

October 10, 2019

The Honorable Richard Shelby  
Chairman  
Committee on Appropriations  
United States Senate  
S-128 The Capitol  
Washington, DC 20510

The Honorable Patrick Leahy  
Vice Chairman  
Committee on Appropriations  
United States Senate  
S-146A The Capitol  
Washington, DC 20510

The Honorable Nita M. Lowey  
Chairwoman  
Committee on Appropriations  
United States House of Representatives  
H-307 The Capitol  
Washington, DC 20515

The Honorable Kary Granger  
Ranking Member  
Committee on Appropriations  
United States House of Representatives  
1016 Longworth HOB  
Washington, DC 20515

**Re: Please Conserve Greater Sage-Grouse in the Final FY 2020 Interior and Environment Appropriations Bill**

Dear Mr. Chairman, Mr. Vice Chairman, Madam Chairwoman and Madam Ranking Member:

On behalf of our millions of members and supporters nationwide, we urge you to please ensure that a rider from previous years limiting work by the U.S. Fish and Wildlife Service (FWS) on greater sage-grouse is excluded from the final FY 2020 appropriations bill for Interior, Environment, and Related Agencies. The FY 2020 Senate bill has included this language while the House bill has declined to retain it.

The greater sage-grouse is an imperiled western bird and the charismatic ambassador for the Sagebrush Sea, an ecosystem that is vital to fish and wildlife, recreation, communities, and sustainable economic development in eleven western states. As many as 16 million greater sage-grouse once occurred across 297 million acres of sagebrush grasslands in the West. Today, sage-grouse range is half of what it once was, and populations have declined to less than ten percent of historic numbers.

Sage-grouse populations have experienced sharp declines in recent years. Montana's population has fallen more than 40 percent over the past three years; Utah has seen a 61 percent drop since 2015; and Wyoming has counted 40 percent fewer birds since 2016.<sup>1</sup> Idaho reported a loss of 52 percent since

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<sup>1</sup> Associated Press. "Sage grouse number in West continue to decline after federal protection rejection," *CPR News* (Sept. 13, 2019), <https://www.cpr.org/2019/09/13/sage-grouse-numbers-in-west-continue-to-decline-after-federal-protection-rejection/>.

2016;<sup>2</sup> Nevada's 2019 lek counts found a 33 percent decline from 2016; and Oregon's estimated population has suffered a 24.9 percent decline from just last year.<sup>3</sup>

Nearly half of sage-grouse habitat has been lost to historic development patterns, and less than 3 percent of the bird's current range is federally protected. Remaining habitat is compromised by impacts from oil and gas drilling, livestock grazing, mining, unnatural fire, invasive weeds, off-road vehicles, roads, fences, pipelines, and utility corridors.

In 2010, the Obama administration found that the greater sage-grouse warranted protection under the Endangered Species Act (ESA), but other, higher priorities precluded the agency from proposing a listing rule at that time.<sup>4</sup> Recognizing the urgent need for conservation action, the administration took the extraordinary step of amending nearly one hundred federal land use plans across the West with new conservation prescriptions for sage-grouse, engaging states and other key stakeholders in a public planning process to enhance habitat while providing for continued resource management across the bird's range. Citing the "National Greater Sage-Grouse Planning Strategy" (National Strategy) and relying heavily on its projected conservation outcomes, FWS determined in October 2015 that the sage-grouse did not warrant protection under the ESA at that time.<sup>5</sup> FWS also determined that a status review in 2020 would be necessary to ensure those projected outcomes were sufficiently realized on the ground to keep the bird off the list.

Unfortunately, the Trump administration has reversed course on this unprecedented effort to conserve sage-grouse and its habitat. Both the Bureau of Land Management and the U.S. Forest Service have now rolled back protections in dozens of public lands management plans that comprise the National Strategy, jeopardizing the 4-year, \$45 million planning effort that enjoyed broad support from diverse stakeholders and competing interests. The amended plans reduce or eliminate protective management buffers around breeding and nesting habitat in designated conservation areas and relax critical mitigation and adaptive management requirements. Large-scale leasing in priority sage-grouse areas already is proceeding. These rollbacks fundamentally undermine the assumptions behind the FWS's 2015 not-warranted decision and significantly increase the chances that a listing of the sage-grouse may be required in the near future.

Since 2014, Congress has passed an annual appropriations rider blocking FWS from carrying out its basic responsibilities under the ESA regarding the greater sage-grouse. Our organizations have previously expressed concerns that this Congressional intervention would unduly prevent the FWS from properly assessing the condition of the species and would remove necessary incentives to achieve conservation progress under the National Strategy. With the considerable further risks this Administration's plan amendments and policies pose to sage-grouse populations and habitat, it is now essential that FWS scientists be allowed to do their job regarding the sage-grouse.

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<sup>2</sup> Sewell, C. "Idaho sage grouse numbers have dropped 52% since 2016. Will management changes help them?," *East Idaho News* (August 11, 2019), <https://www.eastidahonews.com/2019/08/idaho-sage-grouse-numbers-have-dropped-52-since-2016-will-management-changes-help-them/>.

<sup>3</sup> Thuemer, A. M. "Greater sage grouse counts show 3-year downward trend," *Casper Star Tribune* (Aug. 7, 2019), [https://trib.com/news/state-and-regional/greater-sage-grouse-counts-show--year-downward-trend/article\\_7fc4bd5e-bf1c-500f-be2f-dcca80a9a53c.html](https://trib.com/news/state-and-regional/greater-sage-grouse-counts-show--year-downward-trend/article_7fc4bd5e-bf1c-500f-be2f-dcca80a9a53c.html).

<sup>4</sup> 75 Fed. Reg. 13910 (Mar. 23, 2010).

<sup>5</sup> 80 Fed. Reg. 59857 (Oct. 2, 2015).

Our organizations urge you to ensure that the final FY 2020 Interior appropriations bill is free of the rider restricting FWS ability to fulfill its vital role under the ESA with regard to the sage-grouse. We appreciate your consideration of this request and look forward to providing any additional information that might be useful.

Sincerely,

Alberta Wilderness Association  
American Bird Conservancy  
American Rivers  
Animal Welfare Institute  
Animals & Society Institute  
Audubon Society Northern Virginia  
Bird Conservation Network  
Born Free USA  
Boulder County Audubon Society  
Californians for Western Wilderness  
Center for Biological Diversity  
Clean Water Action  
Coeur d'Alene Audubon Society  
Colorado Crane Conservation Coalition  
Conservation Northwest  
Conservatives for Responsible Stewardship  
Cornell Lab of Ornithology  
Cumberland-Harpeth Audubon Society  
Defenders of Wildlife  
Delaware Ornithological Society  
Delaware Valley Ornithological Club  
Earthjustice  
Eastern Long Island Audubon Society  
Elisha Mitchell Audubon Society  
Endangered Habitats League  
Endangered Species Coalition  
Environment America  
Environmental Protection Information Center  
Friends of Blackwater, Inc  
Friends of Dyke Marsh  
Friends of Nevada Wilderness  
Friends of the Earth US  
Fyke Nature Association  
Golden Gate Audubon Society  
Great Old Broads for Wilderness  
Greater Hells Canyon Council  
Howling For Wolves  
IL Audubon Society  
International Fund for Animal Welfare  
International Marine Mammal Project of Earth Island Institute  
John Muir Project of Earth Island Institute  
Juniata Valley Audubon Society  
Kettle Range Conservation Group  
Key West Wildlife Center  
Klamath Forest Alliance  
League of Conservation Voters  
Maryland Ornithological Society  
Michigan Audubon

Minnesota River Valley Audubon Chapter (MRVAC)  
Missouri River Bird Observatory  
Movement for a People's Party  
Montana and Wyoming Tribal Fish & Wildlife Commission  
National Audubon Society  
Natural Resources Defense Council  
Northeastern Minnesotans for Wilderness  
Northern Jaguar Project  
NY4WHALES  
NYC Audubon  
Oregon Natural Desert Association  
OVEC-Ohio Valley Environmental Coalition  
Pennsylvania Society for Ornithology  
Prairie Hills Audubon Society of Western South Dakota  
Predator Defense  
Prince George's County Audubon Society  
Private citizen  
Rockbridge Bird Club  
Rocky Mountain Wild  
Safe Skies Maryland  
Salem Audubon Society  
Save Our Allegheny Ridges  
Save Our Sky Blue Waters  
Save Wolves Now Network  
Saving Birds Thru Habitat  
Sheep Mountain Alliance  
Sierra Club  
Sierra Club, Colorado Chapter  
Soda Mountain Wilderness Council  
South Bend-Elkhart Audubon Society  
Southeastern Avian Research  
Tampa Audubon Society  
The Lands Council  
The Pew Charitable Trusts  
The Rewilding Institute  
The United Methodist Church  
The Urban Wildlands Group  
The Wilderness Society  
Unexpected Wildlife Refuge  
Vermont Center for Ecostudies  
Western Great Lakes Bird and Bat Observatory, Inc.  
Western Values Project  
Western Watersheds Project  
WildEarth Guardians  
Wildlands Network  
Wildlife Conservation Advocacy Southwest  
Women for Wild Lands  
Wyoming Outdoor Council  
Wyoming Untrapped