

December 1, 2021

The President  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

**Re: Please Exclude the Greater Sage-Grouse Rider from the Final FY 2022 Appropriations Bill**

Dear Mr. President:

On behalf of our millions of members and supporters nationwide, we thank you for excluding the sage-grouse rider from the president's budget request. We are also grateful to see that Congress followed suit, rejecting the rider in both the FY 2022 House and Senate Interior and Environment bills. This rider has prohibited the U.S. Fish and Wildlife Service (FWS) from considering greater sage-grouse for protection under the Endangered Species Act (ESA). As you enter year-end negotiations, we urge you to please ensure that this anti-science rider does not reappear in the final FY 2022 appropriations bill.

The greater sage-grouse is an imperiled western bird and the charismatic ambassador for the Sagebrush Sea, an iconic biome of the American West that is vital not only to the sage-grouse but also to more than 350 other species of conservation concern that have evolved as part of this ecosystem. These include the pronghorn, pygmy rabbit, mule deer, native trout and nearly 200 migratory and regional bird species. As many as 16 million greater sage-grouse once occurred across 297 million acres of sagebrush grasslands in the West. Today, the sagebrush biome continues to decline. Sage-grouse habitat is less than half of what it once was – diminished by invasive species, roads, grazing, mining, energy development, agricultural conversion, and wildfire – and its populations have declined eighty percent range wide since 1965 and nearly forty percent since 2002.<sup>1</sup>

In 2010, the Obama administration found that the greater sage-grouse warranted protection under the ESA, but other, higher priorities precluded the agency from proposing a listing rule at that time.<sup>2</sup> Recognizing the urgent need for conservation action, the administration took the extraordinary step of amending nearly one hundred federal land use plans across the West with new conservation prescriptions for sage-grouse. The effort engaged states and other key stakeholders in a public planning process to enhance habitat while providing for continued resource management across the bird's range. Citing the "National Greater Sage-Grouse Planning Strategy" (National Strategy) and relying heavily on its projected conservation outcomes, FWS determined in October 2015 that the sage-grouse did not warrant protection under the ESA at that time.<sup>3</sup> FWS also determined that a five-year review in 2020 would be necessary to ensure those projected outcomes were sufficiently realized on the ground to adequately conserve the bird.

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<sup>1</sup> Coates, P.S. et al., 2021. "Range-wide Greater Sage-Grouse Hierarchical Monitoring Framework: Implications for Defining Population Boundaries, Trend Estimation, and a Targeted Annual Warning System," U.S. Geological Survey Open-File Report (2020), <https://pubs.usgs.gov/of/2020/1154/ofr20201154.pdf>.

<sup>2</sup> 75 Fed. Reg. 13910 (Mar. 23, 2010).

<sup>3</sup> 80 Fed. Reg. 59857 (Oct. 2, 2015).

The previous administration reversed course on this unprecedented process by weakening the Obama-era plans, accelerating energy development in sage-grouse habitat, and renegeing on the federal government's commitment to conduct a five-year review to evaluate the effectiveness of the National Strategy. The harm to the sage-grouse and its habitat from four years of rollbacks under the previous administration fundamentally undermines the assumptions behind the FWS's 2015 not-warranted decision and places the species at greater risk.

While the potential for listing the sage-grouse provided the impetus for conservation efforts under the Obama administration, the annual appropriations riders Congress has repeatedly passed since 2014 block FWS from carrying out its basic responsibilities under the ESA concerning greater sage-grouse. The rider undermines the science-based listing process that is critical to the ESA's functionality. Our organizations have continuously expressed concerns that this Congressional intervention would unduly prevent the FWS from properly assessing the condition of the species and would remove necessary incentives to achieve conservation progress. It is essential that FWS scientists be allowed to do their job particularly after the damage from the past four years.

Again, we very much appreciate that the FY 2022 president's budget request and both the House and Senate versions of the Interior bill excluded the rider. Unfortunately, while the FY 2021 House Interior bill also excluded the rider, it was included in the FY 2021 draft Senate bill and ultimately included in the final FY 2021 conference report. Our nation and our planet face an extinction crisis of epic proportions. Time is running out for the sage-grouse and the Sagebrush Sea. We urgently request that this destructive rider be excluded from the final FY 2022 appropriations bill once and for all. Thank you for your consideration.

Sincerely,

American Bird Conservancy  
American Wild Horse Campaign  
Animal Legal Defense Fund  
Animal Welfare Institute  
Bold Alliance  
Born Free USA  
Cascadia Wildlands  
Center for Biological Diversity  
Central Colorado Wilderness Coalition  
Christian Council of Delmarva  
Christians Caring for Creation  
Clean Water Action  
Conservation Council For Hawaii  
Conservation Northwest  
Defenders of Wildlife  
Earthjustice  
Earthworks  
EcoFlight  
Endangered Habitats League

Endangered Species Coalition  
Environment America  
Environmental Protection Information Center  
FOUR PAWS USA  
Friends Of Nevada Wilderness  
Friends of the Clearwater  
Friends of the Earth  
Friends of the Inyo  
Grazing Reform Project  
Great Old Broads for Wilderness  
Howling For Wolves  
Humane Society Legislative Fund  
International Fund for Animal Welfare  
International Marine Mammal Project of Earth Island Institute  
John Muir Project of Earth Island Institute  
Kettle Range Conservation Group  
League of Conservation Voters  
NY4WHALES  
Oregon Natural Desert Association  
Pew Charitable Trusts  
Potomac Valley Audubon Society  
Rachel Carson Council  
Resource Renewal Institute  
Rocky Mountain Wild  
San Juan Citizens Alliance  
San Luis Valley Ecosystem Council  
Save Animals Facing Extinction  
Sequoia ForestKeeper®  
Sierra Club  
The Humane Society of the United States  
The Wilderness Society  
Trap Free Montana Public Lands  
Union of Concerned Scientists  
Western Nebraska Resources Council  
Western Watersheds Project  
Wild Horse Education  
WildEarth Guardians  
Wilderness Watch  
WildLands Defense  
Wildlands Network  
Wildlife for All  
Wyoming Untrapped  
Wyoming Wildlife Advocates