



## U. S. Fish & Wildlife Service

### Nevada Fish and Wildlife Office

*Conserving the Biological Diversity of the Great Basin, Eastern Sierra, and Mojave Desert*

#### Questions and Answers 12-Month Finding for the Bi-State Distinct Population Segment of the Greater Sage-Grouse March 5, 2010

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

**A.** The Bi-State DPS of the greater sage-grouse, which in the past has been referred to as the Mono Basin area population of greater sage-grouse, includes those sage-grouse that occur in portions of Carson City, Lyon, Mineral, Esmeralda, and Douglas Counties in Nevada. It also includes sage-grouse in portions of Alpine, Inyo, and Mono Counties in California.

**Q. What is the result of the 12-month finding?**

**A.** The Service has determined that the Bi-State greater sage-grouse population constitutes a valid DPS and thus is a listable entity under the Endangered Species Act (ESA). Further, after evaluating all the best available scientific and commercial information regarding the greater sage-grouse, including an analysis of the threats to sage-grouse and sagebrush habitat in the Bi-State area, the U.S. Fish and Wildlife Service (Service) has determined that protection under the ESA is warranted. However, listing the Bi-State DPS of the greater sage-grouse at this time is precluded by the need to address higher priority actions.

**Q. Why did the Service determine that the Bi-State greater sage-grouse population is a 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 at least 10,000 years and is, thus discrete. It is significant to the remainder of the greater sage-grouse population because of these genetic differences.

**Q. What is the Bi-State DPS listing priority number (LPN) and what does that mean?**

**A.** The Service has assigned a LPN of 3 to the Bi-State DPS of the greater sage-grouse. LPNs are assigned on a scale from 1 to 12 (with 1 being the highest priority category) based on the magnitude and immediacy of threats, and taxonomic status. A high LPN of 3 indicates a DPS with high magnitude, imminent, threats. The Service uses LPNs in prioritizing listing actions for species nationwide in conjunction with other priorities including court ordered deadlines.

**Q. Why was a higher LPN assigned the Bi-State DPS of greater sage-grouse than the rangewide population?**

**A.** Because of the small population size of the Bi-State greater sage-grouse DPS, the degree of isolation from other populations of greater sage-grouse, and magnitude and immediacy of threats, the Bi-State DPS has been assigned a higher listing priority, (LPN 3), than the rangewide greater sage-grouse, (LPN 8).

**Q. Now that the Bi-State DPS of the greater sage-grouse is a candidate species for listing under the ESA, will there be changes in how lands are managed in greater sage-grouse habitat?**

**A.** Species that are candidates for listing do not receive the protections that listed species have under the ESA. However, the Service encourages federal action agencies and others to voluntarily avoid or minimize adverse effects of proposed actions on candidate species. Although not required by the ESA, the Service also encourages the formation of partnerships to conserve candidate species since these species by definition may warrant future protection under the ESA. The status of each candidate species is reviewed annually by the Service, which may result in a change in the LPN or removal from the candidate list.

**Q. What are the threats to the Bi-State DPS of the greater sage-grouse?**

**A.** There are six Bi-State area Population Management Units (PMUs): Pine Nut, Desert Creek–Fales, Mount Grant, Bodie, South Mono and White Mountains. Destruction, modification, and fragmentation of habitats in the Bi-State area are occurring due to urbanization, infrastructure (e.g. powerlines and roads), mining, energy development, grazing, invasive and exotic species, pinyon–juniper encroachment, recreation, wildfire, and the likely effects of climate change. Additionally, current regulatory mechanisms are not adequate to ameliorate threat of these habitat-based threats and are not likely to adequately address other threats such as disease, drought and fire. Disease (e.g. West Nile virus) and predation are additional threats that are at this time relatively localized and have a low impact to the DPS. The relatively low number of local populations of the

Bi-State DPS of the greater sage-grouse, their small size, and relative isolation, in conjunction with the above threats, poses a significant threat to the persistence of the DPS. Cumulatively, these impacts are significant threats to the small local populations of sage-grouse in the Bi-State area. These threats act and interact in such a way that threatens the persistence of populations in the PMUs within the Bi-State area.

Bi-State greater sage-grouse occur as small, local populations that are relatively isolated from each other. Small populations are inherently at greater risk than larger populations from events such as disease epidemics, or environmental catastrophes. The combination of factors that pose threats and the limited potential to recover from population declines or extirpations results in a high risk of extirpation of populations of greater sage-grouse in four of the six PMUs over the next 30 years. We anticipate long-term persistence of sage-grouse only in the Bodie and South Mono PMUs, but these two PMUs may also contract over time.

**Q. Why did the Service prepare a 12-month finding for the Bi-State DPS of the greater sage-grouse?**

**A.** The Service received two petitions to list the Bi-State population, one from the Institute for Wildlife Protection (dated December 28, 2001), and the other from the Stanford Law School Environmental Law Clinic (dated November 10, 2005) on behalf of the Sagebrush Sea Campaign, Western Watersheds Project, Center for Biological Diversity, and Christians Caring for Creation. A series of actions by the Service was taken in response to the petitions, which included publication (in 2006) of a 90-day finding that these petitions did not present substantial scientific or commercial information indicating that the petitioned actions were warranted. There also have been legal challenges, and the Service voluntarily remanded its 2006 90-day finding. Based on reevaluation, the Service published a 90-day finding on April 29, 2008, concluding the petitions presented substantial scientific or commercial information indicating that listing this population may be warranted, initiated the in-depth status review and preparation of the 12-month petition finding.

**Q. What is being done to conserve greater sage-grouse?**

**A.** Concern about long-term declines in greater sage-grouse populations has prompted western State wildlife agencies, Federal agencies such as the Bureau of Land Management, U.S. Forest Service, and U.S. Fish and Wildlife Service, and many organizations and landowners to engage in a variety of cooperative efforts aimed at conserving and managing sagebrush habitat for the benefit of greater sage-grouse and other sagebrush dependent species.

In 2004, the Western Association of Fish and Wildlife Agencies (WAFWA), in conjunction with a number of scientists, completed a range-wide conservation assessment of the greater sage-grouse and sagebrush habitat, with strong cooperation from the Federal agencies. The assessment is a valuable source of information regarding greater sage-grouse ecology. In 2006, WAFWA coordinated development of a range-wide conservation strategy.

Western states within the current range of greater sage-grouse are developing and implementing conservation plans to address issues such as habitat loss, fragmentation, and degradation, and to identify opportunities for habitat restoration and enhancement. The intent of these plans is to find and implement local solutions to conserve the greater sage-grouse.

One such plan that has already been completed is the *Greater Sage-grouse Conservation Plan for the Bi-State Plan Area of Nevada and Eastern California*. This plan was prepared by the Bi-State Local Planning Group in conjunction with the Nevada Governor's Conservation Team in 2004. It identifies greater sage-grouse conservation goals, objectives and priorities for implementation. We will continue to work with the States of California, Nevada and our federal partners to implement conservation measures in the future.