

Part I – Agency Profile

Agency Overview

The Governor's Office of Species Conservation was created in 2000 with passage of Senate Bill 1490, which set up the agency within the Executive Office of the Governor. The Governor's Office of Species Conservation is dedicated to planning, coordinating and implementing the State's actions to preserve, protect and restore species listed as threatened and endangered under the federal Endangered Species Act (ESA). This work will be done in coordination with the State's natural resource agencies and with input of the citizen of Idaho, while taking into consideration the economic vitality of the State. The Office of Species Conservation is located on the first floor of the Borah building across the street from the Idaho State Capitol.

Core Functions/Idaho Code

- 1) **Coordinate** federal ESA programs with State agencies (§ 67-818).
- 2) **Solicit**, provide, and delegate funding for ESA programs (§67-819).
- 3) **Create** de-listing advisory teams (§ 36-2402, 2403, 2404).
- 4) **Serve** as the State's "one voice" on ESA policy (§ 67-818, 2(a)).
- 5) **Provide** a mechanism for Idaho citizens to voice ESA concerns (§ 67-818, 2(g)).
- 6) **Facilitate** collaboration between State, federal and private stakeholders (§ 67-818, 2(b)(c)(g)).

The Office of Species Conservation has three goals that guide the performance of its core functions:

- 1) Coordinate implementation of State policy among State agencies with regards to ESA programs.
- 2) Negotiate agreements with federal resource agencies that rely upon science and common sense, involve all parties affected by recovery decisions, and incorporate Idaho's economic vitality and values.
- 3) Coordinate the solicitation of funding resources, provide reasonable oversight and insure cost effective allocation of funding for ESA programs.

Key Challenges to fulfilling the Office's mission are changes in federal regulations, adjustments in priority due to petitions and/or litigation, unpredictable funding sources, and random environmental events with implications for ESA species.

Revenue and Expenditures

Revenue	FY 2013	FY 2014	FY 2015	FY 2016
General Fund	\$473,200	\$478,300	\$693,800	\$1,004,800
Federal Grant	\$6,830,500	\$4,979,500	\$5,857,400	\$12,785,700
Miscellaneous Revenue	\$0	\$72,000	\$0	\$0
Total	\$7,303,700	\$5,529,800	\$6,551,200	\$13,790,500
Expenditures	FY 2013	FY 2014	FY 2015	FY 2016
Personnel Costs	\$870,100	\$898,100	\$944,900	\$1,023,000
Operating Expenditures	\$211,400	\$210,810	\$345,300	\$614,800
Capital Outlay	\$0	\$34,200	\$1,900	\$2,800
Trustee/Benefit Payments	\$8,902,800	\$6,557,400	\$10,303,800	\$11,560,600
Total	\$9,984,300	\$7,700,500	\$11,597,900	\$13,068,900

Profile of Cases Managed and/or Key Services Provided *

Cases Managed and/or Key Services Provided	FY 2013	FY 2014	FY 2015	FY 2016
Pacific Coastal Salmon Recovery	\$1,836,856	\$2,804,425	\$3,030,762	\$3,485,164
Fish Habitat	\$15,000	\$25,060	\$1,439	\$0
Bull Trout	\$0	\$0	\$0	\$0
Snake River Basin Adjudication	\$2,683,452	\$2,080,174	\$5,010,337	\$2,051,099
Bonneville Power Fish Accords	\$3,051,862	\$1,083,274	\$1,700,220	\$3,316,880
Wolf Management	\$1,191,564	\$511,292	\$458,060	\$62,688
Wolf Depredation Claims / Awards	27/27	45/44	16/16	16/14
Freshwater Mollusk	\$810	\$0	\$1,090	\$3,570

Cases Managed and/or Key Services Provided	FY 2013	FY 2014	FY 2015	FY 2016
Sage Grouse Conservation	\$123,229	\$53,194	\$101,793	\$302,181
Total	\$8,902,772	\$6,557,420	\$10,303,702	\$9,221,582

*Values in table represent T&B expenditures as a proxy for key services provided.

Performance Highlights

- OSC Staff participated in and/or led at least 620 State policy coordination meetings.
- Provided comment and coordination on multiple ESA and land-use planning matters.
- Dispensed wolf depredation compensation funds: received 16 claims/awarded 14 claims/paid \$36,000.
- Conducted 2 proposal solicitations (RFP's) for OSC federal assistance programs.
- Received 22 project proposals for federal assistance.
- Awarded 20 projects for funding totaling \$3,793,222.
- Provided \$118,000 in support of six Rangeland Fire Protection Associations for protection of greater sage-grouse habitat.
- Provided financial support towards the Soda Fire rehabilitation on State and private lands.
- Provided financial and technical support on 2 juniper encroachment projects in Owyhee County.
- Provided financial and technical support on a single wet meadow project in Owyhee County.
- Provided financial and technical support on sage grouse lek monitoring in Owyhee County.
- Sage-Grouse
 - The USFWS formally designated the sage-grouse as a candidate species for listing under the ESA in 2010. Following a comprehensive statewide collaborative planning effort, Governor Otter submitted the Governor's Alternative for inclusion in the federal land-use plan amendment process. As the listing decision date approached in 2015, federal planners at the Interior Department opted to replace locally agreed upon plans with top-down plans. These changes resulted in substantially more restrictive measures than were agreed upon by affected states. The USFWS ultimately determined the sage-grouse was not warranted for listing, however, the State was not supportive of the overly restrictive land-use plan amendments that predicated the USFWS' decision. Subsequently, Governor C.L. "Butch" Otter files a lawsuit in October 2015 in Washington D.C. challenging the newly minted land-use plan amendments.
 - Despite the challenges the State is facing with the federal government over sage-grouse, it has been important for the State to continue to demonstrate its commitment to sage-grouse conservation, as we work to retain management jurisdiction over the species. As such, the Idaho legislature appropriated funding in FY2016 for on-the-ground sage-grouse conservation and habitat improvement projects. OSC staff have been working with sage-grouse action teams to prioritize and fund sage-grouse conservation projects. An OSC staff member has been providing coordination and administration for sage-grouse conservation actions.
- Canada Lynx
 - OSC is assisting the Idaho Department of Fish and Game (IDFG) in a lawsuit filed by environmental organizations claiming that the State is liable for the incidental trapping of lynx, which is threatened under the ESA.
 - In January 2016, the federal court in Idaho determined that IDFG was vicariously liable for the incidental take of lynx via their issuance of trapping licenses.
 - A motion has been filed asking the judge to reconsider that decision based on information not considered in the original decision.
 - The judge's decision is currently pending.
- North American Wolverine
 - Governor Otter, via OSC, intervened as a defendant in a lawsuit challenging the USFWS's decision to not list the wolverine as a threatened species.
 - Idaho has been joined by the State of Montana and the State of Wyoming in the lawsuit.
 - In April 2015, the federal court in Montana ruled against the USFWS and ordered that the Agency reinstate rulemaking to incorporate the effects of climate change and genetic diversity into their listing determination.

- Bull Trout
 - Bull trout were listed as a threatened species in 1998, within its entire range in Idaho, Montana, Washington and Oregon. Under then-Governor Batt, Idaho developed a recovery plan, much of which is being used in the current federal recovery planning process.
 - Recently, the State of Idaho in conjunction with Montana provided comments on the 5-year status review of bull trout, noting that its abundance and range show the fish should be de-listed from the ESA.
 - The State of Idaho provided comments on the USFWS Recovery Plan and Recovery Unit Implementation.
- Salmon and Steelhead Recovery
 - OSC, in collaboration with our satellite offices in Salmon and Moscow, and partner agencies, continues to implement habitat restorative actions in watersheds with significant potential for salmon and steelhead recovery in Idaho. During FY16, OSC implemented 10.0 million dollars in habitat restoration projects in the Salmon and Clearwater watersheds.
 - OSC provided comments on the Fall Chinook Recovery Plan, and made significant contributions to the Spring/Summer Chinook and Steelhead Recovery Plan which will go out for public comment during fall of 2016.
 - OSC participated in the Federal Columbia River Power System (FCRPS) Tributary Habitat Action Evaluation that quantifies habitat projects designed to mitigate for the FCRPS.
- Lemhi/Upper Salmon Biological Opinions
 - In 2012, The National Marine Fisheries Service (NMFS) issued two Biological Opinions addressing the use and operation of in-stream diversions located on U.S. Forest Service land in the Lemhi and Upper Salmon watersheds. These opinions concluded that the continued operation of these diversions would jeopardize threatened and endangered fish species and would also adversely modify their habitat. OSC has contracted with a consultant to model water quantities that fish restoration projects have saved. Those water savings will be evaluated by NMFS to offset the water diversions on U.S. Forest Service (USFS) lands the Lemhi watershed.
- Idaho Roadless Rule Commission
 - OSC continues to serve as liaison between the Governor's Office and the Idaho Roadless Commission.
- Woodland Caribou
 - Beginning in late 2015, OSC has been actively involved in the development of a recovery plan for the transboundary population of woodland caribou.
 - OSC also provided comments on several proposals related to woodland caribou, including a proposal to downlist the species from endangered to threatened.
- Yellowstone Grizzly Bears
 - OSC continues to work cooperatively with IDFG and other states on delisting Yellowstone grizzly bears.
 - In March 2016, USFWS published their proposal to delist the Yellowstone population of grizzly bears.
 - OSC provided comments on behalf of the State. Idaho is supportive of the delisting, but has some concerns related to requirements in the proposal that infringe upon state sovereignty.
- Slickspot Peppergrass
 - Slickspot peppergrass was listed as threatened in 2009, but following a lawsuit brought by Governor Otter, the plant was removed from the endangered species list.
 - In 2014, USFWS re-proposed to list slickspot peppergrass as threatened. OSC provided robust comments questioning the USFWS' conclusions that the plant qualified as a threatened species.
 - In August 2016, USFWS listed the plant as threatened under the ESA.
 - OSC is currently reviewing the final rule and will be working with affected landowners to help mitigate impacts on federal land.

Part II – Performance Measures

Goal #1. Coordinated implementation of State policy among State agencies pertaining to federal ESA programs. OSC collaborates with State natural resource agencies to coordinate the State's actions on all ESA recovery plans, management plans, public comment periods, biological opinions, species specific recovery projects, and assistance programs.

Goal #2: Negotiate agreements, deliver comments on federal policy and provide legal assistance. OSC facilitates and/or participates in the development of species and/or habitat conservation programs with Idaho citizens and industries that may be affected by ESA species decisions.

Goal #3: Coordinated solicitation, reasonable oversight and cost effective allocation of funding resources for ESA Programs. OSC solicits, provides and delegates funding towards efforts that: a) assist in precluding the need for listing species and through conservation efforts; b) recover listed species through conservation efforts; and c) delist recovered species through on-the-ground conservation efforts.

Performance Measure		FY 2013	FY 2014	FY 2015	FY 2016	Current Year
Goal 1						
<i>Coordinate State ESA Policy</i>						
1. State policy coordination meetings	actual	50+	50+	200+	620+	-----
	benchmark	12	12	12	200	200
Goal 2						
<i>Species and/or Habitat Consultation</i>						
2. Species/habitat/policy comments and litigation	actual	10	8	6	25	-----
	benchmark	1	1	1	1	1
Goal 3						
<i>Effective Project Management</i>						
3. Wolf depredation and compensation (claims/awarded/amount)	actual	27/27/11K	45/44/77K	16/16/36K	16/14/36K	-----
	benchmark	50/45/150K	50/45/150K	50/45/150K	15/15/30K	15/15/30K
4. Solicitations for conservation projects	actual	2	2	2	2	-----
	benchmark	2	2	2	2	2
5. Number of proposals received	actual	25	24	22	22	-----
	benchmark	25	25	25	20	20
6. Number of projects awarded funds	actual	22	21	20	20	-----
	benchmark	23	23	23	20	20
7. Amount of funding awarded to projects	actual	\$4,491,175	\$5,889,326	\$9,778,532	\$3,793,222	-----
	benchmark	\$6,000,000	\$6,000,000	\$6,000,000	\$3,500,000	\$3,500,000

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