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# Sage grouse decision delayed

Federal lawmakers  
propose overhaul  
to controversial act

*Chris Dickey*

The decision on whether to list the Gunnison Sage Grouse as threatened or endangered under the Endangered Species Act has been delayed, and no one is publicly saying why or for how long.

"We don't have any definite time schedules for publishing a proposed ruling at this time," said Al Pfister, western field office supervisor for the U.S. Fish and Wildlife Service, the entity in charge of enforcing the ESA.

Back in the spring, Pfister told the Gunnison County Commissioners, members of the local sage grouse working group and hundreds of citizens who were gathered at a meeting on sage grouse that a "proposed rule" would be

## Grouse

continued from page 1  
forthcoming this September.

When asked a couple of weeks ago, he said the ruling would be made this fall. Now, USFWS officials aren't offering any projection on when a decision could be reached.

"The date has changed," said Sharon Rose, USFWS external af-

airs officer in Denver. "We don't have a date or a time frame. (Regional USFWS manager) Ralph Morganweck more or less said to try back in 30 days."

roduced by California Republican Richard Pombo and passed out of the House Resources Committee last week. It's expected to go to a vote of the full House in October.

Among many other things, the bill would eliminate the designation of critical habitat, a provision of the current ESA which has inspired landowners to "shoot, shovel and shut up", according to Pombo, as a way of ridding their property of an endangered species before anyone knew it was there.

The bill also requires compensation to landowners who can't use their property the way they want because of species conservation measures, and eliminates some of the oversight of federal projects by the USFWS.

"Here we are waiting for something to happen and the only thing going on is the Endangered Species Act being gutted," said Sue Navy, longtime member of the local working group who has advocated listing the sage grouse. "This (bill) would be a real setback to species conservation nationwide."

Cory Watt, a member of the Gunnison County Contractor's Association and president of a spin-off group that has fought the listing of the Gunnison Sage Grouse, said the proposed ESA overhaul has been a long time coming.

"The ESA doesn't work," she said, citing statistics indicating that only 1 percent of species have actually recovered after gaining federal protection. "It turns into such a stressful situation for communities, and Gunnison County is a perfect example of the stress it's causing."

Rose, the USFWS external affairs officer, said the current debate over the proposed legislation is having "no bearing at all" on the delay with the Gunnison Sage Grouse decision. ■

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The process for inclusion onto the ESA includes a one-year grace period between the time a proposed rule and a final rule is made. Therefore, should it be determined that the Gunnison bird is eligible for federal protection, it may be 2007 before that official listing takes place.

Meanwhile, a fiery debate has kicked off in congress and nationwide concerning proposed legislation that aims to overhaul the controversial ESA. Environmentalists say the proposed changes essentially would render the ESA meaningless. Critics of the 32-year-old law counter that the bill makes solid strides toward lessening the impact the ESA has on private property owners.

The bill - H.R. 3824 - was in-