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Working to protect and restore Western Watersheds and Wildlife

Watersheds Project

January 16, 2019

John Pierson
District Ranger
Reserve Ranger District
P.O. Box 170
Reserve, NM 87830
comments-southwestern-gila-reserve@fs.fed.us
Sent via email this date

RE: Black Bob and Lower Plaza Allotment EA Project, Reserve Ranger District, Gila National Forest

Dear Mr. Pierson,

The following comments are submitted on behalf of the members of Western Watersheds Project (WWP) and WildEarth Guardians who are concerned with the management of our public lands. We support the No Action alternative which eliminates livestock grazing, removes interior fences and infrastructure and only maintains water developments that are important for wildlife. EA at 24.

This project covers more than 30,000 acres of National Forest Service lands, including more than 16,700 acres located within Inventoried Roadless Areas (IRAs). EA at 1. Two important riparian systems are located within the project area: the San Francisco River and the Tularosa River. While livestock are technically excluded from both of these rivers, the incidence of trespass or unauthorized livestock is high.

As a preliminary matter, we are concerned about the decision framework for this project. The Forest Service should consider *whether or not* livestock grazing should take place in the project area, not just where and when. EA at 22.

We are concerned that public comment has been curtailed given the current partial government shutdown. Forest Service staff who would normally be available to answer questions or provide any needed documents have been furloughed or have taken on additional duties preventing them from engaging with the public as they normally would have done during an EA comment period. We request that the deadline for this project be revised to reflect the lack of open government during the majority of the comment period for this EA.

The Forest Service Should Not Increase Livestock Grazing

The Forest Service should not increase the number of days livestock are permitted to graze on the Cienega and Henley allotments. There is no evidence in the EA that the increased grazing can be supported by the allotment, despite scoping comments asking the Forest Service to address this issue. The impacts associated with the expanded grazing regime on native plants has not been adequately addressed in the EA, precluding a Finding of No Significant Impact.

Water Rights and Range Improvements

According to the EA, State of New Mexico water rights would need to be assigned to the proposed range (water) developments but the funding to accomplish this does not exist at this time. EA at 24. Alternative 2 includes range improvements, but there are no funds currently available or identified to actually implement these improvements. EA at 34. While the EA indicates that "there are no management components contingent on these improvements[,]" the environmental analysis of the alternatives *does* hinge on the implementation of those improvements and the Forest Service admits that adaptive management is dependent upon the proposed improvements. EA at 34. The ability to utilize the Cienega and Henley Allotments year-round (which we oppose) that is supposed to improve range conditions is also dependent upon the proposed improvements. This is clearly stated in the EA:

> "Implementation of any proposed range improvement is expected to aid in growing season rest or deferment of pastures and traps and will help distribute livestock and wildlife throughout the allotments more evenly, moving towards or meeting the purpose and need of this analysis faster than Alternative Three representing current management."

EA at 35. Proposed improvements are key components of the "improved livestock distribution." "With the split of the Black Bob Allotment, the additional watering points and fences, enhanced permittee operations, and adjusted AUMs should provide for improved livestock distribution and less conflicts in cattle/pasture movement and rotations." EA at 37. Further, the watershed analysis is entirely dependent upon implementation: "The cumulative effects analyses are based on full implementation of the alternative selected and a project period of 10 years following the decision." EA at 40. The analysis of impacts to threatened and endangered species is also dependent upon implementation of the improvements found in Alternative 2.

The Forest Service must explain how the inability to actually implement the proposed improvements necessary to improve range conditions and meet the purpose and need for the project, and upon which the environmental analysis is based, does not render this project untenable and this EA invalid, precluding a Finding of No Significant Impact. If there is no funding to implement the proposed improvements found in Alternative 2, how is it any different from Alternative 3? Please explain how the Black Bob Allotment can be split into two new allotments without implementing the proposed improvements found in Alternative 2?

Additionally, the Forest Service has failed to address concerns raised during scoping regarding the lack of maintenance on existing infrastructure and improvements. The EA must be revised to include an assessment of the current infrastructure conditions.

Monitoring and Range Conditions are Inadequate to Support a Finding of No Significant Impact

For the Black Bob Allotment, the monitoring protocol is unclear. It appears that monitoring has taken place on a very irregular schedule with two, five, seven, twenty, and ten year gaps between monitoring with no explanation as to the random-seeming nature of monitoring. EA at 3. Please explain what the monitoring schedule for this allotment should be and explain how such random data collection can be useful to determine trend.

What the existing data show is that the vast majority (78 percent) of the Black Bob allotment is in unsatisfactory condition for range/vegetation. EA at 4. All (100 percent) of these largely unsatisfactory conditions are either stable or in an upward trend. EA at 4. Given that historic grazing pressures since the late 19th century damaged the area, especially in the 1940s-1950s, which required a significant reduction in livestock grazing, it is not surprising that the trend indicators from 1954 to 2016 show improvement. EA at 2. If the range condition is poor, there is only one way for the trend to move – upward. The question that needs to be asked is how much more improved would the area be if cows had been excluded from the allotment since 1954?

There is no Terrestrial Ecosystem Survey (TES) report for the Black Bob allotment. EA at 5. Without this key, site specific information, the analysis in the EA is rendered speculative and invalid. The use of a forest-wide TES report from 1991, more than two decades ago, is insufficient to support any decision for this allotment and precludes a Finding of No Significant Impact (FONSI). EA at 5. The more recent (2011) Watershed Condition Report and Watershed Condition Classification Rating (2015) indicate that the three primary 6th code watersheds for the Black Bob Allotment are all Functioning at Risk. EA at 6. Gullying and heavy use are occurring and were documented in 2017 and 2018. EA at 6.

The statement that livestock have been excluded from the San Francisco River since 1990 is inaccurate. EA at 6. While livestock have been legally excluded, the Forest Service has a large volume of information and documentation regarding trespass cattle in the San Francisco River. The EA fails to adequately disclose this fact and lacks any site-specific or statistical information regarding trespass livestock in the portion of the San Francisco River that overlaps with the Black Bob allotment. There is vague information regarding adjacent landowners providing Forest Service personnel and permittees with information about trespass livestock, but the information is insufficient. EA at 8.The EA should disclose how many incidents of trespass livestock have occurred in the past 10 years, how many livestock were reported, and how much time passed between the report of trespass livestock and the removal of those same livestock from the riparian area. This information would give better context to the undocumented statement of "incidental older livestock sign in the reach…" known as the San Francisco River Reach 3. EA at 8.

Please provide information on whether or not livestock sign was observed in the Largo Creek Ranch 2. There is no information in the EA regarding the presence of livestock in this reach other than a statement that Henley Pasture, where the reach is located, serves as a holding pasture near the permitee's base property. EA at 8.

The Cienega Creek Reach 2 is in poor condition because it is used as a waterlot, but no formal rating was provided because poor conditions are expected at a water lot. EA at 9. Cienega Creek Reach 3 is rated as Functioning at Risk with no apparent trend. EA at 9. This reach feeds into the San Francisco

River, and presumably is fed by Cienega Creek Reach 2. EA at 9. Reach 3 has downcutting where it enters the San Francisco River and the problems in this reach are, in part, attributed to the Cienega Creek Reach 2 waterlot. The San Francisco River is in non-support of its designated uses for *e-coli* and sedimentation, yet no information regarding the sediment load, *e-coli* or other microbial contamination is provided for the reaches that feed into the San Francisco River that are heavily utilized by livestock and a likely source of sedimentation and microbial contamination. EA at 9, 17-18.

For the Lower Plaza Allotment, the monitoring protocol is similarly unclear and more sporadic. It appears that monitoring has taken place on a very irregular and infrequent schedule with thirty-one, thirteen, and eight year gaps between monitoring with no explanation as to the random-seeming nature of monitoring. EA at 10. Please explain what the monitoring schedule for this allotment should be and explain how such infrequent and random data collection can be useful to determine trend.

There is no Terrestrial Ecosystem Survey (TES) report for the Lower Plaza Allotment. EA at 11. Without this key, site specific information, the analysis in the EA is rendered speculative and invalid. The use of a forest-wide TES report from 1991, more than two decades ago, is insufficient to support any decision for this allotment and precludes a Finding of No Significant Impact (FONSI). EA at 11. The more recent (2011) Watershed Condition Report and Watershed Condition Classification Rating (2015) indicate that the five primary 6th code watersheds for the Lower Plaza Allotment are all Functioning at Risk. EA at 13.

The EA seems to gloss over an active corral within the San Francisco River exclosure that "results in incidental use" when livestock are moved through the area. EA at 20. How often are livestock moved through this area and for how long are the livestock allowed to remain in the exclosure area?

The Tularosa River is in non-support of its designated uses for *e-coli* and sedimentation, yet no information regarding the sediment load, *e-coli* or other microbial contamination is provided for the reaches that feed into the Tularosa River that are utilized by livestock and a likely source of sedimentation and microbial contamination. EA at 18.

For all allotments and in light of the past history of sporadic monitoring, the Forest Service should identify the specific timelines for monitoring. The time of year, location, frequency, and specific methodology should be disclosed. To state simply that monitoring "[w]ill occur on an ongoing basis" is insufficient to provide the public with a monitoring plan on which to comment and does not provide any actual accountability on the part of the permittee or the Forest Service for managing the allotments. EA at 29. Without systematic monitoring adaptive management will not be possible.

Drought is a concern in the project area with the Gila National Forest experiencing moderate to severe drought conditions according to the National Oceanic and Atmospheric Association. EA at 16. The drought closure history of this allotment should be disclosed, discussed and assessed. Simply adding water sources to the allotments doesn't alleviate the stressor of drought conditions to wildlife and vegetation.

Invasive species

Livestock grazing promotes the spread and colonization of alien plants, which can increase fire frequencies. Billings 1990, Rosentreter 1994, Belsky and Gelbard 2000, Kimball and Schiffman 1993. Disturbance is a reliable indicator of alien dominance in vegetation composition, and livestock grazing is a significant disturbance. Brooks and Berry 2006. Further, weed invasions are strongly associated with livestock watering sites. Brooks *et al* 2006. The Forest Service has not adequately addressed this issue and, in addition, must analyze the cause and effect relationship of livestock grazing with the woody vegetation. See, e.g. Bahre and Shelton 1993. How is livestock grazing related to or impacting pinyon-juniper populations in the project area? The Forest Service should analyze the impacts of livestock grazing on fuel loads such as invasive or fire-prone grasses.[1]

The vegetation condition on both the Black Bob and Lower Plaza allotments is described as unsatisfactory is some areas due to lack of diversity of forage species and a dominance of blue grama. The alternatives are supposed to help move range conditions towards a more satisfactory state, but it is unclear how this can be done if the warm season grass (blue grama) dominates the area, the possibility of establishing cool season plant species is low, this is possibly the result of climate patterns, and the climate trend for the Southwest is warmer and drier? EA at 33.

Air Quality

The Forest Service fails to acknowledge that livestock grazing removes vegetation from large swaths of the landscape, hoof action disturbs desert soil crusts, and the potential for fugitive dust related to livestock grazing covers the entire allotment acreage.[2] Air quality impacts have not been adequately analyzed in the EA and the failure to do so precludes a Finding of No Significant Impact

The Endangered Species Act

Generally, it appears the Forest Service has relied upon the proposed improvements in Alternative 2 to justify findings of May Affect, Not Likely to Adversely Affect species listed under the Endangered Species Act. Given that the Forest Service acknowledges that there is no funding available for the proposed improvements found in Alternative 2, the reliance upon those improvements to minimize impacts to listed species is misplaced.

Mexican Spotted Owl (MSO)

"There is Protected, Restricted/Reserved, and Critical MSO habitat on the Black Bob (Cienega and Henley) and Lower Plaza Allotments." EA at 44. The Cienega Allotment includes MSO PACs. *Ibid.* In owl foraging areas, utilization should be managed carefully and maintained at conservative levels. *Ibid.* While the EA indicates that grazing affects are expected to be insignificant, this is due to the misplaced assumption that the improvements will be implemented and livestock will be restricted in their movements as anticipated for Alternative Two. As we have explained above, the funding necessary for the improvements needed to manage livestock as anticipated in Alternative Two are at this time non-

[1] Brooks *et al.* 2004; Mack and Thompson 1982; Melgoza *et al.* 1990; Belsky and Gelbard 2000.

[2] Belsky and Blumenthal 1997; Kerns *et al.* 2011: 1; Donahue 1999; Kie *et al.* 1991.

existent and unlikely to materialize. Therefore, the "may affect, not likely to adversely affect" determination for MSO is without support in the record.

Loach Minnow and Narrow Headed Garter Snake

The impacts to these species is based upon the assumption that "[t]he entire San Francisco and Tularosa River within the project area has been excluded from livestock grazing through riparian exclosure fencing since the late 1990s except at designated water access points. ***Localized negative watershed conditions are a direct result of ineffective fencing/exclusion that is proposed for remedy as part of the proposed action***. Indirect effects on the Loach minnow would be insignificant and discountable. Therefore, a **May Affect, Not Likely to Adversely Affect** determination is made for the loach minnow and its designated critical habitat for the Black Bob (Cienega) and Lower Plaza Allotments." EA at 49, emphasis added. This same analysis is included for the narrow headed garter snake. EA at 47. However, there is no funding identified for proposed improvements found in Alternative Two. Given the admission that effects analysis is dependent upon improvements in the proposed action that are unlikely to be implemented, the "may affect, not likely to adversely affect" finding is without support in the record.

Mexican Gray Wolf

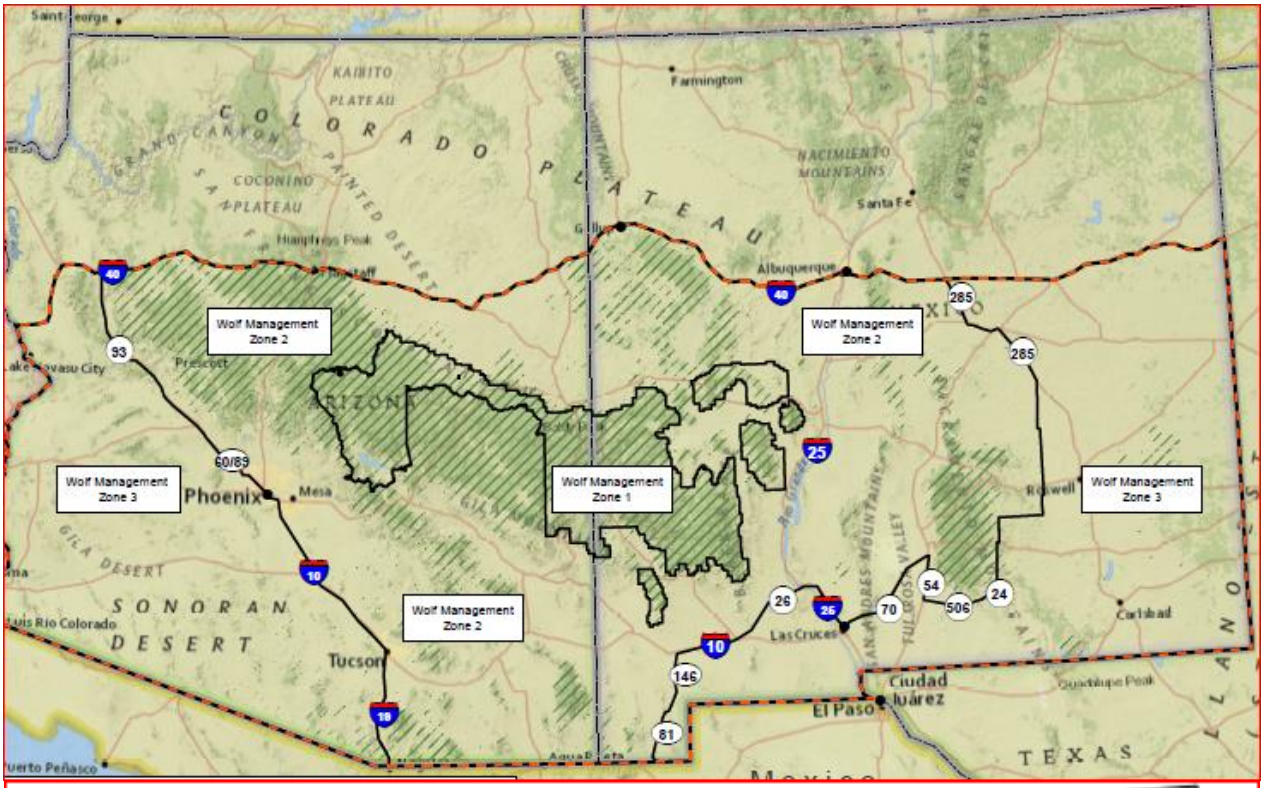
The EA indicates that Mexican gray wolves are located in both the Black Bob and Lower Plaza Allotments and that no known livestock depredations have occurred. EA at 44. We note there is a lack of information in the EA regarding Mexican gray wolf mortalities in the project area. Please provide any information available regarding wolf deaths and causes of death in the project area. Please provide information regarding which permittees have telemetry tracking devices. EA at 45.

Our concerns regarding the lack of funding for range improvements and how that affects the analysis of impacts to species is even more grave regarding the Mexican gray wolf. The Forest Service has improperly relied upon infrastructure funding that it admits does not exist to artificially reduce the anticipated impacts of this project to the wolf:

> A great benefit of Alternative Two, including its Adaptive Management measures and proposed range improvement infrastructure, is to help minimize wildlife and livestock conflicts (i.e., Mexican gray wolf). ***The proposed water developments on each allotment will provide a level of management flexibility that will be responsive to wolf and livestock interactions in a timely manner*** through an AOI amendment. ***Having more water dispersal will allow greater control of grazing activities within a specific pasture. The proposed pasture division fences, traps and corral will provide greater management flexibility and control of livestock to help minimize wolf livestock conflicts***. These proposed improvements are not only beneficial during Mexican gray wolf denning periods but also throughout the year in response to potential wolf and livestock interactions.

EA at 45, emphasis added. This misplaced reliance renders the analysis and "not likely to jeopardize the existence of the wolf" determination invalid and precludes a Finding of No Significant Impact. EA at 46. The assumption that range improvements will provide "flexibility to mitigate wolf-livestock interactions within and across allotment boundaries" is inaccurate at best. EA at 46.

As you can see from the maps below, this project area is in the very heart of Zone 1 of the Mexican gray wolf Management Area. The impacts of this project on this imperiled species cannot be minimized.



On May 24, 2018, WWP sent a letter to the Gila National Forest responsive to the Forest Service's Preliminary Proposed Forest Plan and we offered specific guidance regarding the Mexican gray wolf. We are again providing that information as it is highly relevant for this project. We have included our May 24, 2018 letter as Appendix A and ask that the Forest Service review that document in its entirety for this project.

As we stated in our May 24 letter, under the currently operative 2015 Final Rule for the Revision to the Regulations for the Nonessential Experimental Population of the Mexican Wolf (80 F.R. 2512), the Mexican Wolf Experimental Population Area (MWEPA) stretches from Interstate 40 in the north to the U.S.-Mexico border in the south. The planning area at issue here is well within "Zone 1," the area within which Mexican wolves may be initially released or translocated. *Id*.[3] Recent location data from the U.S. Fish and Wildlife Service indicates the wolves' occupied range includes the project area. *Ibid*.

The Forest Service must consider, analyze, and disclose the impacts of livestock grazing on Mexican wolves, especially regarding the effects on prey species. This information appears lacking in the EA. It is well understood that livestock significantly displace certain native ungulates. Wallace and Krausman, 1987. Some deer species are known to avoid cattle. Krämer 1973. Elk and deer densities can decline by as much as 92 percent in response to introduction of livestock. Clegg 1994. Because wild ungulates and cattle use the landscape in similar ways (by eating plants and moving about the landscape), but wild ungulates are more effective agents of landscape change in a reflexive relationship with ideas of land that stress natural amenities over production, (Hobson *et al*. 2006), the Forest Service must consider the habitat preferences of ungulates as part of this planning process. Frisina 1992. Given that each AUM allocated to livestock effectively redirects the same forage away from native wildlife, the Forest Service should accurately discuss the public trust resources (wildlife) being replaced by private profit (livestock).

Because the ecological costs of livestock have been clearly documented (e.g., Belsky and Blumenthal 1997, Donahue 1999, Fleischner 1994, Gillis 1991, Jones 2001, Mack and Thompson 1982, Milton *et al*. 1994, Painter 1995, using information garnered from reviewing published peer reviewed research and citations therein), advocates of public-lands livestock grazing must be able to demonstrate that low-impact management and ecosystem sustainability are possible, on the basis of careful use of the best available science. They must be able to demonstrate how ecological costs can be minimized. Alien taxa (including domestic livestock) and their associated infrastructure must be treated as a significant ecological stress, and negative impacts on native plants and animals, on soils and soil organisms and on all other aspects of impacted ecosystems must be anticipated and minimized. This can only be done if management decisions are made based on knowledge of the impacted flora, fauna, and ecosystems, and a management program firmly grounded in the best available science, not unsubstantiated opinions, misunderstanding, and misinformation.

As the Forest Service is well aware, livestock and wildlife grazing can modify plant community composition and structure, and overabundant populations negatively impact rangeland–watershed

[3] https://www.fws.gov/southwest/es/mexicanwolf/pdf/Non_Essential_Map.pdf, Accessed November 9, 2018 and attached as Appendix B.

function and wildlife habitats. Danvir, 2018. Negative effects on wildlife may include avoidance of water sources by wildlife, forage loss and altered plant communities, altered bird communities, and impacts to soils and insects. *Ibid*. For this planning process, the Forest Service must fully analyze and disclose how the presence, number, and grazing intensity of livestock will impact the native and nonnative plant communities. This is especially important for summer months when cattle tend to exhibit more intensive foraging over extensive movements and can therefore forage in place longer than native ungulates. Clark *et al*. 2017.

We addressed our concerns about Desired Conditions for Livestock Grazing as it relates to the Forest Plan revision process on the Gila National Forest in our letter to the Forest Service dated April 27, 2018, and reiterated our concerns again in a letter dated May 29, 2018 wherein we further noted that the proposed Desired Conditions, Standards, and Guidelines for rangelands seemed to be contradictory given the best available science. The science related to livestock grazing on federal public lands clearly indicates that livestock grazing in arid landscapes is incompatible with the proposed Desired Conditions, Standards, and Guidelines and for this project, the Forest Service must explain how the project complies with existing and proposed Desired Conditions, Standards and Guidelines, and must also explain how allowing and expanding livestock grazing in Zone 1 complies with the Forest Plans (both existing and proposed) and is consistent with the best available science.

The Gila National Forest provides all of the necessary ecological elements to support Mexican gray wolves. Unfortunately, there are many man-made elements that are putting the wolves in jeopardy. There have been high rates of human-wolf conflict during the nearly two-decades long reintroduction program. The population dropped by 12 percent, from 110 to 97, in 2015 with over a dozen dead adult wolves found during this time. While investigations by law enforcement continue, the majority of these losses were the result of illegal killing, one of the primary factors the United States Fish and Wildlife Service cited in its determination that the species warranted listing under the ESA (80 Fed. Reg. 2488).

As part of this project, the Forest Service must provide strategic and proactive management and guidance to reduce wolf mortality. A greater emphasis on livestock management strategies that emphasize wildlife protection would reduce wolf losses and are a key part of the analysis for this project.

Specifically and in addition to guidance already found in the EA, we recommend that the Forest Service, as part of this project:

- identify and provide secure denning and rendezvous sites for wolf packs and management activities and livestock grazing prohibited during critical biological periods, including whelping and rearing;
- provide a secure condition for Mexican gray wolves by identifying, preventing, and addressing livestock-wolf conflicts, limiting and reducing human-caused wolf mortality;
- avoid or limit disturbance within 0.5 mile of known, active dens and rendezvous sites, incorporating measures to avoid or mitigate impacts of activities from April 1 to July 1;
- require the reporting of livestock carcasses within 24 hours of discovery, followed by proper disposal of the carcass within in or in proximity to established wolf pack home ranges;

- include specific best management practices to reduce livestock-wolf conflicts in the annual operating instructions for grazing permittees within or in proximity to established wolf pack home ranges. These BMPs should include, at a minimum, the removal of wolf attractants during calving season, increased human presence during vulnerable periods, use of range-riders diversionary and deterrent tools such as fladry fencing, airhorns, crackershells, etc. The Forest Service should provide additional information regarding conflict-reduction resources as they are developed;
- within established wolf pack home ranges, for these permits, the Allotment Management Plans, and Annual Operating Plans should incorporate measures to reduce livestock-wolf conflicts and include a clause requiring the modification, cancellation, suspension, or temporary cessation of activities to resolve livestock-wolf conflicts;
- allotments and permits in non-use status shall not be allowed to increase allowable AUMs when returning to use to help prevent livestock-wolf conflicts within established wolf pack home ranges.
- the number of active livestock allotments within established wolf pack home ranges should not be increased;
- existing allotments should only be combined or divided as long as doing so does not result in grazing on currently un-allotted lands or an increase in AUMs;

The determination that this project is not likely to jeopardize the Mexican gray wolf is unsupported in the record and based on the false premise that the species is "non-essential" and "therefore the preliminary determination is not likely to jeopardize the Mexican gray wolf. EA at 46. Further, there is no determination as to whether or not this project is likely to adversely affect the Mexican gray wolf. In short, the analysis and conclusions regarding the impacts of this project to the Mexican gray wolf are inaccurate, inadequate and must be revisited.

As the Forest Service is aware, whether a population is designated "essential" or "nonessential" affects whether federal agencies have a duty to consult with Fish and Wildlife Service (FWS) on certain federal actions under ESA Section 7(a)(2), not whether or not a project is likely to jeopardize a species. Where a population is designated "nonessential," federal agencies are not required to formally consult with FWS on actions likely to jeopardize the continued existence of the species. 16 U.S.C. § 1536(a)(2). Instead, federal agencies must engage in a conferral process that results in conservation recommendations that are not binding upon the agency. *Id*. § 1536(a)(4). It is not clear from the EA whether this legal requirement has been met.

While the FWS made a non-essential determination in 2015, that decision was challenged in court and in April of 2018, the court concluded that because the effect of the 2015 rulemaking was to authorize the release of an experimental population outside its current range, a new essentiality determination was required and the agency's decision to maintain the population's nonessential status without consideration of the best available information was arbitrary and capricious. Therefore, the essential or non-essential status of the Mexican gray wolf is not as described by the Forest Service in the EA, the Forest Service cannot make a determination that the project poses no jeopardy to the species based only on the "non-essential" status of that species and may in fact need to consult with the FWS regarding this project and the impacts to the Mexican gray wolf, and all analysis that flows from these errors must be reconsidered.

Again, we are concerned that the benefits of Alternative 2 are dependent upon the proposed improvements, yet there is no funding for the improvements.

The supposed benefits of Alternative Two for the Mexican gray wolf appear to be aspirational and speculative. EA at 45. The management flexibility needed to reduce the potential for conflicts and protect the Mexican gray wolf are dependent upon the range improvements which are unlikely to be implemented. EA at 45. Given this, and the failure of the EA to analyze the actual and likely impacts of implementing the aspects of Alternative Two such as increased time of year for livestock grazing and changes in AUM distribution and allocation without the necessary infrastructure, the EA as it stands now, and the project as proposed, preclude a Finding of No Significant Impact. Similarly, the determination that this project is not likely to jeopardize the continued existence of the wolf is without foundation. EA at 46.

Forest Plan

While we realize the Forest Service is obligated to follow the existing Forest Plan, we are concerned that the extremely outdated plan, from 1986, is guiding rangeland management when it fails to address important ecological issues such as climate change and fails to account for the current and forecasted drought situation. Exacerbating our concern is that the current Forest Plan is in the midst of a long overdue revision. It is important that decisions made regarding these allotments not foreclose any pending management changes in the revised Forest Plan. Areas that were found suitable and capable for livestock grazing in the 1986 plan could be found unsuitable in the new plan. Management emphases could change, and desired conditions, standards and guidelines are likely to change. We urge great caution when making livestock grazing decisions using a 20th century Forest Plan in light of 21st century environmental concerns. As just one example of an issue in need of urgent updating in Forest Plans is grazing in riparian zones. The 1986 plan states that "[g]razing in riparian zones will be managed to provide for the maintenance and improvement of riparian areas. 1986 Forest Plan at 21. However, there is a large volume of scientific research making clear that livestock grazing and southwestern riparian ecosystems cannot co-exist. *See* Appendix C, Literature Review.

Management Indicator Species are also identified in the Land and Resource Management Plan for the Gila National Forest. How will these species differ between the existing yet outdated plan and the new plan? How would this alter the analysis of the impacts from the proposed action?

Proposed Infrastructure changes

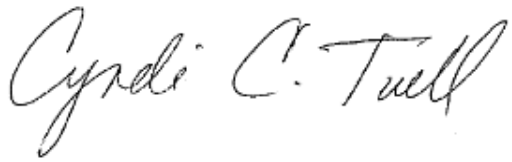
The Forest Service should have analyzed and disclosed the impacts of the proposed infrastructure associated with this project. For example, how much land will be disturbed by the installation of trick tanks and how with the structures be moved to their proposed locations – via road, via helicopter, via stock animals? How much water will be drawn from all proposed new wells? How will the proposed fencing further fragment the landscape? What changes to fencing design and installation are proposed to ensure trespass livestock do not enter the San Francisco River? An important question that should have been asked and answered was why the the three allotments that became the Black Bob allotment were combined and what has changed to make dividing this allotment once again the proper course of

action? The statement that the division will provide "better clarity and focus of livestock management" is vague and doesn't provide the public with actual information on the rationale. EA at 34. Given that the proposed division would "formally incorporate additional flexibility into the management" of the allotment it is clear that this project is a pro forma exercise to officially sanction the status quo. *Ibid.*

Please provide information and documentation that the permittees hold the statutorily required base property for all allotments.

Finally, WWP requests that all information used as part of the decision-making process for this project be posted online on a publicly available manner, preferably on a website that allows open access for all members of the public during all comment and objection periods for this project. WWP appreciates the opportunity to submit these scoping comments and we request that the Forest Service ensure that our comments are incorporated into the project record and that we are included on the project contact list.

Thank you,



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