

# Weminuche Landscape Grazing Updated Scoping Summary

July 2015

Addressed in this document are all public comments received during several comment periods for the Weminuche Landscape Grazing Analysis: scoping beginning in February 2012; two comment periods on a draft EA during 2014; a scoping period when the intent to prepare an EIS was announced in March 2015, and some comments outside of designated comments periods. All of these responses are being considered as scoping for the preparation of an EIS. Scoping input was received as a result of press releases, articles in local papers, web page posting, letters and e-mails to those who expressed interest in the project, legal notices, and a Federal Register notice.

The Forest Service typically separates scoping comments and issues into two groups: *Key Issues* and *Non-key Issues*. *Key Issues* are defined as those directly or indirectly caused by implementing the Preferred Alternative. A key issue is also one that results in the generation of an alternative, part of an alternative, or design criteria or mitigation measure which specifically addresses that issue.

Classification of a comment as non-key does not mean it is not important, it only means that it does not meet the above definition and will not be addressed in this analysis. *Non-key Issues* fall within five general categories, with examples given:

1) Outside the scope of the Preferred Alternative.

- The “sunset clause” for active allotments, which was previously proposed in the draft EA, has been dropped from the EIS alternatives.
- Reintroduction of, or direct management of bighorn sheep (including hunting) is not under the jurisdiction of the Forest Service; rather, it is the jurisdiction of the state.
- Enforcement and/or management of grazing permit terms is a managerial issue, as opposed to a resource impact issue, and can be dealt with using administrative procedures. This includes how permittees monitor and report their grazing activities.

2) Already decided by law, regulation, policy, Forest Plan, or other higher level decision;

- Grazing was determined to be allowed and appropriate in wilderness under the Wilderness Act 1964, Congressional Wilderness Grazing Guidance given in 1980, and under Forest Plan guidance.
- The Range Rescission Act of 1995 requires us to conduct NEPA analysis for grazing permits.
- Multiple-Use Sustained-Yield Act and the Forest Plan affirm that grazing is one kind of multiple-use that is an appropriate use of the SJNF, although grazing does not need to occur on every suitable acre.
- “Buy out” of a grazing permit with the intention of not grazing is against FS policy per FSM 2231.7. Permits may be canceled if the permit holder fails to use the range without obtaining approval for nonuse. The permit will then revert to the FS for re-issuance to a new party. Non-use may be approved for various reasons, but only for a limited number of years (FSH 2209.13). The appropriate way to retire an allotment from grazing is to close it with a NEPA decision.
- Grazing fees are set at the National level and cannot be manipulated at the local level.
- NEPA processes, NFMA requirements, and Executive Orders are already defined in Forest Service policy and guidance and will be followed.
- Cooperation and consultation with other levels of government is standard procedure; whether other agencies provide comments or request Cooperating Agency status is their choice.
- Suggestions for what should be included in the EA analysis (e.g.- analysis of vegetation impacts, analysis of impacts to endangered or sensitive species, etc) are standard procedures and will be included.
- Since bighorn habitat is primarily in wilderness, habitat improvement projects would be severely restricted or prohibited by the Wilderness Act, and are not discussed in the EIS as a mitigation measure.

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- Predator control is conducted under procedures set in an agreement with the USDA Wildlife Services, which has been previously and separately approved. It is illegal to kill threatened and endangered species.
- 3) Irrelevant to the decision to be made;
- Requests for information or to be added to the mailing list, etc.
  - Outfitter/guides or other permitted uses are regulated under their own permitting processes, and will not be changed by the decision resulting from *this* analysis.
  - Comments regarding areas outside the Weminuche Landscape, for example: comments regarding the Silverton area, Molas Pass area, the Colorado Trail, Cascade Creek allotment, or lower elevation lands.
  - Whether it is ethical or healthful to consume meat, or whether the food is locally produced.
  - Potential for future development of a vaccine is irrelevant at this point in time. If that were to occur, a new grazing analysis and decision could be made.
  - Change of the Endlich Mesa Allotment boundary has already been made administratively. It was strictly a paperwork exercise and did not add to, or change the locations that grazing occurs on the land.
- 4) Opinion, conjectural, and not supported by scientific or factual evidence; or
- A “vote” for an alternative with no supporting rationale does not provide us with issues to be addressed or ideas for alternatives. The decision resulting from a NEPA analysis is not based on a popular vote.
  - “Sheep use is incompatible with recreation,” or “sheep grazing in not appropriate” are opinions.
  - That trail damage is caused by sheep and not by hikers or horses is unproven.
  - That grazing assists in fire control and brush control has not been proven.
  - That sheep grazing damages the tourism and recreation economy is unproven.
  - That sheep grazing increases flies has not been proven.
  - Statements such as, “Ranchers are robber cattle barons and leaches ripping us off” is an opinion.
  - Statements that are erroneous or misinformed are not supported by fact.
  - Statements that the analysis is inadequate or biased in some way are generally opinions.
- 5) Purely supportive of, included in, or addressed by, the Preferred Alternative.
- Statements that make suggestions for what is already included in the Preferred Alternative.
  - Statements of support for the proposal that do not result in the need to create an alternative.
  - Statements that some type of analysis is missing, when in fact, it has been included; some analysis may be documented in the project record and not detailed in the EIS itself.

The scoping periods generated written responses from approximately 126 sources, some providing comments at multiple times. There were recurring Key Issues mentioned throughout many of the comments. These issues were grouped together by theme, and are listed in Table 1 below. A listing of all the commenters then follows in Table 2, showing which Key and/or Non-key Issue(s) each commentator mentioned. Full text of the comments can be found in the project record.

An Environmental Impact Statement will be prepared. The Key Issues will be responded to and analyzed in either an alternative or design criteria/mitigation measures in the EA. A 45-day public comment period will be held for public review of the Draft EIS.

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The following Key Issues were identified by the Forest Service:

**Table 1. Key Issues**

<b><u>Key Issue Theme</u></b>	<b><u>Specific Issues</u></b>	<b><u>Where addressed</u></b>
1. Impacts to Alpine Vegetation	Climate change intensifies grazing impacts in alpine	Alternatives 1 & 4; Ch. 3 analysis - Veg section
	Sheep eat all the wildflowers	Ch. 3 analysis - Veg section
	Impacts on fens and wetlands	Design Criteria in Preferred Alternative; Ch. 3 analysis - Veg & Water sections
	Decreases natives/increases weeds	Ch. 3 analysis - Veg section
2. Impacts to Wildlife	Disease transmission from domestics to bighorn – the science is conflicting	Design Criteria in Preferred Alternative; Alternative 4; Ch. 3 analysis - WL section; Risk Assessment
	The best available science for estimating risk of disease transmission and bighorn viability is not agreed upon	Ch. 3 analysis - WL section; Risk Assessment
	Ptarmigan habitat and food sources	Design Criteria for utilization; Ch. 3 analysis - Veg & WL sections
	Pika are vulnerable because of climate change	Design Criteria for utilization; Alternatives 1 & 4; Ch. 3 analysis - Veg & WL sections
	Colorado River Cutthroat Trout in Grasshopper and W. Virginia	Design Criteria for stream crossings; Ch. 3 analysis - Veg & Water sections
	Ranching preserves private open space	Ch. 3 analysis – SocioEcon section
3. Conflicts with Recreation	Noise	Design Criteria in Preferred Alternative; Ch. 3 Analysis - Recr section
	Bad odor	Design Criteria in Preferred Alternative; Ch. 3 Analysis - Recr section
	Sheep dogs are dangerous	Design Criteria in Preferred Alternative; Ch. 3 Analysis - Recr section
	Wilderness experience	Alternatives 1 & 4; Ch. 3 Analysis - Wilderness section
	Disturbance to hunting	Ch. 3 Analysis - Recr section
	Trail braiding/trail erosion	Design Criteria in Preferred Alternative; Ch. 3 Analysis - Water & Recr sections
4. Impacts to Water Quality	Feces contamination	Ch. 3 Analysis - Water section
	Streambank degradation/erosion	Ch. 3 Analysis - Water section
	Identify surface and shallow aquifer water sources, values, and information	Ch. 3 Analysis - Water section
5. Economics	Agric. benefits local communities	Ch. 3 Analysis - Socio-Econ. section
	Benefits too small of a group	Ch. 3 Analysis - Socio-Econ. section
	Cost-benefit ratio not favorable	Ch. 3 Analysis - Socio-Econ. section
	Environmental Justice to minority or low income populations	Ch. 3 Analysis - Socio-Econ. section

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**Table 2. Summary of Individual Scoping Comments**

<b>Comment #</b>	<b>Commentor/ Affiliation (alphabetical)</b>	<b>Date Received</b>	<b>Key Issue #</b> 1. Vegetation 2. Wildlife 3. Recreation 4. Water 5. Economics	<b>Non-Key Issue #</b> 1. Outside scope of Preferred Alternative 2. Already decided 3. Irrelevant to decision 4. Opinion, unsupported, or conjectural 5. Supportive or included in Proposal
1.	Allen, Jon	3/23/12	1, 3, 5	4-flies
2.	Ancel, Nadine	6/29/14	1, 4	2-fees
3.	Annala, Loretta	3/21/12	1, 2, 3, 4	4-flies
4.	Anonymous	7/11/14		2-grazing in wilderness, fees
5.	Aspelund, Jason	6/12/14	2, 3, 4	
6.	Bandy, Paul / grazing permittee	6/13/14	5	1-sunset clause no longer proposed 4-vote or opinion
7.	Beaber, Paul & Mary	3/12/12, 3/13/12, 6/19/14	3, 5	3-Silverton area, 4-tourism economy
8.	Belles, Mark	6/10/15		2-t&e species 2-grazing fees 3-request to be on mailing list
9.	Berry, Nancy	6/15/14	1, 3	1- sunset clause no longer proposed 1-permit admin 5-suggestion included
10.	Bickel, Bettina	7/19/14	2, 3	
11.	Bickel, Jean	7/19/14	1, 2, 5	2-predator control
12.	Boehm, Kenneth/ Nat'l Legal and Policy Center	7/21/14	2, 5	1-sunset clause no longer proposed 2-multiple uses 4-opinion
13.	Boland, Diana	2/25/12		5-supportive
14.	Boutilier, Elaine	7/20/14	2,5	
15.	Branner, Lisa	3/21/12	1, 3	4-tourism economy
16.	Brass, Timothy/ Backcountry Hunters and Anglers	7/21/14	2, 3, 4, 5	1-bighorn management 2-predator control
17.	Broscheid, Bob/ State of CO CPW/CDA	7/21/14	2, 5	2-processes 2-wilderness management 5-included
18.	Brown, Bonnie/ Colorado Wool Growers Assoc.	3/18/15, 6/13/14	2, 5	1-sunset clause no longer proposed 2-multiple use, government relations, 2-processes, Rescission Act 4-noxious weed and fire control 4-misinformation 5-included
19.	Brown, J. Paul/ grazing permittee	6/16/14, 7/21/14	2	3-other areas 4-unsupported opinion, misinformation
20.	Brown, Jean/ grazing permittee	6/16/14	2	1-sunset clause no longer proposed 4-unsupported opinion
21.	Bruning, Donald, Dr.	3/5/12, 7/7/14	1, 2, 3, 5	1-sunset clause no longer proposed 5-included
22.	Bryne, Gene	3/7/12	2	
23.	Buickerood, Jim/ San Juan Citizen's Alliance	3/21/12, 7/21/14	1, 2, 3, 4	1-sunset clause no longer proposed 2-NEPA process 4- trail damage by sheep

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24.	Coburn, Lynn	2/24/12	1, 3	3-Silverton area
25.	Colorado Parks & Wildlife	Various dates- email string		3-request for info
26.	Colt, Lori et.al/ WildEarth Guardians	6/13/14-6/17/14		1-sunset clause no longer proposed 2-grazing in wilderness 5-supportive
27.	Dahm, Mary Anna	3/23/12	3	3-Silverton area
28.	Davis, Paul	6/13/14	1, 2, 4, 5	2-grazing in wilderness 2-predator control 3-irrelevant to project
29.	Davis, Paula/ Hinsdale County	7/18/14	2, 5	1-sunset clause no longer proposed 2-process, multiple use
30.	Decker, Kennon/ grazing permittee	5/21/14		1-sunset clause no longer proposed 2-buy out permits
31.	Delanoy, Katherine	9/4/14		3-request to be on mailing list
32.	DeVeny, Maureen	3/21/12	3	4-flies
33.	DeWitz, Ron	3/23/12	1, 2, 3, 4, 5	3-Silverton area 4-tourism economy
34.	Dvergsten, Cindy	6/16/14	2, 5	1-sunset clause no longer proposed 1-bighorn management
35.	Dyson, Greg/ WildEarth Guardians	3/23/15	2	
36.	Eads, Larry	Various dates- email string		3-request for info
37.	Eaton, Wesley	6/22/14		4-unsupported opinion
38.	Egan, Veronica/ Great Old Broads for Wilderness	2/23/12, 7/10/14	1, 2, 3, 4, 5	
39.	Ellis, Corey	3/8/12	1, 2, 4, 5	
40.	Fetchenhier, Scott	6/18/14	1, 3, 4, 5	2-grazing in wilderness
41.	Gale, John/ Nat'l Wildlife Fed.	3/23/12	2	1-bighorn reintroduction 2-Forest Plan, NEPA process
42.	Gilbert, Sue Ellen	2/26/12		5-supportive
43.	Graham, Judy	7/31/14	3	
44.	Grenoble, David	8/2/14		4-not appropriate
45.	Hann, Michael	11/6/12, 7/21/14	1, 2, 3, 5	1-sunset clause no longer proposed
46.	Hanstedt, Steve	3/21/12		4-fire control 5-supportive
47.	Hardesty, Rick & Kelly	3/21/12	3	3-Molas Pass, Colorado Trail area
48.	Hobbs, Will	2/28/12	1, 3, 4	
49.	Hronich, Larry & Renee/ grazing permittee	3/20/12	1, 5	4-fire control 5-supportive
50.	Huggins, Ryan	2/26/12,	1, 2, 5	1-enforcement
51.	Hurley, Kevin/ Wild Sheep Foundation	7/21/14	2	
52.	Iverson, Paul	2/23/12, 6/6/14	1, 3	3-Coal Bank Pass area 4-opinion
53.	Jarrell-King, Veronique	7/3/14	1	
54.	Jefferies, Ned & Barbara	7/17/14		1-sunset clause no longer proposed 4-unsupported opinion

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55.	Jefferies, Wayne & Terry	7/21/14		1-sunset clause no longer proposed 3-future vaccine 4-opinion, vote
56.	Jensen, Mike	7/15/14	2	
57.	Johnson, Aran/ Southern Ute Wildlife Resources	7/21/14	2	
58.	Jones, Dale & Lois	6/11/14	1, 2, 4	
59.	Jones, Kevin	7/17/14	2, 5	1-sunset clause no longer proposed
60.	Juracka, Kathleen	6/24/14	1, 2, 3, 4	
61.	Kappelman, John	7/14/14	1, 2, 3	2-grazing in wilderness 3-other areas
62.	Kenna, Matt	6/12/14	1, 2, 3, 4, 5	
63.	Kimmel, Brian	2/24/12	1, 3	
64.	King, Janet	7/3/14		2-grazing in wilderness
65.	Krebs, Clint/ American Sheep Industry Assoc.	6/6/14		3-irrelevant at this time
66.	Kuhnert, Bob	3/17/12	1, 2, 5	
67.	Lanzen, Lee	7/21/14	3	2-grazing in wilderness
68.	Lasater, Houston & Geri / prior grazing permittee	1/30/12 & 3/27/12	5	4-fire control
69.	Lasater, Jesse & Veronica	3/21/12	2, 5	5-supportive
70.	Lee, Robert	7/30/14	1, 3, 5	
71.	Lien, David/ Backcountry Hunters & Anglers	3/7/12	1, 2, 3, 4, 5	4-incompatible
72.	Lipe, John/ Colorado Trail Found.	1/18/12		3-Colorado Trail
73.	Maddox, Darrell	3/18/12	3	
74.	Marion, Bob/ Backcountry Hunters and Anglers	3/18/12	1, 2, 4	4-incompatible
75.	McClintock, Amy	6/16/14		4-vote
76.	McCord, Marilyn	7/21/14		4-vote
77.	McNeal, Lyle, Dr./ Utah State Univ.	6/16/14	2, 3, 5	4-fire control
78.	McQuarie, Donald	7/19/14	4	
79.	Meyers, Terry/ Rocky Mt. Bighorn Soc.	3/23/12, 5/27/14, & Various dates- email string	2, 3, 5	1-sunset clause no longer proposed 3-request for info 4-multi use, grazing in wilderness 5-cattle conversion included 5-supportive of parts
80.	Mize, Dean/ San Juan Sky Outfitters	1/14/12		3-guide administration
81.	Moore, Sally	2/24/12		5-supportive
82.	Morrison, Kim	3/22/12		4-fire control 5-supportive
83.	Mumma, John	6/12/14, Various dates- email string	2, 5	1-administration of permits 2-buy out permits, fees 2-predator control 5-cattle conversion included

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84.	Musgrave, Chris	6/19/14	1, 3	2-grazing in wilderness 3-regulation of recreation
85.	Naegle, Robert/ San Juan Woolgrowers Assoc.	3/23/12, 6/16/14	2	1-sunset clause no longer proposed 4-misinformation, opinion 5-supportive
86.	Nelson, Jeff, Dr.	2/26/12, 3/1/12	1, 3, 4, 5	
87.	Nelson, Mary Anne	3/12/12, 5/25/14	1, 3, 5	
88.	Newman, Ralph/ WildEarth Guardians	6/13/14		3-irrelevant
89.	O'Neill, Suzanne/ CO Wildlife Federation	7/21/14	2, 5	5-cattle conversion included
90.	Ong, Robert	7/5/14	2	
91.	Paden, Nathan	7/15/14	2, 5	1-sunset clause no longer proposed 2-buy out permits
92.	Palmer, Randy/ Over-the-Hill Outfitters	3/18/12	3	5-supportive
93.	Panze, Trent	6/17/14	2	
94.	Parkinson, Dan & Laurie	7/17/14	2, 5	1-administration of permits
95.	Pavlick, Steve	3/13/12, 7/21/14	1, 2, 3, 4, 5	1-enforcement 2-grazing in wilderness 5-included
96.	Pearson, Mark	7/7/15	2	1-sunset clause no longer proposed 5-supportive, included
97.	Petersen, Bonnie & Nicolle McCown/ Club 20	6/16/15	1, 2, 5	2-multiple use 4-unsupported opinion
98.	Petersen, David	2/26/12, 7/6/14	1, 2, 3, 4, 5	2-eliminate all grazing 4-incompatible 4-vote
99.	Pitts, James	6/20/14	1, 5	4-flies
100.	Public, Jean	2/19/15, 2/22/15	1, 2, 4	1-enforcement and staffing 2-inappropriate use, grazing fees 4-opinion
101.	Rankin, Holly	7/21/14	2, 5	1-enforcement 2-multiple use
102.	Ratner, Jonathan/ Western Watersheds Project	3/18/12, 6/14/15	1, 2, 3, 4, 5	1-enforcement & administration of permits 2-processes, Forest Plan 2-predator control 3-other areas 4-opinion 5-cultural analysis included
103.	Reynolds, Jeff	2/22/12	1, 3, 5	
104.	Robinson, Collin	3/15/12	4, 5	5-supportive
105.	Rowland, Peter	6/16/15	3	
106.	Samson, Jeri	7/21/14	2	2-fees 5- alts considered
107.	Schilthuis, Denney	2/28/12		3-outfitter administration 4-fire control 5-supportive

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108.	Schwartz, Amy	6/16/15		2-grazing in wilderness
109.	Semler, Wayne/ La Plata-Archuleta Cattlemen's Assoc.	6/13/14	2, 5	2-NEPA process 3-other areas 3-future vaccine
110.	Sims, Gary	3/23/12	1, 3, 4	2-grazing in wilderness 3-other areas
111.	Skiba, Gary	7/2/14	2, 5	1-enforcement 1-sunset clause no longer proposed 3-boundary change administrative 5-alt.s considered
112.	Sobal, Tom	6/16/14	1, 3, 4, 5	
113.	Stein, Ellen/ Great Old Broads for Wilderness	7/21/14	1, 2, 5	3-boundary change administrative 5-alt.s considered
114.	Strobel, Philip/ EPA	3/5/15		
115.	Sykes, Tom	6/13/14	4	4-opinion
116.	Taylor, Kent	3/23/12	1, 5	
117.	Taylor, Lorraine/ SJ Woolgrowers Assoc.	6/16/14	5	3-recreation impacts 3-local food 4-weed control
118.	Tipton, Scott/ US Congress	6/12/14	2	4-misinformation
119.	Tobin, Dan	6/20/14	1, 3, 4	2-grazing in wilderness
120.	Traina, Valerie/ WildEarth Guardians	6/15/14	5	1-sunset clause no longer proposed 2-grazing in wilderness 5-supportive
121.	Wait, Scott/ Colorado Parks and Wildlife	4/16/12	1, 2, 3, 4	5-supportive
122.	Wales, Charles	6/14/14		4-vote, opinion
123.	Waslien, Randy & Kristen Nielsen	6/13/14	1	
124.	White, Wally/ La Plata Co. Commission	Various dates- email string		3-request for info
125.	Young, James	7/15/14	2, 5	1-sunset clause no longer proposed 2-buy out permits
126.	Young, Sandy	3/23/12, 6/16/14	2, 5	1-beyond the scope 2- NEPA process, Rescission Act 3-county planning 3-other areas 4-misinformation 5-supportive , monitoring included