

October 4, 2018

Scoping Comments on the Environmental Analysis for the Strawberry to Cascade Allotment Management Plan
C/O Dave Olson
Madison Ranger District
5 Forest Service Road
Ennis, MT 59729

RE: Montana Wool Growers Association Comments on Grazing Allotment Management Plan

To Whom It May Concern:

These comments are directed to the scoping for the environmental analysis for the Strawberry to Cascade Allotment Management Plan for the Beaverhead-Deerlodge National Forest (BDNF). These comments are submitted on behalf of the Montana Wool Growers Association (MWGA) and its membership. The MWGA has a keen interest in government proposals, such as this one, that impact Montana Agriculture, namely Montana's sheep industry. As such, the MWGA requests that it be notified of and be part of any and all action related to this proposed action moving forward.

These comments are also submitted on behalf of, and in conjunction with, any verbal comments submitted by individual members of the MWGA during the scoping period.

As an initial matter, the Association strongly supports the continuation of domestic sheep grazing within the proposed management area. Domestic sheep grazing has transpired within the BDNF since before the BDNF as a national forest; and livestock grazing is a form of beneficial multiple use of federal lands pursuant to National Forest Management Act (NFMA). As such, the Association's membership asserts that the science supports, at a minimum, continuing domestic sheep grazing at its current levels, and further encourages the Agency to consider reopening closed allotments to sheep grazing.

1. The Woolgrowers Recommend the Agency Analyze Reopening Closed Allotments to Domestic Sheep Grazing as a Third Alternative in Addition to the No Change and No Grazing Alternative.

As noted in the Agency's scoping document background, the Gravelly landscape has hosted domestic sheep grazing since prior to the time Montana became a State.

The Gravelly landscape was historically one of the largest sheep producing areas of the State. This was due, in part, to the fact that there were forest service allotments available to support the domestic operations. However, a number of grazing allotments have been closed or retired by the Service over time, despite the fact that the area remains prime grazing range.

As part of its environmental analysis, the Agency should analyze an alternative that would consider reopening closed/retired allotments for domestic sheep grazing purposes.

2. As Part of its Environmental Analysis, the Agency should include the potential of disease transmission between the Greenhorn Bighorn Sheep and Domestic Sheep Grazing within the project area.

As the agency is aware, the Forest Plan for the BDNF has been challenged in federal court using the National Environmental Policy Act (NEPA). The ongoing suit challenged the adequacy of the environmental analysis performed by the Service primarily on two grounds. These grounds being: (1) the failure to adequately analyze the health risk presented, if any, by the domestic sheep to the green horn herd; and (2) whether the MOU by and between the USFS and other government entities and the sheep producers was adequately disclosed during the environmental review process.

The Woolgrowers appreciate that these two "issues" have been analyzed extensively by the Agency and the agency's conclusions, on previous occasions, that neither issue presents a significant environmental concern. However, given the history of certain groups that file lawsuits against the Agency as to any action involving domestic sheep grazing and bighorn sheep, the agency can anticipate yet another lawsuit filed after this environmental analysis is completed.

In contemplation of that lawsuit being filed, the agency should fully analyze the issues listed above – the risk of bighorn sheep/domestic sheep comingling and the environmental impact of the MOU. Such analysis should include whether there has been and is sufficient spatial separation between the two species, even without the

3. As part of the No Grazing alternative the Agency should analyze whether the removal of domestic sheep grazing from the Gravelly landscape is consistent with FLPMA's Multiple Use and Local Economic Growth Goals

As the Agency is aware, the Federal Land Policy Management Act (FLPMA) requires the agency to manage national forests for the economic benefit of local communities and to allow for multiple use of those forests. In light of this legal mandate, the Agency should analyze whether removing domestic sheep grazing from the BDNF will undermine its multiple use mission and whether the removal action will economically harm local communities and agriculture families.

Agriculture is Montana's top economic generator. In 2015, Montana Agriculture had a \$4.6 billion impact. This amount was \$1.5 greater than the next leading industry – which was travel. See, <http://agr.mt.gov/AgFacts>.

The local communities of Dillon, Twin Bridges, Ennis, and others economically benefit from agriculture production, including the grazing of sheep on the BDNF. Consequently, the Agency should analyze the potential economic harm by removing or reducing domestic sheep grazing in the BDNF.

Further, as part of its obligations under NFMA, the Agency should consider whether removing domestic sheep grazing within the Forest runs afoul of the multiple use mission of NFMA. In addition, the agency should determine or analyze whether domestic sheep from federal grazing allotments will have a negative impact on the critical habitat to wildlife provided by livestock producers on their deeded grounds. Evidence demonstrates that when sheep operations lose their federal grazing allotments there is a corresponding breakup of ranches, which in turn leads to the loss of wildlife habitat.

4. As part of the Analysis performed on the No Grazing Alternative, the Agency should consider whether this alternative, if adopted, would run afoul of Montana law.

Montana law provides that agriculture shall not be harmed due to the reintroduction of a wildlife species. See, Montana Code Annotated (MCA) § 87-5-711. As the Agency is well aware, the Greenhorn Bighorn Sheep herd is a reintroduced wildlife herd, thereby falling within the scope of MCA § 87-5-711. The herd was transplanted in 2003 into an area of Montana, namely the Gravelly landscape, where existing sheep production was occurring at the time of transplant.

harm resulting from a reintroduced/transplanted species, the Agency should analyze whether removing domestic sheep grazing from the BDNF due to the presence of bighorn sheep would violate the letter, if not the spirit, of Montana law, namely MCA § 87-5-711.

5. The Agency should Analyze whether the BNSF Rangeland Ecosystem would be better served by an Outcome Based Approach for the Operating Instructions

As part of the analysis performed on the operating instructions and permits for grazing, the Agency should analyze whether the rangeland environment on which the domestic sheep grazing occurs would be improved by moving to an outcome-based measurement. The current prescribed guidelines format for the operating instructions are overly specific as to the management actions required of the domestic sheep producers.

Some believe the Agency's prescribed management actions may interfere with the Producer's ability to better protect and conserve the impacted rangeland. In light of this, the Agency should analyze whether modifying the permits and OIs to allow for performance-based outcomes would benefit ecosystem health.

6. The Agency Should Recognize New Science Research Shows Sustainable Grazing on Public Lands Benefit Wildlife and Ranching

The *Journal of Applied Ecology* released a new scientific research study titled *Unintended habitat loss on private land from grazing restrictions on public rangelands* which concluded that grazing restrictions on public lands may have unintended consequences for greater sage grouse.¹

The study found that curbing public land grazing by 50 percent could lead to more than 429,000 acres of lost habitat for sage grouse, in addition to the 2.1 million-acre loss expected even if grazing goes unrestricted. As the saying goes — and as this study shows — what's good for the bird is also good for the herd.

Claire Runge, lead author of the study and postdoctoral researcher for the National Center for Ecological Analysis and Synthesis put it this way: "By keeping people ranching, we get wins for those communities — they're healthier and more vibrant — and we get a win for conservation, because we get healthy rangelands and healthy populations of sage grouse."

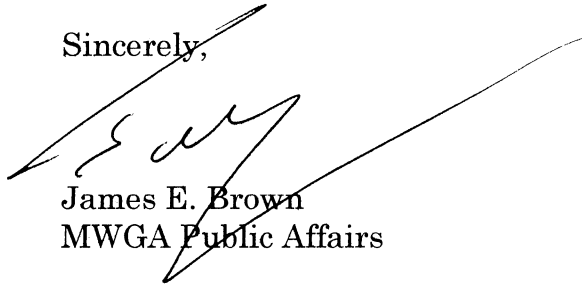
The Agency must consider and incorporate recent research concluding that policies

to restrict grazing access on public lands may have the unintended consequence of exacerbating sage grouse habitat loss.

On behalf of the membership of the Montana Wool Growers Association, we thank you for this opportunity to submit public scoping comment. The Association has encouraged individual members of the Association to submit their own comments detailing how the continuation of domestic sheep grazing with the BDNF is a beneficial and positive use of the Forest.

Any questions, comments or concerns regarding the content of the remarks contained herein may be directed to the undersigned by emailing Jim@ThunderDomeLaw.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'James E. Brown', is written over a large, diagonal, light-colored scribble or watermark.

James E. Brown
MWGA Public Affairs

Cc: MWGA Board