Defenders of Wildlife * Alberta Wilderness Association
Animal Protection Institute * Biodiversity Conservation Alliance
Forest Guardians * Great Plains Restoration Council * Jews of the Earth
Prairie Dog Pals * Prairie Dog Specialists * Prairie Ecosystems
Prairie Preservation Alliance * Predator Conservation Alliance
Rocky Mountain Animal Defense * Sinapu
Western Nebraska Resources Council
Paul A. Johnsgard, Ph.D. * Richard Reading, Ph.D.

October 30, 2006

Don Bright, Supervisor
Nebraska National Forest
125 North Main Street
Chadron, NE 69337-2118
(email: comments-rocky-mountain-nebraska@fs.fed.us)

RE: Prairie Dog Management Supplement

Dear Supervisor Bright:

The following comments are in response to the notice of intent to prepare a Supplement to the Final Environmental Impact Statement for the 2002 Nebraska National Forest Revised Land and Resource Management Plan (LRMP) for black-tailed prairie dog management, published in the Federal Register on September 29, 2006 at page 57460.

On behalf of the 17 scientists and organizations listed above and our hundreds of thousands of concerned members, we urge you to end your attempts to amend the Nebraska National Forest Revised Land and Resource Management Plan (LRMP) to allow poisoning of prairie dogs across these public lands, and we ask that you implement key provisions of the 2002 LRMP as outlined below.

We are opposed to this amendment process in the strongest terms possible. Its purpose is uniquely controversial because it changes the course of a previous decision that was supported by tens of thousands of citizens and because it poses a threat to the conservation of black-tailed prairie dogs and numerous other species, including some that are threatened or imperiled. It involves expansion of a practice to which the public has long been opposed—prairie dog poisoning—in areas that are currently protected from such practices. These areas are of particular importance to numerous species associated with the presence of prairie dogs. In many areas, specifically on the Oglala and Fort Pierre National Grasslands and on the Fall River District of the Buffalo Gap National Grassland, the relatively few prairie dog colonies that remain unpoisoned are essential to the continued presence of burrowing owls, hawks,

and other species. Regional viability of prairie dogs and associated species is at stake.

Further, the proposed amendment especially targets the Conata Basin region of the Buffalo Gap National Grassland and impacts the most important place on the planet for the endangered black-footed ferret, an ongoing swift fox reintroduction effort, and the largest known concentration of burrowing owls in the Dakotas. Not only is Conata Basin the most successful ferret reintroduction site on the planet due to the extensive prairie dog colonies, but it is the only place where ferret recruitment is sufficient to use wild born kits to restock and augment other ferret reintroductions sites. This makes Conata Basin's prairie dog colonies essential for the overall success of ferret recovery nation-wide. The Forest Service should be celebrating the crucial contribution Conata Basin has made to black-footed ferret recovery. Instead, on the 25th anniversary of the ferret's rediscovery, the Nebraska National Forest (NNF) is proposing to destroy a significant portion of this tremendous success.

We feel this amendment process undermines the original seven-year public effort to revise the LRMP, signed in 2002 and only concluded two years ago after all appeals were decided. In fact, most of the prairie dog-related aspects of the 2002 LRMP that are strongly supported by the public—vegetative buffers, livestock grazing reductions, additional land consolidation, shooting closures in Smithwick and elsewhere—have not been adequately implemented or even attempted. Tens of thousands of citizens commented in support of these actions. Meanwhile, last year's controversial amendment to the 2002 LRMP to allow poisoning in boundary management areas—a proposal supported by only several dozen written comments in comparison to the more than ten thousand comments opposed—has been used at a landscape scale and financial cost that dwarfs all other attempts at prairie dog management.

This proposed amendment further undermines America's long-term commitment to wildlife conservation and recovery. It would lead to additional costly and unnecessary wildlife destruction on our public lands in areas where America has worked so hard to restore our treasured wildlife heritage. At the same time, the Nebraska National Forest (NNF) has failed to utilize the management options outlined in the 2002 LRMP other than poisoning, and failed to show that there is any need to make the proposed changes.

Wildlife management should be based on science, not on politics. There is a good reason that the ability to poison is limited by the 2002 LRMP: to avoid the temptation for managers to cave to pressure from grazing lessees and politicians seeking private gain from public lands at the expense of wildlife. Do not remove this safety net by amending the plan to allow poisoning anywhere on these grasslands.

Please do not continue to undermine our nation's investment of millions of dollars in wildlife conservation on these lands just so a few subsidized livestock grazing permittees might be able to graze a few dozen additional head of livestock during drought conditions. Such action does not represent wise multiple use; rather, it disregards the important role of federal lands in providing wildlife conservation opportunities largely unavailable elsewhere, and the duties of federal land management.

No Purpose or Need for this Amendment

The proposed action as announced in the Federal Register is:

> …to amend the current management direction in the LRMP to meet various multiple use objectives by: (1) Specifying the desired range of acres of prairie dog colonies that will be provided on the NNF; and (2) allowing use of toxicants if the acreage exceeds the desired range and or multiple use objectives.

It is unclear what "multiple use objectives" will be met by removing all protections for prairie dogs and capping their numbers on these public lands, and exactly how poisoning will meet these objectives. Your letter dated October 6, 2006 to interested parties mentions concerns about vegetation and soil conditions, supposedly "caused" by prairie dogs. No description of these vegetation and soil conditions, or how or why they are of concern, or how prairie dogs are the cause, or how poisoning prairie dogs will "solve" the concern, is included.

There is no clear need for the NNF to violate the clear intent and guidance of the 2002 LRMP and kill wildlife to minimally increase livestock grazing during drought in Conata Basin. Livestock graze almost every acre of NNF lands and prairie dog colonies occupy less than four percent, ferrets less than three percent (and far less than one percent of the combined Great Plains National Grasslands). In addition, the increase in forage from massive prairie dog poisoning would feed possibly a few dozen additional head of livestock at most—hardly a worthwhile tradeoff under any reasonable definition. And even this is in doubt, depending on the vegetative capability of the soil types of the areas in question and considering the literature that questions any measurable impact of prairie dogs to livestock production.

Nor is there a clear need for upper limits for prairie dog colonies. These caps are arbitrary and meaningless in terms of "improving" grassland condition, and would commit the NNF to poisoning in perpetuity for no reason other than that a "magic" number has been reached. The 2002 LRMP directs enhancement of prairie dog populations in certain areas such as Smithwick, but the NNF has failed to enhance these populations or even protect them from direct loss through shooting. Now, proposed caps on allowable prairie dog acres may further erode this enhancement guidance.

In addition to concern for livestock grazing, the NNF has asserted that poisoning is needed to protect the vegetation and soil for the benefit of wildlife. However, the future of black-footed ferret recovery will be secured not by destroying any portion of its most important habitat but rather by protecting it, excluding livestock grazing during drought conditions, and encouraging additional prairie dog expansion to address the agency's concern that the vegetation and soil within the occupied areas will soon become useless for ferret recovery. Sacrificing a significant portion of the most important ferret recovery area on earth for the possibility of making relatively small acreages of grass available for a few dozen additional head of livestock is unjustifiable.

This poisoning plan goes against the multiple use guidance, as expressed in the 2002 LRMP, which directs the NNF in managing these public lands. It goes against the intent of the Endangered Species Act, the Multiple Use Sustained Yield Act, the Bankhead-Jones Act, and the wishes of the American public.

Public's wishes ignored

On November 30, 2004 many of us submitted scoping comments regarding the 2005 plan amendment. On April 18, 2005 many of us submitted comments on the Draft EIS for the 2005 plan amendment. On September 26, 2005 many of us filed an appeal on the Final EIS and Record of Decision for the 2005 plan amendment. In each case, we requested that the NNF implement the strategies and guidelines for prairie dog management as outlined in the 2002 LRMP rather than amend this plan which underwent years of public comment and which has yet to be fully implemented. Failing that, we requested that the NNF not limit this additional planning process to how prairie dogs will be reduced in some locations but also identify how other aspects of prairie dog management outlined in the 2002 LRMP will be implemented such as increasing prairie dog complexes in designated areas. Tens of thousands of public citizens supported our requests, overwhelming the small number of comments in favor of increased prairie dog eradication. But all of our requests were ignored.

We request once again that you scrap this amendment and instead fully implement the non-lethal management options and enhancements as outlined in the 2002 LRMP. Many of us will gladly work with you to implement these widely-supported items.

Unfulfilled commitments and violations of trust

Over the last three years, the NNF has met demands of livestock grazing permittees by poisoning tens of thousands of prairie dogs, in violation of the clear intent of the 2002 LRMP. In 2004 the NNF collaborated actively with Wildlife Services and illegally poisoned 3,200 acres of prairie dogs. In 2005 after amending the LRMP to make your poisoning desires "legal" within boundary

management areas the NNF poisoned 10,000 acres of prairie dogs—around 25 percent of existing prairie dogs on NNF lands! This year the NNF has already poisoned thousands of acres. Now the NNF wishes to allow poisoning anywhere and is moving forward to make that wish a reality.

The NNF, however, also made commitments to increase prairie dog acres in some areas, to use non-lethal tools to maintain or reduce prairie dogs in other circumstances, and to leave many prairie dog colonies within the boundary management areas unpoisoned. These commitments remain almost completely unfulfilled.

Violations of the 2004 court settlement

Last year's amendment process was a response to a court settlement between the NNF and several of our organizations. This settlement allowed limited poisoning to occur last fall on Buffalo Gap National Grassland but required a public planning process prior to any additional prairie dog control on Buffalo Gap National Grassland. This court settlement specifically stated that the EIS will consider non-lethal alternatives such as fencing to allow a grass buffer to grow in the absence of livestock grazing. Although the court settlement did not require the agency to choose this management strategy to address unwanted colonization on adjoining lands, it did highlight its importance for a solution that would help resolve future controversy. It remained the clear hope of our organizations that the good faith gesture of settling out of court on this issue would result in the selection of this strategy as a significant factor in at least one alternative. But no alternative included reduction or removal of livestock grazing in problem areas as a mandatory strategy or even as a first choice, but rather only as an option. In fact, the DEIS prejudiced against this option on page 7:

> Other non-lethal tools that may be effective and used in a limited number of situations are live trapping and prairie dog barriers, both visual and physical. Visual barriers could consist of vegetation zones where livestock grazing is significantly reduced or excluded to increase the height and density of grassland vegetation… However, the effectiveness of vegetation barriers is substantially reduced during droughts.

Before the various alternatives were even described, the use of tall vegetation to reduce prairie dog colonization was sidelined with exception in "a limited number of situations," even though the evidence on the ground in Conata Basin is clear that this technique is very successful and even though history shows that poisoning—without reduction or removal of livestock grazing—must be repeated endlessly.

Violations of the 2005 amendment to the LRMP

The scope of the 2005 plan amendment was limited to boundary issues for a reason:

> Since prairie dog conservation direction is already established in the Land and Resource Management Plan (LRMP) for the national grasslands and forests in the project area, the primary focus of this DEIS is evaluating alternatives for managing and reducing prairie dogs along property boundaries in response to concerns of neighboring landowners (Draft EIS, 1.1).

Unfortunately the 2005 plan amendment went far beyond its stated purpose and need to simply address adjacent landowner concerns. In fact—and with no purpose or need—it reversed some and reduced other conservation measures outlined in the 2002 LRMP. Weakening options to effectively manage prairie dogs is contrary to the agency's stated position of seeking additional management options (poisoning in boundary areas). Last year's amendment:

- allowed for the poisoning of prairie dogs in "boundary management zones" of ¼ and ½ mile depths – with additional allowances for exceeding these distances to a total of one mile – from the borders of the NNF;
- effectively reduced the 3.63 black-footed ferret area significantly by allowing poisoning in boundary areas formerly off-limits to poisons;
- effectively reduced the 3.63 black-footed ferret area significantly by allowing shooting in boundary areas formerly off-limits to shooting;
- fundamentally altered and weakened the plan standard that restricted poisoning for the sake of a mere guideline recommending consultation with state plans;
- listed poisoning as the primary prairie dog management tool;
- removed a 5,130-acre area from 3.63 black-footed ferret reintroduction area designation and converted it to rangeland (Management Area 6.1) open to prairie dog shooting under state regulations;
- weakened certain enforceable standards to unenforceable guidelines, notably the LRMP standard F-2 addressing livestock grazing modifications for wildlife;
- removed the option to close shooting in the Smithwick ferret reintroduction area;
- made rodenticide the primary tool while non-lethal alternatives would be implemented only "as funding, staffing and priorities allow" (p.16);
- ceded responsibility over prairie dog shooting to the state throughout the NNF except where occupied black-footed ferret habitat exists.

To discuss just one example: the final decision prohibited implementation of a shooting closure anywhere on the Grasslands except in active black-footed ferret restoration habitat. This is a significant change from the 2002 LRMP, which does not contain this self-imposed restriction. The NNF now restricts itself from even the possibility of implementing a shooting closure in the Smithwick ferret area prior to implementation of a ferret reintroduction effort. But unlimited shooting in

this area will certainly slow if not prevent a complex of prairie dogs from reaching the required size for ferret reintroduction efforts to begin. This is an irrational voluntary removal of a reasonable wildlife recovery tool in the same document that expresses a desire to add the additional wildlife management tools! It voluntarily ties the NNF's hands to actively restore prairie dogs through protection or even relocation (since relocated prairie dogs could be shot). The NNF has increased tools to kill and simultaneously removed options to conserve. In addition to its irrationality, this removal to consider a shooting closure anywhere except in active ferret recovery areas falls outside the reported scope of the EIS.

In the ROD for the 2005 amendment, the following additional commitments were made:

> I will use, where appropriate and conditions allow, vegetation management tools to increase forage and/or visual barriers along the boundary management zone.
>
> We remain committed to assessing site-specific needs for vegetation management adjustments, through livestock grazing coordination, prior to authorizing rodenticide use in boundary management zones.
>
> We will also be more responsive and timely in making livestock grazing adjustments in the boundary management zones, especially in Conata Basin, during low precipitation years and/or early stages of drought and more cautious at returning stocking after drought.

These commitments have been broken. In 2004, 2005, and now in 2006, significant funding for poisoning in boundary areas appeared without problem while funding for enhancements and non-lethal solutions in boundary areas has been nonexistent. Repeated offers by Defenders of Wildlife to purchase ten miles or more of electric fence for non-lethal management of boundary areas were repeatedly refused on the grounds that funds were not available to install this free gift. Five miles of electric fencing were eventually accepted and installed, but this represents the complete extent of the NNF's non-lethal management. Meanwhile, about $100,000 is being spent each fall to poison. This violates the intent of the 2004 court settlement involving some of our organizations that encouraged the NNF to make a good faith effort to seriously consider non-lethal alternatives such as fencing out livestock grazing in problem areas.

Legislation and policy

Wildlife is one of the five mandatory multiple-use objectives for National Forests and Grasslands under the Multiple Use – Sustained Yield Act. 16 U.S.C. 528(1)

("It is the policy of the Congress that the National Forests are established and shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes"). National Grasslands must "provide for diversity of plant and animal communities based on the suitability and capability of the specific land area in order to meet overall multiple-use objectives . . .." 16 U.S.C. § 1604(g)(3)(B). National Grasslands must "preserve and enhance the diversity of plant and animal communities, including endemic and desirable naturalized plant and animal species, including endemic . . . species, . . . so that it is at least as great as that which would be expected in a natural [landscape]," 36 C.F.R. § 219.27(g).

National Forests and Grasslands must "maintain viable populations of existing native and desired non-native vertebrate species . . .." 36 C.F.R. § 219.19. Further, "to insure that viable populations will be maintained, habitat must be provided to support, at least, a minimum number of reproductive individuals and that habitat must be well distributed so that those individuals can interact with others in the planning area." Id. The Forest Service is also required to "provide for adequate fish and wildlife habitat to maintain viable populations of existing native vertebrate species." 36 C.F.R. § 219.27(a)(6). A viable population is one with "the estimated numbers and distribution of reproductive individuals to insure its continued existence is well distributed in the planning area." 36 C.F.R. § 219.19.

The National Forest Management Act requires that "Resource plans and permits, contracts, and other instruments for the use and occupancy of National Forest System lands shall be consistent with the land management plans." 16 U.S.C. 1604(i). This proposed amendment, however, fails to provide for the plant and animal community of grassland species that is dependent on prairie dogs as its keystone species, and threatens the viability of the populations of prairie dogs and numerous other species on the various parts of the NNF, and therefore fails to meet the duties in and under the NFMA as discussed above. Instead, the amendment appears to rely solely on the desire to poison prairie dogs for benefit to livestock grazing levels rather than on the overall guidance of the 2002 LRMP. The LRMP contains several standards and guidelines regarding black-tailed prairie dog management which taken together require the expansion of prairie dog populations on the National Grassland and specifically within 3.63 Management Areas, while allowing removal under limited circumstances only.

NEPA requires all agencies of the federal government to prepare an environmental impact statement (EIS) for all "major federal actions significantly affecting the quality of the human environment." 42 U.S.C. § 4332. When determining whether the impacts are "significant," the Forest Service must take the context of the project into consideration. This means that the significance of an action must be analyzed in the context of, among other things, as society as a whole (human, national), the affected region, the affected interests, and the locality.

Significance varies with the setting of the proposed action. 40 C.F.R. § 1508.27(a). In addition, the agency determines whether an action significantly affects the environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act. 42 U.S.C.S. § 4332(2)(C). The effects that must be analyzed include the following:
(1) the degree to which the effects on the quality of the human environment are likely to be highly controversial, 40 C.F.R. § 1508.27(b)(4);
(2) the degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks, 40 C.F.R. § 1508.27(b)(5);
(3) whether the action is related to other actions with individually insignificant but cumulatively significant impacts; to this end significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by breaking the action down into small component parts, 40 C.F.R. § 1508.27(b)(7); and
(4) whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment, 40 C.F.R. § 1508.27(b)(10).

Wildlife

There is no science to support the claim that prairie dogs are destroying the land. Prairie dogs have lived in these areas and the ecosystem has thrived for hundreds, if not thousands of years. The reason for the recent poor growing conditions for grass is the now 7-year long drought. The worst possible scenario for wildlife such as black-footed ferrets during this drought is to kill more prairie dogs when the prairie dogs are already at their lowest densities.

The black-tailed prairie dog is a keystone species of the Great Plains (see Appendix). Their colonies provide habitat for a range of other species. Nine prairie wildlife species are prairie dog obligates—dependent on these keystone rodents (Kotliar et al. 1999). Black-tailed prairie dog populations have declined by 98-99 percent throughout their range (65 Fed. Reg. 5476-5488). The Nebraska National Forest units provide important habitat for prairie dogs and their associated species.

Black-tailed prairie dogs once were found across the Great Plains from northern Chihuahua, Mexico to southern Saskatchewan, Canada. They occupied 40-80 million acres of this region, living in colonies that were often tens of miles long. Whereas they once covered 10-20 percent of this 400 million acre region, today they occupy much less than one percent. As a result, numerous other species that benefit from prairie dogs have also experienced a tremendous crash in population.

Prairie dogs occupy less than one percent of the Great Plains National Grasslands. In fact, only one prairie dog complex exists on National Grasslands large enough to support a viable population of black-footed ferrets: Conata Basin.

Because of the ongoing widespread persecution on private and state-owned lands, however, existence of large prairie dog complexes will depend on protections and population increases on the National Grassland. Unfortunately, this proposed amendment would lead to the opposite outcome.

The scoping document specifies that the "[prairie dog poisoning] program will not jeopardize a continued sustainable population of endangered black-footed ferrets and associated species". The NNF, however, must conserve and recover ferrets. The population in Conata Basin cannot be viewed in isolation, but must be viewed in light of its significance to the population as a whole. Since this area has the most significant population of black-footed ferrets, the NNF must shoot for a higher target than merely "sustainable". The Conata Basin population produces a surplus of wild-born kits for translocation to other sites. This is the only area sufficiently viable to do this and this is clearly one of the most important products of this area from a national perspective.

The federally-owned National Grasslands must be the area where conservation of species like prairie dogs and ferrets are emphasized. This is because prairie dogs, which are the essential habitat for ferrets, are little tolerated on private lands and, short of listing, there are few tools to promote their conservation on private lands. Currently, only about 5% of the Buffalo Gap National Grassland is occupied by prairie dogs and abut 4% by ferrets. On the Fort Pierre NG, less than 2% is occupied by prairie dogs. Further, of the 3.6 million acres within the National Grasslands system within the range of black tailed prairie dogs, only some 23,000 acres is occupied by ferrets; a paltry 0.6%. If there is any lack of balance in these percentages, this lack suggests that the National Grasslands should increase their level of occupancy by both prairie dogs and ferrets.

According to the Forest Service's own 2005 plan amendment EIS, ferrets need between 12,500 and 19,000 acres of active prairie dog colonies, depending on prairie dog densities, to support a viable ferret population in Conata Basin. Because prairie dog densities can change dramatically from year to year based on environmental conditions, the upper limit of 19,000 acres should be maintained to account for years of low densities such as we are currently experiencing. And because Conata Basin is the most important place on earth for the critically endangered black-footed ferret, and because it is the only ferret site with enough kit production to serve as a source population for other ferret sites, it seems unacceptable to manage even near this 19,000 acre level; rather, prairie dogs should be managed above this level so ferret recovery in its number one spot is safely secured rather than remaining questionable.

The NNF has previously recognized the importance of Conata Basin's prairie dog colonies to black-footed ferret conservation and closed the entire area to prairie dog shooting in 1998. The results have been clear: as prairie dog numbers increased due to full protection, ferret numbers skyrocketed.

More recently, however, the NNF has effectively reduced the size of the 3.63 protected area by implementing last year's plan amendment allowing poisoning in boundary management areas. These actions effectively shrink the size of ferret recovery areas significantly by the depth of the buffer – 1/2 mile, with exceptions to exceed this specified distance. This removed protection from 30 percent (21,500 acres) of the 73,000-acre Conata Basin ferret recovery area. If loopholes are used that allow for exceeding the ½ mile distance, much more would be lost. Ferret recover is thereby precluded by the ROD in important and rare ferret habitat. In 2004, 2005, and 2006 the NNF removed ferrets from these areas prior to poisoning and sent them elsewhere, often to areas with in insignificant habitat. Mortality was certainly high for these relocated ferrets.

The ESA under section 7(a)(1) requires that Federal Agencies utilize their authorities for the conservation of federally listed species. The black-footed ferret minimum threshold for Conata Basin is maintaining a 200 ferret family rating on Federal lands capable of supporting at least 100 breeding adults. These thresholds must be met even if low prairie dog densities are experienced due to low precipitation periods (drought) across the entire Conata Basin ferret area. Conata Basin's recent population surveys have found numbers that are close to this minimum threshold; any significant reductions would surely violate the clear intent of the ESA.

Ferret recovery areas should not be compromised. Nor should these essential areas be managed at or near prairie dog population levels believed to be the minimum necessary for a viable ferret population. Conata Basin is too important for this type of minimal management. Prairie dog colonies should be allowed to thrive within the designated ferret recovery areas far above a minimum threshold that just barely meets requirements for viability. Such minimal management would also represent a rip-off of taxpayers who have paid for ferret recovery and under this plan amendment would now be paying to destroy this same ferret habitat.

Conata Basin also provides unique habitat for the burrowing owl because it is the only place in the Great Plains with prairie dog complexes large enough to support a large owl population. The burrowing owl is in decline everywhere across its range, and is a Forest Service species of concern. Because of this decline, the burrowing owl cannot afford population losses in South Dakota that will indisputably occur under this plan amendment. There is an unacceptable risk to burrowing owls from secondary poisoning in October, when late migrators can remain on prairie dog colonies into the legal poisoning season that begins on October 1. Burrowing owls eat rodents, such as mice, that consume poison targeted for prairie dogs. Poisoning will reduce the abundance of prey species for the burrowing owl because of the higher level of prey biodiversity on colonies than off colonies. The cumulative impacts of poisoning will result in the destruction of vacant prairie dog burrows and greatly reduce nesting sites for burrowing owls.

The proposed amendment may very well result in the loss of viability of ferruginous hawk populations in the planning area. Ferruginous hawks are prairie dog associate species; prairie dogs make up a significant portion of their diet. The permanent loss of prairie dog habitat means a net loss of biodiversity and abundance of prey species available to ferruginous hawk.

Existing authority

If there are concerns about soil or vegetation conditions on portions of the national grasslands utilized by both prairie dogs and cattle, the NNF should use its existing authority to reduce livestock grazing. The concept of reducing native wildlife species on public lands in order to achieve outputs designed to benefit a very few ranchers with grazing leases on these lands is inconsistent with the mandate of the Bankhead-Jones Farm Tenant Act of 1937:

> to develop a program of land conservation and utilization, to correct maladjustments in land use, and assist in: controlling erosion; reforestation; preserving natural resources; protecting fish and wildlife; developing and protecting recreational facilities; mitigating floods' preventing impairment of dams and reservoirs; developing energy resources; conserving surface and subsurface moisture; protecting the watersheds of navigable streams; protecting the public lands, health, safety, and welfare. The program is not for building industrial parks or establishing private industrial or commercial enterprises (7 U.S.C. §§1010).

Grazing by native wildlife species is not a "maladjustment in land use". Poisoning prairie dogs is not "protecting fish and wildlife". On the other hand, grazing by non-native livestock is a commercial enterprise which is not a function of the National Grasslands.

Reducing/eliminating livestock grazing from areas where prairie dogs are not wanted or where there are concerns about soil and vegetation is possible under existing authority of the LRMP. Offering incentives for adjacent landowners to maintain prairie dogs and further offers of land consolidation are also possible options. And enhancing prairie dog populations in key areas (Conata Basin, Smithwick, and one complex each on Oglala and Fort Pierre) by closing recreational prairie dog shooting and poisoning are all possible now. Amendments are not needed to implement any of these possibilities.

New plan amendments that would assist in implementing these options and site-specific plans for the key conflict areas, however, would be very helpful. Here are a few suggestions:

- Propose a mandatory standard to the LRMP that prohibits livestock grazing in all boundary management zones where prairie dogs now exist but are not wanted;

As written, authority for poisoning and shooting is granted, yet any long-term livestock grazing adjustments will require additional environmental analysis. This should be reversed, both to prioritize the management action that represents a real long term solution (reducing/removing livestock grazing).

- Add site-specific plans for boundary management zones in the Conata Basin and Smithwick ferret recovery areas that are in compliance with Chapter 3, General - 1 Standard of the LRMP (and maintain this standard);

The major problem boundary areas are known, but real long-term solutions have yet to be identified. This seems simple; all the factors are known. Let's see some specific plans for these areas to be fenced from livestock (temporarily or permanently), lands to be prioritized for consolidation, and areas where prairie dog expansion will be assisted with additional shooting closures to make up for losses in boundary areas, etc.

- Make livestock grazing reductions/elimination part of the first strategy to be used in any conflict area where prairie dogs are not wanted, not an optional strategy for use in limited cases;
- Eliminate the use of poisoning as the "primary" tool for managing prairie dogs in boundary management zones;
- Amend Chapter 1, F - 2 Standard of the LRMP to include livestock grazing modifications for making habitat unsuitable, and keep it a mandatory standard.

South Dakota's Prairie Dog Plan

The Forest Service has a responsibility to endangered species recovery that cannot be deferred to the South Dakota state prairie dog plan or state laws. The 2002 ROD specifies that the Forest will "…implement the [state prairie dog management plan] to the extent allowable by law and policy [emphasis added] in providing direction for the control of unwanted colonization of the prairie dog onto private land."

Due to extensive political interference, the South Dakota prairie dog plan as approved by the South Dakota legislature (HB 1252) has become a plan that is so out of line with the 2002 LRMP that it contains little of value for consideration. In particular, the South Dakota plan does not consider burrowing owl habitat needs, removes earlier proposals for research, eliminates earlier provisions for increased public outreach and education, proposes extreme limits on prairie dog acreage in Conata Basin, and fails to disclose results of a public survey in South

Dakota that found strong public support for conservation of the prairie dog ecosystem.

This plan also rejects several requirements from the “Multi-state Conservation Plan” (Luce 2003) to which this plan is supposed to tier, notably the goal to maintain the current prairie dog acreage in Conata Basin. Instead this plan states that, “South Dakota’s prairie dog management plan has identified our own goals and objectives, which are specific to South Dakota. We reserve the right to preserve our own management authority” (page 32). The plan acknowledges that prairie dogs are important for black-footed ferrets but outlines no specific strategies to achieve ferret conservation. The state plan prioritizes killing prairie dogs on public lands if they conflict with adjacent landowners. This is inconsistent with the Forest Service’s federal responsibility under the ESA with respect to black-footed ferret recovery.

The South Dakota plan assumes an increase of prairie dogs on federal lands even though it calls for active control to reduce populations on federal lands. The plan indicates there are currently 32,499 acres of prairie dogs on federal lands in South Dakota, or 16.7% of the 194,673 acres of non-tribal prairie dog acres currently in the state. The plan projects an increase to 21-30% of the statewide objective based on increases on national grasslands alone. If LRMP amendments result in reduced prairie dog projections for federal lands, this will impact the state plan’s assumptions of future prairie dog acreage for the state.

The state of South Dakota is now committed to poisoning prairie dogs on private lands adjoining federal lands on an ongoing basis rather than on a one-time basis. With this increase in subsidized poisoning on private lands, federal prairie dog acres will become even more important to meet South Dakota’s share of prairie dog acres as outlined in both the state and multi-state prairie dog conservation plans. The federal side of the fence should be free from this constant threat.

The 2002 LRMP should be given a chance to work and not amended to allow additional substantial prairie dog poisoning and shooting. The 2002 LRMP is not ideal (and in fact several of our organizations appealed this plan due to our concerns for wildlife viability), but it went through extensive public involvement over many years.

Conclusion

In conclusion, we urge the NNF to end this plan amendment process because of widespread public opposition and because the proposal lacks a sound scientific basis. It provides for no range of alternatives except those being promoted by grazing interests and their political supporters. We further request that the NNF implement the widely-supported non-lethal and prairie dog enhancement

sections of the 2002 LRMP, portions which have potential to solve problems and improve the overall health of the land but which have been ignored by the current decision-makers.

Respectfully Submitted,

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Appendix: Ecological role of the black-tailed prairie dog

It is difficult to overstate the importance of prairie dogs to the ecology of the short and mixed-grass prairie. The role of prairie dogs as a keystone species is now well-established scientifically (Kotliar et al. 1999; Kotliar 2000; Miller et al. 2000). Prairie dogs probably qualify under multiple categories of keystone species—as prey and for their modification of habitat (Mills et al. 1993). The short and mixed-grass prairie areas that prairie dogs inhabit should probably be considered ecosystems unto themselves.

Keystone species enrich ecosystem function uniquely and significantly through their activities, and their impact is larger than predicted relative to their biomass (Paine 1980; Terborgh 1988; Mills et al. 1993; Power et al. 1996; Kotliar et al. 1999; Miller et al. 1998/1999). Kotliar (2000: 1715). Prairie dogs are functionally unique; they perform roles within their ecosystem not performed by other species or processes. The scientific literature is growing that supports the argument that prairie dogs fulfill all the requirement of keystone species (Coppock et al. 1983a, b; Detling and Whicker 1988; Whicker and Detling 1988a, b; 1993; Reading et al. 1989; Society for Conservation Biology 1994; Kotliar et al. 1997; 1999; Wuerthner 1997; American Society of Mammalogists 1998; Kotliar 2000, Miller et al. 2000).

Prairie dog activities and the changes made by these activities create a unique ecological system known as the “prairie dog ecosystem” (Clark et al. 1989; Miller et al. 1996). Over 200 vertebrate species have been observed on prairie dog colonies (Koford 1958; Tyler 1968; Campbell and Clark 1981, Clark et al. 1982; O’Meilia et al. 1982; Agnew et al. 1986; Reading et al. 1989; Sharps and Uresk 1990; Mellink and Madrigal 1993; Hoogland 1995; Barko 1996; Manzano 1996; Ceballos and Pacheco 1997; Ceballos et al. 1999; Kotliar et al. 1999). Some of these species appear to depend on prairie dog colonies for their survival and many appear to benefit, at least seasonally or opportunistically from their existence (Reading et al. 1989; Hoogland 1995; Manzano 1996; Ceballos et al. 1999; Kotliar et al. 1999).

Prairie dogs and other animals inhabiting prairie dog colonies represent a rich prey patch for a large number of predators (Reading et al. 1989; Miller et al. 1996; Plumpton and Anderson 1997; Berry et al. 1998; Kotliar et al. 1999). A variety of predators including prairie rattlesnakes (*Crotalus viridis*), golden eagles (*Aquila chrysaetos*), great horned owls (*Bubo virginianus*), weasels (*Mustela frenata*), bobcats (*Lynx rufus*), coyotes (*Canis latrans*), and others prey on prairie dogs and small mammals that have a higher abundance on prairie dog colonies (Agnew et al. 1986). Some predators, especially black-footed ferrets (*Mustela nigripes*), are completely dependent on prairie dogs (Clark 1989; Miller et al. 1996). Other species, such as badgers (*Taxidea taxus*), swift foxes (*Vulpes velox*), and ferruginous hawks (*Buteo regalis*), benefit substantially from the presence of prairie dogs as prey (Uresk and Sharps 1986; Sharps and Uresk

1990; Allison et al. 1995; Plumpton and Andersen 1997, 1998; Berry et al. 1998; Goodrich and Buskirk 1998).

The benefits of prairie dogs extend well beyond simply being food for predators (Reading et al. 1989; Ceballos et al. 1999; Kotliar et al. 1999). Prairie dogs also substantially alter their environment. Since prairie dogs excavate more burrows than they regularly utilize[1], they create hibernacula, dens, and nests for many animals, such as black-footed ferrets, swift fox, badgers, cottontails (*Sylvilagus* spp.), burrowing owls, shrews, other rodents, and several species of reptiles and amphibians (Reading et al. 1989; Sharps and Uresk 1990; Plumpton and Lutz 1993; Fitzgerald et al. 1994; Desmond et al. 1995; Kretzer and Cully 2001). These species and more also use the burrows as refugia from predators or temperature extremes. As a result, researchers have found that desert cottontails (*S. audonbonii*), thirteen-lined ground squirrels (*Spermophilis tridecemlineatus*), and northern grasshopper mice (*Onychomys leucogaster*) exist in higher numbers on prairie dog colonies than in surrounding grasslands (O'Meilia et al. 1982; Agnew et al. 1988; Dano 1952 in Stapp 1998). Similarly, studies in Mexico found higher rodent species richness, density, and diversity, and higher avian species richness on prairie dog colonies compared with surrounding grasslands in Chihuahua, Mexico (Manzano 1996; Ceballos and Pacheco 1997; Ceballos, Pacheco, and List 1999). Most of the research to date has focused on birds and mammals with considerably less research on reptiles and amphibians (but see Kretzer and Cully 2001). Similarly, little is known about prairie invertebrates, yet the burrows in a prairie dog colony should offer habitat advantages to invertebrates as well.

Prairie dogs also have a large effect on vegetation structure, productivity, nutrient cycling, and ecosystem processes (Coppock et al. 1983; Detling and Whicker 1988; Whicker and Detling 1988a, b; 1993; Weltzin et al. 1997a; Stapp 1998). The activities of prairie dogs, especially their grazing and clipping of tall vegetation, result in changes in plant composition (Bonham and Lerwick 1976; Coppock et al. 1983, Detling and Whicker 1988; Whicker and Detling 1988a, b; 1993, Weltzin et al. 1997a; Detling 1998). In general, the vegetation on prairie dog colonies is characterized by lower biomass and a greater preponderance of annual forbs and short grasses compared to tall grasses and shrubs, but is higher in nitrogen content than vegetation from surrounding areas (Bonham and Lerwick 1976; Coppock et al. 1983, Weltzin et al. 1997a; Detling 1998). Prairie dogs negatively impact some plant species, reducing the prevalence and controlling the spread of taller grasses and several shrubs, such as mesquite (*Prosopis* spp.), sagebrush (*Artemisia* spp.), and longleaf jointfir (*Ephedra trifurca)* (Bonham and Lerwick 1976; Coppock et al. 1983; List 1997; Weltzin et al. 1997b). Ironically, prairie dogs are poisoned for livestock interests, but these shrubs reduce grass available for cattle, and mesquite makes roundups more difficult (Miller 1991).

[1]Despite the common belief that there are several prairie dogs per burrow entrance, there are actually several burrow entrances per prairie dog (Biggins et al. 1993; Hoogland 1995).

Prairie dog burrowing activities modify ecosystem processes such as water, mineral and nutrient cycling. Prairie dogs turn over approximately 225 kg of soil per burrow system**,** which translates to several tons of soil per hectare (Whicker and Detling 1993). By mixing in nutrient-rich urine and manure, prairie dog digging can change soil composition, chemistry, and microclimate, facilitate below-ground herbivory, increase porosity of soil to permit deeper penetration of precipitation, and increase the incorporation of organic materials into the soil (Ingham and Detling 1984; Whicker and Detling 1988 a, b; Munn 1993; Outwater 1996). As a result, prairie dog colonies support higher numbers of nematodes and higher levels of soil nitrogen (Ingham and Detling 1984, Detling 1998). All of these processes contribute to aboveground plants with a higher nutritional content, greater digestibility, and a larger live plant to dead plant ratio, creating favorable feeding habitat for other herbivores (Whicker and Detling 1993). Indeed, pronghorn and bison preferentially graze on prairie dog colonies (Coppock et al. 1983; Krueger 1986; Detling and Whicker 1993, Detling 1998). Foraging models predict that bison can gain weight faster by grazing on pastures with prairie dog colonies than on grasslands without prairie dogs (Vanderhyde 1985 in Whicker and Detling 1993).

Kotliar et al. (1999:177) concluded that collectively these functions are large, not wholly duplicated by other species (either in form or extent), and that the loss of prairie dogs would lead to “substantial erosion of biological diversity and landscape heterogeneity across the prairie.” They concluded that the prairie dog therefore fulfills the definition of keystone species (see also Kotliar 2000). We agree (see Stapp 1998 for an alternative view). The structure, form, and function of prairie dog colonies provide a keystone role in the prairie, and the role is large. Despite the difficulty in quantifying a role, we contend that existing evidence indicates prairie dogs (and other associated species) provide important prey to predators, and their grazing and burrowing activities modifies the environment in a manner beneficially used by other prairie organisms (Whicker and Detling 1993; Kotliar et al. 1999). Most importantly, those grazing and burrowing activities affect vegetative composition, vegetation quantity and quality, productivity, nutrient cycling, and soil quality (Bonham and Lerwick 1976; Coppock et al. 1983; Detling and Whicker 1988; Whicker and Detling 1988 a, b; 1993). We suggest that these data should guide our policy decisions until future data prove otherwise (i.e., the ‘Precautionary Principle”; Johnston et al. 1999; Foster et al. 2000).