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**Western
Watersheds
Project**

Working to protect and restore Western Watersheds and Wildlife

November 7, 2019

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Cibola National Forest

2113 Osuna Rd. NE

Albuquerque, NM 87113

Letter submitted via email this date to: cibolamtnsplanrevision@fs.fed.us

Re: Comments on the Cibola National Forest Draft Land Management Plan and Draft Environmental Impact Statement

Dear Cibola Forest Planning Team:

Thank you for the opportunity to comment on the Cibola National Forest's Draft Revised Management Plan (draft plan) and Draft Environmental Impact Statement (DEIS).

While WWP appreciates the opportunity to comment on the DEIS for the Cibola National Forest, we are disappointed that the Santa Fe, Carson, and Cibola National Forests chose to initiate the public comment period for their draft plans and DEISs concurrently, with all three sets of comments having the same deadline. This decision may significantly impede public comment and is inconsistent with the 2012 planning rule's emphasis on the importance of meaningfully involving the public throughout the plan revision process.¹

WWP is a nonprofit organization dedicated to protecting and restoring western watersheds and wildlife through education, public policy initiatives, and legal advocacy. With over 5,000 members and supporters throughout the United States, WWP actively works to protect and improve upland and riparian areas, water quality, fisheries, wildlife, and other natural resources and ecological values. WWP's staff and members are concerned with the management of national forests and public lands throughout New Mexico, including the Cibola National Forest. We work throughout the West, advocating for watersheds, wildlife, and ecological integrity. The ongoing plan revision process affects our interest in the health and integrity of the terrestrial and riparian environments found in the Cibola

¹ See 77 Fed. Reg. 21162, 21178 (Apr. 9, 2012) (describing the rule's "transparent and collaborative approach to planning")

National Forest. Our staff and members regularly visit the Cibola National Forest and enjoy the outstanding wildlife, wilderness, and recreational values the Forest provides.

WWP is concerned with the impacts of livestock grazing on ecological integrity, wildlife, fisheries, recreation, and especially on Mexican gray wolves. Across public lands and national forests in the West, grazing is ubiquitous, and it remains one of the primary commercial uses of the Forest. Too often, however, land managers do not adequately consider the environmental impacts of this widespread and highly extractive use; nor have federal land management agencies considered whether the environmental costs of public lands grazing outweigh the relatively insignificant economic benefits.

WWP asks the Forest Service to acknowledge that there is no way to conduct a sustainable and commercially viable livestock grazing operation in the arid southwest. If sustainable means simply that it can be done year after year, decade after decade, perhaps. But if “sustainable” is defined, as it is more commonly, to mean maintained at a steady level without depleting or exhausting natural or economic resources, public lands livestock operations fail to meet the bar. Public lands grazing operates at a profound financial public deficit (economically unsustainable), has converted and degraded entire landscapes (ecologically unsustainable), converts thousands of gallons of potable water into sewage every year (hydrologically unsustainable), produces greenhouse gases at levels that exceed other forms of agriculture (climatically unsustainable), and results in a product that is demonstrably adverse to human health when ingested frequently or in high amounts (nutritionally unsustainable). Additionally, the reliance on removing top predators from the landscape as a way of making it safe for untended livestock is highly impactful on native wildlife species such as the coyote, cougar, and black bear.

The analysis in the DEIS briefly discusses the long history of livestock grazing in the Cibola National Forest, but fails to acknowledge the long-lasting negative impacts livestock grazing has had on the forest. There is no discussion of how livestock grazing has contributed to and continue to exacerbate altered fire regimes, invasive species, loss of species diversity, and degraded watersheds. The Forest Service states that “[l]ivestock grazing today plays an essential role in providing ecosystem services.”² This is completely incorrect and this statement must be corrected to state that “livestock grazing permittees utilize the ecosystem services of the Cibola National Forest at a greatly reduced cost compared to those same services found on privately owned and managed lands.” Similarly, the “ecological benefits” of livestock grazing are at the very least overstated, if not simply false. “Increased aeration through hoof action” is actually destruction of soil crusts and structure that leads to erosion; “invasive plant control” is more accurately described as invasive plant distribution; “fine fuels reduction” is removal of forage for wildlife as well as removal of plant cover that prevents erosion.³ We have no idea what “maintenance of open space off-forest” refers to and ask the Forest Service to explain this concept, or at least provide some scientific reference for this and all of the hyperbolic statements found in the Draft LRMP. To put it very clearly, livestock are not, and do not provide, ecosystem services. Livestock producers use ecosystem services to produce livestock. Finally, there is not a “congressional mandate to allow grazing[,]” but there is congressional authority to *consider* issuing livestock permits.

² Draft LRMP at 90.

³ *Id.*

To say this is disappointing is an understatement. To say it is likely a violation of federal regulations is accurate. These gross misstatements of fact and law must be corrected.

Therefore, we strongly recommend, among other environmental considerations, that the decisions regarding the proposed forest plan specific to livestock operations take into account the need to address sustainability and to plan for the recovery and expanded habitat of all native predators. In that light, we ask the Cibola National Forest to revisit the livestock grazing section of the Draft LRMP and DEIS.

To address this significant concern, the Forest Service must apply the best available scientific information, 36 C.F.R. § 219.3, to determine which areas of the Forest are suitable for livestock grazing, and which are not. 36 C.F.R. § 219.7(e)(1)(v). Unfortunately, the DEIS and Draft LRMP are silent on this issue, as well as the capability of Forest Service lands to provide forage for livestock. This is a one primary example of a clear and direct failure of the Forest to apply the best available scientific information that must be remedied before the release of a final decision.

A. National Environmental Policy Act Violations

The Forest is violating the National Environmental Policy Act, 42 U.S.C. §4321 et seq. and its implementing regulations, 40 C.F.R. §1500 et seq., by issuing grazing permits and making important grazing management decisions on allotments throughout the Forest without compliance with NEPA's environmental analysis or public participation requirements and by deferring all site-specific analysis to some to-be-completed-but-aspirational revision of the Forest's outdated AMPs.

Analysis of impacts indefinitely deferred

The Forest Service is illegally deferring long-overdue analysis and failing to use the best available science and ignoring known and available information.

These violations are not remedied by the revision process but rather exacerbated by the clear direction to continue defer actual analysis on grazing permits:

Forage-producing National Forest System lands will be managed for livestock grazing and the allotment management plans will be prepared consistent with land management plans.⁴

Unfortunately, the Draft LRMP and DEIS is the perfect example of the NEPA shell game whereby analysis is deferred from the larger planning document to yet to be conducted site-specific analysis, which then refers back to the larger planning document. Clearly, the agency has no intention of actually completing the site-specific analysis and continues to permit the underlying activity in the meantime. This is a clear violation of law and must be remedied before a final decision is implemented. The problems with deferring any action to site-specific analysis are manifold given the tremendous impact livestock grazing has had on the ecological conditions of the Cibola National Forest. As an example from the Draft LRMP, the Forest Service acknowledges that drought conditions have resulted in at least a 15% reduction in the number of authorized livestock over that permitted since 2006.⁵ This thirteen year-old reduction in capacity, capability, and suitability is not reflected in

⁴ Draft LRMP at 90.

⁵ *Id.*

the pending decision to continue to allow an excessive number of livestock to be permitted on the forest. Instead of continuing to “manage grazing pressure on sensitive areas” the Forest Service should be prohibiting grazing on sensitive areas.

Assumptions used for the analysis of impacts are flawed

The Forest Service does not discuss two important issues related to the analysis of the impacts of livestock grazing. In the DEIS section identifying the assumptions used for rangeland management the DEIS is silent on how Animal Unit Months (AUMs) are calculated and is also silent on the important issue of trespass.⁶ Because this important information is missing, the Forest Service must revise the Draft EIS to acknowledge and address the impacts of unauthorized grazing by permittees, as well as disclose how AUMs are calculated.

In 2016, the Government Accounting Office identified actions needed by federal agencies to improve the tracking and deterrence efforts on this front.⁷ This 2016 GAO report found that the frequency and extent of unauthorized livestock grazing on Forest Service lands is largely unknown because agencies “prefer to handle most incidents informally” with a phone call and these violations of law are not recorded, and yet despite this vast underreporting of livestock grazing violations the report indicates 1,500 incidents of unauthorized grazing where formal action was taken between 2010 and 2014, with more than 600 incidents reported on Forest Service lands and a large number of those occurring in Region 3.⁸ With this information in mind, the Forest Service should, for this project, disclose the level of unauthorized grazing that has occurred on this allotment over the past 10 years, including incidents that were handled “informally,” including willful and non-willful incidents. The cumulative impact of unauthorized livestock grazing is undisclosed in this EA and this deficiency must be corrected.

For calculating Animal Unit Months (AUMs), wherein the animal unit is defined as one mature cow and her nursing calf, the Forest Service should use the well-known that the average livestock weight, which is in excess of 1,300 pounds.⁹

These missing assumptions are critical for the impacts analysis in all alternatives. Therefore, the Forest Service must take a step back, revise the assumptions and analysis, and provide the public with an opportunity to review and comment upon the new analysis.

Range of Alternatives is inadequate

The analysis of alternatives under the National Environmental Policy Act (NEPA) is the “heart” of an environmental impact statement (EIS).¹⁰ The Forest Service must “[r]igorously explore and objectively evaluate all reasonable alternatives” to a proposed action.¹¹ “Without substantive, comparative

⁶ Draft EIS, Vol. 1&2.

⁷ See Appendix A, GAO Report to the Committee on Natural Resources, House of Representatives: Unauthorized Grazing: Actions Needed to Improve Tracking and Deterrence Efforts.

⁸ *Id.* at 1, 57-58.

⁹ See Livestock Slaughter, USDA, National Agricultural Statistics Service, June 2019.

¹⁰ 40 C.F.R. § 1502.14.

¹¹ *Id.* § 1502.14(a); see also 42 U.S.C. § 4332(2)(E) (agencies must “study, develop and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources”).

environmental impact information regarding other possible courses of action, the ability of an EIS to inform agency deliberation and facilitate public involvement would be greatly degraded.”¹² Consistent with NEPA’s basic policy objective to protect the environment, this includes more environmentally protective alternatives.¹³

An agency risks a finding that it has violated NEPA if it considers only the no action alternative and its primary, preferred alternatives, and ignores action alternatives suggested in public comments.¹⁴ Put simply, “[t]he existence of a viable but unexamined alternative renders an [EA] inadequate.”¹⁵

There is no requirement for any changes in grazing management to occur until site-specific Allotment Management Plans (AMPs) are created or revised. No alternatives propose any interim management prescriptions for livestock grazing even though the DEIS is replete with references to current grazing practices responsible for conditions that are far below the current or proposed desired conditions.

The Forest Service also should have considered an alternative that would authorize the permanent retirement of grazing allotments that are voluntarily waived by the permittee. The Forest Plan must allow permits to be waived back to the agency for permanent resource protection. The option of permanent voluntary retirement of permits and associated grazing privileges represents an equitable solution to wildlife conflicts with agricultural operations on public lands. It provides security to livestock producers facing declining economic returns, increasing price instability, a shrinking available workforce, and other challenges, and allows the Forest Service to redesignate lands to other uses, including wildlife habitat, recreation, and hunting. The permit waiver system represents the increasing public interest in maintaining natural systems and restoring native species, and allows land managers to facilitate the win-win resolution of grazing conflicts which impact not only native species, but also water quality and the recreational experience of users. Allotments already vacated for resource protection, either through Forest Service actions or through the voluntary relinquishment of grazing preference, must be closed.

B. Climate Change

The draft plan and DEIS do address climate change. However, the discussion is scattered. There is no comprehensive section concerning climate change in either the draft plan or DEIS. The piecemeal approach to the issue of climate change makes it difficult to develop an understanding of how the Forest Service is planning to address climate change and how climate change is likely to impact the forest. It also makes it difficult to determine what gaps exist in the Cibola’s climate-related management direction and environmental analysis. The Forest Service should address these shortcomings in the final plan and final EIS to ensure that the big-picture context on climate change is clearly delineated and available to guide forest management.

¹² *New Mexico ex rel. Richardson v. BLM*, 565 F.3d 683, 708 (10th Cir. 2009).

¹³ 40 C.F.R. § 1500.2(e) (agencies must “[u]se the NEPA process to identify and assess reasonable alternatives to proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment”).

¹⁴ *See, e.g., Soda Mountain Wilderness Council v. Bureau of Land Management*, 534 Fed. Appx. 680 (9th Cir. 2013), on remand to, 2013 WL 4786242 (D. Or. 2013) (failure to consider alternative to timber sale that would not have required building new roads to access three units in the project area).

¹⁵ *Western Watersheds Project v. Abbey*, 719 F.3d 1035, 1050 (9th Cir. 2013).

The Forest Service should include a climate alternative or significantly improve its climate analysis for the existing alternatives. Relying on management approaches to address climate management challenges is ineffective because management approaches are not enforceable and may never actually be implemented. Actual enforceable plan components and corresponding monitoring indicators are needed to effectively address climate change, and they must be included in the final plan.

NEPA expressly calls on agencies to provide for intergenerational equity, stating that it is intended to “fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.”¹⁶ This is particularly relevant with respect to climate change, given its long-lasting impacts. The Forest Service Planning Handbooks moreover explain that forest plan components should be developed through a forward looking, future-based viewpoint.¹⁷

The Forest Service has repeatedly acknowledged and committed to using the lands it manages to effectively address climate change impacts and sequester carbon. For example, the Forest Service Global Change Research Strategy states that forests “play an important role in reducing the buildup of greenhouse gases in the atmosphere by sequestering carbon.”¹⁸ In the same document, the Forest Service commits to identifying best management practices that will increase carbon sequestration while supporting ecosystem health.¹⁹

The USFS National Roadmap for Responding to Climate Change also addresses the importance of climate change adaptation and mitigation in national forests. It identifies several adaptive management strategies that the Forest Service will use, including building resistance to climate-related stressors, increasing ecosystem resilience, and when necessary, facilitating large-scale ecological transitions.²⁰ Carbon sequestration is the primary mitigation strategy of the Forest Service, which has committed to “[p]romoting the uptake of atmospheric carbon by forests and the storage of carbon.”²¹ The Forest Service also developed a Climate Change Performance Scorecard that each National Forest must complete annually.²²

There is insufficient analysis of the impacts of managed decisions on the environment *in light of the compounding impacts of climate change*. For example, given the likelihood of hotter and dryer conditions in the southwest, how will this project exacerbate the already alarming impacts associated with the impacts of climate change on game species, threatened and endangered species, or special status species? How will livestock grazing related fencing and infrastructure further fragment the landscape and how will this impact species already harmed by the rapid on-the-ground changes associated with climate change? How does climate change affect what the Forest Service considers suitable range for livestock? These questions have not been asked nor answered.

¹⁶ 42 U.S.C. 4331(b)(1).

¹⁷ FSH 1909.12, § 23.11 (“In light of possible changes in species composition under the effects of climate change and with a focus on restoration, the Agency designs plan components to provide ecological conditions to sustain functional ecosystems based on a future viewpoint.”).

¹⁸ The Forest Service Global Change Research Strategy, 5, 2009-2019.

¹⁹ *Id.*

²⁰ USFS National Roadmap for Responding to Climate Change, 19-20 (2010).

²¹ *Id.*

²² See USFS, *Performance Scorecard for Implementing the Forest Service Climate Change Strategy*, <https://www.fs.fed.us/climatechange/advisor/scorecard.html> (with links to the scorecard and related materials).

The incomplete consideration of climate change in the draft plan and DEIS is inconsistent both with the requirements of NEPA and Forest Service policy. More is needed to ensure that the Forest Service complies with applicable requirements and appropriately considers climate impacts, the forest's ability to mitigate climate change (e.g. by carbon sequestration), and the forest's level of resilience and ability to adapt to climate-related stressors.

We recommend that the Forest Service include a section on climate change in the draft plan that describes climate change impacts on the forest, explains how the Forest Service plans to address climate change (including climate mitigation, adaptation, and resilience), and cross-references all plan components that concern climate change. If the Forest Service is concerned about creating redundancy in the forest plan, the agency could include either a table that lists the plan component code without the text or all of the climate-related plan components in an appendix to the draft plan.

The Cibola should also include a comprehensive section on climate change in the final EIS. The analysis should describe current and expected climate impacts in the Cibola National Forest and explain how the various alternatives would address climate change. Climate impacts should be described in detail, including impacts on temperature, precipitation patterns, drought, wildfire, water resources, vegetation, species and habitat, insect infestations, disease, and invasive species. In addition to information about ecological impacts related to climate change, socioeconomic impacts and impacts on human activity in the Cibola National Forest should be described in detail.

C. Specific Recommendations for Changes to the Draft LRMP

WWP's recommended changes to the Draft LRMP are below. ~~Strikethrough~~ indicates our recommended deletion and ALL CAPS indicates our recommended addition to the text found on pages 91-92 of the Draft LRMP.

Desired Conditions (FW-DC-GR)

1. ~~Sustainable~~ rangelands provide forage for WILDLIFE AND livestock grazing opportunities that contribute to the agricultural business, local employment, traditional lifestyles, and generational ties to the land.
2. Livestock grazing contributes to the long-term socioeconomic diversity, stability, and cultural identity of local communities.
3. Rangelands are resilient to disturbances and variations in the natural environment (such as fire, flood, and climate variability).
4. Livestock grazing is ONLY PERMITTED WHERE compatible with ecological functions and processes (such as water infiltration, wildlife habitat, soil stability, and natural fire regimes). Livestock grazing is also compatible with the social resources of the national forest including designated areas (like wilderness).

5. Native plant communities support diverse age classes of shrubs, and vigorous, diverse, self-sustaining understories of grasses and forbs relative to site potential, while providing forage for WILDLIFE AND, WHERE APPROPRIATE, livestock ~~and wildlife~~.

6. Wetland and riparian areas consist of native obligate wetland species and a diversity of riparian plant communities consistent with site potential and relative to riparian desired conditions.

Objectives (FW-OBJ-GR)

1. Remove, improve, or reconstruct at least 15 to 20 improvements annually (such as fences, water developments, and cattle guards) that are no longer necessary or in poor condition or to move toward desired conditions.

Standards (FW-STD-GR)

1. Livestock management shall be compatible with capacity and address ecological concerns (such as forage FOR WILDLIFE, invasive plants, at-risk species, soils, riparian health, and water quality) that are departed from desired conditions.

2. New or reconstructed fencing shall allow wildlife passage, except where specifically intended to exclude wildlife (like an elk enclosure fence) or to protect human health and safety.

3. New and reconstructed range improvements must be designed to prevent wildlife entrapment and provide safe egress for wildlife (for example, escape ramps in water troughs and cattle guards).

4. Grazing of domestic sheep or goats shall not be authorized in areas occupied by bighorn sheep to mitigate the potential transfer of disease from domestic sheep to bighorn sheep.

Guidelines (FW-GDL-GR)

1. Forage use should be based on current and desired ecological conditions and livestock use as determined during planning cycles (such as annual operating instructions and permit renewal) AND WITH INPUT FROM INTERESTED PARTIES, INCLUDING CONSERVATION ORGANIZATIONS, to sustain livestock grazing and maintain ecological function and processes.

2. Livestock grazing SHALL BE PROHIBITED within riparian management zones ~~should be managed~~ IN ORDER to sustain proper stream channel morphology, floodplain function, and riparian vegetation desired conditions.

3. New livestock troughs, tanks, and holding facilities ~~should~~ SHALL be located away from riparian management zones to protect riparian ecological resources and to minimize long-term detrimental impacts, unless necessary for resource enhancement or protection.

4. New range infrastructure (such as troughs and tanks) ~~should~~ SHALL be designed to avoid long-term negative impacts to soil resources (like soil compaction and soil loss) to maintain hydrological function outside the structure's footprint.

5. Salting or mineral supplementation ~~should~~ SHALL not occur on or adjacent to areas that are especially sensitive to salt (such as at-risk plant species habitat, riparian areas, wetlands, or archeological sites) and where there is increased traffic from ungulates to protect these sites.
6. Restocking and management of grazing allotments following a major disturbance (such as fire or flood) ~~should~~ SHALL occur on a case-by-case basis after consideration of site-specific resource conditions.
7. Vacant or understocked allotments should be considered for VOLUNTARY PERMIT RETIREMENT ~~livestock use with permitted livestock during times or events when other active allotments are unavailable or require ecosystem recovery as a result of natural disturbances like wildfire or management activities such as vegetation restoration treatments.~~
8. Historically closed allotments (such as those near the Carnue and Las Huertas communities on Sandia Ranger District and the Chilili and Manzano communities on the Mountainair Ranger District) should be considered for VOLUNTARY PERMIT RENEWAL AND/OR new grazing authorization for local historic community grazing allotments or for local existing permittees in case of a need resulting from natural disturbances (for example, wildfire) or management activities (for example, vegetation restoration treatments). Site-specific environmental analysis conducted to consider reopening of these closed allotments for grazing ~~should~~ SHALL consider THE ENVIRONMENTAL IMPACT OF THE PROPOSED USE ON PREVIOUSLY UNGRAZED AREAS, practicable boundaries for newly permitted grazing and consider minimizing conflicts with other uses, such as developed and undeveloped recreations sites, existing special uses, transportation and utility infrastructure, and available water developments and access issues.
9. New grazing infrastructure ~~should~~ SHALL be designed to meet the scenic integrity objectives of the area.

Management Approaches (FW-MGAP-GR)

1. Cooperate, collaborate, and coordinate with permit holders AND INTERESTED PARTIES, INCLUDING CONSERVATION ORGANIZATIONS to respond to changing resource conditions. Cooperation, collaboration, and coordination among Cibola managers, INTERESTED PARTIES, and permit holders is key to improving rangeland and forest conditions for multiple uses, moving towards desired conditions, and contributing to the socio-economic well-being of local communities. In addition, collaboration among stakeholders is important, including local communities; permit holders; CONSERVATION ORGANIZATIONS, and Federal, State, county, and local government entities.
2. Acknowledge ~~the importance of~~ livestock grazing as a ~~traditional and cultural~~ practice that helps support the socioeconomic well-being of individual families within local communities.
3. CONSIDER Emphasizing large-scale landscape approaches and treatments for restoring rangelands and the use and perpetuation of a diversity of native plant species, with an emphasis on grass, forb, and shrub communities.

4. Implement adaptive management strategies to manage livestock grazing in a manner that promotes ecosystem resiliency, sustainability, and species diversity based on changes in range conditions, climate, and other resource conditions. The adaptive management strategy is to provide more flexibility to grazing management while improving or maintaining the health of rangelands. THE ADAPTIVE MANAGEMENT APPROACH SHOULD INCLUDE CONSIDERATION OF VOLUNTARY PERMIT RETIREMENT.

5. Consider accessible pass-through sections for recreationists (such as walk-through gates or self-closing gates) where designated trails intersect with allotment fences, unless they interfere with range management and resource protection.

6. Facilitate dialogue between the New Mexico Department of Game and Fish personnel and permit holders about ungulates (elk, deer, and livestock) and the cumulative impacts on national forest resources WITH AN EMPHASIS ON THE NEED TO PRIORITIZE FOREST SERVICE LANDS FOR WILDLIFE USE.

7. Adapt management strategies to promote cost effective use of range infrastructure that is balanced with forage values provided. THE ADAPTIVE MANAGEMENT APPROACH SHOULD INCLUDE CONSIDERATION OF VOLUNTARY PERMIT RETIREMENT.

D. Recommendations for Annual Operating Instructions

In light of the challenges faced by the Mexican gray wolf recovery team and the wolf itself, WWP submitted recommended Annual Operating Instructions (AOIs) for 2019 and all years thereafter and suggested the AOIs include Special Management Instructions for allotments located in suitable or occupied habitat for the Mexican gray wolf. We made this request with the hope of encouraging a more cooperative and successful partnership between the U.S. Forest Service, public lands users, and the U.S. Fish and Wildlife Service in the recovery of the Mexican gray wolf.

WWP has submitted management recommendations to other Forest Service units in Region 3 for inclusion in Forest Plan revisions that are currently underway, as well as for inclusion in AOIs. By asking for these Special Management Instructions to be implemented as part of the AOIs throughout Region 3, we hope to reduce the impacts of livestock grazing to the highly endangered Mexican gray wolf, and these recommendations are appropriate to protect other predators as well. Therefore, we are asking the Cibola National Forest to include such recommendations as part of the Forest Plan revision process as a recommended Management Approach.

Here, we request that the following instructions are included in all AOIs for all allotments located within suitable or occupied Mexican gray wolf habitat:

Management Approach for AOIs

The Cibola National Forest includes Zone 1, 2, and 3 of the Mexican gray wolf recovery area and the wolves are known to exist in the Cibola National Forest. “Best Practices” for protecting livestock and grazing operations where wolves are present have been successful in reducing negative interactions

between wolves and livestock. These best practices must be included in Annual Operating Instructions and Allotment Management plans, must be followed, and include:

1. Removing, destroying, burying, or placing electric fencing around dead livestock discovered on allotments if carcasses would attract wolves into high use areas such as currently grazed meadows, salting grounds, water sources, or holding corrals.
2. Removing sick or injured livestock from grazing allotments to prevent them from being targeted by wolves.
3. Increasing range riding to provide a more consistent human presence around your cattle. This has proven to be one of the most effective means for reducing wolf-livestock interactions and depredation.

In case of discovery or notification of an active wolf den in an allotment (or within one mile of an allotment), these additional best practices must be followed:

1. Delay livestock turnout until July 1st. Using alternate grazing units (preferably 3 miles from an active den site) is also an effective strategy if livestock can be held on the alternate unit until after July 1st.
2. Avoid/delay allotment management activities (such as fence maintenance) near active wolf den sites between April 1st and July 1st.
3. Do not place salt or other livestock attractants within 3 miles of wolf den sites or rendezvous sites.
4. Check livestock twice per day when cattle are in a unit with an active wolf den or rendezvous site.

Any wolf control action must be initiated by the US Fish and Wildlife Service. There is nothing in your Grazing Permit, Allotment Management Plans (AMPs), or in these Annual Operation Instructions (AOI) that authorizes predator control.

Any wolf sightings, wolf/livestock interaction, or evidence of depredation should be immediately reported to the U.S. Fish and Wildlife Service, the U.S. Forest Service.

For this allotment, the permittee is aware:

- The allotment does include wolf habitat and the possibility of predator-livestock conflicts exists and will be an ongoing part of managing livestock on the allotment;
- The permittee has an obligation to comply with the Endangered Species Act, among all other federal laws;
- The Forest Service will provide conflict-reduction resources as they are developed;
- A grazing permit in non-use status shall not be allowed to increase allowable animal unit months when returning to use to help prevent livestock-wolf conflicts within established wolf pack home ranges
- The Forest Service has provided notification to the permittee regarding BMPs to minimize the potential for wolf-livestock, wolf-dog interactions

- Permittees must avoid or limit disturbance within 0.5 mile of known, active dens and rendezvous sites and must incorporate measures to avoid or mitigate impacts of ranch-related activities from April 1 to July 1;
- Permittees must bury or remove livestock carcasses within 24 hours of discovery;
- Permittees must implement specific best management practices to reduce livestock-wolf conflicts within or in proximity to established wolf pack home ranges, including, at a minimum, the removal of wolf attractants during calving season, increased human presence during vulnerable periods, use of range-riders and diversionary and deterrent tools such as fladry fencing, airhorns, crackershells, etc.;
- Measures to reduce livestock-wolf conflicts, including a clause notifying the permittee of the potential for modification, cancellation, suspension, or temporary cessation of livestock activities to resolve livestock-wolf conflicts and reduce wolf mortality;
- Permittees are prohibited from using leg-hold traps to manage livestock predation on any allotments where Mexican gray wolves are known to be present;

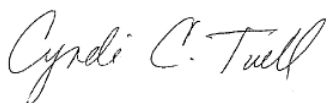
All AOIs should include a notice to grazing permittees that they may take conservation non-use for the sake of promoting wolf recovery on these allotments, pursuant to the Forest Service regulations at 36 C.F.R. 222.3 Issuance of grazing and livestock use permits 36 CFR 222.3 Issuance of grazing and livestock use permits(C)(1)(iv)(D); Forest Service Handbook 2209.13(17.2) Nonuse for Resource Protection or Development.

We recommend the Forest Service notify permittees about issues related to livestock management and drought conditions include drought management recommendations, as related to wolf-livestock conflict, in AOIs. Drought management planning should take into consideration increased competition between wolves, native prey and livestock for forage and resources and the Forest Service should maintain an adequate supply of food for wildlife it intends to avoid livestock-wolf conflict.

Conclusion

Western Watersheds Project encourages the Forest Service to revise the existing environmental analysis to correct the deficiencies we have identified above. We look forward to reviewing the next step in this NEPA process for Forest Plan Revision.

Sincerely,



Cyndi Tuell
Arizona and New Mexico Director
Western Watersheds Project