

From: Daniel Thompson
To: [Fortin-Noreus, Jennifer](#)
Cc: [Jodi Bush](#)
Subject: Re: example
Date: Thursday, December 15, 2016 10:27:03 AM

Sounds good, I somewhat assumed that but was just eyeing that 1 year timeframe and didn't want some other procedural hurdle to occur.

And that's exactly how I've been handling incorrect statements or misleading "accusations".

On Thu, Dec 15, 2016 at 10:24 AM, Fortin-Noreus, Jennifer <jennifer.fortin-noreus@mso.umt.edu> wrote:

Although it is our goal to have the responses done in February they will be released as part of the final rule. It is not uncommon for the Service to take longer than a year to finalize a proposed rule. The previous delisting took 16 months between the proposed and final rules.

Merry Christmas to you too! Hope you're getting some snow to enjoy!

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From: Daniel Thompson [daniel.thompson@wyo.gov]
Sent: Thursday, December 15, 2016 10:18 AM
To: Fortin-Noreus, Jennifer
Cc: Jodi Bush
Subject: Re: example

Last question, I read that these responses are likely to come out in February, but how would that impact final rule by March so that we are not over the 1 year timeline from issuance of the initial proposed rule?

We'll have comments from States coming ASAP

Merry Xmas!

On Thu, Dec 15, 2016 at 10:11 AM, Fortin-Noreus, Jennifer <jennifer.fortin-noreus@mso.umt.edu<mailto:jennifer.fortin-noreus@mso.umt.edu>> wrote:
Hi Dan,

I've inserted a issue summary and the draft response below. Although we want to keep the

responses as succinct as possible, it is important to include references to literature, regulations, etc. as much as possible to support our response.

Thank you!

Jennifer

Issue 81: We received some comments from peer reviewers and the public in reference to the Forest Service designation of the grizzly bear as a “sensitive species” or “species of conservation concern” upon delisting. Commenters considered this Forest Service designation an important component of ongoing management of grizzly bears. Some asked for specific statutory and regulatory definitions for “sensitive species” and “species of conservation concern” and the amount of protection afforded under each designation. Commenters expressed concern about the different authority these Forest Service designations provide and worried that the new designation of “species of conservation concern” under the 2012 Planning Rule would not provide the same project-level prohibitions as the “sensitive species” designation.

Response 81: The inherent protections afforded by the Sensitive Species designation and the Species of Conservation Concern and the Individual Species Direction are comparable. All three are designed to meet the intent of the U.S. Department of Agriculture Departmental Regulations 9500-4 which directs the Forest Service to “Avoid actions which may cause a species to become threatened or endangered” and Sensitive Species Objectives (USDA Forest Service 2005, Manual 2670.22) which include: “Develop and implement management practices to ensure that species do not become threatened or endangered because of Forest Service actions and “Develop and implement management objectives for populations and/or habitat of sensitive species.” Following are the regulatory definitions:

Sensitive Species: Those plant and animal species identified by a regional forester for which population viability is a concern, as evidenced by: (1) Significant current or predicted downward trends in population numbers or density; and (2) Significant current or predicted downward trends in habitat capability that would reduce a species’ existing distribution. (USDA Forest Service 2005, Manual 2670.05).

Species of Conservation Concern: For purposes of this subpart, a species of conservation concern is a species, other than federally recognized threatened, endangered, proposed, or candidate species, that is known to occur in the plan area and for which the regional forester has determined that the best available scientific information indicates substantial concern about the species’ capability to persist over the long-term in the plan area. (36 CFR 219.9(c)).

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From: Daniel Thompson [daniel.thompson@wyo.gov<mailto:daniel.thompson@wyo.gov>]
Sent: Thursday, December 15, 2016 7:38 AM
To: Jodi Bush; Fortin-Noreus, Jennifer
Subject: example

Hello,

Working on responses to state comments and wondered if you could send some examples of your answers. I don't want to over or undershoot the responses. Most of these questions have already been answered ad nauseum during all of our public comment periods but there are a few new ones that have been developed.

Thanks

DT

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