

Data Submitted (UTC 11): 3/11/2020 11:00:00 AM

First name: Michele

Last name: Anderson

Organization:

Title:

Comments: Resubmitting for the third time due to comment not being posted. Please see attachment for comment.

A Good Hard Look at the impact of cattle grazing on the Sitgreaves

The Sitgreaves National Forest is one of the most heavily grazed, by cattle, forests in the Southwest Region of the United States. I require a good hard look to be taken at the impacts of cattle grazing on the Sitgreaves.

Prelude to Catastrophe

Recent and Historic Land Management Within the Rodeo-Chediski Fire Area Report prepared by:

Center for Biological Diversity

Sierra Club

Southwest Forest Alliance

[https://www.biologicaldiversity.org/publications/papers/r-c\\_report.pdf](https://www.biologicaldiversity.org/publications/papers/r-c_report.pdf)

Excerpts

The record unambiguously demonstrates that the Sitgreaves national forest is one of the most heavily logged, grazed and roaded forests in the Southwest Region of the U.S. Forest Service (Arizona and New Mexico). It has less old growth, fewer roadless areas, and fewer wilderness areas than the other eleven forests. Virtually every acre within the Rodeo-Chediski fire area was intensively logged, grazed, and roaded.

Grazing fostered growth of pine thickets livestock grazing is recognized by scientists to be the single most important influence besides climate on vegetation in the Southwest. For nearly 100 years, national forests have been divided into fenced grazing allotments, where privately owned cattle and sheep are permitted to graze. Eight grazing allotments were found to lie substantially within the area of the Rodeo Chediski fire (Fig. 5).

Although all of these allotments were by law supposed to have completed environmental review by now, only four appear to have been fully completed from records available to the Center. This has had important consequences, because in every case where environmental reviews have been completed the allotments were found to be stocked well over capacity and heavily grazed, resulting in growth of pine thickets with high fuel potential for catastrophic fires.

In a 1998 Environmental Assessment for the Black Canyon allotment, the Forest Service states that residual herbaceous material that both inhibits tree seedling establishment and that carries periodic fire which can thin and remove increased density of trees, [rdquo] needed to be provided, but was being removed by livestock. The report then concluded that [ldquo]overstocking and overutilization of vegetation [rdquo] by cows had left the range in [ldquo]poor and very poor [rdquo] condition with [ldquo]high tree densities [and] overuse of desirable forage [rdquo] The report recommended a drastic reduction from 213 head down to 60.16

[ldquo]Probably no single land use has had greater effect on the vegetation of southeastern Arizona or has led to

more changes in the landscape than livestock grazing range management programs. Undoubtedly, grazing since the 1870s has led to soil erosion, destruction of those plants most palatable to livestock, changes in regional fire ecology, the spread of both native and alien plants, and changes in the age structure of evergreen woodlands and riparian forests.[rdquo]

Bahre, C. J. 1991. A Legacy of Change: Historic

Human Impact on Vegetation of the Arizona Borderlands. University of Arizona Press.

An EA/EIS must include a complete and detailed breakdown of range monitoring data for the past ten years, including data distinguishing wild horses from wildlife and livestock impacts; all of which must be provided to the American public. Without this the EIS/EA and any subsequent action will be in violation of the NEPA requirements and thus illegal. Keep in mind that to ignore or falsify this data is a violation of Title 18. Title 18 (18 U.S.C.[sect] 1001). Making false statements (18 U.S.C.[sect] 1001) is the common name for the United States federal crime laid out in Section 1001 of Title 18 of the United States Code, which generally prohibits knowingly and willfully making false or fraudulent statements, or concealing information, in "any matter within the jurisdiction" of the federal government of the United States, even by mere denial 18 U.S. Code [sect] 1519 - Destruction, alteration, or falsification of records in Federal investigations Current through Pub. L. 114-38. (See Public Laws for the current Congress.) US Code Per the US Department of Justice, the purpose of Section 1001 is "to protect the authorized functions of governmental departments and agencies from the perversion which might result from" concealment of material facts and from false material representations.

An EA/EIS must include the research and monitoring data and the scientific methods used to differentiate between wild horses versus wildlife versus livestock. This monitoring research and its subsequent report data and summary must include all information on all methods used by the USFS to determine and differentiate between wild horse usage and wildlife usage and livestock usage of forage and water usage in at least the past ten years. Details:

Water usage designation

Foraging wildlife

Wild horses

Domestic livestock

Forage usage designation

Domestic livestock (AUMs)

Foraging wildlife

Wild horses

Water and land usage designation for other current or likely [ldquo]multiple uses[rdquo] including but not limited to:

Mining

Geothermal

Solar

Wind turbine

Oil and Gas

Sold/leased to outside communities or individuals or companies (not used within the Territory)

Principle Use

The Wild Horse AML used for the Heber Herd Territory must be unbiased and evaluated to accommodate the current and future populations that are congressionally designated to live on that land.

Designated wild horse (and burro) herd area ranges are to be devoted principally to the protection and preservation of wild horses (or burros). This means that other uses may be constrained to the extent necessary to provide fully for the wild horses' welfare. This obviously will require reductions or closure to livestock grazing regardless of the political influence or threats or bullying by the grazing permit holders or others with a financial interest in the legal wild horse and burro land. Multiple use does come into play after the horses have principle consideration including principle use of water, forage, and acreage. Internal fences prevent the horses from having principal use of the land by preventing the horses from free-roaming. Opening gates at certain times of the year is not adequate to the nature of free-roaming wild horses. The act of opening and closing cattle pasture fences clearly puts the principle use as that of cattle grazing instead of the principle use of the wild horses as it mandated by federal law.

An EA/EIS must consider alternatives that would mitigate any need to remove any of the wild horses both temporarily or permanently and must provide specific data and a complete analysis of accommodation of the present wild horse without removals; pursuant to CFR 43 C.F.R. 4710.5(a)

I require that the following alternatives be impartially analyzed in the upcoming EA/EIS:

[bull] The reduction or termination of livestock grazing for the next ten years instead of reduction of wild horse numbers in the Heber Wild Horse Territory.

The largest water source on the HWHT is Black Canyon Lake. It is currently within a grazing allotment. The grazing allotment needs to be retired or modified in a way that excludes the cattle from having access to the lake. The lake is used by fishermen and families who go there to enjoy the outdoors. The fact that cattle contaminate the lake with urine and feces makes it an Area of Critical Environmental Concern.

Wild horses and burros are legally DESIGNATED on the Territory and livestock are only PERMITTED. Definition of the word "designated" is to "set aside for" or "assign" or "authorize". Definition of "permit" is to "allow" or "let" or "tolerate". The wild horse (and wild burro) lands and resources are set aside for, and assigned and authorized for, the use of wild horses (and burros) whereas the livestock is only allowed and tolerated and let to use the public range resources. While commercial livestock grazing is permitted on public lands, it is not a requirement under the agency's multiple use mandate as outlined in the Federal Land Policy and Management Act of 1976 (FLPMA). Public land grazing clearly is a privilege not a right, while the USFS is mandated by law to protect wild horses and burros. Therefore, I require a complete, valid and scientific assessment including the explanation of the methods used for the assessment, of the past and current animal unit months (AUMs) for the Heber herd management/territory lands including allotments for livestock, wild horses and other wildlife be evaluated and presented to the public for review.

I require the forthcoming EA/EIS to provide to the public information of any and all livestock grazing allotments including but not limited to the allotment name, number of acres, number of AUMs, number of livestock, number and type (cattle/sheep/other) and grazing dates as well as a map of the grazing allotments and pastures within allotments in the USFS the Heber Wild Horse Territory.

I require the EA/EIS to include the alternative of legal reduction of private/corporate domestic livestock grazing in the Territory, pursuant to 3 C.F.R. 4710.3-2 and 43 C.F.R. 4710.5(a), in order to accommodate the current wild horse population level. The USFS authority to reduce livestock grazing pursuant to 43 C.F.R. 4710.5 in order "to provide habitat for wild horses or burros." There are no restrictions on usage of this authority as it is fully available to the USFS as an option within the EA/EIS versus the policy of continuing the cycle of perpetual roundups and removals procedures.

I require the EA/EIS provide all livestock use information and all livestock monitoring information for all allotments for the past forty-nine years [since the 1971 ACT became law].

[bull] Required in the EA/EIS: The environmental impacts of any proposal to make or re-affirm private/corporate domestic non-native livestock grazing as the predominant use in the Heber wild horse legal herd territory including all details of research studies and methods of research of these studies.

[bull] Required in the EA/EIS: The recreational use impacts due to lost opportunities for wild horse viewing, independent research and photography, and human need for solitude and meditation; all of which are popular public activities in this Heber Wild Horse Territory, including all details of research studies and methods of research of these studies.

[bull] Required in the EA/EIS: The economic impacts of the proposed action, including lost revenues, costs for roundup and lifetime holding of horses vs. the economic benefits to American taxpayers of reducing or eliminating taxpayer subsidized livestock grazing in this area including all details of research studies and methods of research of these studies.

See [http://www.taxpayer.net/user\\_uploads/file/factsheet\\_Grazing\\_Fiscal\\_Costs\(3\).pdf](http://www.taxpayer.net/user_uploads/file/factsheet_Grazing_Fiscal_Costs(3).pdf)