

**BLM Colorado Southwest District
SWRAC Sheep Grazing Sub-Committee
Meeting Minutes for Part Six: Conclusion and Next Steps
August 15, 2023**

Sub Committee Members

Present: Jim Haugsness, Matt Thorpe, Mark Roeber (in person); Steve Garchar and Jon Holst (via Zoom).

Bureau of Land Management (BLM) Employees Present:

Stephanie Connolly (Southwest District Manager); Jon Kaminsky (Gunnison Field Office Manager); Maggie Magee (SWD Public Affairs Specialist).

Public Present:

Victoria Atkins (Facilitator), Ernie Etchard (Colorado Wool Growers Association), John Murray, J. Paul Brown, Terry Meyers (Rocky Mountain Bighorn Society), Terri Lamers (Snyder Ranch), Jamin Grigg (CPW), Les Owen (Colorado Dept. of Agriculture), Randy Leonard (permittee), Dominic Inda (permittee) and Angela Yemma (USFS) (in person); Robyn Cascade (Great Old Broads), Mary Wood (CPW), Ken Vicencio, Bob McCready, Ken Atencio (via Zoom).

Opening remarks and Introductions:

The meeting was opened by Stephanie Connolly who welcomed everyone to the sixth and last Southwest District Grazing Sub-Committee meetings. Stephanie began the self-introductions around the room and with Zoom participants. Stephanie thanked everyone for their participation, reviewed the agenda and added that members of the public are encouraged to sign up for the official public comment period. Victoria Atkins, facilitator, began the meeting.

Sub-Committee Discussion

Stephanie and Victoria identified the written materials provided for the sub-committee, including Colorado Wool Growers Association (CWGA) and American Sheep Industry (ASI) comments on the Canadian film *Transmission*, and a letter from British Columbia Wildlife Veterinarian Helen Schwantje (the principal investigator in the film *Transmission*) responding to the comment by CWGA & ASI. All had all been previously emailed to the Sub-committee members. In addition, printed copies of the sub-committee meeting minutes from March through June (as publicly posted on the BLM SWRAC website), and an internal draft of the July minutes were also distributed. Lastly, an internal framework working document *Mitigation – draft conceptual advise (sic) of the Sub-RAC to date* summarizing background and Sub-committee input from two previous administrative meetings on 8/3 and 8/10 was highlighted for use in today's meeting. Stephanie projected her copy of the document into the Zoom view and Victoria resent current copies to the Sub-committee members (Jon Holst and Steve Garchar) attending through Zoom.

Sub-committee members took the time to review each short-term mitigation item as follows:

1. An annual review of mitigation/BMP strategies should be employed; BMPs should use the best available technologies and data.

2. Develop and adopt a robust communication plan for reports or observations of wandering or left behind domestic sheep, instances of foraging wild sheep, or wild sheep near or within domestic sheep allotments.
3. Conduct tabletop exercises at the annual spring turn-out meetings to ensure no points of failure and a complete understanding of the process including, herders, permittees, CPW, BLM, etc.

Victoria then asked for a vote on if these short-term items accurately captured and reflected their input? The vote was unanimously "Yes" with the following comments offered:

- Jon Holst – Wants to see possibly more ... sharing of data in real time.
- Mark Roeber – The three objectives do meet what we talked about. He also wants to see more use of emerging technologies.
- Matt Thorpe – He also wants to discuss the option of collaring domestic sheep and sharing the GPS location data.
- Jim Haugsness – He wants to follow-up with a specific and current list of available technologies including the estimated costs, who pays and funding options. He is concerned about the burden of cost going to the permittees alone. He is also concerned about the language issue and wants to emulate the standard emergency services protocol where everyone can talk with everyone else (e.g. BLM staff in the field can talk directly with the herders on the ground, instead of the chain of command to the permittee).

Stephanie Connolly responded that the communication plan details could be worked out with the permittees.

The discussion moved on to the long-term mitigation items as follows:

4. Long-Term: Mitigation options should include a robust set of tools including but not restricted to:
 - a. Integration of currently vacant BLM allotments into the permit renewal process to offer options for moving livestock when such allotments offer a significantly lower risk of contact with wild sheep.
 - b. Where possible, integration of nearby vacant USFS allotments into the planning process.
 - c. Livestock conversions where forage and elevation are conducive to cattle grazing, or an experimental stocking with livestock acclimated to high elevations such as alpaca or llama could be tested.
 - d. Through the planning process, evaluate a strategy to forgo sheep grazing within current and future vacant allotments that are determined to demonstrate a high risk of contact with wild sheep.
 - e. Through the planning process, do not restock allotments where a relinquishment has occurred until a quantitative risk assessment has been completed that indicates low risk of contact with wild sheep.
 - f. As a last resort, and not recommended at this time, closure of an allotment that is determined to demonstrate a high risk of contact with wild sheep either because (a) the allotment encloses mapped wild sheep summer range or wild sheep

overall range or (b) a quantitative risk assessment indicates high risk of contact with wild sheep.

Jon Holst recommended that on item 4.b, “such as alpaca or llama could be tested.” be omitted. All Sub-committee members agreed.

Q: Stephanie Connolly then asked for clarification on item 4.d – Is this a boundary adjustment?

A: Jon Kaminsky responded that this is already part of the EIS Alternatives C (summer range) and Alternative D (general range). The concept is to allow for flexibility to develop “pastures” or portions of allotments and where there is overlap with current Bighorn locations do not graze domestic sheep there. The difficulty in the practice of the identification of “pastures” is that animals move and continually change.

Specific items were word-smithed by the group and then edited by Stephanie Connolly on the Zoom view for Sub-committee members to immediately read and review.

Q: Jim Haugsness asked what are you going to do with this strategy?

A: Jon Kaminsky responded that these mitigation items were included in the EIS. That is what we did, and we were protested. We need to address the protests.

A: Stephanie Connolly stated that we can ask for the EIS Decision back, then re-bolster the analysis and the documented outreach over the last six months with the Sub-committee meetings.

Jon Holst asked whether the idea was to have BLM re-analyze and include the vacant allotments into a bigger landscape and recommended an additional long-term item (#5) that would recommend that these same BMPs be implemented statewide across all agencies, including state grazing leases.

All Sub-committee members voted and agreed.

Review of long-term item 4.d continued with Jim Haugsness asking to include a definition of “overlap.” As Stephanie continued to edit, Jamin Grigg of CPW suggested the term “range” be used instead of “habitat” area. Jon Kaminsky added that this is a CPW definition and not determined by BLM.

Q: Steve Garchar asked if long term item 4.e might lead to the closure of an allotment?

A: Jon Kaminsky responded that the desire behind this item is to address the voluntary nature of a “relinquishment” – (e.g. a permit holder decides to go out of business).

A: Angela Yemma added that it is the equivalent of the U.S. Forest Service term “waiver.” Victoria suggested that this definition be included within item 4.e and all agreed.

Q: Jim Haugsness asked Jamin Grigg – Considering the CPW is limiting the Bighorn to 400-500 animals and the permittees are also saying they have reduced their domestic herds; would a ratio be a valuable tool?

A: Jamin Grigg responded that it depends on the locations and proximity.

A: Jon Holst stated he gets where Jim is coming from and he is not sure how BLM could calculate a set ratio particularly with the BLM manual to minimize the risk of contact.

A: Mark Roeber added that he is hesitant to predict the future that much.

A: Matt Thorpe added that potential Bighorn die-offs and habitat change variables would affect any potential ratio.

Q: Steve Garcher asked if we need item 4.f regarding closure since it is stated: "As a last resort and not recommended at this time?"

A: Mark Roeber agreed that it was not needed.

A: Jon Kaminsky stated that in his notes it was Steve who suggested the words "as a last resort," and it was intentional to include the "full range of the toolbox."

Q: Stephanie Connolly – Does the current EIS include closure?

A: Jon Kaminsky responded no, and if closure is to remain on the table now, then it would need to be analyzed since it was dropped in the EIS.

Q: Stephanie Connolly then asked the Sub-committee what do you want to do with item 4.f as a recommendation to the full RAC? Livestock conversions and vacant allotments are addressed in other items and since already in the EIS would not require further analysis. To include a closure option, we will need to restart the analysis and disclose to the public, etc. Do you want to recommend item 4.f in a fully implementable way?

A: Jon Kaminsky added that the "no grazing" and "no action" alternatives are always provided in an EA/EIS as a sidebar. For the RMP, the options are to recommend, don't recommend, or go silent and not do anything. To close an allotment, the RMP would need to be amended, but for livestock conversion and vacant allotments, you can just supplement the existing analysis.

A: Jim Haugsness – Yes, in the spirit of inclusion, item 4.f should be included in the recommendations.

A: Mark Roeber prefers the adaptability and flexibility offered in item 4.d to a closure.

A: Stephanie Connolly suggested that we can make item 4.f more of a discussion point for the recommendations so the full RAC will understand it has been considered. She also noted that a closure is limited to the life (duration) of the current RMP (1993). Gunnison Field Office is way overdue for a revision – usually every 20 years.

Q: Jim Haugsness – Within the context of the proposed technical communication plan, if the scenario arises that bighorn sheep are found, do you "close" it?

A: Jon Kaminsky – No, it is not closed in the regulatory sense. The allotment management plan process includes collaboration with the permittee. Every spring meeting with the permittees the most recent Bighorn location mapping is reviewed. He reads the notes from every meeting. You can build adaptive management into the permits.

A: Ernie Etchard suggested the word "suspend" is more appropriate than "close."

Q: Jon Holst: Maybe we need something between items 4.e & 4.f? Not a full closure but something that reflects the efforts on the ground?

A: Jon Kaminsky: The Allotment Management Plan can offer options.

A: Angela Yemma added this is similar to the USFS Annual Operation Instructions AOI.

A "grass bank" offering in a vacant allotment that is open to grazing was discussed.

Jon Kaminsky shared that BLM needs the full toolbox. Everything should be analyzed (through NEPA) so that it is available and not just in an emergency.

Jon Holst added that analysis can be used to find options to purposely have vacant allotments.

Adaptive management strategies are needed and can be written into each allotment management plan.

At this point discussion ceased for the lunch break.

Public Comment Period

Victoria Atkins opened the public comment period with a review of the list of the seven individuals who had signed up to speak. Since the time is limited to 30 minutes, Victoria suggested that speakers try to limit their comments to 3-4 minutes each to give opportunity to all.

Ernie Etchart, a sheep grazing permittee, spoke first. He described a long-standing experience with domestic sheep in the area and appreciated the healthy and viable Bighorn herd, the best in the state. Ernie believes that the current BMPs we are doing are good and working well.

John Murray was second on the list of speakers but asked for the next person to proceed. J. Paul Brown was third on the list of speakers but asked to be allowed to speak at the end.

Robyn Cascade of the Great Old Broads for Wilderness read a prepared statement. In no way is there desire to harm the domestic sheep producers. She encourages a "pivot" to other options. The three high risk allotments need to be closed. There is no way to achieve the distance between the herds. The BMPs are not proven effective or efficient for herd separation. By allowing domestic sheep grazing to continue is a high risk and will result in an all age die off with low lamb recruitment. BLM should move quickly to adopt Alternative E. Nothing in the short-term mitigation changes anything. It will just be the status quo with better communication. The long-term mitigations continue in the same allotments. As requested by BLM Public Affairs Officer Maggie Magee, Robyn will submit her comments in written form to BLM.

John Murray described his experiences in the 1970s, 80s and 90s as part of a contracted survey team to map plant communities in the West Elks, Collegiate and Cochetopa areas. With regards to concerns for overgrazing and damage, it is not happening on Ernie Etchart's allotments or at the Leonard's camp. From his experience and expertise, he sees domestic sheep impacts as negligible in these areas. He asks if the Bighorn population in the West Elks has responded positively with no domestic sheep grazing in decades?

Terri Lamers of Snyder Ranch appreciates the option to speak and wonders if attending these meetings will make a difference. She also appreciates the full toolbox of options but is concerned that technology can be expensive.

Terry Meyers of the Rocky Mountain Bighorn Society stated that he would not speak long since he has stated all of this in previous meetings. Bighorn die-offs do happen infrequently,

but it is a long-term recovery. Just because herds are well now does not guarantee they will remain so. The Sub-committee's recommendations look like Alternative C, which was protested. How is this any better?

Les Owen of the Colorado Department of Agriculture commented that domestic sheep are important and he is concerned about impacts to the sheep industry. What is a high-risk allotment? "The model is a limited scope." He offered some acknowledgment of the BMPs and to use that effort to lower the risk. Regarding grass banks, the original EIS threw vacant allotments back into the mix. Is this true? In the annual allotment meetings, Bighorn locations need to be communicated. Don't set up the permittees to fail. Make the language flexible. Don't take the lands off the table. This is in opposition to the goals of bringing young people into agriculture.

J. Paul Brown, of Ignacio with grazing permits with the USFS, reminded the group to look at the Martinez decision in Oregon. He has tested his sheep voluntarily for *Pasteurella* and then also asked for bighorn test results which he states the percentage is just as high as domestic sheep. He wonders if immunity has developed within the Bighorn herds since the Bighorn are "right on top of the domestic sheep in these allotments." He wants to see this issue put to bed. He also described the predator issues after the Missionary Ridge fire (near Durango) when the Forest Service offered alternative areas to him for grazing. He stated he lost 300 lambs in one summer due to predators. He believes domestic herding and predator defense can help the bighorn sheep too. As the last speaker, J. Paul Brown continued into the remaining time to describe his secondhand knowledge of an incident during the 2019 Colorado Woolgrowers meeting when the Forest Service received a message about bighorn sighting near Silverton where there was no domestic sheep grazing at that time and location. He stated we need to be careful of trusting reported observations. He believes this is an important decision.

With some remaining time in the Public Comment Period, Terry Meyers asked to speak again in rebuttal to J. Paul Brown's anecdote of the 2019 bighorn sighting report. He stated that J. Paul is inaccurate. Terry was part of the reporting party for this bighorn sighting and it was documented in an email directly to Ernie Etchart since it was in his allotment area. It was understood by all that there are currently no domestic sheep in that allotment but was reported in the spirit of good communication which is critical to implementing the BMPs.

The Public Comment Period was closed.

The afternoon session began with a review of Stephanie Connolly's edits from the morning.

Q: Regarding the grass bank conversation, Mark Roeber, Angela Yemma, and Jon Kaminski returned to the question if a vacant allotment can be held for reserve.

A: Not if someone applies for it. But it is being done on the GMUG Forest and in 1999 on Sapinero Mesa.

Mark Roeber commented that the problem with holding an allotment vacant is the loss of infrastructure like a water development not being regularly maintained.

Q: Who would be responsible for this work that the permittee usually handles?

Q: Can a vacant allotment be reserved? Need to get advice and a solicitor's opinion. Need the specifics.

Jon Holst noted that if BLM crafts this information into the EIS, then it will get a review.

Stephanie Connolly stated that we can think outside the box and look toward outside groups for maintaining the infrastructure.

Jon Kaminski commented that no one can solve the problem alone. He also mentioned using the proposed Public Lands Rule for flexibility of using a grass bank for permittees.

Q: Jim Haugsness asked whether conservation allotments were not to be used for grazing?

Mark Roeber responded to the Public Lands Rule that we haven't seen the details yet. A conservation allotment is a broad definition and there can be problems with other use leasing from other NGO but also grazers.

Jon Kaminsky added that it is very clear that valid existing rights are respected.

Q: Steve Garchar asked Matt Thorpe if there are instances of Bighorn populations rebounding where there is no domestic sheep grazing?

A: Matt deferred to Jamin Grigg who said yes and used the Sangre de Cristos herd as a good example of rebounding health once the disease threat is removed.

Q: Jim Haugsness asked Jamin Grigg if this is a disease issue or a forage issue?

A: Jamin responded it is a disease issue.

Q: Mark Roeber asked for an explanation for why some herds with no domestic sheep contact like in the West Elks herds do not rebound.

A: Jamin responded that he would have to look into the situation to understand all the factors, but a lot of Bighorn populations do a lot better once the disease risk is removed.

Q: Jim Haugsness asked if domestic sheep were removed would you expand the Bighorn numbers in the San Juans?

A: Ultimately yes, if the habitat is there for more Bighorn (drought is also a concern).

Q: Stephanie Connolly asked which Sub-committee member wants to take the lead on the finalization of the recommendation?

A: Jon Holst stated he would be happy to take the current Word document and review it with 'track changes' and then circulate it to the Sub-committee members.

Stephanie suggested the Sub-committee may need to meet again on their own without BLM staff to finalize the document for the full RAC meeting.

Stephanie then reviewed the itinerary for the next RAC meeting in October. October 9th begins with an overnight in Silverton followed by a field trip first thing the next morning, October 10th to Baker's Park to review a wildlife and recreation conflict issue. Then the group will travel to Gunnison to stay overnight with the full RAC meeting on Wednesday, October 11th in Gunnison

with the agenda to include the Sub-committee recommendations, OHV and campground topics.

Jim Haugsness asked for background looking at the value of domestic sheep and bighorn sheep. Jon Kaminski and Victoria Atkins suggested a review of the minutes from the April and especially May presentations to the Sub-committee by the BLM Colorado State Office economist Lisa Strunk.

Closing Remarks

Stephanie Connolly closed the final meeting with appreciation for the time and energy of all attending, especially for jumping in the trenches with us. We want to be done with this issue too. No matter what happens we will get litigated, so this helps. Jon Kaminsky added that he appreciated the attendance of the permittees.