

WINTER ELK MANAGEMENT ACTIVITIES - PUBLIC COMMENTS AND AGENCY RESPONSE

Revised as of 7/15/08	<u>Person/Agency</u>	<u>Who Signed the Document</u>	<u>Comment</u>
A1	Wyoming Outfitters and Guides Association and Bald Mountain Outfitters	Jim Allen WYOGA/Terry A. Pollard BMO	Supports feedgrounds because WGFD says there would be an 80% reduction in the elk herd if elk were not fed and this would negatively affect outfitters and the hunting public's recreational endeavors.
Response: No response needed to statements of preference concerning alternative selection.			
A2			Elk feedgrounds on the Forest keep cattle and elk from commingling and therefore prevent the transmission of disease from elk to cattle.
Response: Feedgrounds have proven to be an effective tool in minimizing co-mingling between elk and cattle, which limits the potential transmission of brucellosis from elk to cattle. However, feedgrounds do not guarantee absolute prevention of disease spread to the cattle industry.			
A3			Elk feedgrounds were established as early as 1929 and most were in existence by the 1960's.
Response: The National Elk Refuge initiated feeding in 1912 and emergency feeding of elk has been documented as early as 1907.			
A4			Resource considerations identified during scoping are non-significant issues.
Response: The agencies have listed the issues on pages 9 through 11 of the FEIS. "Significant Issues" do not necessarily equate to potential for significant environmental effects.			
A5			Recommend adoption of the Proposed Action, Alternative 3.
Response: No response needed to statements of preference concerning alternative selection.			
B1	Dick Artley	Dick Artley	Opposes any feedgrounds on Bridger-Teton National Forest because of concerns about chronic wasting disease and brucellosis.
Response: No response needed to statements of preference concerning alternative selection. The feeding program is conducted by the State of Wyoming, which operates the feedgrounds through WGFC. The Forest Service is not deciding whether or not there will be a feeding program, only if WGFC may use NFS lands for some of its feedgrounds.			
C1	U. S. Fish and Wildlife Service	Steve Kallin	Supports the expansion on the Patrol Cabin Feedground. This would enable the feedground to be moved away from the Gros Ventre River and out of the floodplain, thus reducing the effects of high concentrations of elk manure on water quality.

Response: No response needed to statements of preference concerning alternative selection. Water quality effects of Alternative 3 are displayed on pages 43 through 63 of the DEIS.			
C2			The possibility of a chronic wasting disease (CWD) contaminating Gros Ventre feedground is of grave concern to the future management of the National Elk Refuge (NER) due to the possibility of CWD being transported to the NER and potentially contaminating thousands of acres on the refuge. Every option for reducing the spread of CWD must be incorporated into the management of the BTNF to reduce this threat. Recommend a more detailed review and planning process be conducted for the management of CWD on the BTNF for sites that will be used for Winter Elk Management activities, including detection and monitoring protocols to identify the existence and prevalence of CWD at these sites. Exclude elk from sites that become a reservoir of CWD that would continue to infect animals many years into the future.
Response: The WGFD's CWD Management Plan outlines intervention, surveillance, and management for CWD on elk feedgrounds. The plan can be found in Appendix 3 of the FEIS or at: http://gf.state.wy.us/downloads/pdf/CWDPlanapprovedbycommission2-17-06.pdf			
D1	Glenn Taylor	Glenn Taylor	Supports the preferred alternative, Alternative 3, especially the expansion of two feedgrounds.
Response: No response needed to statements of preference concerning alternative selection.			
E1	Greater Yellowstone Coalition/Jackson Hole Conservation Alliance, Wyoming Outdoor Council, Wilderness Watch	Lloyd Dorsey, Louise Lasley, Sophie Osborn, George Nickas	This DEIS is legally deficient, hastily prepared without adequate information, and not in compliance with the National Environmental Policy Act, the Administrative Procedures Act, and National Wilderness System Preservation Act, and the National Forest Management Act. We recommend that the BTNF issue a Supplemental DEIS that is in compliance with all legal directives and offers better information to the public, stakeholders and agencies so that informed participation and decision making can move forward and the natural resources may be protected and managed for the benefit of the most people for the longest time.
Response: The agencies believe the DEIS was prepared using best available science, is in compliance with NEPA, APA, the Wilderness Act, and NFMA. In response to public comment and additional IDT analysis, the FEIS displays revised information that further informs the decision making process. FSH 1909.15 Section 24.2 states that if changes to a DEIS are minor, they may be written on an errata sheet, attached to the DEIS, and filed with a new cover sheet as the FEIS. If changes are not minor, the DEIS should be revised and filed as a FEIS. There is no direction requiring a Supplemental DEIS.			
E2			This DEIS considered little if any of the scientific materials/reports and scoping comments submitted by the public interest groups during the scoping period.
Response: The IDT did review and consider the scientific material/reports and scoping comments submitted by the public interest groups. Page 25 in the DEIS discusses the relevant science used in the analysis. Documentation of references is found beginning on page 92 of the DEIS and in the specialist reports in the project record.			
E3			We recommend that the Forest Service analyze all feedgrounds operated by the WGFC on USFS lands, including Forest Park, Horse Creek, and Dell Creek.

Response: This analysis is based on the WGFC request for authorization to use the National Forest System (NFS) lands within the Bridger-Teton National Forest at Alkali Creek, Dog Creek, Fall Creek, Fish Creek, Muddy Creek, Patrol Cabin, and Upper Green River Feedgrounds to continue their winter elk management activities at these locations. The existing authorizations for feedgrounds at Dell Creek and Forest Park expire in 2016, therefore it is not timely to study reissuance of those permits at this time. The feedground at Horse Creek is not on NFS lands. The decision to reissue the permit for the cabins and fence at Horse Creek on NFS lands was documented in a Decision Memo in 2005.

E4			A new feedground at Yellow Jacket Flat is arbitrary and violates NEPA. There is no current authorized use of USFS lands at Patrol Cabin Feedground. An expansion of the feedground from state land to USFS lands constitutes a new feedground. The Scoping Notice, the Federal Register Notice, and the DEIS led the public to believe that at all 7 feedgrounds the FS seeks "to continue to use certain facilities on tracts of NFS lands". Specific locations for proposed new facilities on Yellow Jacket Flat were not identified in the DEIS. Yellow jacket Flat is a popular summer and fall public camping and hunting area and a USFS designated winter snowmobile trail cuts across it. The USFS may not arbitrarily inject a proposal new to the public at the DEIS stage.
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Response: The new area proposed for use as a feedground at Patrol Cabin is the Proposed Action. The scoping notice sent to potentially interested parties and the Notice of Intent to File an EIS published in the Federal Register informed the public that the FS was proposing to authorize the WGFC to use NFS lands at Patrol Cabin in conjunction with their winter elk management activities. The DEIS displays the proposal to use Yellow Jacket Flats for new facilities in Alternative 3 on pages 16 through 20. Information clarifying and further defining the Proposed Action is commonly displayed in a DEIS. The Yellow Jacket Flat area is a popular site for recreation use. Wyoming State groomed Snowmobile Trail R passes through this proposed site. There are currently no restrictions for snowmobile use within this area. If this site is added to the Patrol Cabin feeding operation, as proposed in Alternative 3, snowmobiles would be restricted to the designated trail through this added portion of the feedground, and human presence within this area would be restricted other than on the snowmobile trail during winter feeding. If feeding operations are extended into Coal Mine Draw, snowmobile travel is already restricted to State groomed Snowmobile Trail T through this area. Human presence within this area during the winter would be restricted, other than on the snowmobile trail, if this area is added to the Patrol Cabin feedground operation.

E5			The USFS has stated that facilities for sorting and loading cattle are inappropriate at Yellow Jacket Flat partly because of potential impacts to easily erodable soils and to vegetation. In addition, the access road can be muddy. How can the BTNF contemplate locating an elk feedground in this area, considering the known negative impacts of elk feedgrounds on soils and vegetation?
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Response: The effects of sorting and loading cattle and hauling cattle on muddy roads in the spring and fall are not directly comparable to the effects of feeding elk on frozen ground on top of snowpack and traveling to and from the site by snowmachines in the winter. The effects of the proposed action and the alternatives are described on pages 31B through 31C in the DEIS.

E6			<p>Ensure that NEPA policies and goals outlined in our letter are infused into the WGFC elk feedground environmental review and decision document including adequately addressing the threat of increased CWD and brucellosis transmission. Feedgrounds do not comply with the NEPA goal of allowing beneficial uses of the environment that do not degrade or subject the environment to "undesirable or unintended consequences".</p>
<p>Response: The FEIS identified brucellosis transmission and CWD as issues (FEIS. pages 10-11). The WGFD's CWD Management Plan outlines intervention, surveillance, and management for CWD on elk feedgrounds. The plan can be found at: http://gf.state.wy.us/downloads/pdf/CWDPlanapprovedbycommission2-17-06.pdf</p>			
E7			<p>The environmental analysis should explicitly address un-quantified environmental values and ensure they are given equal emphasis relative to economic analyses, and ensure up-to-date ecological information is used in developing the environmental analysis and decision document.</p>
<p>Response: The affected environment and expected environmental consequences of implementing the Proposed Action and the alternatives are described in the DEIS beginning on page 25.</p>			
E8			<p>Recognize the worldwide and long-range character of environmental problems and thus support international efforts to prevent declines in the world environment. Comply with international agreements related to biological diversity preservation and other ecological issues.</p>
<p>Response: The affected environment and expected environmental consequences of implementing the Proposed Action and the alternatives are described in the DEIS beginning on page 25.</p>			
E9			<p>By leading to a predetermined outcome, this limited DEIS violates NEPA. There is a dearth of information in the document despite a wealth of information provided by public interest groups. The DEIS contains only that information supplied by the proponent without verification and without assurance that actions resulting from the ROD would comply with NFMA, NEPA, the Wilderness Act, Administrative Procedures Act and other federal legal directives.</p>
<p>Response: The analysis is based on a predetermined proposal - the Proposed Action. The decision has not been made and is not predetermined. IDT did review and consider the scientific material/reports and scoping comments submitted by the public interest groups. Page 25 in the DEIS discusses the relevant science used in the analysis. Documentation of references is found beginning on page 92 of the DEIS and in the specialist reports in the project record. The verification and assurance of compliance with laws, regulations and policy will be displayed in the Record of Decision. WGFD is charged with the management of wildlife populations in the State of Wyoming, and is recognized with having considerable expertise in the management of elk populations and the winter feeding program.</p>			
E10			<p>The agency failed to analyze a true range of alternatives. Neither action alternative differs from the other in any meaningful way. An agency may not define the objectives of its action in terms so unreasonably narrow that only one alternative would accomplish the goals of the agency's action...(as) the EIS would become a foreordained formality. A supplemental DEIS must be issued with alternatives that differ substantially from the current action alternatives.</p>

Response: This analysis studies the effects of continuing and expanding the use of NFS lands at seven feedground locations. After review of the issues raised by the IDT and the public, Forest Supervisor Hamilton decided that a reasonable range of alternatives included the options of not permitting the use, permitting the current amount of use, and permitting expanded use. The decision may include any of the three options at each of the 7 feedground locations. The full array of potential effects are displayed within the benchmarks of the alternatives displayed in this analysis.

E11

A narrow purpose and need violates NEPA by leading to a predetermined outcome. The Forest Service has improperly defined the purpose and need for the EIS and subsequent actions by arbitrarily selecting the proposal from the WGFC as the purpose and need. You must clearly articulate the project's purpose and need from the USFS' perspective and not just adopt the needs of the applicant. The purpose and need should include protecting natural resources and environmental quality so that a wider range of alternatives could be considered.

Response: The purpose of this project is to respond to WGFC's proposal to continue to use NFS lands for their winter elk management activities by reissuing existing special use permits and issuing a permit for a new site. This action is needed because the existing permits are near their expiration dates and the use of NFS land at the new area is desired by WGFC. The impacts on natural resources and environmental quality vary by alternative, as described in the DEIS environmental consequences section, beginning on page 25.

E12A

The arbitrary assumption in Alternative 1 that WGFC would continue to feed on other federal, state or private lands violates NEPA by causing the FS to foreclose any possibility of not issuing permits to the WGFC. The BTNF does not reveal in what form this information was supplied and the assumption is not sound enough to be conclusive. Based on this specious assumption, the BTNF limits the alternatives considered and analyzed and abandons its authority to protect USFS lands from harmful impacts.

Response: The IDT developed and the Forest Supervisor approved the No Action Alternative, including the projection that WGFC would seek and find alternate locations to replace the 6 existing feedgrounds on NFS lands if permits are not reissued. The IDT includes FS and WGFC personnel, as displayed on page 90 in the DEIS. The FS has not foreclosed the possibility of not issuing permits to WGFC. The No Action alternative can be selected for any or all of the six existing and one proposed feedgrounds. The alternative of phasing out all feedgrounds and restoring elk to their native winter range and the population level sustainable by that range was considered, but eliminated from detailed study because the WGFC has the authority, jurisdiction, and responsibility to manage, control, and regulate fish and wildlife populations on NFS lands (FS Agreement #00-MU-11020000-052). Further discussion of this topic is found on page 22 and 23 of the DEIS and online at the Wyoming Game and Fish website at <http://gf.state.wy.us/wildlife/Brucecellosis/index.asp>.

E13

The BTNF chose to treat Forest Park and Dell Creek separately from this DEIS. The BTNF may not use the existence of those feedgrounds as a rationale for permitting others or to foreclose on reasonable alternatives.

Response: The existing authorizations for feedgrounds at Dell Creek and Forest Park expire in 2016, therefore it is not timely to study reissuance of those permits at this time. Permitting one feedground on NFS land is not a connected action to permitting any other feedground on NFS lands - each operation may continue or may terminate independent of the other.

E14			<p>Whether or not WGFC continues to feed on other lands, it does not relieve the BTNF of its duties and responsibilities to manage the resources on USFS lands in a manner which protects the environment. Whether healthy, harmful or benign activities occur on adjacent, nearby, or distant lands does not diminish the responsibilities and duties held by the USFS through acts of Congress; nor do such activities allow the USFS to deflect responsibilities assigned to it by Congress onto other parties, such as the WGFC.</p>
<p>Response: The request and analysis of the feedgrounds is within the scope of the use of NFS Lands. The commenter appears to believe that the No Action alternative is a "straw alternative" that cannot be chosen. This is incorrect. Whether or not WGFC uses other feedgrounds on NFS or other lands, Forest Supervisor Hamilton could choose Alternative 1, 2 or 3 for each feedground studied in the DEIS. The Forest Service must look at the potential effects under the no action alternative. The best information available indicates that feeding will continue at existing sites, and at new locations if the no action alternative is selected and the use of NFS land is not authorized.</p>			
E15			<p>It would best serve the American public and clearly better protect USFS resources for the BTNF to bow out of permitting WGFC elk feedgrounds completely.</p>
<p>Response: The purpose of the EIS is to display the potential effects of various courses of action, including choosing not to authorize the use of NFS land for feedgrounds..</p>			
E16			<p>The fact that WGFC has no specific alternate locations in mind for Muddy Creek and Green River feedgrounds does nothing to inform the public about the trade-offs that would occur under a scenario of not issuing SUPs for elk feedgrounds at these locations.</p>
<p>Response: The Brucellosis Management Action Plans (BMAP's) were created for each of the elk herd units within northwestern Wyoming with a feedground present. In these documents the option of relocating feedgrounds was analyzed and it was determined that the current locations seem to be most effective in gathering elk. If the FS chooses to not authorize the feedgrounds studied in this analysis, the WGFC would be forced to work with private landowners and other federal agencies to secure alternate locations to feed elk during the winter months. These locations have not been identified because the ROD has not been issued. The Commission would ensure winter feeding operation would be continued because of the lack of winter range available to support current elk numbers and the increased potential for transmission of brucellosis from elk to cattle.</p>			
E17			<p>The DEIS errs when it assumes that alternate locations would increase the risk of disease transmission from elk to livestock. Without specific locations identified, the BTNF can not conclude that the risk is higher. A location that is further away from livestock operations or that implements better measures to prevent commingling lowers the risk of disease transmission.</p>
<p>Response: True, alternate feedground locations could decrease risk of disease transmission from elk to cattle if the new location was further in distance from active cow-calf cattle operations. The topic of moving each elk feedground to an area of lower risk was discussed during the WGFD's brucellosis management action plans process.</p>			
E18			<p>Ranchland adjacent to Muddy Creek Feedground was the site of the brucellosis contamination that was detected in cattle in December 2003. Therefore, this feedground did not prevent contamination of cattle.</p>

Response: This feedground was not used in during the 2001/2002 feeding season. The elk were fed on private land adjacent to the USFS location, not on the USFS location due to concerns over lack of weed free certification in the hay that was fed that winter. Feedgrounds short-stop migrating elk before moving onto private lands, greatly reducing risks of elk-cattle commingling and disease transmission from elk to cattle. Recent actions have been implemented to enhance spatial separation of elk and cattle to further reduce the risk of disease transmission near the Muddy Creek feedground. A 1.8 mile long elk-proof fence was erected across Muddy Creek Canyon in 2005 to provide an additional barrier to an existing elk-proof fence across the canyon for increased spatial separation of elk and cattle. Additionally, stackyard fencing materials were provided to allow cattle managers to feed cattle on private lands further in distance from the feedground.

E19			Upper Green River Feedground is located 10 to 15 miles or more from the nearest wintering livestock and sits amidst native elk winter range managed by the USFS. It is an excellent candidate for being phased out when elk numbers meet or are below the carrying capacity of the native range.
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Response: The purpose of the EIS is to display the potential effects of various courses of action, including choosing not to authorize the use of NFS land for feedgrounds..

E20			Upper Green River Feedground has habitat damage; it is known that feedgrounds maintain brucellosis among elk; and it is known that dense concentrations of elk may increase risk of a CWD epidemic among elk. Therefore it would benefit elk and the public interest to not re-authorize the current permit.
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Response: The purpose of the EIS is to display the potential effects of various courses of action, including choosing not to authorize the use of NFS land for feedgrounds. Not authorizing the use of NFS land for feedgrounds does not end elk feeding

E21			Careful phasing out of the feedgrounds, while managing the elk herds to fit the carrying capacity of the native range, maintaining elk-proof fencing around wintering livestock when brucellosis-exposed elk are nearby, and moving some livestock herds to other locations would all work far better than the current feedground system that perpetuates damage to habitat and disease prevalence among elk.
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Response: No response needed to statements of preference concerning alternative selection. The WGFC has the authority, jurisdiction, and responsibility to manage, control, and regulate fish and wildlife populations on NFS lands (FS Agreement #00-MU-11020000-052). WGFD manages elk populations to contain brucellosis to what it deems to be acceptable levels, and reduce risk of transmission to cattle. These measures are incorporated into its management of feedgrounds.

E22			No other National Forest permits elk feedgrounds. Feedgrounds are not the only means of managing big game habitat. Even on the BTNF there are big game herds including elk herds which are not managed using winter feedlots, test and slaughter facilities, or bales of hay. Analyzing other methods of managing habitat and wildlife (phasing out feedlots, improving forage on winter range, adjusting livestock grazing to save winter forage for elk, elk proof fences, etc.) under this EIS is reasonable, as well as legally mandated.
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Response: The EIS displays the consequences of the proposed Forest Service action of authorizing WGFD to use NFS lands for some of its feedground operations. The Forest Service does not determine whether or not there will be a winter feeding program. The No Action (no permit) Alternative is a viable selection opportunity for any or all feedgrounds in this DEIS. The alternative of phasing out all feedgrounds and restoring elk to their native winter range and the population level sustainable by that range was considered, but eliminated from detailed study because the WGFC has the authority, jurisdiction, and responsibility to manage, control, and regulate fish and wildlife populations on NFS lands (FS Agreement #00-MU-11020000-052). Further discussion of this topic is found on page 22 and 23 of the DEIS and online at the Wyoming Game and Fish website at <http://gf.state.wy.us/wildlife/Brucellosis/index.asp>.

E23			The BTNF should do a cost analysis for phasing out specific feedlots compared with maintaining the feedlots, including the costs of vaccinating, fencing, brucellosis cost to livestock producers, etc.
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Response: The weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations (40 CFR 1502.23). As described on page 87 of the DEIS, the social and economic effects are not expected to vary by alternative, since in all alternatives WGFC would continue to operate their winter elk management activities on private, state, and federal lands.

E24			Not only does CWD threaten a lethal epidemic in western Wyoming's fed elk populations that could spread across the Greater Yellowstone Ecosystem, but it also threatens severe environmental contamination at the feedgrounds where elk concentrate. In addition, an evaluation of reasonable actions in response to CWD arriving on or near the elk feedgrounds should be analyzed in the DEIS. Failure to analyze CWD as a significant issue is arbitrary and capricious and violates NEPA.
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Response: Currently, there is neither empirical evidence nor data anywhere in North America suggesting CWD can be considered a "lethal epidemic". The WGFD's CWD Management Plan outlines intervention, surveillance, and management for CWD on elk feedgrounds. The plan can be found in Appendix 3 of the FEIS and at: <http://gf.state.wy.us/downloads/pdf/CWDPlanapprovedbycommission2-17-06.pdf>

E25			The BTNF must consider and adequately analyze the effects of contaminated soils on the environment, including the potential effects - including costs of excluding cervids from contaminated sites, the effects of infecting other vulnerable cervids including white-tailed deer, mule deer, moose, and other elk, the effects on predator populations if prey become infected and the effects and costs of removal of contaminated soils.
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Response: There are currently no diagnostic tools that can determine if the environment is contaminated with CWD prions. Lacking such a "tool," realistic analyses are impossible. It is also an assumption that contaminated soils play a significant role in CWD transmission (i.e., they might play some role, but not the only means of transmission). The WGFD's CWD Management Plan outlines intervention, surveillance, and management for CWD on elk feedgrounds. The plan can be found at: <http://gf.state.wy.us/downloads/pdf/CWDPlanapprovedbycommission2-17-06.pdf>

E26			The DEIS errs when it assumes that alternative feedground locations (in the No Action Alternative) would increase the risk of disease transmission from elk to livestock. Analysis of elk-proof fences to prevent commingling and protect private property is essential and required. Elk proof fences are viable alternatives to elk feedgrounds.
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Response: The DEIS states that, if the alternative feedground is near private land that supports a livestock operation, then the risk of disease transmission is higher (DEIS, page 78). The agencies agree with the commenter that elk proof fencing would decrease the risk of commingling. WGFC has the authority, jurisdiction, and responsibility to manage, control, and regulate fish and wildlife populations on NFS lands (FS Agreement #00-MU-11020000-052) which includes making a choice between elk proof fencing, feedgrounds, reducing elk population numbers, or paying animal damage claims. This analysis was triggered by WGFC's requested authorization for continuation of elk management activities at Alkali Creek, Dog Creek, Fall Creek and Upper Green River feedgrounds and the expansion of these activities at Fish Creek, Muddy Creek and Patrol Cabin feedgrounds.

E27			The 6 current feedgrounds and 1 new feedground fall within Desired Future Conditions (DFCs) 3 (River Recreation); 6B, 6C, and 6D (Wildernesses) and DFC 12 (Backcountry Big-Game hunting, Dispersed Recreation and Wildlife Security Area). The effects on vegetation and on wildlife of maintaining elk feedgrounds (as described in the DEIS) are in violation of NFMA and not in compliance with LRMP prescriptions for DFC 12 and DFC 6 areas.
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Response: The proposed permitted area for the feedgrounds is within DFC 3 and DFC 12. No Wilderness or Wilderness Study Area acres (DFC 6) are proposed for feedground operations. Wilderness is immediately adjacent to Alkali Creek Feedground and the Yellow Jacket Flats expansion at Patrol Cabin is more than a quarter mile from the Wilderness boundary. Impacts to DFC 6 within one mile of feedground operations are identified in the FEIS on pages 90-98. The fact that elk feedgrounds do exist and that wildlife habitat is subsequently diminished is recognized in the BTNF LRMP in the description of DFC 12 on page 242: "Experience: .You find habitat for big game in less-than-best condition in some areas..Other areas will show stands with many dead trees." and "Management Emphasis - Management emphasis is on providing such important habitat for big-game as ..feedgrounds...". For DFC 3 (River Recreation), the LRMP Management Emphasis on page 173, states "River segments outside of Wilderness that have been found eligible ...are protected from activities that could diminish or change the free-flowing characteristic, water quality, or the scenic, recreational, fish and wildlife, and other values which make the river eligible for designation." Although scenic integrity is diminished within portions of the Green River and Gros Ventre River from feedground operations, this does not affect the Wild & Scenic eligibility status for either of these rivers.

E28			The BTNF has the affirmative responsibility to protect forest resources within designated Wilderness and Wilderness Study Areas. The BTNF may not permit elk feedgrounds or facilities on USFS land adjacent to or in proximity to Wilderness or Wilderness areas that adversely affect the Wilderness qualities in those areas as expressed in the Wilderness Act and the LRMP.
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Response: The effects to adjacent Wilderness and Wilderness Study Areas are displayed in the FEIS on pages 91-98. The Record of Decision will document whether or not these effects are acceptable or can be mitigated.

E29			<p>BTNF legal directives do not mandate maintaining unnatural elk populations or densities. The elk population of Wyoming is 23% over statewide objectives. If the BTNF has the right to agree with WGFC objectives, it then also has the right to disagree. The only way that an informed agreement/disagreement may occur is for the BTNF to conduct its own analysis of what level of elk population best enables it to comply with its legal directives. Damaged vegetation and riparian areas are evidence that current high elk populations do not allow the BTNF to comply with its legal directives.</p>
<p>Response: The State of Wyoming by statute sets the population numbers. The analysis of the feedgrounds is for use of the National Forest System (NFS) lands within the Bridger-Teton National Forest at Alkali Creek, Dog Creek, Fall Creek, Fish Creek, Muddy Creek, Patrol Cabin, and Upper Green River Feedgrounds to continue their winter elk management activities at these locations.</p>			
E30			<p>The elk populations are over agreed upon objectives. The Jackson elk herd has been over objective for 18 years, the Fall Creek elk herd - for over 11 years and the Pinedale elk herd for over 6 years. It is arbitrary and unlawful for the BTNF to permit elk management by the WGFD in the form of elk feedgrounds which perpetuate noncompliance with agreed upon objectives. Since this non compliance has been going on for so many years it is clearly unreasonable. The BTNF should revisit elk herd objectives and conduct its own analysis and not agree to any elk numbers that do not allow the BT to comply with legal directives.</p>
<p>Response: The WGFC has the authority, jurisdiction, and responsibility to manage, control, and regulate fish and wildlife populations on NFS lands (FS Agreement #00-MU-11020000-052). Habitat will be managed to help meet the game populations, harvest levels, success , and recreation-day objectives identified by the WGFD and agreed to by the Forest Service (LRMP, page 243 and elsewhere). The Forest Service agrees with the stated herd population objectives and recognizes that WGFD is working toward reducing the herd to meet those objectives over time.</p>			
E31			<p>It is unreasonable, arbitrary, and not in compliance with legal directives for the BTNF to offer only alternatives in this DEIS that maintain the status quo, or worse.</p>
<p>Response: The No Action Alternative would change the status quo and result in improved vegetation condition over time as described on page 40, 60 and 61 of the DEIS.</p>			
E32			<p>Elk feedgrounds cannot be both the cause and "solution" to the brucellosis dilemma. A cause that simultaneously serves as a solution results in a self-sustaining situation. Drawing such a conclusion is unreasonable, arbitrary, and cannot lawfully be used as a justifiable basis upon which to make a decision. Phasing out feedgrounds is the solution to the brucellosis dilemma.</p>
<p>Response: The phrase "cause and solution" appeared in the DEIS on page 8 and will be removed in that section of the FEIS.</p>			
E33			<p>Over time elk would not serve as a reservoir for brucellosis in the absence of elk feeding grounds (Cheville 1998).</p>
<p>Response: Based on the seroprevalence of brucellosis in other locations in the ecosystem, where elk are not fed, evidence suggests that brucellosis will persist with or without feedgrounds.</p>			

E34			It is unreasonable for the public to be forced to accept that one branch of the USDA conducts a program to eradicate or eliminate brucellosis from wildlife and livestock while another branch, USFS, permits activities -feedgrounds- that promote conditions that maintain the disease among elk and put nearby cattle and horses at risk.
Response: Denying authorization to use NFS land does not end elk feeding. USFS, as well as other USDA agencies, work cooperatively with the state of Wyoming to undertake management activities in a way that prevents unacceptable incidence of brucellosis in wildlife and livestock.			
E35			S-19 brucellosis vaccinations for elk are ineffective, promote disease transmission, and should cease.
Response: The WGFD has not detected a difference in brucellosis antibody prevalence between elk captured and tested from vaccinated and unvaccinated feedgrounds. Brucella S19 prevented abortions in some vaccinated elk when challenged in controlled studies. The effect of S19 on abortion rates in a field setting is unknown, but abortion rates of vaccinated versus unvaccinated elk is currently being investigated.			
E36			The USFS has the discretion to not permit feedgrounds and also to prohibit certain acts for the purposes of disease prevention such as the S-19 vaccination and test and slaughter programs which require clustering elk together, thereby increasing risk of brucellosis transmission.
Response: USFS regulates use and occupancy of NFS land, and can choose not to authorize certain activities. The USFS has no mechanism to prevent WGFD to capture, test, or destroy elk. The No Action alternative (no permit) can be selected for any or all of the six existing and one proposed feedgrounds. The WGFC has the authority, jurisdiction, and responsibility to manage, control, and regulate fish and wildlife populations on NFS lands (FS Agreement #00-MU-11020000-052). Test and removal is a elk management program managed by the WGFC.			
E37			The BTNF must conduct an SEIS on the test and slaughter of elk analyzing the direct, indirect and cumulative effects of this program. The test and removal of elk and the facilities and actions involved are controversial and significant, and are a connected action arising from permitting elk feedgrounds. The BTNF violated NEPA and acted arbitrarily and capriciously by not analyzing the impacts associated with this program that WGFC operates on USFS lands. Connected actions may not be improperly segmented into smaller portions to avoid conducting a NEPA analysis. Recommend that no test and slaughter facilities be allowed on USFS lands.
Response: The WGFC has the authority, jurisdiction, and responsibility to manage, control, and regulate fish and wildlife populations on NFS lands. The Forest Service is responsible for the management of NFS lands in Wyoming and the fish and wildlife habitat on these lands. (FS Agreement #00-MU-11020000-052).			
E38			The BTNF is not required to issue elk feedground permits. Whereas the DEIS does not contain a reasonable range of alternative, Alternative 1, alone, is reasonable to the extent that it best protects the resources under the stewardship of the USFS.
Response: The FS has not foreclosed the possibility of not issuing permits to WGFC. The No Action alternative can be selected for any or all of the six existing and one proposed feedgrounds. No response needed to statements of preference concerning alternative selection.			

E39			<p>Another alternative that the BTNF should consider is the phase-out of feedgrounds with a possible component included that makes some provisions for emergency feeding. The BTNF could permit emergency feeding in the same manner that they permit other one-time uses.</p>
<p>Response: Emergency feeding is not expected to be needed in the scenario described in the No Action alternative because the FS expects the WGFC to continue to feed elk at alternate locations (DEIS, pages 13 and 14). Should emergency feeding be needed, it would be most appropriate to perform a separate, site and time specific analysis and make a separate decision.</p>			
E40			<p>We recommend an alternative that has the BTNF issue one-year permits for the feedgrounds already in place and not issue permits for expanded areas at Fish Creek, Coal Mine Draw, and Yellow jacket Flat. Notify the WGFC that the BT intends to issue no more than 5 one-year permits for these feedgrounds beginning in 2008 and elk-feeding on USFS lands will cease after expiration of the fifth permit after the winter 2012-2013.</p>
<p>Response: No response needed to statements of preference concerning alternative selection.</p>			
E41			<p>Elk feedgrounds may adversely affect wolf management. Elk feedgrounds serve as artificial attractants to wolves and wolves have been killed due to their association with feedgrounds. The WGFC allows wildlife managers to kill wolves for elk conflicts on feedgrounds. Since all alternatives assume continued use of elk feedgrounds, the DEIS is deficient because it does not analyze and consider an alternative that allows for more appropriate management of wolves by phasing out feedgrounds.</p>
<p>Response: Effects to wolves are found in the FEIS on pages 75-76. The alternative of phasing out feedgrounds was considered but eliminated from detailed study because WGFC would continue to feed elk on other state, private, or federal land (DEIS, pages 22 and 23). The WGFC manages wolf depredation issues on a case-by-case basis. Each situation will be evaluated to ensure management actions are in accordance with the wolf management plan guidelines.</p>			
E42			<p>The BTNF has a duty to manage conditions on the Forest to conserve wolves. The BTNF is not in compliance with the Federal Land Policy and Management Act of 1976 which declares that land be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, Where appropriate these (USFS) lands will be preserved and protected in their natural condition. Elk feedgrounds are not natural and the BTNF is permitting artificial densities of prey on elk feedgrounds, which act as attractants to wolves and which increase the likelihood of wolves being killed.</p>
<p>Response: Effects to wolves are found in the FEIS on pages 75-76. The WGFC manages wolf depredation issues on a case-by-case basis. Each situation will be evaluated to ensure management actions are in accordance with the wolf management plan guidelines.</p>			

E43			<p>The DEIS is deficient in failing to consider the cumulative actions and impacts on the elk, the USFS feedgrounds, and on larger analysis areas that result from the sudden opening May 1st of designated elk winter range and the concomitant stampede of OHVs and other human intrusions on previously closed elk range. In addition there is no cumulative impact analysis on soils, hydrology, vegetation, and wildlife with hundreds of cattle in the Gros Ventre Valley during the summer and fall.</p>
<p>Response: See Chapter 3, Vegetation and Wildlife cumulative effects sections. The soils analysis considers cumulative effects because it measures bulk density which is a measure of compaction caused by the cumulative actions described on page 31B through 31C in the DEIS. In regard to opening designated elk winter range on May 1st to OHV's and other human activities and the effects of those activities on elk, the BTNF has previously addressed those potential impacts by regulating disturbances to elk within designated parturition areas as identified in the Jackson District and Pinedale District Travel Management Plans. The Dog Creek, Alkali Creek, Fish Creek, and Patrol Cabin feedgrounds are closed to human presence/motorized vehicles (except snowmachines on designated routes) from Dec. 1 to April 30 annually. The Muddy Creek and Fall Creek feedgrounds are closed to motorized vehicles from Nov. 15 to April 30 annually. The Green River feedground is closed to motorized vehicles (except snowmachines on designated routes) from Dec. 15 to April 14 and is otherwise closed to human presence during winter feeding operations as determined by the WGFC. Wheeled vehicles are generally not able to reach the fedgrounds until early May due to snowpack. Elk are typically gone from feedgrounds by May 1. In addition, the ongoing revision to the North BTNF travel plan will address OHV activities within important wildlife habitat on the Jackson Ranger District by extending seasonal restrictions through June 30th and closures as outlined in the initial preferred alternative and wildlife alternative.</p>			
E44			<p>There is no mention of the costs of the disease management, education, and eradication programs within the USDA-APHIS that are affected by permitting and operating feedgrounds.</p>
<p>Response: The actions performed by USDA APHIS are not consequences of the proposed action by the USFS, since feeding would continue regardless of the USFS action. The weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations (40 CFR 1502.23). As described on page 87 of the DEIS, the social and economic effects are not expected to vary by alternative, since in all alternatives WGFC would continue to operate their winter elk management activities on private, state, and federal lands.</p>			
E45			<p>There is no cumulative impacts analysis resulting from vaccination and test and slaughter programs. The impacts from these and other related actions must be analyzed and mitigations considered in a Supplemental Draft EIS.</p>
<p>Response: The test and removal "program" is a five-year pilot project, which will be completed in the winter of 2010, with no requirement to extend this management action. These are wildlife management activities within the exclusive jurisdiction of the Wyoming Game and Fish Commission. The test and removal project is not a federal action.</p>			
E46			<p>The DEIS does not consider the best available science and violates the Administrative Procedures Act and NEPA. The DEIS accepted only that information presented by the proponent and ignored numerous documents, references, exhibits, and reports submitted by public interest groups during scoping. The DEIS specifically ignored scientific papers that refuted WGFD's contention that CWD presents no significant risk or contamination of waters and soils from elk feedgrounds.</p>

Response: The IDT did review and consider the scientific material/reports and scoping comments submitted by the public interest groups. Additional references are cited in the FEIS.			
F1	Jenkins Hunting Camp	Larry Jenkins	The loss of elk feedgrounds would adversely affect Forest Service permittees, their employees, the general public and elk populations.
Response: The No Action Alternative (No Special Use Permit) includes the assumption that WGFC would seek and find alternate locations to replace the 6 existing NFS lands feedgrounds if permits are not reissued (DEIS, pages 13 and 14). No reduction in herd objectives is expected.			
F2			The preferred alternative, Alternative 3 will allow WGFD to continue to manage wildlife resources in a meaningful and productive manner.
Response: No response needed to statements of preference concerning alternative selection.			
G1	US Dept. of the Interior, Office of Environmental Policy and Compliance	Robert F. Stewart	The Office of Environmental Policy and Compliance has reviewed the DEIS and has no comments.
Response: No response needed.			
H1	State of Wyoming, Office of the Governor (Freudenthal)	Steve Furtney	The Governor's Office supports the preferred alternative, Alternative 3.
Response: No response needed to statements of preference concerning alternative selection.			
I1	Ron Dean	Ron Dean	Supports Alternative 3. Elk feedgrounds exist because available winter ranges do not have the capability to support and hold existing elk populations. Therefore, elk populations would either face starvation and/or cause damage to private property.
Response: The No Action Alternative (No Special Use Permit) includes the projection that WGFC would seek and find alternate locations to replace the 6 existing NFS lands feedgrounds if permits are not reissued (DEIS, pages 13 and 14). No reduction in herd objectives is expected.			
I2			Game and Fish personnel estimate that 80% of the current Jackson herd would have to be eliminated if elk numbers were lowered to a level that could be supported by native winter range. This would have significant monetary effects on local economies and would be extremely unpopular with the public.
Response: Under each alternative analyzed in this DEIS the WGFC intends to continue to provide supplemental feed to the elk in northwest Wyoming.			
I3			Whether or not the USFS allows elk feeding on its lands will not affect whether or not brucellosis exists in the Greater Yellowstone area.
Response: No response needed, the WGFD agrees with this statement.			

I14			CWD is currently present in elk herds that are not fed and will possibly infect all deer and elk herds on the North American continent whether feedgrounds are present or not. Eliminating feedgrounds would greatly reduce elk numbers and then infection with CWD would reduce those numbers further (to less than 4,000) and CWD would still be present in the population..
Response: There are currently no data to suggest that CWD decreases free-ranging elk populations. The WGFD's CWD Management Plan outlines intervention, surveillance, and management for CWD on elk feedgrounds. The plan can be found in Appendix 3 of the FEIS and at: http://gf.state.wy.us/downloads/pdf/CWDPlanapprovedbycommission2-17-06.pdf			
I15			Eliminating 2 feedgrounds in the Gros Ventre would result in all elk (3,000) either being fed at Patrol Cabin Feedground or migrating to the National Elk Refuge. Riparian vegetation along the drainages would be severely damaged and elk would congregate on private land.
Response: No response needed, the WGFD agrees with this statement.			
I16			Given property values, feeding on private property at Dog Creek Feedground is unlikely to continue. Eliminating the USFS site at Dog Creek will create an unbelievable traffic hazard when feeding is discontinued on the private property.
Response: If feeding cannot continue at both the private land site and the NFS site at Dog Creek, there are alternative locations nearby that could be used to feed elk. These locations are documented in a 3/26/96 WGFD internal memorandum, located in the project record.			
I17			Eliminating the Green River Lake Feedground would have one of two results, massive starvation or elk movement to Pinyon Ridge where competition with existing elk in that area would result in resource damage, plus large winter mortalities.
Response: If the Green River Lake Feedground was not permitted the WGFC would work with other federal agencies or private landowners to secure an alternative feedground location.			
I18			Eliminating the Muddy Creek Feedground would result in large numbers of elk moving to private property (commingling and damage problems) and/or moving on to the desert where they would compete for limited forage with deer and antelope.
Response: If Muddy Creek Feedground was not authorized on NFS lands WGFC would seek and find an alternate location on other federal, state, or private lands.			
I19			Migration of the elk to the desert in Sublette County is not a solution to feedgrounds. Oil and gas development is reducing available wildlife habitat and surplus forage does not exist in the area. There is inadequate winter forage for the large deer herd that currently winters there.
Response: In Sublette County, given the present rate of gas development throughout sagebrush/grassland habitats, current forage allocations for domestic livestock, and current browse utilization rates by big game throughout winter range complexes, WGFC concurs with this comment. Additionally, there is no guarantee migration routes could be established.			
I10			Elk feedgrounds are the result of decisions made by by WGFD, USFS, BLM, landowners, and sportsmen over the past 100 years. All of these groups have ownership and should remain united until alternatives to the problems can be identified and implemented.

Response: No response needed.			
J1	SNS Outfitters & Guides	Sy Gilliland	Winter feeding will have to continue because enough winter range was not set aside years ago for wintering elk. In the future elk will be forced on even smaller pieces of wintering grounds.
Response: Historic migration routes and winter range for elk in northwestern Wyoming has greatly diminished over the last century because of rural, agricultural and oil and gas development. The implementation and continuation of winter-feeding operations at feedgrounds has occurred to maintain robust elk populations. Current elk populations could not be maintained without feedground operations because there is not enough winter range available to support these animals; if development and loss of winter range continues at the current rate even less winter range would be available to naturally winter elk.			
J2			Elk already have brucellosis and will always have it. Keeping elk on feedgrounds keeps elk from spreading brucellosis to cattle. We should continue to try to eradicate the disease.
Response: Brucella abortus is a foreign disease that is now endemic in elk and bison of the Greater Yellowstone area. The Animal Plant Health Inspection Service of the USDA has been working to eradicate brucellosis from livestock since 1934. The presence of brucellosis in free-ranging bison and elk in the Greater Yellowstone Area is thought to threaten the brucellosis status of cattle herds in surrounding states. Efforts to prevent wildlife to livestock brucellosis transmission and eradicate the disease in wildlife will likely continue, but currently tools do not exist to eliminate the disease in free-ranging elk and wild bison.			
J3			CWD will spread to wherever it wants to whether there is a feedground there or not. Alternative 3 is the best solution to address all concerns.
Response: No response needed to statements of preference concerning alternative selection. The WGFD's CWD Management Plan outlines intervention, surveillance, and management for CWD on elk feedgrounds. The plan can be found at: http://gf.state.wy.us/downloads/pdf/CWDPlanapprovedbycommission2-17-06.pdf			
K1	Taylor Phillips	Taylor Phillips	In general, I would like to see the elimination of feedgrounds because they facilitate the spread of disease, attract predators and change the vegetation on the range.
Response: No response needed to statements of preference concerning alternative selection.			
K2			In this case, I support enlarging the feedground and spreading the food out so that disease transmission will be reduced and wolves will be offered a more "real" hunting opportunity.
Response: No response needed to statements of preference concerning alternative selection.			
L1	Wyoming Game & Fish Commission	Jerry Galles	Comments were received and noted.
Response: No response needed.			
M1	Wyoming Game & Fish Department	Terry Cleveland	Comments were received and noted.
Response: No response needed.			

N1	Wyoming Sportsmen for Fish & Wildlife	Robert Wharff	Supports the preferred alternative, Alternative 3.
Response: No response needed to statements of preference concerning alternative selection.			
O1	Wyoming Stock Growers Association	Jim Magagna	The Wyoming Stockgrowers Association supports the continuation of feedgrounds because they minimize the risk of disease transmission of brucellosis from elk to cattle and protect private lands and haystacks from elk damage.
Response: No response needed to statements of preference concerning alternative selection.			
O2			Impacts on soils and streambanks are minimal because feeding takes place in the winter.
Response: The impacts expected to soils are described beginning on page 26 of the DEIS. The impacts expected to streambanks are described beginning on page 43 of the DEIS.			
O3			Impacts on wildlife, with the exception of endangered species and migratory birds, falls under the purview of WGFD and their determinations should be the controlling factors.
Response: WGFD manages populations of fish and wildlife species, but the USFS is still obligated through the NEPA process to analyze impacts to fish and wildlife species other than TES species and migratory birds. For example, big game species are MIS on the BTNF, therefore any impacts to them must be analyzed by the USFS.			
P1	Wyoming Wilderness Association	Dave Malutich	There is concern about the impact that feedgrounds are having on Wilderness areas, Wilderness Study areas, and wilderness quality lands on the BTNF. The feedgrounds are not in compliance with the National Forest Management Act and the BT Forest Plan, or the National Wilderness Act.
Response: The verification and assurance of compliance with laws, regulations and policy will be displayed in the Record of Decision. The effects to adjacent Wilderness and Wilderness Study Areas are displayed in the FEIS on pages (insert numbers). The Record of Decision will document whether or not these effects are acceptable or can be mitigated.			
P2			Elk feedgrounds are having indirect vegetative impacts that are extensive up to 1 mile from the feedground. Vegetative species richness and diversity are reduced, exotic grass species are increased, shrubs and trees are often stunted or killed from intense browsing and trampling. These impacts exist within the Gros Ventre Wilderness adjacent to Alkali Creek Feedground and near Fish Creek Feedground and would exist or increase in the wilderness if Patrol Cabin Feedground expands into Yellow Jacket Flat.
Response: Vegetative impacts of feedgrounds were observed to generally extend up to one mile away from feedgrounds. No feedgrounds are located inside Wilderness or Wilderness Study Areas. However, the Alkali Creek and Patrol Cabin feedgrounds are located within one mile of the Gros Ventre Wilderness, and the Dog Creek feedground is located within one mile of the Palisades WSA. The proposed Yellow Jacket Flat area would also be located within one mile of the Gros Ventre Wilderness. The effects to adjacent Wilderness and Wilderness Study Areas are displayed in the FEIS on pages (insert numbers). The Record of Decision will document whether or not these effects are acceptable or can be mitigated.			

P3		<p>The 6 current feedgrounds and 1 new feedground fall within Desired Future Conditions (DFCs) 3 (River Recreation); 6B, 6C, and 6D (Wildernesses) and DFC 12 (Backcountry Big-Game hunting, Dispersed Recreation and Wildlife Security Area). The effects on vegetation and on wildlife of maintaining elk feedgrounds (as described in the DEIS) are in violation of NFMA and not in compliance with LRMP prescriptions for DFC 12 and DFC 6 areas.</p>
<p>Response: The proposed permitted area for the feedgrounds is within DFC 3 and DFC 12. No Wilderness or Wilderness Study Area acres (DFC 6) are proposed for feedground operations. The effects to adjacent Wilderness and Wilderness Study Areas are displayed in the FEIS on pages (insert numbers). The Record of Decision will document whether or not these effects are acceptable or can be mitigated. For DFC 3 (River Recreation), the LRMP Management Emphasis on page 173, states "River segments outside of Wilderness that have been found eligible for potential addition to the National Wild & Scenic River system are protected from activities that could diminish or change the free-flowing characteristic, water quality, or the scenic, recreational, fish and wildlife, and other values which make the river eligible for designation." Although scenic integrity is diminished within portions of the Green River and Gros Ventre River from feedground operations, this does not affect the Wild & Scenic eligibility status for either of these rivers.</p>		
P4		<p>The BTNF has the affirmative responsibility to protect forest resources within designated Wilderness and Wilderness Study Areas. The BTNF may not permit elk feedgrounds or facilities on USFS land adjacent to or in proximity to Wilderness or Wilderness areas that adversely affect the Wilderness qualities in those areas as expressed in the Wilderness Act and the LRMP.</p>
<p>Response: Vegetative impacts of feedgrounds were observed to generally extend up to one mile away from feedgrounds. No feedgrounds are located inside Wilderness or Wilderness Study Areas. However, the Alkali Creek and Patrol Cabin feedgrounds are located within one mile of the Gros Ventre Wilderness, and the Dog Creek feedground is located within one mile of the Palisades WSA. The proposed Yellow Jacket Flat area would also be located within one mile of the Gros Ventre Wilderness. The effects to adjacent Wilderness and Wilderness Study Areas are displayed in the FEIS on pages (insert numbers). The Record of Decision will document whether or not these effects are acceptable or can be mitigated.</p>		
P5		<p>The BTNF Forest Plan clearly states that standards that perpetuate "natural biophysical conditions" are required for Wilderness. Actions that tend to alter the natural behavior of wildlife are prohibited by visitors and presumably by other agencies as well. Therefore the BTNF may not continue to permit the Alkali Feedground, or any feedground, nor may it permit a new feedground at Yellow Jacket Flat, the operations of which cause management of forest resources to fall short of the Wilderness Standards, Guidelines, and Prescriptions.</p>
<p>Response: Vegetative impacts of feedgrounds were observed to generally extend up to one mile away from feedgrounds. No feedgrounds are located inside Wilderness or Wilderness Study Areas. However, the Alkali Creek and Patrol Cabin feedgrounds are located within one mile of the Gros Ventre Wilderness, and the Dog Creek feedground is located within one mile of the Palisades WSA. The proposed Yellow Jacket Flat area would also be located within one mile of the Gros Ventre Wilderness. The effects to adjacent Wilderness and Wilderness Study Areas are displayed in the FEIS on pages (insert numbers). The Record of Decision will document whether or not these effects are acceptable or can be mitigated.</p>		

P6			Prescriptions, Standards, and Guidelines apply throughout the BT Forest in each DFC area, and therefore the BTNF may not permit elk feedgrounds nor agree to any elk populations levels, distributions, management, or impacts that result in noncompliance with the LRMP and other legal directives that apply.
Response: The verification and assurance of compliance with laws, regulations and policy will be displayed in the Record of Decision.			
Q1	Wyoming Wildlife Federation	Joy Owen	The Wyoming Wildlife Federation supports feedgrounds in the short-term. Supports the preferred alternative, Alternative 3.
Response: No response needed to statements of preference concerning alternative selection.			
Q2			Wyoming Wildlife Federation would like to see fewer feedgrounds in the long term, with reduced reliance upon feeding and increased use of native winter range.
Response: The B-T NF is working to improve winter range under other long term planning efforts, however, native (historic) winter range for elk is largely below the Forest boundary on private and BLM lands. WGFC has several programmatic activities in place including target feedground management and cooperative vegetation/habitat improvement projects. WGFC encourage elk to leave feedgrounds when natural vegetation is available and co-mingling risk is limited in the spring.			
R1	70 identical letters from members of the Greater Yellowstone Ecosystem	70 stakeholders, list can be found in the project record	Manage the National Forest to protect and sustain natural wildlife behavior; do not keep the elk confined to feedgrounds like livestock.
Response: The elk are attracted to feedgrounds but are not confined like domestic elk or cattle.			
R2			Do not permit the expansion of feedgrounds at Yellow Jacket Flat (Patrol Cabin) and at Fish Creek. This would degrade the Gros Ventre River.
Response: No response needed to statements of preference concerning alternative selection. Expected impacts on riparian vegetation and watershed resources are described in the DEIS in sections beginning on pages 32 and 43.			
R3			Do not allow Wyoming Game and Fish to vaccinate or test and slaughter elk. Free-ranging elk are the healthiest elk.
Response: Test and Removal is a pilot program occurring at Muddy Creek Feedground since 2006 (DEIS, page 8). Vaccination of calves occurs annually at the seven feedgrounds studied in this EIS (DEIS pages 8 and Appendix 2, pages 15-17). The WGFC has the authority, jurisdiction, and responsibility to manage, control, and regulate fish and wildlife populations on NFS lands. The Forest Service is responsible for the management of NFS lands in Wyoming and the fish and wildlife habitat on these lands. (FS Agreement #00-MU-11020000-052). FS has no means to prevent vaccination of elk.			
R4			Manage the National Forest for high-quality wildlife habitat and not for disease-ridden feedlots.
Response: No response needed to statements of preference concerning alternative selection.			
S1	Bruce Smith	Bruce Smith	The EIS is inadequate because it does not include the alternative of reauthorizing some, but not all of the six feedgrounds currently under permit.

Response: The three alternatives displayed are intended to display benchmarks within the spectrum of the decision space. The Forest Supervisor can choose to authorize some or all of the feedgrounds. When there are potentially a very large number of alternatives, only a reasonable number of examples covering the full spectrum of alternatives must be analyzed and compared in the EIS. (CEQ Forty Most Asked Questions, 1B)

S2			The feedgrounds should not have been collectively analyzed because the impacts of some feedgrounds are more egregious, they are located in different watersheds and affect different herd units.
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Response: Although the EIS primarily displays the collective analysis, details concerning the individual analysis of feedgrounds can be found in the specialists reports in the project record.

S3			The EIS is inadequate because the potential effects to resources and potential conflicts with other public uses were superficially evaluated. The vegetation impact analysis was limited, with scant use of available pertinent literature.
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Response: Additional literature references can be found in the FEIS and in the specialist reports in the project record.

S4			Authorizing feedgrounds on FS lands conflicts with the FS grazing program because of the disease consequences of brucellosis.
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Response: Authorizing feedgrounds on FS lands reduces commingling of elk and cattle for concerns over elk-to-cattle brucellosis transmission. It also maintains the disease in elk. (DEIS, pages 7 and 8, and Appendix 2, pages 13-18) Livestock grazing operations on NFS lands are often timed to avoid elk calving areas during the calving season.

S5			The EIS should analyze the success or failure of the brucellosis vaccination program.
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Response: The WGFD has not detected a difference in brucellosis antibody prevalence between elk captured and tested from vaccinated and unvaccinated feedgrounds. Brucella S19 prevented abortions in some vaccinated elk when challenged in controlled studies. The effect of S19 on abortion rates in a field setting is unknown, but abortion rates of vaccinated versus unvaccinated elk is currently being investigated. The WGFC has the authority, jurisdiction, and responsibility to manage, control, and regulate fish and wildlife populations on NFS lands (FS Agreement #00-MU-11020000-052).

S6			The EIS does not adequately analyze CWD and its potential impacts to elk and other cervids in and near the feedgrounds.
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Response: CWD is discussed in the DEIS on pages 8, 12, 77-83, 87-88 and in the WGFD Chronic Wasting Disease Management Plan, which is incorporated by reference as part of the DEIS (DEIS, page 12).

S7			The assumption that WGFC would continue to feed elk on private, state, or other federal lands if existing feedgrounds on USFS lands were not authorized is prejudicial. Moving feedgrounds would require landowner or land manager permission, NEPA analysis on federal lands, and would be costly.
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Response: The Forest Service does not consider the No Action alternative to be a WGFC threat. The Brucellosis Management Action Plans (BMAP's) were created for each of the elk herd units within northwestern Wyoming with a feedground present. In these documents the option of relocating feedgrounds was analyzed and it was determined that the current locations seem to be most effective in gathering elk. If the FS chooses to not authorize the feedgrounds studied in this analysis, the WGFC would work with private landowners and other federal agencies to secure alternate locations to feed elk during the winter months. These locations have not been identified because the ROD has not been issued. Be assured the Commission would ensure winter feeding operation would be continued because of the lack of winter range available to support current elk numbers and the increased potential for transmission of brucellosis from elk to cattle.

S8			The DEIS fails to consider much of the pertinent literature. A list of several pertinent documents is provided by the commenter.
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Response: The documents provided by the commenter have been reviewed and incorporated into the analysis where appropriate. Page 25 in the DEIS discusses the relevant science used in the analysis. Documentation of references is found beginning on page 92 of the DEIS and in the specialist reports in the project record.

S9			The DEIS was poorly prepared. The figures are difficult to read due to poor quality reproduction and small size, and pages are out of sequence.
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Response: The FS apologizes for the inconvenience. Your concerns will be addressed in the FEIS. In addition to paper copies, the FEIS will be available online.

Comments Received after the May 5, 2008 Deadline for Comments

T1	Western Watersheds Project	Robert Hoskins Letter received 5/6/08	To rectify serious deficiencies in the DEIS regarding federal authority and responsibility and the need to prohibit harmful state wildlife management activities, the BTNF must completely restructure and rewrite the document to meet the procedural requirements of NEPA and substantive requirements of federal law and USFS regulations.
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Response: The agencies believe the DEIS is in compliance with NEPA, federal law, and USFS regulations. In response to public comment and additional IDT analysis, the FEIS displays revised information that further informs the decision making process. FSH 1909.15 Section 24.2 states that if changes to a DEIS are minor, they may be written on an errata sheet, attached to the DEIS, and filed with a new cover sheet as the FEIS. If changes are not minor, the DEIS should be revised and filed as a FEIS. There is no direction requiring a Supplemental DEIS.

T2			The BTNF must bring to bear the best available science, particularly regarding disease and feedgrounds. The DEIS completely ignores science and accepts information provided by the proponent without presenting the considerable science in opposition to the proponent's views. Any decision to issue permits to the WGFD to operate elk feedgrounds based upon this document would be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.
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Response: The IDT did review and consider the scientific material/reports and scoping comments submitted by the public interest groups. Page 25 in the DEIS discusses the relevant science used in the analysis. Documentation of references is found beginning on page 92 of the DEIS and in the specialist reports in the project record.

T3			The BTNF must start over from scratch and in the interim, given the disease risks, particularly the inexorable advance of chronic wasting disease toward elk feedgrounds, prohibit the WGFC from feeding elk on USFS property.
Response: The agencies believe the DEIS is in compliance with NEPA, federal law, and USFS regulations. In response to public comment and additional IDT analysis, the FEIS displays revised information that further informs the decision making process. The FS intends to implement the decision documented in the Record of Decision before the winter of 2008-2009.			
T4			Feedgrounds are a serious hazard to the public interest, to federal property, and to elk and deer populations. A fully realized DEIS should unequivocally support a decision to permanently close elk feedgrounds on USFS lands and prohibit WGFD from carrying out supplemental feeding anywhere on National Forest land.
Response: No response needed to statements of preference concerning alternative selection.			
T5			The BTNF has violated the National Environmental Policy Act (NEPA) by unreasonably and illegally narrowing the DEIS Purpose and Need Statement, by illegally limiting the scope of the DEIS, and by failing to adequately consider the effects of the proposed action on the human environment.
Response: The purpose of this project is to authorize the WGFC to continue to use NFS lands for their winter elk management activities by reissuing existing special use permits and issuing a permit for a new site. This action is needed because the existing permits are near their expiration dates and the use of NFS land at the new area is desired by WGFC. The impacts on natural resources and environmental quality vary by alternative, as described in the DEIS environmental consequences section, beginning on page 25.			
T6			Issuing Special Use Permits (SUPs) to the WGFD for its "winter elk management activities" will violate several provisions of the Code of Federal Regulations regarding SUPs. Defects in the SUPs are not discussed in the DEIS. These deficiencies include: size of permitted areas, granting of exclusive use, revocability, and liability/indemnification. (Regulations limit the size of feedgrounds to 80 acres; a statement that the regulation against granting exclusive use "is of no practical effect" needs considerably more explanation; there is a reasonable question as to whether these permits are truly revocable in a practical sense; the WGFD excludes itself from liability/indemnification.)
Response: 1.) These are Organic Act authorizations and there is no acreage limitation; 2.) This is not a perpetual or exclusive use. The permits are for limited terms, and they are revocable and subject to modification at the discretion of the Forest Service. The state is allowed to control access during the feeding season, but this does not interfere with public or other use because the areas are closed in the winter to protect elk anyway. Other uses are not limited during the rest of the year when feeding is not taking place, and in fact some of the feedgrounds are in permitted grazing allotments. 3.) Any authorizations issued to implement the decision will be on standard forms and will be compliant with all applicable federal laws and regulations.			

T7			<p>Western Watershed presented numerous laws and court cases that support the USFS authority to regulate activities, including wildlife management activities, on National Forest lands. "It is clear from the above Constitutional, statutory, and Supreme Court cases dating back to the late 19th century that the BTNF, as a matter of law, does in fact have the authority to regulate state wildlife activities on federal land, even without specific authority for the regulation of particular activities, such as feeding elk, to prevent harm or damage from those activities to federal land and to wildlife on federal land."</p>
<p>Response: Under 36 CFR 251.50, authorization is required for all uses of NFS lands. The Forest Service decision in this project is limited to the determination of whether or not the WGFC should be authorized to use NFS land for its winter elk management activities at the seven proposed locations, and if authorized, what terms and conditions should be included in the authorization (DEIS, pages 8 and 9). WGFC has the authority, jurisdiction, and responsibility to manage, control, and regulate fish and wildlife populations on NFS lands. The Forest Service is responsible for the management of NFS lands in Wyoming and the fish and wildlife habitat on these lands. (FS Agreement #00-MU-11020000-052).</p>			
T8			<p>The BTNF, by abdicating its authority and responsibility to protect federal land and wildlife on that land from harm by elk feedgrounds, has so unreasonably and illegally limited its environmental analysis in the DEIS as to render it fundamentally useless. The purpose and need statement, the determination of the scope of issues for analysis, the range and reasonableness of alternatives, and the analysis of the environmental effects of the alternatives are all irredeemably defective as a consequence of this abdication of authority and responsibility, irrespective of the content of the analysis.</p>
<p>Response: The purpose of this project is to authorize the WGFC to continue to use NFS lands for their winter elk management activities by reissuing special use permits and issuing a permit for a new site. This action is needed because the existing permits are near their expiration dates and the use of NFS land at the new area is desired by WGFC. The analysis studies the effects of continuing and expanding the use of NFS lands at seven feedground locations. After review of the issues raised by the IDT and the public, Forest Supervisor Hamilton decided that a reasonable range of alternatives included the options of not permitting the use, permitting the current amount of use, and permitting expanded use+A236. The decision to be made is whether or not to authorize use of NFS lands, and if authorized, what terms and conditions should be included in the authorization. The decision may include any of the three options at each of the 7 feedground locations. The full array of potential effects are displayed within the benchmarks of the alternatives displayed in this analysis. The impacts on natural resources and environmental quality vary by alternative, as described in the DEIS environmental consequences section, beginning on page 25.</p>			
T9			<p>It appears that the BTNF has gone so far as to allow the WGFD to control the structure and content of the DEIS, by allowing the WGFD to write the DEIS, thus violating the requirement that the BTNF insure the accuracy and independence of the environmental analysis. In short, the entire DEIS is defective because its premises are defective, and must be withdrawn.</p>

Response: The analysis was conducted within legal and policy requirements. CEQ regulations state that the Forest Service retains exclusive authority to make decisions on projects or programs for which it has responsibility by law. However it is appropriate that the FS grant cooperating status to state and local agencies due to complex jurisdictional and management issues related to federal lands and the fact that state and local governments manage lands and resources which are often near, adjacent to, or intermingled with federal land. WGFC has special expertise concerning elk, other wildlife, and wildlife diseases.

T10			Every purpose and need for action needs to be set into the context of public interest, legality, rationality, and practicality. The purpose and need statement, which undergirds and structures the entire EIS process, must ask whether the proposed action enhances the public interest or harms it. The DEIS simply takes the legitimacy of the WGFD demand to operate feedgrounds for granted, without question, which, given the disease problems created by elk feedgrounds, is clearly negligent.
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Response: The purpose of this project is to authorize the WGFC to continue to use NFS lands for their winter elk management activities by reissuing existing special use permits and issuing a permit for a new site. This action is needed because the existing permits are near their expiration dates and the use of NFS land at the new area is desired by WGFC. This analysis studies the effects of continuing and expanding the use of NFS lands at seven feedground locations.

T11			The DEIS attempts to illegitimately limit discussion of the most important issues raised in the scoping process by asserting they are not significant or were covered "by prior environmental review" (Jackson Hole Bison and Elk FEIS (2007). However, this FEIS only addressed activities on the National Elk Refuge and Grand Teton National Park, asserting that the National Park Service and the Fish and Wildlife Service had no jurisdiction over wildlife management activities on the BTNF, and any actions would have to be taken by the BTNF (see p. 23-24). Consequently, the BTNF cannot avoid a de novo assessment of significant disease-related issues posed by the supplemental feeding of elk on Forest land.
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Response: Agencies are encouraged to tier their EIS's to eliminate repetitive discussions of the same issues (40 CFR 1502.20). An agency may adopt a Federal DEIS or FEIS or portion thereof (40 CFR 1506.3). The text of final EIS's shall normally be less than 150 pages (40 CFR 1502.7).

T12			Any discussion of the significance of this proposed action centers around the risk of a CWD epidemic on the elk feedgrounds. CWD is a 100% fatal disease that, through an epidemic on the feedgrounds, could kill half the elk on the feedgrounds, which would involve thousands of elk. This counts as a significant event, in terms of public safety and health and economic activities, in public controversy, in the uniqueness of the event, in severity and intensity of impacts, and in unknown risks (e.g., the possibility of human or cattle infection by CWD) and should be thoroughly analyzed in the DEIS.
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Response: There are currently no data to suggest that CWD decreases free-ranging elk populations.

T13			<p>The BTNF attempts to avoid discussing significant issues by asserting that the WGFD has threatened to move elk feeding operations to other lands, over which the BTNF has no jurisdiction, so any impacts of feeding would continue regardless of where the feeding occurs. However, the Brucellosis Management Action Plans (BMAPs) the WGFD has prepared on each of the seven feedground elk herds states that there are almost no options for feedground locations, except possibly in the Green River Elk Herd unit. These BMAP documents make it clear that current feedground locations, developed from decades of trial and error, provide the most efficiency in shortstopping elk migrations. Therefore, if the seven elk feedgrounds addressed in this DEIS were to be closed, significant impacts would ensue for habitat, migration corridors, hunting, and ranching—all of which were illegally and unreasonably eliminated from consideration as “insignificant.”</p>
<p>Response: The Forest Service does not consider the No Action alternative to be a WGFC threat. The Brucellosis Management Action Plans (BMAP's) were created for each of the elk herd units within northwestern Wyoming with a feedground present. In these documents the option of relocating feedgrounds was analyzed and it was determined that the current locations seem to be most effective in gathering elk. If the FS chooses to not authorize the feedgrounds studied in this analysis, the WGFC would be forced to work with private landowners and other federal agencies to secure alternate locations to feed elk during the winter months. These locations have not been identified because the ROD has not been issued. Be assured the Commission would ensure winter feeding operation would be continued because of the lack of winter range available to support current elk numbers and the increased potential for transmission of brucellosis from elk to cattle.</p>			
T14			<p>It is well established that an agency cannot define the purpose of its project so narrowly that it precludes consideration of reasonable alternatives. The BTNF has failed the “hard look” requirement. The DEIS severely limits the purpose and scope of the analysis--contrary to concerns expressed in public scoping statements and contrary to the requirement to address all relevant issues--to avoid the issue of disease (CWD).</p>
<p>Response: The purpose of this project is to authorize the WGFC to continue to use NFS lands for their winter elk management activities by reissuing existing special use permits and issuing a permit for a new site. This action is needed because the existing permits are near their expiration dates and the use of NFS land at the new area is desired by WGFC. This analysis studies the effects of continuing and expanding the use of NFS lands at seven feedground locations. CWD is discussed in the DEIS on pages 8, 77, 87, 88, and Appendix 2.</p>			
T15			<p>By unreasonably limiting the purpose and need for action and the scope of the issues to be analyzed it therefore follows that the actual analysis of the environmental effects of the various alternatives will be a priori inadequate. The threat of a CWD epidemic is the critical issue here.</p>
<p>Response: The purpose of this project is to respond to WGFC's proposal to continue to use NFS lands for their winter elk management activities by reissuing existing special use permits and issuing a permit for a new site. This action is needed because the existing permits are near their expiration dates and the use of NFS land at the new area is desired by WGFC. The impacts on natural resources and environmental quality vary by alternative, as described in the DEIS environmental consequences section, beginning on page 25.</p>			
T16			<p>There is no evidence in the DEIS that the BTNF actually carried out its responsibility as the lead agency for the DEIS to independently evaluate the quality and comprehensiveness of the “scope and contents” of the WGFD product, the DEIS.</p>

Response: The DEIS is not a WGFD product. The list of interdisciplinary Team members is found on page 90 in the DEIS. CEQ regulations state that the Forest Service retains exclusive authority to make decisions on projects or programs for which it has responsibility by law. However it is appropriate that the FS grant cooperating status to state and local agencies due to complex jurisdictional and management issues related to federal lands and the fact that state and local governments manage lands and resources which are often near, adjacent to, or intermingled with federal land. WGFD is charged with the management of wildlife populations in the State of Wyoming, and is recognized with having considerable expertise in the management of elk populations and the winter feeding program.

T17			The following sections of the DEIS, Irreversible and Irrecoverable Resource Commitments, Relationship Between Short-Term Uses of the Environment and Long-Term Productivity, and Unavoidable Adverse Effects, clearly states that a CWD epidemic on the feedgrounds could continue to infect elk many years into the future. The DEIS however, makes no effort to assess the risk of a CWD epidemic on the feedgrounds. Given these statements, the proposal to continue to allow elk feeding on USFS lands is irrational.
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Response: Any projection of the effect of CWD on free-ranging elk populations is entirely speculative. Closing feedgrounds may have far more severe consequences on elk populations than would CWD. It is not "irrational" to continue operating feedgrounds, even though a disease may be more easily transmitted from animal to animal on feedgrounds. Disease is only one issue that WGFC considers when deciding to initiate and/or maintain artificial feeding. Disease does not trump all other considerations.

T18			Asserts that feedgrounds exist at the demand of cattle ranchers, who have expropriated the forage on traditional elk winter range for their cattle and that ranchers care far more about "their" grass than wildlife disease.
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Response: Private lands utilized for ranching are key to maintaining an abundance and diversity of wildlife. If such lands were not maintained in agricultural production and open space, but subdivided, impacts to wildlife would be significant.

T19			The DEIS asserts that impacts from various activities only affect the actual area of the activity, thus denying the existence of synergistic and cumulative effects of these "limited" activities across the landscape, or within the ecosystem. Nonetheless, it is clear from the DEIS' discussion of habitat impacts that feedgrounds have serious negative impacts on soils, vegetation, and watershed systems for which no meaningful mitigation is possible except to close feedgrounds and disperse elk across the landscape to reduce the elk densities that cause these impacts.
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Response: The project area for this analysis includes the area proposed to be authorized for the feedgrounds. Environmental effects are also described within the Analysis Area, which is the area 1 mile from the feedgrounds (DEIS, page 25).

T20			The DEIS is asserting that feedgrounds' cumulative impact on keeping elk off areas reserved for cattle are entirely beneficial, justifying a need for feeding to continue. Nothing could be further from the truth.
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Response: The cumulative effects of the proposed action and other actions that could contribute to the creation of cumulative impacts are displayed in the Affected Environment and Environmental Consequences Sections of the DEIS, beginning on page 25.

T21			<p>The DEIS makes the remarkable statement “no direct effects to wolves are anticipated from implementing Alternative 3. Indirectly, continued winter elk management would likely benefit wolves by concentrating elk, their primary prey species...” Feedgrounds have already had negative lethal impacts on wolves; we note also that nearly half the wolves killed in Wyoming's predatory animal zone since delisting on 28 March have been killed on or near elk feedgrounds. It is clear that feedgrounds are hazardous to wolves because they concentrate elk. Feedgrounds are no benefit to wolves.</p>
<p>Response: Wolves are now considered a Region 4 Sensitive Species on the BTNF and very limited hunting is now authorized within the Trophy Game Area under the WGFC's Wyoming Gray Wolf Management Plan. Two feedgrounds, Dog Creek and Muddy Creek, occur within the Predator Area where unlimited hunting is allowed. The FEIS reflect these changes. The resulting effects determination for Implementation of Alternative 2 or 3 for wolves is "May Impact Individuals or Habitat..." (Page 83-87 in FEIS) In reference to comment regarding “Feedgrounds have already had negative lethal impacts on wolves....since delisting on 28 March...”, human caused wolf mortalities since March 28, 2008 occurred throughout the Predatory Animal area where wolves maybe taken by anyone and anytime. The presence of elk feedgrounds is irrelevant to wolf removals in the Predatory Animal area.</p>			
T22			<p>The BTNF must develop a complete, detailed assessment of the environmental and socio-economic impacts of each alternative, to include the no action alternative, including the direct and indirect impacts on local and regional economies of a CWD epidemic that could kill at least half of the elk on feedgrounds in western Wyoming. Given the strong scientific basis for such a numeric estimate, the BTNF is obligated to take the estimate into account when considering socio-economic consequences.</p>
<p>Response: The weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations (40 CFR 1502.23). As described on page 87 of the DEIS, the social and economic effects are not expected to vary by alternative, since in all alternatives WGFC would continue to operate their winter elk management programs on private, state, and federal lands. Any projection of the effect of CWD on free-ranging elk populations is entirely speculative. There are currently no data to suggest that CWD decreases free-ranging elk populations. There is no “...strong scientific basis for such a numeric estimate...” for elk, be they captive, feedground, or non feedground. There have been only mathematical models (which are not scientific) for deer and all of them have, thus far, been proven wrong by actual field data.</p>			
U1	<p>State of Wyoming, Department of Environmental Quality</p>	<p>John V. Corra - Letter received 5/8/08</p>	<p>WDEQ's first primary concern is about bacterial contamination of ground water, surface water and wetlands due to elk feedground operations. Evaluate the water quality impacts due to elk feeding on USFS lands and find ways to minimize water quality impacts, both on and off the Forest. Analyze ways the feeding operations could be modified to reduce water quality impacts.</p>

Response: Groundwater: A document in the analysis file documents no positive tests for fecal coliform at the Cottonwood Work Center wells over the past 4 to 16 years (varying lengths of time, depending on the wells). These wells are within the Dog Creek feedground. Surface water: page 59 of the DEIS cites data from Sublette Conservation District showing no adverse impacts to Green River water quality from elk feeding. A more detailed data summary is available in the Hydrology specialist report. Wetlands: Impacts to wetlands are described throughout the Hydrology section of the DEIS beginning on page 43 of the DEIS. Mitigation measures in Alternative 3 address means to reduce water quality impacts (DEIS, page 22).

U2			WDEQ's second primary concern is physical stream and wetland degradation (e.g. habitat loss, reduced flows and storage capacity, high summer temperatures, anchor ice build-up, decreased fish production, etc.) Consider a fuller range of alternatives that would include moving feedgrounds away from streams and wetlands.
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Response: Mitigation measures in Alternative 3 include avoiding feeding in wetland areas and within 200 feet of perennial streams when the ground is not frozen. These are included to reduce impacts to streambanks and wetlands when they are most vulnerable. A measure to cross streams at designated sites is also designed to reduce streambank damage from feeding operations. A full range of alternatives are presented, because Forest Supervisor Hamilton may choose to implement Alternatives 1, 2 or 3 for each of the seven potential feedgrounds.

U3			If feedgrounds can not be moved consider best management practices used by the livestock industry to reduce physical impacts to streams and lower potential for bacterial contamination. Limit the amount of snow melt and runoff that leaves the feeding area with settling ponds, buffer strips and/or other BMPs.
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Response: Mitigation measures in Alternative 3 include avoiding feeding in wetland areas and within 200 feet of perennial streams when the ground is not frozen. These are included to reduce impacts to streambanks and wetlands when they are most vulnerable. A measure to cross streams at designated sites is also designed to reduce streambank damage from feeding operations. (DEIS, page 22) Settling ponds are not viable options for feedground operations.

U4			Do not allow feeding in unfrozen riparian areas to minimize soil compaction and to better allow riparian areas to act as natural sponges. All 7 feedgrounds contain uplands and feeding should be restricted to those areas when riparian areas are not frozen.
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Response: Mitigation measures in Alternative 3 include avoiding feeding in wetland areas and within 200 feet of perennial streams when the ground is not frozen. These are included to reduce impacts to streambanks and wetlands when they are most vulnerable. (DEIS, page 22)

U5			Rather than <i>avoiding</i> feeding within 200 feet of perennial stream banks when the ground is not frozen, WDEQ proposes that no feeding occur within 200 feet of perennial stream banks.
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Response: The use of the word "avoid" was deliberate. The Forest Service and the State of Wyoming Game and Fish Department and the State of Wyoming Department of Environmental Quality share the goal that the soil and vegetation adjacent to streams not be damaged. The Forest Service would expect WGFC to use their best judgement when working around these sensitive habitats for wildlife benefits. (Page 22, DEIS)

U6			Feeding close to the streams increases deposition of urine and feces where they are prone to wash into the streams. If a water body shows exceedances of E. coli water quality criteria and is placed on our 303(d) List of Waters Requiring Total Maximum Daily Loads, a TMDL and an implementation plan would need to be developed. If the implementation plan includes changes in feedground management on Forest lands, this would likely trigger a NEPA review. It is far less costly to manage activities to prevent bacterial contamination, rather than spending time and fiscal resources developing TMDLs and implementation plans.
Response: As stated on p.44 of the DEIS, there are no 303(d) streams associated with any of the feedgrounds. Your recommendation will be passed on to the Wyoming Game and Fish Department for their consideration.			
U7			We propose that the Fish Creek Feedground boundary and feedground operations be moved at least 200 feet from the Gros Ventre River to decrease the degree of detrimental soil disturbance and compaction in the riparian area.
Response: Mitigation measures in Alternative 3 include avoiding feeding in wetland areas and within 200 feet of perennial streams when the ground is not frozen. These are included to reduce impacts to streambanks and wetlands when they are most vulnerable. Your recommendation will be passed on to the Wyoming Game and Fish Department for their consideration.			
U8			We propose moving the feeding operations at the existing Patrol Cabin Feedground away from any riparian areas on State land to upland sites on Forest or State lands to ensure a net environmental benefit in this area.
Response: Under Alternative 2, no measurable impacts to riparian areas on National Forest Service lands would occur. Your recommendation will be passed on to the Wyoming Game and Fish Department for their consideration.			
U9			We propose that feeding on the north side of Muddy Creek occur relatively infrequently (e.g., when acclimating elk to use the trap area), and only in the near vicinity of the elk trap. This will reduce pressure on Muddy Creek.
Response: Your recommendation will be passed on to the Wyoming Game and Fish Department for their consideration.			
U10			The FS should evaluate potential water quality problems and outline what steps will be taken if water quality declines as a result of elk feeding operations. A monitoring plan could assist at identifying water quality problems. Identify what specific parameters would be measured and monitor frequently (more than every 5 years as mentioned in the DEIS) so water quality problems can be addressed quickly.
Response: Potential water quality problems are discussed in the DEIS. As shown in the Green River data, there is no evidence that water quality associated with the elk feedgrounds is being degraded by feeding activities. Monitoring streambank stability would provide proxy information for potential water quality concerns by showing where animals are congregating along streams.			
U11			Consider excluding cattle from the vicinity of Upper Green River Lakes, Muddy Creek, Fall Creek, and Patrol Cabin feedgrounds, using drop down fencing or other methods to reduce cumulative effects on water quality. Reductions of AUMs in those allotments should be minimal considering the size of enclosures versus the size of the allotments.

Response: Potential water quality problems are discussed in the DEIS. As shown in the Green River data, there is no evidence that water quality associated with the elk feedgrounds is being degraded by feeding activities. Monitoring streambank stability would provide proxy information for potential water quality concerns by showing where animals are congregating along streams. Cattle grazing is already excluded within the Muddy Creek Feedground.

V1	US Environmental Protection Agency	Larry Svoboda - 5/7/08	The Final EIS should describe in more detail the mitigation and monitoring efforts designed to minimize or reduce water quality impacts.
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Response: The mitigation and monitoring proposed under Alternatives 2 and 3 are described in their entirety in the DEIS.

V2			EIS requests that referenced water quality data be summarized in the Final EIS for notable watersheds in each feedground to establish the project's existing conditions. Please provide water quality monitoring frequency, a list of parameters, and WDEQ standards for the parameters used for this analysis.
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Response: A more detailed summary of the water quality data collected on Green River is presented in the Hydrology specialist report in the project record. Raw data are available from the Forest upon request.

V3			The Final EIS should consider additional mitigation measures to further reduce potential impacts to fisheries in the Green River drainage, considering the importance of the fishery resource in this area.
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Response: A range of alternatives were analyzed in the fisheries section (page 65-68) including discontinued feeding to protect the fisheries resource. Buffer zones where feeding would not take place within a defined distance from the stream channel were considered but not included because winter conditions makes implementation in deep snow unrealistic.

W1	Gloria Witcomb	Gloria Witcomb - 5/9/08	Phase out existing elk feedlots while protecting nearby livestock with secure fences around the cattle.
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Response: No response needed to statements of preference concerning alternative selection.

X1	Kate Saunders	Kate Saunders - 5/13/08	Feedgrounds should be eliminated because the large numbers of elk create stress on themselves, the trees, and vegetation. They are also a reservoir for disease.
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Response: No response needed to statements of preference concerning alternative selection.

Y1	B. Sachau	B. Sachau	WGFD should not be allowed to use national roads because WGFD does not protect the animals, they cater to hunters. These roads were built with taxpayer's money.
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Response: Some roads on the BTNF were built using funds from the Federal, State, and County Treasuries, which includes taxpayers money as well as other receipts. Other roads were built with funds from timber harvest sales. One objective of FS road management is "To provide sustainable access in a fiscally responsible manner to National Forest System lands for administration, protection, and utilization of these lands and resources consistent with Forest Plan guidance." (FSM 7702) WGFD's use of FS roads is consistent with this objective.