



## Congress Delays Greater Sage-Grouse Listing Decision

[Theresa Sauer](#)

This weekend the U.S. Senate approved, and on December 17 President Obama signed, the fiscal year 2015 Omnibus Appropriations Bill, which includes a rider prohibiting the expenditure of any funds authorized for fiscal year 2015 by the U.S. Department of the Interior (Interior) for use toward any proposed listing of the greater sage-grouse as a threatened or endangered species pursuant to the Endangered Species Act (ESA).

This provision within the FY 2015 Omnibus Appropriations legislation restricts Interior and its agencies from working on a listing decision during the 2015 fiscal year, which ends September 30, 2015. Additionally, this appropriations restriction could delay the U.S. Fish and Wildlife Service's (Service) proposed rule determining whether to list the greater sage grouse to 2016, or further depending on whether Congress renews the rider in future appropriations bills. This lack of funds will impact the Service's ability to meet a court-ordered September 30, 2015 deadline to issue a proposed rule for the greater sage-grouse.

Environmental plaintiffs, who entered into the settlement agreement with the Service which set mandatory listing decision deadlines for the greater sage-grouse and hundreds of other species, are criticizing the delay, stating that Congress is bypassing science and putting the greater sage-grouse at risk.

An Interior spokesperson stated that the Department will continue working on conservation measures to protect the species. There is currently no indication whether the provision will, in turn, affect timing of the Bureau of Land Management and U.S. Forest Service's land use plan amendments specific to the greater sage-grouse.

The spending bill language states:

None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

(1) a proposed rule for greater sage-grouse . . . .

For further information on the greater sage-grouse provision or efforts to protect the greater sage-grouse, please contact [Bret Sumner](#) or [Theresa Sauer](#).

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