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The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

May 17, 2019

Ms. Meghan Brown, Deputy Administrator
Nevada Department of Agriculture
4780 East Idaho Street
Elko, Nevada 89801

Dear Ms. Brown,

Following are **REVISED** comments to the Western Weed Coordinating Committee's (WWCC) Action Plan. The Wyoming Department of Agriculture (WDA) previously submitted a letter (dated April 24, 2019) on this plan. However, it has come to our attention that the original letter was not based on the complete document. We apologize for this confusion; the April 24, 2019 letter should be replaced with the following letter. All discussion covered in the April 24 letter is included again in this version for clarity.

Overall, we support the continued work of the WWCC and this Action Plan. We are highly appreciative of the time and work that has gone into this Action Plan and the majority of our comments are intended to help further clarify or avoid potential pitfalls. In many instances, we have no additions or edits for consideration while other areas appear to be in need of attention or further discussion by the WWCC. Our comments are broken into four sections, reflective of the four categories outlined in the Action Plan. We did not have any substantial comments on the Executive Summary. Please find our comments on the Action Plan table below:

Category 1: Funding

We recognize the importance of funding, both long-term and short-term but would bring one issue with this Category to WWCC's attention: the definition of "capacity". We would ask WWCC to clarify how they define "capacity", how this term is being applied, and would caution WWCC on using buzzwords that may have no actual meaning or ascertainable measure. Throughout the action items, the definition of "capacity" appears to change, leaving us confused as to what it truly is and what the intent is behind the use of this term. We suggest the WWCC carefully consider what they want this term to mean to policy makers and to practitioners and clearly articulate their intent. Specific comments on the action items are below.

- Action Item 1: The overarching action is commendable and could provide much needed information to agencies. We believe much of this information is already available and would suggest WWCC reach out to more than just local, state, and federal agencies for information regarding dollars spent or leveraged and other resources otherwise allocated.
 - Action Item 1, Sub-action 1: We support this sub-action.
 - Action Item 1, Sub-action 2: We support this sub-action.

Equal Opportunity in Employment and Services

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- Action Item 1, Sub-action 3: See comments above regarding “capacity”; we do not believe you “allocate” capacity.
- Action Item 1, Sub-action 4: While we support the concept being promoted in this sub-action, we do have concerns regarding what a final product will look like. For example, if a map is developed showing all the acres managed in the “sagebrush biome” it may lead to changes in funding that are disproportionate to need. While Wyoming faces its own challenges regarding invasive species management, much of our sagebrush habitat is still primarily intact with limited infestations when compared to a state like Nevada. In other words, Wyoming may not treat as many acres as Nevada in a given year and if this sub-action ultimately leads to reports to the National Invasive Species Council (NISC) and Congress to inform funding allocations, it may lead to unintended consequences. We support the tracking of treatment, but any report to NISC or Congress must fully detail the large differences in challenges across the West and from state to state in order to avoid false narratives and disproportionate funding streams.
- Action Item 2: We support the overarching action item.
 - Action Item 2, Sub-action 1: We support this sub-action but again would urge the WWCC to develop robust narrative detailing differences across the West if these reports are going to Congress. At a minimum, WWCC should consider a Great Basin variant and a Rocky Mountain variant to better inform Congress as to the needs of each region.
 - Action Item 2, Sub-action 2: We support this sub-action and believe there are numerous vehicles for funding, such as Good Neighbor Authority (GNA) and Cooperative Agreements with county weed districts.
 - Action Item 2, Sub-action 3: Similar to sub-action 2, we support this sub-action and believe vehicles like GNA could serve very useful. We also believe there are real, and solvable, barriers to implementation such as the National Environmental Policy Act (NEPA) and agency policies. Perhaps the best-known example of this is the standing requirement for the United States Forest Service to prepare an Environmental Impact Statement for aerial application of pesticides. We believe WWCC is uniquely situated to lead an effort to make logical changes to NEPA and existing policies that are not only impediments to management but ultimately are not beneficial to ecosystems. Additionally, we would suggest the WWCC closely review this sub-action and clarify whether or not it is directed at policy, funding, or implementation as the beginning of the sub-action seems to address funding while the end appears to be directed towards implementation.
 - Action Item 2, Sub-action 4: We support this sub-action.
- Action Item 3: We generally support this action item but believe there is unnecessary narrative contained within it. We suggest the WWCC limit this action item to the creation of a working group and remove the additional language regarding “capacity, partnerships and processes to leverage funding” since these items are covered elsewhere and only add confusion to this action item. We would suggest this be revised to read: “Create a working group made up of local, state, federal, and NGO members to develop new approaches to invasive and noxious weed management in the sagebrush biome” or similar.

- Action Item 3, Sub-action 1: Again we would raise the issue of “capacity” and suggest this sub-action fits Action Item 2 more appropriately, or answers questions raised in Action Item 2.
- Action Item 3, Sub-action 2: We support the notion of multi-jurisdictional approaches to invasive species management and increased training for local districts. We would ask that WWCC clarify the term “strike team” since we typically have seen this phrase used in the realm of NEPA but believe it could apply to both policy and implementation.

Category 2: Policy and Regulation

In general, we support the items outline in this Category and only have minor comments. However, we feel there is some redundancy in this Category that could be reduced.

➤ Action Item 1: We support this Action Item.

- Action Item 1, Sub-action 1: We support this sub-action but would ask the WWCC to clarify who the target audience for NEPA training would be.
- Action Item 1, Sub-action 2: Similar to sub-action 1, we are curious who the target audience for training is. We would also recommend the WWCC consider adding a legal aspect this item that actively tracks court cases regarding decisions which have been litigated and either upheld or remanded to increase the knowledge base with regard to NEPA adequacy.
- Action Item 1, Sub-action 3: We support this sub-action.
- Action Item 1, Sub-action 4: We would point WWCC again to the use of the word “capacity” and our comments on Category 1: Funding. We do not feel you “Increase capacity for compliance”. We would also suggest that this sub-action is partially covered in other sub-actions and Action Item 1 itself and may be overly redundant. We suggest WWCC revise this sub-action to clearly articulate their intent. We believe the federal agencies need to devote adequate resources to NEPA analysis and utilize GNA where appropriate.
- Action Item 1, Sub-action 6 [*sic*]: The action items jump from 4 to 6. We support this sub-action.
- Action Item 1, Sub-action 7 [*sic*]: We support this sub-action.

➤ Action Item 2: We support this Action Item.

- Action Item 2, Sub-action 1: We support this sub-action.

➤ Action Item 3: We support this Action Item

- Action Item 3, Sub-action 1: We support this sub-action but feel it would better fit Category 3: Coordination, Collaboration, and Data Sharing.
- Action Item 3, Sub-action 2: We support this sub-action but believe it is already required under NEPA, or at least necessary to meet “hard look” standards for analyses and NEPA compliance. However, if the intent is to increase operational efficiency or tools available and target resources that should be clarified.

- Action Item 3, Sub-action 3: We support this sub-action.
- Action Item 3, Sub-action 4: We support this sub-action but feel it would better fit Category 3: Coordination, Collaboration, and Data Sharing.
- Action Item 4: We generally support this Action Item, so long as biological controls are not required prior to chemical or mechanical controls, or prioritized above them. Given that this Action Item is contained within the Policy Category, we would suggest the WWCC remove the wording “and encourage” to avoid unintended consequences in future policy documents.
 - Action Item 4, Sub-action 1: We support this sub-action.
 - Action Item 4, Sub-action 2: We support this sub-action.
 - Action Item 4, Sub-action 3: We support this sub-action.
- Action Item 5: We support this Action Item but would ask the WWCC to elaborate on the “participation” portion and clarify if this means federal agency participation or general participation. We also feel this Action Item may be better suited to Category 3: Coordination.
 - Action Item 5, Sub-action XX: Currently there are no sub-actions for Action Item 5. We suggest including a sub-action that promotes utilizing recently passed legislation and Secretarial Orders. For example, the John D Dingell Jr. Conservation, Management and Recreation Act or Secretarial Order 3362 as it pertains to invasive species management.

Category 3: Coordination, Collaboration, and Data Sharing

We support the majority of the material in this section but would again suggest there is some unnecessary repetition.

- Action Item 1: We support this Action Item
 - Action Item 1, Sub-action 1: In general we support this sub-action; however, we have seen instances where data collected on private property is shared without consent or at a scale that is inappropriate (too fine a scale allows for identification of specific landowners). We suggest the WWCC clarify how reports that are produced would protect private landowners, if they are included in mapping, or how landowners can voluntarily allow their data to become public. We also suggest the gaps be reviewed at the state level.
 - Action Item 1, Sub-action 2: We support prioritizing actions but question the level at which this team would be established. Is this a sub-committee of WWCC, or a local group, or is this WWCC itself?
 - Action Item 1, Sub-action 2 [sic]: There are two sub-actions labelled as “Sub-action 2”. We support this sub-action.

- Action Item 1, Sub-action 3 [*sic*]: We support this sub-action.
- Action Item 1, Sub-action 4 [*sic*]: We support this sub-action.
- Action Item 2: We support this Action Item.
 - Action Item 2, Sub-action 1: We support the intent of this sub-action but would prefer it read: "Identify organizations and information to educate and garner support at the federal, state, and local levels regarding invasive species, sagebrush habitats, and impacts to economies" and be combined with Sub-action 2.
 - Action Item 2, Sub-action 2: See above, combine with Sub-action 1.
 - Action Item 2, Sub-action 3: As written, this sub-action has a limited outcome potential. We would suggest revising to read: "Coordinate with NISC to foster national support and recognition of the magnitude of invasive species issues to promote treatment and management in the sagebrush ecosystem region."
 - Action Item 2, Sub-action 4: We generally support this sub-action.
- Action Item 3: We generally support this Action Item but believe there is considerable overlap with Action Item 1. A single MOA or MOU could cover topics discussed in both Action Items.
 - Action Item 3, Sub-action 1: We feel this sub-action is redundant and closely mirrors portions of Category 1: Funding as well as Action Item 5 from Category 2: Policy and Regulation. We suggest reviewing these items in conjunction to determine the most appropriate placement and determine whether or not these items are truly different and needed in multiple places.
 - Action Item 3, Sub-action 2: We support this sub-action but see overlap with other items. We suggest WWCC review for redundancies.
 - Action Item 3, Sub-action 3: We generally support this sub-action but would question whether it belongs here or in Category 1: Funding. We would also ask that WWCC consider how this could impact funding streams across the West; please see discussion in Category 1: Funding.
 - Action Item 3, Sub-action 4: We support this sub-action.
 - Action Item 3, Sub-action 5: We support this sub-action but believe it is already addressed under Category 3, Action Item 1, Sub-action 1.
- Action Item 4: We partially support this Action Item. The first sentence is addressed elsewhere in Category 3 (see Action Item 2) and we have had mixed experiences with "social science" and its usefulness. At a minimum, we suggest WWCC delete the first sentence so that this Action Item addressed "perceptions, motivations, and social obstacles" and avoid repetition and confusion.
 - Action Item 4, Sub-action 1: We support this sub-action.
 - Action Item 4, Sub-action 2: We support this sub-action.
 - Action Item 4, Sub-action 3: We support this sub-action.

- Action Item 5: We support this Action Item but would again ask that WWCC clarify how private lands data is captured and made available (see comments above on Category 3, Action Item 1, Sub-action 1).

Category 4: Research

We are tentatively support portions of this section but have identified a number of items for WWCC to consider or provide clarification on. Overall, we found it difficult to interpret exactly what the WWCC intends for Research Action Items to convey and how they become actionable. While on one hand we understand a certain amount of this section is dedicated to developing applicable research questions through the identification of “knowledge gaps” it also appears as though WWCC has made a number of presumptions with regard to cause and effect or management. We would suggest the WWCC focus on future research needs, standardizing data and metrics, and applicability. In other words, how does WWCC help promote research that fills gaps rather than repeats previous studies and delivers negligible changes to the actual knowledge base?

- Action Item 1: We support consistent metrics as implied in the first sentence. However, we do not support what appears to be a call for more modeling and the development of one-size-fits-all “decision-support tools”. We also can only interpret “pre-fire and post-fire management practices” to be directed at permitted uses like livestock grazing and are concerned these types of suggestions turn into requirements for post-fire management, such as arbitrary “two years rest from livestock grazing”. The WWCC should avoid any blanket prescriptions or action items that could be misapplied or abused. We suggest revising this Action Item to read: “Facilitate and encourage the sharing of consistent metrics for data collection across organizations and support the use of those data to improve management responses at the appropriate scale.”
 - Action Item 1, Sub-action 1: We support this sub-action.
 - Action Item 1, Sub-action 2: We believe this sub-action has been fully covered in Category 3 (see Action Item 2 and Action Item 3). We recommend removing this Sub-action or revising to actually fit the Category of Research.
- Action Item 2: We generally support this Action Item but would suggest WWCC qualify the second type of “knowledge”. We assume this is intended to differentiate between “foundational knowledge” (or practical knowledge) and scientific knowledge (or academic knowledge).
 - Action Item 2, Sub-action 1: We fail to see the utility of a “decision-support tool” and would again caution the WWCC on what appears to be a call for more modelling and more one-size-fits-all approaches. There are simply too many variables in any restoration or reclamation scenario to account for and we do not believe there is any realistic way to produce a tool that would identify “when the breakdown in seeding success is occurring for major plant function groups (particularly perennial bunchgrasses and sagebrush).” We would also reiterate our concerns regarding what appears to be an attempt to influence local management with broad generalizations that ultimately detract from proper management. If the intent of this sub-action revolves around sharing information on seeding success or failure that should be clearly stated. We suggest the WWCC revise this sub-action to read: “Consolidate and share information regarding seeding success, common obstacles to reclamation/restoration, and key seeding information (including common causes and time of failure) for plant species in the sagebrush biome.”

- Action Item 2, Sub-action 2: We support summarizing existing knowledge and identifying gaps where further research is needed or may be beneficial. However, the items listed raise more questions and we suggest the WWCC review how they have categorized items. We suggest the WWCC review this item to ensure it is aimed at developing an understanding of knowledge gaps to better inform research needs and/or ask better research questions.
- Action Item 2, Sub-action 3: We support this sub-action.
- Action Item 2, Sub-action XX: Within the context of discussion under Sub-action 2 we believe there is one obvious and highly actionable gap: practitioners are asking questions that researchers either do not ask or are unwilling to explore. We suggest the WWCC consolidate a set of practitioner-developed questions for researchers to explore and utilize. We believe this will improve research questions and experiments and result in increased success for all involved.
- Action Item 3: We support this Action Item
 - Action Item 3, Sub-action 1: We support this sub-action.
 - Action Item 3, Sub-action 2: We support this sub-action.
- Action Item 4: We tentatively support this Action Item but would again suggest to the WWCC that more modelling is not a solution.
- Action Item 5: This appears to be similar, or at least a part of, Action Item 3, Sub-action 5 from Category 3: Coordination. We support “optimizing, implementing and leveraging research efforts at multiple scales” but would suggest the WWCC review whether or not this needs to be a stand-alone Action Item or is better suited to Category 3.
 - Action Item 5, Sub-action 1: Please see comments above; this sub-action may be better suited to Category 1: Funding.

We would again like to thank the WWCC for their work on this important topic and offer our support for their continued efforts. Thank you for the opportunity to comment and we look forward to working with you in the future.

Sincerely,



Doug Miyamoto
Director

DM/jb

**CC: Governor's Policy Office
Wyoming Board of Agriculture
Wyoming Association of Conservation Districts
Wyoming Farm Bureau Federation
Wyoming County Commissioner's Association**

**Wyoming Game and Fish Department
Wyoming State Grazing Board
Wyoming Stock Growers Association
Wyoming Weed & Pest Council
Public Lands Council**