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Working to protect and restore Western Watersheds and Wildlife

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ADDITIONAL COMMENTS ON THE TONTO NATIONAL FOREST PRELIMINARY PROPOSED PLAN FOR LAND AND RESOURCE MANAGEMENT

The following comments on the Tonto National Forest's Preliminary Proposed Plan ("PPP") for Land and Resource Management are submitted on behalf of the members of Western Watersheds Project, a nonprofit conservation organization dedicated to restoring western watersheds for wildlife. These comments are supplemental to the comments we submitted on January 11, 2018, and expand on our concerns regarding livestock grazing as it impacts the Mexican gray wolf.

We strongly recommend, among other environmental considerations, that the decisions regarding the proposed forest plan specific to livestock operations take into account the need to address sustainability and to plan for the recovery and expanded habitat of the Mexican gray wolf.

Under the currently operative 2015 Final Rule for the Revision to the Regulations for the Nonessential Experimental Population of the Mexican Wolf (80 F.R. 2512), the Mexican Wolf Experimental Population Area (MWEPA) stretches from Interstate 40 in the north to the U.S.-Mexico border in the south. The planning area at issue here is well within "Zone 1," the area within which Mexican wolves may be initially released or translocated. *Id.*¹ Recent location data from the U.S. Fish and Wildlife Service indicates the wolves' occupied range covers a portion of the project area.²

WWP strongly supports the inclusion of science-based standards and guidelines in the forthcoming plan. It is imperative that the revised plan includes specific and quantifiable limits on the impacts of multiple-use activities on ecosystem health, and that these overarching requirements be incorporated into future plan-level implementation and project-level decisions. It is also critically important that the boundaries of adaptive management be proscribed in the forest plan: there can be a

¹ https://www.fws.gov/southwest/es/mexicanwolf/pdf/Non_Essential_Map.pdf, accessed May 25, 2018.

² https://www.fws.gov/southwest/es/mexicanwolf/pdf/Non_Essential_Map.pdf, accessed May 25, 2018.

range of management options to choose from, but that range must be based in science and have undergone the public review process prior to becoming part of any adaptive scheme.

The Forest Service must consider, analyze, and disclose the impacts of livestock on Mexican wolves vis-à-vis the effects on prey species. It is well understood that livestock significantly displace certain native ungulates. Wallace and Krausman, 1987. Some deer species are known to avoid cattle. Krämer 1973. Elk and deer densities can decline by as much as 92% in response to introduction of livestock. Clegg 1994. Because wild ungulates and cattle use the landscape in similar ways (by eating plants and moving about the landscape), but wild ungulates are more effective agents of landscape change in a reflexive relationship with ideas of land that stress natural amenities over production, (Hobson *et al.* 2006), the Forest Service must consider the habitat preferences of ungulates as part of this planning process. Frisina 1992. Given that each AUM allocated to livestock effectively redirects the same forage away from native wildlife, the Forest Service should accurately discuss the public trust resources (wildlife) being replaced by private profit (livestock).

Because the ecological costs of livestock have been clearly documented (e.g., Belsky and Blumenthal 1997, Donahue 1999, Fleischner 1994, Gillis 1991, Jones 2001, Mack and Thompson 1982, Milton *et al.* 1994, Painter 1995, using information garnered from reviewing published peer reviewed research and citations therein), advocates of public-lands livestock grazing must be able to demonstrate that low-impact management and ecosystem sustainability are possible, on the basis of careful use of the best available science. They must be able to demonstrate how ecological costs can be minimized. Alien taxa (including domestic livestock) and their associated infrastructure must be treated as a significant ecological stress, and negative impacts on native plants and animals, on soils and soil organisms and on all other aspects of impacted ecosystems must be anticipated and minimized. This can only be done if management decisions are made based on knowledge of the impacted flora, fauna, and ecosystems, and a management program firmly grounded in the best available science, not unsubstantiated opinions, misunderstanding, and misinformation.

As the Forest Service is well aware, livestock and wildlife grazing can modify plant community composition and structure, and overabundant populations negatively impact rangeland–watershed function and wildlife habitats. Danvir, 2018. Negative effects on wildlife may include avoidance of water sources by wildlife, forage loss and altered plant communities, altered bird communities, and impacts to soils and insects. *Id.* For this planning process, the Forest Service must fully analyze and disclose how the presence, number, and grazing intensity of the livestock will impact the native and non-native plant communities. This is especially important for summer months when cattle tend to exhibit more intensive foraging over extensive movements and can therefore forage in place longer than native ungulates. Clark *et al.* 2017.

The first Desired Condition for Livestock Grazing is “Sustainable livestock grazing contributes to the long-term social, economic and cultural diversity and stability of local communities.” PPP at 88. The Forest Service must provide evidence in the project record that livestock grazing is “sustainable” and cannot simply invent the idea without evidence or scientific support.

Rangelands are described as contributing to a “traditional way of life” and as “essential for the survival of many small ranching operations.” PPP at 88. Desiring to preserve a “traditional way of life” for a for-profit business, large or small, fails to recognize that traditions and economies change as

knowledge improves, and that our national forests are not cultural museums, but vital parts of our biosphere.

The Desired Conditions for rangelands seem to be contradictory. PPP at 88-89. Rangelands are to be “resilient to disturbances, fluctuations, and extremes in the natural environment,” and livestock grazing should “promote healthy, diverse plant communities, satisfactory soil conditions, and maintain or improve wildlife habitat,” and livestock is to be managed to prevent negative impacts on other resources. PPP at 88-89. Yet, the science related to livestock grazing on federal public lands clearly indicates that livestock grazing in arid landscapes is incompatible with these Desired Conditions.

The Forest Service must explain how 30-40% grazing use was determined to be a “conservative level” of grazing.

We note that the draft plan includes guidelines which are similar to Best Management Practices (BMPs) to protect, maintain or enhance soil, water, riparian and aquatic resources. PPP at 89. We recommend the Forest Service also develop BMPs for protecting, maintaining, and enhancing wildlife communities such as restricting untended calving operations on forest lands, requiring the use of lime to prohibit predator conditioning, prohibiting use of pastures with known den sites until pups reach maturity, use of guard dogs, use of range riders, and other standards to be included in livestock management.

The Forest Service has declined to provide a list of open, vacant, and closed allotments because the status of allotments is “dynamic” and therefore “not useful.” PPP at 88. However, a list of allotments and their status could provide the public with information regarding the current grazing operations taking place on the Tonto National Forest and the public could view this information in light of the current ecological state of the forest. While this information may be “dynamic” and therefore would need to be updated as the planning process unfolds, this information is not “not useful.” Vacant allotments serve as refugia for wildlife that may be, for example, escaping wildfires and other disturbances, and failing to recognize the value of these vacant allotments during the planning process is inappropriate.

Vacant allotments should be closed and rededicated towards wildlife usage and watershed function. It is vital that the Forest Service recognize that “multiple Use,” does not mean all uses in all places, and allowing some parts of the forest to be permanently free of certain disturbances simultaneously increases the value of those lands for non-consumptive users (e.g. wildlife watchers, quiet recreationists, botanists, etc.). The new plan should allow for grazing permit closure as a result of permit relinquishment and where there is a willing buyer/willing seller arrangement that releases the grazed lands to other uses. Keeping “vacant” allotments in queue for potential use as a forage reserve diminishes the success of this tool.

The draft plan describes the need for flexible management of stocking rates, rotation schedules, and “other strategies” during drought years. PPP at 90. What other inherent user risk will the Forest seek to accommodate? Does the agency seek to build new hiking trails or campgrounds to offset fire closures? Does the agency allow riskier mining operations simply because the price of metals are down as a way of compensating the industry for uncontrollable fluctuations? Will timber sales automatically be relocated if something limits the profit potential? The Forest’s evident interest in supporting

livestock operators through risk-management planning on their behalf is inappropriate. The agency is supposed to manage forest resources, not the business gambles taken by heavily-subsidized public lands grazers.

The influence and adverse impacts of livestock grazing on all the Ecological Response Units (ERUs) of the forest should be disclosed and standards for limiting grazing impacts should be developed in the forthcoming plan. The effects of livestock grazing (soil compaction, reduced herbaceous cover, limiting fine fuels in fire-dependent woodlands) should not be considered the baseline from which the agency has to operate. We encourage the Forest Service to think beyond the traditions and norms by which the forest has been managed in the past and to instead look towards managing for the resilient and healthy forest we'll need in the future. We recommend a guideline to close allotments on Desert ERUs (DERUs) as they become vacant, as well as a guideline directing closure of DERUs whenever ecological conditions indicate that livestock grazing is negatively impacting those DERUs and not wait for the allotments to become vacant. Furthermore, livestock grazing should be considered a "ground-disturbing activity" capable of increasing fires and spreading invasive plants and the Forest Service should issue a guideline that supports or assists partners in monitoring the recovery of DERUs post-disturbance and those disturbances must include a specific reference to livestock grazing.

Through the Forest Planning NEPA process, the Forest Service must describe the current ecological conditions on the forest. The Tonto National Forest provides all of the necessary ecological elements to support Mexican gray wolves. Unfortunately, there are many man-made elements that are putting the wolves in jeopardy. There have been high rates of human-wolf conflict during the nearly two-decades long reintroduction program. The population dropped by 12 percent, from 110 to 97, in 2015 with over a dozen dead adult wolves found during this time. While investigations by law enforcement continue, the majority of these losses were the result of illegal killing, one of the primary factors the USFWS cited in its determination that the species warranted listing under the ESA (80 Fed. Reg. 2488).

We recommend that, using the best available science, the Forest Service identify the ecological conditions necessary to the recovery of Mexican gray wolf and also document:

- Historical and current trends in distribution, abundance and population demographics.
- Population effects resulting from mortality associated with human-wolf conflicts.
- The status and trend of necessary ecological conditions to support recovery.
- Status and trends in the amount, quality, distribution and connectivity of habitat.
- The role of human-related stressors that threaten recovery.
- The anticipated future status of ecological conditions that contribute to recovery assuming management continues under the current management plan.
- The anticipated future status of ecological conditions that contribute to recovery assuming management continues under the proposed alternatives.

- The Forest Service must provide a scientifically supported discussion of the role of Forest Service management plays in providing the ecological conditions that contribute to recovery.

These topics must be integrated into a comprehensive account of the best available science that describes conditions relevant to the Mexican gray wolf, as affirmed by the planning directives as found in the Forest Service Handbook 1909.12, ch. 10, 11.3 and 12. The planning rule itself also requires that the plan provide ecological conditions necessary for viable populations of species of conservation concern.

The Forest Service must provide strategic and proactive management and guidance to forest users to reduce wolf mortality. A greater emphasis on livestock management strategies that emphasize wildlife protection would reduce wolf losses. Ecological conditions necessary for recovery require the development of measurable desired conditions that provide for wildlife security, as well as standards and guidelines that support these desired conditions.

In addition to the above recommendations, WWP specifically recommends the following:

Desired Conditions

- The Forest is a core area for Mexican gray wolves, facilitates the successful establishment of wolf packs, and protects habitat connectivity to allow wolf movement through and beyond the forest boundaries.
- The Forest provides secure denning and rendezvous sites for wolf packs and management activities and permitted uses are avoided during critical biological periods, including whelping and rearing.
- The Forest provides a secure condition for Mexican gray wolves by identifying, preventing, and addressing livestock-wolf conflicts, limiting and reducing human-caused wolf mortality, and is progressing towards the target of zero human-caused wolf mortalities per year.
- The Forest supports a prey base for Mexican gray wolves that provides for sustained wolf presence in the forest.
- The Forest allows grazing permittees to voluntarily relinquish or retire all or portions of allotments and close allotments to future grazing where removal of livestock grazing would support Mexican gray wolf recovery.
- The Forest works toward lowering road density below one mile per square mile of land. (c.f., Thiel 1985; Mech et al. 1988. *See also* the Travel Management Planning record and NEPA documents.)
- The Forest works with adjacent and nearby government and private landowners to maintain and restore Mexican gray wolf habitat connectivity.

Standards

- Avoid or limit disturbance within 0.5 mile of known, active dens and rendezvous sites, incorporating measures to avoid or mitigate impacts of activities from April 1 to July 1.
- Existing non-system roads and motorized trails are obliterated where conflicts with wildlife occur.
- Existing system roads and motorized trails are closed and decommissioned if conflicts with wildlife cannot be mitigated.
- Within areas identified as having a potential for high conflict, prioritize redundant roads for decommissioning, and obliteration where appropriate, to facilitate an open road density of less than 1 mile of road per square mile of land, calculated on an appropriate HUC scale.
- Within in or in proximity to established wolf pack home ranges, permits for livestock grazing require the reporting of livestock carcasses within 24 hours of discovery, followed by proper disposal of the carcass.
- No boneyards may be established on forest lands. (Breck and Meier 2004)
- Within or in proximity to established wolf pack home ranges, annual operating instructions for grazing permittees will include specific best management practices to reduce livestock-wolf conflicts. These BMPs will include, at a minimum, the removal of wolf attractants during calving season, increased human presence during vulnerable periods, use of range-riders and diversionary and deterrent tools such as fladry fencing, airhorns, crackershells, etc. The Forest will provide additional information regarding conflict-reduction resources as they are developed.

Guidelines

- Within established wolf pack home ranges, new permits and reauthorization of existing permits, Allotment Management Plans, and Annual Operating Plans will incorporate measures to reduce livestock-wolf conflicts. New or re-authorized permits will include a clause requiring the modification, cancellation, suspension, or temporary cessation of activities to resolve livestock-wolf conflicts.
- A grazing permit in non-use status shall not be allowed to increase allowable animal unit months when returning to use to help prevent livestock-wolf conflicts within established wolf pack home ranges.
- There will be no increase in the number of active livestock allotments or in permitted AUMs above the baseline on Forest Service managed lands within established wolf pack home ranges.
- Allowable AUMs shall not be increased on inactive allotments.
- Existing allotments may be combined or divided as long as doing so does not result in grazing

on currently un-allotted lands or an increase in AUMs.

- Provide direction to permitted forest users (livestock grazing and outfitter/guides) regarding BMPs in Zone 1 and Zone 2 areas to minimize the potential for wolf-livestock, wolf-dog interactions.

WWP further recommends that the impacts for specific Forest Plan provisions related to grazing be evaluated with a recognition that the project area does include wolf habitat, that the possibility of predator-livestock conflicts exists and must be disclosed and analyzed, and that the impacts livestock grazing facilitated by specific Forest Plan provisions has on predators (and their prey) be accurately identified, analyzed, and disclosed. WWP recommends that the Forest Service include a provision in the Forest Plan to monitor productivity and use of key forage species as this should complement management objectives in the project area. Beck and Peek, 2005.

WWP recommends the Forest Service analyze and disclose the following:

- plant diversity in the project area and what impact specific Forest Plan provisions related to livestock grazing will have on that diversity;
- forage overlap between native species and cattle and if or how specific Forest Plan provisions related to livestock grazing will change that forage overlap;
- anticipated ungulate distributions, including seasonal variations and if or how specific Forest Plan provisions related to livestock grazing will change that;
- how stocking rates will impact ungulate distribution in light of the changes facilitated by specific Forest Plan provisions related to grazing;
- seasonal variations in forage productivity in the project area and if or how specific Forest Plan provisions related to grazing will change that;
- forage preferences of cattle and wildlife and if or how specific Forest Plan provisions related to grazing will change that;
- impacts of cattle grazing on cover for wildlife during breeding and fawning season and if or how specific Forest Plan provisions related to grazing will change that; and
- cascading effects of cattle grazing on wolf prey species and the impacts on wolves and if or how specific Forest Plan provisions related to grazing will impact the Mexican gray wolf.

Thank you for the opportunity to comment on this project. Please use these comments to strengthen the conservation measures required of landowners in return for the substantial benefit that grazing on federal public lands provides. We look forward to reviewing the documents made publicly available as the next steps in the National Environmental Policy Act process for Forest Plan Revisions.

Please contact us if you have any questions about these comments.

Thank you,

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