

**GUNNISON BASIN SAGE-GROUSE STRATEGIC COMMITTEE
REGULAR MEETING MINUTES
April 9, 2009**

The April 9, 2009 Gunnison Basin Sage-grouse Strategic Committee meeting was held in the Commissioner's Meeting Room in the Courthouse at 200 E. Virginia, Gunnison CO 81230.

Regular Members Present:

Ken Stahlnecker, Chairperson, National Park Service (NPS)
Al Pfister, US Fish & Wildlife Service (USFWS)
Russell Japuntich, Bureau of Land Management (BLM)
J Wenum, Colorado Division of Wildlife (DOW)
Paula Swenson, Gunnison County Board of County Commissioners (BOCC)
Erich Ferchau, At-Large, Development Community
Gary Hausler, Public At-Large

Voting Alternate Members Present:

Elinor Laurie, Saguache County via Teleconference
Dan Morse, High County Citizens' Alliance (HCCA)
Mike Jackson, United States Forest Service (USFS)

Non-voting Alternate Members Present:

Keith Berger, Bureau of Land Management (BLM) via Teleconference

Staff Members Present:

Jim Cochran, Gunnison County Wildlife Conservation Coordinator
Ruth Dukeman, Administrative Assistant III

Others present as listed in text.

CALL TO ORDER: Chairperson Stahlnecker called the April 9, 2009 meeting of the Gunnison Basin Sage-grouse Strategic Committee to order at 10:04 am.

PUBLIC NOTICE CONFIRMED: Stahlnecker verified that proper legal public notice had occurred.

DETERMINATION OF QUORUM: Stahlnecker confirmed that a quorum was present.

AGENDA APPROVAL: Al Pfister requested the addition of an agenda item about how to address a situation where there is lack of consensus on a letter or other communication from the Committee. It was decided that this topic would be included under the Gunnison Rising Mitigation Letter of Concerns- City of Gunnison/Gunnison Valley Partners. The agenda was approved as circulated.

COMMITTEE MEMBER COMMENTS/REPORTS:

Colorado Division of Wildlife: Wenum reported that lek counts had begun. A recent hiring freeze was lifted for several sage-grouse related projects headed by Mike Phillips. When the freeze was imposed, plans were shifted to focus efforts on the San Miguel area. With the hiring freeze lifted personnel were hired to gather data for the Gunnison Area demography study. A captive rearing program will have staff start working on the project in Gunnison. They will then move to Ft. Collins to raise the chicks after egg collection.

Wenum provided an update on the Gunnison Prairie Dog plan including the development of the local implementation plan that may include the White Tailed Prairie Dog. A meeting is scheduled for May 21, 2009 with the location to be determined. Committee members will be invited to assist with the development and implementation of an action plan and the budget/costs for the projects.

Hausler shared information about national press coverage he had heard on the Candidate Conservation Agreement with Assurances (CCA) program. The Committee agreed to nominate the first participating landowner, Curtis Allen, for a stewardship award from the Local Working Group. A letter addressed to Allen Moores, chair of the Local Working Group I&E Committee referencing Mr. Allen's participation in the program will be prepared.

High County Citizens' Alliance: Cochran noted that Sue Navy was out of town because of a death in her family.

U.S. Fish and Wildlife Service: Pfister reported that a settlement of the lawsuit concerning the Gunnison Sage-grouse listing decision was recently announced. The USFWS has agreed to reconsider its listing decision. Negotiations with the plaintiffs regarding the parameters of the reconsideration are occurring. Future actions are still to be determined.

U.S. Forest Service: Jim Dawson will be retiring as of May 1, 2009. Jackson announced that he too was planning to retire within the year and the replacement personnel will be invited to attend future meetings. Cochran asked that the USFS formally nominate replacements as soon as possible.

Bureau of Land Management: Berger joined the meeting via teleconference to announce the selection of the permanent Gunnison Field Office Manager, Brian St. George. He will be moving to the position from the Colorado State Office. Berger highlighted the extensive experience St. George brings to the position. Stahlnecker asked about the anticipated arrival date. Berger indicated it was believed to be mid-June.

APPROVAL OF MARCH 19, 2009 MEETING MINUTES: Modifications to the March 19, 2009 minutes were discussed and agreed upon. **Moved** by Swenson, seconded by Wenum to accept the March 19, 2009 meeting minutes as corrected. Motion carried.

LETTER TO COLORADO WILDLIFE COMMISSION REGARDING 5-YEAR SEASON STRUCTURE: Wenum was able to participate in this discussion with technical advice, but

could provide no opinion as to the letter content because of the DOW's regulatory and statutory relationship with the Wildlife Commission.

Stahlnecker noted that paragraph six contained the language: "The elk population objectives for the... we believe provides evidence that elk herds can be managed to achieve population objectives." Discussion ensued about that statement. Several Committee members felt that the sentence provided an example of how a unit could be managed to meet objective. Others expressed concern that the Committee's intention was not to make recommendations for habitat improvement, but to provide comments as to observed habitat condition. It was decided that the sentence could be interpreted with a positional tone regarding the current nomination of two Data Analysis Units (DAU) in the Gunnison Basin.

Moved by Swenson, seconded by Ferchau, to remove the sentence from the proposed letter.

Motion carried.

Hausler abstained from the vote, as he was absent from the previous meeting. He further expressed his concern that a study performed in a small area could result in response that would affect a much larger area than included in the study.

Wenum also abstained, for a potential conflict of interest as noted previously.

Ferchau expressed concerns about cattle issues and was reminded that the scientific information being referenced, specifically Japuntich's study, did not include cattle. The focus was on big game browse data. Additional discussion occurred about the BLM grazing permit administrative processes already in place to address habitat concerns for livestock.

The letter was reviewed for clarity with several modifications being made.

Randy Clark, citizen, commented that he felt that the Data Analysis Unit plans may be outdated and that the information included in letter could be interpreted as speculation about habitat decline. Pfister advised that was a great deal of scientific data referencing the topic, it was decided by the Committee to include more references to other studies available explaining that the number of elk can effect the quality of habitat.

The discussions lead to communicating non-supportive Committee members intentions in the letter. Past situations were reviewed, referencing how Wenum provided technical expertise and information, but abstained from voting on approval of the correspondence. It was decided that if applicable, a comment explaining a specific view or position could be included in the letter.

Moved by Pfister, seconded Swenson to send the letter as amended with the caveats for Wenum, including the modifications to explain the technical expertise provided by Wenum, to be further reviewed and discussed with Cochran as needed.

Motion carried.

Wenum abstained for potential conflict of interest.

GRAZING RESEARCH SUBCOMMITTEE REPORT: Peterson was absent from the meeting, Cochran provided a report about the subcommittee meeting held March 25, 2009 with options for a grazing research proposal prepared for presentation to the Committee:

1. Not move forward with the proposal.
2. Continue developing and maintaining base line data. Look at existing data in more detail for specific correlations. (GIS/mapping study compiling data)
3. To conduct a study that investigates the effects of grazing on forb production with the understanding that this information will help advance the science and be available for management decisions referencing sage-grouse. A tiered approach would allow for different levels of the study to be completed as funding was available.

All agreed that a grazing research study was valuable and wanted to continue moving forward with project development.

Deliberation about different levels of the study, funding availability and topics of consideration commenced. Japuntich requested additional communication with the livestock community, as their participation will be critical in project success. Concern was expressed that if the project was started, but not completed to the level proposed because of funding shortfalls, the data collected could be lost. All agreed that project design was paramount to the project success and that with adequate attention to the methodologies of the study any data collected could be useful.

Moved by Hausler, seconded by Swenson to continue to proceed with the development of a Sage-grouse related grazing study that recognizes fiscal constraints within budgets and to proceed with a modular approach to the project design without prioritizing the modules.

Discussion as to who would be responsible for project development, module prioritization, the exact goals and study design ensued with the determination that these issues would be addressed when the funding sources and amounts were known.

Motion Carried unanimously.

GUNNISON RISING MITIGATION LETTER OF CONCERNS- CITY OF GUNNISON/GUNNISON VALLEY PARTNERS: Community Development and Planning Director Steve Westbay was present for discussion. Modifications to the draft letter were discussed. It was asked why trail closures were included. Westbay noted that the City of Gunnison was proposing to have the authority to close the trails to prevent wildlife habitat disturbances.

Moved Swenson, seconded by Haulser to accept the letter as written and amended.

Discussion lead to how dissenting viewpoints could be included in the letter. Modification to the wording in the first paragraph to indicate that the Committee was not in full agreement was offered.

A friendly amendment was proposed by Swenson, seconded by Haulser to add modification of the verbiage to include indication that the committee not full agreement.

Jackson initially abstained. He was reminded that as the seated representative for the USFS he was included as a voting member. His abstention was withdrawn.

Motion Carried.

LUNCH: The meeting recessed from 12:30 pm to 12:54 pm.

ACTION PLAN SUBCOMMITTEE REPORT: Ferchau reported that no further meetings had taken place and that the subcommittee was on track to define stakeholders in the coming week. He did contact the Local Working Group and they indicated interest in being included in the development of an Action Plan. The Committee was encouraged to email submissions of other stakeholders and interested parties to Ferchau as soon as possible.

Pfister asked about combining the County Comprehensive Plan with the Sage-grouse Strategic Committee Action Plan. Swenson replied that the County Comprehensive Plan was in progress, but not yet complete, and that his recommendation would be considered.

PRESIDENTIAL MEMORANDUM REGARDING CONSULTATIVE AND CONCURRENCE PROCESSES WITH REFERENCE TO THE ENDANGERED SPECIES ACT. DISCUSSION OF POSSIBLE IMPACTS TO LOCAL AGENCY ACTIONS/ACTIVITIES: Pfister explained the consultative and concurrence process as it affected the Endangered Species Act as described in a memorandum from President Obama. He further explained that the memo encouraged managers to consider and use the previous process and include conferences and consultations as in the past.

INTRODUCTORY DISCUSSION- CANDIDATE CONSERVATION AGREEMENTS ON FEDERAL LANDS: BLM State director Sally Wisely met with several grazing permittees during a recent visit to the Gunnison area and directed her staff to work toward development of Candidate Consideration Agreements (CCA's) on BLM managed lands.

Hausler asked about the number of Certificates of Inclusions (CI's) that have been approved under the DOW CCAA. Pfister and Wenum noted that with the first CI being approved, the prototype is in place. The second CI is in the works and a schedule has been established for commitments with timeframes. In the light of the listing reconsideration, emphasis will likely be added to the program. Ferchau asked if a title search will show a CI on a property. As they are not recorded with the Clerk and Recorder's office, it will not. There are provisions in the CCAA for sale of a property. CI's are voluntary agreements and not formally recorded and there are provisions for cancellation and transfer. The new land owner has opportunity to continue or not. The document would terminate at the sale of the property unless renegotiated by the new landowner. The CI has specific terms and management actions and is implemented by DOW but reviewed by USFWS. Recording the documents with the Clerk and Recorders office may be desirable to make the public more aware of the agreements.

USFS/BLM TRAVEL MANAGEMENT PLAN- Sage-grouse issues: Japuntich reported that the public meetings were well attended and the public comment period for the Travel Management Plan will end June 3, 2009.

Extensive evaluation of the routes near mapped lek sites were included in the proposed plans to reduce the disturbance to the birds. Japuntich presented mileage information for each alternative. A full version of the plan is available on the internet at: http://www.fs.fed.us/r2/gmug/policy/travel_mgmt/gun/gun_maps.shtml, with disks and hard copies available at the Gunnison BLM/Forest Service office, and the local public libraries. Comments are encouraged, both positive and negative, to allow the recommendations to the plan be all inclusive.

Jackson noted that USFS Alternative 4 includes no provision for the protection of Gunnison Sage-grouse, including no time of day use restrictions during lekking season.

As many entities/agencies were planning to submit comments, the Committee did not feel it was necessary to comment on the plan.

FUTURE MEETINGS:

- Monday, May 11, 2009 - Regular Meeting 10:00 am - 2:00 pm
- Thursday, June 11, 2009 - Regular Meeting 10:00 am - 2:00 pm
- Thursday, August 13, 2009 - Regular Meeting 10:00 am - 2:00 pm

Discussion about the timing and content of data submittals for the ESA reconsideration will be a critical agenda item for next meeting.

ADJOURN: Moved by Stahlnecker to adjourn the meeting seconded by Hausler. Motion carried unanimously. The April 9, 2009 meeting of the Gunnison Basin Sage-grouse Strategic Committee adjourned at 2:16 pm.

Certification of Approval:

Ken Stahlnecker, Chairperson

Greg Peterson, Secretary

Minutes Prepared By:

Ruth Dukeman, Administrative Assistant III