



Wyoming
DEPARTMENT OF Agriculture

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The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

January 16, 2024

Dana Freidman
Chief, Risk Management and Implementation Branch 1
Pesticide Re-Evaluation Division (7508P)
Office of Pesticide Programs
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460-0001

Re: Docket EPA-HQ-OPP-2023-0567

Request for Extension of the Public Comment Period for the Draft Biological Evaluation, Effects Determinations, and Mitigation Strategy for Federally Listed and Proposed Endangered and Threatened Species and Designated and Proposed Critical Habitats

Dear Ms. Friedman:

We are writing to request a 60-day extension of the public comment period for the Draft Biological Evaluation for the Rodenticides (Draft BE).

Additional time is needed to evaluate the BE given the number of species for which the Agency has made determinations of Jeopardy/Adverse Modification, the large geographical areas identified in the BE (including entire states), and the complexity of the mitigation measures proposed. The additional time will allow a more thorough evaluation of the findings and proposed mitigation measures that includes input from technical and species experts. A 60-day extension will also allow EPA personnel to participate in an on-the-ground tour of rodent control programs in Colorado and Wyoming.

While we understand that the agency faces a deadline for completing the BE under the settlement agreement in *Ctr. for Biological Diversity v. EPA* (commonly known as the 'Mega Litigation'), the agreement gives the Agency discretion to extend the 60-day comment period if it receives requests 'with good cause'. The complex review of the draft BE and the time needed to develop

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recommendations and refinements is an appropriate reason for extending the comment deadline by 60 days.

We appreciate your consideration of our request.

Sincerely,



Doug Miyamoto
Director

DM/lw

CC: Governor's Policy Office
Wyoming Board of Agriculture
Wyoming Stock Growers Association
Wyoming Wool Growers Association
Wyoming Farm Bureau Federation
Wyoming State Grazing Board
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