



Sunday, September 10, 2023

To whom it may concern at Wyoming Game and Fish:

Thank you for giving Backcountry Hunters & Anglers (BHA) the opportunity to comment on this important elk feedgrounds planning and management effort.

BHA's mission is to ensure North America's outdoor heritage of hunting and fishing in a natural setting, through education and work on behalf of wild public lands and waters. Our membership is over 40,000 strong, which includes roughly 600 from the Wyoming chapter. Wyoming BHA (WY BHA) sets its priorities by following those of the organization, and these are: access & opportunity; public lands & waters; fair chase; programs (Armed Forces Initiative, Collegiate Program, and R3/Hunting for Sustainability).

We would first like to recap our feedback from the last comment opportunity, which was provided prior to the development of the draft management plan. The draft plan has effectively addressed some of these comments, while others persist.

1. Biggest concerns surrounding feedgrounds
  - a. Access & Opportunity: new or altered tag allocations that heavily favor private landowners, e.g., transferrable landowner tags, in response to elk numbers over objective; excessively long shoulder seasons; unsustainably high numbers of tags allocated – rapid increases that do not guarantee sustainable, long term opportunities
  - b. Public Lands & Waters: provision of suitably healthy and sustainable winter range for elk (recognize importance of private land but prefer to see enhancement of public land habitats); deer-elk ecology; density dependent disease transmission; focus not only on enhancing winter range, but preservation and enhancement of migratory corridors as well, and enhancement of summer range health; data collection opportunities – share results with public and let it inform management
  - c. Fair Chase: at the start of feeding, managers and the public made what they felt was the most ethically sound choice with the information they had at hand, but now, the best available modern science highlights the risks of major die-offs due to disease outbreaks, poor nutrition across all seasonal ranges, and weather flux in association with feedgrounds; we have an ethical obligation to reduce harm to elk (and other wildlife now) by phasing out feeding
2. Constraints and barriers to future feedground management
  - a. Access & Opportunity: tendency of elk to congregate on private land during the winter
  - b. Public Lands & Waters: funding from public sources to assist with various solutions to elk feedgrounds management and phase-out is limited
  - c. Fair Chase: sudden, total cessation of feeding is not really viable, but some action to reduce disease transmission risk and to stop artificially inflating



populations beyond the actual carrying capacity of the natural landscape is necessary

3. Solutions to issues that address constraints and barriers
  - a. Access & Opportunity: increasing access to private land to expand the use of hunting as a management tool to reduce or maintain elk population numbers, e.g., expansion or enhancement of the current Access Yes program; seeing what other programs are most effective and publicly supported by resident hunters in other states with elk herds over objective, e.g., Montana's "Hunt Roster"; increase public and hunter acceptance of reduced elk populations in the longer term if/when feedgrounds are phased out and natural winter food sources are not sufficient to maintain current numbers – increase of hunter opportunity as a management tool is acceptable
  - b. Public Lands & Waters: funding and partnerships – *Chronic Wasting Disease Research and Management Act* opportunities; Good Neighbor Authority (GNA) with USFS and BLM opportunities; partnerships with NGOs such as RMEF, MDF, NFWF, PF/QF – working with organizations with significant capital as well as staff specializing in facilitating acquisition of easements and large scale habitat enhancement projects; communications partnerships with entities such as the Wyoming Migration Initiative and Monteith Shop/Wyoming Co-Op Unit
  - c. Fair Chase: do not fall into the "more elk is always better" mindset, including pushes to allow feedgrounds to persist in the interest of gaining private dollars off a public resource; continue to proactively manage elk feedgrounds, ideally in a stepdown plan approach that will allow for maintenance of current or near-current hunter opportunity, with meaningful public input processes

Broadly, we wish to applaud Wyoming Game & Fish for taking proactive measures to identify a path forward for elk feedgrounds in our state, and for acknowledging the importance of scientifically supported wildlife management strategies. However, we do have concerns and questions about the draft management plan as it is currently designed. These are addressed below thematically, organized in order of when the concept is first introduced in the draft management plan.

**"Publicly supported elk numbers"** (page 7): this is a concept that appears repeatedly throughout the document and is implied to be integral to decision-making regarding elk population objectives. However, in response to NGO stakeholder questions during the August 30<sup>th</sup> meeting, it is clear that this is not actually a quantifiable threshold nor one that WGFD has any plans to quantify, but rather, a subjective measure based on the relative degree of public outcry and negative responses to decisions post hoc. Put simply, this is unacceptable if "public support" is to be a significant element of decision-making.

Furthermore, we have reservations about unilaterally making decisions regarding elk population objectives on the basis of public support. There are many stakeholder groups, including hunters, who will *always* feel that "more elk is better" – but between the limitations of native winter range and density dependent diseases, the best available science has shown for years that this is simply not the case. If we set population objectives based solely or in large part of the desires of stakeholders who stand to benefit personally (and/or monetarily) from an excess of elk, we are setting ourselves up for long term failure in the name of short term, selfish gains.



**Lethally removing elk showing signs of (CWD) infection** (page 7): while we wholeheartedly agree with the earlier sentiment that “scientific management is the proper means for wildlife conservation,” we are concerned that simply waiting until elk are showing clinical signs of CWD infection to lethally remove them is too little too late. We know that animals can harbor this disease with few to no visible symptoms for multiple years, and we know that prevalence rates tend to be lower among elk than deer— failing to utilize a test-and-remove regime until elk on feedgrounds are showing clinical signs of the disease puts many cervids at risk.

**Elk harvest strategies** (page 15): we have some reservations about adjusting elk harvest strategies in response to excessive elk population numbers, particularly extending season dates well into winter. Increasing hunter opportunity is a positive in our eyes, of course, and may help to bolster WGFD funding, but extending seasons or upping tag numbers must occur in tandem with enhancing programs that ensure the hunting public is able to access the lands that elk are occupying during those times.

**Federal agencies’ plans and future plan revisions** (page 16): we would like to see more discussion of WGFD’s expectations regarding other federal agencies’ – in this instance, the USFS and BLM – Plan Revision processes in the future as they relate to feedgrounds. What will happen if a unit (Forest; Field Office) from either agency decides that future Plans will call for the phasing-out or immediate closure of one or more feedgrounds? How does that decision-making mechanism interface with the State’s process for running closures through the Livestock Board and Governor?

**Elk-proof fencing and elk damage claims** (pages 17-18): are elk damage claims expected to rise in the wake of a feedgrounds closure? Are more elk-proof fences expected to be erected in response to feedgrounds closures? How do these elk-proof fences stymie the movements of other ungulates and wildlife, particularly during harsh winters and/or within migratory corridors?

**Brucellosis Management Action Plans (BMAPs)** (page 24): ultimately, it seems as though BMAPs’ proposed and applied strategies were deemed untenable for a variety of reasons, ranging from “too expensive” to “not effective.” However, there is a great deal of similarity between those proposals and the strategies suggested in this document for CWD management and disease management more broadly. What do the experts involved in BMAP development and execution feel the shortcomings were? What are the reasons we could expect certain strategies to be more effective for CWD management versus brucellosis?

**Future research needs on density dependent diseases** (page 31): we would like to see a more detailed discussion of what the research needs are, especially research gaps that are affecting our ability to effectively prevent and manage the diseases discussed in this plan.

**Maintenance of hunting opportunities** (page 32): while we agree that maintenance of hunting opportunity is important and do not wish to see a precipitous drop in opportunity over time due to disease or habitat related die-offs of elk, there needs to be more explicit recognition within this plan that some amount of slightly increased opportunity in the shorter term is necessary to ensure longer term opportunity



maintenance, and/or an acceptance of the likelihood of decreased opportunity in the future due to native winter range habitats not being able to sustain elk populations that have been artificially increased for years by supplemental feeding.

**Feedground Management Action Plan (FMAP) development/Phase III** (page 33): further discussion about who may participate in FMAP development, execution, and after-action reviews would be helpful. We agree that it makes sense to have the most local, most directly-impacted stakeholders involved in the process, but we would also like there to be an opportunity for the broader public to engage to some degree when FMAP drafts are proposed; elk are a state-managed resource and while the most intense effects of feedgrounds closure (or perpetuation) would be felt locally, their pursuit and presence are still of interest to the broader public.

**Disease incidence rates as closure mechanism** (page 35): we appreciate that there are thresholds set for CWD prevalence as triggers for feedgrounds closure. However, there are some shortcomings to these thresholds as written. There needs to be more discussion of how disease incidence rates triggering closures relates to the Livestock Board-and-Governor oversight, as well as to federal agencies' policies when applicable. Additionally, put simply, we worry that *potential* closure after three years of 10% or greater CWD prevalence rates is much too little too late. As mentioned at the beginning of these comments, this puts not only elk using feedgrounds at risk, but also other cervids whose habitats overlap at any time of year. Waiting until CWD has spread enough that elk will begin experiencing population decreases is not acceptable.

**Elk occupancy agreements** (page 39): we simply cannot support the use of limited, publicly sourced funds for payment to private landowners for their "tolerance" of the presence of a native cervid species whose presence in Wyoming far predates the presence of livestock or privately owned property, *especially* if the use of those public funds for private land elk occupancy agreements does not come with a requirement to make those publicly managed animals accessible to hunters.

**Coordination and co-funding opportunities with NGOs** (page 42): we would like to learn more information about what NGOs will be invited to participate in partnerships to support elk occupancy off feedgrounds and onto native winter ranges, as well as whether the projects would be designed by WGFD or if proposals will be left up to NGOs. WY BHA would be thrilled to assist with winter range habitat improvement projects in the future.

**Expanding footprint or use-days of feedgrounds** (page 43): we are concerned about the inclusion of measures that appear to promote increased size of feedgrounds. While we appreciate that these ideas are meant to increase dispersal and in turn hopefully reduce rates of disease spread, we are concerned that acceptance of strategies such as feeding area expansions or use of "moving feedgrounds" is simply going to increase the footprint of disease reservoirs in the longer term and lead to a greater number of animals relying on supplemental feeding.

**Federal agency partnership projects** (page 46): while we are absolutely supportive of federal-state partnership work, we are concerned that sole reliance on federal agencies as project leads for most or all habitat enhancement projects will lead to longer timelines than is desirable due to considerations including staff shortages and NEPA analysis and



public input processes. Identifying specific funding opportunities, such as BIL or IRA projects, as soon as possible once the draft plan is approved may alleviate slow starts, as well as staff and cost sharing agreements that maximize available personnel.

Thank you again for your time, and for your consideration of Wyoming BHA's feedback. I encourage you to reach out to me via email or phone call at your convenience if you have further questions regarding our input.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Elizabeth Lynch', followed by a long horizontal flourish.

Elizabeth Lynch  
*On Behalf of the Leadership Team  
of the Wyoming Chapter of Backcountry Hunters & Anglers*



---

[WWW.BACKCOUNTRYHUNTERS.ORG/WYOMING\\_BHA](http://WWW.BACKCOUNTRYHUNTERS.ORG/WYOMING_BHA)  
[WYOMING@BACKCOUNTRYHUNTERS.ORG](mailto:WYOMING@BACKCOUNTRYHUNTERS.ORG)