

Summary of Sage-Grouse Listing Petitions Submitted to the U.S. Fish and Wildlife Service (USFWS)¹
(as of August 27, 2008)

Petition Date: May 14, 1999 (74 pages)	Petition Date: January 25, 2000 (254 pages)	Petition Date: December 28, 2001 (493 pages)
Species: Washington population of the Western Sage-Grouse <i>Centrocercus urophasianus phaios</i>	Species: Gunnison Sage-Grouse <i>Centrocercus minimus</i>	Species: Mono Basin population of the Greater Sage-Grouse <i>Centrocercus urophasianus phaios</i>
Petition Request: List as threatened or endangered	Petition Request: List as endangered or threatened, emergency listing, and designation of critical habitat	Petition Request: Emergency list as endangered
Petitioners: Northwest Ecosystem Alliance and Biodiversity Legal Foundation	Petitioners: Mark Salvo, American Lands Alliance, Dr. Randy Webb, Net Work Associates, Andy Kerr, The Larch Company, Jasper Carlton, Biodiversity Legal Foundation, Susan Ash, Wild Utah Forest Campaign, Rob Edwards, Sinapu	Petitioners: Donald Randy Webb, Institute for Wildlife Protection
USFWS Determination: A 90-day finding (August 24, 2000) and a 12-month finding (May 7, 2001) published in the <u>Federal Register</u> , with a determination that listing is warranted but precluded for the Columbia Basin Distinct Population Segment. Under USFWS policy the DPS became a candidate by default. The status of this population is being reassessed by USFWS using any new information from the resolution of current litigation addressing the taxonomic status of the subspecies, and the remand on the species rangewide findings.	USFWS Determination: Gunnison and Greater sage-grouse were separated in 2000, and Gunnison was designated as a candidate prior to receipt of the petition. The listing priority number was elevated to “2” in a May 4, 2004 <u>Federal Register</u> . On April 18, 2006 a “not warranted” determination was published in the <u>Federal Register</u> . This determination will be re-visited as result of perceived political influence, but a completion date has not been identified.	USFWS Determination: Initial review indicated emergency listing was not warranted. A 90-day finding was published in the <u>Federal Register</u> on December 26, 2002 stating that the information presented in the petition was not substantial. As a result of a stipulated settlement agreement with petitioner in 2006 the USFWS reconsidered the petition, in addition to a new November 10, 2005 petition for the Mono Basin area. USFWS published a 90-day finding in the <u>Federal Register</u> on December 19, 2006 with an outcome that the two petitions did not provide substantial information.
Legal Action: No Notice Of Intent (NOI**) to date	Legal Action: Court complaint dated September 29, 2000 from American Lands Alliance et al. Court rules in USFWS favor in 2003 stating that the candidate process and determination that this species qualified as a candidate was equivalent to a 12-month finding. On March 16, 2004, plaintiffs filed a lawsuit in Washington D.C. District Court asking the Court to order the USFWS to emergency list the species and challenging the “warranted but precluded” designation. After the April 18, 2006 determination, a lawsuit was filed on November 14, 2006 challenging that finding and requesting the Court to order the USFWS to propose to list the species and designate critical habitat. The case has yet to come before the Court but will be re-visited due to perceived political interference. No date has been set.	Legal Action: Petitioners filed an NOI, dated January 9, 2003, regarding the merits of the USFWS’s December 26, 2002 90-day finding. On November 18, 2005 the petitioners filed a lawsuit challenging the 90-day finding. As a result of a settlement agreement USFWS reconsidered the December 28, 2001 petition in the December 19, 2006 90-day finding for the new 2005 petition. Petitioners filed an NOI, dated December 19, 2006, regarding the USFWS most recent 90-day finding on Mono Basin area sage-grouse. Under a new settlement agreement, the USFWS published a positive 90-day finding on April 29, 2008. 12-month finding is being combined with the remanded rangewide finding.
Lead USFWS Office: Upper Columbia Fish and Wildlife Office, Spokane, Washington (509) 891-6839	Lead USFWS Office: Western Colorado Field Office, Grand Junction, Colorado (970) 243-2778	Lead USFWS Office: Nevada Fish and Wildlife Office, Reno, Nevada (775) 861-6325
USFWS Contact: Chris Warren	USFWS Contact: Terry Ireland	USFWS Contact: Steve Abele

Petition Date: January 24, 2002 (468 pages)	Petition Date: June 18, 2002 (7 pages)	Petition Date: July 3, 2002 (524 pages)
Species: Western subspecies of the Greater Sage-Grouse <i>Centrocercus urophasianus phaios</i>	Species: Greater Sage-Grouse <i>Centrocercus urophasianus</i>	Species: Eastern subspecies of the Greater Sage-Grouse <i>Centrocercus urophasianus urophasianus</i>
Petition Request: List the subspecies	Petition Request: List as endangered	Petition Request: List as endangered
Petitioners: Donald Randy Webb, Institute for Wildlife Protection	Petitioners: Craig Dremann	Petitioners: Donald Randy Webb, Institute for Wildlife Protection
USFWS Determination: A 90-day finding was initiated October 30, 2002. The 90-day finding was published in the <u>Federal Register</u> on February 7, 2003 with an outcome that the information presented in the petition is not substantial.	USFWS Determination: A 90-day finding was initiated December, 2003 and published in the <u>Federal Register</u> on April 21, 2004. The outcome was a positive finding; the information presented, and in USFWS files, was substantial. USFWS then completed a status review. A 12-month finding was published in the <u>Federal Register</u> January 12, 2005 with an outcome that listing of the greater sage-grouse is not warranted.	USFWS Determination: 90-day finding initiated on October 3, 2003 as per court order. The 90-day finding was published in the <u>Federal Register</u> on January 7, 2004 with an outcome that the information presented in the petition was not substantial.
Legal Action: NOI dated February 7, 2003 from the Institute for Wildlife Protection. The Institute for Wildlife Protection filed a court complaint on June 6, 2003 challenging the merits of the 90-day finding. On August 10, 2004, a U.S. District Court judge issued an order in favor of the USFWS. A November 24, 2004 appeal was filed by the Institute for Wildlife Protection regarding the court's decision. On March 3, 2006 the 9 th Circuit Court remanded the finding back to the USFWS with instruction to revisit the 90-day finding regarding the validity of the western sage-grouse subspecies. The Court did uphold that the petitioned population does not constitute a DPS. A new, warranted 90-day finding was published on April 29, 2008. The 12-month finding will be combined with the remanded rangewide finding for the entire species.	Legal Action: NOI dated January 7, 2005 from the Institute for Wildlife Protection regarding the 12-month Finding, but no further action was taken. A Court complaint was filed on July 14, 2006 from Western Watersheds Project alleging that the USFWS 12-month finding is incorrect, arbitrary, unwarranted by the facts, etc. On December 4, 2007, the 9 th District Court remanded the finding to the USFWS. A new status review is being completed in combination with new status review for the Mono Basin populations and western subspecies.	Legal Action: Court complaint dated January 10, 2003 filed in the Western District Court of Washington by the Institute for Wildlife Protection for failure to do a 90-day finding. On October 3, 2003 the U.S. District Court judge ordered the USFWS to make a 90-day finding, due by January 3, 2004. The non-substantial finding was challenged and on September 28, 2004 the U.S. District Court judge issued an order in favor of the USFWS, dismissing the plaintiff's case.
Lead USFWS Office: Oregon Fish and Wildlife Office, Portland, Oregon (503) 231-6179	Lead USFWS Office: Wyoming Ecological Services Field Office, Cheyenne, Wyoming (307) 772-2374	Lead USFWS Office: Wyoming Ecological Services Field Office, Cheyenne, Wyoming (307) 772-2374
USFWS Contact: Jodie Delavan	USFWS Contact: Pat Deibert	USFWS Contact: Pat Deibert

Petition Date: March 19, 2003 (992 pages; this is a combination of the previous petitions for Western and Eastern subspecies)	Petition Date: December 22, 2003 (218 pages)	Petition Date: November 10, 2005 (87 pages plus appendices)
Species: Greater Sage-Grouse <i>Centrocercus urophasianus</i>	Species: Greater Sage-Grouse <i>Centrocercus urophasianus</i>	Species: Greater Sage-Grouse <i>Centrocercus urophasianus</i>
Petition Request: List as endangered	Petition Request: List as threatened or endangered	Petition Request: List Mono Basin Area sage-grouse as threatened or endangered
Petitioners: Donald Randy Webb, Institute for Wildlife Protection	Petitioners: Mark Salvo American Lands Alliance, Biodiversity Conservation Alliance, Center for Biological Diversity, Forest Guardians, The Fund for Animals, Gallatin Wildlife Association, Great Old Broads for Wilderness, Hells Canyon Preservation Council, The Larch Company, Northwest Ecosystem Alliance, Northwest Council for Alternatives to Pesticides, Oregon Natural Desert Association, Oregon Natural Resources Council, Predator Defense Institute, Sierra Club, Sinapu, Western Fire Ecology Center, Western Watersheds Project, Wild Utah Project, Wildlands CPR, and Center for Native Ecosystems.	Petitioners: Submitted by Stanford Law School Environmental Law Clinic on behalf of The Sagebrush Sea Campaign, Western Watersheds Project, Center for Biological Diversity and Christians Caring for Conservation.
USFWS Determination: USFWS published the 90-day finding in the <u>Federal Register</u> on April 21, 2004. The outcome was a positive finding; the information presented, and in USFWS files, was substantial. USFWS completed a status review and published a 12-month finding in the <u>Federal Register</u> January 12, 2005. The outcome was that listing of the greater sage-grouse is not warranted.	USFWS Determination: USFWS published the 90-day finding in the <u>Federal Register</u> on April 21, 2004. The outcome was a positive finding; the information presented, and in USFWS files, was substantial. USFWS completed a status review and published a 12-month finding in the <u>Federal Register</u> January 12, 2005. The outcome was that listing of the greater sage-grouse is not warranted.	USFWS Determination: Initial review indicated emergency listing was not warranted. USFWS published the 90-day finding in the <u>Federal Register</u> on December 19, 2006 determining the information presented in the 2005 and 2001 petitions was not substantial. As a result of a settlement agreement, USFWS published a new, positive 90-day finding on April 29, 2008. The 12-month finding will be combined with the remanded rangewide finding.
Legal Action: NOI dated January 7, 2005 from the Institute for Wildlife Protection regarding the 12-month finding, but no further action was taken. A Court complaint was filed on July 14, 2006 from Western Watersheds Project alleging that the USFWS 12-month finding is incorrect, arbitrary, unwarranted by the facts, etc. On December 4, 2007, the 9 th District Court remanded the finding to the USFWS. A new status review is being completed in combination with new status review for the Mono Basin populations and western subspecies.	Legal Action: NOI dated January 7, 2005 from the Institute for Wildlife Protection regarding the 12-month Finding, but no further action was taken. A Court complaint was filed on July 14, 2006 from Western Watersheds Project alleging that the USFWS 12-month finding is incorrect, arbitrary, unwarranted by the facts, etc. On December 4, 2007, the 9 th District Court remanded the finding to the USFWS. A new status review is being completed in combination with new status review for the Mono Basin populations and western subspecies.	Legal Action: NOI dated April 17, 2006 from the petitioners for failure to meet a statutory deadline and complete a 90-day finding. NOI dated June 4, 2007 challenging the 2006 non-substantial finding. On August 23, 2007 the petitioners filed a Court complaint challenging the 2006 finding. Upon review of the complaint, USFWS entered into a settlement agreement on February 25, 2008 to voluntary remand the 2006 petition finding.
Lead USFWS Office: Wyoming Ecological Services Field Office, Cheyenne, Wyoming (307) 772-2374	Lead USFWS Office: Wyoming Ecological Services Field Office, Cheyenne, Wyoming (307) 772-2374	Lead USFWS Office: Nevada Fish and Wildlife Office, Reno, Nevada (775) 861-6325
USFWS Contact: Pat Deibert	USFWS Contact: Pat Deibert	USFWS Contact: Steve Abele

¹ Table compiled by Kevin Kritz and Pat Deibert, U.S. Fish and Wildlife Service

** 60-day Notice of Intent to Sue (NOI)