

Neil Bosworth  
Tonto National Forest Supervisor  
2324 E. McDowell Rd  
Phoenix, AZ 85006

Subject: RE: Bar X and Driveway Grazing Authorization Objection

Hand-delivered and submitted via email to: objections-southwestern-tonto@usda.gov

Dear Supervisor Bosworth,

The following comments on the proposed Bar X and Heber-Reno Sheep Driveway Grazing Authorization project on the Tonto National Forest are submitted on behalf Vicki and Rich Dillenburg. Rich Dillenburg is the "lead objector." Our current address is:

[REDACTED]  
[REDACTED] Vicki and I previously submitted our comments in opposition to reopening the closed Colcord and Haigler Creek pastures on April 8, 2019.

In 2015, we were living full time at our home in [REDACTED] We had purchased our property in 2001 and built our home in 2006. We paid a premium for our property which borders the Tonto forest. Based on the Forest Service decision in 1979, there had been no Bar X cattle grazing in this northern (Turkey/Colcord) allotment that surrounds the Ponderosa and Colcord communities for 35 years. We had never seen cattle in or around of home, nor did we ever expect to see cattle. We have no fence. Colcord Creek divides our property from our neighbor's property. We have a septic tank and leach field for sanitation.

In 2015, despite this area being closed to grazing by order of the Forest Service in 1979, the Forest Service authorized The Bar X, LLC to move as many as 230 cattle into the Turkey/Colcord pasture surrounding the Colcord/Ponderosa communities during July 19 through September 30, 2015. (Source: Annual Operating Instruction dated December 8, 2014). Again, this constituted the first time Bar X cattle had been allowed to graze up here under the Mogollon Rim in 35 years. The cows wreaked havoc in our communities during those few months. They invaded our yards and gardens, sometimes resulting in significant conflicts and damage. One neighbor hid behind her tree from an aggressive bull. Our 12 year old Labrador retriever was nearly trampled. The cows defecated in our yards. They grazed and even bedded down in our yards. Our yard doubles as our septic leach field. The cows stayed in or around Colcord Creek. When we called the Bar X, LLC about the cattle, it responded by citing an ancient and outdated "fence them out" law that if a citizen didn't want cattle on their property, they needed to fence them out. While that was maybe workable 100 years ago, it is not now!

There are an estimated 112 properties in Ponderosa Springs and Ponderosa Springs Estates, and 204 properties in Colcord Estates. That constitutes over 300 properties with families. Most do not have fences, at least fences that can keep out cows. The community of Ponderosa Springs Estates commenced development in 1982 and has never seen cattle from the Bar X in the entire history of its development, and thus there are NO fences. Indeed, both communities of Ponderosa Springs and Ponderosa Springs Estates were largely developed at a time when the Bar X ranch was precluded from using the northern allotments of Colcord and Turkey Peak to graze its cattle. We urge you to keep cattle out of the Colcord pasture and Haigler Creek pasture as it has been for the past 40 years. Below are a list of concerns and we respectfully request that you take a hard look before reversing a decision that has stood for 40 years:

Cost of decision to homeowners: Because of the ancient and outdated “fence them out” laws, if the Forest Service reopens this area after a 40 year closure, the consequence will be that homeowners like us will be forced to spend thousands of dollars for fencing to keep the cattle out of our yards. This is not an inexpensive undertaking. I recently obtained a verbal estimate from Lord’s Fence and the cost to fence our one acre with barb wire is \$5,000! Because our land borders Colcord Creek, we would be required to run a barb wire fence down the middle of the creek. Collectively, the cost for residents to “fence out” cattle could amount to hundreds of thousands of dollars. Many of the Ponderosa and Colcord residents are on a fixed income and may not be able to afford fencing. Will the government subsidize us residents to build fences as the government has subsidized the Bar X operation? The fencing will clearly degrade the use and enjoyment of our properties, quality of life, and potentially property values. But the consequences of not fencing could be very serious. In a letter dated April 5, 2017, (attached hereto as **Exhibit 1**), the Gila County Environmental Engineer states cattle grazing over septic leach fields can compact the soil over time and make it unusable for its intended purpose by restricting air flow to subterranean soils. If our septic fields are ruined, many of us would not have room for another system, or the cost to rehabilitate/rebuild a septic system could be cost prohibitive for many.

There will be cattle human conflicts that could result in serious injury or even death. The EA and FONSI give short shrift to this stating: “Authorizing grazing . . . is . . . not expected to present hazards to the public.” (Source: FONSI at p.5) What about those families that can’t afford fencing and have a young child or grandchild outside playing. God forbid that one gets trampled by a bull or cow guarding its calf. The EA states that cattle would be grazed up here in the summer to fall months. That is the period of highest human use for recreation. Motor vehicle traffic on Colcord Road is at its highest. Please see the attached article dated October 11, 2010, from the New York times. Daniel Patterson, an Arizona legislator, attempted to change these century old laws from a bygone era. The article notes that people have been killed crashing into these huge

ungulates. (**Exhibit 2**). See the following article in the Idaho Statesman at:  
<https://www.idahostatesman.com/news/local/article45880055.html>

If you open up this busy area under the Rim, there will be crashes. In the Addendum to the 1982 Allotment Management Plan, the Forest Supervisor recognized the “severe conflicts between grazing and other resources” that existed even as of 1979. Those “conflicts” will be even more severe in 2019.

The cattle will significantly and adversely affect the wildlife, Haigler Creek and recreational opportunities: T

he main resource objectives in the area of the closed Colcord pasture and Haigler Creek (Management Area 5D) is for “primary emphasis on intensive, sustained yield timber management, timber resource protection, **creation of wildlife habitat diversity, increased populations of emphasis harvest species, and recreation opportunity.**” Direction for this particular area is to manage “suitable rangelands” at “Level D,” and improve grazing management for rangeland in less than satisfactory condition. “Suitable range” is defined as “[r]ange accessible to livestock or wildlife, and that can be grazed on a sustained yield basis **without damage to other resources.**” (See Tonto Plain at page 151) (emphasis added)

The Forest Service stated it would not permit grazing in the closed Colcord pasture unless it determined in future evaluations that the area had recovered and is capable of supporting livestock grazing on a sustained yield basis. (1985 Allotment Management Plan Addendum). The Final Environmental Assessment (FEA) does not even address that, nor mention the thorough studies conducted of this area in the 1970s and 1980s when it was determined this area was “no capacity” and could not support cattle grazing on a sustained yield basis. Instead, the FEA and the Biological Assessment rely on an unpublished Grazing Capacity Analysis by Strula and Bedson that is just six (6) pages!

As the chief Steward of the Tonto Forest, we hope that it alarms you that the Range Staff did not even cite to the thorough studies conducted in the 1970s which showed cattle in the numbers currently proposed displaced elk and deer and resulted in multiple other problems. (For a more complete discussion please see the comments submitted by Neighbors of the Mogollon Rim). Cattle compete directly with elk and deer for the limited resources that exist up here in Colcord pasture and the Forest Service’s own studies conducted in the 1970s and early 1980s, ignored by your staff, documented that the cattle (468 CYL) drove out the elk and destroyed the riparian habitat of Haigler Creek.

And with respect to Haigler Creek, my family and our friends have enjoyed countless trips to Haigler Creek where we have swum and fished and enjoyed the beautiful environment unadulterated by cattle. And we have met other recreationists and know

there must be countless others that enjoy this tiny length of stream. Indeed, it was recently mentioned in an Arizona highways article. If cattle are reintroduced, recreationists will find “unfriendly” wire, cattle defecation in their campgrounds and a defiled stream. We urge you to please take a hard look before reauthorizing cattle in the Haigler Creek area after a forty-year absence. Many more people recreate in the Haigler Creek area than 40 years ago.

In the 40 years that cattle have been banned from the Colcord pasture, we have developed a healthy elk herd and deer population. (See attached pictures from our backyard (**Exhibit 3**). In those pictures you can see the elk eating the same food that the cattle would eat. I have observed this in the field. Notably absent from the FEA is ANY discussion of the current, and desired, elk and deer populations and the biomass necessary to sustain those populations. These kinds of evaluations are readily available. See e.g., Jarbidge Elk Herd Habitat Evaluation: Nevada Department of Wildlife Hunt Unit O72, Jeffrey L. Beck, Ph.D., James M. Peek, Ph.D., Department of Fish and Wildlife Resources, University of Idaho, Moscow, Idaho 83844 (January 2004).

My sons and I are subsistence hunters who have harvested and enjoyed quality cow elk meat over the last 15 years. We know of many others that come to this northern portion of Arizona Game and Fish Unit 23 to hunt for elk and deer. Introducing Bar X cattle after a forty-year closure in the numbers proposed will certainly displace the elk and deer as documented in the Forest Service studies done in the 1970s. The decision to reintroduce cattle will effectively take quality meat off my family’s table, as well as the tables of many other families. The Forest Service has not shown that the reintroduction of cattle will not do damage to this resource.

Our communities of Colcord and Ponderosa Springs are nestled right under the magnificent Mogollon Rim and provide countless recreational opportunities. Today, more people from the Phoenix area recreate under the Mogollon Rim than in the 1970s. The fact is that cattle negatively affect recreational opportunities by their mere presence which: increases negative human – cattle encounters; necessitates barbed wire fences; fouls streams where people camp and fish; brings nuisance pests such as flies, etc. to campgrounds through their waste; and the list goes on. The impacts of cattle on streams and vegetation are even greater now than in the 1970’s due to climate change and drought, so the carrying capacity of the land for grazing is likely even less now. The Colcord and Haigler Creek areas which the Forest Service seeks to reopen after a forty-year closure enjoy a wonderful and diverse wildlife population to include bear, mountain lion, fox, coyote, bobcat, elk, deer and turkey. Attached are photos of the goshawk and turkey in our backyard, right adjacent to the Forest. (**Exhibit 4**). Why would the Forest Service jeopardize this beautiful area up underneath the Rim? Do cattle really need to graze every inch of Arizona including a Ponderosa Forest that is somehow characterized

as a “pasture?” Does the economic well-being of one rancher, who bought the property in 2007 knowing this area was closed, take precedence over the communities, recreationists and wildlife under the Rim?

In conclusion, we respectfully request that you conduct an Environmental Impact Analysis to take a hard look at the consequences of reversing a 40-year-old decision to prohibit grazing in the Haigler Creek and Colcord pastures. Please consider what introducing hundreds of cattle into the closed pasture surrounding our communities will do to us economically and to the quality of life. The newest owner of the Bar X, the Bar X, LLC, came in 2006/2007 and knew the Colcord pasture was closed, and presumably knew of the Forest Service’s own studies that showed how 468 CYL devastated the forest resources in the 1970s and before. It is a significant concern that the FEA does not cite or discuss any of the previous Forest Service studies from the 1970s that demonstrated that 468 CYL had severely degraded the Forest resources and led to reduction of numbers of cattle and closure of Colcord pasture. For this area, Unit 5D, cattle can only be grazed up here as long as they do not damage other resources. Wildlife diversity, habitat, and increased numbers of harvest species take precedence. The FEA does not address this. I know that you must be a very busy man with the responsibility of supervising this giant precious National Forest but would you PLEASE read those studies before making your decision? If you do, I think that you will concur that the Forest Service can simply not scientifically justify more cattle now than what its own studies showed devastated this fragile area in the past. Please don’t do that to this beautiful area under the Rim and to our communities. Please preserve this area for the generations to come. Thank you.

Respectfully submitted October 28, 2019 by:

Vicki Dillenburg

and

Rich Dillenburg

Attachments: Exhibits 1 -4