

HOUSE BILL NO. 580

INTRODUCED BY CONNELL, HAMLETT

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING AN APPROPRIATION FOR THE GREATER SAGE-GROUSE HABITAT CONSERVATION ADVISORY COUNCIL ESTABLISHED BY THE GOVERNOR; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, the greater sage-grouse (*Centrocercus urophasianus*) is an iconic species that inhabits much of the sagebrush-grassland habitats in Montana; and

WHEREAS, the State of Montana currently enjoys viable and widespread populations of the species, the second largest abundance of greater sage-grouse among western states; and

WHEREAS, the United States Fish and Wildlife Service (USFWS) has determined that the greater sage-grouse species is warranted for listing as a threatened or endangered species under the Endangered Species Act (ESA) but is precluded by other higher priority species; and

WHEREAS, the United States District Court for the District of Idaho ruled on February 2, 2012, that the USFWS must reevaluate the status of the greater sage-grouse by September 30, 2015; and

WHEREAS, the United States Secretary of the Interior has invited Montana and other western states impacted by the potential listing of the greater sage-grouse to develop state-specific regulatory mechanisms to conserve the species and preclude the need to list it under the ESA; and

WHEREAS, the development of a state-specific strategy in Montana will be critical in demonstrating to the USFWS that the species does not warrant federal protection under the ESA; and

WHEREAS, the United States Bureau of Land Management (BLM) and the United States Forest Service (USFS) are currently implementing national instruction memoranda to guide interim management of public lands and to develop greater sage-grouse conservation measures for incorporation into the agencies' respective land use plans; and

WHEREAS, the development of a state-specific strategy will enable the BLM and USFS to incorporate relevant elements from the strategy into their land use plans and environmental analyses; and

WHEREAS, approximately half of greater sage-grouse habitat in Montana involves private property, and maintaining the species will require effective conservation strategies across property ownerships; and

WHEREAS, the State of Montana has management authority over greater sage-grouse populations in

1 Montana; and

2 WHEREAS, the State of Montana in collaboration with stakeholders developed and adopted a state  
3 greater sage-grouse plan in 2004, pertaining to sage-grouse population responses to large scale changes in  
4 habitat; and

5 WHEREAS, the State of Montana has identified and will update, as appropriate, greater sage-grouse core  
6 areas, which include priority habitats for conservation; and

7 WHEREAS, it is in the interest of this state to bring stakeholders and experts together to recommend a  
8 course of action that will provide for conservation measures sufficient to preclude the need to list the greater  
9 sage-grouse; and

10 WHEREAS, the listing of the greater sage-grouse could have a significant adverse effect on the economy  
11 of the state of Montana; and

12 WHEREAS, it is appropriate and beneficial to fund the Greater Sage-Grouse Habitat Conservation  
13 Advisory Council established by Governor Steve Bullock in Executive Order No. 2-2013.

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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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17 NEW SECTION. Section 1. Appropriation. (1) There is appropriated A TOTAL OF \$75,000 from the  
18 general fund to the governor's office for the ~~biennium~~ BIENNIUMS beginning JULY 1, 2011, AND July 1, 2013, for the  
19 purpose of funding the greater sage-grouse habitat conservation advisory council established by the governor  
20 in Executive Order No. 2-2013.

21 (2) The legislature recommends that the greater sage-grouse habitat conservation advisory council  
22 develop its proposed recommendations on policies and actions for a statewide strategy to preclude the need to  
23 list the greater sage-grouse under the Endangered Species Act of 1973 by October 31, 2013, so that the public  
24 may review and comment on the proposed recommendations and the council may make any necessary changes  
25 prior to the recommendations being delivered to the governor by the established deadline of January 31, 2014.

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27 NEW SECTION. Section 2. Effective date. [This act] is effective ~~July 1, 2013~~ ON PASSAGE AND  
28 APPROVAL.

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- END -