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**RE: Draft Environmental Impact Statement (EIS) on Vegetative Management on Bureau of Land Management (BLM) Lands**

Dear Mr. Amme:

On behalf of its' membership in all 33 of the state's counties as well as members in 14 other states, the New Mexico Cattle Growers' Association (NMCGA) submits the following comments on the above captioned document.

**NMCGA supports Alternative B.**

New Mexico and Western ranchers primarily use BLM lands to graze livestock. Ranchers combine the permits to graze on BLM lands with their own privately owned property and often state owned lands to form a ranching unit. Generally the BLM lands are interspersed with private and/or state property, and the BLM allotments are necessary for the continued viability of the ranch unit.

Proper vegetative management on BLM lands is crucial to their long term health, and to the survival of the grazing industry in New Mexico and the West. Problems facing the BLM are staggering. These lands in many cases are overcome by excessive fuel loads and noxious plant species. The BLM states that noxious weeds dominate more than 35 million acres of federal lands, increasing at a rate estimated at more than 4,000 acres per day. The wildfires that have run rampant throughout BLM lands over the past few years attest to the fuel build-up and the dangers that such a build-up present.

These problems are so overwhelming that BLM needs to be able to make full use of all of the tools at its disposal. The issue is so immense that it cannot be adequately addressed in the short term. Alternative B provides the best option for the agency to reduce the spread of invasive plants and to reduce fuel loads on its lands.

Adoption of any other Alternatives (A, C, D, or E) would be inefficient and ineffective.

Alternative A is the No Action Alternative, which would maintain current control measures and programs. Given the rate at which noxious weeds are taking over the federal lands, much more is required if the situation is to be reversed. Clearly, the status quo is not a viable option.

Herbicide use is an important and effective tool for vegetative management, and BLM cannot tackle the enormous challenge it faces without it. The herbicides that BLM uses and proposes to use pursuant to Alternative B have undergone extensive review and scrutiny by the Environmental Protection Agency (EPA) in the registration or re-registration process, and have been found to be safe and effective for use. Potential risks are factored into the registration review process and are taken into account in developing a label for pesticide use. There is no evidence that any of the products used or proposed to be used by BLM pose human health risks when used in accordance with label instructions. Herbicides used in accordance with label instructions should not produce any potential risks that exceed acceptable safe levels for human health.

The EIS cites potential risks from accidental spills and spray drift. By their very nature, accidents are the unplanned exception rather than the norm, and cannot reliably be factored into risks. Spray drift issues are concerns to farmers and ranchers growing crops within or adjacent to BLM lands, but these issues can be addressed on a site specific basis. For example, other methods of control might be employed along the

boundaries to agricultural fields. The unfettered invasion of harmful weeds onto agricultural lands and the increased threat of wildfire that could result from no herbicide use is more of a threat to such operations than possible drift issues that can be addressed locally. Alternative C (No Herbicides) is therefore not a viable option.

Aerial spraying is also a necessary tool for BLM in the fight against harmful invasive or noxious weeds. There are many large areas within the federal lands that are infested with invasive or noxious weeds where the only effective treatment is aerial spraying of herbicides. These herbicides can be safely applied in large, relatively isolated areas.

There will be areas where aerial spraying may not be appropriate and should not be used. Other types of control can be employed in such areas on a site specific basis. Aerial spraying of herbicides should not be arbitrarily denied, however, in areas where it is safe and where it is the most effective form of treatment. It is important for BLM to have all its tools available to address the daunting challenge of reducing invasive and noxious weeds and reducing fuel loads on lands under its jurisdiction. The fact that some tools might not be appropriate in some places is not a reason to arbitrarily eliminate them altogether. Alternative D should not be adopted.

Likewise, Alternative E is not an effective alternative. It incorrectly assumes that ALS inhibitors are inappropriate in all cases. As with aerial spraying, there will be situations where the use of these products might not be appropriate. There are, however, many situations where such materials can be used safely and effectively with minimal or no risk. As with the other alternatives, any problem areas can be addressed on a site specific basis—it is no reason to exclude the use of these products altogether.

There are other issues with Alternative E that cause us concerns. Spot treatments may be appropriate in some situations, but should not be featured to the exclusion of other effective tools such as broadcast applications.

Likewise, Alternative E features “passive” treatments such as restrictions on livestock grazing, logging and recreational use rather than “active” treatment methods. Passive management methods such as the restrictions suggested under this alternative are never more effective than active management. This is especially true in this situation, where fuel loads and invasive and noxious weeds are increasing at a rapid pace. One of the primary goals of vegetative management is to reduce the risk of wildfires. With heavy fuel build-up in many areas, active management is the only way to reduce those risks.

In addition, some of the very restrictions that would be imposed are themselves tools to manage vegetation to accomplish the goals sought to be achieved. Livestock grazing is recognized as an effective means to reduce fuel loads and to reduce harmful invasive and noxious weeds in specific areas. In fact, livestock have been used in many areas specifically for such purposes. Any management regime that restricts livestock grazing may actually be counterproductive and inconsistent with sound vegetative management.

In fact, we suggest that livestock grazing should be more prominently considered in the final EIS as an integral tool for reducing fuel loads and managing harmful invasive and noxious weeds on BLM lands. Cattle, sheep and goats provide an ecologically safe and effective way to manage vegetation.

Using livestock grazing as a way to reduce fuel loads and harmful noxious weeds might also provide an economical and efficient solution to the issue of what to do with livestock when allotments are being restored or treated. Using livestock in this beneficial way could provide a “win-win” situation for both ranchers and for the environment. This option should be better developed in the final EIS.

Other issues that were not prominently addressed in the Draft EIS that should be part of the Final EIS include the following:

1. **BLM should consider how it will carry out its multiple use mandate during treatments under this plan.** The proposal to increase the area of treatment has the potential to disrupt or displace existing uses, such as livestock grazing. Suspension of grazing permits for the 2-3 years required

for range restoration work could result in many livestock producers being forced out of business. Any proposals in the EIS that consider displacement of livestock grazing permits for any period of time must also consider ways to keep allotment owners in business during the time that their allotments are treated. These proposals could include providing alternative pastures for grazing during the time that an allotment is being treated, using vacant allotments for alternative use, using an allotment owner's livestock to control weeds or reduce fire loads in a nearby sector, or other creative ways to maintain stocking rates and livestock grazing.

2. **The EIS Should Address Coordination with Adjacent Landowners and Other Federal Agencies.** Noxious weeds do not respect land ownership or land management boundaries. Responses to controlling or eradicating these harmful weeds should likewise know no boundaries. Coordination with adjacent landowners is essential if noxious plants are to be effectively controlled.

This also applies to coordination with other federal agencies. Coordination among federal, state and local agencies is crucial if headway is to be made in the battle against noxious and invasive weeds. Adjacent landowners also become a key component of such coordination.

For example, the Animal & Plant Health Inspection Service (APHIS) has published for public comment a Draft Action Plan on Noxious Weeds. Like the BLM document, the APHIS draft does not mention coordination with BLM or other agencies in implementing its action plan. NMCGA submits that BLM and APHIS must work together on both of these plans if either one is to be effective. NMCGA suggests APHIS work with BLM and that the BLM work together with APHIS and other agencies.

The EIS should require such coordination and cooperation, and factor it into all of the proposed alternatives. It is an essential step in any management plan.

NMCGA appreciates the opportunity to provide comments, and hope that you will take them into consideration in developing a Final EIS. NMCGA looks forward to working with the BLM to develop an effective and efficient vegetative management strategy.

Sincerely,

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