



Region 2
3201 Spurgin Road
Missoula, MT 59804
406-542-5500

April 10, 2019

Dear Interested Citizen:

Thank you for your thoughtful reviews and comments on a proposal by Montana Fish, Wildlife and Parks (FWP) to implement an exchange-of-use cooperative grazing system (grazing system) on the Spotted Dog Wildlife Management Area (SDWMA) and adjacent private lands in Powell County northeast of Deer Lodge, Montana. The proposed grazing system would seek to establish a balanced distribution of grazing by elk and cattle to improve grassland habitats across SDWMA and private ownership boundaries. The primary goals of the proposed action are to: 1) improve the health and productivity of native grasslands over a larger landscape by scheduling grazing treatments that are separated by long rest periods on SDWMA and adjacent lands; 2) use grazing treatments on SDWMA to enhance spring transition range for a migratory elk herd and to introduce greater structural complexity to grasslands, intended to benefit a variety of wildlife species; and 3) allow native grasslands adjacent to SDWMA that comprise critical elk-winter range to be rested on a scheduled basis, which would also benefit other game and nongame wildlife. The grazing system would be implemented on a portion (~8% or 2,800 acres) of SDWMA and would remain in effect for approximately 6 years beginning in early summer 2019.

Enclosed is a decision document in which FWP explains its rationale for recommending that the Fish & Wildlife Commission approve the proposal to use cattle grazing for managing elk habitat on a portion of Spotted Dog WMA and neighboring private lands. With the addition of public comments and FWP responses to comments in the public involvement process, FWP accepts the draft environmental assessment (EA) as final. The decision document also includes all public comments received during the public comment period on the proposed grazing system.

FWP will request approval for this proposal from the Fish & Wildlife Commission at its regularly scheduled meeting on April 25, 2019 in Helena. This meeting is open to the public, as are other regularly scheduled Commission meetings. (Earlier, this meeting had been scheduled to be held in Bozeman but has just been changed to Helena.)

Please feel free to contact me at 406-542-5500 with any questions you may have. Thank you for your interest and participation.

Sincerely,

Randy Arnold
Regional Supervisor

RA:sr



DECISION NOTICE for Draft EA:
**A Proposal to Use Cattle Grazing for Managing Elk Habitat
on a Portion of the Spotted Dog Wildlife Management Area
and Neighboring Private Lands**

Montana Fish, Wildlife & Parks
Region 2
3201 Spurgin Road, Missoula MT 59804
Phone 406-542-5500
April 10, 2019

DESCRIPTION OF PROPOSED ACTION

Montana Fish, Wildlife and Parks (FWP) proposes to implement a cooperative grazing system involving selected pastures on the Spotted Dog Wildlife Management Area (WMA), northeast of Deer Lodge in Powell County, and adjoining McQueary Ranch.

Proposed Habitat Treatments

On Spotted Dog WMA. This proposal would prescribe 120 cow-calf pairs from the McQueary Ranch to graze 600-750 acres for 2 months (June-July) on the WMA. The acres to be grazed would be contained within a 2,800-acre perimeter, involving about 8 percent of the WMA. Each 600 to 750-acre sub-pasture would be grazed once in every 4 years and would be rested yearlong from cattle in the intervening 3 years; only one sub-pasture, or roughly 2 percent of the WMA, would be grazed in any single year. This rest-dominated application of a rest-rotation grazing strategy on the WMA would allow grasslands and riparian areas to continue improving within the 2,800-acre treated landscape, although at a slower rate than if the pastures were completely rested (Hansen, personal communication).

On the McQueary Ranch. In return, this proposal would prescribe yearlong rest from cattle grazing on 1,400-1,500 acres of a 2,100-acre pasture system on the McQueary Ranch. In effect, this would reserve all the annual forage production on those rested private rangelands for elk to use in the winter. The pasture system on the McQueary Ranch would be divided into 3 sub-pastures, and the same 120 cow-calf pairs from the McQueary Ranch would be moved from the grazed WMA sub-pasture to a sub-pasture in the Ranch pasture system for 2 months (August-September) every year. As on the WMA, only 1 sub-pasture in the Ranch pasture system would be grazed per year, and each sub-pasture in the Ranch pasture system would receive 2 years of rest from grazing thereafter.

Overall. This proposal would effectively expand the managed footprint of the WMA to add a defined portion of neighboring private land as elk winter range. No elk winter habitat would be grazed on the WMA and 1,400-1,500 acres of native winter habitat, which is heavily used by elk, would be rested from livestock grazing on the adjoining McQueary Ranch. In return for resting 1,400-1,500 acres of native rangeland on their private land each year, the McQueary Ranch would be allowed to graze 600-750 acres on the WMA.

The proposed duration of the agreement would be 6 years. Further details of the proposal will be explained in the upcoming **Response to Public Comment** section of this Decision Notice.

Alternatives

Alternative A: No Action. Under the No Action Alternative, FWP would not implement a cooperative grazing system on Spotted Dog WMA. Grasslands outside of critical elk winter habitat on the WMA would continue to accumulate litter, would be less attractive to elk during the spring green-up period, and would lack the structural diversity that could be accomplished with periodic grazing treatments. Elk would likely continue to use spring and fall habitats on the WMA to a lesser extent than could be achieved through range management, contributing to ongoing game damage issues on private lands adjacent to the WMA. Additionally, grassland habitats on private lands would not enter into a grazing rotation that allows periodic rest for the purposes of enhancing wildlife habitat. FWP would retain funds that would be used to implement the grazing system, but would miss the opportunity to work collaboratively on grazing to accomplish wildlife habitat objectives.

Alternative B: Proposed Action. FWP would implement a cooperative grazing system on portions of Spotted Dog WMA and the adjacent McQueary Ranch, with associated benefits and obligations shared by FWP and the Ranch as described in the EA and discussed in the upcoming **Response to Public Comment** section of this Decision Notice.

PUBLIC REVIEW PROCESS

FWP is required by the Montana Environmental Policy Act (MEPA) to assess potential impacts of its proposed actions to the human and physical environments, evaluate those impacts through an interdisciplinary approach, including public input, and to make a decision based on this information. FWP released a draft environmental assessment (EA) for public review of this proposal (A Proposal to Use Cattle Grazing for Managing Elk Habitat on a Portion of the Spotted Dog Wildlife Management Area and Neighboring Private Lands) on February 27, 2019 and accepted public comment for 30 days until March 28, 2019.

Legal notice of the availability of the Draft EA was published once each in the *Anaconda Leader* (Feb 27), *Independent Record* (Helena, Feb 22), *Missoulian* (Feb 22), and *Silver State Post* (Deer Lodge, Feb 27) newspapers, and a statewide news release was distributed by FWP on March 14. FWP mailed 129 printed copies of the EA and emailed 141 notices of its availability to adjacent landowners and interested individuals, groups, and agencies. The EA was available for public review on FWP's web site (<http://fwp.mt.gov>, "Public Notices") from February 27 through March 28, 2019.

PUBLIC COMMENT

Summary of Public Comment

FWP received 31 comments during the public review period: 17 from individuals and 14 from groups (sportsmen, wildlife, stock growers, and land use):

- 13 supporters for the proposal included 7 individuals and 6 groups (Last Chance Back Country Horsemen, Montana Audubon, Montana Public Lands Council, Montana Stockgrowers Association, Rocky Mountain Stockgrowers Association, Skyline Sportsmen).
- 14 opponents of the proposal included 9 individuals and 5 groups (Anaconda Sportsmen Club, Montana Chapter of Backcountry Hunters and Anglers, Helena Hunters and Anglers Association, Hellgate Hunters and Anglers, Native Ecosystems Council).
- 4 not clearly indicating support or opposition included 1 individual and 3 groups (Big Sky Upland Game Bird Association, Montana Wildlife Federation, Prickly Pear Sportsmen's Association)

Individuals making comment included 5 each from Deer Lodge and Helena; 2 from Clancy; 1 each from Bozeman, Hamilton, and Missoula; and 2 were unknown. Groups making comment included 7 from Helena, 3 from Missoula, and one each from Anaconda, Avon, Butte, and Willow Creek.

Response to Public Comment

The following comments are representative of issues, questions or suggestions received during the public comment period, along with FWP's responses. A compilation of all public comments received during the public comment period is printed in the Appendix. The comments selected for an FWP response below are those that reflect issues repeated throughout the body of public comment on this project and/or those that stand alone in FWP's judgement as particularly relevant to the decision at hand.

Comment A: I am opposed to any cattle (or sheep) grazing on FWP lands. The W is FWP is for wildlife. Those lands evolved without domestic animals on them and they reached they peak without them.

FWP Response: This comment is especially helpful to us, not only for its direct effect, but also for demonstrating that we left some foundational background information unstated in our Draft EA.

Montana Fish, Wildlife & Parks, through its employees and citizen commission, provides for the stewardship of the fish, wildlife, parks and recreational resources of Montana, while contributing to the quality of life for present and future generations (FWP Mission Statement).

About 63% of Montana is privately owned (<https://www.summitpost.org/public-and-private-land-percentages-by-us-states/186111>). Therefore, FWP is directed by its mission and operating environment to work closely with private landowners if it hopes to provide for the stewardship of wildlife resources for present and future generations. Although private land comprises a lower percentage (about 30%) in FWP Region 2, a disproportionately high percentage of our wildlife species and populations occur on private lands due to the migratory patterns of many wide-ranging birds and mammals, and due to the concentration of private lands in the broad river bottoms and productive valleys of our landscape. With the possible exception of a population of mice, shrews or amphibians, it is difficult to imagine a fish or wildlife population on Spotted Dog WMA, which is not also linked to private land surrounding that WMA in some extent of its distribution or for some part of its life cycle.

We're reminded of the Montana Land Reliance's slogan, "Cows Not Condos," when seeking a brief way to express the values of open space on private ranches that we tend to take for granted, but that contribute immeasurably to the effectiveness of our WMAs and other public lands in producing wildlife (http://www.montanalandtrusts.org/conversations/conversation_042010.asp). WMAs do not stand alone as closed systems, Spotted Dog WMA among them. Instead, WMAs are part of a larger landscape that must be managed collaboratively for their potential as wildlife habitat to be realized. That Spotted Dog WMA is "Part of a Larger Whole" is an important point of Management Direction in the Spotted Dog WMA Habitat Plan (2018).

<https://myfwp.mt.gov/fwpPub/landsMgmt/siteDetail.action?lmsId=39754722#collapseAdditionalFiles>

The Montana Fish and Wildlife Commission was acutely aware of these foundational facts when it long-ago adopted the ARM (Administrative Rules of Montana) rules guiding FWP's implementation of the Habitat Montana Program, as follows:

12.9.510 BENEFITS

- (1) The commission intends Habitat Montana to deliver the following services and benefits:
 - (a) conserve and enhance land, water and wildlife;
 - (b) contribute to hunting and fishing opportunities;
 - (c) provide incentives for habitat conservation on private land;
 - (d) contribute to non-hunting recreation;
 - (e) protect open space and scenic areas;

- (f) promote habitat-friendly agriculture; and
- (g) maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses.

(<http://www.mtrules.org/gateway/RuleNo.asp?RN=12%2E9%2E510>)

While ARM 12.9.510 does not predetermine that livestock grazing occur on WMAs—far from it—the rule does direct FWP to look for opportunities to work with private landowners and to manage FWP lands in its Habitat Montana portfolio with an eye toward expanding its influence across property boundaries to demonstrate that managing for fish and wildlife can be compatible with agriculture. In accordance with ARM 12.9.510, FWP currently administers 21 grazing leases on 16 of the 69 WMAs across the state.

Comment B: Public Participation: *Despite many communications with FWP re SDWMA and specifically grazing, MT BHA is disappointed to have had no advance notice and opportunity for the public to examine the proposed pastures on the ground before being covered with snow and practically impossible to visit in March. The schedule of the grazing to commence in July 2019 leaves no opportunity for the public to visit the proposed sites in time to suggest changes from the Draft to a Final EA. Several sportsmen organizations and individuals, including MT BHA, had previously submitted concerns about future livestock grazing in their comments to the Draft Plan for the SPWMA. Public concern regarding potential grazing was well established, and perhaps the most dominant issue concerning sportsmen in development of the Management Plan. In contrast to this tight schedule, we note that several adjacent ranchers were contacted in 2017-2018 (page 8) about grazing before this proposal was developed. Unfortunately, without on the ground knowledge we must rely only on the Hansen report's Ecological Inventory and Health Assessment of Spotted Dog Wildlife Management Area (EIHA). We request that any decision to graze be postponed until interested sportsmen groups can visit the proposed pastures during the summer growing season. After a summer field visit, we request that these sportsmen groups and individuals have an opportunity to provide additional comments into the decision process prior to any decision.*

FWP Response: As a courtesy, FWP Nongame Wildlife Biologist, Torrey Ritter, called a meeting with this commenter and made an oral presentation of this proposal exclusively to his organization at FWP Region 2 headquarters on February 18, 2019, in advance of the EA being released for 30-days' public comment on February 27. At commenter's request, we subsequently provided a digital copy of the complete Hansen et al. (2015) inventory of ecological condition on Spotted Dog WMA for his inspection, including raw data sheets for 192 vegetation plots across the WMA. He has been aware of Hansen's work since it was produced in 2015 and has attended an oral presentation of the work by Dr. Hansen, which was sponsored in 2015 by FWP and the Spotted Dog WMA Work Group.

It would be ideal if all interested publics could replicate FWP's work personally and at the pace of management needs and opportunities. However, it was impractical for the public to replicate or validate the years of Hansen's work before FWP developed a proposal that is informed by those data.

Ecological Solutions Group, LLC (i.e., Hansen et al) is an ecological consulting firm consisting of a team of multidisciplinary natural resource professionals (vegetation, soils, hydrology, and natural resource management) with over 85 combined years of experience. Paul L. Hansen, PhD, is a Riparian and Wetland Ecologist with an exhaustive background of experience working with ecosystems across Montana <http://www.ecologicalsolutionsgroup.com/ESG/Staff.htm>. FWP contracted with the Ecological Solutions Group in 2011 to secure the best available and objective assessment of ecological resources on the newly acquired Spotted Dog WMA to guide future management. The depth and detail of their report to FWP is impressive, totaling over 4,000 pages, and quantifies a baseline condition from which future trends can be reliably assessed by precisely repeating the baseline methodology. The text of the Hansen et al. (2015) report is available on FWP's Region 2 webpage <http://fwp.mt.gov/regions/r2/spottedDogWorkingGroup/>. We would not

know how better to independently, objectively and transparently assess and monitor ecological condition and risks/benefits on behalf of all constituents.

We mean only to disclose the scope and quality of information that was raised by the commenter. To be clear, Hansen et al. (2015) are not responsible for this proposal. FWP was informed by the Hansen data and report, along with direction adopted in its Habitat Plan for Spotted Dog WMA (March 2018), and by public comment received during the process of developing that Habitat Plan, while meeting FWP's mission and applying Commission guidance to the best of our judgment.

FWP fully considered concerns previously expressed by the public during the development of this grazing proposal. Many of those same concerns were shared by FWP. It might have helped the public if we had disclosed in the EA that the Habitat Plan (March 2018), honed by our consideration of the current proposal during its development in subsequent months, has effectively set aside Management Units 1 (O'Neill), 2 (Freezeout-Jake) and 4 (Trout Creek) from consideration for livestock treatments in the foreseeable future, to manage elk winter range, reference-condition rough fescue stands, antelope bitterbrush and severely impacted reaches of Trout Creek. Management Unit 5 (Coniferous Forest) represents scattered inholdings within the Helena National Forest that are unfenced and grazed as part of that pre-existing public-land grazing allotment. That leaves Management Unit 3 (Spotted Dog) for vegetation management where FWP considers livestock grazing to be a viable tool. Within Management Unit 3, then, FWP and public comments agree that riparian, aspen and wetland areas should be generally excluded from livestock grazing treatment, and that livestock access to water be carefully managed. With available locations on the WMA thus limited, FWP further limited this proposal to an area comprising only 8% of the WMA, allowing grazing on only about 2% of the WMA in any single year. FWP further devised the proposed grazing prescription to provide 3 successive, full years of rest from grazing following a grazing treatment. FWP limited grazing on the WMA to the months of June and July when livestock naturally tend to concentrate less in bottoms. The stocking rate of 120 cow-calf pairs for those two months is conservative, and the information on stocking rate was inadvertently left out of the draft EA.

The implementation of this proposal, if approved, would provide for adaptive management. FWP Region 2 proposes herein to offer a field tour of the grazing system for the Fish and Wildlife Commission on June 12, 2019, with grazing underway on Spotted Dog WMA. The tour would be open to interested members of the public. This would provide an early opportunity for the Commission and the commenter to view the proposal in practice, with FWP professional staff available to answer questions and participate in a discussion. Temporary fencing could be adjusted readily, if and as needed, to address issues emerging from this and other inspections over time. The legal instrument of the grazing agreement would allow for early termination at the end of any year during the 6-year agreement if FWP, the lessee or the Commission are not satisfied with the results. FWP would be pleased to offer other tours of the grazing treatment as part of its routine monitoring.

Comment C: Range of Alternatives: *The range of alternatives, as either the Proposal or No Action, is minimal. There were no alternative grazing schedules, no alternative pasture systems, no alternatives to allowing livestock open water sources and no alternative to protect seeps and springs and riparian areas. There is no WMA need or obligation to graze SPWMA with livestock. To our knowledge, there is no recent authorized grazing by this rancher on what is now the SDWMA. This land was purchased with public monies solely for wildlife and public use.*

FWP Response: Prior to developing the draft EA, FWP considered several alternatives, including alternative grazing schedules, pasture systems, and watering sources. This included exploring potential cooperative grazing leases in other parts of the WMA with additional landowners and considering implementing rest-rotation grazing treatments on the WMA. But based on the EIHA (Hansen et al. 2015) results and public comment submitted for the Spotted Dog WMA Habitat Plan (March 2018), FWP staff determined these other alternatives were not appropriate. This proposal constitutes a light treatment on a small scale—the lightest and smallest that would leverage the

corresponding wildlife habitat enhancement on adjacent private rangelands, while also treating habitat structure for wildlife on the affected WMA lands. Therefore, there is no other action alternative, nor any suggested alternative brought to light by this or other public comment thus far, which would provide an offsetting benefit to the McQueary Ranch in return for their partnership.

The question of funding for the purchase and subsequent management of Spotted Dog WMA arises in this comment and in some others. Spotted Dog WMA was purchased in 2010 with a grant of \$16,574,009 from the Montana Department of Justice Natural Resource Damage Program (NRDP). This grant was disbursed as follows: \$15.2 million (~\$550/acre) for fee-title ownership, \$148,869 for the 10-year grazing lease on included DNRC lands, and a maintenance fund of \$1,225,140. FWP's goals for acquiring and managing the proposed Spotted Dog WMA are to:

- Permanently protect fish & wildlife resources;
- Enhance critical winter habitat for elk, mule deer, and antelope;
- Maintain migratory patterns to and from the National Forest for a regionally significant elk herd;
- Provide lasting public access to previously inaccessible lands;
- Maintain landscape connectivity between the Blackfoot and Clark Fork watersheds;
- Replace lost and injured natural resources that were the subject of Montana v. ARCO.

The FWP Decision Notice for the purchase of Spotted Dog WMA, dated August 2, 2010, further reads, in part: "Spotted Dog WMA would be managed in a manner consistent with that of other WMAs owned and managed by FWP (e.g., Blackfoot-Clearwater, Lost Creek, Garrity Mountain, Fleecer Mountain, and Sun River). Management priority would be for the benefit of native fish and wildlife resources. Public access would be provided to the extent that such access is compatible with the stewardship of soil, native vegetation, and the endemic fish and wildlife resources. Vegetation management by way of livestock grazing, commercial timber harvest, or other land use practices may be prescribed if and as needed in the future to enhance the fish and wildlife values of the property, and their connection with the larger landscape. FWP strives to be a good neighbor and would cooperate with adjoining landowners on noxious weed management, fence maintenance, historic and necessary road access, and other issues common to the local community. Maintenance and management would be headquartered locally, at Warm Springs WMA."

The FWP Decision Notice for the purchase of Spotted Dog WMA (August 2, 2010) added the following detailed information in response to extensive public comment, specific to consideration of any future livestock grazing, as follows:

Livestock Grazing

Livestock grazing was raised by the public as an important issue (emphasized by the Powell County Planning Board) and merits an expanded analysis. We have heard the following points presented in support of continued livestock grazing on Spotted Dog WMA, if acquired:

- *The property has been grazed by livestock for well over 100 years;*
- *The property is productive of fish and wildlife in its historic, grazed condition;*
- *If the property is not grazed, range and forage quality will decline;*
- *If the property is not grazed, elk will move to forage in grazed private pastures;*
- *If the property is not grazed, elk damage on adjacent private lands will increase;*

- *Livestock grazing leases are a potential source of revenue to FWP for maintenance;*
- *Livestock grazing on Spotted Dog is an important source of revenue to Powell County;*

FWP has been working as a neighbor in livestock economies for 70 years, since purchasing the Judith River WMA in 1940. FWP currently manages 70 WMAs across Montana, which were acquired and are managed under longstanding and evolving statutory authorities as disclosed in the Draft EA. In Powell County, FWP made one of its earliest and largest acquisitions in 1948, when it acquired the Boyd Ranch and established the Blackfoot-Clearwater WMA. The Aunt Molly and Nevada Lake WMAs also were established in Powell County in the 1970s.

FWP has a long history of incorporating livestock grazing and the livestock operations of adjacent landowners into the management of its WMAs. Currently FWP employs livestock grazing as a management tool on 14 (20%) of its WMA properties across Montana, involving approximately 82,913 acres on FWP lands. While this acreage grazed by livestock is substantial, it represents a relatively small proportion (21%) of the total WMA acres being managed by FWP for the benefit of wildlife and the public statewide. These statistics demonstrate that FWP values and commonly employs livestock grazing as a tool for benefitting wildlife habitat, while also reflecting the fact that FWP employs livestock grazing prescriptively on its WMAs to achieve objectives on a case by case basis, leaving most of its WMA acreage untreated by livestock. Some WMAs are grazed to a greater extent than others, depending on the circumstances. FWP employs livestock grazing specialists to design grazing systems that meet fish and wildlife objectives.

In Powell County, management of the Blackfoot-Clearwater WMA provides a local example of FWP's practices statewide. FWP has a long history of leasing-out hay and grazing on the Blackfoot-Clearwater WMA, focused primarily on the agricultural acres that were irrigated by the Boyd and Dreyer Ranches prior to FWP ownership. A lease with a neighboring cattle ranch is currently active. However, FWP has excluded livestock for over 60 years from the native rough fescue rangelands, which form the heart of the elk winter range and the majority of the Blackfoot-Clearwater WMA. Elk numbers and elk utilization of this winter range have markedly increased during this time, and range condition has improved. The prescription of livestock grazing, while occupying a low percentage of the WMA overall, nonetheless provides opportunity to the rancher that is of value to his operation, while improving forage quality on the species of meadow grasses that are more palatable to elk when managed with grazing or other treatments.

Also in Powell County, FWP leases grazing to an adjacent landowner on a portion of the Aunt Molly WMA. The Nevada Lake WMA is not leased for grazing, although grazing has been considered and discussed with neighboring landowners in the past.

FWP's purpose for prescribing livestock grazing on WMAs is to benefit wildlife habitat if and where the need exists. In so doing, FWP recognizes that its WMAs are not closed and complete ecological systems; each is part of a much larger whole. Typically, elk, mule deer and many other migratory wildlife congregate seasonally on WMAs, and depend on neighboring or distant private and public lands during the rest of the year. So, when considering livestock grazing on a WMA, FWP often seeks partnership with owners of key habitats on private lands within the yearlong home range of WMA wildlife populations. The livestock grazing prescription is followed by the cooperating private landowner on his included private pastures, as well as on WMA pastures. Under such agreements, known by FWP as Cooperative Habitat Management Agreements, wildlife

benefits from prescriptive livestock management on private land as well as on WMA lands, and the effect of the WMA on wildlife habitat is thus extended beyond its borders.

Under a Cooperative Habitat Management Agreement, FWP and the rancher exchange grazing services across the public and private property lines, instead of exchanging money. The rancher's cattle treat a particular pasture or pastures on the WMA that FWP has identified to be in need of treatment to benefit wildlife. The rancher's livestock operation benefits from the use of the grass that was previously unavailable to his operation on the WMA. The grazing treatment on a portion of the WMA can help attract more elk from adjacent private lands to the WMA in the spring, to the benefit of FWP and the private owner. With the addition of the WMA grass to the livestock operation, the private landowner is able to periodically rest wildlife habitat on his private property from grazing by cattle. In many circumstances, this enhances range condition in the long run for both cattle and wildlife on the private land. A Cooperative Habitat Management Agreement with FWP seldom enables a ranch to expand its cattle numbers; instead the economic benefit to the rancher is realized through improved range condition, sustainability, and weight gains over time.

FWP's intent would be to look for opportunities to prescribe livestock grazing in this manner in the future on Spotted Dog WMA, for the mutual benefit of range resources on public and private land. The procedure generally would be to learn and document wildlife use on private and public lands within the yearlong home range of the Spotted Dog elk population. Working with the cattle ranchers in that area, FWP and the ranchers would look for opportunities where livestock could be used to better distribute elk and other wildlife across public and private lands, reduce game damage, enhance hunting opportunities, improve FWP management of elk numbers, and enhance ranching operations. We view the formation of an advisory board, as suggested in testimony at the public hearing on July 14th (and emphasized by the Powell County Planning Board), to be important in the process of developing any future Cooperative Habitat Management Agreement on Spotted Dog WMA. Such an agreement would require that an EA be prepared under MEPA and review by the Montana Fish, Wildlife & Parks Commission.

There is benefit in resting the Spotted Dog property from grazing, at least temporarily and periodically. Riparian areas and stream banks are in declining condition when viewed from a fish and wildlife perspective, and will benefit rapidly from grazing rest. The lower elevation, driest rangelands, where cattle are grazed and gathered in spring and fall, are in the poorest range condition and would benefit from rest to allow some native grassland species to recover vigor and better compete with noxious weeds. A significant benefit to fish and wildlife habitat and species diversity can be expected from an initial rest from livestock grazing. When this benefit is realized and assessed, a prescription may be devised to best maintain that benefit and address other aspects of habitat management—potentially including a limited livestock treatment.

A purchase agreement has been negotiated that would allow Rock Creek Cattle Company (RCCC) to continue grazing livestock on the Spotted Dog WMA, if acquired, through December 2012. This would allow RCCC to maintain near-existing cattle numbers in the immediate future while pursuing additional pasture or other business options prior to extinguishment of this grazing right. Grazing under this provision of the purchase agreement would be a continuation of current practice; i.e., approximately 1,700 cow-calf pairs and 85 bulls, grazed from mid-May through mid-November in 2011, and 1,500 pairs and 75 bulls grazed in the same months of 2012. Cattle would not be present on the property from mid-November until mid-May. At 1,613.0-1,827.5 animal-units for 6-months grazing, this amounts to approximately 9,675-10,965 animal-unit-months (AUMs) annually. RCCC would pay FWP an annual rental fee of

\$15/AUM, or \$145,125-\$164,475, which FWP would use to fund operations and maintenance on FWP lands. This is new information that was not available when FWP released the Draft EA for public comment, nor when FWP held the public hearing in Deer Lodge on July 14th. However, this action would be consistent with the existing analysis of alternatives in the Draft EA, and with public comment. In effect, this temporarily incorporates a portion of the No Action alternative into the proposed action of purchasing the Spotted Dog property.

The presence of up to 3,485 cattle (1,828 animal-units) on Spotted Dog WMA through mid-November will overlap with the public's new opportunity to access and enjoy the property through 2012. Effects will be most pronounced during hunting season, when hundreds of hunters are expected to explore and enjoy this new WMA. Effects on the livestock operation may include cattle redistribution in response to human traffic from the more remote pastures to low elevation habitats where cattle would congregate to "come home" in the fall. This could affect weight gain and increase grazing pressure on native vegetation at the lowest elevations. Effects on the hunting public and other recreationists may include a decline in aesthetic appeal and reduced elk and deer harvest success (depending in part on livestock distribution). These effects would be temporary and would conclude at the end of 2012.

The issue of potential conflict between the existing livestock operation (which historically occurred largely to the exclusion of the public) and the introduction of public hunting serves to highlight the practical differences between historic livestock grazing practices and those that could be expected and practically achieved on a public WMA. It is unlikely that future livestock grazing on Spotted Dog WMA, if acquired, would occur on any or significant portions of the land during the general rifle season. Grazing prescriptions would take into account the September-October archery and upland bird hunting seasons as well, in addition to other recreation and the overriding concerns of fish and wildlife habitat. Therefore, as a practical matter it is unlikely that livestock grazing on the order of 10,000 AUMs would occur under an FWP prescription on Spotted Dog WMA after the terms of the purchase agreement expire in 2012. For necessities explained herein, any livestock grazing on Spotted Dog WMA after 2012 would be substantially restricted in numbers, distribution, and duration compared with the current condition.

FWP stated in the Draft Socio-economic Assessment that Powell County does not assess a tax on livestock, so there would be no loss of county tax revenue from FWP not allowing grazing on the Spotted Dog property. Public comment has pointed out that there would be effects on families and businesses if a reduction of grazing on Spotted Dog resulted in a corresponding reduction of livestock in the local area. Without diminishing this possibility, it is important to note that the Spotted Dog property is being actively marketed for sale. If FWP does not complete the proposed action, there is no assurance that a different buyer will graze livestock in the future.

To reiterate for the reader's convenience, the above was directly quoted from the section entitled "Livestock Grazing" in the FWP Decision Notice for the purchase of Spotted Dog WMA (August 2, 2010). It is quoted here for context when assessing whether the current proposal to graze livestock on a portion of the WMA and adjoining McQueary Ranch in 2019 is in keeping with the funding and stated intent of the purchase of Spotted Dog WMA in 2010. FWP's projections made in 2010 for how future livestock management would unfold were proven largely accurate to the present time, except that the Fish and Wildlife Commission extended the grazing lease with Rock Creek Cattle Company for one year, which ultimately ended in the fall of 2013 rather than 2012. Spotted Dog WMA has been rested from grazing for the past 5 years and will continue to be rested in the foreseeable future outside of the 2,800-acre perimeter proposed for spot-grazing treatments in 2019-2024.

Comment D: The dismissal of the No Action Alternative (p 14) is worded negatively and is wholly inadequate, and seeks to dispel the value of No Action. The “analysis” fails to acknowledge that without livestock grazing riparian areas would improve more rapidly, that risk of invasive weed spread would be considerably less, and there would be no cost of implementation nor administration.

FWP Response: FWP concurs that ecologically degraded riparian areas can improve more rapidly without livestock grazing, which we failed to point out under the description of the “no action” alternative, although we did disclose this elsewhere in the draft EA (page 8) as follows: “This rest-dominated application of a rest-rotation grazing strategy on the WMA would allow grasslands and riparian areas to continue improving within the 2,800-acre treated landscape, though perhaps at a slower pace than if rested from cattle completely (Hansen, personal communication).”

We agree as well that risk of invasive weed spread could be less, and this should have been acknowledged. FWP should have also acknowledged that this proposal also considers the neighboring private lands that could realize these benefits by introducing additional rest from livestock grazing in these pastures. The “No Action” Alternative on the private pastures would likely maintain current riparian conditions and current risk levels of invasive weed spread in that habitat. FWP did acknowledge that funds that would be used to implement this proposal would be retained.

Comment E: The “analysis” fails to acknowledge that vegetative diversity is already abundant in the SDWMA, as measured by diversity of vegetative plant communities, elevations and aspects.

FWP Response: The diversity acknowledged in this section included structural diversity, and FWP agrees that vegetative diversity is abundant on the SDWMA.

This comment is also helpful for FWP to consider because it infers the commenters’ assumption that the existing vegetation diversity at micro and macro scales on Spotted Dog WMA—narrow and wide geographic scales that are meaningful to game and nongame birds and mammals—is the product of a pristine condition. In fact, the vegetation diversity that we see on the WMA today, especially at a micro scale affecting ground nesting birds, for example, is the product of forces that might be called pristine or natural combined with a long history of grazing by domestic cattle and sheep. The land now known as Spotted Dog WMA boasts, if you will, some of the most extensive ranching history in western Montana, dating back to the nineteenth century and concluding only 5 years ago. Vegetation structure, especially, is fluid and will change to some extent from the current condition, in one direction or another, with or without livestock. The proposed light use of livestock represents a choice on a relatively small portion of the WMA for maintaining the existing structural diversity at a micro scale, rather than allowing plant succession and litter accumulation to proceed uninterrupted.

Comment F: **Proposed Action Design:** The design of the proposed action has several elements that contribute to a high risk of failure. The proposed pastures will require 2-3 miles of temporary perimeter electric fence that will not have constant monitoring, and are subject to probable multiple failures initiated by both livestock and crossing wildlife. The landscapes within pastures are not uniform (EIHA photo page 24) but vary by upland vegetative types, terrain and water, all of which will contribute to differential grazing rates. As a result some sites will likely be overgrazed. The EA does not display any calculations of forage capacity or utilization by pasture or vegetative type. The area to be grazed already contains several invasive species, which will likely spread by favorable spread conditions caused by grazing. Predictable livestock concentrations near salt and water, as well as at bedding areas will result in bare soil fostering more weed spread. Apparently there will be ATV use permitted by the permittee, which by repeated route travel will create new motorized trail routes and contribute to spread of invasive species. The proposed minimal monitoring without a baseline nor control area comparisons will not be able to detect trends in plant communities attributable to livestock grazing. The remoteness of the pastures and lack of trained on-the-ground personnel will be unable to detect needed changes. The lack of definitive enforceable stipulations or requirements for the permittee will not enable FWP to assure desirable outcomes.

FWP Response: The EIHA was conducted across the entire WMA but the proposed pastures are limited to one area, and while each pasture is different, they generally comprise gently sloping grasslands. FWP acknowledges that ATV use can cause damage, but there are two-tracks already established on the WMA that would provide access for maintaining the proposed pasture system. The ATV is a practical necessity and the little and confined ATV use is not expected to cause persistent damage. It's something to watch for.

FWP also shared concerns regarding overgrazing potential. Therefore, forage capacity was calculated using USDA Web Soil Survey <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm> which bases AUM calculations on the take half, leave half philosophy. AUM calculations ranged from 241 AUMs to 308 AUM per pasture. Under this proposal the McQueary Ranch would be allowed to graze 120 cows for up to 2 months (up to 240 AUMs). But rather than allow these stocking rates to be prescribed 2 out of every 3 years under normal rest-rotation grazing systems, a conservative prescriptive spot-treatment system was developed using these calculations. Under the proposed scenario, each WMA pasture would receive up to 240 AUMs once every four years, and each private pasture would receive up to 240 AUMs once every 3 years. The proposed stocking rate, timing, and frequency of grazing on the WMA were specifically considered to mitigate these types of concerns.

***Comment G: Riparian:** Riparian areas represent only 2% of the WMA on an otherwise relatively dry landscape, but are used disproportionately by the majority of wildlife species. Some species are obligate to riparian and wet areas. Big game, grouse and furbearers use them disproportionately as well. Through a century of grazing, Hansen documented riparian vegetative health is much reduced. Our personal observations have confirmed Hansen's (EIHA photos pages 26,28,168, 186,221, 236, 237) that shrub components of riparian areas within proposed pastures has been greatly reduced by past livestock grazing. In many cases willows are either no longer present or reduced to old ice-cream-shaped individuals. The five years of partial rest (except trespass livestock) may have contributed to beginning recovery, but this is a slow process especially given the well-known, persistent livestock trespass. Although the proposed pastures avoid major drainage streams, there are small streams, wet riparian areas and wet seeps and springs remaining that are proposed to be grazed and would remain unprotected. However, EA page 6 states livestock watering will be limited to "water gaps", which are normally defined as narrow fenced access points to a very small reach of stream, but none are identified in any of the pastures nor are protective interior fences proposed. Grazing a seep or spring is not considered a "water gap". Grazing a stream reach is not considered a "water gap". Livestock in summer disproportionately graze wet areas. Since the proposal relies on naturally occurring surface water for livestock, this proposal will inappropriately threaten these riparian areas, which apparently are considered overgrazed, "sacrifice areas". With additional fencing and water delivered to each pasture with solar powered pumps, these most valuable areas could be protected before commencing grazing.*

FWP Response: FWP concurs with Hansen's documentation that riparian vegetative health is much reduced on several riparian areas on the WMA. In 2011, Hanson conducted riparian surveys and at that time, found average ecological health scores to be 61 (Healthy with Problems), and ranging from 37 (Unhealthy) to 83 (Healthy.) For reference, "Healthy" scores are 80-100 points, "Healthy with Problems" scores are 60-79 points, and "Unhealthy" scores are <60 points. All WMA riparian areas that received "Unhealthy" ecological scores were precluded from being considered for this proposal. There were four riparian sites within the proposed area that were surveyed, and they received "Healthy with Problems" scores of 77, 75, 73, and 68.

The comment that references Hansen's EIHA photos (pages 26, 28,168, 186,221, 236, 237) is incorrect. Those are photos of antelope bitterbrush, which are upland species, and not shrub components of riparian areas. Bitterbrush stands do not exist within the proposed pastures. In fact, bitterbrush is considered an important ecological component of the western portion of the WMA comprising elk and mule deer winter range and is therefore one of many contributing factors why FWP staff is pursuing this proposal here, rather than on the western portion of the WMA.

Given concerns about riparian health, the proposed pasture layout and use of electric fencing will allow most shrub components of riparian areas within the proposed pastures, including aspen and willow stands to be fenced off. Descriptions about fencing off aspen and willow stands created a misunderstanding between the contributors to the EA, and this was erroneously interpreted as limiting livestock watering to “water gaps.” FWP apologizes for this oversight. The proposed stocking rate, timing, and frequency of grazing on the WMA were specifically considered to mitigate these types of concerns.

Comment H: All or nearly all the proposed private land pastures also have some riparian area, including that of Fred Burr Creek. How will confining livestock on these riparian areas in the hottest, driest summer months affect the riparian health on private lands? Hansen noted “Both polygons (note: both were in WMA) in Fred Burr Creek were barely above Unhealthy rating” due to invasive species, plant species that increase with heavy grazing and woody shrub browse levels. It does not seem prudent to implement perhaps an even more intensive grazing pattern where these problems may already exist.

FWP Response: Currently, livestock use the private pastures in both growing season and during the hottest, driest summer months. Under this proposal, livestock grazing on the proposed private land pastures will be reduced to once every 3 years. In addition, the proposed schedule provides growing season rest every year. FWP anticipates an increase trend in riparian health on the proposed private lands.

*Comment I: **Contract:** There is no draft binding or obligatory document (e.g. Contract) provided to assure the public land stakeholders that grazing operations will satisfy measures to minimize risk and minimize potential adverse effects. From what we can gather from a Department slide presentation and subsequent questions, there are no upland vegetation utilization standards, no riparian vegetation grazing standards, no specific requirements to move salt at specific times, and no quantitative triggers that would remove livestock. There are no constraints on the ranchers use of ATVs on vegetation, riparian areas or wet soils. There is no specification on how cattle would be moved to WMA pastures from private ground. There are no preventative measures to assure that transported cattle from private lands would not introduce new invasive species onto the SDWMA. There are no requirements on how often the rancher needs to ride fences, repair fences nor remove escaping livestock. A guiding document titled “Pasture Grazing Leases: Put it in Writing” (Jeff Mosley, Extension Range Management Specialist, Montana State University) emphasizes, “A written lease agreement reminds all parties of the terms originally agreed upon and also provides a valuable guide for others if either the landowner or tenant dies or otherwise becomes incapacitated”. In this situation of a private party grazing public land, a signed, enforceable, detailed written agreement with quantitative stipulations is critical to avoid misunderstandings, and to communicate to the public exactly what is expected of the private party grazing their public lands. Without such a written agreement, the public inspecting these pastures has no way of knowing if the grazing and operators are within stipulations. Also without clear, specific stipulations, there is no ability for the public to hold either party responsible. We would expect such a contract to contain stipulations as to how perimeter fences are to be installed and how often inspected, when and how fences will be removed, when and how ATV use is authorized, time constraints to recover escaping livestock, how often salt is to be moved, how movement is to occur of livestock moved from private to public lands, how livestock predation by native predators are to be handled, and conditions which would require removal of livestock, and conditions which would terminate the contract. Similarly on private lands, what stipulations will be in place for assuring grazing rest occurs as planned and there is a democratic hunting access process open equally to all qualified sportsmen? Why is enrollment in Block Management not required? A handshake or casual agreement between FWP and a private land owner is not a sufficient guarantee of protection of a public resource.*

FWP Response: The statement underlined by the commenter, while expressing a legitimate concern, is incorrect as stated. Each grazing or farming lease where FWP enters into an agreement with a lessee is bound by a signed, written lease document to address such concerns, and to

protect the Department and the Lessee. Should this proposal be approved by the Commission, a written lease document will be drafted to ensure both parties agree to and understand specific stipulations required and responsibilities assigned in this proposed cooperative agreement. Stipulations regarding the grazing schedule on private lands included in cooperative grazing leases are included in lease documents. Termination language is included to ensure that either party can dissolve the lease agreement if either finds the arrangements or the results unsatisfactory before the lease is scheduled to expire.

Comment J: Economics: *We note that sportsmen will fund \$10,000 to provide electric fencing. In addition, not acknowledged in the Draft EA, is the cost of preparing the EA, the cost of supervision and installing the fences, and cost of administering the agreement and monitoring and evaluation. There may be legal costs as well. As a minimum, we would expect these hidden costs to be several thousands of dollars per year. We note that the State Lands current grazing rate is approximately \$15/AUM . With a verbally expressed (fwp employee slide presentation) expected use of 300-400 AUMs annually, a reasonable lease return should be in the area of \$4000-6000 annually. Yet the proposal is to not require any payment for this grazing. Given the marginal benefits and significant costs of this proposal, we question the prudence of such expenditure of public monies.*

FWP Response: As a wildlife agency, FWP's focus with this proposal is to produce habitat benefits; it is not to generate funds. The specific habitat benefits intended to be derived through this proposal include: 1) annually leaving un-grazed standing forage on heavily-used elk winter range that is in private ownership; 2) using prescriptive grazing to add structural diversity to the herbaceous plant community on the WMA, which in turn would provide attractiveness for the diversity of wildlife using the WMA (this includes the possibility of making these proposed grazing units, which are within elk transitional range, more attractive for elk during spring green-up periods); and 3) adding grazing rest to 2,100 acres of native foothill and riparian habitats on private land, with anticipated improvements to the affected plant communities and associated fish and wildlife. In addition to the habitat benefits intended from this arrangement, the lessee would be taking on the responsibility of moving livestock as scheduled, erecting and taking down temporary electric fences, monitoring and upkeep of the fencing systems, and working with FWP on needed improvements over time. The investment of time and materials by FWP go hand in hand with the eye toward the tangible habitat benefits, similar to other FWP habitat enhancement and conservation programs. Finally, negotiating win-win partnerships, particularly with the agricultural community as is laid out in this proposal, often result in socio-political benefits that extend well beyond this specific circumstance, helping advance FWP's conservation mission across the state. For example, in other parts of the state, similar win-win partnerships have resulted in improved relations with surrounding neighbors, new conservation opportunities such as conservation easements or public access agreements, enhanced support from individual legislators or land board members who are aware of these kinds of partnerships, and even establishment and support for conservation programs such as Habitat Montana.

Also, just to clarify what appears in Comment J, the actual proposed AUMs are "up to 240 AUMs" on the WMA, which as stated earlier did not appear in the EA, but should have.

Comment K: Invasive Species: *Hansen summarized Upland sites as only 35% Healthy and 65% remaining were either with problems or non-functional. In addition, Hansen documented 22 noxious weed species on the WMA. Invasive species are found on 43% of the WMA, according to Hansen's study, with an average of 2.7 invasive species per sample plot. Multiple invasive species are found on the proposed pastures, and all of Hansen's plots in the proposed pastures have invasive species. The EA fails to acknowledge the risk of irreversible spread of invasive species enhanced by introduction of livestock grazing. Reduction of ground litter (EIHA photos page 23, 224, 225), damage to the protective biological soil crusts, exposure of bare soil, trampling of seed, and reduced competition and vigor from desirable plants are all well-known factors favoring invasive species spread and dominance. Each of these contributing negative factors will occur if grazing occurs as proposed. According to Columbia University (2004) Introduced Species Summary Project-Cheatgrass "Grasslands.....are characterized by a delicate*

layer of cryptogams covering the soil between shrubs which are susceptible to damage from cattle” and further “cheatgrass has a competitive edge when grazing and frequent fires are introduced into native ecosystems.”

The Hansen plots within the proposed pastures document the presence of several species of invasive species, including cheatgrass (EIHA photos p 31, 50, 139, 242), spotted knapweed (EIHA p 148), houndstongue and thistle (EIHA p 51, 131). Grazing June 1 thru July 31 is perfect timing to encourage livestock hooves grinding seedripe cheatgrass seed (and other invasive seeds) into the soil (p 15 1b). All the four Hansen plots within pastures were scored as “Healthy with Problems” How will grazing correct the problems that were identified by Hansen?

Hansen (p 154) summarized the SDWMA invasive species risk “ Although present in small amounts, several invasive species represent very serious threats of rapid increase and disruption of ecologic function.” The SDWMA Habitat Plan emphasizes the threat of cheatgrass as “ Watch cheatgrass distribution and avoid creating niches for cheatgrass expansion”(Exec summary). This proposal is in direct contradiction to that direction by creating a niche for cheatgrass expansion with livestock grazing. Hansen (p 162) summarizes upland grasslands “Many of the native plant species found on Spotted Dog WMA can compete with introduced species, and given time and rest from livestock grazing (emphasis added) some of the introduced species may decrease.” Simply, with 22 invasive species already on SDWMA, the potential spread of any of these is significantly enhanced with livestock grazing.

Once in place, cheatgrass is practically impossible to eliminate and prone to increase towards dominance with grazing. Several photos in Hansen’s publication document significant or dominant cheatgrass on the SDWMA where past disturbance have occurred (EIHA photos page 31, 50, 139, 242). Most importantly, the effect of cheatgrass spread has an adverse effect on productivity and health of desirable plants. Forage values can be reduced by 80% with cheatgrass dominance. Spot spraying cheatgrass, as is proposed in the EA, is simply ineffective, and effective herbicides are non-selective and therefore would likely damage native vegetation. Once cheatgrass becomes a major vegetative component, it increases wildfire frequency exponentially due to flashy fuels and early season curing. Frequent rangeland fires foster the decline in desirable components of the vegetative community and favors invasive species and annuals. With more frequent fires and grazing, other invasive species also proliferate. According to a Forest Service literature review “Cheatgrass alters successional trajectories of postfire plant communities by interfering with native seedling establishment, by competing with established perennials for resources, and by shortening the interval between fires.”

FWP Response: While these comments speak to the WMA in its entirety, the comments misrepresent the four proposed pastures. The comments suggest EIHA photos referenced are located in the area of the proposed pastures on the WMA, but they are not. In addition, not all plots within the proposed area had invasive weeds present. One had zero invasive species, four plots had 0.5% cover by one invasive species, one plot had 1.0% cover by two invasive species, and one plot had 3% cover by one species due to a disturbed site along a road. There are seven plots, not four as suggested, that were assessed in the EIHA within the proposed pastures. Three polygons scored “Healthy” scoring 98, 96, and 80 points. Four polygons scored “Healthy with Problems” scoring 78, 78, 77, and 74 points. For reference, “Healthy” scores are 80-100 points, and “Healthy with Problems” scores are 60-79 points. For the four plots having “Healthy with Problems,” the sites were overall in healthy condition, but reasons for having scores less than 80 included, in some cases, a slight reduction in vegetative structure due to historical livestock and elk use as well as some bare soils exposed in dry sites, but in most cases, the reasons included presence of old livestock trails.

FWP shares concerns regarding cheatgrass and other invasive species. Locations of cheatgrass infestations, such as the locations of the photos listed in this comment, were considered when determining the location for the proposed pastures. Specifically, areas on the WMA with significant invasive weed infestations were avoided.

This proposal also includes 3 private pastures that are susceptible to invasive weed infestations. Under the current grazing practices, all pastures could receive livestock grazing each year which can reduce the native plant species ability to compete with introduced species. In addition, wintering elk on these pastures can, and have, removed almost all residual forage at times, leaving bare soils and increasing site availability for invasive species to establish. FWP concurs with the comment that “*Many of the native plant species found on Spotted Dog WMA can compete with introduced species and given time and rest from livestock grazing (emphasis added) some of the introduced species may decrease.*” By introducing one post-seed ripe grazing treatment on these private pastures once every 3 years, combined with complete growing season rest every year, as prescribed in this proposal, native vegetation will more effectively compete with introduced species.

***Comment L: Monitoring:** The proposal for monitoring is minimal and would not meet professional monitoring design standards to adequately address issues related to vegetative changes and vigor, riparian health and vegetative condition, effects of grazing on non-game species, nor expansion of noxious weeds. There is no science-based monitoring design nor sampling rigor in the proposal to assure statistical reliability of results. Replicating three of Hansen’s plots after several years and a few photopoints (no scale indicated) would only document the most egregious adverse effects. Hansen’s plots are insufficient in number and not designed to be a baseline for monitoring. As a minimum, a year of baseline of replicable vegetative composition plots of all vegetation types subject to grazing is needed. Because grazing is proposed to commence in July 2019 this would almost certainly not occur.*

Apparently proposed monitoring will be limited to some photopoints and an annual ride by an eastern Montana FWP range employee which, given the distance, would occur perhaps once per season. Instead, because of grazing’s public controversy and potential expansion of grazing to other areas within the WMA, a replicable monitoring design and commitment for implementation must be a major component of this proposal. Monitoring must incorporate measurable elements to determine if the vegetative community is responding favorably, particularly with noxious weeds. Given differential grazing rates and effects within a pasture, monitoring must incorporate replicable vegetative plots on all vegetative types in each pasture. To compare grazed and ungrazed lands, monitoring must incorporate similar vegetative plots on adjacent lands not within pastures. Monitoring plots and baseline conditions must be established before any grazing commences.

Similarly, both quantitative and qualitative monitoring is needed on private lands proposed for enhancement with this proposal. “General Impression” (p10) is not professional monitoring. Vegetative plots need to be established before grazing begins, and continued throughout the grazing cycles. This should include riparian monitoring in Fred Burr Creek riparian, springs and seeps and other stream courses in pastures, including those within the private pastures.

FWP Response: FWP agrees that a replicable monitoring design and commitment for implementation must be a major component of this proposal. At this time, a monitoring plan for vegetation, elk use, and song birds is being developed by FWP staff, and includes contributions by NRDP and Montana Audubon.

The comment stating that “Hansen’s plots are insufficient in number and not designed to be a baseline for monitoring” is mistaken, and as mentioned earlier, the comment is also mistaken in suggesting that only 3 of Hansen’s plots fall within the proposed pasture system on the WMA. The Ecological Inventory and Health Assessment on Spotted Dog WMA (2015) was independently and expertly designed specifically for the purpose of providing an exhaustive baseline assessment of ecological condition and specifically for future replication to detect meaningful change in the future. As described in an earlier FWP response to comment, the assessment resulted in quantitatively derived scores of ecological health for each sampled site, resulting in scores ranging from 1 to 100, with each integer between 1 and 100 available as a valid score from objectively collected data onsite.

Understandably, due to the sheer volume of information in the Hansen report, the design and effect of the methodology is mistakenly represented in some public comments. The plots that Hansen et al. (2015) inventoried within the area of the proposed pastures were polygons on 7 sites totaling 149 acres, which were specifically selected and positioned in the field to represent 2,714 acres in the area of the proposed grazing treatment on the WMA. That is, each “plot” included multiple, intensively inventoried acres within a larger, like-classified vegetation type. This is very different from the Daubenmire plots or linear transects that might have come to some readers’ minds when the term “plots” was used.

At some future date, FWP suggests that it would be instructive as general background for the Fish and Wildlife Commission and interested members of the public to receive a presentation by Dr. Hansen regarding the ecological inventory and health assessment on Spotted Dog WMA and to entertain questions on the topic. As outlined earlier, there is astonishing detail and depth of information contained in those results, which are available to FWP and the public for replication and education into the future. It is a level of detail and expertise rarely devoted to a managed landscape.

As disclosed in the draft EA for this proposed project, FWP plans to replicate Hansen’s ecological assessment after the close of the proposed grazing treatment, which would be in line with an appropriate time (about a 10-year interval) for revisiting the trend in ecological health across all 192 plots on the WMA. Respectfully, the initiative undertaken by staff now retired from FWP (so it’s not bragging), to solicit an independent ecological assessment on Spotted Dog WMA at the time when Spotted Dog WMA was first acquired, represents an approach and a product that would be a source of pride for FWP, the Commission and the public. The capacity that this vegetation assessment provides FWP for long-term monitoring of ecological health at a useful and appropriate scale on Spotted Dog WMA is exceptional.

***Comment M: Elk and Elk Distribution:** Draft EA Figure 2 diagram shows only winter elk distribution in a single heavy snow year in 2018 as the only example. However, FWP has documented, but failed to display, elk distribution in other years with far fewer elk on private lands. Certainly elk use private lands to some degree, but varies greatly year by year. However, it should be noted that winter elk grazing on private ground occurs on dormant plants capturing dry, cured forage that, aside from litter reduced contribution, has no significant effect on desirable plant vigor or health the following growing season. The rationale for the grazing proposal is described to rest private land, which gives a rancher a substantial benefit, but little or no benefit to public elk. From an elk standpoint, there is little or no benefit to this proposal. Elk in and adjacent to the WMA have ample opportunity to move to find forage conditions satisfactory to their winter survival, even at present 2x “objective” numbers. To our knowledge, Spotted Dog elk are not starving and reproduction is adequate. The proposal also seems to contradict FWP’s Elk Management Plan objectives, while on one hand arguing that elk numbers are twice the optimum number, and on the other arguing that grazing SDWMA and private land rest are needed to sustain present elk numbers. The plan would, in effect, negatively affect a multitude of other game and non-game species to sustain elk, which are theoretically overpopulated in the area. Identifying a couple of non-game bird species that would benefit from reduced grass cover is not compelling, and ignores the adverse effect of grazing on the bulk of game and non-game species.*

FWP Response: The commenter seems to question the need for the public to own and manage a Wildlife Management Area in this location by offering the case that Spotted Dog elk are doing well at objective or 2x population objective levels, whether wintering on lands grazed or ungrazed by livestock, whether private or public. It is true that FWP offers this proposal to manage elk habitat on and beyond the WMA on the premise that there is a public value in habitat managed for fish and wildlife and in public-private partnerships to manage habitat cooperatively across property boundaries.

As described elsewhere in this Decision Notice, this proposal would not “*negatively affect a multitude of other game and non-game species to sustain elk.*” For the record, that statement is false, though FWP acknowledges it to be the commenter’s opinion.

A map of elk distribution during winter aerial surveys accomplished by FWP from 2014-2019 is shown on the following page. Although these surveys provide only a snapshot of elk distribution during one or two days in a winter, they generally represent distributional hotspots and relatively unoccupied locations. A radius of about ½-mile to the north, west or south beyond locations documented on the WMA would largely and broadly account for elk movements to and from haystacks and cattle feedlines that are undetected by these aerial surveys in daylight.

The map shows the differences in elk distribution highlighted by an easy winter and early spring in 2017, compared with the harsher and more confining winters of 2018 and 2019. Surveys occur in February-March.

Comment N: The request for comments seems to be a pointless process given that a final decision will be released in just 4 days, on April 1, after the deadline for comments is passed. How can the comments that are provided actually be reviewed, and potential changes made to the EA as a result?

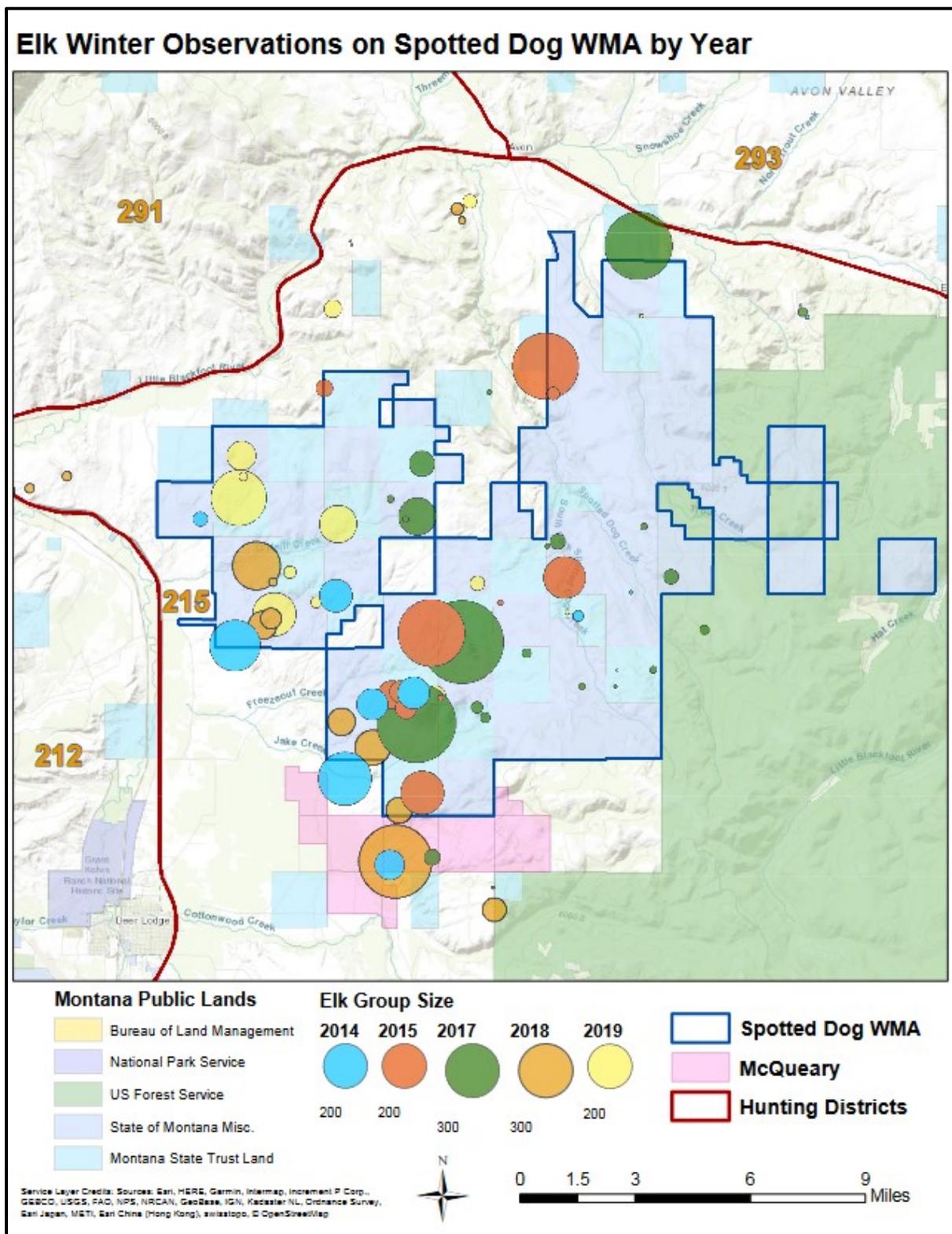
FWP Response: The proposed date for issuing the decision notice (DN) was admittedly optimistic on the part of FWP, and we apologize for any confusion this may have caused. The anticipated or estimated date for publishing the DN is not set in stone, and FWP would not issue a DN without properly assessing and responding to public comments received during the public comment period.

Comment O: There is a complete lack of any analysis or direction as to how conflicts between the proposed grazing and predators will be addressed. If wolves or grizzly bears are killing private cattle grazed in this wildlife management area, will they be removed? If so, this is a significant wildlife impact of the proposed grazing use of this WMA and needs to be not only evaluated, but fully disclosed to the public.

FWP Response: Wildlife Management Areas are established with the primary goal of protecting and enhancing wildlife habitat. Therefore, issues with depredation of cattle grazing on the Spotted Dog Wildlife Management Area would be addressed knowing that wildlife come first. It is very difficult for FWP to establish guidelines ahead of time for dealing with depredation of cattle on the WMA because every depredation situation is different, and certainly the ranch owner has some right to protect his livelihood even when his cattle are grazing publicly-owned grasslands. If depredation became an issue under the proposed grazing plan, FWP would work with the landowner to exhaust all non-lethal methods of deterring predators. Therefore, lethal management of predators preying on livestock would be a last resort, and would only occur if there were persistent, repetitious depredation issues in the proposed pastures. Barring other unforeseen circumstances at the time, FWP would terminate the grazing agreement at the end of the grazing season in which lethal control was required, for demonstrated lack of an acceptable operational environment for mixing livestock and wildlife.

We gathered some information beyond personal experience to assess the likelihood that predation on livestock grazing the WMA would become an issue. As stated earlier, there are many variables. For example, we can report that the Blackleaf WMA, along the Rocky Mountain Front, has been grazed by livestock since about 1990. There has never been a confirmed case of livestock predation on the WMA during that time period (R. Rauscher, personal communication). Livestock have died and been consumed by predators, mostly bears, wolves and coyotes. Often, however, the cause of the livestock death is due to illness or injury not related to predators and the carcass was scavenged. Within our experience closer to home, in Region 2, FWP has not overseen a situation where livestock depredation on a WMA was confirmed or elicited a lethal response.

Wolf depredations on livestock occurred on or near the lands now managed as Spotted Dog WMA in the 1990s and early 2000s, when the land was a working cattle ranch, and FWP readily acknowledges that depredation on livestock on the WMA is a possibility in the future.



Comment P: There is a surprising bias in the draft EA regarding the impacts of grazing on vegetation. The claim that "controlled grazing" will improve the productivity of grasses was never supported with any existing research. The current body of science that supports this claim needs to be provided, especially as it is one of the justifications for allowing cows to graze in the WMA. The rationale seems to suggest that removal of litter will increase productivity, which is surprising. One of the key components of soil health is the amount of carbon residues it contains. We are not aware of any science that suggests that reducing the amount of litter that decomposes in the soil is a benefit to vegetation. Current agriculture practices optimize litter content of the soil. It is also not clear why spring grazing increases grass production, or why grazing increases forbs. If this is the case, it is likely due to decreased competition with grasses due to consumption by cows. The efforts of the MFWP to claim that the proposed grazing will benefit wildlife by improving forage conditions raises a question of agency credibility in regards to the proposed grazing program.

FWP Response: We would like to reply that this is a very useful, thoughtful and clarifying comment. We accept the criticism, the clarification and the information shared within this comment as an enhancement to the decision-making process and to this proposal.

Comment Q: The heavy winter use on adjacent private lands by elk will not be particularly detrimental to grasses, as they are dormant at that time. On the other hand, livestock grazing beginning in June, before grasses have matured and set seed, on the WMA will in fact be detrimental to their health. So this is not an even trade as per range health.

FWP Response: Impacts to grassland ecosystems attributed to large numbers of grazing animals concentrated in a relatively small area is not restricted to direct consumption of vegetation. Heavy trampling can cause soil erosion, increase the spread of noxious weeds, and may even destroy rhizome systems that allow grasses to regrow from root stock. Accumulated plant litter is an important component of a healthy grassland, and when large groups of elk are concentrated on a relatively small area throughout a harsh winter, almost all of the accumulated plant litter may be removed. Therefore, there may be little residual vegetation left in the spring to shade the soil and retain moisture near the surface, contribute to healthy soils through decomposition, and help hold soils together to prevent erosion during snowmelt and subsequent rainier seasons in spring and early summer. FWP recognizes that growing season grazing can negatively impact grasses and other plants, and we are therefore proposing a conservative grazing system that would only have cattle grazing 2% of the SDWMA for 2 months, once every 4 years. This level of use is lighter than grazing systems on other WMAs in Montana but is consistent with the goals and management directions set forth in the 2018 SDWMA Habitat Plan.

Comment R: The introduction of livestock grazing in the WMA is a clear contradiction for which the area was purchased. And this project, which is slated for 6 years, is likely just the beginning of a much larger grazing program. As is noted in the various public comments on this project, many of the WMAs in Montana are grazed. And comments provided by MFWP personnel at public meetings have indicated that private grazing interests have requested use of the SDWMA for alternate grazing to replace losses due to fire. And of course, this could also include impacts of drought. It is likely that this proposal is just the beginning of long-range goals to establish livestock grazing systems across the SDWMA.

FWP Response: The WMA was purchased to conserve critical elk and deer winter range as well as protect grassland, riparian, and forested habitats for a variety of game and nongame species. However, the WMA is not an island, and wildlife species do not recognize land ownership boundaries. To be effective at managing the wildlife that use the SDWMA, fish and wildlife managers must manage the WMA as part of a much larger landscape. The proposed grazing system will have a relatively small impact on habitats within the WMA while facilitating more thoughtful habitat management across that larger landscape. The proposed system will help bring private lands along the periphery of the WMA into a management context that more closely aligns with fish and wildlife values.

The proposed grazing system is confined to the four pastures outlined in the EA, and there are currently no plans to expand grazing to other portions of the WMA. If livestock grazing were to occur in other areas of SDWMA in the future, FWP would approach the issue from the same perspective as for this grazing plan: that the wildlife come first, and that any private grazing within the WMA will align with the WMA Habitat Plan and will only be proposed for public review if it provides an overall benefit to fish and wildlife habitats and movements across the landscape.

Comment S: Most disturbing for this proposal is that it not only ensures that all existing barbed wire fencing in the SDWMA will remain in place, but that an undisclosed amount of additional fencing will be progressively added over the years to develop a system of pastures for livestock grazing. There is no science the agency can point to that shows barbed wire fences are okay for wildlife. This includes entanglement problems for big game, especially their calves/fawns, and also for many species of birds, including raptors, due to feather entanglement or direct mortality or serious injury from fence strikes. We frequently see the term "wildlife friendly fences" in reference to barbed wire fences. Although we didn't see that term in the draft EA, the overall impact of fencing was clearly ignored. This was apparently due to the claim that electric fencing will be used. However, even if the new fencing is electric, it is noted that existing fences already in place will also be part of the pasture system. There is no place for barbed wire fences on a WMA, and all such fences need to be removed. Retaining existing barbed wire fencing in order to implement this grazing program is inconsistent with the purpose for which the WMA was purchased.

FWP Response: Nowhere in the EA does it state that permanent fencing will be "progressively added over the years". The permanent fencing that will be a part of the proposed grazing system was already in place prior to FWP's acquisition of SDWMA. Almost all the permanent fencing is boundary fence, which FWP must maintain to control trespass cattle grazing that can have serious negative impacts to fish and wildlife habitat on SDWMA. Montana is a "fence-out" state, meaning that if FWP does not maintain fences on the boundary of SDWMA, it is not incumbent upon adjacent landowners to make sure their cattle do not enter the WMA to graze. Therefore, it would not be in the public interest to remove all barbed-wire fencing from SDWMA. FWP is proposing to use temporary electric fencing in order to prevent constructing new, permanent fence lines on SDWMA that would have some of the adverse impacts outlined in the comment. Wildlife-friendly fencing standards were used for the boundary fence on the WMA, and although fence impacts to wildlife are well-documented and acknowledged by FWP, the surrounding land ownership will always require that FWP maintain some permanent barbed-wire fencing in order to preserve and enhance fish and wildlife habitats on the WMA.

Comment T: There was no actual documentation in the draft EA as to how it has been determined that elk prefer previously-grazed areas by cattle in both the spring and the fall. And as for the fall, if there is a drought, there will be little fall regrowth of grasses that would be available to elk.

FWP Response: We have first-hand experience performing a study on the effect in spring, which may be cited as: K. E. Grover and M. J. Thompson, "Factors influencing spring feeding site selection by elk in the Elkhorn Mountains, Montana," *Journal of Wildlife Management*, vol. 50, no. 3, pp. 466–470, 1986. The goal of the proposed grazing system is not to enhance fall green-up annually; we are simply acknowledging that fall green-up may be enhanced with light, periodic grazing to remove accumulated plant litter in the grassland communities.

Comment U: There is no analysis provided in the draft EA as to how the proposed livestock use will affect aspen. Throughout southwest Montana, cattle are destroying aspen stands by preventing recruitment, while old trees die out. There is no information in the draft EA as to the location of aspen stands in the proposed pastures. It could be that these stands will be fenced out from cows because they occur in riparian areas. However, this is not clear. This continued degradation and destruction of aspen stands would be a significant negative impact of livestock grazing that was never addressed.

FWP Response: All substantial aspen stands will be fenced out of the proposed pastures. It was an oversight on the part of FWP to not explicitly state this management direction in the EA.

Comment V: The draft EA claims that livestock grazing will benefit nongame species by improving their habitat. Again, there was no actual documentation of these claims. These conclusionary claims are not appropriate in an EA

FWP Response: There is ample evidence from the scientific literature that livestock grazing can increase patch-scale habitat heterogeneity in grassland systems that can provide a greater variety of ecological niches for small mammal, songbird, and invertebrate species to fill (Wiens 1997, Fuhlendorf and Engle 2001). Such grazing systems can also provide nesting and brood-rearing habitat in close proximity for grassland birds (Derner et al. 2009). Allowing rest from grazing on private land pastures will certainly enhance nongame habitat by bringing those grassland and riparian habitats into a higher ecological condition.

Comment W: The draft EA is relatively silent on how water will be developed for the 4 pastures to be created in the SDWMA. If springs are going to be developed for water tanks for cattle, this is clearly an adverse impact on these ecosystems, as the result in a drying out of key limited habitat for wildlife, including snails and amphibians. These also result in less water returning to the riparian systems and streams in the landscape. The MFWP needs to provide much more information and analysis as to how water will be provided for livestock, instead of simply saying that some openings will be provided in fenced riparian areas for livestock access. It is our experience that every grazing program includes the relentless development of yet more water sources for cows.

FWP Response: FWP addressed this issue in response to Comment G. We'd like to add that the regional fisheries biologist and nongame wildlife biologist will inspect the proposed pastures prior to implementation of the grazing system to inventory riparian and wetland areas and come up with recommendations for natural watering sites that will further minimize impacts to sensitive habitats and species. Though FWP acknowledges that some short-term, negative impacts to streams and wet areas will likely occur, we expect that these impacts will be minimal under the conservative grazing plan with long rest periods. Meanwhile, benefits to these types of habitats on adjacent private lands are expected to be substantial.

Comment X: The draft EA mentions cowbirds, but somehow suggests that any adverse impacts from cowbird parasitism will be temporary. Cowbirds are known to create significant losses for nesting songbirds "temporarily" during their nesting season. And it is well established that cattle and cowbirds go together. Introducing cows into this wildlife management area will clearly have an adverse impact on songbirds. Again, there are vast areas of Montana that are grazed by cattle, and thus promote cowbird habitat. Surely more of this promotion is not a benefit to wildlife.

FWP Response: Adverse impacts from brown-headed cowbird parasitism will be temporary because the birds will generally follow groups of cattle, and those groups of cattle will be grazing a different part of the WMA each year. Regardless, brown-headed cowbirds are a native species in Montana, and the impact on nesting songbirds relative to the rest of the landscape will be minimal. We would not plan to modify the proposed grazing system based on the potential presence of brown-headed cowbirds as there is little evidence the presence of the brown-headed cowbirds will be severe enough, nor widespread enough, to imperil any sensitive bird species or communities.

Comment Y: In conclusion, one can only assume that the proposed grazing program in the SDWMA is being implemented due to political pressure from the livestock industry. This is unfortunate, as there are few areas in Montana that are not grazed by livestock, or fragmented by countless miles of barbed wire fences. The provision of ungrazed, unfenced areas would clearly be a wildlife benefit, and increase the diversity by adding more of a high value but extremely limited habitat. On the other hand, there is currently no evidence that the elk population in this landscape needs improved foraging habitat, since the population is considered "too high." There is clearly no problem that needs to be "cured" with cattle grazing.

FWP Response: The proposed action was not developed under political pressure, nor does it represent a bending to the whim of an as-described grazing conglomerate. We wanted to acknowledge this comment here, which was expressed by more than one commenter, and in response we would refer the reader to the history and purposes laid out in the introductory pages of the draft EA and in the FWP responses to the first few comments that we've addressed in this Decision Notice.

We would also clarify that FWP does not alternately diminish or enhance elk habitat as a means of moving elk populations down or up around the population objective. Maintaining and enhancing wildlife habitat is a constant goal, upon which we manage the resulting wildlife populations that are produced on that habitat.

Comment Z: In general, we appreciate the intent of the plan to enhance recovery of wetlands and riparian areas while enhancing the wildlife values within the Spotted Dog Wildlife Management Area (herein SDWMA). We are not opposed to targeted grazing being used for site-specific purposes, which we believe this proposal does, but we do believe it should be one of the lower priority management tools. In the case of this current proposal, Montana Audubon views the grazing plan at SDWMA to be a "case-study" type project, though we recognize that grazing has been a management tool put to use in other WMA's like Wall Creek. We also recognize that both the landscape within the WMA and within the private grazing lands included in this proposal are well adapted to grazing by large ungulates. We have continually supported habitat management as a priority over increased or manipulated harvest to manage wildlife populations, and so this proposal fits with those recommendations. It also fits with goals of maintaining migratory patterns for elk between National Forest and upland grasslands.

FWP Response: Thank you for offering this perspective.

Comment aa: As many groups have pointed out, livestock grazing of WMA's in general does conflict with WMA lands intent to preserve habitat for all wildlife, as livestock are not wildlife. Grazing also impacts aesthetic values of a landscape where individuals are seeking to connect with their natural surroundings, and livestock grazing can lead to the introduction of invasive plant species, and an increase in cowbird predation on nesting birds. Though the proposal lacks rigorous scientific evidence that this type of grazing management has resulted in benefits to wildlife in other places, we appreciate the acknowledgement that including grazing as a management tool may be in conflict with wildlife habitat values the WMA is meant to protect. Though this is true, we believe that the proposal is written such that the intent clearly is to benefit wildlife. In our work with grassland bird species of concern like the Long-billed Curlew, we have found that well-managed grazing even in nesting areas, can provide suitable habitat within working lands. With a strong monitoring component, this management tool can be thoroughly assessed, and we would expect DFWP to discontinue its use unless positive results for wildlife are demonstrated. This project has great potential from a scientific monitoring standpoint.

FWP Response: We appreciate MT Audubon's thoughtful comments and invite you to contact our nongame wildlife biologist, Torrey Ritter (torrey.ritter@mt.gov), to discuss possible scientific inquiries that could be addressed during the implementation of this grazing plan.

Comment bb: In other studies of grazing effects on wildlife, surveys often need to be conducted over multiple years to avoid sampling effects cause by weather or other stochastic events. We would recommend surveying pastures using the Hansen et al. (2015) approach during and after project completion versus just after.

FWP Response: FWP will dedicate as much staff time as possible to monitoring before and after impacts of the proposed grazing system. Our monitoring plans are outlined in the EA, but we are open to other suggestions from science-minded groups such as MT Audubon. Additional monitoring plans are being discussed internally, spurred by some of the public comments received on the draft EA.

Comment cc: In conclusion, Montana Audubon supports the EA's general finding that a full Environmental Impact Statement is likely not warranted, but disagree with findings that the proposed action will have only minor impacts or cause minor conflicts with existing land uses, and the importance of the site as a designated natural area. This conclusion is based on review of other public comment. We prefer that riparian areas within the proposed grazing pastures be entirely fenced off for the project duration, and that both landowners and DFWP emphasize managing stock water needs outside of these areas. Because the focus of our work is only peripherally on hunter access and opportunity, we have reserved our comments to factors affecting wildlife.

FWP Response: All substantial riparian areas and aspen stands in the proposed pastures will be fenced out. The regional fisheries biologist and nongame wildlife biologist will tour the proposed pastures prior to implementation of the grazing system to inventory all other riparian and wetland areas and come up with recommendations for natural watering sites that will minimize impacts to sensitive habitats and species. Off-site watering systems have their own drawbacks, including the creation of cattle trails and spreading of noxious weeds due to heavy disturbance around the watering structure. Removing cattle prior to the hottest and driest parts of the summer will help reduce impacts to wet areas, and we expect that the light stocking rate and substantial rest between grazing periods will minimize impacts to sensitive wetlands and riparian areas. FWP is committed to monitoring these habitats to assess impacts of the grazing system.

Comment dd: We would have liked to see the document include information about whether current management at Spotted Dog WMA had resulted in any reduced pressure on adjacent landowners considering the large increase in elk using the area since the 2013 purchase.

FWP Response: Thank you for introducing this issue and pointing out this shortcoming in the draft EA. Elk damage on private lands surrounding Spotted Dog WMA has increased since FWP purchased the WMA, and as elk numbers have increased since 2010. Damage events occur annually in summer, fall and winter on ranchlands near Avon. Otherwise, damage events are largely concentrated in winter and have varied from year to year, depending on weather. Damage events during winter were most prominent on ranches between the western boundary of the WMA and Interstate 90/Highway 12 in the first years of FWP ownership.

Elk damage on the McQueary Ranch, located along the south boundary of the WMA, has intensified in its amount and effect on the ranch operation in the last two winters. Topography and its effect on snow accumulations and snow conditions largely dictate elk distribution in winter, all things being otherwise equal, and natural winter range slopes across the McQueary Ranch in a continuously sweeping landform that includes the west-sloping lands of the WMA. In February and March, 2018 and 2019, exceptional snow and temperature conditions drove elk off the slopes and down to the cattle feedlines on the Ranch. Elk numbering from 200-600 disrupted the cattle feeding cycle and the access of the cows to their feed as calving season approached. This has been an untenable situation on the McQueary Ranch. FWP is required by law to reduce overabundant elk numbers to their objective and the past two hunting seasons in Hunting District 215 have had an effect toward moving elk numbers in that direction.

Elk damage on ranches surrounding Spotted Dog WMA will continue to occur. Its effects will be less severe as elk numbers continue to approach the population objective and will be more effectively mitigated. Elk damage, by law and by rulings of the Montana Supreme Court, require FWP to work together with private landowners. Undeniably, a WMA neighboring private ranches brings that mandate and need for good relationships to the fore.

Comment ee: We are concerned that more analysis did not go into discerning the values of the project to upland birds, considering the location of the grassland affected. Birds like the Sharp-tailed grouse have received a lot of attention in other areas by DFWP, and they should be considered here. Upland birds that are found in the area would likely benefit from improved riparian and wetland areas, and would be affected by altered grass heights and forage availability. Though we also recognize elk as the primary

animal in need of management at this site, the plan surprisingly limits its discussion of expected impacts on other ungulates like deer, moose, or antelope.

FWP Response: The last record of a sharp-tailed grouse in the Deer Lodge Valley was from 1983, and although a reintroduction plan is currently proposed in portions of the upper Clark Fork River basin, currently there are no known populations of sharp-tailed grouse anywhere near the project area. The proposed action would increase structural heterogeneity to grassland habitats, which can be either beneficial or neutral to species like sharp-tailed grouse that require many different habitats in terms of vegetation structure throughout their life cycle. The grazing prescriptions in the proposed plan are conservative, and substantial periods of rest are expected to result in short-term changes in vegetation structure that can be beneficial to grassland birds, while avoiding long-term impacts that can degrade grassland structure or shift vegetation communities entirely. Deer and pronghorn use similar rangelands as elk but are in much lower numbers and lower notoriety in the area. In this sense, elk merely are the most logical focal point for game animals of the proposed action, but the impacts to range forage will be similar for other grassland grazers. The impacts to moose will be limited because little moose habitat exists in the proposed pastures. Most aspen stands and riparian areas will be fenced out of the proposed pastures and impacts to any upland vegetation moose may use will be similar to those described for other grazing animals on the landscape.

Specific to sharp-tailed grouse, the proposed pasture area on the WMA is relatively uniform grassland lacking a shrub component. FWP assessed the relative habitat suitability of Spotted Dog WMA for reintroduction of sharp-tailed grouse as part of its proposed project to reintroduce sharp-tailed grouse to the most suitable locations located west of the Continental Divide, and Spotted Dog did not rank as highly suitable for sharp-tailed grouse or comparably suitable with occupied sharp-tailed grouse habitat in Montana east of the Divide.

http://fwp.mt.gov/news/publicNotices/environmentalAssessments/speciesRemovalAndRelocation/pn_0078.html

Comment ff: *While we believe this plan does have the potential to reduce landowner conflict in the area, including potential reductions in damaged fencing and illegal grazing, we would recommend the project should monitor able to demonstrate reductions in these issues.*

FWP Response: FWP maintains a game damage database to monitor complaints and FWP responses to damage complaints, so this will be addressed as a routine management practice.

Comment gg: *There is one exception, which is hunter access. I really don't care how many hunter days the McQueary Ranch allows on their property, the most important concern to me, is to have access to the Spotted Dog Wildlife Management Area thru, the McQueary Ranch. To me that would be the ultimate deal maker providing, it can be worked out. If you remember we lost our south west trailhead when Rock Creek Cattle purchased the Sam Beck property. I don't believe you would have any organization or hunter group opposed to rest rotation grazing, as presented, if access would be allowed to the SDWMA.*

FWP Response: There is no suitable public access opportunity to the south boundary of Spotted Dog WMA. The road to the WMA south boundary routes up the McQueary Ranch driveway and is not a public road; it is not suitable for general public access to the WMA. A good discussion and exploration of this possibility was had recently with Mr. McQueary and the commenter at the March meeting of the Spotted Dog WMA Work Group in Deer Lodge, seemingly to everyone's satisfaction as far as the impracticality of such an option at this time.

Comment hh: *It is obvious the McQueary Ranch has been more than accommodating by allowing several hunters annually on their land and attempting to tolerate the copious numbers elk using their land for winter range. The use of the SDWMA area for cattle grazing would be a step in the right direction to help alleviate these problems and would back the FWP's statement they have stood behind in that they "want to do the right thing to be a good neighbor".*

FWP Response: FWP agrees. All told in the 2018-2019 hunting season, the McQueary Ranch reported over 300 hunter-days of hunting access allowed on their land and to other private lands through their property.

Comment ii: *What constitutes a hunter-day of public access?*

FWP Response: A hunter day is one hunter hunting for all or any part of one day. For example, 2 hunter-days might be 2 hunters each hunting 1 day, or 1 hunter hunting on 2 days.

Comment jj: *Private lands enrolled in the FWP Block Management Program certainly constitute public hunting. The PPSA feels enrolment in block management programs would be a good standard for meeting FWP's requirement that the landowner allows hunting sufficient to prevent elk from congregating on their property and contributing to the harvest prescribed by FWP. The Block Management Program creates hunting opportunity and informs the public hunter of the opportunity. Some block management units require permission, others require sign in for hunting and others don't require any action for access. Regardless, the Block Management Program participation easily establishes that a landowner cooperates with public hunting within the confines of the Block Management Program.*

FWP Response: FWP agrees that the Block Management Program offers opportunity for hunters and landowners alike. Block Management, or more broadly, the FWP Access Program, helps landowners achieve the standards that the commenter outlined above, in a variety of ways, addressing various circumstances.

In the case involving this proposal, the FWP Region 2 Access Coordinator worked with the McQueary Ranch to devise a method of providing hunting access that would serve hunters and meet the landowner's objectives. In this case, the McQueary Ranch would continue its long-standing and mutually satisfactory practice of personally awarding permission to hunters. A minimum of 150 hunter-days would be provided on and through the McQueary Ranch during the 5-week hunting season, with additional access provided in the archery and late shoulder seasons. Not everyone would be granted permission to hunt on any given day or in a season, depending on whether elk are on the property or not, and whether other hunters are already booked. The McQueary Ranch and FWP ask that hunters practice the courtesy of asking the landowner for access during parts of the year outside of the rush of the hunting season, making arrangements in advance. This would be a good opportunity for hunters to practice what we all preach when it comes to asking and earning landowner permission to hunt.

For clarification, FWP is not exchanging grass or fish and wildlife habitat on the WMA for public hunting access. As highlighted in comments already addressed in this Decision Notice, this would constitute a contrary use of habitat purchased for wildlife. This proposal is, instead, a plan to jointly manage fish and wildlife habitat across property boundaries, with public hunting access as a matter of qualification regarding the private landowner. Habitat is not an alternative to landowner payments in the Block Management Program, just to clarify for the public's information, and we know that the commenter didn't mean their comment to be received that way.

DECISION

Based upon the EA and the applicable laws, regulations, and policies, we have determined that the proposed action will not have significant negative effects on the human and physical environments associated with this project. Therefore, we conclude that the EA is the appropriate level of analysis, and the preparation of an Environmental Impact Statement is unnecessary.

We value the public's tremendous interest in Spotted Dog Wildlife Management Area and feel FWP's responsibility to stay true to its mission—and to view that mission broadly to be as inclusive of the diverse public interest as possible. It is not lost on us that public opinion on this proposal was split almost evenly, with individuals and groups weighing in for and against, which emphasizes the diversity of values that the

public ascribes to their WMA. Accordingly, FWP has taken every foreseeable step to operate as openly and transparently as possible in proceeding forward since 2010 in the management of this conservation jewel.

I see, described in this Decision Notice, the long-standing direction that the Fish and Wildlife Commission has provided in declaring its intent for the Habitat Montana Program in the Administrative Rules of Montana. Also included in this Decision Notice are purposes and direction specific to livestock grazing contained in the 2010 Decision Notice for purchasing Spotted Dog WMA. I note as well that in subsequent years, FWP has followed the path laid out in the 2010 Decision Notice faithfully for considering livestock grazing. In so doing, FWP formed a citizens Work Group, involving neighboring landowners, WMA users and representatives of sportsperson's groups, to develop a more comprehensive Habitat Plan for the WMA, in which the fish and wildlife purposes of the WMA and the need to work for all fish and wildlife as part of a larger landscape were reaffirmed and emphasized. Hearing public input on the Plan from all sides, FWP has now identified a viable opportunity to implement some of the Plan's direction.

From this perspective, the decision before me is whether there is any role for livestock as a tool in the toolbox of fish and wildlife habitat management on Spotted Dog WMA. I reduce the decision to this because I accept that FWP staff and the willing landowner have identified the least invasive, yet practical, cooperative grazing system that could benefit both the public and private interests in fish and wildlife habitat shared across property lines—lines that our fish and wildlife resources do not observe. There is no other viable action alternative involving livestock. And I conclude from the information made available in the draft EA and this Decision Notice that the answer is yes; there is a place for limited livestock grazing as one of a collection of appropriate and effective tools for managing wildlife habitat here.

We would like to extend our sincerest appreciation to the McQueary Ranch for their interest and willingness to give FWP a chance to work as a partner in management. We ask a lot of a family ranch when we ask the rancher to accept a grazing system that might underutilize the available grass resource on his own property in the short term. And we ask a lot when we subject the rancher to a public process such as this one. Through no fault of their own, we subject the willing partner to public scrutiny and sometimes mischaracterizations that must be hard to swallow sometimes. The public is lucky to have individuals in the private sector who appreciate the role of public involvement and possess the internal fortitude to participate. It is worthwhile to reflect that it's not for everyone, and for those few who would and could extend a cooperative hand we should be grateful.

Therefore, based on the analysis in the draft EA and the public comment received, I have selected the "Proposed Action" (Alternative B). I will recommend that the Fish & Wildlife Commission approve FWP's proposed 6-year cooperative grazing lease with the McQueary Ranch on the Spotted Dog Wildlife Management Area, as described in the EA and clarified in this Decision Notice. This would occur at the Commission's next regularly scheduled meeting, which would be April 25, 2019 at the Helena FWP Headquarters office.

A decision on this proposal is needed at the Commission's April meeting because the McQueary Ranch will have to make arrangements to rent pasture elsewhere for this grazing season if the proposal is not approved in April.



Randy Arnold
Region 2 Supervisor
Montana Fish, Wildlife & Parks

4/10/2019
Date

APPENDIX. Comments on the proposed Forest Habitat Restoration Project (Phase 2) for Threemile WMA received by FWP during the comment period of February 15 through March 18, 2019. (Comments received via E = email, M = mail.)

Com- men- ter #	Via	Para- graph	Comment
1	E		I like it, do it
2	E		I am opposed to any cattle (or sheep) grazing on FWP lands. The W is FWP is for wildlife. Those lands evolved without domestic animals on them and they reached they peak without them.
3a	E	1	Thanks for letting me know about this. I have been spending more time on the Spotted Dog. Certainly habitat is better than when the FWP land was first acquired.
		2	I need to have a better idea of the context. What other grazing is being done on the Spotted Dog? Will the fees mirror FS and BLM @ about \$1.34 or be more like DNRC around \$20 per AUM. Where will the money go? I see that the Wineglass allotment is large and right on prime range. Last I heard, Wineglass does not allow public access on its land. It might be right to give the McQueary Ranch some grazing to make up for winter use by livestock on their land. It should be monitored though. I have to laugh when I see over and over statements that domestic livestock grazing improves habitat for anything but cows. So called objective numbers should be raised by a multiple now that you are going to manage the forage. As you know, the "Objective" is a subjective number determined by ranchers and not by habitat characteristics or public opinion. They have their land; we have ours. If we can cooperate, great, but I bet tired of all the B.S. Sincerely,
3b	E	1	Montana Fish Wildlife and Parks has an inspiring and unusual opportunity to manage wildlife in the Spotted Dog WMU. Usually, FWP is in a bureaucratic vise between the Fish and Game Commission and a land resource management entity like BLM or US Forest Service. Such entities might have political or legacy reasons to keep things as they are instead of applying known science to improve management for wildlife. Here, FWP can manage habitat for wildlife, if it chooses to. I can understand why some want to work with the McQueary Ranch in the hope of a the mutual advantage of better grazing for McQueary cattle and for elk. One must wonder why several landowners can have more influence than 1,000,000 Montana citizens. Surely some think that grazing reasonable numbers of cattle for the months of June and July every third year can't hurt elk much, but this is not purely about cows and elk. Early season grazing is harmful to blue bunch wheat grass.
		2	It is stated and implied frequently in the two above mentioned publications that cattle grazing improves habitat. No bibliography supporting this premise is included. Sometimes, Allan Savory is quoted in such discussions. His work is very good, but his habitat and the community of herbivores is different from ours as it is in Zimbabwe. Most of the earth's surface that is not under crops, but grows forage is grazed by domestic livestock. Can we have one small piece that is actually managed just for the entire community of wildlife?
		3	The case, as presented, for putting cattle on the Spotted Dog, is unconvincing. I vote NO.
4	E	1	In my opinion, this plan makes good sense. It looks like a plus for Dan and a plus for the elk. It would make good use of the grass forage when it is available and leave more grass in the winter range for the elk. The effects of the intensive grazing during the summer would be interesting to evaluate and see if the range improves.
		2	Hunters would benefit too as Dan allows hunting and the elk would tend towards the ranch.
5	M	1	Native Ecosystems Council (NEC) would like to provide the following comments on the draft EA for the proposed "exchange-of-use cooperative grazing system for the SDWMA.
		2	1. The request for comments seems to be a pointless process given that a final decision will be released in just 4 days, on April 1, after the deadline for comments is passed. How can the comments that are provided actually be reviewed, and potential changes made to the EA as a result?
		3	2. There is a complete lack of any analysis or direction as to how conflicts between the proposed grazing and predators will be addressed. If wolves or grizzly bears are killing private cattle grazed in this wildlife management area, will they be removed? If so, this is a significant wildlife impact of the proposed grazing use of this WMA and needs to be not only evaluated, but fully disclosed to the public.

4	3. There is a surprising bias in the draft EA regarding the impacts of grazing on vegetation. The claim that "controlled grazing" will improve the productivity of grasses was never supported with any existing research. The current body of science that supports this claim needs to be provided, especially as it is one of the justifications for allowing cows to graze in the WMA. The rationale seems to suggest that removal of litter will increase productivity, which is surprising. One of the key components of soil health is the amount of carbon residues it contains. We are not aware of any science that suggests that reducing the amount of litter that decomposes in the soil is a benefit to vegetation. Current agriculture practices optimize litter content of the soil. It is also not clear why spring grazing increases grass production, or why grazing increases forbs. If this is the case, it is likely due to decreased competition with grasses due to consumption by cows. The efforts of the MFWP to claim that the proposed grazing will benefit wildlife by improving forage conditions raises a question of agency credibility in regards to the proposed grazing program.
5	4. The heavy winter use on adjacent private lands by elk will not be particularly detrimental to grasses, as they are dormant at that time. On the other hand, livestock grazing beginning in June, before grasses have matured and set seed, on the WMA will in fact be detrimental to their health. So this is not an even trade as per range health.
6	5. The introduction of livestock grazing in the WMA is a clear contradiction for which the area was purchased. And this project, which is slated for 6 years, is likely just the beginning of a much larger grazing program. As is noted in the various public comments on this project, many of the WMAs in Montana are grazed. And comments provided by MFWP personnel at public meetings have indicated that private grazing interests have requested use of the SDWMA for alternate grazing to replace losses due to fire. And of course, this could also include impacts of drought. It is likely that this proposal is just the beginning of long-range goals to establish livestock grazing systems across the SDWMA.
7	6. Most disturbing for this proposal is that it not only ensures that all existing barbed wire fencing in the SDWMA will remain in place, but that an undisclosed amount of additional fencing will be progressively added over the years to develop a system of pastures for livestock grazing. There is no science the agency can point to that shows barbed wire fences are okay for wildlife. This includes entanglement problems for big game, especially their calves/fawns, and also for many species of birds, including raptors, due to feather entanglement or direct mortality or serious injury from fence strikes. We frequently see the term "wildlife friendly fences" in reference to barbed wire fences. Although we didn't see that term in the draft EA, the overall impact of fencing was clearly ignored. This was apparently due to the claim that electric fencing will be used. However, even if the new fencing is electric, it is noted that existing fences already in place will also be part of the pasture system. There is no place for barbed wire fences on a WMA, and all such fences need to be removed. Retaining existing barbed wire fencing in order to implement this grazing program is inconsistent with the purpose for which the WMA was purchased.
8	7. There was no actual documentation in the draft EA as to how it has been determined that elk prefer previously-grazed areas by cattle in both the spring and the fall. And as for the fall, if there is a drought, there will be little fall regrowth of grasses that would be available to elk.
9	8. There is no analysis provided in the draft EA as to how the proposed livestock use will affect aspen. Throughout southwest Montana, cattle are destroying aspen stands by preventing recruitment, while old trees die out. There is no information in the draft EA as to the location of aspen stands in the proposed pastures. It could be that these stands will be fenced out from cows because they occur in riparian areas. However, this is not clear. This continued degradation and destruction of aspen stands would be a significant negative impact of livestock grazing that was never addressed.
10	9. The draft EA claims that livestock grazing will benefit nongame species by improving their habitat. Again, there was no actual documentation of these claims. These conclusionary claims are not appropriate in an EA.
11	10. Another issue that was almost completely ignored in the draft EA was the impact of livestock grazing on weeds, including cheatgrass. The problems with cheatgrass were certainly noted in the various public comments, but not in the draft EA. In addition to what appears to be extensive infestations of cheatgrass across this WMA, there are currently no effective means of removing it, and at times, from even controlling its expansion. And it is known that livestock grazing enhances conditions for cheatgrass, as well as promotes its spread. Cheatgrass infestations are a huge ecological problem across southwestern Montana, and MFWP management strategies that will directly increase these infestations are alarming.

12		10. The draft EA is relatively silent on how water will be developed for the 4 pastures to be created in the SDWMA. If springs are going to be developed for water tanks for cattle, this is clearly an adverse impact on these ecosystems, as the result in a drying out of key limited habitat for wildlife, including snails and amphibians. These also result in less water returning to the riparian systems and streams in the landscape. The MFWP needs to provide much more information and analysis as to how water will be provided for livestock, instead of simply saying that some openings will be provided in fenced riparian areas for livestock access. It is our experience that every grazing program includes the relentless development of yet more water sources for cows.
13		11. The draft EA mentions cowbirds, but somehow suggests that any adverse impacts from cowbird parasitism will be temporary. Cowbirds are known to create significant losses for nesting songbirds "temporarily" during their nesting season. And it is well established that cattle and cowbirds go together. Introducing cows into this wildlife management area will clearly have an adverse impact on songbirds. Again, there are vast areas of Montana that are grazed by cattle, and thus promote cowbird habitat. Surely more of this promotion is not a benefit to wildlife.
14		In conclusion, one can only assume that the proposed grazing program in the SDWMA is being implemented due to political pressure from the livestock industry. This is unfortunate, as there are few areas in Montana that are not grazed by livestock, or fragmented by countless miles of barbed wire fences. The provision of ungrazed, unfenced areas would clearly be a wildlife benefit, and increase the diversity by adding more of a high value but extremely limited habitat. On the other hand, there is currently no evidence that the elk population in this landscape needs improved foraging habitat, since the populations is considered "too high." There is clearly no problem that needs to be "cured" with cattle grazing.
6	E	As a public land hunter and recreationist, i object to the excessive livestock grazing that is routinely occurring on Montanan's wildlife management areas, including Spotted Dog. These areas, as the name implies should be set aside for wildlife. I don't object to grazing in general which can sometimes be beneficial, but from what I have seen on some of our other WMAs, such as Rob-Ledford, Elkhorn, and Beartooth, the grazing consistently has been excessive. More importantly, it negatively impacts the hunting and outdoor experience which is so important to small businesses in Montana. It is in the best interests of all Montana sportsmen that we no longer graze our WMAs, including Spotted Dog. Thank you.
7	E	1 Writing in response to the proposal by Fish, Wildlife & Parks to put in place a new cooperative cattle grazing system on a portion of the Spotted Dog Wildlife Management Area. 2 My concern is that we have had a lot of moisture which will cause the growth to become overgrown if there is minimal summer grazing and that would be a fire hazard.
8	E	I believe the agreement that has been reached between the FWP and the Mcqueary Ranch will benefit both parties. The ground in question on the SDWMA has been over grown and needs to be grazed to improve the grass land. Also late in the year the ground has been a big fire danger. If it were to burn it could have an impact on a large part of the west continental Divide. This will also provide more hunter access to the SDWMA and the Mcqueary ranch.
9	E	I stand in support of the Draft EA of the proposed use of cattle grazing for managing elk habitat on the Spotted Dog WMA and neighboring private lands. While I feel more of the Spotted Dog would benefit from cattle grazing this is certainly a step in the right direction and is very conservative for both the WMA and the landowner and gives FWP a chance to showcase how cattle grazing can be a win win for wildlife management and working with adjoining ranch neighbors. I appreciate the time to be able to comment on this and once again stand in favor of this EA for cattle grazing on the Spotted Dog WMA.
10	E	1 I just wanted to make a comment about grazing cattle on Spotted Dog Wildlife Management Area. I'd have to say I'm against the idea because I don't see any benefits brought on by grazing practices. 2 I thought the area was purchased with public funds for wildlife management. Cattle are domestic and grazing on this site them goes against the original concept of the wildlife area. I just don't see where grazing practices aid the landscape.

		3	Since cattle grazing was stopped on Spotted Dog, I've noticed the land slowly returning to a more natural state, at least where I venture about on the western half of the area. Places, where the cattle have wandered onto Spotted Dog from adjoining grazing areas or ranches, had been slightly impacted, but their numbers were small. Cattle cause erosion by trampling the ground, cutting trails and devouring vegetation. Wild animals, such as elk, impact the landscape as well. but on a smaller scale, unless you're talking about haystacks and fences.
		4	I know this view is not what those who graze cattle would agree with and I understand their point of view as well. If I had cattle, I'd like to graze them on Spotted Dog also because there's a lot of feed for them.
		5	I'm sure the cattle will end up being grazed on the area because that's what the popular opinion seems to be, at least with the people who I've discussed the issue with around Deer Lodge, but I just had to give my two cents for what it's worth.
11	E		The worst thing that happened to spotted dog was the governor bought it. Since it has been opened up to ATVs in a larger capacity and now they abuse it and extent there own trails. you can walk back in a mile off roads and have 4 wheelers go buy you. The game has been pushed off , depleted. The grass in the spotted dog has always been over grazed and now we see cows in hunting season. it is supposed to be a wintering ground for elk and there isn't much for elk to eat , probably sending them to neighboring properties. Explaining the near by damage hunts. poor planning management by the forest service and the FWP. And I figure this will be tossed as FWP and I know the forest service, doesn't care what the public think. Thank You
12	E		Proponent comments on the proposal to enter into a cooperative grazing system on a portion of the Spotted Dog Wildlife Management Area (SDWMA): I have read the Draft EA and I have recreated, hiked and hunted, within portions of the SDWMA. I support entering into this grazing agreement as described in the Draft EA, for the specified 6 year period, and with a thorough evaluation of the effects of the grazing treatment on the overall health of the SDWMA ecosystem during and at the end of the 6 year period.
13a	E	i	Sharon, please acknowledge via email that you received our comments.
		1	Montana Chapter of Backcountry Hunters and Anglers welcomes the opportunity to comment on the Draft EA regarding the proposal to graze parts of the Spotted Dog WMA. Our organization has grown to nearly 3000 Montana hunters and anglers who value Montana's wildlife and public lands. Many members value, enjoy and use the Spotted Dog landscape and its multitude of wildlife species. We seek optimization of all native wildlife and fish species on the WMA. <u>We consider the outcome of this proposal as an extremely pivotal decision FWP will make regarding the future of Spotted Dog WMA.</u>
		2	Public Participation: Despite many communications with FWP re SDWMA and specifically grazing, MT BHA is disappointed to have had no advance notice and opportunity for the public to examine the proposed pastures on the ground before being covered with snow and practically impossible to visit in March. The schedule of the grazing to commence in July 2019 leaves no opportunity for the public to visit the proposed sites in time to suggest changes from the Draft to a Final EA. Several sportsmen organizations and individuals, including MT BHA, had previously submitted concerns about future livestock grazing in their comments to the Draft Plan for the SPWMA. Public concern regarding potential grazing was well established, and perhaps the most dominant issue concerning sportsmen in development of the Management Plan. In contrast to this tight schedule, we note that several adjacent ranchers were contacted in 2017-2018 (page 8) about grazing before this proposal was developed. Unfortunately, without on the ground knowledge we must rely only on the Hansen report's Ecological Inventory and Health Assessment of Spotted Dog Wildlife Management Area (EIHA). <u>We request that any decision to graze be postponed until interested sportsmen groups can visit the proposed pastures during the summer growing season. After a summer field visit, we request that these sportsmen groups and individuals have an opportunity to provide additional comments into the decision process prior to any decision.</u>
		3	Range of Alternatives: The range of alternatives, as either the Proposal or No Action, is minimal. There were no alternative grazing schedules, no alternative pasture systems, no alternatives to allowing livestock open water sources and no alternative to protect seeps and springs and riparian areas. There is no WMA need or obligation to graze SPWMA with livestock. To our knowledge, there is no recent authorized grazing by this rancher on what is now the SDWMA. This land was purchased with public monies solely for wildlife and public use.

4	<p>The dismissal of the No Action Alternative (p 14) is worded negatively and is wholly inadequate, and seeks to dispel the value of No Action. The “analysis” fails to acknowledge that without livestock grazing riparian areas would improve more rapidly, that risk of invasive weed spread would be considerably less, and there would be no cost of implementation nor administration. The “analysis” fails to acknowledge that vegetative diversity is already abundant in the SDWMA, as measured by diversity of vegetative plant communities, elevations and aspects. The “analysis” falsely portrays that, because there is potentially attractive regrowth on a few hundred acres, elk will use the SDWMA more, rather than just be redistributed to a small part of the SDWMA. The “analysis” also fails to acknowledge that elk populations that are at 2x “objective” are doing well biologically and would be expected to do well with the current situation in the foreseeable future. The No Action Alternative “analysis” fails to acknowledge all wildlife obligate to riparian areas, wet seeps and springs would fare better with No Action than the proposed action.</p>
5	<p>Proposed Action Design</p>
6	<p>The design of the proposed action has several elements that contribute to a high risk of failure. The proposed pastures will require 2-3 miles of temporary perimeter electric fence that will not have constant monitoring, and are subject to probable multiple failures initiated by both livestock and crossing wildlife. The landscapes within pastures are not uniform (EIHA photo page 24) but vary by upland vegetative types, terrain and water, all of which will contribute to differential grazing rates. As a result some sites will likely be overgrazed. The EA does not display any calculations of forage capacity or utilization by pasture or vegetative type. The area to be grazed already contains several invasive species, which will likely spread by favorable spread conditions caused by grazing. Predictable livestock concentrations near salt and water, as well as at bedding areas will result in bare soil fostering more weed spread. Apparently there will be ATV use permitted by the permittee, which by repeated route travel will create new motorized trail routes and contribute to spread of invasive species. The proposed minimal monitoring without a baseline nor control area comparisons will not be able to detect trends in plant communities attributable to livestock grazing. The remoteness of the pastures and lack of trained on-the-ground personnel will be unable to detect needed changes. The lack of definitive enforceable stipulations or requirements for the permittee will not enable FWP to assure desirable outcomes.</p>
7	<p>Given this proposal is not driven by a compelling SDWMA resource conflict or need, we have speculated that politics rather than resource needs are a primary driver in this proposal. We note that grazing the SDWMA was pushed by a member of the Land Board when the failed land exchange of State lands within the SDWMA was proposed a couple of years ago. Also, the local atmosphere in the development of the SDWMA plan was tilted by many ranchers toward grazing the SDWMA.</p>
8	<p>Riparian: Riparian areas represent only 2% of the WMA on an otherwise relatively dry landscape, but are used disproportionately by the majority of wildlife species. Some species are obligate to riparian and wet areas. Big game, grouse and furbearers use them disproportionately as well. Through a century of grazing, Hansen documented riparian vegetative health is much reduced. Our personal observations have confirmed Hansen’s (EIHA photos pages 26,28,168, 186,221, 236, 237) that shrub components of riparian areas within proposed pastures has been greatly reduced by past livestock grazing. In many cases willows are either no longer present or reduced to old ice-cream-shaped individuals. The five years of partial rest (except trespass livestock) may have contributed to beginning recovery, but this is a slow process especially given the well-known, persistent livestock trespass. Although the proposed pastures avoid major drainage streams, there are small streams, wet riparian areas and wet seeps and springs remaining that are proposed to be grazed and would remain unprotected. However, EA page 6 states livestock watering will be limited to “water gaps”, which are normally defined as narrow fenced access points to a very small reach of stream, but none are identified in any of the pastures nor are protective interior fences proposed. Grazing a seep or spring is not considered a “water gap”. Grazing a stream reach is not considered a “water gap”. Livestock in summer disproportionately graze wet areas. <u>Since the proposal relies on naturally occurring surface water for livestock, this proposal will inappropriately threaten these riparian areas, which apparently are considered overgrazed, “sacrifice areas”. With additional fencing and water delivered to each pasture with solar powered pumps, these most valuable areas could be protected before commencing grazing.</u></p>

9	<p>All or nearly all the proposed private land pastures also have some riparian area, including that of Fred Burr Creek. <u>How will confining livestock on these riparian areas in the hottest, driest summer months affect the riparian health on private lands?</u> Hansen noted “Both polygons (note: both were in WMA) in Fred Burr Creek were barely above Unhealthy rating” due to invasive species, plant species that increase with heavy grazing and woody shrub browse levels. It does not seem prudent to implement perhaps an even more intensive grazing pattern where these problems may already exist.</p>
10	<p><u>Contract:</u> There is no draft binding or obligatory document (e.g. Contract) provided to assure the public land stakeholders that grazing operations will satisfy measures to minimize risk and minimize potential adverse effects. From what we can gather from a Department slide presentation and subsequent questions, there are no upland vegetation utilization standards, no riparian vegetation grazing standards, no specific requirements to move salt at specific times, and no quantitative triggers that would remove livestock. There are no constraints on the ranchers use of ATVs on vegetation, riparian areas or wet soils. There is no specification on how cattle would be moved to WMA pastures from private ground. There are no preventative measures to assure that transported cattle from private lands would not introduce new invasive species onto the SDWMA. There are no requirements on how often the rancher needs to ride fences, repair fences nor remove escaping livestock. A guiding document titled “Pasture Grazing Leases: Put it in Writing” (Jeff Mosley, Extension Range Management Specialist, Montana State University) emphasizes, “A written lease agreement reminds all parties of the terms originally agreed upon and also provides a valuable guide for others if either the landowner or tenant dies or otherwise becomes incapacitated”. In this situation of a private party grazing public land, a signed, enforceable, detailed written agreement with quantitative stipulations is critical to avoid misunderstandings, and to communicate to the public exactly what is expected of the private party grazing their public lands. Without such a written agreement, the public inspecting these pastures has no way of knowing if the grazing and operators are within stipulations. Also without clear, specific stipulations, there is no ability for the public to hold either party responsible. We would expect such a contract to contain stipulations as to how perimeter fences are to be installed and how often inspected, when and how fences will be removed, when and how ATV use is authorized, time constraints to recover escaping livestock, how often salt is to be moved, how movement is to occur of livestock moved from private to public lands, how livestock predation by native predators are to be handled, and conditions which would require removal of livestock, and conditions which would terminate the contract.</p>
11	<p>Similarly on private lands, what stipulations will be in place for assuring grazing rest occurs as planned and there is a democratic hunting access process open equally to all qualified sportsmen? Why is enrollment in Block Management not required? A handshake or casual agreement between FWP and a private land owner is not a sufficient guarantee of protection of a public resource.</p>
12	<p><u>Economics:</u> We note that sportsmen will fund \$10,000 to provide electric fencing. In addition, not acknowledged in the Draft EA, is the cost of preparing the EA, the cost of supervision and installing the fences, and cost of administering the agreement and monitoring and evaluation. There may be legal costs as well. As a minimum, we would expect these hidden costs to be several thousands of dollars per year. We note that the State Lands current grazing rate is approximately \$15/AUM . With a verbally expressed (fwp employee slide presentation) expected use of 300-400 AUMs annually, a reasonable lease return should be in the area of \$4000-6000 annually. <u>Yet the proposal is to not require any payment for this grazing. Given the marginal benefits and significant costs of this proposal, we question the prudence of such expenditure of public monies.</u></p>

13	<p>Invasive Species: Hansen summarized Upland sites as only 35% Healthy and 65% remaining were either with problems or non-functional. In addition, Hansen documented 22 noxious weed species on the WMA. Invasive species are found on 43% of the WMA, according to Hansen's study, with an average of 2.7 invasive species per sample plot. Multiple invasive species are found on the proposed pastures, and all of Hansen's plots in the proposed pastures have invasive species. The EA fails to acknowledge the risk of irreversible spread of invasive species enhanced by introduction of livestock grazing. Reduction of ground litter (EIHA photos page 23, 224, 225), damage to the protective biological soil crusts, exposure of bare soil, trampling of seed, and reduced competition and vigor from desirable plants are all well-known factors favoring invasive species spread and dominance. Each of these contributing negative factors will occur if grazing occurs as proposed. According to Columbia University (2004) Introduced Species Summary Project-Cheatgrass "<i>Grasslands.....are characterized by a delicate layer of cryptogams covering the soil between shrubs which are susceptible to damage from cattle</i>" and further "<i>cheatgrass has a competitive edge when grazing and frequent fires are introduced into native ecosystems.</i>"</p>
14	<p>The Hansen plots within the proposed pastures document the presence of several species of invasive species, including cheatgrass (EIHA photos p 31, 50, 139, 242), spotted knapweed (EIHA p 148), houndstongue and thistle (EIHA p 51, 131). Grazing June 1 thru July 31 is perfect timing to encourage livestock hooves grinding seedripe cheatgrass seed (and other invasive seeds) into the soil (p 15 1b). All the four Hansen plots within pastures were scored as "Healthy with Problems" How will grazing correct the problems that were identified by Hansen?</p>
15	<p>Hansen (p 154) summarized the SDWMA invasive species risk "<i>Although present in small amounts, several invasive species represent very serious threats of rapid increase and disruption of ecologic function.</i>" The SDWMA Habitat Plan emphasizes the threat of cheatgrass as "<i>Watch cheatgrass distribution and avoid creating niches for cheatgrass expansion</i>"(Exec summary). This proposal is in direct contradiction to that direction by creating a niche for cheatgrass expansion with livestock grazing. Hansen (p 162) summarizes upland grasslands "<i>Many of the native plant species found on Spotted Dog WMA can compete with introduced species, and given time and rest from livestock grazing (emphasis added) some of the introduced species may decrease.</i>" <i>Simply, with 22 invasive species already on SDWMA, the potential spread of any of these is significantly enhanced with livestock grazing.</i></p>
16	<p>Once in place, cheatgrass is practically impossible to eliminate and prone to increase towards dominance with grazing. Several photos in Hansen's publication document significant or dominant cheatgrass on the SDWMA where past disturbance have occurred (EIHA photos page 31, 50, 139, 242). Most importantly, the effect of cheatgrass spread has an adverse effect on productivity and health of desirable plants. Forage values can be reduced by 80% with cheatgrass dominance. Spot spraying cheatgrass, as is proposed in the EA, is simply ineffective, and effective herbicides are non-selective and therefore would likely damage native vegetation. <u>Once cheatgrass becomes a major vegetative component, it increases wildfire frequency exponentially due to flashy fuels and early season curing. Frequent rangeland fires foster the decline in desirable components of the vegetative community and favors invasive species and annuals. With more frequent fires and grazing, other invasive species also proliferate.</u> According to a Forest Service literature review "<i>Cheatgrass alters successional trajectories of postfire plant communities by interfering with native seedling establishment, by competing with established perennials for resources, and by shortening the interval between fires.</i>"</p>
17	<p>Monitoring: <u>The proposal for monitoring is minimal and would not meet professional monitoring design standards to adequately address issues related to vegetative changes and vigor, riparian health and vegetative condition, effects of grazing on non-game species, nor expansion of noxious weeds.</u> There is no science-based monitoring design nor sampling rigor in the proposal to assure statistical reliability of results. Replicating three of Hansen's plots after several years and a few photopoints (no scale indicated) would only document the most egregious adverse effects. Hansen's plots are insufficient in number and not designed to be a baseline for monitoring. As a minimum, a year of baseline of replicable vegetative composition plots of all vegetation types subject to grazing is needed. Because grazing is proposed to commence in July 2019 this would almost certainly not occur.</p>

18	Apparently proposed monitoring will be limited to some photopoints and an annual ride by an eastern Montana FWP range employee which, given the distance, would occur perhaps once per season. Instead, because of grazing's public controversy and potential expansion of grazing to other areas within the WMA, a replicable monitoring design and commitment for implementation must be a major component of this proposal. Monitoring must incorporate measurable elements to determine if the vegetative community is responding favorably, particularly with noxious weeds. Given differential grazing rates and effects within a pasture, monitoring must incorporate replicable vegetative plots on all vegetative types in each pasture. To compare grazed and ungrazed lands, monitoring must incorporate similar vegetative plots on adjacent lands not within pastures. Monitoring plots and baseline conditions must be established before any grazing commences.
19	Similarly, both quantitative and qualitative monitoring is needed on private lands proposed for enhancement with this proposal. "General Impression" (p10) is not professional monitoring. Vegetative plots need to be established before grazing begins, and continued throughout the grazing cycles. This should include riparian monitoring in Fred Burr Creek riparian, springs and seeps and other stream courses in pastures, including those within the private pastures.
20	Elk and Elk Distribution: Draft EA Figure 2 diagram shows only winter elk distribution in a single heavy snow year in 2018 as the only example. However, FWP has documented, but failed to display, elk distribution in other years with far fewer elk on private lands. Certainly elk use private lands to some degree, but varies greatly year by year. However, it should be noted that winter elk grazing on private ground occurs on dormant plants capturing dry, cured forage that, aside from litter reduced contribution, has no significant effect on desirable plant vigor or health the following growing season. <u>The rationale for the grazing proposal is described to rest private land, which gives a rancher a substantial benefit, but little or no benefit to public elk. From an elk standpoint, there is little or no benefit to this proposal.</u> Elk in and adjacent to the WMA have ample opportunity to move to find forage conditions satisfactory to their winter survival, even at present 2x "objective" numbers. To our knowledge, Spotted Dog elk are not starving and reproduction is adequate. The proposal also seems to contradict FWP's Elk Management Plan objectives, while on one hand arguing that elk numbers are twice the optimum number, and on the other arguing that grazing SDWMA and private land rest are needed to sustain present elk numbers. The plan would, in effect, negatively affect a multitude of other game and non-game species to sustain elk, which are theoretically overpopulated in the area. Identifying a couple of non-game bird species that would benefit from reduced grass cover is not compelling, and ignores the adverse effect of grazing on the bulk of game and non-game species.
21	The proposed WMA pastures are described in the EA as spring or fall (page 9) habitat, not winter range. However that would likely depend on the winter conditions. <u>Regardless, while elk may be attracted to a grazed area's regrowth, there is no shortage of transitory spring and fall range on the WMA. Given the SDWMA diversity of elevations, aspects and variety of vegetative types, there is ample diversity and opportunity for grazing elk in spring and fall.</u> In addition, touting benefits of transitory grazing to keeping elk off of summer range longer is of dubious benefit to elk, given the plentiful public land summer range habitats.
22	Conclusion: There are many aspects to this proposal that raise serious concerns about proceeding:
23	1) The public sportsmen groups that previously expressed WMA grazing concerns were not notified or invited to view the public land areas to be able to respond with on-the-ground knowledge of lands and resources in the proposal.
24	2) There are the narrowest of alternatives proposed, and the proposal design has several factors contributing to likely failure. There are insufficient safeguard stipulations to hold parties accountable or to assure the best possible outcome of this proposal.
25	3) Moving ahead with domestic grazing on public lands where potentially explosive invasive species already have a toehold does not appear to be professionally prudent, and ignores the advice of Hansen (EIHA p154, 162) .
26	4) The real cost from sportsmen-funded programs for a high risk, low return proposal is simply not prudent.
27	5) Reintroducing domestic grazing to riparian areas beginning to recover from a century of grazing does not appear to value the limited quantity and exceptional value of riparian habitats to wildlife species occupying the WMA.

	28		6) The proposed monitoring design is grossly insufficient to evaluate effects of this action and instill confidence by sportsmen that their WMA is being optimized.
	29		7) This proposal gifts a substantial benefit to a private landowner without significant benefits to public elk or the public. And there is no obligation to provide private land owners opportunities to graze public lands.
	30		8) There is no formal requirement that the landowner assure public hunting access is not just limited to relatives, friends or acquaintances, nor is there a net gain in public hunting access.
	31		<u>We respectfully request this proposal be withdrawn. If you choose to move forward with this proposal, to be in compliance with MEPA (EA p25 13f), the concept of domestic livestock grazing on the SDWMA has indeed "generated substantial public controversy "and, as such, warrants preparation of Environmental Impact Statement. In addition, this proposal has foreseeable significant effects if invasive weed species expand as a result of domestic livestock grazing. The impracticality of reducing some persistent invasive species enhanced by livestock grazing and subsequent reduction in wildlife forage would be an irretrievable commitment of resources.</u>
13b	E		Am leaving town for awhile so wanted to make sure these got into the system <i>[Copy of letter #13a.1-31 included with this email]</i>
13c	E	1	Attached are extensive comments from MT BHA on the recent draft EA released proposing grazing on Spotted Dog WMA.
		2	This proposal is poorly conceived and appears to be politically motivated rather than based on WMA resource needs. It is fiscally reckless, designed to have a high potential for failure and likely to expand the already present invasive plant species.
		3	We recommend this proposal be dropped. <i>[Copy of letter #13a.1-31 included with this email]</i>
14	E		I support the PPSA [Prickly Pear Sportsmen's Association] comments on this proposal.
15	E	i	Attached are comments from Helena Hunters and Anglers.
		1	Helena Hunters and Anglers (HHAA) is a 501C3 organization dedicated to protecting and restoring fish and wildlife to all suitable habitats, and to conserving all natural resources as a public trust, vital to our general welfare. HHAA promotes the highest standards of ethical conduct and sportsmanship, and promotes outdoor recreation opportunity for all citizens to share equally.
		2	<i>We believe strongly that the purpose of Spotted Dog WMA is first and foremost as wildlife habitat for Montana game and non-game species.</i>
		3	When the state acquired Spotted Dog WMA (SDWMA) it had been grazed hard for many years; Hanson's 2015 baseline ecological work showed the new WMA to have significant noxious weed issues and degraded riparian habitats. For the first several years in public ownership SDWMA continued to be grazed by cattle as part of the sale agreement. After the cattle were officially removed, trespass grazing continued until perimeter fencing was finished at the end of summer in 2018. The end result of this history is that SPWMA has yet to be "rested" from the effects of decades of heavy cattle grazing. Montana FWP's current grazing proposal is extremely premature at best.
		4	We see little to no benefit to wildlife and Montana sportsmen and women from the proposal. The posited ecological benefits are to the private landowner who will rest his own land while his cows graze SDWMA for free. The range science behind the current proposal is superficial. We are unconvinced that Montana FWP has laid out a rigorous vegetation monitoring regime to assess the real costs and or benefits of the grazing experiment once it is implemented.
		5	Specific issues:
		6	1) There is no number given for the number of cow/calf pairs that will graze SDWMA. What guarantee is there that the McQueary Ranch won't simply increase the stocking rates on their own ground once their cows are grazing SDWMA?
		7	2) We understand that Montana sportsmen will bear the cost of approximately \$10,000 for fencing within the SDWMA in order to maintain livestock in the intended area. We suggest that a better use of that \$10,000 would be to put it toward noxious weed spraying on SDWMA. We note that Montana FWP administrative costs are not included in this figure.

		8	3) The range of alternatives is minimal. That the “no action alternative” will somehow cause elk to use the WMA less than if grazed by cattle is simply not credible.
		9	4) We believe that using elk location data from one hard winter (2018) is a poor excuse for implementing this grazing plan.
		10	5) Public hunters will see no additional access to the SDWMA through the McQueary Ranch. If one intention of the project is to trade grass for access, the McQueary Ranch must be enrolled in block management wherein public hunters (without a relationship to the family) are accorded equal access to hunt.
		11	We respectfully ask Montana FWP to withdraw the proposal.
16	E	i	See our comments attached.
		1	The Big Sky Upland Bird Association (BSUBA) has been organized for over 30 years as a non-profit organization in Montana dedicated to habitat conservation and hunting opportunity for all upland game bird species in the state. We are supportive of MDFWP’s stated goals of managing habitat of the Spotted Dog WMA (SDWMA) for the benefit of wildlife, habitat and species diversity, and wildlife related recreation. At nearly 60 square miles, the SDWMA has the potential to provide high quality hunting for a variety of species, and a significant number of hunter-use-days. It should be anticipated that the region’s upland bird hunters will use the property extensively.
		2	Our Association provided a variety of written comments in December 2017 on the Spotted Dog management plan. We commented that there was only very limited discussion of the upland bird species of the SDWMA, and no measures explicitly designed to conserve or enhance upland gamebird habitats, populations, or hunting opportunities. We found this a significant oversight given that upland birds such as Ruffed Grouse, Dusky Grouse, Merriam Turkey, Gray Partridge, and potentially Sharp-tailed Grouse, could use and thrive on this important tract of intermountain grassland and forest habitat.
		3	We commented that regarding habitat, all grouse species would benefit from management to enhance aspen stands and shrub such as willow, birch, chokecherry, rose and serviceberry. Dusky grouse and turkey would benefit from management for some old growth Douglas fir and Ponderosa pine for winter and roosting habitats, and all upland bird species would benefit from careful management of wet seeps and springs, creeks and pond banks. As ground nesters, all upland game birds would benefit from management for residual native grass cover, habitat features influenced by both elk population objectives and livestock grazing intensities and timing.
		4	Our 2017 comments appear to have been entirely disregarded in the final management plan. We hope the disregard for upland bird habitats in the management plant won’t carry into this cattle grazing decision, but we are concerned based on the draft that it will.
		5	For example, the only reference to upland birds in the 58 page grazing document is one sentence <i>“There are few game bird species affected by the proposed action, but the grazing system is expected to cause either no change to ground-nesting birds or provide benefits through greater structural diversity of grasslands that provides a variety of options for foraging, nesting, and brood-rearing.”</i>
		6	Two of the only avian species named in the grazing document are Brown-headed Cowbird and Long-billed Curlew. The former is an aggressive nest parasite of a large variety passerine birds, and will be largely negative to the reproduction of most non-game bird life on the SDWMA (over 140 host species of the Brown-headed Cowbird have been described, from birds as small as kinglets to as large as meadowlarks) if cattle increase Cowbird densities. Long-billed Curlews are perhaps not coincidentally a species associated with vegetation heights of only 4 to 12 inches, heavily grazed habitats, and sometimes even exotic grass dominated sites such as cheatgrass stands. To single out the habitat preferences of Long-billed Curlew to illustrate the benefits cattle grazing can provide to “structural diversity” for native wildlife seems to ignore the many other species that won’t benefit from heavily grazed mid-elevation bunchgrass and native shrub communities.

		7	We certainly don't hold blanket opposition to livestock grazing, as it can be highly compatible with some wildlife, and provides clear economic benefits to rural communities, helping to maintain undeveloped landscapes. Some of the proposed grazing infrastructure of the draft such as seasonal electric fence is even preferable to permanent fencing from the standpoint of effects on wildlife, with the qualification that electric fence needs to be monitored almost daily to verify proper function. However, the present reality is that mid or low elevation grassland habitats ungrazed by livestock are certainly in shorter supply to wildlife than annually rotated or intensively grazed habitats in the Deer Lodge Valley. Thus suggesting that cattle need to graze SDWMA bunchgrass habitat to create and provide otherwise scarce local habitat conditions for wildlife lacks supporting quantification or analysis.
		8	There may also be budgetary benefits to defining and working towards achieving habitat objectives for upland birds on the SDWMA. For example, habitat enhancement projects which benefit upland birds on the SDWMA could potentially be funded with monies from FWP's Upland Game Bird Habitat Enhancement Act, a substantial pool of funds generated by the sale of upland bird hunting licenses. The funds can only be used on properties available to the public for upland bird hunting, and could even be available to adjoining private lands with this proviso. Under the contemplated draft decision, will the adjoining landowner(s) allow upland bird hunting?
		9	Clearly any final habitat management plan and grazing decisions for the SDWMA would benefit from expanded evaluation and discussion of upland bird habitats, populations, and management direction compatible with maintaining and enhancing habitats and hunting opportunity for upland birds and other game species. It may require preparation of an environmental impact statement to analyze the issues more fully and settle public controversies that are emerging related to the grazing proposal before a final decision can be made.
17	E	1	I have been a member of the Spotted Dog WMA working group since day 1 and I will admit at times it was a little frustrating to attend meeting after meeting that would start out with grazing or end up with grazing on the WMA. I <u>was</u> dead set against any grazing on the WMA but, after listening to Chase Hibbard and talking to many individuals that are a lot smarter than I am when it comes to the subject of grazing, I have somewhat changed my mind.
		2	I have read the draft environmental assessment dated February 26, 2019 from cover to cover. A tremendous amount of time and research has been put into creating this document. It seems to me that the proper checks and balances are in place, as long as both FWP and the McQueary Ranch are in full agreement of all provisions. I think we should move forward.
		3	There is one exception, which is hunter access. I really don't care how many hunter days the McQueary Ranch allows on their property, the most important concern to me, is to have access to the Spotted Dog Wildlife Management Area thru, the McQueary Ranch. To me that would be the ultimate deal maker providing, it can be worked out. If you remember we lost our south west trailhead when Rock Creek Cattle purchased the Sam Beck property. I don't believe you would have any organization or hunter group opposed to rest rotation grazing, as presented, if access would be allowed to the SDWMA.
		4	Our Back Country Horsemen mission reads:
		5	OUR PURPOSE; To perpetuate the common sense use and enjoyment of horses in America's back country and wilderness. To work to ensure that public lands remain open to recreational stock use. To assist various agencies responsible for the maintenance and management of public lands. To educate, encourage, and solicit active participation in the wise and sustained use of the back country resource by horsemen and the general public, commensurate with our heritage. Foster and encourage formation of new Back Country Horsemen organizations
		6	Thank you for your time.
		7	This letter is endorsed by LC BCH members (approx. 50) and PPSA Board representing approx 1800 members, Mile High Back Country Horsemen and others BCH clubs pending.
18	E		Please receive this as my no vote for cattle grazing on SDWMA. When can we expect a small portion of montana can be left to the wild life management. Maybe some one/some day can point to me an area where cattle grazing is well managed on public lands and gives wild life a chance to thrive.

19	E		<p>This proposal would seem to be short-sighted in a number of respects. As the EA notes, livestock trespass has been an issue since the formal grazing arrangement was curtailed. Fish, Wildlife & Parks offers here an unusual solution to trespass grazing -- permission. Admittedly, under certain conditions, livestock grazing can improve range health. However, the Spotted Dog was not purchased to conduct any such an experiment and it should not be considered for one now with the entire rest of the Deerlodge-Beaverhead National Forest available. Range lands on the Spotted Dog WMA warrant a much longer period without livestock grazing before even considering such a proposal. In these five seasons since suspension of Rock Creek grazing we have witnessed a few heavy winters that pressured elk off the WMA. I have found elk antlers on the Spotted Dog proper, however, and believe that most years will see significant numbers overwintering on the WMA. Further, we have not witnessed several drought years in succession nor have we seen a single major grasshopper outbreak or wildfire on the WMA. These conditions are known to influence plant diversity and succession. A twenty-year moratorium on any livestock grazing would offer range scientists a good data set of how the Spotted Dog might more naturally rollover among the various annuals and perennials, grasses, forbs, and shrubs. Additionally, the proposed EA does nothing to improve hunter access to the WMA. Rather, the contentious historic county roadway through the Spotted Dog is shrugged off as "closed to public access in recent decades." Hunter and recreational access is notably poor from the southern boundary and I suspect the hunter days cited is mainly comprised of a closed contingent authorized by McQueary Ranch. Was a Block Management Area even under consideration as part of this EA? I urge better perimeter fencing to reduce livestock trespass, a twenty-year moratorium on any form of cattle grazing on the Spotted Dog, and further study, particularly of non-game species and the full spectrum of range flora species.</p>
20a	E	1	The only reasonable alternative is, Alternative A: NO ACTION NO LATE HUNTS NO TRAPPING
		2	The idea that cattle grazing should be used for managing elk habitat on any WMA is nuts!
		3	The statement on page 25 that, "the scientific rational for this project is well-founded and the benefits of carefully controlled livestock grazing to game and nongame wildlife are well documented", I believe to be based on sloppy science. I have been told by the former Refuge manage that the study this theory is based on only applies to one species of grass for a limited time. Although this rational is often sited to justify public land grazing it certainly defies logic and needs to be reexamined. The simplest way to do this would be to establish a control plot with no livestock grazing. Spotted Dog WMA provides an excellent opportunity for this test. SDWMA has been abused by cattle for 70 years and now we have the Hansen vegetative survey to establish a baseline. Keep cattle off SDWMA for 10 years and then redo the vegetative survey. We would then have a good example of what a landscape could look like without grazing. It could take 50 years for this land to recover from passed abuse.
		4	Livestock grazing creates weed problems, damages riparian areas and streams and degrades wildlife habitat. With no grazing there would be no need for interior fencing, no need to fence riparian areas, no need to do intensive management to "limit" livestock damage.
		5	The idea of using grazing as a tool to manage wildlife is akin to using a three pound hammer to do watch repair. Cattle grazing is not a tool, it is a problem.
		6	Cattle need grass, grass does not need cattle.
20b	E	1	The only reasonable alternative is, Alternative A: NO ACTION
		2	NO LATE HUNTS
		3	NO TRAPPING
			<i>[starting here, comments same as #20a.3 through 20a.6]</i>
21	E	1	Please accept the following comments on behalf of the Anaconda Sportsmens's Club as our response to the Draft EA regarding the proposal to graze parts of the Spotted Dog WMA.
		2	Overall we find the analysis in this EA severely lacking in both broad and detailed facts required for a valid evaluation. We don't know the stocking rate of the Livestock. Are there any limits on the number of Elk allowed on the Private land? Are the Mule Deer included? How will Elk access this private land grazing when they are being hunted until mid February? How long will Elk be allowed to stay on private land in Spring? How are conflicts with Livestock feeding areas and nearby wintering Elk to be resolved.

3	From an economic standpoint this seems to be an exchange of Livestock summer grazing on Public Lands for elk grazing on private land in Winter and Spring. We support the concept and have a History of supporting similar agreements. Hunters will be investing a significant amount to make sure this works. There needs to be a complete analysis of all these costs including maintenance, monitoring and payments to DNRC by FWP for grazing which will be used by livestock. This grass exchange may be agreeable but we need to the complete economic values being exchanged, the complete costs to FWP. These are our license dollars and we expect an accounting.
4	Monitoring of Livestock grazing seems to be trivialized. We are not convinced that an electric fence will do the job without continual monitoring. What are the requirements to return Livestock to the required pasture when fencing falls? Whose responsibility's is it? If problems persist, what are the remedies, penalties?
5	Riparian areas are crucial and limited on the entire WMA. They are only beginning to recover from years of abuse. The risks to these areas from the proposed grazing are substantial and there are insufficient safeguards and oversight to insure continuing recovery for these sights.
6	The EIHA report detailed the WMA in need of long term rest from Livestock gazing. Some portions should never be grazed. Some require decades to recover. A minimum of 5 years rest was recommended for all WMA. During the past 5 years trespass Cattle have been a continuing problem on the WMA, preventing a full recovery of native vegetation on the WMA. The last major boundary fence was completed in 2018 yet trespass grazing continues. The WMA at best has had less than one year of complete rest from Livestock.
7	Before we can enter into any grazing agreement we need a review of this portion of the WMA by EIHA to determine if grazing on this pasture is appropriate. We need factual data that proves this area is recovered and capable of supporting livestock and still providing the expected benefits for Wildlife. What are the impacts to other Wildlife dependent on the WMA?
8	EHIA also documented significant weed problems on the WMA including the lands in question. How will livestock impact invasive weeds? Will McQueary provide required weed management? What are the long term plans for management and eradication of weeds.
9	Test vegetative plots need to b established on the WMA so we can verify impacts on vegetation and weed control.
10	We are satisfied with the landowner access provided for Public hunting on the McQueary property. It seems that additional public access to the WMA could increase Elk harvest on the WMA. We would request that FWP pursue opportunities for additional access to the WMA through the McQueary property.
11	FWP says they have been pursuing grazing opportunities on the WMA for more than a year. Why did you pursue those opportunities before you were satisfied that you had a landscape that had recovered to a point to make those opportunities viable. Why did you wait until the release of the EA to engage public groups who are the reason we even have a WMA? Why was Spotted Dog Working Group not involved in this proposal? Why were we given a presentation only a week before the deadline to comment?
12	We know State Auditor Rosendale ended a proposed purchase of the DNRC lands in the WMA until the FWP provided a plan mandating both grazing and logging on the WMA. We also have seen legislation the Montana House Representative Pierce introducing requiring landowner over site of FWP's winter counts of wildlife in this hunting area. We don't intend to debate those activities here, but it demonstrates the political pressure being applied for commodity production and oversight of wildlife management on our WMA. We would be naive to not suspect that this proposal and its possible implementation are being influenced by politics. We are not naive.
13	FWP's primary management responsibility for any WMA is to support the critical needs of native wildlife. When FWP proposed hunting elk on the WMA through a major portion of the winter season we lost confidence in FWP's ability to be a trustee for this resource. Traditionally WMAs are closed to all human activity from December 1st through May 15th. We support those restrictions and are shocked by FWP abandoning them without any consultation. Was any analysis done on the impacts to other wildlife depending on the WMA? Mule Deer populations are in significant decline and would certainly be stressed by elk hunters in winter months.

		14	We request this proposal be withdrawn. If FWP believes portions of the WMA have recovered to the point that livestock use is appropriate then we request EIHA be engaged to evaluate the landscape and confirm those conditions. With that confirmation we could support evaluations of opportunities for livestock use which would improve the viability and productivity wildlife habitat throughout this landscape, public and private. The overall availability of those wildlife to the general public needs to be apart of the evaluation.
		15	If you chose to move forward with this proposal then we believe there are sufficient conflicts and the public engagement to warrant an Environmental Impact Statement.
22	E	1	This letter is to communicate my complete agreement and support in utilizing the Spotted Dog Wildlife Management Area (SDWMA) for cattle grazing. I have both hunted the north sections of area 215 and been a part of the McQueary Ranch operation for over 20 years and have seen firsthand the hardship caused to area landowners from the over abundant elk population and lack of winter range on the SDWMA.
		2	In recent years, the inadequate cattle grazing on the SDWMA has created fewer grazing areas for elk to habitat since elk will typically only forage areas where new growth occurs. I believe cattle grazing on the SDWMA will not only support the McQueary Ranch but will promote new growth and more grass availability for elk grazing areas in the summer, fall, and most importantly, winter and early spring. There appears to be a misconception that there are over 40,000 acres of winter grazing availability for the elk when, realistically, there are likely 10,000 acres or less with only 25% of being utilized by the elk.
		3	Currently, there are limited areas where elk are seen grazing in the fall and early winter (Jake Creek, Freeze Out, and O'Neil Creek areas). During late winter, this becomes problematic with the overpopulated elk herds as by this time, the elk have eaten themselves out of house and home and do not have enough winter range to survive. The elk herds then migrate onto the McQueary Ranch to graze resulting in lost use of summer pasture, destroyed haystacks and fences, and disruption to calving operations causing stress on cattle herds and loss of calves. That said, the landowner endures a significant financial loss of up to \$20,000 per year due to this elk activity. It is unlikely that many members of the public would give up a this large of a piece of their own salary to feed these elk with nothing in return the way the landowners do. Grazing would allow some compensation back to the McQueary Ranch for their annual financial losses.
		4	Grazing will also promote the vegetation to reestablish itself, which will benefit habitat for all the wildlife that call SDWMA their home. Right now, the vegetation is over grown, smothering itself out, and creating a fire danger. The SDWMA is a spark or lighting strike away from significant fire activity which would include their neighboring land owners. Management and attention to this area is crucial, before it is too late.
		5	It is obvious the McQueary Ranch has been more than accommodating by allowing several hunters annually on their land and attempting to tolerate the copious numbers elk using their land for winter range. The use of the SDWMA area for cattle grazing would be a step in the right direction to help alleviate these problems and would back the FWP's statement they have stood behind in that they "want to do the right thing to be a good neighbor".
23	E	i	The Prickly Pear Sportsmen's Association has these questions and comments for the EA for the Cooperative Grazing on the Spotted Dog WMA proposal. Would you like me to submit these through the comments page on the website also?
		1	The Prickly Pear Sportsmen's Association (PPSA), represents over 1800 members from the sporting community. The PPSA is pleased to have had its Board Chairman, Jason Swant, participate in the Spotted Dog WMA Working Group since 2013.
		2	The PPSA recognizes Fish, Wildlife & Parks (FWP) for its work to create and maintain the Spotted Dog WMA. The PPSA sees this and similar efforts as an important part of maintaining Montana's wild life populations and continuing the hunting heritage that is so important to PPSA members.
		3	Based on the PPSA's hunting heritage values and participation in the Spotted Dog WMA Working Group the PPSA offers the following questions and comments for FWP's environmental assessment proposal to implement an exchange-of-use cooperative grazing system on the Spotted Dog WMA.
		4	<u>Q1.</u> Why is FWP proposing a cooperative grazing agreement with a Southwest bordering land owner without securing a public access point to the Southwest portion of the Spotted Dog WMA?

5		PPSA Comment: Currently there is not a public access to the Southwest portion of the WMA. The McQueary Ranch has extensive continuous boarder to the Southwest portion of the WMA. Roads exist to provide access through the McQueary Ranch but are only available by permission of the McQueary Ranch. It is reasonable that the McQueary Ranch could make access to the Southwest portion of the WMA available as part of a cooperative grazing agreement. FWP should not enter a cooperative grazing exchange with a bordering neighbor that does not include providing public access to the WMA.	
6		<u>Q2</u> . What constitutes a hunter-day of public access?	
7		PPSA Comment: This term is confusing. Does it mean 24 hours of hunting by one hunter over 3 or 4 days? If a hunter can hunt for just an hour or two is that be a hunter day? Hunter-day and public access should be separate terms. A hunter-day should mean one hunter one day of hunting. Public access should mean any member of the public has an opportunity to access the property for hunting.	
8		During the Spotted Dog WMA Working Group meetings Mr. McQueary described maintaining a list of hunters (family, friends & business associates) who he allows to hunt the McQueary Ranch. He often referred to this as public hunting. The PPSA does not believe this constitutes public hunting.	
9		Private lands enrolled in the FWP Block Management Program certainly constitute public hunting. The PPSA feels enrolment in block management programs would be a good standard for meeting FWP's requirement that the landowner allows hunting sufficient to prevent elk from congregating on their property and contributing to the harvest prescribed by FWP. The Block Management Program creates hunting opportunity and informs the public hunter of the opportunity. Some block management units require permission, others require sign in for hunting and others don't require any action for access. Regardless, the Block Management Program participation easily establishes that a landowner cooperates with public hunting within the confines of the Block Management Program.	
10		<u>Q3</u> . How was 150 hunter-days of public access determined to be determined sufficient to prevent Elk from concentrating on the McQueary Ranch or to be a contribution to the overall harvest prescribed by FWP?	
11		PPSA Comment: The EA states that the McQueary Ranch would commit to allowing at least 150 hunter-days of public access annually through the general hunting season, as has been their custom. If 150 days has been the McQueary Ranch custom, this cooperative grazing agreement does nothing to increase access for the effective harvest of elk from the McQueary Ranch or the WMA.	
12		During the general hunting seasons, archery & rifle there are roughly 90 days. The shoulder seasons add about 95 days for hunting. In total about 185 days for hunting across the combined seasons. The McQueary Ranch offer of 150 hunter-days of public access is severely low provided the hunting opportunities of the McQueary Ranch and opportunities created by increased access to the Spotted Dog WMA. How can less than one hunter-day of public access per day of the hunting seasons be considered as the land owner allowing hunting sufficient to prevent elk from concentrating or contributing to the overall harvest prescribed by FWP? The PPSA feels that the number of hunter days of public access needs to be increased.	
24	E	Skyline Sportsmen of Butte support FW&P "proposal to use Cattle Grazing for Managing Elk Habitat on a Portion of Spotted Dog WMA and Neighboring Private Lands". We think SDWMA should be managed to the benefit of wildlife both financially and habitat wise. We would prefer working with landowners who allow hunting.	
25	E	i	
		1	Please accept this attachment as public comment from Montana Stockgrowers Association. On behalf of the Montana Stockgrowers Association (MSGGA) and the Montana Public Lands Council (MPLC), we are submitting this letter to support the proposal for utilizing cattle crazing on the Spotted Dog Wildlife Management Area.
		2	Since 1884, MSGGA and MPLC have been dedicated to finding proactive solutions for Montana's ranching communities and people. Montana ranchers have long been responsible, environmentally conscious land stewards in partnership with our state and federal agencies. In turn, these land partnerships have created excellent opportunities for rural agriculture and contributed to our local economies as well as help provide healthy wildlife habitat.

		3	Our organizations have historically supported multiple use strategies on our public lands and have worked hard to improve the resource. Areas that have been inventoried Wildlife Management Areas (WMA) create unique management challenges. These areas limit certain practices and can inhibit proper vegetation management as well as controlling noxious weeds.
		4	MSGA and MPLC also encourage further expansion of cooperative grazing systems and will continue to support MFWP efforts to incorporate neighboring private lands and multiple use management as a tool for Wildlife Management Areas.
		5	Thank you for your time and consideration on this important issue.
26	E		<i>[same letter as #25]</i>
27	E	i	Please find attached comments of the Rocky Mountain Stockgrowers Association on the draft environmental assessment for the Montana Fish, Wildlife and Parks proposal to implement an exchange-of-use cooperative grazing system on the Spotted Dog Wildlife Management Area and adjacent private land in Powell County, Montana. Would you please confirm receipt of the attached comments via return email? Thank you.
		1	Thank you for the opportunity to provide comment on the draft environmental assessment ("DEA") for the Montana Fish, Wildlife and Parks proposal to implement an exchange-of-use cooperative grazing system on the Spotted Dog Wildlife Management Area ("SDWMA") and adjacent private lands in Powell County northeast of Deer Lodge, Montana. The following comments are submitted on behalf of Rocky Mountain Stockgrowers Association, which is a grassroots organization of family ranches and supportive businesses and individuals in Powell, Deer Lodge, and Granite Counties, but with membership statewide. These comments have been prepared in consultation with ranchers who work the rangeland adjacent to the SDWMA on a daily basis and have education and life experience in range management.
		2	It has been shown that elk prefer to graze in areas that have been previously grazed by cattle. Cows eat the coarse, dense stands of forage, removing it from the landscape. With the heavy cover removed, new, tender, succulent shoots of grass begin to grow, which elk much prefer.
		3	The areas proposed to be grazed in the SDWMA that are the subject of the DEA are heavily foraged and seldom have elk spending any amount of time on them. Elk move across the proposed grazing areas from one side of the SDWMA to the other, but spend minimal time there. Cattle grazing in these areas should create zones of prime elk grazing, thereby creating new range for and drawing elk into these previously underutilized areas. With more new attractive range inside the SDWMA, more elk should stay on the SDWMA rather than moving down to the adjacent private lands.
		4	The grazing system proposed in the DEA would provide some relief for the nearby landowners who bear the brunt of the impacts from elk trespassing from the SDWMA onto private property, while also resulting in the public achieving access to public elk on public property. The area included in the grazing system experiment is quite small—one to two percent of the total SDWMA acreage per year, with significant periods of rest in between grazing periods. Approximately eight percent of the SDWMA would be part of the study in total—hardly enough to negatively impact the SDWMA. Additionally, 2,100 acres of private property will be rested every year, which will also provide additional elk habitat. Finally, these areas are not considered to be winter range for elk, so livestock grazing these areas would not impact elk in winter months. If successful, the grazing system proposed in the DEA could be used as a model for elk refuges and wildlife management areas across Montana, getting more elk to remain on public land, mitigating elk forage depredation on private property, and opening up additional grazing resources for cooperating producers.
		5	Thank you again for the opportunity to submit comments on the DEA. If you have any questions, please do not hesitate to contact me. For future actions related to SDWMA, please add Rocky Mountain Stockgrowers Association to the mailing list using the address above, as well as our attorney, [name], who may be reached at [address].
28	E	i	Please find Hellgate Hunters & Anglers' comments for the Spotted Dog WMA Livestock Grazing Proposal attached hereto.

1	Thank you for the opportunity to comment on FWP's proposal to "Use Cattle Grazing for Managing Elk Habitat on a Portion of the Spotted Dog Wildlife Management Area and neighboring Private Lands". Hellgate Hunters and Anglers is an all-volunteer, local rod and gun club in Missoula with over 400 members and supporters. Many of our members hunt on Spotted Dog and board members of HHA have been engaged and interested in the future management of the WMA since it was purchased in 2010. We have previously submitted comments to FWP regarding our concerns towards permitted livestock grazing on the WMA.
2	The following comments outline the concerns of HHA and the proposed action:
3	<u>Timing</u>
4	The WMA has been grazed historically for nearly a century. According to the monitoring assessment completed by Hansen et al in 2015, many portions of the WMA have yet to fully recover. The open prairie, shortgrass ecosystem that dominates the WMA is unique to western Montana and is important for a myriad of species. This proposal begs the question, why now? We do not believe that FWP should be rushing into permitting livestock grazing when at the same time, the Department has just finally completed perimeter fencing to keep trespass cattle out of the WMA. There is no rush to push this type of proposal out the door, especially when sportsmen organizations have not been previously consulted or have had an opportunity to tour the site. This proposal leaves many stones unturned and many questions to be answered.
5	While we appreciate that the Spotted Dog Working Group advocated for livestock grazing to be permitted on the WMA, the Working Group largely represents local landowners and ranchers in the Deer Lodge Valley and is not representative of all interested parties and additionally, does not have decision-making authority. The WMA is managed by FWP for the benefit of wildlife and we feel this proposal skews that balance.
6	<u>Lack of Alternatives in the EA</u>
7	We found the lack of alternatives in the EA troubling--no alternative grazing schedules, alternate pastures, fencing options to protect riparian areas, a non-private land grazing exchange option, a grazing fee option, etc. The EA does not adequately portray the benefits of "no-grazing" on Spotted Dog. The spread of invasive weeds would be far less, damage to seeps, springs and wetlands far less and there would be no additional cost to sportsmen.
8	<u>Elk</u>
9	It's no mystery why the elk population in HD 215 has grown significantly since the purchase of the WMA--Spotted Dog is prime elk habitat and provides exceptional winter range. While we appreciate the challenges private landowners surrounding the WMA face regarding forage damage, fence damage, etc. FWP has used every tool in the box over the last three years to knock back the elk population in HD 215, including going so far as proposing a shoulder season within the WMA. In the 2018-19 season, elk were hunted for nearly six months with the shoulder season and hunters could harvest a cow with their A tag in the regular season. If a private landowner has too many elk on their private land, FWP has made it very easy for them to utilize public hunters to move the elk off of their property.
10	We also understand that aerial counting conditions have been poor over the past several years and FWP has no clear idea of how the population has responded to the increased hunting pressure. Because of this, HHA wrote a letter to the FWP Commission in February voicing concerns over yet another shoulder season without adequate data.
11	We believe the concept of providing free forage in exchange for an agreement to rest private pasture will not solve the issue of elk congregating on private land. In addition, it leaves us puzzled why FWP is so concerned about maintaining high quality winter range for elk on private land while they are intensely reducing the population. The analysis fails to acknowledge that although elk are currently above objective, they are doing well biologically and would likely do well with the current management into the future. Further, without clear data about the current population, this exchange may be premature if the elk population has been lowered closer to objective through the liberal regular season and shoulder season harvest over the past three years.
12	HHA also points out that it is counter productive to attempt to increase effective winter range while also attempting to curb the overall elk objective. Logically, increasing the quality of forage on private property pasture will not assist the Department in reducing the current population to objective.

13	A reduction of the population, as FWP would like to see, should have the same desired effect to minimize negative effects to the winter range. We are concerned this exchange may also open Pandora's Box for more "exchange grazing" on the WMA with other ranchers. Many operators would welcome the opportunity to rest their private pasture and run their cattle on the WMA.
14	<u>Public Access</u>
15	A key element missing from this proposal is a guarantee of public access on private land in exchange for grazing on the WMA. While the proposal states a special access agreement of 150 hunter days, we would request a more formal agreement is developed to ensure any member of the public has opportunity to hunt the property, not a hand-picked few. Enrollment in block management, for example would alleviate much of the access concern while permission could still be granted by the Ranch themselves.
16	<u>It's all about the Habitat</u>
17	Riparian areas represent a small fraction of the WMA, yet are used disproportionately by wildlife. Hansen noted that because of a century of grazing, most of the riparian areas are less than fully functioning and healthy. Although the past five years of rest have helped the situation, an incredible amount of livestock trespass occurred that has continued to hamper recovery. The EA mentions grazing in water gaps, but does not identify how many or what negative impact grazing on the seeps and springs may have on riparian health. We'd prefer not to see natural watering areas used as "sacrifice" areas where livestock congregate. Did FPW research other methods of watering? Tanks? Solar pumps?
18	If livestock are moved off the WMA in July and moved back to Fred Burr, is there anything to avoid cattle continuing to congregate on the bottom of Fred Burr Creek?
19	The EA discusses the benefits of livestock grazing to create patchwork habitat for a myriad of species. According to Hansen's study, this patchwork already exists on the WMA. In addition, this is not an ecosystem that historically developed with a keystone herbivore such as the shortgrass prairie east of the continental divide where bison were a dominant species. Livestock grazing is not a natural process on the WMA and the EA does not accurately portray the habitat benefits of not grazing the WMA.
20	Another chief concern is the spread of noxious weeds on the WMA. It is widely known that livestock grazing, as well as the permitted use of an ATV to monitor the allotment would exacerbate the spread of noxious weeds which would degrade valuable wildlife habitat.
21	There are no monitoring protocols or standards mentioned in the EA. How will FWP be able to judge whether they are meeting the objectives they hope to achieve? Are there triggers or habitat standards that have to be met?
22	Hansen's habitat assessment did not include a large section of the W Fork of Spotted Dog Creek where a significant portion of the grazing will occur (no exclusions mentioned). Initial habitat assessment should be performed before grazing occurs.
23	<u>Other wildlife concerns</u>
24	How would FWP address livestock depredation on the WMA? Would livestock be pulled from the WMA pasture? Would FWP allow shooting/ trapping of wolves/ coyotes? Spotted dog is identified as a critical corridor for grizzly connectivity between the GYE and NCDE and bears have been reported in the Deer Lodge valley.
25	Fred Burr Creek is a critical tributary for the upper Clark Fork. Did FWP investigate what effect livestock grazing/ increased sedimentation may have on the fishery?
26	<u>Cost/ Benefit</u>
27	The cost of electric fencing, plus the cost of this EA, staff time, monitoring, etc. is not fully evaluated in this proposal, nor are the long-term costs to Montana sportsmen. A grazing fee, similar to what is charged on other WMAs was not explored nor included as an alternative in this proposal. We believe a fee would help offset management costs.
28	The Department has offered no evidence relating to public resources expended for damage caused by elk for this particular property. Without such information, it is impossible to determine whether the expenses associated with the exchange are matched or exceeded by those historically expended to compensate damage caused by elk on this particular property.
29	<u>Conclusion</u>

30	HHA respectfully requests FWP withdraw this proposal. Alternatively, HHA requests no action be taken as set forth in "Alternative A" in the Draft EA. At a minimum, FWP should develop an inclusive public process that addresses the above concerns and properly engages the interested public. Because of the significant controversy surrounding this proposal, we believe this proposal warrants an environmental impact statement.
29	E i
1	Please see the attached comments from the Montana Wildlife Federation regarding the Environmental Assessment for proposed grazing on Spotted Dog WMA.
2	The Montana Wildlife Federation (MWF) is Montana's oldest and largest sportsmen-wildlife conservation organization. We work to protect Montana's public lands, clean waters, and abundant fish and wildlife for the benefit of the hundreds of thousands of Montanans and people all over the nation who hunt, fish, and value Montana's outdoor heritage. We appreciate the opportunity to comment on the Environmental Assessment for the Proposal to Use Cattle Grazing for Managing Elk Habitat on a Portion of Spotted Dog WMA and Neighboring Private Lands.
3	Spotted Dog Wildlife Management Area (SDWMA) provides important habitat for game and non-game species. Due to the very high value of SDWMA to sportsmen, this grazing proposal is of significant interest to MWF members as well as other sportsmen's groups. Given the #1 guiding principle and primary purpose of the SDWMA, which is "to benefit wildlife and fish habitats, and natural resources on behalf of the general public", we have several concerns as to how the proposed grazing will achieve those goals.
4	Hansen et. al 2015 determined that some of the habitat in the proposed SDWMA pastures is "healthy but with problems". The wildlife habitat within SDWMA has declined in health from historic practices such as grazing. Allowing grazing within SDWMA will cause grasslands and riparian areas to recover at a slower rate compared to areas with no cattle grazing. Although we recognize the importance of adjacent lands as potential high quality winter range for elk, the proposal is slated toward elk management and not for the benefit of all wildlife species and their habitat within SDWMA.
5	One major concern is how this proposal will affect riparian habitat on SDWMA for game and non-game species. Though riparian and wetland habitat is a very small percentage of the pastures, it's used by many species and historic grazing on SDWMA has had serious impacts to these areas. Temporary fencing would be used to keep cattle from riparian areas, but there are no assurances on how or when fences will be monitored for effectiveness. Would the management of these fences fall entirely on the Department or would the permittee be responsible for maintenance?
6	The EA states that SDWMA pastures would be monitored to identify areas of heavy cattle use and actions to curtail those impacts that may include moving salt/mineral blocks, use of cross-fencing, and re-assessing cattle use of water sources. We expect that this continued monitoring and maintenance would be done by the department which seems to not be factored into the costs of this proposal. Additionally, we feel that the use of sportsmen dollars to pay for the temporary fencing and continued maintenance by FWP is not in line with the intent of managing for wildlife within SDWMA and for the benefit of the general public.
7	The Department states on page 18, comment 4b. that cattle would be removed from grazing in SDWMA during hot and dry conditions of late summer to avoid impacts to willows, shrubs, and wetter areas. However, cattle would still be allowed to graze through the month of July. We believe the Department has failed to considered the impacts during drought years where we typically see extreme temperatures and drought throughout the month of July.
	Invasive species such as cheatgrass and spotted knapweed present a threat to native grassland communities. Grazing may have the potential to allow noxious weed species to expand at a rapid rate which could cause ecological disruption and decreased forage values. Since there are already 22 identified noxious weed species within SDWMA (Hansen et al. 2015) and the EA clearly identifies the risk of spreading noxious weeds within the SDWMA pastures, we think the Department has failed to consider how cattle grazing will help solve noxious weed issues identified in the habitat plan.

		8	We are also concerned with the process in which this proposal was developed and the potential unintended consequences. It is clear that FWP individually met with landowners in 2017-2018 to determine if certain private lands met the criteria for enhancing critical winter habitat for elk. We question why the Department is trying to advance this proposal without properly involving local sportsmen's groups. While we understand that some negotiations are best done individually with landowners, sportsmen's groups have not had an adequate opportunity to participate in the development of this proposal. This could have involved seeing the proposed pastures in the field or convening different stakeholder groups who have an interest in how grazing will affect SDWMA.
		9	Adequate public access to SDWMA is important to hunters. Although the grazing agreement would allow for 150 hunter days per season, the access to SDWMA through McQueary Ranch would be regulated by the landowners. This would not guarantee a fair and equal process of access for sportsmen and we believe that if this agreement is to move forward then the permittee should be involved in FWP's Block Management Program.
		10	In conclusion, MWF is not opposed to cattle grazing within SDWMA. However, the approach by the Department does not seem to be in the best interest of benefiting all fish and wildlife species and their habitat on SDWMA. MWF suggests the development of a more robust plan that includes monitoring standards that will ensure that there will be net benefits to wildlife. The proposal needs to better address these gaps to mitigate impacts to wildlife habitat, ensure a process for equal public access for sportsmen, and reduce costs to the Department.
30	E	1	I am writing to support the proposal to use cattle grazing for improving elk habitat on portions of the Spotted Dog Wildlife Management Area.
		2	I am a cattle rancher from Cascade and Lewis and Clark Counties who has been grazing the Beartooth Wildlife Management Area for 37 years. Initially the system included a mix of FWP and private acreage totaling 21,000 acres and it has recently been expanded to include 38,000 of public and private land.
		3	Similar to the Spotted Dog proposal we have grazed according to the classic rest-rotation format, which allows two years of rest during the grazing season, one of which is season long rest. The proposed system on the Spotted Dog is even more conservative providing even more rest.
		4	The benefits to the WMA have included improving plant health and vigor, stimulating re-growth of decadent upland grasses, and improving the water holding capacity of the soil. Elk distribution has improved as a result. Since implementation of the grazing system in 1992, elk numbers have grown from approximately 2000 to 4500 in the hunting district, and elk wintering on the game range (it is a winter range) have increased from as few as a couple hundred to over 2000.
		5	The grazing principles employed on the game range are also employed on our private land, improving the soil as well as the grass quantity and quality.
		6	If our experience is any indication there is great potential that properly managed cattle grazing on the Spotted Dog will be good for range, good for the elk, good for the hunters and good for the community.
31	E	i	Please accept comments on behalf of Montana Audubon regarding <i>A proposal to Use Cattle Grazing for Managing Elk Habitat on a Portion of the Spotted Dog Wildlife Management Area and Neighboring Private Lands</i> - Draft Environmental Assessment (EA), February 26 th , 2019.
		ii	Please let me know if you have any questions. Thank you so much.
		1	Please accept comments on behalf of Montana Audubon regarding <i>A proposal to Use Cattle Grazing for Managing Elk Habitat on a Portion of the Spotted Dog Wildlife Management Area and Neighboring Private Lands</i> - Draft Environmental Assessment (EA), February 26 th , 2019.
		2	Our organization appreciates being contacted to comment on this plan and appreciates the time the Department of Fish, Wildlife & Parks (DFWP) has spent on the matter at hand.

3	<p>In general, we appreciate the intent of the plan to enhance recovery of wetlands and riparian areas while enhancing the wildlife values within the Spotted Dog Wildlife Management Area (herein SDWMA). We are not opposed to targeted grazing being used for site-specific purposes, which we believe this proposal does, but we do believe it should be one of the lower priority management tools. In the case of this current proposal, Montana Audubon views the grazing plan at SDWMA to be a "case-study" type project, though we recognize that grazing has been a management tool put to use in other WMA's like Wall Creek. We also recognize that both the landscape within the WMA and within the private grazing lands included in this proposal are well adapted to grazing by large ungulates. We have continually supported habitat management as a priority over increased or manipulated harvest to manage wildlife populations, and so this proposal fits with those recommendations. It also fits with goals of maintaining migratory patterns for elk between National Forest and upland grasslands.</p>
4	<p>As many groups have pointed out, livestock grazing of WMA's in general does conflict with WMA lands intent to preserve habitat for all wildlife, as livestock are not wildlife. Grazing also impacts aesthetic values of a landscape where individuals are seeking to connect with their natural surroundings, and livestock grazing can lead to the introduction of invasive plant species, and an increase in cowbird predation on nesting birds. Though the proposal lacks rigorous scientific evidence that this type of grazing management has resulted in benefits to wildlife in other places, we appreciate the acknowledgement that including grazing as a management tool may be in conflict with wildlife habitat values the WMA is meant to protect. Though this is true, we believe that the proposal is written such that the intent clearly is to benefit wildlife. In our work with grassland bird species of concern like the Long-billed Curlew, we have found that well-managed grazing even in nesting areas, can provide suitable habitat within working lands. With a strong monitoring component, this management tool can be thoroughly assessed, and we would expect DFWP to discontinue its use unless positive results for wildlife are demonstrated. This project has great potential from a scientific monitoring standpoint.</p>
5	<p>In other studies of grazing effects on wildlife, surveys often need to be conducted over multiple years to avoid sampling effects cause by weather or other stochastic events. We would recommend surveying pastures using the Hansen et al. (2015) approach during and after project completion versus just after.</p>
6	<p>In conclusion, Montana Audubon supports the EA's general finding that a full Environmental Impact Statement is likely warranted, but disagree with findings that the proposed action will have only minor impacts or cause minor conflicts with existing land uses, and the importance of the site as a designated natural area. This conclusion is based on review of other public comment. We prefer that riparian areas within the proposed grazing pastures be entirely fenced off for the project duration, and that both landowners and DFWP emphasize managing stock water needs outside of these areas. Because the focus of our work is only peripherally on hunter access and opportunity, we have reserved our comments to factors affecting wildlife.</p>
7	<p>There are a few items that should be more thoroughly assessed in the final Record of Decision.</p>
8	<ul style="list-style-type: none"> • We would have liked to see the document include information about whether current management at Spotted Dog WMA had resulted in any reduced pressure on adjacent landowners considering the large increase in elk using the area since the 2013 purchase.
9	<ul style="list-style-type: none"> • We are concerned that more analysis did not go into discerning the values of the project to upland birds, considering the location of the grassland affected. Birds like the Sharp-tailed grouse have received a lot of attention in other areas by DFWP, and they should be considered here. Upland birds that are found in the area would likely benefit from improved riparian and wetland areas, and would be affected by altered grass heights and forage availability. Though we also recognize elk as the primary animal in need of management at this site, the plan surprisingly limits its discussion of expected impacts on other ungulates like deer, moose, or antelope.
10	<ul style="list-style-type: none"> • While we believe this plan does have the potential to reduce landowner conflict in the area, including potential reductions in damaged fencing and illegal grazing, we would recommend the project should monitor able to demonstrate reductions in these issues.
11	<ul style="list-style-type: none"> • Finally, we are concerned that introducing livestock grazing into SDWMA may increase the potential for livestock-predator conflicts. This EA should include a plan for addressing these conflicts within the WMA, as even though this plan is intended to improve adjacent private landowner relationships, this could be offset by increased losses of cattle to predators
12	<p>Thank you again for the opportunity to comment on this proposal. We are generally supportive of the project and look forward to participating in various ways in the future.</p>