



COALITION OF LOCAL GOVERNMENTS

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FORT BRIDGER, WY 82933

COUNTY COMMISSIONS FOR SWEETWATER, LINCOLN, AND UINTA, AND CONSERVATION DISTRICTS FOR LINCOLN,
LITTLE SNAKE, SWEETWATER, UINTA, AND SUBLETTE - WYOMING

August 28, 2023

VIA PROJECT WEBPAGE

David Whittekiend, Forest Supervisor
Uinta-Wasatch-Cache National Forest
857 West South Jordan Parkway
South Jordan, UT 84095

Susan Eickhoff, Forest Supervisor
Ashley National Forest
355 N. Vernal Ave.
Vernal, UT 84078

Re: Comments on High Uintas Wilderness Domestic Sheep Analysis Project
Supplemental Draft Environmental Impact Statement

Dear Mr. Whittekiend and Ms. Eickhoff,

The Coalition of Local Governments (Coalition) submits the following comments on the U.S. Forest Service's High Uintas Wilderness Domestic Sheep Analysis Project Supplemental Draft Environmental Impact Statement (SDEIS). The Coalition has previously submitted scoping comments and comments on the DEIS, and incorporates those comments by reference. At the request of the Forest Service, the Coalition has tried to limit its comments to only the new information and additional discussions in this SDEIS.

I. STATEMENT OF INTEREST

The Coalition is a voluntary association of local governments organized under the laws of the State of Wyoming to educate, guide, and develop public land policy in the affected counties. Wyo. Stat. §§11-16-103, 11-16-122, 18-5-201. Coalition members include Sweetwater County, Uinta County, Lincoln County, Lincoln Conservation District, Sweetwater County Conservation District, Uinta County Conservation District, Sublette County Conservation District, Little Snake River Conservation District, and Star Valley Conservation District. The Coalition serves many purposes for its members, including the protection of vested rights of individuals and industries dependent on utilizing and conserving existing resources and public lands, the promotion and support of habitat improvement, the support and funding of scientific studies addressing federal

land use plans and projects, and providing comments on behalf of members for the educational benefit of those proposing federal land use plans and land use projects.

Both the County and the District have authority to protect the public health and welfare of Wyoming citizens while promoting and protecting public lands and water resources. Wyo. Stat. §§ 11-16-122, 18-5-208. The District has statutory authority to develop and implement comprehensive resource use and management plans for range improvement and stabilization, conservation of soil, water and vegetative resources, control and prevention of soil erosion, and for flood prevention. Wyo. Stat. § 11-16-122(xvi). The District's jurisdiction includes matters pertaining to the acquisition, construction, operation or administration of any land utilization, soil conservation, erosion control, erosion prevention, flood prevention projects, conservation of water, water utilization, disposal of water in watershed areas, and other water projects. Wyo. Stat. § 11-16-122(xix). In carrying out this statutory authority, the Districts are working "to stabilize ranching and farming operations, to preserve natural resources, protect the tax base, control floods, prevent impairment of dams and reservoirs, preserve wildlife, protect public lands, and protect and promote the health, safety and general welfare of the people of this state." Wyo. Stat. § 11-16-103(b). The Districts also work cooperatively with federal agencies in the development and implementation of federal land use plans to ensure consistency with local land and resource plans. Wyo. Stat. § 11-16-122(viii).

By statute, the County is "deemed to have special expertise on all subject matters for which it has statutory responsibility, including but not limited to, all subject matters directly or indirectly related to the health, safety, welfare, custom, culture and socio-economic viability of a county." Wyo. Stat. Ann. §18-5-208. As such, the County "may regulate and restrict . . . the use, condition of use or occupancy of lands for residence, recreation, agriculture, industry, commerce, public use and other purposes in the unincorporated area of the county." Wyo. Stat. Ann. §18-5-201.

II. RISK OF CONTACT MODEL AND NEW INFORMATION

The Coalition appreciates the Forest Service for providing updated modeling information specific to the High Uintas Bighorn Sheep herd population and for incorporating the 2022 Site-Specific Memorandum of Understanding (MOU) between the Utah Division of Wildlife Resources (UDWR), the Utah Department of Agriculture and Food (UDAF), the Forest Service, and the permittees. SDEIS at xiii, 32, 149-153, 178-180. The Coalition had commented previously on the DEIS requesting the Forest Service to update its information and use all the data it had on bighorn sheep on the Ashley and Uinta-Wasatch-Cache National Forest instead of data of bighorn sheep from Hells Canyon, Idaho. The Forest Service has since updated its data and is now appropriately relying upon UDWR's data set of information on the local herd, and also incorporated this into the risk of contact model. *Id.* at 149-153. This is a vast improvement over the previous DEIS.

However, the Coalition continues to object to the use of the assumption that domestic sheep would be present on private lands all year long within the risk of contact model. The Forest Service did acknowledge that it lacks sufficient information about the private lands, but assuming they are on the private lands from a range of 0 days to 365 days a year is not accurate either. SDEIS at 154-

158. Most private lands used in domestic sheep operations are not used year round but instead complement Forest Service and Bureau of Land Management (BLM) permitted lands depending on the needs of the operation and timing of grazing on public lands.

III. VIABILITY OF BIGHORN SHEEP POPULATION

The Coalition supports the proposed project-specific Forest Plan amendment that would exempt this Project from the 2003 Wasatch-Cache Land and Resource Management Plan's sub-goal to maintain viability of sensitive species, which would include bighorn sheep. SDEIS at xiii-xv, 10. But while viability may not be attainable within the Project plan area alone, the Forest Service must continue to recognize that viability of the herd may be possible across its entire herd range on Forest Service, BLM, state, and private lands. *See id.* at 10, 25, 176, 178. The SDEIS recognizes that viability of this herd population is possible based on UDWR's management of bighorn sheep, coordinated efforts among all parties involved to reduce commingling of bighorn sheep and domestic sheep, and voluntary adoption of reasonable best management practices by permittees. *Id.* at 176-180, 186-187. As the Forest Service states: "Thus, domestic sheep grazing the 10 allotments and the associated sheep driveway system described in the proposed action may impact individual BHS, but *would not cause a trend toward their federal listing or reduce the current viability of the BHS population on the Ashley National Forest or Wasatch-Cache National Forest.*" *Id.* at 186 (emphasis added).

In addition, the Forest service needs to reconsider the decision to list the bighorn sheep as either a sensitive species and/or a species of conservation concern. Bighorn sheep were translocated to this area in 1989 with the UDWR and the Forest Service accepting the risk of potential conflict between bighorn sheep and domestic sheep. No one ever envisioned that this translocation would have led to the bighorn species being listed as either a sensitive species or a species of conservation concern on the National Forest when this translocation occurred. While the State of Utah once listed bighorn sheep as a species of greatest conservation need, it has since removed them from that list. *See* UDWR, *Utah Species Field Guide - Rocky Mountain Bighorn Sheep*, available at <https://fieldguide.wildlife.utah.gov/?species=ovis%20canadensis%20canadensis>. The Forest Service should follow suit.

UDWR is also the entity that has the authority and responsibility over the protection, management, and conservation of the state's wildlife, including bighorn sheep. Utah Code § 24-14-1(2)(a). UDWR sets policies that "seek to maintain wildlife on a sustainable basis," and recognize the balance between habitat requirements of wildlife with the social and economic activities of man. Utah Code § 24-14-3(2)(a)-(b). As part of its management, the UDWR has used translocation to reestablish and sustain bighorn sheep populations in Utah, has develop the Utah Bighorn Sheep Statement Management Plan, and has entered into site-specific memorandums of understanding with livestock permittees and the Forest Service in an effort to reduce disease transmission and other potential conflict between bighorn sheep and domestic sheep. And although the bighorn sheep herd estimate has fluctuated over time, "the State still considers these herds viable enough to sustain an annual harvest and offered another 5 ram permits in 2021." SDEIS at 181. UDWR has successfully managed the bighorn sheep population for over 30 years and will

continue to do so. *See* SDEIS at 176 (“These BHS herds have persisted since their introduction to the Uinta mountains concurrent with domestic sheep grazing of the 10 allotments.”), 178 (“As such, past actions by the UDWR and the Forest Service not only introduced BHS back to the Uinta Mountains, but have also helped these BHS herds persist since their reintroduction.”). This information all factors into the Forest Service removing bighorn sheep from the sensitive species and/or species of conservation concern list.

IV. CONCLUSION

The Coalition appreciates the opportunity to submit comments on the SDEIS and continues to support the Alternative 2 – the Preferred Alternative. The Coalition looks forward to continue working with the Forest Service to finalize this Project.

Sincerely,

A handwritten signature in cursive script that reads "Eric South".

Eric South, Chairman
Wyoming Coalition of Local Governments