

**Written/Fax/E-mail Comments, Public Hearings on
11/7/07 Revised Proposed Rule for the Preble's Meadow
Jumping Mouse**

Updated 2/14/08

1	Index	
2	Dave Freudenthal Governor, State of Wyoming	Cheyenne, Wyoming
3	Thomas P. Nestler Colorado Division of Wildlife	Denver, Colorado
4	Vickie Brach USFS, South Park Ranger District	Fairplay, Colorado
5	Ellen Hodges USFS, Canyon Lakes Ranger District	Fort Collins, Colorado
6	Thomas A. Florich USFS, Laramie Ranger District	Laramie, Wyoming
7	Joe Reichardt Platte County Board of Commissioners	Wheatland, Wyoming
8	Cheryl Matthews Douglas County Open Space and Natural Resources	Castle Rock, Colorado
9	Dennis Hisey El Paso County Board of County Commissioners	Colorado Springs, Colorado
10	Bob Crifasi City of Boulder, OS&MP	Boulder, Colorado
11	John A. Kolan City of Greeley	Greeley, Colorado
12	Rod Kuharich South Metro Water Supply Authority	Greenwood Village, Colorado
13	Don Britton Wheatland Irrigation District	Wheatland, Wyoming
14	Ken Hamilton Wyoming Farm Bureau Federation	Laramie, Wyoming

15	Tom Partin American Forest Research Council	Portland, Oregon
16	Ronald W. Opsahl Mountain States Legal Foundation	Lakewood, Colorado
17	Erin Robertson Center for Native Ecosystems	Denver, Colorado
18	Wm. Robert Irwin Defenders of Wildlife Andrew E. Wetzer Natural Resources Defense Council Michael J. Bean Environmental Defense Jason Patlis World Wildlife Fund	
19	Pauline P. Reetz Audubon Society of Greater Denver Kent Holsinger Holsinger Law, LLC	Littleton, Colorado
20	*Rescanned Documents/ New CD for Adjustments this only A-G; I-U; W-Y Holsinger Bob L. Ingels	Denver, Colorado
21	Housing and Building Association of Colorado Springs	Colorado Springs, Colorado
22	Jack Ekstrom Western Business Roundtable	Golden Colorado
23	David L. True True Ranches, LLC	Casper, Wyoming
24	Jack Saunders Saunders Company	Leadville, Colorado
25	William E. Gurski (1/08 FAX) KEM Homes	Fort Collins, Colorado
26	Rob Roy Ramey II	Nederland, Colorado
27	Kenneth R. Faux Jr.	Greenwood Village, Colorado
28	Jack Rick	
29	Howard Lind	Monument, Colorado

30	Coleen P. Abeyta	Colorado Springs, Colorado
31	Jane Rogers	Colorado Springs, Colorado
32	Ron and Mary Kunzelman	Colorado Springs, Colorado
33	Tom Nettles	
34	Michael and Claudette Stella	
35	Susan Majors	
36	Rata Clarke	
37	Mitchell Baldwin	
38	Marc Stein	Colorado Springs, Colorado
39	Martin Wolf	Colorado Springs, Colorado
40	Pete and May Weston	
41	Steve Tottosy	Colorado Springs, Colorado
42	Robert Hoff	Colorado Springs, Colorado
43	Doren Tenerowicz	Castle Rock, Colorado
44	Zachary Barr	Denver, Colorado
45	Gene Shannon	
46	Harvey Huston	Colorado Springs, Colorado
47	Pat Wells	Manitou Springs, Colorado

48	Dan Bjugstad	Colorado Springs, Colorado
49	Gerald and Marsh Federer	Cheyenne, Wyoming
50	Snookie Fatiuk	Colorado Springs, Colorado
51	Larry Banister1	Castle Rock, Colorado
52	Larry Banister2	Colorado Springs, Colorado
53	Patricia A. Smith	Colorado Springs, Colorado
54	Liz Klein	
55	12/10/07 Public Hearing	Lakewood, Colorado
56	12/12/07 Public Hearing	Wheatland, Wyoming



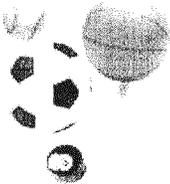
Diane
Katzenberger/R6/FWS/DOI
11/13/2007 02:22 PM

To: Peter Plage/R6/FWS/DOI@FWS
cc
bcc
Subject: Fw: Mouse comment

For the record ...

Diane Katzenberger
U.S. Fish and Wildlife Service
Office of External Affairs
(303) 236-4578
Email: Diane_Katzenberger@fws.gov

----- Forwarded by Diane Katzenberger/R6/FWS/DOI on 11/13/2007 02:22 PM -----



Jean Clemens/R6/FWS/DOI
11/13/2007 02:19 PM

To: Diane Katzenberger/R6/FWS/DOI@FWS
cc
Subject: Fw: Mouse

Jean Clemens, Secretary
U.S. Fish & Wildlife Service
External Affairs Office
Mountain Prairie Region
303-236-7905 Office
303-236-3815 Fax

----- Forwarded by Jean Clemens/R6/FWS/DOI on 11/13/2007 02:19 PM -----



"Mitchell Baldwin"
<mbaldwin@martinellir
ealtyinc.com>
11/05/2007 01:23 PM

To: <mountainprairie@fws.gov>
cc:
Subject: Mouse

How in the world can you people call the Preble's jumping mouse endangered in Colorado and not Wyoming? That doesn't even make sense and even less logical sense. This must have been a right brain decision. It looks like you caved to the special interests. What is your theory? Since no one had the guts to say all should be included or none should be included, if you split the difference, you will make less people upset at your decision. It just goes to show that if shop long enough, you can find someone to agree with you. This is not about the mouse. It is about politics, power and money. The way you worked this deal will probably come back to haunt you one day.

Thank you.

Mitchell Baldwin



"Stein, Marc"
<Marc.Stein@lsi.com>
11/09/2007 03:39 PM

To <FW6_PMJM@fws.gov>
cc
bcc
Subject Preble's Jumping Mouse

To Whom It May Concern:

The Preble's Jumping Mouse is should stay on the Threatened Species List in Colorado.

This is an indicator that people are developing in a non-sustainable manner on the Front Range. This development serves Developers who run Colorado politics, but not the people who want a better quality of life. There are a lot of innovative planning methods available to create real communities, but these dolts just continue to expand the sprawl without regard to people or nature.

Sincerely yours,

Marc Stein
15220 Steinbeck Lane
Colorado Springs, CO 80921



MaCaWolf@aol.com
11/12/2007 11:13 AM

To FW6_PMJM@fws.gov
cc
bcc
Subject Preble's Mouse Proposal

To Whom it May Concern, at the US Fish & Wildlife Service:

I would like to weigh in with my comments regarding the recently proposed regulations for protection of the Preble's Meadow Jumping Mouse in Colorado and Wyoming.

While clearly the mouse needs to be protected as an endangered species in both states, its status is far more in jeopardy in Colorado, due to the greater development along the northern half of the state's front range. Based on the scientific studies reported, protection seems not only warranted to me, but the proposed plan seems very fair and adequate in Colorado.

I am somewhat concerned with the plan to ignore the mouse's protection or status in Wyoming, however. I don't understand why that population should be left to fend for itself. Granted, development poses a lesser threat in that corridor, but nevertheless a monitoring protocol should be built into the proposal for regular assessment of the Wyoming population, as well as the Colorado one.

Given my concern as stated above, the proposal for protection of the mouse in Colorado should be held to, without yielding to the (no doubt) strong lobbying pressure that is continually being applied by the construction and development industries, as well as by some municipalities. They need to recognize these "costs" as a part of doing sustainable business, and adjust their plans accordingly. No true westerners value unlimited growth over the natural and scenic indigenous ecosystems (with all their components) that make the west exactly what it is--and make it why we are here.

Thankyou for letting members of the public weigh in on this issue!

Martin Wolf
2220 Capra Way
Colorado Springs, CO 80919
719-548-1932
macawolf@aol.com

See what's new at AOL.com and [Make AOL Your Homepage](#).



"Pete and Mary Weston"
<bassethouseco@comcast.net>

11/17/2007 12:15 PM

To <FW6_PMJM@fws.gov>

cc

bcc

Subject Comment on proposal to keep the Preble's meadow jumping mouse on the threatened species list

If the Preble's meadow jumping mouse can't be on the threatened species list in Wyoming, at least it can be in Colorado! However and wherever it can be saved, I feel is important. Thank you.



"Stottosy Tottosy"
<stottosy@gmail.com>

11/26/2007 07:58 PM

Please respond to
"Stottosy Tottosy"
<stottosy@gmail.com>

To <FW6_PMJM@fws.gov>

cc

bcc

Subject Mouse protection

I live in the Struther's Ranch development in Northern Colorado Springs. the area behind my house is a mouse protected area.

Today at our first HOA meeting I discovered that the area is proposed to connect the Santa Fe trail to the Fox Run trail with the connecting trail running right through the center.

I feel that this is disturbing the protected mouse not to mention the other wild life that roam the area.

Please keep the mouse on the protected list in Colorado and enforce habitat violations.

Thank You

Steve Tottosy
278 All Sky Drive
Colorado Springs

NOV 29 2007

ROBERT B. HOFF
4445 NORTHPARK DRIVE
SUITE 200
COLORADO SPRINGS, CO 80907
719-630-2277

Nov. 27, 2007

Susan Linner
Field Supervisor
Colorado Field Office
Ecological Services
US Fish & Wildlife Service
P.O. Box 25486
MS-65412
Denver Federal Center
Denver, CO 80225

Thank you for the opportunity to comment on the Revised Proposed Rule as to the Preble's Meadow Jumping Mouse. I believe it is clear, on the basis of abundance alone, that the Preble's is not now and never has been threatened or endangered. I further believe, on the basis of its own statements, that the Service knows this very well.

There is no need to enter into the question of the Ramey report or the King report or any of the various arguments over the validity of either. This argument satisfies scientific curiosity only and makes no difference when we already know that there are many, many thousands of Preble's in Colorado and Wyoming. There have been at least three different attempts to delineate a Critical Habitat for the Preble's and each one has ended with the Service acknowledging that fact. No matter how far you cut the size of that Habitat down, there are still enough Preble's to assure survival of the sub-species. The listing and the rule are and have always been nonsense. We do not need to cut down any more trees to provide pulp and paper.

Just to provide a flavor of this nonsense, I give you a quotation from Page 1 of the Preliminary Recovery Plan. Surely the use of a quotation from a supposed authority implies the approval of the Service? "Both the Colorado Natural Heritage Program and the Wyoming Natural Diversity Database consider Preble's "imperiled globally." Globally, eh? Are we now, in accordance with the Revised Proposed Rule, to add the caveat "...except in Wyoming."?

But there is no humor to be found in the Draft Economic Analysis of January, 2003. Even considering that any Federal cost estimate is a fantasy, what are we to make of the stated \$13 million dollars that Wyoming taxpayers and citizens have absorbed in unnecessary costs over the past 10 years? Who is to make them whole again? Can they even expect an apology, let alone repayment. Why sure they can. Sure.

I accept in good faith that the Service knew nothing of Preble's populations when it listed the animal. But it should have known that there was a good chance, even a probability, that there were extensive populations in the two states sufficient to preclude it being threatened or endangered. It received the following reports prior to listing:

Hafner(1/21/98) "Because of certain inherent difficulties in trapping Zapus, it is likely that some historical populations believed to have been extirpated still exist and even more likely that some as yet undetected populations exist."

Compton & Hugie (1993) "There is a paucity of information available concerning the status of populations of Z.h. preblei at this time."

David Armstrong(1972) "The species is poorly known in Colorado."

Compton & Hugie(1993) "The status of extant populations of Z.h. preblei is poorly known in Colorado and unknown in Wyoming."

Corn, Pague, et.al.(1995) "The status of extant populations of Preble's Meadow Jumping Mouse is poorly known."

Corn, Pague, et.al.(1995) "Because larger numbers of jumping mice were captured more rapidly than expected, trapping effort was modified."

Meany & Clippinger (1995) "Its (preble's) current status in Colorado is uncertain."

Meany & Clippinger (1995) "...we know little about population densities in Colorado."

Meany & Clippinger (1996) "Densities, population fluctuation and movement patterns of these mice (preble's) are not known."

Fleming, Pague et.al.(1996) Very little is known about its habitat probably because the Preble's Meadow Jumping Mouse is so rare, very little is known about its habitat preferences and population ecology."

"The status of extant populations of Preble's Meadow Jumping Mice is poorly known."

"Beyond the habitats of capture, few details are known of the biology of the Preble's Meadow Jumping Mouse in Colorado."

Meaney, Clippinger,et.al. (1997) "Studies on the basic natural history are desperately needed."

Bakeman, Deans, Meaney & Ryon (5/97)"It is important to recognize the limits of our knowledge of the distribution of meadow jumping mice in these two states."

"Additional populations of meadow jumping mice may be undiscovered."

"Clearly, intensive studies at particular locations will be needed to provide any insight into the populations biology of the meadow jumping mouse along the Colorado Piedmont and adjacent southeast Wyoming.."

Shenk (1998)"A more complete biosystematic evaluation of jumping mice is needed".

Gruman, et.al. (1998) "...the USAFA could support approximately 2500 mice in 1998."

Hafner(1/21/98) The likelihood of additional populations of Z. hudsonius persisting in pockets of appropriate habitat argues for the need of additional surveys."

Pague & Schuerman(1/18/98) "Finally, one of the largest remaining gaps for *Zapus hudsonius preblei* is that density estimates are not generally available. Without density estimates or direct measures, population size cannot be estimated."

Shenk(1/31/98) "Review of the studies conducted on the PMJM shows that there is insufficient information to fully address range-wide ecological requirements, limiting factors, limits of species tolerance, or population status. Very much more work needs to be done before anyone is qualified to speak to the ecology of the mouse."

A short definition of "science" in Webster's is "knowledge, as of facts or principles; knowledge gained by systematic study." No such study was made by the Service prior to listing. Indeed, the Service more nearly used the very next definition in Webster's, that is; science fiction,"a form of fiction that draws imaginatively on scientific knowledge and speculation!" The Service was abysmally ignorant of the Preble's ecology when it listed. How can it possibly justify doing so and creating such an expensive and disruptive ruling when it had, to use its own words, very little information?

So, despite all the best available advice as outlined above, the Service went forward to list anyway. Then, on 7/18/2002, it published a proposed Critical Habitat Designation. In that designation it quoted a Draft Discussion Document on a Recovery Plan (2/27/2002) to the effect that "large populations maintaining 2500 mice and usually including at least 80 km (50 mi) of rivers and streams. It defines medium populations as maintaining 500 mice over at least 16 km (10 mi) of rivers and streams." Basic math tells us that comes to a density of 50 mice per stream mile. The Designation then went forward to propose the setting aside of 657.5 miles of rivers and streams in the two states. When we multiply 50 mice per mile times 657.5 miles, we get 32,875 Preble's already existing plus all those found outside the Designated Critical Habitat, most certainly another substantial number.

Thus the Service knew as early as 7/18/2002 that the existing Preble's populations already greatly exceeded the 20,000 Preble's which the Draft Discussion Documents stated were necessary for recovery. The listing had clearly been made in error and, were the Service acting in a responsible manner, it would have moved to delist at that time.

Instead the Service has continued this farce and continued to churn out various specious documents in an attempt to justify its error. It has continued to take the use and value of private property without just compensation, knowing all the while that there was no basis for doing so. Bad enough, the \$13 million dollar drag on Wyoming's economy. There has also been the sum of \$177 million dollars costs borne by Colorado taxpayers and citizens. All these figures come from the Draft Economic Analysis which the Service promulgated in January of 2003.

Is there confirmation that the Service knew in 2002 that there were sufficient Preble's in existence to preclude a listing as endangered or threatened? Of course there is. The new rule says on Page 123 that "The Preliminary Recovery Plan, which represents the best available science,.....".

We then go to Page 5 of the Preliminary Recovery Plan which states "These new surveys (referring to surveys made between the listing date and Nov. 5, 2003) do not represent a substantial range expansion of the subspecies nor do they provide evidence of increased abundance." One takes that to mean, logically, that the populations found in these surveys, if not new, were on hand when the listing was decreed. They are simply populations which had not yet been discovered.

We then go to Page 29 of the proposed rule which states "It is believed that there are currently sufficient Preble's populations that should they persist in the future, the subspecies survival will be assured. The current number, size and distributions of Preble's populations that currently exist are believed to meet recovery criteria." They've persisted for the last 10 years.

It follows logically that, if there are no new populations and if the current number, size and distribution of Preble's populations meet recovery criteria, those populations were in existence at the time of listing. The listing was performed in error and ignored, both in 1998 and in 2003, the best available science.

Let us go back now to the Economic Analysis of January, 2003. It is for a 10 year period only on the basis that it is difficult to predict cost beyond that point. Acknowledging that this is so, it nevertheless means that the costs are understated by at least 100% since recovery is to take a period of 20 years (Pg. v, Draft Recovery Plan, 11/5/2003.) Therefore, the real predicted costs are \$370,000,000 or more.

I point out that, in addition to these costs, there are other ongoing costs which are neither described or quantified in the analysis. The Draft Recovery Plan sets forth the need to establish a method to finance and monitor 53 separate Preble's populations, spread out over 3 drainage basins, for a period of 20 years. It envisages the establishment of a Site Conservation Team, a Population Monitoring Plan, a Threat Abatement Plan, a Governance Committee, and a Long-Term Management Plan, all to serve under a Recovery Team. What is the cost involved in maintaining each of these team and in maintaining each of these plans and who is to bear the costs? We may be sure that it is not the Fish & Wildlife Service. And for how long does this process last?

I am given to understand that each site must have no significant negative trend in population over a minimum period of 10 years (20?) in order to reach recovery. If one of these 53 sites exhibits a negative trend, then recovery will not have been attained until that site has regained proper population levels or is replaced. I am also given to understand that it is statistically impossible that this nirvana can be reached. That leads to the conclusion that these Teams, Plans and costs are to run into perpetuity.

Perpetuity! I greatly doubt that any of the entities...Local, county, state and national ...which are to staff and fund these efforts , have assimilated the fact that they are to bear these ever-increasing costs forever.

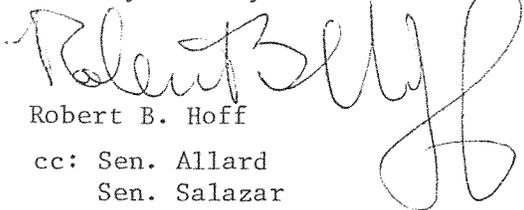
In point of fact, they will not do so. As this knowledge seeps into the various consciousnesses, the inevitable reaction will be to amend the ESA to provide some rational basis for listing. The policy of "List now and then investigate" will change to "Investigate first and then list if justified". The enormous financial burdens now placed on private landowners, municipalities, counties, water districts, and states will be transferred to the national treasury. This is as it should be. If the conservation of species is in the national interest, then the cost of such conservation should be borne by the nation. And, of course, when Congress understands those costs, it will insist on a much higher level of competence on the part of the Service.

The Service, although it acts so, does not operate in a vacuum. These are difficult financial times for the two states and for the nation as a whole. We cannot properly fund education, transportation, health care and a host of other needs. Other countries and other independent individuals have begun to question the stability of the US dollar and propose to seek compensation for their goods and services in some other currency. Yet we are to continue pouring forth many millions (probably billions) of dollars to prop up a program which is so miserably managed.

The Service acts in this matter even against its own interest. The Federal Register of June 23, 2003 made the case very well when it said, "The costs associated with retaining species on the endangered and threatened lists are significant." And further, "As long as a species remains on the endangered or threatened lists, Service funds are expended for ongoing conservation activities, including reviewing and permitting activities associated with habitat conservation plans and other regulated activities. Resources currently devoted to these activities could be redirected to other listed species more deserving of conservation efforts. Further, the primary objective of the Act is recovering species and removing them from the lists. Thus, delisting and reclassification not only reduces Service expenditures, but it has the added benefit of relieving unnecessary restrictions and burdens on the states and private citizens and may increase public support for the endangered species program."

I cannot at the moment find the quote from Barbara Tuchman's "The March of Folly". Paraphrased, it says that when resources are plentiful, a nation can absorb a certain amount of blundering but when resources become scarce, it becomes folly to continue blundering when we know better.

Thank you for your consideration,



Robert B. Hoff

cc: Sen. Allard
Sen. Salazar
Secy. Kempthorne
Gov. Ritter
Rep. Lamborn
Commissioner Bensberg
W. Perry Pendley



Doren Day
<doren@opencircleacupuncture.com>

12/04/2007 02:02 PM

To <FW6_PMJM@fws.gov>

cc

bcc

Subject preble mouse comment

Hello,

I am glad to hear the the status of the preble mouse as a threatened or endangered species is to be continued.

In a rapidly growing area such as Douglas County, Colorado, development can easily overtake the interested of the environment and the delicate balance that is required for such species and many others to exist.

Please continue to protect our area by keeping the preble mouse on the endangered list.

Thank you,

Doren Tenerowicz
Castle Rock, CO



Zachary Barr
<zacbarr@yahoo.com>
12/11/2007 10:21 AM

To FW6_PMJM@fws.gov
cc
bcc

Subject Preble's meadow jumping mouse

I am writing to express my support for keeping the Preble's meadow jumping mouse on the Endangered Species list. The animal's habitat should be protected.

Sincerely,
Zachary Barr

1574 S. Lincoln St.
Denver CO 80210

Looking for last minute shopping deals?
Find them fast with Yahoo! Search.
<http://tools.search.yahoo.com/newsearch/category.php?category=shopping>

December 12, 2007

Field Supervisor
Colorado Field Supervisor
Ecological Services
PO Box 25486
Denver Federal Center
Denver, CO 80225

RE: Preble mouse hearing

Dear Sir,

Our local newspaper, The Gazette, Colorado Springs, reported Tuesday that a hearing concerning the infamous preble mouse was held Monday and that very few were in attendance. This meeting may or may not have been widely published, but the lack of attendance doesn't likely portray the disgust this issue has caused in Colorado. Fortunately the article did indicated a place to express our opinion on the matter.

I am a resident of Colorado Springs and although I have not been affected directly by the shenanigans of this whole fiasco, my tax dollars have surely been used to fund it! The I-25 and Monument interchange is a great case in point. How many millions of dollars had to be spent just so an alleged preble habitat could be preserved? That whole situation was ludicrous. The argument is always that humanity is disturbing their habitat. Well, it is interesting to note that the folks that live in the Skyway, Rockrimmon and Air Force Academy have build in the habitat of quite a number of species of wild life and it hasn't seemingly bothered them. Those areas are more than sufficiently populated with the wild life in question, even to the point of being obnoxious.

And then, to have a decision made that the preble mouse is no longer endangered in Wyoming, but cross the border in to Colorado it become so, is also ludicrous. Maybe with that fact being published in the "Preble Gazette", all the mice will move to Colorado where it is safe to live! Stupidity! The whole subject is stupidity! Lets quit paying people to oversee this nonsense and get on with life.

For what it is worth,

Gene Shannon





dotnhav@comcast.net
12/12/2007 07:48 PM

To FW6_PMJM@fws.gov
cc
bcc
Subject Delist Mouse

The prebles mouse should be delisted as endangered. There will be plenty of protection in wetlands, flood plain and other open space.

4970 Poleplant Dr.
Colorado Springs, CO., 80918
dotnhav@comcast.net

--

Harvey Huston