

2015 Sage Grouse Update:
The Most Serious Threat in Decades to
Natural Resource Development on
Western Public Lands



Debra Struhsacker, Pershing Gold Corporation
WMC Co-founder & Director



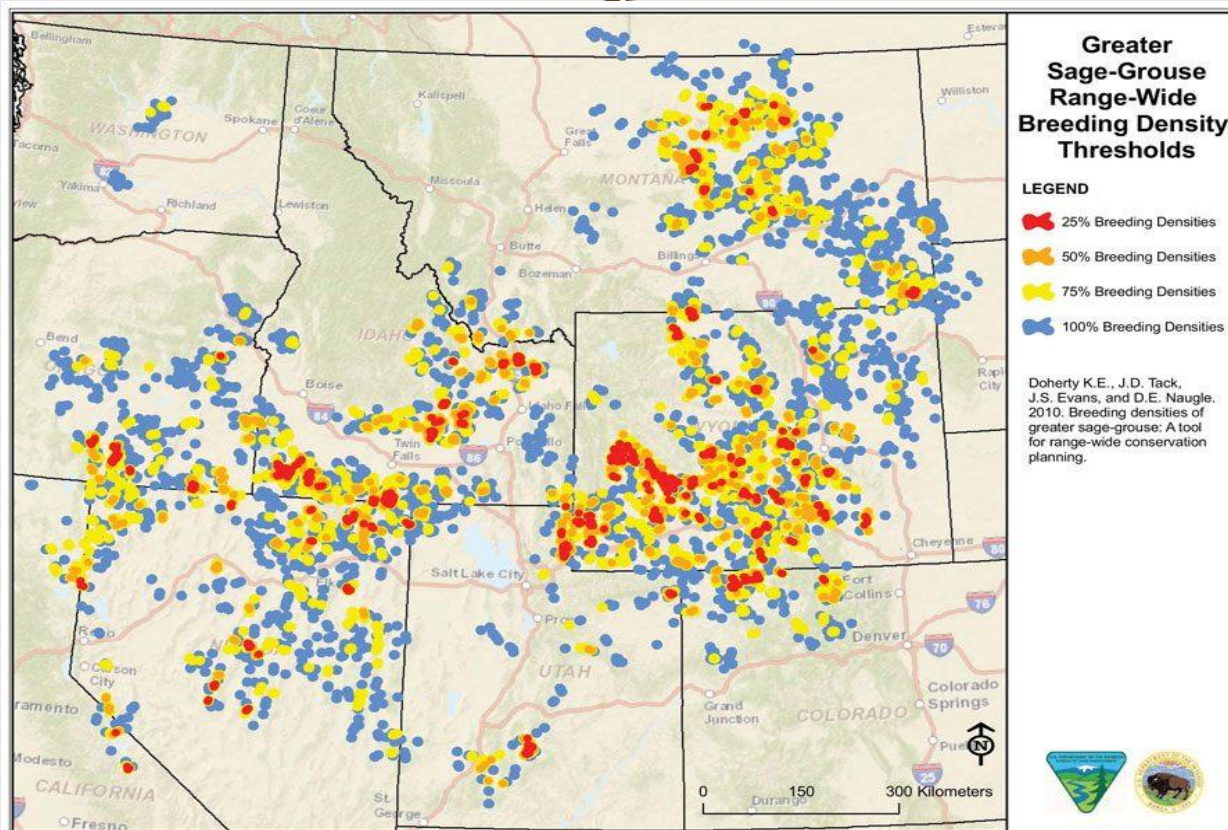
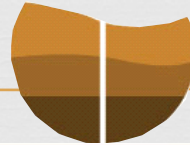
Sage Grouse: The Spotted Owl on Steroids - Will Impact 11 Western States



- Greater Sage-Grouse (“GSG”) is a “landscape species”
 - Over 100 million acres GSG habitat in western US
 - BLM lands contain over 50% of GSG habitat
- USFWS made GSG a candidate species in 2010
 - “Inadequate regulatory mechanisms” to conserve habitat
- NV has the most GSG habitat (20 million acres)
- WY has the most birds

Listing and Land Use Restrictions Will Adversely Affect Both Hardrock and Coal Mining

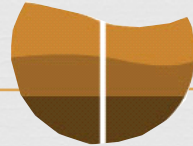
Severe Land Use Restrictions Likely in These GSG Habitat Areas



Two Perilous Paths to Sweeping Land Use Restrictions Throughout Western US

BLM/USFS 2015 Land Use Plans	USFWS 9/2015 Listing Decision
Land Use Plan Amendments with new GSG conservation measures and widespread land use restrictions and prohibitions	Arbitrary 9/2015 listing decision deadline established in 2011 litigation settlements with NGOs
<ul style="list-style-type: none">• Mineral withdrawals• No surface occupancy in priority habitat areas• Large (> 3 miles) buffer zones around leks	Cannot maintain candidate species status for GSG, must either: <ol style="list-style-type: none">1. Designate as a Threatened or Endangered species; or2. Find listing is not warranted
<p>Worst (and most likely) outcome: BLM imposes drastic land use restrictions to prevent a listing USFWS determines listing is warranted anyway</p>	

Senator Gardner's Sage Grouse Protection & Conservation Act



- Creates implementation and monitoring period for State-led conservation plans
 - States developing plans in response to 2011 invitation from then DOI Secretary Ken Salazar that state plans could avoid the need to list the bird
- Gives states enough time (at least 6 years) to prove plans can protect sage grouse and conserve its habitat
- Requires DOI Secretary to defer to state conservation plans and to maintain GSG as candidate species
 - Overrides arbitrary 2015 listing deadline in NGO settlement
- States must provide annual progress report to DOI
- Prohibits DOI from imposing widespread withdrawals

3 Parallel GSG Strategies

Work with Congress - Legislative Strategy

Gardner Sage Grouse Protection & Conservation Act

Give state conservation plans time to work so listing not needed

Funding restrictions in Appropriations bills (FY 2015 and future years)

Prohibits DOI from implementing a rule to list the bird as T or E

Participate in EIS Process - Administrative Strategy

Extensive comments on Draft and Final Land Use Plan Amendments/EIS

WMC submitted comments on draft LUPAs/EIS

WMC will comment on final documents

Seek Court Intervention - Litigation

NV & OK lawsuits in federal district courts challenge the NGO settlements

American Exploration & Mining Assoc. is a co-plaintiff in NV case

Estoppel claim in NV lawsuit

DOI must honor Secretary Salazar's invitation to States to develop conservation plans and give plans time to work

Data Quality Act lawsuit (AEMA is a co-plaintiff)

Future litigation to challenge final LUPAs and EIS documents