

# Concise Explanatory Statement (CES)

## Concise Explanatory Statement for Periodic Status Review: “Greater” Sage-grouse

### Rules amended as part of this rulemaking:

WAC 220-200-100	Wildlife classified as protected shall not be hunted or fished.
WAC 220-610-010	Wildlife classified as endangered species.

### Rules repealed as part of this rulemaking:

N/A

### Rules created as part of this rulemaking:

N/A

#### 1. Background/Summary of Project:

1. The potential for wildfires to eliminate sagebrush (*Artemisia* spp.) on extensive areas has been the greatest ongoing threat to sage-grouse in Washington, as we have seen in 2020. However, with the continued decline, all of Washington’s populations are now likely suffering from problems with genetic health and fitness related to small population size. Uncertainty about the long-term maintenance of habitat that depends on Farm Bill programs (CRP/SAFE) is also a major concern. Other major management issues include habitat that is fragmented by roads, agriculture, and development and degraded by past wildfires, historical excessive livestock grazing, fencing, electrical transmission lines, and exotic vegetation. Sage-grouse may suffer morality rates above historical levels as a result of collisions with fences, powerlines, vehicles, and higher populations of some generalist predators, especially ravens and coyotes.
2. The Washington Department of Fish and Wildlife (WDFW) and several partner organizations are working on habitat and other aspects of sage-grouse recovery. Without these efforts, the sage-grouse would likely decline to extinction in Washington. In Spring 2020, sage-grouse had not yet declined to population levels indicated in the 2004 state recovery plan for up-listing (<650 birds); however, that was before the devastating fires of September, and the threshold assumed that the Douglas County and Joint Base Lewis-McChord – Yakama Training Center (JBLM-YTC) populations were connected, which now appears unjustified. Due in part to their polygynous mating system, the effective size of the three populations are ~107 birds for Douglas County and ten birds for JBLM-YTC. Extinction of the Lincoln County population is all but certain, and of the JBLM-YTC within a decade or so is likely unless they can be increased substantially. The hope of any reintroductions in the future is tempered by the recent failure of the reintroduction project by the

Yakama Nation, the probable failure of the Lincoln County population, and the continued loss of habitat in suitable condition by wildland fire.

3. Concurrent with this troubling decline, genomic analysis has indicated that Washington's population is more distinct than the bi-state population that was proposed for listing as a threatened 'Distinct Population Segment' under the Endangered Species Act (USFWS 2019).

**2. Reasons for adopting the rule:**

Washington Department of Fish and Wildlife classified the "greater" sage-grouse as Endangered in the state of Washington under WAC 220-610-010. The reason we adopted the rule is to include the additional regulation and enforcement of wildlife classified as endangered identified in RCW 77.15.120 and initiate work on a recovery plan for the species according to WAC 220-610-110.

**3. Differences between the text of the proposed rule and the rule as adopted:**

None.

**4. Public comments, response to comments, and consideration of comments**

One constituent representing the Audubon Washington stated that they were in support of the staff's recommendation to up-list the "greater" sage-grouse to endangered and landscape conservation efforts in the shrubsteppe ecosystem during the March 2021 Fish and Wildlife Commission open public comment period.