Wyoming
DEPARTMENT OF Agriculture

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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.

August 15, 2018

LaVa Project
Medicine Bow National Forest
2468 Jackson Street
Laramie, WY 82070

Dear Ms. Martin,

Following are the Wyoming Department of Agriculture (WDA) comments regarding the Draft Environmental Impact Statement (DEIS) proposing to respond to landscape-level tree mortality from bark beetles and other forest health issues across the Medicine Bow National Forest (MBNF).

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.

The WDA is in full support of the MBNF utilizing the Healthy Forest Restoration Act and analyzing treatments through the Landscape Vegetation Analysis (LaVa) Project. Thousands of acres of timber are dead across the West due to insect infestations. The numbers of burned acres and intensity of wildfires increases annually, as well as the millions of dollars spent to manage these fires. We commend the MBNF for utilizing a proactive approach to changing forest conditions. Diversifying timber age class, inclusion of marketable forest products, addressing human safety, and mitigating hazardous fuel loading will benefit the forest and users. We offer the following comments to consider for the DEIS.

Chapter 2, Alternative 1 – No Action:

Comment: WDA believes the No Action alternative inadequately analyzes the significant impact of wildfire throughout the DEIS.

Chapter 3: Affected Environment:

Page 92: *"At a localized level, there would be the potential for ungulates to browse the sprouts and suckers created by treatments. This could cause damage and potentially lead to the loss of stands if aspen experienced multiple disturbances in a short period."*

Comment: We would caution the MBNF from including browse as a direct impact equivalent to the intended aspen treatment. Neither browse nor grazing is a "disturbance." Additionally, we are unaware of any peer reviewed research where aspen stands were entirely lost due to browsing. We recommend removing this paragraph.

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Page 93: *"Broadcast burning would also remove forest floor residue but would have a greater impact on the understory..."*

Comment: We are uncertain how "broadcast burning" is different than "prescribed burning." Perhaps MBNF should provide additional clarity to alleviate misunderstanding this as a separate treatment.

Page 104: Canada Lynx

Comment: We urge the MBNF review, compare, and include appropriate analysis from the Southern Rocky Mountain Lynx Analysis, Biological Assessment for Lynx, and the Invasive Plant Management Record of Decision. The direct impact from implementation of LaVa either to lynx or their habitat is inconsistently analyzed. We urge the MBNF identify how suitability of habitat for a wildlife species not present on the forest was developed and included.

Page 106: Bighorn Sheep: *"The recent lack of large burns has left dense forest that reduces connectivity between this high elevation summer range and the lower wintering grounds. There are eight grazing allotments in the Medicine Bow Range, running from the tundra (where bighorns have been seen) to the northeast. The high-elevation allotments are currently vacant (though recent queries have been made about use for sheep)."*

"The Wyoming interagency Bighorn Working Group ranks this herd as lowest priority (of 3 classes for investment in habitat improvement."

Comment: WDA strongly urges the MBNF revise the entire analysis for bighorn sheep as it is subjective, conveys a negative tone towards domestic sheep grazing, and is simply inaccurate. We recommend removing subjective statements such as "recent" or "have been seen." What is considered "recent" or "have been seen" by whom? The vacancy of these allotments or the interest by domestic sheep producers is irrelevant to the LaVa decision. Remove any references to grazing. Finally, the information for the State-wide Bighorn/Domestic Sheep Interaction Working Group, the classification, and the reason for the classification are inaccurate. The bighorns in the Encampment River are Cooperative Review Area herd (Class 2 equivalent). According to the Interagency Working Group Plan, Class 3 (Bighorn Sheep Non-emphasis Area) is a low priority for bighorn sheep management, not habitat improvement as the DEIS states.

Pages 112 – 125, Table 38: WDA recommends providing more information to clarify Table 38. Specifically

Page 133: Canada Lynx: *"It's assumed all suitable habitat on private and State lands in lynx analysis units in the project are would be converted to an unsuitable condition. This would total 12,842 acres."*

Comment: We believe the DEIS is inaccurate in the Cumulative Effects regarding private and State lands and how this impacts lynx.

Page 144: No-action Alternative:

Comment: The DEIS No-Action Alternative inadequately addresses wildfire consistently throughout the document. Specifically in this section, there's no mention of wildfire and the significant impacts of not managing the forest and vegetation.

Page 145: *"This large-scale habitat conversion from native vegetation to nonnative invasive vegetation poses a threat to rare plant species."*

Comment: WDA recommends utilizing the analysis from the Invasive Plant Management Record of Decision from 2014 for the DEIS in its entirety.

Page 146: The Cumulative Effects section for botany is very different in comparison to other sections. In many cases, such as "prescribed fire" and "timber harvest" are actual management actions used in LaVa, and therefore analyzed as a direct effect. See also the previous comments to utilize the Invasive Plant Management Record of Decision.

Page 146: *"Grazing leads to biomass removal and trampling. It has led to changes in species composition, compaction of soils, changes in fuel loading and fire regime, down-cutting of riparian areas with subsequent drying of adjacent meadows, and noxious weed invasion. In riparian areas and wet meadows, livestock grazing has led to churning of the soil and pugging which changes soil and water characteristics and often alters native plant communities."*

Comment: WDA is very concerned how negatively livestock grazing is conveyed in the botany cumulative effects section. The section identifies livestock grazing as the causal factor for the demise of vegetation, soils, water quality, and the invasion of noxious weeds. Proper grazing is a benefit to vegetative communities and can reduce fuel loads for wildfire, improve plant health, and increase seed to soil contact. However, the DEIS assumes all grazing is improper grazing. Remove the section.

Page 146: *"Nonnative plant invasion is often the result of the ground-disturbing activities. These nonnative species displace native plants, mostly through direct competition. Highly competitive nonnative species have been used in revegetation efforts, and these species are potent competitors for light, nutrients, and water."*

Comment: WDA would recommend MBNF consistently refer to noxious and invasive species rather than including an additional classification of "nonnative."

Page 149: Range: *"Recovery of forage resources after wildfire could take a decade or more in severely burned locations. A large burn could negatively affect livestock carrying capacity of an allotment or group of allotments until native plant communities recover."*

Comment: WDA recommends removing statements such as a "decade or more" as this will likely be inappropriately used to remove livestock grazing as part of the "recovery" process. Additionally, burns have the potential to increase carrying capacity in the years following the fire. We believe the displacement of grazing permittees with no additional allotments or forage to utilize following wildfires is a direct impact for the No Action and Modified Proposed Action, which the MBNF must include in the analysis.

Page 149: *"Many aspen stands within the project area, especially on the west side of the Sierra Madre Range, already have a heavy conifer component and therefore produce little to no livestock forage...Some short-term adjustments in domestic sheep use of regenerating aspen stands could be needed if livestock are found to be browsing on or trampling young aspen suckers."*

Comment: Allotments providing little to no forage is a direct impact on the livestock grazing permit and the DEIS should reflect this. Carrying capacity is declining and causing significant impacts to grazing permittees who have to reduce

their stocking rates. Additionally, we do not support singling out reduction of domestic sheep in treatment areas. Browse can occur from both wild and domestic animals.

Page 152: Noxious Weeds: *"On shrubland or grassland sites where harvest-related activities would have compacted or disturbed the soil and damaged native plants, there would be a greater risk of long-term weed occupation..."*

"The increase in invasive plant species that has occurred in coniferous forest stands with high tree mortality would be cumulative to the many other activities and natural events..."

"The increase in invasive plant species that can be expected from the proposed vegetation treatment would be cumulative to the many other activities...

"Under the modified proposed action, there would be greater likelihood that new invasive plant species or new infestations..."

Comment: WDA would encourage MBNF to review the Invasive Plant Management Record of Decision. Additionally, the DEIS should ensure the treatment provides certainty in the analysis and in the implementation of the treatment under the Modified Proposed Action does not make the project area worse off than the No Action Alternative.

Page 166: *"Disturbance from general motorized use and recreational access has been occurring and would continue. Cumulative effects to soils from recreational vehicle use are not expected."*

"Cattle may maintain compaction in localized lounging and trailing areas, decreasing the soil recovery on portions of the treated areas. Grazing following prescribed burning could potentially have detrimental soil impacts, but resting prescribed burn units for a time should alleviate cumulative effects from grazing by giving soils and vegetation time to recover."

Comment: WDA is concerned how the DEIS inconsistently analyzes livestock grazing with other uses, such as recreation. MBNF proposes to "rest" the treatment areas, while no other multiple use changes. We do not support nor did we approve of any rest in treatment areas. Instead, we encourage MBNF work closely with grazing permittees to identify treatment areas and management options following the treatment, including adaptive management.

Page 188: Diversity of Plant and Animal Communities: *"The no-action alternative will not affect the diversity of native vegetation in the inventoried roadless areas."*

Comment: We believe the DEIS and No Action Alternative under-analyzes the negative impacts and consequences of current management. Specific to plant communities, wildfire or fallen beetle killed timber will negatively impact diversity of native vegetation.

Page 188: Modified Proposed Action: *"The project could adversely affect the diversity of native plants in these units and other (surveyed) roadless areas in a number of ways."*

Comment: The analysis conveys a very negative outlook for native plant communities following any treatments from the Modified Proposed Action. We would urge the DEIS ensures there is a positive component to the analysis. We

would revise these sections to ensure a comparable comparison between the impacts of both alternatives. See also page 189.

Page 200: Socioeconomics: No Action Alternative:

Comment: There is some discussion of wildfire in this section, but WDA believes the MBNF must elevate the analysis to identify and compare the cost of reactively managing wildfires versus proactively treating areas to ultimately reduce catastrophic wildfires.

In conclusion, we believe the ability to treat vegetation under the Modified Proposed Action will have a positive impact on the MBNF, creating habitat for wildlife, improving forage conditions for livestock, and a safer environment for those who live, work, and recreate across the forest. We look forward to continuing to work with you and 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
Wyoming Game and Fish Department
Wyoming County Commissioners Association
Public Lands Council