder Creek Mining District near Mackay produced copper and other metals for nearly a century, and Clayton produced millions of dollars in silver over many years. Currently, the Thompson Creek Molybdenum Mine south of Challis is an active open pit operation. Numerous smaller, short-lived mining operations extracted lead, zinc, iron, tungsten, and other metals. Various semi-precious stones are extracted in the county, although not at commercial levels. (Custer County Comprehensive Plan, 2009)

Mining has always been an important part of Custer County's history and should continue. Mineral access, claim access and future mineral development can all be pursued, as has been done historically in habitat that is also occupied by the sage-grouse, following best management practices and with the advancement of technology that continues to reduce short-term and long-term impacts.

Policy

1. Mineral development can occur in suitable habitat utilizing best management practices and taking all reasonable measures to reduce impacts and avoid impacts to suitable habitat where possible.

2. Conservation measures designed to protect suitable habitat shall not affect access to any existing or future mining claim.
3. No federal land mineral withdrawals shall be made as an effort to conserve suitable habitat. Full access to all resources must be maintained in order to ensure a productive economy and the health, safety and welfare of the citizens of Custer County.

E. Recreation

Recreational use within the Plan Area is extremely important as the majority of the land is publicly held and access is crucial to the economic viability of the County. Full access to public land shall remain open and accessible to the people.

Policy

1. Any plan for creating new or additional recreational opportunities on federal lands in suitable habitat must provide Custer County a sage-grouse impact analysis for review.
2. Limit motorized recreational use to existing roads, primitive roads, and trails, as verified by Custer County in suitable habitat.
3. Any road, primitive road and trail closures must comply with Custer County's Transportation Plan and must be coordinated with the BOCC.

F. Infrastructure and Roads

Infrastructure includes large scale anthropogenic features, including highways, high voltage transmission lines, commercial wind projects, energy development (e.g. oil and gas development, geothermal wells) airports, mines, cell phone towers, landfills, residential and commercial subdivisions. (State Alternative, page 11)

Roads provide necessary access to the area to ensure proper management of resources, infrastructure and assets, and accessibility in the event of emergencies. Because of the nature of the terrain in Custer County, most road surfaces, and driving conditions ensure that vehicles maintain low speed and the risk of collision with the sage-grouse is minimal in suitable habitat areas.

Policy

1. Limit motorized travel to existing roads, primitive roads and trails as verified by Custer County in suitable habitat.
2. Any road, primitive road, or trail closures must comply with Custer County's Transportation Plan and must be coordinated with the BOCC.
3. New infrastructure can be placed in suitable habitat, as long as, reasonable measures are taken to ensure there will be no deleterious effect on the sage-

grouse, as determined by Custer County. Best Management Practices, as defined in the State's Alternative (pg 43) shall be followed.

G. Fire Management and Wildfire

Unlike other portions of sage-grouse habitat in Idaho, wildfires are a rare event in Custer County. This is due, in part, to the historical use of livestock grazing to control wildfire fuels and reduce the spread of invasive grasses.

Policy

1. During fuels management project design, consider the utility of using livestock to strategically reduce fine fuels (Diamond et al. 2009), and implement grazing management that will accomplish this objective (Davies et al. 2011 and Launchbaugh et al 2007).
2. Prior to prescribed controlled burns near suitable habitat, all other fuel reduction methods shall be considered.
3. In the event of a wildfire, coordinate with appropriate agencies in developing and implementing rehabilitation plans.
4. When pursuing habitat restoration or rehabilitation, use native plant species, based on availability, and probability of successful establishment.

H. Invasive Species

The County has actively worked to control invasive plant species, primarily through the Cooperative Weed Management Areas (CWMA) and maintains a good working relationship with the federal and state agencies for the purposes of controlling the introduction or spread of invasive plants.

Policy

1. The Cooperative Weed Management Areas (CWMA), in cooperation with all land managers, shall encourage the continuing inventory for invasive species.
2. Areas of suitable habitat, where non-natives have invaded, shall be prioritized for treatment in coordination with the BOCC and the CWMA.
3. The County's Invasive Species Plan shall be followed when any treatment, reseeding or restoration projects occur in or around suitable habitat.

I. Areas of Critical Concern and Wilderness Study Areas

Currently, there are fourteen (14) Areas of Critical Concern (ACEC) in Custer County and seven (7) Wilderness Study Areas (WSA). These areas have the potential to limit future access and productive use of the land, which will limit the County's revenue and future ability to properly manage the suitable habitat and ensure the long-term viability of the sage-grouse.

Policy

There shall be no new designations of ACEC's or WSA in Custer County. If such designations are being considered by federal land managers, then the county is to be informed immediately and the consideration of the designation coordinated with the County.

J. Monitoring and Habitat Category Changes

The primary objective of this plan is to ensure the long-term health and continued existence of sage-grouse in Custer County. Regular monitoring of the species and its habitat in Custer County is essential to ensuring the policies and best management practices are updated and implemented within the Plan Area.

Policy

- A. All federal and state agencies, with management responsibilities in the plan area for the species and/or its habitat, shall provide the County with an annual update of the monitoring programs they have in place, data collected and specifics about their collection protocols. These agencies will inform the County of proposed research projects and allow for the County's input and collaboration prior to implementation.
- B. All data shall be collected and studies prepared using protocols that will ensure the quality, utility, objectivity and integrity of the information as required under the Information Quality Act.
- C. All data that is gathered in the Plan Area shall be shared with the County in a timely manner, and supplied to the County regardless of its state of completion.
- D. Private landowners are also encouraged to monitor and share data collected on private property with the County.
- E. All data that is shared with the County that is not public information will be treated as confidential and used by the County only to help inform its policies and best management practices.