

From: [Noreen Walsh](#)
To: [Matt Kales](#)
Subject: FW: GRSG: SGTF briefing materials
Date: Friday, January 16, 2015 12:38:17 PM
Attachments: [AGENDA_SGTF_Jan_2015_FINAL.pdf](#)
[FWS.GrSG.Jan2015 SGTF_prep.GuSG_TPs.docx](#)
[Battalion Pro Briefing 1-15-15.docx](#)
[FWS.GRSG_Rider_Analysis for staff.docx](#)
[20150120_GrSG Task Force background and talking points.docx](#)
[CCAAs and SGI_01192015.pdf](#)
[Table_ComparisonOfCCAA&SGI_01192015.pdf](#)

My apologies – I know you were making these edits, but I had to go without you before early release/COB Eastern or they would not be able to print the packet for him. He flies Tuesday morning and Monday is a holiday.

From: Noreen Walsh [mailto:noreen_walsh@fws.gov]
Sent: Friday, January 16, 2015 12:37 PM
To: Thomas Irwin; Roslyn Sellars; Anna Munoz
Cc: Dan Ashe; Robert Dreher; Gary Frazer
Subject: FW: GRSG: SGTF briefing materials

Attached are agenda and background materials for Dan's preparation for the Sage Grouse Task Force Meeting, January 20 and 21.

We anticipate the agenda will change due to the cancellation of the webinar today, but we do not have the updated agenda yet.

Thanks,
Noreen

From: Matt Kales [mailto:matt_kales@fws.gov]
Sent: Thursday, January 15, 2015 2:10 PM
To: Noreen Walsh
Cc: Michael Thabault; Nicole Alt; Pat Deibert; Lief Wiechman; Theodore Stein; Theresa Rabot; Jesse DELia; michael_fris@fws.gov; Mary Grim; Marla Trollan; Kristine Martin
Subject: GRSG: SGTF briefing materials

Noreen,

Please see attached the following docs for next week's SGTF meeting:

- SGTF agenda
- Round Robin TPs for Dan
- GuSG TPs for Dan (updated to include the NV opportunities information)
- Supplemental information
 - CCAA info
 - WSB briefing
 - Approps rider analysis

As mentioned, Mike will present the same status review content Kate and others developed for WAFWA, and he'll send on the comparison table we discussed shortly.

Many thanks to the folks copied here and others for their contributions to this material. Please let us know if you or Dan have immediate questions or need more information.

Matt

Matt Kales
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State/Federal Sage-Grouse Task Force Meeting

January 20-21, 2015

Holiday Inn and Suites Denver International Airport – Columbine/Centennial Room
6900 Tower Road, Denver, CO 80249

Meeting Objective

Create opportunities for dialogue between states and federal land management agencies about sage-grouse management strategies, conservation tools, and related policies.

Tuesday, January 20

1:00 p.m.	Introductions & Review of Agenda <i>Jerimiah Rieman, Wyoming</i>
1:15 p.m.	Round Robin Update on Sage-Grouse Activities
2:30 p.m.	Sage Grouse Initiative Next Steps <i>Jason Weller, NRCS</i>
3:00 p.m.	Break
3:15 p.m.	Rangeland Fire Discussion of rangeland fire and ways to improve state/federal coordination to reduce fire risk. <i>Jim Lyons, DOI</i>
3:35 p.m.	Overview of FWS ESA Status Review Process FWS will provide an overview of the analytical process that will lead to a determination of whether the species is still warranted for listing. <i>Noreen Walsh, FWS</i>
3:55	Cross-State Coordination
4:15 p.m.	Timelines for Remaining Tasks <ul style="list-style-type: none"> - Completion of BLM plan consistency reviews, final EISs and RODs - FWS timeline
5:30 p.m.	Adjourn SGTF Meeting
6:15 p.m.	Optional Dinner: DiCicco's Italian Restaurant, 6701 Tower Rd, Denver CO 80249

Wednesday, January 21

8:00 a.m.	Reflections from Day 1
8:15 a.m.	Gunnison Sage-Grouse Update Discussion of the FWS' recent listing decision and similarities to or differences from the greater sage-grouse. <i>Dan Ashe, FWS</i> <i>John Swartout and Jeff Ver Steeg, Colorado</i> <i>Kathleen Clarke, Utah</i>
8:45 a.m.	Update on Battalion Pro (ACK-55) Weed Suppressive Bacteria <i>Richard Lee, BLM (invited)</i>
9:15 a.m.	USGS Conservation Buffer Study <i>Carol Schuler, USGS</i>
9:45 a.m.	Break
10:00 a.m.	Status of BLM Plans <i>Ed Roberson, BLM</i>
10:30 a.m.	Stubble Height Policy and Public Lands Grazing Discussion of research findings on grass height and greater sage-grouse nesting survival and how the findings relate to public lands grazing management.
11:00 a.m.	Preparation for Next Meeting Discussion of a time, location, and proposed topics for the next meeting.
11:30 a.m.	Outstanding Issues and Additional Items
11:45 a.m.	Adjourn

US Fish and Wildlife Service

SGTF Meeting, Denver, CO January 20-21, 2015, Denver, CO

Gunnison sage-grouse talking points for the Director

- The best scientific evidence we have indicates that Gunnison sage-grouse have declined substantially. While the Gunnison Basin population currently appears stable, we determined that the species warranted protection as a threatened species under the Endangered Species Act.
- We are highly encouraged by the investments and protections that our conservation partners have been put in place for Gunnison sage-grouse. These efforts contributed to our finding that the species was no longer qualified as an endangered species.
- Because the Service determined that the species is threatened, we have flexibility under the ESA to focus the law's protections to only those activities that are necessary for the conservation of the species. We are currently working on a draft proposed special rule.
- While we can publish a proposed special rule, due to the recent Congressional appropriations rider regarding sage-grouse we will not be able to finalize any special rule to tailor the restrictions on take of the species or its habitat.
- Concurrent with publication of the final listing rule for Gunnison sage-grouse, the Service designated 1.4 million acres of critical habitat needed to support the species' survival and recovery.
- The critical habitat designation includes both occupied and unoccupied habitat.
- The final critical habitat designation was reduced due to the exclusion of properties with existing sage-grouse conservation plans or conservation easements.

- The Service is independently evaluating the status of the Greater sage-grouse, which exists across a much broader range and, in some places, faces different threats than Gunnison sage-grouse.
- The decision on Gunnison sage-grouse is separate from any determination on status for the Greater sage-grouse. They are two distinct evaluation efforts and our partners and publics should not consider our Gunnison sage-grouse decision an indication of our pending finding on Greater sage-grouse.
- We look forward to supporting the important ongoing conservation work of agency and local partners, as well as private landowners, across the Gunnison sage-grouse's range, to reverse the species decline and help it coexist with those who make their living from the land.

Battalion Pro® (ACK55) Update

January 15, 2015

BACKGROUND

The introduction of nonnative invasive annual grasses, primarily *Bromus tectorum* (cheatgrass) and *Taeniatherum asperum* (medusahead) have placed the sagebrush ecosystems in tremendous peril. The expansion of these 2 species of annual grass coupled with poor land management are the primary factors linked to accelerated loss of sagebrush-steppe habitat and corresponding population declines of greater sage-grouse and other sagebrush obligate species. The result has been an increase in fire frequency, size, and intensity that precludes the reestablishment of sagebrush and reduces or eliminates native forbs and grasses.

With the very limited success of mechanical and chemical efforts to treat annual grass invasion over the past 50 years, the weed suppressive bacteria *Pseudomonas fluorescens*, ACK55 (Battalion Pro®) as a host-specific biocontrol agent is one of the new promising tools in the arsenal for annual grass control. Battalion Pro has undergone extensive testing and has demonstrated selectivity for cheatgrass, medusahead, and *Aegilops cylindrical* (jointed goat grass).

Application of Battalion Pro to the soil of sagebrush communities reduces cheatgrass and medusahead dominance by suppression of root growth and tiller formation, and ultimately by the reduction of the seed bank. When Environmental Protection Agency (EPA) registration is granted and NEPA requirements are fulfilled, Battalion Pro will be applied during fall as a liquid spray to the soil surface or coated on native seed and drilled. The bacteria establish in the soil microbial community over winter and colonize on the roots of these annual grasses. They deliver natural compounds which inhibit root development and subsequently reduce competition with desirable native plants.

Battalion Pro will provide a cost-effective, scalable means to modify the seeding environment for desired species and boost success in post-fire restoration projects. A single application of Battalion Pro, coupled with competition of native plants, reduces cheatgrass dominance over 3 to 5 years. However, application methods that are scalable to landscapes have not been developed because of EPA regulations limiting application to 10 acres/year.

REGISTRATION

The Registration package for the Federal Insecticide, Fungicide, and Rodenticide Act, Section 3 for EPA registration is in final review and planned for submission in January 2015. The Agricultural Research Service (ARS) has assumed the responsibility to submit the registration package to EPA and be the sole registrants for Battalion Pro. Once registered, land management agencies can then begin to evaluate Battalion Pro for rangeland restoration and develop Standard Operating Procedures for application on federal lands.

A similar strain and less specific strain of *Pseudomonas fluorescens* weed suppressive bacteria (D7®) that is no longer under patent by ARS was recently registered by EPA. Verdesian Life Sciences llc holds the registration with plans to manufacture and market D7® with commercial availability late 2015. Registration of ACK55 (Battalion Pro®) should be complete in the fall 2015 as a result of this similar product.

NEPA

A NEPA coordination meeting led by BLM was held 8-9 January 2015. Representatives from BLM, USFWS, NPS, USGS, BIA, and BOR were present to discuss how ACK55 (Battalion Pro®) could be incorporated into each agency's program. The objectives of the meeting were to insure a unified effort is established to address NEPA compliance for issues that are common to each agency/bureau and to develop and implement a plan to finalize the NEPA process in such a way that will insure the lag time between registration of ACK55 (Battalion Pro®) and use on federal lands is kept to a minimum.

Key points:

- There is broad interest among agencies for using weed suppressive bacteria.
- ACK55 (Battalion Pro®) and D7® will receive a Risk Assessment.
- NEPA allows for Research and Development throughout the NEPA process.
- Large-scale trials can be initiated as soon as EPA registration is complete.
- Full NEPA compliance will be a significant workload and will be required before ACK55 (Battalion Pro®) can be fully utilized in rangeland restoration and management.
- The process can possibly be streamlined by a joint (Interior) risk assessment and/or programmatic EIS which takes advantage of the work already completed in the existing 17 western states BLM EIS.
- A second meeting has been scheduled in March 2015 to continue to develop and implement a plan to finalize the NEPA process in such a way that will minimize the time between EPA registration and use on federal lands.

IMPLEMENTATION

The Service is sponsoring a facilitated workshop in summer 2015 to develop a road map for implementation of ACK55 (Battalion Pro®) as a land management tool. Pacific Northwest National Laboratory (PNNL) is under contract to plan and facilitate the workshop with Steering Committee oversight. The workshop will bring together range scientists and land managers from federal and state agencies, universities, and the private sector and has 2 primary objectives:

1. Design the initial research project to determine efficacy of ACK55 (Battalion Pro®) in large-scale trials;
2. Identify key questions and research needs to develop ACK55 (Battalion Pro®) as a new land management tool and provide FWS, BLM and other agencies with a basis to develop a 5-year implementation plan for future use throughout the cheatgrass-affected lands in the western US.

What the Sage-Grouse Appropriations Rider Means

The FY 2015 Omnibus Appropriations Bill contained a rider that includes specific provisions for greater sage-grouse. We know that this development – and statements in the media – has created significant uncertainty for our team and among our partners across the range about what the rider means and what the future holds. So we want to take the opportunity to clarify where we stand, where we're headed and how we're going to get there.

The key point is that the Omnibus is very targeted. We intend to move full speed ahead in every aspect of greater sage-grouse conservation activities where we are still allowed to. It is critically important that we maintain the momentum that has developed over the past few years as a result of our status review process and deadlines.

- The Omnibus limits the Service's ability to publish rules regarding sage-grouse, as further detailed below, until the Fiscal Year 2015 appropriations law restrictions are lifted.
- The Omnibus does not affect our ability to develop, implement, and analyze conservation efforts to support the species. In fact, it continues funding for Interior and USDA to conserve sagebrush habitat and to advance the unprecedented collaboration happening across 11 Western states.
- It does not relieve BLM or the states from their obligation to finalize management plans that address threats to greater sage-grouse across the range.
- It does not relieve us of our obligation to determine by Sept. 30, 2015 whether ESA protection is still warranted. We will continue to collect data and conduct analysis, and reach a decision as to whether listing is warranted or not.

That means we must stay on track and:

- **Continue to assist the BLM, USFS and states in finalizing land use plans that are protective of sage-grouse and sage-grouse habitat.**
- **Continue to work with BLM, NRCS and our other partners to develop and finalize CCA/As and other conservation efforts that provide tangible and durable on-the-ground benefits to sage-grouse and its sagebrush habitat.**
- **Continue with the status review process – which means we are transitioning from data collection to data analysis to determine by Sept. 30 if “warranted” is still the appropriate designation for the species.**

The sage-grouse campaign truly does represent a remarkable and historic moment in the history of the ESA- and the North American model of wildlife management. Success will hinge on the work of many, many people, most of all you. If we don't get it right now, we'll surely be back in sagebrush country soon, wrestling with petitions for other species, like pygmy rabbits and Brewer's sparrows. If we do get it right now, we will send a loud and clear message that conservation is a shared responsibility that provides shared benefits for people and wildlife.

Here's some additional information:

Text of Rider:

SAGE GROUSE

SEC. 122. None of the funds made available by this or any other Act may be used by the Secretary of the Interior **to write or issue pursuant to section 4** of the Endangered Species Act of 1973 (16 U.S.C. 1533)-

- (1) a proposed rule for greater sage-grouse (*Centrocercus urophasianus*);
- (2) a proposed rule for the Columbia basin distinct population segment of greater sage-grouse;
- (3) a final rule for the bi-state distinct population segment of greater sage-grouse; or
- (4) a final rule for Gunnison sage-grouse (*Centrocercus minimus*).

Duration

- We will not be able to proceed in these areas until the FY 2015 appropriations law restrictions are lifted.
- Any FY15 carryover funds will carry the existing restriction.
- Riders are often incorporated into future spending bills.

Greater Sage-Grouse (incl. Columbia Basin DPS)

The Service cannot propose a threatened or endangered designation.

The Service could:

- Write and issue a not-warranted finding (if supported by the record)
- Issue a warranted but precluded finding (state that Section 122 prohibits FWS from writing or issuing a proposed rule promptly as required by Sec. 4.)
- Complete the analysis required for the above determination rule - but not write it until the Fiscal Year 2015 appropriations law restrictions are lifted.
- Write and issue an emergency listing rule for a period of 240 days under the authority of section 4(b)(7). [There is no judicial precedent on whether a new emergency listing can follow the initial one.] However, we could not write or issue a proposed rule to accompany an emergency listing until the Fiscal Year 2015 appropriations law restrictions are lifted.
- Complete analysis required for a proposed 4(d) rule – but not write it until the Fiscal Year 2015 appropriations law restrictions are lifted.

Bi-State Population

The Service cannot write or issue a final rule [or finalize the 4(d) rule] for the Bi-State DPS

The Service could:

- Write and issue a not-warranted finding (if supported by the record)
- Issue a warranted but precluded finding (state that Section 122 prohibits FWS from writing or issuing a proposed rule promptly as required by Sec. 4.)
- Complete the analysis required for a final listing rule, but not write it until the Fiscal Year 2015 appropriations law restrictions are lifted.
- Complete analysis of final 4(d) rule (if warranted) but not write it until restrictions are lifted.

Gunnison Sage-Grouse

The prohibition on writing final rules is moot. Final rule and CH issued 11/12, effective 12/22.

The Service cannot finalize a 4(d) rule until the Fiscal Year 2015 appropriations law restrictions are lifted

The Service could:

- Write and issue a proposed 4(d) rule but not finalize it until the Fiscal Year 2015 appropriations law restrictions are lifted.
- Do the analysis required for a final 4(d) rule (without writing a final 4(d) rule)

Statement from Secretary Jewell:

“The Obama Administration is still moving full steam ahead, and will continue to work with urgency alongside our federal, state and local partners to put conservation measures in place to protect important sagebrush habitat and avert the need to list the greater sage-grouse. The rider has no effect on our efforts to develop and implement state and federal plans and to build partnerships to incentivize conservation.

“The Omnibus continues funding for Interior and USDA to conserve sagebrush habitat and to advance the unprecedented collaboration happening across 11 Western states. The Fish and Wildlife Service will continue to collect data and conduct analysis, and the agency will reach a decision as to whether listing is warranted or not.

“It’s disappointing that some Members of Congress are more interested in political posturing than finding solutions to conserve the sagebrush landscape and the Western way of life.

Rather than helping the communities they profess to benefit, these members will only create uncertainty, encourage conflict and undermine the unprecedented progress that is happening throughout the West.

“We are more determined than ever to work with the states, ranchers, energy developers and other stakeholders who are putting effective conservation measures in place with the shared goal of reaching a ‘not warranted’ determination by the end of the fiscal year.”

US Fish and Wildlife Service
Greater Sage-Grouse Conservation
Sage-Grouse Task Force Meeting, January 20-21, Denver, CO
RD Review Draft, January 15

“Round Robin” talking points (Dan)

Appropriations rider and what it means for our GrSG work

- **The Service cannot:**
 - Use FY15 appropriations to write a proposed rule for greater sage-grouse; a proposed rule for Columbia Basin; or, a final rule for bi-state.
- **The Service can:**
 - Determine by Sept. 30, 2015, if the species still warrants protection under the ESA.
 - Continue to develop, implement, and analyze conservation efforts to support the species.

Status review update (*note: we will cover status review more fully later on the agenda*)

- We continue to pursue the following process for our ESA status review for GrSG:
 - Evaluate current status
 - trends, abundance, distribution
 - threats
 - conservation efforts
 - Evaluate future status
 - projected trends, abundance, and distribution
 - projected threats
 - projected conservation efforts
 - Legal and policy evaluation of data
 - Publication of determination in Federal Register

Conservation Efforts Database update:

- We are grateful to all our partners for their hard work in populating the CED.
- We are also very grateful to the USGS, in particular Justin Welty (USGS Boise) and Tim Kern's team (USGS Ft. Collins) for their outstanding technical support in all stages of CED development and implementation.
- One of the biggest challenges in evaluating the conservation status of GrSG is the sheer volume of data that has been and will be generated by our conservation partners - an unprecedented number of projects, plans and other efforts throughout the 11-state range of greater sage-grouse.
- To date, over 5,000 records (including 100+ plans) have been provided for FWS consideration in the CED.
 - BLM = 4,000+ efforts
 - States = 1,100+ efforts (all states but WA are participating in CED)
 - Wyoming 600+ efforts
 - Utah 400+ efforts
 - FWS' Partners Program = 300 efforts
 - USFS = 80 efforts
 - *Internal note: for NRCS, we have yet to see examples of CED records or an indication how many records NRCS will provide. NRCS has advised they will provide summary population data but it is unclear to us whether NRCS will (a) use the COT boundaries to provide those population data and (b) will provide the effectiveness data we have requested to certify – and accurately “credit” - their records for conservation impact.*
- **We will consider all information our partners enter into the CED, but we need your information as soon as possible so we can consider your efforts in our status review:** under the ESA, we are required to accept all information submitted prior to our decision, but the practical reality is that the earlier we receive it, the better our ability to integrate it into our decision-making process.
- Accordingly, we set a date of January 15, 2015, for our partners to populate the CED and are available to assist any partner who experienced any difficulty meeting this goal. We will begin to extract efforts for evaluation and incorporation into the Species Report as part of our status review.

Outstanding issues, outstanding opportunities

- As we shift much of our focus from federal planning efforts to our status review, we believe it is important to identify outstanding issues and the opportunities that remain to address those issues. **Many of these issues, we believe, are ripe for the SGTF and its member states to pursue as we transition from data collection to data analysis.** Specifically:
 - In **Utah** complete an Executive Order that directs state agencies to implement avoidance and minimization measures on private, state, and School and Institutional Trust Lands Administration lands in accordance with the state sage-grouse conservation plan (including implementation of a 4-mile lek buffer and a 3% disturbance cap).
 - In **Wyoming** ensure that the Executive Order is renewed (deadline: August 1, 2015) without decreasing conservation efforts and without reducing control over exceptions/waivers for the core area.
 - In **Montana** there has been good progress addressing the comments FWS provided on the EO, and remaining issues are limited. We appreciate the ongoing cooperation and dialogue with the state; the most significant remaining issue is our recommendation of a minimum 1-mile lek buffer.
 - In **Colorado**, we encourage implementation of regulatory measures to address the threat of oil and gas development on non-federal lands and the provision of sufficient funding and staffing to CPW for the consultations with industry. Make mitigation required (vs. voluntary) for unavoidable impacts on non-federal lands.
 - In **Idaho** finalize commitments for sage grouse conservation measures for state and private lands, including implementation of a mitigation strategy; development of mechanisms and funding for fire prevention and suppression. We applaud the established Rural Fire Protection Associations. We urge development of measures and funding for sage grouse habitat enhancement and restoration; and Increase capacity for sage grouse population and habitat monitoring.
 - In **Nevada**, complete an MOU between the state, BLM and FWS on how the state's Conservation Credit System will be utilized by the BLM for

compensatory mitigation. Also, complete Strategic Action Plans for the state's Sage-grouse Conservation Plan that will prioritize restoration activities and private lands efforts.

- In **Washington** support completion of the umbrella CCAA (including necessary funding and staffing) and support development of a CCAA for DNR lands.
- In the **Dakotas**, commit all necessary resources to maintain and increase existing GRSG populations, including making available the resources to engage key landowners in conservation actions to benefit GRSG. Continue funding research and science support, especially any state support for the local SGI biologist, to ensure no further reduction in the abundance in distribution of GRSG along the eastern-most extent of the species range.
- In **South Dakota** follow through on MOU development between SDGF&P and state Office of School & Public Lands for project review of activities in GRSG areas and between SDGFP and Dept. of Environment and Natural Resources for project review of activities in GRSG area.
- **FOR ALL STATES:**
 - Encourage voluntary enhancement/restoration of sage grouse habitat, even outside of the core areas. Provide the necessary state staff to accomplish these activities, and provide funding and support for acquiring conservation easements in key sage-grouse habitats.
 - Ensure all state management decisions are based on the best available biological data first and foremost.

Candidate Conservation Agreements with Assurances (see enclosed CCAA primer and associated products)

- Regardless of the final regulatory status of GrSG, **FWS is in the sagebrush-steppe landscape conservation business for the long haul**. As such, we continue to refine and deliver effective tools for our private landowner partners. CCAAs are one such tool and we are working on multiple levels to advance CCAAs (and CCAs), including:
 - completing **additional CCAAs** in OR; reviewing additional applications for WY statewide grazing CCAA; discussing new CCAAs with industry in CO (oil and gas) and WY (wind); working with BLM to develop new CCAs in WY.
 - adding on-the-ground capacity (collaborative biologists, now numbering 10, to deliver additional CCAAs and enhance coordination with NRCS/SGL; and,
 - working closely with our partners to **clarify and communicate** the relationships between CCAAs and **complementary programs** such as NRCS/SGL; and,
 - developing a **CCCA “tool kit”** to serve as a guide for FWS staff to efficiently develop programmatic or umbrella CCAAs for ranching and agriculture activities to benefit GrSG (implementation began in December, 2014)

Other agenda items:

Status review TPs (Mike) – use recent WAFWA presentation

GuSG TPs (Dan) – see enclosed

Supplemental materials:

- Rider language and SRJ statement on same
- CCAA background information
- WSB update



Sage Grouse Initiative and CCAAs

Working Together for Landowners

Q: What is the Working Lands for Wildlife Sage-Grouse Initiative (SGI)?

A: Working Lands for Wildlife is a partnership between Natural Resources Conservation Service (NRCS) and the U.S. Fish and Wildlife Service (Service), through which landowners can receive technical and financial assistance by volunteering to restore habitat for one of seven covered species (greater sage-grouse, lesser prairie-chicken, New England cottontail, southwestern willow flycatcher, gopher tortoise, bog turtle, and golden-winged warbler) on their land. The Working Lands for Wildlife Sage-Grouse Initiative (SGI) involves voluntary actions of private landowners that are important to maintaining, enhancing, restoring and reconnecting habitat for greater sage-grouse.

Landowners will have the regulatory predictability and confidence in knowing that any Endangered Species Act (ESA) issues associated with implementation of the specific conservation practices and associated conservation measures identified through SGI will have been addressed for a 30-year period. By taking this step, the Service is encouraging the long-term implementation of the conservation practices and associated conservation measures.

Q: What is a Candidate Conservation Agreement with Assurances (CCAA)?

A: A CCAA is a voluntary agreement between a non-federal landowner and the Service to provide a conservation benefit by reducing threats to a particular candidate species through specific conservation measures, which

are usually related to all management actions taking place on a property if they may impact the covered species. The assurances provided through a CCAA are: (1) the Service agrees not to require additional conservation actions beyond those agreed to, and (2) the agreement allows a certain level of impact (authorization of incidental take) to the species related to the specified management actions and ongoing land uses, should the species be listed.

Q: How is SGI predictability different from the assurances provided by CCAAs?

A: In regard to NRCS and SGI, the Service produced a conference report in which NRCS and the Service analyzed the effects of SGI on greater sage-grouse, agreed on the impacts, conditioned the conservation practices to avoid or minimize impacts, and concluded that the conditioned conservation practices would be beneficial to

the species and should not require additional conservation measures. Since NRCS is a Federal agency, the Service cannot provide NRCS with ironclad assurances because under the ESA, Federal agencies must be flexible with regard to actions taken to provide for recovery of these species. The conference report with NRCS provides flexibility to modify conservation practices in the future. However, in the event the species is listed, enrolled landowners will be exempt from any incidental take that may be caused by implementation and maintenance of their approved NRCS practices, even if NRCS or the Service modifies those practices in the future.

The assurances provided by CCAAs come through ESA regulations and are provided directly to non-Federal landowners who agree to voluntarily take specific conservation actions for candidate species. As long as landowners properly implement



Male greater sage-grouse / Tatiana Gettelman

their CCAA, they receive assurances that no additional conservation measures will be required by the Service for covered activities if species becomes listed in the future. No additional land, water, or resource restrictions would be put into place for the covered activities.

Q: Why should I enroll in SGI?

A: The program provides a financial incentive for landowners who voluntarily choose to implement specific conservation practices for greater sage-grouse while continuing to manage the habitat as working lands. Further, SGI provides landowners with regulatory predictability about the consequences of implementation of specific conservation practices, if any, on greater sage-grouse on their property.

Q: What if activities I might want to do *aren't* covered by SGI?

A: The specific conservation practices covered under SGI relate to routine agricultural, ranching, silvicultural operations, and actions that provide benefits for both working landscapes and wildlife conservation. SGI does not cover activities such as residential or industrial land developments, installation of energy-related infrastructure, or any other activity not directly related to a

normal NRCS contract for the conservation of natural resources. Specific questions about a particular activity should be addressed to the local NRCS office. Landowners who wish to engage in different or additional practices, who want to be secure in knowing their actions will not impact the greater sage-grouse, and who want regulatory assurances through the ESA should investigate participating in a CCAA.

Q: Why should I enroll in a CCAA?

A: Landowners who are engaged in management activities on their property that are not agricultural, ranching, or silvicultural in character may want the assurances and incidental take permit that a CCAA provides for these types of activities that would not be covered through SGI. CCAAs provide landowners with the assurance that they can continue to manage their lands as outlined in their agreements with no additional conservation requirements. Lands enrolled in a CCAA may also be considered for exclusion from a critical habitat designation, if a candidate species is listed. Also, a landowner who is not interested in or not eligible to enroll in SGI may be interested in a CCAA.

Q: Does my participation in SGI preclude my participation in a CCAA?

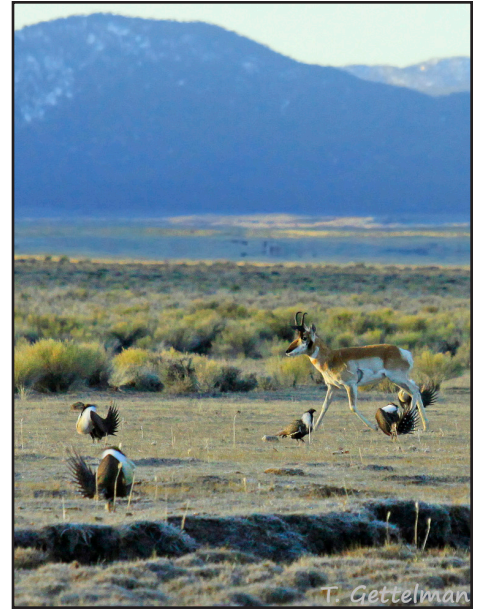
A: A landowner may participate in both SGI and a CCAA, as they are complimentary and compatible programs. A logical next step for interested landowners may be to move from the SGI program to a CCAA, which will address the specific threats occurring on the property that may impact the species. The CCAA can include a diversity of management actions in addition to agricultural, ranching and silvicultural uses.

Q: What is the duration of a CCAA and SGI?

A: The duration of a CCAA is flexible, but usually more than 20 years. For SGI, if voluntarily implementing specific conservation practices, the duration is up to 30 years.

Q: Do I receive financial assistance to implement conservation measures if I enter into a CCAA or SGI?

A: CCAAs do not come with financial assistance to landowners. However, funding may be available from other Service programs or Federal and State agencies (including SGI). If a landowner participates in SGI, they will receive financial assistance from NRCS.



Greater sage-grouse and male pronghorn on a lek / Tatiana Gettelman



Ranching in sagebrush in Wyoming / USFWS

U.S. Fish and Wildlife Service
PO Box 25486
Denver Federal Center
Denver, Colorado 80225

For more information on CCAAs and how they can provide regulatory assurances for landowners, contact your local U.S. Fish and Wildlife office

For more information visit our website:
<http://www.fws.gov/greaterSageGrouse/http://www.fws.gov/greaterSageGrouse/>

For State relay service
TTY / Voice: 711

U.S. Fish & Wildlife Service
<http://www.fws.gov>

January 2015



Comparison of CCAAs and SGI



	Candidate Conservation Agreement with Assurances (CCAA)	NRCS Sage-grouse Initiative (SGI)
Purpose of the Tool	<ul style="list-style-type: none"> To conserve species by removing enough threats to species to preclude the need to list Provides incentives to conserve species through regulatory assurances 	To incentivize conservation of sage-grouse by providing cost shares and predictability
Participants	Any non-federal entities (public and/or private)	Anyone who qualifies under NRCS programs, has a NRCS conservation plan, and implements NRCS conditioned practices for sage-grouse on their land (subject to adjusted gross income limits)
Species Covered	Proposed, candidate or species likely to become candidates	Sage-grouse only
Activities Covered	Potentially any and all management activities occurring on a property, if CCAA standard is met	Routine agricultural, ranching, and silvicultural operations and actions that provide benefits for both working landscapes and wildlife
Regulatory Standard	The benefits of the conservation measures implemented, when combined with the benefits of conservation measures on other necessary properties, would preclude or remove the need to list the species covered by the agreement.	There is no regulatory standard, although a Section 7 conference report was completed on the SGI. Through it, the practices avoid and minimize expected incidental take to the maximum extent practicable.
Assurances to Signatories	<ul style="list-style-type: none"> A landowner would not be asked to do more than is agreed to in the CCAA, even if the covered species is listed in the future, and no additional take restrictions will be imposed if the species is subsequently listed. A landowner is issued a section 10(a)(1)(A) Enhancement of Survival Permit that authorizes take (effective in the event of listing). 	A landowner receives predictability that the conditioned conservation practices will continue to benefit wildlife as long as they are implemented and that any ESA issues associated with their implementation have been fully addressed. If the species is listed, incidental take that may be caused by the practices identified in the conservation plan is exempted.
Financial Assistance	CCAAs do not come with financial assistance to landowners. However, funding may be available from other FWS programs or Federal and State agencies (including SGI).	If a landowner participates in SGI, they will receive financial assistance from NRCS
Benefits for Landowners	Flexibility in management and conservation actions and certainty in the event of a listing. If the species is listed, landowners receive assurances that they will not have to do anything more because they have already done their part. Conservation measures that benefit sage-grouse often improve their grazing conditions.	ESA predictability and NRCS conservation practices improve their working lands for ranching operations