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Organization: CO Backcountry Hunters & Anglers

Title: Central West Slope Regional Director

Comments: Attached are documents submitted on behalf of the Colorado Chapter of Backcountry Hunters & Anglers Objecting to the Regional Forester's list of Species of Conservation Concern for the Grand Mesa, Uncompahgre, and Gunnison National Forest Plan Revision #51806.

[See Attachments]

USFS Chief Randy Moore, Reviewing Officer

Attn: Objections

1400 Independence Ave, SW

Washington D.C. 20250-0003

Re: Objection letter for the Regional Forester's list of Species of Conservation Concern for the GMUG National Forests Revised Land Management Plan and Final Environmental Impact Statement #51806. Regional Forester Frank Beum, Responsible Official.

Name of the Objector

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Submitted on behalf of the Colorado Chapter of Backcountry Hunters & Anglers

The Regional Forester has failed to consider the best available scientific information and misinterpreted the Agencies criteria to include both Rock Mountain and desert bighorn sheep as Species of Conservation Concern on the Grand Mesa, Uncompahgre and Gunnison National Forests.

The Forest Service 2012 Planning Rule 36 CFR [sect] 219.9 (c) defines Species of Conservation Concern (SCC) as simply:

"a species, other than federally recognized threatened, endangered, proposed, or candidate species, that is known to occur in the plan area and for which the Regional Forester has determined that the best available scientific information indicates substantial concern about the species' capability to persist over

the long-term in the plan area[rdquo].

The Forest Service Handbook (FSH) 1909.12, Chapter 10, Sec. 12.52d.3.c. states that the Forest Service should consider for the SCC list [ldquo]species identified by Federal, State, federally recognized Tribes, or Alaska Native Corporations as a high priority for conservation.[rdquo] The Rocky Mountain bighorn sheep is Colorado[rsquo]s officially designated state animal, and is listed by CPW as a [ldquo]Tier 2 Species of Greatest Conservation Need[rdquo] in the State Wildlife Action Plan (2015) [ndash] outlining the threats to this species and demonstrating its high priority for conservation to the state of Colorado.

FSH 1909.12, Chapter 20, Sec. 21.22a.1.d. states that [ldquo]the Regional Forester has the authority and responsibility to: . . . Leverage expertise of the public and local, State, Tribal, and other Federal natural resource agencies, for identifying species of conservation concern.[rdquo] On June 28, 2021, CPW communicated to the Forest Service its substantial concern about the capability of both Rocky Mountain bighorn sheep and desert bighorn sheep to persist over the long term in the GMUG planning area due to a combination of significant threats, including:

1. disease transmission through contact with domestic sheep on and off the GMUG,
2. persistent drought and climate change that is impacting general habitat conditions and access to water sources,
3. increasingly widespread motorized and non-motorized recreation that further restricts bighorn range by inhibiting recolonization of vacant but otherwise suitable habitats, and
4. predation (primarily for desert sheep)

In the letter, CPW also documented that although the recent (20+ year) translocation-induced population trend shows a slow rebound, the long-term population trend of bighorn sheep on the GMUG is still negative. For desert bighorn sheep the extremely small population size of approximately 165 individuals on the GMUG leaves them particularly susceptible to disease-related die-offs and predation. Finally, CPW highlighted in its letter the status of geographically isolated sub-populations, the limiting factors associated with these sub-populations, and the restricted range of both species on the GMUG due to adverse habitat conditions (including fire), the juxtaposition of domestic sheep allotments, and expanding recreational and urban development (including highways and increasing traffic volumes).

Despite CPW, the state[rsquo]s wildlife expert, communicating that the best available science supports their substantial concern for the capability of both Rocky Mountain bighorn sheep and desert bighorn sheep to persist over the long-term in the GMUG planning area, the Forest Service has elected not to include either of these species as SCC in the Revised LMP. We think this is in error, and contrary to the plain reading and intent of 36 CFR [sect] 219.9 (c) as well as FSH 1909.12, Chapter 10, Sec. 12.52d.3.c., and FSH 1909.12, Chapter 20, Sec. 21.22a.1.d.

The Regional Forester bases his negative SCC decision for bighorn sheep on FSH 1909.12, Chapter 10, Sec. 12.52d.3.,²⁴ which lists 6 reasons/criteria a. through f. that [ldquo]should be considered[rdquo] when developing the SCC list. The Regional Forester suggests that to be on the SCC list, a species must meet all the conditions identified in subpart f. (1)-(4). This reading of subpart f. is not consistent with the remainder of the Section, which suggests that a species may warrant listing as a SCC if any or some combination of criteria a. through f. are met sufficient to warrant a substantial concern for the capability of the species to persist over the long term in the planning area in order to satisfy the requirements of 36 CFR [sect] 219.9 (c) above. In fact, both Rocky Mountain bighorn sheep and desert bighorn sheep meet multiple criteria listed in Sec. 12.52d.3.a. - f., including:

c. Species identified by Federal, State, federally recognized Tribes, or Alaska Native Corporations as a high priority for conservation.

d. Species identified as species of conservation concern in adjoining National Forest System plan areas (including plan areas across regional boundaries).

f. Species for which the best available scientific information indicates there is local conservation concern about the species' capability to persist over the long-term in the plan area due to:

(1) Significant threats, caused by stressors on and off the plan area, to populations or the ecological conditions they depend upon (habitat). These threats include climate change.

(2) Declining trends in populations or habitat in the plan area.

(3) Restricted ranges (with corresponding narrow endemics, disjunct populations, or species at the edge of their range).

(4) Low population numbers or restricted ecological conditions (habitat) within the plan area.

The Regional Forester contends that neither Rocky Mountain bighorn sheep or desert bighorn sheep meet criteria f. (4) above regarding low population numbers or restricted ecological conditions within the planning area. CPW's June 18, 2021 letter outlines the best available science with respect to population status and restricted ecological conditions within the plan area. CPW's letter demonstrates without question that Rocky Mountain bighorn sheep populations on the GMUG have long-experienced restricted ecological conditions, and that desert bighorn sheep are suffering from both low population numbers and restricted ecological conditions. With this in mind, Rocky Mountain bighorn sheep meet criteria c., d. and f., and desert bighorn sheep meet criteria c. and f. We also note that, as stated in 12.52d.3.d. above, one of the reasons for the SCC designation is to provide consistency across planning units, and in particular those that are connected such as the GMUG and Rio Grande National Forests.

We object to the Regional Forester's interpretation of the criteria for listing as SCC and request that the Reviewing Officer reconsider its application of the criteria for identifying Species of Conservation Concern on the GMUG as they pertain to both Rocky Mountain and desert bighorn sheep. These species warrant listing as SCC in the Revised LMP. The Preferred Alternative does not clearly provide the ecological conditions or management direction necessary to ensure that viable populations of Rocky Mountain and desert bighorn sheep are maintained for the long term.

Backcountry Hunters & Anglers (BHA) has previously submitted the following formal comment letters and independent analysis of Wild Lands and Wildlife habitat during the GMUG Plan Revision process as well as formal comment letters from Colorado Parks and Wildlife (CPW) including substantive comments on bighorn sheep and the list of Species of Conservation Concern:

* BHA comments to Draft Species Assessments [ndash] 1/24/18

* BHA comments to GMUG Scoping [ndash] 5/24/18

* BHA comments on Preliminary Draft Plan [ndash] 7/27/19

* BHA GMUG Wildlands and Wildlife report [ndash] 3/21

* https://www.backcountryhunters.org/grand_mesa_uncompahgre_gunnison_usfs_report

* GMUG Draft LMP Sporting Group Recommendations [ndash] 11/23/21

* Co-written by BHA and TRCP (Theodore Roosevelt Conservation Partnership)

* CPW letter [ndash] 6/28/21

* DNR/CPW comments on Draft LMP [ndash] 11/23/21

[picture of signature Craig Grother]

Craig Grother

Central West Slope Regional Director

Backcountry Hunters & Anglers