

Questions and Answers on Withdrawal of Proposal to List Bi-State DPS of Greater Sage-Grouse

Q: What is the Bi-State distinct population segment (DPS) of the greater sage-grouse and where does it occur?

A: Greater sage-grouse (*Centrocercus urophasianus*) of the Bi-State DPS is a large, ground-dwelling bird, measuring up to 30 inches in length, is two feet tall, and weighs between two to seven pounds. It has a long, pointed tail, legs feathered to the base of the toes and fleshy yellow combs over the eyes. In addition to the mottled brown, black and white plumage typical of the species, males sport a white ruff around their necks. The sage-grouse is found from 4,000 to over 9,000 feet in elevation. It is an omnivore, eating soft plants (primarily sagebrush) and insects.

The Bi-State DPS of the Greater sage-grouse is a genetically distinct and significant population occurring in portions of Carson City, Lyon, Mineral, Esmeralda, and Douglas Counties in Nevada, and of Alpine, Inyo, and Mono Counties in California. The State wildlife agencies in Nevada and California have jointly identified six Bi-State area Population Management Units (PMUs): Pine Nut, Desert Creek–Fales, Mount Grant, Bodie, South Mono, and White Mountains.

Q: What action is the Service taking for the Bi-State distinct population segment (DPS) of the greater sage-grouse, and why?

A: The Service is withdrawing the proposal it issued on October 28, 2013 to list the Bi-State DPS as threatened under the Endangered Species Act of 1973, as well as the proposed rules under section 4(d) and the designation of critical habitat. This withdrawal is based on our conclusion that the threats to the DPS as identified in the proposed listing rule no longer are as significant as believed at the time of the proposed rule, in light of current, ongoing and future conservation efforts. We find the best scientific and commercial data available indicate that the threats to the DPS and its habitat, given future conservation efforts, are reduced below the statutory definition of threatened or endangered.

Q: What are the primary threats to the Bi-State distinct population segment (DPS) of the greater sage-grouse?

A: The greatest threat to the DPS is the habitat loss and fragmentation due to urbanization, infrastructure (powerlines, roads, etc.), woodland encroachment, wildfire and noxious and invasive species. These threats occur across much of the species' range and have contributed to significant population declines over the past century. While evidence suggests that the DPS population has been relatively stable over the past decade, continued habitat loss threatens to fragment and isolate local populations. In the absence of conservation efforts, the threats of small isolated populations impacted by habitat loss and fragmentation pose a significant threat to the persistence of the species. However, current, ongoing, and future conservation efforts ameliorate these threats so that listing is not necessary.

Q: Why did the Service determine that the Bi-State greater sage-grouse population is a Distinct Population Segment (DPS)?

A: The Service and the National Oceanic and Atmospheric Administration-National Marine Fisheries Service, developed the Policy Regarding the Recognition of Distinct Vertebrate Population Segments (DPS Policy) (61 FR 4722), to help us determine what constitutes a DPS. The DPS Policy identifies three elements that are to be considered in a decision regarding the status of a possible DPS. These elements include (1) the discreteness of the population segment in relation to the remainder of the species to which it belongs; (2) the significance of the population segment to the species to which it belongs. If a population satisfies the above two elements, it is a DPS and then the third element is applied: (3) the population segment's conservation status in relation to the ESA's standards for listing, delisting or reclassification (is the population segment threatened or endangered). Our policy further recognizes it may be appropriate to assign different classifications (i.e., threatened or endangered) to different DPSs of the same vertebrate taxon.

The Bi-State greater sage-grouse population qualifies as a DPS because genetic analysis shows it has been separated from other greater sage-grouse for thousands of years and is, thus discrete. It is significant to the remainder of the greater sage-grouse population because of these genetic differences, and because it is a population of several thousand individuals occurring on the extreme southwestern periphery of the range of sage grouse overall, and may include adaptations unique to the species.

Q: What is being done to conserve the Bi-State DPS of Greater sage-grouse?

A: The Service acknowledges its state, federal and local working group partners as well as private landowners for their ongoing and proposed conservation efforts across the range of the Bi-State DPS of greater sage-grouse. All involved focused on ensuring conservation of sage grouse and the ecosystems upon which they depend, and less on what an administrative decision might eventually be under the Endangered Species Act. Their collective efforts have paid off in a robust and effective conservation plan that is already being implemented. A Bi-State Local Area Working Group was formed and created a conservation plan for sage grouse back in 2004 and has been meeting regularly since to discuss projects, issues and opportunities for conservation. In 2012, the group finalized the Bi-State Action Plan, which contains the current understanding of the population and stressors and includes a series of actions needed to alleviate impacts. Signatories to this plan include BLM, USFS, NRCS, USGS, and the Service, as well as a number of other participating state agencies and NGOs. The 2012 Action Plan provides an adaptive, strategic path forward toward conservation by outlining nearly 80 projects designed to ameliorate threats to the DPS. In addition, members of the Working Group have contributed and committed more than \$45 million toward the included projects, affording a significant degree of confidence in implementation among stakeholders. The Plan and the Working Group's commitments to implement the plan prompted the Service to withdraw its 2013 listing proposal .

Q: Does the withdrawal of the proposed listing of the Bi-State DPS of greater sage-grouse have any implications for the decision whether to list the wider ranging greater sage grouse under the ESA?

A: No. The Service's decision on the Bi-State DPS is based on information specific to the Bi-State population. The decision to withdraw the proposed listing for the Bi-State DPS will have no bearing on the future evaluation of the wider ranging population of greater sage-grouse.

Q: Why was the Gunnison sage-grouse listed as threatened, but the Bi-State DPS was not?

A: The Gunnison sage-grouse is a separate species of *Centrocercus* that is found only in southern Colorado and an adjacent corner of southeastern Utah. In November, 2014, the Service determined that the Gunnison sage-grouse warranted designation as a threatened species due to its small population size, habitat loss, and fragmentation, particularly in the smaller satellite populations. The decision to list the Gunnison sage-grouse and the decision to withdraw the proposed listing of the Bi-State DPS were based on the best available science and were made independently of each other. Several different factors were taken into account on each of the decisions, including the specific threats to the species, the degree to which scientific information was available to all and analyzed collaboratively, conservation opportunities that were presented to mitigate those threats, and the level of commitment by partners to implement those conservation projects. In the case of the Bi-State DPS, the Service felt that the conservation opportunities that were identified, along with the funding raised by partners to implement those projects, were substantial enough to reduce the threats to the DPS so that it does not need federal protection under the Act. While the Gunnison Basin population has benefitted from conservation efforts spearheaded by Gunnison County and Colorado Parks and Wildlife, local, State, and Federal regulatory mechanisms rangewide are not yet cumulatively adequate to protect the species against the full scope of identified threats.

Q: What types of projects are being implemented under the Bi-State Action Plan?

A: The Bi-State Action Plan (BSAP) identified 79 projects to reduce threats to the DPS and its habitat at a cost of \$38 million. The projects include (but are not limited to) urbanization abatement measures, meadow habitat protection and restoration, grazing and wild horse management, pinyon- juniper removal, and other habitat improvement and restoration projects. Each of the projects is tied to a specific population management unit or multiple units within the Bi-State area, and is led or funded by one or more specific agency or partnership. A science-based adaptive management strategy is utilized, including a model that uses monitoring and survey data to rank areas for treatment that are most meaningful to the Bi-State DPS populations.

Specific projects include:

- Land exchange/purchase/donation
- Conservation easements
- Fence removal, modification and marking
- Road closures/removal of tall structures and powerlines
- Implementation and monitoring of grazing standards and guidelines
- Invasive and noxious weed control
- Pinyon and juniper removal
- Wildfire fuels reduction
- Habitat Rehabilitation and restoration (Riparian meadow quality, livestock exclusions, irrigation, prescribed fire, mechanical and chemical treatment)
- Vegetation monitoring

Q: Who are the partners involved in executing the Bi-State Action Plan?

A:

Local Area Working Group:

U.S. Fish and Wildlife Service
Bureau of Land Management
U.S. Forest Service
Natural Resources Conservation Service
U.S. Geological Survey
Department of Defense
Nevada Department of Wildlife
California Department of Fish and Game
Nevada Division of Forestry
California State Parks
University of Nevada Cooperative Extension
Nevada Wildlife Federation
Washoe Tribe of California and Nevada
Los Angeles Department of Water and Power
Private property owners
Other NGOs

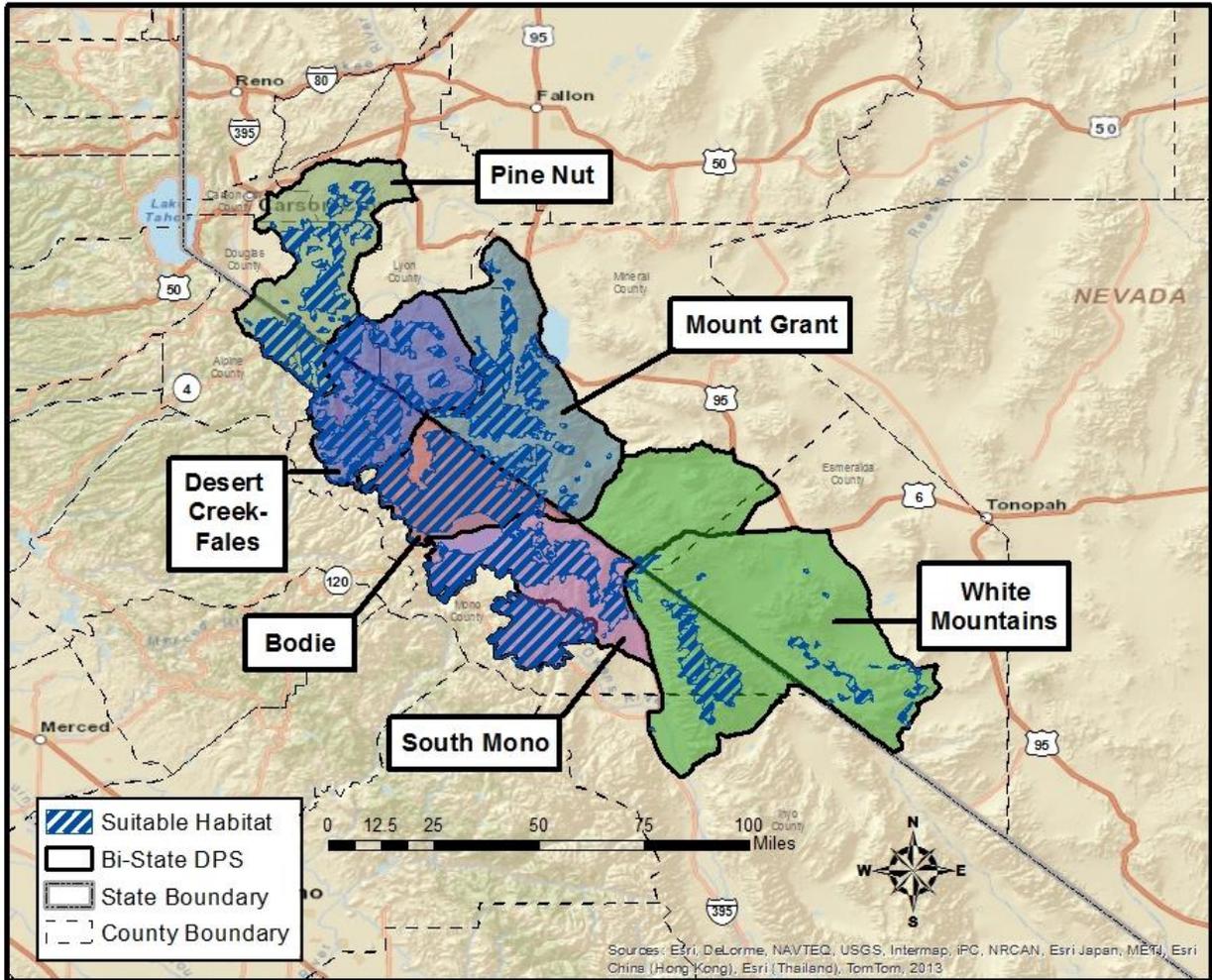
Executive Oversight Committee:

U.S. Fish and Wildlife Service, Region 8 Director
Bureau of Land Management, California and Nevada State Directors
U.S. Forest Service, Region 4 Humboldt-Toiyabe and Region 5 Inyo Forest Supervisors
Natural Resources Conservation Service, California and Nevada State Conservationists
U.S. Geological Survey, Western Ecological Research Center Director
Nevada Department of Wildlife, State Director
California Department of Fish and Game, State Director

Q: How are the funding commitments distributed among partners?

A:

USDA Forest Service	\$13,900,000
Natural Resources Conservation Service	\$12,000,000
Bureau of Land Management	\$6,500,000
Nevada Department of Wildlife	\$3,400,000
Private Contributions (Landowners, NGOs)	\$3,333,333
California Department of Fish and Wildlife	\$2,500,000
Mono County, Calif.	\$2,200,000
U.S. Fish and Wildlife Service	\$1,000,000
U.S. Geological Survey	\$400,000
Overall Commitment	\$45,233,333



PMU	Total Size hectares (acres)*	Estimated Suitable Habitat hectares (acres)**	Estimated Population Size range (2004– 2014)***	Current Number of Active Leks****†	Lek count (number of males) range (2004– 2014)***
Pine Nut	232,440 (574,373)	77,848 (192,367)	<100–608	1	0–38
Desert Creek- Fales	229,858 (567,992)	105,281 (260,155)	638–2,061	10	78–220
Mount Grant	282,907 (699,079)	45,786 (113,139)	171–3,058	6	12–215
Bodie	141,490 (349,630)	105,698 (261,187)	640–2,466	12	136–524
South Mono	234,508 (579,483)	138,123 (341,311)	965–2,005	11	205–426
White Mountains	709,768 (1,753,875)	53,452 (132,083)	Data not available	3+	5–14
Total (all PMUs combined)	1,830,972 (4,524,432)	526,188 (1,300,238)	2,497– 9,828	43	427–1,404