

Appendix F: Review for Consistency with State and Local Plans

Background

Pursuant to the National Environmental Policy Act (NEPA) and the National Forest Management Act, the Forest Service must coordinate with local governments when preparing land use plans—a requirement which includes addressing inconsistencies between Forest Service plans and local government plans.

The NEPA’s implementing regulations require that a Federal agency “cooperate with State and local agencies to the fullest extent possible to reduce duplication between NEPA and State and local requirements” (40 C.F.R. § 1506.2). Federal agencies must also discuss any inconsistencies between a proposed action and State and local plans and include in an environmental impact Statement a description of the extent to which the agency would harmonize its proposed action with the local law or plan. The NEPA implementing regulations provide the following language:

“To better integrate environmental impact Statements into State or local planning processes, Statements *shall discuss any inconsistency of a proposed action with any approved State or local plan and laws* (whether or not federally sanctioned). Where an inconsistency exists, the Statement should describe the extent to which the agency would reconcile its proposed action with the plan or law.” *Id.* § 1506.2(d); *see also* 40 C.F.R. § 1505.16(c).

The National Forest Management Act requires the Forest Service to “develop, maintain, and, as appropriate, revise land and resource management plans for units of the National Forest System, *coordinated with the land and resource management planning processes of State and local governments* and other Federal agencies” (16 U.S.C. § 1604(a), *emphasis added*). The 2012 Planning Rule emphasizes this requirement:

“The responsible official shall coordinate land management planning with the equivalent and related planning efforts of federally recognized Indian Tribes, Alaska Native Corporations, other Federal agencies, and State and local governments” 36 C.F.R. § 219.4(b)(1).

The 2012 Planning Rule also provides that the responsible official shall review the planning and land use policies of federally recognized Indian Tribes, Alaska Native corporations, other Federal agencies, and State and local governments, where relevant to the plan area.” 36 C.F.R. § 219.4(b)(2). While the Forest Service is not required to comply with these plans, a final environmental impact statement must contain results of this review, including consideration of objectives, the compatibility and interrelated impacts of Forest Service plan and local government policies, opportunities to contribute to common objectives and ways to reduce conflicts between a Forest Service plan and local policies (36 C.F.R. § 2019.4(b)(2)).

State of Wyoming

Purpose and Need	State Statute	Consistent (Yes/No)	Inconsistencies and Reconciliation
Ensure continued conservation of at-risk species	The Wyoming Weed and Pest Control Act of 1973 classified black-tailed prairie dogs as an agricultural pest (W.S. 11-5-102(a)(xii)) and includes provisions for management.	No	While the State of Wyoming designates black-tailed prairie dog as a pest, the Thunder Basin National Grassland currently manages black-tailed prairie dog as a regional forester's sensitive species and a management indicator species, and black-tailed prairie dogs meet the criteria for consideration as potential species of conservation concern. The Forest Service must manage for diversity of animal species, the recovery of threatened and endangered species and the ecosystems upon which they depend, for the viability of sensitive species, and to prevent substantial adverse impacts to or substantially lessened protections for potential species of conservation of concern (36 CFR 219, FSM 2670).

Campbell County

The following is a review of consistencies and inconsistencies between the 2020 Thunder Basin National Grassland Plan Amendment Final Environmental Impact Statement and Draft Record of Decision and **Amended Campbell County Natural Resource Land Use Plan (CCNRLUP) of 2016** as well as a description of how the U.S. Forest Service plans to reconcile its proposed action with the local plans and laws.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Cooperating agency status and the incorporation of a consistency review of local plans	Policy – Support cooperation, consultation, and coordination between the State of Wyoming and Federal agencies to achieve the goals, objectives and policies outlined in the Campbell County Natural Resource Land Use Plan and other laws, ordinances and policies applicable in Campbell County (Page 12-13, Appendix A-5).	Yes	In addition to regular and open communication with the county governments and districts as cooperating agencies and partners, the Forest Service intends to work with representatives of the counties through a third-party collaborative stakeholder group throughout planning and implementation of the proposed plan amendment. General expectations for working with the collaborative stakeholder group are described in Appendix B of the final environmental impact statement.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Cooperating agency status and the incorporation of a consistency review of local plans	Policy – Fully consider recommendations by Campbell County to address county concerns on proposed decisions. (Page 14, Appendix A-6)	Yes	The project has memoranda of understanding (MOUs) in place to document formal cooperating agency status with each of the five counties in the plan area, including conservation districts and weed and pest districts, the USDA Natural Resources Conservation Service, and the U.S. Department of Interior Fish and Wildlife Service. State agencies in Wyoming and the Wyoming Governor’s Office have cooperating agency status through existing MOUs.
Cooperating agency status and the incorporation of a consistency review of local plans	Policy – Inform Campbell County and other local governmental entities how its information and recommendations were considered in Federal land management decisions, including explanations particularly in the event that county input was not adopted or incorporated (Page 14, Appendix A-6).	Yes	The Forest Service has complied by completing a consistency review with local and State plans as described in Appendix F of the environmental impact statement (this document).
Cooperating agency status and the incorporation of a consistency review of local plans	Policy – Notify affected landowners and stakeholders of any proposed action affecting existing State or Federal land uses (Page 19, Appendix A-8).	Yes	Landowners and stakeholders have been informed throughout the plan amendment process.
Removing black-footed ferret as a single species management directive and moving toward management of short-stature vegetation emphasis in Management Area 3.67.	Policy – Oppose single species management on State and Federal lands (Page 103).	Yes	The Forest Service has shifted desired conditions and management direction for Management Area 3.63 – Black-footed Ferret Reintroduction Habitat to meet the purpose and need of the proposed plan amendment. The new Management Area 3.67 under any of the action alternatives would shift to a focus on short-stature vegetation ecosystems including prairie dog colonies, which provide ecological conditions necessary for the survival of many grassland animal species.
Supporting the Wyoming Game and Fish Department policy regarding black-footed ferret reintroduction	Objective – Opposition by Campbell County of the reintroduction of listed and special status species that will cause economic loss (Page 70, Appendix A-17).	Yes	As Stated in the final environmental impact Statement, dramatic changes in prairie dog colonies indicated a need to change the grassland plan. One of the purposes of the proposed plan amendment is to not preclude reintroduction of the black-footed ferret, recognizing that stakeholder and community support are requirements for any ferret reintroduction under the Wyoming Black-footed Ferret Management Plan and the Black-footed Ferret Reintroduction Site Prioritization Matrix.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Prairie dogs being classified as a pest by the State of Wyoming and Wyoming Game and Fish Department	The black-tailed prairie dog is a designated pest species in Campbell County that raises great concern to the agricultural base of the community. Although this species is considered a species of concern by the USFWS and a sensitive species by the BLM and USFS, it is designated as a pest species by the State of Wyoming.	No	While the State of Wyoming designates black-tailed prairie dog as a pest, the Thunder Basin National Grassland currently manages black-tailed prairie dog as a regional forester's sensitive species and a management indicator species, and black-tailed prairie dogs meet the criteria for consideration as potential species of conservation concern. The Forest Service must manage for diversity of animal species, the recovery of threatened and endangered species and the ecosystems upon which they depend, for the viability of sensitive species, and to prevent substantial adverse impacts to or substantially lessened protections for potential species of conservation of concern (36 CFR 219, FSM 2670).
Prairie dogs being classified as a pest by the State of Wyoming and Wyoming Game and Fish Department	Objective – Control of mammals which have become designated/declared pests, as defined by the Wyoming Department of Agriculture (Page 65, Appendix A-15).	No	See above
Prairie dogs being classified as a pest by the State of Wyoming and Wyoming Game and Fish Department	Policy – Control and manage plant, animal, and insect populations which pose a threat to human health and safety and the health and safety of domestic animals; including the active control or eradication of designated/declared weeds and pests on agency lands (Page 67, Appendix A-16).	No	See above
Vegetation and reclamation	Policy – Reclamation plans for Federal and State agencies shall consult with local, specialized agencies including, but not limited to, the Campbell County Weed and Pest Board, the Predator Management Board, the Campbell County Conservation District (Page 49, Appendix A-12).	Yes	Managing vegetation in prairie dog colonies with reference to ecological site descriptions will help the Forest Service meet management objectives and prevent or minimize impacts to biotic integrity, soil and site stability, hydrologic function, and forage availability. The presence of prairie dog colonies will help meet other objectives related to plant community composition and at-risk species conservation. While we can replicate many vegetation characteristics of prairie dog colonies through management actions other than conservation of colonies, prairie dogs are a keystone species. Colonies comprise a unique ecosystem that requires the presence of prairie dogs to provide ecological conditions necessary for the survival of several at-risk animal species associated with prairie dog colonies in the region. MA 3.67 will be managed for short-stature vegetation.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Vegetation and reclamation	Policy – Utilize multiple use management concepts in managing the vegetative resource on State and Federal lands in Campbell County (Page 49, Appendix A-12).	Yes	See above
Vegetation and reclamation	Policy – Provide adequate notice to Campbell County residents regarding any proposed State or Federal action relating to the vegetative resource of Campbell County (Page 49, Appendix A-12).	Yes	Landowners and stakeholders have been informed throughout the plan amendment process.
Vegetation and reclamation	Policy – State and Federal agencies shall cooperatively manage vegetative resources on the State and Federal lands with consideration of adjoining private lands (Page 49, Appendix A-12).	Yes	In addition to regular and open communication with county governments and districts as cooperating agencies and partners, The Forest Service intends to work with representatives of the counties through a third-party collaborative stakeholder group throughout planning and implementation of the proposed plan amendment. General expectations for working with the collaborative stakeholder group are described in Appendix B of the final environmental impact statement.
Use of ecological site descriptions as a measure of vegetative State	Policy – Coordinate with USDA NRCS and CCCD on land use development and disturbance activities (Page 45, Appendix A-11).	Yes	Information obtained from ecological site descriptions and state-and-transition diagrams was used to analyze differences in expected herbage production across alternatives with varying levels of prairie dog occupancy. Changes in plant community composition resulting from transitions from one state to another within an ecological site were used to estimate differences in plant production on each ecological site. These values were then used for comparison so herbage production could be compared consistently among alternatives.
	Policy – Use Ecological Site Descriptions developed by the USDA/NRCS as a foundation for the inventory, evaluation, monitoring and management of rangelands and forestlands (Page 45, Appendix A-11).	Yes	See above
	Policy – Protect private rights and interests in the use of soil resources on State and Federal land (Page 45, Appendix A-11).	Yes	See above

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
	Policy – Use unbiased and scientifically accepted ecological site descriptions including State and transition models for vegetative management. (Page 50, Appendix A-12)	Yes	See above
Buffer Zones – Prioritize a 1-mile buffer around residences both inside and outside of Management Area 3.67.	Policy – Protect, preserve and respect private property rights (Appendix A-5); Policy – Seek to ensure that private property rights are protected in State and Federal planning processes (Page 19, Appendix A-8).	Yes	Each action alternative would establish boundary management zones in some portion of the plan area. In boundary management zones, control of prairie dog colonies using rodenticides would be allowed regardless of surrounding conditions, including total colony area. Each action alternative would also allow use of rodenticides to address encroachment in portions of the plan area that would not have boundary management zones. A management approach in Appendix B of the final environmental impact statement describes that the Forest Service would prioritize use of resources for prairie dog control in boundary management zones above all other locations except 1-mile buffers around residences and in cases where colonies are threatening the integrity of infrastructure. If encroachment continued to be a problem after multiple treatments in a boundary management zone, the proposed action, grassland-wide alternative, and preferred alternative would allow for temporary expansion of the boundary management zone to address site-specific “feeder” colonies or colonies perceived to be rapidly approaching the boundary.
Boundary Management Zones – Apply a ¼-mile boundary management zone in Management Area 3.67.	Policy – Require State and Federal land management agencies to control prairie dogs on agency owned lands in order to prevent range degradation, reduction of available forage to lessees, and expansion of prairie dogs from State and Federal lands to private lands (Page 66, Appendix A-15).	Yes	See above
Boundary Management Zone Expansion – A temporary (i.e., 1 to 3 year) ¾-mile boundary management zone that includes the standard ¼-mile boundary management zone may be used in specific locations in Management Area 3.67.	Policy – Require an adequate buffer zone between prairie dog towns on State and Federal lands and private lands to ensure the health, safety and economic protection of neighboring private land owners (Page 66, Appendix A-16).	Yes	See above

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
<p>Recreational Shooting – Seasonal shooting restriction in Management Area 3.67 February 1 to August 15; Recreational shooting allowed on rest of grassland without restriction</p>	<p>Policy – Cooperate, consult, and coordinate with local governments, private landowners and lease holders potentially impacted by a special recreation area designation. (Page 161, Appendix A-32)</p>	<p>Yes</p>	<p>The seasonal restriction on recreational shooting of prairie dogs in management area 3.67 in the preferred alternative would serve to protect at-risk species associated with prairie dog colonies. There would be no shooting restriction outside of management area 3.67.</p>
<p>Density Control – Guideline – Density control activities may be authorized in colonies (a) outside of Management Area 3.67 or (b) in Management Area 3.67 if colony acreages above 7,500 acres.</p> <p>Density Control – Management approach – Initially, density control (both lethal and non-lethal) will be allowed in colonies outside of Management Area 3.67 and in Management Area 3.67 if total colony area is greater than 7,500 acres.</p>	<p>Policy – Oppose any translocation and/or introduction of prairie dogs within Campbell County (Page 66, Appendix A-15).</p>	<p>No</p>	<p>The preferred alternative includes the following guideline regarding translocation of prairie dogs: “To ensure use of best practices and comply with applicable Federal and State law and policy, translocation of prairie dogs in selected areas may occur only after consultation with appropriate State and Federal wildlife agencies, county officials, and grazing associations.”</p>
<p>Implementation</p>	<p>Policy – Pursue grant opportunities and/or partnerships to aid in invasive weed or pest prevention and control (Page 67, Appendix A-16).</p>	<p>Yes</p>	<p>Under any alternative, the Forest Service will request budgets that would provide the needed funding to implement the proposed plan amendment. While the amount request is not always allocated, the Forest Service has many partners and cooperators involved in prairie dog management activities, including inventory and mapping, plague mitigation, and prairie dog control, that will continue to contribute monetarily and in-kind. The Good Neighbor Authority is an available tool to aid in management across jurisdictional boundaries on the grassland. Agreements with county weed and pest districts and county conservation districts are also in place with authorities that allow funding to be used across jurisdictional boundaries. The Forest Service anticipates that these partnerships will continue and that possible new opportunities for partnerships may become available to contribute to the cost of implementing the proposed plan amendment.</p>

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
<p>Plague Management – Grassland-wide guideline – To mitigate the risk of epizootics caused by sylvatic plague, integrated plague management may be used in prairie dog colonies.</p> <p>Plague Management – Management Area 3.67 standard –In Management Area 3.67, integrated plague management will be used annually to control plague on up to 10,000 acres of prairie dog colonies.</p>	<p>Policy – Monitor prairie dog colonies for evidence of plague or other communicable disease (Page 66).</p>	<p>Yes</p>	<p>Although not included in plan direction, when plague is active on the Thunder Basin National Grassland, Forest Service personnel work with the Wyoming Department of Health and Centers for Disease Control staff to post warnings and offer safety information to grassland visitors.</p> <p>Implementation of an integrated approach to plague management in management area 3.67 will assist in understanding plague dynamics on the national grassland.</p>
<p>Collaborative Stakeholder Group – A third-party collaborative stakeholder group would provide management recommendations to the Forest Service.</p>	<p>Policy – Participate in a “cooperator working group,” which would focus on implementation of planning decisions on public lands (Page 14, Appendix A-7).</p>	<p>Yes</p>	<p>The Forest Service intends to work with county representatives through a third-party collaborative stakeholder group throughout planning and implementation of the proposed plan amendment. General expectations for the collaborative stakeholder group are described in Appendix B of the final environmental impact statement.</p>
<p>Grazing</p>	<p>Policy – State and Federal agencies shall not permit the relinquishment, transfer, or retirement of livestock grazing AUMs in favor of conservation, wildlife, or other uses (Page 131, Appendix A-25).</p>	<p>Yes</p>	<p>Federal laws, regulations, and policies mandate the Forest Service manage national grasslands for multiple uses and values, including wildlife habitat and livestock grazing. This does not imply that every acre of national grassland has to accommodate each use or value. Direction in the land and resource management plan identifies many priorities for the Thunder Basin National Grassland.</p>
<p>Grazing</p>	<p>Policy – State and Federal agencies shall not impede the control of noxious weeds and pests in order to maintain the long-term economic productivity of the rangeland for livestock and wildlife grazing (Page 132, Appendix A-25).</p>	<p>No</p>	<p>Title III of the Bankhead Jones Farm Tenant Act of 1937 has been amended several times by Congress since 1937. In 1962, Congress added "protecting fish and wildlife" to the act. Since prairie dogs are part of the native fauna on the national grasslands, their conservation on these lands is required. The original act refers to a need to "preserve natural resources." The Forest Service must conserve and manage prairie dogs and associated species while still meeting the intent of the other provisions in the act and subsequent amendments since 1937, as well as the other laws and regulations that apply to the national grasslands today.</p>

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
<p>Fence and Pasture Plan Components – Revise Grazing Allotments and Management Area direction on large pasture sizes for clarification and allow improvements to grazing management as a tool for prairie dog management.</p>	<p>Policy – Consult and consider the input of permittees/lessees on any proposed changes of use to permits/leases (Page 132, Appendix A-25).</p>	<p>Yes</p>	<p>Collaboration with livestock grazing members and the grazing associations is a regular practice on the grassland, including for any proposed changes to pasture fencing.</p>
<p>Socioeconomic analysis of the impacts from implementation of the preferred alternative</p>	<p>Policy – Perform a socioeconomic impact analysis for each land management activity or decision related to State and Federal properties; these analyses shall be conducted by experts familiar with the area’s unique history, culture, economy and resources (Page 117, Appendix A-22).</p>	<p>Yes</p>	<p>The analysis of socioeconomic resources appears in chapter 3 of the environmental impact statement. Economic effects to local communities were estimated using 2017 data in the IMPLAN modeling system. The economic analysis was revised for the final environmental impact statement to include the jobs and labor income associated with a change in animal unit months (AUMs) in the six-county economic analysis area. Given the uncertainty of future prairie dog occupancy and effect on available forage, this is a unit-level analysis. The permitted AUMs will not change. The economic analysis was also revised to include implementation costs. Appendix B describes priorities for prairie dog control including how spending would be prioritized to meet the purpose and need of the plan amendment.</p>

Converse County

The following is a review of consistencies and inconsistencies between the 2020 Thunder Basin National Grassland Plan Amendment Final Environmental Impact Statement and Draft Record of Decision and the **Converse County Land Use Plan of 2015** as well as a description of how the U.S. Forest Service plans to reconcile its proposed action with the local plans and laws.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Cooperating agency status and the incorporation of a consistency review of local plans	Policy – Invoke coordination with any and all appropriate agencies at the beginning of the scoping process and throughout the process for all areas of natural resource management and use (Page 6).	Yes	In addition to regular and open communication with county governments and districts as cooperating agencies and partners, the Forest Service intends to work with county representatives through a third-party collaborative stakeholder group throughout planning and implementation of the proposed plan amendment. General expectations for the collaborative stakeholder group are described in Appendix B of the final environmental impact statement.
Cooperating agency status and the incorporation of a consistency review of local plans	Policy 2.6 – Support multiple uses on all federally managed lands in Converse County, emphasizing that no single use will be encouraged to the exclusion of the practical continuation of other uses (Page 15).	Yes	The Forest Service recognizes the importance and significance of multiple uses on the national grasslands and forests. Congress has mandated that the Forest Service manage for multiple uses.
Cooperating agency status and the incorporation of a consistency review of local plans	Policy 2.17 – Provide information on State and Federal planning decisions in addition to this Plan via written or oral comments or positions with the option to develop additional alternatives to be considered by the appropriate agency (Page 16)	Yes	The project has memoranda of understanding (MOUs) in place to document formal cooperating agency status with each of the five counties in the plan area including conservation districts and weed and pest districts, the USDA Natural Resources Conservation Service, and the U.S. Department of Interior Fish and Wildlife Service. State agencies in Wyoming and the Wyoming Governor’s Office have cooperating agency status through existing MOUs.
Cooperating agency status and the incorporation of a consistency review of local plans	Policy 2.14 – Require Federal or State agencies to coordinate with the Commissioners prior to taking official action, scoping a project, or issuing a report on a proposed action. The agencies may accomplish this in part by providing the Commissioners, in a timely manner, with the proposed purposes, objectives, and estimated economic impact of such action (Page 16).	Yes	See above

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Cooperating agency status and the incorporation of a consistency review of local plans	Policy 2.16 – Request all governmental agencies to legally and logically respect the integrity of the Converse County Land Use Plan (Page 16).	Yes	The Forest Service has complied by completing a consistency review with local and State plans as described in Appendix F of the environmental impact statement (this document).
Cooperating agency status and the incorporation of a consistency review of local plans	Policy 2.36 – Encourage active management of our forests and grasslands to ensure healthy and vibrant forests and grasslands for current and future generations (Page 20).	Yes	The plan amendment aims to maintain a healthy grassland ecosystem.
Supporting the Wyoming Game and Fish Department policy regarding black-footed ferret reintroduction	Policy 2.63 – Coordinate with Federal agencies in the proposed designation, delisting, introduction, reintroduction, and management of any species designated in any category or classification for protection, or consideration of protection, under the Endangered Species Act or similar designations (Page 27).	Yes	The preferred alternative includes the following standard for management area 3.67: “Any effort to reintroduce black-footed ferret shall occur in coordination with the Wyoming Game and Fish Department and the US Fish and Wildlife Service.” While the Forest Service has made our intention to coordinate with State and Federal wildlife management agencies in the reintroduction of the black-footed ferret explicit in this standard, it is important to note that we intend that the reintroduction of any federally listed species anywhere on National Forest System land would occur in coordination with State and Federal wildlife management agencies and any other stakeholders, including county governments and districts.
Vegetation and Soil Conservation	Policy 2.60 – Coordination between landowners and developers/contractors during these disturbances is required to ensure proper soil conservation measures are followed. (Page 26)	Yes	Managing vegetation in prairie dog colonies using ecological site descriptions would help the Forest Service to meet management objectives and to prevent or minimize impacts related to biotic integrity, soil and site stability, hydrologic function, and forage availability. Management toward 10,000 acres of prairie dog colonies in management area 3.67, as described in the preferred alternative, would help the Forest Service meet other objectives related to plant community composition and at-risk species conservation. Best management practices and design criteria would be coordinated among landowners, contractors, and any other stakeholders when disturbance is expected.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
<p>Buffer Zones – Prioritize a 1-mile buffer around residences both inside and outside of Management Area 3.67.</p> <p>Boundary Management Zones – Apply a ¼-mile boundary management zone in Management Area 3.67.</p> <p>Boundary Management Zone Expansion – A temporary (i.e., 1 to 3 year) ¾-mile boundary management zone that includes the standard ¼-mile boundary management zone may be used in specific locations in Management Area 3.67.</p>	<p>Policy 2.7 – Protect private property rights and interests (Page 15).</p>	<p>Yes</p>	<p>Each action alternative would establish boundary management zones in some portion of the plan area. In boundary management zones, control of prairie dog colonies using rodenticides would be allowed regardless of surrounding conditions, including total colony area. Each action alternative would also allow use of rodenticides to address encroachment in portions of the plan area that would not have boundary management zones. A management approach in Appendix B of the final environmental impact statement describes that the Forest Service would prioritize use of resources for prairie dog control in boundary management zones above all other locations except 1-mile buffers around residences and in cases where colonies are threatening the integrity of infrastructure. If encroachment continued to be a problem after multiple treatments in a boundary management zone, the proposed action, grassland-wide alternative, and preferred alternative would allow for temporary expansion of the boundary management zone to address site-specific “feeder” colonies or colonies perceived to be rapidly approaching the boundary.</p>
<p>Recreational Shooting – Seasonal shooting restriction in Management Area 3.67 February 1 to August 15; Recreational shooting allowed on rest of grassland without restriction</p>	<p>Policy 2.11 – Protect and enhance access for the enjoyment of Federal and State managed lands in Converse County (Page 16).</p>	<p>Yes/partial</p>	<p>The Forest Service recognizes the importance and significance of multiple uses on the national grasslands and forests. The Forest Service is mandated by Congress to manage for multiple uses, and in some cases this results in the need to make adjustments in some uses to accommodate others.</p> <p>The seasonal restriction on recreational shooting of prairie dogs in management area 3.67 in the preferred alternative would serve to protect at-risk species associated with prairie dog colonies. There would be no shooting restriction outside of MA 3.67.</p>
<p>Recreational Shooting – Seasonal shooting restriction in Management Area 3.67 February 1 to August 15; Recreational shooting allowed on rest of grassland without restriction</p>	<p>Policy 2.52 – Facilitate and encourage recreational opportunities at the county, State, and Federal levels. Any proposed curtailment of these activities by Federal or State agencies require timely, written notification to the County and details of socio-economic impacts. Adverse impacts should be mitigated (Page 25).</p>	<p>Yes</p>	<p>See above</p>

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
<p>Collaborative Stakeholder Group – A third-party collaborative stakeholder group would provide management recommendations to the Forest Service.</p>	<p>Policy 2.14 – Require Federal or State agencies to coordinate with the Commissioners prior to taking official action, scoping a project, or issuing a report on a proposed action. The agencies may accomplish this in part by providing the Commissioners, in a timely manner, with the proposed purposes, objectives, and estimated economic impact of such action (Page 16).</p>	<p>Yes</p>	<p>In addition to regular and open communication with the county governments and districts as cooperating agencies and partners, the Forest Service intends to work with county representatives through a third-party collaborative stakeholder group throughout planning and implementation of the proposed plan amendment. General expectations for working with the collaborative stakeholder group are described in Appendix B of the final environmental impact Statement.</p>
<p>Collaborative Stakeholder Group – A third-party collaborative stakeholder group would provide management recommendations to the Forest Service.</p>	<p>Policy 2.15 – Require all land management agencies to consider adjacent private lands, watersheds, ecosystems, and area management in planning on those areas of their jurisdiction. These agencies should consider the social, historical, and economic conditions, as well as customs and culture, of their management areas (Page 16).</p>	<p>Yes</p>	<p>See above</p>
<p>Grazing</p>	<p>Policy 2.9 – Encourage traditional economic pursuits in the County that form the base for economic stability (Page 15).</p>	<p>Yes</p>	<p>Federal laws, regulations, and policies mandate the Forest Service manage national grasslands for multiple uses and values, including wildlife and livestock grazing. This does not imply that every acre of national grassland has to accommodate each use or value. Direction in the land and resource management plan identifies many priorities for the Thunder Basin National Grassland. Title III of the Bankhead Jones Farm Tenant Act of 1937 has been amended several times by Congress since 1937. In 1962, Congress added "protecting fish and wildlife" to the act. Since prairie dogs are part of the native fauna on the national grassland, their conservation on these lands is required. The original act refers to a need to "preserve natural resources." The Forest Service must conserve and manage prairie dogs and associated species while still meeting the intent of the other provisions in the act and subsequent amendments since 1937, as well as the other laws and regulations that apply to the national grasslands today.</p>
<p>Grazing</p>	<p>Policy 2.20 – Promote the agricultural productivity of Converse County (Page 17).</p>	<p>Yes</p>	<p>See above</p>

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Grazing	Policy 2.45 – Retain the use of Federal and State managed lands for livestock grazing (Page 24).	Yes	See above
Socio economic analysis of the impacts from implementation of the preferred alternative	Policy 2.18 – Proposed changes in State or Federal land and resource management plans shall consider and clearly State the socio-economic impact at the community level whenever possible. Any adverse impacts should be mitigated (Page 16).	Yes	The analysis of socioeconomic resources appears in chapter 3 of the environmental impact statement. Economic effects to local communities were estimated using 2017 data in the IMPLAN modeling system. The economic analysis was revised for the final environmental impact statement to include the jobs and labor income associated with a change in animal unit months (AUMs) in the six-county economic analysis area. Given the uncertainty of future prairie dog occupancy and effect on available forage, this is a unit-level. The permitted AUMs will not change. The economic analysis was also revised to include implementation costs. Appendix B describes priorities for prairie dog control, including how spending would be prioritized to meet the purpose and need.

Crook County

The following is a review of consistencies and inconsistencies between the 2020 Thunder Basin National Grassland Plan Amendment Final Environmental Impact Statement and Draft Record of Decision and the **Crook County Comprehensive Land Use Plan of 2014 (Resolution No. 2014-5)** as well as a description of how the U.S. Forest Service plans to reconcile its proposed action with the local plans and laws.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Cooperating agency status and the incorporation of a consistency review of local plans	The Federal Land Policy and Management Act, the National Environmental Policy Act (NEPA), the National Forest Management Act, and other State and Federal laws allow the County to fully participate through coordination or as a cooperating agency in the Federal and State planning process (Page 1).	Yes	The project has memoranda of understanding (MOUs) in place to document formal cooperating agency status with each of the five counties in the plan area including conservation districts and weed and pest districts, the USDA Natural Resources Conservation Service, and the U.S. Department of Interior Fish and Wildlife Service. State agencies in Wyoming and the Wyoming Governor's Office have cooperating agency status through existing MOUs.
Cooperating agency status and the incorporation of a consistency review of local plans	Additionally, these statutes require a consistency review between the local government's land use plan and the Federal land management or use plan (Page 1).	Yes	The Forest Service has complied by completing a consistency review with local and State plans as described in Appendix F of the environmental impact statement (this document).
Cooperating agency status and the incorporation of a consistency review of local plans	Analyze and consider the effects those actions will have on conservation and productive multiple use of the environment and natural resources (Page 6(B)(3)).	Yes	In addition to regular and open communication with the county governments and districts as cooperating agencies and partners, The Forest Service intends to work with county representatives through a third-party collaborative stakeholder group throughout planning and implementation of the proposed plan amendment. General expectations for working with the collaborative stakeholder group are described in Appendix B of the final environmental impact Statement.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Supporting the Wyoming Game and Fish Department policy regarding black-footed ferret reintroduction	Processes – Crook County shall request that Federal and State agencies, to the fullest extent not prohibited by Federal law, coordinate with and give actual notice to the County, at the earliest possible time, of the intent to consider or propose any species listings, critical habitat designations and conservation actions (including recovery plans or proposals regarding introduction of experimental populations) regarding specific species residing in or having critical habitat within Crook County (Page 23).	Yes	The preferred alternative includes the following standard for management area 3.67: “Any effort to reintroduce black-footed ferret shall occur in coordination with the Wyoming Game and Fish Department and the US Fish and Wildlife Service.” While the Forest Service has made our intention to coordinate with State and Federal wildlife management agencies in the reintroduction of the black-footed ferret explicit in this standard, it is important to note that reintroduction of any federally listed species anywhere on National Forest System land would occur in coordination with State and Federal wildlife management agencies and any other stakeholders, including county governments and districts.
Vegetation and reclamation	Processes – Any vegetative treatment, prescribed burning, or set-aside on public land shall be reviewed by Crook County (Page 13).	Yes	Managing vegetation in prairie dog colonies with reference to ecological site descriptions would help the Forest Service meet management objectives and prevent or minimize impacts related to biotic integrity, soil and site stability, hydrologic function, and forage availability. Managing to maintain 10,000 acres of prairie dog colonies in management area 3.67, as described in the preferred alternative, would help the Forest Service meet other objectives related to plant community composition and at-risk species conservation. Best management practices and design criteria would be coordinated among landowners, contractors, and any other stakeholders, including county governments and districts, when disturbance is expected.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
<p>Buffer Zones – Prioritize a 1-mile buffer around residences both inside and outside of Management Area 3.67.</p> <p>Boundary Management Zones – Apply a ¼-mile boundary management zone in Management Area 3.67.</p> <p>Boundary Management Zone Expansion – A temporary (i.e., 1 to 3 year) ¾-mile boundary management zone that includes the standard ¼-mile boundary management zone may be used in specific locations in Management Area 3.67.</p>	<p>Crook County also commits itself to the protection of private property rights and private property interests (Page 1).</p>	<p>Yes</p>	<p>Each action alternative would establish boundary management zones in some portion of the plan area. In boundary management zones, control of prairie dog colonies using rodenticides would be allowed regardless of surrounding conditions, including total colony area. Each action alternative would also allow use of rodenticides to address encroachment in portions of the plan area that would not have boundary management zones. A management approach in Appendix B of the final environmental impact statement describes that the Forest Service would prioritize use of resources for prairie dog control in boundary management zones above all other locations except 1-mile buffers around residences and in cases where colonies are threatening the integrity of infrastructure. If encroachment continued to be a problem after multiple treatments in a boundary management zone, the proposed action, grassland-wide alternative, and preferred alternative would allow for temporary expansion of the boundary management zone to address site-specific “feeder” colonies or colonies perceived to be rapidly approaching the boundary.</p>
<p>Boundary Management Zones</p>	<p>Goal – Crook County will strive to protect its citizens’ constitutional rights to private property including but not limited to water, mineral, surface and subsurface rights in its planning and actions (Page 14).</p>	<p>Yes</p>	<p>See above</p>
<p>Recreational Shooting – Seasonal shooting restriction in Management Area 3.67 February 1 to August 15; Shooting – Recreational shooting allowed on rest of grassland without restriction</p>	<p>Goal – Crook County will strive to protect recreational opportunities compatible with local custom, culture and environmental stewardship within the constraints of private property rights (Page 15).</p>	<p>Yes/partial</p>	<p>The seasonal restriction on recreational shooting of prairie dogs in management area 3.67 in the preferred alternative would serve to protect at-risk species associated with prairie dog colonies. There would be no shooting restriction outside of MA 3.67.</p>

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
<p>Density Control – Guideline – Density control activities may be authorized in colonies (a) outside of Management Area 3.67 or (b) in Management Area 3.67 if colony acreages above 7,500 acres.</p> <p>Density Control – Management Approach – Initially, density control (both lethal and non-lethal) will be allowed in colonies outside of Management Area 3.67 and in Management Area 3.67 if colony acreages are above 7,500 acres.</p>	<p>Goal – Crook County will encourage the Wyoming Game and Fish Department to maintain balanced wildlife populations for both consumptive and non-consumptive uses (Page 21).</p>	<p>Yes</p>	<p>The purpose of the proposed plan amendment includes to reduce conflicts related to prairie dog occupancy and livestock grazing and to ensure continued conservation of at-risk species. Under each of the action alternatives, we intend to increase the availability of prairie dog management tools and the flexibility of management direction for using those tools to more effectively manage and stabilize prairie dog colony occupation on the grassland. Management direction for meeting this need in the preferred alternative includes setting an objective for total prairie dog colony area in management area 3.67 and allowing the use of rodenticides to manage colonies in excess of the colony area objective.</p>
<p>Grazing</p>	<p>Goal – Continuation of agriculture and livestock grazing on both public and private land (Page 7).</p>	<p>Yes</p>	<p>Federal laws, regulations, and policies mandate the Forest Service to manage national grasslands for multiple uses and values, including wildlife habitat and livestock grazing. This does not imply that every acre of national grassland must accommodate each use or value. Direction in the land and resource management plan identifies many priorities for the Thunder Basin National Grassland.</p> <p>Title III of the Bankhead Jones Farm Tenant Act of 1937 has been amended several times by Congress since 1937. In 1962, Congress added "protecting fish and wildlife" to the act. Since prairie dogs are part of the native fauna on the national grassland, their conservation on these lands is required. The original act refers to a need to "preserve natural resources." The Forest Service must conserve and manage prairie dogs and associated species while still meeting the intent of the other provisions in the act and subsequent amendments since 1937, as well as the other laws and regulations that apply to the national grasslands today.</p>

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Grazing	Use of forage resources and private water rights by wildlife on Federal lands however is not compensated or considered by the Wyoming Game and Fish Department or the Federal agencies even though the use of habitat by wildlife can impact the amount of forage available for livestock and other multiple use on the Federal lands (Page 22).	Yes	See above
Grazing	Process – Federal and State agencies shall, to the fullest extent not prohibited by Federal law, notify the County of any planning processes, actions or regulations which may impact agriculture or livestock production (Page 8).	Yes	Collaboration with livestock grazing members and the grazing associations is a regular practice on the grassland.

Niobrara County

The following is a review of consistencies and inconsistencies between the 2020 Thunder Basin National Grassland Plan Amendment Final Environmental Impact Statement and Draft Record of Decision and the **Niobrara County Land Use Plan of 2015-2020** as well as a description of how the U.S. Forest Service plans to reconcile its proposed action with the local plans and laws.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Cooperating agency status and the incorporation of a consistency review of local plans	Objective 3A – Ensure that local, State, and Federal agencies consider the physical environment, social, cultural, and economic needs of the County when making land use decisions and plans that affect the custom and culture of the County (Page 15).	Yes	In addition to regular and open communication with county governments and districts as cooperating agencies and partners, the Forest Service intends to work with county representatives through a third-party collaborative stakeholder group throughout planning and implementation of the proposed plan amendment. General expectations for working with the collaborative stakeholder group are described in Appendix B of the final environmental impact Statement.
Cooperating agency status and the incorporation of a consistency review of local plans	Objective 3B – Request the opportunity to review local, State, and Federal land use and planning issues impacting the County’s custom and culture and make recommendations pertinent to the issues in question (Page 15).	Yes	The project has memoranda of understanding (MOUs) in place to document formal cooperating agency status with each of the five counties in the plan area including conservation districts and weed and pest districts, the USDA Natural Resources Conservation Service, and the U.S. Department of Interior Fish and Wildlife Service. State agencies in Wyoming and the Wyoming Governor’s Office have cooperating agency status through existing MOUs.
Cooperating agency status and the incorporation of a consistency review of local plans	Objective 1C – Maintain partnerships with local, State, and Federal agencies to provide technical assistance and/or funding to local cooperators (Page 17).	Yes	See above
Cooperating agency status and the incorporation of a consistency review of local plans	Objective 1B – Work to ensure local input on State and Federal land management issues to promote multiple uses of public lands (grazing by wildlife and livestock ... recreation) and to protect private property rights (Page 17).	Yes	The Forest Service recognizes the importance and significance of multiple uses on the national grasslands and forests. Congress has mandated that the Forest Service manage for multiple uses.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Cooperating agency status and the incorporation of a consistency review of local plans	Objective 1D – Encourage an intergovernmental framework that fully considers the local impacts of Federal and/or State proposed actions to social, economic, physical, and cultural environment as a part of the overall planning and decision processes (Page 17).	Yes	The Forest Service has complied by completing a consistency review with local and State plans as described in Appendix F of the environmental impact statement (this document).
Cheyenne River	Policy 1 – Support livestock and other managed uses of watersheds because properly managed multiple uses are compatible and consistent with watershed management (Page 40).	Yes	The Forest Service recognizes the importance and significance of multiple uses on the national grasslands and forests. Congress has mandated that the Forest Service manage for multiple uses. Direction in the land and resource management plan identifies many priorities for the Thunder Basin National Grassland.
Threatened, Endangered and Sensitive Species	Goal – Support participation in all decisions and proposed actions, including NEPA procedures for an Environmental Assessment (“EA”) or Environmental Impact Statement (“EIS”), which affect the District, regarding sensitive, threatened, or endangered species recovery plans, introduction or reintroductions, habitat conservation plans, conservation agreements or plans, or candidate conservation agreements (Page 64).	Yes	The preferred alternative includes the following standard for management area 3.67: “Any effort to reintroduce black-footed ferret shall occur in coordination with the Wyoming Game and Fish Department and the US Fish and Wildlife Service.” While the Forest Service has made our intention to coordinate with State and Federal wildlife management agencies in the reintroduction of the black-footed ferret explicit in this standard, it is important to note that the Forest Service intends that the reintroduction of any federally listed species anywhere on National Forest System land would occur in coordination with State and Federal wildlife management agencies and any other stakeholders, including county governments and districts.
Threatened, Endangered and Sensitive Species	Objective 4B – Support the use of candidate conservation agreements with assurances for private land and candidate conservation agreements for Federal lands as a mechanism to provide habitat for candidate species while allowing current land uses to continue (Page 65).	Yes/partial	The 2012 Planning Rule allows the Forest Service to consider candidate conservation agreements and candidate conservation agreements with assurances, which provide some assurance of continued prairie dog colonies on private land. However, the 2012 Planning Rule does not allow the Forest Service to use the favorable condition of a species or its habitat off National Forest System land to avoid providing for diversity and viability on a national forest or grassland unit if that unit is capable of providing for the species.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Supporting the Wyoming Game and Fish Department policy regarding black-footed ferret reintroduction	Policy 4 – Any black-footed ferret introductions would be accomplished pursuant to the black-footed ferret introduction plan developed for the Thunder Basin National Grasslands. If any black-footed ferret enters Niobrara County as a result of nonessential experimental black-footed ferret introductions on lands adjoining Niobrara County, these animals would carry the same nonessential experimental designation that they carried on the lands into which they were originally introduced (Page 65).	Yes	The preferred alternative includes the following standard for management area 3.67: “Any effort to reintroduce black-footed ferret shall occur in coordination with the Wyoming Game and Fish Department and the US Fish and Wildlife Service.” While the Forest Service has made our intention to coordinate with State and Federal wildlife management agencies in the reintroduction of the black-footed ferret explicit in this standard, it is important to note that the Forest Service intends that the reintroduction of any federally listed species anywhere on National Forest System land would occur in coordination with State and Federal wildlife management agencies and any other stakeholders, including county governments and districts. All reestablished populations of black-footed ferrets on National Forest System, State, and private lands in Wyoming are managed under the final rule for the Establishment of a Nonessential Experimental Population of Black-footed Ferrets in Wyoming (80 FR 66821).
Supporting the Wyoming Game and Fish Department policy regarding black-footed ferret reintroduction	Policy 12 – To the greatest extent possible, any introductions or re-introductions of threatened or endangered species into the County or on lands adjacent to the County will be designated as nonessential experimental populations, and none will be introduced without NEPA compliance and public input (Page 66).	Yes	See above

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Rangeland Vegetation and Soils	Objective 2D – Ensure that rangeland health assessments identify all of the causal factors when there is a failure to meet the Wyoming Standards for Healthy Rangelands and that livestock grazing uses are not reduced to compensate for or mitigate the impacts of other causal factors (Page 42).	Yes	<p>Each of the action alternatives proposes to use ecological site descriptions (ESDs) to provide a consistent framework for classifying and describing rangeland vegetation and soils. Such a framework allows land managers to delineate land units that respond similarly to management or disturbance and assess their ability to sustain long-term productivity.</p> <p>The preferred alternative has incorporated the following regarding the use of ecological site descriptions into desired conditions for each geographic area: “Vegetation communities will exist in a variety of states or plant community phases designed to meet multiple desired conditions across management areas. A mosaic of habitats and forage conditions will exist on the landscape as a result of planned vegetation management and natural disturbances.”</p>
Rangeland Vegetation and Soils	Policy 2 – Work with local, State and Federal agencies in partnership to help assess the State of our rangelands, forests and woodlands (Page 42).	Yes	The Thunder Basin National Grassland has entered into several agreements with the scientific community to help monitor grassland conditions and better understand grassland management. The Forest Service anticipates that this cooperative effort will continue.
Rangeland Vegetation and Soils	Objective 5A – Support the use of the completed Soil Survey to manage highly erodible soils found in Niobrara County, to maintain productivity, minimize erosion, protect private and public water reserves, water quality, limit severe and critical erosion by restricting or mitigating surface disturbance so as to minimize soil erosion, and to restore degraded areas (Page 44).	Yes	<p>Each of the action alternatives proposes to use ecological site descriptions (ESDs) to provide a consistent framework for classifying and describing rangeland vegetation and soils. Such a framework allows land managers to delineate land units that respond similarly to management or disturbance and assess their ability to sustain long-term productivity.</p> <p>The preferred alternative has incorporated the following regarding the use of ecological site descriptions into desired conditions for each geographic area: “Vegetation communities will exist in a variety of states or plant community phases designed to meet multiple desired conditions across management areas. A mosaic of habitats and forage conditions will exist on the landscape as a result of planned vegetation management and natural disturbances.”</p>

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Rangeland Vegetation and Soils	Objective 2D – Help to fund cooperative studies with willing private landowners on wildlife damage to rangeland resources and related concerns (Page 54).	Yes	The Thunder Basin National Grassland has entered into several agreements with the scientific community to help monitor grassland conditions and better understand grassland management. The Forest Service anticipate that this cooperative effort will continue into the future.
Rangeland Vegetation and Soils	Goal – Protect and promote County custom and culture as part of the District’s conservation activities to protect rangeland, soil, water and natural resources, to stabilize ranch and farm operations (Page 14).	Yes	Each of the action alternatives proposes to use ecological site descriptions (ESDs) to provide a consistent framework for classifying and describing rangeland vegetation and soils. Such a framework allows land managers to delineate land units that respond similarly to management or disturbance and assess their ability to sustain long-term productivity. The preferred alternative has incorporated the following regarding the use of ecological site descriptions into desired conditions for each geographic area: “Vegetation communities will exist in a variety of states or plant community phases designed to meet multiple desired conditions across management areas. A mosaic of habitats and forage conditions will exist on the landscape as a result of planned vegetation management and natural disturbances.”
Rangeland Vegetation and Soils	Objective 1C – Enhance environmental quality to preserve and conserve the District’s rangeland, water, and soil resources, while protecting the tax base and promoting public welfare (Page 14).	Yes	See above
Rangeland Vegetation and Soils	Objective 4A – Encourage private land owners, local, State and Federal agencies to cooperate defining desired plant communities on private, State, and Federal lands within the County to control soil erosion (Page 37).	Yes	See above

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
<p>Buffer Zones – Prioritize a 1-mile buffer around residences both inside and outside of Management Area 3.67.</p> <p>Boundary Management Zones – Apply a ¼-mile boundary management zone in Management Area 3.67.</p> <p>Boundary Management Zone Expansion – A temporary (i.e., 1 to 3 year) ¾-mile boundary management zone that includes the standard ¼-mile boundary management zone may be used in specific locations in Management Area 3.67.</p>	<p>Objective 3A – Ensure that the ‘takings implication assessment,’ which addresses potential for private property rights takings, includes but is not limited to, an evaluation as to the impacts of the proposed action on property rights, the potential for uncompensated transfer and unmitigated risk ... including partial interest in property, the potential for physical invasion, the potential for monetary loss, and/or threats due process and equal treatment under the law (Page 18).</p>	<p>Yes</p>	<p>The alternatives in the final environmental impact statement do not restrict or remove private property rights, mineral rights, or grazing privileges held by private individuals. Each action alternative would establish boundary management zones in some portion of the plan area. In boundary management zones, control of prairie dog colonies using rodenticides would be allowed regardless of surrounding conditions, including total colony area. Each action alternative would also allow use of rodenticides to address encroachment in portions of the plan area that would not have boundary management zones. A management approach in Appendix B of the final environmental impact statement indicates that the Forest Service would prioritize use of resources for prairie dog control in boundary management zones above all other locations except 1-mile buffers around residences and in cases where colonies are threatening the integrity of infrastructure. If encroachment continued to be a problem after multiple treatments in a boundary management zone, the proposed action, grassland-wide alternative, and preferred alternative would allow for temporary expansion of the boundary management zone to address site-specific “feeder” colonies or colonies perceived to be rapidly approaching the boundary.</p>
<p>Boundary Management Zones</p>	<p>Objective 2A – Respect private property rights and consider the effects of policies, regulations, and Federal and State decisions on these rights (Page 19).</p>	<p>Yes</p>	<p>See above</p>
<p>Boundary Management Zones</p>	<p>Objective 1A – Protect private property rights with respect to the right to use public land for agriculture uses (Page 24).</p>	<p>Yes</p>	<p>See above</p>

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
<p>Approved Rodenticides – Zinc Phosphide – approved for use</p> <p>Approved Rodenticides – Fumigants – approved for use</p>	<p>Objective 1B – Continue the County commitment to fund weed control programs in Niobrara County. Review and be consistent with Weed & Pest plan or encourage working relationships (Page 45).</p>	<p>Yes/partial</p>	<p>The final environmental impact statement documents an analysis of effects from use of anticoagulants, toxicants, fumigants, and insecticides. However, due to concerns with the Endangered Species Act, the Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act, the preferred alternative explicitly prohibits the use of anticoagulant rodenticides, including those with active ingredients chlorophacinone or diphacinone. Conversely, the preferred alternative would allow the use of fumigants after two treatments using zinc phosphide in a specific location. The effects of these products on wildlife are detailed in the Biological Evaluation of Animal Species and Potential Animal Species of Conservation Concern Report. Any prairie dog control product that may be authorized in the future would undergo a Section 18 review by Forest Service specialists for consideration of its use.</p>
<p>Recreational Shooting – Seasonal shooting restriction in Management Area 3.67 February 1 to August 15</p> <p>Recreational Shooting – Recreational shooting allowed on rest of grassland without restriction</p>	<p>Objective 1A – Encourage recreational activities that enhance opportunities for economic development and maintain the custom and culture of the County (Page 57).</p>	<p>Yes</p>	<p>The seasonal restriction on recreational shooting of prairie dogs in management area 3.67 in the preferred alternative would serve to protect at-risk species associated with prairie dog colonies. There would be no shooting restriction outside of MA 3.67.</p>
<p>Recreational Shooting – Seasonal shooting restriction in Management Area 3.67 February 1 to August 15</p> <p>Recreational Shooting – Recreational shooting allowed on rest of grassland without restriction</p>	<p>Objective 1B – Encourage recreational activities on the lands in the County that increase the capacity for Federal and State land resources to provide more economic return to the County (Page 57).</p>	<p>Yes</p>	<p>See above</p>

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
<p>Plague Management – Grassland-wide Guideline – To mitigate the risk of epizootics caused by sylvatic plague, integrated plague management may be used in prairie dog colonies.</p> <p>Plague Management – Management Area 3.67 Standard – Within Management Area 3.67, integrated plague management will be used annually to control plague on up to 10,000 acres of prairie dog colonies.</p>	<p>Objective 4B – Facilitate public education regarding effects of zoonotic and vector-borne diseases on game and wildlife, including impacts of...sylvatic plague on prairie dogs and mountain lions (Page 46).</p>	<p>Yes</p>	<p>The Forest Service agrees that education efforts regarding sylvatic plague are critical to protecting human health and safety. The Forest Service has included a guideline in the preferred alternative stating, “An integrated approach to plague management (e.g., using tools such as deltamethrin and fipronil) may be implemented to mitigate the transmission of sylvatic plague”. Although not included in plan direction, when plague is active on the Thunder Basin National Grassland, Forest Service personnel work with the Wyoming Department of Health and Centers for Disease Control staff to post warnings and offer safety information to grassland visitors.</p>
<p>Grazing</p>	<p>Objective 1C – Support the recognition and protection of the right to graze livestock on public lands through legal recognition of grazing preference rights (Page 47).</p>	<p>Yes</p>	<p>Federal laws, regulations, and policies mandate the Forest Service manage national grasslands for multiple uses and values, including wildlife habitat and livestock grazing. This does not imply that every acre of national grassland must accommodate each use or value. Direction in the land and resource management plan identifies many priorities for the Thunder Basin National Grassland.</p> <p>Title III of the Bankhead Jones Farm Tenant Act of 1937 has been amended several times by Congress since 1937. In 1962, Congress added "protecting fish and wildlife" to the act. Since prairie dogs are part of the native fauna on the national grasslands, their conservation on these lands is required. The original act refers to a need to "preserve natural resources." The Forest Service must conserve and manage prairie dogs and associated species while still meeting the intent of the other provisions in the act and subsequent amendments since 1937, as well as the other laws and regulations that apply to the national grasslands today.</p>

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Grazing	Goal 2 – Coordinate with Wyoming Game and Fish Department to ensure that wildlife and big game numbers do not outstrip habitat and to reduce conflicts between rangeland resources for livestock grazing and wildlife forage and habitat needs. Federal land managers must promptly notify the WGFD and request immediate adjustments in wildlife numbers when habitat capacity is exceeded (Page 47).	Yes	See above
Grazing	Policy 10 – Forage allocated to livestock may not be reduced for allocation to other uses. Current livestock allocation will be maintained (Page 49).	Yes	See above
Fence and Pasture Plan Components – Revise grazing allotments and management area direction on large pasture sizes for clarification and allow improvements to grazing management as a tool for prairie dog management.	Objective 3B – Encourage the use of coordinated range management plans (allotment management plans or coordinated activity plans) for each grazing allotment that allow for the flexibility and updating of management during the ten-year term of the grazing permit (i.e. fencing, herding plans, grazing systems) (Page 47).	Yes	The ability to cross fence and incorporate stock tanks was authorized in the Thunder Basin Analysis Area Vegetation Management Final Environmental Impact Statement. Geographic area direction regarding fences in the chapter 2 of the plan would be revised under the preferred alternative to provide further clarity about the ability to add or change infrastructure such as fences and water developments.
Fence and Pasture Plan Components – Revise grazing allotments and management area direction on large pasture sizes for clarification and allow improvements to grazing management as a tool for prairie dog management.	Objective 4A – Support enhancement of habitat for the benefit of livestock and wildlife through the use of range improvements (Page 47).	Yes	See above

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Socio economic analysis of the impacts from implementation of the preferred alternative	Objective 3A – Ensure that local, State, and Federal agencies consider the physical environment, social, cultural, and economic needs of the County when making land use decisions and plans that affect the custom and culture of the County (Page 15).	Yes	The analysis of socioeconomic resources appears in chapter 3 of the environmental impact Statement. Economic effects to local communities were estimated using 2017 data in the IMPLAN modeling system. The economic analysis was revised in the final environmental impact statement to include jobs and labor income associated with a change in animal unit months (AUMs) in the six-county economic analysis area. Given the uncertainty of future prairie dog occupancy and effect on available forage, this is a unit-level analysis. The permitted AUMs will not change. The economic analysis was also revised to include implementation costs. Appendix B describes priorities for prairie dog control, including how spending would be prioritized to meet the purpose and need.
Socio economic analysis of the impacts from implementation of the preferred alternative	Objective 1D – Encourage an intergovernmental framework that fully considers the local impacts of Federal and/or State proposed actions to social, economic, physical, and cultural environment as a part of the overall planning and decision processes (Page 17).	Yes	See above

Weston County

The following is a review of potential inconsistencies between the 2020 Thunder Basin National Grassland Plan Amendment and the **Weston County Land Use Plan of 1977 and Weston County Commission Resolution Number 13-03** as well as a description of how the U.S. Forest Service plans to reconcile its proposed action with the local plans and laws.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Cooperating agency status and the incorporation of a consistency review of local plans	Policy 5(B)(2) – Keep other governmental agencies aware of the County’s planning so that these agencies will not ignore the County’s desires as they develop their own plans (Page 27).	Yes	In addition to regular and open communication with county governments and districts as cooperating agencies and partners, the Forest Service intends to work with county representatives through a third-party collaborative stakeholder group throughout planning and implementation of the proposed plan amendment. General expectations for working with the collaborative stakeholder group are described in Appendix B of the final environmental impact statement.
Cooperating agency status and the incorporation of a consistency review of local plans	Policy (5)(B)(3) – Inform other agencies of the potential impact of their decisions on Weston County planning (Page 27).	Yes	The project has memoranda of understanding (MOUs) in place to document formal cooperating agency status with each of the five counties in the plan area including conservation districts and weed and pest districts, the USDA Natural Resources Conservation Service, and the U.S. Department of Interior Fish and Wildlife Service. State agencies in Wyoming and the Wyoming Governor’s Office have cooperating agency status through existing MOUs. The Forest Service has completed a consistency review with local and State plans as described in Appendix F of the environmental impact statement (this document).

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Agriculture Rural Lands	Policy 4(A)(1) – Weston County encourages the development and maintenance of agricultural-rural lands (Page 26).	Yes	Federal laws, regulations, and policies mandate the Forest Service to manage national grasslands for multiple uses and values, including wildlife and livestock grazing. This does not imply that every acre of national grassland must accommodate each use or value. Direction in the land and resource management plan identifies many priorities for the Thunder Basin National Grassland. Title III of the Bankhead Jones Farm Tenant Act of 1937 has been amended several times by Congress since 1937. In 1962, Congress added "protecting fish and wildlife" to the act. Since prairie dogs are part of the native fauna on the national grasslands, their conservation on these lands is required. The original act refers to a need to "preserve natural resources." The Forest Service must conserve and manage prairie dogs and associated species while still meeting the intent of the other provisions in the act and subsequent amendments since 1937, as well as the other laws and regulations that apply to the national grasslands today.
Recreational Shooting – Seasonal shooting restriction in Management Area 3.67 February 1 to August 15; Recreational shooting allowed on rest of grassland without restriction	Policy 9(B)(3) – Take advantage of unique local opportunities for rural recreation (Page 30).	Yes	The seasonal restriction on recreational shooting of prairie dogs in management area 3.67 in the preferred alternative would serve to protect at-risk species associated with prairie dog colonies. There would be no shooting restriction outside of MA 3.67.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
Socio economic analysis of the impacts from implementation of the preferred alternative	Policy 7(2) – The Weston County land use planning process will continue to include consideration of the County's major industries and future employment levels (Page 25).	Yes	The analysis of socioeconomic resources appears in chapter 3 of the environmental impact statement. Economic effects to local communities were estimated using 2017 data in the IMPLAN modeling system. The economic analysis was revised in the final environmental impact statement to include jobs and labor income associated with a change in animal unit months (AUMs) in the six-county economic analysis area. Given the uncertainty of future prairie dog occupancy and effect on available forage, this is a unit-level analysis. The permitted AUMs will not change. The economic analysis was also revised to include implementation costs. Appendix B describes priorities for prairie dog control, including how spending would be prioritized to meet the purpose and need.
Weston County Commission Resolution 13-03	Policy – Weston County respectfully requests that the United States Forest Service fully comply with the above-cited Federal Code of 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 (Page 2).	Yes	The final environmental impact statement analyzes a no action and four action alternatives as ways of amending the grassland plan to address ecological, social, and economic issues related to management of prairie dogs and grassland vegetation on the Thunder Basin National Grassland. During development of this amendment, the Forest Service provided many opportunities for public involvement, and comments received were used to develop a reasonable range of alternatives that addressed issues raised by the public, stakeholders, and partners.

Preferred Alternative	Local Plan and Laws	Consistent (Yes/No)	Inconsistencies and Reconciliation
<p>Weston County Commission Resolution 13-03</p>	<p>Policy – The County respectfully requests that the United States Forest Service incorporate the attached document titled <u>The Good Neighbor Alternative</u> as an alternative in the EIS proposed by the September 9, 2013, Notice of Intent (Page 2).</p>	<p>No</p>	<p>Chapter 2 of the final environmental impact statement contains a section called “Alternatives Considered but Eliminated from Detailed Study,” which describes why we did not analyze the Good Neighbor Alternative in detail. Differences in conditions between the Thunder Basin National Grassland and units that have adopted portions of the Good Neighbor Alternative, such as the Nebraska National Forests and Grasslands, make adoption of the Good Neighbor Alternative impractical. These differences in conditions include the presence of black-footed ferret, landownership patterns, ecological context, and social context, among others. In particular, the Forest Service eliminated from detailed study the use of boundary management zones greater than ¼ mile because of limitations imposed by landownership patterns on the Thunder Basin National Grassland. The intermingling of State and private lands with National Forest System land on the Thunder Basin National Grassland results in few large, continuous areas of National Forest System land when boundary management zones are wider than ¼ mile. Permanent boundary management zones wider than ¼ mile would reduce the flexibility for and practicality of managing toward prairie dog colony conservation objectives. The interdisciplinary team did not analyze in detail the monitoring of similarity index to manage prairie dog colony density when colony area objectives have not been met because of issues with feasibility and lack of information necessary to implement such monitoring, and because use control would be allowed in many circumstances outside of management area 3.67 in the preferred alternative.</p>