



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

November 26, 2012

Joe Alexander, Forest Supervisor
Shoshone National Forest
Forest Plan Comments
808 Meadow Lane Avenue
Cody, WY 82414

Dear Mr. Alexander,

Following are the Wyoming Department of Agriculture's (WDA) comments pertaining to the Draft Environmental Impact Statement (DEIS) and Draft Land Management Plan (Plan) for the Shoshone National Forest (SNF).

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

The WDA supports continued commercial livestock grazing on the SNF. We do not support Alternative C, which drastically reduces Animal Unit Months (AUMs) and decreases the ability to manage livestock grazing. It is imperative to continue commercial livestock grazing on the SNF at an economically viable level. In addition, the SNF must have the ability to increase AUMs in active allotments when conditions warrant such an increase. Vacant allotments must also be available to livestock producers for utilization either on a temporary basis or issued as a full permit. It is also important that livestock producers are able to construct and maintain range improvement projects to improve livestock management.

Each AUM permitted on the SNF has a larger economic impact than currently expressed in the DEIS/Plan. Taylor (2012¹) found that the total economic impact per AUM ranges from \$97.87 to \$298.50 in the North SNF and from \$95.54 to \$291.40 in the South SNF. Removing AUMs on the SNF may have a significant impact on individual livestock grazing permittees, ranches and communities. The WDA believes this information should be showcased in the DEIS/Plan.

Rangeland vegetation condition on the SNF is outstanding; 98 percent is meeting or moving towards desired conditions (DEIS, Ch. 3, p. 110-111). SNF personnel and livestock grazing permittees have dedicated themselves to monitoring and implementing appropriate range improvements and management on grazing allotments. This effort, existing monitoring data and the current condition of rangelands must be considered and recognized throughout the DEIS and Plan. In addition, the WDA insists the SNF use monitoring data to inform the analysis and decision making process. Currently, the documents often overlook positive rangeland trends when analyzing other resources and resource uses. This must be corrected in the Final EIS and Plan.

¹ Taylor, D. T., T. Foulke and R. H. Coupal. 2012. An economic profile of the Shoshone National Forest. University of Wyoming Department of Agricultural and Applied Economics.

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Following are the WDA's specific comments regarding the DEIS and Plan:

Revision Topics, Commercial Livestock Grazing, p. 19

"Two aspects of commercial livestock grazing will be addressed in the revised forest plan. The first – what areas of the Shoshone should be available for commercial grazing..."

Change "should" to "may" since the capability and suitability analysis is merely a broad-scale model and not specific enough to determine which areas "should" be available for commercial livestock grazing.

Ch. 3, Affected Environment, Riparian/Wetlands, Environmental Consequences, Direct and Indirect Effects, Effects from Livestock Grazing, p. 80

Throughout the DEIS, the "Effects from Livestock Grazing" are characterized and most discussions include effects from big game. Some headings include "Big Game" and others do not. Please make headings consistent throughout the DEIS and add "and Big Game" after "Livestock."

Ch. 3, Affected Environment, Vegetation, Unique and Limited Habitats, Riparian Communities, p. 125

"Interdisciplinary team review of aerial photos (1937 to 1997) indicated current impacts to some riparian areas from livestock grazing."

Aerial photos analyzed are, at the least, over ten years old. Current impacts must be determined by more recent aerial photos or more current monitoring data.

Ch. 3, Affected Environment, Direct and Indirect Effects, Effects from Fire and Fuels, p. 132

"...can lead to the invasion of noxious weeds such as cheatgrass..."

Cheatgrass is not a noxious weed.

Ch. 3, Affected Environment, Gray Wolf, Direct and Indirect Effects, Alternative C, p. 151

"The number of AUMs would decrease by 47 percent from Alternatives A, B and D, and conflicts with cattle would likely decline as livestock grazing is eliminated on big game winter range."

Under no alternatives would livestock be "eliminated on big game winter range."

Our understanding is that under Alternative C, the SNF would eliminate commercial livestock grazing on elk and bighorn sheep crucial winter ranges as designated by the Wyoming Game and Fish Department, not all big game winter range (see page 38 of the DEIS). Please correct this wording throughout the document and ensure the effects analysis contains the correct alternatives and AUMs associated with this action.

Ch. 3, Affected Environment, Rocky Mountain Bighorn Sheep, Direct and Indirect Effects, p. 214

The "Effects from Domestic Sheep Grazing, Recreation Pack Goat Use, and Wildlife Management" is an opportune place to discuss the Wyoming Statewide Bighorn/Domestic Sheep Interactions Working Group's work and publications since these agreements apply to all alternatives. This group has designated areas of Wyoming as bighorn sheep native core areas, cooperative review areas, and non-emphasis areas. It is important for readers to understand that various entities have worked together to establish where domestic sheep grazing occurs, where domestic sheep grazing does not occur, and where bighorn sheep management is most intensive.

We also recommend adding this information to the discussion on page 402 (Ch. 3, Commercial Livestock Grazing, Affected Environment) to clarify why sheep grazing permits are currently not issued on the Clarks Fork and Greybull Ranger Districts.

Ch 3, Affected Environment, Brewer's Sparrow and Sage Sparrow, Risk Factors, p. 218

“Primary risk factors from forest management include... livestock grazing...”

All livestock grazing is not a risk factor for sparrows. It is more likely that specific livestock grazing management may be a risk factor to sparrows and the DEIS must be changed to reflect this concept.

Ch. 3, Affected Environment, Brewer’s Sparrow and Sage Sparrow, Alternative A: No Action, p. 220

“...the permitted amount and area for cattle grazing does not differ among alternatives A, B, and D. These activities are, therefore, predicted to have potential negative influences...”

The WDA strongly disagrees with this statement. If current levels of livestock are not negatively impacting sparrows (and there is no data showing this to be the case on the SNF) then it is unlikely they have the potential to do so in the future, especially negatively. This error occurs throughout the wildlife section (see page numbers and topics below) and the SNF must adjust the DEIS to reflect the fact that the majority of rangelands on the SNF are meeting desirable conditions. Maintaining current permitted amounts and areas for cattle grazing is not likely to change conditions.

p. 226 – grasshopper sparrow

p. 231 – greater sage-grouse

p. 238 – northern harrier

p. 248 – water vole

p. 275 – ruffed grouse

p. 279 - Brewer’s sparrows

p. 299 – Yellowstone checkerspot

Ch. 3, Affected Environment, Short-eared Owl, Risk Factors, p. 240

“Any forest management activities, such as livestock grazing or road development, which cause fragmentation, may affect short-eared owls.”

Livestock grazing does not cause fragmentation. New disturbances from new range improvements may cause fragmentation, but grazing itself does not. Remove “livestock grazing” from this discussion on fragmentation.

Ch. 3, Affected Environment, Riparian (lakes streams, marshes) Amphibians, Habitat Distribution and Condition on the Shoshone, p. 261

The WDA appreciates the discussion detailing the improvement of riparian habitats through improved livestock grazing management. We recommend adding or referring to riparian area monitoring information here to support the discussion.

Ch. 3, Affected Environment, Species of Local Concern, Rocky Mountain Elk, Desired Condition, p. 285
Conservation Measure #7.

“Manage domestic livestock grazing on elk crucial winter ranges to provide sufficient forage for wintering elk.”

Add “within elk herd population objectives after “elk.”

Ch. 3, Affected Environment, Species of Local Concern, Rocky Mountain Elk, p. 288

Add the following language:

“The disease known as Brucellosis is caused by the bacteria *Brucella abortus* and is transmitted when a susceptible animal contacts and ingests bacteria following the abortion or stillbirth from an infected female. Exposure of a susceptible animal to the bacteria elicits an antibody immune response that can be detected (with varying degrees of accuracy) following one to several unique blood tests. When several or more animals are tested from a population within a given time period, this provides an index of exposure (but not infection) to the bacteria. This mathematical proportion of exposure (i.e., those

animals that are antibody-positive divided by the sample population) is commonly referred to as 'seroprevalence'.

Exposure of elk to brucellosis was first documented at the National Elk Refuge in 1933, and since then, has been documented in elk attending all 22 Wyoming state-operated winter feedgrounds on the adjacent Bridger-Teton National Forest, as well as winter free-ranging elk from western Wyoming, northeastern Idaho, and southern Montana. Seroprevalence of brucellosis in elk attending Wyoming winter feedgrounds averages about 25% and generally declines to levels less than 10% in winter free-ranging elk throughout the Greater Yellowstone Area. However, winter free-ranging elk habituating lands of the Shoshone National Forest in Wyoming, particularly those areas north of Lander and Dubois, have had seroprevalence levels as high as 22%.

It has long been recognized that elk of the Greater Yellowstone Area are a reservoir of brucellosis. Despite the use of winter feedgrounds, strain 19 vaccination, and several other best management practices, the threat of spillover from elk to domestic livestock has been realized and confirmed several times in the past decade. As elk herds of the Shoshone National Forest have continued to grow and utilize winter habitats in similarity to winter feedgrounds, it is likely that these elk will maintain elevated seroprevalence and also pose a threat to adjacent livestock operations. Most recently, this particular threat was realized following confirmed spillover of brucellosis from winter free-ranging elk of the Shoshone National Forest to adjacent livestock on private lands. Whether from elk attending feedgrounds or winter free-ranging, elk-to-livestock transmission events have caused economic and logistical constraints for livestock producers and induced time-consuming policy changes at state and federal levels.

Alternative C would provide the least potential transmission of brucellosis with domestic livestock. Alternative C would minimize disturbance to wintering elk, making it more likely they would remain on all Forest winter ranges, including crucial winter range. Without some type of timing restriction on elk crucial winter range, there is the potential of elk moving off the Forest to adjacent private property, increasing the opportunity for elk to intermingle with livestock. Alternative F would provide the greatest opportunity of transmission with domestic livestock because it proposes no timing restrictions on disturbing activities in elk crucial winter range, thereby providing the least amount of protection from disturbance during the critical winter months. Alternatives D, B, E, and A would provide disturbance free habitat in a descending order from the most to least, but all would provide more protection from winter disturbance than Alternative F.”

Ch. 3, Affected Environment, Species of Local Concern, Rocky Mountain Elk, Direct and Indirect Effects, Effects from Livestock Grazing, p. 289

There are benefits of using livestock grazing management as a tool to improve elk habitat and the SNF must express this in the impact analysis. One major benefit is enhancing forage palatability^{1,2}.

Ch. 3, Affected Environment, Moose, Direct and Indirect Effects, Effects from Livestock Grazing, p. 297

“Areas where the combination of high use by livestock and moose negatively impact willow would be addressed through allotment planning and coordination efforts with the WGFD.”

¹ Frisina, M. R. 1992. Elk habitat use within a rest-rotation grazing system. *Rangelands* 14:93-96.

² Anderson, E. W. and R. J. Scherzinger. 1975. Improving quality of winter forage for elk by cattle grazing. *Journal of Range Management*. 28:120-125.

Add "and livestock grazing permittees" after WGFD.

Ch. 3, Affected Environment, Effects from Livestock and Big Game Grazing, Aquatic Resources, p. 315

"As the livestock numbers and use increase, we will begin to reach the upper limits of acceptable use and potential for adverse aquatic resources effects, especially if additional allotments and use were added."

Adding additional allotments and increasing use does not equate to an adverse effect on aquatic resources if livestock grazing is managed well. We recommend removing this statement.

Ch. 3, Commercial Livestock Grazing, Affected Environment, p. 405

"All acres were generated by GIS and may not exactly match actual allotment acres. Even though some allotments contain small amounts of capable acres, grazing may still be occurring based on site-specific conditions not covered in this strategic analysis. Therefore, changes to rangeland capability and suitability may occur at the project scale using site-specific data."

This is a good explanation of how there may be differences between acres "capable" of being grazed and where grazing actually occurs. We recommend additional language from the Region 2 Planning Desk Guide - *Rocky Mountain Region Process Paper: A Process to Determine Rangeland Capability and Suitability and Standards for NEPA Display*.

"The capability and suitability analysis and determination is not a decision to graze livestock on any specific area of land, nor is it a decision about or estimate of livestock grazing capacity. The capability/suitability analysis and determination may or may not provide supporting information for a decision to graze livestock on a specific area.

Any grazing allotment will contain areas that are capable and/or suitable as well as areas that are modeled as being not capable and/or suitable. Since the evaluation is based on a modeling process and is dealing with a variety of complex landscapes, it is inevitable that this intermingling will occur on a land base of any significant size. Therefore, these capability/suitability determinations are not intended to imply that livestock will be precluded from occasionally being found on lands that may be modeled as non-capable or non-suitable."

This information must be evident in the several places, including the EIS, Land Management Plan and Appendix B.

Draft Land Management Plan, Summary of the Analysis of the Management Situation, Commercial Livestock Grazing, p. 16

The "Need for change" section includes the need to "improve critical wildlife habitat and to prevent negative impact on riparian areas." As commented on in the Draft Analysis of the Management Situation, monitoring data provided by the SNF does not show current livestock grazing is causing a negative impact on wildlife habitat or riparian areas. The WDA recommends the SNF remove these items from the AMS as no change in current management is necessary to reach desired conditions in these areas.

Draft Land Management Plan, Management Challenges, Grazing, Species of Local Concern Standard (3), p. 20 and p. 60

"Big game requirements for forage have a priority in the management of crucial winter range used in common by livestock and big game."

The requirement should be to provide forage for big game population objectives on crucial winter range. The WDA recommends changing this standard to "Provide forage to main big game herd objectives in the management of crucial winter range used in common by livestock and big game."

Draft Land Management Plan, Chapter 1 – Forest-wide Direction, Guidelines for Vegetation, Commercial Livestock Grazing #4, p. 34

"Livestock management should be modified when conditions are not moving toward desired conditions as determined through trend condition and monitoring."

The WDA supports basing decisions to change livestock management on monitoring. However, there are a variety of reasons an area may not be meeting desired conditions. We support changing livestock management only if current livestock management is a reason desired conditions are not being met. We recommend changing this guideline to "Livestock management should be modified when conditions are not moving toward desired conditions due to current livestock grazing management and as determined through trend condition and monitoring."

Draft Land Management Plan, Chapter 1 – Forest-wide Direction, Guidelines for Vegetation, Vegetation #5, p. 35

"Livestock should be removed from the unit when monitoring of key riparian areas reflects one or more of these criteria...Streambank stability is below the moderate level."

Define "unit".

What is a "moderate level" of streambank stability?

Draft Land Management Plan, Chapter 1 – Forest-wide Direction, Guidelines for Threatened, Endangered, Proposed, and Candidate Species #7, p. 43

There is no Appendix 1.

Draft Land Management Plan, Chapter 1 – Forest-wide Direction, Guidelines for Threatened, Endangered, Proposed, and Candidate Species #8, p. 43

"Inside and outside the Primary Conservation Area, cattle allotments or portions of cattle allotments with recurring conflicts that cannot be resolved through modification of grazing practices may be placed under long-term non-use agreements or retired as opportunities arise with willing permittees."

The current language does not reflect the intent of the Conservation Strategy. We strongly recommend rewording to place an emphasis on the collaboration that will occur with livestock grazing permittees to resolve grizzly bear/livestock conflicts and removing areas outside the Primary Conservation Area (PCA) from the guidelines. This change will align more closely to the intent of the Conservation Strategy, allow for use on allotments with conflicts and protect livestock grazing permittees from unnecessary closures of allotments. The WDA recommends the following language:

"Inside the Primary Conservation Area, work with livestock grazing permittees to resolve conflicts and/or change management on cattle allotments or portions of cattle allotments with recurring grizzly bear conflicts. If conflicts cannot be resolved, livestock management will follow the Conservation Strategy."

Draft Land Management Plan, Chapter 2 – Management Area Direction, Standards for Management Area 1.5A, Commercial Livestock Grazing #9, p. 144

Please add "Existing range improvements can be maintained."

Draft Land Management Plan, Chapter 2 – Management Area Direction, Management Area 5.4, Management Approach, p. 193

“On a case-by-case basis, commercial livestock use levels in some pastures or allotments may be reduced to ensure adequate forage remains...”

Add “In coordination with livestock grazing permittees...”

Draft Land Management Plan, Chapter 3, Monitoring, Monitoring Strategy, p. 203

“Establish monitoring priorities: Criteria from the goals and objectives are used to establish priorities for monitoring within the expected program of work and budget constraints.”

Monitoring is one of the most important actions on National Forest System Lands and the WDA does not believe priorities for this important program should be based on budget constraints. Monitoring should be based purely on goals and objectives.

Draft Land Management Plan, Chapter 3, Monitoring, Monitoring Strategy

The WDA strongly recommends designing monitoring meetings similar to the Bighorn National Forest Plan (2005). Page 4-5 of the Bighorn National Forest Plan outlines the process to continue to include cooperating agencies in Forest Plan monitoring and implementation. We recommend adopting this language and concept in the Shoshone National Forest Plan.

“Bi-annual monitoring and evaluation meetings with the forest plan revision cooperating agencies (state of Wyoming, County Commissioners, and Conservation District Board members) will be offered. The meetings will be open to the public, with ground rules similar to those used in plan revision...meetings.

Steering Committee members can help Forest personnel in monitoring forest plan and project implementation, in evaluating biological, social, and economic impacts; and by identifying amendment needs and proposed solutions. Maintaining the knowledge base and relationship with state agencies and elected officials will provide continuity in the adaptive management cycle, from development of the Revised Plan to plan implementation, monitoring, evaluation, and amendment through to the next plan revision.”

Draft Land Management Plan, Chapter 3, Monitoring, Vegetation, p. 209

The monitoring question is “What is the rangeland vegetation condition?” Is this a generic term that includes various monitoring techniques to determine rangeland condition? Or does this refer to the old rangeland condition classes (poor, fair, good, excellent)? Please clarify the monitoring question and potential monitoring items.

Appendix B, Rangeland Capability and Suitability Evaluation, Rangeland Capability, #3, p. 11

“Slopes greater than 40 percent were subtracted. These areas are identified as not suitable for cattle grazing. We did not address the 40 to 60 percent slope range, which is generally suitable for sheep grazing. Most of the Shoshone is not available for sheep grazing and the information on capability for sheep was not needed by the decision maker. Sheep are only grazed on two allotments on the south end of the Forest and the terrain is generally less than 40 percent slopes in those areas.”

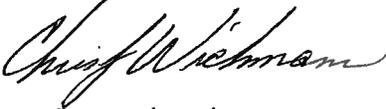
The capability analysis must follow the guidelines set forth in 36 CFR 219.20 and the Rocky Mountain Region Process Paper: A Process to Determine Rangeland Capability and Suitability and Standards for NEPA Display. We understand the reasoning behind removing slopes greater than 40% in the capability analysis, but believe the capability analysis should include all lands potentially capable of supporting grazing. The suitability analysis is the appropriate place to investigate sheep allotments and changes in allotments due to varying alternatives. The Bighorn National Forest Supplemental Information Report (2006) summarizes the guidelines very well:

“Step 8 of the rangeland capability determination process incorporates the landform attribute of slope to help determine capable range. This step identifies areas greater than 60% slope as not capable for cattle or sheep range. Areas between 40% and 60% slope are identified as capable for sheep grazing only and areas between 0% and 40% slope are capable for sheep and cattle grazing.”

In addition, rangeland capability does not vary by alternative. Rangeland suitability does vary by alternative. We recommend developing a map of rangeland capability (following the guidelines outlined above) in order to have a visual comparison for areas modeled as capable of supporting grazing versus areas considered suitable by alternative. We also recommend overlaying these on one map.

In conclusion, we appreciate the opportunity to comment on the Shoshone National Forest DEIS and Draft Land Management Plan. We encourage continued attention to our concerns and we look forward to hearing about and being involved in proposed actions and decisions.

Sincerely,


JF Jason Fearneyhough
Director

JF/jc

CC: Governor's Policy Office
Guardians of the Range
Rocky Mountain Farmer's Union
Wyoming Association of Conservation Districts
Wyoming Board of Agriculture
Wyoming Farm Bureau Federation
Wyoming Game and Fish Department
Wyoming Stock Growers Association
Wyoming Wool Growers Association