



Prairie Dogs Bring Out the **WORST AND BEST** in Wildlife Stewardship

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Prairie dog pups stand alert at the Niobrara Sanctuary. All photos by Ron Klataske.

We aren't inclined to suggest that "Prairie Dogs R Us!" However, landowners and others with an interest in protecting the diversity of wildlife associated with prairie dog colonies often turn to Audubon of Kansas (AOK) for support. In many instances, and on three major occasions in the first five months of 2018, AOK was contacted for assistance in Kansas, Nebraska and South Dakota. All three requests involved prairie dog colonies that were threatened with eradication mandates or by actions resulting in destruction of this unique element of America's prairie ecosystem.

Occasionally, magnificent conservation partnerships evolve after we become involved and as we reach out to involve others. The most outstanding example of that occurred in September 2005 when Audubon of Kansas was contacted by Larry Haverfield and Gordon Barnhardt. It was immediately apparent that the prairie dog complex on their adjoining ranchlands was a promising site for reintroduction of Black-footed Ferrets. In spite of that, the county commissioners in Logan County were hell-bent on using state statutes enacted more than a century earlier to eradicate every prairie dog and send a bill in six figures to the landowners.

Few actions are more impressive than what these landowners and their families withstood—over a period of

ten years—to protect the natural integrity of their land and the wildlife that depend upon it. One of the first major gifts of optimism came a week before Christmas in December 2007. The U.S. Fish and Wildlife Service reintroduced fourteen captive-bred Black-footed Ferrets (BFF) to this ranch complex just prior to sunset that evening. The descendants of those ferrets, and others brought in since that first reintroduction in Kansas, remain the only BFFs occupying their ancestral homeland on the short



One of the first Black-footed Ferrets reintroduced in Kansas peers out of a burrow a few minutes after being released.

and mid-grass prairies of the state. BFFs depend on prairie dogs as their primary prey and the burrows as dens.

In a state with 52 million acres, the Kansas Farm Bureau, a number of county commissioners, and others have made it clear that they do not believe there is sufficient space any place in Kansas where there should be prairie dog colony complexes sufficient to support a recovery site for the federally endangered Black-footed Ferret. Their actions during the past twenty years suggest they prefer extinction rather than recovery of threatened or endangered species. Repeated litigation, political stunts and all manner of tactics were used against the landowners. Politically, they have paralyzed leadership of the Kansas Department of Wildlife, Parks and Tourism.

Black-tailed Prairie Dog colonies are, in many ways, like wetlands in a prairie landscape. They provide habitat distinctly different from the surrounding landscape. Distinct aspects include a complex of burrows surrounded by closely-clipped vegetation where visibility is key to survival. These colony complexes are used by numerous other species of mammals, birds, amphibians, snakes and turtles. Birds from Mountain Plovers to Upland Sandpipers and many other species utilize the above-ground insect resources and plant seeds. An array of raptors zero-in on prairie dogs as prey, with Ferruginous Hawks and Golden Eagles specializing in year-round pursuit of prairie dogs.

Burrowing Owls feed on insects and mouse-sized prey, but they depend on this special habitat and specifically the burrows for nesting and shelter. The burrows serve the same purpose as tree cavities used by Screech Owls and Barred Owls. Very few land birds nest in burrows on flat ground. Bank Swallows and Belted Kingfishers burrow into and nest in steep banks.

Prairie dog burrows are enlarged by Swift foxes for their dens and also by Badgers. Swift foxes are rare and imperiled throughout most of their former short-grass-prairie range — extending from Canada to Texas. But they thrive in a few small places where prairie dogs provide an abundant food base, including the Haverfield/Barnhardt/Blank ranches in western Kansas.

When the Logan County Commission sought to poison the prairie dogs on the 10,000-acre ranch complex with Phostoxin gas tablets dropped in burrows and covered with sandbags in 2007, three distinguished herpetologists prepared a report indicating that hundreds of thousands of amphibians, turtles (Ornate Box Turtles) and twenty-five species of other reptiles could be killed. Were it

not for the qualifications of Travis W. Taggart, Joseph T. Collins and Curtis J. Schmidt one would never suspect that so much life was associated with prairie dog colonies.

Audubon of Kansas has been recognized as an organization unparalleled in our dedication to assist landowners and others with difficult wildlife conservation challenges in the central Great Plains. As referenced above, AOK is often called to assist, and we have joined landowners on the front lines, supporting property rights and developing management strategies designed to address real challenges — on both sides of the fence when adjacent property is involved. It is ironic that states claim authority and ownership of wildlife, but landowners are mandated to control wildlife and are threatened with financial burdens from the applications of toxicants by county officials. In unique situations, when land is being developed for other purposes, we have provided leadership and hands-on involvement to rescue and relocate prairie dogs. A brief overview of the three most recent examples of AOK initiatives is provided below.

Kansas: Plagued by Eradication Attitudes and Antiquated Statutes

One of the first requests this year was from a landowner, Greg Greenwald, in Lane County, Kansas. The county commission was poised to impose an order for this rancher to poison the prairie dog complex on his 3,600-acre property. On the two occasions when Mike Corn, an AOK trustee and a former editor for the *Hays Daily News*, and I visited the property in January and February, it was evident that the complex was a magnet for Ferruginous Hawks, Golden and Bald Eagles. One prairie dog carcass was being shared, or more accurately squabbled over, by three Ferruginous Hawks on the ground. A Golden Eagle was perched on a hill overlooking the scene, and Greg talked about the Bald Eagles that have remained throughout the year. It was immediately apparent that this ranch was an important wintering area for Ferruginous Hawks and eagles.



A Ferruginous Hawk stands over its prey while another takes flight on the Greenwald Ranch in Lane County Kansas.

Although the prairie dog population is controlled on the property, it is done with shooting rather than with poisons. It is not a wildlife refuge, and the shooting is considerable. Shooters come from different states, pay for the privilege and it has become a supplemental income. One would think that shooting organizations would rise to the defense of landowners who provide this opportunity. However, these organizations have been MIA when it comes to defending landowners who maintain prairie dog colonies with or without recreational shooting.

We recognize that prairie dog colonies are in and of themselves part of our wildlife heritage. Prior to European settlement of the Great Plains, they were likely the most abundant mammal on the North American prairie. Extending over millions of acres, they were like Bison, a keystone and foundational species that had significant effects on the ecosystem. When eliminated, their disappearance drastically affects ecosystems.

If forced by the county to poison the prairie dogs, the cost of toxicants and application would have been in the tens of thousands of dollars.

We worked with the landowner and developed a management, control, and conservation plan for the prairie dogs and the benefit of associated wildlife. Seasonal shooting, preferably with non-lead bullets, will continue with more targeting of boundary areas to diminish expansion onto adjacent lands where they aren't welcome. Lead fragments pose a threat to raptors that feed on dead prairie dogs. Use of toxicants will be limited. Raptor poles along the perimeter, and fences to exclude livestock grazing to allow for establishment of a strip of taller vegetation will diminish the expansion of colonies and dispersal onto neighboring land. Encouraging predation and utilizing vegetation are naturalistic management strategies.

Fortunately, the Lane County Commissioners were receptive to and approved the plan.

South Dakota: Agency “Extinctionists” Stalled in Court by a Strong-willed Ranch Woman

In early May we were contacted by Susan Henderson, a rancher in Fall River County, SD. Although she doesn't have large numbers of prairie dogs on her 8,000-acre property, the county weed and pest control agency sent her a notification stating that they were going to come on her property to poison all of the burrows with Fumitoxin—a poisonous gas that, like Phostoxin, kills everything in the burrows. They estimated the cost of controlling a

40-acre prairie dog colony at \$8,800. And of course, they planned to charge her.

Ms. Henderson treasures wildlife on her ranch, including the Burrowing Owls that nest in the prairie dog burrows, and the Golden Eagles, Bald Eagles, and Ferruginous Hawks that nest on or near her property. She immediately filed a court action to halt any poisoning this spring and summer to protect the Burrowing Owls. Audubon of Kansas wrote a letter for her attorney to use establishing the fact that the agency's action would be a violation of the Migratory Bird Treaty Act. A similar letter had also been filed by the U.S. Fish and Wildlife Service, but the Fall River “extinction agency” (our term based on their demonstrated disregard for wildlife) planned to ignore that determination—citing the fact that the Trump Administration has recently indicated they are not inclined to enforce provisions of that Act in most situations. We also contacted conservation partners in the area to seek additional demonstrations of support in the lawsuit.

Fortunately, Judge Jane Wipf Pfeifle ruled on May 24 that the agency could not apply the poison gas, at least not during the Burrowing Owl nesting season. The agency's stated position was that even “one prairie dog is an infestation” and should be eliminated. Ms. Henderson plans to seek longer-term protection. She told the Rapid City Journal that,

“Hell will freeze over and you'll be able to ice skate on it before I'm going to allow this weed and pest board to put poison on my ranch.”

Nebraska: Prairie Remnants Disappear Within Agriculture Landscape, although a Spirit of Conservation Commitment Emerges

On April 16, Maureen Franklin, a retired faculty member of Doane University contacted AOK. Decades earlier, the university, located in Crete, Nebraska, had been gifted a farm forty miles to the west in Fillmore County. It was being sold this spring to support other university purposes, as is routinely the case with properties donated to colleges and universities. Most of the farm was already cultivated. It is in the midst of an area where almost all lands are highly productive, cultivated and irrigated. The farm included a 40-acre parcel that had been a pasture in an earlier era and had not been plowed. Although it was



Volunteers, mostly with connections with Doane University, came to help set traps in our quest to capture prairie dogs from what had recently become a soybean field. Just for fun, Maureen Franklin named the first prairie dog captured and taken to the Niobrara Sanctuary "Millard," in honor of Millard Fillmore--since the site is in Fillmore County, Nebraska. It seems these many folks were set to prove Millard Fillmore's famous quote to be wrong: "May God save the country, for it is evident that people will not." Volunteers with the Nebraska Wildlife Rehab, Inc. in Omaha assumed responsibility for trapping for the last ten days in June.

a remnant prairie, it was afflicted with omegrass and other non-native invasive grasses. Funds for restoration and management were not readily available.

When rural lands are sold, it is common for new landowners to change management, and frequently pre-existing grasslands are converted to cultivation for production of commodity crops. It was assumed that was about to occur in this instance. Agriculture land prices are extraordinarily high in this area—from \$8,000 to \$10,000 per acre, and it seemed almost inconceivable that it wouldn't be tilled and irrigated since an irrigation system was already established for the majority of that farm unit.

Notably, however, it had a thriving prairie dog colony. This parcel had been used periodically for field studies by the biology department.

There was confusion among Nebraska conservationists relative to the prospect of preserving the grassland and keeping the prairie dog colony intact. We were told to hold off on discussion with the new landowner and that resulted in some delay. AOK agreed to help rescue the prairie dogs with a trapping and relocation initiative. However, it was then discovered that the land had been tilled several times with a large disc to prepare the seedbed to plant soybeans. The colony had also been subjected to intensive shooting from locals in the area under the



assumption that it was no longer a protected area and the prairie dogs would be incompatible in a soybean field or the adjacent corn field.

It was discovered that a substantial number of prairie dogs survived, and a number of dedicated Doane University faculty, former students and others from as far away as Lincoln and Omaha wanted to volunteer with us to trap and relocate some of the remaining prairie dogs. With a \$600 investment in live traps, we initiated trapping on May 21 and soon discovered that an extended strategy of pre-baiting with grain was needed, especially with this particularly terrified group of survivors.

Fortunately, the landowner who purchased the acreage was willing to accommodate a partnership plan between Audubon of Kansas, Inc. and Nebraska Wildlife Rehab, Inc. (NWHI) to continue trapping throughout the month of June. Together, the two organizations agreed to cover crop damages that continued to occur during that period. Ongoing contributions have helped with those and other expenses. Significant support came from the Audubon Society of Omaha, Doane University and a number of generous individuals. The Prairie Dog Coalition/ HSUS also pitched in with 150 additional traps and support.

The 223 prairie dogs captured have been relocated to AOK's 5,000-acre Hutton Niobrara Ranch Wildlife

Sanctuary in Rock County, Nebraska. With a scientific and educational permit in place from the Nebraska Game and Parks Commission, a prairie dog colony has been re-established there during the past six years. These prairie dogs, from the eastern-most surviving colony in the state of Nebraska, expand upon that conservation and educational mission of the sanctuary. An overarching goal has been to inspire appreciation and support for conservation of prairie flora and fauna.

In terms of highlighting the plight of prairie dogs and other wildlife lost with the conversion of prairies, it has been a successful conservation initiative. We've established that it is feasible to establish new prairie dog colonies when there are no other options for prairie dogs that are displaced from an altered landscape.

This challenge is accomplished at the Niobrara Sanctuary with selection of a 15-acre site with suitable soils contained within a "prairie dog fence" we developed, prepared with "starter burrows" dug with a 4" augur, close mowing of the vegetation within the colony, and establishment of tall vegetation surrounding it. **The sanctuary's mission has been successful; this spring in early May at least eight litters of pups were observed gathered on their respective burrow mounds. Prairie dogs add to the wildlife diversity and to the variety of experiences of visitors to the sanctuary.**

Black-tailed Prairie Dog colonies are threatened almost everywhere they still exist in the Great Plains.

In many cases landowners who have prairie dogs on their land are being threatened by over-zealous county weed agents and county commissioners who impose eradication statutes that were enacted more than a century ago. It is difficult to understand why such statutes still exist. Eradication statutes were enacted in an era when the last great flocks of Eskimo Curlews were slaughtered in the Great Plains, the last of the Passenger Pigeons and Carolina Parakeets were in captivity (soon to become extinct), and Bison were gone from the prairies along with many other species.

The *Kansas Black-tailed Prairie Dog Conservation and Management Plan* developed with involvement of a broad base of conservation and agriculture representatives and



Plastic bags filled with sand were used to seal burrows when Phostoxin was used to kill prairie dogs (and everything else) in burrows on the Haverfield Ranch in 2007. To preclude a court injunction the exterminator hired by the Logan County Commission came on the property on Labor Day Weekend when the courts were closed.

published in July 2002 called for repeal of the statutes and a series of conservation, research and educational measures. The last two politically appointed secretaries of KDWPT have largely ignored the plan. It simply draws dust on shelves in Topeka and Pratt. But, it fortunately can be read on the KDWPT website.

Audubon of Kansas needs your assistance and support. We are asking Kansas gubernatorial candidates if they will support repeal of the antiquated statutes of 1901 and 1903 that compel landowners to eradicate prairie dogs even if they don't wish to. Candidates for the state legislature need to address the same question. Repeal of the eradication statutes (K.S.A. 80-1201 thru 80-1208) must become a priority for the next legislative session.