GUNNISON BASIN SAGE-GROUSE STRATEGIC COMMITTEE
REGULAR MEETING MINUTES
February 05, 2013

The February 05, 2013 Gunnison Basin Sage-grouse Strategic Committee meeting was held in the Commissioners' Meeting Room in the Courthouse at 200 E. Virginia, Gunnison CO 81230.

Committee Members Present:
Voting:
Ken Stahlnecker, Chairperson, National Park Service (NPS)
J Wenum, Vice-Chairperson, Colorado Division of Parks and Wildlife (CPW)
Chris Bove, Natural Resources Conservation Service (NRCS)
Sue Navy, High Country Citizens' Alliance (HCCA)
Greg Peterson, Gunnison County Stockgrowers' Association (GCSA)
Phil Chamberland, Gunnison County Board of County Commissioners (BOCC)
Brian St. George, Bureau of Land Management (BLM)
John Murphy, United States Forest Service (USFS)
Patty Gelatt, US Fish and Wildlife Service (USFWS), By conference call
Peter Caloger, Public At-Large
Eric Ferchau, At Large, Development Community
David Wiens, At-large Recreation Community

Non-voting:
Allen Roper, Gunnison County Stockgrowers' Association (GCSA) Alternate
Jonathan Houck, Gunnison County Board of County Commissioners (BOCC) Alternate
Matt Vasquez, United States Forest Service (USFS) Alternate
Lee Spann, Public At-Large Alternate
Polly Oberosler, At-large Recreation Community Alternate

Staff Members Present:
Jim Cochran, Gunnison County Wildlife Conservation Coordinator
Bobbie Lucero, Administrative Assistant III

Others present as listed in text.

CALL TO ORDER: Chairperson Stahlnecker called the February 5, 2013 meeting of the Gunnison Basin Sage-grouse Strategic Committee to order at 1:03 pm.

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

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

AGENDA APPROVAL: No modifications to the agenda were requested. The agenda was approved as circulated.

IN THE AUDIENCE:

- John Scott
- Joanne Williams, Gunnison County Community Development Department Director
- Steve Westbay, City of Gunnison Planner
- Mike Pelletier, Gunnison County GIS
- Doug Washburn, President, Gunnison County Stockgrowers' Association
- Laura Anderson, Gunnison County Times
- Jenny Nehring, Saguache County (conference call)

GUNNISON SAGE-GROUSE PROPOSED LISTING; ACTION ITEMS: The Committee discussed what they need to focus on in the next few months during the USFWS proposed listing. Cochran handed out a document regarding land area calculations using the Habitat Prioritization Tool (HPT). Chamberland informed the Committee on the meeting on 1/24/2013 between County staff and USFWS was initially what will be involved in a Habitat Conservation Plan if the bird is listed. The Committee discussed that the current purpose of the Committee is to preclude the listing of the Gunnison Sage-grouse, with the second option being to preclude the need to list the grouse as "endangered" if the final decision is to list.

TIMELINE:

- 3/12/13: First comment period closes – both proposed rules.
- April (tbd): Economic analysis (EA) will come out.
- June (tbd): 60 day comment period on Critical Habitat EA and economic analysis.
- 9/30/13: Listing Decision.

OUTLINE FOR TODAY'S MEETING:

1. Recap of recent public meetings
2. Comment strategy
3. County HCP
4. Action Items

The Committee had a discussion regarding local governments surrounding Gunnison. Cochran informed the Committee that San Juan County Utah contacted him and would like to discuss Gunnison County's sage-grouse program and approach to land use specific to sage-grouse. Cochran will meet with the Saguache County BoCC and Planning Commission on February 12, 2013 and the Delta County BoCC soon. He has not had direct communication with Montrose County.

The Committee discussed that they sent a letter to local governments in surrounding populations earlier last year and they did not respond to that letter until now. The Committee had a discussion on what to do regarding other counties that are not contributing. The Committee discussed that the USFWS commented, at the January 23, 2013 Strategic Committee meeting that the Gunnison Basin population is doing fine. Gelatt commented that the population is stable but the land use regulations in place are not adequate protection for future fragmentation and loss of habitat. Gunnison is ahead of the other satellite populations in this area.

1) RECAP OF RECENT PUBLIC MEETINGS: The Committee members commented on what they "took" from the last Strategic Committee meeting.

BLM; ST. GEORGE: St. George commented that the meeting with USFWS was very informational. What he took home was the importance of the satellite populations. What the Gunnison Basin is struggling with is protection, recovery and down-listing.

PUBLIC; SPANN: Spann commented that he noticed there was great attendance at both meetings on 1/23/2013. He opined that the high attendance was a good indication that the public wants to become educated about the sage-grouse listing. He commented that questions were not answered, and the public meeting was not very informative. Spann commented that the implication was that CPW was there to answer questions, but that was not the case. Wenum commented that CPW was invited to have a table and formally represent CPW at the meeting, which CPW declined. Wenum stated CPW was there to learn, listen and if appropriate answer questions.

USFS; MURPHY: Murphy commented that the USFWS needs to be open and transparent to the public. Murphy opined that the message from the USFWS was the issues with public lands and not private lands. He opined that the USFWS was portraying two different messages.

DEVELOPMENT COMMUNITY; FERCHAU: Ferchau informed the Committee that take – taking also means the taking of habitat, not just take of the bird.

CITY OF GUNNISON; STEVE WESTBAY: Westbay opined that the three top points he noticed from the meetings were:

1) Policy Evaluation for Conservation Effect (PECE); County LUR will be assessed by USFWS, and the analysis may not be completed by the time the listing is complete.
2) Lack of funding for Habitat Conservation Plan (HCP).
3) Satellite populations and lack of analysis of Distinct Populations Segment (DPS).

GUNNISON COUNTY BOCC; CHAMBERLAND: Chamberland informed the Committee that the USFWS had the assumption that the LUR is inadequate, because they assumed that Gunnison County does not regulate 35 acre parcels, which is incorrect. Chamberland informed the Committee that he questioned why the CCA has not been signed by the USFWS; the answer he received was that they did not receive one that they could sign. St. George commented that his assumption is that they would not sign because it was not in the conferencing process. Gelatt stated that it would be a conflict of interest because the BLM is asking the USFWS to conference on the CCA, so they provided comments on the BLM BA (Biological Assessment) for conferencing. Gelatt informed the Committee that Sharp is meeting with BLM today to review the comments submitted. Gelatt confirmed that they are in the informal conference period. Gelatt commented that the CCA approval process will be completed before 9/30/13.

POLICY EVALUATION FOR CONSERVATION EFFECT (PECE) ANALYSIS: Gelatt explained the PECE Analysis process. It looks for assurance that the action will be effective, which is the hardest bar to meet.

Gelatt stated that the largest threat in the Gunnison Basin is future fragmentation of habitat. She identified the need to put together a package showing all of the protective measures in place or plan to be in place to minimize threats recognized in the proposed rule. The Committee discussed that they need to make a valid case that the Gunnison population is a DPS and that the voluntary measures and land use regulations are strong enough to address the concern of future fragmentation. Gelatt informed the Committee the biggest hurdle is showing that the Gunnison population is discrete, as major geologic features that usually separate populations don't exist.

Westbay pointed out, from the 1996 USFWS Notice of Policy, the 2 criteria to be a DPS are:

1. Demonstrate that the local population is isolated reproductively.
2. Have a legacy that is important to the survival of the bird.

SUMMARY; RECAP ON RECENT PUBLIC MEETINGS:

- Good attendance
- Connecting between habitats
- Lack of Q & A
- More info to educate and alleviate public concerns
- Clarification of the impacts on private lands vs. private land role in listing decision.
- PECE analysis may not be complete by the time the listing is completed – to include all voluntary actions and effectiveness of actions.*
- Lack of funding for HCP
- Satellite populations and lack of description. Distinct Populations Segment (DPS) - Discrete based on geographic features *
- Significance of satellite pops

2) **STRATEGY: (items identified with a * are those that were identified as important during the discussion and noted so on the "board")** The Committee discussed that individual organizations will be submitting their own comments in their specific areas of expertise/responsibility during the comment period, so it is best to not duplicate comments. The Committee discussed the possibility of any existing new information that they may be missing. If there is it needs to be captured and submitted before the comment deadline on 3/12/13.

SUMMARY; STRATEGY:

- Organization, individual comments submitted*
- Strategic Committee can influence County comments
- Don't duplicate*
- Missing/flawed info in other populations
- Read and understand and interpret the proposed rule – is the info correct?*
- Missing key information or any new information*

3) COUNTY HABITAT CONSERVATION PLAN (HCP): Cochran informed the Committee about the meeting between USFWS and Gunnison County staff regarding developing a Habitat Conservation Plan (HCP). He informed that the County felt it was premature to discuss a HCP before the bird is listed, because it is uncertain if the bird will be listed or not. Cochran explained that staff time would be better spent trying to reduce the listing to threatened or not-warranted, instead of discussing how to create the HCP. There was a discussion on public lands.

There was a discussion that the USFWS has the assumption that the Gunnison County Land Use Resolution (LUR) is inadequate. The Committee discussed that the LUR applies to 35 acre parcels, just not to the actual creation of the 35 acre (or larger) parcel. Chamberland explained that a lot of landowners had subdivided their properties because they thought the right to subdivide was going to be changed to a larger acreage by the State. That concern resulted in a lot of 35 acre parcels in Gunnison County.

Cochran informed the Committee that he has asked the Colorado Water Conservation Board to review the proposed rule to see if the information attributed to them is correct.

The Candidate Conservation Agreement (CCA) identifies core recreation areas and minimizing fragmentation in Tier I and II habitat. The Committee discussed that they need to assemble this information to make comments to the USFWS. The Committee discussed that they also need to comment on how the CCA addresses public and private lands, and that recreation is one of the main growing economic segments in Gunnison.

SUMMARY; COUNTY/USFWS HCP Discussion:

- Clarify 35 acre development potential*
- Improve population growth projections*
- Conservation Easements vs. approved subdivisions in relation to occupied habitat: twice the amount of conservation easements were finalized than subdivisions were approved since 1999.

4) Action Items:

- Public Hearings (formal)
- Conservation Easements
- Land Use Conversations w/other counties
    - San Juan County , UT
    - Saguache
    - Other Counties in GUSG range
- Interpretation of information/data
- PECE and DPS

Matrix of Factors:

- Conservation Easements (CPW and County)
- CCAA misinterpretation (CPW)
- BLM grazing and land health (Stockgrowers)
- Grazing study results interpretation
- PECE /DPS - recommend PECE analysis to USFWS (County and CPW)
- Updated conservation easement data for all counties in range of GUSG

- CCA process update and expand on how CCA is connected (BLM & Sam)
- Need for RMP and regulatory certainty
- Importance of voluntary measures such as CI

The Committee discussed that one of the biggest dangers is the possibility of landowners dropping out of the CCAA, if the listing puts the rancher out of business. There was a discussion regarding the elk herd numbers and the recently approved CPW deer management plans. The Stockgrowers' Association will address the elk herd numbers in their comments to the USFWS. Wenum commented that they updated the deer management plans (DAU plans) with new objectives for deer, starting this coming season. An elk management plan will be developed in the next few years.

Peterson inquired to Gelatt on Section 9 of the Proposed Rule (pg 2537, left column, #3), regarding incidental take caused by livestock grazing. Gelatt informed Peterson she would look into the details on this question.

Gelatt informed the Committee that if the conservation actions were constructed into a HCP, the ongoing actions could be the basis of the HCP if the bird is listed, but there would be some "hoops" to get through before it could be the official HCP. The Committee inquired if every project in the Gunnison Basin was going to have to go through consultation if the bird was listed, before an HCP is developed. Gelatt replied yes, actions that meet the definition of "take" will have to go through a permitting process.

The USFWS' schedule for a Recovery Plan will be to start developing it after the listing decision. The Committee encouraged everyone to keep open communication, and if any ideas come up, send them to Cochran.

WHITE BOARD: Please refer to Exhibit A.

FUTURE MEETINGS:

Date	*Time*	*Notes*
2/20/13	10-2	Regular Meeting
3/20/13	10-2	Regular Meeting

ADJOURN: **MOVED** by Stahlnecker to adjourn the meeting. Motion carried unanimously. The February 05, 2013 meeting of the Gunnison Basin Sage-grouse Strategic Committee adjourned at 4:04 pm.

CERTIFICATION OF APPROVAL:

_____
Ken Stahlnecker, Chairperson

_____
Greg Peterson, Secretary

Minutes Prepared By:

_____
Bobbie Lucero, Administrative Assistant III

④ Matrix of factors

- Conservation easements (CPW & County)
- CCAA misinterpretation (COW)
- BLM C.I. grazing & land health (Stockgrowers)
- Grazing study results interpretation
- PECE / DPS → recommend PECE to USFWS (county & CPW)
- Updated conv. easement data for all counties
- CCA process update & expand on how CCA is connected (BLM: Sam)
  - Need for RMP & regulatory certainty
  - Importance of voluntary measures such as C.I

③ County One-on-One w/ USFWS

- ✱ Clarify 35 acre development potential
- ✱ Improve pop. growth projections
- Conservation easement growth vs approved sub-divisions in relation to occupied habitat

Wifi: GCguest

Password: GunnCo X9

① Good attendance

- Connectivity between habitats
- lack of Q & A
- More info to educate & allieviate public concerns
- Clarification of the impact on Private land vs. private land role in listing decision
- Clarification of the impact on Private land vs. private land role in listing decision ... and ... effectiveness of actions on fragmentation
- ✱ PECE analysis not completed : to include all voluntary actions
- lack of funding for HCP
- ✱ DPS → Discrete based on geographic features
- Significance of satellite pops

④ Action Items

- Public notg (formal)
- Land use conversions w/ other Counties
  - → Saguache
  - → San Juan, UT

② Individual comments - given

- Committee could influence County Comments
- ✱ Don't duplicate

- ✱ Missing any new info?
- Missing/flawed info in other populations?
- ✱ Is existing info interpreted correctly?