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First name: Vance

Last name: Broadbent

Organization: JRB, LLC.

Title: Manager

Comments: [From Attached Letter]

Dear Ms. Eickhoff,

JRB, LLC ("JRB"), as a permittee on the Ashley National Forest, appreciates this opportunity to comment on the above mentioned Draft Environmental Impact Statement ("DEIS"). Most of our comments will be general in nature.

As ranchers we do not have the experience of academics and the various specialists who prepared the DEIS. We do, however, know livestock production, and what works and what does not. JRB is a five generation operation, which has experienced the school of hard knocks, survival in difficult times, knows the value of hard work, and respects the natural resources we work with. JRB will address what it has determined to be the most pressing matters affecting it regarding livestock production. Regrettably time will not afford us the opportunity to address other important items contained in the DEIS. We trust that you will take our general comments and apply them to the appropriate sections of the DEIS. We have spent considerable time reviewing the DEIS and formulating our responses. In the event our general responses are not in the form that you prefer, we respectfully request your patience and assistance in pairing and applying them to the appropriate chapters, sections, pages, line-items, or Alternatives of the DEIS.

A. Livestock Grazing Alternatives--Wildlife (Bighorn Sheep)

After reviewing and re-reviewing these Range of Alternatives, there appears to be minimal differentiation between said alternatives. Unfortunately the relevant analysis seems to be inadequate.

A few comments regarding the items contained in Alternative B:

1. JRB does run cattle and sheep; however conversion of JRB's allotment usage to cattle or horses is totally unfeasible. Besides the complexities and potential problems of a conversion, it would be extremely difficult to move/trail cattle, especially over the passes, to JRB's current domestic sheep allotments; and due to the elevation the risk of die-offs would be horrendous. JRB would never attempt or risk such a conversion at such altitudes.

2.

Adjusting the season or time of use is highly problematic. Granted adjustments are occasionally made due primarily to weather conditions. Effects of drought, heavy snow not allowing the sheep to enter on time, or early snow requiring the sheep to leave early. Since the Uinta mountains only afford a few months of available grazing, adjusting the current season of use is unrealistic and improbable. It is essentially impossible to accelerate the on dates due to accessibility (snow); and delaying the season of use and extending the off date would be highly problematic to impossible again for the sheep to come out of the mountains and especially over the passes due to the snow. Additionally, if it were possible to extend the season of grazing, potential greater problems could arise if the sheep might be in the mountains during the beginning of the rut and the foraging of the bighorn rams.

JRB and its predecessor have, over the many years they have grazed domestic sheep in the Uinta Mountains, cooperated with the Utah Division of Wildlife Resources ("UDWR") to mitigate comingling between domestic and bighorn sheep pursuant to the then current Utah Bighorn Sheep Statewide Management Plan.

Additionally, JRB intends to continue as a sheep producer and does not intend to waive its grazing rights with or without preference. JRB does not feel the alternatives should be based upon voluntary waivers. Historical experience demonstrates that such waived allotments are rarely opened to future grazing. JRB does not believe that the Forest Service intends to kill the domestic sheep industry; however such would be the result when the alternatives are based upon voluntary waivers and closure. These alternatives should be based upon the continuance of livestock grazing, adaptive management containing reasonable and implementable guidelines from, in this instance, the Forest Service and UDWR, and using the Utah Bighorn Sheep Statewide Management Plan. In this regard, it is appropriate to note here that the State of Utah and the Forest Service in 2019 entered into a Memorandum of Understanding for the Management of Bighorn Sheep on the National Forest System (NFS) lands in the State of Utah. The parties in this MOU, agreed to implement the 2018 Utah Bighorn Sheep Statewide Management Plan on Forest Service lands. These relationships and mutual understandings would be helpful in the DEIS but are not adequately contained therein.

Alternatives B, C, and D seem to have a common thread, that being reliance upon voluntary waiver without preference, and closure. The minimal differentiation between the alternatives is disappointing and more is deserved. Regrettably, there is insufficient breadth or width between the alternatives. The result of these actions, voluntary waiver without preference, and closure, would decimate domestic sheep grazing from the Forest, which would be disastrous to our business and families, the local rural communities that rely upon the ranching and agricultural industries, contrary to the multiple use mandate, violative of the Utah Bighorn Sheep Statewide Management Plan, and further contrary to the historical purpose and intent when the bighorn sheep were translocated over three decades ago. The reasonability of and implementation of the differences between alternatives B, C, and D as to separation and comingling at best are de minimis. Viable alternatives have not been created. Persistence of viability has not been adequately analyzed. There is no assurance that domestic sheep grazing will continue. With the substantial percentage of land in the States of Utah and Wyoming (estimated to be 50% or more) being public lands, and checkerboard, it should be clear that ranching is extremely difficult without the opportunity to graze on federal lands. For the above reasons JRB is not supportive of and strongly opposes all of said alternatives (B, C, and D). The guidelines, analysis, desired goals, items and components of the respective alternatives should tie to the Persistence Analysis and clearly demonstrate the specific and distinct differences between the various alternatives. This has not been done.

B. History of 1989 Translocation of Bighorn Sheep in the Hoop Lake Area

It would also be helpful if the DEIS contained a more complete history and details of the translocation of the bighorn sheep. As mentioned in the DEIS, domestic sheep producers have been grazing and trailing sheep in the Uinta Mountain Range, as well as adjacent BLM, state and private lands, since the early 1900[s]. Domestic sheep grazing is a legally recognized multiple-use of Forest Service lands and, in this instance, the applicable rural communities and their citizens in Utah and Wyoming benefit from programs and infrastructure that support livestock grazing, safeguard individuals['] livelihoods, contribute to local economies, further benefits their social and cultural well-being, and maintains open spaces that provide habitat and benefit wildlife populations. As the Forest Service is aware, the predecessors of JRB have grazed domestic sheep in the Uinta Mountains for decades prior to the various translocations of the bighorn sheep.

JRB requests details included in the DEIS regarding the history of the original translocation sites of bighorn sheep, distances of the original translocation sites from domestic sheep allotments, the size or amount of habitat set aside specifically for the translocation of bighorn sheep, distances the bighorns have dispersed from the original sites, both of the UDWR's and the Forest Service's respective original intent and awareness regarding the risk of contact and comingling of the bighorns with domestic sheep on the allotments, the respective management strategies of the Forest Service and UDWR to manage the bighorn sheep after translocation, and upon translocation the original intent of both of UDWR and the Forest Service regarding adjustments to or alterations of the then active and existing domestic sheep grazing allotments.

The following is what JRB and other permittees have pieced together. A "History of Rocky Mountain bighorn sheep transplants, Utah 1966-2018" is set forth on page 26, Table 6, of the Utah Bighorn Sheep Statewide Management Plan. It is JRB's understanding that the translocations regarding the Ashley National Forest occurred in Unit # 8 listed on said Table 6. Specifically, the translocation that JRB is aware of that has become problematic was the 1989 transplant of 23 head of bighorn sheep from Whiskey Basin, Wyoming to the North Slope, Hoop Lake Area. Prior to said translocation, the UDWR outlined procedures for reintroducing and managing the resulting bighorn sheep population in the 1988 Bighorn Sheep Reintroduction Plan, which the Forest Service is familiar with. Additionally, in 1988 the Forest Service issued the Burnt-Beaver Area Decision Notice that did not restock existing vacant domestic sheep allotments to facilitate the introduction of bighorn sheep into the Beaver Creek and Burnt Fork drainages. Following the analysis, the UDWR and Wasatch-Cache National Forest agreed to the introduction of bighorn sheep into the area in the 1988 Cooperative Agreement and Species Management plan for bighorn sheep. Active domestic sheep grazing allotments existed west of anticipated translocation sites, UDWR and the Forest Service established their respective management procedures and strategies regarding the bighorn sheep without altering existing domestic sheep grazing practices on Forest Service allotments, and eight vacant allotments existed to provide an extremely large and substantial habitat for the reintroduction of bighorn sheep. Three vacant allotments on the Wasatch-Cache National Forest and five vacant allotments on the Ashley National Forest, totaling approximately 188,000 acres, provided habitat for bighorn sheep that were to be introduced later into the area. As mentioned above, in 1989, the UDWR translocated 23 head of bighorn sheep into the Hoop Lake area, which was about 11 miles from active domestic sheep allotments in both the Ashley and the Wasatch-Cache National Forests.

Substantially prior to the translocation of bighorn sheep into the Hoop Lake area, and until the present JRB and/or its predecessor have grazed domestic sheep on allotments in both the Ashley and the Wasatch-Cache (today known as the Uinta-Wasatch-Cache) National Forests. It should be duly noted that since the 1989 translocation, JRB's domestic sheep have only grazed on its designated allotments separate from the bighorn sheep; and have not encroached on any of the exceedingly substantial area, approximating 188,000 acres, designated for translocated bighorn sheep.

Joe Broadbent, a predecessor of JRB, received a letter from the Forest Service, dated April 5, 1998, written by Richard Zobell, a Range Management Specialist, who had first-hand knowledge of and had been involved in the 1989 reintroduction of bighorn sheep. We have discussed this letter previously with the Forest Service, and they have a copy of it. In the first paragraph of this letter, Mr. Zobell confirms that the decision to reintroduce bighorn sheep was made in the 1988 Burnt Beaver Area Analysis. In the third sentence of the first paragraph, Mr. Zobell clarifies the original intent of the Forest Service upon the reintroduction of bighorn sheep in the Ashley and Wasatch-Cache National Forests was not to alter the active domestic sheep grazing practices on the allotments in said Forests. Mr. Zobell wrote "No domestic sheep grazing permits were cancelled, but rather a decision was made not to re-stock three vacant domestic sheep allotments above Hoop Lake." Further, in the first paragraph Mr. Zobell also states that he and the District Ranger met with the Utah Summit County Commissioners and other individuals "to assure them that no permits would be cancelled to accommodate the re-introduction, and that no permits would be in jeopardy of cancellation in the future." Why meet with the Summit County Commissioners and why make the assurances to them regarding the active domestic sheep grazing permits? As mentioned earlier in these comments, domestic livestock production is critical to the social, economic and cultural well-being of the rural communities and their citizens in Utah and Wyoming. Of the various active domestic sheep grazing allotments west of the Hoop Lake translocation area of bighorn sheep, five of these active allotments were located in Summit County, Utah.

The second paragraph of Mr. Zobell's 1998 letter is very instructive and provides further insights of the intent of the Forest Service and UDWR. Mr. Zobell continues "The District Ranger, a Forest Service biologist, a UDWR biologist, and I were all aware that there was permitted sheep grazing as close as Gilbert Peak, and that there was a real possibility that some of the big horns could possibly mix with domestic sheep in that area and other

areas to the west. However, all felt that it was worth the risk; it was felt that the area around and south of Hoop Lake would be adequate for the big horns." In discussing this 1998 letter with Forest Service representatives, some, not all, have questioned the authority of Mr. Zobell, demeaned him, and disparaged the content of his letter. JRB finds such comments and innuendos to be extremely disingenuous, unprofessional, and unethical. In various communications over the recent years, JRB has inquired of the Forest Service as to its awareness and understanding of the risk of comingling with domestic sheep when the bighorn sheep were translocated in 1989, its then planned management strategies to reduce the risk of comingling with domestic sheep; and also its intent in 1989 regarding the adjustment or altering of the active domestic sheep grazing permits. Regrettably the responses from the Forest Service were infrequent and unresponsive. Mr. Zobell answered such questions, was knowledgeable, had boots on the ground, and was involved in the 1989 reintroduction of the bighorn sheep. Additionally in fairness to Mr. Zobell and to this process, the third paragraph of his 1998 letter stated that possible future analysis and decisions regarding the management of bighorn sheep were not precluded. And for the record JRB and many others who have worked with Mr. Zobell found him to be very capable, objective, fair, knowledgeable, and effective.

JRB acknowledges that the preceding five paragraphs contain an abundance of words. Nevertheless, we feel after its reading it would be extremely difficult to not understand the background and details of the reintroduction of the bighorn sheep. Now as to the current situation. As mentioned above, since the 1989 translocation of bighorn sheep in the Hoop Lake area, the domestic sheep permittees, including JRB, have grazed only on the allotments west of the Hoop Lake area. The current two allotments in question, Painter Basin in the Ashley National Forest, and Gilbert Peak in the Uinta-Wasatch-Cache National Forest, have been encroached on by an approximate 11 mile "creep" west by bighorn sheep from the Hoop Lake area. Both of these allotments are grazed by domestic sheep of JRB. UDWR stated in a letter, dated April 27, 2018, to then Forest Supervisors David Whittekiend and Jeff Schramm, that it had successfully managed a sustainable population of bighorn sheep in the Hoop Lake area, which bighorn sheep have "co-existed with domestic sheep in proximity to their occupied habitat for nearly 30 years...". UDWR has the authority to manage bighorn sheep by the Utah Bighorn Sheep Statewide Management Plan, and also pursuant to Utah law. UDWR's assessment was made even though a few of the translocated bighorn sheep left a very substantial geographical area (approximately 188,000 acres) intended for their habitat, and over the years exercised a "creep" of approximately 11 miles to the west. Had the creep of bighorn sheep not occurred, we would have a black and white situation. Unfortunately the creep did occur, thereby leaving a murky grey situation to navigate, resolve and manage. Belaboring what and whose deficiencies initiated, caused or sustained the creep at this point is of little value. JRB appropriately again notes that the one constant since the 1989 translocation in the Hoop Lake area is that the permittees only grazed on the allotments west of the Hoop Lake area---and for emphasis the permittees did not cause or participate in the approximate 11 mile creep of the bighorn sheep. Clearly the permittees should not be penalized or take any form of hit for the murky grey situation they had no hand in causing.

C. Persistence Analysis

Risk of contact, comingling between bighorn and domestic sheep, and separation issues could be construed as complicated in the DEIS.

1. Unique land mosaic---private, state and BLM lands interspersed with Forest Service lands, and domestic sheep on non-Forest Service lands.
2. The existence of mountain goats, which are considered non-native, in the area. Adequate explanation and analysis as to disease transmission between bighorn sheep and mountain goats is not contained in the DEIS. Mountain goats and bighorn sheep share the same habitat, and have considerably more contact than possible contact between domestic and bighorn sheep. We all remember the recent decision/authorization in the Grand Teton National Park, where no domestic sheep were involved, to cull (kill/eliminate) mountain goats (even possible utilization of aerial hunts) for the benefit of bighorn sheep, from among other matters, the reduction of

disease transmission from said mountain goats. The DEIS is glaringly absent of an analysis and discussion regarding this matter and it needs to be properly analyzed and included.

3. Recognition that disease has been ubiquitous among the bighorn sheep population in the Hoop Lake area (potential disease interchange between bighorns), yet DWR has stated that said bighorn sheep population has persisted in a stable fashion since their translocation more than 30 years ago.

4. The Destination Recreation Areas considered in the DEIS adds another significant complication. It is common knowledge that individuals in proximity or around bighorn sheep cause extreme stressors. Probably this is also the same for various other types of wildlife that the Forest Service desires to prosper and/or develop. The Ashley currently affords substantial recreational opportunities. The description and analysis of stress factors created by increased human contact (noise, sight, or any form of interaction) with bighorn sheep and other wildlife by the Destination Recreation Areas is lacking and needs to be adequately developed and included in the DEIS. Although we have not verified or checked the following, others have informed us that some of the proposed Destination Recreation Areas partially overlapped bighorn sheep habitat. JRB would be strongly against such overlap, and request that the Forest Service assures that this does not occur. The stressors to the bighorns would be substantial, and the residual effect of sickness, further dispersion, and other negative elements would be untenable.

JRB respectfully submits that in light of the above four factors, even the removal of domestic sheep grazing would not ensure a persistent or viable bighorn sheep population. In cases such as this, separation cannot be created without management. A good starting point would be greater cooperative measures between the Forest Service and UDWR, respecting each other's authority, and implementation of the Utah Bighorn Sheep Statewide Management Plan should be strongly considered and discussed in the DEIS.

D. Vegetation Management and Utilization

From JRB's experience, a blanket 50% or 40% utilization and 4 inch stubble height is not reasonable, practical, or the best for the resource. From our experience, working with various highly qualified range scientists, site specific conditions and guidelines to meet desired conditions is a vastly superior approach. Soil conditions, precipitation, therms, types of forage, weed control, elevation, and other factors determine the appropriate management of vegetation. Not all vegetation will grow at higher elevations. Additionally, some vegetation species at full term do not reach a four inch height. JRB cannot support a one size fits all approach to this vital and important subject. JRB supports flexibility with utilization and stubble height guidelines, and such indicators are best determined at the site specific level. JRB recommends revisions in the DEIS as to how utilizations may apply.

JRB would support Alternative D only as to range and vegetation; utilizing the AMPs and AOIs to guide for permit renewals, and utilizing the related monitoring data and/or meeting desired conditions. For clarification and avoidance of doubt, this support is only for range and vegetation; and not for domestic sheep and separation issues from bighorn sheep.

E. Destination Recreation Areas

The Destination Recreation Areas ("DRA") considered in the DEIS adds another significant complication. It is common knowledge that individuals in proximity or around bighorn sheep cause extreme stressors. The Forest Service desires to prosper and/or develop bighorns and other types of wildlife, yet they have not included descriptions and analysis of stressors caused by additional human utilizing the DRAs. Such analysis and discussion is lacking and needs to be adequately developed and included in the DEIS. Besides human interaction using the DRAs, additional negative factors to wildlife would include loss of vegetation for increased facilities, fishermen walking stream banks, increased trampling of vegetation from recreation users, such as tent

utilization, etc., and increase motorized vehicles (where permitted). Although we have not verified or checked the following, others have informed us that some of the proposed DRAs partially overlapped with bighorn sheep herd home range. Ludicrous. JRB would be strongly against such overlap, and request that the Forest Service assures that this does not occur. The stressors to the bighorns in such situations would be substantial, and the residual effect of sickness, further dispersion, and other negative elements would be untenable. Further, JRB recommends a comparison of the impacts of grazing (current use) with the impacts of increased recreation use on wildlife and at-risk species.

There are inconsistencies in the DEIS as to the removal of livestock grazing upon the implementation of the DRAs. Some sections state "exclude, while other sections state "closed". JRB is firmly opposed to "closure" of allotments. These areas have been adjudicated and delineated for livestock grazing. Reference is made to USFS Handbook 2209.13 Chapter 10, 16.6. The provisions in this citation present another problem that is highly problematic to JRB. It provides that except in an emergency a permit cannot be canceled without a two year notification. Many permittees would not be aware that their permit could be lost; and JRB and others would be firmly against losing its permit and thereby possibly losing its livelihood.

JRB also has concerns about the proposed Backcountry Management Areas. Recreationalists can already backpack in the area. Please advise us as to the intent of this designation. The designated area will include the elimination of some roads and access areas, thereby creating "wilderness like" areas that could eventually meet the criteria for wilderness areas. If that occurs, the level and number of acres that are "wilderness like" can then be proposed for wilderness in the next plan revision. JRB definitely would not support this.

JRB strongly desires to continue as a livestock rancher. It is a fifth generation operation, whose predecessors literally scratched out a living and together the generations have built an operation we want to pass on to successive family members. As indicated above, due to the substantial percentage in the states of Utah and Wyoming being public lands, livestock producers like JRB, are required to heavily rely on public land grazing permits. Without such permits, it would be very difficult for JRB, and many other ranchers, to remain in business. One of the many important responsibilities of the Forest Service is to oversee/manage habitat health. As a rancher JRB lives and dies by healthy habitat, adequate water, whatever the weather throws at us, and market conditions we have no control over. We try to be good stewards and carefully manage our grazing on federal, state or private lands. There is no benefit, profit or gain by abusing a grazing resource, thereby impairing the habitat. It would be the same as shooting ourselves in the foot or kneecap. We have noted above, and the DEIS should also indicate, that removing domestic sheep from the Forest would not ensure a persistent or viable bighorn sheep population, and would not eliminate pathogen transfer or comingling. JRB is, as are most permittees, well integrated in the communities they live in and extended areas where they operate. To the various vendors and service suppliers in such areas they are supportive and valued customers. The socio-economic considerations to JRB and other permittees are of life and death-lethal concern. Further, for numerous reasons today, the sheep industry is under significant pressure, and is literally being hammered. If JRB or other permittees lost their grazing permits, it could very likely put them out of business, it would be of irreparable damage to the families that own and manage JRB and other permittees, and of significant pain to the communities and areas in which they live and operate. Please note that agricultural industries are of significant importance to the States of Utah and Wyoming. Also, the safeguarding and preservation of food and fiber production is of great importance to the federal government.

JRB appreciates the opportunity to comment, and looks forward to continually working with the Forest Service to ensure that responsible domestic livestock grazing continues on public lands.

Sincerely,

JRB, LLC