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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

Monique Nelson, ID Team Lead  
United States Forest Service  
Medicine Bow-Routt National Forest &  
Thunder Basin National Grassland  
2468 Jackson St  
Laramie, WY 82070

Dear Mrs. Nelson,

Following are the Wyoming Department of Agriculture (WDA) comments regarding the United States Forest Service (FS) request for scoping comments regarding an amendment of the Thunder Basin National Grassland Plan (Plan).

Our comments are specific to our mission: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. As the proposed project could affect our industry, citizens, and natural resources it is important that you continue to inform us of proposed actions and decisions and continue to provide the opportunity to communicate pertinent issues and concerns.

We appreciate the FS's attempt to utilize information developed and discussed by the Working Group which was facilitated by WDA's Mediation Program in 2018. Our comments are broken into three parts; the Proposed Action, the table provided with the Scoping Document, and the potential grassland-wide alternative briefly outlined on page 12 of the Scoping Document.

### **Comments on the Proposed Action (Scoping Document)**

In general, we see significant positive changes within the Proposed Action. However, some questions remain regarding implementation and process. These questions primarily revolve around satellite acres, the third-party collaborative stakeholder group, and triggers for management. Specific comments are below:

1. **General Comment:**

We support refocusing management for 3.63/3.67 as described in the Purpose and Need section of the Scoping Document as well as the de-emphasis of black-footed ferret reintroduction as described in the Item 1 of the Proposed Action.

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2. Item 2, pg. 8 of Scoping Document:

Overall, we support this concept. However, the FS should elaborate on how decisions will be made regarding prairie dog colonies overlapping with sage-grouse Core Areas as delineated by the State of Wyoming. Language should be added describing how FS will manage conflicts in these areas. We suggest including language that reads: "In sage-grouse Priority Habitat Management Areas, no new prairie dog colonies (or portions of colonies) should be allowed in sagebrush habitat. Colonies that are reducing sagebrush cover or negatively impacting sagebrush habitat will be eliminated" or similar.

Additionally, the FS should consider refining the shape and size of the Cheyenne River Special Interest Area (SIA). We support the inclusion of Antelope Creek in the SIA and believe the size of the SIA in the Proposed Action could be changed to follow natural breaks in vegetation communities (i.e., shifts from riparian or mesic communities to upland communities), soils, general topography, or landmarks such as fences or roads. The SIA should be no less than ½ mile wide and larger in some areas.

3. Item 5, pg. 11 of Scoping Document:

We support the use of vegetative attributes to guide management and provide for a sustainable forage base for livestock producers. With regard to Ecological Site Descriptions, we understand that more refinement is necessary for those on Thunder Basin. The FS should consider how the process of determining when vegetation is no longer meeting desired conditions will be completed. Desired conditions for prairie dog colonies should be clearly articulated and should provide for adequate retention of forage for other wildlife and livestock. Using a grass:forb ratio on active colonies could inform trend and forage management and could be easily ascertained through simple methods (e.g., frequency, nested frequency). Other methods may also be beneficial to consider but the FS should develop thresholds that would trigger control of colonies.

4. Item 6, pg. 11 of Scoping Document:

Portions of this item should be clarified. We also believe there are terms that will require definitions or explanation of intent in terms of implementation. These terms include: density control, active colonies, and satellite colonies. The FS should explain what methods qualify, or do not qualify, as density control (e.g., poisoning, shooting, collapsing burrows, etc.); how they will determine whether or not a colony is "active" and whether or not that includes a density metric; and the process by which satellite colonies are designated and un-designated, whether or not they will be allowed to expand once designated or will be maintained at the size when designated, and how satellite colonies will be addressed with regard to vegetation desired conditions.

- a. Specifically with regard to satellite colonies: the FS should clearly articulate whether or not satellite acres can be "counted" on adjoining private property or what would be necessary for their inclusion. For example, would a Candidate Conservation Agreement with Assurances be adequate assurance for the FS to include these acres or would another agreement be necessary? 36 CFR 219.9(b)(2)(ii) states that if the FS must develop plan components for species of conservation concern "*the responsible official shall coordinate to the extent practicable with other Federal, State, Tribal, and private land managers having management authority over lands relevant to that population*"; we believe this not only allows the FS to recognize acreages off of NFS lands but would require the FS to coordinate with private landowners within the administrative boundary of Thunder Basin.

5. Item 6, pg. 11 of Scoping Document:

The FS should consider whether or not any acreage numbers are needed in the context of the 2012 Planning Rule and 36 CFR 219. We would specifically point the FS to 219.8, 219.9, 219.10, and 219.12 and emphasize the importance of considering the cumulative intent found within all of these portions of the regulations, rather than simply a piece of one. Numerous other documents, such as the preamble to the 2012 Planning Rule, suggest the FS should shift their emphasis from numeric values and targets to functionality of habitats and multiple use; in other words, management of habitat not the species.

If the FS keeps numbers for target acreages, they should set a maximum (e.g., 10,000 acres). We also suggest the FS identify an acreage number at which tools designed to increase prairie dog acreage will be no longer used.

Comments on Proposed Action (Table-Changes to Direction)

1. Chapter 1, Component F.62, pg. 4:

*"To optimize habitat for burrowing owls, manage for active prairie dog colonies that are larger than 80 acres..."*

See comments below regarding Chapter 3 plan components (Table-Changes to Direction, Comment #7). This plan component would not be necessary if the 100-400 acre target for colony sizes was applied to the entire grassland.

2. Chapter 1, Component F.63, pg. 4:

In "Comments": *"Shooting closures for prairie dog management are not anticipated outside of Management Area 3.67."*

We ask the FS clarify that shooting restrictions would only be placed on specific colonies for specific timeframes as outlined in Chapter 3 Plan Components on pg. 27.

3. Chapter 1, Component F.XX, pg. 4:

*"Lethal control, excluding density control, is prohibited in prairie dog colonies identified as satellite colonies until the designation of satellite colonies is removed..."*

Satellite colonies must be bounded. For example, if a colony is designated as a satellite and is originally 350 acres, it should be maintained at 350 acres and densities should be monitored to inform whether or not density control is necessary. Additionally, the FS must outline the process for designation and un-designation of satellite colonies. The FS should be required to inform any permittees whose allotments overlap with a potential satellite colony prior to designation of the satellite and should be required to coordinate designation with the third-party stakeholder group. We feel an appendix that outlines pertinent questions and qualifications of a satellite colony, process for designation and un-designation of satellites, and how the third-party stakeholder group will be involved may be the most practical means of placing guidance in the document. The FS could also consider using Management Approaches rather than an appendix.

4. Chapter 1, Component H.1, pg. 5:

*"...The use of anticoagulant rodenticides and fumigants is prohibited. Standard"*

The FS should not tie the hands of future managers by completely eliminating the ability to use rodenticides beyond Zinc Phosphide. We suggest changing this to read "The use of anticoagulants and fumigants may only occur after site-specific analysis" or similar.

5. Chapter 1, Component H.2, pg. 5:

*"...colony control efforts by the Forest Service shall be contingent on concurrent control efforts by the landowner or lessee of the adjoining land..."*

This language appears in multiple other places throughout the document (H.XX on pg 6, MA 3.67 Fish and Wildlife XX on pg. 27/28, second XX on pg. 28). The FS should change all instances of this language to read: "To ensure effective treatments in boundary management zones, prairie dog control efforts by the FS may be prioritized based on contingent control efforts by the adjoining landowner."

6. Chapter 1, Component H.4, pg. 5:

*"From February 1 through September 30, do not use rodenticides..."*

We are concerned this limits the ability to control colonies. The FS states in the comments section that "the label allows use from July 1 to January 31; plan allows use October 1 to January 31"; if there are species-specific concerns with rodenticide use, this should be addressed in a separate plan component which identifies the species (e.g., mountain plover) and not in a general rodenticide component. We recommend changing this to read: "Rodenticide use must conform to label restrictions and other plan components" or similar.

7. Chapter 2, Cellars Rosecrans, Standards and Guidelines, Infrastructure, 1, pg. 21:

*"...maintain or increase average pasture size to allow opportunities to enhance habitat connectivity. Guideline"*

We do not see the need to change pasture size to "enhance habitat connectivity" and question what habitat this entails. We suggest removing "...to allow opportunities to enhance habitat connectivity." as this Guideline is more closely related to grazing management.

8. Chapter 3, SIA 2.1, Cheyenne River SIA, pg. 23, last bullet:

*"While prairie dog colonies may occur in the area do not manage for the expansion or persistence of colonies, including satellite colonies. Colony control tools may be used to prevent the encroachment of colonies onto state and private lands. Guideline"*

The intent of a modified Cheyenne River SIA is to act as a buffer to private and state lands. However, it is not entirely clear how the FS intends to manage any prairie dogs within the SIA. We recommend revising the language in this bullet to read: "While prairie dog colonies may occur in the area, do not manage for expansion or persistence of colonies in the SIA. Satellite colonies should not be designated in the SIA. All colony control tools will be available at all times within the SIA. Guideline"

9. Chapter 3, MA 3.67, Fish and Wildlife, XX, pg. 26:

*"Active prairie dog colonies within Management Area 3.67 will be managed toward a target of 10,000 acres...Standard"*

We do not feel this should be a Standard. We recommend the FS make this component a Guideline to better facilitate adaptability in management and align more closely with a goal (or "target") than a requirement.

10. Chapter 3, MA 3.67, Fish and Wildlife, XX, pg. 26:

*"Active prairie dog colonies should be distributed across the landscape and vary in size up to approximately 1000 acres with an emphasis on colonies of 100 to 400 acres..."*

This Plan Component should be moved to Chapter 1 and apply to all FS lands on Thunder Basin.

11. Chapter 3, MA 3.67, Fish and Wildlife, XX, pg. 27:

*"If the responsible official determines that lethal control beyond density control is warranted..."*

We are unclear as to who the "responsible official" will be. If the Record of Decision is signed by the Forest Supervisor do they remain the "responsible official"? We suggest this change to read "If the District Ranger determines..." to avoid confusion.

12. Chapter 3, MA 3.67, Fish and Wildlife, XX, pg. 27:

*"...The sum of satellite colony acres and colony acres in Management Area 3.67 should be greater than 7,500 acres before allowing lethal control..."*

Change to read: *"...The sum...should be greater than or equal to 7,500 acres..."*

13. Chapter 3, MA 3.67, Fish and Wildlife, XX, pg. 27:

*"...Prairie dog control tools may include..."*

Please include "mechanical treatment (e.g., collapsing burrows, blading, etc.)" in this list.

**Comments on a Grassland-wide Alternative**

The FS included a section in the Scoping Document entitled "Alternatives to the Proposed Action" which somewhat outlines a grassland-wide alternative. As with any alternative, this could have advantages and disadvantages; however, the FS should analyze a grassland-wide alternative so these advantages and disadvantages can be better understood. The Working Group briefly discussed a grassland-wide option in 2018 but did not move forward with refinement of this option. Under a grassland-wide alternative, it is absolutely required the FS outline, at a minimum, how colonies will be monitored and delineated for protection or control and when a colony may or may not be protected at any location on Thunder Basin.

Thank you for the opportunity to comment and we look forward to working closely with you in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read "Doug F. Miyamoto". The signature is written in a cursive style with a large initial "D".

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  
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