Appendix A: Response To Comments
Mr. Ryberg:

I am a grazing permittee holder on 2745 Acres on the Hickerson Park Allotment of the Flaming Gorge District, Ashley National Forest.

My comments are in support of Alternative #1. Our #1 problem of desired conditions of range land is the North Slope elk herd which is out of control. We have 150 to 200 elk which live at the ranch 6 to 7 months of the year and 20 to 30 head of elk live here year round. There is no winter range for the North Slope herd on the forest. Most winter range is on private ground.

There is no mention in the Annual Meeting Section or Utilization Monitoring about elk in the spring before cattle go onto the forest or into that unit.

1. Rangeland Health is important to livestock grazing and rangeland health is good on all the allotments.

2. The Aquatic and Riparian Conditions – conditions are being met – livestock grazing is not affecting riparian conditions.

3. Wildlife Habitat – Livestock grazing is not affecting changes in Plant Composition. There are too many elk on the north slope of the Uintas. There is not winter habitat because of elevation and winter conditions. We are competing on our own ranches for livestock grazing because elk are here six months of the year – then they are on forest grazing allotments early spring and are causing changes in plant composition.

4. Effects to Permittees. I have been existing with these things all the time – sure they have a direct effect on management and workload – but we are caretakers of the range and THAT’S THE WAY IT IS.

QUARTER CIRCLE J.R. RANCH
C/O JON C. WILDE
Response to Quarter circle J.R. Ranch:

#1. Controlling numbers of Elk is outside the scope of this EA and is not under the authority of the Forest Service.

There is winter range for elk on the National Forest, predominantly by the Widdop Mountain area.

Rangeland health conditions have been monitored and has shown to be in good condition across all allotments in this analysis). In 2009 eight line-intercept monitoring points we reread across the analysis area, primarily looking at CEMO, ARTR and ARNO. Sites 12-6 and 11-15B recorded an increase in ARTR. Sites 12-15, 12-6B and 12-23A recorded a decrease in CEMO, ARTR and ARNO. These decreases were attributed to past drought, inconsistency in monitoring methods and wildlife winter use. Sites 12-22A, 12-26A and 12-28 recorded a decrease in CEMO between the mid 1960’s and the late 1990’s and then an increase between the 1990’s and 2009. This increase may be attributed to a difference in sampling methods, as the photos do not illustrate this trend. Pellet group counts indicate that the bulk of the use occurs from elk, primarily during late fall, winter and early spring. Utilization monitoring photos taken on sites 12-23A and 12-28, at the end of the grazing season showed that stem leader growth on CEMO remained between 6-12 inches throughout the grazing season with little use by herbivores. This indicates that the bulk of the grazing use on CEMO is taking place during the winter when livestock are off the forest. The majority of these studies indicate that winter browsing use by wild ungulates has impacted mountain mahogany and sagebrush within the analysis area. Conversely, 44 long-term monitoring sites displayed a notable increase in conifers, aspen and/or willows. Further discussion is in chapter 3 of this EA and McConkey 2010 in project record).

#2 Effects to aquatic and riparian habitat is disclosed in Ch. 3.

#3 Refer to monitoring summary in Ch. 3.

#4 Effects to the permittee was identified as an issue (Issue 4) and are disclosed in Ch. 3 – Range section. Thank you for your comment.
April 7, 2010

WER 12073
United States Forest Service
Uinta-Wasatch-Cache National Forest
Evanston-Mountain View/Flaming Gorge Ranger District
Scoping and Notice of Proposed Action Burnt Fork C&H
Beaver Creek C&H and the Uinta-Wasatch-Cache N.F.
Portion of the Hickerson Park C&H Allotment Environmental Assessment

Burnt Fork C&H/Beaver Creek C&H
Environmental Assessment
Attn: Stephen M. Ryberg
Evanston-Mountain View Ranger District
PO Box 1880
Evanston, WY 82931

Dear Mr. Ryberg:

The staff of the Wyoming Game and Fish Department has reviewed the scoping and notice of proposed action for the Burnt Fork C&H, Beaver Creek C&H, and the Uinta-Wasatch-Cache N.F. portion of the Hickerson Park C&H Allotments Environmental Assessment (EA). We have no terrestrial wildlife or aquatic concerns pertaining to this grazing EA. We would support habitat treatments in the area that would benefit summering mule deer that migrate into Wyoming.

Thank you for the opportunity to comment. If you have any questions or concerns, please contact, Jeff Short, Green River Region Wildlife Biologist, at 307-872-6810.

Sincerely,

\[Signature\]

John Emmerich
Deputy Director

JE: MF: gfb

cc: USFWS
Mark Zornes, Green River Region
Jeff Short, Green River Region
Robb Keith, Green River Region
Response to Wyoming Game and Fish Department:

Thank you for your comment and interest in this project.
Dear Mr. Ryberg:

Wyoming Farm Bureau Federation represents more than 2,600 agricultural producing members. The agriculture industry in Wyoming contributes an average of $1 billion annually to the economy of Wyoming. These comments are in support of continuing cattle and horse grazing as a forage management tool on the Burnt Fork, Beaver Creek and the Uinta-Wasatch Cache National Forest portion of the Hickerson Park Cattle and Horse allotments.

Wyoming Farm Bureau Federation is very much in support of Alternative 1 – Proposed Action, and the continuance of grazing on these allotments. The development of annual grazing plans for these allotments has taken place with the permittees since the 1940’s providing nearly 70 years of information regarding the effects of grazing management on these allotments.

The annual meetings described in the scoping document should allow your land managers and the permittees to continue with the proper management of the allotment which has resulted in this land being successfully used for grazing since 1906.

Continued monitoring and the use of proposed range improvement projects will allow improved distribution of livestock and improve the overall health of rangeland vegetation as discussed in the scoping document on page 10.

In today’s economy, we need to protect every business providing jobs to American citizens, and we need to find ways to expand those opportunities. Managed livestock grazing has long been recognized as a powerful tool in forage management. Proper forage management leads to increased opportunities for the use and enjoyment of our natural resources. Local prosperity and enhancing local quality of life should be the goal of management decisions made by our land management agencies.

We feel it is important the Forest Service review policy that could add unnecessary costs of doing business to the permittee; and revise those policies. We also believe that the Forest Service should work to expand the AUM’s available for grazing on lands under their management.

We are looking forward to the EA and Decision Notice and Finding of No Significant Impact on these allotments.

Sincerely,

Suzy Noecker
Field Service and Public Relations Director
Wyoming Farm Bureau Federation

cc: NER Committee, Uinta County Farm Bureau
Response To Wyoming Farm Bureau Federation:

Thank you for your comment and interest in this project.

Forest Service policy is set at a national level and outside of the scope of this document.

Current levels of stocking on these alltometns meets the UWC and ANF Forest Plan requirements. The AUMS are based on monitoring and the level of stocking determined to be appropriate.
High Uintas Preservation Council

P.O. Box 72 ~ Hyrum, UT 84319
(435) 245-6747

12 April 2010

Steve Ryberg
District Ranger
Evanston-Mt. View Ranger District
Uinta-Wasatch-Cache National Forest
Evanston, WY

Dear Mr. Ryberg:

Please accept these comments on the March 2010 Scoping and Notice of Proposed Action to reauthorize grazing on the Burnt Fork, Beaver Creek and Hickerson Park allotments.

The truth is we don’t know what to say since the decision is rigged to authorize grazing, to ignore a true and objective analysis as to whether grazing should continue and to ignore public comments and concerns. We are being asked, again, to comment on a proposed action without the benefit of a meaningful environmental analysis first. But, sadly, this is the way of the new Forest Service—we are treated as irritants.

So please accept these brief comments and keep us posted.

The scoping document starts with a premise that grazing is the default—the normative-position. That is a good starting position for a private landowner/rancher who runs cattle on his property. It is not a proper or ethical starting position for a public land manager, the U. S. Forest Service, guided by a plethora of statues and policies noting the broad public purposes of the Forest Service.

We look forward to a meaningful array of alternatives including a thorough and fair evaluation of a no grazing alternative and a realistic phase out (5-10 years) alternative. This assures a complete understanding and disclosure of actions.

At long last the word wilderness shows up in the scoping and proposed action. The issues of wilderness and grazing must be thoroughly engaged in the EA. Simply saying grazing is allowed in wilderness is not an engagement of the issues.

www.hupc.org
Grazing brings hundreds of non-native species into this area for a lengthy time frame and with them come the concomitant plethora of disturbances of non-native species—stink of cow, water pollution, salt, herders, displacement of wildlife and alteration of wilderness values. The sense of solitude/isolation, the dominance of “mother nature,” and primitive recreation all are keenly disrupted.

The issue of non-native species impacts, also, extends beyond wilderness, of course.

A history of allotment management and analysis is important to provide a context for this discussion. This must include an honest evaluation of the existing ecological condition of the allotment in the context of potential ecological condition and within the parameters of the proposed benchmarks.

Oh, also, nice spin with the two photos showing, we guess, the improvement between the dusty black and white days of 1947 and the green vibrancy of 2009. How about a third photo (or depiction) of what an ungrazed (domestic) ecosystem of similar nature “looks” like? This would add some truth to the show-and-tell.

Obviously, grazing capacity as a subset of ecological trend and ground cover in the context of potential natural community and the concepts and context of properly functioning condition are bedrock issues and need meaningful analysis.

The issue is condition and trend of vegetation on the allotment and whether that condition and trend is meeting ecological conditions, forest planning goals, objectives, desired conditions and standards and over what time frame. Is 20, 30 or 40 years to achieve such standards appropriate and, if so, why? Over the recovery time frame what will be the impacts to water quality, and soil productivity, not to mention the physical characteristics of soil, as well as a broad range of impacts to wildlife, big and small, avian, aquatic and terrestrial?

At what point, if benchmarks are not being met, does the Forest Service restrict or end grazing by holding itself and permittees accountable? Do missed benchmarks go on for decades with excuses being offered about drought, other environmental conditions, lack of budgets or communication problems with permittees? If benchmarks are not met after one year, three years, five years, ten years, what happens? The NEPA document must spell these processes out in clear detail and be reliable, consistent and not filled with caveats and excuses.

An analysis of issues ranging from wilderness to roadless to water quality, riparian conditions, soil stability, plant succession, endangered species, a plethora of recreational issues and many others must be analyzed.
These include, for example, effects on water quality, soils, long term productivity, and nutrient cycling; effects on composition and structure of vegetation on uplands as well as riparian areas; effects of competition between wild ungulates and cattle and effects on aquatic habitats.

Wildlife issues are of paramount concern ranging from lynx to forest management indicator species and bighorn sheep. Summer range is not all encompassing—territories are, more often than not, the constraining factor to wildlife and wildlife dispersal and they may be occupied thus restricting movement and habitat availability. Not all habitat is equal—the question is effective habitat. And of course, wildlife behavior is greatly altered and impacted by the presence of human impacts associated with grazing. Attempts to dismiss these concerns with the argument that summer habitat is not a constraining factor is simply not true or professional.

There are a number of forest plan goals, objectives, standards and guidelines that must be met within this analysis ranging from non-native/invasive species, to pattern, structure, composition and function of vegetation as it relates to wildlife viability/diversity, as well as properly functioning condition, watershed health, riparian health and productivity, wilderness management, and assuring livestock condition classes are met and the allotment is not degrading and, in fact, is improving.

Given all of these concerns we hope, but don’t expect, to see a decent and meaningful analysis raising and addressing the pertinent issues with all of the data and standards needed to prepare a broad analysis, not just a proposal oriented around a *get-it-done-reauthorize-grazing-and-the-public-be-damned* recommendation.

Please keep us promptly updated and posted. Meanwhile, would you please send us the extant AMP for this allotment. Thanks much.

Best,

Dick Carter
Response to High Uintas Preservation Council:

This environmental analysis was sent out for public comment. Seven letters were received; five were in support of the project. The other two letters were evaluated for issues; those issues were addressed in this document.

The No Grazing Alternative was analyzed in detail. No grazing, per 36 CFR 222.4, is cancellation of the permit two years after notification.

Effects to the Wilderness characteristic were analyzed in detail (EA, Asay 2010 – project Record).

Noxious weeds were analyzed in detail. There are six identified sites that containing noxious weeds in the analysis area. All of these sites contain Canada thistle (Cirsium canadensis), with the site near Hoop Lake Campground also containing Whitetop (Cardaria draba) and Black Henbane (Hyoscyamus niger). Combined, these sites consist of .62 acres out of the total 36,095 acres found in the analysis area. All of these sites are located along roadside, old timber sale roads or in designated campsite. This trend suggests a close association with vehicle traffic and human activity. Currently, there are no known noxious weed infestations inside the wilderness boundary within the analysis area. All known infestations in the analysis area are being treated by chemical and/or mechanical methods, in accordance with applicable State and Federal regulations. (Additional information is in Ch. 3 of this EA and McConkey 2010- Project Record).

A summary of the history of the allotment management is included in the EA and is part of the project record (McConkey 2010).

The intent of the pictures was to provide a visual depiction of the changes that have occurred. The 1947 picture was taken in black and white; no intention was made to alter the picture to make it appear “dusty”. The intent of the 2009 picture was to show what it looks like on the ground. Per your request, please see pictures below of the west side of Beaver Mountain. This area is within the analysis area and is ungrazed. The left picture was taken in 1870; the right in September 2009.
Grazing capacity was discussed in the EA.

Specific “triggers” were developed for this project that will identify at what point the Forest Service will take action (Proposed Action Monitoring Section - Adaptive Management Plan).

An analysis of all resources mentioned are included in the Environmental Assessment.

The current management as well as the Proposed Action meet the Forest Plan.

Per your request, the AMPs were provided to you on May 11, 2010, through the FOIA process.
April 16, 2010

Evanston Mtn View District Ranger,
Uinta-Wasatch-Cache National Forest
P.O. Box 1880
Evanston, WY 82931

Dear District Ranger,

The Utah Environmental Congress (UEC) appreciates this opportunity to provide formal comment on Alternative 1 the Proposed Action to renew permitting for grazing on the Burnt Fork and Beaver Creek C&H allotments that span two different National Forests. UEC is an interested party with recommendations, concerns, and objections with the proposed action. Thank you for taking a minute of your time to make sure that UEC is added to all of the mailing and contact lists for this and all of the other proposed actions on the Ranger Districts of concern to the proposed action. We believe that the EA for this project will need to be circulated for review prior to the signing of a final decision and it is our desire that the Forest mail it (or a draft thereof) to our office to review before such decision.

The permits to be renewed are based upon an older adaptive management system. The proposed action is to implement a very similar adaptive management system. The objective for decades has been to get to meeting desired future conditions, objectives, goals and S&G's in the Ashley and Wasatch-Cache LRMPs. This direction has not been achieved across the permitted area. We believe that an action alternative that includes concrete and solid standards reducing numbers and days of livestock on-time for these allotments needs to be fleshed out and identified as the proposed action.

We believe that if an EA were made available to read it would show that the cumulative impacts to protected and sensitive species, aquatic habitats, and soils has triggered significance requiring an EIS.

Please mail the environmental assessment or environmental analysis to our office when it becomes available to read. Until then we will look forward to learning how this environmental analysis progresses.

Sincerely,

/KM/

Kevin Mueller
Response to Utah Environmental Congress:

UEC is correct in that the objectives for livestock management has been, and continue to be, to meet the Forest Plan. This direction, based on monitoring, has in fact been met. Based on this, there was no rationale for reducing numbers and days of livestock.

The history of resource conditions within the analysis area has progressed from poor condition to having improved over time. Currently, resources are in good condition and meet the Forest Plan. This was accomplished through taking a proactive approach to livestock management. The Proposed Action continues this proactive approach and was developed to implement 11 range improvements that would improve distribution of livestock while continuing to meet all the Forest Plan requirements. To ensure this, site-specific desired conditions were developed; these will be monitored for this project.

Cumulative impacts have been analyzed in this EA.
Response to Uintah County:

Thank you for your comment and interest in this project.
March 29, 20010

To:
Stephen M. Ryberg
Evanson-Mountain View District Ranger
1565 Highway 150 South, Suite A
Evanson, Wyoming 82930

Marcia Pfleiderer
Flaming George District Ranger
P.O. Box 279
Manila, Utah 84046

As the North East Region Coordinator of the Utah Grazing Improvement Program (UGIP) I would like to comment on the grazing plan on the Burnt Fork, Beaver Creek, and the Hickerson Park allotments. These grazing allotments are in my region of the grazing program. I have the 5 North Eastern counties, Duchesne, Uintah, Daggett, Summit and Wasatch.

I would like to see grazing continue as is on these allotments on the Forest Service Lands, the NO CHANGE Option (FSM 2202.1) Proper grazing by livestock is a way to manage the natural resources and is vital to the economic stability of the area. As UGIP, I would like to see the "no action" alternative applied to this area.

In alternative #3 the "no action alternative", there can be no change to the current management. I would like to see the continuation of new range improvements constructed to implement better management of the resources. New improvements could help eliminate any future conflicts and keep the land healthy.

If the Proposed Action is considered, I would like to comment on the following:

Objective 3, B. I would like to see the effects of both wildlife and livestock stated more clearly stated because the foraging nature of elk target the sprouting and sprout survival of aspen clones.

Objective #4. I would like to see no increase in elk numbers. At the RAC meeting of the Utah Fish and Game held in Vernal, Utah on March 22, 2010, the State wide plan for elk was for an increase of state wide numbers from 65,00 head to 80,000 head or an increase of over 20%.

In this plan, you address winter ranges along the Eastern North Slope and the Winthrop Mountain area, "the establishment and the maintenance of browse species will be maintained and enhanced to control the big game populations on the public lands". It mentioned the continued monitoring of big game numbers in coordination with the Utah Division of Wildlife Resources

Protect and Promote Utah Agriculture
and the Wyoming Game and Fish. The increase in big game numbers would compete with livestock directly.

From personal knowledge and information obtained from the area ranchers, the elk herds are not staying on the enhanced public lands but are moving on to private lands regardless of the severity of the winter. This year there were about the same number on the private lands as in years of deep snows. The resident elk herds are increasing slightly on the private lands and more animals are being harvested yearly.

In the Site Specific Desired Condition (Ashley National Forest Only), Objective 5 it states that livestock utilization of key browse species on big game ranges should be limited to 20%. What happens when, big game species increase, will livestock numbers be reduced because of increased wildlife numbers?

Thank You,

Jim Brown
NE, UGIP Coordinator
Response to Utah Grazing Improvement Program:

Thank you for your comment and interest in this project.

Current Management (i.e. no change) is analyzed in detail in the Environmental Analysis.

Alternative 3 (current management) does not include new range improvements; the Proposed Action (Alternative 1) includes 11 new range improvements. While current management does meet the Forest Plan desired conditions, the proposed range improvements will help improve distribution. Utilization monitoring across the Burnt Fork and Beaver Creek allotments has shown uneven or patchy use, with certain areas receiving the bulk of the use and others receiving little to no use. While past grazing use has not exceeded Forest Plan utilization standards in areas preferred by livestock, it has limited the ability for those plants to regrow, by allowing for multiple defoliations of preferred sites. In order to improve the overall grazing distribution and provide rangeland vegetation the opportunity to either grow before grazing or regrow after grazing.

Additionally, Alternative 3 will help to achieve the site specific desired conditions: Objective 4 – B: vary the time of year area is grazed and Objective 4-C: Provide rangeland vegetation the opportunity to either grow before grazing or regrow after grazing.

Objective 3.B. has been clarified to “manage livestock grazing”. Controlling numbers of Elk is outside the scope of this EA and is not under the authority of the Forest Service. Effects from all ungulate grazing (elk, deer, permitted livestock, etc) is monitored.

Objective 4 was clarified that the “intensity and frequency of livestock grazing: will be controlled. AMPs only apply to permitted livestock, not wildlife. Therefore, Objective 4 does not apply to elk.

The RAC plan does recommend an an increase in elk numbers, this is a state-wide plan by Division of Wildlife Resources. Numbers for individual units have not been determined. This is outside the scope of this EA as we only manage wildlife habitat, not wildlife numbers.

The Wasatch-Cache Forest Plan has the following objective: “Big game winter ranges along the Eastern North Slope of the Uintas will be maintained and enhanced with the goal of holding big game on the N.F. longer to help decrease impacts on private lands.” (emphasis added).

As noted in the comment letter from the permittee, they have also noted use from elk on private lands.
April 1, 2010

Burnt Fork C7H / Beaver Creek C & H EA
Attn: Stephen M. Ryberg
PO Box 1880
Evanston, WY 82931

Mr. Ryberg

Daggett County appreciates the opportunity to comment on the authorizing of grazing allotments and the use of adaptive management procedures that affect producers or allotments within Daggett County.

After reviewing the information sent and speaking with local producers it is the Commissions desire to support Alternative 1 that allows grazing to continue and allows the implementation of best management practices for improvement of the grazing areas to meet desired conditions.

The continuation of grazing is important to the economy and culture of our small county and we encourage you to do everything you can to continue to allow improvements to this important segment of our community.

If you have any further questions for me please contact me by cell phone at (435) 790-9408 or by e-mail at floyd@daggettcounty.org.

Thanks Again

Floyd Briggs
Daggett County Commissioner
Response to Daggett County:

Thank you for your comment and interest in this project.