Wyoming 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.

May 12, 2011

Shane DeForest, Field Manager
Pinedale Field Office
Bureau of Land Management
P.O. Box 768
Pinedale, WY 82941

Dear Mr. DeForest:

Following are the Wyoming Department of Agriculture's (WDA) comments pertaining to the Scoping Notice to prepare an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA) for the Normally Pressured Lance Natural Gas Development (NPL) project. The NPL proposes to analyze 141,000-acres and 3,500 wells located south of Pinedale in the Pinedale Field Office (PFO).

Our comments are specific to our mission: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. The NPL project will 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 us the opportunity to express pertinent issues and concerns.

Mitigation of impacts to vegetation and livestock grazing must be identified by PFO staff. Encana developed a list of mitigation measures under the prior Environmental Assessment. These agreed upon mitigation measures must be included in this EIS as part of a "tool box" to reduce impacts to rangelands and grazing operations. In addition, Encana has been working closely with livestock grazing permittees to develop voluntary mitigation measures in the form of livestock water developments. The PFO must work closely with permittees and Encana in developing these additional measures.

The WDA recommends the NEPA analysis include the socio and economic importance of livestock grazing and ranching on the local economy, as well as the protection of open space and wildlife habitats as referenced in Ranching in the Rockies, Threats and Signs of Hope (Yarbrough et al. 2006[1]).

Grazing on public lands is a vital economic value to agricultural producers and to local communities. The PFO must include impacts on this economic activity in the analysis. We urge PFO officials coordinate with the University Of Wyoming - College Of Agriculture, Department of Agriculture and Applied Economics, who conducted several studies showing how federal policies impact agriculture and communities throughout the state. The studies include the importance of Animal Unit Months, the significance of input and output of state agriculture, and the costs and revenues to counties of agriculture compared to development. Changes affecting the continuation of livestock grazing and other agricultural operations within the planning area and the economic impacts upon agriculture must be included in the analysis.

[1] Yarbrough, A., J. Kapela, and C. O'Brady. 2006. Ranching in the Rockies, Threats and Signs of Hope. The 2006 Colorado College State of the Rockies Report Card. 6 pages. http:/www.coloradocollege.edu/StateoftheRockies/06ReportCard/21-26%20in%20the%20Rockies.pdf.

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2011 MAY 13 AM 9: 31

We urge the PFO to base its decisions on science, long-term monitoring data and real data collected in the field. Permittees possess irreplaceable long-term, on-the-ground knowledge that should be utilized. Livestock grazing is a resource management tool currently used to achieve desired environmental objectives in the project area, including obtaining positive effects upon food and habitat for wildlife and livestock. The EIS must include (1) the positive effects livestock grazing has upon the environment. For example, using livestock to improve elk forage (Anderson and Scherzinger 1975[2]), bird habitat (Derner et al. 2009[3]), and other natural resource objectives (Davies et al 1990[4], Severson 1990[5]), and (2) how livestock grazing assists in achieving environmental objectives and objectives set forth in the Resource Management Plan, such as how livestock grazing can decrease excessive litter accumulation and thus increase plant diversity and species richness (Manier and Hobbs 2007[6]). Producers are particularly aware of how impacts will affect rangeland health, habitat and forage. They understand it is in their best interest to continue to serve as stewards of rangelands in the project area and can offer recommendations which are both environmentally and economically sound.

The WDA strongly recommends the PFO provide for tracking and monitoring of all impacts within the project area. Monitoring data should include surface disturbance impacts, reclamation efforts, along with invasive and noxious weeds. These monitoring efforts should put a focus on Healthy Rangeland Standards[7] and the importance of reclamation success. We highly recommend the PFO provide this data to cooperators and livestock grazing permittees to follow field development and the ability to adaptively manage their operations.

It is vital PFO evaluate all resources at the same level to ensure they are managed cumulatively. For example, the NPL must include a travel management plan relating to livestock grazing operations and adjacent gas field development operations. More importantly, the NPL needs to look outside the project area and make sure it considers adjacent activities in this planning effort.

With this in mind, management prescriptions in the analysis must reflect multiple use resource principles. Congressional mandates, federal statutes, and implementing regulations call for multiple uses on BLM administered lands. WDA particularly believes the Congressional policy expressed in the Federal Land Policy and Management Act of 1976 (FLPMA) regarding livestock grazing, needs to be specifically noted in the environmental document. FLPMA Sec. 102(8) states *"The Congress declares that it is the policy of the United States that...the public lands be managed in a*

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[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.

[3] Derner, J. D., W. K. Lauenroth, P. Stapp, and D. J. Augustine. 2009. Livestock as ecosystem engineers for grassland bird habitat in the Western Great Plains of North America. Rangeland Ecology and Management. 62:111-118.

[4] Davies, K. W., T. J. Svejcar, and J. D. Bates. 2009. Interaction of historical and non-historical disturbances maintains native plant communities. Ecological Applications. 19:1536-1545.

[5] Severson, K. E. 1990. Summary: Livestock grazing as a wildlife management tool. *In*: Can livestock be used as a tool to enhance wildlife habitat. General Technical Report. RM-194 p. 3-6. U. S. Forest Service, Rocky Mountain Experiment Station, Fort Collins, CO.

[6] 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.

[7] U.S. Department of Interior - Bureau of Land Management. Standards for Healthy Public Rangelands. http://www.blm.gov/wy/st/en/programs/grazing/standards_and_guidelines/standards.html

2011 MAY 13 AM 9: 31

manner...that will provide food and habitat for fish and wildlife and domestic animals..." Many in the public are unaware of this Congressional policy and do not understand how critical the utilization of these lands are to livestock grazing, permittees, local communities, the continued health of the resource and the State of Wyoming.

We appreciate the opportunity to comment on the scope of the EIS. We encourage continued attention to our concerns and look forward to hearing about and being involved in future proposed actions and decisions.

Sincerely,

for Jason Fearneyhough
Director

JF/cw

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