



June 1, 2024

Bureau of Land Management  
ATTN: HQ GRSG RMPA  
440 West 200 South #500  
Salt Lake City, UT 84101  
Submitted online via <https://eplanning.blm.gov/>

**RE: Greater Sage-Grouse Draft Resource Management Plan Amendment/Draft Environmental Impact Statement (Draft RMPA/EIS)**

The Idaho Cattle Association (ICA) submits the following comment on the proposed amendments to the Bureau of Land Management's (BLM) Draft Resource Management Plan Amendment/Draft Environmental Impact Statement (Draft RMPA/EIS). These comments are submitted on behalf of our members who graze livestock on private, state, and federal rangeland and whose livelihoods provide uninterrupted landscapes, open space, and valuable wildlife habitat.

In reviewing the Draft RMPA/EIS, we acknowledge and appreciate the efforts that have been made by the BLM to work with the state of Idaho to bring the plan closer to state recommendations. Idaho has been a leader in collaborative sage-grouse conservation efforts and Idaho ranchers have proven themselves willing and able to come to the table to reach effective solutions for management concerns. To the extent possible, the BLM's plan for Idaho should mirror the collaboratively developed state plan and the alternative selected should be that which is in line with our state recommendations. We have participated in Idaho state-led efforts to review the Draft RMPA/EIS and ask that the final incorporate the state's recommendations. In addition to those comments, we ask that you also take into consideration the following concerns related more specifically to livestock grazing. Due to the short public comment period relative to the sheer volume of the Draft RMPA/EIS and related documents, we have attempted to focus our review and comments as they relate to livestock grazing.

**Summary of Key Concerns**

The following pages will provide more detail outlining our questions and concerns with the Draft RMPA/EIS. In an effort to provide a concise overview of those issues, listed below is a brief explanation of the areas of the Draft RMPA/EIS that our concerns are centered around or suggestions we have for improvement to the language.

1. Areas of Critical Environmental Concern (ACECs) should not be incorporated into sage-grouse management efforts.



2. Through permit renewal and the application of land health standards, BLM already has adequate processes in place to manage livestock grazing and take action when needed. The additionality of the development of thresholds and responses is redundant and could establish a workload for BLM that the agency cannot keep up with.
3. The inclusion of a 7" stubble height requirement in the Idaho Habitat Indicators Table is inappropriate and should be changed to "adequate residual cover".
4. The adaptive management process creates a system that would unfairly punish or restrict grazing without cause and as a result of the effects of other land impacts.
5. Rangeland improvement projects are important tools for grazing permittees and the BLM to manage grazing at optimal levels. This plan should not result in the reduction or elimination of range improvements and should not discourage their development.
6. The plan relies on the use of the Habitat Assessment Framework (HAF). There is potential for misapplication of this tool. It is important that the BLM uses multiple lines of evidence and data to support its monitoring efforts.
7. Livestock grazing provides a multitude of benefits to sage-grouse that should be accounted for in the Draft RMPA/EIS. Language that could be misconstrued to enable BLM field staff to restrict or reduce grazing when it is not a causal factor should be cleared up or adequately addressed in a follow-up Instructional Memorandum.
8. Alternative 3 is bad for sage-grouse, bad for the economy, bad for cooperative conservation efforts, and contrary to the BLM's multiple-use mandate. No parts of it should be incorporated into the final RMPA/EIS.

### **1. Areas of Critical Environmental Concern**

ICA has several concerns with the addition of Areas of Critical Environmental Concern (ACECs) in Alternatives 3 and 6. In managing its land for a variety of uses and species, the BLM needs increased management flexibility in order to be more responsive to the land's needs at the local, site-specific scale. History has proven that special land use designations such as ACECs drastically inhibit the agency's ability to nimbly manage the land. Rather, they place stringent standards and restrictions on that land that stifles creative problem-solving and management flexibility. There is no reason for land to be managed even more strictly when adequate measures are already in place.

**Evaluation Process** - The evaluation process of ACECs is ambiguous and offers room for subjectivity. According to the updated Greater Sage Grouse Management Plans, nominated ACECs are evaluated for relevance and importance, stating that the presence of greater sage-grouse automatically makes the sites relevant. Population density, lek and habitat persistence, genetic uniqueness and connectivity, and amount of existing habitat disturbance and habitat quality were all listed as criteria for importance. However, no specific numbers were mentioned. For example, how low does the population density have to be for the site to be considered important? Furthermore, these terms are not defined, making them ambiguous and cryptic. Differing interpretations of relevance and importance makes this evaluation process inconsistent and concerning for those who rely on public lands for their livelihood.

**Implementation and Management of ACECs** - The discrepancies in ACECs continue in the process of implementation. There are no specific management principles in the BLM handbook regarding how ACECs should be conducted, nor is it adequately clarified within

the Draft RMPA/EIS. This is problematic for a multitude of reasons. First, because there are no uniform expectations for ACECs, each one can be carried out differently. The lack of uniformity is problematic for the cattle industry, as there is no way for producers to know what restrictions will and won't be placed on the land. Even more concerning, the ACEC directions found in Alternative 3 of the Draft RMPA/EIS are incredibly stringent and restrictive. The expectation of BLM staff and landowners to go from having little to no guidance around ACECs to full restrictions is unrealistic and unnecessary. Furthermore, this creates an open path for an abuse of power when it comes to land use. If there are no prior norms for ACECs, what is to stop someone who is an anti-grazing activist from taking the right to graze away from a rancher whose family has stewarded the land for decades? How can cattlemen be ensured that those making decisions about ACECs are informed on how grazing is beneficial to sage-grouse? There is simply no way to ensure this, which is a disservice to Idaho's cattle producers. This is yet another way that ACECs are unrealistic, inconsistent, and should receive no further consideration.

**Historically Inconsistent Management of the BLM** - Historically, the BLM has not had the bandwidth to manage ACECs or educate their managers on how they should be implemented, making them ineffective, and once again, unnecessary. In a document dated 2022 by Michael C. Blumm, professor of Law at Lewis & Clark Law School, and Gregory A. Allen, a 2L at Lewis & Clark Law School, ACECs are analyzed. The document states the following: "BLM's failure to provide its managers with a uniform approach to discussing ACECs in RMPs makes it difficult for the public to identify even which areas have ACEC designations, let alone what ACEC protection requires of BLM." This poses an extreme threat to our producers, as there is absolutely no guidance on ACECs. Idaho's cattle producers have no avenue of voicing their opinion and protecting their livelihood, especially when local BLM staff has no information to provide them. Karin Sheldon, adjunct faculty at Colorado Law, makes a similar point. She says, "The absence of strong regulations and uniform guidance, coupled with the decentralized organization of BLM and certain of its management traditions, has resulted in a collection of ACEC designations without coherent administration." Not only are ACECs a disservice to ranchers who have stewarded the land for decades, they are also a disservice to their own employees. The BLM is simply spread too thin to try and enforce one more regulation, especially when adequate ones are already in place. As a result, they should be removed from this plan.

**Nomination process** - It is alarming that anyone from the public is able to nominate an ACEC, which was the case with the ACECs in this plan. We are particularly concerned with how the BLM's Conservation and Landscape Health Rule will further provide for the nomination and creation of ACECs and there are many uncertainties about how this will correlate with the sage-grouse plan. Without background knowledge of the benefits of livestock grazing and an understanding of a grazing system, the public cannot make educated nominations. Furthermore, the BLM emphasizes that anyone can nominate an area for an ACEC, yet there is no formal process for doing so (Blumm & Gregory, 2022). This once again opens the door for biases when there are no expectations for the process that ACEC nominations must go through.

**ACECs Proposed in Idaho** - The amount of land that is recommended for ACECs in this plan is of utmost concern for cattle producers. There are seven areas that are recommended for potential ACECs including geographical areas such as the Owyhee-Shoshone basin, Antelope Valley, Big Desert, and several others. These areas are vital as grazing lands for Idaho's

cattle producers and the fact that they are recommended for ACECs is extremely worrisome. Furthermore, Alternative 3 is particularly alarming as it would take grazing off the table, despite the fact that research has proven that cattle grazing can actually benefit sage grouse populations. This is yet another reason, among several others, Idaho cattle producers are calling for ACECs to be taken out of this plan.

Sources:

*Bluum, M., & Allen G. (2022). 30 by 30, areas of Critical environmental Concern and Tribal Cultural Lands. Environmental Law Institute.*

*Sheldon, K., & Baldwin P. (2017). Areas of Critical Environmental Concern: FLPMA's Unfulfilled Conservation Mandate. University of Colorado Boulder.*

## **2. Thresholds and Responses**

Alternatives 1,4,5, & 6 contain language that calls for the inclusion of specific thresholds and defined responses in the terms and conditions of grazing permits under various circumstances, varying by alternative. We are opposed to the creation of this new terminology and process which is redundant, not defined in regulation, and would establish a workload for BLM that the agency cannot keep up with. We request that the final plan removes any reference to threshold and responses and instead refers to the established process defined in BLM's Land Health Standards regulations.

The processes outlined in these alternatives for implanting thresholds and responses are unnecessary and redundant. Through its existing framework and rangeland health standards, BLM already has the adequate mechanisms in place to manage grazing in sage grouse habitat. If existing grazing management is meeting standards, then sage grouse habitat is being adequately managed and conserved. There should be no additional restrictions on grazing permits.

The institution of thresholds and responses goes outside the bounds of established regulation. The management of grazing permits is guided by 43 CFR. In these regulations, 4180.2(c)(1) outlines the steps to be taken if rangeland is failing to achieve standards. Under the existing regulatory framework, if an area is found to not be meeting standards and grazing is determined to be the causal factor, then additional terms and conditions are developed during the permit renewal process. This process gives BLM full ability to respond to and address management concerns and make management changes if a standard is not being met. Threshold and responses allow the BLM to add additional requirements and repercussions outside of the permit process. Grazing permit requirements are established to manage the landscape as a whole over time where thresholds and responses inappropriately bring focus on small areas that are likely not representative of the health of the landscape.

The addition of the undefined terms of thresholds and responses creates uncertainty for grazing permittees. Idaho permittees have already experienced the misapplication of thresholds and responses. In these experiences, the BLM has created responses that result in unsuitable and draconian measures such as cutting permit numbers which is inappropriate outside of the permit renewal process.

It is also important to note that the desired outcome created by a response may not be achievable. In other grazing Management Actions proposed in the plan, the BLM makes

good effort in underscoring that decisions are made at the site-specific level based on ecological potential using multiple lines of evidence. The opportunity for field staff at the local level to incorporate overreaching measures related to grazing is greatly increased through this threshold and response process. The creation of thresholds and responses is contrary to the U.S. Fish and Wildlife Service's (FWS) Conservation Objectives Team (COT) Report, upon which sage grouse management is predicated and which found that desired outcomes may not always be feasible.

Beyond these points, BLM is already not able to keep up with monitoring needs at the current level. It will not be possible for the agency to keep up with monitoring the addition of thresholds and responses to grazing responses. In turn, this will open the doors to more frivolous litigation directed at the BLM for not collecting the data they have been committed to by this plan, as currently drafted. The BLM is creating greater liability for itself by putting restrictions on paper that they cannot monitor or keep up with.

### **3. Habitat Indicators & Objectives**

Rigid standards for livestock grazing are unnecessary. As we have learned over time, set, pre-determined measurement standards should not be required but rather the BLM should implement site-specific monitoring and adaptive management to leave an appropriate amount of growth on the ground at the right point in time.

The previous plans for Idaho contained language stating that "*the values may not be obtainable on every acre, and/or should consider local ecological ability*". This is an important qualifier that should be carried forward in the final plan. While the preferred alternative does refer to assessing the suitability of habitat at the mid and fine scale, we believe an additional line clarifying that there will be parcels of land within habitat management areas that are not capable of providing desired habitat characteristics due to ecological potential. Monitoring should always be done at the fine scale to determine the applicability of habitat objectives.

**Habitat Indicators Table** - We appreciate the inclusion language in Appendix 8 that clarifies how to appropriately apply the Habitat Indicators Table, particularly in 8.2 and 8.4. This language is important in underscoring that single indicators should not be used to determine overall habitat suitability, nor should a single indicator be used to modify grazing management. This will be important language to carry forward and underscore in the final plan.

**Table 8.2.2 Idaho GRS Habitat Indicators Table** - We are very frustrated to see the reappearance of the 7-inch perennial grass height requirement for the nesting/early brood rearing habitat in Idaho's Habitat Indicators Table. We request that this language return to the 2019 language of "adequate residual nesting cover". Heavy emphasis on vegetation height without a comprehensive explanation in the documentation of the numerous reasons for variation in vegetation height will single out livestock grazing as the single impact. This is not realistic or defensible and vegetation height is not an effective measurement for long term rangeland health. Grazing is but one of many factors influencing grass height with others including precipitation, soils and temperature. Set, pre-determined measurement standards should not be required but rather site-specific monitoring and adaptive management to leave an appropriate amount of growth on the ground at the right point in time. Annual variations, landscape variations, the technical intricacies of measuring stubble

height, and other limitations make this standard a counterproductive way to address nesting cover.

Further, the Draft RMPA/EIS does not identify when residual cover measurements should be taken, nor does it identify that different standards apply at different times. The Connelly reference for 7 inches is to be used post hatch, not at nest-initiation. Consequently, these measurements would need to occur at the end of the growing season, allowing regrowth from fall.

**Livestock Grazing and Nest Success** – It is incorrect to assume that the presence of livestock can lead to sage grouse nest failure. Research shows that grazing is neutral, and sometimes even beneficial, when it comes to nesting success. A study located in Central Montana proved this idea. A researcher on the study wrote, *“We found little evidence that variation in livestock grazing or its effects on herbaceous vegetation was associated with nest site selection.”* The study goes on to state the following: *“Rather, structural characteristics of the shrub community and anthropogenic features were the primary drivers of nest site selection, whereas periods of prolonged heavy rainfall and proximity to gravel and paved roads had the largest effect on daily nest survival.”* Research continues to prove that cattle are not the culprit for a lack of nesting success, but rather offer benefits to greater sage-grouse and their habitats.

While yet to be formally published, the University of Idaho has conducted a ten-year study titled *The Grouse and Grazing Project*. The preliminary results of the study have shown that cows sharing nesting habitat with grouse on federal lands has no influence on nest success of greater sage grouse if grazing intensity is kept at current levels (University of Idaho, 2023). Furthermore, this study has also found that grazing increases the abundance of arthropods for sage grouse chicks to consume in their early weeks of life. This extremely comprehensive study is yet another resource that has proven the benefits of grazing to sage-grouse populations. ICA looks forward to exploring these results even further as the study is peer reviewed and published.

Furthermore, much of the research that supports the 7-inch stubble rule has proven to be unreliable due to an inherent bias in research strategies. According to David Naugle, Professor of Large Scale Wildlife Biology at University of Montana, in many studies, grass was measured around nests that were unsuccessful immediately after nest failure. Meanwhile, the grass surrounding successful nests wasn't measured for weeks later so as not to disturb the hen or the nest. This measuring technique completely ignored the fact that the grass is growing while the nest is in use and the eggs are incubating. Therefore, perennial grasses and forbs were measured at two very different times in the growing season, making an unfair connection between stubble height and failed versus successful nests.

Additional research indicates that residual heights of 3.5-3.9 inches are adequate prior to nesting (Hausleitner, 2005) Therefore, if measurements are taken of residual height in the fall or just prior to nesting this standard should be applied instead of the 7-inch standard. The difference and the time of the monitoring is critical to accurately determining the health of the range in relation to sage grouse needs.

This was further proven by a study completed by Daniel Gibson from the University of Nevada-Reno. In a study titled “Evaluating vegetation effects on animal demographics: the role plant phenology and sampling bias” the following is stated: “*However, there is inconsistency among studies with respect to how successful and failed nests are sampled; some investigators elect to sample vegetation at or near the timing of fate, whereas others sample on a standardized date, such as the predicted date of hatch. Given that nesting often coincides with plant growth, the decision about when nests are sampled is potentially very important, as sampling at nest fate results in successful nests being sampled later in the growing season, on average, than failed nests*” (Gibson, et. al., 2016).

This sampling bias is extremely significant because cattle have long been accused of decreasing feasible nesting sites, when really the growing season of grass is what drives sage-grouse nesting success. The average height of grass changes from season to season based on temperature, precipitation, and soils, factors that cattle take no part in. For example, a study titled “Linking Conservation actions to demography: grass height explains variation in greater sage-grouse nest survival” which was conducted from 2003 to 2007 found that nest success was the highest in 2003 because there was an early, wet spring resulting in taller grass earlier in the growing season. The study also found that grazing can play a key role in increasing the sage-grouse nesting habitats. The study states, “*However, adjustments to duration and timing of grazing may also increase residual cover with the added benefit of increasing long-term rangeland health on which birds depend.*” This once again proves that cattle should be used as a tool to help increase sage-grouse habitats, rather than seen as a threat to them.

In addition, prescribing the 7-inch standard stubble height requirement across the board is overly aggressive, when each area of the range has different needs. Especially when some sites may not even have the potential to grow to that specific height based on other environmental aspects affecting the range. Furthermore, there are several other factors that are more important for nesting success that do not include stubble height, one of the most important ones being sage brush density. According to the University of Nevada Reno, hens prefer communities with 15 to 38 percent sagebrush canopy cover and the amount of grass cover required can range from 3 to 30%. Furthermore, shrubs that provide an “umbrella effect” are preferred by hens. When the umbrella effect is sufficient, grass cover provides little to no additional benefit to nesting, meaning it does matter what the stubble height is. Furthermore, according to Karen Launchbaugh, Professor of Rangeland Ecology at the University of Idaho, hens with successful nests can find sufficiently tall grass in grazed pastures. This is likely due to the patchwork pattern in which cattle graze, leaving variable grass heights in their tracks, which are vital to sage-grouse nesting sites.

Sources:

*Effects of Livestock Grazing on Nesting Sage-Grouse in central Montana, J. Smith, J. Tack, L. Berkely, M. Szczypinski, D. Naugle, 2018.*

*Evaluating vegetation effects on animal demographics: the role of plant phenology and sampling bias. D. Gibson, E. Blomberg, J. Sedinger, 2016.*

*Linking conservation actions to demography: grass height explains variation in greater sage-grouse nest survival. K. Doherty, D. Naugle, J. Tack, B. Walker, J. Graham, J. Beck, 2014.*

*Sage Grouse Habitat Requirements. University of Nevada, Reno Extension.*

*Stepping Lightly in the Sage: researchers Learn Moderate Grazing Has No Effect on sage Grouse Nest Success. University of Idaho*

*Timing of Vegetation Sampling at Greater Sage-grouse Nests, Hausleitner, Doris, K.P. Reese, and A.D. Apa. 2005.*

#### **4. Adaptive Management**

The Adaptive Management process, as outlined in Chapter 2, lacks details and creates some open-ended questions regarding the management of livestock grazing in sage-grouse habitat. Where the preferred alternative in the livestock grazing section establishes that livestock grazing must be determined to be a causal factor before any management changes are required, the Adaptive Management section contains language that could be construed to require changes to grazing management whether or not grazing is a causal factor.

We reassert that any changes to grazing management should follow the processes established in CFR 43. We also request that the following language found in the 2019 plan at MD LG 16 related to adaptive management and livestock grazing be reinstated: *“Adaptive management changes related to existing grazing permits should be undertaken only where improper grazing is determined to be the causal factor in not meeting habitat characteristics, specific to site capability, based on monitoring, with appropriate spatial variability.”*

Of specific concern in this section is the description of adaptive management responses in the following areas:

2-125 *“Existing permitted activities can continue unless those activities are causing mortality to GRSG or direct loss or degradation of occupied GRSG habitat.”* And *“New authorizations, or reauthorization of existing permits can then be considered if similar activities were not contributing to factors resulting in meeting either a population or habitat threshold.”*

These statements imply that an existing grazing permit could be revoked, which should never be an option, even if livestock grazing is a causal factor in not meeting standards. Beyond that, the language could allow a rogue field staff to make dramatic changes to a grazing permit if they perceive grazing as a problem, whether or not it has been proven to be a causal factor through the due process of monitoring and assessments.

2-122 *“If the neighborhood cluster cannot be restored to original sagebrush conditions and/or habitat function due to ecological or disturbance limitations (e.g., intense fire killed soil microfauna, dense anthropogenic activities) restoration and/or habitat enhancement in adjacent neighborhood clusters can be considered to increase the number of GRSG supported in those areas.”*

This section implies, or could be interpreted, that management changes could be made to grazing in areas adjacent to those which have been impacted by fire. It is not appropriate to make changes to grazing management to mitigate for the impacts in other areas.

2-126 *“Exceptions to limitations imposed for exceeding thresholds include: ... Grazing permits that will expire within the same year the threshold is identified. A permit or lease to extend the current grazing practice for less than 10 years may be renewed until the causal factor analysis is completed. If grazing is not determined as a causal factor to an adaptive management*



*threshold, grazing permit or lease renewal can proceed normally. If grazing is a contributing cause to an adaptive management threshold, the terms and conditions of the grazing permit or lease will need to be examined and based on the outcome, would need to appropriately be modified to reduce or eliminate the impact.”*

Why is specific reference to grazing permits even referred to within this section? Grazing is not considered a primary threat, yet this language treats it as though it should be managed as one.

2-128 *“If habitat assessment determines the PHMA (and IHMA) influenced by the wildfire can no longer support GRSG populations at levels prior to the wildfire, new infrastructure projects or permits may be deferred if consistent with applicable law (such as the Mining Law of 1872), and valid existing rights until an assessment demonstrates the habitat can support GRSG at the levels that existed prior to the wildfire event have been restored.”*

This section could allow for existing grazing permits to be cancelled or modified if a wildfire has affected sage-grouse habitat, as it certainly will do. It is imperative that this language is removed or cleaned up so that other land uses are not held accountable to the impacts of fire.

2-128 *“Inconclusive CFAs: If no cause for a habitat or population decline can be determined the BLM may consider implementing additional restrictions on existing or new authorizations in the area...”*

The BLM should not be enabled to place additional restrictions on grazing permits or make changes to grazing management without direct evidence and process proving that grazing is a causal factor. The BLM should not make changes to grazing management with inconclusive evidence under any circumstance.

## **5. Rangeland Improvement Projects**

Rangeland improvement projects are important tools for grazing permittees and the BLM to manage grazing at optimal levels. It is important that the implementation of this plan does not result in the reduction or elimination of range improvements, nor should the plan discourage their development. Livestock Grazing Management Action RM-4 states: *“Consider removal or modification of projects that negatively affect GRSG or GRSG habitat.”* We recommend that this line be removed. Otherwise, it might facilitate the removal of range improvements that serve useful purposes in managing livestock, which in turn reduces the threat of the primary impacts to sage grouse such as fire and invasive species. Nothing in this plan should be able to be used as a tool to dissuade the use and development of range improvement projects, which serve as effective tools in managing livestock for the good of the rangelands.

In Appendix 15 at 15.1.3 Design Features for Range Developments, it states that new livestock handling facilities must be located *“away from active leks and outside of nesting habitat at least by 1.2 miles.”* This should be accompanied by a qualifier stating, *“to the extent possible.”* In many cases, siting at such a distance may not be possible due to allotment boundaries, etc.

The same section, 15.1.3, also says to *“Identify and close roads and trails that are not needed for range development maintenance”*. In the face of expanding recreation pressures on BLM land, we recognize the importance of BLM managing the use of its roads and trails. However, many of those existing roads and trails are used for livestock management beyond

range development maintenance. Those roads should not be closed. If roads are closed to recreation, permittees should be given approval to use those roads for permit management.

## **6. Monitoring and the Habitat Assessment Framework**

Adequate and correct monitoring will be key to implementing this plan correctly. However, given the current limitations on BLM staff availability, combined with other regulatory actions that the BLM is undertaking, we are concerned about the ability of the agency to implement the plan.

Livestock Grazing Management Action RM-2 relies on the use of the Habitat Assessment Framework (HAF). Because we have concerns with the application of the HAF, we appreciate the language within this section that also calls for the use of “*other approved methodology to provide multiple lines of evidence*” and ties the HAF assessment “*relative to site potential*”. Based on the experience of Idaho grazing permittees in the past, we know there is potential for misapplication of this tool. HAF creates a narrow focus on a specific, plot level site and extrapolates that information to the allotment level. What a specific site looks like is not an indicator of success on the allotment scale. It should not be the sole determinative factor of sage-grouse habitat quality nor of grazing impacts. HAF can be a tool to inform the data, but it should never be the only tool used to assess land condition and habitat suitability.

There have been instances where HAF data has been collected at inappropriate sites because of ESD layers incorrectly indicating sage grouse habitat. For example, in an area that has burned multiple times, BLM staff is collecting HAF data, ignoring the current state that the ecological site is in, and then comparing it to a pristine ESD. In this instance, HAF monitoring should not even occur. In areas of non-habitat, where the ecological site does not support sage-grouse, HAF data should not be collected, and maps should be updated. Moving forward, it is critical that BLM staff are adequately trained in the use and application of HAF. We suggest that BLM creates an Instructional Memorandum to clarify how and when HAF can be used appropriately.

## **7. Benefits of Livestock Grazing**

Livestock grazing provides a multitude of benefits to sage-grouse that should be accounted for in the Draft RMPA/EIS. Language that could be misconstrued to enable BLM field staff to restrict or reduce grazing when it is not a causal factor should be cleared up or adequately addressed in a follow-up Instructional Memorandum.

On page 2-103, the plan states that “*Improper grazing may also work synergistically with other threats, such as invasive plants and wildfire, increasing impacts from those sources.*” While the language preceding this statement does acknowledge that grazing “*can be compatible with GRSG persistence*”, we believe this plan should go further in explaining the benefits of grazing. It should also be noted that grazing is an important and effective management tool in limiting the impact of these threats, as outlined below.

### **A. Livestock Grazing is an Important Tool to Prevent Catastrophic Wildfire**

Livestock grazing on BLM lands plays an essential role in fuels management and wildfire control. Grazing reduces the threat of catastrophic fire by reducing fine fuels. It removes the overgrowth of forage which is the primary fuel for many wildfires. Again, management flexibility is needed to manage the landscape in such a way to be responsive to reducing fuel

loads. Biomass, which fuels wildfire, can be substantially decreased by both grazing and livestock trampling over it. In turn, this decreases intensity, frequency, and extent of wildfires, providing more time for fires to be put out.

A study was conducted across California's rangelands on the effects of cattle grazing on fuel loads. It was estimated that cattle removed 11.6 billion pounds of non woody plant material. This varied between 174 and 1,020 pounds per acre (Ratcliff, et al., 2022). This removal of fuel loads not only decreases the fuel that causes wildfires to start, but it also makes a significant difference in flame length if wildfires do happen, making them much easier to manage and put out. The study also found that because cattle graze in a patchwork pattern, fire behavior is significantly altered. If grazed areas do happen to burn, the patchy fuels tend to slow fire extent and speed. This once again makes fire easier to put out and provides ample time for responders to react.

Another study conducted in Eastern Oregon on the Northern Great Basin Experimental Range also explored the relationship between grazing and wildfire risk. The outcomes of the study confirmed several realities about the benefits of grazing cattle as an ecological tool. The results state the following: *"Reducing the probability of fire ignition, burn, and spread may result in fewer ignition events, thereby decreasing fire frequency. Of those ignitions that occur, grazing can slow the spread of fire, aiding suppression efficacy and reducing the frequency of large, catastrophic wildfires. Our results reinforce prior research suggesting that cattle grazing, at landscape scales, has the potential to limit wildfire spread and size, decrease fire intensity and severity, thereby increase prospects for more effective fire suppression in Wyoming big sagebrush steppe communities, as well as rangelands across western North America"* (Orr, et. Al., 2022).

Each of these scientific examples proves the significance of using grazing as an ecological tool to protect greater sage-grouse. It would be a disservice to sage-grouse if grazing wasn't implemented as a way to protect their habitats.

Additionally, livestock can be used even more intentionally to create healthier ecosystems. One way that cattle can directly affect the range is through targeted grazing to create fire breaks which are strips of land where vegetation has been significantly reduced to slow the speed of fire. Sites for fire breaks are selected very deliberately, ensuring that they do not disrupt other habitats. Cattle are the most sustainable and least disruptive way to accomplish the goal of creating fuel breaks to slow down wildfires, as opposed to mechanically removing material or the application of chemicals. Pat Clark, a rangeland scientist with the USDA ARS, conducted a study on the effectiveness of targeted grazing to create fuel breaks at nine sites in three different states, including Idaho. One of the sites, located near Boise, Idaho, used water, salt, and herding to entice cattle to graze along the fire break, excluding the need for fencing to accomplish this goal. Fire breaks, created courtesy of cattle, have proven to be effective in protecting sage Grouse habitats, proven in an instance near Elko, Nevada. Clark says, *"The Boulder Creek fire started upwind and downslope of one of the study's fuel breaks near Elko. The fire burned through cheatgrass before arriving at the fuel break. The fuel break slowed the spread and intensity of fire enough for firefighting resources to hold the fire on a road in the center of the fuel break. If the fire had continued to burn, it likely would have burned into sage-grouse habitat."*

Sources:

*Cattle grazing reduces fuel and leads to more manageable fire behavior. F. Ratcliff, D. Rao, S. Barry, S. Dewees, L. Macaulay. R. Larsen, M. Shapero, R. Peterson, M. Moritz, L. Froero.*

*Grazing Intensity Effects on Fire Ignition Risk and Spread in sagebrush Steppe. D. Orr, J. bates, K. Davies.*

*Livestock Grazing Effects on Fuel Loads for Wildland Fire in sagebrush Dominated Ecosystems Eva K. Strand, Karen L. Launchbaugh, Ryan F. Limb L. Allen Torell*

*USDA Climate Hub. (n.d.). Targeted grazing for wildfire fuel breaks. Targeted Grazing for Wildfire Fuel Breaks | USDA Climate Hubs.*

*<https://www.climatehubs.usda.gov/hubs/northwest/topic/targeted-grazing-wildfire-fuel-breaks>*

## **B. Livestock Grazing is an Important Tool for Managing Invasive Species**

Livestock grazing ensures results in effective weed control, another one of the primary threats to sage grouse. Grazing is an effective tool to manage a wide variety of forage, spurring growth of perennial grasses. Well-managed grazing has been scientifically proven to have a positive impact in decreasing invasive species like cheatgrass. The timing and intensity of grazing for such efforts requires flexibility in management that an overly prescriptive sage grouse land use plan would prohibit, thereby blocking an effective method of controlling a primary threat to sage grouse.

A significant challenge on rangelands of the Western U.S. is managing non-native annual grasses. Oftentimes, controlling invasive plant species and wildfire go hand in hand, as invasive annual grasses are potent fuel for wildfires, which, as established above, grazing is an effective tool in limiting. Cheatgrass and medusahead, two of the most problematic invasive annual grass species, can be preferentially consumed by livestock if grazing is applied at the correct time of year. These grasses reproduce by seed; therefore, if the seed heads are removed in the spring while they are still green, they cannot reproduce. This can be accomplished by implementing spring grazing on rangelands (Mosley & Roselle). Not only does having cattle graze these species in the spring reduce their likelihood of reproduction, but it also creates space for native, beneficial plants to grow. Without grazing, invasive annual grasses can take over the landscape, which poses a large threat to greater sage-grouse. Having cattle graze the area is the most sustainable and realistic way to prevent this from happening.

A dangerous misconception is that cattle increase the proliferation of cheat grass on rangelands. This couldn't be further from the truth, as cattle play an important role in decreasing the amount of cheatgrass on rangelands. In fact, Kirk W. Davies at Oregon State University found that complete grazing exclusion can promote exotic annual grass invasion in some situations. This means that by not grazing the land, cheat grass has a higher likelihood of taking over the landscape. This shows that taking cattle off the land is incredibly harmful and can lead to takeover by invasive species.

The University of Nevada Cooperative Extension also facilitated a study to understand the feasibility of using fall grazing as a tool to reduce cheatgrass. Their results found that after two years of grazing, cheatgrass density was 63 percent less on grazed sites and only 48 percent less on ungrazed sites. While the overall decrease was likely due to a climatic effect

between the two years of the study, there is a 95 percent probability that the 15 percent greater decline on the grazed land was due to it being grazed in the fall (Foster, et. al.) This evidence proves that cattle are key in reducing cheatgrass.

Sources:

*Cattle Grazing as a Biological Control for Broom snakeweed: Vegetation Response.* M. Ralphs, J. Banks.

*Reducing Cheatgrass Fuel Loads Using Fall Cattle Grazing.* S. Foster, L. Schmelzer, J. Wilker B. Schultz, K. McAdoo, S. Swanson, B. Perryman.

*Saving the sagebrush sea: An ecosystem conservation plan for big sagebrush plant communities.* K. Davies, C. Boyd, J. Beck, J. Bates, T. Svejcar, M. Gregg

*Targeted Livestock Grazing to Suppress Invasive Annual Grasses.* J. Mosley, L. Roselle.

### **8. Alternative 3**

Alternative 3 excludes grazing from all areas of PHMA. This is a ludicrous proposal and the BLM should not incorporate any parts of it into the final plan. In section 7 above, we enumerated the benefits of grazing related to the primary threats to sage-grouse. Livestock grazing also provides many additional benefits to sage-grouse habitat, to the landscape, and to the economy. For these reasons, and those identified below, an alternative which considers the removal of grazing as a means to benefit sage grouse provides a false narrative.

**Benefits to Ecological Communities** - A thriving ecosystem is vital to the success of greater sage-grouse habitats, and cattle play an important role in ensuring ecological communities are healthy and habitable. One way that cattle contribute to creating a healthy environment is through nutrient cycling, which is a driver of a sustainable ecosystem. According to the Noble Research Institute, cattle return 85% of the nutrients that they consume back into rangelands. A study on the relationship between grazing and nutrient cycling drew the following conclusion: "The significantly higher soil C in the grazed grasslands compared to ungrazed suggests that the improved grazing management employed after the Dust Bowl has greatly accelerated C accumulation during restoration of the NGP" (Wang, et. Al., 2016). This indicates that proper grazing management practices results in more carbon being put back into the soil, in turn creating healthier plants and habitats. Soils with a higher carbon content tend to have a higher water holding capacity, which can extend plant life and energy (Teague & Kreuter, 2020).

In addition to nutrient cycling, grazing can also have a positive influence on biodiversity. According to an article written by South Dakota Extension Range Specialists, moderate grazing and trampling can increase plant diversity by decreasing the ability of one species becoming dominant (Ehlert, 2020). Rangelands require multiple organisms to sustain sage-grouse populations, including cattle.

Cattle can also play a role in maintaining topsoil on the range, preventing the risk of soil erosion. A study conducted in Texas concluded that "With enhanced management of grazing resources, domesticated ruminants can be used to produce higher permanent soil cover of litter and plants, which are effective in reducing soil erosion and increasing net biophysical

*carbon accumulation*” (Teague & Kreuter, 2020). This is yet another benefit cattle can provide to the environment, improving plant productivity and sage-grouse habitats.

Sources:

*Biodiversity on Rangelands: What Role does Grazing have? Krista Ehlert.*

*Grazing improves C and N cycling in the Northern Great Plains: a meta-analysis. X. Wang, B. McConkey, A. VandenBygaart, J. Fan, A. Iwaasa, M. Schellenberg*

*Managing Grazing to Restore soil Health, Ecosystem Function, and Ecosystem services. R. Teague & U. Kreuter, 2020.*

**Food Sources for Sage-Grouse** – Another benefit of grazing livestock near sage-grouse habitats is that when cattle are present, the population of arthropods tends to be higher. This is important because the majority of the diet of a sage-grouse chick in its first four weeks of its life is made up of arthropods. Furthermore, sage-grouse are unable to digest other protein sources such as seeds and nuts, further increasing the importance of having insects present as a source of protein. As a result, the higher amount of arthropods that are present, the higher chances of survival there are for young sage grouse.

Researchers from Montana State University recently conducted a study on abundance of arthropods in pastures with three different treatments: deferred pastures in the rest phase of a rest-rotation grazing system, grazed pastures where livestock were present, and idled pastures where no livestock grazing had taken place for more than a decade. The results found that the class of arthropods preferred by sage-grouse were 13% more prevalent at the two managed sites. Furthermore, lepidopteran larvae, which are of great importance to birds such as greater sage- grouse, were lowest on the idled land. (Hayes, et. al., 2019).

Sources:

*Ground-Dwelling Arthropod Community Response to Livestock Grazing: Implications for Avian Conservation. Hayes B. Goosey, Joseph T. Smith, Kevin M. O’Neill, David E. Naugle*

*Tracking Grazing Impacts on Sage Grouse Good. University of Idaho.*

## **9. Other Issues**

### **Drought**

15.1.4 Drought Response says, “*If livestock grazing is deferred due to drought, reevaluate vegetation and GRSG habitat indicators that measure GRSG habitat prior to reauthorization of grazing.*” It is important for the BLM to acknowledge that drought is not a permanent situation. We are concerned that this language would make it difficult for permittees to resume grazing at their permitted levels after a period of drought.

### **Mapping**

We appreciate that the BLM worked closely with the state of Idaho in reviewing and revising the habitat management areas. The review of the maps must be an ongoing process, especially to ground-truth the mapping layers with what is actually happening on the ground. For example, if the land has transitioned to cheat grass due to fire, it should no longer be considered sage grouse habitat.

### **Trailing**

Appendix 15 contains a Best Management Practice (BMP) regarding trailing livestock. We agree with the changes that have been made to this language to make it more concise. We want to ensure that it will not be misinterpreted to restrict movement of cattle within an allotment. This will probably have to be done on a case-by-case basis, but it is important that field staff don't use this BMP as an unnecessary hammer.

### **Mitigation**

We appreciate that mitigation is directed to occur "*within the same area of the impact*" as a project that impacts sage grouse habitat. We remain concerned that reducing or restricting grazing could be seen as a mitigation tool for large-scale impacts and want to ensure that the plan does not provide for such action. Livestock grazing plays an integral role in the ecosystem of western rangelands in benefiting the land and wildlife and its removal or reduction should not be considered an acceptable mitigation option. Rather, the agency should utilize livestock grazing as a mitigation tool to reduce the risk of catastrophic wildfire, improve forage, remove invasive species and provide open space. An additional concern comes from language in Table 2.5 on page 2-23 that states "*Where restoration is not possible, preservation (e.g., conservation easements, acquisition of inholdings) can be used to offset impacts...*". The BLM should not be in the business of acquiring private land in the name of mitigation, or for any other purpose. The agency is already unable to keep up with the workload of managing its current land and should not seek to acquire more. ICA has strict policy in opposition to acquisition of private lands by governmental agencies due to the detrimental effects on local governments, local economies, and adjacent landowners. We also want to be sure that this plan does not facilitate private and non-profit organizations serving as conduits for BLM for acquisition of private land.

### **Conclusion**

Thank you for the opportunity to provide comment on this Draft RMPA/EIS. In addition to these comments, we have also reviewed the comments of the State of Idaho and participated in the development of industry-wide comments submitted by the Public Lands Council/National Cattlemen's Beef Association and we encourage your careful consideration and inclusion of those comments also.

We hope that you will incorporate our ideas and address our concerns into the final RMP/EIS. Please do not hesitate to contact us if you need further information or have questions about these issues.

Sincerely,



Jerry Wroten, President  
Idaho Cattle Association