



Mr. Matt Janowiak
Columbine District Ranger
P.O. Box 439
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Via email: comments-rocky-mountain-san-juan-columbine@fs.fed.us

April 4, 2016

Re: *Weminuche Landscape Grazing DEIS Comments*

Dear Ranger Janowiak,

Thank you for the opportunity to submit comments on the Weminuche Landscape Grazing DEIS. WildEarth Guardians is an environmental advocacy organization working to protect and restore the wildlife, wild rivers, wild places, and health of the American West. Founded in 1989, we have a long history of conservation successes protecting carnivores, ancient forests, rivers, and other threatened landscapes and wildlife. Today we have more than 130,000 supporters.

The Weminuche Landscape Grazing DEIS (hereinafter “DEIS”) proposes grazing management across 166,700 acres of the San Juan National Forest, of which 85% is in the Weminuche Wilderness. The six active allotments under analysis are Burnt Timber, Canyon Creek, Endlich Mesa, Spring Gulch, Tank Creek, and Virginia Gulch. There are also seven vacant allotments in the analysis area: Cave Basin, Fall Creek, Flint Creek, Johnson Creek, Leviathan, Pine River, and Rock Creek. Additionally, the previously closed Needles Mountains allotment is a factor in this analysis.

Endlich Mesa, Tank Creek, and Virginia Gulch are currently active sheep allotments. Burnt Timber and Spring Gulch are currently used as pass-through sheep allotments. Canyon Creek is currently a cattle allotment and was last used by sheep in 2012.

In the San Juan Forest Plan, the Desired Condition for bighorn sheep is to:

Reduce or eliminate overlap between active domestic sheep allotments and CPW mapped bighorn sheep summer ranges, also called Core Herd Home Range (CHHR). Prevent physical contact between bighorn sheep and domestic sheep. Manage domestic sheep to achieve effective separation from bighorn sheep.

DEIS at 11. The majority of the planning area is not suitable for domestic sheep grazing according to the Forest Plan. DEIS at 27.

The DEIS summarizes the issue between domestics and bighorn on page 129:

Mortality of all age classes and depressed lamb recruitment resulting from pathogens introduced by domestic livestock are regarded as the primary limiting factor for bighorn

sheep in Colorado (*George 2009*). Physical contact between domestic sheep or goats and bighorn sheep increases the risk of disease transmission from domestic animals to bighorn sheep (*Sells 2015, Lawrence 2010, Wehausen 2011*), with potential for a subsequent bighorn sheep mortality event and/or extended period of reduced recruitment (*Besser 2012b*).

The primary disease agents are respiratory diseases to which domestic sheep and goats are typically resistant or unaffected, and to which bighorn sheep have little resistance (*Carpenter 2014, Cassirer 2013, Besser 2012a and 2012b, CAST 2008, George 2008, WAFWA 2012*). Pneumonia caused by bacterial respiratory pathogens is considered the most virulent disease impacting bighorn sheep today (*Besser 2012b, George 2009, Beecham 2007*). Pneumonia can result in all age die-offs followed by suppressed lamb recruitment for up to several decades after the initial die-off (*TWS 2015, George 2008*). Survivors become carriers of the disease and serve as a source of infection for other animals in the same herd, newborns, and other populations through natural movements, forays, or translocations (*Sells 2015, Cassirer 2013, Besser 2012b*).

Three bighorn herds are active the analysis area—46,053 acres of the analysis area to be exact, according to Colorado Parks and Wildlife (CPW)—and these three herds make up an interconnected meta-population. It is one of largest indigenous bighorn populations in the state, and is considered by CPW to be a Tier 1 bighorn population. “As such, CPW considers the Weminuche Population to be among the most important bighorn herds in the state, which places the population in the top priority State-wide for inventory and monitoring, habitat protection and improvement, disease prevention, and research.” DEIS at 133. The herds overlap directly with active allotments Canyon Creek and Tank Creek, and inactive allotments Rock Creek, Cave Basin, Flint Creek, and Pine River. Three other vacant allotments are adjacent to bighorn core habitat: Leviathan, Johnson Creek and Fall Creek. “This existing condition is undesirable due to potential for contact between domestic sheep and bighorn sheep, leading to the possibility of disease transmission between the two species.” DEIS at 7.

But even this information is misleading, because it implies that bighorn stay neatly within their mapped core range. All evidence is to the contrary, as forays by bighorn—especially young rams—are remarkable for their length and coverage. Two of the allotments proposed for use under the Preferred Alternative have recent reports of foraging bighorn presence. DEIS at 132. As explained in the DEIS at 130:

CPW maps the summer range of bighorn sheep herds as that part of their overall range where 90% of individual bighorn sheep are located between spring green-up and the first heavy snowfall. Summer range does not necessarily include all bighorn occurrences during the summer season because small numbers (< 10%) of bighorn sheep may occur outside the mapped summer range. In addition, small numbers of bighorn sheep rams and ewes may leave their CHHR [Core Herd Home Range] during summer and disperse (i.e. foray). For these reasons it is important to consider the proximity of bighorn CHHR, as well as the amount and juxtaposition of suitable bighorn summer source habitats in relation to active domestic sheep allotments and driveways when considering the potential for interaction between the species.

The DEIS breaks down the analysis of impacts to each herd and allotment as if what happens in one herd has no effect on the other herds. This will not maintain viability:

For bighorn populations to remain viable there is a need to maintain the biologically interconnected population functions that characterizes their meta-population structure, and retain, for the most part, their geographic distribution across the planning area. For this reason, a population structured similar to that which existed in the mid 1900's, comprised of small numbers restricted to disjunct and isolated subgroups, is unlikely to be considered viable under the definition described above.

Risk Assessment at 142.

Under the Preferred Alternative 4, there is an alarming potential for contact between bighorns and domestics in the active allotments:

- Burnt Timber – moderate
- Canyon Creek – high
- Endlich Mesa – high
- Spring Gulch – low
- Tank Creek – high
- Virginia Gulch – not disclosed.

DEIS at 47-48, Table 2.2. Indeed, “[u]nder Alternative 4, there is some remaining risk for physical contact between bighorn and domestic sheep in areas of overlapping bighorn sheep summer source habitat and domestic sheep suitable grazing range.” DEIS at 142. This is especially true when Alternative 4 would maintain 9,866 acres of domestic sheep allotments that would overlap with mapped bighorn habitat. DEIS at 131.

More specifically, the Risk Assessment states: “[U]nder Alternative 4, the action alternative most likely to maintain bighorn herd persistence in the long term, concern remains for the potential for a disease transmission event in the Weminuche Landscape due to a number of allotment/bighorn herd combinations having predicted total herd contact rates more frequent than the levels thought necessary to maintain herd persistence for the long term.” Risk Assessment at 151.

The Preferred Alternative—Alternative 4—relies almost exclusively on “adaptive management” to reduce risk to bighorn caused by domestic sheep grazing on these allotments. *See* DEIS at 46. But the San Juan Forest Plan states: “Management of domestic sheep must utilize measures to prevent physical contact with bighorn sheep.” San Juan Forest Plan Standard 2.7.12. We believe that the proposed Adaptive Management approach not only violates the San Juan Forest Plan (and therefore NFMA), but it is the equivalent of saying, “let’s watch bighorn die off then take action.”

High Risk Allotments “will be prioritized for monitoring to assess the effectiveness of Design Criteria and adaptive management tools.” This exemplifies our concerns about the adaptive management. Only after a disease transmission from domestics to bighorns occurs will action be taken. For Moderate Risk Allotments, the protection is even less: “Design Criteria and adaptive management tools will be implemented to strive to reduce the potential for contact even further.” *Striving* to reduce contact is not sufficient. A concerted effort must be taken to maintain separation, utilizing the best available science. And for Low Risk Allotments, design criteria are not even required to be implemented despite the proximity of all allotments to bighorn habitat. DEIS at 62, Table 2-4.

Likewise, the three and a half pages Design Criteria (or BMPs) specific to “Creating More Effective Separation Between Domestic Sheep and Bighorn Sheep” (DEIS at 62-65) are almost entirely a list of action to take after possible contact, such as how to react to a possible domestic/bighorn contact

(2.6) or reacting to a stray domestic (2.21). BMPs cannot be used in lieu of ensuring separation. In *Western Watersheds Project v. Bureau of Land Management*, (D. Idaho, 2009), Civ. No. 09-0507-E-BLW, the court concluded that, in the absence of scientific analysis, BMPs could not be relied upon to maintain separation. If BMPs are to be relied upon to maintain effective separation in this planning process, the Columbine District must first provide scientific analysis of the effectiveness of those BMPs, which we would argue is not possible to do.

There is also heavy reliance on monitoring, but again this is almost always an after-the-fact reaction rather than an actual method for maintaining separation in the present. Moreover, the Forest Service is notably poor with monitoring efforts. The DEIS does not, yet should, disclose the San Juan National Forest's monitoring record. And the DEIS should disclose, yet does not, the source of the funding for this monitoring—is it dedicated or reliant upon certain budgets to be approved? Is it subject to factors outside the control of the San Juan?

While we are pleased to note your use of the Risk of Contact Model, it should be recognized that it provides a very conservative estimate of the risk of interaction because it does not address the possibility of domestic sheep straying from the allotment, nor the social attraction between bighorn and domestic sheep, nor post-contact implications. The DEIS notes as much at 134: “It should be noted that the risk of contact tool provides an estimate for the frequency that a foraging or wandering bighorn sheep may cross into an active allotment; it does *not* provide an estimate for the rate of physical contact between animals of the two species, or for the rate of disease transmission.” Therefore, we encourage you to utilize disease modeling as well. Disease modeling is used to estimate the likelihood that (a) a bighorn sheep will come into contact with a domestic sheep when the bighorn intersects the domestic sheep allotment, (b) the bighorn sheep will contract disease from the domestic sheep, and (c) the bighorn sheep will return to its herd and transmit the disease. As an example of the interplay between Risk of Contact and Disease Modeling, along with an application of the two complementing models, we refer you to Carpenter et al. (2014) (cited in the DEIS).

The issue of contact between bighorn and domestic sheep is of the utmost importance to the continued viability of bighorn in the Weminuche Landscape area. Without separation, disease transmission is all but guaranteed. We urge you to follow the Best Available Science and utilize robust modeling tools to determine the risk of contact and risk of disease transmission, and once that modeling is complete, take the necessary steps to ensure separation between bighorn and domestic sheep, which in this case should include the retirement of the active sheep allotments in the Weminuche Landscape Grazing analysis area.

The Preferred Alternative wraps the previously closed Needles Mountain allotment into some of the allotments that would be open. The Needles Mountain allotment was closed in the Silverton Grazing Decision, but the DEIS does not disclose why the allotment was closed. Nor does the DEIS disclose what conditions have changed to warrant overriding the previous decision to close the Needs Mountain allotment.

We request that the Columbine District does not reauthorize domestic sheep grazing in any portion of the Weminuche Landscape Grazing planning area shown by the Risk of Contact and Disease Models to create an elevated risk of contact between bighorn and domestic sheep. Further, we request that no new domestic sheep grazing allotments be created—nor conversions in class of livestock to domestic sheep occur—in areas that pose an elevated risk of contact between bighorn

and domestic sheep. And finally, we request that the seven vacant allotments be permanently closed in order to protect bighorn sheep.

In short, we ask you to select Alternative 1. It is the only action that will protect this most important of bighorn populations.

We look forward to participating in further development of the Weminuche Landscape Grazing EIS. Please keep us apprised of any developments with this project.

Sincerely,



Greg Dyson
Public Lands Director
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