Wyoming Department of Agriculture

WY. Dept. of Agriculture
Natural Resources & Policy Division
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IN THIS ISSUE

Sage-Grouse Update 1

TRONA: What is it? 2

New Tools Available to Request Mediation Assistance 2

Hopkins' Law 4

Take the Lead on Your Next Permit Renewal 4

Upcoming Events 6

Quotable Quotes

"Sit tall in the saddle, hold your head up high. Keep your eyes fixed where the trail meets the sky. Live like you ain't afraid to die. Don't be scared, just enjoy the ride."

-Chris LeDoux

Sage-Grouse UPDATE

Chris Wichmann, Manager

Like the soap opera "As the World Turns," the sage grouse saga continues to turn for the state of Wyoming. Approximately 3-months ago the BLM Washington DC Office released a Clarification Document called the Clarification of the Relationship between the Greater Sage-Grouse Habitat Objectives, Rangeland Health Standards and Evaluations, and Use Authorizations Including Grazing Permit Renewals. This Document further clarifies the sage grouse habitat objectives table in the Approved Resource Management Plan Amendments (ARMPA) or what most people know as Table 2.2.

Table 2.2 has brought more concerns and issues to the agriculture industry than any other item in the ARMPA. Table 2.2 identifies various habitat objectives for grass height, % cover and other objectives to benefit sage grouse at different times of year. However, Table 2.2 continuously is being misinterpreted as requirements. The Clarification Document does a very good job clarifying the following:

- Inform the suitability of seasonal habitats – Meaning the habitat objectives table only informs the rating of suitability of the seasonal habitat and does not require any of the single objectives to be met. Informs the suitability rating is the key.
- No reliance on a single indicator – Meaning that the 7" objective is not looked at as a requirement, but should be looked at in combination with numerous other items to assess a rating.

Continued on page 5

Justin Caudill, Ag Program Coordinator

At one of the Wyoming Association of Conservation Districts Area meetings held in September of this year the Director of the newly formed Wyoming Mining Resource Foundation provided a presentation describing the goals and mission of this 501(c)3. During the presentation it was stated that four rival companies came together to form the foundation in an attempt to maintain sage-grouse and healthy sagebrush steppe habitat, and these companies intend to continue mining trona for the next 100 plus years. That seemed like a very long term goal, so I decided to do a little research into to what trona is, its uses, and the estimated permanence for the mining of this valuable resource.

I went directly to the Wyoming Mining Associations (WMA) web page where I acquired most of the information for this article. The link for the web-page is https://www.wyomingmining.org/minerals/trona/.
Most Americans have trona in their kitchens or refrigerators, and have no idea they are eating a bit of Wyoming rock every time they bite into a sandwich, cookie or piece of cake. Baking soda and baking powder both come from trona.

Trona is Wyoming's top export and is shipped to markets around the globe. In 1997 the U.S. Geological Survey estimated the total reserves of trona to be 127 billion tons, but only 40 billion tons are recoverable with today's technologies. At current rate of operation, Wyoming's reserves of trona will last 2,350 years.

Trona, a sodium carbonate compound that processed into soda ash or bicarbonate of soda, or baking soda, as it is commonly known. Ninty percent of the nation's soda ash supply comes from southwestern Wyoming. According to the WMA, Wyoming has the world's largest deposit of trona, with these mines producing over 17 million tons a year, and employing 2,483 people in 2015.

Glassmaking consumes about half of the soda ash, followed by the chemical industry, which uses about a quarter of the output. Other uses include soap, paper manufacture, water treatment, and manufacture of many industrial chemicals including sodium bicarbonate, sodium chromate, sodium phosphates, sodium silicates, and sodium cyanide. Soda ash is also used in cattle feed, swimming pool products, medicines, textiles, and toothpaste. ✦

New Tools Available to Request Mediation Assistance

Lucy Pauley, Mediation Program Coordinator

The Wyoming Agriculture & Natural Resources Mediation Program has a new online tool available to help you request more information about mediation. Available on our website at http://wyagric.state.wy.us/divisions/nrp/mediation-program, the easy-to-use form allows producers and other participants to request information on a particular type of mediation (farm credit, grazing permit, USDA program and more), seek assistance for requesting mediation, find out if their dispute is appropriate for mediation, be connected to

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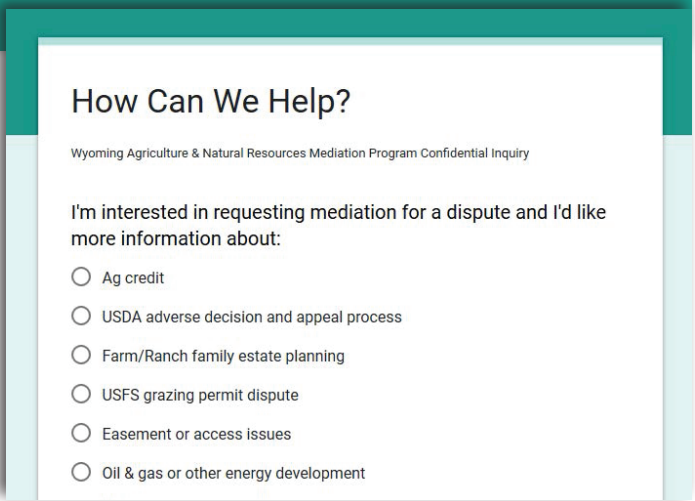
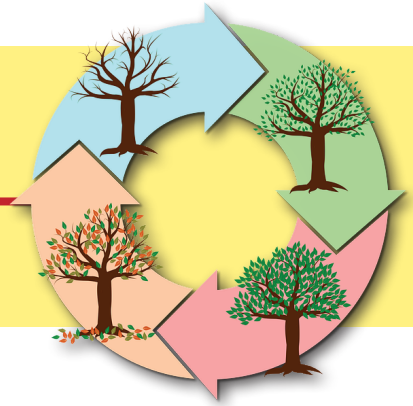

How Can We Help?

Wyoming Agriculture & Natural Resources Mediation Program Confidential Inquiry

I'm interested in requesting mediation for a dispute and I'd like more information about:

- Ag credit
- USDA adverse decision and appeal process
- Farm/Ranch family estate planning
- USFS grazing permit dispute
- Easement or access issues
- Oil & gas or other energy development

Hopkins LAW



Joe Budd, Senior Policy Analyst

Andrew Delmar Hopkins was an American naturalist who focused mainly on forestry and entomology around the turn of the 20th century. He was the head of the Division of Forest Insect Investigations and became the leading expert in bark beetles, especially the genus Dendroctonus (which includes the Mountain Pine Beetle we have in Wyoming). Although his work in forestry and entomology was exceptional, his work on climate is often overlooked.

Hopkins developed what is now known as Hopkins Law of Bioclimatics or Hopkins Law of Phenology. He tried to find the correlation between latitude, longitude, elevation and when phenological events occurred (e.g., earlier or later spring depending on the relationship between these three). In 1919, Hopkins put it this way: "Other things being equal, this variation [in timing of events] is at the rate of four days for each degree of latitude [you travel North], five degrees of longitude [you travel West], and 400 feet of altitude [you gain]." (from The Scientific Monthly, June 1919). While the Law is still used by some horticulturalist, we rarely consider them when dealing with rangeland issues although they could aid in understanding phenological dynamics and aid management in many scenarios.

If we consider Wyoming alone, the amount of variation across the state according to Hopkins Law is quite astounding. Many of us have seen that a day's drive could put you "about two weeks behind" or "about two weeks ahead" of wherever you started. These conversations often fill up time at the coffee shop but are usually just attributed to moisture regimes or elevation when in reality, placement from east to west and north to south also play crucial roles.

As an example, if you started the morning in Cheyenne (41.1400° N, 104.8202° W; elevation 6089') and went to Big Piney (42.5383° N, 110.1143° W; elevation 6,824') you would expect a difference. Using Hopkins calculations for determining when spring would occur (below) we would expect spring to be roughly 14 days later in Big Piney. Hopkins Law does have some limitations but we should consider the underlying principles of it, whether concerned with when to plant or when to turn out livestock.

Elevation	Latitude	Longitude
[((6824-6089) ÷ 400 ft × 1.25 days) +	(42.5383-41.400) × 4 days) +	(110.1143-104.8202) × 1.25 days)] =
[(1.47) +	(5.59) +	(6.62)] =
	13.68 days	

Mediation Assistance (continued from page 2)

additional resources and more. Participants can also request more information on upcoming training sponsored by the Mediation Program.

All information collected through the form will remain confidential. The program will respond to requests within one business day and the electronic form will provide interested parties with another avenue to learn about how mediation can work for them.

To access the online tool visit our website and click on "How Can We Help?" From there, you will be taken to an electronic form which is easy to fill out and submit. Do you prefer to gather information the old-fashioned way? Call the Mediation Program at (307) 777-8788 and speak with Lucy to find out how mediation can assist you in resolving your dispute.

TAKE THE LEAD ON YOUR NEXT PERMIT RENEWAL

Ideas for Developing a Preferred Alternative

Justin Williams, Senior Policy Analyst

The lifespan of a federal grazing permit is around 10 years. Before the permit expires the agency can utilize the Consolidated Appropriations Act, 2014 to renew the grazing permit containing the same terms and conditions as the expiring permit. In many cases, the original Environmental Assessment (EA) and decision are outdated. At this point, grazing permittees along with agency staff are eager to implement changes to the grazing permit based on positive and negative results over the past 10 – 15 years.

There should be no surprises when a grazing permit renewal is initiated. Open communication between the grazing permittees and the agency should allow adequate time to ensure data is collected in preparation for a Standards Determination and the development of a new EA. Grazing permittees should recognize the positives and negatives of current management and terms and conditions of the permit and start to think about what changes need made. In anticipation of the upcoming permit renewal, grazing permittees should cooperatively work with the federal agency staff to develop a permittee preferred alternative. Hopefully the agency will accept this as their preferred alternative as well.

A permittee preferred alternative will address non-achievement of land health standards under existing grazing management while making personal preference recommendations to one or more of the following:

- Season or timing of use
- Number of livestock
- Distribution of livestock
- Intensity of use
- Kind of livestock (cattle, sheep, horses, etc.)
- Class of livestock (yearlings, cow calf pairs, etc.)
- Range Improvements

The preferred alternative should be relatively specific and mutually agreed upon by all permittees in a common allotment. Individual permittees may have preferences for bulls and breeding dates, turnout dates, and locations from base property. Now is the time to put everything on the table, iron out the differences, and ensure the permit is as flexible as possible.

Flexibility through adaptive management is important for a permittee preferred alternative to allow a wide arrange of options for management and to address unknown circumstances in the years to come. These circumstances might include, drought, late spring growing conditions, vegetation treatments, etc. The Wyoming Department of Agriculture, Natural Resources and Policy Staff are always available to help permittees and agency staff work through this process. ✦

To receive an electronic or printed copy of

The Cornerpost Newsletter

please contact Michelle MacDonald at:
(307) 777-7323 or michelle.macdonald@wyo.gov.

Our newsletter is also posted on the WDA website at:
http://agriculture.wy.gov/divisions/nrp.

Sage-grouse (continued from page 1)

- Long-term trend – Meaning there must be long-term monitoring information to determine the sites potential and if desired conditions can be met. Only then can you determine appropriate habitat objectives.

The Clarification Document also provides examples of inappropriate uses of Table 2.2 as follows:

- Using objectives as default desired conditions – Meaning they are not requirements.
- Using a single indicator to determine suitability – Meaning one objective should not outweigh the total assessment of all data.
- One Point in time measurement – Using a single measurement for decision making is not appropriate and should be based on multi-year monitoring and long-term trend.
- Adjusting permits based on Table 2.2 – is not appropriate without monitoring data, identification of causal factors and consideration of other wildlife species.

In addition, it clarifies the role of the Habitat Assessment Framework or HAF, by saying HAF is a tool to assess suitability of seasonal habitats and it is not used as allotment assessment tool but a tool used to provide information to the S&G Assessment. In other words, HAF information and data can be used to inform the Standards Assessment.

Finally, the Clarification Document states if rangelands are meeting and/or making significant progress towards meeting all applicable standards, adjustments to the permit are unnecessary. So, if an allotment is meeting Standards for Healthy Rangelands then no changes are necessary even for sage grouse. This means sage grouse are placed inside the Standards Assessment for wildlife and maybe sensitive species and does not necessarily carry any more weight than other species. This should help streamline the permit renewal process, because if you are meeting standards then you do not need to include term and conditions or thresholds and responses for sage grouse in your permit.

The Clarification Document provides some good points of clarification that should help implement the ARMPA and take the emphasis away from Table 2.2.

If you need any more information or have questions please contact the Natural Resource and Policy Division 307-777-7323.

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Wyoming Department of Agriculture

Americans with Disabilities Act

To obtain this publication in an alternative format, contact the Wyoming Department of Agriculture at (307) 777-7323.

Upcoming Events

October 17-20:	Conflict Resolution Week
October 16:	Mediation Webinar - Identifying & Framing Issues in Mediation
October 18:	Mediation Webinar - ADR in Wyoming
October 19:	Expanding Your Mediation Skill Set Workshop, Cheyenne
October 20:	Expanding your Mediation Skill Set Workshop, Jackson
October 23-26:	Basic Mediation Training, Evanston
November 16-18:	WY Farm Bureau Annual Meeting, Cheyenne
November 27-30:	WY Association of Conservation Districts & WY Stock Growers Association Joint Convention, Casper
November 27:	Board of Agriculture Meeting, Casper
January 27-31:	National Association of Conservation Districts Convention, Nashville
Jan 31-Feb 3:	American Sheep Industry Convention, San Antonio
February 12:	Legislative Budget Session Convenes

If you have questions or comments about the information in this newsletter, or to obtain an email copy, please contact Michelle MacDonald, Natural Resources & Policy Division at: 307.777.7323 or michelle.macdonald@wyo.gov.

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