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PUBLIC LANDS POLICY COORDINATING OFFICE

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August 2, 2019

Submitted via electronic mail: dwhittekiend@fs.fed.us

David C, Whittekiend Forest Supervisor

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

Subject: High Uintas Wilderness Domestic Sheep Analysis Draft Environmental Impact Statement

RDCC Project No. 69648 Dear Mr. Whittekiend:

The State of Utah has reviewed the High Uintas Wilderness Domestic Sheep Analysis Draft Environmental Impact Statement (DEIS). Overall, the State commends the Forest Service for its comprehensive analysis of the available alternatives and best use of available science. The State appreciates the dialogue and the many opportunities for review and feedback during this multi-year process. In collaboration with the Department of Agriculture and Food (UDAF) and the Utah Division of Wildlife Resources (UDWR), the State provides the attached general and technical comments.

The State looks forward to continually working with the Forest Service to sustainably manage public lands while ensuring access and flexibility under the multiple use mandate.

Please direct any other written questions regarding this correspondence to the Public Lands Policy Coordinating Office at the address below, or call the phone number listed.

Sincerely,

Kathleen Clarke

Director

High Uintas Wilderness Domestic Sheep Analysis Draft Environmental Impact Statement

General and Technical Comments

Utah Division of Wildlife Resources

UDWR's recommendations derive from the Statewide Management Plan for Bighorn Sheep (<https://wildlife.utah.gov/pdf/bg/bighorn-plan.pdf>), which UDWR Wildlife Board approved in November 2018. UDWR's policy is the only acceptable mechanism for altering domestic sheep grazing practices to avoid risk of comingling, and consequent disease transmission, between domestic sheep and wild bighorns is through voluntary actions undertaken by individual grazers. UDWR does not support any form of involuntary restriction, reduction, limitation, termination, or conversion of permitted domestic sheep grazing for purposes of protecting bighorn sheep on public or private property. UDWR has concluded that wild bighorn management and domestic sheep production need to proceed in a cooperative manner, which allows a proper balance for both uses. Broad-based public support for bighorn sheep management cannot be achieved if it comes at the expense of local domestic sheep operations. UDWR therefore will not manage bighorn sheep to the involuntary exclusion of domestic sheep.

Utah Department of Agriculture and Food

UDAF supports Alternative 2, Proposed Action, Current Management, of the High Uintas Wilderness Domestic Sheep Analysis DEIS, but recommends the following changes to be consistent with state policies concerning agriculture on public lands.

Executive Summary

Background Information and Purpose of Project

Page xix

Edit the sentence: " The Uinta-Wasatch-Cache National Forest (UWC) and the Ashley National Forest (ANF) propose to continue to permit and authorize livestock grazing within the High Uintas Wilderness domestic sheep analysis area[hellip]"

Executive Summary

Background Information and Purpose of Project

Page xix, paragraph 2

Along with the description that livestock grazing has occurred since the late 1800s, include a brief description of the economic and social benefits and importance of livestock grazing for the area. Edit the following language or something similar: "Livestock grazing has occurred in this area since the late 1800s. Since its early beginnings, livestock grazing in the area has been, and continues to be, a significant factor supporting the economies and culture of local communities surrounding the national forests."

Executive Summary

Purpose and Need

Page xx, paragraph 1 and Chapter 1 Purpose and Need for Action, page 5

Edit to read, "In conjunction with the primary purpose, the other main purpose of this project is to provide the maximum sustainable amount of forage for permitted domestic livestock grazing and authorize steady numbers of livestock grazing in a manner that maintains or moves conditions toward achieving Forest Plan objectives and desired conditions, as document in the associated Forest Plans." Part of the Forest Service's purpose in any project dealing with livestock grazing is to support sustainable levels of grazing due to its status as a legally permitted use on the forest.

The purpose and need section should reflect congressional mandates concerning livestock grazing under the National Forest Management Act, Multiple Use and Sustained Yield Act, and the Federal Lands Policy Management Act.

Executive Summary

Purpose and Need

Page xxi

Edit the last sentence to read, "The analysis is limited to evaluating whether or not livestock grazing should be permitted in the analysis area, given considerations of rangeland condition, social and economic impacts to forest users, and other Forest Plan goals and objectives."

Chapter 1 Purpose of and Need for Action

Scope of Analysis

Page 3, paragraph 1

Edit the first sentence to read, "The scope of this analysis is limited to evaluating the issuance of livestock grazing permits, given considerations of rangeland condition, socioeconomic impacts, wildlife habitat, and wilderness, as well as other Forest Plan goals and objectives for both Forests." One of the principal issues is the potential socioeconomic impacts, therefore the scope of analysis should specifically identify socioeconomic impacts as a consideration within the scope of analysis. Furthermore, the Forest Service does not regulate nor have any authority over wildlife, therefore considerations need to be given to wildlife habitat, not wildlife.

Chapter 1 Purpose of and Need for Action

Relationship to Other Acts, Regulations, Permits, and Plan County and State Plans

Page 14

Clarify that the 2019 MOU between the state of Utah and the Forest Service is a statewide MOU, not site-specific to this area and project.

Chapter 1 Purpose of and Need for Action

Decisions to be Made Based on This Analysis

Page 15, paragraph 1

Edit the first sentence to reflect that the EIS will disclose both the environmental and socioeconomic impacts of implementing the alternatives.

Chapter 2 - Alternatives Including the Proposed

Action Alternatives not Carried Forward in a Detailed Analysis Reduction in the Number and/or Size of Allotments

Page 28

Edit the first sentence to read: "changing the allotment boundaries of available domestic sheep allotments to reduce potential contact with bighorn sheep."

Chapter 2 - Alternatives Including the Proposed Action

Alternatives not Carried Forward in a Detailed Analysis Reduction in the Number and/or Size of Allotments

Page 29, paragraph 2

The Forest Service should include in paragraph two a brief description of the negative socioeconomic impacts that this alternative did not consider in detail. In essence, vacating four domestic sheep allotments would result in negative socioeconomic impacts to 5,200 head of sheep, which provide roughly 1,800 AUMs that contribute \$182,000 a year to permittees and local economies¹ while not significantly reducing the risk of disease transmission between domestic and bighorn sheep.

Chapter 2 - Alternatives Including the Proposed Action

Comparison of Alternatives

Table 6 - Summary of Resource Effects by Alternative Hydrology; Water Quality; Alternative 2

Page 32

Include reference to AOI instructions that will help mitigate the impacts from stream crossings and the number of feet impacted.

Chapter 2 - Alternatives Including the Proposed Action

Comparison of Alternatives

Table 6 - Summary of Resource Effects by Alternative Soils; Alternative 2

Page 33

The Forest Service should include in both the Soil Disturbance and Soil Erosion descriptions of Alternative 2 the steps that are or will be taken in AOIs to mitigate and reduce negative impacts.

These descriptions do not seem to consider any of those mitigating practices such as rotating sheep camps, no permanent salting areas, and dispersed herding.

* 1 Alevy, J., Fadali, E., and Harris, T. R. 2007. Analysis of Impacts on Public Land Grazing on the Elko County Economy, Jarbridge and Mountain City Management Area: Economic Impacts of Federal Grazing in Elko County. University of Nevada Reno.

* Fletcher, R. R., Borden, G. W., and Grumbles, R. 2006. Economic Impacts of Livestock Grazing and Recreation on the Arizona Strip. University of Arizona.

* Lewin, P. A., Rimbey, N. R., Brown, A., Jensen, S. K., and Wulfhorst, J. D. 2014. Regional Economic Impact Model of Owyhee County. University of Idaho.

* Taylor, D. T., Coupal, R. H., and Foulke, T. 2005. The Economic Impact of Federal Grazing on the Economy of Park County, Wyoming. University of Wyoming.

Chapter 2 - Alternatives Including the Proposed Action

Comparison of Alternatives

Table 6 - Summary of Resource Effects by Alternative Threatened and Endangered Species; Vegetative Cover; Alternative 2

Page 33

If the existing condition is satisfactory, the Forest Service should highlight the satisfaction in the description of Alternative 2.

Chapter 2 - Alternatives Including the Proposed Action

Comparison of Alternatives

Table 6 - Summary of Resource Effects by Alternative Forest Service Sensitive Species; Risk of Contact (Bighorn Sheep Only); Alternative 2

Page 33

The Forest Service should include the fact that a high ROC remains on Non-Forest Service lands (BLM and private) under Alternative 2 as well.

Chapter 2 - Alternatives Including the Proposed Action

Comparison of Alternatives

Table 6 - Summary of Resource Effects by Alternative Socio-Economics; Alternatives 1 and 2

Page 35

UDAF appreciates the Forest Service for including quantifiable data in its analysis concerning the socioeconomic impacts of livestock grazing for local communities.

Chapter 3 - Affected Environment and Environmental Consequences

Summary of Effects

Page 83, paragraphs 1-4

The Forest Service should also include in its summary of the effects of Alternative 1 the negative socioeconomic impacts of discontinuing domestic livestock grazing in the area.

Chapter 3 - Affected Environment and Environmental Consequences

Summary of Effects

Page 83, paragraph 5 and

Hydrology; Stream Channel and Riparian Area Conditions; Sheep Driveways,

Page 88

The short segments (27 acres) that are in unsatisfactory condition can also be attributed to wildlife trampling. It is highly likely that wildlife also use the sheep driveway and cause negative impacts as well.

Chapter 3 - Affected Environment and Environmental Consequences

Hydrology; Affected Environment; Water Quality

Pages 95-97

The Utah Division of Water Quality (UDWQ) has not had a sedimentation standard for several years and prior to its removal, none of the streams in the project area were listed as impaired for sedimentation. The current water sources that are listed as impaired result from natural levels and sources of pollutants, not from the minimal amount of trampling that occurs due to livestock grazing. The Forest Service should edit this section to reflect these concerns.

Chapter 3 - Affected Environment and Environmental Consequences

Hydrology; Measurement Indicators

Page 99, paragraph 1

UDAF is concerned that the Forest Service is performing an extensive analysis concerning water quality without having taken a single water quality sample. Bank trampling and livestock stream crossings alone are not an adequate indicator of water quality. Without also taking some water quality samples, the Forest Service has no accurate understanding of the impacts that trampling or crossing may be having. In this analysis, the Forest Service is using trampling as an indicator because trampling can result in sedimentation and a decrease in water quality. However, data presented on page 96 in Table 14 shows that there are low levels of sedimentation. Consequently, the Forest Service should edit this section to reflect that even though there may be some trampling, it is not having negative effects on water quality.

Chapter 3 - Affected Environment and Environmental Consequences

Hydrology; Methodology

Page 100

UDAF is concerned that the Forest Service is not using common practices employed by the Utah Division of Water Quality (UDWQ) to assess sedimentation. Generally, UDWQ evaluates turbidity to

measure sedimentation, which the Forest Service has failed completely to do. The Forest Service should edit this section after consulting with UDWQ, UDAF, and the Division of Wildlife Resources (UDWR) to determine whether or not actual impacts to water quality exist in the project area from livestock trampling, natural sources, or wildlife.

Chapter 3 - Affected Environment and Environmental Consequences

Hydrology; Bounds of Analysis

Pages 101-102

The Forest Service's description of the existing condition is not compatible with the sedimentation data presented on Page 96 Table 14. Table 14 reveals that there are low levels of sedimentation, which shows that any impacts from trampling along the sheep driveway and in sheep allotments are having negligible impacts on water quality in the area. Consequently, such heavy focus on sheep trampling is unnecessary.

Chapter 3 - Affected Environment and Environmental Consequences

Hydrology; Effects Analysis

Table 18 - Resource Indicators and Measures for Alternatives' direct and indirect effects;
Alternative 2

Page 104

The Forest Service should include in the description of effects for Alternative 2 the total percentages of impacted areas (i.e. the percent of perennial stream areas impacted when looking at the forest as a whole).

Chapter 3 - Affected Environment and Environmental Consequences

Hydrology; Summary of Effects

Page 105

In the second sentence, replace "about 90 percent" with "over 90 percent of wetlands[hellip]." Throughout the previous section. the Forest Service referred to the percentage of wetlands meeting desired conditions as over 90 percent. For consistency and accuracy the Forest Service should edit this sentence to reflect prior statements.

Chapter 3 - Affected Environment and Environmental Consequences Soils; Effects Analysis;
Alternative 2; Resource Indicator 1; Soil Erosion

Page 123

The Forest Service should edit its description of Alternative 2 to reflect that although current levels of erosion would continue, these levels are at an acceptable rate due to the fact that all allotments are meeting desired conditions.

Chapter 3 - Affected Environment and Environmental Consequences Soils; Effects Analysis;

Alternative 2; Resource Indicator 1; Soil Disturbance

Page 124

The Forest Service should edit its description of Alternative 2 to reflect that although current levels of disturbance would continue, these levels are at an acceptable rate due to the fact that all allotments are meeting desired conditions.

Chapter 3 - Affected Environment and Environmental Consequences

Soils; Summary of Effects

Page 126, paragraphs 2-3

In the summarized description of Alternative 2, the Forest Service should reflect that all allotments are currently and expected to continue meeting desired conditions.

Chapter 3 - Affected Environment and Environmental Consequences

Region 4 Forest Service Sensitive Species Big Horn Sheep

Page 144, paragraph 1

Midway through paragraph one, the Forest Service references the reintroduction of bighorn sheep into the Uinta Mountains. The Forest Service should edit this paragraph to reflect the agreed upon intent of the Forest Service, DWR, and grazing permittees at the time of reintroduction as evidenced by the following documents, which UDAF, as well as the Wyoming Department of Agriculture, can provide copies:

- * The Burnt Beaver Area Analysis Environmental Assessment
- * Forest Service Letter to Joe Broadbent
- * UDWR Co-Op Agreement Reintroduction of Bighorn Sheep
- * 1992 Intent to Write Uintas BHS Management Plan

All of the above listed documents show that UDWR knowingly introduced a bighorn sheep herd into proximity with domestic sheep and accepted the risks that such an introduction posed.

Furthermore, all documentation shows that the intent of all affected parties (including the Forest Service) was to continue domestic livestock stocking rates and grazing practices that were occurring at the time of the introduction. This cooperative spirit and desire to support both domestic sheep grazing and bighorn continues to this day as evidenced by Utah's Statewide Bighorn Sheep Management Plan, Utah's Statewide MOU with the Forest Service, as well as multiple comments and letters sent from UDWR to the Forest Service concerning this issue.

Chapter 3 - Affected Environment and Environmental Consequences

Region 4 Forest Service Sensitive Species Big Horn Sheep

Pages 144-145

The Forest Service should remove any and all references to the 2013 State-wide Bighorn Sheep Management

Plan. This plan is no longer relevant and does not reflect the state's management policies concerning bighorn sheep. Rather, the Forest Service should reflect the policies and management strategies adopted in the new 2018 statewide management plan. Specifically, the Forest Service should remove the definition in this section of a "viable" population as one that exceeds 125 animals. Rather, the Forest Service should include the following language from the 2018 statewide plan:

As such, population objectives established by UDWR for individual bighorn sheep herds are flexible targets used to evaluate the effectiveness of past management strategies and to assist in identifying appropriate management strategies for the future. These population objectives are a balance between habitat carrying capacity, social tolerance, and managing the risk of pathogen transmission; they are not a metric for evaluating population sustainability or viability. They instead inform UDWR on possible management strategies at the individual population level that will help in managing for a sustainable statewide population of bighorn sheep (p. 10).²

Chapter 3 - Affected Environment and Environmental Consequences

Region 4 Forest Service Sensitive Species

Effects Analysis; Direct and Indirect Effects; Big Horn Sheep

Page 162, Paragraph 1

Remove reference to the 2013 statewide bighorn sheep management plan and its definition of viability and replace with reference to the 2018 statewide management plan.

Chapter 3 - Affected Environment and Environmental Consequences

Wilderness and Recreation Effects Analysis; Naturalness

Page 202-203

The Forest Service should include in this description that although Alternative 1 may reduce the amount of forage competition, current conditions support adequate forage for both livestock and wildlife. Also, the Forest Service should include literature showing the dietary overlap between domestic sheep and wildlife is not significant.

* 2 Utah Division of Wildlife Resources. 2018. Utah Bighorn Sheep Statewide Management Plan. Available online: <https://wildlife.utah.gov/pdf/bg/bighorn-plan.pdf>

Chapter 3 - Affected Environment and Environmental Consequences

Wilderness and Recreation Effects Analysis; Natural

Page 205

The Forest Service should include in this description that Alternative 2 would likely continue to provide conditions that support adequate forage for both livestock and wildlife. Also, the Forest Service should include literature showing the dietary overlap is not significant between sheep and most wildlife.

Chapter 3 - Affected Environment and Environmental Consequences

Wilderness and Recreation

Effects Analysis; Solitude or Primitive and Unconfined Recreation

Page 205

Mid paragraph the Forest Service should edit statements that the visitor "would continue to feel the solitude of the area diminished, and would feel they could not pursue and find 'Unconfined Recreation.'" Encounters with domestic sheep negatively impacting recreationists is not a foregone conclusion, but rather a possibility. This sentence should be edited to reflect that negative impacts to solitude are a potential but not definitive.

Chapter 3 - Affected Environment and Environmental Consequences

Wilderness and Recreation

Cumulative Effects; Cumulative Effects by Alternative; Naturalness Table 43 - Summary of Cumulative Effects by Alternative

#4 Solitude or primitive and unconfined recreation; Measure

Page 207

Edit to read, "Number of visitors potentially affected."

Chapter 3 - Affected Environment and Environmental Consequences

Wilderness and Recreation

Summary of Effects; Environmental Effects

Page 208

At the end of the first paragraph, the Forest Service should include the statement that forage competition would improve slightly, but is not currently an issue between domestic sheep and wildlife.

Chapter 3 - Affected Environment and Environmental Consequences

Socio-Economics

Pages 210-228

UDAF appreciates the Forest Service for its extensive analysis of the socioeconomic impacts that this project may have on permittees, local communities, counties, and state industries. This analysis was extremely well done and should be a model for future projects.