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Enviros sue federal agencies over poisoning plan

A plan to poison and shoot black-tailed prairie dogs in South Dakota's Buffalo Gap National Grasslands violates federal law, according to eight environmental groups that filed a lawsuit yesterday against the Forest Service, Fish and Wildlife Service and Animal and Plant Health Inspection Service. In August, the FWS dropped the black-tailed prairie dog from the list of candidates for protection under the Endangered Species Act, saying the rodent is much more abundant than previously thought. Furthermore, dramatic fluctuations in prairie dog colonies due to plague or chemical control by farmers and ranchers appear to be localized, not affecting the species' survival range-wide, according to FWS (Land Letter, Aug. 19).

A day after Interior Secretary Gale Norton removed the prairie dog from consideration, South Dakota Gov. Mike Rounds (R) announced a prairie dog control plan to address concerns about damage to federal and private grazing lands.

The environmental groups have said the plan will put the endangered black-footed ferret, which depends on prairie dogs as a food source, at risk. The control plan was made without public input or an environmental impact analysis, therefore violating the National Environmental Policy Act, according to the plaintiff's attorney, Jay Tutchton.

Nebraska National Forest supervisor Don Bright has said poisoning could began Oct. 1. The control plan does not require an EIS because APHIS will administer the poisoning, he added.

"This back-room deal to destroy critical black-footed ferret habitat is a breach of the public trust," said Jonathan Proctor of the Predator Conservation Alliance, one of the groups that filed the suit. "Our lawsuit is a last-ditch effort to bring some sanity and justice to this situation."

Federal officials did not comment on the suit. However, South Dakota Agriculture Secretary Larry Gabriel, who helped develop the control plan, said the suit could interfere with protecting the land from prairie dog overpopulation. "It's very frustrating, and in fact it angers me," Gabriel said (Chet Brokaw, AP/Aberdeen American News, Sept. 23).

The other plaintiffs who filed the suit in Denver are the Biodiversity Conservation Alliance, Center for Biological Diversity, Center for Native Ecosystems, Forest Guardians, Great Plains Restoration Council, the Human Society of the United States and Prairie Hills Audubon Society (Steve Miller, Rapid City [S.D.] Journal, Sept. 23). -- TE