



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

October 28, 2010

Glenn Pauley
State Wildlife Action Plan Coordinator
Wyoming Game and Fish Department
5400 Bishop Blvd.
Cheyenne, WY 82006

Dear Mr. Pauley:

Following are the comments from the Wyoming Department of Agriculture (WDA) on the Draft State Wildlife Action Plan (SWAP) prepared by the Wyoming Game and Fish Department (WGFD).

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 proposal has major impacts upon our agriculture industry, our natural resources and the welfare of our citizens, we believe it is important for you to continue to inform us of proposed actions and decisions and to provide us the opportunity to express pertinent issues and concerns.

The WDA greatly appreciates the efforts of the WGFD to release the SWAP for public comment. We support the mission of the SWAP and believe coordinated efforts by agencies, non-governmental organizations and landowners can create positive outcomes for wildlife in our state. Wildlife has an economic and aesthetic value for Wyoming's farmers and ranchers, and many projects may have value for both wildlife and their operation.

We offer the following comments, which range from general or formatting ideas to specific concerns and how they may impact the agriculture industry.

- **Table of Contents:**
 - **Page iii:** We recommend leaving an intentional blank page between each section and having a separate cover page to begin the sections. It is difficult to separate out where one section begins and ends. Additionally, we suggest separate page numbers for the Terrestrial and Aquatic Habitat sections and not duplicating: for example, Aspen/Deciduous Forests and Bear River Basin both have pages: III-1-1.
- **Rural Subdivision:**
 - **Page II-1-12:** The document lists agencies and organizations as implementers of the document. We encourage the SWAP Coordinator remain in regular contact with all organizations to discuss their roles before the document is implemented and throughout the years to come. As a general statement, the WGFD fails to accept responsibility throughout the document. We believe the WGFD should take primary responsibility in organizing and leading a number of Action Items related to wildlife.
- **Invasive Species:**

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- **Page II-3-6:** We would encourage the SWAP Coordinator contact Larry Bentley, Eastern Wyoming Program Coordinator from the WDA to enhance and expand the Coordinated Resource Management (CRM) description. CRMs are used statewide and we strongly encourage their use in the SWAP.
- **Page II-3-8, paragraph 1:** The SWAP states: *“However, there is not adequate control regarding the importation and sale of plants that are not on the list of Designated Noxious Weeds and Prohibited Noxious Weeds. Some plants, which are considered invasive species, continue to be sold as ornamentals.”* The WDA Technical Services Division administers nursery stock inspections and permitting. We urge the SWAP Coordinator contact Hank Uhden, Technical Services Manager at the WDA to clarify this section. If additional work is needed, the WDA would take this responsibility. Finally, the last paragraph states the following: *“Pesticide registration fees should continue to be directed toward invasive species management.”* We believe Hank Uhden can clarify this statement as well and ensure the reader of the SWAP distinctly knows the role of the WDA Technical Services regarding pesticide registration fees.
- **Page II-3-9:** This section clearly needs a distinct group or organization to fund projects related to invasive species. We encourage the SWAP Coordinator to create an action item for the funding component.
- **Aspens/Deciduous Forest:**
 - **Page III-1-7, last paragraph:** The SWAP reads as follows: *“Both cattle and sheep browse on aspen leaves and twigs, but sheep typically eat four times as many aspen sprouts as cattle.”* The author already stated above that wild and domestic ungulates can negatively impact aspens. We recommend striking the sentence in italics.
 - **Page III-1-11, second paragraph:** The implementation of liberal hunting seasons has failed to bring elk numbers to objectives. We encourage the coordinator provide data indicating elk harvest versus elk licenses issued and how these correlate with aspen regeneration. Also we encourage additional management of elk approved by the commission where aspen regeneration is impeded due to elk overpopulation.
 - **Page III-1-12, second paragraph:** The WGFD fails to accept responsibility in this section regarding how wild ungulate populations are responsible for some aspen damage. WGFD is the only agency responsible for managing elk, moose and deer populations which feed on aspens. We encourage the SWAP Coordinator include an action item of what the WGFD does and will do regarding wild ungulate management. Refer to section Foothills Shrublands: page III-4-11, which states: *“Big game populations should be managed within herd objectives to meet forage utilization levels.”*
- **Cliffs, Canyons, Caves, and Rock Outcrops:**
 - **Page II-2-10, second paragraph:** The paragraph discusses construction of wind energy near raptor nests. We believe this statement refers to all nests, not just those on cliffs, canyons, etc. We urge the SWAP Coordinator clarify this section to only those nests, not ALL raptor nests.
- **Desert Shrublands:**
 - **Page II-3-7, first paragraph:** *“Long-term grazing has been shown to decrease the abundance...”* This ambiguous statement on grazing is inappropriately referenced in the SWAP. We believe the statement “long-term” should be stricken or defined.
- **Foothill Shrublands:**

- **Page III-4-8: Incompatible livestock grazing practices- Moderate.** The SWAP conveys livestock graze at a moderate level on shrubs when they are left in pastures too long, especially during hot summer months. We believe only low levels of shrub grazing actually occur when adequate herbaceous vegetation is available. We recommend striking “moderate” and replacing it with “low” to reflect what happens when appropriate management of pastures occur. Ultimately the problem is addressed in the following paragraph: *“Varying management goals, lack of consequences of consensus on management strategies...”*
- **Page III-6-8: First Paragraph: Grazing Plans for mountain grasslands...:** The SWAP states the following: *“...50% utilization is a standard agency goal for forest grazing, mountains grasslands and alpine tundra...”* While this is a general rule of thumb, this is not a “standard agency goal.” The personal contact from Munro referencing this statement could be one person’s opinion, but it is not appropriate to use in lieu of peer reviewed science. In addition, some forest lands are private and are not managed by the forest service. We recommend striking this statement. Further down in the same paragraph is this sentence: *“Typically, livestock should be removed from alpine areas by mid-September to avoid trampling damage to soil...”* We recommend the SWAP Coordinator back this statement with a peer reviewed reference or strike the statement. Finally, *“Big game grazing impacts should be considered when setting herd population objective levels.”* We urge the WGFD to make this a separate conservation action as done on page III-4-11 and take the lead for agency responsibility.
- **Prairie Grasslands:**
 - **Page III-7-7: Reduced vegetation structure and species...:** The SWAP states: *“This strategy leads to uniform grazing intensities, which further contributes to grasslands with reduced habitat diversity.”* We recommend the above statement read as follows: *“This strategy leads to uniform grazing intensities, which has pros and cons in relation to habitat and may further contribute to grasslands with reduced habitat diversity.”* We recommend Derner or Toombs re-review this section.
 - **Page III-7-11: Create new and more incentives...:** The SWAP creates a discussion regarding incentives for livestock producers who choose to reduce stocking rates in order to leave residual cover. The WDA does not support a net loss in Animal Unit Months and recommends SWAP utilize other grazing management tools.
 - **Page III-7-11: Provide incentives, planning, and technological improvements...”** Livestock producers plan out their operation well in advance to remain profitable. It is difficult for producers to implement grazing strategies while promoting flexible stock rates. Other options are more viable. Incentives are likely not financially adequate to make up the difference between consistent and reduced stocking rates. We recommend striking the section.
- **Riparian Areas:**
 - **Page III-8-7: Water development/altered flow regimes:** This paragraph fails to consider two important considerations regarding change in flow. Wyoming has recently experienced a hydrological drought with reduced or eliminated flow in streams. The second is the recent CRM activity involving removal of saltcedar and Russian olive. Removal of these two invasive species has shown to substantially increase or revitalize stream flow.

- **Page III-8-8: Drought and Climate change:** The SWAP reads *“Drought can increase browsing and grazing pressure on riparian areas from both livestock and native ungulates, thus reducing the vigor and structural diversity of riparian vegetation.”* We suggest removing livestock and native from this sentence and leave it generally as “ungulates.” Additionally we urge the SWAP Coordinator to back this statement with peer reviewed science. Manier and Hobbs 2007¹ suggests livestock grazing can actually increase diversity of vegetation by decreasing excessive litter accumulation.
- **Page III-8-9: Ungulate grazing and browsing-High, first paragraph:** The SWAP reads *“Proper stocking levels and grazing regimes can be effective habitat management tools and compatible with riparian area maintenance and improvement.”* We recommend striking stocking levels and grazing regimes. The sentence should read as follows: *“Proper grazing management can be an effective habitat management tool and compatible with riparian area maintenance and improvement.”*
 - **First paragraph:** *“Uncontrolled livestock spend a disproportionate time within riparian areas where they find water, succulent forage...”* We ask the SWAP Coordinator, what is the “proportionate” time livestock should spend in riparian habitat? Consider replacing or striking this statement.
 - **Second paragraph:** *“For Wyoming’s riparian SGCN, special attention needs to be given to grazing management to ensure that adequate understory vegetation and mid-story shrubs are present.”* Again, we question the WGFD’s role and responsibility regarding over browsing by wildlife. The WGFD fails to mention how they will manage herd numbers at the appropriate objective.
- **Page III-8-10: Rural subdivision and development—locally High/Moderate:** This particular section is poorly written with a number of misleading statements. We would encourage the SWAP Coordinator to revisit this section and emphasize how important ranchlands are to wildlife. The reader would benefit knowing how many total acres or a percentage of riparian areas are found on private lands. Additionally, the SWAP addresses predation. The following statement, *“Predation on wildlife can intensify with greater numbers of dogs and cats, as well as increasing numbers of generalist predatory species such as ravens,”* is too general to cover the vast number of species listed in the SWAP. The statement also fails to include predators such as skunks, raccoons, fox and coyotes. We recommend citing peer reviewed studies inclusive of all predators.
- **Page III-8-10: Incompatible energy development practices-Moderate:** The following statement is misguided and untrue: *“Although protections of riparian habitats are provided by public land agencies when permitting surface-disturbing activities, grazing and other uses, the cumulative impact these actions have on riparian habitats is rarely considered.”* Public land agencies, such as the Bureau of Land Management and Forest Service, use the Wyoming Standards for Healthy Rangelands and other structured methods/assessments to analyze riparian areas, often on an annual basis.
- **Page III-8-11: Current Riparian Conservation Initiatives:** This section should recognize the grazing management efforts, inclusion of public land standards and offsite water developments which also benefit riparian areas.

¹ Manier, D.J. and N.T. Hobbs. 2007. Large herbivores in sagebrush steppe ecosystems: Livestock and wild ungulates influence structure and function. *Oecologia*. 152: 739 – 750.

- **Page III-8-12: Fourth Paragraph:** This paragraph fails to recognize the implementation of more efficient irrigation practices such as side roll, gated pipe and pivots. These practices can more efficiently irrigate crops while leaving more water in streams.
- **Page III-8-13: Recommended Conservation Actions:** The WGFD again fails to include how they will manage wildlife to meet herd management objectives.
- **Page III-8-16: Enhance coordination among natural resource agencies...:** We recommend including the Wyoming Department of Agriculture in the list of representatives for the riparian management task force.
- **Sagebrush Shrublands:**
 - **Page III-9-8: Second Paragraph, Varying management goals...:**The SWAP includes the following statement from Vale (1974): *"As a consequence, sagebrush habitats have been subjected to a variety of treatments including burning, chemical control, and mechanical manipulation to improve wildlife habitat and livestock forage production. In addition to treatments, the widespread removal and conversion of sagebrush habitats to grasslands to increase livestock production has occurred."* This statement is very outdated and the practice no longer occurs. We recommend striking the statement or clarify this practice as less common today than in the past.
 - **Page III-9-9: Incompatible grazing management practices-Moderate:** We believe this section should be "Low" and not "Moderate" since the second statement conveys the improvement of livestock management and adaptation of grazing practices. Further down it states as follows: *"Grazing may also reduce fine fuels and alter fire regimes (Beck and Mitchell 2000)."* We recommend this statement reflect this is a "tool" and not a "problem."
 - **Page III-9-13: Second Paragraph: Develop long-term grazing and habitat management plans...:** The SWAP statement reads as follows: *"Fences also can be significant source of mortality to sage-grouse from strikes by flying birds."* First this statement needs a reference. Second, this statement is misleading by using "significant" when in fact it may only be site specific or minimal to a population of grouse. We strongly encourage the SWAP Coordinator modify this section to reflect general findings from the Christiansen site study and WGFD opinion.
- **Wetlands:**
 - **Page III-10-6: First Paragraph: Rural Subdivisions-High:** The statement, *"Loose pets, especially cats, are very problematic for wildlife near subdivision,s"* neglects to provide scientific, peer reviewed science and clarify what wildlife are, in fact, harmed.
 - **Page III-10-7: Incompatible Agricultural Practices-High:** The sentence *"Agrichemical runoff, including fertilizers, pesticides, herbicides, and animal waste, also impairs water quality and is harmful to plant life and wildlife. Livestock grazing within wetland basins can remove vegetation cover, damage root mats, and destroy nests of ground-nesting bird"* is misleading. Not all chemicals, including pesticides and herbicides impact or impair water quality. In fact, some are used specifically for treatment of mosquitoes (West Nile Virus) and invasive weed species. Wildlife such as moose and deer are often found in wetlands and may also cause paths through wetland vegetation. Additionally, root mats are not adversely damaged from grazing. We recommend revising the section and providing references.
- **Bear River Basin:**

- **Page III-1-9: First Paragraph: Water development/altered flow regimes-Moderate:** The following statement is very general and must have a reference before finalization: *"The majority of the Bear River basin is publically owned. Because it is such an arid region the limited amount of irrigated cropland has a significant impact on aquatic wildlife."*
- **Page III-1-15: Continue aquatic habitat work in the basin:** We recommend inclusion of CRMs in this section as a Recommended Conservation Action.
- **Birds:**
 - **Page IV-1-19: Black-backed Woodpecker:** We have a concern including any climate change component as a limiting factor. This section states, *"habitat alterations resulting from climate change is unknown..."* The SWAP should only include peer reviewed, scientific facts, not assumptions.
 - **Page IV-1-48: Common Loon:** We believe the SWAP should not include species, which do not have low populations, but simply do not consistently or naturally breed in Wyoming. The loon breeds north of Wyoming and the few loons who happen to breed in Wyoming should not reflect a lack of habitat or population.
- **Mammals:**
 - **Page IV-2-46: Moose:** The SWAP fails to recognize predation of moose populations in the Limiting Factor section. Moose populations across the state vary considerably with most moose thriving outside of grizzly bear and wolf habitat. These generalities listed are not problems statewide, and this section should have clarifications between populations.

We support the WGFD in their efforts to implement the SWAP. We believe the document should remain a dynamic document with an annual review. We encourage the SWAP Coordinator to publicly review changes to the document annually with the WGFD Commission. Finally, we strongly encourage the SWAP Coordinator to create a concise path for implementation of projects to avoid duplicated efforts as well as to compete for funds for similar projects. The WDA thanks the WGFD for their efforts and for their consideration of our comments.

Sincerely,



Jason Fearneyhough

Director

JF/jw

Cc: Governor's Planning Office
WDA Board of Agriculture
Wyoming Stock Growers Association
Wyoming Wool Growers Association
Rocky Mountain Farmers Union
Wyoming Association of Conservation Districts
Wyoming Farm Bureau Federation
Wyoming State Grazing Board