The greater sage-grouse is the largest grouse species in North America, about the size of a domestic chicken. Estimates for its historic population are that it numbered 1.1 million across the sagebrush plains throughout the Western United States and Canada. The grouse depends on sagebrush habitat, but that habitat is declining due to a range of issues including invasive species, wildfire, and oil and gas development. Population estimates today for these pieces are between 100,000 and 500,000 birds, with trend-lines negative. Environmental groups have sought to list the species for protection under the Endangered Species Act (ESA) for years. The Obama Administration sought to avoid listing through a process of changing land-management on federal public lands to reduce threats to the species.



Sage Grouse By Pacific Southwest Region U.S. Fish and Wildlife Service from Sacramento, US - Greater

Sage GrouseUploaded by Snowmanradio, Public Domain, https://commons.wikimedia.org/w/index.php?curid=12016910

The new administration is pushing in a different direction. On October 11, the Interior Department issued a <u>notice of intent</u> to amend provisions for conservation of the greater sage-grouse in ninety-eight BLM and Forest Service land-use plans covering the bird's habitat in ten Western states. A review of the plans ordered by Interior Secretary Ryan Zinke in June hints at the changes Interior may make. Zinke directed reviewers to consider revising plans to allow for greater energy development and giving states a greater role in management. Accordingly, the review suggested relaxing restrictions on surface disturbances under oil and gas leases in high priority sage-grouse habitat, revising or downgrading habitat areas, and increasing state involvement in aspects of management like mitigation. Interior has already acted to open sage-grouse habitat to greater resource development: the same days it issued its notice of intent, it canceled a proposed twenty-year withdrawal of ten million acres of the highest-priority habitat from new hard-rock mining claims. An October 25 hearing of the House Natural Resources Committee, which included the testimony of state wildlife officials, emphasized an increased role for states in management. Interior's solicitation and subsequent rejection of state conservation plans soured some Western states on the sage-grouse plans when they were finalized in 2015. Congressional Democrats and environmentalists characterized the amendment process as a needless reversal of a years-long process involving multiple stakeholders.

Weakening of land-use plan protections for sage grouse creates a separate potential risk. The 2015 plans resulted from a 2010 finding by the Fish and Wildlife Service that the sagegrouse warranted listing under the ESA, but was precluded by higher priority species. One of the reasons for its finding was a lack of adequate regulatory measures to protect sagegrouse populations. BLM and the Forest Service began a revision to land-use plans in the sage-grouse's range in response. After the plan revisions were finalized in 2015, FWS found them adequate to forestall listing, but decided to revisit the decision in 2020. Thus, amendments that lead to a substantial reduction in protections may trigger an ESA listing, which may entail more severe restrictions. The issue came up at the October 25 hearing, with a Montana official warning that "Congress and the administration should avoid changes that undermine the foundation of the 2015 not-warranted finding." The threat of listing may have motivated a recent warning from the governors of Colorado and Wyoming not to overhaul the existing plans. Congressional Republicans seem to have foreseen such a possibility. Rep. Rob Bishop (Utah) and Sen. Jim Risch have introduced bills this session that would delay any sage-grouse listing for a decade. Meanwhile, the appropriations bill funding Interior for 2018, passed by the House, would prevent the department from using funds to

list the sage-grouse under the ESA. The same provision was included in the appropriations for Interior  $\underline{\text{enacted}}$  in 2017.

Tom Schumann helped draft this blog post.