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Endangered Species Considerations in Prairie Dog Management¹

Max Schroeder²

Past management of the prairie dog has more often than not resulted in the reduction of prairie dog ecosystems upon which one endangered species, the black-footed ferret, depends. This species and over 400 other species found in the United States and its Territories are currently protected by the Endangered Species Act. The current Endangered Species Act had its start in 1964. At that time, the Bureau of Sport Fisheries and Wildlife selected a committee of individuals to determine which animal species in the United States were threatened or endangered with extinction. These individuals, with the help of some 300 other persons and organizations, compiled the first tentative list of rare and endangered wildlife. The black-footed ferret was listed at that time as one of 135 endangered species. In June 1965, the ferret was accorded protection by the Assistant Secretary for the Fish and Wildlife Service, through a policy that recognized the black-footed ferret as an endangered species closely associated with and believed dependent on the prairie dog for food and shelter. This policy stated that while the Department of the Interior has a responsibility for protecting the black-footed ferret, it was also responsible for the control of animals that were considered significantly detrimental to the best interest of man.

To satisfy these responsibilities, protecting the ferret and suppressing prairie dogs, the policy required that before any toxic bait was made available for prairie dog control by the Bureau of Sport Fisheries and Wildlife, the Bureau would conduct investigations of any prairie dog towns proposed to be treated to determine that they were not at that time occupied by black-footed ferrets. The first systematic surveys done in response to the policy were conducted by the Fish and Wildlife Service in August 1965 on the Pine Ridge Indian Reservation in South Dakota. This first policy was followed in 1966 by the Endangered Species Preservation Act which directed the Secretary of the Interior to carry out a program to protect, restore, and propagate selected species of native fish and wildlife. This was followed in 1969 by the Endangered Species Conservation Act. This act expanded the land acquisition authority of the 1966 act, better defined the authorities granted in the 1966 act, and authorized the Secretary to develop a list of species subject to extinction.

In 1973, the current Endangered Species Act was enacted. This is a much stronger and more comprehensive statute than either the 1966 or 1969 documents. This Act has been amended several times, including the most recent amendment in 1982, and directs the Secretaries of the Interior and Commerce to, among other things, develop a list of species that are in danger of extinction and to carry out programs for the conservation of listed species. The Secretary of Commerce delegated this authority to the National Marine Fisheries Service, which is responsible for the list of marine species when they are at sea. The Secretary of the Interior has delegated the authority for marine species when on shore and all other listed species to the Fish and Wildlife Service. Programs for the conservation of listed agencies include provisions to provide a means to conserve the ecosystem upon which the endangered and threatened species depend; to take appropriate steps to achieve the goals of the various treaties and conventions listed within Section 2(a) of the Act; and to encourage the States and other interested parties to develop and maintain conservation programs that meet national and international standards. Several sections of the Act have special considerations for endangered species recovery. These could impact prairie dog management, since prairie dogs are the major prey species of the endangered black-footed ferret.

Section 4 of the Act directs the Fish and Wildlife Service to determine whether a species is endangered or threatened because of any of several factors. Some of these include present or threatened destruction, modification, and curtailment of habitat or range; overutilization of a species for commercial, sporting, recreational, scientific, or educational purposes; the effects of disease or predation upon the species; the inadequacies of existing regulatory mechanisms for the species, or other natural or manmade factors that may affect its continued existence. Within this section is a mechanism for (1) listing the various species subject to endangerment throughout the world, and (2) also developing recovery plans for each listed species.

Section 6 of the Endangered Species Act provides that the Fish and Wildlife Service may enter into a cooperative agreement with a State agency to conserve resident endangered species. The Service may enter into a cooperative agreement with any State which establishes and maintains an adequate and active program for the conservation of any endangered or threatened species. Through Section 6 agreements, the Service is authorized to provide financial assistance and to assist States in the de-

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velopment of programs for the conservation of endangered or threatened species.

Section 7 is interesting when considering the management of prairie dogs. Section 7(a)(1) of the Act states that the Service and all Federal agencies shall utilize their authorities to carry out programs for the conservation of endangered or threatened species. Section 7(a)(2) further requires that Federal agencies, in consultation with and without the assistance of the Service, ensure that any action that they authorize, fund, or carry out is not likely to jeopardize the continued existence of any endangered or threatened species, or result in the destruction or adverse modification of a species' critical habitat. If a Federal agency plans any activity in an area involving prairie dog habitat, that agency should contact the Service's field office that is responsible for the site on

which they plan the activity. If the Service informs the agency that black-footed ferrets could occur in the project area, then surveys for black-footed ferrets may be necessary. These surveys would be carried out by the agency proposing the action.

Standardized survey techniques and data that are gathered on each project site, draft black-footed ferret survey guidelines for compliance with the Endangered Species Act. These guidelines are currently being used by the Fish and Wildlife Service field offices in Grand Island, Nebraska; Salt Lake City, Utah; Grand Junction, Colorado; Helena, Montana; and Region 2 in Albuquerque, New Mexico. These surveys are used to aid Federal agencies to ensure that no actions that they fund, authorize, or carry out are likely to jeopardize the continued existence of the black-footed ferret.