

Appendix A – Response to Comments

Legal Notice published in the Inyo Register on October 11, 2011

30-day comment period ended November 11, 2011

Commenter #1: Wilderness Watch of the Eastern Sierra and High Sierra Hikers Association: Comment letter dated and received via the Comment Analysis and Response Application (CARA) website on November 10, 2011.

Comment 1: The Forest Service, Fish and Game, and the National Park Service failed to coordinate and produce a single, joint environmental analysis for the project that would meet the requirements for both NEPA and the California Environmental Quality Act. The project must be analyzed as part of a programmatic EIS that incorporates the actions proposed on adjacent National Forest and National Park lands. That programmatic EIS must evaluate the cumulative effects of each of these related actions on all affected public lands, on wilderness character, and on the bighorn sheep themselves.

The EA (section 1.1) was prepared in compliance with the National Environmental Policy Act (40 CFR 1500-1508; 36 CFR 220) and the California Environmental Quality Act (CEQA) and it was distributed to agencies, tribes, and the public for consideration and input according to California State regulations on October 7, 2011 (Notice of Completion and Environmental Document Transmittal form). The EA was developed following CFR regulations to Eliminate Duplication with State and Local Procedures (40 CFR 1506.2).

The California Department of Fish and Game participated as a cooperating agency in the development of the Environmental Assessment (Cooperating Agency Letter sent to the California Department of Fish and Game, June 1, 2011).

The EA considered those activities proposed by the National Park Service which would have similar direct and indirect effects to Sierra Nevada bighorn sheep and wilderness character, such as helicopter landings, in the cumulative effects section (EA section 3.1). These actions were also considered in the cumulative effects analysis in the Effects to Sierra Nevada Bighorn Sheep section (EA, section 3.2.1.1 and section 3.2.1.2) and the Effects to Wilderness Character section (EA, section 3.2.2.1 and section 3.2.2.2).

The U.S. Fish and Wildlife Service analyzed effects to Sierra Nevada bighorn sheep as part of the issuance of a Federal Fish and Wildlife Permit to the California Department of Fish and Game for management activities, including capturing activities. This analysis determined that capturing activities would not jeopardize the Sierra Nevada bighorn sheep (U.S. Fish and Wildlife Service Letter dated July 14, 2011).

The Biological Assessment analyzed all direct, indirect, and cumulative effects to Sierra Nevada bighorn sheep, including those activities proposed by the National Park Service (Murphy 2012).

Comment 2: The EA fails to provide sufficient justification that the project itself is necessary to meet minimum requirements to preserve the area as wilderness.

The EA includes an appendix (Appendix C), which outlines the reasoning for the necessity of authorizing helicopter landings for capturing of Sierra Nevada bighorn sheep. Helicopter landings are necessary for both translocation and monitoring captures and the amount of helicopter landings is the minimum necessary to meet project objectives and therefore recovery plan goals.

The MRDG (Novak, 2012) analyzes if the action is necessary to preserve one or more of the four qualities of wilderness character and if it is necessary to be consistent with one or more of the public purposes for wilderness (section F). The MRDG analysis determined that the proposed action of translocating and monitoring SNBS is necessary to the natural, untrammelled, and other unique characteristics of wilderness qualities. The MRDG further demonstrates that the minimum tool necessary to carry out the action of translocation and monitoring captures is by using a helicopter net-gun (Step 2).

Comment 3: The project proposed in the EA fails to justify why such substantial, invasive, and incompatible activities in wilderness are necessary given the success of other programs over the last decade.

As explained in the EA section 3.1 and Appendix B, the Proposed Action is a continuation of ongoing management. The EA acknowledges that since the Sierra Nevada bighorn sheep recovery program was initiated twelve years ago, management actions have successfully increased population numbers and expanded the distribution of bighorn sheep from three to ten populations distributed widely throughout the species' historic range (section 3.1). The success of the program, to date, is attributed to the use of helicopters in both pre-listing captures (helicopters aiding in drop-net and drive-net captures) and post-listing captures (helicopter net-guns) (Wehausen 2011 and 2012). The EA also contains an Appendix (Appendix B) which describes in detail the Sierra Nevada bighorn sheep recovery program activities over the past twelve years, including where actions have occurred (both inside and outside wilderness boundaries).

The California Department of Fish and Game has published a ten-year report on the recovery program and it is incorporated by reference in Appendix B (Stephenson et al. 2012: 2010-2011 Annual Report of the Sierra Nevada Bighorn Sheep Recovery Program: A Decade in Review). Through these management actions, which have occurred in large part outside wilderness, the Fish and Game Recovery Program has been able to achieve key bighorn sheep conservation

targets and increased knowledge of habitat use, population distribution, and genetic diversity between each subpopulation (Stephenson et al 2012).

Comment 4: The project will result in direct, indirect, and cumulative, negative effects on Sierra Nevada bighorn sheep. These effects can include: direct injury, including death of at least some individuals, and significant adverse sub-lethal and/or indirect effects, such as decreased long-term survival of captured animals, behavioral changes such as avoidance of key winter range and reduced forage efficiency, and long-term effects such as capture myopathy.

The EA summarizes the direct, indirect, and cumulative effects on Sierra Nevada bighorn sheep for both the No Action and Proposed Action (section 3.2.1). The EA acknowledges that any capture activity on Sierra Nevada bighorn sheep may result in injury or mortality, as recognized by scientific literature cited throughout the EA and the U.S. Fish and Wildlife permit issued to the California Department of Fish and Game (EA section 3.2.1). The EA also compares the direct effects of each alternative as it relates to how long Sierra Nevada bighorn sheep are handled under each capture method (EA pages section 3.2.1.1).

The U.S. Fish and Wildlife Service issued a permit to CDFG for all capturing activities associated with recovery actions. This permit outlines mitigations and specific direction for captures which reduce impacts to SNBS (USDI 2007b).

The Biological Assessment provides the analysis of direct, indirect, and cumulative effects on Sierra Nevada bighorn sheep under the proposed action (Murphy 2012).

The Inyo National Forest communicated with the U.S. Fish and Wildlife Service on this project and submitted a letter on June 1, 2011 asking for confirmation that no further consultation was needed. The U.S. Fish and Wildlife Service responded confirming that no further consultation was needed and that the Service found that the proposed activities would not jeopardize the Sierra Nevada bighorn sheep (U.S. Fish and Wildlife Service letter dated July 14, 2011).

The BA and EA integrated all the best available science related to the descriptions of effects from capturing activities on bighorn sheep (EA section 4.3) and this science was used in the effects analysis for Sierra Nevada bighorn sheep, as summarized in the EA section 3.2.1.

Comment 5: The “No Action” alternative described in this EA appears to include highly invasive activities in wilderness areas that in no way represents the status quo. Accordingly it is inappropriate and disingenuous to call it a “No Action” alternative because 1) the “No Action” alternative it will have significant effects to the environment and wilderness character, 2) the “No Action” could not be lawfully adopted because of these significant effects, and 3) the methods analyzed for the “No Action” alternative (drop-nets, drive-nets,

darting) are not consistent with methods typically used by wildlife researchers to capture bighorn sheep today.

The No Action Alternative describes those capture methods which CDFG would attempt if they were not permitted to land helicopters in the wilderness: drive-nets and drop-nets.

The No Action Alternative is consistent with law, regulation, and policy (36 CFR 220.7 (b)(2)(ii) and FSH 1909.15).

The EA (section 3.1) and Appendix B explain the past actions CDFG has taken since before and after SNBS were listed as an endangered species. Appendix B provides clarification on the capture methods used since the 1970s.

The EA analyzes the effects to wilderness character from actions listed in the No Action alternative (EA section 3.2.2.1). The effects from drop-net and drive-net capture methods were also analyzed in the MRDG (Novak 2012).

The EA states that the drop-net, drive-net, and darting methods have been used by CDFG in the past for capturing SNBS (section 3.2.1.1). Appendix B also describes all the capture methods used by CDFG since the 1970s in management of SNBS populations.

Foster (2005) describes the different capture techniques used by wildlife managers and recognizes the differences in each method and when each method is most appropriate to meet project objectives. Foster (2005) mentions that helicopter net-gunning is the most commonly used capture method for large numbers of animals.

Comment 6: The “No Action” alternative does not include methods and activities that could be approved under existing law and regulations without NEPA analysis. An authentic no action alternative should disclose and analyze activities associated with the Sierra Nevada Bighorn Sheep Recovery Program that have been in place for over twelve years.

The EA established a No Action alternative that is consistent with CFR regulations (36 CFR 220.7(b)(2)(ii)). The No Action alternative in the EA (section 2.2.1) was developed to contrast the impacts of the proposed action with the expected future condition if the proposed action were not implemented. The No Action alternative in the EA describes those activities in the expected future if the proposed action were not implemented. The activities listed in the No Action alternative include those activities which the Forest Service would not need to authorize for use in the wilderness. The No Action in the EA was to provide a contrast to the Proposed Action of effects to wilderness character and Sierra Nevada bighorn sheep.

Although helicopter net-guns have been used exclusively since 2002, the CDFG is authorized by the U.S. Fish and Wildlife Service to conduct captures by drop-net and drive-net capture

methods as described in the No Action (USDI 2007b). The No Action alternative includes capture methods that have been used by CDFG since the 1970s, before being listed as an endangered species, until 2012, after being listed as endangered. Appendix B in the EA describes the past management activities conducted by CDFG in relation to monitoring and translocation captures.

Comment 7: The No Action alternative should consider an option that minimizes the risk of mortality to Sierra Nevada bighorn sheep.

The California Department of Fish and Game is authorized by the U.S. Fish and Wildlife Service to conduct capture work that includes the use of several capture methods, this includes helicopter net-guns, drop-nets, drive-nets, and darting (USFWS 2007). This authorization includes established limitations on the amount of mortality that can occur per year, regardless of the capture method used. This limit is three SNBS within a year.

The EA outlines the effects of the No Action Alternative on Sierra Nevada bighorn sheep in section 3.2.1.1.

The EA also includes a non-motorized alternative that was considered but eliminated from further detail in section 2.3. This alternative would have the same effects to SNBS as the No Action alternative.

The EA also considered, but eliminated a no capture alternative (EA section 2.3) that would not meet the purpose and need for this project, as no project objectives or recovery goals would be met.

Comment 8: The preferred action described in the EA would conflict with the purposes and directives of the Wilderness Act. Federal law dictates that the Forest Service cannot permit a state agency to conduct any action, even concerning the management of wildlife that would conflict with the overriding purposes and clear directives in the Wilderness Act concerning the preservation of wilderness character.

Section 4(d)(7) of the Wilderness Act provides that “nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests”. When developing the EA, the Inyo National Forest considered the policies and guidelines outlined for fish and wildlife management in wilderness areas provided in the 2006 Policies and Guidelines for Fish and Wildlife Management in National Forest and Bureau of Land Management Wilderness document (EA section 1.2.2). This document states that proposed State fish and wildlife management activities that would involve uses generally prohibited under Section 4(c) of the Wilderness Act will be considered and may be authorized by the Federal administering agency (USDA 2006). This document also states the Forest Service will consult closely with the States and give careful consideration to State fish and wildlife interests

when considering these proposed activities, subject to applicable National Environmental Policy Act (NEPA) review.

The EA (section 3.2.2.2) outlined effects to wilderness character under the Proposed Action on the natural quality of wilderness character and determined that this alternative would lead to major, long-term beneficial effects; minor adverse effect for monitoring captures and long-term, moderate adverse effects on untrammelled character; minor effect on undeveloped quality; and minor adverse effects on outstanding opportunities for solitude or a primitive and unconfined type of recreation.

The MRDG analyzed the necessity of the action for preserving one or more of the wilderness qualities (Novak 2012) and the necessity of the action to be consistent with one or more of the public purposes of wilderness and determined if any action was necessary in the wilderness and what the minimum tool would be to accomplish the action.

The Proposed Action does not conflict with the Wilderness Act, as analyzed in the EA sections 3.2.2.2 and in the MRDG (Novak 2012).

Comment 9: The Forest Service Manual Policy 2326.03(3) discourages flights over wilderness within 2,000 feet of the ground surface, except in emergencies or for essential military missions.

As stated in the Policies and Guidelines for Fish and Wildlife Management in National Forest and Bureau of Land Management Wilderness document (AFWA 2006) helicopter and fixed-wing aircraft overflights may be used to conduct fish and wildlife research and management activities. Use of aircraft for these activities will be coordinated among the State and Federal agencies to minimize conflicts with other wilderness uses. The Memorandum of Understanding between the State of California, Department of Fish and Game and the Forest Service (1995) states that helicopter and fixed-wing aircraft overflights in compliance with Federal laws and regulations do not require Forest Service approval, but do require coordination with the appropriate Forest Supervisor.

Federal law does not prohibit flights within 2,000 feet of the ground surface over wilderness areas. The Federal Aviation Administration requests that pilots maintain a minimum altitude of 2,000 feet above the surface of wilderness areas (FAA Aeronautical Information Manual 2012).

Consistent with Forest Service policy, the AFWA Policy and Guidelines for Wildlife Management in Wilderness (2006), and the 1995 MOU, CDFG has coordinated SNBS captures conducted by helicopter flights with the Forest Supervisor. The Proposed Action includes design features to minimize the conflicts with other wildness uses and effects to wilderness character (Section 2.2.2).

Comment 10: The EA does not disclose exactly how many sheep would be collared under the proposed action. The Forest Service must disclose and analyze how many collars will be installed on endangered bighorn sheep as well as the impacts to sheep and wilderness character from doing so.

The EA (section 2.2.2) describes the number of SNBS which would be captured under the Proposed Action. Section 3.3.1 of the EA describes the number of SNBS which may be captured under the No Action Alternative.

Appendix C in the EA describes the necessity of the amount of SNBS needing to be collared. This is derived from information gathered from CDFG (CollarPlans_CDFG_04262012.xlsx).

The effects of electronic collars on SNBS were analyzed in the EA, section 3.2.1 and in the BA (Murphy 2012).

Comment 11: The EA does not explain how 30% of ewes have been collared despite the fact that 90% of locations occur within the wilderness boundary. In order to increase the percentage of collared ewes to 35%, why are captures suddenly required within the wilderness boundary?

Past recovery efforts have been described in the EA (section 3.1) and in Appendix B in the EA. These sections describe the collaring efforts that have occurred in wilderness areas in the past, leading to the 30% collar ratio described in the EA.

Appendix C in the EA describes the necessity of the amount of SNBS needing to be collared.

Comment 12: Other legitimate non-motorized methods are available for achieving the project objectives, yet they are not disclosed and analyzed in either alternative or the EA. These non-motorized methods include population monitoring and surveys being accomplished with ground survey methods, including direct observation and pellet transects.

The EA describes current management actions conducted by CDFG in section 3.1 and Appendix B. CDFG would continue to use these methods during their minimum counts (Appendix B); however these methods would not include capturing of SNBS and therefore would not allow project objectives to be met. They are used in conjunction with the capturing of SNBS, as collared SNBS allow CDFG crews to locate herds for field observations and population counts (Stephenson et al 2012).

These activities were considered in the cumulative effects sections in the EA, for both SNBS and wilderness character (EA pages 3.2.1 and 3.2.2).

Comment 13: The EA fails to consider other alternatives that would not jeopardize bighorn sheep, including closing or moving domestic sheep allotments. The EA does not include an

analysis of what would occur if a collared bighorn sheep entered a domestic sheep grazing allotment.

The closing or moving of domestic sheep allotments is outside the scope of this analysis and would occur under a separate analysis if needed. However, the EA did consider effects to adjacent livestock grazing allotments from the introduction of SNBS (section 3.4) and in the Range Specialist Report (Barron 2012).

The Biological Assessment also analyzed the effects of domestic sheep grazing, in proximity to occupied SNBS ranges in the inter-related actions section (Murphy 2012).

**Commenter #2: E-mail and Website comment sent by Jan Clover, Bishop, CA:
Comment e-mailed and received via CARA on October 16, 2011.**

Comment #1: Very much against having helicopters relocate bighorn sheep.

The Purpose and Need in the EA (section 1.3) outline the need for authorizing CDFG to use helicopters in wilderness areas for the purposes of meeting recovery goals, established in the 2007 Sierra Nevada Bighorn Sheep Recovery Plan (USFWS 2007). Appendix C also outlines the necessity of using the helicopter net-gun capture method for the purposes of monitoring and translocation captures.

**Commenter #3: Letter sent by the Native American Heritage Commission of the
State of California: Comment letter sent to Leeann Murphy on October 17, 2011.**

Comment #1: The Native American Heritage Commission (NAHC) conducted a Sacred Lands File (SLF) search of its Inventory and Native American cultural resources were identified in the project areas specified in the EA. Early and quality consultation with the Native American Tribes identified by NAHC may provide detailed information of sites with which they are not aware. Culturally affiliated tribes are to be consulted to determine possible project impacts pursuant to the National Historic Preservation Act, as amended.

The Inyo National Forest conducted both tribal consultation, scoping, and a 30-day comment period for all local tribes with interest in the project area. The project record contains the 1) Tribal scoping list (dated April 1, 2011), 2) the certified letters to each tribal member on the mailing list (letters dated April 1, 2011), 3) 30-day comment period mailing list (dated October 6, 2011), and 4) 30-day comment period letters (dated October 6, 2011). The Inyo National Forest received one letter from the Lone Pine Paiute-Shoshone Reservation Tribe mailed on April 13, 2011 and received one comment letter from this same tribe on November 8, 2011 (emailed). The Lone Pine Paiute-Shoshone Reservation was in support of the EA's Alternative 2 (Proposed Action) (see Comment #9).

The EA also considered effects to both cultural and historic resources in section 3.4. The Forest Archaeologist determined that Alternative 2 was a screened undertaking as defined by the Programmatic Agreement among the USDA Forest Service, Pacific Southwest Region, California State Historic Preservation Officer, and Advisory Council on Historic Preservation Regarding the Identification, Evaluations and Treatment of Historic Properties managed by the National Forests of the Sierra Nevada, California (2002 as amended) and no further review or consultation was needed (Johnston 2011). There would be no adverse effects to districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places under either alternative (EA section 3.4 and Johnston 2012).

Commenter #3: Letter and Website comment sent by Paul Dayton, San Diego, CA: Comment letter dated and received via CARA on October 18, 2011.

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) Has spent the last 30 years in the Sierras, much of the time in various wilderness areas and Sequoia and Kings Canyon National Parks.
- 2) Has experienced helicopter activity while in wilderness areas and it does impinge on his sense of wilderness. However, he recognizes that the helicopter use is probably involved with a Search and Rescue operation or fire monitoring or control activity.
- 3) People visiting wilderness areas should have the opportunity to experience the pleasure of viewing native sheep.
- 4) He can imagine some of the same people might object to noisy helicopter activity, but thinks it is hypercritical of him to object to this sort of use of helicopters which support the restoration of an extremely charismatic and highly endangered species, when at the same time they want to be rescued when they need urgent help or to have fire suppression protecting historical buildings.
- 5) Alternative 1, would put crews at risk in the winter when they need to work in those areas, and that the harsh conditions that prevail when work is to be done certainly prevents most of the general public from visiting the sites, so it is not likely that anybody will be adversely affected by the helicopter work in the winter.

Thank you for your comment.

Commenter #4: Website comment sent by Bill Carter, representing the Backcountry Horsemen of California: Comment received via CARA on October 19, 2011

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) The limited use of helicopters in wilderness areas for the stated purposes [in the Proposed Action] is appropriate.

Thank you for your comment.

Commenter #5: Website comment sent by Roberta McIntosh: Comment received by CARA on October 21, 2011

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) Use of helicopters to transport bighorn from one location to another in the Sierra Nevada is probably the most important tool the scientists have. Helicopter use is the most efficient and cost effective way to continue this [recovery] work.

Thank you for your comment.

Commenter #6: Website comment sent by David Vomund: Comment received via CARA on October 22, 2011

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) Half of all remaining bighorn sheep in the Sierras are transplanted herds, it is obviously important to have this method of creating new herds.

Thank you for your comment.

Commenter #7: Website comment sent by Howard J. Whitaker: Comment received via CARA on October 22, 2011

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) It [Proposed Action] is the only sensible, legal and effective means of accomplishing the task.

Thank you for your comment.

Commenter #8: E-mail and Website comment sent by Jan Levet Le Pouvoir of Pollock Pine, CA: Comment e-mailed and received via CARA on October 26, 2011.

Commenter supported the EA's Alternative 2 (Proposed Action) because they viewed:

- 1) SNBS are an important component of wilderness in their historic range and in need of appropriate actions to restore them as fully and quickly as possible to that historic range.
- 2) Currently about half of all bighorn sheep in the Sierra Nevada are in herds created via translocations that used helicopters; thus, this animal would be much closer to extinction had such earlier use of helicopters been prevented.
- 3) A decision not to allow use of helicopters to aid in the recovery of this unique subspecies would greatly limit efforts to reach recovery goals for this endangered species in a

reasonable time period, and consequently would be very costly as a burden on tax payers, while placing this subspecies at greater extinction risk.

- 4) Collection of data on these sheep is an integral part of this recovery effort. Good demographic data are needed to guide decisions on conservation actions. Telemetry collars have allowed the development of better demographic data and more efficient development of such data. With better data, decisions are made on a stronger foundation of information. Greater efficiency means that data can be collected on more populations each year. This will become increasingly important as more populations are created to achieve recovery goals.

Thank you for your comment.

Commenter #9: Website comment sent by Kyle Meintzer, representing the California Wild Sheep Foundation: *Comment received via CARA on October 28, 2011*

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) Because of the high altitude, steep terrain and inaccessibility of much of the range of SNBS, rotor-wing aircraft are the only feasible method available to accomplish the objective.
- 2) The footprint left by a helicopter skid landing is minimal and often virtually impossible to detect.
- 3) The noise disappears immediately once the mission is complete.

Thank you for your comment.

Commenter #10: Letter and Website comment sent by Robert A. Hallet, San Pablo, CA: *Comment letter sent and received via CARA on November 1, 2011.*

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) Over the past 50+ years spent a fair amount of time hiking and backpacking in the mountains of California, including in wilderness areas. Only saw a bighorn sheep once, and it was something he will always remember.
- 2) Appreciates the concept of wilderness and the experience it allows, but is in support of allowing all methods possible to improve the likelihood of bighorn sheep recovery, including the use of helicopters in wilderness areas.

Thank you for your comment.

Commenter #11: Website comment sent by Clay Brewer: *Comment received via CARA on November 1, 2011*

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) The science-based management activities such as those identified in the Recovery Plan are critical for restoration and management of bighorn populations.

Thank you for your comment.

Commenter # 12: Website comment sent by Terry Russi: Comment received via CARA on November 9, 2011

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) A decision not to allow the use of helicopters to aid the recovery of this unique subspecies would substantially limit efforts to reach recovery goals in a reasonable time period and place the SNBS at a greater extinction risk over the long-term period.
- 2) Timely and efficient collection of good demographic data is essential in guiding decisions on SNBS conservation actions. Allowing the use of helicopters for monitoring, sheep capture and placement of telemetry collars on individual sheep within populations will become increasingly important as additional populations are created to achieve recovery goals.
- 3) It is reasonably likely that SNBS would currently be much closer to extinction had the earlier use of helicopters over the past three decades been prevented.
- 4) SNBS are an integral part of wilderness in their historic range.

Thank you for your comment.

Commenter #13: E-mail and Website comment sent by John Wehausen, representing the Sierra Nevada Bighorn Sheep Foundation: Comment e-mailed sent and received via CARA November 9, 2011.

Commenter supported the EA's Alternative 2 (Proposed Action) because:

- 1) Wilderness status does not imply that the land in question contains a full complement of species that were historically there, and therefore is not in need of conservation actions that will enhance ecological integrity. The absence of SNBS from large areas of their historic range that is now classified as Wilderness is a prime example.
- 2) Half of all current bighorn sheep in the Sierra Nevada are in the Mount Langley and Wheeler Ridge herds, both of which were re-introduced during 1979-1986 via bighorn sheep caught and moved with the aid of helicopters. Had helicopters not been allowed to be used for those efforts this subspecies would be much closer to extinction.
- 3) From the beginning the restoration program for these endangered sheep had depended on the development of the best possible demographic information for all herds. As numbers of herds and herd sizes have increased, the development of data of sufficient resolution has depended more and more on the deployment of telemetry collars. This need will only increase as yet more herds are re-introduced – an action called for in the Recovery Plan for this subspecies.

- 4) A decision not to allow the use of helicopters for the capture of these sheep for collaring or translocation will translate into a significant increase in the time needed to reach recovery goals. This will place the subspecies at a greater risk of going extinct, while greatly increasing the cost to tax payers of this recovery program.

Thank you for your comment.

Commenter #14: Website comment sent by Kristin Riser: Comment received via CARA on November 10, 2011

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) Commenter would like to see SNBS in new areas.

Thank you for your comment.

Commenter #15: Letter from the Lone Pine Paiute-Shoshone Reservation: Letter e-mailed to Leeann Murphy on November 10, 2011

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) SNBS herds are currently not robust enough to withstand the many factors that affect their survival. The sheep capture events serve the purposes of physical health analysis and repopulating decimated herds.
- 2) The use of helicopter net-gun is the only effective capture and transportation technique and that helicopter transportation is also used for repopulating herds that have had significant reduction in size.
- 3) It is understood that the dwell time and refueling are done near field camps that are quickly and cleanly removed as soon as the requisite number of sheep have been evaluated and/or translocated, the Lone Pine Paiute-Shoshone Reservation sees this as an effective and useful program.

Thank you for your comment.

Commenter 16: Website comment sent by Mary Burke, Davis, CA: Comment received via CARA on November 10, 2011.

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) SNBS have benefited from a smart, aggressive recovery effort to return these animals to areas once within their historic range. About half of all bighorn sheep now in the Sierra Nevada are in herds that were created using helicopters.
- 2) Biologists engaged in these efforts needed then, and need now, all the tools and support we can give them, including telemetry collars and helicopter translocations, when required. Limiting the

use of helicopters and the use of telemetry collars could have a critical and negative impact on the recovery of this species.

Thank you for your comment.

Comment #17: Website comment sent by Kevin Hurley, representing the Wild Sheep Foundation: Comment received via CARA on November 11, 2011

Commenter supported the EA's Alternative 2 (Proposed Action) for the following reasons:

- 1) The project is part of the implementation of the 2007 Recovery Plan for the Sierra Nevada Bighorn Sheep (USFWS).
- 2) The 2006 MOU between the Association of Fish and Wildlife Agencies, U.S. Forest Service, and BLM specifically acknowledges the periodic necessity and Minimum Requirements Decision Process requirements for wildlife survey, capture, and transplant activities, especially for threatened and endangered species. Therefore the proposed action is in compliance with this MOU.

Thank you for your comment.