



DEPARTMENT OF THE ARMY
ASSISTANT SECRETARY OF THE ARMY
INSTALLATIONS, ENERGY AND ENVIRONMENT
110 ARMY PENTAGON
WASHINGTON DC 20310-0110
APR 15 2016

The Honorable Adam Smith
Ranking Member
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

Dear Representative Smith:

This letter is in response to your request regarding the Greater Sage-grouse and whether a future decision to list the species under the Endangered Species Act would affect military training, operations, and readiness.

The Department of the Army is closely monitoring the status of the Greater Sage-grouse and its relationship to the Army mission. We currently believe that existing statutory authorities adequately protect the interests of the Department and we do not anticipate a need for additional legislation from Congress. The Army's responses to your specific questions are attached.

Thank you for your inquiry into this matter and your continued support of the Army, our Soldiers and their Families.

Sincerely

A handwritten signature in green ink, appearing to read "Katherine Hammack", with a long horizontal line extending to the right.

Katherine Hammack

Enclosure

1. How would the land use plans, and other requirements for protection of the Greater Sage-grouse and its habitat, affect military training, operations, or readiness? The Army has reviewed relevant portions of Bureau of Land Management, U.S. Forest Service, and state management plans and does not believe these plans will affect Army training, operations, or readiness to any significant degree. Army installations such as Yakima Training Center with a resident population of greater sage-grouse have already included conservation measures for this species in their Integrated Natural Resources Management Plan (INRMP). INRMPs and the species conservation measures therein are approved by both the U.S. Fish and Wildlife Service (USFWS) and the state conservation agency. The Greater Sage-grouse conservation measures in the INRMP have not prevented Yakima Training Center from meeting its military mission.

2. If the Greater Sage-grouse were to be listed as threatened or endangered under the ESA, what affect would that decision have on military training, operations, or readiness? If the species were to be listed as threatened or endangered, consultation under Section 7 of the Endangered Species Act (ESA) would be required for actions on Army lands that may affect the species. While there had been some concern that listing the Greater Sage-grouse may result in additional restrictions, the Army now expects the USFWS to take into account the Greater Sage-grouse conservation measures we have implemented through our INRMPs, rather than requiring additional restrictions or mitigation actions. We also expect our installations would be exempt from the designation of critical habitat because of the conservation measures in our INRMPs. Therefore, considering these expectations, the Army does not anticipate a significant impact to military training, operations, or readiness if the species is listed under the ESA.

3. How do the Integrated Natural Resources Management Plans (INRMPs) allow for both training and wildlife conservation at U.S. military installations while not adversely affecting military training, operations, or readiness? Army INRMPs establish conservation measures for the natural resources on Army installations that are consistent with the military use of our installations and ensure that there is no net loss in the capability of installation lands to support the military mission. Army INRMPs are developed by the Army's installation natural resource managers in close coordination with our training range managers and installation commanders. This ensures that there are effective species conservation measures and that those measures are tailored to the installation military mission to avoid adverse effects to mission.

4. What statutory authorities does the Department of Defense have to address potential conflicts that may arise in the future to ensure that military training, operations, and readiness will not be adversely affected? Does the Department believe these authorities are sufficient to protect the interests of the Department of Defense without additional legislation from Congress? Congress made several important changes to Section 4 of the ESA in 2003 that provide DoD the authorities to address conflicts. ESA subparagraph 4(a)(3)(B) exempts military lands from critical habitat designation if the lands are covered by an approved INRMP that provides a benefit to the subject species. The DoD may also rely on ESA paragraph 4(b)(2) to exclude the installation from critical habitat designation based on potential impacts to national security. The DoD may also invoke subsection 7(j) of the ESA. This provision directs the Endangered Species Committee to grant an exemption for any action the Secretary of Defense believes is necessary for reasons of national security. The cited authorities are sufficient to protect the interests of the Army without additional legislation from Congress.