

April 28, 2022

The Honorable Patrick Leahy
Chair
Committee on Appropriations
United States Senate
S-128 The Capitol
Washington, DC 20510

The Honorable Richard Shelby
Vice Chair
Committee on Appropriations
United States Senate
S-146A The Capitol
Washington, DC 20510

The Honorable Jeff Merkley
Chair
Subcommittee on the Interior, Environment,
and Related Agencies Appropriations
United States Senate
131 Senate Dirksen Office Building
Washington, DC 20510

The Honorable Lisa Murkowski
Ranking Member
Subcommittee on the Interior, Environment,
and Related Agencies Appropriations
United States Senate
125 Senate Dirksen Office Building
Washington, DC 20510

The Honorable Rosa L. DeLauro
Chair
Committee on Appropriations
United States House of Representatives
H-307 The Capitol
Washington, DC 20515

The Honorable Kay Granger
Ranking Member
Committee on Appropriations
United States House of Representatives
1016 Longworth House Office Building
Washington, DC 20515

The Honorable Chellie Pingree
Chair
Subcommittee on Interior, Environment, and
Related Agencies
United States House of Representatives
2007 Rayburn House Office Building
Washington, DC 20515

The Honorable David Joyce
Ranking Member
Subcommittee on Interior, Environment, and
Related Agencies
United States House of Representatives
1016 Longworth House Office Building
Washington, DC 20515

RE: Please Exclude the Greater Sage-Grouse Rider from the FY2023 Appropriations Legislation

Dear Chairs and Ranking Members,

As you work to draft appropriations legislation for fiscal year 2023, we write on behalf of our millions of members and supporters across the country to oppose the inclusion of a recurring anti-science rider that has prevented the U.S. Fish and Wildlife Service from even considering whether the greater sage-grouse (*Centrocercus urophasianus*) merits protection under the Endangered Species Act.

The coming year will mark the 50th anniversary of the Endangered Species Act. Since its bipartisan passage, the Act has proven to be an especially effective tool for protecting our nation's most at-risk species of plants and animals. The Act currently covers more than 1,600

species and is remarkably successful – over 95% of species listed under the Act survive, and hundreds are on the path to recovery. It owes its success to science-based standards: the Fish and Wildlife Service and the National Marine Fisheries Service, the agencies responsible for implementing the Act, must base decisions to list, protect, and recover imperiled species on the best available science.

The Endangered Species Act benefits unlisted species as well. By articulating clear, scientific thresholds at which species become eligible for protection, the Act incentivizes conservation efforts to avoid the need for listing.

The sage-grouse rider removes even the chance of Endangered Species Act protections for an iconic and disappearing native bird. Historically, as many as 16 million greater sage-grouse lived in the vast sagebrush grasslands of the West – an ecologically important biome known as the “Sagebrush Sea” that also supports mule deer, pronghorn antelope, pygmy rabbits, native trout, and nearly 200 species of migrant and resident birds. But this vital habitat has shrunk by more than half as a consequence of development, grazing, cropland conversion, cheatgrass invasion, and drought and wildfires exacerbated by climate change, and the West-wide population is down to about 5% of its original numbers.

Greater sage-grouse provide an alarming bellwether of species loss across the Sagebrush Sea. In 2021, the U.S. Geological Survey found that greater sage-grouse populations have declined 80% percent rangewide since 1965, and nearly 40% since 2002.

In 2010, the Fish and Wildlife Service found that greater sage-grouse warranted protection under the Endangered Species Act but were precluded from receiving immediate protections until the agency could address higher priority species. This finding galvanized a National Technical Team scientific report and ultimately the National Greater Sage-Grouse Planning Strategy—a West-wide effort involving states and other stakeholders to amend 98 federal land use plans with heightened protections for sage-grouse and thus avoid the need for listing.

But the sage-grouse rider undermined the Planning Strategy. The rider first passed in 2014, a year before the Bureau of Land Management and U.S. Forest Service finalized their land use plan amendments. Without the backstop of listing, the 2015 plan amendments fell short of providing sage-grouse the protections they needed. The Bureau of Land Management, in its 2021 monitoring report on the efficacy of its plan amendments, found that 1.9 million acres of sagebrush in priority sage-grouse habitat were lost between 2012 and 2018. Meanwhile, invasive plants, particularly cheatgrass, continue to spread rapidly—from being present on a little over 50% of sage-grouse habitat in 2013 to nearly 70% of habitat in 2018. Just as troubling, the Bureau found that population triggers meant to alert the agency of sage-grouse population declines have been tripped 42 times since 2015. Recognizing that more must be done, the Bureau is now revisiting its 2015 plan amendments.

Now more than ever—with a renewed land use planning effort underway and greater sage-grouse populations continuing to decline—Congress must allow the Endangered Species Act to

serve its purpose as both an incentive for much-needed protections and a lifeline to halt this iconic Western bird's slide towards extinction. Science, not politics, should guide the fate of imperiled species. We urge you to exclude the sage-grouse rider from FY2023 appropriations legislation.

Sincerely,

American Bird Conservancy

American Wild Horse Campaign

Animal Welfare Institute

Born Free USA

Buffalo Field Campaign

Cascadia Wildlands

Center for Biological Diversity

Christian Council of Delmarva

Clean Water Action

Conservation Council For Hawaii

Conservation Northwest

Defenders of Wildlife

EarthAction

Earthjustice

Earthworks

EcoFlight

Endangered Habitats League

Endangered Species Coalition

Environment America

Environmental Protection Information Center - EPIC

Friends of Nevada Wilderness

Friends of the Earth U.S.

Friends of the Sonoran Desert

Grand Junction Area Chapter - Great Old Broads for Wilderness

Grazing Reform Project

Great Lakes Wildlife Alliance

Great Old Broads for Wilderness

Green Art Labs

GreenLatinos

Heartwood

Howling For Wolves

Humane Action Pittsburgh

Humane Society Legislative Fund

Indiana Forest Alliance

Information Network for Responsible Mining

International Fund for Animal Welfare

International Marine Mammal Project of Earth Island Institute

Juniata Valley Audubon Society

Just Transition Northwest Indiana
Kettle Range Conservation Group
Klamath Forest Alliance
League of Conservation Voters
Native Plant Society of the United States
Natural Resources Defense Council
NY4WHALES
Oregon Natural Desert Association
Partnership for Policy Integrity
Pelecanus, Inc
Pennsylvania Society for Ornithology
Potomac Valley Audubon Society
Project Eleven Hundred
Resource Renewal Institute
RESTORE: The North Woods
Rocky Mountain Wild
San Juan Citizens Alliance
Save Our Allegheny Ridges
Sierra Club
Sierra Foothills Audubon Society
Sierra Forest Legacy
Southern Utah Wilderness Alliance
The Fire Restoration Group
The Humane Society of the United States
The Pew Charitable Trusts
The Rachel Carson Council
The Wilderness Society
Washington Wildlife First
Waterway Advocates
Western Colorado Alliance
Western Nebraska Resources Council
Western Watersheds Project
WildEarth Guardians
Wilderness Watch
Wolf Conservation Center
World Wildlife Fund
Wyoming Untrapped
Wyoming Wildlife Advocates
2020 Action