

Custer Gallatin Land Management Plan Revision Objection Template

Objector's name: Zeb Breuckman

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Name of lead objector (if more than one): Zeb Breuckman

This objection relates to the Custer Gallatin Land Management Plan

Responsible official: Mary Erickson and Virginia Kelly

Statement of issues and/or parts of the plan revision to which the objection applies:

I am writing to object to some of the Custer Gallatin National Forests proposed restrictions on pack goats which are contained in the 2020 Land Management Plan.

Concise statement explaining the objection and suggestion how the proposed plan should be improved:

- **The reasons for this objection are:**

I do support restrictions to enforce best management practices to prevent disease transmission between Pack Goats and Bighorn sheep. Avoiding and reporting contact between bighorn sheep and pack goats, attaching identification to pack goats, requiring that they be under direct human supervision, requiring that they be tethered at night near humans with bells on, and only taking healthy goats into the forest are all appropriate best management practices that I support.

The risk of supervised pack goats transmitting disease to bighorn sheep is very low, and does not support the need to close most of the forest to pack goat use for most of the year. There are alternative options available to protect bighorn sheep, and I encourage the forest service to work with pack goat users, bighorn sheep biologists and other stakeholders to implement them.

Two researchers that have extensively studied disease bighorn sheep, Dr. Thomas Besser of Washington State University and Dr. Maggie Highland of USDA-Agriculture Research Service Animal Disease Unit in Pullman, Washington, spoke in February 2017 at a symposium in Helena sponsored by the Montana Wool Growers Association, Montana Wild Sheep Foundation, and Montana Fish, Wildlife and Parks. Videos of their presentations are available at

<https://www.youtube.com/watch?v=VVbN8Hq5QII&feature=youtu.be> (Dr. Highland) and

<https://www.youtube.com/watch?v=A6ZIYXqYZQ&feature=youtu.be> (Dr. Besser).

Some relevant quotes from their presentations, along with the timestamp from the video are:

Dr. Besser 3:10 "M. ovipneumoniae [Movi] plays a primary role; it's the epidemic agent that starts the process causing epidemic pneumonia of bighorn sheep."

Dr. Besser 7:19 "Movi is not thought to be able to live in the environment for more than a few minutes, so you pretty much have to have a live animal source."

Dr. Besser 15:33 "Domestic sheep do frequently carry Movi. USDA study sheep 2011 documented it in about 80+% of the operations studied..... We got about 60% positive out of the animals in that sample selection".

Dr. Besser 16:42 "Interesting discrepancy between this [movi prevalence among domestic sheep and goats] and what Dr. Highland has reported [movi prevalence among pack goats] and I think it might have to do with the management of those operations as pack goat operations"

Dr. Highland 17:35 Commenting on her recent study that showed very few pack goats carried movi compared to other domestic sheep or goats "[Pack goats had] just overall a very low prevalence, and that is in vast contrast to a recent publication out of Washington State University regarding a prevalence

of sheep and/or goats having 30% plus prevalence of movi. This [Dr. Highland's pack goat study] is vastly different with a lot more animals tested across the West."

Dr. Highland 18:10 "Sheep and goats are often grouped together now, and I don't know if that's appropriate, as far as looking at *Mycoplasma ovipneumoniae*."

Dr. Besser 21:20 "Recently there's been a handful of studies where domestic sheep or domestic goats that were selected because they were movi negative on a routine diagnostic test were comingled with bighorn sheep. Again no epidemic pneumonia has been reported so it contrasts pretty strongly [with 95% of bighorn sheep dying when comingled with domestic sheep that did not test negative for movi]."

The primary disease concern, Movi, requires animal to animal contact between a bighorn sheep and an infected animal. Animal to animal contact between a human-supervised pack goat and a wild bighorn sheep is unlikely because people can avoid bighorn sheep or haze them away. The odds that a pack goat is carrying movi is very low. Dr. Highland's study involved 80 pack goat herds and over 400 pack goats. Only one of the 80 herds had any adult pack goats that were positive for Movi, and this one premises was adjacent to a meat goat herd, which is unusual for a pack goat herd. Only 3 adult pack goats from one herd were movi positive out of over 400 sampled. Goats that are not infected with Movi are not at risk for causing a pneumonia outbreak in bighorn sheep. Movi testing is available from Washington State University's WADDL lab. https://www.wildsheepfoundation.org/cache/DOC47_2019-05-13UpdatedVetMovisamplingprotocol.pdf?20190514031711 I encourage the forest service to consider waiving the proposed season prohibition on pack goats that have a notation on their health certificate that they are Movi negative.

I object to the proposed limit of 4 pack goats per person. I do not object to limiting the number of pack goats per party to 12 but I believe that the number of pack goats per person should be limited to 6 per person rather than 4. Pack goats are often used by hunters to transport their harvest out of the mountains. It takes a minimum of 6 goats to pack out an elk in one load. In order to prevent conflicts between hunters and grizzly bears, it is best if game meat can be removed as quickly as possible. If 6 goats were allowed per person, the meat from an elk could be packed out in one load, which would eliminate the need for hunters to return to their kill site after leaving it unattended when the carcass could be claimed by a bear. 6 goats are a manageable number for a single person to lead.

I object to the proposed seasonal restriction on the use of pack goats. Seasonal restrictions on the use of pack goats were not listed as an alternative during the original public comment period, so there was not opportunity for public comment on the appropriateness of seasonal restrictions, or the particular dates that would be appropriate. In particular I do not believe there is a sound justification for restricting pack goats outside of the bighorn sheep breeding season. According to Montana FWP biologist Julie Cunningham, rams typically do not display rutting behavior (searching for ewes) after early January. Seasonal restrictions, if adopted should be based on facts and circumstances relevant to the Custer Gallatin National Forest and not necessarily align with the restricted dates in National Forests in other states. Other National Forests have different concentrations of bighorn sheep and different Movi prevalence in their bighorn sheep herds.

Rather than limiting the dates that goats can be used, it may be more appropriate to restrict underage (trainee) pack goats from the forest. According to data from Dr. Highland, pack goats Younger goats are more likely to carry Movi. In Dr. Highland's study 27 out of the 30 Movi positive goats were younger than 12 weeks of age – much too young to carry a pack. Goats under 3 years of age are usually not used for packing, but some people allow them to tag along as trainees.

The proposed regulations violate the following forest service regulations:

Forest Service regulations require that "best available science" be taken into account in forest planning. 36 C.F.R. § 219.3. In taking "best available science" into account, the Forest Service must "document how the best available science information was used to inform the assessment, the plan decision, and the monitoring program" and such documentation must "[i]dentify what information was determined to be the best available scientific information, explain the basis for that determination, and explain how the information was applied to the issues considered."

The best available science does not support all of the restrictions proposed.

Allowing healthy pack goats to be used with appropriate best management practices supports the forest service's Multiple Use mandate by sustainably providing recreational opportunities. Pack goats also allow people who may be physically unable to carry a pack to access the forest.

Section 706(2)(A) of the Administrative Procedure Act (APA) prohibits arbitrary and capricious agency actions. The restrictions on pack goat use in the spring are arbitrary and capricious.

- **Proposed Solution:**

Waive the seasonal restrictions for pack goats that have a health certificate noting they are Movi (*Mycoplasma ovipneumoniae*) negative, based on appropriate testing, or vaccination if a vaccine becomes available in the future.

Increase the number of goats allowed per person from 4 to 6.

Eliminate seasonal restrictions on the use of pack goats or modify the restricted dates to November 3 – January 31st

Prohibit use of pack goats less than 1 year of age.

Statement demonstrating the link between objection and prior formal comments:

My prior comments related to the use of pack goats, and the restrictions that would be appropriate. These objections are also related to the use of pack goats and the restrictions that would be appropriate.

Signature: 

Send written objections to: USDA Forest Service, Objection Reviewing Officer, Northern Region, 26 Fort Missoula Road, Missoula, MT 59804.

Office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding Federal holidays. Given current health and safety guidelines an appointment must be made in advance.

Send objection online at: <https://cara.ecosystem-management.org/Public//CommentInput?Project=50185>

Electronic submissions must be submitted in a format that is readable with optical character recognition software (e.g., Word, PDF, Rich Text) and must be searchable. An automated response will confirm that your electronic objection has been received.

Send faxed objections to: (406) 329-3411.

The fax coversheet must include a subject line with "Custer Gallatin Land Management Plan Objection," or "Custer Gallatin Species of Conservation Concern" and should specify the number of pages being submitted.