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CONSERVATION - DEVELOPMENT - SELF-GOVERNMENT

October 1, 2019

Mr. Chris French

Objection Reviewing Officer

United States Forest Service

UNITED STATES DEPARTMENT OF AGRICULTURE

1400 Independence Ave., SW,

EMC-PEEARS, Mailstop 1104

Washington, DC 20250

RE: Objection regarding the Greater Sage-grouse Draft Record of Decision and Land Management Plan Amendment for National Forest Service Land in Wyoming - Request to Participate as an Interested Person

Dear Mr. French:

On behalf of the Wyoming Association of Conservation Districts (WACD), I am writing to request the opportunity to participate in meetings related to objections to the United States Forest Service's (the "Service") Greater Sage-grouse Draft Record of Decision (DROD) and Final Environmental Impact Statement (FEIS) for the Land Management Plan Amendments (LMPA) regarding National Forest System Lands in Wyoming (the "Draft ROD"). WACD has been actively engaged in the Service's Sage-grouse plan amendment process as a cooperating agency and we do not object to the Draft ROD as proposed but wish to remain involved to support the proposed action, understand objections and to stay apprised of potential changes to the decision.

As per the Service's September 2019 Sage-grouse Bulletin #13, any cooperating agency that participated in the National Environmental Policy Act ("NEPA") process for the Draft ROD has "automatic standing as Interested Persons, but they must contact the Forest Service to request the status." Based on this guidance and through this correspondence, WACD is formally requesting interested person status in all meetings addressing objections to the Draft ROD.

However, the Service indicates in the Draft ROD itself that interested persons "must have previously submitted substantive formal comments related to the objection issues," are required to "identify the specific issues they have interest in discussing" in their request and "will be able to participate in discussions related to issues on the agenda that they have listed." It is unclear whether these requirements and limitations apply to cooperating

agencies, or if cooperating agencies are entitled to attend all meetings and discuss all issues regardless of previous comments or topics listed.

In the event the Service is adopting policy language in the Draft ROD, WACD indicates here that it has submitted substantive formal comments, which are attached to this letter, and requests the opportunity to participate in discussions on the following issues:

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- a. Alignment with the State of Wyoming Sage-grouse Core Area Protection Executive Order;
- b. The elimination of sagebrush focal areas in lieu of the State of Wyoming's Core Area Protection Strategy;
- c. The adjustment of habitat management area maps to be consistent with Wyoming's current core area maps;
- d. Mitigation requirements, including the removal of the "net conservation gain" requirement;
- e. The use of compensatory mitigation and consistency with the Wyoming Revised Greater Sage-grouse Compensatory Mitigation Framework;
- f. Desired conditions related to seasonal habitat;
- g. Grazing guidelines;
- h. Recognition and protection of private property rights including split estate situations;
- i. Adaptive management;
- j. Invasive plants and species; and
- k. The Draft ROD's use of plan components and optional plan content.

While WACD supports the Draft ROD as proposed and the efforts the Service has made to better align with the agency's Greater Sage-grouse Land Use Management Plans and the State of Wyoming's Sage-grouse Core Area Protection Executive Order, we reserve the right to participate in subsequent litigation as plaintiff if the Service alters its proposed decision in a way objectionable to WACD, or as intervenor supporting the Service's final decision.

We appreciate the opportunity to participate in the process and we look forward to continuing to work with the Service, other cooperating agencies and objectors to reach a Final ROD. Should you have questions or require additional information, please do not hesitate to contact me at (307) 632-5716 (bobbie.frank@conservewy.com).

Sincerely,

Bobbie K. Frank

Executive Directors

CC: The Honorable Governor Mark Gordon

United States Senator Mike Enzi

United States Senator John Barrasso

United States Congresswoman Liz Cheney

WACD Board of Directors

Wyoming Conservation Districts

National Association of Conservation Districts