



## Position Statement

### Greater Sage-Grouse Habitat Conservation

#### Executive Summary

The Greater Sage-Grouse (GRSG) is a keystone species of the western United States sagebrush ecosystem. The health of the GRSG population reflects on the overall health of the sagebrush-steppe habitat in which it occurs and on which an estimated 350 other species also depend. In addition, this ecosystem helps sustain the West's rural economies.

A 2021 report by the U.S. Geological Survey found that the GRSG population estimate plummeted by 80 percent since 1965 across the charismatic bird's 11-state western range.<sup>1</sup> This report amplified the results of a 2006 study which indicated that over the past three decades, there was a decline of 56 percent for GRSG<sup>2</sup> over their historic range. The sagebrush-steppe habitat, impacted by wildfire and the subsequent establishment of invasive grasses, along with authorized development on public lands and private land development, covers only about half the area it once did. **A continued decline in either population or habitat will have the potential to significantly and negatively impact the implementation of BLM programs, both as related to permitting authorized uses and/or fulfilling the protection/restoration goals of the agency.** Without the assurance of effective land use plans, the most plausible path to the curtailment of ongoing planned activities or authorized uses would be the listing of the GRSG under the Endangered Species Act (ESA).

A principal need of the BLM to stop this decline, and preclude an ESA listing, is the ability to implement scientifically sound, legally defensible land use plans, completed in cooperation with involved stakeholders (a sample of which would include the Governors of states containing habitat, the fish and wildlife agencies of those same states, tribal entities, local governments, permittees, user groups, non-governmental organizations, and other federal agencies). The PLF believes completion of such plans will ensure the protection of the best remaining habitat, lower the potential risks, including the severity of wildfire, and guide the efficient and timely issuance of permits required for authorized activities such as oil and gas exploration and drilling, mining, and grazing. This will provide some certainty for public land users and stakeholders regarding what activities are allowed on public lands and under what conditions, while providing the assurance that these activities won't contribute to the listing of GRSG under ESA.

---

<sup>1</sup> Peter S. Coates, et al. 2021 Range-wide Greater Sage-Grouse Hierarchical Monitoring Framework: Implications for Defining Population Boundaries, Trend Estimation, and a Targeted Annual Warning System (Open-File Report 2020-1154).

<sup>2</sup> Stiver et al 2006. *Greater Sage Grouse Comprehensive Conservation Strategy*. Western Association of Fish and Wildlife Agencies.

## **Background**

It is not the goal of this position paper to compare and contrast the different issues or approaches mentioned above that have resulted in the uncertainty of moving forward with land management activities on public lands. The legal and planning history is complex. The PLF is prepared to help answer any questions from the members of the incoming administration in regard to our position. Questions specific to the BLM's ongoing planning effort should be referred to senior career BLM leadership. The following information is provided for context:

In response to a growing pressure for listing GRSG under the ESA in the early 2000s, a major collaborative effort to protect and restore habitats and to rebuild populations resulted in the Greater Sage-Grouse Comprehensive Conservation Strategy (2006), signed by the western state wildlife agencies, the Western Governors' Association, and the Bureau of Land Management (BLM), along with a full range of public land users and wildlife conservation interests.

On March 5, 2010, the U.S. Fish and Wildlife Service (USFWS) concluded that listing of the GRSG under the Endangered Species Act (ESA) was warranted due to habitat loss and the absence of legal protections to address additional habitat destruction, but listing was precluded by other higher priority species at the time. Responding to this finding, BLM, along with the U.S. Forest Service, prepared land use plan amendments for the states across the GRSG range which were signed in September 2015. Due to the substantial and comprehensive conservation efforts and commitments by state, federal and private landowner partners to reduce habitat loss and fragmentation, the USFWS concluded in October 2015 that the species did not warrant protection under the ESA.

Unfortunately, two planning efforts have resulted in two separate Records of Decision since 2015. However, implementation of either is uncertain due to ongoing legal wrangling and changing national policy direction. The 2015 plans for Oregon, Idaho, Nevada/Northeastern California, Utah, Wyoming and Colorado were amended in 2019 and 2020. Those plan amendments were enjoined by court order and until legal issues are resolved the BLM has been using the 2015 plans to guide its management actions on behalf of the greater sage-grouse. The plans completed in 2015 for North Dakota South Dakota and Montana were not amended by the 2019 and 2020 plans and remain the BLM's current management guidance for those areas. So implementation of plans across the range of the GRSG still involves some uncertainty due to ongoing legal wrangling and changing national policy direction.

The BLM published in the Federal Register on November 15, 2024, a Notice of Availability of a Proposed Plan Amendment and Final EIS for the greater sage-grouse rangewide, including the states where plans were not amended in 2019 and 2020. This publication initiated a 30-day protest period. With the resolution of any protests, the BLM is poised to sign yet another decision after working with partners to address issues raised and to build flexibility in working with individual state wildlife management laws and policies. At the time of the presidential transition, there are only two states where the governor's consistency review and protest period are concluded - Colorado and Oregon. On January 27, 2025, the Federal Register posted the Records of Decision (RODs) for those two states. The agency will need to make the decision

to sign the RODs for remaining 8 states at the conclusion of the governor's consistency review. The time has come to recognize the common ground achieved, sign the plans, and provide surety for all of the users of the public lands.

**It is critical to note that the unprecedented level of cooperation noted in these planning efforts is essential for successful GRSG conservation.** For example, while the BLM manages 46% of the current GRSG habitat (approximately 67 million acres of the 145 million acres remaining), a large percentage of spring and summer habitat, where young birds fledge and grow into adults, is on private land. Also, one of the major risks to habitat, wildfire, is a natural occurrence that does not respect man-made boundaries. Conservation efforts need to focus across the range, not on geopolitical boundaries.

The BLM is a significant contributor to the energy portfolio of the United States. In 2023, 12% of all oil and 11% of all the natural gas produced in the U.S. came from the federal mineral estate managed by the BLM's oil and gas program. In addition, the BLM has permitted facilities to support 34 gigawatts of renewable energy, enough to power 15.5 million homes. Continuation of this level of support to America's energy needs will hinge, in part, on successful GRSG conservation efforts.

### **PLF Position**

1. The PLF supports the intent of the Proposed Resource Management Plan Amendment (RMPA) and Final Environmental Impact Statement (EIS) for the Greater Sage-Grouse Rangewide Planning, issued November 8, 2024.
2. Successful completion of the Records of Decision (RODs) in early 2025 will lead to surety in both issuing permits for development and implementation of recovery/protection measures.
3. The RODs must contain management actions that reflect the best science available, including climate change science.
4. Successful conservation of GRSG and its habitat relies on cooperation and coordination across the range of the GRSG, among and between state and federal agencies, private landowners, tribal entities, local governments, permittees, user groups, and non-governmental organizations. Threats to the GRSG and its habitat don't necessarily respect manmade boundaries. Continued coordination during implementation of the BLM's GRSG land use plans will provide a consistent structure for public land users and BLM partners.
5. Flexibility and durability in the 2024 Proposed RMPA and the subsequent RODs will result in efforts focused on implementation rather than litigation. Appropriate monitoring and built in adaptive management approaches based on monitoring outcomes will assure plan durability.
6. Off-site and/or compensatory mitigation, planned in cooperation with project proponents, will lead to more effective outcomes for the Greater Sage-Grouse.

January 2025