

February 21, 2013

Kimberly Tamkun
U.S. Fish and Wildlife Service
National Black-footed Ferret Conservation Center
P.O. Box 190
Wellington, CO 80549-0190

Sent Via Email: FerretSHA@fws.gov

Dear Ms. Tamkun;

The United States Cattlemen's Association (USCA) offers the following comments regarding the current proposal for the reintroduction of the Black Footed Ferret as originally published in the December 19, 2012 issue of the Federal Register (FWS-R6-E5-2012-N190; FF060E1600-123-FXES111600000D2). USCA appreciates the extension of time to comment and offer our concerns with the proposed rule.

USCA is concerned about the expedited nature of the proposed plan, the lack of state and local involvement in the development of this plan, the implications that voluntary cooperative agreements will result in habitat improvements without reference to any environmental assessments that might indicate this program could result in unanticipated damages to the environment and to existing ranching operations, and we are concerned about the arbitrary nature of the plan itself and the amount of governmental capital it will take to implement and maintain such a plan. USCA requests that a comprehensive economic analysis be completed as such a report is necessary to better understand the financial implications of this plan.

The development of the plan is based on the creation of Safe Harbor Agreements (SHA) throughout a 12-state region. The prevalence of prairie dogs throughout the proposed area should be noted. This proposal not only addresses the reintroduction of Black Footed Ferrets within this region, it also addresses the maintenance of prairie dog populations within these areas. This should be treated as a two-fold proposal and all criteria should take into account both species which must be maintained for the plan to achieve its goal.

The proposed plan has been touted as friendly to landowners based on the concept of a voluntary landowner enrollment that lies at the core of the proposal, but our members wish to highlight a number of concerns.

Voluntary Enrollment:

- Black Footed Ferrets are a wild animal; they do not abide by fence lines, gates or other boundaries that exist for individual protection of one's cattle herd or other livestock. Prairie dogs are burrowing animals that also do not abide by fence lines, gates or other physical boundaries. Voluntary enrollment in this program may very well result in the involuntary participation of the neighboring property owner who may unwillingly become a host to the species involved in this plan. The USFWS needs to definitively identify the "structural and vegetative" barriers that they state will be put in place to ensure prairie dogs and ferrets are retained within the acreage under

agreement. We believe it is very unlikely that there are such barriers available or capable of this prescribed use.

- Established prairie dog colonies are a precursor to any enrollment into the program. Prairie dogs are a species that have been battled throughout the Midwest for years based on the destruction to rangeland that their presence creates. While one landowner may wish to create a “safe harbor” for the ferret on their property and in the process increase their prairie dog population, their neighbor may not want the bare dirt that results from large populations of prairie dogs eating grass and seeds, the increased populations of rattlesnakes that occur with more rodents, the decreased populations of songbirds from the ferrets eating their eggs and disturbing their nests, or multiple other effects on the environment. Ferrets and prairie dogs will not recognize the boundaries between the cooperating entity and their neighbor and unwanted migration of the species will occur.
- The establishment of Safe Harbor Agreements will allow for the agencies and those landowners who volunteer to introduce and maintain the ferrets in the region without holding public hearings, posting notices or requiring environmental assessments. Certainly this is irresponsible as there are a myriad of issues that may arise.

Communication:

- Twelve states have been targeted under this proposal. The lack of communication between the national USFWS, partnering agencies and state, local and regional governments, agencies and landowners is concerning. A plan with such a wide scope would best be served by including local representatives and landowners in the process.
- USCA suggests that the USFWS hold public hearings in each state listed under the proposal to adequately inform and gather concerns from local residents.
- USCA would also like to comment in regard to the overall timing of the release of this proposal and the subsequent reactions from the public that have occurred. The rule was originally published in the midst of the holiday season; the rule was not made widely known and it was only after immense pressure from legislators, agriculture groups and members of the public that the comment period was extended, and then only for an additional 30 days. Since USCA made the issue known to our membership, we have had an immense response of concern from individuals in the affected states who are concerned not only about the general overall plan, but also about the lack of information that has been made public regarding the plan.

Dynamic Plan:

- It is highly concerning that the agency has not engaged with landowners in the targeted states. This is a dynamic plan that will affect wildlife, domesticated livestock, rangeland health and producers at all levels of their operations. We urge you to delay the implementation of any proposed action on this rule in order to allow for appropriate communication between the involved national and local authorities regarding each potentially impacted sector of this plan.
- The 12 states designated within this plan contain many other established habitat programs for multiple species of birds, including the Sage Grouse and Lesser Prairie Chicken. The proposed impacts of overlapping conservation plans or limitations should be taken into consideration.

- The inclusion of prairie dog habitat as a stipulation within each agreement made under this proposal indicates a need to address the associated impacts of this species on the land within the agreement and that within neighboring holdings.
- Prairie dogs are a species of great concern to ranchers and farmers within the 12 states listed. The degradation to rangelands and farm ground must be considered. If a colony is established, it must be recognized that as long as that population is maintained it will not be possible to rehabilitate the ground to an optimal working condition.

The issue of reintroduction of a species in such a large swath of land is something that must be reviewed carefully and all aspects of the issue must be taken into account. The 12 states that have been listed as potential areas for reintroduction under the proposal are states heavily populated with family farms and ranches. It is our hope to ensure that all of those who could potentially be impacted by this plan are made aware of the proposal and given the opportunity and time necessary to submit comments. Based on the current expedited nature of the proposal, we are concerned that landowners who will potentially be affected by this plan have not been made aware of all aspects of the proposal. It is always best practice to ensure cooperation in the long-run from private landowners as they are truly the most knowledgeable and the best possible stewards of the land. Such a dynamic proposal must take into account all parties who will be affected.

Additionally, it is our hope that every effort is made to involve both local and state governmental agencies in the consideration of this project as they often have a depth of understanding of local area issues that may not be available to a federal agency.

We ask that pending your review of all comments submitted you will consider delaying any implementation of the rule until a revised and comprehensive Environmental Assessment is conducted that takes into account the actual scope of this plan and all affected parties: wildlife, livestock, landowners and local infrastructure.

We reiterate our request for a comprehensive economic analysis of the proposed plan. It is imperative that we understand whether or not the federal government can actually afford to implement such a program during these difficult economic times.

Thank you for your consideration. We are more than happy to answer any questions or further comments you have regarding this request. Please direct any further questions to Kelly Fogarty at 202-870-3342.

Respectfully,



Jon Wooster
President
United States Cattlemen's Association

cc: Secretary Ken Salazar, U.S. Department of the Interior

Director Daniel M. Ashe, U.S. Fish and Wildlife Services