Theodore Roosevelt National Park Livestock Plan and EA
Overview Document Workshop Notes
October 11-13, 2022
Rough Rider Hotel, Medora, North Dakota

A three-day workshop was held on October 11, 12, and 13 at the Rough Rider Hotel in Medora, North Dakota. The location was within walking distance to Park Headquarters. The purpose of the workshop was to review the comments on the four Overview Documents and resolve any issues. Upon conclusion of the workshop the contractor, EMPSi, will revise the Overview Documents for final review by the project team.

During the day, the in-person workshop attendees participated in discussions about the Overview Documents and resolution to comments. For an hour and a half at the end of each day, a virtual session was held to allow for participation from those that were not able to attend in person. The in-person team reported out the progress of the day and addressed any questions brought forth by the virtual attendees.

Below are the notes, in bullet form, that highlight the resolution and path forward for the comments submitted on the Overview Documents. The agenda for the workshop is included as Attachment A. In addition to discussions on the Overview Documents, the attendees developed a draft schedule and plan of action for the public scoping process.

Attendees

- In-person attendees: Angie Richman, Maureen McGee-Ballinger, Blake McCann, Bret Morton (THRO); Joe Neubauer (EQD); Aleks Pitt (Region); Holly Prohaska, Amy Cordle, Andy Spellmeyer (EMPSi)
- Virtual attendees: Nancy Finley, James Lange, Scott Carleton, Rene Ohms, Jenny Powers, Jordan Spaak (Region); Amy Duin (DOI)

Key Decisions

- Public scoping will be pushed back to December 12th; there will be a virtual public scoping meeting.
- Cattle will be the preferred nomenclature, not steer or longhorn steer.
- Alternatives dismissed will be consolidated in the EA, pending further discussion with Amy Duin.
- Remove management burden from the rationale for dismissing alternatives and refocus on NPS priorities for managing for native resources.
- Describe the history of livestock in the Park in Chapter 1. Include a definition of wildlife up front and a definition of livestock for the purpose of this EA and a statement that horses and cattle are not wildlife; there will not be a livestock section in the affected environment or environmental consequences. Also include a short description addressing the shift away from the foundation document.
- Add North Unit and South Unit labels more prominently to the maps.

- Handling facilities can be shown on the maps (they are listed as proprietary in the GIS data). This will help with describing the effects by focusing the geographic study area of roundup activities.
- Add an assessment of capacity of native species vs. livestock.
- Socioeconomics will be a separate workshop topic; may want to include a discussion of intrinsic value/non-market values and ecosystem services.
- Proposed action is Alternative C (phased removal).
- Soils to be moved to resources considered but not brought forward for further analysis. It can also be discussed in vegetation and water.
- Wilderness will be added as an issue to be analyzed.
- Contacting tribes early and often if that makes sense for this action and this park; area tribes have expressed displeasure at not being contacted early enough on other federal agency actions in the area.
- Environmental Justice should have a more in-depth dismissal analysis.
- Each current condition section should include a climate change section in trends that is called out.
- Section 106 process will be done after scoping but well before the EA is ready for public review.
- The EA should define GSA auction and should include euthanasia for horses that the Park is unable to place after multiple attempts.

Action Items

- Global changes (EMPSi)
    - Change steer to cattle.
    - Do not use feral or wild horses, just horses.
    - Capitalize Park when it is a replacement for the full park name (the Park).
    - If using an acronym, use THRO.
    - Update the name of Alternative B to Expedited.
    - Update/remove timeframes (no timeframe under Alternative A, within 2 years for Alternative B subject to operational constraints, no timeframe under Alternative C) in alternatives and when describing alternatives/ impacts.
    - Define or restate any non-plain-language terms.
    - Update current conditions to indicate that the number of horses in the Park have fluctuated. They are high now, but the No Action Alternative is to maintain a herd or 35 to 60 horses, not to reduce the herd from 200 to 35-60 though that will need to occur. Similar herd numbers were experienced in the past.
    - Update current conditions as follows- Discussing general conditions is fine, but it needs to be relevant to where the horse and cattle are located (see new cattle area and horse area maps-these encompass the “project area”. Also, the current conditions need to discuss how the 1. Cattle interact with resources in the North Unit and 2. Horses interact with resources in the South Unit. For example, in the water section provide a discussion of water quantity and quality in the general

project area and then narrow the description down to how cattle interact with water in the North Units and how horses interact with water in the South Unit.
    - Remove/replace photos of cattle.
    - Divide out impacts to show impacts in the North Unit and then impacts in the South Unit.
    - Impact clarification: All three alternatives will approach the initial helicopter gather the same way, with a goal of gathering as many horses as possible in the initial roundup. Therefore, impacts from helicopter gathers will be the same across alternatives.
    - Alternatives/Impacts: Update the timeframe language of Alternative B to reflect that the goal is to complete the removal in 2 years but that it may take longer.
    - Cumulative impacts should be addressed in trends section of current conditions, with incremental impacts included in impacts.
    - Remove any restatement of the alternatives at the start of the impact discussions.
    - Qualify the time period when using short term and long term.
    - Clarify the importance (i.e., is something is a big deal or not) more clearly in the impact analysis.
    - Move the discussion of ongoing effects of livestock and roundups from Alternative A to current conditions.
    - Address the visual impacts from helicopters in addition to the noise impacts.
    - Change "driving lanes" to "herding pathways."
    - Add a climate change section to the trends section for each resource in current conditions.
- Resources (EMPSi):
    - Wilderness: Add Wilderness as an issue to be analyzed in detail.
    - Soils: Remove soils as a resource analyzed in detail and include the discussion in other relevant resources such as water resources or vegetation.
    - Wildlife: Carry through the analyses a discussion that livestock may have similar impacts on resources as bison and wildlife ungulates, but livestock are a nonnative impact versus a natural, native species impact. Connect research articles with impacts and review the Berger citation and find more contemporary references.
    - Water: Remove fencing as a BMP; add a research article on cattle consumption of water.
    - Visitor Experience:
        - Revise the noise level table to include only related sources of sound, including helicopters.
        - Speak to the opportunity of viewing horses for a longer time period under some alternatives.
    - The Park should do an in-depth literature search for any evidence that Roosevelt wanted supported horses on the landscape.
    - Other references to include/look at: Socioeconomic (Pimentel 2007) and Vegetation (Marlow et al.)

- Other (EMPSi):
    - Request invasive plant information from Chad via Angie; check the scale of vegetation mapping data.
    - Develop cumulative impact project list for Park review.
    - Update definition of terms in paragraph on monitoring from the I&M reports.
    - GIS: Overlay horse use data with Ecological Site Description layer to show specific vegetation used by livestock as well as with the wells and springs layers.
- Newsletter:
    - Reference the civic engagement process on the Dear Friends page.
    - Revise the background section.
    - Include a definition of livestock (that will also be used in the EA), frame proposed action in terms of opportunities, dispel myths about Roosevelt considering livestock a historic resource and provide answers on why other parks can have horses but not THRO.
- Amy Duin emailed the legislative information on horse and cattle and the historic scene (completed).
- Blake: Start conversations with Region about Section 106 consultation.
- Angie: Request visitation information by unit (Table 1 of the current conditions) (completed).
- Angie: Invite Vincent Santucci (NPS paleontologist) to the next biweekly call (completed).
- Website/PEPC/FAQs: Change from livestock management plan to livestock plan.
- Park: Set up a separate project email/phone number and suspend comment function on the Facebook page.
- EMPSi and Park: Develop the PowerPoint for the virtual scoping meeting.

October 11, 2022

- Schedule/Scoping
    - The group discussed moving back the schedule for public scoping to account for staff schedules to ensure key staff are available during the start of the scoping period and to ensure there is time to prepare for the scoping meeting, time for regional/WASO review, and time to brief area tribes.
    - The group reviewed the project schedule; moving the public scoping back does not delay the NEPA schedule significantly.
    - The group discussed various scoping periods for consideration, including starting November 28 and starting January 6.
    - Region concurred with having a public scoping meeting, even though it is not required; this will be a virtual meeting.
- Purpose and Need/Chapter 1
    - The group reviewed the Purpose and Need and made some wording changes to emphasize the need to protect native resources and to remove parentheticals to make the language more concise. Parenthetical information will be addressed in the document.

- Virtual session (October 11, 2022):
    - The group reviewed the day's revisions with Regional staff. The group decided to add the bullet back to the need related to climate change resiliency.
    - Region suggested explaining the thinking around the contradiction of the foundation document saying horses were an "other important resource." A legislative review did not reveal any instances where horses were considered important resources in the founding of the Park. Amy Duin recommended that Park staff do a second review of the records to confirm the legislative review. This seeming contradiction should be addressed in Chapter 1 of the EA. The group reviewed the foundation document wording, which says the horse are important to consider in future planning.

- Alternatives
    - The group discussed the terminology of cattle vs. steer and decided to use the term cattle, defined at first use to say that cattle currently in the North Unit of the Park are longhorn steer.
    - No Action Alternative: Be careful not to equate No Action Alternative with only the current herd size. No Action is the 1978 Plan and population objectives of 35 to 60 horses. There happens to be a large number of horses at this time, but there have also been elevated numbers in the past and could be in the future. The group decided to remove a timeframe.
    - Alternative B: Rename to Expedited Reduction of Herds to No Livestock. The name of Immediate Reduction was problematic in the impact analysis. Authors used this term because it was initially the name given to the alternative but in fact removal will not be immediate. The group decided to leave in a qualified timeframe of 2 years.
    - In alternatives dismissed, the group decided to include more specific language that these alternatives do not meet the purpose and need to manage for native prairie ecosystems.
    - The group discussed alternatives dismissed and whether to combine all the alternatives that would keep horses and cattle in the Park. The group decided to leave the individual alternatives in the Overview Document to reflect the rationale for dismissing the alternatives that went out to the public and the alternatives proposed by the public. In the NEPA document we can have a more streamlined dismissal. The group will confirm this approach with Amy Duin.
    - The group decided to remove management burden from the rationale for dismissal and refocus on NPS priorities. The group discussed the need for talking points on what efforts the Park is taking to manage native prairie ecosystems, such as invasive plant management and bison and elk management under their respective plans.
    - The group discussed whether to exclude helicopter roundups under one of the alternatives like Mesa Verde did. At THRO baiting corrals is problematic because

it attracts bison. The group talked about including helicopters as another tool in the toolbox.

- The group discussed how it will be important to connect the dots for the public about why the alternatives changed between civic engagement and public scoping and why NPS is changing its focus from managing for a historic scene to managing for native ecosystems. Amy Duin oversaw a legislative review related to horses and cattle and the historic scene; the group will request this information from Amy.
    - Since the 1970s, herds have increased on BLM lands and opportunities to see them now exist in many places.
    - There are many fewer opportunities to see bison in a natural setting and in a native ecosystem.
    - The historic scene in the 1978 EA reflected a management perspective at that time. Historic scene is not the emphasis now, it is managing for native species, resources, and ecosystems.
    - While Roosevelt noted that there were horses and cattle on the landscape, his stronger overarching message for the body of his work was his conservation mindedness. Roosevelt viewed horses as an intrusion or runaway on the landscape as quoted in the 1978 EA.
- BMPs
    - Branding: Branding does not offset an environmental impact and the Park can address this later. Advocates want branding to be able to track the path of horses once they leave the Park and to give some cache to horses removed from the landscape.
    - Euthanasia: This is a situation that may arise in the course of a removal (such as a broken leg).
    - Invasive weeds: The Park requires the use of weed-free hay and sanitizes trailers to limit the potential for invasive weed introduction.
- Mitigation Measures
    - These will be developed through the course the EA; the group decided to revisit this during the discussion of the impacts.
- <u>Virtual Session (October 11, 2022)</u>
    - The group discussed the changes made to the alternatives and made the following suggestions:
        - Define GSA auction and entities that are eligible for receiving horses.
        - The group felt that euthanasia should be included for horses that the Park was unable to place after multiple attempts. Region suggested reviewing Mese Verde Livestock Removal EA language:

          Decisions to euthanize would require that Mesa Verde National Park evaluate individuals affected by injury, physical defect, chronic or incurable disease, poor condition, or old age. In determining whether to use euthanasia, Mesa Verde National Park would consider the

animal's ability to survive the stress of removal and its probability of surviving mandatory temporary holding and placement for on-site adoption, on-site sale, or long-term holding.

Final decisions regarding euthanasia of an animal would be made by a qualified park officer designated by the MVNP Superintendent. There would be cases where this decision must be made in the field and cannot always be anticipated.

Mesa Verde National Park would administer accepted and appropriate euthanasia techniques in a manner that adheres to humane standards and is in accordance with NPS policies and American Veterinary Medical Association (AVMA) Guidelines on Euthanasia (AVMA 2013). MVNP personnel would be properly trained in euthanasia techniques. When necessary, captured livestock would be euthanized by a veterinarian or other trained individual approved by the MVNP Authorized Officer. When the selected euthanasia technique involves injecting chemical agents or substances, a licensed NPS veterinarian would approve the agent used and would supervise the action.

The MVNP Superintendent would authorize the euthanasia of an animal when any of the following conditions exist:

- *Animal displays a hopeless prognosis for life*
- *Animal is affected by a chronic or incurable disease, injury, lameness, or serious physical defect that would not allow it to maintain an acceptable quality of life for the foreseeable future*
- *Animal would require continuous treatment for the relief of pain and suffering in a domestic setting*
- *Animal is incapable of maintaining a Henneke body condition score greater than or equal to 3, in its present environment*
- *A federal or state animal health official orders the humane destruction of an animal that poses a threat to human safety as a disease control measure*
- *Animal exhibits unusually dangerous characteristics beyond those inherently associated with feral livestock*

Mesa Verde National Park would keep a record to document that euthanasia was performed and would provide the reasons for the euthanasia. The remains of captured livestock would be disposed of in accordance with federal, state, or local sanitation laws; remains would not be sold or transferred.

- Current Conditions
    - Global comments:
        - The effects of the livestock on resources will be described in current conditions and referred back to under No Action Alternative. Action alternatives are current conditions minus livestock on the landscape to the extent that this can be distinguished. It was noted that native species may still cause these same impacts.
        - Each current condition section should address the North Unit and South Unit (do not need to have subheadings).
        - Each current condition section should include a climate change section in trends (called out).
        - Each current conditions section should consider reasonably foreseeable future actions in the trends section.
        - For resources dismissed, include an abbreviated analysis of why the resource is being dismissed.
        - Where possible, the discussion should focus on where horses and cattle occur on the landscape and how that affects a resource. Based on a review of the horse and cattle maps:
            - For the North Unit, cattle can access the entire Park but mainly stay in the areas Blake indicated on the map. Cattle sometimes cross into wilderness.
            - For the South Unit, horses have access to the entire Park but generally congregate on the areas indicated on the map. Blake suggested leaving the layers separate on the map to show the time perspective (Marlow data is 30 years old; observational data is recent). Marlow information generally reflects conditions now, with the addition of horses in Johnson Plateau and in Paddock Canyon. For overlays with resources, it would be fine to combine the two horse use layers as long as we accurately describe the data.
            - We can describe key use areas anecdotally. For the North Unit, this includes Lindbo Flats, the Upper Talkington Drainage, and the southeast corner.
            - In general, the North Unit has 9 steer and 300 bison. The South Unit has 200 horses and 600 bison. There is very low potential for impact in North Unit due to the low magnitude of change from maintaining or removing steer.
    - The group discussed where livestock use areas are affecting a resource, RFFAs, author comments, and NPS comments. Notes are captured below.
    - Visitor Use: The group discussed the differences in the visitor use in the North Unit and South Unit:
        - About 1/3 of visitation occurs in the North Unit, where the visitor experience is more focused towards a backcountry experience and more intentional (these visitors come specifically to go to the North Unit).

Many visitors never see the cattle, especially when they are in the holding area that is not available to public access.
        - About 2/3 of visitation occurs in the South Unit and is more opportunistic (visitors on their way to somewhere else). There are two commercial use authorizations in the South Unit where commercial entities take visitors on tours to photograph horses. The number of annual tour participants is very low.
        - Most visitors are from the Great Plains states, primarily the Dakotas and Minnesota. A stated purpose of visitors is to see bison more than to see horses.
        - Park staff do not expect removal of livestock to cause a reduction in visitation.
        - RFFAs: opening of Theodore Roosevelt Library in 2026 is expected to drive increases in visitation to the Park. The Medora Foundation has a soon to be released vision document that calls for expansion of visitor opportunities in the summer season. Increases in visitation are a trend across NPS units.
        - Joe requested that Table 1 be broken into North and South Units; Angie will request this data.
    - Noise baseline conditions:
        - North Unit: North Unit is quieter and closer to natural background conditions.
        - Some areas of the South Unit have a lot of background noise from the interstate. Pump jacks near the Park boundary are another source of noise, including in wilderness.
        - In addition to horse roundups, helicopters are used for bison roundups (mid-Oct) and invasive weed spraying (June, Sept, Oct) in both units and net gunning elk in the South Unit (Sept/Oct). Drones are used occasionally for scientific collection of data.
        - Non-NPS noise: NDGF deer counts (Nov-Jan), search and rescue flights, and fixed wing overflights are periodic sources of noise.
    - Cultural: there is overlapping animal damage, primarily from bison (for instance, there is some known archeological damage). RFFAs include road work, but that is surveyed and monitored. Known archeological sites are not uniformly distributed. There is some difference in types of artifacts between the North and South Units. Blake shared the data with EMPSi; this data is proprietary.
    - Wildlife:
        - Active management of elk and bison is occurring under the elk management EIS and the 1985 RMP, respectively. The former has information on what happens to vegetation under a scenario with too many elk.
        - Remove livestock from wildlife section (except cattle's potential effect on bison as a disease vector).
        - Move vegetation text from wildlife to vegetation section.

        - Blake provided data to Andy on bison use.
- Section 106:
    - Blake will initiate conversations with Region about when to start the Section 106 process.
    - The lack of ground-disturbing actions lessens the potential for effect.
    - WASO has indicated that livestock are not cultural resources.
- Cumulative
    - Bison are managed subject to 1984 RMP; the Region is talking about developing a bison management plan. There is a forage allocation limit and a social carrying cost of bison.
    - Elk Management RMP/EIS gives a target range of elk numbers.
    - Road EA is underway.
    - Facilities Plan is underway.
    - Jordan Spaak is developing a range assessment; 30 sites were intended but only 20 were analyzed. The assessment is not representative of typical conditions because this was a very wet year; preliminary data will be available later this month.

October 12, 2022

- Purpose and Need
    - The group discussed the climate change bullet in the need section and if this is appropriate (will the document analysis support addressing the need). The group felt that it was important and could be supported but can revisit after the EA analysis is drafted.
        - Research has shown continued changes in diet over time with changing vegetation availability.
        - Removing the presence of nonnative livestock removes one pressure on native resources to adapt to changes in climate.
        - Increasing genetic diversity increases resiliency; removing competition of livestock will further assist with building resiliency in native resources.
    - Virtual Call (October 12, 2022) – Jenny provided clarifications to the purpose and need language for the terms "efficient breeders" and "landscape ecology."
- Current Conditions
    - Vegetation
        - Group decided to use Ecological Site Descriptions across the analysis for consistency. Jordan used ESDs for the forage assessment. EMPSi will change the vegetation maps to reflect ESD data.
        - Impacts will be qualitative:
            - Trampling occurs by all species (livestock impacts are not distinguishable from native species impacts).
            - Marlow study and forage allocation studies show what vegetation species are eating; this may allow us to get into more detail on the effects of the livestock in the Park. EMPSi will overlap the data for the horse use areas with the vegetation map to see if any inferences can be drawn. For instances, if the species favor different

vegetation types, then some differences among alternatives may be able to be inferred.
        - Climate change trends on vegetation should be included, with a focus on species that are favored by grazers.
    - EMPSi will request from Chad a list of all invasive plants with all treatments for as long as the Park has records.
    - There are no T&E plant species identified in the Park. There are state-listed rare plant species. Rare plant surveys are done but don't include the specific locations where plants are found, though information is known by park unit. The group discussed whether rare plants should be brought forward in the EA given that any impacts could be the result of both livestock and native species and are not distinguishable.
    - The group discussed the paragraph on monitoring from the I&M reports. Better definition of terms is needed in the paragraph (reference conditions, where monitoring occurs, etc.).
- Water Resources
    - Springs and wells were not distinguished in the GIS data.
    - The group discussed whether water a limiting factor for any species in the Park. Camera data showed it was not a limiting factor for ungulates (Sargent report has observational data for the last 20 years).
    - Climate change scenario: There are artesian wells that presumably will at some time stop producing. Horses and native species have not been seen congregating along the Little Missouri more in drought years than in non-drought years, implying that they have other water sources available to them in the Park.
    - Overlap in horse use and springs:
        - There are springs in the Lindbo Flats area and one in the southeast corner.
        - We can overlap horse use areas with GIS data for springs and wells.
    - Trends and projects: There may be times in the future when artificial water sources are unavailable (wells run dry or infrastructure is not maintained). The Park would likely not redrill wells in the future. There may be water impacts from oil and gas; however, there is no documented baseline against which to compare impacts from specific spills. Known contaminants include petrochemicals and e coli.
    - Virtual Call (October 12, 2022) – Jordan and Jenny confirmed the approach to use ESD as the base data; there is precedence for this in other NPS NEPA documents.
- Soils
    - The group discussed dismissing soils because impacts are low, the impacts are not distinguishable across alternatives, any impacts are not distinguishable among livestock and other wildlife, and it will not help in decision making on selecting a preferred alternative.

        - Soils-related effects can be discussed in vegetation and water sections if such effects occur.
        - Virtual Call (October 12, 2022) – The group agreed with this approach.
    - Paleontological Resources
        - The group discussed dismissing this topic but decided to have a follow up call with the regional paleontologist to discuss before making a decision. Paleontological resources are a rare/sensitive resource in the Park.
        - Resources are a natural part of decay from wildlife on the landscape but an unnatural decay from livestock.
        - Virtual Call (October 12, 2022) – The group shared the plan to consult with Vince on whether to keep this as an issued analyzed in detail.
    - Socioeconomics
        - The group discussed whether removing livestock would affect the economy:
            - Watford City uses steer on their billboard and some websites, but the draw is the presence of the North Unit in proximity to the town. Other symbols of the Park could replace the steer.
            - CUAs: Photography tours could refocus on other wildlife. As discussed during visitation, CUA use is small though it likely is important to the operators. In 2021, 5 CUAs did photography tours, they visited the Park 16 days, and revenue was $12,000. One CUA doing horse photography indicated that 1 percent of their revenue is from tours to the Park.
        - The group agreed that while the topic is likely dismissible it is important to the public.
        - The group discussed if there were metrics that could be used in the analysis. The nearest wild horses on BLM lands are in neighboring states. The nearest HMA is south of Billings (5 hours south of the Park).
        - It is important to consider the communications aspect of this topic.
        - Virtual Call (October 12, 2022) – Regional staff recommended including a robust analysis given that the public will purport that livestock removal will cause a decrease in visitation.

- Issues
    - The group discussed the difference between issues and impacts and the format of this section.
    - Each issue section should address 1) issues with livestock on the resource (the impact topic), and 2) issues related to removal actions. Issues should also separate out North and South Unit issues.
    - The overview document should include a discussion on the issues of livestock interactions with other wildlife species, by species when relevant.
    - Noise is an issue topic, but impacts of noise are discussed by impact topic area in the impact overview document.
    - Where possible, narrow the focus of the issue topics (zoom in on issues related to livestock in the Park).

- The group reviewed the comments on the issues overview document (see responses to comments in the comment matrix).
- Human Health and Safety Issue
  - This issue can be addressed in visitor use section of the impacts; BMPs for roundups are implemented to minimize safety impacts to staff.
  - There has been one human interaction where a dropped off stallion (not a Park horse) ran over a photographer, but no known horse-visitor interactions have occurred.
  - Bison have occasionally put people in the hospital in the past.
  - Bison, horses, and cattle have all wandered into campgrounds.
  - There have been car accidents with bison in the Park.
  - Despite the Park being fenced and cattle guards on the roads, bison leave the Park multiple times per year.
  - Potential BMPs:
    - Closing the rim trail during roundups could reduce potential safety impacts.
    - Potential closure of Fryberg Road also could reduce impacts (would need to be done in coordination with the County).
    - See also the bison resource stewardship EA (2016) for text that could be relevant.
- The group discussed EJ as a topic dismissed. Aleks shared EJ text from another EA.
  - Virtual Call (October 12, 2022) – The group discussed how EJ should be analyzed. While there does not seem to be a nexus for impacts to EJ communities from livestock removal to warrant a full analysis, the group agreed that it needed a more in-depth dismissal analysis than was presented in the Mesa Verde Livestock Removal EA.

- Impacts
  - General comments:
    - If using short term or long term, qualify the time period.
    - Cumulative impacts are the incremental effect of the alternative on the trends (how does the action tip the scales or move the needle). RFFA list: invasive management actions, library, oil and gas activity surrounding the Park, Medora Foundation plans, McKenzie Ranger District in the North Unit (grazing lands abut the Park); Forest Service lands also abut other units, state lands abutting the Park are leased for grazing, bison and elk management plans, annual road work, exterior fencing projects, check facilities plan (new visitor center in the North Unit but far out).
    - The analysis needs to state the importance more clearly (is it a big deal or a little deal). For instance, removing livestock does not completely remove hooves on the ground. See NPS 2015 NEPA Handbook and Supplemental Guidance.
    - The group discussed how to structure each impact discussion (divide out by North Unit/South Unit, horses/cattle, removal impacts/impacts of

livestock on the landscape). Group decided to divide into North and South Units.
    - Per the notes under current conditions, move the discussion of ongoing effects of livestock and roundup activities from Alternative A, No Action/introductory impact text to current conditions.
    - The impacts from the first two years of helicopter roundups would be the same across the alternatives because even under No Action the numbers will need to be reduced. Under Alternative A after the initial reduction, helicopter roundups could occur every four years. Other capture techniques would occur annually.
    - Also need to address the visual impacts of helicopter use and the effect of their presence on wildlife (not only noise effects).
    - Update the timeframes to match changes in alternatives (no timeframe under Alternative A, ideally 2 years under Alternative B, no timeframe under Alternative C).
    - Make sure that if something is discussed in impacts it was addressed in current conditions.
    - Carry through the theme recognizing that livestock may have similar impacts on resources as bison and wildlife ungulates, but livestock are a nonnative impact versus a natural impact.
    - In the NEPA document, do not restate the alternative at the start of each impact discussion.
- Specific comments
    - See comment response matrix.
- <u>Virtual Call (October 12, 2022)</u>
    - The group discussed what would happen if the courts required the Park to keep horses on the landscape (no action or would NPS need to develop another action alternative). The rationale for removal is NPS policy and not the magnitude of impacts livestock are causing.
    - A potential challenge may arise if the interpretive records show that Roosevelt wanted the horses on the landscape, although the horses that are here now may have no relationship to any horses on the landscape during the time of Roosevelt. Amy Duin again encouraged the Park to examine the literature closely to look for any such record. [Note: Amy shared the case documents via email to Blake on 10/13/2022.]
    - The group discussed when to engage Region in the Section 106 process. James felt that it could wait until after scoping but well before the EA is ready to go out for public review.
    - Amy Duin confirmed that there was a court case (it may have been the California condor) that said animals could not be a cultural resource. She is researching and will send further information. The feeling is that a case not be cited in the EA but left until if and when the public brought the issue forward.

- Amy Duin recommended contacting tribes early and often if that makes sense for this action and this park. She noted that area tribes have expressed displeasure at not being contacted early enough on other federal agency actions in the area.
- Jenny inquired whether the impact analysis includes an analysis about how many native species are displaced by having livestock on the landscape; not having livestock would increase the capacity for native species. Team to add a qualitative or quantitative assessment to this effect.
- The group reviewed Blake's definition of livestock because livestock will need to be defined in the EA. The group discussed that the horses on the landscape when the Park was established came from owned, branded horses. Jordan and Jenny will work on a definition in consultation with others. At a minimum, we could define livestock and say it is for the purposes of this EA. Section 4.4.4.1 of Management Policies 2006 says: *Domestic livestock such as cattle, sheep, goats, horses, mules, burros, reindeer, and llamas are exotic species that are maintained in some parks for commercial herding, pasturing, grazing, or trailing; for recreational use; or for administrative use for maintaining the cultural scene or supporting park operations. The policies applicable to the grazing of commercial domestic livestock are discussed in chapter 8, section 8.6.8. The Service will phase out the commercial grazing of livestock whenever possible and manage recreational and administrative uses of livestock to prevent those uses from unacceptably impacting park resources.* [Note: the group later decided to use the definition of livestock from the Mesa Verde EA scoping newsletter: *Livestock means any species of animal that has been selectively bred by humans for domestic and agricultural purposes including but not limited to cattle, sheep, horses, burros, mules, goats and swine.*]
- This action is a course correction on past Park management and will need to be explained.

October 13, 2022

- Impacts
  - Vegetation
    - Add comparison of AUM/forage requirements for livestock vs. native wildlife based on published literature.
    - Include already discussed theme that livestock have some of the same impacts on vegetation as wildlife. Some studies may be available to tease out differences in how livestock vs. wildlife graze.
  - Water Resources
    - Remove fencing as a BMP; no fencing is proposed under any alternative, nor does the data exist to know where sensitive resources are to fence (e.g., rare plants). The Park does not fence riparian/water areas because that would exclude bison as well as horses.

- Soils
  - Remove section and move to issues dismissed. Examine text to see if any discussion should be moved to other sections such as vegetation or water resources.
- Socioeconomics
  - This will be a biweekly call workshop topic.
  - Discuss whether to include intrinsic value.
  - See Pimental references.
  - See NPS reference: https://www.nps.gov/orgs/1778/vse2021.htm.

- Communications Plan
  - Schedule
    - RD meeting: October 17
    - Draft Newsletter: October 18, review on October 19
    - Draft Comms Plan: October 31 (Regional review)/November 4 (WASO Review)
    - WASO Comms Review: November 7
    - Final Comms Plan/Newsletter/Postcard: November 28
    - Notify Congressional delegation/Governor: November 28
    - Update FAQs: December 5
    - Other notifications: December 5
      - Tribes
      - BLM, FWS, NDGF, state veterinarian
      - County law enforcement
      - Medora Foundation/National NPS Foundation
    - Newsletter to elected officials/tribes: December 9
    - TBD: Call to advocacy group
    - Newsletter Release/Press Release/Start of Scoping/Updated FAQs: December 12
    - Practice runs: December 21 and January 3 (and January 4 if needed)
    - Scoping Meeting: January 5
    - End of scoping: January 20 with the potential to extend to January 31
  - Designated Spokesperson
    - There will be a designated spokesperson for the scoping period to focus the messaging and voice. Others will be given a talking point on directing inquiries to the designated spokesperson. Bert and Wendy will be given the talking points for inquiries directed to them.
  - Materials
    - Newsletter will be electronic.
    - Postcard will be created by and mailed to local residents and will be available as a handout to local staff (postcard to printer on December 1); distribute to post office December 10.
    - Press releases

- Other items
  - Website/PEPC/FAQs: Change from livestock management plan to livestock plan.
  - Park will set up a separate email address and potentially a phone line specific to the livestock plan; phone could be set up as an information line.
  - Facebook: Notifications will be posted on FB page; FB comment feature will be turned off.
  - PowerPoint:
    - EMPSi will help the Park develop the PowerPoint.
    - The group discussed including a shortened version of the history of horses and cattle in the Park and why NPS is pivoting from horses as a historic scene to prioritizing native species.

- Public Scoping Discussion
  - Goals of scoping meeting:
    - Share current thinking and legal responsibilities
    - Obtain public position on alternatives; identify issues
    - Clarity on proposed action as supported by the purpose and need
    - Explanation on dismissing alternatives
    - What is a livestock plan, why now, and what are the proposed alternatives
    - Message on known points of criticism (what livestock are and why we view this way)
    - Provides a human element to share and listen
  - What we liked about the last meeting/what we are thinking for this meeting
    - Having a moderator
    - Having and communicating the structure/rules of the meeting
    - Require registration; include ability to submit questions in advance
  - What could be better
    - Balance the presentation time with the Q&A time
  - Format of scoping meeting:
    - Pre-work
      - Moderator
      - Team reviews questions
      - Registration (name, questions)
      - Can post answers to submitted questions on FAQs (and can message this to registrants in advance if desired)
      - Provide new and/or clarified FAQs
    - Introduction (5 minutes)
      - Structure of meeting
      - Group agreements
    - Presentation (20 minutes)
      - What we heard, couple of comments

            - Where we are now
        - Q&A (30 minutes)
            - Moderator
            - Google sheet to receive questions
    - Close out (5 minutes)
        - Comments on PEPC
        - Your comments will refine the FAQs
        - Next opportunity to engage with the EA
    - Post meeting
        - Post presentation
        - Post Q&As
- Newsletter
    - The group discussed the newsletter and what should be included:
        - Mesa Verde and Shenandoah newsletters are two examples:
            - https://parkplanning.nps.gov/document.cfm?parkID=79&projectID=60864&documentID=69731
            - https://parkplanning.nps.gov/document.cfm?parkID=274&projectID=74048&documentID=109568
        - Reference the civic engagement process on the Dear Friends page
        - Revise the background section
        - Spring 2023 Draft EA
- Key Messages
    - Horses and cattle are everywhere, nationwide: bison exist in many fewer places (there are 25,000 in DOI management compared with the millions that occurred in the past); bison are a key aspect of what started Roosevelt's conservation legacy; bison are truly part of the historic scene
    - Risk of mycoplasma bovis (for example, TAPR lost 25 percent of their animals)
    - Livestock are nonnative resources: they present limits to resource capacity
    - Resource impacts livestock are causing (disease, competition for forage, cultural resource damage, etc.)
    - Post roundup: NPS cannot guarantee the outcome but will work hard to find favorable outcomes, including putting in measures within their control to ensure safe transfer out of the Park. The Park will first collaborate with Tribes and non-profit groups to find a home.
    - Most horses were branded at the first roundup in the 1950s, demonstrating they were property of ranching operations.
    - Shift changes in alternatives between civic engagement and scoping/pivot away from demonstration herd: aligning with current policy prioritizing conservation of native species and native ecosystems
    - How civic engagement comments were used: value of civic engagement affected current discussions and considerations
    - Establish definitions of livestock and native resources for use in the newsletter and EA to make the message consistent and clear.

    - Frame this action in terms of opportunities: increased capacity for forage and habitat, increased capacity to adapt to a changing climate, less susceptible to random loss of genetic diversity in bison, larger bison herd means more bison available for tribal bison herds.
    - Dispel the myth of Roosevelt saying that livestock are part of the historic scene/demonstration herd.
    - Answer question as to why there can be horses in other parks but not here.
- Virtual Call (October 13, 2022) – Rene and Amy Duin in attendance
    - Recapped yesterday's high-level points (see notes above)
    - The NPS's proposed action is the phased removal of livestock (Alternative C), not Alternative B.
    - The group discussed that NPS authorities allow the Park to take the action to remove livestock.
    - The group reviewed the communication plan, newsletter, public scoping, and key messages. All of these items will go through Regional and WASO review.
    - Amy Duin suggested that for the purpose of this EA and proposed action, livestock be defined as the horses and cattle in the boundaries of the Park followed by an explanatory paragraph based around Blake's definition that can then possibly contribute to a future NPS definition.
    - The group discussed Section 106 timing and the concept of animals being eligible to be considered a cultural property. There is no case law, but there was a concurring opinion from a judge at a US military base in Japan that a dugong could not be a cultural property. This was used in a ruling by a judge in California that condors could not be a cultural property. [Note: Amy Duin emailed case documents to Blake on 10/13/2022.]

Attachment A – Agenda

Theodore Roosevelt National Park Livestock Management Plan and Environmental Assessment

Overview Document Workshop

Tuesday - Thursday, October 11-13, 2022 @ 8:30 am MT/9:30 am CT

Rough Riders Inn Conference Room - Medora, ND

ATTENDEES:

Office	Attd.*	Name	Role
THRO	IP	Angie Richman	Park Superintendent
THRO	IP	Maureen McGee-Ballinger	Deputy Superintendent
THRO	IP	Blake McCann	Director Resource Management
THRO	IP	Bret Morton	Supervisory Park Ranger
EQD	IP	Joe Neubauer	COR
MWR	IP	Aleks Pitt	Communications
EMPSi	IP	Holly Prohaska	Project Manager
EMPSi	IP	Amy Cordell	NEPA Specialist
EMPSi	IP	Andy Spellmeyer	NEPA Specialist / Bio SME
SOL	VA	Amy Duin	DOI Solicitor
MWR	VA	James Lang	Planning and Compliance Division
MWR	VA	Rene Ohms	Acting REC
MWR	NA	Nancy Finley	ARD NRSS
MWR	NA	Scott Carleton	Chief of Resources
MWR	NA	Christine Gabriel	REC (return Nov '22)

* IP - in-person attendee; VA - virtual attendee; NA - Not attending

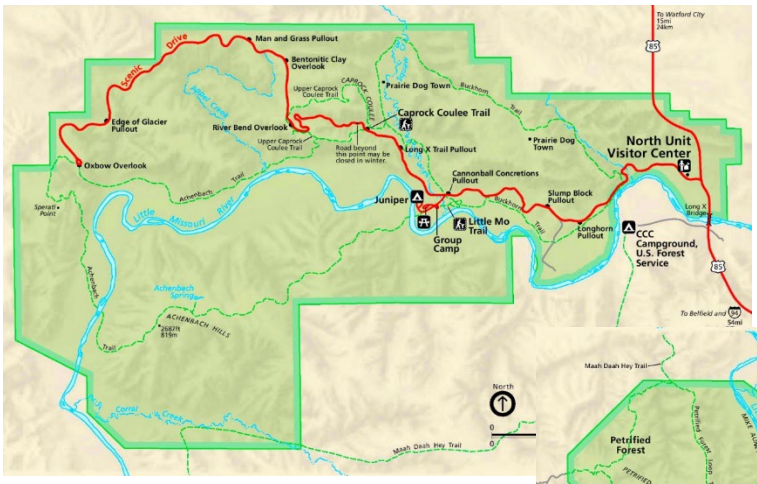
Agenda (*All times are Mountain Day Time*)

Tuesday - October 11

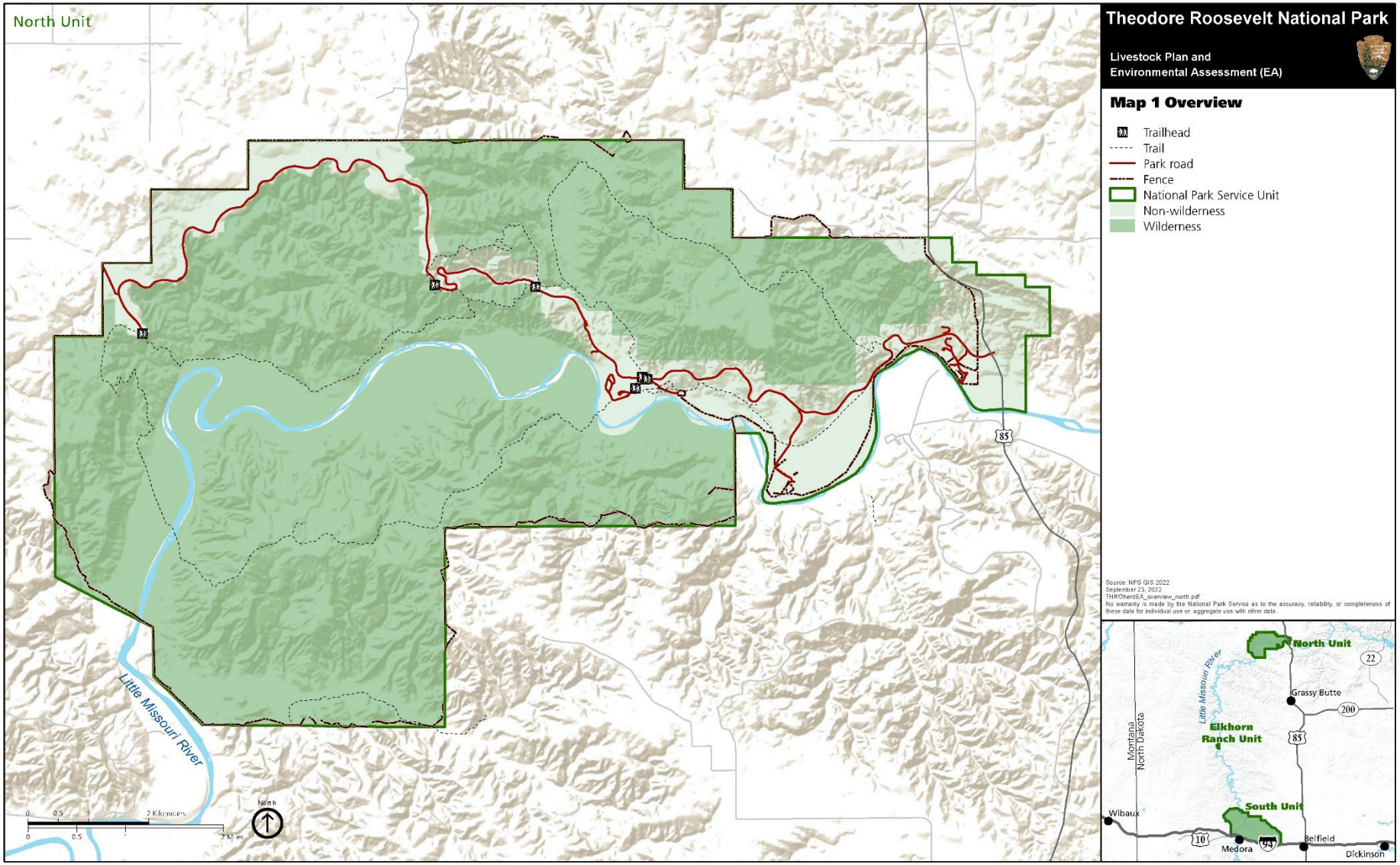
8:30 -9:00 - Opening Remarks, Introductions, Goals of the meeting.
9:00-9:30 - Purpose and Need
9:30-10:30 - OD - Alternatives - review comments and revisions
10:30-10:45 - Break
10:45-12:00 - OD Alternatives - next steps and action items
12:00-1:00 - Lunch (on your own)
1:00-2:30 - OD Conditions- review comments and revisions
2:30 - 2:45 - Break
2:45-3:00 - OD Current Conditions - next steps and action items
3:00 - 4:30 - Virtual Attendees - review OD-Alternatives and OD-Issues and any substantive changes. Q&A.

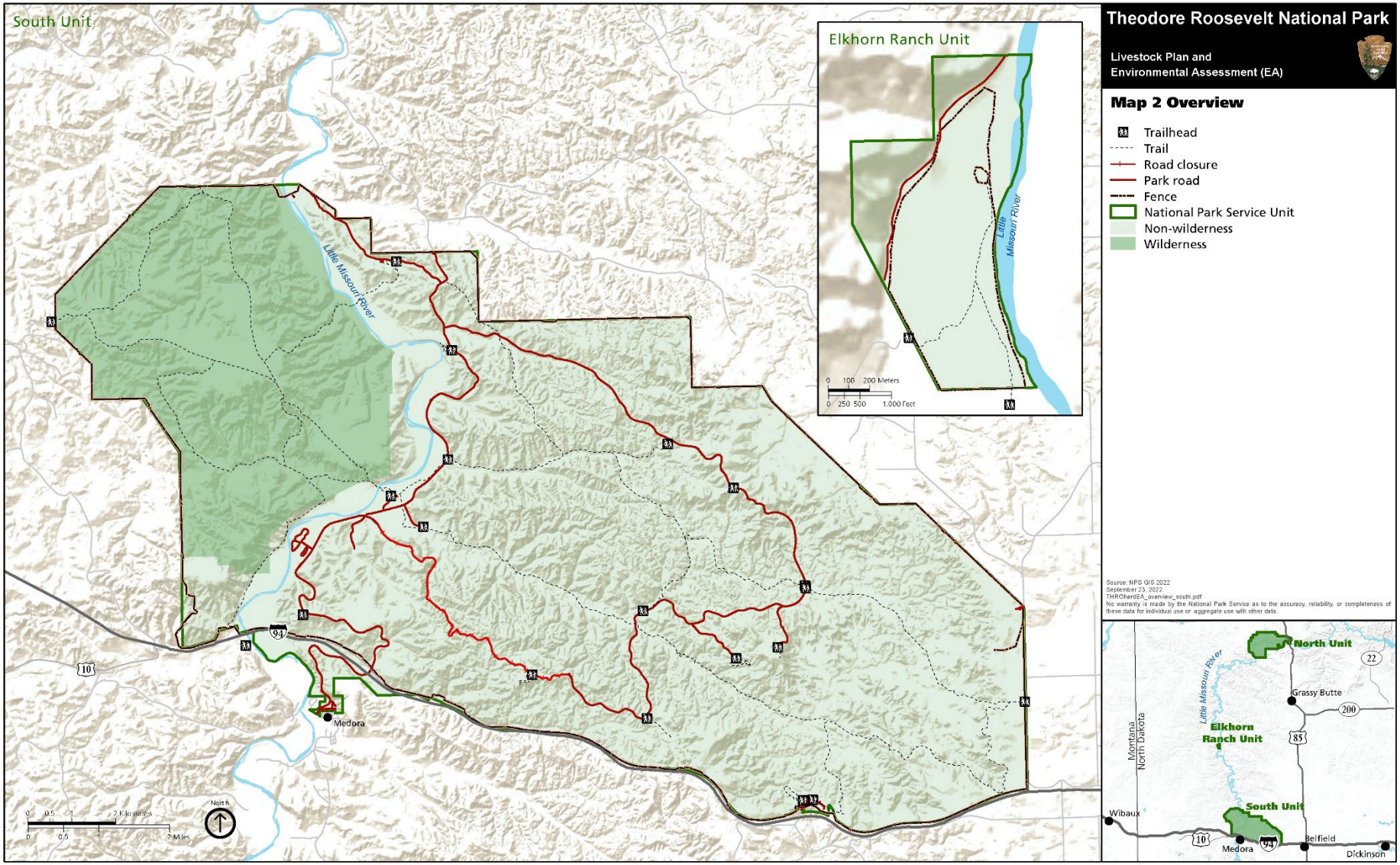
Wednesday - October 12
8:30 -9:00am - Recap of Day 1 and Goals of the day.
9:00-10:30am - OD - Issues - review comments and revisions
10:30-10:45 - Break
10:45-12:00 - OD Issues - next steps and action items
12:00-1:00 - Lunch (on your own)
1:00-2:30 - OD Potential Impacts - review comments and revisions
2:30 - 2:45 - Break
2:45-3:00 - OD Potential Impacts - next steps and action items
3:00 - 4:30 - Virtual Attendees - review OD-Current Conditions and OD-Potential Impacts and any substantive changes. Q&A.

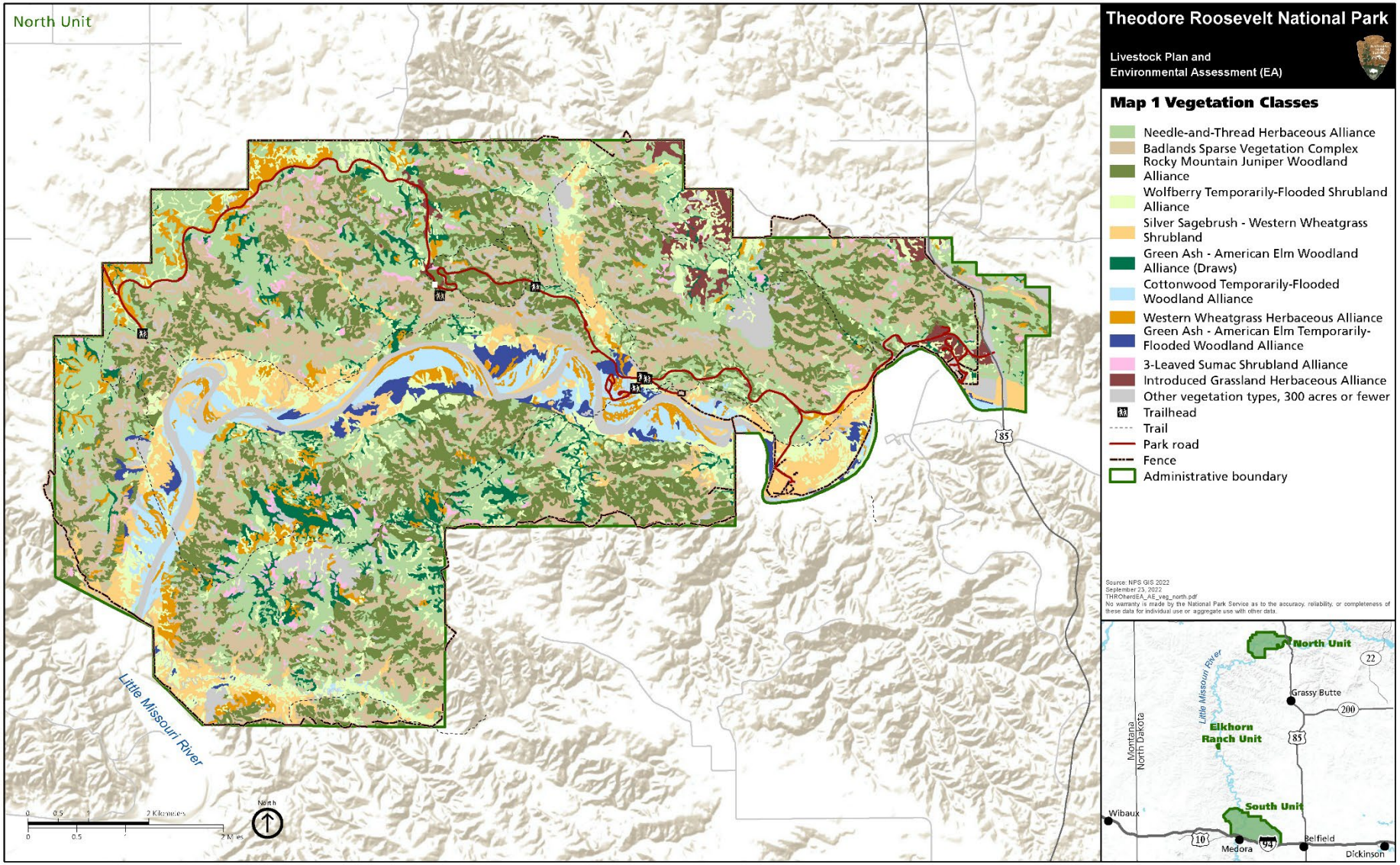
Thursday - October 13
8:30 -10:30am(?) - Recap of Days 1&2 and action items. Time for anything not covered on Days 1&2
10:30-10:45 - Break
10:45-12:00 - Next Steps for Overview Documents, Schedule of NEPA effort, and move into comms materials is time allows.
12:00-1:00 - Lunch (on your own)
1:00-2:45 - Public scoping, newsletter content and preparation, Comms Plan, need for RD Briefing
2:45-3:00 - Break
3:00 - 4:30 - Virtual Attendees - review OD-Affected Environment and OD-Environmental Consequences highlight any substantive changes and share status of communications materials

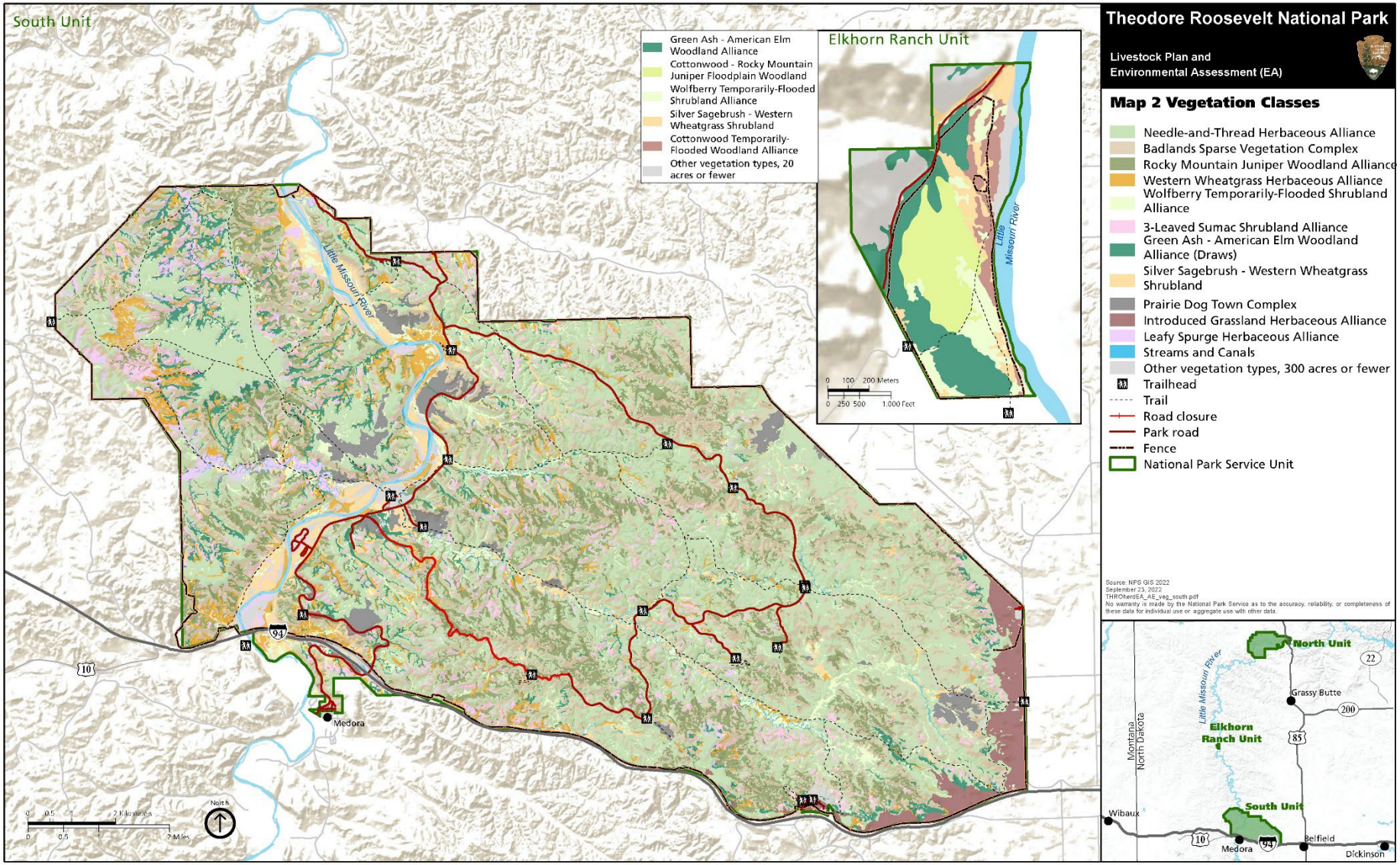


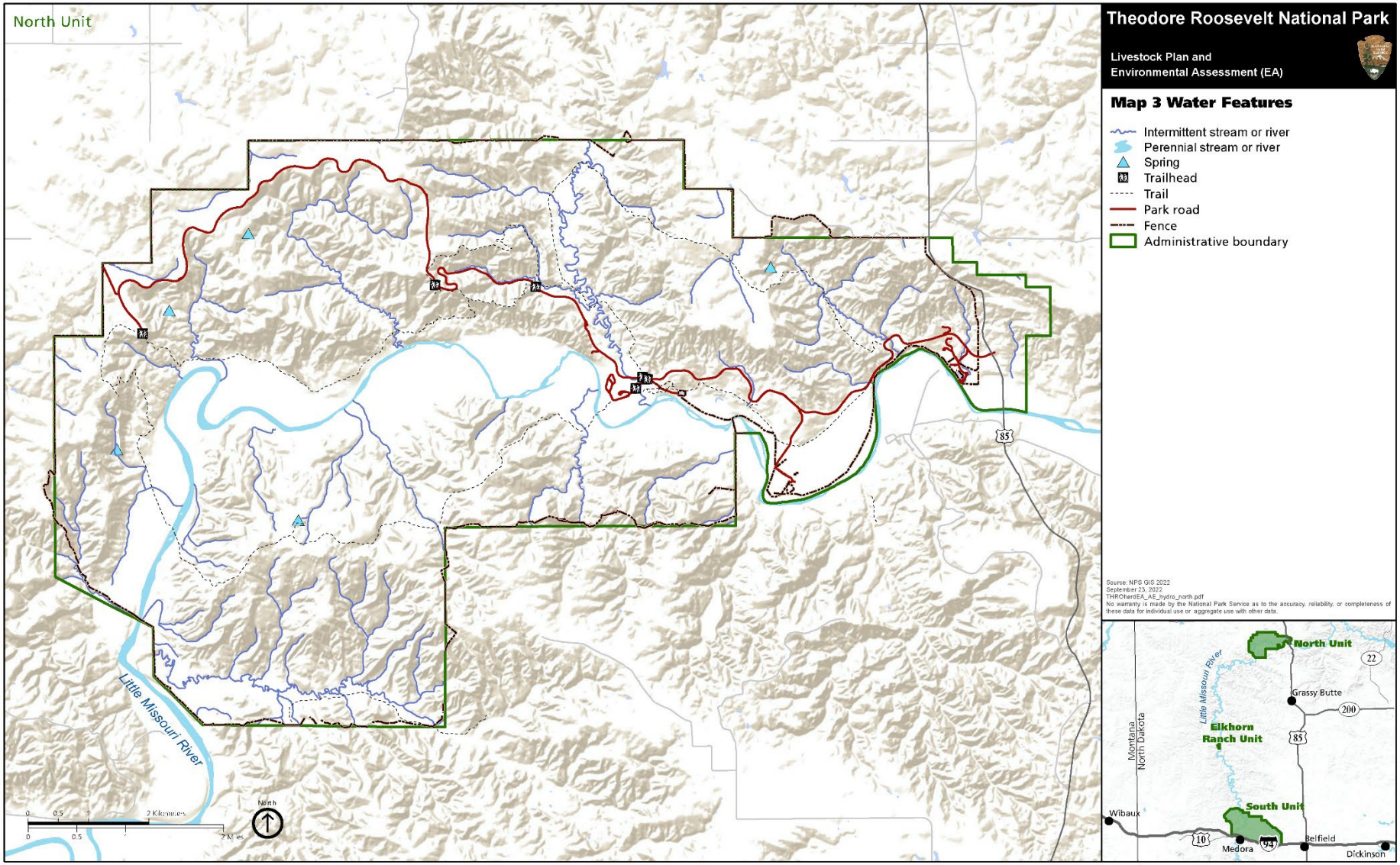


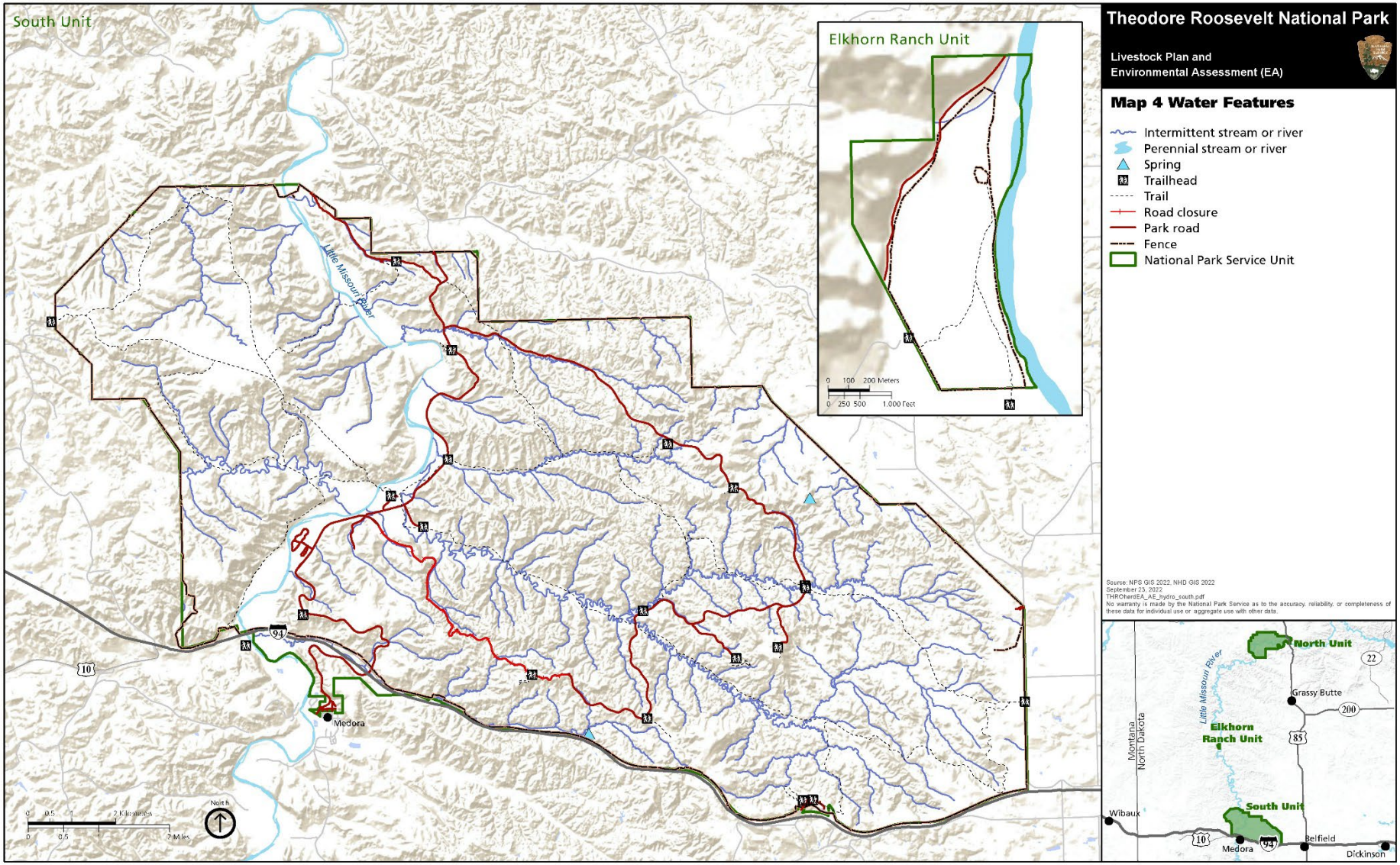

North Unit
Theodore Roosevelt National Park
Livestock Plan and
Environmental Assessment (EA)
Map 1 Overview
Trailhead
Trail
Park road
Fence
National Park Service Unit
Non-wilderness
Wilderness
Source: NPS GIS 2022
September 23, 2022
THROherdEA_overview_north.pdf
No warranty is made by the National Park Service as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.
Little Missouri River
North
0 0.5 1 2 Kilometers
0 0.5 1 2 Miles
North Unit
Grassy Butte
Elkhorn Ranch Unit
South Unit
Wibaux
Medora
Belfield
Dickinson
Montana
North Dakota
22
200
85
10
94

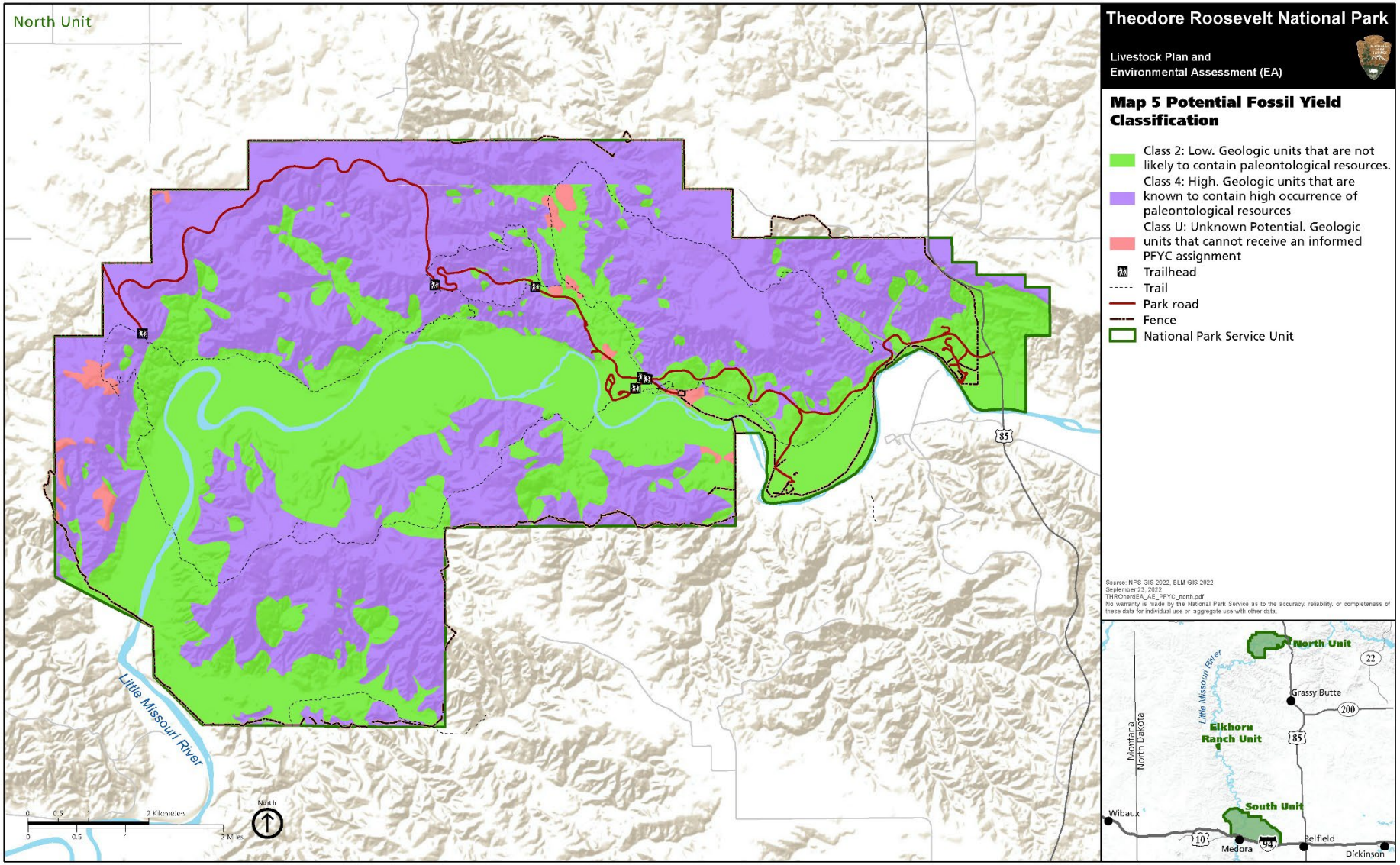

South Unit
Elkhorn Ranch Unit
Little Missouri River
Medora
94
10
Theodore Roosevelt National Park
Livestock Plan and
Environmental Assessment (EA)
Map 2 Overview
Trailhead
Trail
Road closure
Park road
Fence
National Park Service Unit
Non-wilderness
Wilderness
North Unit
Grassy Butte
Elkhorn
Ranch Unit
South Unit
Wibaux
Belfield
Dickinson
Montana
North Dakota
22
200
85

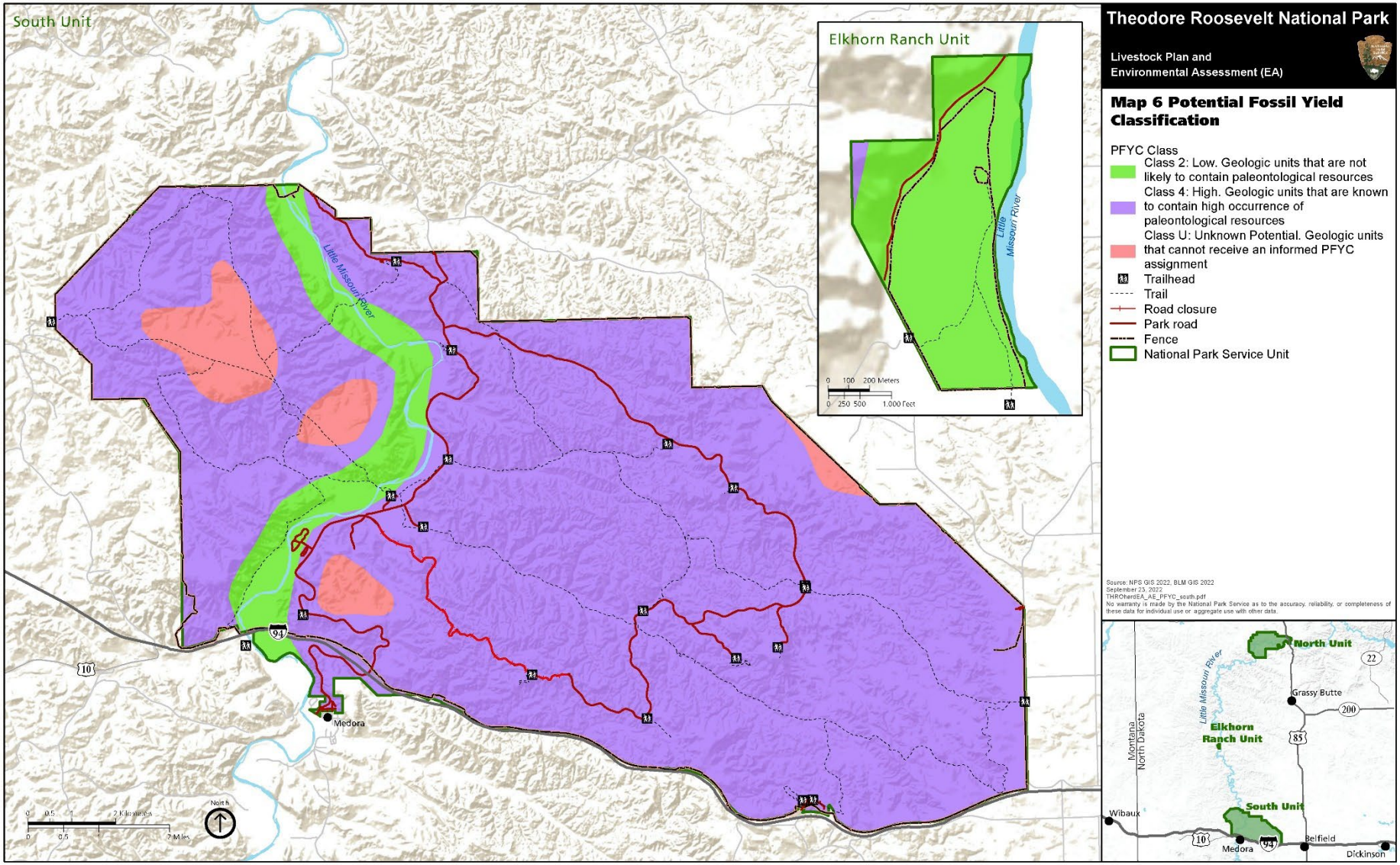

North Unit
Little Missouri River
North
Theodore Roosevelt National Park
Livestock Plan and
Environmental Assessment (EA)
Map 1 Vegetation Classes
Needle-and-Thread Herbaceous Alliance
Badlands Sparse Vegetation Complex
Rocky Mountain Juniper Woodland Alliance
Wolfberry Temporarily-Flooded Shrubland Alliance
Silver Sagebrush - Western Wheatgrass Shrubland
Green Ash - American Elm Woodland Alliance (Draws)
Cottonwood Temporarily-Flooded Woodland Alliance
Western Wheatgrass Herbaceous Alliance
Green Ash - American Elm Temporarily-Flooded Woodland Alliance
3-Leaved Sumac Shrubland Alliance
Introduced Grassland Herbaceous Alliance
Other vegetation types, 300 acres or fewer
Trailhead
Trail
Park road
Fence
Administrative boundary
Source: NPS GIS 2022
September 23, 2022
THROherdEA_AE_veg_north.pdf
No warranty is made by the National Park Service as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.
North Unit
Little Missouri River
Grassy Butte
Elkhorn Ranch Unit
South Unit
Montana
North Dakota
Wibaux
Medora
Belfield
Dickinson
22
200
85
10
94

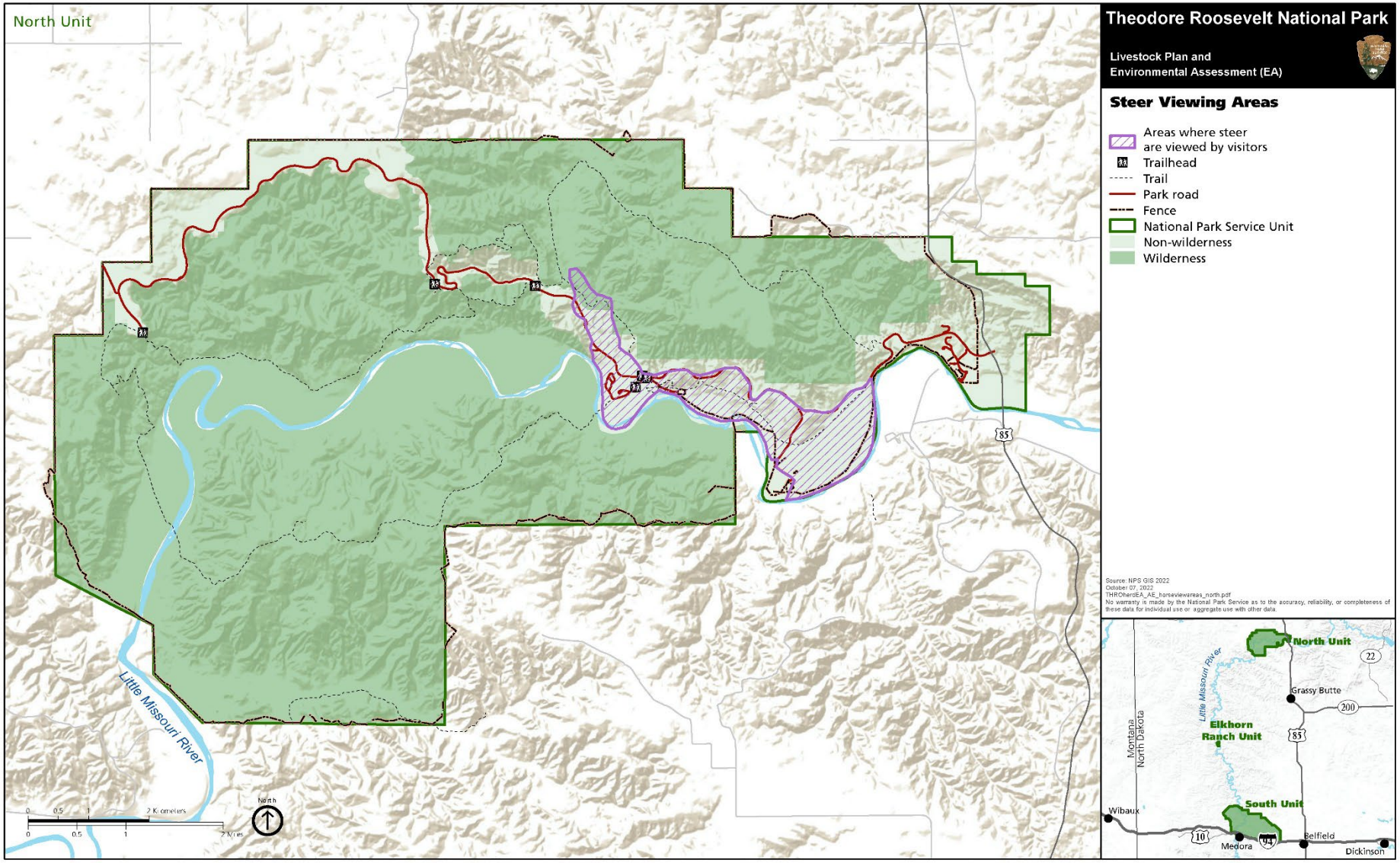

South Unit
Green Ash - American Elm Woodland Alliance
Cottonwood - Rocky Mountain Juniper Floodplain Woodland
Wolfberry Temporarily-Flooded Shrubland Alliance
Silver Sagebrush - Western Wheatgrass Shrubland
Cottonwood Temporarily-Flooded Woodland Alliance
Other vegetation types, 20 acres or fewer
Elkhorn Ranch Unit
Little Missouri River
Medora
94
10
Theodore Roosevelt National Park
Livestock Plan and Environmental Assessment (EA)
Map 2 Vegetation Classes
Needle-and-Thread Herbaceous Alliance
Badlands Sparse Vegetation Complex
Rocky Mountain Juniper Woodland Alliance
Western Wheatgrass Herbaceous Alliance
Wolfberry Temporarily-Flooded Shrubland Alliance
3-Leaved Sumac Shrubland Alliance
Green Ash - American Elm Woodland Alliance (Draws)
Silver Sagebrush - Western Wheatgrass Shrubland
Prairie Dog Town Complex
Introduced Grassland Herbaceous Alliance
Leafy Spurge Herbaceous Alliance
Streams and Canals
Other vegetation types, 300 acres or fewer
Trailhead
Trail
Road closure
Park road
Fence
National Park Service Unit
North Unit
Grassy Butte
Elkhorn Ranch Unit
South Unit
Wibaux
Belfield
Dickinson
Montana
North Dakota
22
200
85

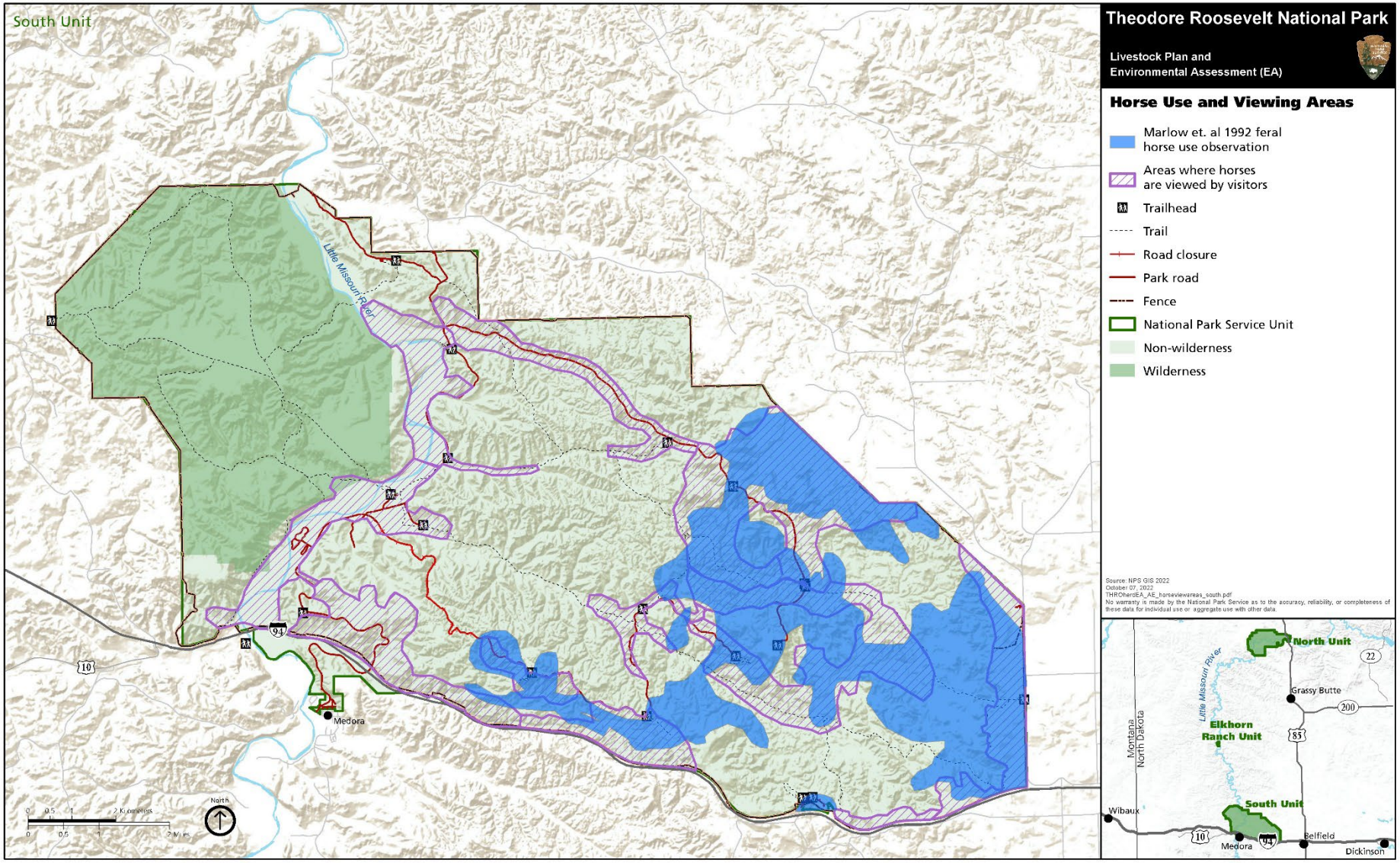

North Unit
Little Missouri River
Theodore Roosevelt National Park
Livestock Plan and
Environmental Assessment (EA)
Map 3 Water Features
Intermittent stream or river
Perennial stream or river
Spring
Trailhead
Trail
Park road
Fence
Administrative boundary
Source: NPS GIS 2022
September 23, 2022
THROherdEA_AE_hydro_north.pdf
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North Unit
Grassy Butte
Elkhorn Ranch Unit
South Unit
Wibaux
Medora
Belfield
Dickinson
Montana
North Dakota
Little Missouri River
22
200
85
10
94
North
0 0.5 1 2 Kilometers
0 0.5 1 2 Miles

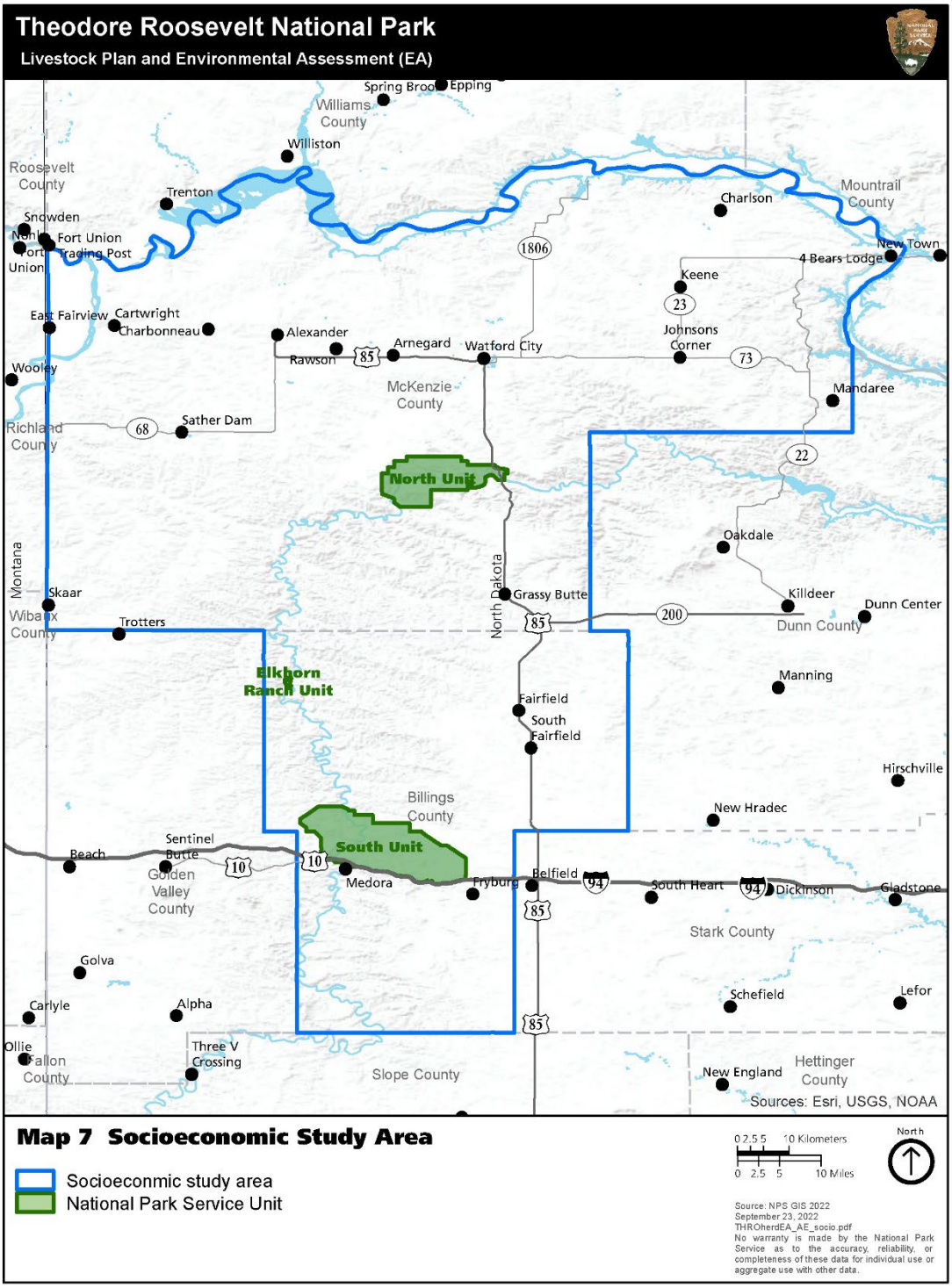

South Unit
Elkhorn Ranch Unit
Little Missouri River
Medora
94
10
Theodore Roosevelt National Park
Livestock Plan and
Environmental Assessment (EA)
Map 4 Water Features
Intermittent stream or river
Perennial stream or river
Spring
Trailhead
Trail
Road closure
Park road
Fence
National Park Service Unit
North Unit
Grassy Butte
Elkhorn Ranch Unit
South Unit
Wibaux
Belfield
Dickinson
Montana
North Dakota
22
200
85


North Unit
Theodore Roosevelt National Park
Livestock Plan and
Environmental Assessment (EA)
Map 5 Potential Fossil Yield Classification
Class 2: Low. Geologic units that are not likely to contain paleontological resources.
Class 4: High. Geologic units that are known to contain high occurrence of paleontological resources
Class U: Unknown Potential. Geologic units that cannot receive an informed PFYC assignment
Trailhead
Trail
Park road
Fence
National Park Service Unit
Source: NPS GIS 2022, BLM GIS 2022
September 23, 2022
THROherdEA_AE_PFYC_north.pdf
No warranty is made by the National Park Service as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.
Little Missouri River
North
0 0.5 1 2 Kilometers
0 0.5 1 2 Miles
North Unit
Grassy Butte
Elkhorn Ranch Unit
South Unit
Wibaux
Medora
Belfield
Dickinson
Montana
North Dakota
22
200
85
10
94


South Unit
Elkhorn Ranch Unit
Little Missouri River
Medora
94
10
0 100 200 Meters
0 250 500 1,000 Feet
0 0.5 1 2 Kilometers
0 0.5 2 Miles
North
Theodore Roosevelt National Park
Livestock Plan and Environmental Assessment (EA)
Map 6 Potential Fossil Yield Classification
PFYC Class
Class 2: Low. Geologic units that are not likely to contain paleontological resources
Class 4: High. Geologic units that are known to contain high occurrence of paleontological resources
Class U: Unknown Potential. Geologic units that cannot receive an informed PFYC assignment
Trailhead
Trail
Road closure
Park road
Fence
National Park Service Unit
Source: NPS GIS 2022, BLM GIS 2022
September 23, 2022
THROherdEA_AE_PFYC_south.pdf
No warranty is made by the National Park Service as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.
North Unit
Grassy Butte
Elkhorn Ranch Unit
South Unit
Wibaux
Belfield
Dickinson
Montana
North Dakota
22
200
85


North Unit
Theodore Roosevelt National Park
Livestock Plan and
Environmental Assessment (EA)
Steer Viewing Areas
Areas where steer are viewed by visitors
Trailhead
Trail
Park road
Fence
National Park Service Unit
Non-wilderness
Wilderness
Source: NPS GIS 2022
October 07, 2022
THROhersEA_AE_horseviewareas_north.pdf
No warranty is made by the National Park Service as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.
Little Missouri River
North
0 0.5 1 2 Kilometers
0 0.5 1 2 Miles
North Unit
Grassy Butte
Elkhorn Ranch Unit
South Unit
Wibaux
Medora
Belfield
Dickinson
Montana
North Dakota
22
200
85
10
94


South Unit
Little Missouri River
Medora
94
10
North
Theodore Roosevelt National Park
Livestock Plan and
Environmental Assessment (EA)
Horse Use and Viewing Areas
Marlow et. al 1992 feral horse use observation
Areas where horses are viewed by visitors
Trailhead
Trail
Road closure
Park road
Fence
National Park Service Unit
Non-wilderness
Wilderness
Source: NPS GIS 2022
October 07, 2022
THROhersEA_AE_horseviewareas_south.pdf
No warranty is made by the National Park Service as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.
North Unit
Grassy Butte
Elkhorn Ranch Unit
Little Missouri River
Montana
North Dakota
South Unit
Wibaux
Medora
Belfield
Dickinson
22
200
85
10
94


Theodore Roosevelt National Park
Livestock Plan and Environmental Assessment (EA)
Williams County
Williston
Roosevelt County
Trenton
Snowden
Fort Union Trading Post
Fort Union
Spring Brook
Epping
Charlson
Mountrail County
New Town
4 Bears Lodge
1806
Keene
23
East Fairview
Cartwright
Charbonneau
Alexander
Rawson
85
Arnegard
Watford City
Johnsons Corner
73
Wooley
McKenzie County
Mandaree
Richland County
68
Sather Dam
22
North Unit
Oakdale
Montana
North Dakota
Skaar
Wibaux County
Trotters
Grassy Butte
85
200
Killdeer
Dunn Center
Dunn County
Elkhorn Ranch Unit
Manning
Fairfield
South Fairfield
Hirschville
Billings County
New Hradec
Sentinel Butte
Beach
10
South Unit
Golden Valley County
Medora
Fryburg
Belfield
94
South Heart
Dickinson
Gladstone
85
Stark County
Golva
Carlyle
Alpha
Schefield
Lefor
Ollie
Fallon County
Three V Crossing
85
Slope County
New England
Hettinger County
Sources: Esri, USGS, NOAA
Map 7 Socioeconomic Study Area
Socioeconmic study area
National Park Service Unit
0 2.5 5 10 Kilometers
0 2.5 5 10 Miles
North
Source: NPS GIS 2022
September 23, 2022
THROherdEA_AE_socio.pdf
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