

113TH CONGRESS
2D SESSION

S. 2575

To require the Secretary of the Interior to prepare a report on the status of greater sage-grouse conservation efforts, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 9, 2014

Mr. WALSH (for himself, Mr. TESTER, and Mr. UDALL of Colorado) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Secretary of the Interior to prepare a report on the status of greater sage-grouse conservation efforts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sage-Grouse Account-
5 ability and Private Conservation Act of 2014”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) pursuant to the court-approved work sched-
9 ule described in the Joint Motion for Approval of

1 Settlement Agreement and Order of Dismissal of
2 Guardians Claims entitled “In Re Endangered Spe-
3 cies Act Section 4 Deadline Litigation” (D.D.C.
4 2011), not later than September 30, 2015, the Sec-
5 retary is scheduled to issue a decision on whether to
6 proceed with listing the greater sage-grouse as a
7 threatened or endangered species under the Endan-
8 gered Species Act of 1973 (16 U.S.C. 1531 et seq.);

9 (2) the Federal Government, through programs
10 of the Department of the Interior and the Depart-
11 ment of Agriculture, has invested substantial funds
12 on greater and Gunnison sage-grouse conservation
13 efforts to avoid the greater and Gunnison sage-
14 grouse being listed as threatened or endangered spe-
15 cies under the Endangered Species Act of 1973 (16
16 U.S.C. 1531 et seq.);

17 (3) State wildlife management agencies have
18 prepared, and as of the date of enactment of this
19 Act are in the process of implementing, greater and
20 Gunnison sage-grouse conservation plans to com-
21 plement the conservation efforts of the Federal Gov-
22 ernment;

23 (4) private investment in conservation efforts,
24 independently and in conjunction with Federal cost-

1 share conservation easement programs, has been sig-
 2 nificant;

3 (5) through a combination of Federal, State,
 4 and private efforts, significant conservation progress
 5 is being made, and further progress will be made fol-
 6 lowing full implementation of State management
 7 plans and new Federal conservation programs; and
 8 (6) farmers, ranchers, developers, and small
 9 businesses need certainty, and further clarity on the
 10 likelihood of a listing decision will provide that cer-
 11 tainty.

12 **SEC. 3. DEFINITION OF SECRETARY.**

13 In this Act, the term “Secretary” means the Sec-
 14 retary of the Interior.

15 **SEC. 4. GREATER SAGE-GROUSE REPORTING REQUIRE-**
 16 **MENT.**

17 (a) IN GENERAL.—Not later than December 15,
 18 2014, the Secretary shall submit to the appropriate com-
 19 mittees of Congress a report on the status of greater sage-
 20 grouse conservation efforts.

21 (b) CONTENTS.—In the report required under sub-
 22 section (a), the Secretary shall include—

23 (1) a description of public and private programs
 24 and expenditures, including State and Federal Gov-

1 ernment agencies, relating to greater sage-grouse
2 conservation;

3 (2) a description of State management plans,
4 including plans that have been announced but not
5 yet implemented;

6 (3) a description of Bureau of Land Manage-
7 ment plans, or plans by any other land management
8 agencies, relating to greater sage-grouse conserva-
9 tion;

10 (4) in accordance with subsection (c), a descrip-
11 tion of the metrics that, at the discretion of the Sec-
12 retary, will be used to make a determination of
13 whether the greater sage-grouse should be listed as
14 threatened or endangered under the Endangered
15 Species Act of 1973 (16 U.S.C. 1531 et seq.);

16 (5) any outcome under the programs, expendi-
17 tures, or plans referred to in paragraphs (1) through
18 (3) that can be measured by the metrics described
19 in subsection (c); and

20 (6) any recommendations to Congress for legis-
21 lative actions that could provide certainty to farm-
22 ers, ranchers, developers, and small businesses and
23 could assist in the conservation of the greater sage-
24 grouse.

1 (c) REPORTED METRICS.—The metrics referred to in
2 subsection (b)(4) may include—

3 (1) the quantity of acres enrolled in sagebrush
4 and habitat protection in conservation programs es-
5 tablished under title XII of the Food Security Act
6 of 1985 (16 U.S.C. 3801 et seq.) or other conserva-
7 tion programs of the Department of Agriculture, in-
8 cluding conservation easements, land purchases or
9 swaps, vegetation management or habitat enhance-
10 ment programs, and fuels management programs;

11 (2) data on nonfire related habitat restoration
12 efforts, including native, nonnative, and mixed seed-
13 ing efforts;

14 (3) data on mine reclamation and subsequent
15 restoration efforts intended to restore greater sage-
16 grouse habitat;

17 (4) data on conifer removal;

18 (5) data on presuppression fire efforts, includ-
19 ing—

20 (A) the number of acres associated with
21 fuels management programs; and

22 (B) the number of miles associated with
23 fire breaks;

1 (6) data on habitat restoration, including
 2 postfire restoration efforts involving native, non-
 3 native, and mixed seeding;

4 (7) data on structure removal, power line bur-
 5 ial, power line retrofitting or modification, fence
 6 modification, fence marking, and fence removal;

7 (8) for livestock and rangeland management,
 8 data on allotment closure and road closure;

9 (9) for travel management, data on road and
 10 trail closure and trail rerouting;

11 (10) data on greater sage-grouse translocation
 12 efforts, including the number of greater sage-grouse
 13 translocated, the age of each translocated greater
 14 sage-grouse, and the sex of each translocated greater
 15 sage-grouse; and

16 (11) any other data or metric the Secretary
 17 may examine in making the decision on whether to
 18 list the greater sage-grouse as a threatened or en-
 19 dangered species under the Endangered Species Act
 20 of 1973 (16 U.S.C. 1531 et seq.).

21 **SEC. 5. AGRICULTURAL LAND EASEMENTS.**

22 (a) IN GENERAL.—Section 1265B(b)(2)(C)(i) of the
 23 Food Security Act of 1985 (16 U.S.C. 3865b(b)(2)(C)(i))
 24 is amended—

1 (1) by striking “GRASSLANDS” and inserting
2 “IN GENERAL”; and

3 (2) by inserting “and land with greater or Gun-
4 nison sage-grouse habitat of special environmental
5 significance” after “significance”.

6 (b) CONSIDERATIONS.—Section 1265B(b)(3)(B) of
7 the Food Security Act of 1985 (16 U.S.C.
8 3865b(b)(3)(B)) is amended—

9 (1) in clause (i), by striking “and” after the
10 semicolon at the end;

11 (2) in clause (ii), by striking the period at the
12 end and inserting “; and”; and

13 (3) by adding at the end the following:

14 “(iii) maximizing the protection of
15 greater or Gunnison sage-grouse habitat.”.

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