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AUDIOTAPED BOARD OF COUNTY COMMISSIONERS

OF GARFIELD COUNTY

WORK SESSION MEETING

108 8th Street, Room 100

Glenwood Springs, Colorado

September 5, 2012

9 a.m.

Re: BLM SAGE-GROUSE MEETING

1 APPEARANCES:

2 Commissioner John Martin - Chairman

3 Commissioner Tom Jankowsky

4 Commissioner Mike Samson

5

6 Dan Neubaum, Wildlife Biologist

7 Kathy Griffin, Species Conservation

8 Coordinator for the State for Grouse

9 Brad Petch, Parks and Wildlife

10 Fred Jarman, Director of Planning Community

11 Development

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1 (Garfield County Work Session starts at
2 1:07:03.)

3 CHAIRMAN MARTIN: Let's go ahead and
4 introduce everyone at the table and then talk about
5 Sage-Grouse.

6 MR. NEUBAUM: Commissioners, thanks for
7 having us here today. My name is Dan Neubaum and
8 I'm the Wildlife Biologist out of Grand Junction
9 office and I help coordinate the Parachute
10 Piceance-Roan working group that we've had over the
11 years. I inherited it from a previous Division of
12 Wildlife biologist, John Toolen.

13 MS. GRIFFIN: My name is Kathy Griffin.
14 I'm the Species Conservation Coordinator for the
15 State for Grouse. So I work with Gunnison
16 Sage-Grouse, Greater Sage-Grouse and Columbia
17 Sharp-Tail Grouse out of Grand Junction.

18 CHAIRMAN MARTIN: As known as a lesser
19 Grouse?

20 MS. GRIFFIN: Exactly. We'll be changing
21 the name soon.

22 MR. PETCH: Good morning, Commissioners.
23 I'm Brad Petch. I'm the Senior Terrestrial
24 Biologist for Parks and Wildlife in the northwest
25 region.

1 CHAIRMAN MARTIN: Welcome, guys. We really
2 appreciate you coming. Take off.

3 MR. JARMAN: I'm going to set this up a
4 little bit, Chairman, if that's all right.

5 CHAIRMAN MARTIN: Fred, go ahead.

6 MR. JARMAN: Okay. Thank you. And
7 welcome. Thank you all very much. I echo the
8 Commissioner's comments. Thank you a lot for coming
9 to visit with us on this.

10 What I want to do is walk through the
11 presentation I just handed to you, share some of the
12 thoughts that we shared with the BLM just on August
13 27th that really talks about the Garfield County
14 portion of the PPR and how that stacks up against
15 the NTT report and really boiling it down to the
16 mapping.

17 And so the questions that we have really
18 seem to focus around the mapping and how that
19 pertains to our county and the various topography
20 that we have.

21 So we're really trying to see if there's
22 any variability in the mapping, I guess is the best
23 way to put it. So that's part two, I guess. I
24 jumped ahead.

25 Part one is really understanding the PPR.

1 And it seems maybe you all really are the best
2 experts at what's going on with that plan and how
3 it's being implemented. So I really appreciate you
4 being here and sharing Dan with us today. That's
5 kind of the way I see it unfolding.

6 (PowerPoint presentation begins.)

7 This is just a cover of both of the plans.
8 One, of course, to the left you know very well, and
9 to the right, I think, at this point you know very
10 well as well, which is the NTT.

11 This is just a shot of the national range
12 and then kind of where we are. Also familiar to you
13 here. Land ownership-wise, we covered this a little
14 bit before, but this gives you a sense of the -- let
15 me go back.

16 So the yellow up in the north area, the
17 course of the BLM. And then you have, some of this
18 green, which I think you can pick out is sort of the
19 split estate, so private surface but federal
20 minerals. So it gives you a sense really of this
21 kind of top area. Of course, this area over here
22 off the Roan. And then here's Roan Creek. And then
23 you've got these big fingers that come down. So all
24 of the gray is privately-held fee land.

25 And here is the natural gas development of

1 that same area. A lot of intense development up
2 Parachute Creek here, but then you've got this area
3 here.

4 A lot of this, I think, is Chevron land,
5 some Puckett, and so forth, and then a little bit up
6 into the BLM here. And then not a whole lot going
7 on here except along the tributaries to Roan Creek.

8 CHAIRMAN MARTIN: Those are county roads,
9 too.

10 MR. JARMAN: They are county roads,
11 absolutely. So the next couple of slides will be of
12 this area here, which is Clear Creek. So I'll be
13 right in this area.

14 This is a map that you're very familiar
15 with. The breakout down here just gives you a sense
16 of what those figures are for land ownership and
17 percentage of the county.

18 So if you kind of go all the way out here
19 at the end, this is sort of the end of the story.
20 Here's where the public lands are and the private
21 lands within the habitat.

22 So this did combine both the general and
23 the priority habitat here.

24 COMMISSIONER SAMSON: Let me ask a question
25 just not totally off the subject, but we always say

1 that Garfield County is two-thirds, 63 -- 67 percent
2 government lands. Are we saying federal just or --

3 MR. JARMAN: No.

4 UNIDENTIFIED MALE: State and federal.

5 COMMISSIONER SAMSON: Or are we saying 67
6 percent is government, that includes all government.

7 MR. JARMAN: This is the mapping Rob just
8 gave me, so his numbers show you that it is about --
9 62 percent is federal here and State lands is very
10 -- there's very little State land really when you
11 total it out. So you're still looking at about 63
12 percent is public land, so under public ownership.

13 COMMISSIONER SAMSON: Okay. Because I
14 thought it was 67. It's 63 basically?

15 MR. JARMAN: Yeah.

16 COMMISSIONER SAMSON: Okay. Thank you.

17 MR. JARMAN: So this is also a slide that
18 shows the leks in the white circles laid up against
19 the priority habitat and then the general habitat
20 out here. And, of course, the green dots are
21 existing wells and then the red dots are permitted
22 gas wells.

23 COMMISSIONER SAMSON: Can I ask one more
24 question here?

25 MR. JARMAN: Uh-huh.

1 COMMISSIONER SAMSON: What is the official
2 definition of a lek according to the biologist here?
3 What is the official definition of a lek, if I might
4 ask that?

5 MR. JARMAN: I'm going to let maybe Brad or
6 Kathy take that one.

7 MS. GRIFFIN: Go ahead.

8 COMMISSIONER SAMSON: Well, I thought the
9 biologist would be the best to answer that one.

10 MR. NEUBAUM: Lek sites are communal
11 breeding sites. Sage-Grouse gather on them
12 periodically each spring to breed.

13 Sage-Grouse are unique among some other
14 birds. There are other Grouse that do it as well,
15 but there are several lekking species that arrive at
16 the same point on the landscape each year to breed.

17 Some of these lek sites in the Piceance
18 basin have been active, to the extent we have data,
19 continuously since the '80s. In many other parts of
20 the range where the data goes back longer, we have
21 continuous activity since the '50s on some of these
22 sites.

23 So the site itself is often used for
24 extended periods of time for breeding.

25 COMMISSIONER SAMSON: And how big of an

1 area is that? I mean, does that vary or on an
2 average is that like 50 square feet or 100 square
3 feet or are we talking half mile?

4 MR. PETCH: It varies pretty substantially.
5 In smaller populations and especially in the
6 Piceance, given the topographic and vegetating
7 issues up there, they tend to be two, three, maybe
8 five acres in size, many them of them.

9 Other places in the range in Colorado, some
10 of those lek sites, and they tend to form in
11 clearings. It can be as much as 40 acres or greater
12 in size. So there's a fair bit of spacial
13 differences as we move around the state.

14 COMMISSIONER SAMSON: Does that like
15 boarder on territoriality where the males have their
16 particular breed ground and then they return to that
17 every year or attempt to?

18 MR. PETCH: They return to that site
19 although there is some moving of birds from site to
20 site. But generally birds return to the same site
21 to breed.

22 There are small territories that form a lek
23 site itself, but those are really only for that
24 breeding season.

25 MS. GRIFFIN: They're very transitory, the

1 actual territory on a lek site could be just even
2 daily, who happens to be the best male that day.

3 MR. PETCH: The other thing with lek sites
4 is they tend to form, you know, they select good
5 visibility sites, openings, bald knobs, things like
6 that.

7 But what really drives where those lek
8 sites form is the quality of nest and habitat around
9 them. You can have good lek sites and no Grouse
10 there if you have no nesting habitat around.

11 So it's really the suitability and the
12 availability of nesting habitat that causes the
13 breeding grounds to form and to maintain
14 (inaudible).

15 COMMISSIONER JANKOVSKY: And how does the
16 nesting habitat tie into riparian?

17 MR. PETCH: Nesting habitats are almost
18 entirely in the sagebrush environments in Colorado.
19 Many of those environments are 25, 35 percent
20 sagebrush canopy cover, and sagebrush tall enough to
21 nest under, 18 to 24 inches or so. So sagebrush
22 primarily during the nesting season.

23 Riparian areas are important. And by
24 riparian areas I really mean wet areas not always
25 associated with a stream, but wet meadows, upland

1 swales, riparian areas, depending on where you are
2 in the range are areas that the birds tend to move
3 into for brief periods in July, August, September as
4 they're raising their chicks, and then move back
5 into sagebrush environments later on.

6 CHAIRMAN MARTIN: Are you still using the
7 formulae on the sighting of leks by the ratio of
8 males per female instead of just actually physically
9 counting one?

10 Because I know that the only way that they
11 were counting leks and birds were from aircraft.
12 And at that point you had to use a formula, so
13 there's no on-the-ground sighting?

14 MR. PETCH: We're only doing male counts in
15 Greater Sage-Grouse habitat. In Gunnison's
16 Sage-Grouse they are trying to come up with
17 population estimates. There's a fair bit of
18 guesswork and a lot of math that has to go into
19 doing that.

20 And we've opted not to do so for Greater
21 Sage-Grouse. That's not consistent around the
22 range. Other states do it differently.

23 We do, because of the difficulty of getting
24 into the Piceance in April, we do all of our lek
25 counts up there by aircraft, rotary wing helicopter.

1 We follow-up with all of them that we can on the
2 ground, but we can't get to all of them, especially
3 the ones out on the rim until after the (inaudible).

4 CHAIRMAN MARTIN: When we did this
5 particular plan, we ran into data gaps in reference
6 to many, many years in between and that there was no
7 records or lek counts made, et cetera, so you don't
8 know if they remained, if they died off, if they --
9 et cetera.

10 What is the timeline now on leks and the
11 review of them and the counts? Is it annual now
12 based upon, again, the plan or the lack of data?

13 MR. PETCH: It is annual. And actually we
14 have some slides here in a little bit that show what
15 data we have.

16 CHAIRMAN MARTIN: Okay.

17 MR. PETCH: You're correct on the Piceance.
18 Because of the difficulty of getting there, our data
19 is shorter here than anywhere else in the state and
20 really dates from the start of the conservation plan
21 in 2005 through present. But it is done annually,
22 again, from the aircraft.

23 CHAIRMAN MARTIN: And a pat on the back
24 from to the guys that were running the range and
25 what have you. They were actually doing it in their

1 log books and they were trying to keep up with it.

2 So those guys back in the '50s, '60s and
3 '70s were actually doing it on their own because
4 they wanted to keep track.

5 MR. PETCH: Right.

6 CHAIRMAN MARTIN: Okay.

7 MR. JARMAN: So this next slide is of the
8 Pinedale area. And when we had Jim Cagney here we
9 spent some time talking about the applicability of
10 what we thought the NTT was really designed to cover
11 as far as habitat goes and what that might mean for
12 indifference with our topography and the experience
13 we have with the landscape in the Piceance. So
14 that's why I showed this.

15 This is actually from the BLM's website of
16 a project they were working on in that area. And
17 then to zoom in where that black square is up in the
18 Piceance, that's this area. So it is a bit
19 different.

20 And more specifically, I should say, one of
21 the leks that I'll point to is right where that
22 black line hits the mountaintop there. And that's a
23 little bit over 8,000 feet. And then of course the
24 bottom is 5600 feet. So there's your delta.

25 And so when we look at the mapping, where

1 we were concerned about the more broad brush it
2 appears anyway of the habitat designation and what
3 does that really mean when you get on the ground and
4 start ground-truthing some of these areas? And is
5 there room for discussion on the interpretation of
6 the mapping?

7 And so that's really the point of this.
8 When you go further from -- it seems where the NTT
9 wants to go with the four-mile buffer, that's that
10 same lek up on top where I showed that elevation.
11 You go out four miles.

12 So for us as a matter of the policy, if
13 that's really applied, the question for us is does
14 that mean that the priority habitat comes then down
15 here, up to the other side, across the top, and then
16 out here as far as a management response?

17 And so that's the discussion we have with
18 the BLM when they were here and trying to really
19 understand what the science was behind this being a
20 reality. And so we wanted to present that to you.

21 This also shows the wells active and
22 proposed in that same area. And we just think
23 there's a very different reality in how the
24 Pinedale, Wyoming experience is and the Piceance and
25 what does that mean for the mapping.

1 So that's really, I think, what's foremost
2 in our minds. And the same thing, here's just
3 another shot giving you the contours. These are
4 ten-meter contours showing where the leks are then
5 relative to the ground. And then that's just
6 another comparison on the two.

7 I forget who the author is, the Famous
8 Grouse book. It really is the main resource that
9 seems to be cited in the NTT and widely cited
10 actually.

11 So this is the only thing that we could
12 find really that they point to as far as the
13 four-mile buffer. If you have any thoughts on that,
14 I would love to hear it and how that comes to be.
15 This is a regression curve and shows disturbance to
16 lek attendance.

17 And then really the most salient part
18 probably of our slides today is this. So the PPR
19 has the picture on the left as the primary habitat.
20 Of course the boundaries all look pretty similar to
21 what the mapping is that you all have today.

22 The question that we have is when you
23 really look at that mapping the dark pieces, dark
24 areas show really where the main Grouse, I think,
25 are in that versus the broad brush red.

1 And so that's really a main question that I
2 think we have is the difference between the two
3 since we have four years of difference, maybe the
4 science has changed or what have you. If you can
5 help us explain that.

6 This is I think is DOW data actually. We
7 had our (inaudible) guy pull this. And this might
8 be familiar to you, but it just shows the range of
9 the sagebrush communities.

10 And they vary, of course, along that same
11 scale with the legend down there as far as the
12 mountain shrub mix, grass mix, rabbit brush mix and
13 so on. And was this the data that you used for the
14 broad brush or is this more specific, that kind of
15 thing?

16 Then again, same thing, landscape
17 comparison. And some of these areas do show up in
18 the mapping and we would like to know more about
19 that.

20 And I think that -- let's see, a couple
21 more slides here. This slide shows of course the
22 four-mile buffer. If you just look at the leks on
23 public lands and if that's applied what that might
24 mean.

25 And then finally it should -- of course

1 this is in a listing scenario, if the four-mile
2 buffer happens and it lists this, then it would
3 affect private lands, this is what that might look
4 like for us.

5 That's it. So I wanted to briefly go
6 through this. The commissioners have seen it, but I
7 wanted to make sure you had had a chance to see kind
8 of the questions that we were wrestling with,
9 primarily from a mapping landscape ecology
10 background. So with that, I'll turn it over to you.

11 MS. GRIFFIN: Okay. Fred, I have a couple
12 of slides that I think are going to address some of
13 your questions. But it might be helpful -- it's a
14 few points maybe to go back to your slide, like
15 maybe in between mine. I don't know how easy that
16 will be.

17 MR. JARMAN: Sure, very easy. We can have
18 Marion just swap us back and forth.

19 MS. GRIFFIN: Okay. Because I don't know
20 if -- we might not need to based on what my slides
21 show or what our slides show, but there might be
22 some that we want to address your slides
23 specifically.

24 MR. JARMAN: Great. Perfect.

25 MS. GRIFFIN: I've prepared a bunch of

1 different things for this talk, not exactly sure
2 where it was going to go.

3 So first I'll talk about the population
4 levels and where those are or have been. And then
5 Dan will go into the plan itself. And then I'll go
6 back and go through how we developed those maps
7 because I think that will be very helpful to answer
8 some of your questions. And so I have that kind of
9 towards the end.

10 I'm going to walk through two slides that
11 have the various populations of Grouse here in
12 Colorado. And both of the slides look the same in
13 that we have the high male count.

14 And again we're indexing the high male
15 count and not including the females in this. We
16 have not used any of the equations. This is just
17 our counts so that we're not throwing any biases in.

18 So we've determined that rather than keep
19 adding layers of bias or inconsistencies or perhaps
20 inaccuracies, we're just sticking with the actual
21 count of males. And across the bottom we have the
22 years.

23 In Colorado our populations are very
24 different in their sizes. So this graph shows our
25 two highest population levels we have. This is

1 northwestern Colorado and the blue line is North
2 Park.

3 The black line is all the populations in
4 Colorado. We don't go back before 2005 because
5 you'll see for example in PPR we don't have accurate
6 data before that. So rather than having a line
7 that's again biased, we just kept our total
8 population at this for this slide at 2005.

9 So you can see the northwest Colorado has
10 the highest population counts. And if you notice
11 this scale on the high male count side, we're in
12 increments of 500. Does that help give you an idea?

13 And the next slide are our smaller
14 populations. And these are the four smallest
15 populations. And if you look on the scale on the
16 left side again is -- now we've changed it. And
17 rather than 500 increments, we're at 50 increments.
18 So it's a very, very different scale.

19 And here we have black line is Middle Park.
20 The white line is PPR. Red line is north
21 Eagle/south Routt population. And the blue line is
22 Meeker/White River population.

23 So you can see in all of our populations
24 we're going through a downward cycle, a downward
25 trend. We're hoping that this trough is going to go

1 back up and we're going to start coming up out of
2 this trough, these fluctuations.

3 I'm sorry. The one population I don't have
4 this year's data is PPR's. Sorry about that. It's
5 actually continuing up slightly this year. So we're
6 hoping that that's where the direction is going for
7 all our populations.

8 To focus in on PPR, because there is
9 variation between the years, when we're showing
10 trend graphs we want to do a three-year average to
11 take some of that variability out.

12 We might have a high snow year and it's
13 more difficult to count, and those are not true
14 changes. So by taking a three-year average we're
15 hoping to kind of get rid of some of that bias.

16 So again, we have our high male count on
17 one side and the years across the bottom. And you
18 can see the population in PPR has been going down
19 and is perhaps starting to come up after a downward
20 trend.

21 COMMISSIONER JANKOVSKY: Do you think 2012
22 is because of the mild winter? I mean, that's a
23 significant increase in two years. Or do you think
24 it's because it's of a better count?

25 MR. NEUBAUM: We'll dive into that exact

1 question here in a second. And it has a lot to do
2 with increased effort on our part through some
3 research projects to try to look at more leks and
4 discover unknown leks. And we had some success with
5 that this last year and we'll talk about that here
6 in a bit.

7 MS. GRIFFIN: Just to give you an idea, the
8 trend line for our data shows that we are on a
9 downward trend in the population counts for PPR.
10 Again, we're hoping that that trajectory will
11 change. As we're seeing that this trough, we're
12 hopefully coming out of that trough.

13 COMMISSIONER JANKOVSKY: On that 174, I
14 mean, what is the number in Garfield County versus
15 Rio Blanco county? I mean, I've read something
16 where the population is more in the southern part of
17 the PPR than in the northern part, which is also the
18 part which is more industrialized as far as the oil
19 and gas development.

20 MR. NEUBAUM: Yeah, off the top of my head,
21 I don't have the exact number, but it is a larger
22 proportion of that count than the northern portion
23 would be contributing, quite substantially more of
24 it. And I can certainly get to you those numbers.
25 We have those broken out.

1 COMMISSIONER JANKOVSKY: I can't remember
2 where I saw that other than it was drastically
3 (inaudible).

4 MS. GRIFFIN: Is it like two-thirds,
5 one-third?

6 CHAIRMAN MARTIN: Yeah.

7 MR. NEUBAUM: Yeah, exactly.

8 CHAIRMAN MARTIN: And I think that also
9 came in reference to the some of the property owners
10 and the mineral owners to go ahead and to improve
11 habitat.

12 And I think there was quite a program that
13 improved it and opened things up, moved them off the
14 road and what have you. So I think that you're
15 seeing a recovery simply because of common sense and
16 habitat restoration.

17 MS. GRIFFIN: It's difficult to tease those
18 things apart because if you look at say North Park,
19 for example, we have substantial lek count data
20 going back with fairly similar efforts since the
21 '70s.

22 And you can see in that population
23 fluctuations that go up and down, almost cyclical,
24 but not quite. We can't technically call it a cycle
25 because it's not as steady and consistent as a

1 cycle, but you do see these ups and downs
2 fluctuations over the years.

3 We haven't been monitoring the PPR long
4 enough to know if this is perhaps one of those --
5 the trough of one of those fluctuations.

6 So this could be coming up because of those
7 fluctuations or it could be habitat enhancement, all
8 kinds of things.

9 CHAIRMAN MARTIN: And you're also running a
10 scenario in reference to the depth of the snow or
11 the temperature changes that are taking place in
12 that particular same year and showing the ups and
13 downs?

14 And also, are you also monitoring predators
15 in reference to the same cycle? And have you seen
16 an increase of predators or a decrease in predators
17 showing that there's an up and down cycle with them
18 as well?

19 And that all is, again, for habitat and
20 also for the recovery of birds and predators, et
21 cetera. So after all, fox and skunks and coyotes
22 and raptors and all that have a cycle as well.

23 And so what I am saying is, are we putting
24 all the data together that can actually show us a
25 true picture of what's really going on out there?

1 MR. PETCH: We don't have really anywhere
2 in the state, other than with bear and with lion, a
3 good census effort or a good inventory effort on
4 carnivore species --

5 CHAIRMAN MARTIN: Okay.

6 MR. PETCH: -- in the same with the
7 (inaudible) raptors, or with ravens, crows, magpies.

8 CHAIRMAN MARTIN: Magpies are a great egg
9 killer.

10 MR. PETCH: There are a number of predatory
11 animals that prey on Sage-Grouse. They are at the
12 root of food chains within these environments.

13 We don't see places where we've done
14 intensive research on the demographics, nest success
15 rates, chick survival, those kinds of thing. We
16 have not seen anywhere in Colorado, although we
17 don't have that information yet for the Piceance,
18 where predation seems to be having a
19 disproportionate effect over what we've seen
20 elsewhere in the range.

21 CHAIRMAN MARTIN: Yeah. The only study
22 that I saw was out of Montana/Wyoming. And that was
23 the one that was intensive on predator control. And
24 then they saw the overall increase. And then they
25 saw a drastic decrease when they stopped the

1 predator control. So they go hand in hand.

2 MS. GRIFFIN: Yeah. That's one of the
3 drawbacks is as soon as you stop the predator
4 control, it just reverts right back to where it was.

5 CHAIRMAN MARTIN: Yeah.

6 MS. GRIFFIN: It's very, very difficult to
7 (inaudible).

8 CHAIRMAN MARTIN: That was a U.S. Fish and
9 Game study that they had commissioned to do so.

10 MS. GRIFFIN: So are there any other
11 questions on population counts before we kind of
12 switch over towards the plan itself?

13 (Inaudible.)

14 MR. NEUBAUM: So I'll just give you a
15 little bit of overview on the Plan and how it
16 evolved.

17 In 2005, a working group was formed for the
18 PPR. And we put a couple of quotes here that came
19 straight out of the Plan that kind of described at
20 that time what they were putting forth as the goals
21 and purpose of the Plan. And I'll just read those
22 out.

23 The Parachute-Piceance-Roan Greater
24 Sage-Grouse Conservation Plan informs and guides the
25 activities of participants of the local PPR Greater

1 Sage-Grouse Working Group and others who care to use
2 the Plan.

3 And I think that was an important -- it was
4 phrased carefully so that everyone who was
5 participating had buy-in and was willing to be a
6 part of that working group.

7 The second one designated as the purpose of
8 the Plan is to provide a coordinated management
9 across those jurisdictional and ownership boundaries
10 and to develop a wide community support that is
11 necessary to assure the survival and improve
12 sustainability, longevity and vigor.

13 And I think that was kind of getting at
14 this is a plan that would attempt to bring in all
15 different landowners and different constituents and
16 try to put the best foot forward.

17 CHAIRMAN MARTIN: And to emphasize that, do
18 you have the list of all of the participants, since
19 I was there too? And it was quite a list of who was
20 participating, giving information, working and
21 giving expertise.

22 I think that needs to go along with there
23 because it was a true effort of all agencies and
24 property owners and governments working together.

25 However, as Mr. Cagney will tell you, it's

1 voluntary. It is not mandatory. And he cannot
2 consider that.

3 MS. GRIFFIN: When you have such a wide
4 group of people signing a plan and they have all
5 different missions and such, in order to get the
6 plans finalized and put forth, you have to put in
7 things like this, "and those who care to use the
8 Plan."

9 CHAIRMAN MARTIN: Exactly.

10 MS. GRIFFIN: So that if someone decides,
11 well, I'm going to sign it but I always have my out.
12 I don't care to use the plan.

13 CHAIRMAN MARTIN: I think that's being used
14 now because I think a couple agencies are using that
15 particular out right now. But the intent was there
16 and was truly an honest, almost a three-year plan
17 that went forward.

18 MR. NEUBAUM: And those folks who did
19 participate, there are signature pages in the back
20 of the Plan that have those signatures and represent
21 those folks who participated, which was important.

22 So like we mentioned, the Work Group Plan
23 is not a regulatory document. It was to encourage
24 the voluntary participation of some of the
25 strategies that were identified that would address

1 issues that were identified as impacting the Grouse
2 in that population.

3 CHAIRMAN MARTIN: A clarification also.
4 Some of the governments didn't have budgets to go
5 ahead and make it mandatory, which was the other
6 issue. No monies were allocated to implement the
7 Plan and make it mandatory.

8 So I think that that is also one of the
9 keys that are there, why it remained, again,
10 voluntary. No money available.

11 MR. NEUBAUM: And that's typically true of
12 working groups across all the species that we work
13 with.

14 MR. PETCH: Really without exception, in
15 this plan and in others, every agency signature
16 letter can be (inaudible) in that sense to the
17 extend that budget manpower allows.

18 CHAIRMAN MARTIN: Exactly. And we know
19 that.

20 MR. PETCH: So you're absolutely right.
21 That is part of the reason for the voluntary nature.

22 CHAIRMAN MARTIN: Thank you.

23 MR. NEUBAUM: So after the plan was put
24 together, the work group basically moved forward
25 with what we call this implementation plan ranking

1 process.

2 And the group got together and hashed
3 through all of these topics and tried to identify
4 how they related to our given population that we
5 were working with, the PPR in this case, and then
6 eventually ranked those in priority of which one's
7 they felt had the biggest potential to play a role
8 or be an issue with the Greater Sage-Grouse in those
9 areas.

10 And so this table basically shows you how
11 those topics broke out on a statewide ranking level
12 across the populations.

13 It shows you the implementation team and
14 how they ranked them. Those were a group of folks
15 that ranked these issues before the individual
16 population working groups got together and worked on
17 these. And then there's the rankings of how the
18 local working group put the rankings on them.

19 And so there is some difference across the
20 board there. And so I think it kind of points out
21 that there is no silver bullet across the state
22 that's going to address these issues for Grouse.
23 Every population is a little bit different. And
24 then how the different agencies and groups perceives
25 some of these issues is going to vary a little bit

1 as well.

2 COMMISSIONER JANKOVSKY: So this is ranking
3 based on an impact to the Sage-Grouse?

4 MR. NEUBAUM: I think they were considered
5 as the top ranking issues that were affecting the
6 population that should be where focus could be
7 placed to try to make the biggest bang for buck, if
8 you had to pick and choose.

9 COMMISSIONER JANKOVSKY: So the local
10 working groups considered grazing number two?

11 MR. NEUBAUM: They did. That's how they
12 ranked it during that process.

13 And we do have the original justification
14 that was placed on all of those to kind of help
15 explain the nitty-gritty of how those rankings fell
16 out on the local working group level.

17 And I will say that when the Plan was being
18 put together, the working group was fairly large.
19 And by the time we got to the implementation plan,
20 the numbers had dwindled a fair amount.

21 But there was still representatives from
22 most of the different types of constituents that
23 were there (inaudible).

24 CHAIRMAN MARTIN: And one of the biggest
25 telltale signs on that I think that you'll see is

1 housing development because in the working plan, the
2 folks that were there on the local working plan know
3 the population, know the development, and know the
4 country, where the State just gives it an overall
5 broad brush and say, well, we can't have houses out
6 there.

7 But they don't know the topography. They
8 don't know the layout of the land, et cetera.
9 That's why I think that the working plan is much
10 more detailed and tailored to the actual environment
11 instead of having the State do a rating overall.

12 You take every working plan in the state,
13 put them all together and then come up with a
14 rating. So again, I think more clout should be
15 given to the different working plans.

16 And that's what's missing, I think,
17 sometimes in the overall broad brush working plan or
18 one size fits all. Because Gunnison is in the same
19 boat in reference to their working plan with the
20 Gunnison Sage-Grouse, which is a captured species
21 within a certain climate.

22 So again, it wouldn't always fall in the
23 same as in Pinedale as if you applied the Pinedale
24 approach to Gunnison, it probably wouldn't work as
25 well.

1 MR. PETCH: But I think your points borne
2 out to some extent, Commissioner Martin. The
3 left-hand column, the statewide rank is averaging
4 across all of six populations in Colorado.

5 The center column, the implementation team
6 rank is -- agency biologist, the one's who wrote the
7 state plan, but looking specifically at the issues
8 of the Piceance Basin or the Parachute-Piceance-Roan
9 population. There's much more similarity there at a
10 local scale.

11 CHAIRMAN MARTIN: Yeah, that's what I
12 noticed.

13 MR. PETCH: So you're right. I think the
14 scale --

15 CHAIRMAN MARTIN: Well, what happened --
16 the reason I bring that out, guys, is simply because
17 if you take a national view now and a national
18 average, what will you have actually and what is
19 again local versus the specialists like yourselves
20 and laying out on the plan what shows to be in
21 priority? So I think we need to give more emphasis
22 to that.

23 MR. NEUBAUM: So Fred kind of pointed out
24 that there was the interest in how is the Plan now
25 being implemented? We kind of wanted to dive into

1 that as best we could.

2 Management and energy mineral development
3 impacts through the implementation of wildlife
4 mitigation plans was one strategy that was used.
5 And it's in effect tied to a lot of these other
6 issues that were listed in those same ranking
7 processes.

8 It addressed things like grazing
9 management. Things like directional drilling and
10 avoidance of seasonal habitats were all strategies
11 that were built into these plans to try to deal with
12 some of those top-ranking issues that were concerns,
13 such as energy development and grazing.

14 So that was one strategy that was used
15 where the Plan was used as a reference to try to
16 guide our actions on the ground.

17 COMMISSIONER JANKOVSKY: What kind of --
18 you know, this plan was done in 2008. And it's
19 voluntary. And it kind of fell into your lap to
20 monitor it and implement it as best you can,
21 although it's voluntary.

22 So what kind of help are you getting or not
23 getting?

24 MS. GRIFFIN: Can I answer that in terms of
25 these numbers?

1 MR. NEUBAUM: Sure.

2 MS. GRIFFIN: So the stuff that Dan is
3 talking about here with the wildlife mitigation
4 plans, those are agreements between the private
5 landowners, basically the oil companies and Colorado
6 Parks and Wildlife to come up with a plan for the
7 Grouse.

8 We have over 107,000 acres in wildlife
9 mitigation plans. I think there's only a total of
10 five -- is that true?

11 MR. PETCH: That are Sage-Grouse?

12 MR. GRIFFIN: Yeah.

13 MR. PETCH: Yes.

14 MS. GRIFFIN: Five plans that are specific
15 to Sage-Grouse. And like I said, they cover over
16 100,000 acres. This is just for PPR.

17 Wait -- no, no, no. Excuse me. Sorry,
18 sorry, sorry. That's statewide. For Greater
19 Sage-Grouse. Sorry.

20 So beyond the wildlife mitigation plans,
21 there's all kinds of stuff within those plans that
22 I'm not counting here. But beyond that we've done
23 over 200,000 acres of habitat treatments.

24 And in terms of conservation easements and
25 fee title, we have over 40,000 acres that are just

1 held by Colorado Parks and Wildlife and then another
2 13,000 that are other entities like Cattlemen's Land
3 Trust or the Nature Conservancy.

4 CHAIRMAN MARTIN: But that's statewide.

5 MS. GRIFFIN: No, that's only within
6 Greater Sage-Grouse habitat, just Greater. So it's
7 not --

8 CHAIRMAN MARTIN: That's Moffat County, Rio
9 Blanco, Garfield, Mesa, Jackson, Routt, et cetera?

10 MS. GRIFFIN: Right. Yes.

11 COMMISSIONER JANKOVSKY: So can we get an
12 idea of what those numbers are in Garfield County?

13 MS. GRIFFIN: I don't have those here. I
14 can. I can.

15 COMMISSIONER JANKOVSKY: I would like to
16 get an idea of how well our -- I mean, the big
17 landowners right now are all energy companies up
18 there.

19 MS. GRIFFIN: Right.

20 COMMISSIONER JANKOVSKY: Until you get
21 further west and then you start getting into some
22 large ranges. They have leks and the general
23 habitat.

24 MR. PETCH: In the near term, I can break
25 that down for you a little bit. Given the

1 landownership pattern there are, we have not done
2 any easements in Garfield County. In fact, we
3 haven't done any easements in the PPR population for
4 Greater Sage-Grouse.

5 The vast majority of wildlife mitigation
6 plans however are in the PPR population. A number
7 of those are on the Rio Blanco side of the
8 population, but a good chunk of the Garfield portion
9 is being managed under Wildlife Mitigation Plans as
10 well.

11 CHAIRMAN MARTIN: And again, it's
12 voluntary.

13 COMMISSIONER JANKOVSKY: Are the companies
14 in, do they have active plans? Do they have
15 biologists and active plans themselves?

16 MR. PETCH: In various --

17 COMMISSIONER JANKOVSKY: Are they
18 participating?

19 MR. PETCH: It varies a great deal from
20 company to company. There are some companies that
21 have been very proactive and very active in putting
22 conservation measures on the ground.

23 There are others that have only been
24 interested to the point of clearing regulatory
25 hurdles for continued permitting. As you might

1 expect with any voluntary effort, you do get that
2 full range of participation.

3 COMMISSIONER JANKOVSKY: As a county, we
4 rely on the COGCC for all permitting. We have
5 somebody that knows where the permits are going in,
6 but they do not come in front of us for (inaudible)
7 permitting.

8 MR. PETCH: Right.

9 COMMISSIONER JANKOVSKY: And that's the
10 other tie is how does this tie back into them,
11 COGCC?

12 MR. PETCH: The Wildlife Mitigation Plans
13 are a portion that are provided for in the COGCC
14 rules and have been implemented since 2008 in the
15 context of those rules.

16 They are voluntary. Otherwise with COGCC,
17 the Division -- some of the rules require or at
18 least encourage consultation with Parks and Wildlife
19 during the development of sighting plans, drilling
20 plans.

21 And then we have the opportunity to make
22 recommendations on BMPs and other protective
23 measures back to the Oil and Gas Commission.

24 And again, you see a range depending on
25 landowner interest, energy company interest, where

1 those do differ and other regulatory issues. At
2 times those are implemented, at times they are not.

3 I actually think we have a couple of slides
4 in here later on that show some of the good and bad
5 of what's been achieved.

6 COMMISSIONER JANKOVSKY: And then are any
7 of the grazing partners -- and they're mostly -- it
8 was more on public land, but are they participating
9 in this?

10 MR. PETCH: Again, some are. And
11 particularly in the context of Garfield County of
12 grazing management on some of the larger energy
13 holdings, there have been some marked improvements
14 in grazing management pursuant to some of these
15 mitigation plans, but following the prescriptions
16 that are laid out in the PPR Plan.

17 There are others, and some of them on
18 federal lands, where that's not. But we haven't
19 made as much progress.

20 COMMISSIONER JANKOVSKY: It seems like if
21 you have some federal lands that would be
22 overgrazed. And especially riparian areas are
23 damaged --

24 MR. PETCH: Certainly, that does occur and
25 does with the PPR at times.

1 CHAIRMAN MARTIN: And that's again back to
2 the peer pressure in reference to the wool growers
3 and also the Cattlemen's Association and they have
4 an internal review process.

5 And also they need to have good partners on
6 the federal land in not allowing them to do it and
7 making sure that the contracts are telling them how
8 many days they should have, et cetera, and what is
9 available based upon the weather and the vegetation
10 growth, et cetera.

11 So I think it's a cooperation there. And
12 overgrazing sometimes is the lack of manpower, lack
13 of inspection, and not paying attention. But may be
14 even some of it is intentional.

15 COMMISSIONER JANKOVSKY: Some of it falls
16 also back on federal agency.

17 CHAIRMAN MARTIN: Yes, that's what I'm
18 saying.

19 COMMISSIONER JANKOVSKY: It is a lot better
20 than it used to be. In the '40s whenever the
21 Grazing Act came in, in the '40s, I heard stories of
22 families who were on the Piceance would have to
23 travel for a day so they could get their elk or deer
24 for the winter because it was so overgrazed that
25 there weren't any elk and deer.

1 That's an old story I think goes back to
2 the old-timer who talked about his childhood on the
3 Piceance back when he was there in the '30s.

4 MR. PETCH: In a general sense in terms of
5 implementing this and other local plans, we're
6 having this kind of conversation at every
7 opportunity, whether it's working with BLM on a
8 grazing permit, working with an energy company on a
9 development plan, the kinds of things that are
10 including in the PPR Plan are being discussed by
11 Division folks, whether it's our field people, or
12 biologist, by BLM biologist, at really every
13 opportunity.

14 The outcomes of those vary pretty widely.
15 But the conversation, keeping this plan in the
16 public eye, as one of Dan's earlier slide shows,
17 it's to inform and help guide those management
18 practices and certainly continues to do that to this
19 day.

20 MR. NEUBAUM: There's also some other
21 efforts that are referencing the Plan, monitoring
22 populations. This includes some increased efforts,
23 as I mentioned this last year. And we'll dive into
24 those a little bit more detail here in a second.

25 But there's also been a number of research

1 projects that we've put out on the ground and
2 they've been funded through a lot of different
3 resources including some of the energy development
4 companies.

5 Dr. Tony Apa has been looking at some
6 seasonal habitat use, movements, genetics, and vital
7 rates of birds up on the PPR. And that report, I
8 believe, was finished. Has that actually been
9 posted on like the website for public access yet?

10 MR. PETCH: The progress reports are. I
11 don't think the final is.

12 MR. NEUBAUM: Okay. So the work is done
13 and I think he's just about done wrapping up the
14 writing of that.

15 Another researcher, Danielle Johnston, has
16 been looking at restoring energy fields for
17 wildlife, doing a number of different treatment
18 types for removing weeds and other studies. That
19 work's ongoing.

20 CHAIRMAN MARTIN: Is that down at Molina?
21 There was a project there in reference to using all
22 of the restored energy lands, pipelines and access
23 roads in reference to secondary vegetation and
24 feeding of wildlife, using that as a voluntary
25 program as well.

1 Did you get a report on that one at all?
2 On the success or not because that was a good
3 program I thought was coming out of the Division and
4 Energy and also private landowners.

5 MR. PETCH: The evaluation on the Molina
6 project specifically is still in progress.

7 CHAIRMAN MARTIN: Okay.

8 MR. PETCH: Danielle's work is all north of
9 the interstate.

10 CHAIRMAN MARTIN: North of the interstate,
11 okay.

12 MR. PETCH: And some of it on the Rio
13 Blanco side.

14 CHAIRMAN MARTIN: Okay. Good. All right.

15 COMMISSIONER JANKOVSKY: As you've been
16 talking to Jeff, it shows that birds are traveling
17 60-plus miles and sometime from Moffat County back
18 up into Wyoming. Are you seeing that type of
19 activity as we are or is this population isolated?

20 MS. GRIFFIN: Did you talk about Brett's
21 work?

22 MR. NEUBAUM: I bulleted it, but it would
23 be worth hitting on. I mean, Brett Walker's work
24 I'll show on the next slide. He did see some fairly
25 large movements of Grouse within the PPR population.

1 But as far as those birds leaving the population and
2 going up into like the northwest, I don't believe he
3 saw anything like that.

4 MS. GRIFFIN: No, we are not seeing that.

5 COMMISSIONER JANKOVSKY: So this population
6 is isolated. And I guess it gets back into
7 genetics. Is there enough population for this to be
8 any viable population?

9 And then the next question is -- this is
10 from the slides you've showed -- this is a highly
11 industrialized to the fact that we have a lot of oil
12 and gas activity and how does that all fit in? How
13 does that fit together? And does this population
14 warrant being part of the overall national study?

15 MS. GRIFFIN: So a couple of things. One,
16 with the movements, Brett has been trying to
17 document long-range movements. It's very difficult
18 to document long-range movements because if you're
19 not there at the time, you just might miss them.

20 I think he has seen, and I'd have to double
21 check, movements from PPR to Magnolia and back.

22 COMMISSIONER JANKOVSKY: Magnolia is where
23 exactly?

24 MS. GRIFFIN: Just slightly north between
25 the PPR and Meeker/White River. There's a little --

1 MR. NEUBAUM: It's north of the County Road
2 5, the Piceance Creek Road.

3 COMMISSIONER JANKOVSKY: (Inaudible)
4 population (inaudible) 50, you know, birds is not
5 going to (inaudible).

6 MS. GRIFFIN: Yeah, there's very few birds
7 here, yeah.

8 COMMISSIONER JANKOVSKY: But there is
9 travel between those two populations.

10 MS. GRIFFIN: Right. And in our habitat
11 mapping, we have corridors that have we mapped that
12 have pockets of suitable habitat, though it's not
13 all. It also includes a lot of non habitat with the
14 idea of keeping some type of corridor available so
15 that there could be movement between those.

16 In some of our mapped linkage areas we know
17 there are movements. Others we don't know yet if
18 there are movements or not. The hope is that there
19 is. We don't know yet.

20 That goes back to the genetics because that
21 would be one way to look at that.

22 COMMISSIONER JANKOVSKY: Does this
23 population get isolated similar to what happened
24 with -- because I imagine at one time the Gunnison
25 Sage-Grouse was a part of this overall, you know --

1 there's a thousand years we don't know what, as part
2 of this population (inaudible) isolated.

3 MS. GRIFFIN: Right.

4 COMMISSIONER JANKOVSKY: I mean,
5 (inaudible) breed or whatever.

6 MS. GRIFFIN: So Tony Apa had a graduate
7 student whose work has just been finished. He just
8 finished his PhD. And that document, I think, is
9 going to be soon on our website. I don't think it
10 is yet. I think it was just was finalized last
11 week.

12 And he looked at some genetics within
13 Colorado. And it shows that there is more of a
14 connection genetically. So this is more like
15 long-term historical connection.

16 There's this connection between the PPR,
17 the Meeker/White River and the southern portion of
18 the northwest Colorado population. So they share a
19 portion of their genetics.

20 And then there seems to be this connection
21 about the Great Divide and that southern portion of
22 the northwestern Colorado. They share genetics yet
23 that the Great Divide is not sharing many of the
24 genetics with the PPR.

25 And then there's also this connection

1 between up by Cold Springs up in that really
2 northwestern corner of Colorado. They're sharing
3 more genetics with the Great Divide population and
4 very, very few with the PPR population.

5 So it's showing there's this type of
6 stepping-stone connection between these populations.
7 So they have been connected over time in the past.
8 And whether that connection continues is a question
9 we don't know.

10 CHAIRMAN MARTIN: And that goes back to the
11 slide. And my poor old mind is kind of failing me,
12 but what was the rating in reference to genetics on
13 your scale back there, state versus local versus
14 other?

15 And I think you need to take a look at that
16 one and where that overall state average comes in,
17 in reference to genetics.

18 MR. NEUBAUM: Yeah. By the local working
19 group it was actually ranked fairly low.

20 CHAIRMAN MARTIN: Genetics 18, 15, and then
21 the local groups at 11. And so that goes back to
22 what your point is, again, looking at those things
23 is important because we know that there's genetic
24 strains back and forth.

25 But again overall statewide genetics

1 doesn't even play a part, at least at the lower
2 rating.

3 MR. NEUBAUM: It might depend on how you
4 parse out those individual issues. In terms of like
5 health of the birds from genetics and stuff, the
6 population is still diverse enough that it's doing
7 okay.

8 We're not seeing mutations or inbreeding or
9 things like that. And that's why you probably saw
10 some other things that got ranked higher that might
11 have dealt with -- like some of the different types
12 of infrastructure on the landscape or things like
13 that that might be breaking down those travel
14 corridors and keeping those birds from being able to
15 maintain those connections.

16 CHAIRMAN MARTIN: Actually, the
17 topographical boundaries is one of them. And I
18 think that's what you saw in Gunnison. And they
19 just didn't overcome that movement outside of that
20 basin.

21 And I think you'll that you'll see the same
22 thing in the PPR, again because it's the height or
23 the elevation versus the plateau in how they can
24 travel on that but they don't drop down to mix with
25 the other folks.

1 And I think that's the importance in the
2 genetics shows that there is a movement there and
3 there is a tie. But it's not always infrastructure
4 that breaks it down. It's a natural barrier.

5 MR. NEUBAUM: That's very true for the PPR
6 population. I mean, the topology is very different
7 from most of the other Grouse populations.

8 CHAIRMAN MARTIN: And that's what we were
9 trying to look at in reference to the Pinedale study
10 and the type of ground cover, the elevation and the
11 layout of the land versus what we're up here.

12 We're struggling with that particular
13 approach, saying wait a minute -- and this will tie
14 back to your genetics -- that there is a movement,
15 yes. And there is a coordination.

16 But it's based upon topography more than it
17 is on the overall management plan. It's just a
18 natural thing that's occurring.

19 So I think Gunnison and we have again the
20 same type of argument that you can't just do the
21 overall state plan or national plan. You'll lose
22 populations, I think.

23 MS. GRIFFIN: I just wanted to point out
24 that not only is genetics down here ranked slightly
25 different, but there's another category of habitat

1 linkages, and that --

2 MR. NEUBAUM: That was ranged high.

3 MS. GRIFFIN: -- ranked very high for the
4 PPR.

5 CHAIRMAN MARTIN: And I think we saw that
6 in that group.

7 MS. GRIFFIN: Yeah. So I just wanted to
8 point that out. Wait, one other quick thing with
9 the genetics.

10 There is a proposal to do a range-wide
11 genetics study so that we can look at connectivity
12 on a large scale, but we're still looking at that
13 proposal.

14 CHAIRMAN MARTIN: That goes back to
15 dollars, doesn't it?

16 MS. GRIFFIN: That's a good point.

17 CHAIRMAN MARTIN: It's not the science.
18 It's just the lack of dollars that makes that
19 possible.

20 MR. JARMAN: Along the same lines, I was
21 just reading in the socioeconomic stuff that was
22 just released for the BLM's EIS, but one of the
23 concepts they talk about are the viability of the
24 periphery populations to the overall health of the
25 range and the species in the range.

1 Can you touch on that a little bit?
2 Because that's really kind of what we're talking
3 about is you have these pockets that may be so
4 isolated. And whether the genetics are good or bad,
5 does that contribute either negatively or positively
6 to the overall health of the national range?

7 And so one of the questions that we've been
8 talking about is can we simply cut off Garfield
9 County in the mapping and does that affect the
10 national range? We have few birds. We have a
11 different topography. What does that affect?

12 COMMISSIONER JANKOVSKY: And it is highly
13 industrialized.

14 MR. JARMAN: Exactly.

15 MS. GRIFFIN: There's a couple of different
16 thing there. One is scale, and I'll talk to that in
17 a moment.

18 The Colorado Conservation Plan includes a
19 population viability analysis that includes all the
20 populations in Colorado. And the result of that
21 show that none of the populations in Colorado would
22 go extinct or have a very low probability, less than
23 one percent probability of going extinct the within
24 the next 50 years if everything stayed -- if there
25 were no new threats, no new development on the

1 landscape.

2 The only exception to that was the
3 Meeker/White River population, and that has a much
4 higher probability of going extinct in the next 50
5 years. So we have done some of that population
6 modeling to look at population viability.

7 So as it is now, the PPR is a viable
8 population. Again it's a model. And one of the
9 problems with that modeling is looking at how do you
10 take into account future development?

11 So that baseline or that initial population
12 viability analysis is saying if there's no new loss
13 of habitat, that's what would occur in the next 50
14 years. It's modeling out.

15 When we looked at a scenario of oil and gas
16 development that we had seen in the previous five
17 years, if we played that out, almost all the
18 populations disappear.

19 But when looking back at that modeling
20 effort and going into detail like why is that taking
21 into account -- why is that occurring? The model is
22 too simplified. It's not like you're going to have
23 widespread clear cutting or 800 wells every year in
24 the PPR. That's not the reality of how it plays out
25 on the ground.

1 So they did a second analysis looking at
2 trying to look at the intensity of the development
3 and the duration of that development because we know
4 there's places in Wyoming and here in Colorado where
5 we've had energy development in the past and it has
6 not, as far as we know, greatly affected the
7 populations.

8 So trying to look at it from an intensity
9 and a duration standpoint. So that modeling is
10 very, very difficult to do.

11 COMMISSIONER JANKOVSKY: And the state of
12 the PPR might be a good example of that because if
13 you look at the number of wells that are up there
14 already, and when you look at your population, I
15 mean, it is highly industrialized.

16 We have a high amount of oil and gas
17 activity (inaudible) population is somehow -- and
18 our own biologist tells us that the bird is affected
19 when there's disturbance, (inaudible) around those
20 leks. But somehow this bird's continuing to survive
21 in this area.

22 MS. GRIFFIN: Though the population is
23 trending down though.

24 COMMISSIONER JANKOVSKY: (Inaudible) what I
25 saw in 2012 (inaudible).

1 MS. GRIFFIN: But we've also increased our
2 efforts in the last year. So it's very hard.

3 COMMISSIONER JANKOVSKY: But then is it
4 trending down because our efforts (inaudible)
5 strong? You know, it would have to go the same way.

6 (Overlapping conversation.)

7 COMMISSIONER JANKOVSKY: Because our own
8 biologist tells everything. I mean, I have no doubt
9 that you want to hear from our biologist that
10 activity, it affects the birds (inaudible).

11 But then at the same time if you look at
12 those leks and you see four, five different well
13 sites or pads and you go, well --

14 CHAIRMAN MARTIN: I think this next slide
15 will also answer that particular question in
16 reference to the removal of the Juniper and the
17 other in clearing certain areas and then actually
18 returns habitat. So you will see a more of a use.

19 But again, the BLM in reference to Juniper
20 and Pinyon, they let wildfire go just to get rid of
21 Juniper and some of their Pinyon.

22 But also that takes in sage. And that's
23 the latter fuel for those others. And at that point
24 then you have a total removal of habitat which takes
25 a long time to come back. And that's also a real

1 problem if you have wildfires.

2 So some of those mitigation plans in
3 reference to the sage is also fire mitigation plans
4 and that you'll see safety areas and then they
5 become again a lek, if they're in a right spot and
6 location, working with the Division -- I still call
7 you the Division of Wildlife. I'm just not going
8 give up on that.

9 But I think that that is one of the working
10 relationships with the energy companies and also the
11 farmers on their private land that has worked in
12 this plan, that they recognize that the sage needs
13 to be there but they work around that and remove the
14 other stuff that takes their habitat.

15 So I'd like to see that continue, even
16 though it's a voluntary program.

17 MR. NEUBAUM: This next slide shows some of
18 Dr. Walker's work. And he was trying to get a
19 better handle on some of the habitat that we were
20 finding the Grouse using or preferring.

21 And then one of the things that they did
22 look at was assessing Pinyon-Juniper removal. That
23 was a joint effort with the BLM to use some
24 mechanical treatments to remove the Junipers and
25 then see whether we were still finding Grouse coming

1 in and using those areas.

2 And then he also had some new work starting
3 up this year to evaluate lek-based monitoring and
4 management strategies.

5 And that's the project where he had more
6 techs getting into accessible areas on the ground,
7 trying to watch leks simultaneously with aircraft
8 flights over them to see in the lek counts varied
9 between the two techniques, which is really hard to
10 do, but he had some success with that.

11 And then they use another methodology
12 called dual-frame sampling, where they designate
13 flying time to just fly over the landscape to
14 randomly chosen locations and see, is there a lek
15 there that we've just not picking up because we've
16 been flying these other traditional routes? And so
17 are we missing some of these things?

18 And they did find a few new leks in doing
19 that work. And as a result, we saw our lek count
20 numbers boost up this year that you noted in 2012.

21 I think that an important thing to know is
22 that we have been watching a good set of the leks on
23 the landscape, a good proportion of them for
24 multiple years now.

25 And so that downward trend that we're

1 seeing is still legitimate. It's showing the tread
2 across the population. Whether the population is
3 actually bigger, the total numbers are bigger than
4 we actually think they are or not, the tread is
5 still negative in that regard.

6 Again, maybe we're pulling out of it and
7 it's in just one of those downward cyclical motions.
8 We all kind of hope so, but I think time will tell
9 on that one.

10 MS. GRIFFIN: And the downward cycle or
11 that downward trend that we've seen and you're
12 questioning whether it's not effort at that point,
13 those years that we have in the trend of just PPR,
14 there's not an effort difference except in that last
15 year, this year, because that's the only difference
16 in the effort that we've had since 2005.

17 CHAIRMAN MARTIN: And in that formula,
18 you're adding the new leks to it in reference to
19 your count and then taking an overall average of the
20 number of leks that you have found, et cetera, what
21 their use is, et cetera.

22 And have the only leks been abandoned and
23 the new leks been established, that's another
24 question in, in again, biology and you have to
25 establish that one too.

1 MS. GRIFFIN: Yeah.

2 COMMISSIONER JANKOVSKY: Why is the -- you
3 know, the bird is over on the Roan and in the
4 portion of the area that has a lot of development.
5 But then you have the eastern part of the Roan,
6 which is general habitat and there aren't any leks
7 in that area. There's no development. Is it a
8 difference in habitat or is it grazing?

9 MS. GRIFFIN: No. One of the problems that
10 we have with Grouse and the fact that they are a
11 lekking species is that they have this very, very
12 strong site fidelity. So they go back to an area
13 year after year after year.

14 And so they might not have ever gone over
15 there and explored over there to know. This has
16 been their area. And that go back to that same lek
17 that they've gone to.

18 So even if you do restore other areas, it's
19 very difficult to get them to move into that area
20 that we've just restored because they are so tied to
21 an area.

22 So if you see leks where they are holding
23 on in an area that's been developed, it's not
24 because that's better habitat. It could be just
25 that that's -- they're hardwired for where they go.

1 And it's a problem for us in trying to restore areas
2 and get birds to take up other areas.

3 Or if you're talking about transplants like
4 we are with the Gunnison's, it's very, very
5 difficult to get them to spread out.

6 CHAIRMAN MARTIN: Do you know who else
7 learned that particular trait and has it hardwired?
8 And that's going to be the predators. They know
9 exactly where those birds are going to be and they
10 know exactly when they're going to fledge and they
11 know exactly where their food source is in the year.

12 And so it is part of nature, but it's not
13 just the bird that's hardwired. That's the food
14 source for many others.

15 So how do we deal with that one? And
16 again, that's a bigger question.

17 MR. JARMAN: One, Kathy, it seems the
18 coveys operate exactly the same way.

19 MS. GRIFFIN: The what?

20 MR. JARMAN: The coveys. And I say that --
21 that's cross species. The blue Grouse will do the
22 same thing. You know, they're a lekking species
23 too. But the coveys year after year after year
24 after year --

25 MS. GRIFFIN: Yeah, the mother, you know,

1 takes the daughter. The daughter takes her kid --
2 yeah.

3 MR. JARMAN: Uh-huh.

4 CHAIRMAN MARTIN: I did like the study
5 where they tried to put on the monitors on the
6 chicks and see what their life cycle was like. That
7 must have been an exciting time.

8 Almost like trying to wire up the Preble
9 Jumping Mouse and then watching them through their
10 life cycle. So there's a lot of studying going on
11 there. I don't know how successful it was.

12 MR. NEUBAUM: A lot of this research has
13 been informative to us because it's kind of
14 enlightened how some of the Grouse in the Piceance
15 and in the PPR population are willing to use
16 slightly different habitats that we would tend to
17 think of as traditional for Grouse in other parts of
18 the state.

19 They're more willing to use denser stands
20 of sage. They're even found sometimes in areas
21 where you see other shrubs like Serviceberry
22 growing.

23 And we see that with some of the isolated
24 Gunnison Sage-Grouse populations too. In certain
25 circumstances they're willing to use some of these

1 habitats that aren't as traditional as what we tend
2 to think of.

3 But they always do still have that strong
4 tie to the sagebrush just as they do everywhere
5 else.

6 CHAIRMAN MARTIN: It will be an interesting
7 answer if you could find if it was just that the
8 habitat changed and the birds didn't and that the
9 Serviceberrys and all of the other things that were
10 invasive based upon historical value and those birds
11 were still hardwired to that particular area and how
12 you could prove that particular thesis. So there
13 you go. You have another one.

14 MR. JARMAN: Chairman, can I interrupt here
15 just for a quick second? I wanted to kind of take
16 the pulse of everybody. I know that Drew has
17 indicated he wanted to kind of get to something else
18 at about 11:30.

19 But I know that there is some mapping
20 questions really that I know Commissioner Jankowsky
21 wants to talk about and these guys are prepared. So
22 maybe to jump to that.

23 MR. NEUBAUM: We'll just hop ahead to some
24 of those mapping questions right now.

25 MR. JARMAN: I appreciate that. Thank you.

1 Sorry for the running short on the time.

2 MR. PETCH: Just a couple of notes on -- we
3 alluded to sometimes we win, sometimes we don't win.

4 In the current situation, this is a sense
5 of where current wildlife mitigation plans are in
6 place. Not all of these have Sage-Grouse habitat,
7 but that large block in the center largely does have
8 Sage-Grouse habitat.

9 Some substantial management successes
10 there, many of those represented in the Fish and
11 Wildlife Service prior to the 2010 listing as things
12 that the State had done and that other cooperators
13 were involved in.

14 On the other side of that, there are other
15 instances where we haven't done as well. You can
16 see the underlying development shadowed in there.

17 The stars, yellow stars around those lek
18 sites are bad locations that have fallen within the
19 six-tenth of a mile suggested offset from leks.

20 So in places we were doing some good
21 things. In places we're not. And this is the kind
22 of thing that I think has led the Fish and Wildlife
23 Service to say they want to see more because it's
24 not an open and shut, because we wrote a plan and
25 everything happens is (inaudible).

1 MS. GRIFFIN: And this is not the four-mile
2 buffer on a lek. This is a six-tenth mile buffer.

3 (Inaudible conversation going on.)

4 CHAIRMAN MARTIN: It would also be good to
5 see what that does to with the four-mile particular
6 area on your mapping and see exactly the impact that
7 it would be.

8 COMMISSIONER JANKOVSKY: Fred can take you
9 back. There are a lot of wells there.

10 MS. GRIFFIN: I'll skip ahead to maybe our
11 mapping and just kind of go through how those maps
12 were developed. And I'll try to go quickly, but if
13 you want me to slow down or speed up, give me a --

14 Because we have Grouse all across
15 northwestern Colorado, we needed to do a
16 Colorado-wide mapping so that we could be consistent
17 across the range.

18 So we'll have to address the issues of
19 localized or individual issues afterwards, but first
20 we'll go through the overall range of Greater
21 Sage-Grouse.

22 So one of our researchers, Mindy Rice, did
23 a seasonal habitat mapping. She used data from 11
24 studies here in Colorado. They were all
25 radiotelemetry data. So those studies occurred

1 between 1997 and 2010, range of years.

2 So obviously they're using a range of
3 habitats in those years based weather. Over 16,000
4 locations were included in this modeling exercise.
5 And we used a basin-wide vegetation layer. And that
6 includes all different types of vegetation
7 variables.

8 Some of those are positive for use by
9 Sage-Grouse, such as sagebrush. Others are
10 negative, such as forest shrubland.

11 So you have both where they're using and
12 where they're avoiding. So you include all those
13 vegetation variables in this mapping effort.

14 So she did a seasonal mapping. So what she
15 did, this is just northwestern Colorado. And to
16 kind of give you some perspective, this is North
17 Park. We have Middle Park, north Eagle, south
18 Routt, and you can see the PPR here.

19 The red colors are highly suitable. I
20 believe this one is the breeding map. The yellow
21 colors are suitable. And the blues are unsuitable.

22 And so obviously there's areas across all
23 of this where we don't even find Sage-Grouse. But
24 I'll get to that in a minute.

25 MR. PETCH: Before you go on Kathy, highly

1 suitable and suitable are based on the likelihood of
2 use by radio marked birds, including birds from the
3 Piceance, that the highly suitable in this breeding
4 model is 75 percent or greater in rough numbers.

5 Probability of actually encountering a bird
6 in a site that looked like that based on those
7 telemetry (inaudible).

8 So a pretty high standard, that if it shows
9 red there, it really meets the time and criteria at
10 the scale of which we were mapping for potentially
11 occupancy by Sage-Grouse.

12 MS. GRIFFIN: So she did this for breeding,
13 summer, and winter habitats. So they all look very
14 similar. You can see PPR has changed a lot more
15 highly suitable habitat. And then this one is
16 winter.

17 So taking into account that seasonal
18 differences in habitat use but putting anything that
19 was highly suitable or high probability of use in
20 any one of those seasons, putting them all together
21 and then clipping it to our known occupied range --
22 we know we have birds there.

23 So this is what you would get is highly --
24 a high probability of use in some season for Grouse.

25 To give you an idea where the data came

1 from, you can see there are a lot of data points
2 there in PPR. So it was an important component of
3 kind of training the model for the entire range.

4 COMMISSIONER JANKOVSKY: So the black is
5 where there are leks or what's the --

6 MS. GRIFFIN: The black and the yellow,
7 there's just so many overlapped it becomes --

8 MR. JARMAN: Telemetry points.

9 MS. GRIFFIN: -- yeah, they're all
10 telemetry points.

11 COMMISSIONER JANKOVSKY: You see on that --
12 the PPR on that western (inaudible) we're not
13 showing any leks.

14 We're showing -- and those two little
15 isolated, at least on the mapping you have, there's
16 two isolated, I guess, islands that are west.
17 There's like a half a lek. I don't know how there
18 can be half a lek.

19 MR. PETCH: In the instance you described,
20 and Kathy actually will probably come to this as
21 we're in the map series a little bit further we can
22 come back and touch on that half a lek.

23 COMMISSIONER JANKOVSKY: And I talked to
24 the guys on High Lonesome, which is further west.
25 They said they actually have some Grouse on their

1 property. And it's not even showing on there. It's
2 not showing (inaudible).

3 MR. PETCH: They believe they do. They
4 have not been able to document that.

5 COMMISSIONER JANKOVSKY: Oh, so they say --
6 so they haven't gotten to it.

7 MR. PETCH: They have had Matt come down
8 and look. There's certainly some potential for
9 habitat there, but we have not documented
10 (inaudible).

11 COMMISSIONER JANKOVSKY: And those are the
12 guys that want to do conservation. They'll be guys
13 that would be great if they had habitat.

14 CHAIRMAN MARTIN: You want to see the
15 carcasses, is what you're telling me?

16 MR. PETCH: Or pellets or tracks or
17 feathers or something other than --

18 MR. NEUBAUM: Something concrete.

19 CHAIRMAN MARTIN: You want something
20 concrete?

21 MR. PETCH: Right. I don't mean that to be
22 disparaging. They really do want to have Grouse out
23 there --

24 CHAIRMAN MARTIN: I know they do.

25 UNIDENTIFIED SPEAKER: -- and I think

1 (inaudible).

2 One of the things we have seen in the
3 Piceance in particular is there are a lot of
4 historic occurrences of birds in the valley floor
5 like the floor of Clear Creek in some of the area
6 that burned here this summer that did (inaudible)
7 winter use patterns or heavy winter, we don't really
8 have a good sense of that. But at one time we did
9 have birds in the valley floor. Those birds we've
10 lost long since.

11 Some of the old-timers, you may recall some
12 of those conversations during the working group
13 meetings have seen birds there in the '30s, '40s,
14 '50s.

15 CHAIRMAN MARTIN: And they were hunted
16 quite extensively.

17 MR. PETCH: Absolutely.

18 CHAIRMAN MARTIN: Mostly during season and
19 out of season.

20 UNIDENTIFIED SPEAKER: They certainly were.

21 CHAIRMAN MARTIN: Let's be honest, okay? A
22 lot of people survived in the wintertime on those
23 things even though they tasted terrible.

24 MR. PETCH: Just to come back to some of
25 your earlier conversations or earlier slides, Fred.

1 The Clear Creek drainage itself is excluded right
2 now from priority habitat, general habitat. And we
3 don't consider it occupied range on the valley
4 floor. We do the rim around it.

5 So we've tried to draw where there are
6 major topographic features, especially on the south
7 side, tried to draw those in and remove those areas.

8 Parachute Creek, Clear Creek, Brush Creek,
9 you know, the major part of those canyons,
10 especially below the cliffs we've tried to exclude
11 from habitat.

12 There are other circumstances on a smaller
13 scale that are certainly included in what we are
14 showing here as priority habitat.

15 MS. GRIFFIN: If you notice that North Park
16 doesn't have any radiotelemetry points. And it's
17 not because we don't have data there.

18 We purposely did not use the data from
19 North Park to run the model so that we could use
20 that as a validation in testing our model in North
21 Park to see how well it worked.

22 So we tested where the breeding model with
23 the known leks where we expected there to be
24 breeding habitat and then overlaid the known leks to
25 see how well those correlated.

1 And then we did the same with the other --
2 some more recent telemetry data that we have in
3 North Park.

4 And we have all kinds of validation slides
5 but I don't need to show them, just to say that both
6 for the breeding and the other seasonal habitats,
7 the validation is 96 percent for the other seasons
8 and 98 to 99 percent correlated for North Park. So
9 we feel like we have a good model.

10 MR. JARMAN: So in this case what's not
11 showing up are a lot of the telemetry points I would
12 assume outside of the red that didn't correlate with
13 anything.

14 So you're clipped once against the other.
15 So I'm assuming there are a lot of telemetry points
16 that didn't show anything.

17 MS. GRIFFIN: No.

18 MR. NEUBAUM: No, they're up there. You
19 can see --

20 MS. GRIFFIN: There's a few. See like
21 here, here. There's some here. We clipped it back
22 to occupied range. So if a bird were outside
23 occupied range, we would still keep it in the model
24 because that's training where there's a probability
25 of seeing a bird.

1 In terms of where we're going to manage for
2 birds are what we have determined is occupied range.

3 So the BLM definitions of that priority
4 habitat are areas with the highest conservation
5 value of maintaining sustainable Sage-Grouse
6 populations, and it includes all of those three
7 seasons or all the seasons that the birds use.

8 So those are all areas that are important
9 for us to manage and that we think we need in order
10 to maintain abundance and distribution of the birds
11 in Colorado.

12 The general habitat then are areas that the
13 birds are used -- there's outside the priority
14 habitat yet still within the occupied range of the
15 bird.

16 Obviously, there's a lot of red on that
17 map, but not every single place is priority. So we
18 cut it back using this information of where we have
19 captured birds nesting in relation to a lek.

20 And this is where counters -- it doesn't
21 counter, but it kind of tees into your question of
22 that four-mile buffer and only having data from
23 Pinedale, which is very different.

24 Well, this is data from Colorado. And this
25 is the distance from a lek. And this is the

1 occurrence. So if you look at two miles from a lek,
2 52 percent of our birds are nesting within two miles
3 of a lek.

4 So it ties back to where the leks are and
5 they're there also because of that nesting habitat.

6 Within four miles of a lek, 80 percent or
7 just over 80 percent of our nests are found within
8 four miles of a lek.

9 So that's showing the importance of that
10 four miles. So if we're protecting four miles from
11 a lek or have varying levels of conservation
12 measures within four miles of a lek, it's because
13 we're trying to incorporate most of the nesting
14 habitat.

15 So that's where that comes from. And like
16 I said, this is Tony Apa's research.

17 MR. JARMAN: I was just going to ask you
18 that, if that was Tony's work.

19 MS. GRIFFIN: Yeah.

20 MR. PETCH: Yeah, this is specific to
21 Tony's work. He has also then expanded it out and
22 looked at other studies around the west that
23 incorporate another couple thousand nest points.

24 And the numbers fluctuate a percent a point
25 or two, but it's pretty well standardized across the

1 west that at four miles you're looking at about 80
2 percent of the nests.

3 MR. JARMAN: What would be curious if you
4 correlated this with what -- is it Dr. Walker's book
5 with the Sage-Grouse -- but the graph I showed you
6 earlier (inaudible) --

7 MS. GRIFFIN: Mm-mm.

8 MR. JARMAN: -- is the regression line.
9 That was comparing the lek to disturbances. And I'm
10 curious to see because I think that regression line
11 was a wee bit tighter than this, but I'd be very
12 curious to see if it has a tale very similar to
13 that.

14 MR. PETCH: Where you see four mile buffers
15 referenced in the NTT report and elsewhere is drawn
16 on this type of analysis of to get a reasonable --
17 and we've in Colorado long since settled on 80
18 percent as being a reasonable proportion of nests --
19 you need to go out four miles to include.

20 MR. JARMAN: This is just Colorado, right?

21 MR. PETCH: It is just Colorado, but these
22 data don't fluctuate a percentage point or two if
23 you took it to Wyoming or Idaho or Montana.

24 But the shape of that curve doesn't change
25 very much (inaudible) --

1 MS. GRIFFIN: And I think I have a table
2 that I can show you that has -- or send to you that
3 has different studies so the reference studies from
4 the different states of what percentage of their
5 nests are within four miles.

6 So you can get an idea of what Idaho's
7 studies have shown and that type of thing. Because
8 like he says, they're all very close to about 80
9 percent at that four-mile mark.

10 So this map with all the red, we took it
11 back to taking our leks and going to four miles. So
12 we take all the red, cutting it back to four miles
13 of a -- so cutting this map back to our four miles,
14 that's how we get the map that you see everywhere.

15 So the fact that there's a green or red
16 color means it's occupied range. And then we took
17 that high probability of use in any one of the three
18 seasons and within four miles of a lek, that's where
19 it gets the red. That's what gets the red.

20 If it's not within four miles of a lek but
21 still within occupied range, that's where you get
22 the green, the general habitat. So it is definitely
23 a biologically-based map.

24 MR. PETCH: And so in the context of the
25 slides you were showing earlier, Fred, did any

1 Pinedale kind of situation, and the closest example
2 we have to that here in Colorado is North Park or
3 Moffat County.

4 So as you get into Moffat County, you start
5 to see very rounded, red sections of priority
6 habitat that are really entirely -- those are
7 four-mile buffers, four-mile radii around a
8 strutting ground.

9 What you don't see, you don't see much
10 roughness in there because that habitat is pretty
11 consistently of high probability of Grouse use.

12 And so as you get into those really rounded
13 areas, those are those large, homogenous sagebrush
14 pans that are sort of a classic Wyoming basin
15 Sage-Grouse habitat.

16 As you get into more fragmented habitat,
17 the southern end of Moffat County, the Piceance,
18 Eagle, south Routt, you start to see there the
19 habitat quality, suitability drops off long before
20 you get to the edge of the four miles.

21 And so you see on the north edge of the
22 Piceance, for instance, that that roughness is drawn
23 in. Again, it's still a fairly core scale, but it's
24 not -- we're not running those four-mile buffers out
25 there into things that are old growth (inaudible).

1 We tried to bring those back into areas that really
2 have the suitability of producing Sage-Grouse
3 habitat.

4 MR. NEUBAUM: If it dropped of the bench
5 down into the valley and we knew that wasn't
6 Sage-Grouse habitat, we manually went back in and
7 trimmed them.

8 CHAIRMAN MARTIN: Yeah, those are all
9 (inaudible) right there and that is also the cliffs
10 over there. And they're not going to stay on those
11 cliffs anyway.

12 MR. NEUBAUM: And that's why you kind of
13 see in certain places you can see parts of those
14 curves of those lek buffers. But in most places
15 they got trimmed off.

16 CHAIRMAN MARTIN: And again, that's where
17 we went back and said you need to go with topography
18 instead of just a four-mile circle around every lek
19 because what happens is you take in way too much
20 territory that is not suitable habitat.

21 MS. GRIFFIN: Well, I --

22 CHAIRMAN MARTIN: You disagree?

23 MS. GRIFFIN: No. My understanding is that
24 the BLM -- you know, if you had a lek, you know, say
25 on the edge on this ridge out here and you had a lek

1 and the four-mile buffer came out and covered the
2 basin, it's my understanding they are not applying
3 those regulations to that buffer. It's clipped to
4 our map, not to a strict buffer.

5 CHAIRMAN MARTIN: We were looking at it the
6 other way, that it was.

7 MS. GRIFFIN: I don't believe so, but
8 that's a good thing we need to clarify.

9 MR. JARMAN: That's why I showed that slide
10 Kathy, that had that.

11 CHAIRMAN MARTIN: Exactly.

12 MR. JARMAN: So you use the mapping and
13 then you clip the four-mile policy approach on top
14 --

15 CHAIRMAN MARTIN: You put it right on top
16 of it and that's what we're talking about.

17 MR. JARMAN: -- you might be three
18 drainages over.

19 MS. GRIFFIN: No. So it's my understanding
20 that all the regulations are to the boundaries of
21 occupied range that we have provided them.

22 MR. PETCH: Right. And I think the way
23 that's couched is that the they're restricting it to
24 priority habitat and/or general habitat.

25 So when you reach the edge of a color band

1 there, that's when that policy would not be applied
2 by BLM is how, at least the interim policies is
3 worded (inaudible).

4 CHAIRMAN MARTIN: That may be your
5 understanding. It hasn't been ours.

6 MR. PETCH: Okay.

7 MS. GRIFFIN: Okay. That's a good thing
8 that we need to --

9 CHAIRMAN MARTIN: A flat map, three -- four
10 miles circle around it and it didn't matter if it
11 was high or low.

12 MR. PETCH: Right. No, I think, you know,
13 those more contiguous areas, say in Moffat County, I
14 think that's a fair assumption that a four-mile
15 radius laid across that is that's the area that the
16 NTT report would suggest (inaudible).

17 MR. JARMAN: That's the very core reason we
18 showed the comparison in those (inaudible).

19 CHAIRMAN MARTIN: That's right. Exactly.

20 MS. GRIFFIN: Yeah.

21 CHAIRMAN MARTIN: But it's not clear to us
22 and why they're applying that.

23 MS. GRIFFIN: And that's a --

24 CHAIRMAN MARTIN: -- four-mile circle
25 because that takes in a whole bunch of drainage that

1 really is not habitat or even necessary.

2 MS. GRIFFIN: And that's an important
3 distinction to make that we need to make sure we're
4 all understanding what BLM is. Because that's not
5 our intention obviously with the maps.

6 UNIDENTIFIED SPEAKER: (Inaudible).

7 CHAIRMAN MARTIN: And what I got out of it
8 is it's a four-mile circle and if you've got a lek,
9 that's a four-mile circle and it doesn't matter how
10 high or low it is.

11 MR. PETCH: It certainly had been our
12 intent with this map to at least take the major
13 topographic features out of there.

14 CHAIRMAN MARTIN: Thank you.

15 UNIDENTIFIED SPEAKER: (Inaudible).

16 MR. JARMAN: And then that shows up --

17 MR. PETCH: Right. That's not perfect. It
18 certainly, as you get into smaller and smaller
19 scales, you run into that. We're working with BLM
20 now on an EIS on the -- most of it's on the north
21 side of the Crook County Line -- to do just that, to
22 target development across the top and put it in the
23 bottom so those drainages -- it would show as green
24 on this map.

25 Now, a lot of the disturbance is still

1 coming across priority habitat, but at least the
2 physical disturbances we would (inaudible) down in
3 those pads.

4 All of that was in progress before this
5 whole effort, which still is. You know, BLM's
6 trying to figure out what this means. We are
7 certainly. And I know you all are of what a new EIS
8 revision may look like (inaudible).

9 CHAIRMAN MARTIN: Yeah. And it's also in
10 reference to disturbance in the priorities that
11 you've got there. You're showing no actual
12 infrastructure that's in place that has been for
13 quite some time.

14 And at that point then you do have
15 potential of fragmentation of habitat, et cetera.
16 But it's there. It's been there 100 years, et
17 cetera, and the development and everything else
18 needs to be there so that we can make some changes
19 or choices or clarifications or surface use
20 agreements and all the other things that need to go
21 there.

22 And the other thing is private land versus
23 public land. And that affects again the individual
24 property owners and how are they going to be able to
25 manage it, working with the Division of Wildlife,

1 having the conservation plans in place, et cetera.
2 That's lacking in the information that the general
3 public is not seeing.

4 MS. GRIFFIN: And the purpose of our
5 general habitat and our priority habitat maps is a
6 Colorado-scale map to be consistent across all of
7 our populations and then honed in. But it's at the
8 50,000-mile view, right?

9 The idea is that if you have a proposal or
10 something, you can't use a range-wide map. I mean,
11 that doesn't make sense. This is mapped not for
12 that.

13 It's that first view like, okay, we're
14 really close to that red line. Let's go out on the
15 ground. Let's what's actually out there. I mean,
16 it has to have some site evaluation, some
17 ground-truthing in it.

18 And that's our intention. And if you read
19 our metadata that goes with these maps, it clearly
20 states that.

21 CHAIRMAN MARTIN: Sometimes that's not the
22 public perception. And that's the problem. Those
23 details are left out of the discussion. And this is
24 all you see.

25 At that point this is what it's going to be

1 and everything applies to that as priority and there
2 is no individual and no actual impact.

3 And that's what Tom was getting at. What
4 is that socially economic impact based upon private
5 land, again leases or whatever is going to be there,
6 grazing and what have you, what is that impact?

7 Does this map then trump everything? And
8 the answer is, in some people's minds, it does.
9 Other people, it's an economic downturn to them and
10 they're out of business.

11 So we need those small details that are now
12 down on the ground level instead of 50,000 feet.
13 And then that's where we need to be discussing, how
14 does that affect you and me and the bird?

15 MR. PETCH: That raises an important
16 distinction about this map is this is Colorado's map
17 based on where Grouse are most likely to
18 (inaudible). What is the most important habitat for
19 Grouse in Colorado?

20 It doesn't pretend to bring in all those
21 other considerations, existing infrastructure, value
22 of the energy resources underneath. It's purely a
23 biological description of what's important to
24 Grouse.

25 Those other conversations are valid. They

1 all have to happen. But they take something like
2 this as a starting point and then once you know the
3 biology of it, okay, now what do you do in terms of
4 how you make those priority decisions which are
5 fundamentally political decisions in nature.

6 And in that sense we have not tried to
7 stray under that. And frankly, I think, most
8 everybody in western Colorado would be unhappy if we
9 did of trying to make some assessments about things
10 that are values to folks like you all and other
11 counties in the northwest.

12 But what we have tried to do with this map
13 is to make a reasonable and biologically supportable
14 sort of baseline from which those conversations
15 could start.

16 CHAIRMAN MARTIN: And again I'll reiterate,
17 some people think this is the end product and that's
18 the way it's going to be. And everything that
19 applies in reference to managing the Grouse is what
20 this map is going to dictate.

21 And at that point you've got a real
22 conflict. And I think, yes, it's nice that you did
23 this as a biological map and what have you. It's
24 really nice.

25 But now we need to justify all the other

1 conversations we have and apply it to this map and
2 then come up with a working plan as we did before
3 and the buy-in with everybody that's involved,
4 knowing what's at stake. But that's lacking in this
5 map.

6 And again, it's tunnel vision by some that
7 wish to see it this way. And that's all they're
8 going to see. And our job is to explain all the
9 other details within this map.

10 And I think that's where the conversation
11 really needs to focus in now and how are we going to
12 be able to manage the bird and keep the bird alive,
13 et cetera, not just this is a biological map and
14 this is how it's going to be in the bird world.

15 MS. GRIFFIN: Then that should be the next
16 steps, should be with the BLM EIS process.

17 COMMISSIONER JANKOVSKY: (Inaudible) BLM
18 improved by the BLM, it becomes -- I don't care what
19 you're doing on the local level. It just becomes
20 the way it is.

21 That's just been my dealing with federal
22 government and federal agencies. Once the map is
23 there and it is, it just become --

24 UNIDENTIFIED SPEAKER: Cast in concrete.

25 MR. PETCH: Kathy alluded to something

1 earlier that may be helpful for this conversation,
2 that the definitions that are portrayed on this map,
3 priority habitat and general habitat, are different
4 than the definitions we've used before. And they
5 were developed by BLM for this national process.

6 As starting points for the analysis and,
7 you know, to try to explain BLM's thinking on this
8 -- I would do them an injustice, I'm sure.

9 But I think much of the purpose for these
10 basement layers is to feed into the EIS analysis so
11 that the kinds of assessments that I think you guys
12 are all -- I mean, they're viable to this county and
13 others, I think that's happened, that part of the
14 assessment, part of the analysis that goes in any
15 EIS document -- and I think there are many of these
16 things, there will be conflicts that show up during
17 the course of that that I think will at least lead
18 down the direction that you're suggesting.

19 MR. PETCH: Brad, maybe this is an unfair
20 question, is the Parks and Wildlife going to push
21 for basically ground-truthing efforts in what
22 alternatives are ultimately adopted within the EIS?

23 In other words, you talk about the value of
24 going from the 50,000-foot view down to reality on
25 the ground, which is what really I think the Board's

1 talking about and what it means for us in Garfield
2 County, that takes feet on the ground in really
3 determining this rather than adopting this -- if
4 it's red, then you're out.

5 Is the DOW (inaudible) going to try to push
6 in the BLM's process, look, we understand that
7 that's a view, but you really need to, whatever
8 alternative you're looking at, push for
9 ground-truthing so that it is further refined
10 because of what's at stake?

11 MR. PETCH: I think so. To the extend that
12 -- the caveat that I throw out there is that RMPs
13 are also 50,000-foot documents that are looking at
14 large scale allocations of resources.

15 And so many of the things that we do as a
16 matter of course in putting a sighting on the ground
17 or trying to minimize impacts on the ground are
18 things that happen at an administrative level that
19 is tiered many levels below what happens in the RMP.

20 And so that's a challenge with this
21 conversation is I sense a desire for some certainty
22 that those thing will happen at administrative kinds
23 of levels that they really don't have much
24 conversation and frankly no real place to hook them
25 in an RMP because of the scale of those documents.

1 And that is a challenge. It certainly has
2 been a challenge with the other RMPs, the existing
3 drafts as they move forward with how do you tie the
4 landscape scale allocation decisions to how it
5 actually happens (inaudible).

6 MR. JARMAN: On the ground, yeah.

7 CHAIRMAN MARTIN: And now you've identified
8 Mr. Cagney's problem, and that is he's got a
9 50,000-foot view and that's based upon a scientific
10 team that came and did exactly what you do and used
11 the maps and all the technology.

12 Now he has to go ahead and say, guys, you
13 did a real good job with your plan and everything
14 and yes, it takes in all these considerations, et
15 cetera, but we've got throw it out. And that's
16 where we heard the change.

17 And because of all of the efforts and what
18 are have you and the actual on-the-ground stuff,
19 that gives us concern because we're going to have a
20 plan that's at 50,000 feet based upon what we heard.
21 And we think it needs to be refined.

22 And I think you guys think it needs to be
23 refined. And it also goes down to the point how
24 much money is there to implement the requirement
25 plan? And we're going back to exactly what we were

1 saying. There's an out. And it's all voluntary on
2 these plans.

3 And the reason being is because there's no
4 money to make it mandatory. If you have a national
5 plan that's mandatory, how much money is that going
6 to take to enforce?

7 And so that's why we say we really need to
8 go ahead and to get support in reference to each and
9 every plan, make sure it's part of the national
10 plan, based upon on-the-ground stuff versus the
11 50,000-foot view. And the common goal is to save
12 the bird. And that's kind of where we're at.

13 COMMISSIONER JANKOVSKY: And it also goes
14 back to the PPR Plan and the amount of time this
15 County's put into sole Sage-Grouse issue with the
16 BLM and kind of looking at, well, it's 20,000 acres
17 of BLM land out of Garfield County. Really, how
18 much effort should we be putting into this because
19 it's 20,000 acres?

20 And then there's another 60 to 80,000 acres
21 that has federal private land, federal minerals
22 which will be affected.

23 But for this population, it's really the
24 private land that needs -- for this plan to work,
25 it's the private land, it's the PPR plans --

1 CHAIRMAN MARTIN: And that's where your
2 partnership (inaudible).

3 COMMISSIONER JANKOVSKY: Especially if your
4 population is down in the southern part of this
5 area.

6 So that really is what -- and so we look at
7 it, well, we're putting a lot of effort into this.
8 And we do need to put effort into it because if the
9 bird gets listed, then there's probably a billion
10 dollars worth of natural gas in the red there. And
11 there's probably out of that billion there's
12 hundreds of millions of dollars of money back to us
13 in property taxes.

14 So there's a huge socioeconomic side to
15 that. But again, we look at we're spending a lot of
16 resources and a lot of time into this and there's
17 20,000 acres of BLM land.

18 So I think for PPR, the plan that's there
19 is at least working to some extent and how do we get
20 more buy-in from private landholders because it is
21 -- most of the population is on private land.

22 MR. PETCH: Go ahead, Dan.

23 MR. NEUBAUM: I was just going to point
24 out, I mean, in some ways when I think about the
25 plan and I think about these maps, I mean, they're

1 tools. And you have to take them as that.

2 And you can turn to each of them to help
3 guide you through these processes. But I would hope
4 that neither of them would be the end-all, be-all.

5 COMMISSIONER JANKOVSKY: And I think we
6 lose sight. You know, I've never even seen the bird
7 but I'm sure starting to learn a lot about it.

8 CHAIRMAN MARTIN: It comes up underneath
9 your horse all of a sudden, too.

10 COMMISSIONER JANKOVSKY: If we do lose
11 sight of what's best for the bird.

12 CHAIRMAN MARTIN: Well, Tom, I know that
13 we've got another hour's worth of conversation.
14 However, we're already a half hour, well over 45
15 minute over our timeline.

16 Is there a way that we can continue a
17 conversation, have another work session devoted
18 strictly to this and the questions that you have or
19 answers or ability to work together before?

20 COMMISSIONER JANKOVSKY: And is there value
21 to it?

22 CHAIRMAN MARTIN: Yeah, is there value to
23 it?

24 COMMISSIONER JANKOVSKY: Is there value to
25 that? We're wrestling with this whole BLM EIS. We

1 feel it's very authoritarian and not being heard.
2 That's at least our viewpoint on it.

3 MR. PETCH: We're always happy to work with
4 this County and others to the extent that it helps
5 you guys get where you want to go. We're not in a
6 position to be confrontational with BLM --

7 CHAIRMAN MARTIN: We don't want you to be.

8 MR. PETCH: -- (inaudible) process. And so
9 in that sense, I think they're from a bringing more
10 -- hopefully more light than heat to conversations,
11 we're happy to do that.

12 We are considering putting a working group
13 meeting together to lay out some of the underlying
14 things that have happened in the last year or so, so
15 that the working group in general has some of that
16 sense as well.

17 There is one comment, and it goes back
18 actually to your comment, and Kathy has the slide up
19 on it, that there's been a perception I think -- and
20 again, I don't want to be putting words in BLM's
21 mouth -- but I think there's been a perception that
22 all of this EIS stuff is BLM 's idea. And it isn't.

23 All of this dims back to the Fish and
24 Wildlife Service and including the conversation
25 about local conservation plans, that the Fish and

1 Wildlife Service in 2010 pretty clearly said, that's
2 great. It's all voluntary. Everything in
3 Colorado's voluntary. Frankly everything else in
4 ten other western states is voluntary.

5 And essentially it's treated in the Fish
6 and Wildlife Service decision as that's great. That
7 gets you part of the way there, but it's not enough.

8 And so that's the place we find ourselves
9 as a state. And I think many counties also find
10 themselves is there's lots of investment in the
11 Plan. And in many places lots of implementation in
12 the Plan that the Service has said that's not far
13 enough, doesn't get us far enough.

14 And so how we close that gap or do we stand
15 on our laurels and not close the gap, that that
16 piece of it, regardless of what BLM ends up doing I
17 think is another piece of this conversation that
18 would be useful.

19 CHAIRMAN MARTIN: Yeah. I had a nice
20 conversation along that lines in reference to the
21 head of the U.S. Fish and Wildlife in Pittsburgh,
22 Pennsylvania just this year.

23 And he said just the opposite. It's very
24 important to include all local plans. And it's very
25 important to include the local governments and

1 understand what the socioeconomic impacts are. I
2 don't see it in that particular statement.

3 MR. PETCH: In the one that's on the
4 (inaudible).

5 CHAIRMAN MARTIN: That's right. And so at
6 that point, that's when we said, you really need to
7 live up to what you're saying at this particular
8 meeting. And that happened to be in front of the
9 National Association of Counties, which included all
10 of the western United States.

11 And at that point he said we will work with
12 everyone. We encourage our sisters, which are in
13 the BLM and the Interior, et cetera, to do the same.
14 And we expect to be able to do that.

15 Now, we also looked into the Land
16 Management Policy Act. And that says that everybody
17 under that department of Interior, which U.S. Fish
18 and Game -- will enter into agreements with local
19 governments. And it's called the Cooperating Agency
20 Status.

21 And that includes Forest Service, BLM, U.S.
22 Fish and Wildlife, the Army Corp, and all the other
23 things. Unfortunately, they were resisting that and
24 that's why that statement comes out.

25 So again, it's nice that you know and

1 understand that. And hopefully you'll be able to
2 support us when we say, guys, we need to work a
3 little closer together, as we do with the Division.
4 So that's kind of what we're working on.

5 COMMISSIONER JANKOVSKY: And what we told
6 BLM (inaudible) listened to that, but as a county we
7 have the ability to talk to the BLM, hopefully pull
8 the BLM in, bring in the private landowners and then
9 you guys as the (inaudible) taking care of
10 (inaudible) the bird itself, managing the bird and
11 hopefully have some common ground as opposed to
12 you've got BLM's managing the habitat. We've got
13 private guys that are doing this. And we at least
14 have some authority to try to bring people together
15 and come up with something that works.

16 CHAIRMAN MARTIN: Okay. Well, that's where
17 it is. Thank you. I think if Fred can get ahold of
18 you, we could go ahead and get a schedule of what we
19 need, an agenda and ask certain questions.

20 COMMISSIONER JANKOVSKY: How do we help you
21 guys?

22 CHAIRMAN MARTIN: And that's the exchange
23 that we need.

24 MR. PETCH: We appreciate that.

25 COMMISSIONER JANKOVSKY: And how do we work

1 with the State?

2 CHAIRMAN MARTIN: So we'll leave Fred as
3 our contact point. We'll put our questions
4 together. If he has some answers of what we've
5 asked or clarifications or if we're way out in left
6 field, please let us know.

7 And a good honest exchange of information
8 is what we're after. All right. Thank you very
9 much. We really appreciate it.

10 (This portion of the meeting concluded at
11 02:52:29.)

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