



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

June 8, 2015

Public Comments Processing
Attn: FWS-R6-ES-2015-0013
US Fish and Wildlife Service, MS: BPHC
5275 Leesburg Pike
Falls Church, VA 22041-3803

To Whom It May Concern:

Following are the Wyoming Department of Agriculture's (WDA) comments pertaining to U.S. Fish and Wildlife Service (USFWS) Establishment of a Nonessential Experimental Population (NEP) of Black-Footed Ferrets (BFF) in Wyoming.

Our comments are specific to our mission within state government: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. As this project impacts our agriculture industry, our natural resources, and the welfare of our citizens, we believe it is important you continue to inform us of proposed actions and decisions and continue to provide us the opportunity to express pertinent issues and concerns.

The WDA commends the USFWS for their efforts to reestablish additional populations of BFF as an NEP under section 10(j) of the Endangered Species Act (ESA) with the specific requirements to down-list from endangered to threatened and to fully delist. We believe all BFF reintroduced in the State of Wyoming should have NEP status, as the block clearances clearly indicate there are no wild ferrets outside of the existing 10(j) area in Shirley Basin.

The WDA is a signatory Partner to the November 2013 Memorandum of Understanding (MOU) with a purpose to: "*identify the Parties and Partners of the Agreement, and their subsequent roles, responsibilities and authorities related to recovery of ferrets in the State of Wyoming under a statewide ferret 10(j) rule.*" Furthermore, the MOU states under Guiding Principles:

- "*The Parties agree that they will collaboratively identify, and prioritize, prospective ferret reintroduction sites in Wyoming outside of the current 10(j) area.*"
- "*The Parties affirm that livestock grazing, animal husbandry, and supportive management activities on private lands, and associated grazing leases on federal lands, are unlikely to be significantly affected by participation in ferret recovery efforts.*"

Wyoming is unique in the proactive and collaborative approach to reestablish BFF populations, while ensuring landowners have adequate protections. We insist the USFWS recognize the

Equal Opportunity in Employment and Services

BOARD MEMBERS

Jana Ginter, *District 1* • James Rogers, *District 2* • Shaun Sims, *District 3* • John Moore, *District 4* • Alison Lass, *District 5*
Bryan Brost, *District 6* • Kevin Schieffer, *District 7*

YOUTH BOARD MEMBERS

Kendall Roberts, *Southeast* • Richard Schlenker, *Northwest* • John Hansen, *Southwest* • Cameron Smith, *Northeast*

Black-footed Ferret 10(j)

6/8/2015

Page 2 of 2

MOU, its purpose, and guiding principles across all landownership types. We believe BFF are compatible with ranching activities. We strongly oppose any reintroductions onto federal lands where the federal land agencies would reduce Animal Unit Months, inhibit implementation of grazing management plans, and/or develop additional terms and conditions of grazing permits, due to the presence of BFF or associated species.

We urge all future participating private landowners interested in BFF reintroductions work closely with the USFWS ensuring a Safe Harbor Agreement (SHA) is in place. We understand the SHA will remove additional regulatory oversight and uncertainty, inclusive of ensuring the program is voluntary with the ability to remove BFF back to a baseline of zero.

WDA continues to have a concern for those landowners who allow BFF reintroductions, but later insist the USFWS remove them. The reintroduction of BFF will prohibit landowners from treating prairie dog colonies. Should the landowner request the USFWS remove ferrets back to baseline, we request the agency also ensure the prairie dog colony does not exceed more than the original acreage when the BFF were reintroduced. WDA insists the USFWS include this in both the 10(j) NEP rule and SHA.

We reiterate our support for the USFWS to reestablish NEP BFF populations under the statewide 10(j) with the intent to remove the species from the ESA list. We urge the USFWS to include the WDA in all future planning efforts to prioritize reintroduction sites. If you have any further questions, please feel free to contact Justin Williams, Senior Policy Analyst at 307-777-7067.

Sincerely,



Doug Miyamoto
Director

DM/jw

CC: Governor's Policy Office
Wyoming Board of Agriculture
Wyoming Stock Growers Association
Wyoming Wool Growers Association
Wyoming Farm Bureau Federation
Wyoming State Grazing Board
Wyoming Association of Conservation Districts
Wyoming Game and Fish Department