

August 9, 2011

A special meeting of the Weston County Commissioners convened at 9:00 a.m. with Chairman Tom W. Bruce presiding. The purpose of this special meeting was for Coordination purposes between Weston County, the United States Forest Service (USFS), and the United States Fish & Wildlife Service (USFWS). Present for the meeting were Commissioners: Tom W. Bruce, Marty Ertman, Lenard D. Seeley, Jerry Shepperson and County Clerk, Mamie C. Krank. Ray Pacheco, Growth & Development Coordinator, was present to tape record the session. Also present were Resident Experts: Bryan Stroh, Gary Jacobson, and Bob Harshbarger. In attendance: Glenn Gordon, Rancher/Thunder Basin National Grassland Assoc. Board Member, Hale Redding, Weston County Weed & Pest, Cheryl Schwartzkopf, Converse County Weed & Pest, Dean Kanode, Rancher, Joan Neumiller, Rancher, Denise Langley, Rancher, Robert Bonnar, News Letter Journal, Matt Jones, Field Representative to Congressman Lummis, and Ron Opsahl, Natural Resource Attorney-Wyoming County Commissioners Association. Not in attendance: Commissioner Rossman, Phil Cruz, Forest Supervisor (USFS), and Mark Sattelberg, Field Supervisor (USFWS).

United States Forest Service (USFS) United States Fish & Wildlife Service (USFWS) Discussion

Bob Harshbarger, Resident Expert, began by requesting assistance from the Weston County Commissioners to overturn the USFS Record of Decision, because federal laws were not followed by the Federal Agencies involved with regard to the Coordination process between Federal and Local government. Mr. Harshbarger believes that ranchers are at risk of losing their means of livelihood because of the economic consequences of trans-locating prairie dogs. Discussion ensued regarding the USFS enforcing "no shoot zones" on private property and the rights of the property owners. Mr. Harshbarger discussed the need for agreements between landowners and the Federal Agencies to avoid conflict. Chairman Bruce raised questions regarding coordination when he read aloud an article authored by the USFWS regarding the benefits of Federal Agencies and Landowners working together for wolf management. It was decided that these questions needed to be directed to Mr. Sattelberg, USFWS, who was not present for the meeting. Concerns were raised regarding the recent decision by the USFS to forego the required quarantine procedures when trans-locating prairie dogs between counties, as well as the decision to trans-locate prairie dogs within the 4.35 mile radius to private land, as specified in the USFS Record of Decision. Commissioner Seeley raised the question of personnel, and whether contacting a different representative would make a difference in the federal cooperation efforts.

The hour being 9:37 a.m. it was noted for the record that neither the USFS representative nor USFWS representative were present for the Coordination Meeting and neither had called.

Gary Jacobson, resident expert, commented that range conservationists are sympathetic to ranchers concerns, while biologists are mandated by Congress to provide support for endangered species. Concerns were raised over action taken by the USFS to fence in acreage on private property around prairie dog sites. Matt Jones, Field Representative to Congressman Lummis, will take Weston County's concerns back to congressional members after approaching state officials and Governor Mead. Mr. Harshbarger believes all citizens need to stand up for their rights. Commissioner Shepperson suggested forming a coalition of Counties and Landowners to fight against the violations discussed. Joanne Neumiller, Sunshine Valley Ranch, stated that the Thunder Basin Grazing Association has appealed on behalf of affected landowners. Discussion ensued on introduction of the Black Footed Ferret, and endangered species, and the impact such an introduction would have on the multiple use policies on Federal lands. Matt Jones, Field Representative to Congressman Lummis, questioned the absence of both agencies representatives. Chairman Bruce explained that Weston County had gone to great lengths to ensure their attendance, citing letters sent, multiple telephone calls, and messages. Commissioner Ertman asked Mr. Opsahl, Natural Resource Attorney for the Wyoming County Commissioners Association (WCCA), if the intended introduction of Black Footed Ferrets could be stopped. Mr. Opsahl advised that the time to act would be when the Environmental Impact Statement (EIS) is presented for this process. Once an Environmental Analysis is in place, the parties' comments are less effective. Mr. Opsahl raised the possibility of litigation on the implementation of the USFS Plan or Record of Decision, because it was not followed properly;

however, Mr. Opsahl also stated that the Record of Decision (ROD) would probably not be overturned, because only parties which have filed an appeal to the ROD have the ability to question its legality.

Coordination Meeting Schedule

A motion was made by Commissioner Shepperson, seconded by Commissioner Ertman, to set another Coordination meeting with the following entities on August 31, 2011: US Game & Fish from 9:00 a.m.-11:00 a.m., US Fish & Wildlife Service from 11:00 a.m.-1:00 p.m., and US Forest Service from 1:00 p.m.-3:00 p.m. As a part of the motion, each entity will be notified by letter and a requested response for scheduling issues should be received by Weston County before August 22, 2011. Carried.

The meeting recessed at 11:38 a.m. and reconvened at 1:00 p.m., with Vice Chairman Shepperson presiding. Also present: Hans Hunt, State Representative for House District #2/Landowner, and Donna Hunt, Landowner, Terry Groenewold, Landowner. Chairman Bruce was absent for the afternoon session, as were Phil Cruz, Forest Supervisor (USFS), and Mark Sattelberg, Field Supervisor (USFWS).

The importance of Coordination between governmental entities was discussed. The definition of "Coordination" was discussed. County Commissioner Resolutions were discussed in general. Mr. Harshbarger stated that there is a Supreme Court Decision which states that livestock grazing on Federal lands is a legitimate business and should be protected.

The hour being 1:30 p.m. it was noted for the record that neither the USFS representative nor USFWS representative were present for the Coordination Meeting and neither had called.

Hans Hunt, State Representative for House District #2/Landowner, addressed the concerns of the group and stated that private property rights are important although research would need to be done before introducing new legislation. The loss of more private property rights because of a change in legislation was discussed. Donna Hunt suggested getting support through the Wyoming County Commissioners Association for a statewide Resolution which would hold more weight if all the Commissioners were standing together on the issue. The current "No Shoot Zone" contains 105,000 acres within Weston County; of those 54,000 acres are National Grasslands.

The Commissioners thanked all in attendance for their participation.

There being no further business to come before the Commission, the meeting adjourned at 2:10 p.m.

Attest: Mamie C. Krank
County Clerk

Tom W. Bruce
Chairman