

## II. INTRODUCTION

### A. Purpose

The Gunnison Sage-grouse Rangewide Conservation Plan (RCP) is intended to help reach the goal of increasing the current abundance and viability of Gunnison sage-grouse and their habitat. The purpose of the plan is to identify measures and strategies to achieve this goal. This will be accomplished by providing guidance, recommendations, and a rangewide perspective on Gunnison sage-grouse management to local work groups and other interested or affected parties and stakeholders.

The concern that led to the development of the RCP is that local conservation efforts may be sufficient to protect a local population of Gunnison sage-grouse (GUSG), but collectively they may be insufficient to conserve the species. Local conservation plans typically do not consider broader scale issues such as variation in genetic diversity among populations, regional population dynamics, dispersal, or landscape structure (e.g., habitat connectivity between populations or configuration of important habitat).

In addition, the 7 GUSG local conservation plans were written prior to publication of the U. S. Fish and Wildlife Service's (USFWS) Policy for Evaluation of Conservation Efforts (PECE) standards. The USFWS now uses the PECE standards as a guideline in determining whether, and to what extent, conservation plans will be considered when making listing and listing priority decisions. The RCP will provide guidance to local conservation groups and assist them in meeting the PECE standards through their conservation efforts.

It is our intent that the RCP will build upon the foundation established by the local conservation plans. This rangewide plan was developed as a resource upon which local conservation decisions can be based. This plan will supplement, not replace, local plans and the locally driven process that created them. The RCP will present the best available science for assessing target population goals and genetic diversity, as well as an assessment of possible tools to help reach these goals. Few conservation strategies are likely to be added to those already described in local conservation plans. However, this rangewide plan should assist local work groups and other stakeholders in prioritizing strategies, determining where to focus habitat improvements, refining techniques, and managing disturbances (see "Local Conservation Targets and Strategies", pg. 255). The Colorado Division of Wildlife (CDOW) and Utah Division of Wildlife Resources (UDWR) have the lead on implementation of the rangewide strategies recommended within the RCP ("Rangewide Conservation Strategies", pg. 202), until an implementation plan is complete.

The RCP is neither a National Environmental Policy Act (NEPA) decision document, nor a federal recovery plan. Any Candidate Conservation Agreement with Assurances (CCAA; see pg. 59 for details) developed by CDOW will be based on the RCP, and will include a NEPA process. Agency-specific use of this plan is outlined in each agency's respective signature page.

## **B. Goals and Scope of the RCP**

The RCP goals are divided into 2 categories: Assessment and Strategy Goals. The goals are not listed in any particular order.

### Assessment Goals:

The RCP will provide an assessment of the status of each population by accomplishing the following 5 goals:

1. Estimate current population size, amount and status of habitat, degree of genetic isolation, potential for recovery, potential for expansion, and odds of maintaining long-term protection.
2. Identify research needs and knowledge gaps.
3. Determine population and habitat requirements needed to sustain GUSG for the future.
4. Identify and discuss threats and issues that potentially impact GUSG, including those not covered in the local plans.
5. For each local GUSG conservation plan, assess the compliance with the USFWS PECE criteria and describe all threats to GUSG under the 5 USFWS listing factors.

### Strategy Goals:

The aim of the RCP is to maintain, and increase where possible, the current abundance and viability of GUSG populations and habitats by accomplishing the following 7 goals:

1. Incorporate management strategies and options from local planning efforts and solicit participation in meeting RCP goals and objectives.
2. Develop and distribute information on management practices that result in diverse and productive sagebrush habitat.
3. Identify and promote beneficial rangewide conservation actions (e.g., potential habitat linkages and transplants as a means to maintain or enhance genetic diversity).
4. Increase public education and awareness of GUSG.
5. Address threats and risks and prioritize issues, by population, from a rangewide perspective (to aid in prioritizing management actions).
6. Identify funding sources and develop a process to set priorities for populations to receive funding for conservation easements, habitat improvements, fee titles, etc.
7. Upon completion of the RCP, have cooperating state and federal agencies sign a signatory page setting priorities for consideration of committing resources to this effort.

## Scope

Conservation strategies, including transplants of GUSG to suitable but currently unoccupied range within historical range, will be considered within Colorado and Utah only. Thus, throughout the RCP, the word “rangewide” refers to GUSG range only within Colorado and Utah. Arizona and New Mexico, where GUSG were historically found, have chosen not to participate in this planning process. It is hoped that the scientific assessment, strategies, and guidelines contained within this plan can assist these states as they consider the potential for reintroduction and management of GUSG in their states.

### **C. Guiding Principles and Philosophy of the Gunnison Sage-grouse Rangewide Conservation Plan**

The guiding principles of this plan are to (1) encourage and support conservation actions that meet the needs of GUSG and that promote diverse economic communities or minimize impacts to communities; (2) manage for a healthy sagebrush steppe ecosystem so that other sagebrush obligate species in the system will benefit; (3) create a plan that will be flexible enough to incorporate GUSG research findings and successful management practices into conservation actions (4) acknowledge the pivotal role private landowners and local work groups play in the recovery effort; and (5) maintain an atmosphere of cooperation, participation, and commitment among wildlife managers, landowners, private and public land managers, other stakeholders, and interested public in development and implementation of conservation actions.

Managing for sustainable local economies is a conservation philosophy that guides this plan because its authors and signatories believe that sustainable local economies are essential to successful conservation of the GUSG. Ultimately, the hope is to achieve within GUSG range “civic environmentalism” (Shutkin 2000:14). Shutkin (2000:22) asserts, “the best kind of American environmentalism fundamentally entails a holistic approach to environmental problems in that those problems and their solutions are seen as inextricably linked to social, political, and economic issues—what I collectively refer to as civic issues because each is directly associated with the quality of life of civil society, of community life in its totality”.

Shutkin (2000) perceives civic environmentalism as a stage of environmentalism with interest groups working together rather than vying to defeat each other. It is a process and an end point that reaches consensus and makes long-term plans that benefit both the environment and the community. He describes an explicit link between environmental problem solving and the goal of community building. Protecting the environment (and species within it) is joined to civic health and sustainable local economies; it becomes the ultimate expression of local control.

In a case study, Shutkin (2000:189) describes a conservation-based effort in the Elk River Valley in Routt County, Colorado. He summarizes the effort as follows: “Blending their agricultural, economic, and cultural concerns with a conservation and open space focus, the ranchers formulated a conservation-based development strategy to protect the area's rural heritage and ecology. They wanted to protect in perpetuity the open and productive character

of the area that comprises the basis of its economic vitality. Unlike traditional conservation efforts, they were intent on protecting the area as a whole, not just islands of land, with working landscapes as a main feature” (Shutkin 2000:199). This group of ranchers partnered with environmentalists and citizens to defeat the proposed Catamount ski area. As a result they developed the Upper Elk River Valley Compact. This compact developed a set of planning and implementation principles that ultimately led to a county-wide plan to protect important wildlife habitat and open space while allowing growth and development. Great Outdoors Colorado (GOCO), a lottery-funded program that supports outdoor values including protection of wildlife, contributed \$250,000 towards the first round of easements. GOCO then followed with a legacy grant of \$6 million for Yampa River System protection. Recognizing that conservation easements cannot compete with developers dollar for dollar, this same group of ranchers developed a variety of marketing strategies to make sheep and cattle ranching profitable.

Similar approaches are used in addressing environmental problems. The Nature Conservancy (The Nature Conservancy 2004) describes economic sustainability as a key value: “We respect the needs of local communities by developing ways to conserve biological diversity while at the same time enabling humans to live productively and sustainably on the landscape. We know that lasting conservation success requires the active involvement of individuals from diverse backgrounds and beliefs, and we value the unique contributions that each person can make to our cause.”

Zeller (1999:6) describes “community stewardship” which “takes the lessons of active land management practiced on individual properties and applies these on a community wide or landscape basis for the long-term benefit of the land, people and economy. Community stewardship focuses on large land complexes or regions and a process to tie the local and regional community to effective and long-term management of its natural resources.”

Adopting support of sustainable local economies as a cornerstone of the RCP will help ensure its effectiveness and will avoid the obvious ecological consequences of the alternative scenario. Shutkin (2000:196) concludes that, “...the all-too-common refrain in the Rocky Mountain West (is) that a rancher’s last crop is a subdivision.”

#### **D. Plan Duration**

The GUSG RCP is a dynamic document designed to change and adapt to the needs of GUSG as they are identified. The RCP is a long-term plan that will terminate when the GUSG is removed from the Colorado Species of Concern List in Colorado and the Utah Sensitive Species List. For Colorado, this list includes, “Any species or subspecies of native wildlife which (1) has been removed from the State threatened or endangered list within the last five years, (2) is a Federal candidate or is Federally proposed for listing and is not already state listed, (3) the best available data indicate a 5-year or more downward trend in numbers or distribution and this decline may lead to a threatened or endangered status, or (4) is otherwise determined to be vulnerable in Colorado” (Colorado Division of Wildlife 1999:3). In Utah, species on the sensitive species list include species that are federally listed, are candidates for federal listing, or for which there is “credible scientific evidence to

substantiate a threat to continued population viability” (Utah Division of Wildlife Resources 2005:1).

**E. Mechanics of the RCP**

Process and Structure

A rangewide steering committee (RSC) (Table 1), facilitated by Cathleen Neelan of North American Mediation Associates, developed the concept and process for plan development. When “we” or “our” is used within the RCP, it refers to the RSC. The RSC has broad representation from state and federal agencies from both Colorado and Utah (Table 1). The role of the RSC members was to guide the development of the RCP and to represent their agencies. After completion of the RCP, representatives from all agencies on the RSC will continue to operate as a committee to address strategies (where specified) in the RCP “Conservation Strategy” section (pg. 201). The directors of CDOW and UDWR have the ultimate authority for the plan.

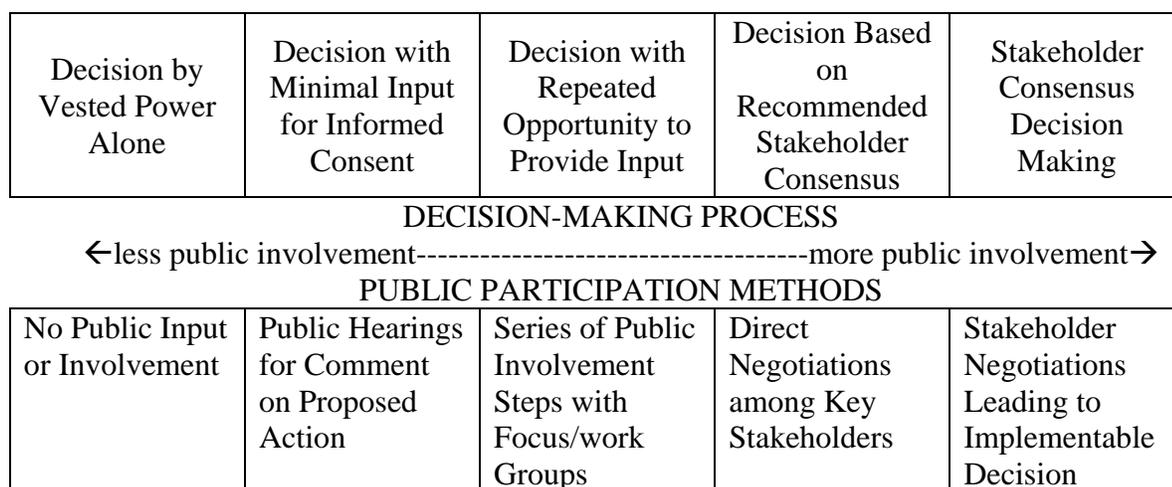
Table 1. Gunnison sage-grouse RCP steering committee members.

<b>Name</b>	<b>Agency / Role</b>
Tony Apa	Colorado Division of Wildlife
Brad Banulis	Natural Resources Conservation Service/Colorado Division of Wildlife
Myron Chase	National Park Service
Julie Grode	U. S. Forest Service
Terry Ireland	U. S. Fish and Wildlife Service
Cathleen Neelan	Facilitator, North American Mediation Associates, LLC.
Jenny Nehring	Technical Writer
Al Pfister	U.S. Fish and Wildlife Service
Mike Phillips	Colorado Division of Wildlife and Technical Writer
Tom Remington	Colorado Division of Wildlife
Pam Schnurr	Colorado Division of Wildlife
Robin Sell	Bureau of Land Management
Barbara Ver Steeg	Technical Writer / Editor
Guy Wallace	Utah Division of Wildlife Resources

The committee reviewed numerous examples of statewide and rangewide conservation plans for different species to determine the most appropriate approach for the RCP. In many of the examples local plans had not already been completed. In our case, having local conservation plans already in place influenced the public involvement and development process for the RCP. It was decided that the RCP should be an overarching plan that ties together all the local plans and supplements them with a scientific analysis.

Most of the local plans employed a consensus approach in making decisions. For decisions regarding the RCP, consensus was reached among representatives of the agencies serving on the RSC. Sections 5 and 6 of the Endangered Species Act (ESA) direct state and federal agencies to cooperate to develop conservation activities that protect candidate species. Because the responsibility rests with state agencies and their federal cooperators, the decision ultimately is limited to them. Nevertheless, all agencies felt it was important to involve the public as much as possible in the RCP process, to garner support at the critical local level.

Public participation methods were used in association with the decision making process (Fig. 1). For the RCP, the decision and public involvement process is some place in the middle of the illustrated continuum, a decision with repeated opportunities for input and recommendations from stakeholders (Fig. 1). The far right of the decision-making process represents a consensus decision, the approach used for local plans; the far left of the decision process involves no public input and the responsible agencies make all decisions (Fig. 1).



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Fig. 1. Decision making process and public participation methods models.

The structure of the RCP resembles traditional conservation plans, with both a conservation assessment and a conservation strategy, but it also includes a section that separately details and analyzes potential threats to GUSG. The assessment was based on information extracted from local plans, and was then supplemented with the most contemporary research and scientific findings. For the strategy section we considered many of the same issues as the local plans, but added broader scale issues such as genetics,

dispersal, and habitat linkages between populations. In order to understand the rangewide perspective of the importance and role of local populations to the future of GUSG, it is recommended that the reader go through the entire plan rather than focus solely on sections relating to a single population.

The writing style used for the plan generally follows that of the *Journal of Wildlife Management*, although we used English, rather than metric, measurements throughout. Scientific names of organisms are not provided in the text if a common name exists; all scientific names are provided in Appendix A (listed alphabetically by common name). A glossary of terms used in the plan follows the “Conservation Strategy”, as does a list of acronyms (Appendix B). Lists of figures and tables immediately follow the “Table of Contents”.

### Information and Data Sources

We primarily relied on peer-reviewed scientific literature and graduate theses/dissertations as supporting information in the RCP. However, as is the case for many wildlife species, important and reliable information for GUSG can be found in agency reports, both those with peer-review and those without. We used these agency sources when they were the only available information, or when they contributed significantly to available information on a particular topic. Likewise, we used internet web sites for information when necessary, citing the date the site was accessed.

### Scientific Assessment and Review

To address broad scale, complex issues, a group of scientists was used (Table 2). Individuals were selected for this team because of their impartiality and/or technical expertise in a relevant scientific area. The RSC was unsuccessful in finding a neutral range management scientist familiar with sage-grouse research in a timely fashion to serve on this team. However, Robbie Baird-LeValley, a Colorado State University (CSU) extension agent, was consulted in development and review of grazing sections of this document.

The science team assisted in conducting an analysis of conservation needs for maintaining GUSG populations. “Conservation need” was interpreted broadly and included minimum viable population size, desired genetic diversity, and necessary habitat quantity and condition. The team was also charged with compiling best management practices for the sagebrush steppe that would aid in preserving/restoring the habitat base necessary. The Ecological Society of America was contracted to conduct a double blind review (4 reviewers) of the draft RCP (see “Technical Review” in Fig. 2). The review process was facilitated by the Western Association of Fish and Wildlife Agencies (WAFWA) and the RSC addressed input from the reviewers.

Table 2. Scientists who assisted in conducting analyses of GUSG population conservation needs for the GUSG Rangewide Conservation Plan.

<b>Discipline</b>	<b>Science Team</b>
Sage-grouse Biology	Dr. Tony Apa, Colorado Division of Wildlife Dr. Michael Phillips, Colorado Division of Wildlife Dr. Tom Remington, Colorado Division of Wildlife
Behavioral Ecology	Dr. Robert Gibson, University of Nebraska
Genetics	Dr. Sara Oyler-McCance, U.S. Geological Survey/Denver University Dr. Tom Quinn, Denver University
Population Ecology (Modeling)	Dr. Philip Miller, Conservation Breeding Specialist Group
Ecology and Restoration of Sagebrush Rangelands	Steve Monsen, U.S. Forest Service Shrub Sciences Lab, retired Dr. Alma Winward, U.S. Forest Service, retired
Spatially Explicit Modeling of Housing Development	Dr. David Theobald, Natural Resource Ecology Lab, Colorado State University
Modeling Habitat Quantity and GUSG Population Size	Dr. Michael Phillips, Colorado Division of Wildlife

### Public Participation Process

In developing the RCP we relied on the 7 local conservation plans for our initial information. There was some diversity in issues, interest, and needs of stakeholders. The RSC, believing that stakeholder input and support are essential to the success of the plan, designed a public participation process (Fig. 2) offering several opportunities for public input.

The first opportunity for public input was an Issue Assessment conducted by the RCP facilitator. Approximately 38 stakeholders were contacted for one-on-one confidential interviews. The individuals who provided a diversity of opinions and interests were involved in development of the local conservation plans, representatives of organizations or special interest groups, petitioners, or others with vested interests in GUSG. The objective of these confidential interviews was to identify stakeholder interests and needs that might be addressed in the RCP. This information was summarized in a report and presented to the RSC with recommendations to consider during the development of the plan.

The second opportunity for public participation was at a Gunnison Sage-grouse Conference held in Norwood, Colorado, in September, 2003. During this conference, attendees (approximately 150-200 people) were provided an opportunity to discuss the RCP, their ideas for managing the species at the rangewide level, and prioritization of actions across the species' range. This was the first chance for many people to hear about the RCP

and to learn about other local plans. Attendees' comments and suggestions were compiled and reviewed by the RSC.

A third opportunity for public input was offered in October, 2003 (the early writing stages of the plan). The RSC traveled to 6 different communities in south-central and southwestern Colorado, and eastern Utah, to meet directly with the work groups and other interested stakeholders. During these meetings ("Focus Group Meetings"), the RSC sought input from attendees and answered questions about the intent of the RCP. Valuable comments emerged from these discussions, and some of them resulted in altering the content of the RCP.

For regular updates on the RCP, interested members of the public were able to check the website (hosted by CDOW) for the plan ([http://wildlife.state.co.us/species\\_cons/Gunnison\\_sage\\_grouse/index.asp](http://wildlife.state.co.us/species_cons/Gunnison_sage_grouse/index.asp)). During the development of the RCP, items of interest, RCP progress, and several frequently asked questions were posted on this website.

Finally, stakeholders were provided an opportunity to review and comment on the draft RCP. These reviewers provided comments and recommendations to be considered for incorporation into the final version of the plan. Once the RCP is completed it will be provided to local work groups for consideration and incorporation into their plans, where, and if necessary. Because the RCP is a dynamic plan, further research will be continually incorporated and appropriate modifications will be made to the plan. Ultimately, the success of this plan and the conservation of GUSG will rely on conservation actions taken by local work groups and land managers within each population area.

# Concern for decline & potential listing drives the need for development of a Rangewide Conservation Plan

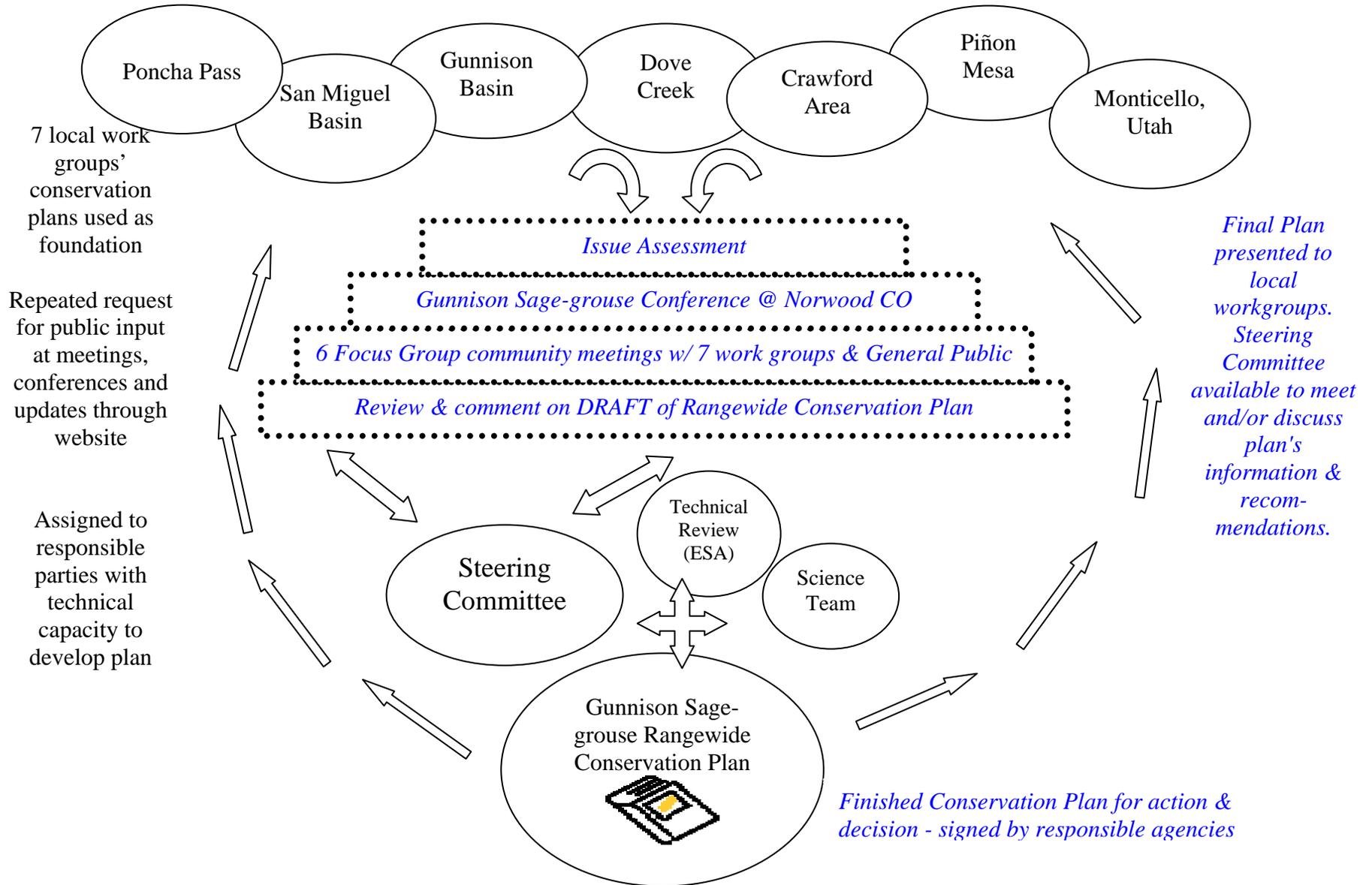


Fig. 2. Public participation model for rangewide conservation plan for Gunnison sage-grouse.

## **F. Socio-economic Considerations Including Consequences of Federal Listing**

State and federal agencies involved in implementation of the RCP will coordinate with landowners, county, and local governments to develop the best solutions for GUSG conservation while maintaining social and economic values to the maximum extent possible. The RCP was developed to address issues of rangewide concern for the GUSG but is not intended to replace local conservation plans. Consequently, it is intended to work within local conservation plan considerations of social and economic values.

In the event of federal listing of GUSG under the ESA, the USFWS will use the RCP and local conservation plans as the basis to develop a federal recovery plan (FRP). The FRP will also seek to maintain social and economic considerations to the maximum extent possible while ensuring the survival and recovery of GUSG. In fact, in the July 1, 1994, Federal Register (59 FR 34272) the USFWS issued a policy stating that the USFWS will involve stakeholders in FRP preparation to minimize the social and economic impacts of implementing recovery actions. There are also funding and incentive programs to facilitate socio-economic considerations and conservation of the GUSG (Appendix C).

## **G. Management and Legal Authorities**

There are many state, federal, and county regulations that offer protection to GUSG. Both Colorado and Utah have state laws and regulations to restrict possession of GUSG. Funding programs in both states support population and habitat conservation actions. Federal agencies including the Bureau of Land Management (BLM), United States Forest Service (USFS), National Park Service (NPS), Natural Resources Conservation Service (NRCS), and USFWS have laws, regulations, policies, and funding programs that authorize and support conservation actions for habitat and population management. In Colorado, several of the counties have provisions for wildlife and/or sage-grouse conservation.

### Colorado Division of Wildlife

The CDOW, a branch of the Colorado Department of Natural Resources, has responsibility for the management and conservation of wildlife resources within state borders, including the conservation and management of threatened and endangered species, as defined and directed by state laws (i.e. Colorado Revised Statutes, Title 33 Article 1). Title 33 Article 1-101, Legislative Declaration states: “It is the policy of the State of Colorado that the wildlife and their environment are to be protected, preserved, enhanced and managed for the use, benefit, and enjoyment of the people of this state and its visitors. It is further declared to be the policy of this state that there shall be provided a comprehensive program designed to offer the greatest possible variety of wildlife-related recreational opportunity to the people of this state and its visitors and that, to carry out such program and policy, there shall be a continuous operation of planning, acquisition, and development of wildlife habitats and facilities for wildlife-related opportunities.”

In addition, the 5-year Strategic Plan for CDOW, adopted by the Colorado Wildlife Commission on January 11, 2002, emphasizes the importance of wildlife conservation. The plan lists 10 management principles, or 'core beliefs' that guide the agency in fulfilling its mission; these beliefs underscore the importance of wildlife conservation and maintenance of healthy, diverse and abundant wildlife. A specific section of this plan addresses species conservation. The vision statement of this section states: "Recognizing the pitfalls of single species management, the CDOW will emphasize the development of management approaches encompassing multi-species communities across the landscape. The CDOW defines species conservation as conserving, protecting, and enhancing Colorado's native wildlife, by taking the actions necessary to assure the continued existence of each species and thereby precluding or eliminating the need for state and/or federal listing. The CDOW will form partnerships with landowners, land management agencies, and others to manage, protect, enhance, and restore wildlife and their habitat. The CDOW will lead efforts to monitor wildlife communities and manage them as needed to prevent their decline. The CDOW will work aggressively with others to recover threatened and endangered species. The CDOW encourages partnerships to share in the vision to protect, enhance, and restore wildlife communities that need assistance to survive." The CDOW has authority to regulate possession of the GUSG, set hunting seasons, and issue citations for poaching of GUSG. In 2000, the CDOW closed the hunting season for GUSG in the Gunnison Basin, the only area then open to hunting for the species.

### Utah Division of Wildlife Resources

Title 23 of the Utah Code is the Wildlife Resources Code of Utah and provides the UDWR the powers, duties, rights, and responsibilities to protect, propagate, manage, conserve, and distribute wildlife throughout the state. Section 23-13-3 declares that wildlife existing within the state, not held by private ownership and legally acquired, is property of the state. Sections 23-14-18 and 23-14-19 authorize the Utah Wildlife Board to prescribe rules and regulations for the taking and/or possession of protected wildlife. The hunting season for GUSG in Utah has been closed since 1989.

UDWR's wildlife management philosophies are reflected in its Mission Statement and Strategic Plan. The mission of the UDWR is to assure the future of protected wildlife for its intrinsic, scientific, educational, and recreational values through protection, propagation, conservation, and distribution throughout the state of Utah. The UDWR Strategic Plan calls for focusing efforts on increasing the abundance, distribution, and range for species of conservation need by sustaining and restoring habitat functions. A ten-year comprehensive wildlife conservation plan for Utah will be developed and implemented to address species/habitats of conservation need, their priorities, and the necessary actions and future changes.

### Counties

The Board of County Commissioners of Gunnison County, Colorado, has: (1) the authority to protect and promote the health, welfare and safety of the people of Gunnison

County; (2) the authority to regulate land use, land planning and quality and protection of the environment in Gunnison County; and (3) has duly adopted regulations to exercise such authorities including the review, approval or denial of proposed activities and uses of land and natural resources. Section 5-206 of the Gunnison County Land Use Resolutions adopted in 2001, promotes conservation for sage-grouse and other wildlife through restriction and mitigation of development. Several of the other Colorado counties within current GUSG range in Colorado (Dolores, Mesa, Montrose, and San Miguel Counties) have general provisions for consideration of wildlife in development plans.

### United States Forest Service

The United States Department of Agriculture (USDA) Forest Service (USFS) has authority for conservation of the GUSG through: 1) the Multiple Use-Sustained Yield Act (MUSY) of 1960 (P.L. 86-517, 74 Stat. 215, 16 U.S.C 528(note), 528-531); 2) the Sikes Act of 1960 (P.L. 86-797, 74 Stat. 1052, 16 U.S.C. 670 et seq., as amended); 3) the Forest and Rangeland Renewable Resources Planning Act (RPA) of 1974 (P.L. 93-378, 88 Stat. 476, as amended; 16 U.S.C. 1600(note), 1600-1614); 4) the National Forest Management Act (NFMA) of 1976 (P.L. 94-588, 90 Stat. 2949, 16 U.S.C. 472 et seq.) and its implementing regulations (36 CFR 219); 5) Public Rangelands Improvement Act of 1978 (P.L. 95-514, 92 Stat. 1806, 43 U.S.C. 1901-1908); and 6) USDA Regulation 9500-4 and the Forest Service Manual (FSM) Chapter 2600. MUSY directs the USFS to administer the National Forests for outdoor recreation (including wilderness), range, timber, watershed, and wildlife and fish purposes, in cooperation with interested State and local governmental agencies and others. “Multiple use” means the harmonious and coordinated management of the various surface renewable resources so that they are utilized in the combination that will best meet the needs of the American people. The Sikes Act provides authority for cooperative planning, habitat improvement, and providing adequate protection for threatened or endangered species under the Endangered Species Act of 1973 or species considered to be threatened, rare, or endangered by the State agency. RPA and NFMA provide for comprehensive, integrated planning that will provide for the diversity of plant and animal communities to meet overall multiple-use objectives. USDA Regulation 9500-4 directs the USFS to manage “habitats for all existing native and desired nonnative plants, fish and wildlife species in order to maintain at least viable populations of such species.” USFS policy states: “To preclude trends toward endangerment that would result in the need for federal listing, units must develop conservation strategies for those sensitive species whose continued existence may be negatively affected by the forest plan or a proposed project.” (FSM 2621.2)

### Natural Resources Conservation Service

The USDA NRCS has authority for conservation of GUSG through: (1) the Soil Conservation and Domestic Allotment Act of 1936, as amended (PL 74-46); (2) the Department of Agriculture Reorganization Act of 1994 (PL 103-354; 7 U.S.C. 6962); and (3) the Farm Security and Rural Investment Act (Farm Bill) of 2002 (PL 107-171).

## Bureau of Land Management

The United States Department of Interior (USDI) BLM has authority for conservation of GUSG through: (1) the Federal Land Management Policy Act (FLMPA) of 1976 (43 U.S.C. 1701 et seq.; 90 stat. 2743; PL 94-579; (2) the Sikes Act, Title II (16 U.S.C. 670 et seq.), as amended; and (3) the BLM Manual 6840, Special Status Species Management. Specifically, the FLMPA guidance on sensitive species authorizes that “the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air, and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals... (43 USC 1701 Sec. 102 (a) (8)).”

Section 06 (C) of the 6840 Manual gives the following guidance on candidate species: “Consistent with existing laws, the BLM shall implement management plans that conserve candidate species and their habitats and shall ensure that actions authorized, funded, or carried out by the BLM do not contribute to the need for the species to become listed.” Specific BLM guidance is outlined in the 6840 Manual. Section .12 of the 6840 Manual states: “Actions authorized by BLM shall further the conservation of federally listed and other special status species and shall not contribute to the need to list any special status species under provisions of the ESA, or designate additional sensitive species under provisions of this policy.” The Department of Interior Fish and Wildlife Policy: State-Federal Relationships (43CFR Part 24.4 (c) ) states in part that “...the Secretary of Interior is charged with the responsibility to manage non-wilderness BLM lands for multiple uses, including fish and wildlife conservation. In addition, the RCP is consistent with the BLM National Conservation Strategy for Sage-grouse (Bureau of Land Management 2004b).

## United States Fish and Wildlife Service

The USDI USFWS has authority for conservation of the GUSG through: (1) the ESA of 1973, as amended; (2) the Fish and Wildlife Act of 1956, as amended; and (3) the Fish and Wildlife Coordination Act, as amended. Congress, in Section 2 of the ESA, declares that there is value in having incentives for conservation, and Section 5 of the Act, as amended in 1978, provides authority for agencies to engage in conservation activities for the protection of candidate species. Section 6 of the ESA directs that the “Secretary shall cooperate to the maximum extent with the states...” (16 U.S.C. 1535(a)). The Secretary of Interior may also authorize states for monitoring the status of candidate species (16 U.S.C. 1535(c)). The Fish and Wildlife Act of 1956, as amended, and the Fish and Wildlife Coordination Act, as amended, give authorities to the USFWS for enhancement of all fish and wildlife species and mitigation of impacts to fish and wildlife, particularly from Federal water development projects. The Federal Aid and Wildlife Restoration Act of 1937 (Pittman-Robertson Act), as amended, serves as the principal mechanism for providing federal assistance to states for the acquisition, restoration, and maintenance of wildlife habitat, for the management of wildlife areas and resources, and for research into problems of wildlife management (16 U.S.C. 669-669i).

### National Park Service

The USDI NPS has authority for conservation of the GUSG through the 1916 NPS Organic Act (16 USC 1) which charges the NPS with management of parks to "... conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." Additional authorities that guide the NPS are found in the General Authorities Act of 1970 (16 USC 1c(a)) and the Redwood Act of 1978 (16 USC 1a-1). Furthermore, the Presidential Proclamation establishing Black Canyon of the Gunnison National Monument (Proclamation No. 2033; March 2, 1933; 17 Stat. 2558), and the Memorandum of Agreement between the NPS and Bureau of Reclamation dated February 11, 1965, provide authorities for protection of the GUSG at Black Canyon of the Gunnison National Park and Curecanti National Recreation Area.

NPS Management Policies and the NPS-77 Natural Resources Management Guideline state that the NPS will seek to perpetuate the native animal life as part of the natural ecosystem of parks. They further define Species of Concern as all native animal species within a park that face an immediate danger of losing their natural role in an ecosystem because of human-induced change, which would include the GUSG. Regarding Species of Concern, NPS-77 states that the NPS should also look for opportunities to enter into cooperative and interagency agreements and memoranda of understanding with other federal and state agencies on research, monitoring, and management of the Species of Concern, and, where appropriate, promulgate regulations. The NPS must strive to protect the natural conditions and processes and the ecosystem integrity to the greatest extent possible for Species of Concern.

NPS-77 further states, "Management of Candidate species should, to the greatest extent possible, parallel the management of federally listed species." The NPS Management Policies identifies the management of threatened or endangered plants and animals as follows: "The Service will survey for, protect, and strive to recover all species native to national park system units that are listed under the ESA. The Service will fully meet its obligations under the NPS Organic Act and the ESA to both proactively conserve listed species and prevent detrimental effects on these species."

### Memoranda of Understanding

In addition to the authorities listed above there are 2 Memoranda of Understanding (MOU) that promote conservation of the GUSG. The first, between members of WAFWA, was signed in July 1999 to promote conservation and management of sage-grouse and the sagebrush habitat upon which they depend. The 1999 MOU was signed by members of 13 states and 2 Canadian provinces who are members of WAFWA. The second MOU is between WAFWA, USFS, BLM, and USFWS. The MOU was signed in August 2000, and its purpose is to provide for cooperation among state, provincial, and federal agencies in development of a rangewide strategy for the conservation of sage-grouse and their sagebrush habitats.

## H. PECE Standards

The ESA requires the USFWS to assess conservation efforts to protect a species. The PECE identifies criteria the USFWS will use in determining whether formalized conservation efforts that have yet to be implemented or shown to be effective contribute to making listing a species as threatened or endangered unnecessary. This policy applies to conservation efforts identified in conservation agreements, conservation plans, management plans, or similar documents developed by federal agencies, state and local governments, tribal governments, businesses, organizations, and individuals, or a combination of the above. The purpose of PECE is to ensure consistent and adequate evaluation of formalized conservation efforts and to guide development of conservation efforts that will sufficiently improve a species' status. Ultimately, successful PECE compliance would make listing the species unnecessary.

The PECE contains 9 criteria the USFWS will use to determine the certainty that the conservation effort will be implemented, and 6 criteria the USFWS will use to determine the certainty that the conservation effort will be effective. These criteria should not be considered comprehensive evaluation criteria. The certainty that a formalized conservation effort will be implemented and effective may also depend on species-, habitat-, location-, and effort-specific factors. The USFWS will consider all appropriate factors in evaluating formalized conservation efforts. The specific circumstances will also determine the amount of information necessary to satisfy these criteria.

The draft PECE was published on June 13, 2000 (65 FR 37102), and was finalized on March 28, 2003, (68 FR 15100-115). Although the local conservation plans pre-date PECE and do not cover all areas of existing GUSG range (specifically the Cerro Summit – Cimarron - Sims Mesa population), the plans include some criteria identified in the PECE. The RCP assesses how each local conservation plan complies with the PECE (Table 3). However, this assessment was conducted at a plan level, prior to explicit guidance on how to conduct PECE reviews. Subsequently, guidance has been provided that PECE reviews will be conducted for individual conservation actions (instead of for conservation plans). If the RCP undergoes a PECE review, it will be conducted during preparation of a listing decision and will follow the latest procedural guidance. Neither PECE review of the local conservation plans nor signature of the RCP by the USFWS constitutes a PECE review of the RCP.

Table 3. Evaluation of local conservation plans and PECE criteria.

F = Fulfills entire criteria, P = Partially fulfills criteria, DN = Does not fulfill criteria.		GUNNISON SAGE-GROUSE POPULATION							
PECE Evaluation Factor	Criteria	Cerro – Cimarron - Sims Mesa	Crawford	Dove Creek	Gunnison Basin	Piñon Mesa	Poncha Pass	Monticello Utah	San Miguel Basin
<b>A. The certainty that the conservation effort will be implemented.</b>	1. The conservation effort; the party(ies) to the agreement or plan that will implement the effort; and the staffing, funding level, funding source, and other resources necessary to implement the effort are identified.	NO PLAN	P	P	P	P	P	P	P
	2. The legal authority of the party(ies) to the agreement or plan to implement the formalized conservation effort, and the commitment to proceed with the conservation effort are described.	NO PLAN	F	F	F	P	P	P	F
	3. The legal procedural requirements (e.g., environmental review) necessary to implement the effort are described, and information is provided indicating that fulfillment of these requirements does not preclude commitment to the effort.	NO PLAN	DN	DN	DN	DN	DN	DN	DN
	4. Authorizations (e.g., permits, landowner permission) necessary to implement the conservation effort are identified, and a high level of certainty is provided that the party(ies) to the agreement or plan that will implement the effort will obtain these authorizations.	NO PLAN	DN	DN	DN	DN	DN	DN	DN
	5. The type and level of voluntary participation (e.g., number of landowners allowing entry to their land, or number of participants agreeing to change sagebrush community management practices and acreage involved) necessary to implement the conservation effort is identified, and a high level of certainty is provided that the party(ies) to the agreement or plan that will implement the conservation effort will obtain that level of voluntary participation (e.g., an explanation of how incentives to be provided will result in the necessary level of voluntary participation).	NO PLAN	DN	DN	DN	DN	DN	DN	DN
	6. Regulatory mechanisms (e.g., laws, regulations, ordinances) necessary to implement the conservation effort are in place.	NO PLAN	P	P	P	P	P	P	P
	7. A high level of certainty is provided that the party(ies) to the agreement or plan that will implement the conservation effort will obtain the necessary funding.	NO PLAN	DN	DN	DN	DN	DN	DN	DN
	8. An implementation schedule (including incremental completion dates) for the conservation effort is provided.	NO PLAN	P	P	P	D	D	P	P
	9. The conservation agreement or plan that includes the conservation effort is approved by all parties to the agreement or plan.	NO PLAN	F	F	F	F	F	F	F

Table 3 (Con't). Evaluation of Local Conservation Plans and PECE Criteria.

	F = Fulfills entire criteria, P = Partially fulfills criteria, DN = Does not fulfill criteria.	GUNNISON SAGE-GROUSE POPULATION							
PECE Evaluation Factor	Criteria	Cerro – Cimarron - Sims Mesa	Crawford	Dove Creek	Gunnison Basin	Piñon Mesa	Poncha Pass	Monticello Utah	San Miguel Basin
<b>A. The certainty that the conservation effort will be effective.</b>	1. The nature and extent of threats being addressed by the conservation effort are described, and how the conservation effort reduces the threats are described.	NO PLAN	P	P	P	P	P	P	P
	2. Explicit incremental objectives for the conservation effort and dates for achieving them are stated.	NO PLAN	DN	DN	DN	DN	DN	DN	DN
	3. The steps necessary to implement the conservation effort are identified in detail.	NO PLAN	P	P	P	P	P	P	P
	4. Quantifiable, scientifically valid parameters that will demonstrate achievement of objectives, and standards for these parameters by which progress will be measured, are identified.	NO PLAN	P	P	P	P	P	P	P
	5. Provisions for monitoring and reporting progress on implementation (based on compliance with the implementation schedule) and effectiveness (based on evaluation of quantifiable parameters) of the conservation effort are provided.	NO PLAN	P	P	P	P	P	P	P
	6. Principles of adaptive management are incorporated.	NO PLAN	P	P	P	P	P	P	P