

Fighting for the U.S. Cattle Producer!



R-CALF United Stockgrowers of America
P.O. Box 30715
Billings, MT 59107
Fax: 406-252-3176
Phone: 406-252-2516
Website: www.r-calfusa.com
E-mail: r-calfusa@r-calfusa.com

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Ms. Linda DeVine
HQ ACC/A7PP
129 Andrews St., Room 317
Langley AFB, VA 23665-2769

RE: Notice of Intent To Prepare an Environmental Impact Statement for the Expansion of the Powder River Complex Near Ellsworth AFB, South Dakota

The Ranchers-Cattlemen Action Legal Fund, United Stockgrowers of America (R-CALF USA) appreciates this opportunity to provide comments on the Notice of Intent to Prepare an Environmental Impact Statement for the Expansion of the Powder River Complex Near Ellsworth AFB, South Dakota (Notice). The Notice was published in the May 29, 2008, *Federal Register*. See 73 Fed. Reg. 30903 (May 23, 2008).

R-CALF USA is a non-profit association that represents thousands of U.S. cattle farmers and ranchers in 47 states, along with numerous state and local cattle association affiliates. R-CALF USA's membership consists primarily of cow/calf operators, cattle backgrounders, and feedlot owners. Various main-street businesses are associate members of R-CALF USA. R-CALF USA works to sustain the profitability and viability of the U.S. cattle industry, the largest segment of U.S. agriculture. The Notice raises serious concerns for R-CALF USA members whose cattle operations are within the proposed expansion areas. R-CALF USA urges the United States Air Force (USAF) to consider other training options that would not disrupt the thousands of cattle ranches within the proposed region.

I. The Region Affected by the Proposed PRTC Expansion is Unique and Vitally Important to the Overall Viability of the United States Cattle Industry.

Montana

Based on information provided by the USAF during an informational meeting held in Miles City, Mont., on July 28, 2008, the proposed expansion of the Powder River Training Complex (PRTC) would include the following Montana counties: Big Horn, Carter, Custer, Fallon, Powder River, Rosebud, Treasure, and Yellowstone, along with the Crow Reservation and the Northern Cheyenne Reservation.

According to the 2002 Census of Agriculture (latest data available), these eight Montana counties support 3,141 individual ranching operations that control 11,809,155 acres of pastureland used for livestock production.¹ On Jan. 1, 2008, there were 585,100 head of cattle and calves held on ranches in

¹ See Table 8. Farms, Land in Farms, Value of Land and Buildings, and Land Use: 2002 and 1997, 2002 Census of Agriculture – County Data (Montana), U.S. Department of Agriculture, National Agricultural Statistics Service (hereafter "USDA-NASS"), Attached hereto as Exhibit 1 ("Pastureland, all types"), pp. Montana 263-270.

these eight counties.² Cash receipts from the sale of livestock and livestock products in these eight counties were over \$270,645,000 in 2005 (latest data available).³

North Dakota

Based on information provided by the USAF during an informational meeting held in Miles City, Mont., on July 28, 2008, the proposed expansion of the Powder River Training Complex (PRTC) would include the following North Dakota counties: Adams, Billings, Bowman, Golden Valley, Grant, Hettinger, Morton, Sioux, Slope and Stark, along with the Standing Rock Reservation.

According to the 2002 Census of Agriculture (latest data available), these 10 North Dakota counties support 3,120 individual ranching operations that control 4,614,974 acres of pastureland used for livestock production.⁴ On Jan. 1, 2008, there were 445,000 head of cattle and calves held on ranches in these 10 counties.⁵ Cash receipts from the sale of livestock and livestock products in these 10 counties were \$174,661,000 in 2006 (latest data available).⁶

South Dakota

Based on information provided by the USAF during an informational meeting held in Miles City, Mont., on July 28, 2008, the proposed expansion of the Powder River Training Complex (PRTC) would include the following South Dakota counties: Butte, Corson, Hardin, Lawrence, Meade, Pennington, Perkins and Ziebach, along with the Standing Rock Reservation and the Cheyenne River Reservation.

According to the 2002 Census of Agriculture (latest data available), these eight South Dakota counties support 3,141 individual ranching operations that control 8,749,836 acres of pastureland used for livestock production.⁷ On Jan. 1, 2008, there were 529,000 head of cattle and calves held on ranches in these eight counties.⁸ Cash receipts from the sale of livestock and livestock products in these eight counties were \$291,036,000 in 2006 (latest data available).⁹

Wyoming

Based on information provided by the USAF during an informational meeting held in Miles City, Mont., on July 28, 2008, the proposed expansion of the Powder River Training Complex (PRTC) would include the following Wyoming counties: Campbell, Crook, Sheridan and Weston.

² See All Cattle & Calves, Inventories by Counties, Jan. 1, 2008, Montana, USA, USDA-NASS, attached hereto as Exhibit 2.

³ See Cash Receipts from Sale of Principal Product & Government Payments by County, Montana, USA, 2005, USDA-NASS, attached hereto as Exhibit 3 (Cash receipts from Big Horn County are omitted from this report).

⁴ See Table 8. Farms, Land in Farms, Value of Land and Buildings, and Land Use: 2002 and 1997, 2002 Census of Agriculture – County Data (North Dakota), USDA-NASS, attached hereto as Exhibit 4 (data obtained under “Pastureland, all types,” pp. North Dakota 260-266).

⁵ See Livestock: Inventory, North Dakota by County, Current Year, USDA-NASS, North Dakota Field Office, attached hereto as Exhibit 5.

⁶ See Farm Income, Cash Receipts from Farm Marketings and Government Payments: North Dakota, 2006 and 2005, USDA-NASS, North Dakota Field Office, June 2008, at 95, attached hereto as Exhibit 6.

⁷ See Table 8. Farms, Land in Farms, Value of Land and Buildings, and Land Use: 2002 and 1997, 2002 Census of Agriculture – County Data (South Dakota), USDA-NASS, attached hereto as Exhibit 7 (data obtained under “Pastureland, all types,” pp. South Dakota 271-279).

⁸ See All Cattle & Calves, South Dakota Jan. 1, 2008, USDA-NASS, attached hereto as Exhibit 8.

⁹ See Farm Income, Cash Receipts from Farm Marketings and Government Payments: South Dakota, 2005- 2006, USDA-NASS, South Dakota Field Office, attached hereto as Exhibit 9.

According to the 2002 Census of Agriculture (latest data available), these four Wyoming counties support 1,652 individual ranching operations that control 7,249,640 acres of pastureland used for livestock production.¹⁰ In 2006, there were 272,000 head of cattle and calves held on ranches in these four counties (latest data available).¹¹ Cash receipts from the sale of livestock and livestock products in these four counties were \$149,357,000 in 2006 (latest data available).¹²

Montana, North Dakota, South Dakota and Wyoming

The 30 counties in the four states affected by the proposed PRTC expansion are each counties with significant livestock production. Together, these counties represent an integral component of the U.S. livestock industry that helps to ensure the United States remains largely self-sufficient in the production of red meat – an important factor in maintaining the nation’s food security.

As revealed by the foregoing data, these 30 counties support 11,054 individual ranching operations that control 32,423,578 acres of vital pastureland used for livestock production. These counties maintain approximately 1,831,100 cattle and calves, which represent more cattle and calves than are maintained in the entire state of either Wyoming or North Dakota, and is more than twice the number of cattle maintained in the entire state of Utah, a state where the USAF currently conducts training operations.¹³ The annual cash receipts from livestock production in these 30 counties are approximately \$885,699,000.

Based also on the foregoing data, the average cattle herd size per ranch in this 30-county region is approximately 166 head per ranch. This average size of the U.S. beef cow herd is only approximately 43 cows per herd.¹⁴ Thus, the herd sizes in this 30-county region, which largely consist of beef cattle, are roughly four times larger than the national average herd size. Moreover, as a result of the ongoing exodus of U.S. cattle operations,¹⁵ there remains only approximately 78,360 beef cattle operations in the entire United States with herd sizes larger than 100 head.¹⁶ Thus, based on the approximate number of cattle operations (ranches) discussed above, and presuming they are all beef cattle operations, this 30-county region represents as high as 14 percent of United States cattle herds that are larger than 100 head.

These factors indicate that many, if not most, of the ranches within this 30-county region are of sufficient size to be considered economically viable cattle operations, which are becoming rare in the

¹⁰ See Table 8. Farms, Land in Farms, Value of Land and Buildings, and Land Use: 2002 and 1997, 2002 Census of Agriculture – County Data (Wyoming), USDA-NASS, attached hereto as Exhibit 10 (data obtained under “Pastureland, all types,” pp. Wyoming 224-226.

¹¹ See 2006 Campbell County Agriculture, USDA-NASS, Wyoming Field Office, Sept. 2007; 2006 Crook County Agriculture, USDA-NASS, Wyoming Field Office, Sept. 2007; 2006 Sheridan County Agriculture, USDA-NASS, Wyoming Field Office, Sept. 2007; and Weston County Agriculture, USDA-NASS, Wyoming Field Office, Sept. 2007, attached hereto as Exhibits 11, 12, 13, and 14, respectively.

¹² See *id.*

¹³ See Cattle and Calves: Number by Class, State, and the United States, Jan. 1, 2007-2008, Cattle February 2008, USDA-NASS, at 2, attached hereto as Exhibit 15 (the states of North Dakota, Wyoming, and Utah have approximately 1,810,000, 1,320,000, and 850,000 cattle and calves, respectively).

¹⁴ See January 1 [2008] Cattle Inventory Down Slightly, Cattle, USDA-NASS, attached hereto as Exhibit 16 (“Beef cows at 32.6 million”); see also, Beef Cows: Number of Operations by State, United States and Puerto Rico, 2006-2007, Farms, Land in Farms, and Livestock Operations 2007 Summary, USDA-NASS, February 2008, at 19, attached hereto as Exhibit 17 (There were 757,900 beef cow operations remaining in the U.S. in 2007).

¹⁵ See Number of All Cattle and Beef Cow Operations United States, 1988-2007, Farms, Land in Farms, and Livestock Operations 2007 Summary, USDA-NASS, February 2008, at 14, attached hereto as Exhibit 18.

¹⁶ See *id.* (“Cattle and Calves: Number of Operations and Percent of Inventory by Size Group, U.S., 2006-2007).

United States. These factors further suggest that many, if not most, of the ranches within this region depend exclusively on the production of cattle for their livelihoods. Together, these factors demonstrate that this 30-county region is unique in its ability to sustain economically viable cattle operations and demonstrate just how important the livestock production within this 30-county region is to the overall viability of the United States cattle industry.

The principal concern of R-CALF USA is that the proposed PRTC expansion could result in the disruption of this 30-county region's ability to continue maximizing livestock production. Below are a number of factors associated with the proposed PRTC expansion that could result in a reduction of livestock production within this 30-county region – an outcome that would adversely affect the profitability and viability of the thousands of independent cattle operations within the region.

II. The Potential for the Proposed PRTC Expansion to Disrupt Livestock Production is Significant.

The training activities proposed for the PRTC expansion include high-speed and low-level flights involving multiple aircraft, supersonic flights, and deployment of flares and chaff. The high-speed and low-level flights and supersonic flights bear the potential to create stress in livestock. Anecdotal evidence presented by ranchers attending the July 28, 2008, informational meeting in Miles City, Mont., suggest that in the existing PRTC, and in other regions where military flight training is conducted (e.g., Nevada), ranchers experienced property damage (e.g., cattle stampeding through corrals and fences) and low conception rates attributed to the training exercises. The increased potential for fires resulting from flare deployment, which could potentially wipe-out the production capabilities of one or more independent ranching enterprises for an entire production season, is also a significant concern.

Given the unique importance of this 30-county region to the overall viability of the U.S. cattle industry, the USAF should scientifically and quantitatively evaluate the potential that the following risks would potentially occur, and the frequency at which they would potentially occur, over an extended period of time before any further consideration of the proposed PRTC expansion.

The risk to livestock health

In addition to general stress that would be expected to result from livestock being startled from the sudden appearance, noise, and airwaves of high speed, low-flying aircraft, the USAF should conduct a study to determine the specific impact that shock bursts caused by supersonic flight would have on livestock health. A researcher in the United Kingdom, now deceased, recently attracted international attention with his theory that aircraft-induced shockbursts may have contributed to the outbreak of transmissible spongiform encephalopathies (TSEs) in the United Kingdom and Canada.¹⁷ Though this theory is not currently accepted by the scientific community as the most likely cause of TSEs, it is not clear that it has been scientifically disproven either. A 2003 study by Harvard University acknowledges the researcher who formulated the theory, thus substantiating the researcher's credibility.¹⁸ Studies to determine the potential health impacts to livestock from aircraft-induced shockbursts should be conducted before subjecting the livestock-dependant, 30-county region to such activity.

¹⁷ See Radioactive metals, Sonic shockbursts and the Ferrimagneto-Prion theory on the origins of TSEs, Mark Purdey, Somerset, UK, July 2003, attached hereto as Exhibit 19.

¹⁸ See Evaluation of the Potential for Bovine Spongiform Encephalopathy in the United States, Joshua T. Cohen, et al., Harvard Center for Risk Analysis, Harvard School of Public Health, Revised October, 2003, at 17, 133 (citations to a 1996 research paper by Purdey).

Risk to Livestock Productivity

Livestock would likely be most susceptible to increased stress caused by increased aircraft activity during ovulation, conception, and calving, all of which are events that directly impact the productivity of a livestock operation. In addition, increased stress may have a more generalized impact on livestock feed conversion. In other words, subjecting livestock to periodic stressors may reduce the ability of livestock to efficiently convert feed to pounds of gain, which is a key determinant of a livestock operation's profitability. Importantly, the U.S. Government Accountability Office (GAO) explained that "[c]attle have the longest biological cycle of all meat animals."¹⁹ Thus, the extended time needed to breed, birth, and grow cattle would necessitate an extended study period to fully evaluate the potential risks to cattle productivity resulting from the proposed PRTC expansion.

Risk to Livestock Fences, Facilities, and Livestock Handlers

Stampeding livestock can destroy fences, corrals, and other facilities resulting in injury to both livestock and livestock handlers. As mentioned above, anecdotal evidence suggests this already occurs in existing training sites. The USAF should quantitatively determine the expected frequency and intensity of these risks to both livestock and livestock handlers.

Risk of Fires from Flare Deployment or Aircraft Accidents

Even if the risks of fire from flare deployment or from aircraft accidents are low, the consequences of such a risk could be extremely high. Any fire in the 30-county region could potentially destroy the grazing potential for prime grazing lands for an entire growing season, resulting in severe financial consequences for affected ranches.

III. Conclusion.

Again, R-CALF USA appreciates this opportunity to comment on the USAF' Notice. For the reasons set forth above, R-CALF USA believes the potential risks associated with the proposed PRTC expansion are likely substantial and could significantly impact the important livestock production enterprises within the 30-county region. R-CALF USA urges the USAF to consider other options with which to achieve its training objectives that would not subject this important livestock production region to potential risks that are known to exist, but which have not yet been scientifically quantified.

Sincerely,



Bill Bullard
CEO, R-CALF USA

¹⁹ Economic Models of Cattle Prices, How USDA Can Act to Improve Models to Explain Cattle Prices, U.S. Government Accountability Office (formally the General Accounting Office), (GAO-020246, March 2002, at 30.