



**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE**

Federal Building, Room 3035  
316 North 26th Street  
Billings, Montana 59101

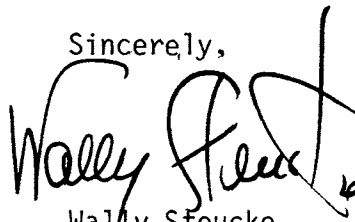
IN REPLY REFER TO:

December 1, 1980

We have received your letter commenting on the Draft  
Environmental Impact Statement for the Charles M. Russell  
National Wildlife Refuge.

Your comments will be considered.

Sincerely,

  
Wally Steucke  
Area Manager

**AUGUST L. HORMAY**  
RANGE MANAGEMENT CONSULTANT

101 ACADIA STREET • SAN FRANCISCO, CALIFORNIA 94131

December 2, 1980

TO: Area Manager, U.S. Fish and Wildlife Service  
Federal Building, Billings, Montana 59101

FROM: A. L. Hormay

SUBJECT: Comments on the Draft EIS on the management of the Charles M. Russell  
National Wildlife Refuge dated August, 1980

I am a range management consultant with more than fifty years experience in range ecology and management with the United States Forest Service and the Bureau of Land Management.\* I have believed and strived to promote the land management ethics expressed in the Land Management National Environmental Policy Act of 1969 (NEPA) that public land managers

- (1) "fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;"
- (2) "attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;"

and those expressed in the Federal Land Policy and Management Act of 1976 (FLPMA) that public land management--

"be on the basis of multiple use and sustained yield unless otherwise specified by law.

The term "multiple use" means the management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of

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\* A biographical sketch indicating my experience and qualifications in range ecology and management is attached. I was consulted by the Fort Peck Game Range Committee, and association of ranchers presently grazing cattle on the Charles M. Russell National Wildlife Refuge and asked to review and comment on the Draft EIS on CMR.

future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic scientific and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment."

The Draft EIS is seriously deficient in many respects. It does not measure up to EPA standards in hardly any way. It is misleading to call it an EIS. It does not contain a single management proposal of significance that has been studied, analyzed and carried through the planning stage ready for implementation. The factual basis for most proposals apparently still has to be obtained."

"An essential undertaking would be preparation of a habitat management plan for each allotment by 1985. These plans would spell out specific wildlife habitat problems and provide specific management actions to correct the problems, such as grazing seasons of use, prescribed burning, ripping, planting and rest from grazing if necessary..."

"Fences would be constructed where necessary to achieve each agency's objectives. The location of these fences would be determined when habitat management plans are written for each allotment. Forty-seven miles of boundary fence have been identified and are discussed further in range developments. These fences would not necessarily be on the refuge boundary. They could be constructed in the best and most practical locations. Other possibilities would be to locate new water facilities or implement specific grazing systems designed to reach each agency's objectives in suitable common allotments."

The draft consists mainly of plans and promises not of well thought out proposals substantiated by factual data.

EPA requires that EISs

"be prepared using a systematic, interdisciplinary approach and shall incorporate all relevant analytical disciplines to provide meaningful and factual data, information, and analyses. The presentation of data should be clear and concise, yet include all facts necessary to permit independent evaluation and appraisal of the beneficial and adverse environmental effects of alternative actions."

The draft is poorly worded and organized. Related material is scattered throughout the text, tables, figures, and appendices, making it difficult to focus on and comprehend any subject. It contains much detail and technical

information that is of little or no value in assessing proposed actions and consequences. Numerical ratings, index numbers, coefficients have no significance to ordinary mortals.

Information in Tables 1, 6, and 7 and Appendices 1, 2, 7, 7a, 9 10, 14, and 15 has little utility. The draft is a burden.

EPA - An EIS

"shall to the extent possible not be drafted in a style which requires extensive scientific or technical expertise to comprehend and evaluate the environmental impact of a proposed EPA action."

It seems to me that too many alternatives are being proposed. It is hard to distinguish between some of them.

Alternative E calling for elimination of livestock grazing is not an alternative that could be acted on immediately so is not a viable alternative.

Alternatives A, B, C, D, are all multiple-use proposals. They differ only in degree of emphasis on the various uses. The manager of CMR has the authority to strike the balance in uses that best serves the public.

The two viable alternatives appear to be No Action (A)--present situation--and Multiple-use Action (B, C, D.)

On the other hand there is a dearth of factual materials for assessing the merits of proposals. It is not befitting a prestigious Federal agency such as the Fish and Wildlife Source to burden reviewers with such premature and poorly prepared statements.

EPA

"Primary attention should be given to those factors most evidently affected by the proposed action. The factors shall include, where appropriate, the proposed action's effects on the resource base including land, water quality and quantity..."

The first responsibility of any land managing agency is preservation of soil fertility and land production capacity. FWL fails to address this point in any substantive way. Yet it is proposing livestock grazing practices that promote soil erosion and degradation of the environment.

The draft contains a proposal aimed at a major objective on CMR, namely improvement of habitat for wildlife. This proposal is stated as follows:

"The most significant management actions to achieve habitat objectives would be reductions of livestock grazing, changing livestock seasons of use." (10).<sup>1</sup>

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<sup>1</sup> Page number.

"Proposed livestock grazing levels would be 40,482 federal AUMs by 1985, which represents a 33 percent refuge-wide reduction from present federally licensed AUMs ... This reduction would range from 0-100 percent, depending on the allotment ..." (12).

"Generally the refuge would be grazed on a seasonal or continuous basis (9) ... and managed under the philosophy that light livestock grazing levels (0-35 percent forage utilization) are not detrimental to wildlife populations." (75).

Some of the results predicted from this action are:

"This type of grazing would provide the diversity of habitat conditions needed to achieve desired wildlife populations and diversity of species." (75).

"Overall habitat quality would increase 16-105 percent depending on wildlife species evaluated." (74).

"Approximately 25 percent of the grazed portions of the refuge would be in excellent condition by 1990 and 35 percent in excellent condition by the year 2000. Fair condition range would be reduced from the present level of 7 percent to an estimated 3 or 4 percent because of reductions in livestock on overgrazed allotments." (74).

"Soil erosion on these fragile areas would be reduced and essentially confined to geologic processes. Increased litter cover on areas considered to be principal livestock range would be expected."

"Bare soils on the most productive range sites, such as clayey, silty, sandy, and overflow, would be lowered from the present average range of 20-42 percent by 1986.." (70)."

There is no basis for such forecasts. It is speculation and wishful thinking. Results will not be obtained as stated with the grazing practices proposed. On many important habitat sites vegetation will be deteriorated rather than improved resulting in soil erosion.

It appears that a decision to reduce livestock use on CMR an average of 33 percent was made even before the range survey capacity figures were determined and that the EIS is a justification statement for the reductions.

EPA - The EIS

"shall serve as a means for the responsible official and the public to assess the environmental impacts of a proposed EPA action, rather than as a justification for decisions already made."

No attempt is made in the draft to explain the proposed reductions. No data are presented which the reviewer could use to assess the merits of the reductions. The following information is needed for an assessment.

1. Grazing capacity figures obtained through the range survey with explanation of cuts, if any, that are included in the figures for proper use, slope, inaccessibility, lack of water or other reasons.

2. Base capacity figures used by FWL to arrive at proposed capacities with an explanation of cuts if any included in these figures.

Other information needed to get a better picture of conditions and background for management proposals on CMR are:

Vegetation. (Present description inadequate)

List of the principal types

For each type

Acreage

Map (letter size) showing location, distribution.

Table Species composition and density.

Wildlife

List of principal species

For each species

Estimated present population (numbers).

Distribution map (letter size)

Total habitat area (acres)

Principal vegetation habitats in decreasing order of importance.

Grazing allotments (entirely or partly on CMR)

Number

Total acreage

Portion off CMR (acres)

Portion on CMR (acres)

Land ownership and jurisdiction in each portion.

On CMR

Area excluded from grazing by fencing, farming, etc.)

Area not grazed because of slope, natural barrier, etc.

Area not grazed because of lack of water.

Area actually grazed (grazing area)

Total number of livestock grazed

cattle, sheep, horses and other

Vegetation use on 5 sites (average in past years)

1. In ravine and drainage bottoms.
  2. Around water (ponds, troughs) and along streams to a distance of 1/4 mile from water.
  3. Slopes up to 20 percent adjoining drainage courses between 1/4 and 1 mile from drainage.
  4. Slopes greater than 20 percent adjoining drainage courses between 1/4 and 1 mile from drainage.
  5. Table and benchlands to a distance of 1 mile from water.
- Rate as none, light, moderate or heavy

The following information is needed on each allotment

Name

Name of permittee

Size

Area on CMR and Area off CMR

Land ownership and jurisdiction on each (acres)

On CMR

Acreage excluded from grazing (fenced etc.)  
Acreage not grazeable (slope, natural barrier)  
Acreage not used (lack water)  
Acreage actually grazed (grazing area)

Vegetation types

Areas of each type (acres)  
On whole area in CMR  
On grazing area in CRM  
Soil erosion each type  
Acres geologic erosion  
Acres (none, light, moderate, heavy) accelerated erosion

Livestock grazing

Livestock on CMR  
Number (AUs) Present, proposed  
Kind " "  
Grazing season (dates)

Total AUMs

Federal Present, proposed  
Private "

Grazing system Present, proposed

The FWL has decided on light continuous grazing on CMR quite arbitrarily, justifying it with a superficial comparison of grazing systems reported in the literature. Comparisons of grazing systems can be made from information obtainable on CMR. Here light continuous grazing, deferred-rotation grazing and rest-rotation grazing are being practiced. Why hasn't such a comparison been made? If it has why aren't the results reported in the EIS. With rest-rotation grazing the vegetation can be improved and maintained and soil erosion controlled on all areas grazed by livestock on CMR.

*G. L. Dorman*

## BIOGRAPHICAL SKETCH

### AUGUST L. HORMAY

AUGUST L. "GUS" HORMAY has pursued a public service career with the Forest Service, U.S. Department of Agriculture, and the Bureau of Land Management, U.S. Department of Interior, totaling more than 50 years. His work has centered on developing and promoting land-management practices that will produce the highest yield and quality of renewable resources without impairing land productivity or degrading the environment.

Gus Hormay was born in San Francisco, California, on May 10, 1907. He was graduated from the University of California, Berkeley, in 1930, with a bachelor's degree in forestry, and completed a year of post-graduate studies in basic physical and biological sciences to better prepare himself for work in the broader field of land management.

He joined the Forest Service in 1931, and spent the next 36 years in research on range ecology and management with the California (now Pacific Southwest) Forest and Range Experiment Station, headquartered at Berkeley. In 1966, he transferred to the Bureau of Land Management as a range management advisor.

While with the Forest Service he developed the concept of rest-rotation grazing--a type of grazing that is designed to promote and maintain the growth of vegetation under livestock use. He crystalized his ideas in 1948 and immediately pressed for practical tests of the effectiveness of this type of grazing. The first test was made on the Harvey Valley cattle allotment on the Lassen National Forest in California in 1952. The concept proved sound and practical and is being applied on ranges throughout the west at an accelerating rate.

Gus has been recognized nationally for his work. In 1957 he received a Superior Service Award from the U.S. Department of Agriculture, and in 1971, a Distinguished Service Award from the U.S. Department of Interior. The citation for the 1971 Award (copy attached) reads in part: "Due to his exceptional skills and ability 'Gus' Hormay is eminently successful as a researcher and advisor . . . Most outstanding has been his development of a scientific system of rest-rotation grazing management . . . His rest-rotation principles will have a direct and important bearing on the quality of our environment . . . No other man has currently contributed as much to promoting proper use and management of the total natural rangeland environment, both public and private . . . Mr. Hormay has motivated technicians, stockmen and conservationists alike to utilize expertise in designing management practices."

In 1972 he received an Outstanding Achievement and Service Award from the Society for Range Management for "his research accomplishments and for his practical and effective on-the-ground training of land managers in the principles of grazing management . . . and rational uses of the country's natural resources."

Gus holds membership in a number of professional and other organizations devoted to natural resources including American Association for Advancement



of Science, American Institute of Biological Sciences, California Academy of Sciences, California Botanical Society, Cousteau Society, Ecological Society of America, Friends of the Earth, National Audubon Society, National Wildlife Federation, Sierra Club, Society for Range Management, Society of American Foresters and Wilderness Society.

Gus was retired from regular government service in 1977 because of age, but he has continued to carry on with his work since that time. He is back with the Forest Service in Berkeley as a volunteer, completing studies he set aside because of the press of other work while he was still in service. As a consultant he is continuing to advise interested parties on sound grazing and land management practices. When asked when he is really going to retire he replies -- "When I expire."

September 1980



THE SECRETARY OF THE INTERIOR  
WASHINGTON

CITATION  
FOR DISTINGUISHED SERVICE

AUGUST L. HORMAY

for an eminent Government career of more than forty years in the field of natural resource conservation.

Mr. Hormay's remarkable public service as a Range Conservationist has greatly advanced the knowledge and understanding of rangeland ecology. He has devoted recent years to a marathon of travel, training and lecturing and is in constant demand throughout the West. Due to his exceptional skills and ability "Gus" Hormay is eminently successful as a researcher, teacher, advisor, and editor of natural resource publications. His keen awareness and conceptual understanding of land resource problems have established him as an international authority. Most outstanding has been his development of a scientific system of rest-rotation grazing management applicable to most of the western rangelands. Mr. Hormay has trained professional range managers, stockmen and others in these techniques and advocated the multiple-use benefits to be derived from the public lands under a system of proper livestock management. His rest-rotation principles will have a direct and important bearing on the quality of our environment. Through proper control of livestock grazing Mr. Hormay pioneered for improvements in watershed and habitat and increased forage production accompanied by improved meat production. No other man has currently contributed as much to promoting proper use and management of the total natural rangeland environment, both public and private, and obviated so many inherent conflicts. Mr. Hormay has motivated technicians, stockmen and conservationists alike to utilize expertise in designing management practices. As a tribute to his distinct role in the management and conservation of the Nation's natural resources, Mr. Hormay is granted the highest honor of the Department of the Interior, the Distinguished Service Award.

*Rogers C. Morton*

Secretary of the Interior

June 7, 1971

Berkeley  
Dec. 3, 1980

Attention Joe Egan

Comments on Draft CMR EIS

This is what was  
sent to Steucke

Gus

AUGUST L. HORMAY  
RANGE MANAGEMENT CONSULTANT

101 ACADIA STREET • SAN FRANCISCO, CALIFORNIA 94131

December 4, 1980

INVOICE

C. Delos Putz, Jr.  
Attorney at Law  
1525 Cole Street  
San Francisco, CA 94117

For services during the period October 24-December 2, 1980.

Review and preparation of comments on The Draft EIS on The  
Charles M. Russell National Wildlife Refuge dated August, 1980.

7 days @ \$400.00 per day

Total \$2800.00

Sincerely,



A. L. Hormay

*Received payment, \$2800<sup>00</sup>, January 23 1981*

*Fort Peck Game Range Committee*

*Chk & No 290 Dated January 17 1981*

*Signed*

*Kim Roberts*

# PUBLIC LANDS COUNCIL

"A Western Livestock Public Land User Organization"

## Legislative Office:

Suite 1020  
425 - 13th Street, N.W.  
Washington, D.C. 20004  
202-347-5355

## Administrative Office:

220 Livestock Exchange Bldg.  
Denver, Colorado 80216  
303-623-4347

## Officers:

ROB FLOURNOY

President

Likely, CA.

TYE S. MOORE

Vice President

Casper, WY.

DAVID G. RICE, JR.

Secretary-Treasurer

Denver, CO.

## Executive Committee:

ROB FLOURNOY

President

DEAN RHOADS

Immediate Past President

NICK THEOS

Past President and

National Wool Growers Association

JOHN WEBER

Past President

TYE S. MOORE

Vice President

CHARLIE LEE

Member at Large

JOE LANE

National Cattlemen's Association

## Executive Director:

RONALDA A. MICHIELI

Washington, D.C.

## Member States:

Arizona  
California  
Colorado  
Idaho  
Montana  
Nevada  
New Mexico  
North Dakota  
Oregon  
South Dakota  
Utah  
Washington  
Wyoming

December 5, 1980

RECEIVED  
DEC 15 1980

Mr. C. E. Hitch  
Montana Public Lands Council  
2819 2nd Ave. N. -306 Fratt Bldg.  
Billings, Montana 59101

Dear Chuck:

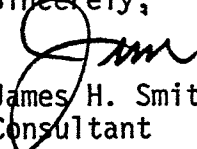
The enclosed was put together hastily but I hope it is satisfactory.

I appreciate your advice and help. I was a bit lost after reading through this EIS - it is so bad! I thought it best not to simply repeat what you already said in your comments to FWS as I could not have said it as well!

Therefore, I tried to emphasize a few other points. I hope I didn't stray too far off base.

Thanks again and keep us advised.

Sincerely,

  
James H. Smits  
Consultant

Public Lands Council

Suite 1020  
425-13th Street, N.W.  
Washington, D.C. 20004  
(202) 347-5355

National Cattlemen's Association

P.O. Box 569  
(1001 Lincoln Street)  
Denver, Colorado 80201  
(303) 861-1904

National Wool Growers Association

600 Crandall Building  
Salt Lake City, Utah 84101  
Phone (801) 363-4483

December 5, 1980

RECEIVED  
DEC 15 1980

Erwin W. Steucke, Area Manager  
Fish and Wildlife Service  
Federal Building, Room 3085  
316 North 26th Street  
Billings, Montana 59101

Dear Mr. Steucke:

This is to present the comments of the above national organizations on the draft environmental impact statement for the C.M. Russell National Wildlife Refuge.

We agree with the critical comments and review of this EIS submitted to you by Mr. C.E. Hitch on behalf of the Montana Public Lands Council.

Like the Montana Public Lands Council, we found the draft EIS so confusing, indefinite and contradictory that it is difficult to analyze it. As a matter of fact, we believe the draft is so inadequate that a revised draft should be prepared and circulated (as provided in § 1502.9 of the CEQ regulations on implementing the procedural provisions of NEPA) so as to provide a meaningful opportunity for public comments.

The present document appears designed to obscure the significant issues involved in the proposed action and alternatives and to discourage specific public comment. How can the public comment on something so lacking in relevant information and so lacking in identification of goals, choices, and impacts?

Although FWS claims that scoping was done, we fail to see the results in this document, explicitly or implicitly. We are not sure whether it is an EIS on livestock grazing management, wildlife management, or both. At any rate, it fails in every way to present the reasonable alternatives and adequate information that the CEQ regulations indicate is necessary to evaluate the choices and trade-offs that might be involved.

The alternatives presented in the EIS do not cover an adequate range of management actions nor is there sufficient information presented regarding each alternative so as to be able to understand fully their impacts.

There is practically no information given on how each alternative would affect wildlife. Most of the alternatives would "improve wildlife habitat" we are told and asked to accept on faith alone. Little evidence is presented on how and how much wildlife populations or other related values would be affected by the actions in the alternative programs. Practically no figures are given on present wildlife populations or on expected numbers under the alternatives.

While Executive Order 7509 appears to have withdrawn the area for wildlife numbers and "for the protection and improvement of public grazing lands and natural forage resources", the FWS does not appear willing to operate the area for these purposes. The EIS says, in effect, that wild animal populations or densities are not important, it is habitat quality and quantity that is important whether or not that is helpful to wildlife quantity or quality (or injurious to livestock grazing).

On pages 4, 5, and 6, prior to any discussion of the alternatives, there is presented a listing of CMR goals and objectives. Apparently these objectives are non-debatable as far as FWS is concerned. There is no discussion of these objectives and no EIS was prepared on them or will be prepared on them. They are used only to "prove" that alternatives other than the proposed action are not possible or desirable, according to FWS. To make it even more difficult to evaluate them, the goals and objectives are not quantified or qualified.

Also making it impossible to evaluate just what it is that each alternative purports to do or accomplish are the statements in each alternative description that the Service will develop in the future habitat management plans that will have unidentified affects on grazing and wildlife. In other words, the EIS not only does not tell the public exactly what the Service has in mind at present under each alternative, it hasn't yet decided what it will do. Or perhaps it is just reserving the right to do whatever it feels like in the future no matter what alternative is selected.

If we don't know yet what the proposed programs are under each alternative, just what is it that we are examining in this EIS?

The whole document appears to us to be a rationalization of a decision or decisions already made, in violation of the CEQ regulations. An EIS is supposed to be prepared before major decisions are made or conclusions drawn. An EIS is supposed to help improve the decision-making process. It should identify the benefits and impacts, in kind and size, and give the public an opportunity to comment on pertinent issues. The CMR EIS meets none of these requirements.

The EIS obviously prejudices livestock grazing from the start. The document reveals an abysmal lack of understanding or knowledge of

livestock grazing or range science issues. Perhaps this is because there appears to have been little input from anyone other than wildlife specialists. (The list of preparers on page 104 fails to reveal each individual's experience and qualifications as required by the CEQ regulations.

Examples of the ignorance of livestock and range issues appear in the discussion of economics in Appendix 13: Private rates for grazing are \$10 to \$20 per AUM in the area and since the CMR permittees pay only \$1.89 per AUM they are getting "substantial federal subsidies." Anyone who had even a modicum of understanding of the public land grazing fee formula would not make such a stupid statement. (For your enlightenment, the formula is based on private lease rates and the higher costs of operating on public land.) The error is compounded when \$1.89 per AUM is used as the direct benefit value. We believe that this proves that FWS is incapable of analyzing livestock issues and at least that part of the EIS should be given to another Federal agency or to a range science group outside the government that has some expertise in livestock grazing and range matters.

Four of the five alternatives involve cuts in livestock grazing. The fifth, the "no action" alternative, involves a continuation of the status quo (no livestock grazing increase). The multiple use alternatives is misnamed. At one point, it is described as an action involving an initial cut and a gradual increase to a level slightly below present grazing numbers; on some other pages the high point is described as a few AUMs above present numbers. There is also a variety of figures given on the amounts of the livestock reductions in other alternatives.

It is apparently accepted as a premise that livestock grazing and wildlife are incompatible. Since this is such a central issue it should have been more adequately covered in the document.

The literature review in Appendix 16 attempts to substantiate the above bias by citing out-of-context selections from wildlife writers. Dr. R.J. Mackie is quoted extensively in this appendix and throughout the rest of the document in words that imply that he believes livestock and wildlife are always in conflict. However, that same Dr. Mackie is cited as indicating that information is lacking with respect to impacts of grazing on wild ungulates. We understand that Dr. Mackie has recently stated that existing studies have not produced substantive evidence for the existence of livestock/wildlife competition generally, nor more than very general conclusions about the exact nature and importance of such competition.

Appendix 16 also reveals that those cited are saying that there may be diet and other competition between wildlife and livestock in "overgrazed" situations--not all situations! But the EIS reveals that 85 to 95% of the range in the CMR Refuge is in "good" or "excellent" condition!

It is obvious that the severe grazing reductions in the Proposed Action are not directed at "overgrazed" conditions. As a matter of fact, a comparison between the proposed cuts and the range condition allotments by allotment indicate that there would be severe reductions in areas in which all the land is in good or excellent condition.



AUGUST L. HORMAY  
RANGE MANAGEMENT CONSULTANT

101 ACADIA STREET • SAN FRANCISCO, CALIFORNIA 94131

December 12, 1980

Donald W. Molloy  
2508 Third Avenue North  
Billings, Montana 59103

Dear Don:

I hope my letter of October 29, 1980 got to you in time to do some good. Apparently BLM is not going to concede to a realistic rational view.

My reason for writing is that I need the slides I used in court. They will probably arrive the day I drop this letter in the mail box.

Happy holidays to you and your family.

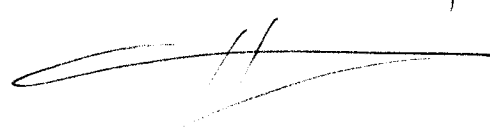
Sincerely,

A handwritten signature in cursive script, appearing to read "Gus", written in dark ink.

A. L. Hormay

[1930, Dec 13]

Hi Gus - Am now retired, remarried  
and happily living in Hawaii.

Jim & Bea Linn  


LAW OFFICES

**BERGER, ANDERSON, SINCLAIR, MURPHY,  
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2508 Third Avenue North  
BILLINGS, MONTANA 59103

Arnold A. Berger  
Richard W. Anderson  
James J. Sinclair  
James P. Murphy  
Chris J. Nelson  
A. Clifford Edwards  
Philip P. McGimpsey  
Donald W. Molloy

P.O. Box 1914  
406-252-3439  
406-259-4274

December 15, 1980

Mr. Augustus Hormay  
P. O. Box 245  
Berkeley, California 94701

Dear Gus:

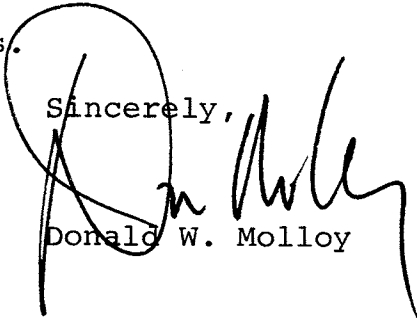
I have sent under separate cover your slide tray.  
The difficulty was getting an order from the court to  
release the exhibit. I have now obtained that exhibit  
and thus am forwarding it to you.

I appreciate your comments on the regulations.  
I hope to visit with you again.

Have a good holiday season.

Kindest regards.

Sincerely,

  
Donald W. Molloy

sjm



United States Department of the Interior  
FISH AND WILDLIFE SERVICE

Charles M. Russell National Wildlife Refuge  
P. O. Box 110  
Lewistown, Montana 59457  
Telephone 406 - 538-8706  
December 16, 1980

IN REPLY REFER TO:

RECEIVED

DEC 10 1980

WILDLIFE DIV.

To Whom It May Concern:

As a person or organization that has expressed a concern about our grazing on Charles M. Russell National Wildlife Refuge, we are supplying you with a copy of a recent management decision. We believe it is self explanatory. If you have any questions please call us.

Sincerely,

Ralph F. Fries  
Refuge Manager

att.



United States Department of the Interior  
FISH AND WILDLIFE SERVICE

Charles M. Russell National Wildlife Refuge  
P. O. Box 110  
Lewistown, Montana 59457

Telephone 406-538-8706  
December 16, 1980

To All CMR Grazing Permittees:

The comment period on the Draft E.I.S. for CMR recently ended and we are now in the process of evaluating the comments and preparing the final version of the impact statement.

Looking ahead, I'm sure that the final will NOT be out before the first of May, 1981. I realize that to run a livestock operation efficiently you need to know of actions affecting your operation as far in advance as possible. You need to know our intentions now.

Therefore, there will be no AUM reductions as a result of the E.I.S. this coming grazing season (1981). We will start taking applications for the 1981 grazing season about mid-January. You can plan on the same number of AUMs that you had last year. An exception would be if a ranch sells.

By waiting until next year (1982) to implement changes required by the E.I.S., both of us will have more time to plan and make the necessary changes in operations.

That was the good news, now for the bad. The drought has us deeply concerned. Our residual cover levels are bad in many allotments and nonexistent in others. Most reservoir levels are low and we will need a lot of snow or spring moisture to fill them and keep vegetation growing. But we will make the assumption now that we will have normal spring moisture.

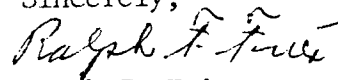
However, if it stays dry, what we will do is delay turn-out until some growth occurs. Depending on vegetative response we are thinking about two different courses of action:

1. Delaying turn-out and trying to cover the regular number of cows for a shorter season. This would be an AUM reduction for 1981 only and based solely on drought problems, not E.I.S. reductions.
2. Delaying turn-out and then adding on the time missed at the end of the regular grazing season. This would not be a reduction in AUMs and would depend on summer moisture.

If the drought continues we want you to know that some reductions will be necessary. Moisture in the Breaks is usually spotty. Any reduction would be based on an allotment by allotment inspection of moisture and vegetation. If it appears a reduction in livestock may be necessary, we would like you to accompany us on an on-the-ground inspection of the allotment before a final decision is made.

We hope this will help you with your plans for 1981 and that you have a Very Merry Christmas and Happy New Year.

Sincerely,

A handwritten signature in cursive script that reads "Ralph F. Fries".

Ralph F. Fries  
Refuge Manager

P.S. Let's all pray for moisture, as it will be better for you, us, and the wildlife.

C. DELOS PUTZ, JR.  
ATTORNEY AT LAW  
1525 COLE STREET  
SAN FRANCISCO, CALIFORNIA 94117

(415) 564-4253  
(415) 666-6385

December 18, 1980

August L. Hormay  
101 Acadia Street  
San Francisco, CA 94131

Dear Gus:

I've sent your bill to Matt Knierim who will send it to the Fort Peck Game Range Committee for payment.

I want to confirm that that trial in the CMR litigation is set to begin in federal court in Billings on February 16, 1981. We have identified you to the government as one of our anticipated expert witnesses on range management issues and on the adequacy of the EIS. I would appreciate your putting a "hold" on that week for now. As far in advance of trial as possible we'll try to identify a particular day on which you would testify. Of course we'll keep you informed of any changes in the trial date.

I expect that the government may want to take your deposition in advance of the trial. Either Matt Knierim or I will be in touch with you as soon as the government contacts us about that.

Sincerely yours,



C. Delos Putz, Jr.

CDP:clc

cc: Matt Knierim

