

# ***Still...*on the Wrong Side of the Fence**



## **Mt. Adams Cattle Allotment 2011 Fence Condition and Cattle Trespass**

**Friends of Mount Adams Report**

December 2011

*Nine trespass cows Gotchen meadow 3, September 8, 2011*

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

## **Introduction**

This report is an update to the 2010 FOMA report: *On the Wrong Side of the Fence, October 2010* available at our website [www.mtadamsfriends.org](http://www.mtadamsfriends.org). A short summary of the report background and methodology is given. For more complete Mt. Adams grazing background information, report scope, monitoring methodology and resource values see the 2010 report.

## **Background, Purpose, Methodology**

Cattle grazing on Gifford Pinchot National Forest, Mt. Adams Grazing Allotment is under permit to Centerville rancher Neil Kayser. The permit is administered by the FS Mt. Adams Ranger District and encompasses 32,998 acres with a maximum of 516 cow/calf pairs potentially allowed from August to September. The permittee is responsible for maintaining the drift fence on National Forest land. Permittee Kayser's same cattle also graze on adjacent Yakama Nation, WA Department of Natural Resources and Hancock Forest lands.

There is an over 30 year history of cattle grazing in closed areas, such as Bird Creek Meadows and Gotchen meadows. Trespass<sup>1</sup> grazing impacts fragile meadows, streambanks, trails, wildflowers and wildlife and insect habitat such as the Mardon Skipper butterflies.

The goal of FOMA's grazing monitoring is to protect fragile natural resources by reporting when cows are in closed areas. FOMA organizes citizen volunteers to do field examinations of the closed areas. A list of field trips is in Appendix B; photos are on file. Findings from this monitoring will be provided to the Forest Service as it develops its Environmental Analysis (EA) for the potential new ten year grazing permit.

FOMA also works with Yakama Nation and Bureau of Indian Affairs staff to assist with solving the trespass grazing issue. Where trespass cattle were seen on YN lands that information was provided to their staff, as they have requested and is noted in this report.

## **Findings and Conclusions**

### **Fence Condition**

The 2010 report noted numerous problems with the condition of the Forest Service fence. Neil Kayser is responsible for putting up the FS fence in early summer, maintaining it through the grazing season and letting down the fence in the fall. September 15, 2010 the Forest Service provided, via helicopter, new fence material intended to be used to repair and strengthen the fence. Neil Kayser was to use those materials and do the work.

Very little of the new fence material was used in 2011, only one round wood pole and some wood stays. Forest Service staff Mitch Wainwright also noted that Neil Kayser "didn't use nearly enough of the new materials." (Oct. 21, 2011 email)

The August 5 review found cows had already trespassed in Gotchen meadows prior to the fence being put up. Mitch Wainwright notified Neil Kayser August 11 to put the fence up, but Neil didn't complete the job until August 19. The fence maintenance problems reported in 2010 continued in 2011. Problem spots included: fence being too low allowing cows to step over, too much space between wires allowing a cow or calf to pass through,

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<sup>1</sup> Trespass: "...to enter onto ...land wrongfully", The American Heritage College Dictionary, third edition 1997.

wires too high allowing a cow or calf to get under them, and wires too slack allowing a cow to push through the fence and a tree was on the fence. Five specific problem spots were noted over the season.

As in 2010, the FS fence in 2011 was never in a condition to keep cows from trespassing in the meadows.



photos 9/29/11: Fence on ground



Tree on fence



Space large enough for calf to pass

### Cattle Trespass

Trespass cattle were observed: Sept. 8-9 cows GM3; Sept. 14-6 cows GM1b, 4 cows Frog Pond; Sept. 29-3 cows Gotchen Creek area. Fresh cow pies and tracks were observed Aug. 19, 25; Sept. 3, 8, 19, 22 and 29. There were sightings of cows and cow pies in the closed Mt. Adams Wilderness Sept. 14 and 29. FS staff Mitch Wainwright noted that there was fresh evidence of cows in GM 3 when he was there Sept. 26. Only 2011 season evidence was reported; some of the cow pies and tracks observations were likely duplicates. But that is a lot of trespassing! The trespass situation has not gotten any better from the 2010 season.

Similar to 2010 findings, cattle are coming up the Snipes Mountain Trail and finding places to get through the FS fence. Also, based on cow trails, cows are also coming up from the Yakama Nation land to the east and moving to the desirable and lush meadows GM1b and 1a on FS and YN land.

Upon being notified of trespass cows in 2011, Neil Kayser was responsive to remove offending cows.



Trespass cows in GM 1b and in closed Mt. Adams Wilderness, 9/14/11



Gotchen Creek bank erosion caused by trespass cows, GM 3, 8/19/11

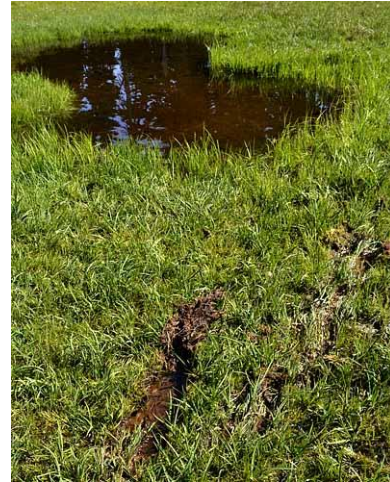




Cow pie next to Gotchen Creek  
GM 3, 8/19/11



Cow pie in fragile GM 1b, 9/29/11



Cow skid mark GM 1b fragile wet  
meadow, 9/19/11

### Forest Service Field Presence

Perhaps he was there more often, but to our knowledge Mitch Wainwright was on site August 11 and was then called away to the Dollar Lake fire for most of the summer. After the fire duty, he was on site September 26 and at some later date to store the exclusion cages. But that was at the end of the grazing season. While the shortage of staff is understandable due to budgets, the resource is suffering. We are not critical of Mitch and feel he is trying to do a good job. But why wasn't Neil Kayser directed to fix the FS fence early in the season to avoid all of the cow trespass? Why isn't there someone to backstop Mitch when he's on fire duty? But for FOMA volunteers monitoring the situation and taking quick and effective reporting action, there would have been even more trespass cows and damages the entire season.

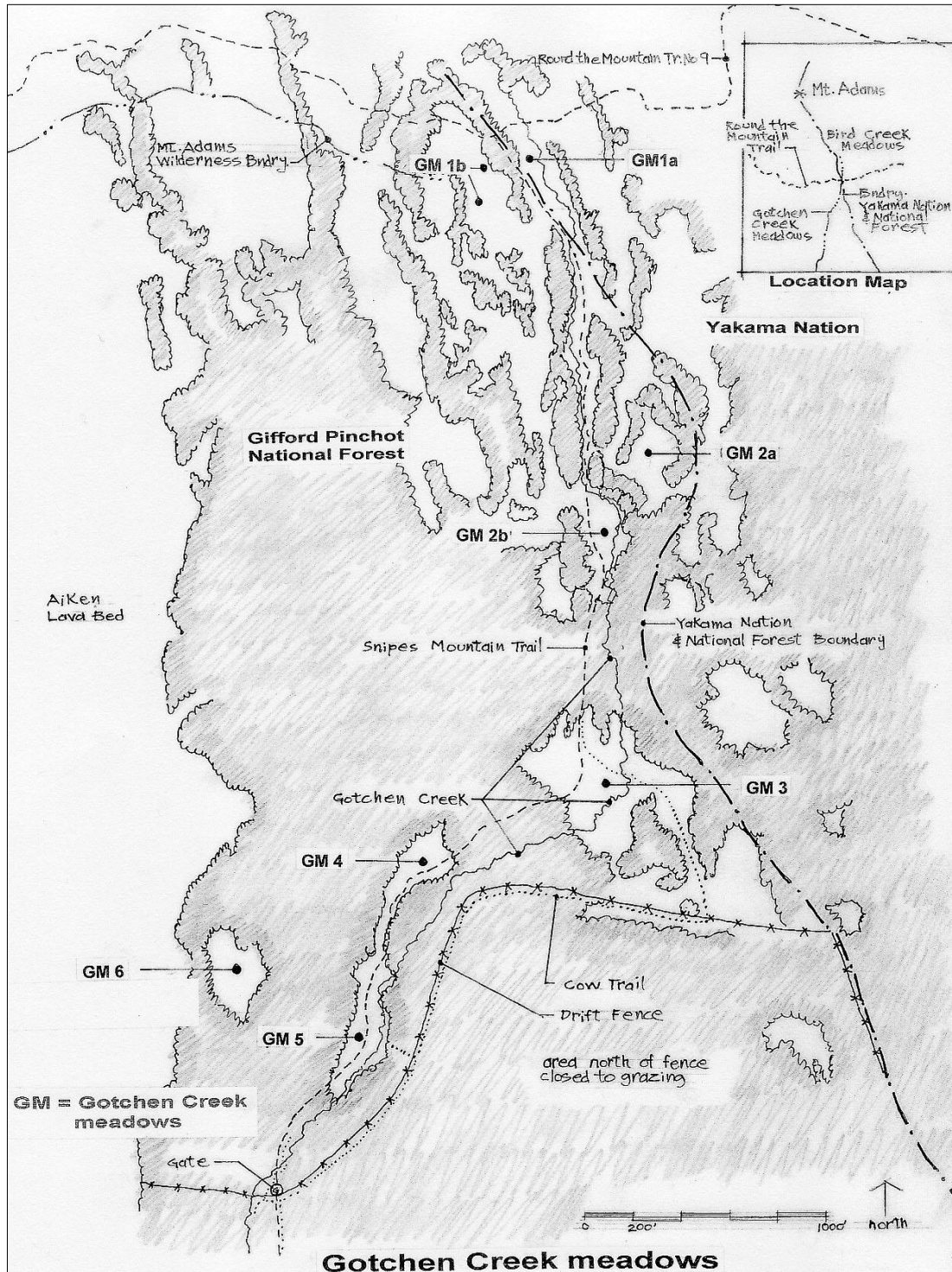
### Recommendations

None of FOMA's 2010 report recommendations were implemented by the Forest Service. Therefore those recommendations are repeated here with minor changes and additions:

- 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. Spacing must be such as to not allow a cow or calf to get between wires. The Forest Service must require the permittee to put up the fence and make these improvements prior to cows being in the area. That didn't happen in 2011.
- Snow should not be a reason for the fence not being put up prior to cows in the area. If the fence is not able to be put up, then cows must be kept out of closed areas. That's a permit administration issue.
- More frequent field monitoring by Forest Service staff. If staff are called to fires, backup staff must be on call. If the permit cannot be adequately administered, it should not continue.
- More surveillance by the permittee of the fence condition. FS must require and monitor this.
- 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 the 2011 season 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.

Report by Jurgen A. Hess, Chair, Friends of Mt. Adams  
 Cover photo Darryl Lloyd, rest of photos Jurgen Hess

## Appendix A



## Appendix B

### Mt. Adams Allotment, Friends of Mt. Adams Field Reviews, 2011 Season

Date	Who	Location	Findings
July 6	JH	BCM rd. to YN gate	YN BCM road gate closed, cows in Pineway Tr. area
July 24	JH	Pineway Tr., GM 5	Fence down/under snow, no trespass cows
August 1	JH	BCM, T9	Area under snow, fence not inspected, no trespass cows seen
August 5	DL, DVL +2	SMT to GM3	Fence down, gate down, fresh trespass cow tracks GM 5 & 3, fresh horse & dog tracks
August 11	JW, JH, BD+1, MW	SMT to GM1a	Installed fence exclosures, fresh trespass cow tracks in GM5. FS fence not up, snow down enough to put up fence.
August 12	RT	BCM, Frog Pond	Cows at Pineway trailhead. No trespass cows seen. FS fence not reviewed.
August 16	RT	BCM, Crooked C. Tr. T9	No trespass cows seen, FS fence not reviewed.
August 19	JH, SH	BCM Tr. Hd., T9, SMT	Fresh cow pies, tracks GM 3 & 5. FS fence up but had holes. Met Neil Kayser +3 on T9, no trespass cows seen.
August 25	SS+3	BCM Tr. Hd., T9, SMT	Fresh cow pies GM 3. FS fence up. No trespass cows seen.
September 3	JW+1	BCM, T9, SMT	FS fence OK but holes. Saw evidence of trespass cows in GM's. No trespass cows seen.
September 8	BV +11	BCM, T9, SMT	Fence removal work party. Nine trespass cows seen in GM 3. Fresh cow tracks north of SMT gate.
September 14	JH	BCM, T9, SMT	Four trespass cows at Frog Pond, 6 trespass cows in GM1b. Fence up but with holes.
September 19	JH	BCM, T9, SMT	No trespass cows seen. FS fence with holes. Met Neil Kayser on BCM road. Fresh cow & horse tracks north of SMT gate. Fresh cow pies GM 4.
September 22	DL, DVL	BCM, T9, SMT	No trespass cows seen. FS fence with holes. Fresh damage to streambank and meadows.
September 29	JH	BCM, T9, SMT	No trespass cows seen, but very fresh cow pies and tracks in GM 1b, GM2a & 2b. Hikers observed trespass cows that day. Neil Kayser pushing cows out of area. YN fences lowered.

#### Notes:

- 1-Only 2011 season cow pies and cow tracks are noted in this summary; numerous previous year cow pies observed
- 2-Abbreviations: T9-Round the Mountain Trail, SMT-Snipes Mountain Trail, BCM-Bird Creek Meadows, GM-Gotchen meadows, FS-Forest Service, JH-Jurgen Hess, DL-Darryl Lloyd, DVL-Darvel Lloyd, SS-Susan Saul, JW-Jessica Walz, RT-Ray Thygesen, BV-Bob Vocke, BD-Bob Dingethal, MW-Mitch Wainwright, SH-Susan Hess