



## WYOMING GAME AND FISH DEPARTMENT

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April 13, 2009

WER 11885  
US Fish and Wildlife Service  
Endangered and Threatened Wildlife and Plants;  
90-Day Finding on a Petition to List the Wyoming  
Pocket Gopher as Threatened or Endangered With  
Critical Habitat  
FWS-R6-ES-2008-0127

Public Comments Processing  
Attn: FWS-R6-ES-2008-0127  
Division of Policy and Directives Management  
U.S. Fish and Wildlife Service  
4401 North Fairfax Drive Suite 222  
Arlington, VA 22203

Dear Sir/Madam:

The staff of the Wyoming Game and Fish Department has reviewed the Petition to List the Wyoming Pocket Gopher as Threatened or Endangered with Critical Habitat. We offer the following comments.

The Wyoming Game and Fish Department (Department) does not support a positive listing of the Wyoming Pocket Gopher as Threatened or Endangered under the Endangered Species Act (ESA) in Wyoming. We also do not support a critical habitat designation for this species. We believe that it is premature to list the species at this time, as not enough information is available to accurately assess its status, threats, and critical habitat. Moreover, listing would not afford any added protection and could hamper on-going efforts to address distribution and improve our understanding of the species. Below we provide data and documentation to assist with the Service's review of the petition for the Wyoming Pocket Gopher.

We classify the Wyoming Pocket Gopher in Wyoming as a Species of Greatest Conservation Need (SGCN) with a Native Species Status of 4 (NSS4), because habitat is restricted with no on-going significant loss and population trends and status are unknown but suspected to be stable. The Wyoming Pocket Gopher has been protected from take by Chapter 52 of the Wyoming Game and Fish Commission Regulations, since 1994.

Following the filing of the petition (August 2007), we have proactively supported and contributed monetarily to research and surveys that would further our understanding

of the species. For example, Dr. McDonald's genetic research results indicate that the species is unique and genetically valid (D. McDonald, University of Wyoming, personal communication). We encourage the Service to request a formal summary from Dr. McDonald for additional information as these results are pending publication. Further, the Wyoming Natural Diversity Database (WYNDD) has been conducting surveys within the historic range of the species through a grant provided by the Department. Additionally, we have supported and approved all Chapter 33 requests received, to improve our understanding of the species distribution and status.

*1) Historical and current population status, distribution, and trends.*

The petitioners state that < 25 records were known for this species prior to the filing of the petition and they suggest that the reason for this is that the species is in eminent danger of extirpation. We strongly disagree with the petitioners and suggest that the reason for the lack of records is due to the following: 1) the species is much more cryptic (i.e., mounds are less obvious) than other pocket gophers (e.g., Northern pocket gopher); 2) pocket gophers are fossorial and difficult to capture; and 3) the Wyoming pocket gopher has a restricted distribution that was, until recently (< 5 yrs), synonymous with a part of the state where little anthropogenic disturbances occurred.

Notably, the species has been confirmed to exist recently within the historic range previously described some 30 yrs ago. This new data contradicts statements made by the petitioners and Keinath and Beauvais (2006) that search efforts within the historic range have found little evidence that the species continues to persist in Wyoming. Although surveys in 2008 failed to locate new records in potentially suitable habitats (Fig. 1), we point out that these searches were not exhaustive and therefore it is difficult to draw conclusions about the species current distribution based on one limited field survey effort. There is an expanded and coordinated effort (i.e, state, federal, NGOs, and industry) to address the distribution of this species during the summer of 2009. This effort is supported by Department funding.

Many components of the life history of this species remain poorly understood. Specifics on key demographic attributes are lacking, as are other potentially important parameters such as colonization and extinction patterns of populations. Moreover, important habitat for this species is so poorly understood that survey efforts have been hampered because they are extremely time consuming.

*2) Information of the potential threats to the species*

*a) Threats to habitat and range*

Although we generally concur with petitioners and the Service that there is a high potential for natural resource extraction within the known / suspected range of the species, and the species could face new threats as a result, we find the entire

assessment in this section to be speculative and unsupported. The assessment fails to provide a single specific example demonstrating negative impacts for any pocket gopher population caused by natural resource extraction. Moreover, not a single example is provided for the species of interest or the area (i.e., species range) of interest. Neither the Service nor the petitioners provide any specific examples where natural resource extraction activities (e.g., roads, pads, wells, etc.) are occurring within proximity to known or suspected Wyoming pocket gopher populations. And lastly, neither the Service nor the petitioners have attempted to quantify the speculated impacts due to suspected habitat loss as a result of natural resource extraction.

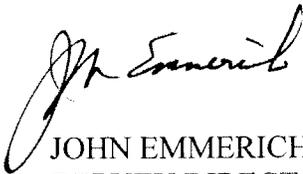
During the upcoming field season, we have requested that WYNDD and all interested parties begin collecting information on distances to nearest disturbance, by type. Preliminary information suggests that because the species tends to occur on well drained slopes there is little potential for conflict. Furthermore, implementation of a directional drilling program in this area could drastically reduce infrastructure densities as well as potential conflicts for this species. We encourage Federal agencies and the Service to pursue and implement measures that could help conserve the species without formally protecting the species under the ESA.

- b) For the remainder of 5 listing factors: *b) Over-utilization for commercial, recreational, and scientific purposes; c) Disease or predation; d) Adequacy of regulatory mechanisms; and e) Other natural or manmade factors affecting its existence*, we concur with the Service's findings that the petitioner does not present substantial information indicating that listing the Wyoming pocket gopher may be warranted.

In closing we thank the Service for the opportunity to comment on the 90-finding for the Wyoming pocket gopher. We believe the best available science does not support listing the Wyoming pocket gopher under the ESA at this time. Efforts are underway to improve our understanding of this species' distribution and trends, and hope the Service recognizes the importance of these efforts to conserving the Wyoming pocket gopher. We believe that conservation measures can be implemented to reduce perceived threats without formally listing the species as Threatened or Endangered. We also encourage the Service to contact Colorado Division of Wildlife to coordinate survey efforts in northern Colorado, where the species has the potential to occur.

Thank you for the opportunity to comment.

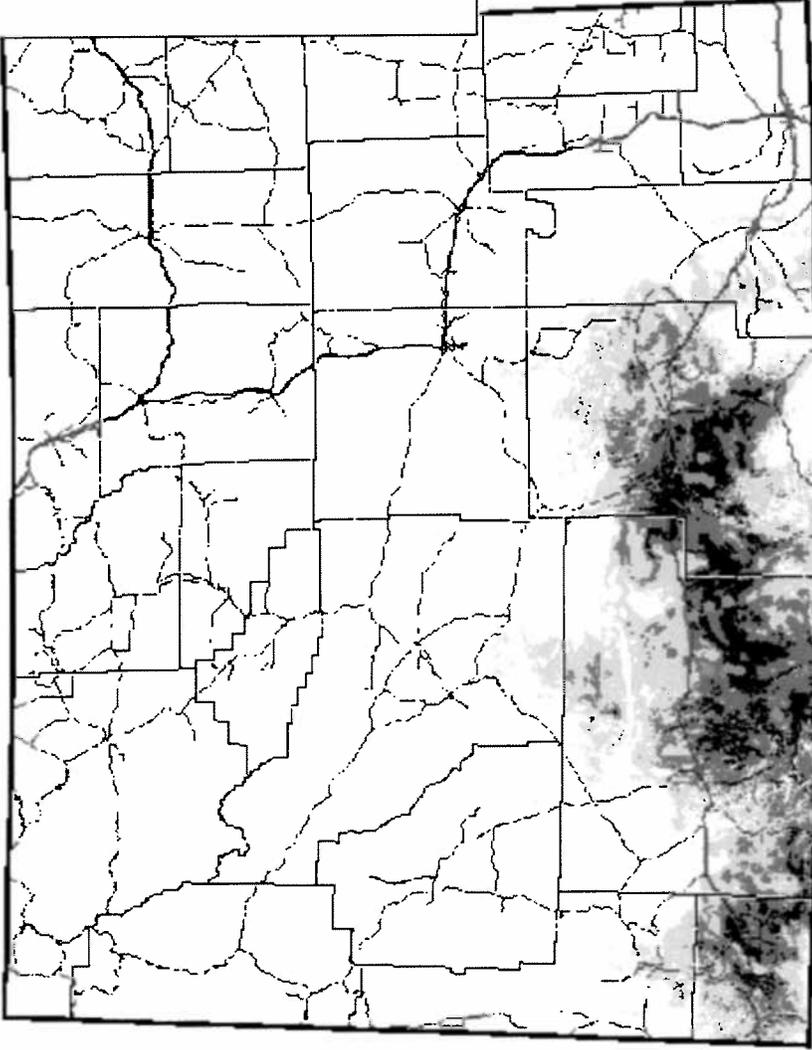
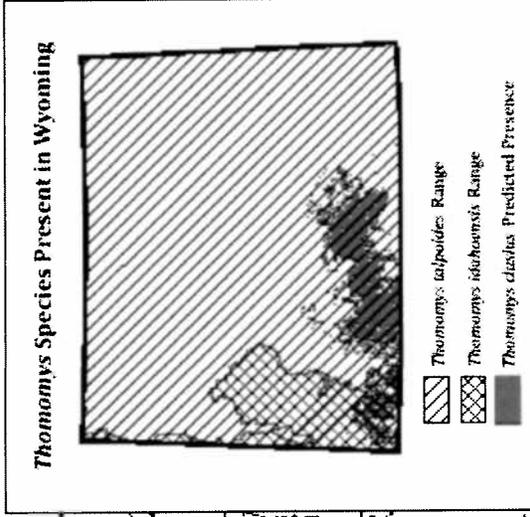
Sincerely,



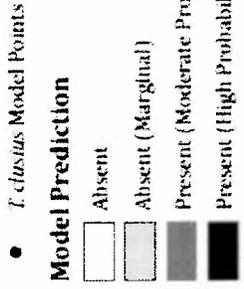
JOHN EMMERICH  
DEPUTY DIRECTOR

JE: MF

cc: USFWS



**Model of Possible *Thomomys clausius* Distribution**  
**DRAFT**  
**December 18, 2008**



Summary of Distribution Modeling	
Algorithm:	MaxEnt
Model Date:	December 17, 2008
Input Points:	13
ROC AUC:	0.986
External Evaluation:	none
Input variables listed in order of importance, (with percent contribution to the model output):	
-CV of Monthly Precipitation	(37.6)
-Mean Annual Frost Days	(20.4)
-Dominant Ecological System	(13.1)
-Radiation of Lightest Month	(11.2)
-Elevation	(5.9)
-Contagion Index of Fragmentation	(2.8)
-Mean Annual Precipitation	(2.6)
-Slope	(2.2)
-Depth to Bedrock	(1.6)
-Interannual Variation in Frost Days	(1.3)
-Fraction of Soil as Sand	(1.0)