April 23, 2024

USFS Intermountain Regional Office
324 25th Street
Ogden, UT 84401
Lance Brown, Austin Tonopah District Ranger

Re: Monitor-Toquima Range Vacant Allotment Project

Pine Creek Ranch (PCR) is pleased to provide comments on the Monitor-Toquima Range Vacant Allotment Project. PCR is a privately owned ranch located in the middle of the Monitor Valley. PCR represents the historic land base which previously held the subject allotments for livestock grazing. The ownership of PCR has most recently changed with the objective to become a fully operational ranch in Central Nevada with a new vision for restoring a broken past. Forest Service Grazing Allotments are a critical component to allow the Pine Creek Ranch's private lands to remain open space, undeveloped, and functional with the surrounding landscape.

At the Pine Creek Ranch, we adhere to the following principles and philosophies:

- **With correct management, a diversity of livestock species can be used as tools to maintain and improve ecological conditions.**
- **Good land management includes both art and science; where art is informed by the best available ecological, social, and economic science.**
- **Multiple heartbeats – of humans, livestock, and wildlife – share this landscape, and**
- **Good land management requires the inclusion of all stakeholders working in a respectful environment that strengthens long term relationships.**
- **Indigenous presence and knowledge, that was once forcibly removed, seeks a future with the land, water, wildlife, and people working together.**

PCR provides the following comments in the spirit of adding support to the great work that has been done to complete the Environmental Assessment on the subject allotments and to ensure all perspectives will be considered in the formation of Allotment Management Plans. In addition to PCR's general comments, PCR makes specific recommendations, below, for changes in the draft plan consistent with the research and literature cited, PCR's general comments, PCR's water right claims, and PCR's principles of sustainable ranch management. We trust that the comments provided herein, both general and specific, will ultimately be constructive and helpful in making the best final decision.

General Comments:

Adaptive Management- For the past several decades, there has been discussion and challenges with adaptive management on public lands. Most successful private land management practitioners have incorporated some level of adaptive management into their

decision-making process and yet most public land is managed with prescribed grazing protocols that can often remain unchanged for decades even though the landscape is constantly changing. In many instances, when adaptive management has been introduced or attempted, it has been contested for lack of adequate triggers and responses for the iterative methodology. We believe that lack of active management of livestock was the main cause of any harm that livestock caused to the ecological conditions on these subject allotments. As the agency considers their final decision and Allotment Management Plans, we believe a reliable and sustainable form of adaptive/flexible management with actively monitored thresholds and responses should be considered. We believe that a process of Flexibility with Accountability will lead to improved social and ecological conditions around these permits.

Multiple Species Grazing- One of the biggest losses in recent years is the diversity of species of livestock on the western rangelands. PCR believes that proper management including a diversity of livestock will ultimately result in and achieve better range conditions than cattle alone. Attributes of sheep and/or goats on these allotments can provide alternatives to enhance ecological conditions within the constraints that have been pointed out in the draft decision[1]. They include less water requirements in an environment with limited water availability, more maneuverability to travel long distances, and less physical impact around certain plant species or sensitive places. We do not believe it can be overemphasized that there is a need to be more adaptive as conditions change across the landscape and more "in tune" with naturally occurring species and production models. Having multiple species of livestock and diversity of income sources is critical for the long-term success of the landscape and any ranching enterprise that may rely on public land grazing. Based on these allotment evaluations that are dominated shrublands, an alternative for diverse livestock species other than cattle alone, should be a strong consideration.

Collaboration/Inclusion- The terms Consultation and Coordination within agency jargon have specific legal meanings. However, these terms should not be confused with genuine collaboration, which involves a more inclusive and participatory approach. Addressing the social aspects alongside ecological and financial concerns in the development of allotment management plans requires a deeper engagement with community stakeholders. By fostering true collaboration, beyond minimum legal requirements associated with consultation and coordination, would enhance consultation, coordination, and stakeholder involvement and thereby improve outcomes within the Monitor-Toquima Range Allotment project area. PCR would appreciate the opportunity to be included in the discussion of Allotment Management Plans as the Forest Service moves forward.

Reduced AUMs- The agency should "double down" on the concept of active management and diversity of species of livestock rather than AUMs as the primary method for improving ecological conditions within the allotments. Reduction in AUMs should not be confused with less impact. Believing that fewer animals will improve or protect habitat, upland understory, and riparian conditions is unverified. Research validates that it is not the number of livestock (stocking rate) that can negatively affect these conditions, but more precisely, 1) the time of year that livestock are allowed to graze, 2) how frequently livestock return to that same area, 3) what type of livestock are being allowed to graze, 4) how long

[1] Davison et al (2007) Livestock Grazing Guide; Strand et al (2014) Livestock Grazing Effects on Fuel Loads for Wildland Fire in Sagebrush Dominated Ecosystem. Journal or Range Management Volume 1, 2014 pp. 35-57 ISSN: 2331-5512

livestock are allowed continuous access a particular area.[2]

Water Rights- As the proposed grazing allotment plan is considered, it is vital to recognize the presence of privately-owned water rights on these public lands. Any changes in land use must safeguard access to and use of these water sources, respecting legal rights and ensuring ecological balance. The management strategy should include active monitoring and adaptive responses to maintain water availability and quality, in alignment with commitments to flexible and accountable land stewardship. Engaging with water rights holders and other stakeholders will be crucial in developing a sustainable approach that integrates their interests with public land management goals. As water rights holders, PCR looks forward to actively participating in this dialogue as the Forest Service advances its planning efforts. PCR looks forward to continuing to engage and coordinate with the agency on this matter.

Specific Comments and Recommendations for Changes in the Draft Plan:

1) *Reauthorize livestock in the Monitor East and Monitor West allotments as Forage Reserves until such time as the Bureau of Land Management makes a decision regarding livestock grazing on their Monitor allotment. The long-term usefulness of these allotments is their connection across the BLM managed public lands. Without that connection they will function better as forage reserves rather than standalone allotments.*[3]

PCR would agree that the Monitor East and Monitor West Allotments are interconnected with the Bureau of Land Management Monitor Allotment and that a final decision cannot be made on these without the collaboration of the BLM and a permittee. These allotments are unfenced from each other and would take a combined Allotment Management Plan to be managed with success. There are examples of the Forest Service and BLM working together to create combined Allotment Management Plans and we would advise this to take place.

2) *Authorize livestock grazing on the Meadow Canyon allotment for use during the summer as a forage reserve. As one of the larger allotments, the Meadow Canyon allotment could provide an emergency source of summer forage for permittees who have been pushed off their permitted allotments by fire, drought, or other extenuating circumstances. Use of these forage reserves would be consistent with the numbers, seasons of use and utilization prescribed in the proposed action (EA, pp. 5-10, Table 2,and Table 3). As forage reserves, use is not anticipated to be annual and when they are not in use, they will be rested. This rest will allow the allotments to continue to provide the high value wildlife habitat they currently support and the vegetation to recover following a season of use.*[4]

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[2] *Reducing stocking rates at the pasture level is often not effective at altering livestock use in riparian areas to support riparian functions and allow recovery.* Swanson et al (2015) Practical Grazing Management to Maintain or Restore Riparian Functions and Values on Rangeland. Journal of Range Management Volume 2, 2015 pp1-28, ISSN 2331-5512

[3] *Draft Decision Notice, Monitor-Toquima Range Vacant Allotment Project*. U.S. Forest Service, Austin-Tonopah Ranger District, Humboldt-Toiyabe National Forest (2024) p.1.

[4] *Id.*

The Meadow Canyon allotment is rugged and isolated. Access to this allotment is challenging and would not be conducive to livestock operators or livestock that are unfamiliar with the area. Infrastructure that is in the area will need to be maintained and this is not practical for permittees that are only going to get a temporary season of grazing. The hardship will ultimately be on PCR who owns the private irrigated lands in the heart of the Meadow Canyon allotment. If this permit is used as a forage reserve with livestock unfamiliar with the area, they will end up on the bottom of the allotment putting undue pressure on the private boundary fences. Roads in the area are inaccessible for trucking livestock to the allotment or removing livestock from the allotment and therefore there will need to exist temporary trailing permits from BLM and permission from PCR to get cattle to and from the allotment. We suggest that this allotment be run in conjunction with the BLM grazing lands and PCR private lands in the area with an Allotment Management Plan that works in collaboration with these other entities.

3) *Reauthorize livestock grazing on the Table Mountain allotment and a 10-year term grazing permit will be issued. The Table Mountain allotment has multiple dependable water sources, existing infrastructure that will allow for active and proper management of livestock across the allotment. Rationale for this decision stems from the analysis in the EA and supporting project record. The Table Mountain allotment [was not selected as a forage reserve because of all the allotments considered in the analysis, it has the greatest potential to provide forage for livestock and maintain the desired ecological conditions as identified in the Forest Plan.*[5]

We agree that a term grazing permit should be issued for the Table Mountain allotment. However, the ultimate Allotment Management plan will prove to be the most valuable document for the future success of the Forest Service and Permittee to continue to improve the ecological conditions of the allotment. Having flexibility and accountability within the grazing terms and conditions will be paramount. Investing in proper infrastructure and using a consistent permittee to help manage and maintain those improvements will also be critical. Additionally, it is essential for the Forest Service to thoroughly evaluate access and use issues associated with private water rights within this allotment, including how that may affect a permittee. The final decision notice should require the USFS to engage in close coordination with water rights holders, as this will be crucial to effectively managing these resources.

4) *Reauthorize livestock grazing on the McKinney and Silver Creek allotments as forage reserves available for winter use. The limited availability of water during summer months and lower productivity of these areas would not support livestock grazing during the remainder of the year. In the winter, when needed, livestock could graze available forage and access water that is available during that period.*[6]

We agree that McKinney and Silver Creek allotments are best used during the wintertime because of limited water availability. McKinney and Silver Creek allotments are interconnected with the Bureau of Land Management Ralston Allotment. There are few physical barriers and no infrastructure to provide separation between the BLM and the Forest Service Allotments. For those reasons alone we suggest these allotments be managed similar to the West and East Monitor Valley allotments with a final decision for an Allotment

[5] *Id.*

[6] *Id.*

Management plan being developed between a permittee and the Bureau of Land Management. Additionally, it is essential for the Forest service to thoroughly evaluate access and use issues associated with private water rights within the allotments, including how that may affect a permittee. The final decision notice should require the USFS to engage in close coordination with water rights holders, as this will be crucial to effectively managing these resources. Sheep would be an ideal species to consider for these permits because of their limited water consumption, ability to navigate rugged terrain, and their ability to utilize the most abundant forage that is available in this allotment. A more collaborative approach among the Forest Service, BLM, and permittee should be taken to develop a combined Allotment Management Plan for these allotments.

Summary:

PCR recognizes that management of rangelands in the intermountain west requires the consideration of many components in a complex system. Complicating the management of these lands is the reality in a highly variable environment where growing conditions fluctuate widely from year to year and where climate change is expected to exacerbate this variability. PCR believes that land management approaches with robust monitoring and adaptive management programs, including the flexibility to implement change on relatively short timescales, is essential to operating within this system and meeting this growing challenge. We trust that the comments that we have made will further the discussion of how the lands within the subject allotment evaluations and the private lands that we own, can complement each other for the greater good of the community and ecosystem they represent and depend on. This is an amazing opportunity to help restore the lands with participation by local Indigenous communities. Thank you for the opportunity to participate in these discussions and this planning process.

Respectfully Submitted by:

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