

Commentary

The Gunnison Basin Sage-grouse Strategic Committee: a Colorado county's fight for conservation self-determination

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Abstract: Since 1995, sage-grouse (*Centrocercus* spp.) conservation planning in the western United States has largely been based upon local working groups (LWGs) comprised of federal, state, and local governments; environmental groups; landowners; and interested citizens. In this article, we review the history and process of LWGs in western Colorado that were formed to develop Gunnison sage-grouse (*C. minimus*) conservation plans. The LWGs were generally convened by ≥ 1 government agency, operate on the general principle of consensus, and had little or no administrative or financial support. The LWGs were generally comprised of field biologists, rancher/landowners, members of local environmental groups, and occasionally representatives from local governments. The plans they generated were based upon consensus; therefore, difficult issues were often bypassed to keep the plan development process moving. The early successes of these LWGs resulted in sage-grouse conservation plans such as the Gunnison Sage-grouse Conservation Plan, which provided sage-grouse conservation guidance for the Gunnison Basin in southcentral Colorado. However, there were problems such as an undefined membership, lack of administrative support, and achieving consensus. The Gunnison County Board of County Commissioners (BoCC) created an entirely new approach to the LWG concept. The Gunnison Basin Sage-grouse Strategic Committee (GBSGSC) was created, with appointed (by the BoCC) representatives from the federal land management agencies, the state wildlife agency, the neighboring county, the ranching community, the environmental community, the development community, the recreation community, and the public at large. Formal operating guidelines were adopted by the BoCC. Specific membership criteria were identified, and administrative staff from Gunnison County was assigned. Importantly, the BoCC determined that the committee would operate under majority rule. The GBSGSC has been meeting monthly since 2005. Here we describe the process, and its advantages and disadvantages.

Key words: *Centrocercus minimus*, Colorado, community-based conservation, conservation plan, development, Endangered Species Act, Gunnison Basin, Gunnison sage-grouse, U.S. Fish and Wildlife Service

THE GUNNISON SAGE-GROUSE (*Centrocercus minimus*; GuSG) was designated as a distinct species in 2000 (Young et al. 2000). Geographic isolation, distinct genetic differences (Kahn et al. 1999, Oyler-McCance et al. 1999), and behavioral differences in strutting display were used to separate GuSG from Greater sage-grouse (*C. urophasianus*; Young et al. 2000). The GuSG depends on sagebrush (*Artemisia* spp.) communities, including native grasses and forbs (herbaceous non-grass plants) throughout the year for food and cover (Young et al. 2000); in the winter, the species is entirely dependent

upon sagebrush for food. Its current range is in southwestern Colorado and southeastern Utah (GuSG Rangewide Steering Committee 2005).

The Gunnison Basin, Colorado population contains approximately 85% of the species and covers 62% of its occupied habitat (Figure 1). There are approximately 239,979 ha of GuSG-occupied habitat within the Basin with approximately 175,229 ha in Gunnison County and 64,750 ha in Saguache County. The remaining ~15% of the species is divided among 6 satellite populations, the largest of which is located in San Miguel County, Colorado

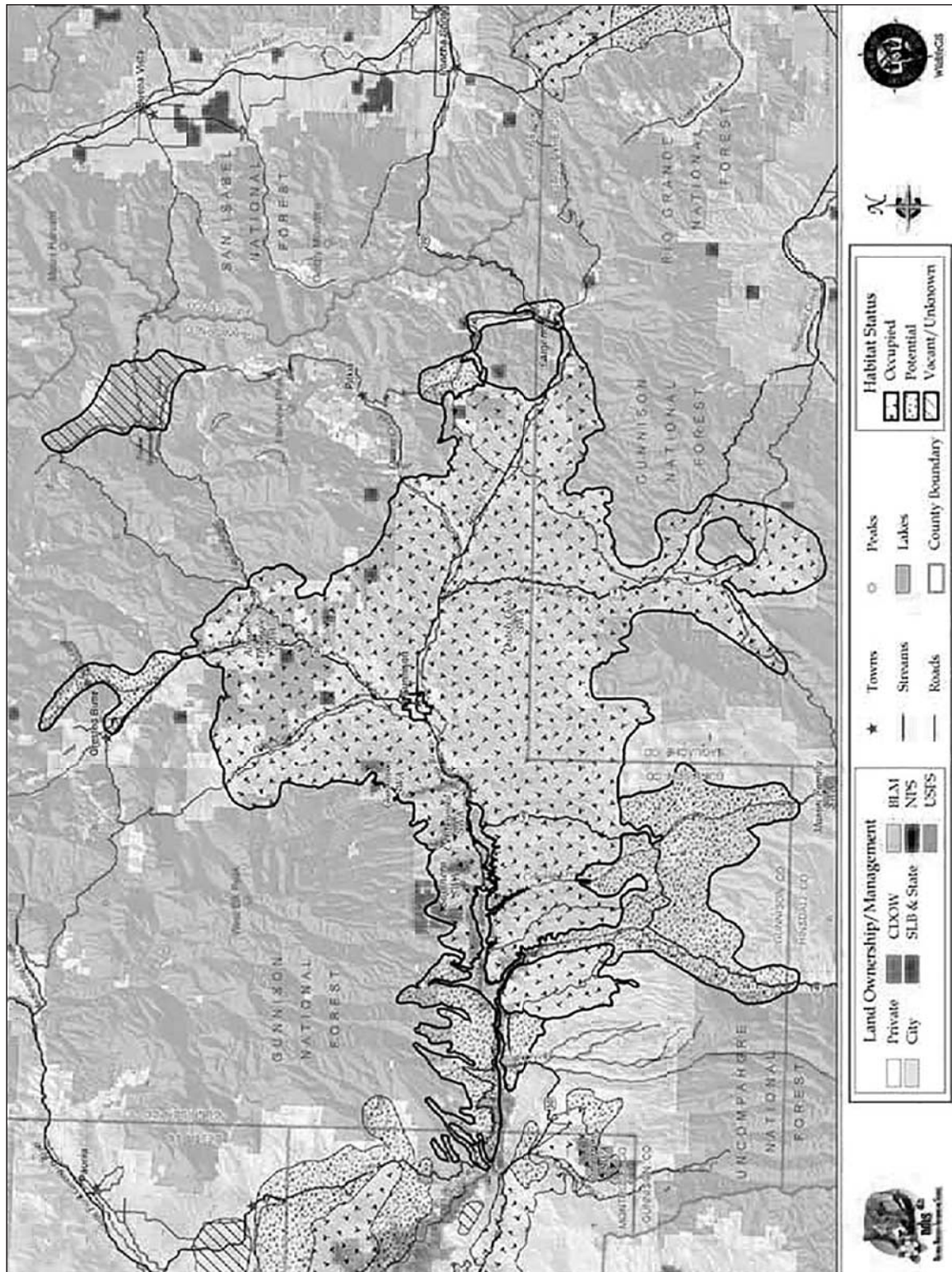


Figure 1. Gunnison Basin Sage-grouse (*Centrocercus minimus*; GuSG) population habitat (GuSG Rangewide Steering Committee 2005).

and has an estimated 245 birds (Griffin 2016). Three of the satellite populations contain <100 birds. In 2016, the Colorado Division of Parks and Wildlife (CPW) estimated the rangewide population to be 5,225 individuals, substantially exceeding the population target of 4,500 GuSG set by state and federal biologists in 2005 (GuSG

Rangewide Steering Committee 2005).

Approximately 80% of the land area in Gunnison County is federal land. About 15,000 people reside in Gunnison County with the majority of those residing in the City of Gunnison and the Crested Butte area. Ranching has long been the economic base for Gunnison

County and still provides significant input to the economy. Recreation is a large economic driver for the area as well. GuSG habitat in Saguache County (6,100 residents) is located west of the continental divide, where there are no municipalities. The economic driver in this area is almost entirely agricultural.

The purpose of this commentary is to describe and evaluate the process and share the lessons learned, positive and negative, about how a local community engaged in the species conservation process took the initiative to keep GuSG conservation local and maintain self-determination in the face of the continual threat of listing the GuSG and ultimately the outcome of a listing. This paper is not a formal, scientific assessment of the 2 methods/processes of addressing locally based GuSG conservation. Rather, this is our qualitative, after-the-fact assessment of those 2 efforts in the Gunnison Basin and an attempt to convey the successes and perceived failures in a manner that may assist similar efforts for other species in the future. To set the stage for these assessments we describe the history, process, and purpose for the 2 groups below.

Gunnison Basin Local Working Group, 1995–2010

Concerns about small population sizes and long-term survival of the GuSG were raised in the early 1990s. In response to these concerns, the Colorado Division of Wildlife (now CPW), the Bureau of Land Management (BLM), and others formed the first GuSG local working group, the Gunnison Basin Local Working Group (GBLWG), in 1995. The initial goal was to write a GuSG conservation plan for the Gunnison Basin designed to guide GuSG conservation efforts, particularly the selection of conservation actions and the way in which they are implemented (Gunnison Basin Local Working Group 1997). Voting on issues before the group was generally open to anyone attending a given meeting. There were no formal articles of organization until a Memorandum of Agreement (MOA) was signed by participating entities and agencies in March 1998. Initially, GBLWG meetings were most often led by an agency-provided facilitator. As interest waned, following creation of the Gunnison Basin Sage-grouse Strategic Committee, an

informal chair was elected for an unspecified term. One of the agencies usually provided administrative support (e.g., meeting notes and communications with members). Meetings of the GBLWG were generally held quarterly, though more often during development of the Conservation Plan and during the Endangered Species Act (ESA) listing consideration period between 2000 and 2006.

The GBLWG generated a number of subcommittees during this period, including a habitat subcommittee, a research subcommittee, and an information and education subcommittee. These subcommittees seemed to accomplish more than the GBLWG as a whole, possibly because their interests were more defined. As examples, the habitat subcommittee developed annual Action Plans for conservation actions across the basin, primarily on public lands, that were updated generally, on an annual basis. The research subcommittee developed a document, “Gunnison Sage-grouse Conservation Priority Regions in the Gunnison Basin,” to assist in forming basin-wide strategies to implement the local conservation plan.

The GBLWG as identified by the 1998 MOA was formally terminated by the signing agencies/entities in June 2010, formally acknowledging that the GBLWG was replaced by the Gunnison Basin Sage-grouse Strategic Committee and its respective subcommittees.

Gunnison Basin Sage-grouse Strategic Committee, 2005–present

Frustrated with the lack of success with regard to the U.S. Fish and Wildlife Service (USFWS) designation of the GuSG as a candidate species, and with the proposed listing of the GuSG that began with an elevation of the listing priority number of the GuSG by the USFWS from a “5” to a “2” in May 2005 (69 FR 24876), in 2004 the Gunnison Basin ranching community urged the Gunnison County BoCC to do something to address the perceived lack of success by the GBLWG in precluding the need to list the species, and to move GuSG conservation forward in a fashion that would effectively accomplish that goal. After numerous public meetings, the Gunnison County BoCC formed the GBSGSC.

The Gunnison Basin Sage-grouse Strategic

Committee (GBSGSC) was formally created in September 2005 as the Gunnison County Sage-grouse Strategic Committee. In April 2006, Saguache County accepted an invitation to become a member of this committee, and the name of the committee changed to the Gunnison Basin Sage-grouse Strategic Committee. Formal organizational and procedural guidelines were adopted with a defined purpose to work with the Gunnison County wildlife conservation coordinator (WCC) to implement programs and steps that would aid in the preservation of the GuSG. The detailed action steps provided below were implemented.

The GBSGSC was to be comprised of 13 regular members, appointed by the Gunnison County BoCC and Saguache BoCC. There were also 3 at-large positions (public at-large, recreation, and development community) appointed by the Gunnison County BoCC. Alternates for each position were also to be appointed by the same process as regular members. All appointments were for 2 years. Each participating entity agreed, by nominating individuals for its respective seats, to the operating and procedural guidelines. Key in those guidelines was the authority for representatives to make decisions and recommendations without having to seek approval from their respective agency. Officers were defined (chairperson, vice-chairperson, and secretary), elected to 1-year terms. The office of the Gunnison County WCC was to provide support services to the committee. Meetings of the committee required a quorum of 7 members. Action was to be by consensus of the members. On failure to reach consensus, action was to be by majority vote of those present.

The committee was to keep a permanent public record of all proceedings as recorded in the usual form of minutes. As a formal committee of Gunnison and Saguache County, the terms of the Colorado Open Meetings Law (Sunshine Law; Colorado Revised Statutes 24-6-402) governed. By agreeing to be a member of the GBSGSC, participating entities agreed to the "Action Plan and Goals" adopted by the Gunnison County BoCC in 2005:

1. "The first goal of Gunnison County was to implement steps which will aid in the preservation of the Gunnison Sage-grouse." Three action steps were defined to accomplish this goal.

2. "The second goal of Gunnison County was to minimize disruption to current activities." Five action steps were defined to accomplish this goal.

3. "The third goal of Gunnison County was to further collaboration and communication and in particular to develop mechanisms to effectively deal with rumors and misinformation." Two action steps were defined to accomplish this goal.

4. "The fourth goal of Gunnison County was to implement an effective strategy and programs which would preclude the need to list the Gunnison Sage-grouse or at a minimum demonstrate the willingness of the Gunnison Community to preserve and protect habitat which will lessen the impact if a listing does occur."

To accomplish these goals, the Gunnison County BoCC created the position of sage-grouse coordinator, later renamed wildlife conservation coordinator (WCC). The WCC was given the primary responsibility to implement the identified programs as well as provide administrative support to the committee.

The GBSGSC has, since its creation in 2005, accomplished numerous actions that have helped move GuSG conservation forward in the Gunnison Basin. The GBSGSC formally petitioned the Colorado Wildlife Commission to regulate antler shed hunting in the Basin, an activity that had the potential to adversely impact GuSG during the lekking season. The GBSGSC developed a Gunnison Basin Sage-grouse Strategic Plan to provide broad-based guidance to public and private entities, including the local communities, involved in GuSG conservation. Flowing from this strategic plan, a 14-point Gunnison County GuSG Conservation Action Plan was developed. The intent of the Action Plan was to narrow the scope of work to specific needs identified in the plan, helping to guide the GBSGSC in its efforts.

The GBSGSC assumed the responsibility for lek access for photography purposes, developing criteria for applications and protocols for lek visitation. Significant work was accomplished with the BLM on public land grazing management, specifically in the areas of management consistency and data collection protocols. The GBSGSC worked with agencies on lek management, recreation planning, predator management, and numerous other issues. Considered by many to be among the

most important products of the GBSGSC is the Candidate Conservation Agreement (CCA) for federal lands within GuSG-occupied habitat in the Basin (BLM 2013). The CCA guides federal land management actions on public lands with GuSG-occupied habitat in the basin and is a project screen determining when federal agencies must consult with the USFWS on specific projects proposed within GuSG-occupied habitat. The GBSGSC developed a Habitat Prioritization Tool (HPT), which has proven extremely useful for county land use regulation, project prioritization by agencies, and is the basis for the CCA.

The GBSGSC operates with a number of subcommittees, both standing and ad-hoc (project based). The standing subcommittees are the Technical Subcommittee, which was created to include members of the GBLWG not on the GBSGSC when the GBLWG was dissolved in 2008; the Information and Education (I&E) Subcommittee; and the Executive Subcommittee, which is composed of the officers of the GBSGSC. Ad-hoc subcommittees have included project-based subcommittees on grazing research, predator control, Action Plan Item 8, Signal Peak Recreation Area Planning, and the Waunita Watchable Wildlife Site Subcommittee. Subcommittees and their membership are reviewed annually by the committee as a whole. Membership is adjusted as necessary, and ad-hoc project-based subcommittee status is determined by need.

Assessment of LWG process

Now in its eleventh year, the GBSGSC is still functioning, meeting on a regular basis. From our experience first as a loosely formed community organization and then as a formal steering, action, and advisory committee, we have formed some insights. First, consensus was a great idea but in practice can lead to frustration and inaction. Though the GBSGSC has used majority rule very little in its 11 years of existence, the fact that it is an option seems to move issues forward and keep the members aware that stalling a discussion because consensus cannot be reached will not be successful. Several agencies had concerns, initially, that they could be outvoted, a situation many agencies are not used to. Those agencies accepted the requirement in order to

be members of the GBSGSC, and the committee has functioned well over time with the majority rule option.

Second, a formal structure and procedural format was key to implementing actions. Formal committee structure and operating guidelines (by-laws in the private world) are essential. They defined membership requirements and what is expected of members. They provided meeting structure and guidance. Part of this structure took the form of official officers, such as a chairperson, vice-chair, and a secretary. A strong chairperson was necessary to keep rein on discussions and keep the membership on-topic. A large membership necessarily meant that actions of that entity are not going to occur quickly. Ensuring that everyone had an opportunity to voice their opinions and that the group effectively discussed issues before taking action was essential.

Third, to accomplish meaningful species conservation, requiring members to have the authority to represent their agency/entity and to be able to make decisions and commit funds was important. Fourth, subcommittees provided the opportunity to keep field-level expertise involved and available to the decision makers at the table. Fifth, administrative support was essential to the long-term functionality of this type of entity. One or more individuals with a specific part of their job description were defined to support the committee or similar entity. Those individuals scheduled meetings, took minutes, maintained records of membership, subcommittees, and many other ministerial requirements necessary to keep a formal organization such as the GBSGSC functioning effectively and for the long term. Formalizing a committee such as the GBSGSC under an entity such as a county elevated the importance of that committee or similar entity in the eyes of many agencies and entities. It also ensured that the actions of the committee or similar entity were subject to public scrutiny.

Impact of federal listing decision on LWGs

In January 2000, several environmental groups petitioned the USFWS to list the species under the federal Endangered Species Act (ESA) as endangered. In December 2000, the USFWS designated the GuSG as a candidate

species for listing as threatened or endangered under the ESA (USFWS 2000). In April 2006, the USFWS determined that the GuSG was not warranted for listing (USFWS 2006). However, after lawsuits, settlement agreements, and additional review, the USFWS listed the species as threatened in 2014, which included designating critical habitat (USFWS 2014).

During this time, the GBSGSC continued to meet. Unfortunately, based upon our experience with the listing of the GuSG, the ESA process severely limited the effectiveness of the GBSGSC. Pre-listing, most agencies and entities worked to provide the USFWS with information that would assist them in their listing determination. The flow and freeness of that information exchange was constrained post-listing because of concern that their statements and/or actions would support the listing decision. Uncertainty prevails.

The listing of the GuSG by the USFWS as threatened in November 2014 has impacted what the GBSBSC does and how it perceives its role in GuSG conservation. For example, the group abandoned their formal Action Plan because they perceived that the GuSG Listing Rule was now the “law of the land;” this was particularly true for federal representatives in the group. Management authority for the species was transferred from the states (Colorado and Utah) to the federal government when the species was listed, but the USFWS seems unwilling to accept that responsibility, appearing to want to move the responsibility back to the states, leaving the GBSGSC in a quandary as to how to move forward to effectively take actions that would continue to conserve the GuSG and address legal issues associated with a listed species.

Post-listing, the GBSGSC has been in a quandary about what else could have been done to preclude the need to list the species under the ESA. This was particularly frustrating because the USFWS has had a decision-making member at the table for the entire time of the committee/group’s existence, and thus the group felt like it was doing what was needed to reduce the threats to the species to a level precluding the need to list the GuSG. Since the listing of the GuSG in November 2014, the GBSGSC has had a difficult time determining what its role is in

GuSG conservation. The USFWS attends each meeting, but the structure of the committee hasn’t changed to reflect the leadership role the USFWS should be providing to the committee. Thus, the committee was unclear as to their next steps for GuSG conservation. Additionally, most other GuSG local working groups within the range of the GuSG have either ceased to exist or meet only yearly to hear reports and discuss individual agency/entity accomplishments. At least some of this is due to the listing of the GuSG, though lack of administrative support and other functional issues are also at fault.

From a local perspective, the ESA process, listing, and subsequent lack of meaningful leadership by the USFWS to the GBSGSC in the post-listing environment has reduced, if not almost completely left the GBSGSC and other working groups without a sense of direction. Their assessment is that the USFWS failed to recognize the full power of the GBSGSC by incorporating this group into new strategies and actions required by the listing decision.

Conclusion

When used correctly, LWGs, or more formally organized local groups such as the GBSGSC, have the capacity to accomplish major conservation actions. However, local groups that have an official structure and purpose, may be more effective than loosely based local working groups. This structure may be more effective when local governments and entities select their members such that these individuals have the authority to make decisions during the meeting. The momentum and success of entities such as the GBSGSC and LWGs can be impacted by governing decisions that are made outside of the LWG process. This may be unavoidable, but efforts should be made after these decisions to incorporate LWGs. If this is done, effective momentum and purpose will continue.

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