

WYOMING
GAME AND FISH DEPARTMENT

Dave Freudenthal, Governor



Terry Cleveland, Director

"Conserving Wildlife - Serving People"

January 9, 2006

WER 11296
Bureau of Land Management
Vegetation Treatments Using Herbicides on BLM
land in 17 Western States Programmatic
Environmental Impact Statement (EIS)
Statewide

Donald A. Simpson
Deputy State Director
Resources Policy and Management
Bureau of Land Management
Wyoming State Office
P. O. Box 1828
Cheyenne, WY 82003-1828

Dear Mr. Simpson:

1 The staff of the Wyoming Game and Fish Department has reviewed the draft concerning Vegetation Treatments Using Herbicides on BLM land in 17 Western States Programmatic Environmental Impact Statement (EIS).

The following comments are pertinent to these documents.

We compliment the BLM for its:

- Work that went into these documents
- Proposal to increase vegetation treatments by threefold to address hazardous fuels, ecosystem functions, community assistance and fish and wildlife resources
- 2 ▪ Analysis of a host of vegetation treatments
- Restoration of fire in adapted ecosystem as a natural ecological function
- Requirement for monitoring the vegetation and other responses of treatments
- Willingness to address state-listed species in their implementation of the program management activities
- Priority to use vegetation treatments to restore high priority sub-basins within key watersheds for the benefit of fish and aquatic organisms.

We have several concerns that should be addressed:

3

- Several of the activities, as cited in many sections, will have impacts to fish and wildlife resources, their habitats, and associated recreational opportunities. We recommend that BLM consult with State Fish and Wildlife Agencies prior to, and, during development, implementation and monitoring of vegetation treatment activities.

4

- Many of the treatments are within Wildfire Urban Interface (WUI). We recommend more treatments following appropriate consultation on areas away from WUI areas, as they could be more beneficial to a wider array of fish and wildlife species.

5

- Throughout both documents there are numerous instances of the terms ‘would’, ‘may’, ‘should’, ‘assume’, and ‘could’. We have worked with many BLM Field Offices over the years and often receive conflicting degrees of analysis and at times are faced with statements that indicate the policy says we ‘may’ or ‘could’ or ‘would’ consider the items but we do not have to under the guidance documents. We recommend that these be changed to ‘will be’. Some examples in the Treatment PER are on pages 2-9,2-16,2-19,2-20, 4-8, 4-102. Some examples in the Herbicide PEIS are on pages 2-12,2-15,4-11,4-13,4-22, 4-42, 4-62, 4-67, 4-68, 4-72, 4-90, 4-94, 4-96, 4-116, 4-120, 4-150, 4-154, 4-166, 4-167, and 4-194.

6

- There are several instances in both documents where it ‘assumes’ SOPs will be followed or were followed in discussion alternative and effects of the alternative. Again we strongly urge that ‘assume’ be replaced with ‘will be evaluated and followed’.

7

We understand that both documents do not evaluate vegetation treatments not associated directly with hazardous fuel reduction or to control vegetation to improve rangeland and forestland. They also do not evaluate programs associated the other BLM land use activities cited throughout the document as being significant contributors to the need for vegetation treatments, such as livestock grazing, OHV, recreation, mineral extraction, and ROWs. Some examples are located in the discussion of the Treatment PER on pages 1-5, 1-6, 2-16, 3-11, 3-20, 3-28, 3-29, 3-30, 3-72, 4-17, 4-66, 4-80, 4-82, 4-92 and 4-117 among other; and in the Herbicide PEIS on pages as 1-4, 2-15, 2-28, 2-30-32, 3-17, 3-19, 3-30, 3-36, 3-58 and 59, and 4-21 among others. We are disappointed that all vegetation treatments, regardless of program, were not addressed. We do not believe that cumulative effects can or will be adequately analyzed and disclosed if all vegetation treatments are not addressed in project documents. In Wyoming, many vegetation treatments are almost exclusively designed to increase forage production for livestock.

8

We are also disappointed that vegetation treatments will not be incorporated into approved land use plans as noted in 1-5 of the Treatment PER. Over the projected 10-year life span, 6 million acres treated per year, would amount to 60 million acres or roughly 22% of the 262 million acres managed by BLM. We believe this is a significant amount of acreage that has the potential to impact fish and wildlife populations and their habitat. We strongly urge BLM to create a strong partnership and consult with state fish and wildlife agencies prior to planning or conducting treatments.

9

The analysis failed to thoroughly discuss, analyze and evaluate more passive, long-term management actions. Section 2-8 in the Treatment PER lightly touched on programs and

actions to prevent or minimize the need for treatments in the long-term. In 50 to 100 or more years, these passive actions may make a large difference in terms of effectiveness of the treatments and reduction in management costs associated with treatment re-entry.

10 Another item of great concern was an inadequate discussion, analysis and evaluation of post-treatment management. A great deal of time, effort and funds will be allocated to the treatment program. Post management practices and activities will be critical in maintaining the effectiveness and longevity of the treatments. We recommend that proper post management practices be made a requirement for all proposed treatments activities.

The following comments are pertinent to the Treatment PER:

- 11 2-16 statement: “Where total rest from grazing is not feasible, efforts should be made to modify the amount and/or season of grazing to promote vegetation recovery within the treatment area.” We strongly recommend BLM replace the term ‘should’ with ‘will’. We generally recommend a minimum of at least two growing seasons of rest, assemblage of forage reserve areas to accommodate grazing permittees or lessees, and appropriate post management as a part of the plan.
- 12 4-72 statement: “The Wildlife Management Program, a sub-program under the Wildlife and Fisheries Management Program, is responsible for wildlife management on public lands.” We request a clarification of this statement as the majority of wildlife management authority resides with the states and is the responsibility of state fish and wildlife agencies. We again recommend additional development of a strong partnership in consultation and collaboration with state fish and wildlife agencies during the planning, development, execution and monitoring of vegetation treatments. We would also like assurances that current MOUs by and between state BLM offices and state agencies will be honored.
- 13 3-107 Should add Wyoming Wilderness Study Areas.

The following comments are pertinent to the Herbicide PEIS:

14 We support the proposed action and compliment the BLM for its reasonable and rigorous analysis of herbicides and its proposal to use additional types of herbicides, as well as for keeping records and monitoring all herbicide treatments. However, we have specific concerns that should be addressed:

- 15 2-15 statement: “ If the risks is moderate to high, the BLM may have to modify the project....”. We suggest the term ‘may have to’ be replaced with ‘will’ such that the risk will be less than moderate.
- 16 2-15 statement: “Conditions that enhance the invasive species abundance should be addressed....”. We strongly urge the term ‘should be’ be replaced with ‘will be’. This is crucial to the long-term success of the treatments.

- 17 ■ 2-15 statement: “The BLM state directors may designate sensitive species in cooperation with their respective state.” We recommend this be changed from the term ‘may’ to ‘will’. The Wyoming Game and Fish Department recently completed a Comprehensive Wildlife Conservation Strategy Plan for the state that lists state species of concern and sensitive species and we will gladly supply the document to you for inclusion in Appendix H – Special Status Species List.
- 18 ■ 2-31 and 2-32 cite that fish and wildlife may be harmed or killed using some herbicides. State fish and wildlife agencies are responsible for wildlife management and we are concerned that the BLM may not adequately consult and coordinate with those agencies in the planning, development, execution and post treatment management of the treatments. We believe strong partnerships between the BLM and state agencies will alleviate these concerns.
- 19 ■ 3-14 statement under the Missouri Hydrologic Region says: “Most of the streams in western Montana flow year-around, while in Wyoming only the larger rivers, such as the North Platte, flow year-around.” This statement is incorrect. Our Department’s Fish Division can supply pertinent information relative to streams that flow year-around in Wyoming.
- 20 ■ 3-26 and 3-27 and 3-65: There are differences in the estimates of downy brome acreages. For example, there are estimates of 10 million acres, 11.4 million acres and infesting 56 million acres and growing at 14% a year. This should be clarified.
- 21 ■ 4-24: We recommend BLM consult with state agency fishery personnel on the need for ephemeral stream buffers. Buffer strips should be an option in the SOP following appropriate consultation.
- 22 ■ 4-45: We recommend adding post treatment management as another factor relative to the success of the treatments over both the short and long-term.

SUMMARY

23 We compliment the BLM on the work, program goals and objectives addressed in the documents. We strongly recommend the BLM include a requirement to consult and collaborate with state wildlife agencies in the planning, implementation, and monitoring of vegetation treatments based on the potential short and long-term effects on fish and wildlife populations and their habitat and associated wildlife recreational activities. Strong partnerships could alleviate many of these concerns. 24 We believe cumulative effects analyses cannot be adequately evaluated since other program vegetation treatments were not included. At a minimum, we would like assurances that all vegetation treatments in watersheds over the past 25 to 50 years will be included in project activity proposals.

25 The BLM should include a more thorough analysis and discussion of passive management actions and post-treatment management practices to reduce the need for future re-entry treatments, reduce operational costs and effects. Given the estimates of invasive species and noxious weed spreading at a rate of 2,300 acres per day on BLM managed lands, which amounts to 839,000 acres per year, and that downy brome alone infests over 56 million acres, is the dominate vegetation on 11.4 million acres and is growing at 14% per year, that equates to

approximately 784,000 acres per year. We recommend the BLM consider additional funding and personnel to address program goals and objectives especially in areas away from WUI sites and in state fish and wildlife priority areas.

26 Overall, we generally support the preferred alternative proposed by BLM with inclusion of the passive treatments proposed in Alternative E, provided our concerns and clarifications are adequately addressed.

Thank you for the opportunity to comment.

Sincerely,



BILL WICHERS
DEPUTY DIRECTOR

BW:VS:gbe

cc: Holly Martinez-Governor's Planning Office
USFWS