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

January 10, 2020

District Ranger  
Pinedale Ranger District  
PO Box 220  
29 East Fremont Lake Rd.  
Pinedale, WY 82941

Dear Mr. Hoelscher,

Following are the Wyoming Department of Agriculture (WDA) comments regarding the Draft Environmental Assessment (EA) to authorize grazing for Sweetwater, Blucher Creek, and East Squaw Creek cattle and horse allotments on Pinedale Ranger District of the Bridger Teton National Forest (BTNF).

Our comments are specific to our mission: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life. As the proposed project could affect our industry, citizens, and natural resources it is important that you continue to inform us of proposed actions and decisions and continue to provide the opportunity to communicate pertinent issues and concerns.

We appreciate the opportunity to provide comments on the Draft EA. We support continued grazing as the Proposed Action states with a few modifications for consideration. We believe the Proposed Action lacks the flexibility we would like to see. First, the start dates of the season of use begin on July 10. However, in a year with heavy snowfall the dates could be later, or in years of drought, the permittees may need to leave their Bureau of Land Management allotments sooner to enter on the forest. We recommend providing more flexibility in the season of use dates to accommodate these events.

Second, the specific allowable use levels indicated are: *"forage utilization of 50% of key forage species in the uplands and a minimum 4-inch stubble height retention along the greenline and/or a maximum of 20 percent streambank alteration in riparian areas."* We urge the BTNF allow more flexibility in annual use levels. The 1990 Land and Resource Management Plan (see also EA Table 6. page 14) standard for utilization in uplands is set at 60% for satisfactory and 50% for unsatisfactory conditions. We fail to see where the project area is considered in unsatisfactory condition based on data and analysis, as well as in accordance with the 1990 Plan.

In addition, we urge the BTNF ensure the streambank alteration is stated simply as an indicator and is not implemented as a standard. The BTNF should consider and incorporate an adaptive management process to provide alternative grazing management practices to provide as much flexibility as possible. Adaptive management is not a regulatory hammer to make changes to grazing, but rather to allow more tools and options to reach desired resource conditions.

The Table 2, found on page 7 of the EA provides data collected one time in 2006 in some streams and not until 2014 on other streams. While we appreciate the data included, there is not enough data to determine trend. We encourage the

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BTNF provide certainty the annual indicators such as streambank alteration are not misapplied or interpreted to indicate desired conditions not meeting the BTNF standard and guidelines.

The draft EA on page 14 states *"In addition to the riparian stubble heights measure using the MIM protocol, the Pinedale RD also collects habitat assessment framework (HAF) data as part of habitat monitoring for greater sage-grouse. The HAF data collected in riparian areas and mesic meadow communities indicate that residual stubble heights were between 5 and 6 inches..."* The HAF manual, Form S-5: Sage-Grouse Site-Scale Habitat Suitability Worksheet for Riparian Summer/Late Brood-Rearing Habitat utilizes Proper Functioning Condition (PFC), preferred forbs, and availability of sagebrush. While we have reservations of the applicability of PFC to sage-grouse, the EA neglects to include any of the indicators to make a suitability determination.

Further into the EA on page 26, the section references the 2015 Greater Sage-grouse Record of Decision (GSG ROD). The USFS is currently amending their GSG ROD, which has a number of applicable changes to the livestock grazing section. WDA requests the BTNF identify in the Decision Record how the permit will incorporate changes from the Amended GSG ROD when it's implemented in the near future.

The Greater sage-grouse section also on page 26, neglects to include or reference Governor Gordon Greater Sage-grouse Executive Order (EO) 2019-3. We would urge the Decision Record include the Wyoming EO. Finally, we believe the section could benefit from additional information to convey a clearer picture of what habitat the allotments actually provide. The distance from the nearest lek from the allotments would help to clarify as well as a simplified map of the allotments and an overlay with Priority Habitat Management Areas and General Habitat Management Areas.

The last paragraph of the section on page 27 states *"While there is only categorized and mapped habitat on the Sweetwater allotment, there are also areas that provide suitable habitat for sage-grouse on Blucher Creek and East Squaw Creek allotments, and sage-grouse sign was detected during site visits for this project."* It's misleading to convey there is suitable habitat, when no mapping has occurred and the HAF was not completed to determine suitability. We insist the Decision Record does not apply any terms and conditions pertaining to sage-grouse on the grazing permittees where no data, suitability analysis, or mapping has occurred.

The analyzed environmental impacts on page 48 for sage-grouse are also missing a number of the points mentioned above. The section neglects to distinguish where 2015 GSG ROD desired conditions, standards, and guidelines apply. Reiteration of the dates for season of use will eliminate lekking, nesting, early brood rearing, and wintering habitat. Table 12, indicates the permittees should manage grazing in compliance with all of Table 2 of the GSG ROD.

Further into Table 12, it states *"Minimize disturbance to leks: Within 2 mile [sic] from a lek, grazing activities are not authorized from march [sic] 15 to June 30. Dates may shift depending on credible data and field analysis."* However, the GSG ROD on page 100, GRS-GTDD-GL-018-Guideline- *"In general habitat management areas, do not authorize new surface disturbing or disruptive activities from March 15 through June 30 within 2 miles of the lek or lek perimeter of any occupied lek located inside general areas. Where credible data, based upon field analysis, support different timeframes for this restriction, dates may be shifted by either 14 days before or subsequent to the above dates, but not both."* We insist the removal of this language from the Decision Record. First, there are no leks in the project area. Second, livestock grazing is not a surface disturbing activity. Third, the dates are not applicable, because it is outside of the season-of-use for the allotments. Finally, the language in the Draft EA not only strays from the original intent, but does not adhere to the actual language in the GSG ROD.

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Lastly, Table 12 has a misapplication of the following: *"Limit trailing livestock to existing trails: From March 15 through June 30, trailing livestock should be limited to existing trails."* As mentioned above, we request the removal of trailing. There is no trailing included in the Draft EA, therefore this does not apply to the grazing permittees. As with the lek language, the dates are outside of the scope of analysis and thus do not apply to this permit. Finally, according to Appendix G, of the Wyoming EO, *"Existing animal husbandry practices (including branding, docking, herding, trailing, etc.)* are considered a de minimis activity.

We appreciate the opportunity to comment on the Draft EA and look forward to working with your staff on this project. If you have questions, please contact Justin Williams, Senior Policy Analyst at 307-777-7067.

Sincerely,



Doug Miyamoto  
Director

DM/jw

CC: Governor's Policy Office  
Wyoming Board of Agriculture  
Wyoming Stock Growers Association  
Wyoming Wool Growers Association  
Wyoming Farm Bureau Federation  
Wyoming State Grazing Board  
Wyoming Association of Conservation Districts  
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