

Guidance for Endangered Species Act Conferencing for Gunnison Sage-grouse and Proposed Critical Habitat

Background

- Pursuant to section 7 of the Endangered Species Act (ESA) for Federal agencies, conferencing on proposed species is required only for projects that are likely to jeopardize Gunnison sage-grouse (GUSG), or for projects likely to result in destruction or adverse modification of proposed critical habitat for the species.
- Pursuant to section 7 of the ESA, the Service does not provide “concurrence” for projects that “may affect” proposed species (such as Gunnison sage-grouse) or proposed critical habitat, or projects determined to have “no effect”.

Expectations

- The Service requests that Federal agencies seek section 7 conferencing only for landscape level projects, and/or projects that are likely to jeopardize GUSG, or projects likely to result in destruction or adverse modification of proposed critical habitat for the species (however, see *Recommendations* below). This is consistent with the section 7 regulations and requirements for Federal agencies.
- The Service will continue focusing its conferencing efforts on significant, landscape level projects or activities that may affect Gunnison sage-grouse. This includes planning associated with conservation tools and actions. Examples of significant, landscape level projects include resource or forest management plans, national wildlife and species initiatives, and candidate conservation agreements.

Recommendations

- The Services recommends that Federal agencies consult the Gunnison sage-grouse Rangewide Conservation Plan (e.g., see Appendix I: GUSG Disturbance Guidelines) in the design of their projects. As necessary, the Service can provide further technical assistance in the design of projects to avoid and minimize effects to GUSG.
- The Service recommends that Federal agencies internally document project effect determinations (e.g., no jeopardy or adverse modification), as appropriate, including rationale for not conferencing under the ESA (see *Background* above).