

# Small bird, big stakes: With sage grouse being considered for protected status, some wonder what economic fallout could be for Nevada

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Written by

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## Viewpoints

"We would rather keep the sage grouse population healthy and viable without going to the emergency room of the Endangered Species Act. We're committed to doing our part to move this process forward (and) achieve the conservation success we're all looking for."

— **Daniel Ashe**, director, U.S. Fish and Wildlife Service

"If we list it, we'll kill all these ranches. It's going to be bigger than the spotted owl."

— **Todd Sceirine**, Lyon County cattle rancher

"I believe we can avert the listing of the sage grouse. The alternative is not a good alternative. We can have jobs. At the same time, we can make sure we are protecting the sage grouse and we are protecting its habitat."

— U.S. Interior Secretary **Ken Salazar**

"Working together, I am confident we will be successful."

— **Bob Abbey**, outgoing director, U.S. Bureau of Land Management

"No one has actually sat down and calculated what the cost of listing might actually be. Clearly, if it is listed, there will be a hurdle industry will have to get over. In some cases that could be a lot of time, and in business, time is money."

— **Ken Mayer**, director, Nevada Department of Wildlife

"Everybody is touched by this issue because of the impact on the economy, our culture and the way we live in Nevada."

— **Dale Erquiaga**, senior adviser, Gov. Brian Sandoval

## SAGE GROUSE HUNTING

Every year, the Nevada Department of Wildlife allows a two-week hunting season for sage grouse, generally from late September to early October. The practice is questioned by some in view of the bird's potential listing under the Endangered Species Act.

Last year, former Wildlife Commissioner Henry "Hank" Vogler proposed eliminating the hunting season for grouse, in part to send a signal that the state is serious about protecting the bird and that federal intervention is unnecessary. The hunting season was kept in place.

Biologists argue the limited harvest allowed is inconsequential when it comes to the big-picture goal of conserving the sage grouse and its habitat.

"Hunting as a factor is pretty low on the totem pole," said Shawn Espinosa, a state sage grouse expert. "Whether or not we're hunting the bird is not going to make much of a difference in whether U.S. Fish and Wildlife decides to list this species."

2004: Harvest -- 5,244 birds. Fall population estimate -- 146,327 birds. Percentage: 3.6.

2005: Harvest -- 3,176 birds. Fall population estimate -- 155,305 birds. Percentage: 2.

2006: Harvest -- 3,701 birds. Fall population estimate -- 115,385 birds. Percentage: 3.2.

2007: Harvest -- 4,897 birds. Fall population estimate -- 107,601 birds. Percentage: 4.6.

2008: Harvest -- 5,775 birds. Fall population estimate -- 139,206 birds. Percentage: 4.1.

2009: Harvest -- 8,944 birds. Fall population estimate -- 140,056 birds. Percentage: 7.1.

2010: Harvest -- 7,355 birds. Fall population estimate -- 141,996 birds. Percentage: 5.2.

2011: Harvest -- 6,141 birds. Fall population estimate -- 168,120 birds. Percentage: 3.7.

Hunting in areas where the bi-state population of sage grouse are found is prohibited.

Source: Nevada Department of Wildlife.

Protecting a chicken-sized bird with an uncertain future could come with a cost to Nevada as big as the state's sea of sagebrush.

With a deadline nearing for the federal government to decide whether the sage grouse should be listed under the Endangered Species Act, officials from state and federal agencies, ranchers and energy developers are mobilizing in an effort to keep that from happening. Environmentalists who petitioned to list the bird are watching closely, with everyone involved acknowledging a legal battle is likely whatever is ultimately decided.

At risk could be Nevada's ranching, mining and agricultural industries as well as long-touted goals to attract renewable energy development — and the jobs that come with it — to the Silver State.

Some say the stakes couldn't be higher.

"If it's listed, it will be the next spotted owl," J.J. Goicoechea, a Eureka rancher and president of the Nevada Cattlemen's Association, said in comparing the sage grouse to the bird that had a widespread impact on the economy of the Pacific Northwest after its listing in 1990.

"It's not just ranching but rural Nevada in general that would be affected," Goicoechea said. "It would be devastating. Everything goes away. Paychecks go away. People go away. These small communities could dry up."

Striking in appearance and behavior, sage grouse historically inhabited vast swaths of sagebrush-covered terrain in the western United States and Canada. They were first described by explorers Lewis and Clark in 1805, with settlers later telling of massive flocks of the birds rising into the air over the open range.

But the sagebrush-covered habitat that is home to the grouse has been reduced by almost half since 1900, a change caused by humans who "grazed, plowed, sprayed, burned, drilled, developed" and otherwise altered, according to a position statement by WildEarth Guardians, one of a coalition of environmental groups that petitioned the

government to list the sage grouse. Remaining habitat is fragmented, overrun by invading grasses and weeds and at constant threat from wildfire, the group contends.

“We believe it will be found warranted for listing because of the magnitude of the threats and the scarcity of the bird,” said Rob Mrowka, an ecologist with the Center for Biological Diversity. “There is a high risk to the species.”

Mark Salvo of WildEarth Guardians agrees, insisting diminishing numbers of sage grouse are indicative of sweeping loss of sagebrush habitat.

“Ecologically, the bird warrants protection,” Salvo said.

How many birds are out there? Estimates vary and no one really knows, said Shawn Espinosa, a sage grouse expert with the Nevada Department of Wildlife. For the greater sage grouse, Espinosa has heard estimates of between 200,000 and 500,000 birds across 11 Western states. He guesses the true number is closer to 500,000 but acknowledges “it’s difficult to know for sure.”

The genetically distinct bi-state population of sage grouse straddling the Nevada-California line, considered to be in bigger trouble than the greater sage grouse, numbers about 5,000, Espinosa said.

With the number of sage grouse plainly on decline due to loss of sagebrush habitat — in Nevada, largely due to wildfires chewing through vast areas of sensitive terrain — the U.S. Fish and Wildlife Service concluded in March 2010 that the bird’s listing was warranted but precluded. That meant federal biologists believed listing was likely justified but that other animal species in bigger trouble had a higher priority.

Environmentalists promptly sued, arguing that immediate protection under the Endangered Species Act was needed in order for the sage grouse to have “any chance at survival,” said Noah Greenwald of the Center for Biological Diversity.

A settlement agreement for that lawsuit set in place deadlines for U.S. Fish and Wildlife to make a final decision on the bird’s listing — September 2015 for the greater sage grouse and September 2013 for the bi-state population, also known as the Mono Basin sage grouse.

Discussions on how to avoid the listing have ramped up ever since, involving representatives of U.S. Fish and Wildlife, public land managers like the U.S. Bureau of Land Management and U.S. Forest Service and the state wildlife agencies that currently manage sage grouse populations. The process is characterized by an unprecedented level of cooperation among parties that didn't always work well together in the past, participants said.

In December, Interior Secretary Ken Salazar announced that Wyoming's approach to conserving sage grouse habitat could serve as "a template" for conservation strategies across the West. The plan is for states to map areas where habitat is most critical for the bird, with the greatest restrictions to development adopted there. More activities would be permitted in areas of habitat determined to be less critical. In Wyoming, it was determined that about 80 percent of the bird's population could be protected through strict conservation of 25 percent of its core habitat, with experts saying similar numbers would likely apply in other states.

It's a "whole different approach" than was taken with the spotted owl and one that should allow for continued economic activity on Nevada's range while protecting crucial habitat at the same time, argues Ken Mayer, director of the Nevada Department of Wildlife. Mayer chairs an oversight committee of Western wildlife chiefs exploring sage grouse policy.

"There are a variety of things that will keep us from that path," Mayer said. "I think there's a compromise we need to explore."

### **Impacts to renewable energy, industries feared**

Others are worried about potential economic impacts, particularly if the sage grouse does become listed as threatened or endangered.

One key area of concern centers around renewable energy development. Nevada has long been touted as a potential mecca for solar, wind and geothermal projects, and the grouse's listing could harm what looms as a prime economic opportunity for job growth and the future of the Silver State, experts said.

"I'm very concerned. Nevada has the greatest amount to lose," said Tom Clark, renewable energy specialist with the lobbyist firm Holland & Hart. "It could mean no new

jobs from a construction perspective, no long-term jobs from the operational perspective. It would be a devastating blow to renewable energy development.”

Wind energy projects, which would have a big impact on the grouse’s habitat, could prove particularly vulnerable, Clark said. Land needed for transmission lines also would be affected.

With a decision on listing of the greater sage grouse still three years away, the potential danger has already been demonstrated, Clark said.

In March, NV Energy announced it would halt development of a large wind energy farm on the Nevada-Idaho line due to the federal government’s decision to delay review of the plan until an assessment on sage grouse status is complete. Some \$6 million had reportedly been spent on the China Mountain Wind Project, located in prime sage grouse habitat. Shortly afterward, the BLM announced it would remove 33 parcels covering 61,000 acres in Nevada from an oil and gas lease sale because the land was sage grouse habitat.

“We’ve seen the kind of impact it can have even though it isn’t listed yet,” Clark said. “The message will be sent: Why even look for renewable energy development, not only in Nevada but in all the Western states.”

Potential effects on the state’s mining industry, which directly employs 12,000 people and provides another 50,000 jobs associated with supply needs, is unclear but of concern, said Tim Crowley, president of the Nevada Mining Association.

“We can’t quantify the impact yet because we don’t know what the rules will be going forward,” Crowley said.

While the mining industry has been told existing mining operations likely won’t be largely affected, the ability to explore for new mining opportunities — something vital to the industry — definitely could, Crowley said. Any potential impacts should be carefully scrutinized before decisions are made, Crowley said.

“It’s a time when mining is putting a lot of people to work. We’re growing the economy right now, we’re helping it get back on its feet,” Crowley said.

“We do recognize measures need to be taken so sage grouse are accommodated,” Crowley said. “We just have to be very careful about the decisions that we make. We have to make sure we address this in the smartest way possible.”

There could also be trouble ahead for Nevada’s near-\$1 billion-a-year agricultural industry, said Doug Busselman, executive vice president of the Nevada Farm Bureau. Access to public land is absolutely critical to Nevada ranchers, Busselman said.

“We simply have to have the ability to use federal lands in order to have the critical mass of agriculture,” Busselman said. “It will have a very significant impact whether or not you have the ability to operate. If you are unable to use the land or it’s so restrictive it’s difficult to use, it could have some very devastating effects.”

Looking at habitat maps prepared by the Nevada Department of Wildlife, Busselman is particularly concerned for the future of Elko County, which has the preponderance of prime sage grouse habitat. Elko County will be “front and center however this unfolds,” Busselman said.

Even if listing is avoided, Busselman worries regulatory steps to protect sage grouse and its habitat could prove overly onerous to agriculture and other industries.

“I’m not sure the cure won’t be worse than the illness,” he said.

The seriousness of the issue is clear to Gov. Brian Sandoval, who in April announced formation of an advisory committee charged with the task of staving off listing of the sage grouse and to convince the federal government economic activity and jobs can coexist with the bird’s conservation. The panel, which started meeting May 15, is due to recommend an action plan by July 31.

“It’s really a top priority for this administration. This is not just a wildlife issue, this is a very broad policy issue for this state with a tremendous amount at stake,” said Dale Erquiaga, Sandoval’s outgoing senior policy adviser.

“From the governor’s perspective, a listing would essentially shut down development in much of our state,” Erquiaga said. “Everybody is touched by this issue because of the impact on the economy, our culture and the way we live in Nevada.”