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May 17, 1999

Mr. John W. Whitney, BLM Project Manager
Bureau of Land Management (NM-931)
P.O. Box 27115
Santa Fe, NM 87502-0115

Re: Draft Statewide Resource Management Plan Amendment/Environmental Impact Statement, New Mexico Standards for Public Land Health and Guidelines for Livestock Grazing Management. NMGF Doc. #6674.

Dear Mr. Whitney:

The Department of Game and Fish (Department) has reviewed the Draft Statewide Resource Management Plan Amendment/Environmental Impact Statement, New Mexico Standards for Public Land Health and Guidelines for Livestock Grazing Management (DEIS). The DEIS analyzes the impacts of adopting statewide standards for public land health and guidelines for grazing management on lands administered by the U.S. Bureau of Land Management (BLM) in New Mexico.

The Department recognizes the importance of rangeland and riparian health in maintaining productive wildlife populations and sustainable human economies. Therefore, the Department supports the BLM's effort to improve rangeland and riparian conditions, thereby guaranteeing the long-term viability of both wildlife and human communities.

BACKGROUND

The DEIS analyzes the following four alternatives:

- The no action alternative uses land management and grazing practices that were in effect before the current grazing regulations were approved in February 1995. This alternative cannot be implemented, but provides for baseline comparison with the other alternatives.
- Standards and guidelines developed by the New Mexico Resource Advisory Council (RAC), which is the BLM's preferred alternative;
- Standards and guidelines developed by the New Mexico members of the Arizona/New Mexico Coalition of Counties; and

- Fallback standards and guidelines defined in the February 1995 grazing regulations (BLM began implementation of the fallback standards and guidelines on 1 March 1998, where the standards had not been met and livestock grazing was a contributing factor).

As stated in the abstract, adoption of alternatives 2, 3, or 4 would require changing the existing land use plans to make them consistent with the adopted standards and guidelines. The standards and guidelines selected will be incorporated into eight BLM resource management plans (RMP's) that affect approximately 13.5 million acres. Of 2,193 grazing allotments, 287 to 480 allotments would not meet the standards, depending on which alternative is selected.

GENERAL COMMENTS

1. Based on our interpretation of the National Environmental Policy Act (NEPA) regulations, the most problematic procedural concern with the DEIS is that it does not adequately present the anticipated impacts and the alternatives in comparative form, which would allow the reader to distinguish between alternatives. Chapter 4 discusses the anticipated effects of implementation of each of the four alternatives on natural resource criteria. The Upland Vegetation, Water and Special Status Species sections for each alternative consist of repetitious verbatim text. These repetitious statements do not clearly differentiate the potential impacts of each alternative on these resources to provide a clear basis of choice. Similarly, the Big Game, Upland Game/Nongame and Waterfowl/Fisheries subsections for each Major Land Resource Area (MLRA) often contain verbatim language that also does not distinguish qualitative differences between alternative implementation on these resources. Clearly defined comparative analysis of each alternative would allow for well defined analysis of alternative implementation on wildlife resources in the various MLRA's and special status species. We recommend that these sections of the document be rewritten to more clearly define the differences between anticipated potential effects of each alternative. Providing comparative information in a table format for all resource criteria evaluated would be especially helpful in distinguishing differences between the alternatives.
2. Page 3-13 states: "Based on existing inventory data, lotic [running water] riparian areas on public land in New Mexico total 427 miles, containing 13,285 acres of riparian habitat located in 244 stream segments." Page 3-17 states: "Comparatively, the number of miles of perennial streams on public lands is small, only 433 (USDI, BLM 1997 Public Land Statistics). There are no estimates of the miles of ephemeral channels on public lands." Based on these statements, the riparian segments are apparently only perennial stream segments. The DEIS should provide a discussion of stream types that were analyzed and omitted from analysis (i.e., intermittent), discuss the rationale for this decision, and provide a comparison of the biological and functional nature of the different stream types, to give the reader some idea of the nature and extent of riparian resources that may have been excluded from analysis.

3. Concerning the condition of the riparian streams in the DEIS, page 3-13 states:
“Statewide, 38 stream segments are in proper functioning condition, 116 segments are functional at risk, 38 segments are not functional, and 52 have not been inventoried. Of the total areas, 160 segments are grazed and 84 segments are excluded from grazing. Of the grazed areas, 14 are in proper functioning condition, 85 are functional at risk, 31 are not functional, and 30 have not been inventoried.” Page 3-18 discusses non-point source (NPS) surface water pollution (NMWQCC 1998), stating that grazing on rangelands accounts for 29.5% of the total NPS contribution to surface water quality impairment in the state. The DEIS further states that “...grazing is a probable major source of pollutants which may contribute to water quality impairments on approximately 2,474 stream miles, and a minor source of pollutants which may contribute to water quality impairment on approximately 676 stream miles. Undoubtedly, many of the 448 miles of perennial streams on public lands have been impacted by grazing in the past. Of the 163 water-quality limited stream reaches identified by NMED (1998), approx. 46 have public lands within their watershed. Forty-two of these (91%) have grazing identified as one of the probable sources of pollutants.”
4. The Department is concerned about riparian, aquatic and wetland habitats because they are essential for the survival of a majority of the species of wildlife found in the state. The quality (NMWQCC 1992) and quantity (Dahl 1990; Hink and Ohmart 1984) of these habitats have been significantly diminished or degraded. Of the 867 species of vertebrates known to occur in New Mexico, 479 (55%) rely wholly or in part on aquatic, wetland or riparian habitat for their survival. Fifty-one of the 96 species that are listed by the state as threatened or endangered are associated with these habitats (NMGF 1997).
5. All three action alternatives are designed to improve uplands and riparian areas that have been adversely affected by a combination of factors such as climate, fire suppression and grazing that have altered natural disturbance regimes, riparian function, and vegetative and wildlife composition, structure and diversity. Page ix states: “Of the 2,193 grazing allotments, it is projected that between 287 to 480 allotments (a relatively small percentage) would not meet the standards, depending on the alternative....In the short term, some allotments would increase livestock numbers while others may be adjusted downward....In the long term, livestock use is expected to increase as the rangelands improve in health and the forage production increases.” The discussion describing impacts on wildlife from implementing the RAC alternative states on page 4-20: “Livestock would be used as a management tool to help restore and maintain sustainable habitats, increase biological diversity and vegetative productivity, and promote proper functioning uplands and riparian areas.”
6. The DEIS does not explain how intensified grazing regimes will be used to achieve and maintain standards. The DEIS contains repetitious statements in the Grazing Administration sections for each alternative that do not clearly define differences between anticipated future management practices for increased livestock numbers and previous practices, and between alternative implementation. Since grazing has been a

contributing factor to not meeting the existing standards on some allotments, a discussion should be provided describing how future management practices that increase livestock numbers will: 1) differ from previous management practices that were insufficient to maintain upland and riparian health; 2) achieve the adopted standards and the goals of increasing biological diversity, vegetative productivity and proper functioning conditions of upland and riparian areas; 3) avoid contributing to or returning to the conditions that require the implementation of new standards and guidelines; 4) maintain the new standards for rangeland and riparian health once they have been achieved; and 5) differ between alternatives.

7. Page 4-46 of the DEIS states: "Under this alternative [Fallback] 480 permittees could be affected [the most of any alternative]. Permittees most affected by the guidelines would be those with small one-pasture allotments where there is continuous, season-long grazing. Continuous, season-long grazing is allowed to occur only when it has been demonstrated to be consistent with achieving a healthy, properly functioning ecosystem." This statement is inherently contradictory. According to the DEIS, implementation of the Fallback alternative would be the most restrictive and affect the most permittees, the majority of which practice season-long grazing. However, the DEIS maintains that season-long grazing is only allowed to occur if demonstrated to be consistent with achieving a healthy, properly functioning ecosystem. The standards and guidelines themselves are intended to improve rangeland and riparian conditions to achieve a properly functioning condition. Thus, it is unclear how the majority of allotments potentially affected by Fallback guideline implementation could have been achieving a healthy, properly functioning ecosystem.
8. The Cumulative Effects discussion addresses primarily the potential short-term effects of implementing the Proposed Action or other alternatives on the livestock industry, but does not factor in the cumulative benefits of improved surface water quality and groundwater recharge, soil retention and stability, decreased soil erosion and surface water runoff, more productive wildlife habitats, and increased hunter and non-consumptive wildlife user satisfaction.
9. The DEIS does not recognize the importance of vegetative communities as forage for wildlife. No discussion of formulas for determining AUM allocations for wildlife was included in the DEIS. Please provide a discussion in the wildlife sections of each alternative explaining how AUM's for wildlife will be determined, and how these formulas would differ for each alternative.
10. In the 1990 Memorandum of Understanding between the Department and the BLM, the BLM has agreed to "Appropriately recognize and give full consideration to wildlife as a desirable and co-equal resource on public lands under the multiple resource management concept." The Department is concerned that none of the standards and guidelines in the proposed alternatives sufficiently recognize the importance of standing residual vegetation and litter as cover for wildlife. Grassland bird species require residual vegetation for nesting cover, and many of these species are declining. Breeding Bird Survey data indicate that grassland bird populations are

experiencing the greatest population declines of any other avian group in North America (Robbins et al. 1993, Knopf 1994), probably attributable to habitat modifications from grazing and other human activities (Martin and Finch 1995). The lesser prairie chicken (*Tympanuchus pallidicinctus*) usually nests within sand sage-grassland or shinnery oak, and appears to require residual clumps of tall grasses for successful nesting (Davis 1979, Riley et al. 1992). The lesser prairie chicken has recently been determined by the U.S. Fish and Wildlife Service to be Warranted But Precluded for federal listing under the Endangered Species Act. Mule deer (*Odocoileus hemionus*), a priority management species for the Department, needs adequate residual vegetative cover for fawn survival. High predation rates and low fawn survival may be attributable in some areas to loss of cover from grazing (Green Hammond 1996). When selecting a final alternative to implement, the BLM should consider its commitment to recognize wildlife as a coequal resource, and the importance of residual vegetative biomass as wildlife cover and forage.

RECOMMENDATIONS

The Department recommends implementation of the Fallback standards and guidelines for the following reasons:

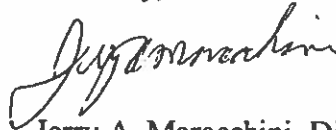
1. As stated on page 4-46, this alternative would focus management activities on more acres for wildlife habitat protection than the other alternatives.
2. The greatest number of riparian segments would be improved and restored to Proper Functioning Condition (PFC). Of 154 riparian segments classified as nonfunctional or functional-at-risk with a downward trend, or where the trend is not apparent, 107 riparian segments would be improved, 39 to PFC. The RAC alternative would improve 68 riparian segments, restoring 32 to PFC. The County alternative does not state the total number of riparian segments improved, but would also restore 32 segments to PFC.
3. Riparian segments would be improved and restored in the least amount of time.
4. The Fallback alternative allows for a slight increase in actual AUM's over the long-term, but considers and protects critical wildlife resources. The RAC alternative also protects critical wildlife resources, the County alternative does not.
5. The Fallback alternative incorporates landscape-level, as well as site-specific (allotment level) habitat needs when developing Allotment Management Plans (AMP's). The RAC alternative also considers landscape-level habitat needs; the County alternative does not.
6. Soil conditions will undergo the greatest improvement under the Fallback alternative. The RAC alternative provides for better soil conditions than the No Action or County alternatives, from the implementation of grazing guidelines on more acres. The County alternative will provide for slightly more improvement to soils than the No Action alternative.
7. Although not clearly defined in the analysis for water and upland vegetation, the Fallback alternative will most successfully improve surface water quality by reducing non-point source pollution, increasing water retention and associated aquifer recharge, and reducing surface erosion and stream sedimentation, which will improve habitat quality and quantity for aquatic life.

8. Although not stated or adequately analyzed in the Big Game section of each alternative, based on enhanced conditions of other resources such as riparian and upland habitats, the Fallback alternative will provide the best long-term opportunities for increasing deer herds, a primary management goal of the Department.

Finally, the Department recognizes that grazing can have numerous and complex effects on soil, water, vegetation and wildlife resources. The DEIS refers to conducting future extensive and widespread brush control and herbicide projects in shinnery oak, mesquite, juniper and big sage communities. Between 1989 and 1992, BLM conducted an average of over 20,000 acres of brush control a year. These activities can have profound effects on wildlife populations with specialized habitat requirements. To assist the BLM in addressing these concerns, we have included several lists of Threatened, Endangered and Sensitive species potentially adversely impacted by grazing and range improvement practices such as brush control on juniper, big sage, mesquite and shinnery oak. The Department would like to continue to work closely with the BLM on AMP's that could impact wildlife resources.

We appreciate the opportunity to comment on this DEIS. Should you have any questions, please contact Mark Watson, Habitat Specialist, of my staff at 827-1210.

Sincerely,



Jerry A. Maracchini, Director

JAM/MLW

Encl.

Xc (w/o encl.)

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