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Future of grouse up in the air *Valley reacts to judge's decision*

By Matt Christensen

JEROME - When Tom Hemker, Idaho Department of Fish and Game's sage grouse manager, lugged burlap sacks stuffed with bird wings into a shed Wednesday at the agency's Jerome office, he noticed the bags were a bit lighter than last year's.

Each fall, officials from across the state gather to tally grouse wings harvested by hunters. The wings indicate the health and population of the species, and data collected at each year's "wing bee" help authorities shape grouse-management policy.

But the dozen or so scientists huddled in the cold shed probably knew the count would be light this year. Sage grouse numbers are down statewide, especially in Magic Valley, where summer wildfires devastated some of the nation's best grouse habitat.

Earlier this week in Boise, U.S. District Judge B. Lynn Winmill rejected a 2004 federal decision not to list sage grouse under the Endangered Species Act. The U.S. Fish and Wildlife Service, Winmill said, failed to consider the expert opinions of its own scientists in forming its decision.

One member of the department, former Deputy Assistant Secretary Julie MacDonald, even went as far as intimidating scientists and tweaking reports to keep grouse off the list, Winmill said.

Winmill directed the Fish and Wildlife Service to reconsider its decision using the best available science.

Nearly all evidence shows grouse habitat is in decline. Most experts agree grouse numbers continue to fall. But how to best manage the species evades consensus, as this week's decision shows, even among members of the same management departments.

"I don't think they need to be listed in 2008," Hemker said outside the shed in Jerome. "There are still a lot of sage grouse in Idaho. Our numbers are still above what they were 10 years ago."

Magic Valley officials aren't so sure.

"They'll be listed - there's no doubt in my mind," said Dave Parrish, head of Fish and Game's Magic Valley office. "We don't want to see them listed, but when you look at all the habitat we've lost, there's not really any other conclusion you can make."

About 75 prime grouse mating areas, called leks, were destroyed in southern Idaho by summer wildfires. To the east, oil and gas companies are destroying habitat, and their impacts are expected to only get worse.

West Nile virus devastated grouse populations in 2006, especially in Owyhee County, where officials closed hunting for a season.

Livestock grazing also destroys grouse habitat, says Hailey-based Western Watersheds Project, an environmental group that brought the legal challenge to the federal decision.

"Our group is dedicated to protecting and restoring native habitat for wildlife, and the best way to do that is to get rid of grazing on public land," said Jon Marvel, who heads WWP.

Marvel said he applauds Winmill's decision, and he expects land management agencies to shift policy regardless of whether grouse are eventually listed.

Winmill's ruling worries Idaho's cattle industry, which grazes on grouse habitat, mostly on Bureau of Land Management land.

About 46 percent of the West's grouse habitat is on BLM-administered land.

"Obviously, we're disappointed in the decision," said Gooding resident Jeff Faulkner, president of the Idaho Cattle Association. "But we need to sit down and study what exactly it means."

Faulkner and other ranchers worry that if grouse are eventually listed, it'll spell economic disaster for Idaho's cattle industry. And once a species is listed, he said, it's extremely difficult to get it off the list.

It is unclear how Fish and Wildlife will rethink its decision.

"What an odd process," Winmill wrote of the department's current method. "Right when the 'best science' was most needed, it was locked out of the room."

Winmill said that he doubts the same flawed process could be used again to reconsider the listing of any species.

Fish and Wildlife's Boise office did not return calls for this story.