Wyoming
DEPARTMENT OF Agriculture

Matthew H. Mead, *Governor*
Jason Fearneyhough, *Director*
2219 Carey Ave. • Cheyenne, WY 82002
Phone: (307) 777-7321 • Fax: (307) 777-6593
Web: agriculture.wy.gov • Email: wda1@wyo.gov

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

March 25, 2014

Mr. Tom Tidwell
Chief, Objection Reviewing Officer
USDA Forest Service
Attn: EMC – Administrative Reviews
1400 Independence Avenue, SW, Mailstop 104
Washington, D.C. 20250-1104

Dear Mr. Tidwell:

The Wyoming Department of Agriculture (WDA) submits the following objection to the 2014 Shoshone National Forest (SNF) Land Management Plan (LMP), Final Environmental Impact Statement (FEIS) and Draft Record of Decision (Draft ROD). The Draft ROD for the SNF LMP, dated January 2014, was released January 17, 2014 and published in the Legal Notice section of the Denver Post on January 24, 2014. Mr. Daniel J. Jiron, Regional Forester, Region 2, Rocky Mountain Region is the Responsible Official.

The WDA is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life. We have served as a cooperating agency and regularly provided numerous comment letters with suggested changes. The SNF is required to review and address the submitted comments as they relate to the objection issues contained in this letter.

Our overall concern is the negative tone throughout the SNF FEIS and LMP in regards to livestock grazing and the overuse of livestock grazing as a risk factor to wildlife and other resources. We have commented numerous times on the SNF's lack of differentiation between types of grazing (commercial versus recreational) and the importance of proper versus improper livestock grazing. We strongly feel the SNF LMP and FEIS imply all livestock grazing is a risk to natural resources and wildlife and could lead to livestock grazing being reduced or even eliminated from the SNF.

We believe SNF should clearly and deliberately communicate management objectives or changes to ensure there is no misinterpretation by others. As written, the FEIS and LMP lack clarity and lead to open interpretation, improper conclusions and inaccurate suggestion of livestock grazing as the causal factor. Figure 17 of the FEIS shows that 98% of the grazing allotments are meeting or moving towards standards. We believe the SNF has neglected their data and unjustly portrayed all grazing as a risk factor to the entire forest.

While we do support the proposed decision and selection of Alternative G, we feel SNF has not fulfilled their duties and responsibilities in addressing our comments or developing a decision that is truly reflective of all interests on the SNF. Pursuant to regulation 36 CFR 219.54(c) we hereby file the following objection to the 2014 SNF LMP, FEIS and Draft ROD. Please find our objection issues attached as Attachment A.

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We would like to thank the SNF for the opportunity to participate and look forward to working together as the process continues.

Sincerely,

Jason Fearneyhough
Director

JF/jb

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

Attachment A

Objection Issues
The WDA objects in accordance with 36 CFR to the LMP, FEIS and Draft ROD based on the following issues. Attachment B contains WDA's previously submitted comments for referencing as our issues are presented. Within Attachment A, references to our previous comments will appear as dates with parentheses.

Objection 1: Commercial Livestock Grazing; LMP pp. 16
"New direction is needed to improve critical wildlife habitat and to prevent negative impacts on riparian areas. New management direction that expands the use of forage reserves and other approaches are needed."

The WDA previously commented on the Draft Analysis of the Management Situation (July 29, 2011) and again on the Draft LMP and Draft EIS (November 26, 2012) regarding the Need for Change statement under Commercial Livestock Grazing and reiterates here. SNF monitoring data provided in the FEIS does not indicate current livestock grazing is negatively impacting wildlife habitat or riparian areas. The WDA objects to using Need for Change out of context to FSH 2209.13 which states *"Where a particular existing condition and desired condition are the same, there is no need for change."*

Suggestions for Improvement
Because there is no evidence of negative impact this section should be removed.

Objection 2: Guidelines for Vegetation; LMP pp.34
"Livestock management should be modified when conditions are not moving toward desired conditions as determined through trend and condition monitoring."

The WDA previously commented on the Draft EIS and Draft LMP regarding the Guidelines for Vegetation and when livestock management should be modified. In our letter dated November 26, 2012 we specifically asked the SNF to address when and why livestock management should be modified. The WDA urged the SNF to modify their language to more accurately communicate when current livestock grazing management is deemed the causal factor and needs modified. The WDA objects to SNF's implying livestock grazing is a factor keeping areas from reaching desired conditions. Evidence shows there are multiple causal factors for an area not reaching desired conditions.

Suggestions for Improvement
The WDA proposes SNF removes their existing language and insert "Livestock management should be modified when conditions are not moving toward desired conditions as determined through trend condition and monitoring and livestock management is clearly shown to be the causal factor."

This is also more closely aligned with the Wyoming approach to grazing management and Executive Order 2013-3 which states: *"...Wyoming will cooperate with appropriate Federal agencies in defining a framework for evaluating situations to determine if a causal relationship exists between improper grazing...and objectives not being achieved on federal lands."*

Objection 3: Monitoring; LMP, pp. 191
"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"

The WDA previously commented that monitoring on the SNF should not be based upon budget constraints. In our November 26, 2012 letter we specifically addressed the LMP language. We strongly feel monitoring should be based only on goals and objectives, not budgets. Monitoring data is absolutely fundamental and not only protects permittees, but the SNF as well and should not be neglected or dismissed for any reason including budgets. In many cases, monitoring data is the most important piece of evidence producers have to show they are in compliance with their permit. Monitoring priorities must be based upon goals and objectives in order to remain relevant. We do not believe there are provisions allowing the SNF not to monitor an area due to budget constraints. Further, in order for the SNF to show progress within their own plan they must be able to provide data. To not monitor an area due to budgets would not only undermine the SNF and permittees, but the forest plan as a whole.

Suggestions for Improvement
36 CFR 222.2 (b) states that *"Each allotment will be analyzed and...an allotment management plan [will be] developed"* which implies monitoring is a requirement.

The WDA proposes the SNF replace as follows: "Establish monitoring priorities: Criteria from the goals and objectives are used to establish priorities for monitoring within the expected program of work."

Objection 4: Rangeland Capability and Suitability Evaluation; Appendix B, pp. 1100
The WDA previously commented regarding Capability and Suitability assessments that were completed for the SNF. Literature and personal experience has shown cattle will graze areas with greater than 40% slopes. The Capability analysis should include all lands potentially capable of supporting grazing. Changes in breed of animal, differences in husbandry techniques and training and differences in animal behavior from one operation to the next should be realized as factors that will change utilization patterns.

Suggestions for Improvement
The SNF should accept on-the-ground knowledge from permittees and additional science to more clearly define capable and suitable areas. Local knowledge is readily available and should be used as much as possible.

Attachment B

Previously Submitted Comments

November 15, 2010 – Scoping Comments
July 29, 2011 – Draft Analysis of the Management Situation Comments
November 26, 2012 – Draft Environmental Impact Statement and Draft Land Management Plan Comments