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Submitted electronically via email

Re: Grasslands Land Management Plan Revision – Draft Assessment

The Center for Biological Diversity (“Center”) and Western Watersheds Project (“WWP”) appreciate the opportunity to comment on the Cimarron and Comanche National Grasslands Draft Assessment as part of the land management plan revision process.

The Center is a non-profit environmental organization with more than 1.7 million members and online activists dedicated to the protection of endangered species and wild places. This number includes members who live and recreate in the areas in and affected by actions taken within and nearby the proposed project area. The Center uses science, policy, and law to advocate for the conservation and recovery of species on the brink of extinction and the habitats and climate they need to survive.

WWP is a non-profit environmental conservation organization representing the interests of 14,000 members and supporters. WWP works to influence and improve public lands management throughout the western United States in order to protect native species and conserve and restore the habitats they depend on. WWP works to protect and conserve the public lands, wildlife and natural resources of the American West through education, public policy initiatives, and litigation.

The Cimarron and Comanche Land Management Plan revision is a once in 40-year opportunity to take a hard look at grasslands management in the southwest tablelands and high plains. The assessment phase of the revision process lays the backdrop for what changes should be made to management of the grasslands. Indeed, the Forest Service recognizes that “A lot has changed over the past 41 years, and it is time to take a look to see where the plan needs to be updated to respond to social and environmental changes, incorporate the best available science to make decisions, and stay current with laws, regulations and policies.”¹ Accordingly, it is critical that the assessment phase accurately captures the existing condition/baseline for all resources, including but not limited to riparian and wetland conditions, land health, grazing allotment utilization, and soil stability and health. Without complete current condition information, it is not

¹ U.S. Dep’t of Agric., Forest Serv. Grasslands Plan Revision, Draft Assessment Comment Period Frequently Asked Questions, Sept. 2025.

possible for the Forest Service “to identify what is working and what is not working with the current plan, and then adjust the plan based on that information,” which is a key part of the revision process.² As the comments below identify, however, the draft assessment information has not sufficiently provided this information.

We ask the Forest Service to review four subject areas of the draft assessment: (I) species of conservation concern, (II) focal species, (III) livestock trends and current rangeland conditions, and (IV) wild and scenic river eligibility. We ask that you consider the following comments on these sections of the draft assessment.

I. Species of Conservation Concern.

The draft assessment’s potential list of species of conservation concern (“SCC”) includes 52 plants, five amphibians, four birds, three fish, two insects, and three reptiles.³ We fully endorse this list and ask that the Forest Service’s only modification be adding species⁴, including the black-tailed prairie dog and lesser prairie-chicken.

National Forest Management Act (“NFMA”) imposes a substantive duty that requires the Forest Service, as it develops and revises plans, to “provide for the diversity of plant and animal communities” in all units of the national forest system.⁵ Pursuant to this mandate, the 2012 Planning Rule directs the Forest Service to “provide the ecological conditions to both maintain the diversity of plant and animal communities and support the persistence of most native species in the plan area.”⁶ SCC must be identified at the assessment phase of the revision process.⁷

The 2012 Planning Rule defines SCC as:

Species, other than federally recognized threatened, endangered, proposed, or candidate species, that is known [*sic*] to occur in the plan area and for which the regional forester has determined that the best available scientific information indicates substantial concern about the species' capability to persist over the long-term in the plan area.⁸

The Forest Service Handbook interprets this regulation to require that SCC are (1) native to and known to occur in the plan area (“known to occur”) and (2) best available scientific information about the species indicates substantial concern for the species’

² *Id.*

³ Cimarron and Comanche National Grasslands Draft Assessment, Appendix C, Table C-1. Notably, there are no mammals on this list.

⁴ In addition to the species discussed in detail in this comment, the following species should be reconsidered for SCC: sprague's pipit, thick-billed longspur*, ferruginous hawk, golden eagle*, ornate box turtle*, texas horned lizard, chestnut-collared longspur*, long-billed curlew*, swift fox, and scaled quail*.

*Colorado species of greatest conservation need

⁵ 16 U.S.C. § 1604(g)(3)(B).

⁶ 36 C.F.R. § 219.9.

⁷ FSH 1909.12.12.52b1.

⁸ 36 C.F.R. § 219.9(c).

capability to persist over the long term in the plan area (“substantial concern”).⁹ These requirements match the SCC definition from the 2012 Planning Rule.

To determine SCC for the draft assessment, the Forest Service used the Regional Forester’s SCC Identification Process,¹⁰ which misapplies the FS Handbook directives and sets the bar for SCC designation inconsistently and illegitimately high. While the 2012 Planning Rule’s directive is a much lower standard, to “provide for the diversity of plant and animal communities, within Forest Service authority and consistent with the inherent capability of the plan area.”¹¹ In particular the Regional Forester’s SCC process errs in its directives for what is required for a species to be of substantial concern. Under this approach, SCC meet substantial concern criteria only when:

- 1) A NatureServe Ranking of G/T 1 or 2 for which there is no evidence that the known threats to that species are not currently present or relevant in the plan area.
OR
- 2) A species does not have a NatureServe Ranking of G/T 1 or 2 but all four of the Indicators of Conservation Concern are demonstrated by the BASI for that species. Those Indicators of Conservation Concern are:
 - a. **Indicator 1.** Significant threats, caused by stressors on and off the plan area, to populations or the ecological conditions they depend upon (habitat). These threats include climate change.
 - b. **Indicator 2.** Declining trends in populations or habitat in the plan area.
 - c. **Indicator 3.** Restricted ranges (with corresponding narrow endemics, disjunct populations, or species at the edge of their range).
 - d. **Indicator 4.** Low population numbers or restricted ecological conditions (habitat) within the plan area.¹²

The Forest Service Handbook does not direct the Forest Service to prohibit SCC determinations for species that do not meet all four indicators, and the regional forester has not provided any meaningful rationale that shows there cannot or should not be substantial concern about a species’ capability to persist in the absence of even one of the four indicators. In fact, a species experiencing a subset of the four indicators can be vulnerable to extirpation in the plan area. So, although regional forester’s four indicators of conservation concern are taken directly from the Forest Service’s Handbook, they set a prohibitive bar for SCC which is too high and incompatible with the 2012 Planning Rules direction to “provide for the diversity of plant and animal communities, within Forest Service authority and consistent with the inherent capability of the plan area.”¹³

The following species-specific comments demonstrate how each species meets the requirement to be SCC under the 2012 Planning Rule. We ask that the Forest Service reconsider each of these species and add them to the SCC list in the final assessment.

⁹ FSH 1909.12.12.52c.1 and 2.

¹⁰ The Regional Forester’s SCC Identification Process for the Rocky Mountain Region (R2).

¹¹ 36 C.F.R. § 219.9.

¹² The Regional Forester’s SCC Identification Process for the Rocky Mountain Region (R2).

¹³ 36 C.F.R. § 219.9.

a. The Black-Tailed Prairie Dog Should be Revaluated as a Species of Conservation Concern.

Black-tailed prairie dogs (*Cynomys ludovicianus*; “BTPD”) have declined tremendously across the great plains and now only inhabit less than 2% of their historic range, and national grasslands have been identified as focal areas for their conservation.¹⁴ BTPD were listed as a Management Indicator Species (“MIS”) in the last land management plan drafted in 1984¹⁵, maintained as MIS though the 2005 amendment to the plan, despite 32 of the 40 originally listed species losing their MIS status.¹⁶ BTPD in the plan area have experienced significant declines since this last plan revision. Since 2005 there have been widespread plague-induced dieoffs of BTPD colonies, and their habitat has deteriorated in quality due to the impacts of wind erosion, drought, and livestock grazing.¹⁷ Across their range, BTPD only remain in remnant, segregated populations that may have limited potential for long-term persistence. In Colorado, there are 20 million hectares of suitable habitat for BTPD, but only 3.7 percent is actually occupied by prairie dogs.¹⁸

Due to the concerns to the species, the 2002 Western Association of Fish and Wildlife Agencies Multi-State Conservation plan recommended that federal agencies incorporate BTPD objectives into all federal management planning documents and processes, especially Bureau of Land Management Resource Management Plans and U.S. Forest Service National Grassland Plans.¹⁹ BTPD declines have been shown to imperil obligate and associate sensitive species, as well as reduce ecosystem services, inhibit groundwater recharge, and exacerbate desertification.²⁰

a.1. Black-Tailed Prairie Dogs as a Keystone Species.

BTPD are a keystone species of the great plains and act as ecosystem engineers that an array of other species depend on or benefit from. Keystone species enrich ecosystem function uniquely and significantly through their activities, and their impact is large relative to their biomass.²¹

¹⁴ Proctor, J., Haskins, B., Forrest, S.C. and Hoogland, J.L., 2006. Focal areas for conservation of prairie dogs and the grassland ecosystem (pp. 232-247). United States: Island Press.

¹⁵ Pike and San Isabel National Forests and Cimarron and Comanche National Grasslands Land and Resource Management Plan, at III–28, III–29 (1984).

¹⁶ Amendment No. 30 to Pike and San Isabel National Forests and Cimarron and Comanche National Grasslands Land and Resource Management Plan (August 8, 2005).

¹⁷ Draft Assessment, Appendix A, Species Evaluation Report for Mammals on the Cimarron and Comanche National Grasslands at 11.

¹⁸ Davidson, A.D., Fink, M., Menefee, M., Sterling-Krank, L., Van Pelt, W. and Augustine, D.J., 2023. Present and future suitable habitat for the black-tailed prairie dog ecosystem. *Biological Conservation*, 286, p.110241.

¹⁹ Luce, R.J., 2006, June. A multi-state approach to Black-tailed prairie dog conservation and management in the United States. In *Grasslands Ecosystems, Endangered Species, and Sustainable Ranching in the Mexico-US Borderlands: Conference Proceedings Ecosistemas de Pastizales, Especies en* (p. 48).

²⁰ Martínez-Estévez, L., Balvanera, P., Pacheco, J. and Ceballos, G., 2013. Prairie dog decline reduces the supply of ecosystem services and leads to desertification of semiarid grasslands. *PLoS One*, 8(10), p.e75229.

²¹ Mills, L.S. et al. 1993. The keystone-species concept in ecology and conservation: management and policy must explicitly consider the complexity of interactions in natural systems. *BioScience*. 43(4): 219-224.

Prairie dogs are the primary ecosystem engineers of the shortgrass and saltsage prairies, “organisms that directly or indirectly modulate the availability of resources to other species, by causing physical state changes in biotic or abiotic materials. In so doing they modify, maintain and create habitat.”²² BTPD on the CCNG also serve the role of umbrella species,²³ “species whose protection serves to protect many co-occurring species.”²⁴ Researchers have documented close to 250 vertebrate species observed on prairie dog colonies, with at least 74 of these species are known to benefit from or depend on prairie dogs and their colonies.²⁵ (See Figure 1). When extermination or plague wipes out the prairie dogs in an area, this causes significant decreases in local associate species abundance.²⁶

Figure 1. Sensitive BTPD Associate Species found on the CCNG

Species	Prairie Dog Association ²⁷
Black-footed Ferret	obligate associate
Golden Eagle	strong, well documented benefits of association
Little Brown Myotis	some documented evidence of a positive association
Mountain Plover	strong, well documented benefits of association
Northern Hoary Bat	some documented evidence of a positive association
Ornate Box Turtle	some documented evidence of a positive association
Scaled Quail	some documented evidence of a positive association
Thick-billed Longspur	some documented evidence of a positive association
Burrowing Owl	strong, well documented benefits of association
Chestnut-collared Longspur	some documented evidence of a positive association
Long-billed Curlew	some documented evidence of a positive association
Black-tailed Jackrabbit	some documented evidence of a positive association
Ferruginous Hawk	strong, well documented benefits of association
Killdeer	some documented evidence of a positive association
Lesser Earless Lizard	strong, well documented benefits of association
Texas Horned Lizard	some documented evidence of a positive association

BTPD should be reevaluated and listed on the potential SCC list in the final assessment. BTPD colonies are present throughout the planning units, and population collapses in the last 20 years indicate substantial concern about the species’ capability to persist over the long-term in the plan area. Current significant threats to prairie dogs include sylvatic plague (a non-native, human-introduced disease for which prairie dogs have no immunity), poisoning, and other forms

²² Jones, C.G. et al. 1994. Organisms as ecological engineers. *Oikos*. 69(3): 373-386, 373.

²³ Davidson, A.D. et al. 2025. Potential Landscapes for Conservation of the Black-Tailed Prairie Dog Ecosystem. *Diversity and Distributions*. 31(1): e13945.

²⁴ Fleishman, E. et al. 2000. A new method for selection of umbrella species for conservation planning. *Ecological Applications*. 10(2): 569-579. Available at:

²⁵ See Reading, R., 2009. Interlude: vertebrate species associated with prairie dogs. *Prairie Dogs: Communication and Community in an Animal Society*. C.N. Slobodchikoff et al. pgs. 139-146.

²⁶ Duchardt, C.J. et al. 2023. Disease and weather induce rapid shifts in a rangeland ecosystem mediated by a keystone species (*Cynomys ludovicianus*). *Ecological Applications*. 33(1): e2712.

²⁷ *Id.*

of eradication; recreational shooting, loss of habitat, and drought, all of which are present on the CCNG. BTPD relies strongly on metapopulation dynamics for persistence and as the Forest Service should protect the public land populations accordingly.

a.2. SCC Requirements for Black-Tailed Prairie Dogs.

As discussed above, the Region 2 SCC identification process sets a prohibitively high bar for species qualification by requiring all 4 indicators to be met for a species to qualify. The draft assessment determined conservation concern for BTPD does not reach the level of “substantial” because it does not meet Indicator 3, restricted ranges (with corresponding narrow endemics, disjunct populations, or species at the edge of their range). This is an unreasonable and arbitrary exclusion, because all of the other criteria are readily met by the species, the species has experienced precipitous declines within the plan area since the last land management plan revision, and the grounds for conservation concern are clear.

Even if the Forest Service insists on using the Region 2 SCC identification process, it’s unreasonable for the BTPD to be excluded on the grounds that it does not meet the criteria for restricted ranges. BTPD range on the planning unit is clearly restricted due to surrounding private land conversion of prairie to other land uses²⁸ and widespread persecution through plague, poisoning, and shooting on adjacent private lands. Furthermore, it is unreasonable for this species that is suffering 98% of habitat loss rangewide to not be considered as having restricted range.

a.3. Other Threats to Black-Tailed Prairie Dogs in Plan Area.

BTPD are persecuted largely because they are erroneously labeled a nuisance species and thought to compete with cattle for forage. In reality, prairie dogs foraging behaviors clip down vegetation to keep colony vegetation short, which increases the nutrient and moisture content of forage,²⁹ benefitting grazing animals such as pronghorn, bison, and domestic cattle. In fact, cattle preferentially graze along the edges of prairie dog colonies.³⁰ The management prescriptions for prairie dogs in the current management plan may have preceded the modern understanding that prairie dogs and cattle can coexist productively. The plan revision should acknowledge this scientific reality and update management accordingly. The species needs to be an SCC and we look forward to seeing it properly identified as such as we move forward in the planning process.

The impacts of recreational shooting contribute to the need for greater conservation consideration for BTPD in the plan. The draft assessment indicates that recreational shooting of

²⁸ Cimarron and Comanche National Grasslands Draft Assessment (“Draft Assessment”) at 65, 72, 92; Appendix A at 13.

²⁹ Connell, L.C. et al. 2019. Prairie dog (*Cynomys ludovicianus*) influence on forage quantity and quality in a grazed grassland-shrubland ecotone. *Rangeland Ecology and Management*. 72(2): 360-373.

Miller, B.J., Reading, R.P., Biggins, D.E., Detling, J.K., Forrest, S.C., Hoogland, J.L., Javersak, J., Miller, S.D., Proctor, J., Truett, J. and Uresk, D.W., 2007. Prairie dogs: an ecological review and current biopolitics. *The Journal of Wildlife Management*, 71(8), pp.2801-2810.

³⁰ Sierra-Corona, R., Davidson, A., Fredrickson, E.L., Luna-Soria, H., Suzan-Azpíri, H., Ponce-Guevara, E. and Ceballos, G., 2015. Black-tailed prairie dogs, cattle, and the conservation of North America’s arid grasslands. *PLoS One*, 10(3), p.e0118602.

prairie dogs occurs on the Cimarron National Grassland portion of the plan area,³¹ but Colorado regulations make recreational shooting illegal on the Comanche National Grassland. Other sources indicate that recreational shooting is not only legal,³² but widespread on the Comanche National Grassland.³³ Clarification is needed on this point. Either way, the plan must recognize BTPD's importance as keystone species to the shortgrass and sandsage prairies and protect public land prairie dog colonies from the threat posed by recreational shooting to align management with the ecosystem needs of the CCNG.

In addition to disallowing recreational shooting of BTPD on public land on the CCNG and listing BTPD as an SCC in the plan area, the plan should lay out treatment programs for plague and disease within the colonies present on the grassland. BTPD are vital to maintaining and restoring the ecosystem integrity on shortgrass and sandsage prairies, supporting groundwater recharge, and supporting other SCC.

a.4. Ecosystem Integrity and Black-Tailed Prairie Dog Management.

Shortgrass and Sandsage prairie ecosystems are both determined to have low to moderate, declining ecosystem integrity in the draft assessment,³⁴ and "the local extirpation of bison and population reduction of prairie dogs" is acknowledged as a concern influencing ecological integrity.³⁵ The decline of prairie dogs is also explicitly listed as a threat to other imperiled species, including swift fox, black-footed ferret, burrowing owl, mountain plover, and ferruginous hawk³⁶ but the conservation of BTPD is never proposed. This, combined with the precipitous plague-induced declines in BTPD populations experienced in the last 20 years, demonstrate a need for a change in BTPD management in the CCNG. This land management revision is the appropriate avenue to improve management directives. Listing BTPD as SCC and laying out a conservation plan for the species are necessary steps toward management that is consistent with the Forest Service's substantive duty to provide for diversity of plants and animals across the grasslands.

The plan revision should include a set of conservation actions that in aggregate restore thriving populations of BTPD to ensure this species remains viable, perform their keystone ecological functions, and support the full complement of associate species that also fulfill their ecosystem roles. To protect BTPD and restore their habitat, we recommend the following general conservation actions be incorporated into the plan as standards, and analyzed in an alternative.

- Prevent and mitigate sylvatic plague;
- Disallow recreational shooting to protect prairie dogs and habitat from human-caused

³¹ Draft Assessment, Appendix A at 30.

³² 2 CCR 406-3, #310, A. 2.

³³ <https://grasslandscolorado.org/sport-shooting-or-colony-collapse/>

³⁴ Draft Assessment at 23.

³⁵ Draft Assessment at 24; Provencher L, Badik KJ, Byer S. 2025. Grassland natural range of variation. Final Report for the Cimarron-Comanche National Grasslands to the USFS Mountain Service Planning Group. The Nature Conservancy, Reno, Nevada. This report on the natural range of variation is not published on the planning page, despite being cited several times in the draft assessment. On 9/17/25, we reached out to the planning team via phone to access the document, but they have not been able to provide it for us at the time of this comment's submission.

³⁶ Draft Assessment at 18, 62, 244; Appendix C at 9; Appendix C, Species Evaluation Report at 50.

- threats;
- Restore habitat to encourage prairie dog recovery;
- Develop and disseminate public facing materials (e.g. could be on welcome boards), and conduct outreach and education to increase prairie dog tolerance;
- Employ and exhaust non-lethal management techniques to resolve conflicts before allowing or employing any lethal management;
- Establish a monitoring plan and protocol for BTPD populations to determine if management actions are conserving and restoring the species and its habitat.

b. The Lesser Prairie-Chicken Should be Evaluated as a Species of Conservation Concern.

Lesser prairie-chicken (*Tympanuchus pallidicinctus*) distribution on its historical range has declined by an estimated 90%.³⁷ In Colorado, the species has been listed under the state endangered species act as threatened since 1973.³⁸ Despite its listed status, the species has continued to suffer declines, leading the state of Colorado to work with the state of Kansas to implement a translocation project,³⁹ which included release sites within the Comanche National Grasslands.

While this species was properly listed as threatened under the Endangered Species Act (“ESA”) in November 2022, its protected status has since been thrown into legal jeopardy.⁴⁰ Accordingly, the final assessment should evaluate and list the lesser prairie-chicken as a SCC. Because the 2012 Planning Rule limits SCC status to species “other than federally recognized threatened, endangered, proposed, or candidate species,”⁴¹ the draft assessment does not consider the lesser prairie-chicken, based on its listing as threatened.⁴² However, after the draft assessment was released, the lesser prairie-chicken lost its status as threatened under the ESA.⁴³

An opinion in the Western District of Texas on August 12th, 2025, vacated the Fish and Wildlife Service’s (“FWS”) final rule listing the lesser prairie-chicken under the ESA.⁴⁴ The court found that the FWS’s only option is to perform an entirely new analysis.⁴⁵ In pertinent part the order reads:

The Court VACATES and REMANDS the Final Rule titled “Endangered and Threatened Wildlife and Plants; Lesser Prairie-Chicken; Threatened Status With

³⁷ Draft Assessment at 133.

³⁸ Colo. Parks & Wildlife, Lesser Prairie-Chicken <https://cpw.state.co.us/species/lesser-prairie-chicken> (last visited Sept. 24, 2025).

³⁹ *Id.*

⁴⁰ 87 Fed. Reg. 72,674 (Nov. 25, 2022); *Kan. Nat. Res. Coal. v. United States Fish & Wildlife Serv.*, Case 7:23-cv-00047-DC, slip op. at 14–15 (W.D. Texas, Aug. 12, 2025) (Vacating the Fish and Wildlife Service’s listing of the lesser prairie-chicken under the ESA).

⁴¹ 36 C.F.R. §. 219.9 (c).

⁴² Draft Assessment, Appendix C at 40.

⁴³ *Kan. Nat. Res. Coal.*, Case 7:23-cv-00047-DC, slip op. at 14–15.

⁴⁴ *Id.* at 14–15 (Vacating the Fish and Wildlife Service’s listing of the lesser prairie-chicken under the ESA).

⁴⁵ *Id.* at 10.

Section 4(d) Rule for the Northern Distinct Population Segment and Endangered Status for the Southern Distinct Population Segment.”⁴⁶

As a result, the lesser prairie-chicken is no longer protected as threatened in Colorado and Kansas under the ESA.⁴⁷

In the interim, it remains unclear whether the FWS intends to relist the lesser prairie-chicken. The FWS describes its listing error as “foundational.” The FWS has made no public statements indicating its intent to restore ESA protections or reconsider listing the lesser prairie-chicken. As the species presently stands, it has no federal ESA classification or protection, as such the lesser prairie-chicken also is not a candidate species. Thus, despite the devastating loss of federal protections, the lesser prairie-chicken is now eligible to be an SCC.

b.1. The Lesser Prairie-Chicken Meets the Requirements to be Considered as a SCC.

The lesser prairie-chicken meets the known to occur and substantial concern standards under the 2012 Planning Rule. The lesser prairie-chicken was a MIS under the 1984 management plan.⁴⁸ The lesser prairie-chicken survived a management plan amendment in 2005, which removed the MIS status of 32 species, leaving only 8 of the originally 40 MIS species protected.⁴⁹ This historic management of lesser prairie-chickens as MIS further underscores their place as a SCC.

Known to Occur

A species is known to occur in a plan area if, at the time of plan development, the best available scientific information indicates that a species is established or is becoming established in the plan area.⁵⁰ The draft assessment repeatedly identifies that the lesser prairie-chicken was recently observed and is known to occur in the planning area.⁵¹ Survey data indicates at least one active lek in the CCNG and several active leks on surrounding lands.⁵²

Substantial Concern Under the 2012 Planning Rule.

Lesser prairie-chicken populations have drastically declined due to degradation and fragmentation of the southern great plains. The lesser prairie-chicken is ranked G3 on NatureServe and listed as threatened in Colorado. Many of the species’ known threats are occurring and likely to persist as threats that harm the species’ conservation in the CCNG including cattle grazing, construction of power lines and telephone poles, oil and gas drilling,

⁴⁶ *Id.* at 14–15 (citing 87 Fed. Reg. 72,674 (Nov. 25, 2022)).

⁴⁷ *Id.* at 14–15.

⁴⁸ Pike and San Isabel National Forests and Cimarron and Comanche National Grasslands Land and Resource Management Plan, at III–28, III–29 (1984).

⁴⁹ Amendment No. 30 to Pike and San Isabel National Forests and Cimarron and Comanche National Grasslands Land and Resource Management Plan (August 8, 2005).

⁵⁰ FSH 1909.12.12.52c1.

⁵¹ Draft Assessment at 3, 27, 29, 47, 60, and 61.

⁵² Draft Assessment at 60.

and the incursion of woodlands—as well as drought and high temperatures linked to climate change.⁵³

Research has shown that lesser prairie-chickens have a high avoidance of vertical structures and noise. Their nest sites will avoid buildings, transmission lines, and improved roads. The species avoids nesting and brood-rearing within one-mile radius of tall structures like wind turbines,⁵⁴ and fragmentation/changes in habitat structure can cause increases in edge effects, serving as access points for predators and leading to avoidance by the bird.⁵⁵ More recent studies have continued to confirm that there is decreased probability of use occurring in a 2-km radius (12.6km²) landscapes that had greater than two vertical features, two oil wells, 8 km of county roads, and .15 km of major roads or transmission lines.⁵⁶ Increased development of anthropogenic structures have a profound effect on this species.⁵⁷ With much of the prairie-chicken's priority habitat overlapping with oil and gas leases, as shown below in Fig. 2—it is imperative that habitat within CCNG be protected from any further development of these vertical structures.

Anthropogenic development has uncontroverted negative impacts on lesser prairie-chickens' home range placement, nest site selection, and space use.⁵⁸ Disturbance and encroachment from anthropogenic structures continually degrades remaining habitat that supports this imperiled species.⁵⁹ Conservation efforts for prairie-chickens are recognized as needing to focus on landscape processes that contribute to landscape fragmentation, such as increases in the dominance of trees or conversion to other land uses.⁶⁰ This species requires expansive landscapes that resemble native vegetation and include local needs for activities including nesting and brood rearing, but also encompass year-round needs such as wintering, roosting, and lekking locations.⁶¹ Survival of this species, much less recovery, will turn on usable habitat at a scale relevant to the historic conditions that existed before land conversion and fire suppression, not from changing grass height or litter depth or increasing the cover of forbs.⁶²

The CCNG boundaries capture extremely sensitive habitat for this imperiled bird. This iconic prairie bird is suffering from shrinking distribution and within Colorado, has an extremely small

⁵³ 87 Fed. Reg. 72,674 (Nov. 25, 2022).

⁵⁴ Robel, R.J., et al. 2004. Effect of energy development and human activity on the use of sand sagebrush habitat by lesser prairie-chickens in southwest Kansas. Transactions of the North American Wildlife and Natural Resources Conference 68.

⁵⁵ Kuehl, A. K. and W. R. Clark. 2002. Predator activity related to landscape features in northern Iowa. Journal of Wildlife Management 66:1224-1234.

⁵⁶ Sullins, D.S. et al. 2019. Strategic conservation for lesser-prairie-chickens among landscapes of varying anthropogenic influence. Biological Conservation 238: 108213.

⁵⁷ Plumb, R.T., et al. 2018. Lesser Prairie-Chicken Space Use in Relation to Anthropogenic Structures. The J. of Wildlife Mgmt. DOI: 10.1002/jwmg.21561 at 13.

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ Fuhlendorf, S.D., et al. 2017. A Hierarchical Perspective to Woody Plant Encroachment for Conservation of Prairie-Chickens. Rangeland Ecology & Mgmt. 70:9-14.

⁶¹ *Id.* at 11.

⁶² *Id.* at 13.

population.⁶³ This species is suffering the proverbial death by a thousand cuts and there are significant questions whether sufficient habitat in this area of Colorado will remain for the species in the future⁶⁴—listing the lesser prairie-chicken as an SCC is a necessary step in protecting the species.

Substantial Concern Under the Regional Forester’s SCC process.

The lesser prairie-chicken also meets the arbitrarily high bar for substantial concern under the Regional Forester’s SCC process. The following analysis demonstrates how the four indicators for substantial concern, as described in the Regional Forester’s SCC process, are met.

- a. **Indicator 1.** Significant threats, caused by stressors on and off the plan area, to populations or the ecological conditions they depend upon (habitat). These threats include climate change.

The most significant threat to lesser prairie-chickens is habitat loss and fragmentation.⁶⁵ Causes of habitat loss and fragmentation include: energy development and transmission; roads and electrical distribution; livestock grazing; fences; and extreme weather events.⁶⁶ All of these threats currently exist on the CCNG and surrounding the plan area and many with the Comanche Lesser Prairie-Chicken Habitat Zoological Area—an area designated to protect habitat for the imperiled bird.⁶⁷ The draft assessment explicitly acknowledges the following stressors exist on and off the plan area: energy development and transmission⁶⁸; roads and electrical distribution⁶⁹; livestock grazing⁷⁰; fences⁷¹; and extreme weather events.⁷²

- b. **Indicator 2.** Declining trends in populations or habitat in the plan area.

Lesser prairie-chickens have been on a continual trend of population and habitat loss within the plan area. The draft assessment acknowledges this in Table 11, finding habitat

⁶³ Liza Rossi, Bird Conservation Coordinator, Colorado Parks and Wildlife Commission, Lesser Prairie-Chicken Update (Apr. 5, 2024).

⁶⁴ *Id.* at 12.

⁶⁵ 87 Fed. Reg. 72,674 (Nov. 25, 2022); Draft Assessment, Appendix A at 49 (“lesser prairie chicken range has declined by 84% since the beginning of the 20th century, and much of this decline is attributed to loss of habitat or fragmentation due to conversion”).

⁶⁶ *Id.* at 122.

⁶⁷ Draft Assessment at 61 (describing the status of ecological conditions in the plan area as declined in habitat quality) & 133 (listing livestock grazing and “extractive leases” as allowed within the Comanche Lesser Prairie-Chicken Habitat Zoological Area).

⁶⁸ *Id.* at 93 (describing oil and gas leasing as a “major land use” on the CCNG).

⁶⁹ *Id.* at 109–110.

⁷⁰ *Id.* at 79–80 (talking extensively about livestock grazing on the CCNG, “Forest Service authorizes domestic livestock grazing under a permit system”).

⁷¹ *Id.* at 113 (describing infrastructure within the CCNG). Appendix A at 29 (listing fences as a factor influencing wildlife abundance and distribution on the CCNG).

⁷² *Id.* at 133 (describing extreme weather which affected lesser prairie-chickens in CCNG); Appendix A at 26 & 47 (listing extreme weather events and their increasing frequency on the grasslands).

quality of shortgrass and sandsage prairies has declined in the plan area.⁷³ And reporting, “[w]hile the species is known to occur in the plan area, lek survey data indicate the population has been on a steady downward trend since 1990.”⁷⁴

- c. **Indicator 3.** Restricted ranges (with corresponding narrow endemics, disjunct populations, or species at the edge of their range).

Lesser prairie-chickens are highly sensitive to habitat fragmentation⁷⁵ and the CCNG is “highly fragmented,”⁷⁶ suggesting lesser prairie-chickens experience a restricted range within the plan area. Past management aimed at recovering lesser prairie-chickens on the grasslands has set separate goals for the Cimarron and Comanche grasslands, rather than a single recovery plan.⁷⁷ This bifurcated approach underscores that the Forest Service has long managed the lesser prairie-chickens on the CCNG in disjunctive populations.

- d. **Indicator 4.** Low population numbers or restricted ecological conditions (habitat) within the plan area.

Lesser prairie-chickens have a low population number in the plan area and restricted ecological conditions. The draft assessment states that in 2024 no active leks were found in the zoological area and only one lek was surveyed within CCNG, suggesting low population numbers.⁷⁸ The draft assessment also notes that habitat for the lesser prairie-chicken has declined in quality.⁷⁹

Regardless of the process taken for determining SCC, the lesser prairie-chicken meets all the requirements. With the lesser prairie-chicken historic status as a MIS, dwindling population, and recent FWS listing vacatur—we ask the Forest Service to list this iconic bird as a SCC in the final assessment.

⁷³ Draft Assessment at 61, Table 11.

⁷⁴ *Id.* at 65–66.

⁷⁵ 87 Fed. Reg. 72,685 at 121; Draft Assessment, Appendix A at 49.

⁷⁶ Draft Assessment at 5.

⁷⁷ See 87 Fed. Reg. 72,685 at 190 (discussing the 2014 Lesser Prairie-Chicken Management Plan).

⁷⁸ Draft Assessment at 61 & 133.

⁷⁹ *Id.* at 61.

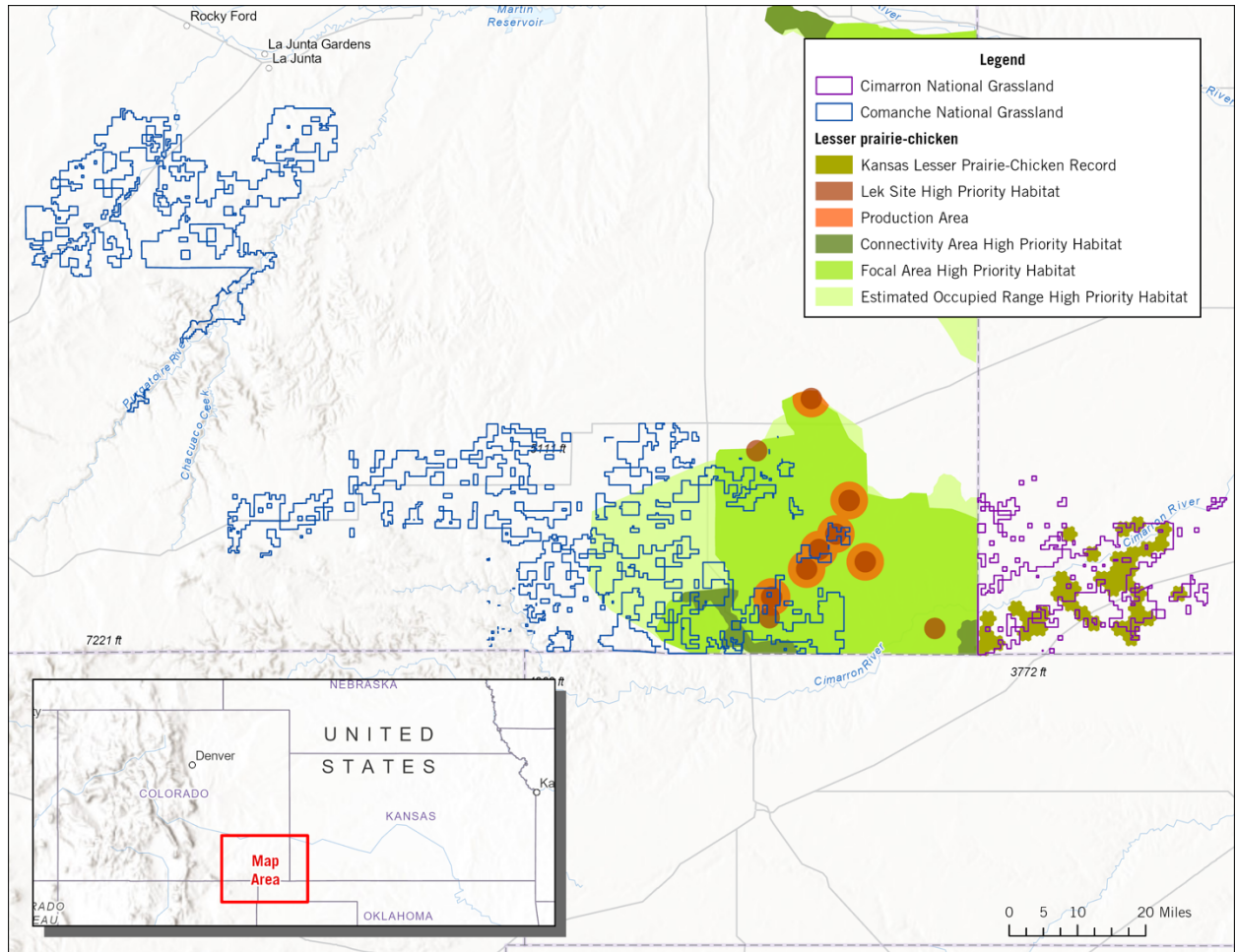


Figure 2. Lesser prairie-chicken habitat in and around the Cimarron and Comanche National Grasslands.

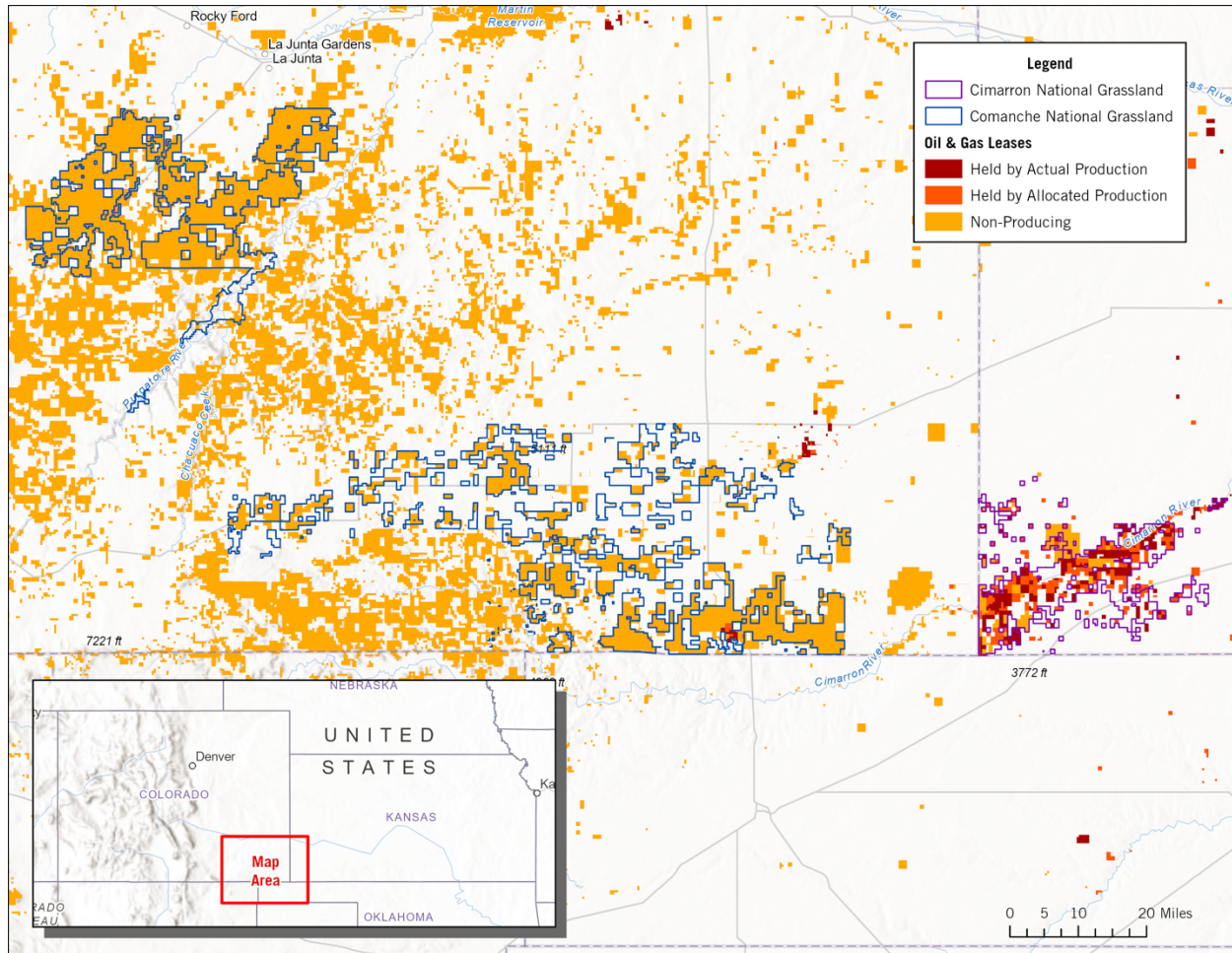


Figure 3. Oil and gas leases in and around Cimarron and Comanche National Grasslands.

II. Focal Species.

While the draft assessment discusses focal species in the context of “other highlight species,” it is unclear if the Forest Service intends this discussion of focal species as formal reference to the 2012 Planning Rule’s requirement for the selection of focal species for monitoring. The following comments are directed toward the Forest Service determination of focal species pursuant to 36 C.F.R. §§ 219.9 & 219.12.

The draft assessment suggests BTPD and the North American Beaver are under consideration to be focal species based on their status as keystone species.⁸⁰ While we support the suggested focal species in the draft assessment, the Forest Service should also consider the lesser prairie-chicken and american bison as focal species. In addition, we believe the draft assessment fails to correctly apply the definition of focal species under the 2012 Planning Rule.

The Forest Service Handbook takes an approach inconsistent with the 2012 Planning Rule on the quantity of focal species required. The Handbook requires the Forest Service to identify at least

⁸⁰ Draft Assessment at 67–68.

one focal species and track their status through monitoring.⁸¹ While the Planning Rule makes no limitation on the number of focal species chosen, beyond suggesting focal species should be a “small subset.”⁸² This arbitrary minimum is a distraction from the goal of designating focal species. Focal species designation facilitates the Forest Service’s assessment of how it is meeting its substantive mandates for biological diversity under NFMA and the 2012 Planning Rule. The number of focal species should be determined by the number appropriate and applicable to the ecosystem and it is hard to imagine in what ecosystem a single focal species would be sufficient.

The 2012 Planning Rule defines focal species as:

A small subset of species whose status permits inference to the integrity of the ***larger ecological system to which it belongs*** and provides meaningful information regarding the effectiveness of the plan in maintaining or ***restoring*** the ecological conditions to maintain ***the diversity of plant and animal communities in the plan area***. Focal species would be commonly selected on the basis of their functional role in ecosystems.⁸³

While the 2012 Planning Rule requires SCC be “known to occur” in the plan area, it requires a different standard for focal species. The draft assessment, however, conflates these standards in the section titled “Other Highlighted Species.” When discussing focal species, the Forest Service cabins its analysis by discussing only “[k]eystone species known to occur in the plan area.”⁸⁴ Given this phrasing is used in the 2012 Planning Rules selection criteria for SCC, it is concerning to see it applied by the draft assessment in the context of focal species, where the 2012 Planning Rule sets no such restriction.

Focal species do not need to presently occur in the plan area. Rather a species must *belong* to an ecosystem in the plan area. *Belong* means to be suitable, appropriate, or advantages.⁸⁵ An example of its use is “a dictionary belongs in every home.”⁸⁶ *Belong* does not mean present, it means the noun in reference is at home or should be present. A species can *belong* in an ecosystem without being currently present.

The 2012 Planning Rule definition of focal species also makes reference to restoration. Where SCC is focused on managing to preserve biodiversity present on the landscape, focal species are monitored as an indicator of maintaining or restoring ecological conditions.

⁸¹ *Id.*

⁸² 36 C.F.R. § 219.12(a)(5)(iii) (requiring “[t]he status of focal *species* to assess the ecological conditions required under § 219.9”).

⁸³ 36 C.F.R. § 219.9.

⁸⁴ Draft Assessment at 68.

⁸⁵ *Belong*, *Meriam-Webster*, (last visited Sept. 24, 2025) <https://www.merriam-webster.com/dictionary/belong>.

⁸⁶ *Id.*

The 2012 Planning Rule's definition of restoration is similarly aligned with this interpretation of a focal species:

The process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed. Ecological restoration focuses on reestablishing the composition, structure, pattern, and ecological processes necessary to facilitate terrestrial and aquatic ecosystems sustainability, resilience, and health under current and future conditions.⁸⁷

Thus, restoration explicitly includes reestablishing composition, meaning the biological elements within the different levels of biological organization including species.⁸⁸

a. Lesser Prairie-Chicken Should be a Focal Species.

While it may sound counter intuitive to monitor for a species that is not currently occurring on the landscape, the lesser prairie-chicken is a golden example of why the Forest Service should. Read as a whole, the 2012 Planning Rule's plain language intends for focal species to be those that can be monitored as a means of measuring ecosystem integrity. Species like the lesser prairie-chicken—which was listed as MIS for the grasslands for over 40 years⁸⁹—provides insight into ecological integrity. The bird's absences, especially in the lesser prairie-chicken zoological area, are an indicator that the Forest Service needs to do more to restore sand sage habitat.

b. American Bison Should be a Focal Species.

American bison (*Bison bison bison*) are native to CCNG and a keystone species of the plains ecoregion. While bison have been extirpated from the plan area, there is at least one conservation herd within the Comanche National Grassland administrative area.⁹⁰ Reintroductions are occurring across the west to restore the ecological health of grassland systems.⁹¹ Bison have significantly different impacts from cattle, and are ecologically more appropriate to the local ecosystems than cattle, which are suited to more mesic areas.⁹² While cattle and the bison that grazed this area in pre-settlement times have a high degree of dietary overlap, the behavior of free-ranging bison and their habitat selection is radically different from today's domestic cattle. For example, while cattle concentrate their grazing activity in riparian habitats and close to water, the habitat

⁸⁷ 36 C.F.R. § 219.9.

⁸⁸ *Id.*

⁸⁹ Cimarron and Comanche National Grasslands Land and Resource Management Plan, at III–28, III–29 (1984); Amendment No. 30 to Pike and San Isabel National Forests and Cimarron and Comanche National Grasslands Land and Resource Management Plan (August 8, 2005).

⁹⁰ The Southern Plains Land Trust's Heartland Preserve and its conservation herd of american bison, <https://southernplains.org/en/meet-the-residents-safe/>

⁹¹ Knapp, A.K., Blair, J.M., Briggs, J.M., Collins, S.L., Hartnett, D.C., Johnson, L.C. and Towne, E.G., 1999. The keystone role of bison in North American tallgrass prairie: Bison increase habitat heterogeneity and alter a broad array of plant, community, and ecosystem processes. *BioScience*, 49(1), pp.39-50.

⁹² Allred, B.W., Fuhlendorf, S.D. and Hamilton, R.G., 2011. The role of herbivores in Great Plains conservation: comparative ecology of bison and cattle. *Ecosphere*, 2(3), pp.1-17.

selection of free-ranging bison is not tied to proximity to water, and their grazing intensity is spread more evenly across the landscape.⁹³ In addition, cattle may stay in a single pasture for months at a time, while free-ranging bison migrate widely across the landscape, perhaps not grazing a given tract for years between visits.⁹⁴ Bison are not only ecologically more appropriate than domesticated cattle on the grasslands, but also better for restoring and sustaining native ecosystems on the CCNG.

Listing bison as a focal species would acknowledge their rightful home on the grasslands as a keystone species and the Forest Service long term need to restore bison populations on the CCNG. Re-establishing wild bison herds is important not only from the standpoint of bison conservation, but also for prairie restoration.⁹⁵ All of these results indicate that reintroducing bison to their native grasslands habitat and modifying existing cattle usage to be conducive to this restoration would enhance the ecological health of the CCNG and have a positive ripple effect across the grasslands. Restoration of bison would also enhance public recreation and enjoyment, allowing visitors to observe native wildlife on these prairie landscapes.

In sum, bison are appropriate for designating as a focal species and for the plan to contain standards and components that align with restoration of this species within the plan. Although bison do not occur on the CCNG, this is not a requirement of focal species under the 2012 Planning Rule. Focal species should be monitored as means of measuring ecological integrity—the absence of a native keystone species is a strong indicator that restoration is required. Bison returning to the CCNG would undoubtedly be the highwater mark for restoration in the grasslands and one the Forest Service should set its sights on.

III. Livestock Grazing and Current CCNG Rangeland Conditions.

As the first step in the revision process, the assessment provides the preliminary information that informs needed changes to the land management plan.⁹⁶ Within the plan revision process, the assessment's purpose is to provide the responsible officer with the current trends on the landscape. These trends when referenced against the existing land management plan help guide what adjustments should be made to meet the Forest Service multi-use mandate.

With 80% of the CCNG designated for intensive livestock grazing under the 1984 RMP,⁹⁷ the draft assessment is missing necessary baseline information about the current health and location of active grazing allotments. The Forest Service needs to disclose: 1) what is the current status of upland and riparian land health for each grazing allotment; 2) what are the factors contributing to

⁹³ Van Vuren, D.H., 2001. Spatial relations of American bison (*Bison bison*) and domestic cattle in a montane environment. *Animal Biodiversity and Conservation*, 24(1), pp.117-124.

⁹⁴ Allred, B.W., Fuhlendorf, S.D. and Hamilton, R.G., 2011. The role of herbivores in Great Plains conservation: comparative ecology of bison and cattle. *Ecosphere*, 2(3), pp.1-17.

⁹⁵ Freese, C.H., Aune, K.E., Boyd, D.P., Derr, J.N., Forrest, S.C., Gates, C.C., Gogan, P.J., Grassel, S.M., Halbert, N.D., Kunkel, K. and Redford, K.H., 2007. Second chance for the plains bison. *Biological Conservation*, 136(2), pp.175-184.

⁹⁶ 36 C.F.R. § 219.5(2)(i).

⁹⁷ Draft Assessment at 93.

that land health status; 3) what are the trends in land health and vegetation diversity since the last plan update; and 4) what are the cumulative impacts of grazing, wind disturbance, invasive species, and drought on the grasslands' allotments. Without this baseline information, it is not possible for the Forest Service to take a hard look at the direct, indirect, and cumulative impacts of the Plan and the Plan alternatives on the grasslands as it pertains to grazing. Moreover, this information is critical for ensuring the public has meaningful public participation opportunities in the planning process. The Forest Service should also directly address how managing the vast majority of the grasslands first and foremost for grazing meets its multiuse and preservation of biodiversity mandate under the Organic Act and 2012 Planning Rule. And for the Plan, the agency needs to analyze a range of alternatives as to varying amounts of grazing.

In CPW's State Wildlife Action Plan they found that,

Grazing by domestic livestock is the primary use of remaining shortgrass prairie. Management for increased livestock production tends to produce a more homogeneous grassland dominated by key forage species (Fuhlendorf and Engle 2001) and requires additional management effort to restore a mosaic of habitat structure suitable for characteristic wildlife species. Thus, there is an ongoing threat of habitat degradation or loss of function for shortgrass prairie.⁹⁸

The CPW Action Plan goes on to say,

Although remaining sandsage tracts generally have good landscape context and connectivity, species composition in these areas is highly altered by long-term mismanaged grazing. Understory grasses have been converted to short grass or annual species, and historic mixed and tall grass components are lacking, with consequent detrimental effect [*sic*] on habitat quality for several SGCN.⁹⁹

Nowhere in the draft assessment is there current or historic information on what percentage of the CCNG has livestock on it annually. The 1984 Land and Resource Management Plan directed the Forest Service to manage nearly all of the grasslands for livestock grazing.¹⁰⁰ While the many sections of the draft assessment include maps, Fluid Minerals analysis even has four maps, the Rangeland Management section has none. The allotments map available online, suggest that the Forest Service may currently have grazing on nearly all of the CCNG. (See Figure 4). These allotments predominately overlap with sandsage and shortgrass prairies. Both of which are ranked as low to moderate ecosystem integrity and are home to CCNG's most at risk species.¹⁰¹

It is important to maintain the range in good to excellent condition, not only to provide a sustained yield of forage for livestock but also to provide for a diverse and healthy assemblage of

⁹⁸ Colorado Parks and Wildlife, 2015. State Wildlife Action Plan: A Strategy for Conserving Wildlife in Colorado. Fuhlendorf, S.D. and D.M. Engle. 2001. Restoring heterogeneity on rangelands: ecosystem management based on evolutionary grazing patterns. *BioScience* 51:625-632.

⁹⁹ Colorado Parks and Wildlife, 2015. State Wildlife Action Plan: A Strategy for Conserving Wildlife in Colorado.

¹⁰⁰ Cimarron and Comanche National Grasslands Land and Resource Management Plan at III-161 & Management Area Map for the Cimarron and Comanche National Grasslands (1984).

¹⁰¹ Draft Assessment at 23 & 26.

native wildlife. Holechek (1993) reported that 35–40% of federal rangelands were “grazed heavier than ideal for wildlife, long-term ecological sustainability, and maximum economic return,” and 15–25% were “undergoing serious degradation.”¹⁰² Monitoring is essential to understand the impacts of grazing on the CCNG, so we recommend exclosures be erected in representative habitat types of each allotment to serve as a baseline for monitoring departure from ungrazed condition as a result of the cumulative effects of wildlife and livestock grazing.

The Forest Service should consider showing three maps in Rangeland Management Section: 1) the 1984 LRMP management designations for livestock grazing, 2) active grazing allotments on the CCNG today, and 3) current rangeland conditions. Maps in the Rangeland Management Section would help the public understand whether the grasslands are still mainly managed for livestock grazing.

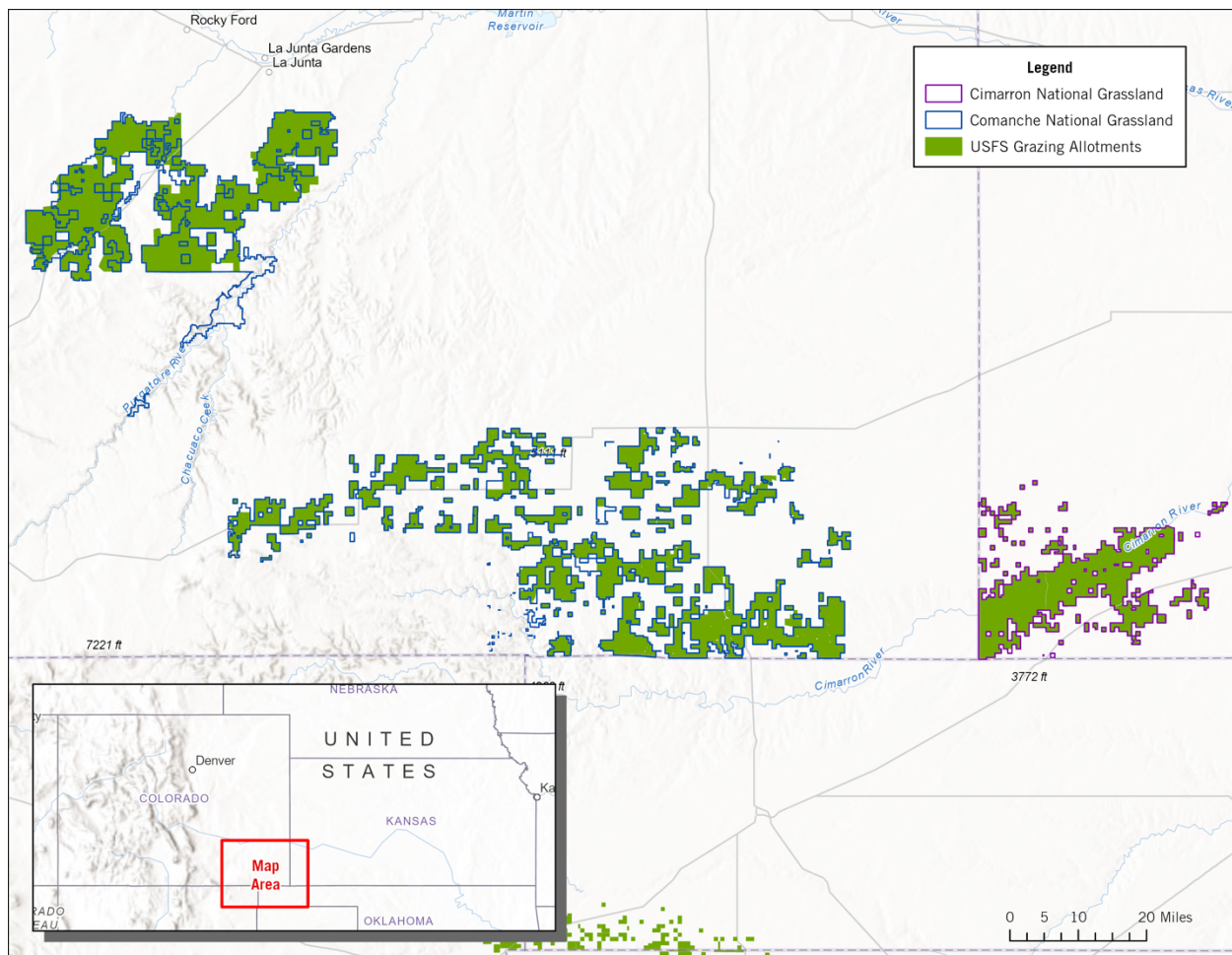


Figure 4. USFS grazing allotments in Cimarron and Comanche National Grasslands.

¹⁰² Holechek, J.L. and Hawkes, J., 1993. Desert and prairie ranching profitability. *Rangelands Archives*, 15(3), pp.104-109.

a. Grazing Impacts to Aquatic Ecosystems Should be Assessed and Disclosed.

It's unclear how grazing on the CCNG impacts aquatic resources. Yet, disclosing and assessing how grazing allotments have or have not impacted the aquatic ecosystems over the last 40+ years is elemental to determining how the grasslands should be managed in the revised RMP.

For example, in the draft assessment unsustainable grazing is listed as a stressor for playa lakes, riparian, and wetland ecosystems.¹⁰³ But when the draft assessment analyzes status and trends for these areas it places all of the blame on "grazing on non-National Forest System lands."¹⁰⁴ While off-Forest Service managed land grazing can affect these ecosystems on Forest Service managed lands, there is a disjunct here. The Forest Service seems to be ignoring the impacts that grazing is having directly on the Forest Service managed lands themselves. Indeed, there is an entire dearth of information as to what the current condition and impacts are from grazing on the federally managed lands that this Plan is to cover. With nearly all of the CCNG allotted for intensive grazing, the draft assessment lacks needed analysis and discussion of how grazing under the current plan on national forest system managed lands is impacting playas, riparian areas, and other aquatic resources.

Another section discussing the status and trend of riparian areas simply says, "wetlands are affected by upstream and upslope activities that occur on and off National Forest System lands."¹⁰⁵ The Forest Service needs to identify what activities these are, their impacts, and where they are occurring both on and off Forest Service lands. The agency has a duty to avoid, minimize, and mitigate these impacts. The 2012 Forest Service Planning rule requires that land management plans include plan components "to maintain or restore:... (iv) Water resources in the plan area, including lakes, streams, and wetlands; ground water; public water supplies; sole source aquifers; source water protection areas; and other sources of drinking water (including guidance to prevent or mitigate detrimental changes in quantity, quality, and availability)."¹⁰⁶ This information is also critical for the public to assess and understand how the agency intends to address wetlands protection in the new Plan.

When discussing the water quality of lakes and ponds, the assessment states that "grazing occurring on the surrounding lands could increase runoff" and decrease shoreline stability.¹⁰⁷ Further discussion on how allotments overlap with or are adjacent to lakes and ponds, what the current conditions of these waterbodies and their surrounding riparians areas would help understand the extent to which livestock grazing may be impacting aquatic ecosystems in the plan area. Are there Forest Service policies on fencing to limit the impact of livestock on lakes and ponds? Should these be Plan standards to ensure the agency is protecting sensitive water and riparians resources?

¹⁰³ Draft Assessment at 33.

¹⁰⁴ *Id.* at 35.

¹⁰⁵ Draft Assessment at 38.

¹⁰⁶ 36 C.F.R. § 219.8(a)(2)

¹⁰⁷ Draft Assessment at 40.

We ask the Forest Service to provide more information on how grazing currently overlaps with aquatic ecosystems.

b. Grazing Permitting and Analysis.

The draft assessment describes that administration of permits on the CCNG relies on one NEPA process for the 226 allotments on the Comanche National Grassland under one grazing agreement. It is unclear when this NEPA analysis was done, the level of site-specific detail it contained, or the last time it was updated to reflect changing conditions. There is no clarification of what NEPA process, if any, applies to the 30 allotments on the Cimarron National Grassland. It is also unclear if there is any site-specific analysis of grazing impacts on allotments on the CCNG. The range of alternatives for this plan should include site-specific NEPA for each allotment, or at a minimum a standard to conduct such NEPA when grazing permits are to be renewed and are overlapping with sensitive resources that are in degraded condition (e.g. wetlands) or threatened, endangered, SCC, or focal species habitat.

The draft assessment also does not specify when the NEPA analysis was done or the last time the Allotment Management Plans were updated. Low ecosystem integrity and deteriorating ecological conditions across the plan area due to drought, wind erosion, and climate change¹⁰⁸ indicate that analysis of range condition and grazing impacts should be done regularly, and the plan should prescribe this analysis as a specific plan standard.

Grazing permittees who use federal lands are charged \$1.35 per Animal Unit Month (“AUM”), where grazing leases on comparable private lands go for \$20 or more per AUM. In return for this substantial land-lease subsidy, it is reasonable to expect federal permittees to coexist with native wildlife and manage their grazing operations in a manner compatible with maintaining multiple uses on the public lands. The Forest Service must also explicitly ensure that its mandate for multiple use, which includes protection of biodiversity and water resources, is being met. These multiple uses include watershed, wildlife (including prairie dogs), and public recreation. If grazing permittees are unwilling to coexist with native wildlife, including the black-tailed prairie dog, then the simplest and most effective means of resolving wildlife-livestock conflicts is to remove the livestock.

For the alternatives the Forest Service considers as it moves through this NEPA process, we strongly recommend the agency consider permanently closing grazing allotments. If the Forest Service moves forward with any alternative that would authorize livestock grazing, please include the following language as a Plan standard that would be included for any and all grazing permits or leases within the project area:

Permittees or lessees with allotments on the Cimarron and Comanche National Grasslands are allowed to voluntarily retire their grazing permits or leases and be eligible for compensation from a third party conservation group.

¹⁰⁸ *Id.* at 26, 28.

To protect important wildlife, hydrology, soil, upland, riparian, and stream resources on allotments within the CCNG, permittees and lessees should be allowed to voluntarily retire their grazing leases and be eligible for compensation from a third party conservation group. With this compensation ranchers could create more secure and certain financial opportunities while protecting and enhancing the resource values the Forest Service is required to protect. Voluntary retirement of one or all of the leases within the CCNG could result in a permanent retirement of domestic livestock use on the allotment allowed by that permit.

IV. Wild and Scenic River Eligibility.

In passing the Wild and Scenic Rivers Act, Congress recognized the importance of protecting the outstanding remarkable values (“ORV”) of free-flowing rivers for the benefit and enjoyment of future generations.¹⁰⁹ The 2012 Planning Rule requires the Forest Service to study river eligibility for inclusion of waterbodies in the National Wild and Scenic River System in parallel to the plan revision process.¹¹⁰ We are happy to see the Forest Service’s determination that a 20.8 mile segment of the Purgatoire River is eligible for listing as a recreational river area.¹¹¹

By finding this segment of the Purgatoire River eligible, the Forest Service must begin managing this segment to maintain its outstanding values. The 2012 Planning Rule requires the Forest Service to manage “rivers found eligible or determined suitable for the National Wild and Scenic River system to protect the values that provide the basis for their suitability for inclusion in the system.”¹¹² These ORV are categorized as geology, history/culture, fish, and wildlife.¹¹³

The Forest Service’s draft assessment underscores the dire trend in water resources across the CCNG. Rivers across the plan area suffer from the impacts of over consumption of ground water.¹¹⁴ Decreases in water quality and quantity are a major concern for ecosystem integrity in CCNG. We strongly endorse the Forest Service’s finding of the Purgatoire River as eligible for protection as a recreational river under the Wild and Scenic Rivers Act.

¹⁰⁹ 16 U.S.C. § 1271.

¹¹⁰ 36 C.F.R. § 219.7(c)(2)(vi).

¹¹¹ Cimarron and Comanche National Grasslands, Wild and Scenic Rivers Eligibility Study Report, May 2025.

¹¹² 36 C.F.R. § 219.10(b)(V).

¹¹³ Cimarron and Comanche National Grasslands, Wild and Scenic Rivers Eligibility Study Report, May 2025.

¹¹⁴ Draft Assessment at 41.

Thank you for your full consideration of our comments and concerns. We look forward to reviewing the final assessment, future revision documents, and continuing to participate in this process. Please ensure that we are advised of the availability of any future revision or NEPA documents in a timely manner and that the undersigned remain on the contact list/interested party list for this plan revision. Please do not hesitate to reach out if you have any questions about these comments.

Sincerely,

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