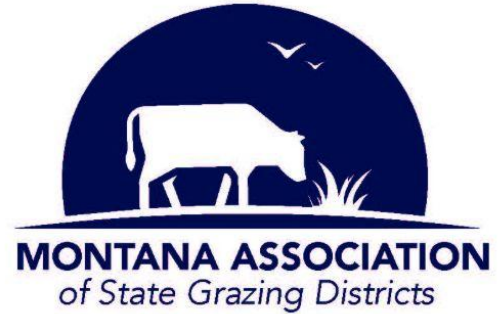


September 28, 2021

Tom Darrington
Bureau of Land Management
Malta Field Office
501 South 2nd St. East
Malta, MT 59538



**RE: Comments regarding American Prairie Reserve Bison Change of Use
DOI-BLM-L010-2018-0007-EA**

Dear Mr. Darrington:

Thank you for the opportunity to comment regarding the American Prairie Reserve (APR) application for Bison change of Use DOI-BLM-L010-2018-0007-EA. The Montana Association of State Grazing Districts (MASGD) represents livestock producers who are members of a cooperative grazing district.

Montana alone has a statutory network of State Grazing Districts cooperative areas of diverse ownership that allow for the greatest use of range forage while conserving limited natural resources. Grazing districts are non-profit, cooperative associations of ranchers and farmers who raise livestock. The Montana Grass Conservation Act of 1939 organized these cooperative grazing areas into 26 districts-which include federal grazing lands mingled with state, county and private lands-encompassing more than 10 million acres. Today there are 29 total districts, concentrated in the eastern part of Montana.

Are bison legally eligible under the Taylor Grazing Act? Our organization has concerns regarding the legality of bison's grazing eligibility under the Taylor Grazing Act. This is a concern that has been raised to the Bureau of Land Management (BLM) in previous comment periods and to date, the BLM has not addressed this concern. We ask for this to be addressed regarding this EA.

Our organization believes Alternative B's recommendation to change the class of livestock from cattle to bison is a direct violation of the Taylor Grazing Act (TGA). There have been very few changes that have occurred to the TGA since its passage in 1934. Listed in 43 CFR 4100.0-3 (a) provides authority to execute grazing administration of public lands exclusive of Alaska. The specific species including domestic livestock are defined as cattle, sheep, horses, burros, and goats. Bison or indigenous bison are not an included species. In recent years, the *Repurposing of Federally-Reserved Taylor Grazing Districts for Wildlife Rewilding: A Statutory, Administrative and Legal Analysis*, commissioned by the Montana Natural Resources Coalition, clearly outlines the TGA purpose and does not find bison to qualify for grazing on TGA lands.

Why is an Environmental Impact Statement (EIS) not being conducted? As Montana's only organization representing cooperative grazing district members who graze on public lands, our members are very familiar with the EA, EIS, and permit processes. We feel this draft EA is not adequate and ask that an EIS be conducted due to the magnitude of the request and the landscape impacts that will occur through Alternative B. An EIS will also better address the issues that have been omitted in this EA surrounding the impacts to the rangeland health, riparian areas, and socioeconomic impacts to rural Montana and the livestock industry.

What change within the BLM has occurred to not follow the terms of the MOU? The Montana Grass Conservation Commission, the regulatory arm of grazing districts, signed an MOU with the BLM in 2003. This MOU outlines cooperative steps to follow to allow for an atmosphere of cooperation and mutual trust. Additionally, the Phillips County Grazing District also holds a similar MOU with the BLM. Neither the MGCC or the county grazing district have been consulted and coordinated with to resolve management issues and conflicts. We believe these MOU should be recognized by the BLM.

If fencing is considered a rangeland improvement, how does fence removal have no significant impact? Although we have documentation that leads us to believe many of the fence changes outlined in the EA have already been done without an EA, it is unclear in the EA how reduction and removal of fences have no significant impact, do not reduce carrying capacity, or improve the rangeland. For decades, such improvements, like fencing, enhance or improve livestock grazing management, improve watershed conditions, enhance wildlife habitat, or serve similar purposes. Allowing removal of fences goes against science-based standard range management practices and this EA does not provide justification on how the range will be improved.

If APR's bison are non-consumptive, how does this not have an economic impact? The economic analysis in this EA is deficient and does not clearly analyze the effects of removing cattle, raised for consumptive purposes, and changing to bison, a conservation animal. Cattle grazing on federal grazing allotment have a commercial purpose, resulting in a larger and more significant economic impact than what is suggested in Alternative B, where bison serve as a conservation mission. The bison enterprise budgets used in the EA are for production/commercial purposes and therefore should not be used in comparison to bison for conservation. A full economic and socioeconomic impact study must be completed before impact can be determined.

The Grazing Districts would like to thank the BLM for the opportunity to submit comments regarding this draft EA. Alternative B raises significant concerns for our association and we ask for an EIS to be conducted. Additionally, we encourage the BLM to provide responses to the many issues raised by MASGD and the other agricultural, grazing, and livestock organization who have commented regarding the dramatic changes in direction Alternative B recommends from the science-based range management practices, range improvements guidelines, and Taylor Grazing Act principles that have been in place for decades.

Sincerely,



Montana Association of State Grazing Districts