



Public Employees for Environmental Responsibility

962 Wayne Avenue, Suite 610 • Silver Spring, MD 20910

Phone: (202) 265-PEER • Fax: (202) 265-4192

Email: info@peer.org • Web: <http://www.peer.org>

PEER Comments on Grand Canyon National Park Initial Herd Reduction Environmental Assessment

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Preliminary Observation

Public Employees for Environmental Responsibility (PEER) applauds the emphasis within Grand Canyon National Park's *Initial Herd Reduction Environmental Assessment* (May 2017, hereinafter "EA") on removing the House Rock Bison Herd from Grand Canyon National Park ("GCNP"). This action will begin to reduce the continued impacts to critical natural and cultural resources, as well as wilderness values, which have suffered from over ten years of destructive occupation by this hybrid herd of bison ("cattalo").

In addition, PEER agrees on the importance that removal begin as soon as possible and that actions taken to do so must not compromise, any further, these valuable park resources.

Nonetheless, PEER has a number of concerns with the premises upon which this plan appears to be based, its scope, and how it is proposed to be executed:

I. Long-Term Management Plan Is Inappropriately Deferred

A. Danger of Short-Term Becoming Long-Term

While the EA posits that it is restricted to consideration of "short-term management" options,¹ the lack of any identified process for even beginning to address long-term management risks the short-term evolving into GCNP's long-term posture.

Indeed, the EA itself suggests this possibility when referencing "future management" of the herd "inside and outside the park."² (Emphasis added) Furthermore, since GCNP is, at the moment, eschewing fertility control or other methods of limiting the size of the remnant herd remaining inside the park, within a few years that herd will again grow to levels which unacceptably destroy park resources.³

¹ EA at p.35 declares any "decision about long-term management...outside the scope of this environmental assessment."

² EA, p.30

³ EA, ps. 35-36

PEER strongly urges GCNP to begin planning for the long-term as soon as this short-term decision is finalized. It should not wait for the end of the three-year short-term period to beginning to plot next steps.

B. Three Years Too Wide a Window

The EA suggests that implementation of the herd reduction will take three years but provides no timeline. The EA also estimates the current size of the herd as “between 400 and 600” animals⁴ and offers a preferred alternative “to develop a plan to reduce” this number “to fewer than 200 animals.”⁵

It is not clear why it would take three full years to reduce this herd by two-thirds but far longer (i.e., “long-term”) to eliminate it altogether.

PEER urges GCNP to limit this short-term period to one or, at most, two years during which it would or should have developed its long-term management plan.

II. The Hybridized Herd Should be Completely Removed from GCNP

The EA appears to skirt the controversy raised by the conclusion of last year’s highly-criticized Plumb report” that these cattalo are wildlife, native to GCNP.⁶ While evading this topic, the EA instead makes the specious argument that this herd “were and remain bison” while admitting that “cross-breeding” of this herd with “cattle occurred extensively.”⁷ The EA also concedes that there is no tribal history or cultural connection to bison anywhere “near the North Rim of the Grand Canyon.”⁸

There should be no disagreement that these hybridized animals were imported into the park environs and are not wildlife native to it. Rather than accepting this premise, the EA glosses over the fact that this hybridized herd is an introduced or exotic species to GCNP.

A. EA Conflicts with GCNP Planning Guidance

The EA also ignores GCNP’s own 2010 Foundation Statement for Planning and Management which declares –

⁴ EA, p.1

⁵ Id.

⁶ Plumb, G. E., M. Sturm, C. McMullen, G. Holm, C. Lutch, C. Keckler, A. Gatto, A. Munig, and R. Wallen 2016 “Grand Canyon Bison Nativity, Genetics, and Ecology: Looking Forward.” Natural Resource Report NPS/NRSS/BRD/NRR—2016/1226. Fort Collins: National Park Service.

This 2016 version succeeds an uncited 2015 version (Plumb, G.E. 2015. Grand Canyon Park Bison Technical Assistance Report, on file at NPS Biological Resources Division, Fort Collins, CO.) which the Park Service withdrew rather than defend.

Because (*inter alia*) the Plumb report reaches the unsupported conclusion that these hybridized animals should be considered native wildlife to GCNP, PEER strongly urges that any references to it be stricken from this EA, as well as from all future CGNP planning documents.

⁷ EA, p.12

⁸ EA, p.11

“Nonnative bison/cattle hybrids entered the park ca. 2000, and are believed to be impacting North Rim native plant communities.”⁹

Even the Arizona Game and Fish Department (“AGFD”) finds that “these animals are not native to Arizona.”¹⁰

B. National Park Service Policies Dictate Removal of Entire Herd

The EA also ignores the provisions of the National Park Service (“NPS”) Management Policies regarding management of exotic species.¹¹ The EA makes passing reference to these policies but does not explain their direct application to the issue at hand.¹²

These policies define “exotic species” as “those species that occupy or could occupy park lands directly or indirectly as the result of deliberate or accidental human activities.”¹³ That definition unquestionably fits the Grand Canyon cattalo.

Those policies further provide that –

“All exotic plant and animal species that are not maintained to meet an identified park purpose will be managed – up to and including eradication – if (1) control is prudent and feasible, and (2) the exotic species

- interferes with natural processes and the perpetuation of natural features...or natural habitats, or...
- significantly hampers the management of park or adjacent lands...”¹⁴

These policies read as if they were written with this hybridized exotic herd in mind.

Nor is there any support for the notion that an exotic species can become a native species to a national park over time. Even if there was support for that transformation, it certainly would not occur over such a short time scale from their introduction in 1906 to present day.

Although the NPS Management Policies do not explicitly distinguish between migrant or transient species versus resident native species, they do state that “Native species in a place are evolving in concert with each other.”¹⁵ There is no evidence that these cattalo are evolving “in concert with” the native flora and fauna. To the contrary, the mounting data documents a disturbing accumulation of deleterious impacts from this hybrid herd on both natural and cultural resources within GCNP.

Lastly in this regard, there is no indication that NPS Management Policies were waived or set aside to accommodate allowing this exotic herd to remain in GCNP. Absent such a waiver, the EA should acknowledge the application of these policies to the cattalo herd. Moreover, these

⁹ <https://www.nps.gov/grca/learn/management/upload/grca-foundation20100414.pdf>, p16

¹⁰ AGFD. 2015. Hunt Arizona 2015 Edition: Survey, Harvest and Hunt Data for Big and Small Game, p144

¹¹ See NPS Management Policy 4.4.4.1

¹² EA, p.4

¹³ NPS Management Policy 4.4.1.3

¹⁴ NPS Management Policy 4.4.4.2

¹⁵ NPS Management Policy 4.4.1.3

policies should frame the “long-term” (after three years) management toward the goal of complete elimination of this serious and growing resource conflict.

III. Herd Size Questionable

The EA’s preferred alternative is based upon an up to 200-animal threshold.¹⁶ This particular threshold appears to assume that GCNP will be able to continue to manage and maintain this number of animals in the park (or on the Kaibab Plateau).

A. Basis of This Threshold Unsupported

In little more than two pages, the EA reaches the conclusion that the park can sustainably manage a cattalo herd of between 80 and 200 animals for a period of three years, and perhaps longer. However, the EA does not present any data about population-specific demographic parameters such as birth, death, immigration, and emigration rates. It is unclear how any reliable population viability analysis could be developed absent such data.

Moreover, the EA does not include any reference to planned culling levels, without which it is difficult to develop a reliable assessment of viable population. In addition, the EA contains virtually no information estimating ongoing herd damage to sensitive and rare flora or to impacted sources of water – except to assume that these impacts will be less than present.

In short, the EA appears to propose a herd-level that fits a pre-decided conclusion rather than one flowing from a credible scientific analysis.

B. No Detail on How to Monitor or Maintain Herd Size

The EA is also unclear on how GCNP will determine when the desired population level for its short-term plan is reached. Nor is it explicated by what method GCNP will determine whether, or how extensively, culling will be needed.

IV. No Guarantee Removed Cattalo Will Not Return

The EA is striking in the absence of a commitment from the NPS’ partners, the U.S. Forest Service (“USFS”) and AGFD that any remaining cattalo relocated to the House Rock Wildlife Area (“HRWA”) remain there and do not return to GCNP. Nor is there any provision for ensuring the execution of the North Kaibab National Forest Plan provisions relating to these hybrids.

Similarly, the EA does not describe any steps promised by AGFD to prevent return of the cattalo to GCNP. The EA, in fact, mentions that –

AGFD “plans to restart a subpopulation of bison with site fidelity to the House Rock Wildlife Area and to use adaptive management strategies, including habitat management and a revised bison hunt structure outside the park to maintain most of the House Rock bison herd on USFS lands year-round.”¹⁷

¹⁶ EA, ps. 17-19

¹⁷ EA, p.5

This new state game preserve scheme may be fraught with peril of these animals fleeing the killing fields back into the park, thus recreating the present situation. After all, the current cattalo infestation of GCNP began from a herd owned and controlled by AGFD.

Since these animals are within the jurisdiction of the AGFD once they have left the park, AGFD should bear some responsibility for securing a solution to a problem it had a major role in causing, as well as take steps to reliably prevent its recurrence. Those necessary preventative measures are not spelled out in this EA.

To the extent that the EA positions NPS to “go it alone” without active participation or commitment of resources from these partners, the plan risks failure caused by the unchecked re-migration of animals removed from GCNP but again seeking safety from hunting outside the park. It also has NPS footing the entire bill for actions that financially benefit AGFD.

V. Wilderness Values Sacrificed

The EA acknowledges that “Nearly all of the North Rim is included as recommended wilderness and is referred to throughout this environmental assessment as ‘wilderness.’”¹⁸ This means that the actions recommended in the EA will take place almost entirely on lands recommended for wilderness designation.

Despite nodding recognition of the need to preserve wilderness values on these lands,¹⁹ the EA’s preferred alternative would do much to compromise these values. Rather than leave these wilderness areas untrammled, the preferred alternative would robustly trammel them by, among other things, authorizing –

- Extensive use of helicopters both to haze the cattalo²⁰ but also to collect carcasses;²¹
- Heavy use of motorized vehicles;²² and
- Construction of corrals²³ and fencing.²⁴

In short, the preferred alternative would employ an “all-of-the-above” approach to removal with little consideration for wilderness values. The EA does not explain why any structures, such as corrals, should be placed within recommended wilderness.

In addition, mechanized hazing, both on the ground and from the air, may prove counterproductive, by driving spooked animals, scattered into small groups, deeper into inaccessible areas.

¹⁸ EA, p.61

¹⁹ EA, p. 9

²⁰ EA, p.76

²¹ EA, ps.25-27, p.103

²² EA ps. 26-7

²³ EA, p.22

²⁴ EA, p.32

VI. Partnership Opportunities Ignored

Since the EA contemplates giving away the removed animals,²⁵ why does it not invite those who would benefit from these gifts to help reap them?

For example, private bison ranchers with experience moving herds have expressed interest in helping round up the North Rim cattalo. Why not take these ranchers up on their offer to drive these animals away at private expense for private profit?

Similarly, AGFD has raised and will continue to raise considerable revenue from sale of licenses to hunt these animals. Yet, AGFD has no apparent role in paying for the steps required to move these animals to lands where its licensed hunting would be conducted. AGFD should be required to shoulder some of the expense for the actions that will provide it with direct and substantial fiscal benefits.

Finally, while tribes are consulted on this EA, none were apparently asked if they would be interested in participating in the removal of these animals for their own use.

Instead, NPS and GCNP are bearing the entire cost and resource expenditure for a course of action where others will likely benefit without asking for any contribution in return.

VII. Removal Should Be Exhausted before Culling

The EA states that “both nonlethal and lethal culling [will occur] simultaneously.”²⁶ The EA does not elaborate on why this decision was made. Nor does it examine whether lethal removals – causing high levels of stress and anxiety among the animals – will make non-lethal removals more difficult.²⁷

PEER urges GCNP to adopt a posture that culling activities should only be allowed when live capture is no longer viable or when animals are located on Powell Plateau or the western/southwestern points during the winter months. This means that lethal alternatives should not be used until the full range of nonlethal means have been explored and evaluated.

The highest priority should be live removal using baiting and corralling. It is a proven technique that can garner hundreds of captures. This method would most effectively must take place near water supplies, such as the existing Little Park Lake, or other catchments or tanks. As such, areas just outside the park boundary (on USFS lands) would be ideal corral locations.

Moreover as noted above in our Comment V, GCNP to limit corralling sites within the park to disturbed areas (outside of recommended wilderness).

An alternative to culling in the park would be to live-capture a determined amount of animals, transport them to the HRWA, release them in a fenced portion of the 60,000 acres (i.e., 25,000

²⁵ EA, p.20

²⁶ EA, p.18

²⁷ Although the EA does point out that excessive noise could frustrate *lethal* removal because the animals “may disperse as a result of the discharge of firearms.” (EA, p.76) For the same reason, lethal removal by shooting animals will likely make non-lethal gathering problematic.

acres), and conduct a special hunt. The 25,000 acre fenced area is comparable in size to the confined space that they now occupy in the park. Because of the open space and rough terrain, this area would allow for much more of a fair-chase hunting experience than currently exists along the park boundary. Moreover, it is a place where for more than 70 years this type of hunting opportunity has existed.

VIII. Carcasses Should Be Left for Scavenge

If lethal culling is utilized, then any resultant carcasses should not be removed by mechanical means (particularly inside recommended wilderness) and should be left for scavenging or decay.

As noted above in Comment V, the EA makes mention of carcass retrieval by helicopter, ATVs and even snow-mobiles. Yet the EA also states that “Organ and gut piles may be left in the field for scavengers such as the California condor.”²⁸ Thus, the EA is unclear as to what will be left in the field and what will be removed – and by what means.

If culling is conducted, it should be done in the late fall to encourage scavenging by condors and only in limited numbers, such as 5 to 10 per-year. Leaving a limited number of entire carcasses could encourage condors to remain in the area.

IX. Lead-Based Ammunition Should Not Be Used for Culling

The EA lists “lead poisoning from ingestion of bullets/pellets in hunter-killed carcasses” as one of the major threats to California condors in the park.²⁹ For that reason, lead-based ammunition should not be allowed for cattalo culling. Instead, non-lead-based ammunition should be required for any lethal culling inside the park if there is any possibility of scavenging.

X. Alternatives Inappropriately Dismissed

As noted in Comment I above, the decision to truncate the scope of this EA to short-term measures artificially and imprudently excludes consideration of measures that GCNP should start examining sooner rather than later. Besides complete removal of the cattalo herd from the park, other measures that the EA excludes from consideration³⁰ deserve another look, including:

- **Reintroduction of Wolves.** Unlike the cattalo, the Grand Canyon is within the historic range of the Mexican gray wolf.³¹ The two reasons stated in the EA for not considering this reintroduction are both less than compelling. First, it notes that the “action area is outside the experimental population boundary for the Mexican gray wolf” but that is a political reason, not an environmental reason for precluding further consideration.³² As in Yellowstone National Park, NPS has the power to reintroduce wolves into park units within their historic range. Next, the EA argues that wolves are not a “predictable population reduction tool” as if that is a reason to ignore its potential.³³ The EA’s preferred alternative is replete with hazing and culling techniques which lack reliably

²⁸ EA, p.25

²⁹ EA, p.56

³⁰ EA, ps.35-37

³¹ See <http://mexicanwolfeis.org/about/range/>

³² EA, p.36

³³ Id.

“predictable” results. At the same time, the EA concedes that “wolves are important components of management of healthy ecosystems” – something to which GCNP should aspire, not shrink from.³⁴

- **Capture and Removal Alone.** The EA declares that this stand-alone alternative “would take too long or be too difficult to implement in a timely fashion.”³⁵ The EA provides no reasoning or evidence to support this conclusion. Moreover, the choice of a preferred alternative featuring a mix of techniques also carries with it uncertain prospects of success. Instead, it appears that GCNP is using the self-created need for speed (caused by its own multi-year delay in settling on a strategy) as the basis for shirking its National Environmental Policy Act responsibilities to objectively consider alternatives.³⁶
- **Fertility Control.** This alternative appears to have been discarded because GCNP lacks experience with this tool or, in the words of the EA, “sufficient understanding of the behavior and distribution” of this herd.³⁷ This absence of knowledge should be a reason for GCNP to undertake more review rather than less or none at all.

Moreover, it is questionable for GCNP to exclude fertility control from the entire range of options. The park should at least consider whether this approach has any – even if limited – utility in combination with other measures.

Regardless of what GCNP decides to do in the short-term, its longer-range management planning should revisit all of these discarded alternatives.

XI. Visitor Experience Factor Misapplied

The EA’s discussion of visitor experience suggests that reducing the cattalo herd may diminish the visitor experience.³⁸ That suggestion assumes that these animals should be part of the visitor experience.

National parks are not zoos. Nor is it their mission to provide habitat to exotic animals, no matter how much park visitors might enjoy seeing Bengal tigers or hippopotami in a U.S. national park. Similarly as detailed above, these hybridized cattalo are plainly not wildlife native to the park and should not be part of the Grand Canyon visitor experience.

XII. Irrelevant to Interior Bison Strategy

The EA makes an oblique reference to “furthering DOI [Department of Interior] initiatives” relative to bison.³⁹ Those initiatives are contained in a 2014 document entitled “DOI Bison Report: Looking Forward.”⁴⁰

³⁴ Id

³⁵ Id

³⁶ 40 CFR 1502.14

³⁷ EA, ps. 35-36

³⁸ EA, ps.11 and 64

³⁹ EA, p.77

⁴⁰ Department of the Interior. 2014. DOI bison report: Looking forward. Natural Resource Report NPS/NRSS/BRMD/NRR—2014/821. National Park Service, Fort Collins, Colorado.

Notably, that report does not lay out any role in DOI's national bison strategy for what it calls the Grand Canyon herd of "cattalo."⁴¹ This is due to the herd's "high level of cattle gene introgression," concerns about ecological damage to park resources from the introduced hybrids, and absence of a management plan stemming from a lack of consensus about the appropriateness of these animals remaining "on the park and adjacent lands."⁴²

In short, the Grand Canyon cattalo herd plays no discernable part in the DOI national strategy for bison management or for the sustainability of bison in the U.S. Thus, any references to furthering DOI initiatives within the EA are misplaced.

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⁴¹ Id, at p.23

⁴² Id