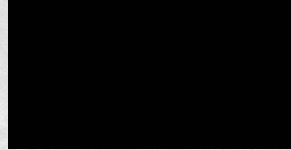




**NATIVE ECOSYSTEMS COUNCIL**



Certified Mail #

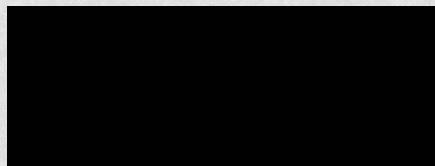


USDA Forest Service Rocky Mountain Region  
Attn: Objection Reviewing Officer  
PO Box 18980  
Golden, CO 80402

**OBJECTION  
AGAINST THE DRAFT RECORD OF  
DECISION FOR THE  
THUNDER BASIN NATIONAL GRASSLAND  
2020 PLAN AMENDMENT**

**1. Objector's Name, Address and Telephone Number.**

Native Ecosystems Council  
Director Sara Johnson



**2. Name of the Plan, Plan Amendment or Plan Revision being  
Objected to, or Plan Revision to which the Objection Applies.**

Draft Record of Decision for the Thunder Basin National Grassland  
2020 Plan Amendment.

**3. Name and Title of the Responsible Official**

Russell Bacon, Forest Supervisor, Medicine Bow-Routt  
National Forest and Thunder Basin National Grassland



#### **4. A Statement that Demonstrates the Link Between the Objector's Prior Substantive Formal Comments and the Content of the Objection.**

NEC Director Sara Johnson provided written comments on the proposed amendment on January 7, 2020. Our major concerns, which are carried forward in this Objection, including a strong objection for reducing wildlife protections for the embattled prairie dog, a keystone species for a host of other wildlife. We also noted that promoting livestock production over wildlife on these public lands has no public benefits except financial benefits to the livestock industry, a small segment of the public. We recommended that there be an alternative that removes livestock grazing from prairie dog habitat, which would eliminate the claimed conflicts between prairie dogs and livestock. This action would also benefit many wildlife species that require high levels of vegetative cover, which in turn would benefit wildlife species that prey on these species. This alternative would end the aerial gunning of coyotes, as well as other removal programs, as well a remove the need for barbed wire fences, which cause direct mortality to a host of bird species, including the short-eared owl that occurs in this landscape.

We also noted that the proposed alternatives needed a complete economic analysis. Upon our review of the draft ROD and FEIS, we found there is no inclusion in the economic analysis that addresses the huge subsidy and cost to the American taxpayer for livestock grazing.

Finally, we noted that the presence of prairie dogs is an excellent indicator of wildlife diversity. The actual acreage on these public lands that has been dedicated to this keystone species has never been clarified, which means the agency has never defined why the acreage of high wildlife diversity is considered excessive (percentage of the public landscape), and this percentage needs to be reduced to promote livestock grazing. We note that the alternatives provide never do quantify what percentage of the landscape should contain prairie dog towns based on viability. Simply providing a target acres of 7500 acres does not provide the public with information as per the percentage of the landscape that will be managed for this keystone species. Does the percentage of this keystone habitat to be provided on only 7500 acres adequately address the public issues?



## **5. A Statement of the Issues and/or Parts of the Plan, Plan Amendment, or Plan Revision to Which the Objection Applies.**

This Objection applies to the proposed significant reduction in the percentage of the landscape on the public lands of the Thunder Basin National Grassland that will be dedicated to wildlife habitat. There is no significant public benefit to reducing wildlife on these public lands in order to promote a private enterprise, or livestock grazing. There is also no valid science upon which this proposed reduction of black-tailed prairie dog habitat is based, including what is needed for long-term viability of both the prairie dog and associated species. This management plan will require a huge increase in the subsidies that the government already provides to private enterprises, in this case the livestock industry. In addition to the huge ongoing costs for management of these public lands for cattle, changing the current management program for black-tailed prairie dogs will add another huge cost over what conservation of this species current entails. The overall cost of the subsidy to the livestock industry is never identified in this proposed amendment, and as a result, the Forest Service has failed to provide critical information to the public. This is actually a livestock management plan, not a conservation plan for the black-tailed prairie dog and associated wildlife.

Our specific issues are as follows:

1. How this plan will impact the genetic viability of the embattled prairie dog is never identified. It is unclear why only 7500 acres of their habitat spread across 51,000 acres represents a viable, interconnected population of prairie dogs. This is a landscape distribution of only 15%. This very restricted acreage for prairie dogs is clearly inadequate to ensure viability, but this effect is never acknowledged in the draft ROD, in violation of the National Environmental Policy Act (NEPA) and the National Forest Management Act (NFMA). It is noted that there should be no more than 4.5 miles between colonies. Thus distribution is obviously key to viability. There is no such requirement in the proposed amendment, however. It is also noted that a minimum of 4500 acres is recommended for one management complex for prairie dogs, but there could only be one such complex provided in the 7500 acres being allotted for prairie dogs in the proposed amendment. There is no analysis ever provided to indicate how this management proposal can maintain a viable population of prairie dogs as a result.



2. The agency failed to define why reduction in prairie dog habitat, first down from the initial 51,000 acres, and then down to 33,000 acres, which in turn requires only 7500 acres of occupied prairie dog habitat, is being proposed for wildlife management. This severe reduction in prairie dog habitat is clearly being done for the livestock industry, but this connection is never clearly identified to those publics that support wildlife. And since the draft ROD and associated Final Environmental Impact Statement (FEIS) did not actually evaluate the public costs of livestock grazing, it is unknown how much this prairie dog reduction program will actually benefit this private industry. Thus the costs to wildlife versus the benefits to the livestock industry have never been identified to the public, even though this is the sole objective of this plan amendment. This is a clear violation of the NEPA.

3. The agency has violated the NEPA by allowing a strong, almost complete dominance of industry-related groups, government agencies, and livestock industry related individuals to be on the collaborative group. There is no single member of any environmental nonprofit group that would provide a wildlife emphasis to this proposed revision. There was a recent court decision in Montana that found that this type of unbalanced composition for collaborative groups involved in public lands management is a violation of the NEPA. We also note that individuals that have a financial interest in the outcome of the proposed revision should not be on a collaborative group, since this is a conflict of interest.

4. Use of collaboration to make significant land management decisions, including those that require a huge adverse impact on wildlife, is a violation of the NEPA because the collaboration members are given the power to make decisions that in fact should be made by the general public. These collaboration projects exclude 99.9% of the public from the development of alternative actions. In effect, this collaboration process is a means of excluding the general public from management decisions on public lands.

5. The draft ROD notes that several government groups, such as county commissioners, were actually allowed to be ID team members. This is a clear violation of the NEPA, as these individuals will clearly promote the livestock industry over wildlife habitat management. Why weren't any members of environmental groups included on the ID team work?

6. The biological assessment and concurrence by the U.S. Fish and Wildlife Service concluded that there will be no adverse impacts on the black-footed



ferret. This is impossible, as the landscape area where future introduction or this ferret is being drastically reduced. It is noted that the goal for prairie dog occupancy will be 7500 acres. This will be insufficient habitat for the ferret, where it is noted that one pair requires 150 acres of prairie dog habitat for persistence. Allowing 7500 acres of prairie dog habitat on the grasslands will provide for 50 pairs of ferrets, while a minimum of 500 breeding pairs is required for viability. This plan amendment therefore will prevent this area from ever providing habitat for a viable population of ferrets. It is unclear why this would be considered a significant adverse impact to this species. The Forest Service clearly needed to complete formal consultation on the planned prevention of any future ferret populations on these national grasslands.

7. The allowance of recreation shooting of prairie dogs, or “thrill killing,” is a violation of the NEPA because the publics that would oppose such a disgraceful activity were not included as an ID team member or on the collaborative group members. This is a disgraceful activity by any standards, and killing wildlife should not be a form of public recreation on public lands. The biological evaluation indicated that there will also be secondary impacts of this activity, including lead poisoning of eagles. There was no actual data provided to support the agency claims that this lead poisoning will be minor. It has been found to be a significant adverse impact to a variety of raptors, and the justification of this practice needs to be evaluated as per the risk of lead poisoning to wildlife.

8. There is never any actual analysis in the FEIS as to why prairie dog colonies need to be controlled, other than to promote livestock grazing. Is the agency claiming that without control, these populations will take over the entire grasslands? The agency never did define why the current management program, or the “no action” alternative, is affecting the distribution of prairie dogs across the grasslands.

9. There was no alternative that would have addressed public concerns about the adverse impacts to wildlife in general from prairie dog control. This is likely due to the almost complete dominance of the collaborative groups by individuals and/or government agencies that strongly support the livestock industry or recreational shooting of prairie dogs, and the Wyoming Game and Fish Department. An environmental alternative could have included many different options, including trading control of prairie dogs on some adjacent private lands for the privilege of public lands grazing. Such an



alternative could have identified an expansion of prairie dogs colonies across these public grasslands to promote future occupancy by the black-footed ferret. Such an alternative could have explored the removal of livestock use in areas where significant conflicts with prairie dog colonies exists. And such an alternative could have included optimal practices for prairie dog management on designated acres on the grasslands, instead of allowing various adverse management actions on prairie dogs in all of the developed alternatives. Overall, the agency has violated the NEPA by failing to develop an action alternative that adequately addresses public issues that would favor prairie dog management and thus other wildlife species.

10. The FEIS for the proposed amendment is severely deficient in providing any actual estimates of how the alternatives will reduce associated wildlife species. Prairie dogs provide a vast supply of food for a large number of wildlife species, including sensitive species as the swift fox and ferruginous hawk, raptors as both the golden and bald eagle, as well as other species that suffer a significant degree of mortality from humans, such as the badger. This species is also a keystone species in that it creates large burrows for many other wildlife species, such as cottontail rabbits. There is no information ever provided on specifically what the level of impact on these other associated species will be based on the expected level of prairie dog colonies in the grasslands. All of the associated species will be managed at the same level that prairie dogs will be managed. But whether this level will be suitable for persistence is never identified. Instead, only vague references are provided that almost all these sensitive species will be harmed and thus reduced by prairie dog control. If this level of harm and reduction is never defined, then this is never given a "hard look" in the proposed actions. And the public is never provided with any meaningful information as to the costs to wildlife associated with prairie dog reductions. A simple means of such an analysis would be defining the percentage of the national grasslands where these species would be optimized. This would provide the public with a clear understanding of how wildlife in general is going to be managed with the proposed amendment, a factor that is required by the NEPA.

11. There is almost no information provided on management of plague control in these prairie dog colonies, even though it was noted that severer population decline occur frequently due to the plague. There needs to be an action alternative whereby the funds are made available for plague control, since there are now measures where this can be rather easily done. This



would also promote the future occupancy of these grasslands by the black-footed ferret.

12. The draft ROD and FEIS are extremely vague about “density control” of managed prairie dogs areas, where 50% of the individuals can be killed. There are clear loopholes for this type of control within the paltry 7500 acres that are being allotted for prairie dogs. So it is very misleading to the public that there will actually be some areas where prairie dogs are promoted, since in fact even these areas can have prairie dog control, with half of the animals removed. This allowance needs to be clearly identified for the proposed action, along with a rationale as to why this density control will promote prairie dogs.

13. The discussions about secondary poisoning to other wildlife species failed to provide any actual estimates as to the numbers of nontarget wildlife species that are likely to be killed by secondary poisoning, including rodenticides are allowed when other control measures are not working. The impacts of secondary poisoning were largely brushed over in the FEIS, including for many small mammals, including ground squirrels and field mice, that will die from control activities and then be consumed by other wildlife. Overall, the acres where poisoning is allowed will have a direct impact on nontarget wildlife, and the acres where this will be allowed per alternative, including the no action alternative, need to be identified so the public can have some idea of how this adverse impact is going to be managed on these public lands.

## **6. Relief Requested**

NEC requests that this proposed amendment should be canceled and a valid process implemented that does not exclude 99.9% of the public for planning management of black-tailed prairie dogs and other wildlife across the Thunder Basin National Grasslands. A broad spectrum of the public needs to be involved in development and/or updating of the Thunder Basin National Grasslands prairie dog management plan so that proposals include valid conservation programs for the black-tailed prairie dog, rather than just proposals that promote livestock use. There are likely a variety of actions that would promote both this prairie dog species along with many other species of wildlife across these national grasslands, and such alternatives need to be considered for any management program.



Any development of conservation programs for prairie dogs needs to address the costs of all associated land management activities, including livestock grazing and ongoing predator control, along with any costs associated with prairie dog control. These costs need to be an important consideration of any proposed programs for prairie dog management.

Signed this 14<sup>th</sup> day of July, 2020

A handwritten signature in cursive script, reading "Sara Johnson", is written over a horizontal line.

Sara Johnson, Director  
Native Ecosystems Council

