

The Wrong Side of the Fence



Mt. Adams Cattle Allotment 2010 Fence Condition and Cattle Trespass

Report by Friends of Mt. Adams to the Gifford Pinchot National Forest
October 2010

The Friends of Mt. Adams (FOMA) is a non-profit organization whose purpose is to advocate for the protection of the Mount Adams area.

Background

The south, west and north slopes of the Mt. Adams area are part of the Gifford Pinchot National Forest. The southeast, northeast and east slopes are part of the Yakama Nation Reservation. Commercial grazing has occurred in the Mt. Adams area since the 1870's—sheep followed by cattle. Cattle grazing on National Forest land is under permit to the Forest Service, administered by the Mt. Adams Ranger District, Trout Lake, Washington and the Yakama Nation administered out of their Toppenish office and onsite.

Neil Kayser, Centerville, Washington rancher, has permits for the cattle grazing. Cattle are first turned out north of Glenwood, Washington onto private land and WA Department of Natural Resources land. Cattle then drift north onto National Forest and Yakama Nation lands as grasses become more palatable at higher elevations. The Forest Service permit covering 32,998 acres is for 516 cow/calf pairs (1032 total animals) and runs from August 1 to September 30.

Drift fences are designed to keep cattle out of meadows and sensitive areas, including the Bird Creek Meadows on the Yakama Nation and the Gotchen Creek meadows on National Forest land. Part of the Mt. Adams Wilderness is excluded from the allotment. Both Bird Creek Meadows and Gotchen Creek meadows are fragile, sensitive high elevation openings important for wildlife and insect habitat, watershed values, wildflower viewing and biodiversity. Gotchen Creek meadows elevations range from 5780 to 6300 feet. The endangered Mardon Skipper butterfly, *Polites mardon*, has been found in the meadows¹. A map of the Gotchen Creek meadows is shown in Appendix A.

The Forest Service has started a process to assess continuation of the grazing permit on National Forest lands; the NEPA process has gone through the scoping phase.

Report Purpose, Scope and Monitoring

Since the Forest Service has started the NEPA process assessing permit renewal, this report primarily deals with 2010 grazing on *National Forest* lands—the Mt. Adams Cattle Allotment. FOMA felt its monitoring could assist and influence Forest Service on-the-ground management, future permit decision making and the NEPA process. Monitoring focused on the Gotchen Creek meadows from the Round the Mountain Trail No. 9 southward to the drift fence gate on the Snipes Mountain Trail. While the Gotchen Creek meadows are outside of the cattle allotment, there has been a long history of cattle trespass² into these meadows. Darryl Lloyd has reported on 2009 trespass.

During August-October FOMA members monitored the Gotchen meadows area. Members made numerous field trips documenting fence condition, evidence of cattle trespass such as cow pies and tracks and sighting of trespass cattle. A summary list of field trips is in Appendix B.

¹ U.S. Fish and Wildlife Service

² Trespass: "...to enter onto ...land wrongfully", The American Heritage College Dictionary, third edition 1997.

Upon sighting of fresh, i.e. this season, trespass evidence, the Forest Service was notified. The record includes an extensive file of digital photographs and notes.

Findings and Conclusions

Fence Condition

The Forest Service fence had numerous problems throughout the 2009 and 2010 season—wires down, trees on wires and wires too loose. This 2010 season the fence was *never* in a condition to effectively keep cows on the correct side of the fence. No cows were viewed trespassing into the Gotchen meadows on September 22, yet just three days later trespass cows were seen north of the fence on September 25 (see report cover photo). As in past years, the effectiveness of the fence was a failure.

Granted, Forest Service staff did some work on the fence this season. The fact is the fence repair work was too late in to make any difference. A more effective wire gate was placed on the Snipes Mountain Trail prior to August. Fence material and a new metal gate were brought in September 15 and crews have been installing the new gate. But there are still major gaps in the fence that need to be fixed.



Trees on fence



Fence on ground

Cattle Trespass

In addition to actual sightings of trespass cattle, there was numerous evidence of cattle trespass into Gotchen Creek meadows—fresh cow pies and tracks. The first sighting of fresh cow pies in Gotchen meadows was August 2. That day we saw that the fence had numerous long stretches where the wires had not been put up; trees lay on other sections. On September 9 and 15 there were additional fresh cow pies in the Gotchen meadows. There were also cow pies in the closed Mt. Adams Wilderness.

Based on observations and cow trails, cattle are coming up the Snipes Mountain Trail; they hit the fence, find an opening or weak spot and move through the fence and north to the desired lush Gotchen meadows. This likely is a behavior passed from cow to calf.



Cow pie in wet bog next to pond, GM 3



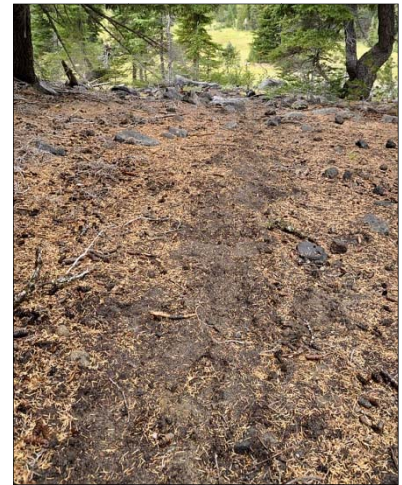
Cow pie in standing water, GM 1b



Cow pie on Snipes Mt. Trail, GM 3



Cow skid in fragile wet bog, GM 1b



Trespass cow trail into GM 3, north of fence



Cow pie in Mt. Adams Wilderness, GM 1b

GM = Gotchen meadow with number, see map Appendix A.

Upon notification, Neil Kayser *did* herd cows out of Gotchen meadows. But the trespass had happened. Forest Service staff was only seen in the field August 17 and September 15³. It's not a stretch to claim that but for FOMA member monitoring, cattle trespass would have been unacknowledged.

³ It is certainly likely that Forest Service staff were on site at other times.

FOMA has asked for a list of dates when permittee Kayser did his field monitoring but have not received that documentation.

So What?

Healthy meadows are essential for biodiversity. Cow fecal matter got into the meadow's wet boggy areas and likely into streams. Stream banks were broken down. Cows got into the closed Wilderness Area. Meadows were grazed affecting available wildlife habitat, potentially harming Mardon Skipper butterfly habitat. We have photographic evidence of these damages.

The Gotchen meadows have been hammered by overgrazing over a 140 year period, and they need restoration. Wildflowers that should be in the meadows are absent or stunted. Trespass grazing keeps these meadows from recovering.

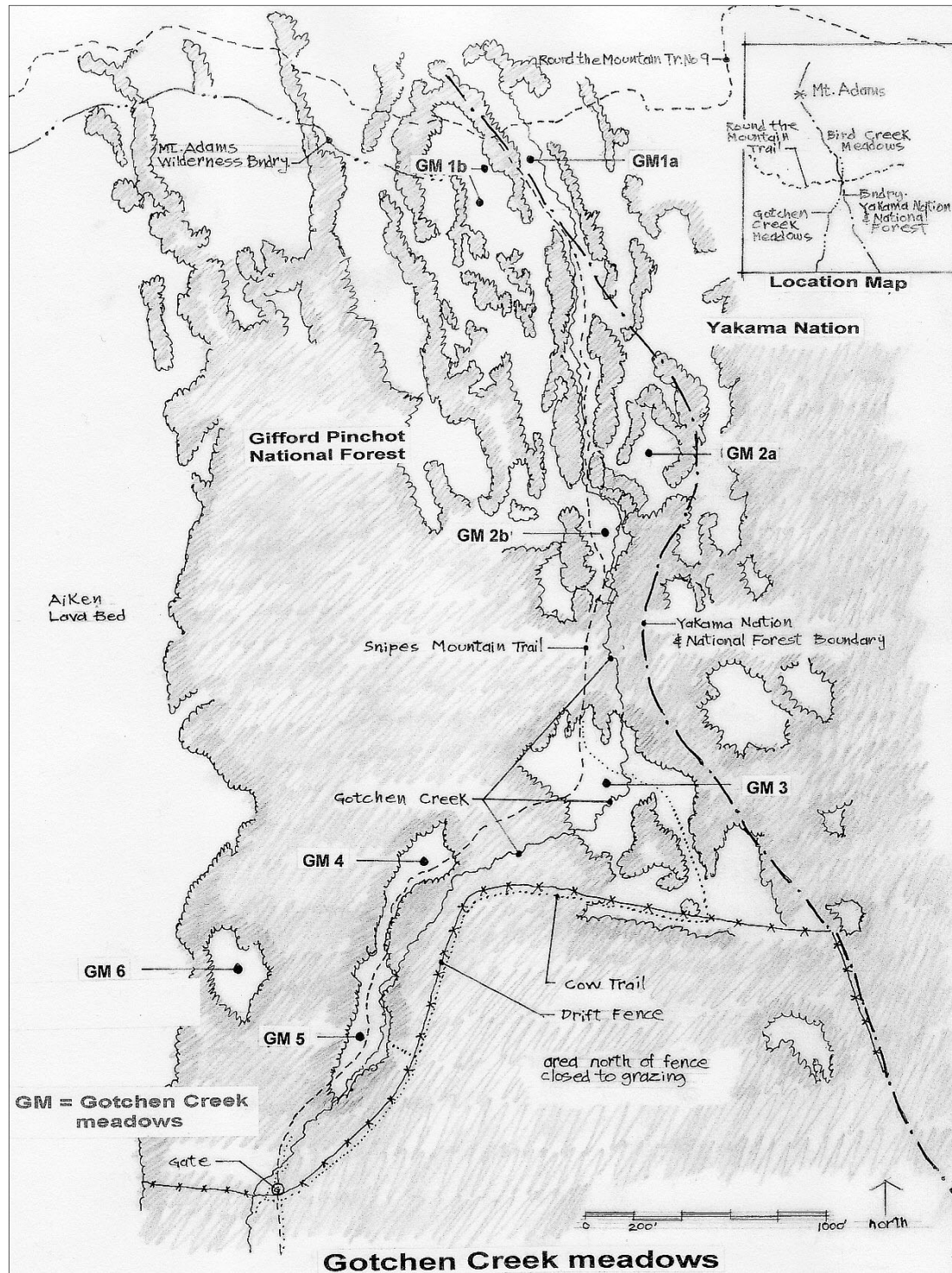
While Neil Kayser was responsive regarding removal of cows from the meadows, the occurrences happened too often. The pattern of past years' trespass continued into this season. The permittee was clearly out of compliance with the permit, the Annual Operating Instructions and District Ranger Nancy Ryke's instructions. It is apparent that the Forest Service, for whatever reasons wasn't able to effectively administer the permit and protect natural resources.

A Forest Service ecology team is in the process of inventorying and analyzing Gotchen meadows Numbers 3 and 6. Jurgen Hess has done a vegetation height inventory of Gotchen meadows 1-6. The results of those studies should help with understanding the ecological condition and future restoration of the meadows.

Recommendations—Now and the Future

- The fence must be improved. Recommendations include: more "pull corners" to tighten wires and more intermediate posts. All wires must be tight enough that a cow cannot push the fence over or push through it. The fence must be high enough that a cow cannot step or jump over. While the Forest Service has plans to do these things, they must be done prior to August 1 or earlier if cows are in the area, as happened this season.
- The fence must be up and in good condition prior to any cows coming into the area. Snow should not be a reason for the fence not being put up prior to cows in the area. That's a permit administration issue.
- More frequent field monitoring by Forest Service staff. If staff are called to fires, backup staff must to be on call.
- More surveillance by the permittee of the fence condition.
- Immediate and ongoing repair of the fence by the permittee.
- It is reasonable to ask that cows be kept out of meadows. This *can* and *must* be done.
- Document this season's failures with a letter to the permittee. Cows getting into the meadows are a failure. Documentation is essential for any possible future action the Forest Service might need to take with the permittee.

Appendix A



Appendix B

Mt. Adams Allotment, Friends of Mt. Adams Field Reviews, 2010 Season

Gifford Pinchot National Forest, Mt. Adams Ranger District

Date	Who	Location	Findings
August 2	DL, DVL, BW, JW, JH	T9, SMT, fenceline	Fresh cow pies & tracks in GM 5, numerous FS fence holes. No cows in BCM
August 8	JH, SH	T9, BCM	No cows in BCM, didn't review GM's
August 13	DL	SMT, BCM	Better gate @ FS fence. No fresh cow pies in GM's. No cows in BCM
August 17	FS review	SMT, gate area	Didn't inspect FS fence or BCM
August 21	JH, DL, DVL, SS, HC, BV	T9, BCM area (FOMA annual hike)	No cows in BCM, didn't review GM's ⁴
August 29	JH, SH	T9 to ALB, BCM	No cows in BCM, didn't review GM's
Sept. 9	JH	T9, SMT, FS fenceline	Fresh cow pies, tracks in GM's 3, 4, 5 FS fence holes. No cows in BCM
Sept. 15	JH	T9, SMT, FS fenceline	Fresh cow pies, tracks in GM's 1, 2, 3, FS fence holes. FS crew working on fence. No cows in BCM
Sept. 22	JH, SS, BV JW, RT	T9, SMT, FS fenceline	Cows south side FS fence, trees on fence, no visible holes, but fence loose in places ⁵
Sept. 25	JH, SH	T9, SMT, FS fenceline	Cows north side FS fence, cow jumped low fence, trees on fence, cow pies in Wilderness. JH vegetation condition survey in GM's
Sept. 28	JH, FS Ecology Tm. NR & FS staff	Bird Lake Tr., FS fenceline, GM 3,4,5,6	No cows in GM's ⁶

⁴ Jurgen Hess, Darryl Lloyd talked with Richard Canapoo who stated FOMA should not be off trails in YN lands to inspect YN fence

⁵ Richard Canapoo, YN, saw 12 cows at Mirror Lake on September 16, he notified Kayser who got them out on September 18

⁶ Richard Canapoo, YN, saw 12 cows at Mirror Lake on September 27, he notified Kayser who got them out

October 8	JH	BCM, SMT, FS fence	No cows in GM's, BCM, gate bolts up. Completed veg. condition survey GM 6
October 12	JH	BCM	No cows in BCM

Notes:

- 1) Only fresh cow pies and cow tracks are noted in this summary, numerous older cow pies observed
- 2) Abbreviations: T9-Round the Mountain Trail, SMT-Snipes Mountain Trail, BCM-Bird Creek Meadows, ALB-Aiken Lava Bed, GM-Gotchen meadows, FS-Forest Service
People: NR-Nancy Ryke, JH-Jurgen Hess, SH-Susan Hess, DL-Daryl Lloyd, DVL-Darvel Lloyd, SS-Susan Saul, JW-Jessica Walz, RT-Ray Thygesen, BV-Bob Vocke, BW-Bill Weiler, HC-HC Tupper
- 3) Ray Thygesen hiked the Bird Creek Meadows area. His notes and findings:
 - 08/10/10 Bird Creek - Crooked Creek loop - no cows or signs of recent trespass
 - 08/13/10 Bird Creek - Crooked Creek loop - no cows or signs of recent trespass
 - 08/16/10 South Climb # 183 to 6800' - no cows or signs of recent trespass
 - 08/20/10 South Climb # 183 to 6800' - no cows or signs of recent trespass
 - 08/24/10 South Climb to Round the Mountain, then East to Bird Creek Meadows area - no cows or signs of recent trespass
 - 09/05/10 Bird Creek - Crooked Creek loop with side trip to Hellroaring Overlook - no cows or signs of recent trespass
 - 09/10/10 South Climb # 183 to 7000' - no cows or signs of recent trespass
 - 09/14/10 Bird Creek Round the Mtn to Snipes Mtn. trail to Gotchen meadow 4 - no cows but signs of recent trespass in meadows 3 & 4
 - 09/22/10 Bird Creek Round the Mtn to Snipes Mtn. trail to Gotchen meadow 5 & about - no cows but signs of recent trespass in meadows 3, 4 & 5

Cover photo: What makes being on the right side the wrong side?

The brown and white cow on the right side of the fence is trespassing.

Report by: Jurgen A. Hess, Chair, Friends of Mt. Adams, October 2010