



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

AUG 21 2015

The Honorable Kevin McCarthy
U.S. House of Representatives
2421 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman McCarthy:

Thank you for your letter of April 23, 2015, cosigned by your colleagues, to Interior Secretary Sally Jewell and Agriculture Secretary Thomas Vilsack, regarding ongoing assessments, coordination, and management of bighorn sheep (BHS) habitat and grazing by domestic sheep and goats. Secretary Vilsack has asked me to respond. I apologize for the delayed response.

The U.S. Department of Agriculture's Forest Service recognizes the importance of coordination and communication with stakeholders in these processes, and the Agency is committed to working with the States on both the assessment process and the development of options for the permittees if it is determined that a high probability of contact between BHS and domestic sheep and goats exists.

In a letter to Regional Foresters dated July 31, 2014, National Forest System Deputy Chief Leslie Weldon emphasized the importance of working with Federal, State, local, and industry partners as the Agency implements the four-step outline for conducting a qualitative BHS analysis at the Forest Plan level. Please see the enclosed summary, where the Forest Service has included the public and stakeholders in the measurements to ensure that they are included with the BHS analyses.

Again, thank you for writing. If further information is needed please contact Mr. Todd Batta, Assistant Secretary for Congressional Relations, at (202) 720-7095. A similar response is being sent to your colleagues.

Sincerely,

Robert Bornie
Under Secretary
Natural Resources and Environment

Enclosure

Forest Service Summary of Public and Stakeholder Measurements of Bighorn Sheep Risk and Potential Management Solutions

The Forest Service is working with key western States to discuss the risk-of-contact assessment process, to identify areas of high probability of contact that include domestic sheep allotments and trails, and to support a dialogue for identifying potential management solutions. State game biologists from 14 States have been integral partners in this assessment by providing bighorn sheep (BHS) data, evaluating and interpreting data, and reviewing and validating core herd home ranges. Further coordination and collaboration with State Governors' Offices and agencies is ongoing and will continue throughout the process. For example, the Forest Service and staff of the Wyoming Governor's Office worked together to plan a stakeholder meeting in June 2015 to discuss the preliminary results of the risk-of-contact assessment for the Bridger-Teton National Forest. If, after working with the States, it is determined that a high probability of contact exists on certain allotments, affected permittees will also be engaged in the discussion of potential solutions, which could include application of best management practices to maintain species separation.

The risk-of-contact assessments currently being conducted are not a decision-making process, but they do begin to identify the potential for contact. The Forest Service will implement a process that is collaborative with the States, interested publics, and stakeholders to seek sound recommendations and rationale in exploring management options. Following discussions with the States and stakeholders, if a line officer determines the potential risk-of-contact is at an unacceptable level and changes to allotments are necessary, then a National Environmental Policy Act (NEPA) analysis will be conducted to change allotment management. Under NEPA, the Forest Service is required to provide opportunities for public review and comment. Further, under Forest Service regulations (36 CFR 214), permittees have the opportunity to administratively appeal agency decisions to modify grazing permits.

Forest Service management goals are to manage domestic sheep so that they do not present a risk to the viability of BHS populations. As an example, the Bighorn National Forest in Wyoming recently developed a domestic sheep management plan in concert with the State Game and Fish Department that applied best management practices to avoid domestic sheep and BHS interactions. It was recognized that there was still the potential for interactions and BHS die-off, but they believe the application of best management practices will greatly reduce that possibility. We believe the Wyoming Bighorn/Domestic Sheep Plan represents an important collaborative effort that serves as a valuable framework to meet our agency objectives regarding BHS sustainability.

Forest Service policy does not aim to manage for zero risk of contact between BHS and domestic sheep, unless there is a compelling public interest. For example, the Sierra Nevada BHS are a rare, genetically distinct subspecies unique to the Sierra Nevada Mountains of California. They have been listed as a Federally endangered species since 2000. The Forest Service has attempted to manage risk of contact to near zero in order to recover the population. Domestic sheep use did pose a threat there, so management actions were taken to protect the Sierra Nevada BHS. Following listing under the Endangered Species Act, the population trend for the Sierra Nevada BHS has been steadily upward.

A plausible management solution for permittees on allotments deemed to have a high probability of contact between the species is to provide alternative allotments for their use. The Forest Service will develop a list of vacant allotments that are suitable for domestic sheep. Once the permittees who operate on allotments with a high probability for contact are identified, the Forest Service can then begin a process to identify possible alternative allotments that may be available to them. NEPA may be required on many of these alternative allotments. Relocations resulting from these NEPA decisions may take years to accomplish. In the meantime, no permittees on high risk allotments will be removed immediately without an opportunity to pursue alternative allotments.

As directed by Congress through the Rescissions Act of 1995, Forest Service units (National Forests and National Grasslands) put together a schedule of allotments that need NEPA. The Forest Service will adjust the schedule of allotments to ensure the vacant allotments are considered as alternatives for permittees.

The "Sunset language" you refer to was part of the initial proposals for managing sheep allotments in the Weminuche area of the San Juan National Forest in Colorado. After several concerns were raised in regard to the initial proposals and "Sunset language," the Forest Supervisor reinitiated the assessment without that language and is currently moving through the NEPA process for those allotments. Allotment closures are not determined through risk-of-contact assessments. When high probability for contact allotments are identified and a domestic sheep permittee is relocated or waives their permit back to the government, the Forest Service will hold the allotment vacant until that Forest's management is able to consider how to utilize the area in the future. NEPA analyses may determine that a vacated sheep allotment is suitable in part for continued sheep grazing or for future cattle grazing, which would allow for continued livestock use of the allotment, assuming a willing cattle permittee expresses interest. Decisions to close allotments are actions generally addressed during the revision or amendment of Forest Plans.

The Forest Service has collaborated with a number of research entities to improve our understanding of the risks of contact and disease transmission between BHS and domestic sheep and goats. The Forest Service has coordinated with multiple State wildlife agencies, the Western Association of Fish and Wildlife Agencies, universities, livestock interests, and non-governmental organizations to improve our understanding of the science and issues surrounding BHS viability. The U.S. Department of Agriculture's Animal Disease Research Unit and Agricultural Research Service (ARS) are internal collaborators involved in studying disease transmission between domestic and BHS. The Forest Service has met with ARS over the past five years to explore opportunities to utilize the expertise ARS offers. During the spring and summer of 2014, the Forest Service and ARS had a number of discussions regarding research needs and possibilities. If ARS researchers develop further information that can be applied to this management issue, the Forest Service will consider and apply it where appropriate.

BHS mortalities occasionally occur in areas where no domestic sheep allotments exist. Determining the source of pneumonia that causes these incidents can be difficult, and in some cases impossible. Individual and small groups of BHS sometimes foray long distances in search of new habitat or other populations. Occasionally, these individuals mingle with domestic sheep and goats on private lands or other public lands. Also, foraging individuals or groups might mingle with other BHS that have been infected. Upon returning to their home herds, they carry with them the bacteria that cause pneumonia. This can then infect the entire herd. Bacterial pneumonia can persist in infected BHS populations for many years, causing these herds to experience high lamb mortality and depressed populations. Physiological stress may cause continued but gradual mortality in infected adults.

The Western Association of Fish and Wildlife Agencies supports the need for effective separation of BHS from domestic sheep and goats as well as not introducing BHS into areas presently occupied by domestic sheep. State wildlife agencies typically will not introduce BHS into areas occupied by domestic sheep and often control BHS that stray too far from the main herd and mingle with domestic sheep operations. The Forest Service will continue to coordinate with the States and other stakeholders to assess the risk of contact and develop potential management actions related to BHS and domestic sheep and goats on National Forest System lands.