



Soda Mountain Wilderness Council

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Re: Public Comments on the BLM's Draft Programmatic EIS for Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States and Draft Vegetation Treatments on BLM Lands in 17 Western States Programmatic Environmental Report.

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Founded in 1986, the Soda Mountain Wilderness Council's ("SMWC") primary mission is to protect and promote wildlands in the region which now includes the Cascade-Siskiyou National Monument. Here the globally significant Siskiyou Mountains join the Cascade and Klamath ranges in southwestern Oregon state. For the last several years, SMWC has worked for the creation and protection of the Cascade-Siskiyou National Monument as well as protection of the surrounding area. It has become quite clear that one of the most significant threats to the health and integrity of both the wild and not-as-wild lands within the Monument is the invasion of non-native invasive weeds. See Cascade-Siskiyou National Monument Proposed Resource Management Plan/Final Environmental Impact Statement (February 2005) at 75 ("The spread of noxious weeds is a problem throughout the monument, particularly in the Diversity Emphasis Area."). Unfortunately, and as you well know, this Monument is far from unique on western public lands in its role as a host to noxious weeds. It is of the utmost importance that the Bureau of Land Management ("BLM") develop an effective strategy to combat and prevent the spread of invasive species throughout the west.

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Unfortunately, because both the draft environmental impact statement ("DEIS") and programmatic environmental report ("PER") fail to adequately address the *causes* of invasive species problem (-- instead opting to focus on methods to treat areas already invaded by weeds), the BLM has not yet created a successful strategy to deal with one of the West's most rampant causes of environmental degradation. For this reason, SMWC submits the following comments to encourage the BLM to rethink their approach so that BLM will come up with an effective



solution to the problem of invasive weeds, rather than causing additional environmental problems by overconfidently applying herbicides to our public lands indiscriminately.¹

3 The BLM states that one of the goals of the proposed analysis in the DEIS is to “improve ecosystem health by controlling weeds and invasive plant species and managing vegetation to benefit fish and wildlife habitat, improve riparian and wetlands areas, and improve water quality in priority watersheds.” Overview of DEIS and PER, *available at* <http://www.blm.gov/nhp/spotlight/VegEIS/> (last visited January 28, 2006). However, the BLM hamstrings itself (to the detriment of the public lands) by focusing only on herbicides and other treatments, rather than the primary vectors that cause the spread of invasive weeds (including roads and livestock grazing). To achieve the stated goal that is quoted above, it is imperative that BLM focus on the primary causes of the invasive weed problem. In addition, the BLM should not give short shrift to passive treatments that can be used as effective treatment methods, and which do not have the negative ecosystem and human health issues associated with herbicides.²

5 Indeed, the National Environmental Policy Act (“NEPA”) demands such an approach. Known as the Magna Carta of Environmental Law, NEPA creates a procedural mechanism by which federal agencies can analyze the impacts of proposed projects that may impact the environment. It is simply irrational for an agency to seek to “improve ecosystem health by controlling weeds and invasive plant species and managing vegetation to benefit fish and wildlife habitat, improve riparian and wetlands areas, and improve water quality in priority watersheds” without analyzing means to curb the introduction of invasive weeds (before the spread happens) and without fully analyzing the benefits associated with passive treatments of invasive weeds. 6 By opting to analyze only the types of herbicides that can be used on public lands, the BLM has illegally narrowed the purpose and need of the DEIS in an attempt to limit the consideration of reasonable alternatives, such as management of the vectors and passive treatment of invasive weeds. 7 Moreover, “agencies shall insure the professional integrity, including scientific integrity, of the discussions and analyses in environmental impact statements,” 40 C.F.R. § 1502.24, and thus the BLM is required to look at all methods (deemed scientifically viable) to cure the rampant spread of invasive weeds. 8 The single track approach that the BLM has utilized in the DEIS and PER quite frankly ignores the large quantity of scientific literature that identifies

¹ The adverse impacts to human health and the environment caused by the application of herbicides is well documented in the scientific literature described in public comments submitted by several organizations, including the Sagebrush Sea Campaign et. al, and those comments are incorporated by reference herein.

² The BLM would not even need devote its finite resources to analyze risk assessment methodology that assesses the human health and ecological risks associated with herbicides if the agency focused its efforts on preventing the spread of invasive weeds in the first place.

management of the causes of the spread of invasive species as the necessary focus in order for eventual curtailment of weed invasion.

The BLM has long recognized that livestock grazing leads to the invasion of nonnative plant species, especially on a sensitive ecosystem such as the Cascade-Siskiyou National Monument. See, e.g., CSNM Proposed RMP/FEIS at 75 (“Livestock are one vector associated with the spread of noxious weeds; livestock disturbance may increase site receptiveness to noxious weed invasions; and livestock movement through areas may also contribute to weed spread.”); Id. at 76 (“Cattle can reduce the forage available for native species, and can reduce ground cover that may serve as habitat for various species.”); Id. (“The literature indicates that direct and indirect livestock impacts can influence plant composition and, consequently, the relative abundance of weeds.”); Id. (“Cattle grazing can influence populations of these rare objects [special status species], either directly from grazing or trampling, or indirectly from the successional changes described above.”); Id. (“Grazing by ungulates can directly affect stream temperature through the alteration, reduction, or elimination of streamside vegetation that shades the stream.”). Therefore, the BLM is legally obligated to revisit its approach to control invasive weeds and nonnative plant species and consider vectors that cause the spread of invasive weeds (such as livestock grazing).

The BLM has also acknowledged and witnessed that passive treatments (such as resting land from livestock grazing) can effectively heal an ecosystem that has previously been invaded by various weeds and nonnative species. The former Box-O Ranch property, approximately 1200 acres within the Cascade-Siskiyou National Monument, serves as an excellent example of a passive treatment success story that BLM has made happen.³ The former Box-O includes a 2 ½ mile stretch of Jenny Creek, which was described in the presidential proclamation creating the Monument as biologically significant because it serves as habitat for diverse freshwater snail species and two native fish species, redband trout and Jenny Creek Sucker, both of which are BLM special status species. For years, the former Box-O had been devastated by livestock grazing. The riparian areas along Jenny Creek were virtually destroyed by over-grazing and by historic channelization efforts done to facilitate the grazing that was taking place. The BLM acquired the Box-O through a land exchange in July 1995 and has not authorized grazing on the land since in order to restore riparian habitat along Jenny Creek and to curtail the invasion of

³ The passive treatment utilized on the former Box-O crucially included, but was not limited solely to, the elimination of livestock grazing. The BLM utilized other active restoration efforts such as burning and reseeded, removal of man-made berms along Jenny Creek, and tree planting in riparian areas which, in conjunction with the elimination of grazing, contributed to the restoration benefits that have been achieved so far.

non-native plant species that had been introduced by vectors such as livestock. The BLM has also decommissioned roads in order to meet these objectives.

The on-the-ground results of this passive treatment system (in combination with the active restoration measures described above) have been astounding. The Monument Manager has testified that “since BLM’s acquisition of the [Box-O] and the removal of livestock grazing, streambanks have begun to stabilize and riparian vegetation has experienced remarkable growth.” Jennifer Walt & The Box D Ranch v. BLM, OR-110-01-02 (Appeal of Proposed Decision Dated June 27, 2001, Denying Request to Graze Cattle on the Former Box O Ranch, Ashland Resource Area, Ashland, Oregon) (Aug. 31, 2005) at 9. The BLM has repeatedly denied requests to graze the Box-O lands, given the improvements they have seen during the rest period. In fact, the Monument Manager stated that “[r]eintroducing livestock could impede the recovery of plant communities which have been dominated by non-native annual species, slowing the recovery of native perennial species Reduction in abundance of these species through grazing would further allow for the advancement of weed species already known to be present.” Id. at 13. It is the hope of SMWC that the BLM take success stories, such as progress toward recovery on the former Box-O, into account when determining the extent to which passive treatments (such as resting from livestock grazing and decommissioning of roads) should be emphasized as an alternative treatment method.

In conclusion, SMWC urges the BLM to rethink their approach to preventing the invasion of noxious weeds throughout the 17 western states. The only rational solution to this problem is an approach that focuses on controlling the causes of the spread of invasive species, rather than on a treatment regime to be utilized after-the-fact. It is the hope of SMWC that the BLM take into account the successful use of passive treatments, such as the elimination of livestock grazing and the closing and decommissioning of roads and vehicle routes, to control the spread of invasive species so that our public lands will not be further degraded by the overconfident and indiscriminate use of herbicides.

Sincerely,

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