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Dennis C. Clarke
South Dakota Dept. of Agriculture

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Prairie Dog Control—A Regulatory Viewpoint

Dennis C. Clarke

Prairie dogs and their control are complex issues. At this conference we've heard numerous speakers discuss a wide variety of topics concerning the organism's effect on range and man's attempts to deal with those effects. It appears one could make a case for or against the prairie dog depending on his own particular situation and experience. While the organism is a natural part of the prairie ecosystem, it may not be a desirable inhabitant of a livestock producers range when its population goes unchecked.

This leads to conflict. The prairie dog becomes a biopolitical issue. On one hand it evolved with the prairie ecosystem, as have grasshoppers, but when it competes too directly for a resource man needs to support his portion of the food chain, it may become an unwelcome member of a particular grassland community. Regulation of its populations may be necessary. It is my assignment, in the next few minutes to discuss the philosophy and mechanism we in South Dakota use to accomplish this end.

Whenever an introduced or endemic plant or animal species that has the potential to cause economic loss inhabits land to the degree that it poses a threat to the infested land itself, neighboring lands or the resource as a whole, it becomes a concern of society in general. The offending plant or animal may need to be controlled to reduce or remove the threat. Most landowners and managers are good stewards of the land. They recognize organisms that have the potential to adversely affect their land's productivity. They further recognize that even if their own personal value system allows for the presence of what many people feel are undesirable plants or animals, they must control them to keep from imposing their values on those held by society as a whole.

Unfortunately, not everyone acts in a manner felt to be indicative of a good steward of the land. Society has long recognized this. It has passed laws that require the control of plants and animals that have the potential to cause adverse economic impact and/or general resource deterioration even if a landowner is not so inclined. These laws are in force in some form or another in virtually every state in the nation and, we can probably say, every country in the world. Only the plants and animals that are regulated and the method of obtaining compliance with the regulatory requirements varies from place to place.

Normally legislation that allows society to control undesirable organisms does so by declaring them a public nuisance. Commonly the statutes involved outline the criteria for determining what organisms are considered to be nuisance candidates and the procedure to be followed in controlling offending infestations. Often times plant and animal control requirements are in different statutes. South Dakota has seen fit to combine the regulatory mechanisms for both in one law. The state's present Weed and Pest Statute was enacted in 1983. As written, the statute enables County Weed & Pest Boards, with direction from the State Weed & Pest Control Commission and coordination and assistance from the State Department of Agriculture, to take action to control nongame birds, insects, and rodents - pests - in a systematic, organized manner.

One of the Commission's first orders of business after the legislation went into effect in January, 1984, was to designate prairie dogs as a statewide pest, an action that was clearly part of the intent of the state legislature.

This action was felt necessary because prairie dog populations had expanded during the mid and late 1970's to the point where an estimated 730,000 acres were infested, covering about 3% of the state's hay, range, and pasture lands. This infestation level was estimated to be costing producers about 3.5 million dollars annually in direct losses and a total of nearly 10 million dollars when both direct and indirect losses were considered.

Clearly action was needed to check the spread of prairie dogs and decrease their effect in areas where they had virtually taken over large tracts of range.

Since the early 1980's a combination of factors have been effective in reducing the infested acreage. Federal and state agencies became active on lands they control. At the same time, counties using the Weed and Pest Boards as a local coordinating and regulatory base, organized programs and educated landowners in control techniques. County Boards have used resources available through the Cooperative Extension Service, Animal Damage Control and the Department of Agriculture to assist with building viable control programs. These efforts have reduced the prairie dog infestation level to what we estimate is about 200,000-250,000 acres that have not been treated.

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[1]Talk presented at the 8th Great Plains Damage Control Workshop. (Rapid City, SD, April 28-30, 1987).

[2]Dr. Dennis C. Clark is State Weed and Pest Coordinator, South Dakota Dept. of Agriculture, Pierre, SD.

To motivate landowners who have not responded to educational and voluntary control requests many of the County Weed and Pest Boards are now entering the enforcement phase of prairie dog control programs. The State Weed & Pest Control Commission defines control to mean that an infestation has been treated so that it no longer poses a threat to neighboring lands. It does not mean eradication.

To "force" control, two avenues are available to a county:

1. Protective operation = state enforcement.
2. Remedial action = county enforcement.

Both processes are similar in mechanics. Statutory language ensures that landowners receive due process through notification of control requirements and specific time allowances for voluntary compliance with written control orders. Only after results have not been forthcoming through initial enforcement steps do county boards or the Department of Agriculture have the authority to control an infestation at the landowner's expense.

If you are interested in the actual mechanics of an enforcement, I would be most happy to discuss it with you at some other time. At this point, suffice it to say, the system has been effective and met the need of controlling prairie dogs in some instances where it was determined to be in the best interest of protecting the resource and the rights of adjoining landowners.