



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

July 15, 2013

USDA Forest Service
Robert Hoelscher
Big Piney District Ranger
10418 South Hwy
PO Box 218
Big Piney, WY 83113

Dear Mr. Hoelscher,

Following are the comments from the Wyoming Department of Agriculture (WDA) on the Draft Environmental Impact Statement (DEIS) for the Sherman Cattle and Horse Allotment Grazing Authorization and Management Project on the Bridger Teton National Forest (BTNF).

Our comments are specific to our mission within state government: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. As this DEIS impacts our agriculture industry, our natural resources, and the welfare of our citizens, we believe it is important you continue to inform us of proposed actions and decisions and continue to provide us the opportunity to express pertinent issues and concerns.

We appreciate the efforts of the BTNF on the on-going management of the allotment and the DEIS. We offer the following comments for BTNF to consider when developing the Final Environmental Impact:

- Summary, Page iii: The purpose and need of the Proposed Action states: *"to maintain or improve rangeland conditions affected by domestic livestock grazing."* We suggest changing "affected" to "utilized."
- First bullet, Page iv: *"No more than 20 percent of the total streambank length, within any given stream reach would be allowed to show streambank alteration as defined by Burton et al (2007)."* WDA is concerned this statement will refer to both perennial and ephemeral stream channels. It is inappropriate for the standard to apply to dry stream channels. We ask BTNF to remove the statement or only apply the standard to perennial stream channels and banks.
- Last paragraph, Page iv: *"The existing permit would be cancelled and all improvements removed."* However, in Chapter 2 – 2, BTNF states, *"After cancellation of the term grazing permits, existing structural improvements that contribute to resource protection or that are important to other resources and functions, such as water sources for wildlife populations or fire control, would remain..."* WDA recommends BTNF have consistency of actions throughout the DEIS.
- History of Livestock Management, Chapter 1 – 3: WDA asks for clarification regarding the type of livestock use, including horses and sheep in addition to cattle. The DEIS neglects to go into much detail about all the past use. Page 3-72 states *"In addition, past sheep grazing in the headwaters has ..."*

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- Purpose and Need for Action, Chapter 1- 3: Fourth bullet states *"Implement changes made to the Forest Plan since the last grazing authorization;"* Clarify what the "changes" are and clearly state which Forest Plan is referenced.
- Proposed Action, Chapter 1 – 5: We request the BTNF include an adaptive management system into the Proposed Action. We ask BTNF reference the Final Environmental Assessment for Livestock Grazing Permit Issuance on the Shoshone National Forest from September 2010. An adaptive management process through data collection will assist the BTNF to make appropriate decisions and changes throughout the life of the grazing permit.
- Proposed Action, Chapter 1 – 5: We are unclear what the BTNF means by *"Construct a Fence."*
- Livestock Numbers, Chapter 2 – 3: BTNF inconsistently uses Animal Unit Months (AUM) and Head Months (HM). We ask BTNF to utilize one form of measurement throughout.
- Allowable-Use Standard, Chapter 2 – 5: The second paragraph states, *"(1) allow plant health and rangeland functionality to maintain a stable or upward trend, including litter buildup and increase organic content in soils."* WDA recommends removing "increase" since increasing organic matter is not possible in each location.
- Grizzly Bear, Chapter 2 – 5: The second paragraph states *"...interactions and human/bear interactions due to bears feeding on livestock carcasses."* We recommend removing "due to bears feeding on livestock carcasses." Grizzly bears are expanding their territory and conflicts are likely to occur regardless of the presence of livestock carcasses, but rather due to increases in the bear's range and increases with the number of people using the areas.
- Validation Monitoring, Chapter 2 – 8: *"Validation monitoring should occur prior to the implementation of new standards and guidelines in a project specific planning document."* WDA supports this concept and as our comments will convey, we request the validation monitoring occur specifically on the Columbia Spotted Frog and Western Boreal Toad.
- History of Livestock Grazing, Chapter 3 – 2: see second bullet for previous WDA comment.
- Criteria Used, Chapter 3 – 8: WDA asks BTNF to ensure the 17, 370 total acres of the Sherman Allotment are also the same as the 17, 370 suitable acres in the Sherman Allotment.
- Table 3.5, Chapter 3 – 17: The Table shows detrimental disturbance levels being 1% for soil map units 203, 303, 432, and 202, for a total of 4% soil being detrimentally disturbed. Under Detrimental Soil Disturbance (Chapter 3 – 21), BTNF states: *"In 2008, less than 1% of the area or 127 acres was estimated to have detrimental soil conditions occurring in map units 202, 203, 303, and 432."* WDA recommends the Table 3.5 utilize < 1% and < 4% respectively.
- Dispersed Recreation, Chapter 3 – 59: The section provides information of overlap of utilization on roads and possible conflict between users and grazing permittees in the Sherman Allotment. We ask BTNF convey the different hunting seasons and what dates the livestock grazing permit overlaps those particular dates. As stated in the DEIS, livestock grazing permits are only issued through September 20th.
- Alternative 1, Chapter 3 – 47: The paragraph states, *"Observations made after two years of rest in the southern pasture and after one year of rest in the northern pasture, clearly indicate that without grazing conditions would*

be maintained or would continue to improve along all streams and riparian areas where livestock grazing is the primary source of direct and indirect impacts." WDA recommend removing the word "clearly," as this statement is subjective. Additionally, the BTNF is not considering how increased wildlife populations may utilize and negatively impact streams and riparian issues if livestock were removed.

- First paragraph, Chapter 3 – 72: *"In addition, past sheep grazing in the headwaters has resulted in elevated erosion rates. While sheep grazing has been discontinued, erosive features are healing gradually, and the sediment is still in the process of moving through the streams."* WDA strongly recommends BTNF remove this statement in its entirety. Not only is the statement unnecessarily negative and biased toward the sheep industry, but it is also lacking any scientific reference. The Sherman as we understand it is a cattle allotment, so to blame domestic sheep grazing as the reason for erosion issues, is very concerning. If sheep grazing did occur on the Allotment, we recommend including this information in the "History" sections.
- Stream Descriptions, Chapter 3 – 74: *"The stream and riparian area has some evidence of livestock impacts, such as trails in the riparian area and across streams and browsed willows, but those impacts are limited."* We urge BTNF to include wildlife trailing and willow utilization into this paragraph and all areas in the DEIS where livestock is not specifically determined as the causal factor.
- Historic Grazing, Chapter 3 – 83: *"Although sheep grazing was discontinued in the headwaters of Horse Creek approximately seven years ago, there is substantial erosion due to bare ground..."* WDA reiterates our previous comments regarding historic grazing and lack of mention of sheep. Additionally, this statement includes the "headwaters of Horse Creek," which we ask BTNF is this area within the allotment boundary or how far are the headwaters outside of the boundary? Overall, there is a disconnect of the historic use from cattle, horse and sheep grazing on the Sherman Allotment.
- Greater Sage-grouse, Chapter 3 – 97: WDA insists the BTNF utilize the State of Wyoming Governor's Executive Order 2011-5 and 2013-3.
- Columbia Spotted Frog and Western Boreal Toad, Chapter 3 – 103 and 3 – 104: WDA is very concerned with the direction the BTNF is heading in regards to the Columbia Spotted Frog (frog) and Western Boreal Toad (toad). Livestock grazing has been a long-term historic use overlapping with frog and toad habitat. BTNF admits they are uncertain why there is a decline in either population. Yet, paragraph 5, Chapter 3 -105 and 3 – 107 Figure 3.34 shows BTNF is developing a standard of 1/3 mile buffer. WDA insists BTNF gather frog and toad baseline data prior to developing standards.
- Cumulative Effects, Chapter 3 – 135: *"Climate change would continue to threaten the species' persistence in the Wyoming Range."* We recommend removing "would" and replace with "may."
- Direct and Indirect Effects, Chapter 3 – 145: *"Grazing can adversely affect aquatic and terrestrial habitats important to boreal toads and spotted frogs through a large variety of impacts: removal or reduction of herbaceous and shrub cover, stream bank collapse, soil compaction, reduction of beaver and burrowing rodent populations..."* We recommend removing references to beaver and rodents as we do not see how grazing impacts either.
- Direct and Indirect Effects, Chapter 3 – 145: *"Livestock grazing in wetlands is likely to result in direct impacts such as mortality of toads from trampling. Bartelt (1998 and 2000) observed the demise of many hundreds of boreal*

toad metamorphosis at a breeding site on the Targhee National Forest when a band of sheep was driven through the area. Toad mortality resulted from trampling already greatly constrained by years of drought conditions, this even in 1995 (a rare wet year) probably destroyed half the toad reproduction for the past decade at the breeding area (Bartelt 1998; Bartelt 2000). WDA asks the BTNF for copies of both references. Additionally, we are opposed to using references with biased and subjective statements such as “observed the demise” or “probably destroyed.”

- Cumulative Effects, Chapter 3 – 160: The BTNF analyzes the socio economic impact and cumulative effects of both alternatives. WDA urges BTNF to consider the effect to the community and wildlife, if the ranches were sold into subdivisions. Loss of public lands grazing in BTNF has been precedent setting and an on-going concern for the WDA.

We appreciate the opportunity to provide comments. WDA supports the continuance of domestic livestock grazing on the Sherman Allotment, and therefore supports the Proposed Action. However, as the BTNF develops the Final EIS, we have great concern regarding the implementation of the 1/3 mile buffer for the frog and toad, or any change of grazing management standards on the allotment without proper site specific baseline data, ensuring there is a declining population, and livestock grazing is in fact, the causal factor. Any recommendations should only come from peer reviewed research. We look forward to working with the BTNF on developing the Final EIS. If you have questions or concerns, please don't hesitate to contact us.

Sincerely,



Jason Fearneyhough
Director

JF/jw

CC: Governor's Policy Office
Wyoming Board of Agriculture
Wyoming Stock Growers Association
Wyoming Wool Growers Association
Wyoming Farm Bureau Federation
Wyoming Association of Conservation Districts
Wyoming Game and Fish Department