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Organization: State of Colorado, Department of Natural Resources
Title: Executive Director
Comments: Objection Reviewing OfficerUnited States Department of AgricultureUnited States Forest ServiceRocky Mountain Region1617 Cole Boulevard, Building 17Lakewood, CO 80401RE: Objection to the Revision of the Land Management Plan for the Grand Mesa, Uncompahgre, and Gunnison National ForestTo whom it may concern:Please accept this Objection to the United States Forest Service (USFS) Grand Mesa, Uncompahgre, and Gunnison National Forest (GMUG) Land Management Plan (LMP) and Final Environmental Impact Statement (FEIS), submitted by the State of Colorado acting through its Department of Natural Resources (Colorado DNR [ndash] Lead Objector). Colorado DNR participated in the planning process as a formal cooperating agency including participation from our Division of Parks and Wildlife (CPW) and Colorado Water Conservation Board (CWCB). We appreciate the attention to the comments provided during the development of the LMP. Our objection reflects outstanding issues raised by DNR-CPW to maintain and enhance wildlife habitat that we seek to resolve.CPW[rsquo]s involvement in the Forest Plan has been extensive. CPW provided written comment letters on the At-Risk Species Assessment (January 2017), Desert and Rocky Mountain Bighorn Sheep At-Risk Species Assessment (March 2017), Assessments Data Call (June 2017), Wild and Scenic Eligibility Evaluation (March 2018), Scoping Comments (June 2018), Wilderness Evaluation Report (October 2018), Preliminary Draft (May 2019), Working Draft (August 2019), the Species of Conservation Concern List (June 2021), the Draft Forest Plan (November 2021) and Wildlife Management Areas (June 2022). All those previous written comments are incorporated by reference herein.Objecting to Species of Conservation Concern ListCPW has evaluated the Species of Conservation Concern (SCC) on the GMUG several times. We understand that the Regional Forester has elected to limit the SCC criteria to the factors listed in FSH1909.12- 12.52d.3.f.1-4 (the four factors). We are also aware of the Regional Forester[rsquo]s Letter1 detailing the rationale for SCC criteria. However, we believe that the Regional Forester has unnecessarily selected narrow criteria to qualify a species to be designated SCC by arbitrarily requiring species to meet all four factors listed under the Land Management Planning Handbook.The Planning Rule does not require the Regional Forester to subjectively determine what constitutes their individual level of concern. The Planning Rule intent is to provide criteria and a framework that articulates reasonable science-based justifications for making decisions on the SCC list. CPW believes that the requirement of meeting all four factors precludes obvious species from inclusion on the SCC list. For a species to be considered for SCC it must be known to occur in the plan area and the best available scientific information must indicate substantial concern about the species[rsquo] capability to persist over the long term in the plan area (36 CFR 219.9).CPW[rsquo]s subject matter experts2 and their opinions can constitute the best available science. They have expressed substantial concern for species to persist over the long term as articulated in our comments throughout the LMP and SCC development process. We have respectively requested that the Regional Forester consider the categories under FSH1909.12-12.52d.3.c and d as sufficient information to designate the species identified. We provided detailed comments and input on Species of Conservation Concern tables in our June 28, 2021 letter3 and by using the best available information if species met the four factors. In our comments on the Draft Forest Plan (November 2021), we attempted to address the questions raised by the GMUG in their August 18, 2021 letter4 to CPW.Notwithstanding the Regional Forester's interpretation of the 2012 Planning Rule, the SCC evaluation is in error for many species under Indicator 2-Declining population trend or habitat in the plan area. LMP does not reflect the species or plan components necessary to ensure the conservation of the species.1 Beum, Frank. Regional Forester- Rocky Mountain Region. Letter to Forest Supervisor, Grand Mesa, Uncompahgre, and Gunnison Nation Forest. August 28, 2023.2 FSH1909.12.07.133 Chick, Cory. Southwest Regional Manager. Letter to Samantha Staley, GMUG Forest Planner. June 28, 20214 Stewart, Chad. Forest Supervisor. Letter to Cory Chick Southwest Regional Manager Colorado Parks and Wildlife. August 18, 2021Indicator 2-Population TrendThe August 2023 letter5 explains how the Regional Forester [ldquo]has elected to not to impose strict age limits (i.e. 20 years) on how recent a record must be to be considered reliable[rdquo] when establishing if a species is known to occur within the planning area. However, the Regional Forester has made an arbitrary decision to only look at the population trend for the past 20 years for

Indicator 2 population trend data. Under FSH1909.12-12.52d there is nothing constraining the period for which to evaluate a declining population or habitat trend. The Regional Forester's subjective criteria for Indicator 2 have resulted in the SCC list erroneously excluding some species.The absence of population trend data should in and of itself be a reason for substantial concern. Many species are difficult to sample or estimate populations. The absence of trend data may constitute the best available scientific information. Thus, the plain language of the Land Management Handbook makes it clear that the intent was never for a species to have all four factors to determine if the best scientific information indicates that there is local conservation concern.5 Beum, Frank. Regional Forester- Rocky Mountain Region. Letter to Forest Supervisor, Grand Mesa, Uncompahgre, and Gunnison Nation Forest. August 28, 2023.Indicator 3-Low Population NumberThe Land Management Handbook does not define what constitutes a low population number for a given species. Low population should be considered in the context of available or unoccupied habitat and its carrying capacity potential to support a population within the planning unit. However, the SCC determinations indicate that the Regional Forester categorically excluded habitat suitability or unoccupied suitable habitat as a metric to determine low population status. The Regional Forester has assigned subjective value to what constitutes a low population number and thus has made an arbitrary decision.The Land Management Handbook makes it clear that the intent was never for a species to have all four factors as the link between population trend and low population numbers. To derive a population trend one needs multiple points of census data over time. Low population can be determined with a single observation. That single observation may constitute the best available science.Principles of conservation biology are founded on the fact that species with low population numbers are vulnerable to stochastic events even with a stable population trend. Wildlife managers and subject matter experts commonly assess conservation concerns derived from either 1) populations with a declining trend even when the overall population numbers may be large (e.g. 50% population decline over 5 years in a population of 15,000) or 2) as low numbers of individuals (e.g. 5 known records) or 3) as the population relative to the carrying capacity of all suitable habitat. In all instances, these are indicators to managers that there may be a conservation concern. Neither standard conservation biology practices nor the LMH has required the documentation of a declining population trend and low population numbers simultaneously to trigger wildlife conservation concerns and management actions. Thus, the Regional Forester did not correctly apply the principles of conservation biology to interpret the LMH direction in the use of the four factors to indicate conservation concern.Bighorn SheepThe Regional Forester for the Rio Grande NF selected bighorn sheep to be on the SCC list in 2020 and they are an adjacent planning unit to the GMUG. There are several herds that occupy both the GMUG and RGNF. The processes by which each Forest has evaluated bighorn sheep for the SCC list are not consistent.The SCC determination6 has made the decision that both desert and Rocky Mountain bighorn sheep do not meet Indicator 2 declining population. CPW has provided extensive documentation and discussion in our Draft Forest Plan Comment (Nov 2021) regarding current population trends. The Regional Foresters has used subjective criteria based on the time period selected for trend analysis and is not representative of the historic species declines over the last 150 years or species declines documented in the late 1980s. Our comments on the Draft Plan included a population discussion on population size for the DAUs on the GMUG. There is a 21% decline in the Rocky Mountain bighorn population on the GMUG from 1992-2002. CPW and its partners have made considerable investments in sheep restoration efforts for decades.Perhaps the biggest flaw in not including bighorns on the GMUG SCC list is that they do not adequately address the disease risk associated with domestic sheep. The issue is not available habitat, it's the risk of disease and die-offs. CPW does not have any way of knowing precisely how many bighorns were in Colorado historically, but estimates range from 1.5 - 2 million across the Rocky Mountain West prior to European settlement. Current estimates of 7,000 bighorns in Colorado are up from the low estimate of 2,200 in the 1950s, but that is only because of significant restoration efforts - including more than 100 transplants across the state - and is still a fraction of historic numbers. Disease is a major risk factor anytime there is potential for contact with domestics. Small population sizes leave bighorns vulnerable to recovering from large disease-related, all-age die-offs, or other compounding factors impacting survival.Finally, the 2012 planning rule has a monitoring component for the SCC list. Monitoring of BHS population dynamics is important to ensure that adaptive and proactive measures are taken immediately in the event that species population viability is threatened. We do not expect the USFS to actively monitor populations, however, similar to the Rio Grande National Forest, we propose that the GMUG specify the use of annually collected CPW data to fulfill the monitoring requirement of the 2012

Planning Rule.6 GMUG Nation Forest Land Management Plan Final Environmental Impact Statement: Vol 2 Appendix 3. Species of conservation concern Analysis and Determination.FW-STND-SPEC-13 We appreciate the edits to this plan component from the DLMP. However, this standard does not ensure that effective separation between domestic and wildlife sheep will be achieved. Please modify the language of FW-STND-SPEC-13 to read: [ldquo]On active grazing allotments, maintain effective separation between domestic sheep and bighorn sheep herds. Effective separation is the spatial or temporal separation between bighorn sheep and domestic sheep. Specifically, effective separation is defined as 1) science-based estimates of bighorn sheep core herd range and movements across the landscape in relation to domestic sheep areas, and managing potential contact rates to an acceptable level to reduce the risk of disease transmission. Spatial separation is defined as a contact rate of less than one bighorn sheep foray expected to reach an allotment in a three year interval (as determined by a risk of contact analysis). Temporal separation is defined as: no stray domestic sheep occurring in bighorn overall range outside the permitted grazing season. Collectively these result in minimal risk of contact and subsequent transmission of respiratory disease between animal groups.A risk assessment of potential risk of association or contact between domestic sheep or domestic goats and bighorn sheep shall inform associated allotment-level decisions and ongoing adaptive management of allotments. The level of risk assessment should be commensurate with the presumed degree of risk for inter-species association or contact and potential disease transmission. Estimates of bighorn sheep core herd range and movements across the landscape in relation to domestic sheep areas will be used to inform risk management. See also supporting management approaches below.[rdquo]W-GDL-SPEC-15- Table 7. associated with Guideline SPEC-15 does not reflect the best available science with respect to seasonal timing dates or habitats for sheep conservation. The seasonal timing restriction for both desert and rocky mountain sheep is November 1-April 30 and apply to winter range as described in CPW[rsquo]s HPH Table7.7 Colorado Parks and Wildlife's (CPW) Recommendations to Avoid and Minimize Impacts to Wildlife from Land Use Development in Colorado. 7/19/2023.FW-MA-SPEC-16.d- This plan component does not reflect CPW management of bighorn herds within the GMUG. Modify the language of FW-MA-SPEC-16.d to say, [ldquo]While CPW[rsquo]s statewide direction for management emphasis is on Tier 1 and Tier 2 populations (George et al. 2009), CPW also operates under the direction that the Tier categorization will not preclude management of smaller herds of local importance. Within the GMUG, smaller herds (i.e., S26, S70) are highly connected to larger herds throughout the GMUG. Additionally, CPW has not evaluated to assign Tier status to half of the GMUG populations (RBS-13, RBS-25, RBS-27, RBS-23, RBS-29 and RBS-30) through the creation of DAU (RBS- prefix) level Herd Management Plans. In herds that do not have population management plans, they would follow under the 2009 CPW (DOW) Statewide Bighorn Management plan which says that [ldquo]The DOW will strive to manage Colorado[rsquo]s bighorn sheep resource to maintain or increase the size of existing herds and populations with emphasis given to larger herd complexes that represent groups of interconnected herds with a mountain range[rdquo] (George et al. 2009). Given the interconnectivity documented within the GMUG herds (dispersal and forays detected every herd with its neighboring herds, bighorn within the GMUG are considered as part of a single meta-population. Strong evidence exists for disease related die-offs occurring across multiple neighboring herds, as such happened in the late 1980[rsquo]s and early 1990[rsquo]s in the GMUG, and was well documented in herds in the neighboring San-Isabel Pike NF (George et al. 2008). Therefore, Tier 1 and Tier 2 status will mean little for ensuring viability of the bighorn meta-population in the GMUG.Please make FW-MA-SPEC-16.a., FW-MA-SPEC-16.b., FW-MA-SPEC-16.c., FW-MA-SPEC-16.d. (with new language as above), FW-MA-SPEC-16.e, and FW-MA-SPEC-16.f. to standards instead of management approaches. These actions are crucial for effective separation of domestic and bighorn sheep and should constitute a constraint on the decision space of authorized officers.Black SwiftThe SCC considers climate change a significant risk to the species. There is general scientific consensus that long-term persistent drought has reduced surface water availability or can cause extreme weather events (e.g. flash flooding). Black swift have a narrow ecological nesting niche behind waterfalls. We contend that there is ample evidence to suggest that there is a declining habitat trend that could impact black swift and therefore justify substantial concern for the species.We recommended several plan components to ensure the population viability for black swift within the planning area during the Draft Plan review. Please add FW-STND-SPEC- At sites where recreation has the potential to impact nesting black swifts, include a seasonal closure from June 15 - Aug 31 (incubation through fledging). Closure would include no climbing on cliff walls as well as no hiking within 100 m of the nesting

birds.Bats (WNS vulnerable species)The U.S. Fish and Wildlife Service is currently developing a rangewide species status assessment for the little brown myotis. Despite Table 52, Volume 2 of the EIS stating that there are [ldquo]no known occurrences of this species known from the plan area[rdquo], records are acknowledged later in Table 53 of the same document. The species was not identified for SCC consideration due to Indicators 2 and 4. As addressed previously for Indicator 2, population trends for bats are exceedingly rare due to the difficulty in generating estimates for these cryptic species and the inability to meet assumptions of closed populations. However, the nationally led North American Bat Monitoring Program has recently developed occupancy modeling approaches using a broadly distributed sampling design and passive acoustic detectors to provide population trends for bat species at larger scales for the first time. Declines in summer occupancy for local populations have been confirmed throughout the little brown myotis range anywhere that coincides with white-nose syndrome (WNS, https://sciencebase.usgs.gov/nabat/#/results). In Colorado, little brown myotis are expected to decline in the coming years now that white-nose syndrome has been confirmed in the state. As noted for Indicator 4, records for the species are broadly dispersed across the forest. The ecological conditions on the forest that could allow the fungus, which causes WNS, to establish are not fully understood and may provide conditions suitable for the spread of this invasive. The Forest states that components of the plan address the spread of WNS but these are only tied to human spread. At this stage in the disease transmission, the vast majority of fungal spread is now bat-to-bat. Knowing that the arrival of WNS is imminent, the GMUG could add the little brown myotis to its SCC list now which would support efforts to address sampling issues on the forest, allow for engagement in NABat efforts by funding equipment and field staff to collect and analyze data for better trend estimates, and possibly collect baseline data in the remaining couple of years before the fungus arrives on the Forest. Similar efforts are under way on the neighboring White River National Forest. In addition, these efforts would support goals and objectives noted in the cooperative Colorado State Wildlife Action Plan (2015) and Colorado Bat Conservation Plan (2018), which rely on inter-agency collaborations to address such unusual threats.In addition to disease concerns, this species may be vulnerable to climate change. Neubaum (2018) found little brown myotis made short migrations to high elevation talus slopes to hibernate. These talus fields were blanketed by several meters of snow which effectively create a buffer from inclement weather and help keep microclimates within the roost stable which is vital for a hibernator. If snowpack on the GMUG are impacted by climate change as modeled for these areas of the state in the Colorado State Wildlife Action Plan (2015) Climate Change Assessment (Appendix F), this species could be at risk of altered roosting microclimates and shortened hibernation periods during a time when food is unavailable. Such trends may lead to lowered overwinter survival and a declining habitat trend. Finally, FW-DC-SPEC-17 states that it will [ldquo]provide ecological conditions that contribute to[hellip]conserve proposed and candidate species[rdquo]. Given that the little brown myotis Species Status Assessment is being developed, it appears to meet criteria for at least SCC. Although this objection has focused on little brown myotis due to its listing review, available data from areas impacted by WNS suggest that several other species of myotis will be facing similar declines from WNS in the near future and should be considered for SCC status on the GMUG.The Towsend[rsquo]s big-eared bat is currently considered a sensitive species on the GMUG but was removed from the SCC list due to Factors 2 and 3. A similar argument can be made for this species as was made for the little brown myotis previously in regards to Factor 2, the absence of population trend and the difficulty in collecting this data in a reliable manner for bats. Many of the threats noted in the Species Conservation Assessment and Conservation Strategy for the Townsend[rsquo]s big-eared bat (Pierson et al. 1999) and associated decline for this species that spurred the development of this document have potential to occur or are occurring already on the GMUG. Although the range of the species runs beyond the Forest as noted for Factor 3, the potential for renewed mining activities, toxic material impoundments, recreation, and timber harvest may negatively impact the highly specific roost sites used by this species. The species is well documented as a large cavity roosting obligate (Pierson et al. 1999) and relies more heavily on mine and cave resources than all other bat species in Colorado combined (Weller et al. 2017, Neubaum 2018). The Forest has misrepresented the availability of these resources on the GMUG. If these locations are as few as suggested by the Forest, then this should provide more impetus for protecting these resources. The presence of mines on the GMUG are well known in the Crested Butte area and the Forests understanding of its cave and karst resources has not been adequately inventoried as is reinforced by the statement in the EIS [ldquo]Few large caves and mines are present on the GMUG[rdquo]. For example, the

Gunnison National Forest has notable karst deposits in the Taylor Park area with numerous cave features reaching the surface (Parris 1973, Green 1992). However, the Forest has not actively engaged with the caving community to learn more about these often concealed features. The White River National Forest to the north of the GMUG has identified many of its karst resources through these relationships that have been fostered over several decades.Finally, the 2012 planning rule has a monitoring component for the SCC list. Monitoring of bat populations is important to ensure that adaptive and proactive measures are taken immediately in the event that species population viability is threatened.The following plan components were recommend for inclusion on the Draft plan and are necessary to ensure population viability on the GMUG:

* FW-GDL SPEC- To maintain population viability of bat species after the arrival of WNS, implement proactive management guidelines for monitoring of bat populations, such as collection of baseline population data (e.g. North American Bat Program) and investigation of winter roost locations, prior to the arrival of the disease so that recovery targets can be established. (FW-GDL-SPEC-10.a will require a current list of caves and mines on the GMUG that delineate the seasonality of bat use for implementation of this guideline. If such a list does not exist, developing it should be a priority for the forest.)
* FW-GDL-SPEC- Preserve natural airflow in and out of occupied cave entrances and passages. Actions that may adversely alter the cave microclimate include back-filling of cave entrances, modifying sinkholes, installing entrance gates or other structures that modify airflow patterns, and digging in cave passages.
* FW-OBJ-SPEC- Please add an Objective to Map populations and habitat, particularly winter hibernacula (mines, caves and rock crevices), of all bat species on the GMUG to inform project planning with 5 years of plan finalization.
* FW-MA-11.a and FW-MA-SPEC-11.b should be guidelines in the plan.

Colorado Roadless Objection

In DNR[rsquo]s comment letter on the draft plan, we requested that the U.S. Forest Service take additional steps to ensure the integrity of roadless areas as defined in 36 CFR 294.41, by placing limits on future recreational infrastructure development within inventoried roadless areas. We requested that route density standards, similar to those applied within Wildlife Management Areas (WMA[rsquo]s), be applied to inventoried roadless areas throughout the planning area. This needed standard remains unaddressed.As population and recreation pressures increase, we believe this addition is necessary to ensure the backcountry character and wildlife values provided by roadless areas. We remain concerned that no direction has been provided regarding future trail development within inventoried roadless areas and we object on this outstanding need for clear direction.Wildlife Management AreaDNR-CPW has a vested interest in a potential objection to the WMAs. Therefore, should this issue be objected to by other parties, we wish to register as an Interested Party during the objection resolution process.Thank you for your attention to our concerns. We look forward to working with you during the implementation of the LMP by applying the standards and guidelines in the Final LMP to the habitats that CPW maps. We greatly appreciate USFS[rsquo]s partnership with Colorado in managing lands and wildlife for multiple uses while conserving species and habitat.Sincerely,Dan GibbsExecutive DirectorDepartment of Natural Resources