

American Bird Conservancy * Animal Welfare Institute
Born Free USA * Center for Biological Diversity
Center for Science and Democracy at the Union of Concerned Scientists * Clean Water Action
Conservatives for Responsible Stewardship * Defenders of Wildlife * Earthjustice
Endangered Species Coalition * Environmental Defense Fund * Humane Society Legislative Fund
Idaho Conservation League * League of Conservation Voters * National Audubon Society
Natural Resources Defense Council * Sierra Club * The Humane Society of the United States
The Wilderness Society * Western Watersheds Project * Wild Utah Project
WildEarth Guardians * Wildlands Network

RE: Please Support the Tsongas Amendment to Strike Damaging Sage-Grouse Provision and Oppose Other Anti-Conservation Amendments

April 26, 2015

Dear Representative,

On behalf of our millions of members and supporters nationwide, we urge you to support an amendment to be offered by Rep. Niki Tsongas to strike language on the National Defense Authorization Act (NDAA) that would overturn a precedent-setting \$45 million public planning process to conserve the greater sage-grouse and prohibit the U.S. Fish and Wildlife Service (FWS) from considering listing the species under the Endangered Species Act (ESA) for at least a decade. A similar provision was removed in the final House-Senate conference on the 2016 NDAA. This reckless provision did not belong on national defense legislation then and does not belong on the NDAA now. We also urge you to oppose damaging amendments that undermine the ESA or inappropriately withdraw or transfer federal public lands.

This provision does not belong on the NDAA.

The NDAA is one of the most important pieces of legislation that Congress passes each year. The Department of Defense (DOD) did not request the sage-grouse provision, nor will it benefit from it. This provision will do nothing to enhance military readiness. There is little overlap between greater sage-grouse priority areas for conservation and military reservations. Moreover, the ESA has already been amended to exempt DOD lands or other geographical areas owned or controlled by the DOD, or designated for its use, from critical habitat designation under the ESA if the managing military branch has prepared an approved Integrated Natural Resources Management Plan (INRMP) (16 U.S.C. § 1533(a)(3)(B)(i)). All affected military installations where sage-grouse have been observed have already developed INRMPs. This provision is clearly not intended to benefit the DOD, and it does not belong on the NDAA.

This provision is a brazen power grab of federal lands and upends a precedent-setting \$45 million collaborative framework to conserve the greater sage-grouse.

Last September marked a milestone for the National Greater Sage-Grouse Planning Strategy when the Obama administration [announced](#) the completion of 14^[1] regional plans to improve conservation and management on more than 60 million acres of public lands in the Sagebrush Sea. Citing these final plans and other factors, the FWS also determined that the sage-grouse does not warrant protection under the ESA at this time.

^[1] A fifteenth plan, the Lander Field Office Resource Management Plan in Wyoming, was finalized in 2014.

The language included in the NDAA is identical to H.R. 4739, the “Greater Sage Grouse Protection & Recovery Act of 2016” introduced by Representative Rob Bishop. This legislation would eviscerate the new federal land use plans by subjecting sage-grouse conservation to weaker and inconsistent state guidance, effectively abrogating control of tens of millions of acres of public lands to western state governors. This is right in line with several other attempts in this Congress to give away federal assets. The legislation would also grant governors power to veto the Department of the Interior’s current proposal to withdraw essential sage-grouse habitat from hardrock mining, which is a critical component of the national conservation strategy. Enacting this legislation would almost certainly lead to future declines in sage-grouse populations. Yet the same bill would also prohibit the Service from considering the species for listing under the ESA for at least a decade. This legislation would also upend years of work by federal agencies, states, and local stakeholders to revise the federal land use plans and throw management of these lands into chaos. The end result: at least \$45 million tax dollars wasted on federal planning processes and the grouse facing extinction again.

Again, please support the Tsongas amendment to strike this misguided and inappropriate language on the NDAA. Please also oppose any other damaging amendments that undermine the ESA or sound management of our federal public lands. Thank you for your consideration.

Sincerely,

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