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To afore mentioned addressees:

As allowed by the information quality guidelines pursuant to Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 and 44 U.S.C. 3502 with adherence to Part 5: "Request for Correction Procedures" of the U.S. Fish and Wildlife Service Information Guidelines and Peer Review, I urge the U.S. Fish and Wildlife Services (FWS) and interconnected federal and state agencies to consider correction and subsequent removal of errant and unproven population data included in the U.S. Fish and Wildlife Service Species Assessment and Listing Priority Assignment Form for Centrocercus urophasianus (Greater sage-grouse) (current version as of 04/24/2013) (heretofore referred to as Sage-Grouse ESA Species Listing Form).

The following is an explanation of reasoning for this request and is intended to urge the FWS and Department of Interior (DOI) to re-examine methodology for estimating sage-grouse populations before classifying the species as a "Continuing Candidate" under petition for listing under the Endangered Species Act (ESA). A general overview and in-depth analysis of references reveals that FWS population estimates for the Greater sage-grouse are based on inaccurate/un-proven and largely un-recognized scientific methodology lacking measurable accountability metrics and comprehensive standards sufficient enough to establish habitat management plans for a state or regional delineation such as Region 6 (Mountain-Prarie Region) or Management Zones (MZ) I – Management Zone VII.

The following explanation of reasoning also includes a Point of Technical Error in Data disbursement and calls to attention of non-compliance with DOI Information Quality Guidelines as the presented in the Sage-Grouse ESA Species Listing Form applies to/affects human populations.

Point of Technical Error in Data disbursement:

The "U.S. Fish and Wildlife Service Species Assessment and Listing Priority Assignment Form" for Centrocercus urophasianus (Greater sage-grouse) as made available at the URL: http://ecos.fws.gov/docs/candidate/assessments/2014/r6/B06W_V02.pdf excludes Figures and Tables from the document. Figures 1 and 2 and Tables 3, 5 and 7 do not appear on the downloadable version of this document. A properly formatted version including these missing figures and tables should be made available to the public for better data understanding prior to FWS decision making to allow for an adequate public review of this information as it is referenced within the context of the document. This exclusion of figures and tables is non-compliant with U.S. DOI Information Quality Guidelines Section II: 4 (c).

Quality of Data for Population Estimates:

Pursuant to U.S. DOI Information Quality Guidelines Section II: 4 (a), (b), (c), the population estimates described in the "Sage-Grouse ESA Species Listing Form" under the heading "Population Estimates/Status" fail to *"Use the best available science and supporting studies conducted in accordance with sound and objective scientific practices…"*. In using these population estimates the FWS, DOI and other agencies relying on the "Sage-Grouse ESA Species Listing Form" fail to *"Use data collected by standard and accepted methods…"* pursuant to U.S. DOI Information Quality Guidelines (Section II: 4 (b)).

Under the heading "Population Estimates/Status" within the "Sage-Grouse ESA Species Listing Form," there are numerous cases of admission to the fact that methodology reliant upon male lek counts in extrapolating data to determine total species population estimates is *"difficult as the relationship of those data to actual population size (e.g. ratio of males to females, percent unseen birds) is usually unknown (WAFWA 2008, p.3; Fedy and Aldridge 2011, p.17)."* Subsequently, all estimates of sage-grouse populations are inadequate to qualify as quality data under the U.S. DOI Information Quality Guidelines Section II: 4 (a) and (b).

Statements such as: *"In summary, since neither pre-settlement nor current numbers of sage-grouse are accurately known, the actual rate and magnitude of decline since pre-settlement times is uncertain"* from the "Sage-Grouse ESA Species Listing Form" are unsettling given the ramifications of this document's purpose.

Alternative studies documented in this form (e.g.: *"However, three groups of researchers using different statistical methods (but the same lek count data) concluded that rangewide…"*) still use lek count data, disregarding the document's revelation that such methodology is unreliable and inaccurate.

The use of anecdotal information included in the "Sage-Grouse ESA Species Listing Form" is also non-compliant with U.S. DOI Information Quality Guidelines Section II:4 (a) and (b). The following statements under the "Population Estimates/Status" heading exemplify a reliance on anecdotal evidence, which is not *"sound and objective scientific practices"* or *"standard and*

accepted methods" as required by U.S. DOI Information Quality Guidelines Section II: 4 (a) and (b).

> *"Estimates of greater sage-grouse abundance were mostly anecdotal prior to the implementation of systematic surveys in the 1950's (Braun 1998, p. 139). Early reports suggested the birds were abundant throughout their range, with estimates of historical populations ranging from 1,600,000 to 16,000,000 birds (65 FR 51580). However, concerns about extinction were raised in early literature due to market hunting and habitat alteration (Hornaday 1916, pp. 181-185). Following a review of published literature and anecdotal reports, Conelly et al. (2004, ES-1-3) concluded that the abundance of sage-grouse has declined from pre-settlement (defined as 1800) numbers. Most of the historical population changes were the result of local extirpations, which have been inferred form a 44 percent reduction in sage-grouse distribution described by Schroeder et al. 2004 (Connelly et al. 2004, p. 6-7).*

The previous passage is contradicted with the following under "Population Trends":

> *"Although population numbers are difficult to estimate, the long-term data collected from counting males on leks provides insight to population trends. Periods of historical decline in sage-grouse abundance occurred from the late 1800s to the early 1900s (Hornaday 1916, pp. 179-221; Crawford 1982, pp. 3-6; Drut 1994, pp.2-5; Washington Department of Fish and Wildlife 1995; Braun 1998, p. 140; Schroeder et al. 1999, p. 1).Other noticeable declines in sage grouse populations occurred in the 1920s and 1930s, and then again in the1960s and 1970s (Connelly and Braun 1997, p. 3-4; Braun 1998, p. 141). Declines in the 1920s and 1930s were attributed to hunting, and declines in the 1960s and 1970s were primarily a result of loss of habitat quality and quantity (Connelly and Braun 1997, p. 2).*

Using estimates from the late 1800s-1950 are anecdotal and are therefore non-compliant with U.S. DOI Information Quality Guidelines Section II: 4 (a) and (b) because *"Estimates of greater sage-grouse abundance were mostly anecdotal prior to the implementation of systematic surveys in the 1950's."*

<u>Lacking Comprehensive Quality of Data for Populations Affected:</u>

Pursuant to U.S. DOI Information Quality Guidelines Section II: 4 (c), (i, ii, iii), which states:

> *"(c) In the dissemination of influential scientific information about risks, ensure that the presentation of information is as comprehensive as possible, informative, and understandable. In a document made available to the public, specify, to the extent practicable:*
>
> *(i) Each population addressed by an estimate of applicable effects*
>
> *(ii) The expected risk or central estimate of risk for the specific populations affected.*
>
> *...*
>
> *(iii) Each significant uncertainty identified in the process of the risk assessment and studies that would assist in reducing the uncertainty.*
>
> *...*

The "Sage-Grouse ESA Species Listing Form" includes no data on one of the major *"population(s) addressed by an estimate of applicable effects"* which is the human population that will be affected by the data that would determine an ESA ruling for listing the greater sage-grouse for protection under the ESA. Data and information included in the form excludes an evaluation of the negative and positive condition of the human habitat that will be altered by

decisions made using the "Sage-Grouse ESA Species Listing Form." More comprehensive data is necessary to meet the U.S. DOI Information Quality Guideline's requirements for quality as stated in Section II: 4: *"With respect to influential scientific information disseminated by the Department, regarding analysis to human health, safety, and the environment, the Department will ensure to the extent practicable, the objectivity of this information by adapting the quality principles found in the Safe Drinking Water Act Amendments of 1996."* These guidelines for quality data and information hold FWS and DOI accountable to regard *"human health, safety and the environment"* in influential scientific data. The current "Sage-Grouse ESA Species Listing Form" does not meet these criteria by excluding data that calculates the impact of the sage-grouse species on human health and safety. (e.g.: Bad land management decisions using this data could lead to fuel heavy forests which burn and release smoke into the air, which harms human health and safety. Removing grazing access to public lands will lead to a decrease in beef production, beef production profitability and will in turn lead to harms on human health and safety due to the lack of economic opportunity and so on…)

A comprehensive determination of the interconnected relationship that is mutually beneficial, between humans and sage-grouse must be included in the "Sage-Grouse ESA Species Listing Form" prior to listing decisions for sage-grouse under the ESA.

Effect of the Error:

Human health and safety, as well as harms to the environment would be significant without adequate and accurate population estimates and impact data on the affected populations (humans, other species and sage-grouse).

Specifically, the requester (Mitch Staley) uses this data to contribute to public comments, legislative assistance duties and other means that create public land use management plans. Without accurate population estimates, any measure of accuracy for management plans would be invalid because there is no scientifically valid base-line (control group) population count to measure any progress made by management or protection plans. Any scientific study must have a control group to measure the effect of a treatment. A management plan or protection plan for sage-grouse is the equivalent of an experiment testing a hypothesis. A hypothetical example would be: There are 100,000 sage grouse in MZ-I in 2014 (the 100,000 sage-grouse are the control group in this experiment), our hypothesis states that decreasing predators will increase the health of sage-grouse populations in MZ-I. Our treatment in this experiment is to "decrease predators." After six-years, we will be able to determine the validity of our treatment because we knew our control group was 100,000 grouse. If we find that we have 150,000 grouse in 2020, we will know that our treatment was effective. If we find fewer than 100,000 grouse in 2020, we will know that we did not impact the issue.

Not knowing an accurate control number for sage-grouse prior to implementing any management treatment (whether its ESA listing or stricter management) is un-scientific and would determine invalid results that no proper conclusions could be drawn to infer upon the greater sage-grouse population. Planning without accurate data—planning that includes removing grazing access, hinders private land development, hinders public forest management and impacts local economies—is harmful to the requester and the human population in Region 6 (Mountain-Prairie

Region) and the economies that rely on Region 6 industries. We must have accountable and scientifically valid methodology to determine control groups to draw inferable conclusions from our efforts. The "Sage-Grouse ESA Species Listing Form" does not reveal such methodology or valid control groups.

Influential Information Classification:

U.S. DOI Information Quality Guidelines Definition 9, which states:

> *9. Influential, when used in the phrase "influential scientific, financial, or statistical information" means that the Department can reasonably determine that dissemination of the information will have or does have a clear and substantial impact on important public policies or important private sector decisions. The Department, including all offices and bureaus and the NISC, is authorized to define "influential" in ways appropriate for it, given the nature and multiplicity of issues for which the bureau or component is responsible.*

Adhering to this definition of "Influential," classifies the information and data (species population estimates and impact to human populations) in question by the requestor as influential as required by Part 5: "Request for Correction Procedures" of the U.S. Fish and Wildlife Service Information Guidelines and Peer Review.

The data in question holds a *"clear and substantial impact on important public policies or important private sector decisions."* The data in question sets a control group to measure progress of any future management plan or listing efforts while excluding data and research on the potential harms to other populations (humans and others) as required by U.S. DOI Information Quality Guidelines.

Relevant Supporting Documentation:

Electronic Communication with Montana Fish and Wildlife and Parks official:

> *"Hi Mitch,*
>
> *I don't believe there have been any more recent estimates of population size. FWP doesn't necessarily endorse the USFWS number (but we don't refute it either). We feel that extrapolating our male counts on leks to a population estimate would be so full of assumptions that whatever number we came up with could potentially miss the true number significantly. We are having discussions internally and range-wide about some survey methods that would allow us to estimate the number of birds with more confidence. The earliest we could start that would be next spring.*
>
> *A lot of people want a population number. Unfortunately we don't have the right information to supply that with any confidence.*
>
> *Thanks for your interest."*

This correspondence provides validating evidence for the concerns expressed in this request.

Links to Concerned Documents:

U.S. DOI Information Quality Guidelines:
https://www.doioig.gov/docs/InformationQualityGuidelines.pdf

U.S. FWS Information Quality Guidelines:
http://www.fws.gov/informationquality/

U.S. Fish and Wildlife Service Species Assessment and Listing Priority Assignment Form for Centrocercus urophasianus (Greater sage-grouse) (current version as of 04/24/2013) (referred to as "Sage-Grouse ESA Species Listing Form")
http://ecos.fws.gov/docs/candidate/assessments/2014/r6/B06W_V02.pdf

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