



Wyoming
DEPARTMENT OF *Agriculture*

Mark Gordon, *Governor*
Doug Miyamoto, *Director*
2219 Carey Ave. • Cheyenne, WY 82002
Phone: (307) 777-7321 • Fax: (307) 777-6593
Web: agriculture.wy.gov • Email: wda1@wyo.gov

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

September 15, 2020

Jamie Schwartz
National Program Manager
Shooting Sports, Recreation Heritage, and Volunteer Resources
201 14th St SW
Washington, DC 20024

Dear Mr. Schwartz,

Following are the Wyoming Department of Agriculture (WDA) comments regarding the US Department of Agriculture Forest Service (USFS), Forest Service Handbook (Handbook) 5309.11 Chapter 30 Law Enforcement: public notices and comment for closures of national forest system lands to hunting, fishing, or recreational shooting.

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 USFS providing the public additional transparency and opportunity to comment on potential temporary or permanent closures. We offer the following comments to consider in the future amendment to the Handbook.

USFS states they are seeking additional transparency for "emergency closures." WDA assumes the transparency the USFS is seeking is through a public review and comment. This remains unclear from the Handbook. Should this occur, WDA is concerned the inclusion of public review to seek an emergency closure of USFS lands according to the definition of "emergency," will likely cause adverse impacts to not only forest land users, but also the natural resources. As stated on page 4, the definition of emergency is:

"For the purpose of this section (34) only, when hunting, fishing, or recreational shooting in an area of National Forest System lands is directly causing or is highly likely to directly cause significant adverse effects on public health or safety, natural resources or cultural resources, and a prohibition on hunting, fishing, or recreational shooting is needed immediately to mitigate or prevent those adverse effects."

In Wyoming, the Thunder Basin National Grassland has seen upwards of 100,000 acres of black tailed prairie dog colonies. These prairie dogs are considered a safety hazard within one mile of residences due to fleas carrying sylvatic plague. Recreational shooting of prairie dogs is one tool approved to reduce density, improve vegetative range conditions, reduce bare ground, and likely encroachment of prairie dogs onto neighboring private lands and residences.

Equal Opportunity in Employment and Services

BOARD MEMBERS

Jana Ginter, *District 1* • James Rogers, *District 2* • Shaun Sims, *District 3* • Amanda Hulet, *District 4* • Mike Riley, *District 5*
Bryan Brost, *District 6* • Larry Krause, *District 7*

YOUTH BOARD MEMBERS

Landon Hoffer, *Southeast* • Jared Boardman, *Northwest* • Hadley Pape, *Southwest* • Cameron Smith, *Northeast*

NFS Lands Closure to Hunting, etc.

9/15/20

Page 2 of 2

Based solely off the definition of emergency, and with the additional input from the public, those who oppose recreational shooting of prairie dogs could cite the need for permanent closure of recreational shooting across the entire Thunder Basin National Grassland due to the "high probability of imminent and irreversible damage to sensitive or endangered species." Prior to amending the definition and implementation of emergency, WDA requests working with State Cooperating Agencies to consider other examples of potential misapplication of the temporary or permanent closure.

The WDA works very closely and consistently with the USFS as a Cooperating Agency under a statewide Memorandum of Understanding. We would appreciate the opportunity to represent our constituents and our mission regarding potential closures. The USFS states under 34.2, they will coordinate with the appropriate state fish and wildlife agency. In regards to the recreational shooting of black tailed prairie dog, the WDA Weed and Pest Control Act statutes actually govern management of these species, which are a designated "pest."

While we strongly support working with the Wyoming Game and Fish Department (WGFD), the proposed changes to the Handbook have the potential to negatively impact other state agencies. WDA recommends not only coordinating with WGFD in our state, but also other state agencies, including WDA.

We also urge the USFS to consider the reversal process of a decision to temporarily or permanently close an area. As stated, the Handbook only provides the information for public input on closures, but neglects to identify the process in which to reverse the decision. We have numerous examples of land closures with little to no ability or direction to reactivate the use of the lands. Additionally, we believe the Handbook is unclear of how the public can object or appeal a decision. If the decision is administrative with no Environmental Assessment, the public is left with no ability to rectify a wrongful closure. This is especially important when the administration changes within the supervisor and district ranger offices.

We appreciate the opportunity to comment on the Handbook and look forward to working with your staff on this project. If you have questions, please 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
Wyoming County Commissioners Association
Public Lands Council