

County of Lassen
ADMINISTRATIVE SERVICES



CHRIS GALLAGHER

District 1

GARY BRIDGES

District 2

TOM NEELY

District 3

AARON ALBAUGH

District 4

JASON INGRAM

District 5

Richard Egan
County Administrative Officer
email: coadmin@co.lassen.ca.us

County Administration Office
221 S. Roop Street, Suite 4
Susanville, CA 96130
Phone: 530-251-8333
Fax: 530-251-2663

April 2, 2024

TO: Board of Supervisors
Agenda Date: April 9, 2024

FROM: Richard Egan, County Administrative Officer

A handwritten signature in blue ink, appearing to be "Richard Egan".

RE: Greater Sage Grouse

RECOMMENDATION: Ratify (approve) letter opposing the listing of the Greater Sage Grouse under the California Endangered Species Act

PRIOR BOARD ACTION: The County, primarily assistance from the UC Cooperative Extension, has been engaged in Greater Sage Grouse conservation efforts for several decades.

DISCUSSION: See attached Public Notice and letter from the County.

While the Public Notice is requesting comments on the petitioned action be submitted before April 12, 2024 to the Department of Fish and Game, the comment deadline is April 4, 2024 for correspondence to the California Fish and Game Commission for the Commission's April 18, 2024, meeting. After conferring with the Chairman of the Board of Supervisors, the attached letter was sent on April 2, 2024, prior to the State's deadline of April 4, 2024.

FISCAL IMPACT: Unknown.

OTHER AGENCY INVOLVEMENT: David Lile, County Director, UC Cooperative Extension.

ALTERNATIVE: N/A

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Wildlife Branch
P.O. Box 944209
Sacramento, CA 94244-2090
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



March 1, 2024

NOTICE AND REQUEST FOR INFORMATION: GREATER SAGE-GROUSE IS A CANDIDATE FOR LISTING UNDER THE CALIFORNIA ENDANGERED SPECIES ACT

Dear Affected or Interested Party:

The California Department of Fish and Wildlife (Department) has initiated a status review for the greater sage-grouse (*Centrocercus urophasianus*) and hereby solicits data and comments on the petitioned action to list this species as threatened or endangered under the California Endangered Species Act (CESA) (Fish & G. Code, § 2074.4). Specifically, the Department requests data and comments regarding the greater sage-grouse's ecology, genetics, life history, distribution, abundance, habitat, the degree and immediacy of threats to its reproduction or survival, the adequacy of existing management, and recommendations for management of the species.

The Department has initiated this status review following the determination by the California Fish and Game Commission (Commission) on June 20, 2023 that the petition to list greater sage-grouse as threatened or endangered under CESA may be warranted. The greater sage-grouse is now a candidate species under CESA (Cal. Reg. Notice Register 2023, No. 26-Z, p.852) and as such, receives the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085).

As of June 30, 2023, it is illegal to import, export, take (hunt, pursue, catch, capture, or kill, or attempt to do so), possess, purchase, or sell the greater sage-grouse or any part or product thereof (Fish & G. Code, §§ 86, 2080, 2085). However, the Department may authorize, through permits or memorandums of understanding, incidental take and take resulting from scientific, educational, or management activities such as research or restoration, or as otherwise allowed by California Fish and Game Code (Fish & G. Code, §§ 2081 subds. (a) & (b), 2080.1, 2089.2 et. seq., or 2086). For more information on take authorizations, visit <https://wildlife.ca.gov/Conservation/CESA/Permitting>.

The Department respectfully requests that data and comments on the petitioned action be submitted before **April 12, 2024** to allow sufficient time to evaluate this information during the status review period. Please submit such data and comments to the Department by email at wildlifemgt@wildlife.ca.gov and include "greater sage-grouse" in the subject line. Such data or comments may also be submitted by mail to California Department of Fish and Wildlife, Wildlife Diversity Program, Attn: CESA Unit, P.O. Box 944209, Sacramento, CA 94244-2090.

As of June 30, 2023, the Department has 12 months to produce a peer reviewed report based on the best scientific information available, which will include a recommendation as to whether the petitioned action to list greater sage-grouse as threatened or endangered under CESA is warranted (Fish & G. Code, § 2074.6). The report will be made publicly available on the

Conserving California's Wildlife Since 1870

March 1, 2024

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Department's website at <https://wildlife.ca.gov/Conservation/CESA/One-Year-Reviews> for at least 30 days before the Commission considers acting on the petition.

Please note, the Commission—which is a legally separate entity from the Department—is charged with making the final determination on whether to list a species as threatened or endangered under CESA (Fish & G. Code, § 2075.5). The Department serves in a scientific advisory role to the Commission during this process. See the California Fish and Game Commission Home Page (<https://fgc.ca.gov/>) for details on submitting comments to the Commission and receiving email alerts for upcoming Commission meetings. The listing petition, the Department's petition evaluation report, and updates on the listing process are available at: <https://fgc.ca.gov/CESA>.

If you have any questions regarding this notice, please contact the Department by email at: wildlifemgt@wildlife.ca.gov.

County of Lassen
BOARD OF SUPERVISORS



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April 1, 2024

Samantha Murray, President
California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Wade Crowfoot, Secretary
California Natural Resources Agency
715 P Street, 20th Floor
Sacramento, CA 95814

Charlton "Chuck" Bonham, Director
California Department of Fish and Wildlife
Wildlife Diversity Program
ATTN: CESA UNIT
P.O. Box 944209
Sacramento, CA 94244-2090

Dear Secretary Crowfoot, President Murray and Director Bonham:

On behalf of the County of Lassen, I offer Lassen County's comments in response to the "notice and request for information: Greater Sage-Grouse is a candidate for listing under the California Endangered Species Act."

The issue of the Greater Sage Grouse and its habitat is a significant issue for economic, recreational and business interest in Lassen County for decades and continues to be a primary concern of the Lassen County Board of Supervisors; I write to urge your leadership in supporting and expediting locally important conservation efforts that will be further delayed or terminated by a listing under the CESA by the California Fish and Game Commission. Conservation efforts are planned for the next few years. For these reasons, I ask that you strongly recommend against a proposed listing of the Greater Sage Grouse until such conservation efforts can be implemented and such efforts be monitored and adjusted for success.

The primary pathway supporting sage grouse conservation in Lassen County is via the Buffalo-Skedaddle Sage-Grouse Working Group¹, of which CDFW is a member.

The Buffalo-Skedaddle Sage-grouse Working Group, is comprised of federal, state, and local agencies, industry organizations, and other stakeholders and has been actively

engaged in collaborative conservation efforts for over two decades. The group is solution-oriented and focused on completing on-the-ground work at a meaningful scale.

Notable conservation accomplishments from recent years are listed below:

Juniper removal: In the Buffalo-Skedaddle Population Management Unit (PMU), juniper encroachment threatens priority sage-grouse habitat. Collaborative efforts have successfully treated juniper at a landscape scale, covering over 15,000 acres of public, state, and private land since 2021.

Spring enhancement and protections: Fencing installations around fragile spring ecosystems within the Buffalo-Skedaddle PMU enhance water availability, cover, and forage diversity for sage-grouse. Over 30 spring systems have been protected through new or maintained fence enclosures in recent years.

Riparian restoration: Restoration techniques such as Beaver Dam Analog and Zeedyk rock structures have been implemented to rehabilitate degraded spring and stream systems. Over 300 low-tech stream restoration structures have been constructed at 10 locations, fostering healthy riparian habitats essential for sage-grouse survival.

Invasive annual grass control and restoration seeding: Efforts to control annual grasses through aerial herbicide sprays and subsequent re-seeding have enhanced habitat structure and diversity, benefiting sage-grouse populations. Since 2021, over 20,000 acres have been treated with herbicide and 15,000 acres have been seeded.

Sagebrush plantings: Native sagebrush seedling plantings have been conducted to further improve sage-grouse habitat. Over 26,000 sagebrush seedlings have been planted since 2021.

Continued conservation efforts are planned for the next few years, including extensive juniper removal (30,000+ acres), riparian restoration projects (~15 locations), new spring fencing initiatives (~5 locations), and the planting of thousands of sagebrush seedlings. More information on conservation efforts can be found in the Conservation Strategy for Greater Sage-grouse in the Buffalo-Skedaddle Population Management, updated in 2021.

The limiting factors are limited human capacity, logistical challenges to conduct projects at meaningful scale and the deflection of workforce and time required to overcome the existing regulatory framework. The current institutional bottlenecks reducing the pace and scale of conservation work include slow and onerous permitting from state and federal agencies to do stream restoration projects, limited capacity to conduct archaeological clearances necessary to conduct large scale vegetation management and habitat restoration projects.

Most recently, CDFW's bureaucratic processes which are restricting the well-documented necessity to conduct raven population control measures, is working against sage grouse nesting success. The current raven population is well above that threshold that significantly reduces sage grouse nest success therefore restricting sage

¹<https://ucanr.edu/sites/buff-sked-rangeland-project/>

²<https://www.usgs.gov/publications/a-spatially-explicit-modeling-framework-guide-management-subsidized-avian-predator>

³ <https://ucanr.edu/sites/buff-sked-rangeland-project/files/381538.pdf>

grouse population recovery (O'Neill, et al 2023²). In conjunction with the implementation of the Buffalo-Skedaddle Sage Grouse Conservation Strategy³, raven control, similar to what is done in support of the desert tortoise, is needed.

The consequences of state CESA listing are difficult to quantify, but there is no evidence that such a listing will provide any additional capacity to implement work on the ground. To the contrary, experience has consistently demonstrated that once such state-level actions are taken, energy is redirected into arguments about the regulatory program itself rather than completing conservation projects that would benefit sage grouse and other wildlife. Furthermore, CESA listings work against the collaborative efforts such as Buffalo-Skedaddle as many partners will be reluctant to participate in conservation processes with CESA listed species.

A CESA listing will not improve regulatory efficiency to cut "green tape" to expedite beneficial environmental conservation and restoration efforts such as the Buffalo-Skedaddle strategy. CDFW does not have the staffing and funding capacity itself, nor the credibility with local partners or federal agencies to overcome the loss of the multi-partner collaborative conservation work that currently exists. The pace, scale, and quality of on-the-ground conservation work in Lassen County will be significantly reduced or cease to exist in California in the event of a CESA listing by the California Fish and Game Commission.

Loss of planned conservation investments in Lassen County from CESA restrictions could result in the loss of jobs, revenue and tax base for Californians. According to the U.S. Census, 19 percent of our residents live in poverty, and per capita income is approximately \$21,214 in the unincorporated communities and \$14,002 in the City of Susanville. The countywide labor force has declined approximately 35 percent over the past decade and that situation has not been helped by the State's recent closure of the California Correctional Center; an estimated net loss of 600 State jobs and \$160 million in local payroll. The February 2024 preliminary unemployment rate is 7.8% in Lassen County, which is 3.6% higher than the U.S. Unemployment Rate and 2.2% higher than the California Unemployment Rate.

Thank you for your time and attention to this matter.

Sincerely,



Richard Egan, County Administrative Officer

cc: Lassen County Board of Supervisors
Assembly Member Megan Dahle
Senator Brian Dahle
Rural County Representatives of California (RCRC)
California State Association of Counties (CSAC)
City of Susanville, City Council

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²<https://www.usgs.gov/publications/a-spatially-explicit-modeling-framework-guide-management-subsidized-avian-predator>

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