Data Submitted (UTC 11): 6/28/2021 6:00:00 AM
First name: Darrell
Last name: Geist
Organization: Buffalo Field Campaign
Title: Habitat Coordinator
Comments: Buffalo Field Campaign files our objection to Yellowstone District Ranger Alex Sienkiewicz's decision to permit commercial cattle grazing on 20,900 acres in the East Paradise Range of the Custer Gallatin National Forest in the Absaroka Beartooth mountain range.

Buffalo Field Campaign objects to the Custer Gallatin's permitting of commercial cattle grazing in American bison range and habitat while simultaneously agreeing to a boundary line beyond which the wild migratory species is excluded from significant portions of their indigenous territory on the National Forest.

As stated in our comments and ignored in your analysis, there are numerous permitting decisions being made by the Custer Gallatin affecting habitat for viable populations of American bison yet there is no analysis of direct, indirect, and cumulative effects in your decision permitting cattle in the indigenous species' range and habitat on the National Forest.

Where is the analysis evaluating how permitting cattle in the East Paradise Range affects American bison viability in conjunction with the exclusionary boundary agreed to by Forest Supervisor Mary C. Erickson? Where is the analysis for evaluating the combined effects of permitting cattle in American

bison range and habitat for Ranger Districts on the Custer Gallatin? Or permitting fencing and cattle guard schemes disrupting natural migrations of American bison and connectivity to National Forest habitat?

Connected management actions within the agency's jurisdiction may be putting viability of American bison at risk because reducing migrants, removing range, and shortening the distances migrants can travel can drive species to extinction. Buffalo Field Campaign December 11, 2020 comments citing Harris et al., 2009 at 68; Montana Natural Heritage Program 2020 at 6 recognizing American bison are "at risk" and "vulnerable to extirpation in the state" of Montana.

The public doesn't know, and neither does the Custer Gallatin because there is no cumulative effects analysis that takes into account the combined permitting decisions affecting viability of migratory American bison on the National Forest.

The Custer Gallatin's truncated decision making and analysis is in conflict with and impairs the agency's requirement to "provide habitat for viable populations of all indigenous wildlife species and for increasing

populations of big game animals," including American bison. Gallatin National Forest 1987 (Forest Plan Goal) II-1.

Yellowstone District Ranger's Alex Sienkiewicz decision also degrades American bison range and habitat, and water quality, by excluding a migratory keystone wildlife species while permitting commercial cattle to occupy and graze bison habitat, thus creating the condition that reinforces the agency's decision excluding an indigenous species from their National Forest range and habitat.

"There are no foreseeable changes in bison tolerance zones that would allow bison access to the landscapes that include the East Paradise allotments." Appendix A Response to Comments on the Draft Environmental Assessment. Gazing into a crystal ball the public cannot see is not analysis. Buffalo Field Campaign submitted substantial information in our comments for the Yellowstone District Ranger to understand and assess effects in relationship to the decision being made.

Permitting commercial cattle grazing reinforces this adverse condition on the Custer Gallatin National Forest. Cumulative adverse effects have been accumulating for decades and will continue for the "foreseeable future" because of your decision to permit cattle in American bison range and habitat on the National Forest.

"Bison management is under the purview of the State of Montana." Appendix A Response to Comments on the Draft Environmental Assessment. It is also under the purview of the U.S. Forest Service.

M. Nie, C. Barns, J. Haber, J. Joly, K. Pitt & S. Zellmer, Fish and Wildlife Management on Federal Lands: Debunking State Supremacy, Environmental Law 47(4) (2017) at 798, 898-899 (emphasis in the original).

We begin our analysis by recognizing that federal land agencies have an obligation and not just the discretion, to manage and conserve fish and wildlife on federal lands. Before explaining, it is important to first dispel the common myth that "the states manage wildlife, federal land agencies only manage wildlife habitat." We found this mantra repeated throughout our study and it was commonly invoked by state and federal agencies in multiple cases and contexts.

Just because the federal government has traditionally deferred to the states in establishing regulations pertaining to hunting, fishing and trapping does not mean "the states manage wildlife and federal land agencies manage wildlife habitat." We suspect that this non sequitur explains why the mantra has been so rarely questioned in the past.

The mantra is wrong from a legal standpoint, limited from a biological one, and problematically simplifies the complexity of wildlife-habitat relationships.

Notwithstanding the Yellowstone District Ranger's statement ceding U.S. Forest Service authority for wildlife to a State, the East Paradise Range is part of the range and habitat of American bison and permitting cattle to graze while excluding bison from it is within the agency's jurisdiction.

But for the Custer Gallatin voluntarily agreeing to restrict the range and habitat of American bison on the National Forest and permitting cattle grazing in the bison's indigenous territory, more of the migratory species would be present, and affected, not just lone bulls.

Your analysis of "no impact" and "no meaningful effects to species of habitat" for American bison is flawed and defective for all of the reasons stated in our objection. East Paradise Range Allotment Management Plan Environmental Assessment.

Significant effects common to Custer Gallatin National Forest management, operations, and permitting decisions under your jurisdiction continue to be disregarded as "speculative" with "no overlap of possible effects" for American bison. Appendix A Response to Comments on the Draft Environmental Assessment.

In renewing cattle grazing within American bison's territory in the East Paradise Range, more of indigenous bison's range and habitat on the Custer Gallatin National Forest will be adversely affected.

Only implementing alternative 1, with no cattle grazing, would rectify the defects and deficiencies in the decision before you and align with the "overwhelming majority" of 23,000 public comments supporting wilderness and American bison on the Custer Gallatin National Forest.