

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

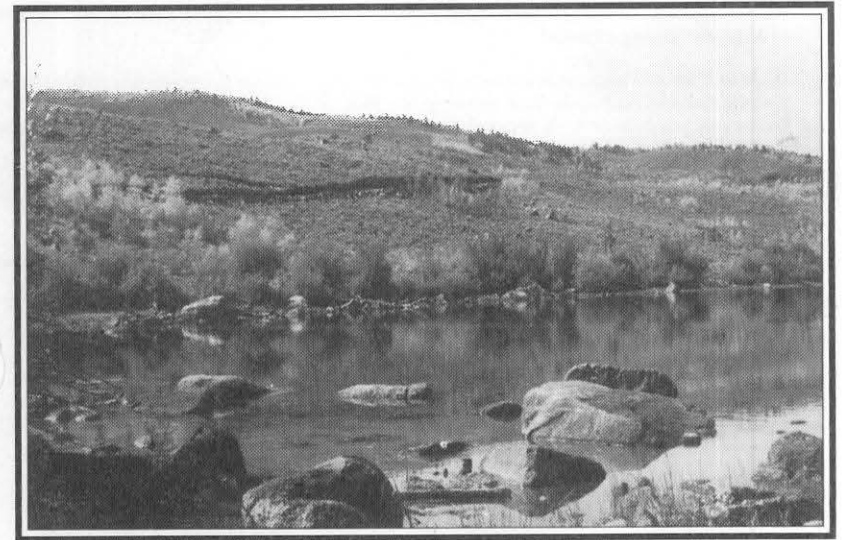
Wyoming State Office
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OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

IMPLEMENTATION PLAN

**Standards for
Healthy Rangelands
and
Guidelines for
Livestock Grazing
Management**

**for
Public Lands Administered by the
Bureau of Land Management in the
State of Wyoming**



United States Department of the Interior
Bureau of Land Management



January 1998



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Wyoming State Office
P.O. Box 1828
Cheyenne, Wyoming 82003-1828

4200 (910)

Dear Interested Citizen:

This package is provided for your information and contains our plan to implement standards for healthy rangelands and guidelines for livestock grazing management on BLM land in Wyoming. We mailed a copy of the standards and guidelines to your address last fall. We have prepared the implementation plan so that all of our offices in Wyoming will use the standards and guidelines similarly as we begin the 1998 livestock grazing season.

After reviewing the plan, I urge you to contact any BLM office if you have questions or would like us to attend a meeting of your group to further explain standards and guidelines and their implementation.

An important element of this process is an invitation to the "interested public" to participate in BLM's rangeland management. "Interested public" refers to an individual, group, or organization that has submitted a written request to the local BLM office manager to be involved in management of a specific grazing allotment.

In general, we will implement standards and guidelines by assessing the health of a number of BLM grazing allotments across the State beginning this year. If the rangeland meets the standards, no further action is necessary. If one or more of the standards is not being met, due wholly or in part to grazing practices, the corresponding grazing guidelines will be used to develop management actions to improve the rangeland. This will affect on-the-ground management by both the BLM and the livestock permittee or lessee. We will continue implementation during the coming years with the assessment of all remaining allotments.

I wish to thank everyone associated with this worthwhile program. I believe that, together, we can work toward healthier BLM rangelands for the generations to come.

Sincerely,

Alan R. Pierson
State Director

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BACKGROUND

According to grazing regulations that became effective on August 2, 1995, the State Director of the Wyoming Bureau of Land Management (BLM) is required to develop and implement standards for healthy rangelands and guidelines for grazing management. Standards apply to all uses of BLM administered public lands in Wyoming and represent the minimum acceptable conditions for public rangelands. The guidelines apply only to livestock grazing. The Wyoming standards and guidelines were submitted to the Secretary of the Interior in July 1997 and were approved August 12, 1997.

The BLM is responsible for implementing the standards and guidelines and determining the condition of the 18 million acres of public rangelands in Wyoming. Within one year after the Wyoming BLM Standards and Guidelines have been approved, each BLM office will have a goal of determining if the standards are being met on their 10 highest priority allotments. Those grazing allotments that are not evaluated will be temporarily categorized as "unknown" until it can be determined if they meet the standards. These determinations will be made in accordance with current priorities or as opportunities present themselves as described below.

PUBLIC NOTIFICATION AND CONSULTATION

Part 4100 of the grazing regulations provides for public participation, referred to as consultation, cooperation and coordination with permittees and lessees, private landowners, interested public and State agencies which own or manage resources in the area. This level of public participation occurs at each BLM office and is usually associated directly with the BLM resource specialist responsible for the specific allotment or project.

BLM offices will provide written notification of impending rangeland health reviews to the affected permittees, lessees, and interested publics. This notification will occur immediately prior to the review of individual allotments, and will include a cover letter (Appendix A), as well as a copy of the approved standards and guidelines.

PRIORITIZING ALLOTMENTS FOR REVIEW

Allotments with existing management plans or management agreements will be given first priority to be reviewed for compliance with

the standards. Since BLM generally has monitoring information readily available for these allotments, the review process should go relatively quickly.

As part of their rangeland program summary, BLM offices should have their allotments classified into one of three categories including improvement, maintenance, or custodial (I, M, or C). Since this categorization was based on health of the land criteria, the I, M, C categorization will be the basis for establishing priorities for reviewing conformance with standards. Category I allotments will be given second priority, category M allotments third priority, and category C allotments fourth priority.

The above priority ranking represents a recommended order of review but may be modified by each BLM office to meet its individual needs. For example, a transfer of any allotment may offer an opportune time to conduct a rangeland health review. Recent range management actions may also upgrade the priority for an allotment review.

Another area to consider in establishing allotment priorities is the findings of the Wyoming Water Quality Assessment Report, prepared by the Water Quality Division of the Wyoming Department of Environmental Quality. Each BLM office will review the findings of the Wyoming Section 303(d) list of priority water bodies and the Water Quality Assessment Report. These reports identify the designated uses (e.g., human health value), degree of use support (e.g., not supported), causes of impairment (e.g., nutrients), sources of impairment (e.g. rangelands), and other water quality issues. The State priorities for many of the major stream reaches within each basin are also identified in this report. This information will be considered in adjusting the review priority of allotments.

The priorities established under this section will be used only for selecting allotments for review of rangeland health. Since the time required for the consultation process will vary, the allotment order for selection of guidelines and development of permit terms and conditions may vary.

REVIEW OF ALLOTMENTS FOR CONFORMANCE WITH STANDARDS

Changes in management of an allotment will be required under 43 CFR 4180 if the following conditions apply:

1. A conformance review has been completed for the allotment.
2. It has been determined that one or more of the standards are not being met.
3. It has been determined livestock grazing is a significant reason that standards are not being met and that grazing management needs to be modified.

Bureau of Land Management personnel will conduct allotment reviews for conformance with the standards. Staffing necessary to conduct the reviews will be determined by the BLM office manager. Ideally, reviews will be conducted in an interdisciplinary manner. Permittees, lessees, State agency representatives, and interested publics will be invited to accompany Bureau personnel in the field, attend meetings, and provide input into the review process.

Existing data, professional judgment, or collection of additional data may be utilized during the interdisciplinary review. Field observation and data collection will utilize established procedures as identified in various BLM guidelines and technical references. Additional procedures may be issued through information memorandums as needed.

On allotments in which management changes have been implemented within the last five years or a determination made that no management change was necessary, existing data or field observations will be used to determine conformance with standards. This information will be reviewed and summarized (Appendix B).

On all other allotments where management has not changed within the last five years or sufficient data is not available, a conformance review of the standards will be completed utilizing additional field observations or data collection. This information will also be reviewed and summarized (Appendix B).

If an allotment's condition is found to be below the standards and a determination made that grazing management needs to be modified, then the consultation process will continue with the selection of guidelines to be implemented, as well as the development of specific terms and conditions for the permit.

Where existing management has resulted in healthy rangelands, it will be recognized and continued.

DETERMINATION OF NONCONFORMANCE

When an allotment's condition fails to meet one or more of the standards, and livestock grazing is a contributing factor to that failure, then a determination must be made that existing grazing management needs to be modified. This determination must be supported by monitoring, field observations, ecological site inventory, or other data acceptable to the BLM office manager. If field observations are used, the observations must be well documented, and where possible, supported by photographs, weather records, or other supporting evidence.

The notice of determination shall include: (1) a statement saying the allotment does not conform with the standards; (2) identification of the standards which are not met; (3) a description of the nonconformance problem; (4) a determination that grazing management needs to be modified; (5) the date by which appropriate actions must be implemented; and, (6) a description and location of the documentation used in making the determination. The determination will be documented in a certified letter to the permittee (Appendix C). Copies of this letter will also be provided to lien holders and interested publics.

The determination process will not include the specific modifications to grazing management. The selection of guidelines and development of permit/lease terms and conditions will be completed during later consultations.

GUIDELINES

Guidelines consist of a number of alternatives, one or more of which may be implemented in an effort to bring an allotment into conformance with a specific standard. The appropriate guidelines must be identified early enough to allow sufficient time for the development of terms and conditions and modification of the permit, not later than the start of the next grazing year. The start of the next grazing year is defined as March 1, following the date of permittee/lessee notification for determination of nonconformance.

TERMS AND CONDITIONS

Once the specific guidelines have been identified, the consultation process will continue with the development of terms and conditions

appropriate to achieve the identified resource objectives. The terms and conditions will be included in livestock grazing permits and leases. The BLM office manager will ensure that the terms and conditions are appropriate to achieve the resources objectives, resulting in conformance with the standards. Once the allotment conforms to the standard, the BLM office manager may modify the terms and conditions. However, the modified terms and conditions must ensure the allotment's continued conformance.

MODIFICATION OF PERMITS AND LEASES

Blanket modifications of all permits and leases will not be necessary to implement either the new grazing regulations or the standards for healthy rangelands.

In cases where it has been determined that a specific allotment does not meet a standard, that permit or lease will be modified to include specific terms and conditions which are designed to implement the selected guidelines. The effective date of these modifications will be March 1, following the date of permittee/lessee notification for determination of nonconformance.

Any time a permit or lease is modified, a decision is required if a consensus agreement has not been reached with all parties including the permittee/lessee, interested public, and appropriate State agencies. In either case, use the procedures outlined in 10 below in order to provide the permittee or lessee, State, and interested public an opportunity to comment, protest or appeal.

Under the National Environmental Policy Act, an administrative determination is required for all permit/lease renewals. Under 43 CFR 4100, a grazing decision is not required when renewing an existing permit/lease if there are no changes or modifications.

MONITORING AND EVALUATION

Monitoring criteria, including the types and levels of monitoring required to measure progress towards meeting the specific resource objectives, will be an integral part of each allotment management plan.

In those cases where guidelines are to be implemented, but an activity plan neither exists nor is scheduled to be developed, a separate monitoring plan, including measurable objectives, will be prepared. This monitoring plan will be specifically designed to evaluate progress towards meeting the standard(s) for which the allotment is in noncon-

formance. It will also identify the type, level and method of monitoring, as well as the responsible party (i.e., BLM, permittee). The monitoring process may consist of professional judgment based upon well documented field observations. Field observations should be supported with photographs, weather records, or other supporting evidence.

AGREEMENTS AND DECISIONS

Where agreements have been reached by consensus on development of an AMP or other grazing management agreement, notification must be provided to the permittee and all others consulted with during the process including any interested publics and appropriate State agencies. A letter (Appendix D) should be used to provide notification and allow all parties one last chance to voice their concerns before we proceed with implementation. This letter would not be sent certified and would not provide appeal information. If agreement cannot be reached with all parties, the decision process would be used with the decision being sent to all affected parties.

REPORTS

The Federal Land Policy Management Act (Section 201.(a)) and the Public Rangeland Improvement Act (Section 4.(a)) both require continuing inventory, monitoring, assessment, and reporting of changes in public rangeland conditions. It is anticipated that the BLM Washington Office will be requesting an annual report of key rangeland health measures. Each BLM office will compile the following information and submit it as part of the Annual Range Monitoring Report.

	Number Allotments	Number Acres (Public)
Rangelands Meeting All Standards		
Rangelands Not Meeting All Standards		
Rangelands Not Meeting Standards for Causes Other Than Livestock		
Rangelands Unclassified (Unknown)		
Guidelines Implemented - Current Year		
Guidelines Implemented - Total to Date		

ACCOUNTABILITY

The annual reporting requirement must be followed with an accounting of progress towards meeting management objectives and improvement in rangeland health. The Wyoming State Office will track each BLM office's annual progress. Annual work plan directives will allocate funding based on rangeland health priorities and accomplishments.

ROLES AND RESPONSIBILITIES

State Director - The State Director is responsible for formulating statewide policy and developing, directing and coordinating statewide live-stock grazing administration and range management programs. This responsibility includes developing and implementing standards and guidelines in accordance with 43 CFR 4180 Grazing Administration.

BLM Office Manager - The office manager is responsible for implementing local, State and national BLM grazing policies and programs within the areas of jurisdiction. This responsibility includes developing terms and conditions. The terms and conditions are applied through grazing permits/leases, allotment management plans, other activity plans, cooperative agreements and range improvements. The BLM office manager also ensures that land use plans and activity plans comply with the standards and guidelines. When appropriate, the BLM office manager consults with the affected permittee/lessee, owners of intermingled lands including Wyoming State Land and Farm Loan Offices, and other interested parties.

Appendix A

(Date)

Dear (Permittee/Interested Public):

In 1997, the Secretary of the Interior, under the terms of 43 CFR 4180, approved the attached Wyoming standards for healthy rangelands and guidelines for grazing management. These standards and guideline are to be used to improve and/or maintain the health of all BLM-administered public lands.

Within the next few months, the _____ BLM office will be visiting the _____ Allotment to determine if it meets these standards. You are invited to participate in this rangeland health assessment.

We recommend that you review these standards and guidelines closely. If you wish to participate in the health assessment or have any questions, please contact _____, Range Management Specialist, at (307) ____ - ____.

Sincerely,

BLM Office Manager
Enclosures: Wyoming Standards and Guidelines

Appendix B

Wyoming Rangeland Standards Conformance Review Summary

Allotment: _____ BLM office: _____
permittees or lessees: _____
activity plan: _____

part 1 - Conformance review

Standard #1: (insert first standard)
resource conditions in the allotment meet the standard?
(circle one) yes no unknown
rationale:

Standard #2: (insert second standard)
resource conditions in the allotment meet the standard?
(circle one) yes no unknown
rationale:

Standard #3: (insert third standard)
resource conditions in the allotment meet the standard?
(circle one) yes no unknown
rationale:

Standard #4: (insert fourth standard)
resource conditions in the allotment meet the standard?
(circle one) yes no unknown
rationale:

Standard #5: (insert fifth standard)
resource conditions in the allotment meet the standard?
(circle one) yes no unknown
rationale:

Standard #6: (insert sixth standard)
resource conditions in the allotment meet the standard?
(circle one) yes no unknown
rationale:

Part 2 - Factors related to nonconformance with standards:

Part 3 - Selected guidelines to implement change in grazing management:

Part 4 - Identification of specific actions including permit/lease terms and conditions:

Reviewed by:

(Title)	Date
(Title)	Date
(Title)	Date
(Title)	Date
(Title)	Date

INSTRUCTIONS FOR CONFORMANCE REVIEW SUMMARY

GENERAL INSTRUCTIONS - The Rangeland Standards Conformance Review Summary should be completed in an interdisciplinary manner. Personnel conducting the review should have had experience with the allotment and collection of its monitoring data and/or field observations. It is recommended that as a minimum, personnel conducting the review should include a BLM range and wildlife specialist. The permittee/lessee, personnel from State agencies which own or manage resources within the allotment and interested publics must be invited to accompany Bureau personnel in the field, attend meetings, and provide input. Once completed, the Rangeland Standards Conformance Review Summary should be signed and dated by the personnel who conducted the review.

PART 1 - Determine if the allotment is in conformance with each standard, circle the appropriate response and provide a short narrative describing the rationale for the response. Be as specific as possible in the narrative. Where applicable, reference monitoring data, field observation reports, and supporting documentation.

A response of "UNKNOWN" will require additional data analysis, field observations and/or monitoring. In this instance the rationale should clearly describe what additional information is required, as well as how and when it will be obtained.

If the allotment is in conformance with all standards, then Part 1 will complete the review process. If one or more standards are not being met, continue to Part 2.

PART 2 - The purpose of Part 2 is to document if existing grazing management needs to be modified, or if failure to meet the standard(s) is the result of other "nongrazing" factors. This documentation should be as detailed as possible. If it is determined that failure to meet the standard(s) is in any part due to other "nongrazing" factors, then a copy of the Rangeland Standards Review Summary will be forwarded to the appropriate BLM staff, for corrective action.

If it is determined that failure to meet the standard(s) is in any part due to existing grazing management, then: (1) a determination of nonconformance must be issued, as described in Section 5 of the implementation plan; and, (2) proceed with Part 3.

PART 3 - Continue the consultation process by reviewing the list of guidelines for each standard in which the allotment is in nonconformance. Identify the selected guidelines which will be implemented and proceed to Part 4.

PART 4 - Continue the consultation process by identifying specific actions which will be required, the responsible party, and time frame for completion. All actions required of the permittee/lessee should be identified as terms and conditions of the permit/lease.

Appendix C

(Date)

CERTIFIED MAIL NUMBER
RETURN RECEIPT REQUESTED

Dear _____:

I have reviewed the Rangeland Standards - Conformance Review Summary and found that resource conditions in the _____ Allotment do not meet the following standards for healthy rangelands:

- 1.
- 2.

The allotment does not conform with these standards in that (describe problems using the language of the standards)

In addition, I have determined that grazing management needs to be modified to bring about positive change in the health of the rangeland.

The purpose of this notification is to inform you of the determination of non-conformance with the standards, and that appropriate actions will be identified and implemented no later than March 1, 199__.

You will be afforded the opportunity to participate in the identification of those actions in accordance with the procedures outlined in 43 CFR 11103.3, 4120.2 and 4130.3-3.

This determination is based on (briefly describe the data upon which the determination is based), which may be reviewed at the Bureau of Land Management, _____ Office. If you would like to review this data, or have any questions, please contact _____, Range Management Specialist, at (307) ___ - _____.

Sincerely,

BLM Office Manager

CC: Lien Holders
Interested Publics

Appendix D

(Date)

Dear _____:

Please accept my sincere appreciation for your participation in the development of a mutually agreed upon grazing management plan for the _____ allotment. The environmental assessment is completed, and I have signed a Record of Decision to proceed with this project.

If we do not hear from you within the next 15 days, we will assume you are in agreement with the plan. Please contact _____ at the _____ BLM office should you have any questions or concerns.

Again, thank you very much. I look forward to continuing working with you as we begin to implement this grazing management plan.

Sincerely yours,

BLM Office Manager