

May 10, 2012

Governor John Hickenlooper
Colorado

Governor Matt Mead
Wyoming

Governor Jerry Brown
California

Governor Jack Dalrymple
North Dakota

Governor Butch Otter
Idaho

Governor John Kitzhaber
Oregon

Governor Brian Schweitzer
Montana

Governor Dennis Daugaard
South Dakota

Governor Brian Sandoval
Nevada

Governor Gary Herbert
Utah

Dear Western Governors:

As you know, the federal government is engaged in an extensive planning process to conserve Greater Sage-Grouse (*Centrocercus urophasianus*) in the West. We support this effort, and are working with the Bureau of Land Management, the U.S. Forest Service and other federal departments and agencies to develop measures to conserve and recover sage-grouse.

While the federal government is key to protecting sage-grouse and sagebrush steppe, western states also have an important role in the species' future. States have authority over sage-grouse as a game species, own 5 percent of current sage-grouse habitat, and can regulate land use on private land within sage-grouse range.

Recent settlement agreements between conservation organizations and the U.S. Fish and Wildlife Service require the agency to consider listing the Greater Sage-Grouse under the Endangered Species Act (ESA) in 2015. Federal agencies are hoping to develop "adequate regulatory mechanisms" (ARMs) that might preclude the need to list the species.

We urge you to coordinate with each other and with the federal government to develop and implement your own regulatory mechanisms to protect and restore sage-grouse and their habitat.

Scientists have identified past and current land uses that negatively affect sage-grouse, including livestock grazing, energy development, mining, and residential development, and the placement and construction of roads, fences and utility corridors. These land uses also contribute to the spread noxious weeds, which are detrimental to sage-grouse habitat. Western states have authority to address these factors on public and private lands.

Specifically, we suggest that states:

1. Regulate Private Land Uses that Threaten Sage-grouse

Approximately 30 percent, or 30 million acres, of current sage-grouse range is privately owned. States have the authority to ensure that private land owners meet their stewardship obligations for sage-grouse. States should establish regulations to guide land use on private land in sage-grouse range. Some land uses may need to be modified or restricted to protect the species.

2. Manage for Sage-grouse Conservation on State Lands

State lands—including trust lands, wildlife areas, parks and similar designations—also support important sage-grouse habitat. States should implement measures to aid the conservation of the species on these public lands.

Western states usually have a fiduciary obligation to maximize income from trust lands for education or other public services. Livestock grazing, which is often harmful to sage-grouse, is the most commonly permitted activity on state trust lands. States should consider opportunities to replace grazing with equal or greater revenue from conservation use, or significantly modify grazing to conserve sage-grouse. We are prepared to work with state land agencies to develop creative compensation mechanisms that will allow states to terminate grazing use in sage-grouse habitat and still ensure that they receive at least as much net revenue as they currently do from grazing.

We also suggest that it would be prudent for state land trust officers, as fiduciaries of state trust lands, to take steps to preclude the need to list sage-grouse under the ESA by restricting land uses such as energy development on some trust lands that are priority habitat for sage-grouse. This would allow for denser development on areas with low conservation value without additional restrictions under the ESA.

3. Appropriate Funds for Sage-grouse Conservation

States should join the federal government to appropriate more funds for sage-grouse conservation. States could support habitat restoration and secure development easements (prevent development) and/or conservation agreements (improve management for species conservation) for sage-grouse on private land.

4. Develop Scientifically Viable Sage-grouse Conservation Plans

States that develop sage-grouse conservation plans must adopt the highest standards for managing sagebrush steppe, or they are unlikely to be considered ARMs to conserve the species. These are described in “A Report on National Greater Sage-Grouse Conservation Measures” (www.blm.gov/pgdata/etc/medialib/blm/co/programs/wildlife.Par.73607.File.dat/=GrSG%20Tech%20Team%20Report.pdf) by the Sage-grouse National Technical Team and the Sage-Grouse Recovery Alternative developed by conservation organizations (www.wildearthguardians.org/site/DocServer/Sage_Grouse_Comments_and_Recovery_Alternative.pdf).

5. Produce a Sustainable, Harvestable Surplus of Sage-grouse

Hunting is generally not an additive source of mortality for Greater Sage-Grouse, especially not today when hunting seasons have been so reduced from what they were historically. The major threats to sage-grouse are habitat loss and degradation, not hunting.

Sage-grouse hunting is an important traditional recreational activity. If federal and state governments develop ARMs that only just avoid the legal minimum for listing sage-grouse under ESA, then states may have to continue to restrict hunting in the future. Western states should inform the Bureau of Land Management and the Forest Service as to the numbers of sage-grouse you would like to harvest annually in the future, so that those objectives are incorporated into the federal sage-grouse conservation strategy, as well as your own states' efforts.

6. Conclude an Interstate Compact for Sage-grouse

It is possible that one or more states may adopt inconsistent or inadequate regulatory mechanisms to preclude the need to list sage-grouse under the ESA. For this reason, we encourage western states to develop an enforceable interstate compact to effectuate their collective commitment to sage-grouse conservation.

The current sage-grouse planning process is an important opportunity to conserve and restore an iconic western game species and its habitat outside the framework of the federal ESA. We hope western states will fully engage in the process.

Sincerely,

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Bill Ryan, Director, Colorado State Land Board
Virgil Moore, Director, Idaho Department of Fish and Game
Tom Schultz, Idaho Department of Lands and Secretary to the Idaho State Board of Land Commissioners
Joe Maurier, Director, Montana Fish, Wildlife & Parks
Mary Sexton, Director, Montana Department of Natural Resources & Conservation
Kenneth Mayer, Director, Nevada Department of Wildlife
Leo Drozdoff, Director, Nevada Department of Conservation & Natural Resources
Terry Steinwand, Director, North Dakota Game and Fish Department
Lance Gaebe, Commissioner, North Dakota State Land Department
Roy Elicker, Director, Oregon Department of Fish and Wildlife
Louise Solliday, Director, Oregon Department of State Lands
Jeff Vonk, Secretary, South Dakota Department of Game, Fish and Parks
Jarrod Johnson, Commissioner, South Dakota School and Public Lands
Jim Karpowitz, Director, Utah Division of Wildlife Resources
Kevin Carter, Director, Utah Trust Lands
Scott Talbott, Director, Wyoming Game and Fish Department
Ryan Lance, Director, Wyoming Office of State Lands and Investments

Robert Abbey, Director, Bureau of Land Management
Tom Tidwell, Chief, U.S. Forest Service
Daniel Ash, Director, U.S. Fish and Wildlife Service
Dave White, Chief, Natural Resources Conservation Service
Bruce Nelson, Administrator, Farm Services Agency
Butch Blazer, Deputy Undersecretary for Natural Resources and Environment, U.S.
Department of Agriculture
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