

# DAGGETT COUNTY

**STATE OF UTAH**

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June 9, 2015

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Dear Honorable Utah Delegation Members:

We appreciate and applaud the following recent efforts by the Utah Delegation to curb sage grouse related restrictions.

- Passage of the *Consolidated and Further Continuing Appropriations Act, 2015* (Public Law 113-235 - Dec. 16, 2014 at Division F, Title I, Sec. 122) which bars the Secretary of Interior from using funds from any Act to write a proposed Section 4 ESA rule for Greater Sage-Grouse or a final Section 4 ESA rule for Gunnison Sage-Grouse;
- Introducing the *Sage-Grouse and Mule Deer Habitat Conservation and Restoration Act of 2015* (S. 468 introduced by Senator Hatch February 11, 2015 and H.R. 1793 introduced by Congressman Stewart April 14, 2015) providing a categorical exclusion under NEPA that would allow BLM and the Forest Service to remove Pinyon-Juniper trees to conserve and restore greater sage-grouse and mule deer habitat;
- Introducing the *Sage-Grouse Protection and Conservation Act* (S. 1036 introduced April 22, 2015 by Senator Cory Gardner with Senators Hatch and Lee co-sponsoring and H.R. 1997 introduced April 23, 2015 by Representative Stewart with Representatives Chaffetz and Love co-sponsoring) requiring BLM and Forest Service to manage their lands according to State-led sage-grouse management plans for at least 6 years;
- Adding Greater Sage-Grouse related provisions to the House-passed *National Defense Authorization Act for Fiscal Year 2016* (H.R. 1735 at Division A, Title XXVIII, Subtitle G, Section 2862) to (1) nullify any ESA listings done from 9-30-15 to 9-30-25 notwithstanding any other law, court order or legal settlement to the contrary, (2) maintain a warranted-but-precluded status until 9-30-25; (3) prevent for 5 or more years (as determined by the Governor) in states where the Governor gives notification, the Feds from amending a Federal plan if inconsistent with a State sage-grouse plan and retroactively stay any inconsistent Federal plan amendments done prior to the Governor's notification (Governor alone decides what is inconsistent), and (4) nullify the possible preclusive effect that any NEPA based prior findings, analyses & conclusions might have on Federal actions consistent with a State plan.

As Congress looks to additional appropriations measures, we urge you to renew and extend the existing funding moratorium that bars the Secretary of Interior from using funds from any Act to write a proposed Section 4 ESA rule for greater sage-grouse or a final Section 4 ESA rule for Gunnison sage-grouse.

*We urge you especially to enact a funding moratorium barring the Secretaries of Interior and Agriculture from enacting Greater Sage-Grouse related amendments and modifications to Federal resource management plans, including the Greater Sage-Grouse Proposed Land Use Plan Amendments/Final Environmental Impact Statements published in the Federal Register in late May, 2015. Possible language for such a moratorium might read as follows:*

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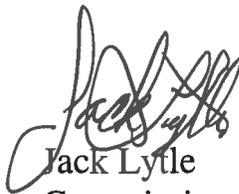
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Sec. \_\_ None of the funds made available in this Act or any other Act may be used by the Secretary of Interior or the Secretary of Agriculture to implement, administer or enforce any land use plan or land use plan amendment or modification with respect to managing for the Greater Sage-Grouse (*Centrocercus urophasianus*) or managing the habitat thereof for the Greater Sage-Grouse including any Greater Sage-Grouse related land use plan, amendment or modification prepared by the Bureau of Land Management pursuant to section 202 of the Federal Land Management Act of 1976 (43 U.S.C. 1712) and any land and resource management plan or amendment or modification prepared by the Forest Service for National Forest System Lands pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

Thank you.



Karen Perry  
Commission Chair



Jack Lytle  
Commissioner



Clyde Slaugh  
Commissioner

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