

From: [Deibert, Pat](#)
To: [Drue DeBerry](#)
Subject: Fwd: Colorado Lek data
Date: Thursday, February 26, 2015 1:23:45 PM

----- Forwarded message -----

From: **Steve Knick** <icsparrows@yahoo.com>
Date: Thu, Feb 26, 2015 at 8:09 AM
Subject: Colorado Lek data
To: "jeff.ver_steeg@state.co.us" <jeff.ver_steeg@state.co.us>
Cc: "pat_deibert@fws.gov" <pat_deibert@fws.gov>, "stiver@cableone.net" <stiver@cableone.net>, "virgil.moore@idfg.idaho.gov" <virgil.moore@idfg.idaho.gov>

25 February 2015

Jeffrey M. Ver Steeg
Assistant Director
Research, Policy and Planning
Colorado Parks and Wildlife

Dear Mr. Ver Steeg:

Dr. Oz Garton forwarded to us your e-mail dated 19 January 2015. In this message you indicated that Colorado was not willing to share lek data for an updated analysis of sage-grouse populations. You expressed two primary reasons for not sharing the lek data. Both regarded a previous analysis that Dr. Garton had conducted for a chapter in the Studies in Avian Biology (SAB) volume on greater sage-grouse published in 2011 by the Cooper Ornithological Society. Your first concern questioned the statistical analysis used for his paper. Your second concern repeated a series of unsubstantiated and widely circulated claims by the Colorado Division of Wildlife (now Colorado Parks and Wildlife) about the SAB volume and the review process itself. You also stated that Colorado was instead supporting the unpublished 2008 WAFWA sage-grouse report and current WAFWA-sanctioned effort as the appropriate analyses of these data.

Dr. Garton has not asked us to respond nor is he aware of this letter. However, we feel compelled to address your concerns from our unique perspectives. One of us (JWC) was a coauthor of both the 2008 WAFWA report and the 2011 Garton paper. The other (STK) was the editor handling the review for the Garton chapter. Both of us were lead authors of the 2004 Conservation Assessment for Greater Sage-Grouse, for which we received a WAFWA award for outstanding contribution.

Studies in Avian Biology is a peer-reviewed book series sponsored by the Cooper Ornithological Society that publishes individual or collections of papers too lengthy for journal publication. Unlike WAFWA or its member agencies, the Cooper Ornithological Society is a scientific organization that has no vested outcome in a listing decision. It was important that we did not have the sanction from WAFWA or any state or federal agency because our primary interest was to publish information on sage-grouse, not to develop or shape a listing position. The editorial process is similar to any journal, such as the Journal of Wildlife Management, in that the editor selects reviewers based on their expertise. In all, 72 different scientists and managers provided reviews.

WAFWA biologists were given the opportunity to review all chapters as they became available. Three manuscripts submitted for the sage-grouse volume were rejected; one of those was substantially revised and published after additional reviews. "Greater Sage-Grouse: ecology and management of a landscape species and its habitats" was recognized by The Wildlife Society in 2012 as the Outstanding Book, edited series.

STK was the editor handling Dr. Garton's manuscript. The manuscript initially received two reviews, as did other SAB chapters. One reviewer for the Garton chapter was selected with substantial expertise in sage-grouse population biology. The other had a very strong background in statistics and population ecology. The manuscript also was sent to the Colorado Division of Wildlife as part of our agreement for using data collected in Colorado. Colorado had been undermining and discrediting the entire SAB project from its beginning (appended Remington email) so it was no surprise that their reviews on the Garton chapter were overwhelmingly negative. Nonetheless, I sent the Colorado reviews along with the formal SAB reviews to Dr. Garton, who addressed all comments in his response and in the revised manuscript.

A second review of the Garton manuscript was necessary to further ensure the statistical approach and validity of the conclusions. STK asked for recommendations from two statisticians, both of whom had national and international reputations in modeling population dynamics or population viability assessments. Most important, neither was connected with sage-grouse, with Colorado, with the University of Idaho, or had any interest other than the scientific integrity of the paper. Each reviewer received: the original draft manuscript, the two SAB reviews, the Colorado reviews, Dr. Garton's response, and the revised manuscript. The claim that Colorado's reviews were ignored is incorrect. Both reviewers, after studying all reviews, Garton's response, and the revised manuscript, recommended publication. The assertion that the review process was anything but truly independent and highly rigorous is simply wrong.

We expected that Colorado would adhere to basic professional ethics in reviewing the Garton manuscript as well as a WAFWA directive that SAB manuscripts and reviews sent to the states be treated confidentially: "...we must recognize the Editors' position of trying to balance numerous expectations of different entities with a publication process that was initiated prior to this listing decision process. *Studies in Avian Biology*, for which these manuscripts are written, is a scientific publication and not an agency report. The authors of manuscripts for SAB have a right to protect their intellectual property and the expectation of a professional review by unbiased referees. Thus, I ask that all of you to deal with these manuscripts in a highly professional manner and follow the established protocols if you choose to review these chapters." (Ken Mayer, 8 May 2008 memo to the Western States Sage and Columbian Sharp-tailed Grouse Technical Committee). Instead, Colorado widely distributed the draft Garton manuscript and their review comments and tried to prevent publication by contacting then Editor-in-Chief Carl Marti.

We ask the Colorado Parks and Wildlife to reconsider their opposition to making the data available to Dr. Garton. There can be differences of statistical opinion over what constitutes a variance term or what is the correct or optimum approach to analyzing the lek data. However, we suggest that those differences should be explored in an open and independent forum and not through controlling access or attempting to manage an outcome. It is your decision (or that of the courts) on releasing the data. Regardless, we strongly urge you to quit using unsubstantiated claims about the SAB volume, the Garton publication, or the review process to discredit the work or as a reason

for withholding lek data. Those claims are without merit and do a disservice to more than 100 biologists, managers, and scientists (including those from Colorado) who contributed as authors and reviewers of the SAB.

Steven T. Knick, editor, Studies in Avian Biology no. 38

John W. Connelly, editor, Studies in Avian Biology no. 38

cc: Pat Deibert
Virgil Moore
San Stiver

Remington email to Ken Mayer, 18 February 2008

Ken,

I'm all for assembling all the information the states have for the Service's use in their 12-month finding and we will do our part. I have serious, serious reservations about the Service's reliance on the proposed paper by Knick et al. in Avian Biology; the unilateral selection of the authors, the makeup of the authors for many chapters, etc. The editors select the reviewers, which given who they have selected as authors may mean no true peer review. It appears a pro-listing agenda may underlie some of this. WAFWA has little involvement in the publication and no opportunity for substantive review. Much of this has already been published, or occurs in the assessment. It needs updating, but I'm not sure this particular publication is necessary. It allows the Service to defer their responsibility to a preponderance of academics with key chapters written by strident advocates for listing in at least one case. I think this is a potential train wreck that we may need to talk about collectively before buying into it as an organization.

Tom

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got leks?