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State of Colorado

Testimony before the U.S. House Committee on Natural Resources

- Mr. Chair, thank you for this opportunity to provide our perspective on how the state of Colorado has worked to conserve and protect the greater sage grouse. I thank you and your colleagues for your thoughtful consideration and your efforts to gather the information necessary to properly evaluate these matters.
- Colorado has a proud record of collaboration with landowners, wildlife managers, ranchers, conservation groups and state and federal agencies, and together we've made stewardship of this species a priority.
- All of us have worked tirelessly, using the best available, site-specific science to protect both the species and its habitat. Today I want to briefly describe to you what we've accomplished.
- The state's wildlife management agency, Colorado Parks and Wildlife (CPW), has exceptionally strong in-house research capabilities, and its biologists have played a critical role in developing and updating state-specific science regarding greater sage-grouse.
- Relying on that expertise, CPW has collected and analyzed Colorado-specific data to assess habitat quality, threats to habitat, and the impact of various changes in habitat on greater sage-grouse populations.
- In 2008, working with dozens of stakeholders from state and federal agencies, as well as private landowners and conservation groups, CPW biologists developed a comprehensive management plan (Conservation Plan) for the greater sage-grouse which was designed to increase the abundance and viability of the species and its habitat.
- Following feedback from the U.S. Fish and Wildlife Service (FWS), in 2013 CPW completed the "Colorado Package," a comprehensive update and status review to the Conservation Plan.
- The state updated the Conservation Plan once again in 2014 in its "Synthesis Report," providing additional information on the implementation and effects of conservation efforts.

- These conservation efforts have been designed to address the threats initially identified by CPW in its analyses of Colorado-specific data, and subsequently mirrored in the federal government’s Conservation Objective Team and National Technical Team reports.
- Additionally, Colorado’s regulatory framework for energy development proactively engages our important oil and gas industry in helping to protect the greater sage-grouse and its habitat.
- The Colorado Oil and Gas Conservation Commission’s 1200-series rules require consultation with CPW whenever an operator seeks to develop energy resources in sensitive wildlife habitat.
- Typically, where greater sage-grouse habitat has been implicated, these consultations lead to site visits and detailed, site-specific recommendations. An independent study of the consultation process showed that industry has complied with recommendations received from CPW 97% of the time when seeking to develop projects in sensitive wildlife habitat.
- Concerted cooperation among agriculture producers and CPW has resulted in the “Ranching for Sage-grouse” program, which provides landowners with the best available science and management tools for grazing in habitat areas and protecting greater sage-grouse populations.
- Local efforts to conserve the greater sage-grouse have also been robust, as detailed in the Colorado Package and the Synthesis Report. For example, local governments in northwest Colorado have reviewed their zoning regulations to better accommodate greater sage-grouse habitat conservation objectives.
- With 164 grazing and multiple use leases in habitat areas, the Colorado State Land Board (SLB) has management authority over 393,269 acres of greater sage-grouse habitat. Currently, SLB is pursuing a detailed inventory of state trust lands located in greater sage-grouse habitat, and will apply site-specific adjustments to its management regime based on the results of the inventory.
- The effectiveness of these broad-based conservation efforts is borne out by the data.
- Since 2003, CPW has protected over 80,600 acres of greater sage-grouse habitat through fee title purchase or conservation easement at a cost of approximately \$52.8 million.
- Additionally, the land trust community in Colorado has protected an additional 154,181 acres of private land in greater sage-grouse habitat areas through conservation easements, including some of the best sage-grouse habitat and largest leks in the state.

- CPW has completed four Wildlife Mitigation Plans with oil and gas operators covering a total of 57,697 acres in the Parachute-Piceance-Roan greater sage-grouse population, incorporating avoidance measures and best management practices for minimizing impacts.
- And since 2005, CPW has expended more than \$9.2 million to conduct annual operations in support of greater sage-grouse conservation.
- And just last week, Colorado Governor John Hickenlooper issued an executive order that calls on state agencies to take further actions to reduce impacts to the greater sage grouse.
- Those actions include: increasing coordination with Colorado Parks and Wildlife, launching a market-based habitat exchange, taking inventory of - and improving habitat within - state lands with grouse populations and strengthening the role of the Oil and Gas Conservation Commission.
- It's also worth mentioning the same kind of collaborative work we've conducted for the Gunnison sage grouse, a sub-species with a narrower habitat range than the greater.
- CPW has invested more than \$40 million on conservation and management of the Gunnison sage grouse since 2005. Our partners have contributed an additional \$10 million.
- Since 2003, state wildlife managers have protected more than 30,000 acres of Gunnison sage grouse habitat (primarily via conservation easements). About 68,000 additional acres are managed by other conservation interests such as The Nature Conservancy.
- Between lands in public ownership and private lands secured by conservation easements, about 55 percent of Gunnison sage grouse's mapped range has some level of protection from development.
- Despite our proactive and extensive and ongoing range-wide conservation measures to protect greater sage-grouse, in 2010, FWS determined that the species was "warranted but precluded" for listing under the Endangered Species Act (ESA) throughout its entire 11-state range.
- FWS must determine by September 30, 2015 whether the sage-grouse still warrants protection under the ESA and if so, whether to propose an "endangered" or a "threatened" listing for the species.
- Western Governors continue to work with each other and Secretary of the Interior, Sally Jewell, within the National Sage Grouse Task Force to create robust state and federal plans to protect the greater sage-grouse. It has been a tremendous effort on everyone's part. We want to thank Secretary Jewell and her team for their efforts.

- Colorado firmly believes that state-led efforts provide the most effective approach to protecting and conserving the species and its habitat. The listing of the greater sage-grouse under the ESA would have a significant and detrimental economic impact on the state.
- Given the limited resources available to the federal agencies charged with managing a federally listed species, the state is concerned that the health and vitality of the greater sage-grouse population may also decline as a result of a listing, setting back the conservation gains made to date under the our Conservation Plan.
- In closing, let me stress this point: Colorado has worked closely with many partners across the spectrum, including local governments, landowners and conservationists.
- A decision by Fish and Wildlife to list the greater sage grouse puts at risk all this cooperation and threatens to pull apart the very coalitions that – to date – have made enormous progress in conserving the sage grouse and its habitat.
- Our partners will be left wondering: What was the point of all this effort? We've taken enormous steps to avoid a listing and the accompanying federal intervention only to have our efforts answered with a listing.
- That kind of outcome not only jeopardizes our progress with the sage grouse, but any other work we're doing to conserve these treasured species in Colorado and the Rocky Mountain west.