

**LOCAL WORKING  
GROUP**

**Date:** 3/16/10

**Time:** 6:30 – 9:00 pm

**Place:** USU Old Campus in Vernal, Utah

**Present:** John Snow (landowner), Mitch Hacking and Marissa Oaks (Grazing for Wildlife), Brad Horrocks (landowner), Scott and Tami Chew (landowners, UBARM chair), Jim Brown (GIP), Jim Spencer (NRCS), Terrell Thayne (UACD), Mark Raymond (Uinta County), Diane Coltharp (Uinta County Public Lands), Kirk and Rona Wood (Duchesne County), Renee Chi (USFWS), Drew Crane (USFWS), Dixie Sadlier and guest (BLM), Doug Jackson-Smith (USU), Zach Revene (USU), Ashley Styczynski (USU), Ed Cotter (USU), Brian Gentry (USU), Ellen Lan Xiangyun (USU), Kyunghyun Baek (USU), Lorien Belton (USU Extension facilitator), Boyd Kitchen (USU Extension, Uintah county), Dave Olsen (UDWR), Jason Robinson (UDWR), Natasha Gruber (UDWR), Pat Rainbolt (UDWR), Scott Chamberlain (SITLA), David Allison (Private consultant, UBARM chair), Ryan Thorlock (Farm Bureau), Carlyle Rollins (APHIS), Mike Tamllos (APHIS)

**Information Presented/Discussion Highlights**

After introductions, dinner was served to the group. Presentations and discussion followed. Lorien distributed a flyer that summarizes basic information about sage-grouse habitat and biology, explains some of the higher threats to sage-grouse in the UBARM area, and provides contact information for local NRCS and UDWR contacts, for any attendees interested in sage-grouse projects on private land.

**USFWS Presentation**

Renée Chi, a biologist from the Salt Lake office of the U.S. Fish and Wildlife Service, presented information about the recent decision from the FWS that sage-grouse are “warranted but precluded.” She explained the petitioning and listing processes, and where sage-grouse stand now. The key point is that sage-grouse are not currently listed, and the Utah’s state wildlife agency (Utah Division of Wildlife Resources (UDWR)) has full jurisdiction over the species as it has previously. The FWS will conduct an annual review of the greater sage-grouse status across its range, incorporating new population information, changes in any threats, projects that have been done, etc. Lorien notes that reports from the local working groups, which have been ongoing for several years now, constitute a large portion of the Utah information the service reviews each year for Utah.

**Questions from the LWG**

Renee took questions from the individuals in the room for over one hour. Summaries of the

conversations follow. In some cases, answers were provided jointly by FWS and UDWR representatives.

Q: If the sage-grouse is listed, would hunting continue?

A: Probably not. Jason Robinson noted that hunting does not impact populations considerably (and is currently only allowed in Utah populations which can sustain it), but has many benefits, such as biological information and a support for conservation measures from sportsmen's advocacy groups that care about sage-grouse. [post meeting note: because federal permits would be required for hunting "take," hunting would not likely be allowed.]

Q: Why not translocate birds rather than hunting?

A: Birds are actually translocated within Utah currently, from larger populations to areas where the population may need additional birds to help augment it. For example, the Parker Mountain population is hunted but counts show that the population is still increasing. Sage-grouse are often captured on Parker to be moved elsewhere.

Q: What is the soonest possible time sage-grouse might be actually listed?

A: Based on nothing official but my own person thoughts, a timeline accounting for upcoming reviews and the amount of work required to make decisions about critical habitat and recommendations for management, two to three years would be the fastest a listing might happen, assuming that the next year's status review found a reason to list. The possibility also exists that sage-grouse will never be listed, or could even be removed from the candidate list.

Q: What does the number eight, in the priority ranking system for precluded species, mean?

A: On a scale of 1 to 12, all warranted but precluded species are assigned a priority number which corresponds to its relative priority compared to the other species in the list. Sage-grouse is currently an eight, which means it has a relatively low priority. The numbers are assigned at the national level, so the Utah FWS employees are not familiar with the exact decisions made in assigning priorities. Priorities, however, may change due to new threats, new information, etc., and the number could increase or decrease. Sage-grouse would not necessarily go from an eight to a seven to a six, but could move on the list as other species are added or removed, or additional information is learned about the species. From the warranted but precluded list, a species could be listed as threatened, endangered, or even removed from the list entirely (not warranted) as new information is learned about its rangewide status.

Q: Will there be CCAAs or CCAs done for sage-grouse?

A: Yes, it is very likely that CCAA's will be done for sage-grouse in Wyoming. A CCAA is a Candidate Conservation Agreement with Assurances. A CCAA is an agreement that U.S. Fish and Wildlife Services has with private landowners that provides assurances to the private landowner that if their activities are determined to have a net benefit for sage-grouse, then if the species ever becomes listed, their activities will not be further restricted. The CCAA provides a permit to cover private landowner activities. That permit becomes active if the species is listed. The UBARM group will be discussing CCAAs (for private land) and CCAs (for federal land) in upcoming meetings. The first CCAA for greater sage-grouse was signed last month in Idaho

with a group of private landowners.

Q: Is the FWS ready to administer CCAAs?

A: A good question. The agency needs to work to find ways to expedite the process for negotiating CCAAs so that permits can be issued in a timely manner. One way to do this may be to work on larger umbrella CCAAs, known as “programmatically” CCAAs, that individual landowners can sign on to without having to negotiate all the details separately. Lorien will likely be working on CCAA development for LWGs in Utah in the upcoming year.

Q: Is there a resource that explains all the possible options are for sage-grouse conservation, such as habitat work, establishing new leks, oil and gas mitigation strategies, etc.? The county would be interested in seeing that.

A: There is a lot of information in the UBARM plan, but if a more concise explanation of options is needed, that is helpful for the group to know, and can be developed.

Q: If ravens are a big problem, why not just kill them all?

A: There are two reasons. First, ravens are only one of many problems. Killing all the ravens wouldn't take away all the threats to sage-grouse. Ravens are a problem especially in combination with other problems, like expansion of roads, trash, powerlines, and other development that extend into sage-grouse habitat. This gives predators a better chance to access and eat sage-grouse eggs. That kind of development also fragments sage-grouse habitat, making it harder for sage-grouse to find safe suitable habitat to hide from predators. Second, killing ravens isn't so simple. There is a limit on how many can be killed statewide, because they are protected as a migratory native bird. Some money goes into it, but there have been dramatic increases in raven populations recently, so the problem is larger than the money available. It is important to target poisoned eggs at times of year and in locations that will be the greatest help to sage-grouse.

Mike Tamlllos (Wildlife Services) noted that raven control is more successful when areas are pre-baited with non-poisoned eggs. Several individuals asked how they could help with that or other raven control measures. Carlyle Rollins is the right contact person if someone is interested in helping prebait for ravens. The UBARM group will also discuss opportunities at the next meeting.

Q: How can there be less habitat now than when there were over 1 million sheep in the area in the past?

A: It is as much a question of habitat continuity as it is individual sagebrush plants. Sage-grouse make decisions about habitat selection based on landscape level features, like amount of fragmentation, and more fragmentation reduces the number of large suitable areas for whole sage-grouse populations.

Q: what changed since the last “not warranted” decision from the FWS several years ago?

A: Several things have changed. Several key points are that more information is available on West Nile Virus, and how fatal it is to sage-grouse populations, so the understanding of that

threat has increased concern about WNV on sage-grouse. More oil and gas development, in combination with more research that indicates how energy development can negatively impact grouse, has also happened. The mechanism appears to be due to the fragmentation that energy development brings to a landscape, creating a lag effect so that although adult birds may not immediately leave an area, their offspring are less likely to survive and also less likely to stay in the area to breed and nest. Large fires and cheatgrass dominated expanses in Nevada and Idaho are also a larger problem for sage-grouse than was understood previously.

Q: If the sage-grouse gets listed, does the FWS take charge?

A: To an extent. Primarily, projects that might impact sage-grouse would need to go through federal review.

Q: Does that mean projects on private land could be stopped by the FWS?

A: Technically, Section 9 of the FWS code covers take and harassment of listed species, so private actions that harm sage-grouse is not supposed to be allowed. However, private landowners are not required (like other agencies are) to consult with the FWS before doing projects. Unless a private project were clearly and purposefully detrimental to a sage-grouse population, it would be unlikely to receive federal attention.

Dave Allison expressed a concern that some river-flooding actions by FWS that benefit endangered fish species might be detrimental to sage-grouse because of increased West Nile potential. Renee noted that there are always tradeoffs between species; however, standing water in tanks spread throughout more distant sage-grouse habitat is likely to be of more concern than the specific project noted.

Q: How willing is the FWS to stand behind landowners who want to do the right thing?

A: The Service is very interested in supporting anyone who wants to do the right thing. In most cases, a CCAA would be the best way to formalize that support, as it provides an avenue for doing good things for sage-grouse and for providing assurances to landowners.

Q: Are there more grouse in areas like the monument (Dinosaur) than in areas with oil and gas development?

A: Although exact numbers are not available at this meeting, in general the impacts of increasing development – and the disturbance and habitat fragmentation that comes with it – result in gradual population declines from fewer nesting hens, and lower nest success, which gradually reduces a population.

### **Updates**

A few brief updates were provided:

- BYU will be conducting a new study on Diamond Mountain this year, which will involve collaring and tracking 80 birds.
- Western Watershed Project has filed a new lawsuit against the current USFWS decision.

The lawsuit was filed on the Monday following the Friday announcement on March 5<sup>th</sup>. The Service is in the process of compiling the information of how the decision was made.

- NRCS has a new sage-grouse habitat improvement funding stream (\$16 million across the western states with sage-grouse habitat). More information will be available soon, but signups have started and will go through April 23<sup>rd</sup>. Jim Spencer read from the NRCS news release and noted that he is very optimistic about the opportunities it affords.

Dave Allison noted that it is important for the group to focus on two things related to working group actions and the USFWS decision: first, that good past projects were part of what was included in the decision, and second, that future projects will help support future positive decisions. Therefore, it is in the best interest of UBARM to continue its work. Jason Robinson mentioned that Utah has done a tremendous amount of good work for sage-grouse, including 1.3 million acres of habitat work, approximately 30 research projects, and a great deal of collaboration. In the listing decision, it even mentioned the Utah Partners for Conservation and Development as a positive initiative helping sage-grouse. These all point to the fact that we are doing good work, and just need to continue doing it.

Lorien reviewed the revised strategies and actions for the group as a reminder of actions that could be, or are being, taken for sage-grouse.

### **Actions Taken:**

No formal actions were taken.

### **Follow-up Needed**

- Next meeting agenda needs to address CCAAs and CCAs (possibly a presentation)
- A more concise explanation of all the possible ways to help sage-grouse would be helpful to the counties. Lorien will work on putting together the information in the plan in a more accessible way, and provide it to the counties in the area.
- The next meeting needs to include discussion of how non-APHIS individuals can help with raven control, like putting out pre-baited eggs.

### **Next Meeting:**

- To be determined. Based on the interest levels in the FWS decision, UBARM may hold an additional spring meeting to discuss opportunities, concerns, and projects.
- A summer field tour will also be conducted. Details will be confirmed closer to summer.