Wyoming Department of Agriculture

2219 Carey Avenue, Cheyenne, WY 82002 ■ Phone: 307-777-7321 ■ Fax: 307-777-6593 ■ Website: wyagric.state.wy.us ■ Email: wda1@state.wy.us

The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

Dave Freudenthal, *Governor*
John Etchepare, *Director*

October 11, 2007

Michele Easley, Team Leader
BLM Kemmerer Field Office
312 Hwy 189 N
Kemmerer, WY 83101

Re: Kemmerer RMP Draft EIS

Dear Ms. Easley:

Following are the comments of the Wyoming Department of Agriculture (WDA) on your Draft Environmental Impact Statement (DEIS) Kemmerer RMP.

Our comments are specific to our mission: to be dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. As this proposed project affects our agriculture industry, our natural resources, and the welfare of our citizens, it's important that we be kept informed of proposed actions and decisions and that we continue to be provided the opportunity to express pertinent issues and concerns.

We want to express our appreciation for your coordination with state cooperating government agencies during the preparation of this DEIS. We believe the DEIS represents the benefits of collaboration with these cooperators. We look forward to working with you as you consider the recommendations of the cooperators and prepare the Final EIS.

We particularly appreciate your inclusion in Section 1.3.2, Resource Management Plan Implementation, of the requirement for coordination meetings between BLM and the Cooperating Agencies as you implement the Revised RMP. We believe these meetings will enable the state and local government officials to identify and evaluate the impacts upon our constituents of activities occurring under the authority of the RMP. These meetings also provide the opportunity for cooperators to communicate the concerns of their constituents and to offer recommendations that will help alleviate or rectify those concerns. Finally, these meetings are instrumental for establishing and maintaining strong communication links between state, local, and BLM government officials that can pay continuing tangible and intangible dividends.

It is for these same reasons that we suggest language be added to the Final EIS authorizing Activity Plan Working Groups (APWGs). As controversial activity plans are being developed and implemented, cooperators can again play a valuable role in identifying concerns and suggesting recommendations. Language regarding APWGs that has been agreed upon with BLM officials is available in the Pinedale RMP. Language in the RMP should definitely provide the Kemmerer FO Manager the authority to utilize APWGs on an as-needed basis.

As a result of your coordination with cooperators, many of our concerns and issues have been resolved. Nonetheless, I still have a few specific recommendations that I would like to express.

BOARD MEMBERS
Juan Reyes, *District 1* ■ Jack Corson, *District 2* ■ Jim Mickelson, *District 3* ■ Jim Bennage, *District 4* ■ Joe Thomas, *District 5* ■ David J. Graham, *District 6* ■ Gene Hardy, *District 7*
Patrick Zimmerer, *Southeast* ■ Dalin Winters, *Northwest* ■ Vacant, *Southwest* ■ Vacant, *Northeast*

We emphatically suggest adding "livestock grazing" to Objective LR:4.6 on page 2-76. The new objective would read: "Manage grazing to help meet vegetation resource and livestock grazing objectives." This is the Livestock Grazing Management section of Table 2-3. The goal for this section appropriately reads "Maintain and (or) enhance livestock grazing opportunities and rangeland health." Thus, the objective that stems from this goal should not be restricted to meeting only vegetation resources, but the objective, rightfully, needs to include the management of grazing to help meet livestock grazing objectives.

Regarding the Goal BR:2, page 2-50, there are changes that have been made in the punctuation of this goal from the goal that was provided by Ronald Wiley of BLM's Riparian Service Team. These changes alter the meaning of this goal, providing unintended emphasis and de-emphasis to specific parts of this goal. We recommend that the goal be written as originally provided by the BLM's Riparian Service Team.

Throughout the DEIS, we strongly recommend consideration of adding the word "wildlife", as appropriate, whenever the effects of livestock or livestock management are discussed. An example occurs on the second full paragraph on page 3-18. The second sentence of that paragraph discusses surface disturbing activities and provides several examples. One example is livestock grazing. As we will unequivocally state in our following paragraph, livestock grazing does not, repeat not, belong in this sentence. However, the wording in this paragraph provides an excellent example of mentioning the effects of only livestock grazing, when wildlife grazing can cause similar effects. To avoid the appearance of bias throughout the DEIS, "wildlife" should usually be added with "livestock" when grazing effects are mentioned. It's interesting to note that on the fifth full paragraph of that same page, you correctly refer to "livestock and wildlife" when discussing water developments. Thus, we recommend that two simple word searches for "livestock" and "wildlife" be conducted and that active consideration be given to use "wildlife and livestock" where appropriate. We realize that there will be locations in the DEIS where it will be inappropriate to place wildlife and livestock in the same sentence. However, we have also found in too many instances in the DEIS to mention them all individually that the discussion of livestock should also include wildlife, and vice versa.

Referring back to that second full paragraph on page 3-18 mentioned above, livestock grazing should be deleted from this sentence. The glossary defines surface disturbing activity, and as this term is defined, livestock grazing is not, repeat not, a surface disturbing activity. Roads, well pads, pipelines, and off highway vehicles use are correctly identified as surface disturbing activities. The grazing of animals, whether domestic or wild, is simply not a surface disturbing activity.

We are gravely concerned with the inaccurate and inept wording expressed on the top of page 3-53 about a "goal for all riparian and wetland areas grazed by livestock." The "goal" stated is, in fact, Standard #2 from the *Standards for Healthy Rangelands and Guidelines for Livestock Grazing Management for Public Lands Administered by the Bureau of Land Management in the State of Wyoming*. It is not a goal for areas that have been grazed by livestock. It is, in fact, a Standard for areas affected by all resource uses. Clearly and univocally stated in the second paragraph of the multi-page *Standards* document is the following: **"The standards apply to all resource uses on public land**s." (Our emphasis.)

Please delete "areas grazed by livestock" from the first full sentence at the top of page 3-53. It is critically important that all reference to the Standards for Healthy Rangelands do not imply, infer, or in any other way provide the impression that standards apply only to livestock grazing. For that reason, all references to these Standards need to be identified and livestock grazing removed, as appropriate. We understand and appreciate that the Guidelines apply to livestock grazing, but that the Standards apply to all resource uses. The RMP needs to be absolutely consistent and correct on every mention of these Standards and Guidelines in this regard.

The third sentence of the second full paragraph on page 3-57 provides another example of bias towards livestock grazing. This sentence mentions the historic activities that have contributed to degradation of wildlife habitats and mentions the "livestock concentration areas … which have trampled and removed vegetation and compacted soil…." Other than the poor construction of this sentence which incorrectly states that "areas" have trampled, removed, and compacted, this sentence blatantly refuses to mention the historic concentrations of wildlife which created the same impacts. Illustrations of historic wildlife concentrations abound in literature. This sentence provides yet another instance in a pattern that prevails throughout the DEIS of the insistence to mention only the effects of livestock, as if they are the only effects, and not to mention the effects of wildlife, as if those effects don't exist. This erroneous and prejudicial wording needs to be corrected in every instance in which it occurs.

The last sentence on page 3-59, the first sentence of the first full paragraph on page 3-77, the third bullet on page 4-18, and the second bullet on page 4-53 provide yet other examples of where "wildlife" should be added to the effects of livestock grazing. The reference on page 3-59 again refers to historic activities, mentioning agriculture and other non-animal activities as altering aquatic habitats, with no mention of the historic impacts of wildlife. We appreciate the follow-on paragraph on page 3-77 that emphasizes the active management to

The first full paragraph on page 4-21 is yet another example of bias towards livestock grazing. That paragraph discusses sedimentation and surface disposal of produced water. The paragraph then includes this unnecessarily prejudicial sentence, "Monitoring rangeland conditions used to determine what grazing management actions are needed to minimize the amount of erosion that could affect surface water quality." The sentence should be rewritten to say "Monitoring rangeland condition is used to determine the changes in activities needed to minimize the amount of erosion that could affect surface water quality." As mentioned above, the *Standards for Healthy Rangelands* apply to all resource uses. There are many activities other than grazing by livestock and wildlife that can cause erosion that affects surface water quality. Road construction, OHV use, and pipeline construction are just a few. Again, to pick on grazing is inaccurate and reflects a bias that has no place in this RMP.

adjustment is referred to on page 4-47 under the heading "Impacts Common to all Alternatives". However, the general public and interested readers are much more likely to note the wording of the bullet on page 4-44. The methods and assumptions expressed in this bullet need to be fully stated so that readers are not misled.

We appreciate the inclusion of the last full paragraph on page 4-184 that states range conditions have improved in the planning area over the last 40 to 50 years due largely to improved grazing management practices and range improvement projects.

The very next paragraph notes the number of acres that will be impacted by the development and maintenance of range improvements. The total number of acres during the life of the RMP affected by springs, wells, water pipelines, reservoirs, and fences is 934 acres. But that acreage is for the 20-year life of the RMP. Thus, the average number of acres affected each year is 46.7. When discussions of the "impacts" of range improvements are discussed, we believe it is critically important to recognize that the impacts occur on an average of only 46 acres per year for a planning area of 1.42 million acres, or, to state it another way, three one-thousandth of one percent of the surface acreage of the planning area.

Although we have made several recommendations that we believe will improve the EIS and subsequent RMP, we must also add that many of our earlier suggestions have already been added to this DEIS. And we would be remiss if we did not express our appreciation of your acknowledgement in several locations in the DEIS that rangeland conditions in the Kemmerer planning area have been improving over the last 50 years due to improved grazing management and for your recognition of the important benefits provided by livestock grazing towards improving vegetation and rangeland health.

In conclusion, we again want to compliment you on your continuing coordination with local and state government agencies and your sincere attention to our recommendations. We appreciate the opportunity to comment on this DEIS, we encourage continued attention to our concerns, and we look forward to working with you on the Final EIS.

Sincerely,

John Etchepare
Director

JE/dc
cc: Governor's Planning Office
Wyoming Game and Fish Department