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5400 Bishop Blvd., Cheyenne, Wyoming 82006, 307-777- 4569, www.wafwa.org

August 19, 2008

Ms. Debbie Edwards, Office Director
U.S. Environmental Protection Agency
Office of Pesticide Programs
Director's Office 7501P
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

Dear Ms. Edwards:

The Western Association of Fish and Wildlife Agencies (WAFWA) represents 23 states and Canadian provinces, spanning from Alaska to Texas and Saskatchewan to Hawaii - an area covering nearly 3.7 million square miles of some of North America's most wild and scenic country, inhabited by over 1500 premier wildlife species.

WAFWA is a strong advocate of the rights of states and provinces to manage fish and wildlife within their borders. The Association has been a key organization in promoting the principles of sound resource management and the building of partnerships at the regional, national and international levels in order to enhance wildlife conservation efforts and the protection of associated habitats in the public interest.

At our July, 2008, annual conference, it was brought to our attention that two anticoagulants – chlorophacinone (Rozol) and diphacinone (Kaput) – have recently been approved via FIFRA Special Local Needs permits for poisoning prairie dogs in Colorado, Kansas, Nebraska, Oklahoma, Texas, and Wyoming. The perceived advantage being that, unlike zinc phosphide (traditionally used), these two poisons do not require prebaiting.

Anticoagulant use results in a more prolonged period of mortality for prairie dogs and also has a longer persistence in their body tissues. Consequently, contaminated prey is available to non-target species for a period of weeks for anticoagulants versus hours for zinc phosphide. Additionally, label requirements for anticoagulants regarding carcass retrieval are laborious and difficult to monitor or enforce, leading to label non-compliance, which increases the potential risk of exposure to non-target species. Mortality from secondary poisoning due to Rozol application in prairie dog towns has been documented in a badger collected in Kansas in 2006 and a bald eagle collected in Nebraska in 2007. The ability to verify impacts in the field to non-target species, which can travel long distances between the time of ingestion of the poison and

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Delivering Conservation Through Information Exchange and Working Partnerships

Ms. Debbie Edwards, Office Director

August 19, 2008

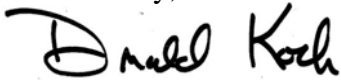
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death, is remote. Therefore, many more non-targets than the two individuals documented have likely been impacted.

In consideration of the expanded usage of Rozol and Kaput in prairie dog towns and the inadequacy of the label restrictions in preventing take of non-target wildlife species, WAFWA requests the EPA to fully consult on this new use of these two pesticides on controlling prairie dogs as acknowledged in your agency's 1998 Reregistration Eligibility Decision, which included Rozol and Kaput. Furthermore, until this evaluation is completed, and in the best interest for grassland species, we believe EPA should rescind any existing permits and an immediate suspension of issuing any more permits should occur.

If you have any questions, feel free to contact Larry Kruckenberg, WAFWA Secretary, at 307-777-4539 or larry.kruckenberg@wgf.state.wy.us.

Sincerely,

A handwritten signature in black ink that reads "Donald Koch". The signature is written in a cursive style with a large initial "D".

Donald Koch
President

DK/BVP:cc

cc: WAFWA Directors

Matt Hogan, Executive Director, AFWA