

WESTON COUNTY COMMISSION

RESOLUTION NUMBER 13-03

WHEREAS, in 2002, a Record of Decision adopting the 2001 Thunder Basin National Grassland Land and Resource Plan (LRMP), was signed; and

WHEREAS, on June 22, 2009, Deputy District Ranger Misty Hayes, signed a Notice of Intent to prepare an environmental impact statement, correction to the 2001 LRMP for prairie dog management; and

WHEREAS, the June 22, 2009 Notice of Intent Proposed Action section stated that: "The Forest Service proposes to develop a project-level and site-specific implementation strategy to manage prairie dogs using the full suite of management tools to maintain viable populations to support black-footed ferret reintroduction and populations of other associated species while reducing unwanted colonization of prairie dogs on adjoining lands along National Grassland Boundaries"; and

WHEREAS, on November 11, 2009, Medicine-Bow Routt National Forest Supervisor, Mary Peterson, signed another Record of Decision implementing the Thunder Basin National Grassland Prairie Dog Management Strategy and Land and Resource Management Plan Amendment #3, and amending the 2001 LRMP; and

WHEREAS, on September 13, 2013, Medicine-Bow Routt National Forest Supervisor, Phil Cruz, published in the Federal Register (vol. 78) a Notice of intent to prepare an environmental impact statement, as "[t]he amendment is being proposed to address continuing concerns regarding prairie dog management, raised by the State of Wyoming"; and

WHEREAS, the September 13, 2013, Notice of intent to prepare an environmental impact statement states that: "The scope of this proposal is limited to those actions described above. Other issues related to black-tailed prairie dog or black-footed ferret conservation and management in the project area are outside the scope of this proposed action."; and

WHEREAS, 40 C.F.R. 1501.7 requires that there "shall be an early and open process for **determining the scope of the issues to be addressed and for identifying the significant issues related to the proposed action**" (emphasis added); and

WHEREAS, 40 C.F.R. 1501.7(a) requires that "the lead agency shall: (1) Invite the participation of affected Federal, State, and local agencies"; and

WHEREAS, 40 C.F.R. 1508.25 mandates criteria the Federal Agency is required to consider in determining the scope of environmental impact statements; and

WHEREAS, 36 C.F.R. 213.1(d) requires that "[i]n the administration of the National Grasslands the resources shall be managed so as to maintain and improve soil and vegetative cover, and to demonstrate sound and practical principles of land use for the areas in which they are located"; and

WHEREAS, The National Forest Management Act (NFMA), 42 USC 1604(a), provides that the "Secretary of Agriculture shall develop, maintain, and, as appropriate, revise land and resource management plans for units of the National Forest System, **coordinated with land and resource management planning processes of State and local governments**" (emphasis added); and

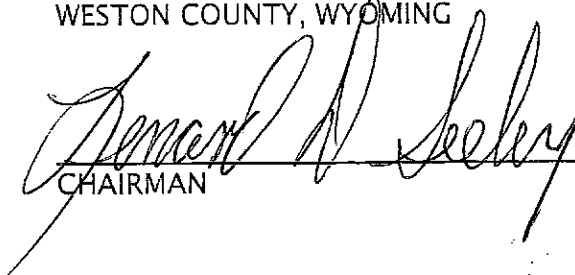
WHEREAS, the County finds that the Proposed Action Section is too narrowly drafted and arbitrarily narrows the scope of the environmental impact statement by failing to take a hard look at the actions, alternatives and impacts required by the National Environmental Policy Act and the implementing regulations contained in Title 40 of the Code of Federal Regulations;

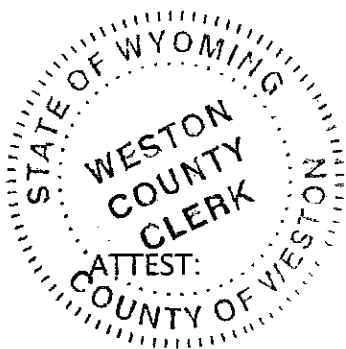
NOW, THEREFORE BE IT RESOLVED, Weston County respectfully requests that the United States Forest Service fully comply with the above-cited Federal Code and Regulations, including 40 C.F.R. 1501.7 and 1508.25, ensuring that the scope of the EIS is sufficiently broad enough to take the hard look necessary to comply with both the spirit and letter of the National Environmental Policy Act, thereby avoiding future planning processes.

BE IT FURTHER RESOLVED, that the County respectfully requests that the United States Forest Service incorporate the attached document titled The Good Neighbor Alternative as an alternative in the EIS proposed by the September 9, 2013, Notice of Intent.

MOVED, SECONDED AND ADOPTED this 30<sup>th</sup> day of December, 2013.

BOARD OF COUNTY COMMISSIONERS  
WESTON COUNTY, WYOMING

  
CHAIRMAN





WESTON COUNTY COMMISSION

RESOLUTION NUMBER 13-03

# THE GOOD NEIGHBOR ALTERNATIVE

## PROPOSED ALTERNATIVE FOR SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT PRAIRIE DOG AMENDMENT TO THUNDER BASIN NATIONAL GRASSLAND LRMP

Section 1: The United States Forest Service shall maintain a ½ mile prairie dog free buffer zone adjacent to all private and state land, regardless of prairie dog management category, management area or geographic area within or adjacent to any and all of the Thunder Basin National Grasslands, for the purpose of controlling the prairie dog population within the buffer, preventing colonization and destruction of private and state lands and the spread of the sylvatic plague. (The Buffalo Gap National Grassland in South Dakota currently implements a ½ mile prairie dog buffer zone)

Section 2: The United States Forest Service shall provide for firearm shooting and the use of all approved rodenticides to control the prairie dog population within the ½ mile buffer zone.

Section 3: The United States Forest Service may not prohibit the control mechanisms described in Section 2 contingent on any management tool or trigger, or absent substantial and material ecological justification resulting from study, development and description of appropriate alternatives.

Section 4: The United States Forest Service shall provide for use of rodenticides consistent with the product label timeframes.

Section 5: The United States Forest Service shall manage the ½ mile buffer zone so as to maintain and improve soil and native vegetative cover after prairie dog control efforts by providing for the collapsing of prairie dog mounds and continuing to utilize cattle and sheep hoof action to break the soil capping to allow new native vegetative seedlings to colonize the bare patches, thereby inhibiting prairie dog re-infestation and curtailing the cost and need for further rodenticide treatment. Burning and/or mowing may not be implemented in the ½ mile buffer zone absent substantial and material ecological justification resulting from study, development and description of appropriate alternatives. See: 36 C.F.R. 213.1(d); 16 USC 1600(4); and Ecological Principles of Short Duration Grazing, Allan Savory and Scott Parsons.

Section 6: The United States Forest Service shall annually monitor and control the "control colonies" described on Page 49 of the Black-tailed Prairie Dog Conservation Assessment and Management Strategy for the Thunder Basin National Grassland for the purposes of: (1) protecting residences where health and safety issues are a concern with a one mile prairie dog free and prescribed fire free buffer zone; (2) preventing colonies from moving toward private and state land; additionally, (3) protecting the structural integrity of structures, including but not limited to dams and cemeteries; (4) discouraging a landscape wide plague epizootic; (5) maintaining soil

and native vegetative cover to a minimum level of 25 to 50 percent similarity to site specific ecological site description; and/or (6) preventing the destruction, modification or curtailment of Greater Sage Grouse habitat or range, including but not limited to the designated Wyoming Greater Sage Grouse Core Areas. See: 16 USC 1533; 16 USC 1536; 36 C.F.R. 213.1(d); and the Nebraska National Forest LRMP and Amendments that currently implement a site similarity index in order to provide for the maintenance of the soil and vegetative cover on the Buffalo Gap National Grassland.

Section 7: The United States Forest Service shall comply with any current and official Wyoming Game and Fish Commission Policy on Translocation of Prairie Dogs in Wyoming; however, if an affected County has a County Land Use Plan that conflicts with the Wyoming Translocation Policy, the County Land Use Plan shall supersede the State Policy. 16 USC 1604(a)