

The 2015 Greater sage-grouse Listing Decision



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Species Overview

Currently, Greater sage-grouse found in:

- WA, OR, ID, MT, ND, CA, NV, UT, W CO, SD and WY and the CAN PROV- ALB and SAS
- Occupy approximately 56 percent of their historical range.



What are we going to tell them...

- Species Overview
- General biological background
- Range (Historic and Current)
- Threats

Biological Background -Species

- Sagebrush obligate
 - food, cover, reproduction
- Long-lived, low reproductive rates
- Can be migratory
- High fidelity to seasonal habitats

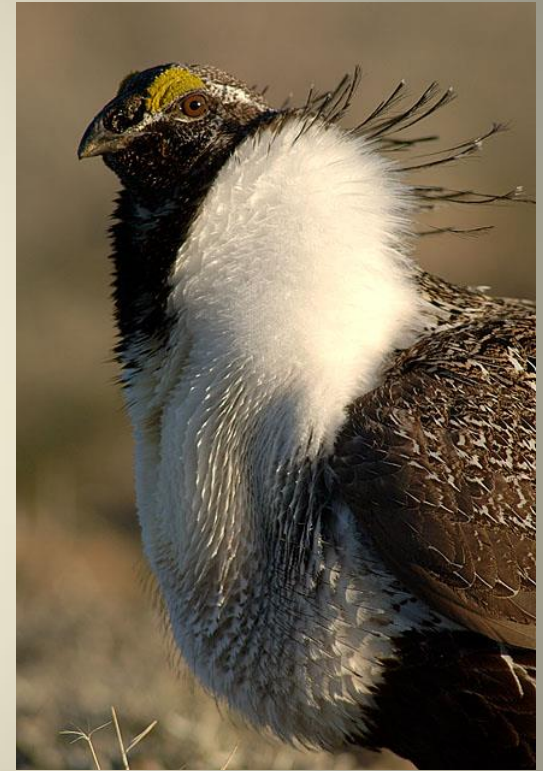


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Landscape scale species

Biological Background -Habitat



- Sagebrush is essential
 - 18 sp; not all provide equal habitat for grouse
 - Also need the healthy understory
- Long restoration times: 20 to > 100 years depending on species and conditions
- Fire kills sagebrush
- Seed banks do not persist
- Still trying to learn how to restore or "fix" it

Leks

Form where females are abundant

- Indicative of good nesting habitat
- 85% within 6 mi of wet habitats

Changes in leks reflect changes in:

- Habitat
- Female abundance
- Loss of recruitment
- Health of sagebrush ecosystem

Due to site fidelity, impacts as measured by lek attendance
may take 2 to 10 years to be apparent
(typically 3 to 4 years)



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Habitat Selection

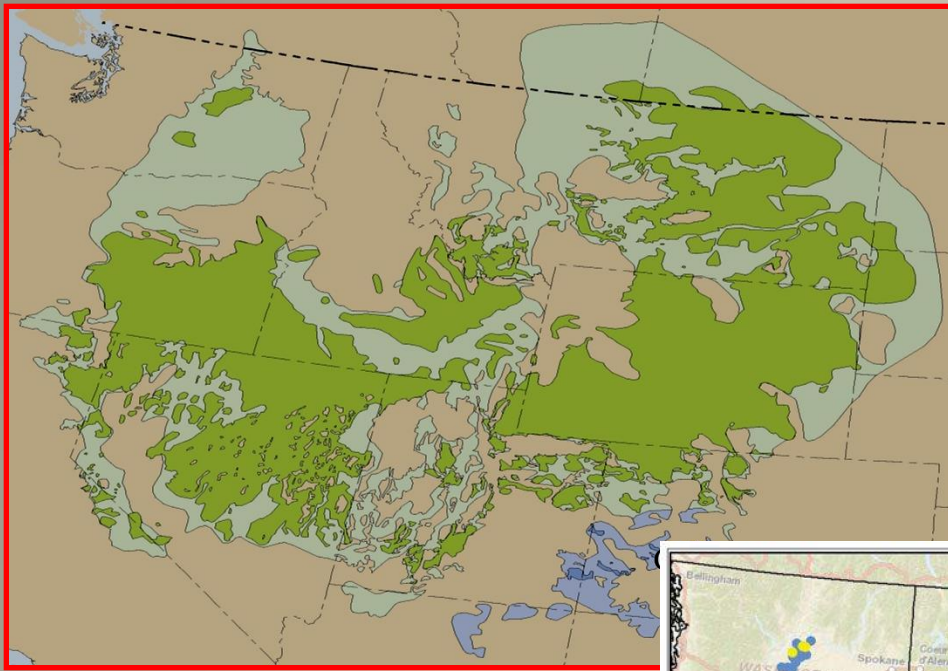
- Select seasonal habitats at landscape scale
Fine scale habitat selection is secondary
- Once successful, high site fidelity
- Seasonal habitats have different components
- All seasonal habitats are important



Estimated Declines

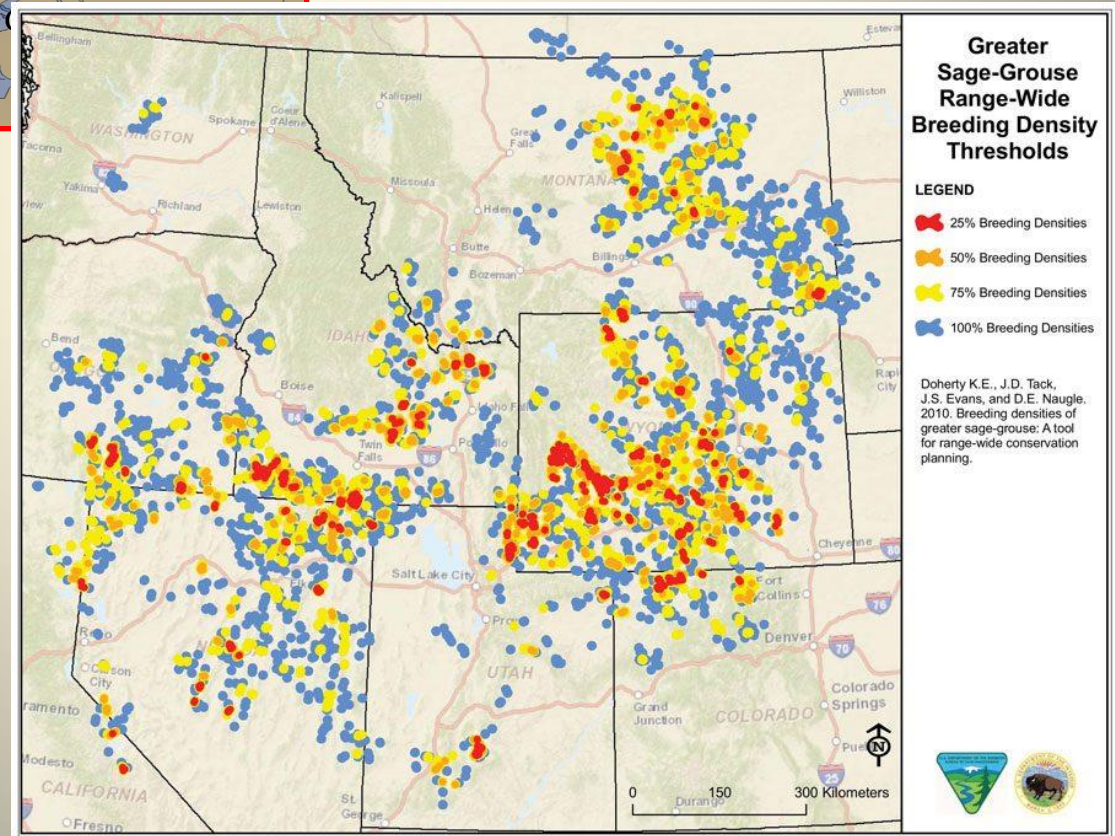
- Estimated decline of 80% + from pre-settlement numbers (?)
- Estimated decline of 30% since 1985
- Loss of 56% from historic range





Historic and current range

Sage-grouse Breeding density



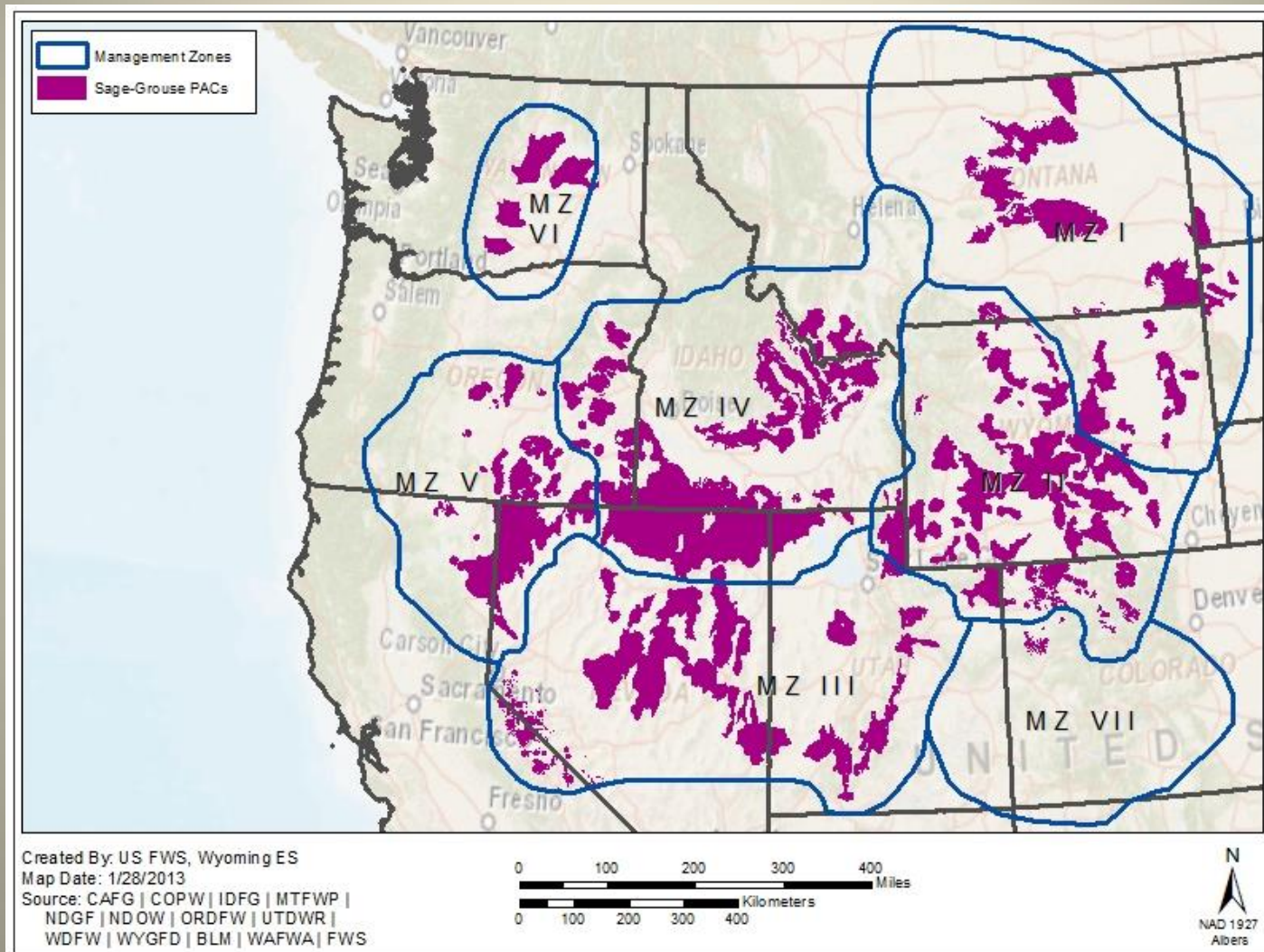
Feb 2013 Conservation Objectives Team (COT) Report

- Identifies Priority Areas for Conservation (PACs)
- Identifies threats by sage-grouse population (6 in MT)
- Threat amelioration strategies within and outside of PACs
 - What has to happen, not how
- Other components for successful conservation

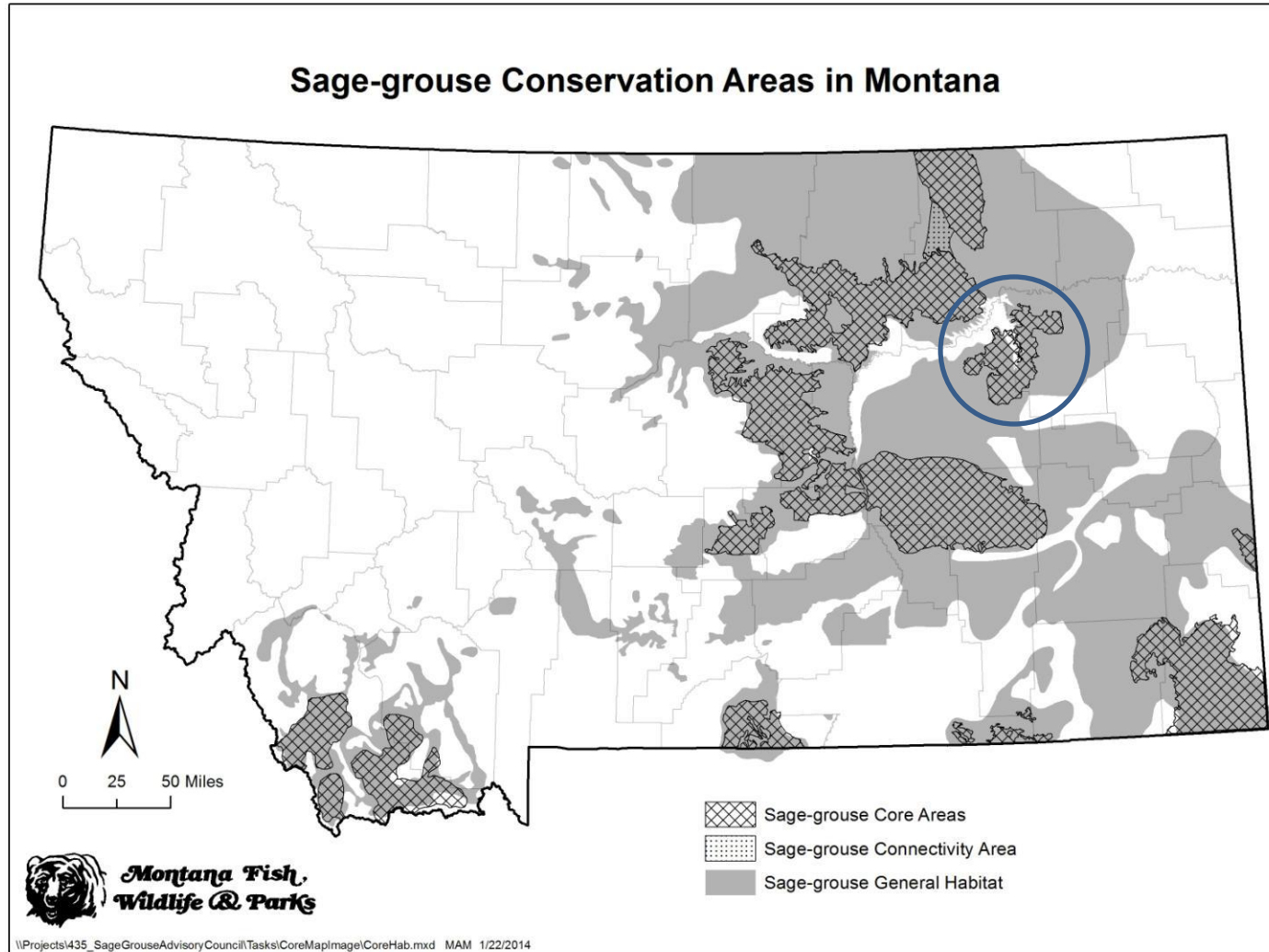


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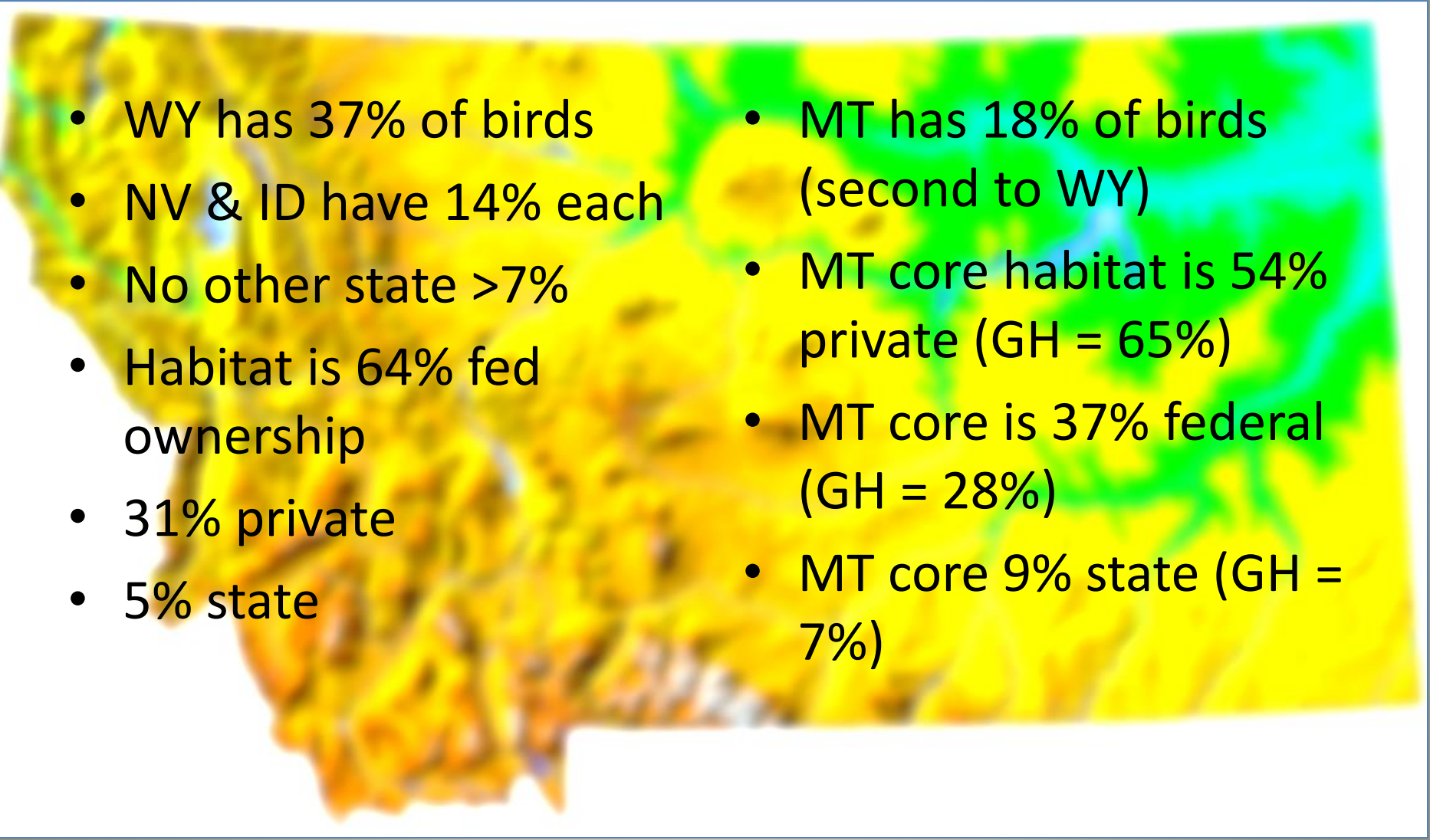
Priority Areas for Conservation



Montana PACs/Core Areas



Montana Context

- 
- WY has 37% of birds
 - NV & ID have 14% each
 - No other state >7%
 - Habitat is 64% fed ownership
 - 31% private
 - 5% state
 - MT has 18% of birds (second to WY)
 - MT core habitat is 54% private (GH = 65%)
 - MT core is 37% federal (GH = 28%)
 - MT core 9% state (GH = 7%)



Primary Threat Habitat Fragmentation

Energy Development (& infrastructure)

Most effects with >1 well pad per sq mi

Most fields 16-128 pads per sq mi



Invasive Species/Fire

Historic fire cycle 200-350 years; now 70 to 158 years

Great Basin: 27% of GSG habitat has burned since 1980

Cropland Agriculture (& infrastructure)

19 % of SB in MT lost to AG conv.

84 % of SB in MT affected



*loss of habitat, functional habitat loss,
reduced productivity and survival, support for
secondary impacts

COT Report Local and Widespread Threats

Range-wide Threats:

- Fire
- Invasive Plants
- Energy Development
- Sagebrush Removal
- Improper Grazing
- Wild Equine Management
- Pinyon-Juniper Expansion
- Agricultural Conversion
- Mining
- Recreation
- Ex-Urban Development
- Infrastructure

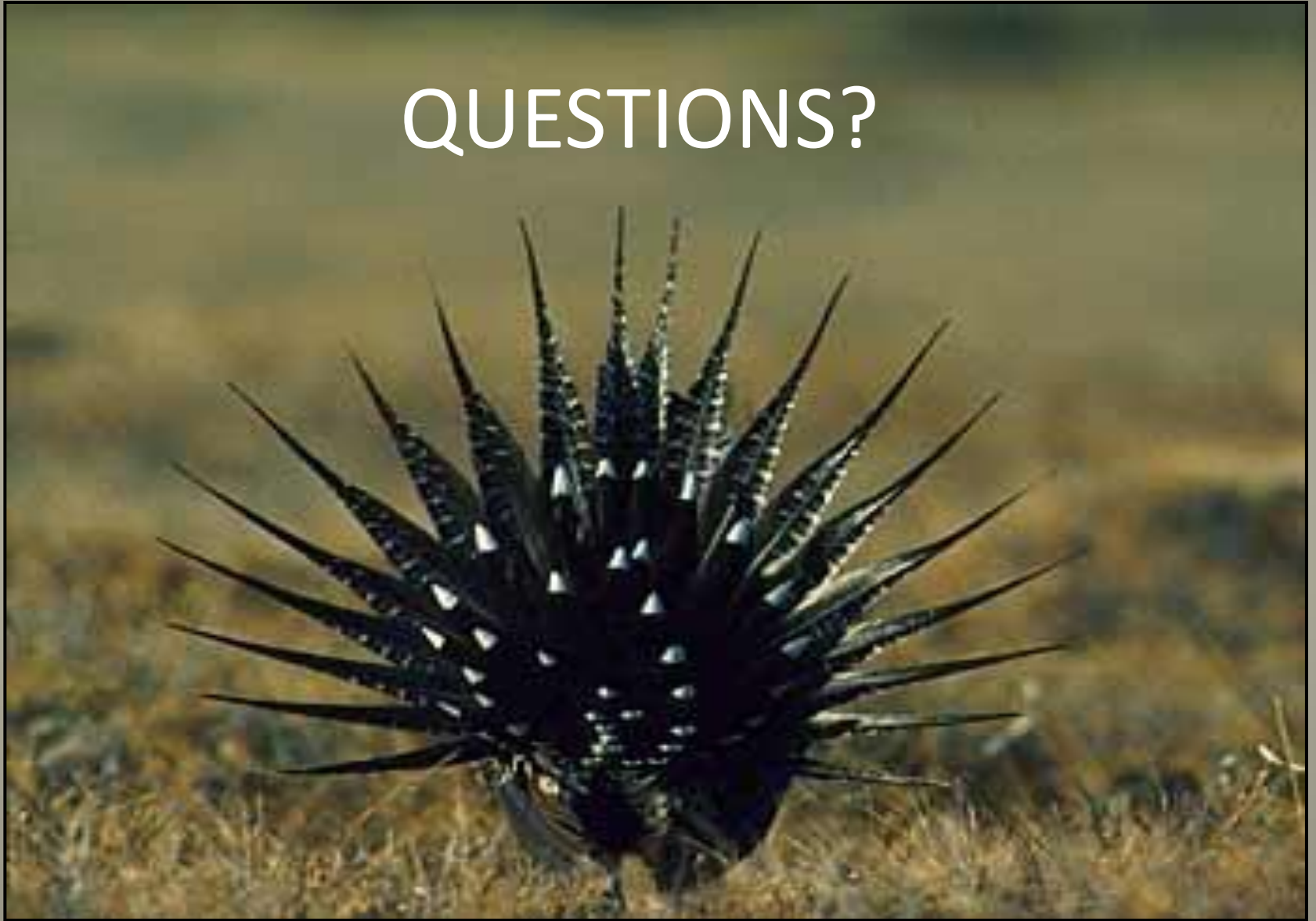
Primary Montana Threats:

- Invasive Plants
- Energy Development
- Improper Grazing
- Agricultural Conversion
- Mining
- Infrastructure



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QUESTIONS?



Purpose of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*)

"The purposes of this Act are to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved,..."

ENDANGERED SPECIES ACT OF 1973

AN ACT To provide for the conservation of endangered and threatened species of fish, wildlife, and plants, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Endangered Species Act of 1973".



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Listing Process: Petitions

Petition submission: *Anyone!*

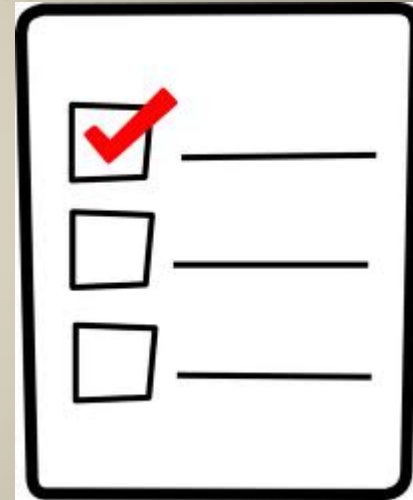
Evaluation :

- Examine adequacy and reliability of information presented
- “Reasonable person” standard



Listing Process:

- For a typical process we first examine adequacy and reliability of information presented in a petition
- Status review evaluates all available scientific and commercial data
- Includes examination of the 5 listing factors identified in the Endangered Species Act



Listing Factors

- A. Present or threatened destruction, modification, or curtailment of habitat or range
- B. Overuse for commercial, recreational, scientific or educational purposes
- C. Disease or predation
- D. Inadequacy of existing regulatory mechanisms
- E. Other natural or manmade factors affecting the species continued existence



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Listing Factors

(continued)

A species need only meet one of the listing criteria to be considered for listing

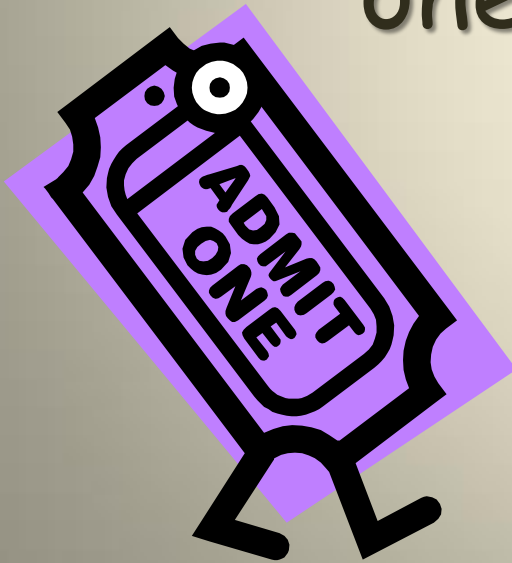




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Status Review Outcomes

- **Warranted** - Listing proposal will be drafted; species a candidate
- **Warranted, but precluded** - Listing is warranted, but precluded by higher priority actions; species a candidate
- **Not warranted** - Review does not support a listing action; species not a candidate

MDL Settlement

May 10, 2011



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- **REQUIRES** findings on whether or not to proceed with listing (i.e., issue a proposed rule or withdraw our 12-month finding) by **September 2016** for all candidates.
- Specifies earlier dates for some species, including Sage-grouse:
 - Bi-State Population - **September 2013**
 - Greater Sage-grouse and any other DPSs - **September 2015**

CURRENT STATUS



In 2010 the Service determined the *Greater Sage grouse* was warranted for listing (but precluded) due to:

- habitat loss and fragmentation
- inadequacy of regulatory mechanisms that govern habitat loss and fragmentation

It is currently a candidate species under the ESA

We will be conducting a new analysis of its status, biological threats and conservation management starting in 2014.

A decision on whether to proceed with a proposed listing or to determine listing is unwarranted will be completed in 2015

Regulatory Mechanisms

(Factor D)

Consider all mechanisms including:

- Federal
- State
- County
- Conservation efforts

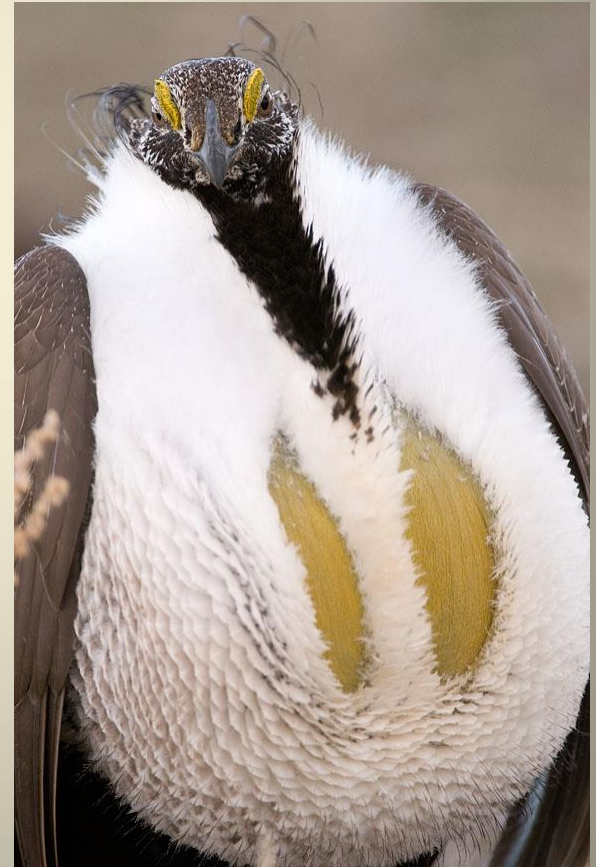


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Regulatory Mechanisms

Are mechanisms addressing populations and individuals sufficient for the conservation of the species ?



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- BLM and FS are currently revising their land management planning documents to address regulatory mechanisms for sage-grouse habitats
- States are also developing plans/strategies for addressing sage-grouse habitats

Listing Process



- Consider population status and trends in PACs
- Determine have threats been alleviated?
 - To what degree for each population (PAC)?
- How do regulatory mechanisms address these threats? State strategies, BLM and FS RMP/LRMPs
 - Do they have the ability to regulate/manage threats?
 - Is this information supported by data?
 - Do we have sage grouse population response?

Listing Process

Based on this evaluation of information and in consideration of state and federal conservation strategies . . .

. . . the Service is required to make a determination whether sage grouse meets the definition of **endangered** or **threatened** throughout its range

. . . Should sage grouse be listed under the ESA or not .

Take

- The ESA prohibits the taking (by anyone) of any federally endangered or threatened animal species, except under federal permit.
- Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.



Harm and Harass

- **Harm** includes significant **habitat modification or degradation** that results in death or injury to listed wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering.
- **Harass** is defined as intentional or negligent actions that create the likelihood of injury to listed wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding or sheltering.

Section 7(a)(2)

Federal Agency Consultation

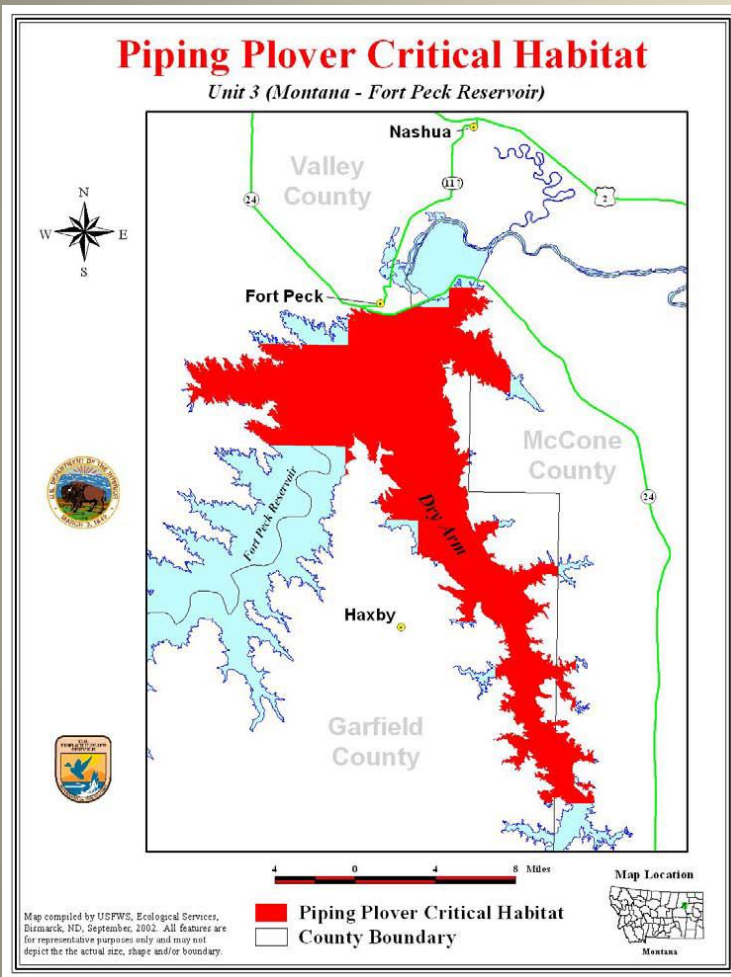


“Each Federal agency must, in **consultation** with the Service, ensure that any action **funded**, authorized, or carried out by the agency is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of critical habitat.”

What activities could a listing affect?

- Any activity by anyone with the potential to take an animal species listed under the ESA may be impacted.
- Possible examples include: development, infrastructure construction, recreational activities, grazing, energy development, vegetation control/management, and land-use changes or conversions

Critical Habitat



- Identifies geographic areas essential for the conservation (eventual recovery) of a threatened or endangered species.
- Federal agencies are required to consult with FWS for their actions that may affect critical habitat.
- No requirements are imposed on state or private actions on state or private lands where no federal funding, permits or approvals are required.

Non-Federal Lands Programs

- ***Safe Harbor Agreements*** encourage voluntary conservation for **listed species** to promote recovery on non-Federal lands. Includes take authorization for routine land uses and assurances that no additional commitments or restrictions will be required.
- ***Habitat Conservation Plans*** (HCP) can be developed to obtain permits to authorize incidental “take” from non-Federal activities. HCPs specify measures required to minimize and offset the impacts of such “take”.
- ***Candidate Conservation Agreements*** with Assurances provide incentives for non-Federal property owners to conserve **candidate species**, with the goal of reducing the need to list a species. These include assurances that no commitments or restrictions will be required even if the species becomes listed. It also provides “take” authorization for routine land uses if the species becomes listed.



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Questions?