GUNNISON BASIN SAGE-GROUSE STRATEGIC COMMITTEE
REGULAR MEETING MINUTES
March 20, 2013

The March 20, 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)
Connie Rudd, NPS Alternate
Chris Bove, Natural Resources Conservation Service (NRCS)
Linda Joseph, Saguache County Board of County Commissioners (Saguache BOCC) conference call
Sue Navy, High Country Citizens' Alliance (HCCA)
Phil Chamberland, Gunnison County Board of County Commissioners (BOCC)
Brian St. George, Bureau of Land Management (BLM)
Matt Vasquez, United States Forest Service (USFS) Alternate
Peter Caloger, Public At-Large
Eric Ferchau, At Large, Development Community
David Wiens, At-Large Recreation Community
Charlie Sharp, US Fish and Wildlife Service (USFWS) Alternate

Non-voting:
Alli Melton, HCCA Alternate
Elinor Laurie, Saguache County Alternate conference call
Jonathan Houck, Gunnison County (BOCC) 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 March 20, 2013 meeting of the Gunnison Basin Sage-grouse Strategic Committee to order at 10:03 am.

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

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

In the audience:
- Sam Staley, BLM
- Theresa Childers, NPS
- Steve Westbay; City of Gunnison Director of Community Development

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

APPROVAL OF FEBRUARY 20, 2013 MEETING MINUTES: **Moved** by Navy to accept the February 20, 2013 meeting minutes as modified, seconded by Bove. Motion carried unanimously.

COMMITTEE MEMBER COMMENTS/REPORTS:

HCCA; NEW MEMBER: Navy reported that there is a new alternate member for HCCA; Public Lands Director Alli Melton.

CPW; ANNUAL BIG GAME LICENSE MEETING: Wenum announced to the Committee that the Annual Big Game License Recommendation meeting will be on 3/28/13.

CPW; CCAA, CERTIFICATES OF INCLUSION (CI): Seward informed the Committee that the CI process is in progress. He informed that he has met with new landowners to clean up an older CPW easement. Cochran informed the Committee that he has received inquiries from landowners and has been sending them to speak with Seward. Cochran informed the committee about the Dove Creek meeting with respect to the CCAA. In the Dove Creek area it is mostly farm land, but after the meetings, there was apparently interest expressed by several landowners in participating in the CCAA.

Wenum informed that Seward has not been given any additional staffing or support for an increase in CI interest. Wenum stated that he would talk with Scott Wait, Regional Terrestrial Biologist about additional CI processing resources.

Wiens asked about creating an umbrella CCA. Cochran informed that the CCAA is an umbrella document issued to Colorado Parks and Wildlife that took several years to negotiate. It would be very complicated/difficult to do an umbrella CCA within the timeframe available. Wenum informed the committee that the State Land Board had a meeting in regards to this. They are interested in participating in the CCAA . The issue is that in Gunnison there are so few State Land Board properties. It has not been a high priority for CPW.

Cochran informed that in WY they are working on an umbrella CCAA, but the Wyoming Game and Fish Department declined to hold the permit, apparently due to the long-term financial and staff commitment required for the program.

The Committee discussed the Dunes Sagebrush Lizard down-listing to not warranted. The USFWS has recently been sued for that decision. The apparent basis for the lawsuit was lack of transparency by the State of Texas about what their documents contain. Cochran stated that this is one of the reasons why Gunnison is very transparent about everything that they do.

BLM AND GUNNISON COUNTY ROAD CLOSURES: Cochran informed the Committee that the annual road closures began on March 15 with BLM, County and USFS roads being closed. There was discussion that the road closure program is internally embedded in Allen Moores and Russ Japuntich, and this process needs to be fixed because the program is relying on only a few individuals to accomplish the closures. The Committee discussed that there isn't a problem with man power to close the gates on March 15th; the issue is who the public contacts to get a combination for a gate.

ANTLER SHED SEASON: Cochran informed the committee that antler shed season opened on 3/15/2013. Wenum clarified that it is open after 10am on public lands.

USFWS PROPOSED RULES: Sharp informed the Committee that the USFWS has extended the commented period deadline to 4/2/2013 and the Economic Analysis (EA) is in progress and the draft should be available the end of May. He informed the Committee that the second comment period will open in June. The public hearings will also occur in June. One public hearing will be in Gunnison and one will be in Monticello, Utah. He informed the Committee that there will be court recorder at the public hearings, and there will be a Q&A session as well. USFWS Regional Staff including Susan Linner, Nicole Alt, and Mike Thabault may attend the public hearings in June.

Westbay informed the Committee that he spoke with Industrial Economics (the Economic Analysis contractor) staffer Thomas Timberlake. He explained that the Analysis is calculated by looking at the costs associated by local, state & federal governments if they have to go into consultation and then that economic value is based on the occupied habitat area. Then the potential cost for the critical habitat and the difference/ratio is the additional cost due to Critical Habitat. He opined that the EA has a very narrow scope and that it only measures the impact of the administrative cost of the sage-grouse listing. Sharp informed that the EA is just for critical habitat, the EA does not look at the listing. It looks at the difference between critical habitat designation and not designating critical habitat. Sharp informed that recreation and agricultural activities are included in the EA. Sharp also opined that there is a broad scope because the USFWS looks at the broad area and not narrowed down to one specific thing. Sharp informed that you can have consultation on private land if there is a federal nexus. Westbay opined that critical habitat on private land is moot if there is no federal nexus.

There was a discussion on what is considered take of the species. What is considered "take"? Sharp informed the Committee that landowners can contact the USFWS to ask if there activity is considered take. Sharp informed the Committee that activities that violate Section 7 will most likely be considered take. There was discussion on the consequences of take.

Committee members informed where their organizations are in the process of their comments to the USFWS:

GUNNISON COUNTY: Gunnison County is working on their draft comments and is working with 10 other counties. A Memorandum of Understanding (MOU) has been drafted with the intent to demonstrate that from a regulatory standpoint we have regulatory buy-in by all local governments in the range of the grouse. Cochran informed

the Committee that the framework of the MOU is an umbrella plan. Chamberland informed the Committee that the County is attempting to be transparent as possible with their comments to the USFWS.

CPW: Wenum informed the Committee that the CPW final draft is being reviewed internally. He informed that CPW is not addressing the critical habitat portion in the first set of comments. They will address their concerns at a later comment period.

USFS: Vasquez informed the Committee that the USFS is compiling their information and submitted their comments to the USFWS by the original deadline of 3/12/13. He informed that USFS is focused on the critical habitat portion.

NRCS: Bove informed the Committee that NRCS submitted all information to their national lead.

NPS: Stahlnecker informed the Committee that the NPS has had discussions but has not put pen to paper. They are reviewing all parts of the listing and will compile all information with their national and regional office.

CITY OF GUNNISON: Westbay informed the Committee that the City has a draft for review. They have focused their comments on developmental growth, because they found flaws in the analysis of population growth in occupied habitat. He opined that the data in the proposed listing is based on false markets and populations trends not relevant to what is happening today. He informed the Committee that the largest threat is perceived as development, power lines, invasive weeds, and the assumption that population growth will impact habitat. He informed that the City is arguing that Gunnison is a distinct population segment (DPS) and that it is unique, fulfilling the two criteria to met to be a DPS.

HCCA: Navy informed the Committee that HCCA is working on their comments.

BLM: St. George informed the Committee that BLM does not have any new information. They are focused on interpretation of the information, public livestock grazing and land health. BLM has provided comments on critical habitat, and submitted the comments to meet the 3/12/13 deadline, but it might not get approved for submission until the 4/2/13 deadline.

SAGUACHE COUNTY: Joseph informed the Committee that the Saguache County Attorney's Office is drafting comments. She informed that the meeting later today at 1pm is to move the conversation along with the MOU. She informed the Committee that they have requested a public hearing, but have not heard a response from the USFWS. Sharp informed Joseph that the tentative plans are there will be a public hearing in June in Gunnison and Monticello.

AT-LARGE RECREATION COMMUNITY: The Committee discussed that public comments are very beneficial. Private party comments can get past jurisdictional comments. Comments from individuals from the public can tie into what is happening on

the ground. Wiens commented that he wants to help with commenting but the proposed rule indicates that recreation is a huge piece that doesn't affect the listing.

FESTIVAL: Wiens informed the Committee that the Festival Committee has been outreaching to the public and schools. There was discussion regarding the newsletter articles provided in the insert for the local papers, and that the articles need to provide neutral information regarding the proposed listing. There was discussion that the content of the predator control article did not include ravens, and instead it only mentioned eagles. The Committee discussed that they want to avoid publishing misleading information. Cochran suggested that the Festival Committee review the articles and make them more neutral. Chamberland and Cochran volunteered to help rewrite three of the articles.

CCA: The Committee reviewed the changes made to the CCA. The Committee discussed whether the CCA should be extended to all designated habitat or final critical habitat:

- Original applied to ~400,000 acres (federal occupied)
- Extension would apply to ~90,000 additional acres (federal unoccupied)

The Committee discussed that if they applied the extension, it would be written in anticipation that the sage-grouse were going into a listing transition. This is what is holding the process up. The Committee discussed that they are in support of letting St. George decide if this extension needs to be applied or not. St. George opined that extending the CCA beyond currently mapped occupied habitat would be an issue with the BLM State Office.

FUTURE MEETINGS:

Date	*Time*	*Notes*
April 24, 2013	10-2	Regular Meeting
May 15, 2013	10-2	Regular Meeting

ADJOURN: **MOVED** by Stahlnecker to adjourn the meeting. Motion carried unanimously. The March 20, 2013 meeting of the Gunnison Basin Sage-grouse Strategic Committee adjourned at 12:48 pm.

CERTIFICATION OF APPROVAL:

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Ken Stahlnecker, Chairperson

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Greg Peterson, Secretary

Minutes Prepared By:

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Bobbie Lucero, Administrative Assistant III