June 30, 2014

The Honorable Tom Vilsack
Secretary
United States Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250

The Honorable Sally Jewell
Secretary
United States Department of Interior
1849 C Street, N.W.
Washington DC 20240

Dear Secretary Vilsack & Secretary Jewell:

Nationally, about half of all domestic sheep spend some time grazing on forests managed by the United States Forest Service (USFS) or rangelands managed by the Bureau of Land Management (BLM). The majority of bighorn sheep in the western U.S. also occupy portions of federal land in 14 western states. In the West, resource allocation decisions must be made through comprehensive land-use planning efforts to accommodate both domestic and bighorn sheep.

Lacking active management and creative solutions, domestic sheep and bighorn sheep both continue to lose ground every day. Steps must be focused on finding solutions to insure our nation does not lose further substantial portions of its domestic sheep industry and its legacy of conservation for bighorn sheep. Without prompt action, many family-owned domestic sheep operations, bighorn sheep populations, outfitters and guides, sportsmen-conservationists, and the businesses and industries they each support, both locally and nationally, will suffer further. We write to urge you to focus on multiple use solutions based on the Western Association of Fish and Wildlife Agencies’ (WAFWA) delineated occupied bighorn habitat maps, the expert authority of state wildlife managers and animal health professionals, and the ability of stakeholders to help find solutions.

Restrictions on the permittee’s ability to use the land for domestic sheep grazing have impacts not only on the individual permittee, but on the domestic sheep industry at large. Unless immediate steps are taken to find a solution, our nation may lose as much as 23 percent of its domestic sheep industry with the loss of millions of dollars and thousands of jobs. Many family-owned sheep operations and the rural businesses and American military contracts they support will be severely impacted. Bighorn sheep are also an important segment of the western economy which supports jobs and tax revenues through hunting and watchable wildlife. Jeopardizing bighorn populations also impacts long-term employment opportunities and the tax base they provide.

The concern with current USFS and BLM actions stems in part from the decision to remove 70 percent of domestic sheep from the Payette National Forest in Idaho. The decision on the Payette relied on multiple assumptions including the probability of contact between domestic sheep and bighorn sheep and the probability of disease (pneumonia) transmission if contact occurs. As such, there is a clear need to factually and transparently analyze risk of contact between domestic and bighorn sheep on western federal lands, as well as investigate options to
move toward effective spatial and temporal separation, while accommodating domestic sheep grazing. Additionally, in order to ensure viability of bighorn sheep populations, a better understanding of the causes associated with documented pneumonia related die-offs of bighorn sheep in areas far removed from any domestic sheep is needed.

The BLM and the USFS recently collaborated with WAFWA to publish maps of 14 western states and Texas that depict current bighorn sheep distribution overlain with domestic sheep allotments on both USFS and BLM lands. Based on the WAFWA criteria, approximately ten percent of domestic sheep allotments on USFS lands and three percent of sheep allotments on BLM lands are within currently-occupied bighorn sheep habitat.

Yet, there appears to be a concerted effort, by the USFS in particular, to expand the removal of domestic sheep to allotments outside of occupied bighorn sheep habitat. For example, “Alternative 4”, the preferred alternative under the Weminuche Landscape Grazing Analysis on the San Juan National Forest proposes grazing restrictions on at least six active grazing allotments well outside the perimeters of occupied bighorn sheep grazing habitat as identified by WAFWA. Specifically Alternative 4 states, “the currently active sheep permits in the landscape would not be transferred beyond the current permittee’s immediate family; the sheep permits would continue to operate, but under a sunset clause. When/if the current permittee family decides to waive the sheep permits back to the FS, then the allotments would be closed to sheep grazing.” Further, the preferred alternative states “all the currently vacant sheep allotments would be closed to all livestock grazing under a term permit. No forage reserves would be authorized.”

We strongly oppose the action to close all livestock grazing and not authorize forage reserves. This decision would be very short-sighted if alternative forage is needed due to drought or wildfire. We also question the USFS’s authority to include sunset language in its grazing analysis and request that you provide us with the statutory authority the agency is using to justify this consideration.

Neither the USFS nor the BLM are mandated to manage for zero risk/zero tolerance when looking at species viability. These actions call into question the USFS’s species viability rule as potentially being outside the legal authority Congress has granted through the multiple use statutes directing management of federal lands. Continuing on a path of unilateral expansion without the input of state fish wildlife agencies, state departments of agriculture, animal health and epidemiology experts, the Agricultural Research Service, and other stakeholders may well trigger legislative or legal remedies.

We believe the USFS and the BLM should focus on developing solutions by helping identify bighorn core herd areas, analyzing and sharing options for domestic sheep grazing, and working collaboratively with diverse stakeholders. Accommodating a domestic sheep permittee’s ability to utilize federal lands for grazing while ensuring viability of bighorn sheep populations should not solely be the responsibility and purview of the USFS and BLM. The best solutions are typically the result of efforts between federal land managers, state wildlife agencies, state departments of agriculture, animal health and epidemiology experts, domestic sheep permittees
and industry representatives, bighorn sheep conservationists, tribal leaders, and collaborative working groups. One solution may be to collaborate with stakeholders to identify and prioritize bighorn sheep herds where less emphasis would be placed on pursuing separation. Another solution may be to relocate domestic sheep operators from their current grazing allotments within currently-occupied bighorn sheep habitat to minimize potential contact with bighorn sheep. Accordingly, we recommend the following actions:

A. Collaborative efforts should be undertaken to identify and develop site-specific solutions to make available and offer alternative allotments to the domestic sheep operator to be displaced which are similar in forage amounts and types, capacity, water, ease of access, season of use and proximity to those allotments from which the operator is being displaced. The vacated allotments should be reallocated to forage uses which do not conflict with bighorn sheep.

B. Place the alternative allotment – area the operator is being moved to – on the rescissions schedule, under the authority Congress granted the agency, in order to fulfill any requirements and compliance with the National Environmental Policy Act (NEPA).

C. If domestic sheep operators are to be relocated, the agency should not remove grazing permittees from their currently used sheep grazing allotments until the identified alternative allotments have the proper NEPA analysis completed as well as the completion of any other procedural and environmental clearances required by federal statutes or regulations, including the resolution of any administrative appeals and judicial reviews of agency decisions.

We appreciate your consideration of our concerns and look forward to working with you to solve this problem.

Sincerely,

John Barrasso

Alan P. Peay

Wyatt R. Chen

Orrin Hatch

John Conyers
cc: US Forest Service Chief Tom Tidwell, BLM Director Neil Kornze, US Forest Service Region IV Regional Forester