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## Groups vow to sue because sage grouse unprotected

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Three environmental groups announced Monday they intend to sue the Interior Department for not protecting sage grouse as an endangered or threatened species.

The Center for Biological Diversity, Desert Survivors and Western Watersheds Project said the department violated the Endangered Species Act by classifying sage grouse not as threatened or endangered but merely as candidates for such protection.

Some of the roughly 250 species considered candidates for protection have been on the candidate species list for decades. The groups pointed out in an intent-to-sue letter Monday to Interior Secretary Ken Salazar that relatively few species in recent years have been gaining protection under the Endangered Species Act.

The average during the Clinton administration was 65 a year, the groups wrote, while the average since 2005 has been just three a year.

At that rate, they wrote, sage grouse are unlikely to be protected any time soon.

"This is an agency dragging its feet," said Rob Mrowka, an ecologist in Las Vegas for the Center for Biological Diversity.

An Interior spokeswoman declined to comment, citing department policy for matters in litigation.

Sage grouse are a mottled brown, football-sized bird found in Wyoming, Montana, Idaho, Nevada, California, Colorado, Utah, Washington, Oregon, South Dakota, North Dakota and Canada.

Wyoming is believed to host about half of the birds but much of their sagebrush habitat in the state's vast basins also is prime country for oil and gas drilling. In Nevada, sage grouse are threatened by cheatgrass, an invasive species prone to wildfires that burn native sagebrush.

The Interior Department announced March 5 that protection for sage grouse is warranted but precluded by higher priorities - other species deemed in greater need of protection. The department announced the same finding for the distinct Mono Basin sage grouse population along the California-Nevada line.

The oil and gas, wind and ranching industries greatly feared an endangered or threatened listing, which would have restricted many activities on public land across the West.

The Fish and Wildlife Service assigns each candidate species a priority number between one and 12, with

lower numbers being higher priorities for protection. The sage grouse across its 11-state range was assigned a number eight. The Mono Basin population got a three.

About half of all candidate species are ones and twos, meaning even the Mono Basin sage grouse are halfway down the priority list, said Noah Greenwald, endangered species program coordinator for the Center for Biological Diversity.

Sage grouse are in "a purgatory that could last literally decades," Greenwald said.

Sixty days' notice is required ahead of filing a lawsuit under the Endangered Species Act. Western Watersheds Project already has filed a complaint over sage grouse, a case in Boise, Idaho, that led to the candidate species finding.

Western Watersheds Project contested the candidate species finding three weeks ago by filing a supplemental complaint in its case. Executive Director Jon Marvel suggested the other groups could join Western Watersheds Project lawsuit or file elsewhere.

Mrowka said the groups haven't decided where they might sue.