

Data Submitted (UTC 11): 1/5/2022 8:00:00 AM

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Submitted online at <https://www.fs.usda.gov/project/?project=49993>

Re: Revised Notice of Proposed Action, Bridgeport Southwest Rangeland Project

Dear Ranger Coogan,

Thank you for the opportunity to comment on the Humboldt-Toiyabe National Forest's Notice of Proposed Action (NOPA) for the Bridgeport Southwest Rangeland Project (BSRP). The BSRP proposes to reopen old sheep grazing allotments that have not been utilized since 2009, for cattle grazing as part of a legal settlement. It is important to note that cattle have never grazed on these allotments.

I have been recreating in the Twin Lakes and Mono Basin areas for over 50 years. I have been a Mono County resident for 23 years and own a home in Mono City and a cabin at Twin Lakes, Bridgeport. I am very familiar with this area.

This is my third public comment submittal on this project. The dates of my previous letters are June 7, 2018 and August 5, 2019 (attached).

The proposed actions for this project which include the original NOPA and subsequent amendments will cause significant resource damage and is a drastic change in use. Therefore, the BSRP requires an Environmental Impact Statement (EIS), not an Environmental Assessment (EA) in order to fully evaluate all impacts.

Toiyabe Land and Resource Management Plan amendment

The Bridgeport Ranger District (BRD) concluded that [ldquo]the proposed action includes the reconstruction of three water sources and the piping of water from those sources out of the riparian areas. The water developments would be moved out of the riparian areas in compliance with the Sierra Nevada Forest Plan Amendment (2004). Doing so would be inconsistent with the Toiyabe National Forest Land and Resource Management Plan (TLRMP) as amended by the Bi-state Sage-grouse Amendment standard RI-S-06 requirement that livestock watering and handling facilities be located outside 0.6-mile buffer of riparian areas. After completing map work it was determined that it is not feasible to move the water troughs 0.6 miles from riparian areas in the Dunderberg allotment.[rdquo]

Therefore, the NOPA proposes that [ldquo]to ensure consistency between the project and the TLRMP, as amended, there is a need for a project specific plan amendment that would allow the new location of the water troughs to be located within the 0.6-mile exclusion buffer prescribed in the Bi-state Sage-grouse Amendment. The proposed project-specific plan amendment would add the following to Bi-state Sage Grouse Amendment standard RI-S-06, [ldquo]This standard does not apply to the Bridgeport Southwest Rangeland Management Project (date of project approval).[rdquo]

I do not support an amendment to the TLRMP just so the proponent can have watering troughs located within the 0.6-mile exclusion buffer as was prescribed in the Bi-State Sage Grouse amendment. An amendment that relieves the proponent from adhering to management protections for the Bi-State Sage Grouse is not acceptable given the current status of the species and is a bad precedent to set for sage grouse protection.

Damage to sensitive areas

Impacts to fragile high elevation meadow vegetation, seeps, springs, creeks and ephemeral creeks are all but guaranteed to be impacted by cattle grazing. One needs only to travel to Buckeye Canyon, Burt Canyon, and other cattle grazing allotments on the Humboldt-Toiyabe to see the damage caused by cattle. In my experience, small ephemeral water courses are often the most damaged as their channel confinement is not as established as other larger riparian systems. These smaller streams are often more critical in their water conveyance to downstream habitats reliant on annual water not to mention the aquatic life that the streams support.

The NOPA accurately calls for [ldquo]excluding livestock from standing water and saturated soils in wet meadows and associated streams and springs[rdquo] to protect Yosemite toads (and other species). Yosemite toad habitat is defined as [ldquo]relatively open meadows with low to moderate amounts of woody vegetation that have standing water on June 1 or for more than 2 weeks following snow melt.[rdquo] Furthermore, the NOPA requires, [ldquo]if physical exclusion of livestock is impractical, then exclude grazing from the entire meadow. This standard does not apply to pack and saddle stock.[rdquo] It seems to me that Yosemite toad habitat is prime grazing habitat. I am concerned that this exclusion will not be achieved and the Yosemite toad (and other species) will be impacted.

The NOPA also calls for [ldquo]prevent(ing) disturbance to streambanks and natural lake and pond shorelines caused by resource activities (for example, livestock, off-highway vehicles, and dispersed recreation) from exceeding 20 percent of stream reach or 20 percent of natural lake and pond shorelines.[rdquo] This requirement is currently being violated every season at the small lake and creek below Kavanaugh Ridge. How will the BRD

hold the lessee accountable when it is not currently holding recreational users accountable? The lakes and streams will not be fenced and as the cattle move from one location to another, I assume they will be crossing creeks and seeps. The NOPA doesn't explain how the cattle will be moved from one allotment to another. Will they just herd the cattle across Green Creek and Virginia Creek?

Monitoring goals unrealistic

I am concerned that the monitoring goals included in the NOPA are unrealistic and not easily achievable. These allotments are at relatively high elevations and experiencing a rather late seasonal snow melt. If I understand correctly, BRD staff will assess meadow conditions before the lessee starts the grazing season (as early as May 15). According to the NOPA, staff appear to be monitoring meadow height and health, Yosemite toad locations and use, Bi-State sage grouse lek sites and brood rearing locations. Depending on data collected the lessee will then be required to adjust their grazing plan and locations to avoid and protect native species. To be honest, this seems like a heavy lift in terms of staff time to me. For this reason, I doubt that pre-grazing surveys will be completed or plans adjusted. And I fear the above-mentioned species will suffer.

I also have little confidence that annual seasonal monitoring will be completed in a timely way. This area, especially Kavanaugh Ridge, has been experiencing a steady decline in resource health due to ATV damage and camping impacts. In the early season, off-road vehicles and ATVs just drive around snowbanks on sensitive, high elevation soils to access their destination, despite signs placed by the BRD prohibiting this activity. People drive their vehicles and camp right on the lake shore all summer long. Vehicles drive over wet, muddy areas destroying native vegetation. The BRD has not demonstrated an ability to get this situation under control and to address these violations. I have always assumed that the BRD just didn't have the time and staff resources. Adding another huge complex resource monitoring demand (the BSRP) to an already overflowing work plan seems disingenuous at best and an irresponsible action for a land management agency.

I recently reviewed the following report: Humboldt-Toiyabe National Forest Monitoring Report for Livestock Grazing within Lahontan Cutthroat Trout, Sierra Nevada Yellow-Legged Frog and Yosemite Toad Habitat - Carson and Bridgeport Ranger Districts, 2020 Grazing Season. I concluded that even when monitoring is required, sometimes that monitoring is not completed as was the case in 2020. The report states that BRD did not complete any required annual monitoring of allotments while the Carson Ranger District was able to conduct monitoring. The reason given for the BRD was the Covid pandemic and admittedly that was a hurdle to be navigated. But if public lands are going to be grazed then a plan should be in place for the monitoring to occur and if it can't, then the grazing should be suspended. Simply put, if you can't monitor then you can't graze. This is especially true with this project where the monitoring feedback is used almost exclusively to avoid detrimental effects. The huge amount of monitoring required with the BSRP reveals that cattle grazing is not appropriate for these places.

I also discovered from reading the report that as monitoring demands increase throughout the Humboldt-Toiyabe National Forest and staff availability decreases, the forest often implements a less-than-annual monitoring schedule on certain allotments. This also concerns me.

The success of this project as stated in the NOPA is strongly tied to monitoring and a "fix it after it's broken" approach. If not for the lawsuit and resulting settlement, I wonder if the BRD would be going to these lengths to introduce cattle grazing in this area. Currently this area is a healthy, functioning system of wet

meadows, high elevation soils and diverse plant life supporting a wide variety of wildlife species. Since the domestic sheep were removed in 2009 the area (with the exception of the ATV and camping impacts) has flourished. As more and more areas on the BRD experience an increase in recreational impacts, these areas become all the more important for wildlife and protected species.

Recreational user conflicts

The allotments span a geographic area from south of the Virginia Lakes Road to southeast of the Twin Lakes basin. The Virginia Lakes and Twin Lakes areas are very popular with a variety of recreationists. Camping, fishing, backpacking, hiking, photography, hunting, approved off-highway vehicle use routes, bird watching, wildflower viewing and more are popular in this area. In the past 50 years I have witnessed a sharp increase in the number of people that frequent the area. Cattle grazing would definitely impact all of these recreational activities.

This area of the BRD is primarily a recreational forest, not rangeland. For example, in the Twin Lakes area adjacent to Twin Lakes Road there have been an increasing amount of user conflicts [ndash] campers and domestic sheep [ndash] so much so that now multiple signs are posted along the road warning recreationists of sheepherding dogs protecting their flocks. These are right across the road from several campgrounds along Robinson Creek that have full capacity all summer long. While out of the BSRP area, it feels as though the BRD is trying to [ldquo]have it all[rdquo] and accommodate everyone when really these are incompatible uses.

Lack of fencing and the use of [ldquo]range riders[rdquo]

The NOPA states the cattle will be controlled and precluded from sensitive areas by some minimal fencing but primarily with [ldquo]range riders.[rdquo] It is not clear from reading the document if these cowboys will be out with the cattle 24/7 and if there is just one or a whole team of [ldquo]range riders.[rdquo] If individual cows stray and cowboys need to herd one or two, then who is controlling the rest of the herd? Admittedly, I am not versed in range management techniques but I have witnessed Hunewill Ranch crews moving cattle and there are usually several, even upwards of ten or more, cowboys directing the cows.

Given the popularity of the area for diverse recreational uses, I predict user conflicts will occur. These conflicts will add to an already over-burdened staff-time deficiency and all are impacted [ndash] lessee, recreationists, and the very plants, animals, and land the BRD is mandated to preserve.

Impacts to species of critical concern

The mission of the Forest Service is to sustain the health, diversity, and productivity of the nation's forests and

grasslands to meet the needs of present and future generations.

Implicit in the above mission statement is not having protected species [ldquo]blink out[rdquo] and prioritizing cooperation with other federal agencies tasked with their protection. The BSRP is located in a high elevation, fragile wet-meadow landscape. The NOPA identifies several species of critical concern in the project area: Sierra Nevada bighorn sheep (endangered species), Yosemite toad (threatened species), Bi-State sage-grouse (declining, but not currently listed), and Sierra yellow-legged frog (endangered species), and American pika (species of concern).

In general, not enough information has been shared in the NOPA on how the BRD will ensure that the lessee is navigating not only Yosemite toad habitat but Sierra yellow-legged frog habitat as well, especially since the latter is an endangered species.

Sage grouse nesting happens from March 1 - June 30 when cattle will be on the meadows. Fencing is the only way to reliably keep cattle away from sage grouse and fencing has its own adverse effects on sage grouse.

I am especially concerned for Sierra Nevada bighorn sheep and impacts from cattle on the availability of sufficient winter forage for them, especially in big winters when heavy snows push them to lower elevations. While addressed in the NOPA, I[rsquo]m also concerned about fencing in this area and the potential impacts not only to Sierra Nevada bighorn sheep but to other wildlife as well.

American pika habitat is abundant in the project area. Pika habitat lies adjacent to meadows and rangelands that are essential for pika survival and these areas are highly likely to be grazed. There is no mention in the NOPA how pika will be protected from grazing impacts.

Potential conflict of interest and bias toward proponent

If I understand the sequence of events correctly, in 2009 a sheep grazing permit on these allotments was non-renewed (not cancelled) due to a scientifically-based discovery that there was the potential for disease transmission from domestic sheep to endangered Sierra Nevada bighorn sheep. The lessee sued the Humboldt-Toiyabe and the resulting settlement stipulated that if the allotments were ever reopened in the future and environmental review found them acceptable for cattle grazing, that lessee would have the first right to apply.

It appears as though the BRD may be receiving pressure from the proponent and [ldquo]pushing[rdquo] them to approve an allotment just to satisfy an expectation of the lessee related to the settlement. I[rsquo]m concerned

that, fearing another lawsuit from the proponent, the BRD may feel an obligation to find these allotments suitable for cattle grazing.

For the BRD to state in the NOPA that cows might provide a positive effect in any way causes me great concern. This is only one example and other language throughout the document demonstrates an already existing bias toward the proponent.

From the NOPA:

Cattle grazing could affect soil quality and erosion.

The allotments include a range of soil types, with varying productivity and erosion potential, and slopes range from level to quite steep. Cattle grazing could potentially have positive and negative effects on soils that this analysis addresses. Under properly managed grazing, hoof action could roughen soil surfaces and increase infiltration, a positive effect on soil quality. On the other hand, hoof action could also compact soil in areas of concentrated use, restricting root growth and nutrient availability, and increase runoff, erosion, and soil loss. These effects could decrease soil quality and increase erosion.

This area is not a private ranch with heavily irrigated pasture where thatch builds up and prevents nutrients from reaching soils, (and some would say) requiring a [ldquo]graze it, burn it, mow it[rdquo] remedy. This is a natural, self-functioning meadow system that has existed for millennia. Please let[rsquo]s be completely clear: this area does not need cows to be healthy. Cows are not a native species and by definition can only harm, not help this landscape. For the NOPA to imply otherwise is flat out incorrect.

Conclusion

This area of the Humboldt-Toiyabe National Forest is a gem and the increase in visitation over the years and diverse recreational activities enjoyed there prove it. Approving these areas for cattle grazing leases will forever change that and the resulting risk to threatened and endangered species is far too great.

If the BRD continues to proceed with this proposal to authorize cattle grazing on these allotments, I strongly request that a full Environmental Impact Statement (EIS) be prepared. The fact that cattle have never grazed on these lands and the significant impacts touched on in the NOPA justify further, in-depth review.

Thank you for the opportunity to comment.

Sincerely,

/s/ Lisa Cutting

Lee Vining, CA