

STATE OF COLORADO

John W. Hickenlooper, Governor
DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WILDLIFE

AN EQUAL OPPORTUNITY EMPLOYER

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*For Wildlife-
For People*

July 1, 2011

Valerie Matheson
City of Boulder-Community Planning and Sustainability
Open Space and Mountain Parks
Parks and Recreation
P.O. Box 791
Boulder, CO 80306
303-441-1880

Re. Permit application to capture, transport, hold, and relocate prairie dogs; wild to wild relocation.

Dear Val

After long and careful consideration of your application I am writing to inform you that the Division of Wildlife (DOW) has denied your request for a permit, submitted on June 7, 2011, to relocate up to 300 prairie dogs from various Open Space and Mountain Parks Department properties to the City of Boulder Richardson II property. Our decision is based on the following:

The Colorado Wildlife Commission is given authority to regulate the circumstances under which wildlife may be transported and released under Colorado Revised Statute 33-1-106. Wildlife Commission Regulation 303 establishes the requirement and basis for the approval and denial of relocation permits for prairie dogs. Specifically, Wildlife Commission Regulation #303(A)(3)(b)(2) states:

Relocation permit applications must be submitted to and approved by the Division prior to relocation. Permit approval or denial shall be based on the following: size of the relocation site; proximity of the site to public lands; habitat suitability and potential to support the relocated species; escape control, including buffer zones and active control if necessary; wildlife health and zoonotic disease concerns; and any other appropriate wildlife management concerns.

We have denied your permit application because the mitigation plan in the application failed to adequately address escape control issues or establish an effective buffer zone, and does not provide for active control of the prairie dog colony to prevent expansion onto neighboring private property. Many adjacent landowners and local community members voiced their opposition to the relocation proposal with primary focus on the prevention of any expansion by a relocated colony beyond the receiving site's property boundaries. While the mitigation plan did include a buffer zone and outlined some active control for individual prairie dogs in the form of consultation to private property owners and passive relocation funding we feel these efforts will not prevent the relocated colony's expansion beyond the site. There are few proven cost effective techniques for keeping relocated prairie dogs and their progeny within a property boundary and the City's policies prevent lethal population control or relocation from Richardson II as the relocated population expands. The DOW encourages permit applicants to work with neighboring landowners of a receiving site to draft a mitigation plan that is acceptable for those potentially affected by a relocation effort. Despite the City's efforts to solicit feedback and the many comments

DEPARTMENT OF NATURAL RESOURCES, Mike King, Executive Director
WILDLIFE COMMISSION, Tim Glenn, Chair • Robert Streeter, Vice Chair • Mark Smith, Secretary
Members, David R. Brougham • Dorothea Farris • Allan Jones • Gaspar Perricone • John Singletary • Dean Wingfield

and suggestions provided by the community this was not possible. Until the City can develop a plan to effectively contain relocated prairie dogs on the Richardson II property and as long as local opposition, especially from adjacent landowners, to the project remains strong we will not issue a permit.

The local response to this relocation project has been substantial. Included in your application was 177 communications (email, letter, form, or other) from 169 individuals. City staff did a thorough job of detailing what the specific community concerns were and attempted to address them. The DOW received 141 communications from 114 people. A total of 221 people submitted comments either to you, the DOW, or to us both regarding the relocation. Out of all of those, 147 identified themselves as being a Gunbarrel community member. Of the local community members 17 were in favor of the relocation and 125 were opposed, with 5 expressing no discernable opinion. Local community members also collected 632 signatures on a written petition against the relocation and 263 signatures on an online petition. Signatures consisted of both local residents and individuals from outside of the Gunbarrel community.

Many of the concerns from the public you identified are not within the authority of the DOW to evaluate in the context of your permit application and are more appropriately left to the city to address. These include how the city allocates its tax revenues and resources, aesthetics of open space property, property values of neighboring private property as a result of land use on city open space, recreational use or conflict, and potential damage to flood mitigation structures. Additionally, an issue that was identified by both local proponents and opponents of the relocation was an unresolved animosity towards the city government from county residents that had little if anything to do with prairie dogs. It is not the DOW's role to be the arbiter of whether or not a prairie dog relocation is "unfair" such as moving prairie dogs from the city to the county. I will appropriately leave to your city council and the county residents' representatives on the Boulder County Board of Commissioners how to best resolve these issues.

There were also issues you identified from the public that, while they were not issues that led to the denial of your application, are wildlife concerns we would like to address.

Prairie dogs are a source of prey for many species including red fox, coyotes, and raptors. As the existing prairie dog population grows this may affect survival rates of young thus increasing the size of predator populations but as the natural prey source for predators on open space we feel this would be a benefit not only for the foxes and coyotes already using the property but for the neighboring communities. If there is a healthy natural prey base predators will have less incentive to go into neighborhoods in search of food and we would expect conflicts with people and pets to be more infrequent then if there was not a healthy natural prey base. Therefore trap and transplant efforts should consider potential impacts on predator species at both the trap site as well as the release site. Predators such as foxes and coyotes will exist in and around Foothills Park, in and around the Richardson II property and in and around Gunbarrel neighborhoods. We remain dedicated to working with the city, county, and residents on how to live with coyotes and foxes and will continue to work in this regard. Because mountain lions are infrequent visitors to the Gunbarrel neighborhood and are primarily crepuscular or nocturnal, and whereas prairie dogs are diurnal I would not expect a prairie dog colony to be a significant attractant to mountain lions.

Prairie dogs do have a significant and important impact on habitat and the landscape. At high densities during periods of low moisture prairie dog colonies can be aesthetically unpleasing. Local residents also reported wind erosion when such conditions existed on Richardson II before the last plague episode. You have identified through the Grassland Plan properties on which prairie dogs and their associates are desired and properties where prairie dogs would be in direct conflict with sensitive plant or wildlife communities. It is important that there be a place on Boulder's grasslands both for prairie dog communities as well as plant and animal communities that do not include prairie dogs. As Richardson II does not have any sensitive plant or animal species that would be negatively impacted by the prairie dogs any alteration of habitat by prairie dogs on Richardson II will be a part of the overall mosaic of Boulder's natural systems.

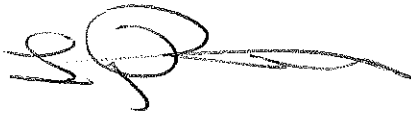
Plague was identified as a key concern from the community regarding the proposed relocation. We require burrows at capture or sending sites be dusted with a pesticide (labeled to specifically allow for such use, such as deltamethrin) as an effective technique in killing any fleas capable of transmitting plague. This is mainly to protect wildlife at the receiving site and to prevent spread of the disease which has proven devastating for prairie dog colonies. The pesticide is applied in such a way that contact with non-target insects and people is minimal.

Unfortunately, plague is and will continue to be present periodically in fleas and their hosts throughout Boulder County and there will always be a small risk that a human will contract the disease. How much that risk would have increased at the Richardson II property with an additional 300 prairie dogs is difficult to determine but the risk will not be eliminated in the absence of a relocation or even in an absence of prairie dogs. Risk management is difficult when it comes to wildlife whether it is from disease or injury and there is always a chance that a human will be injured, infected, or killed as a result of the existence of wildlife in virtually every Colorado community. Along with the city and Boulder County the DOW works very hard to mitigate and minimize risk to people from wildlife but we will never be able to eliminate it. We have the best chance of protecting a human population that is educated about the risk and know what personal steps they should take to protect themselves and their families.

Finally, we do not endorse changing the designation of the Richardson II property from a Prairie Dog Conservation Area. The prairie dog population currently established on the property will remain and likely expand. The City of Boulder's Grassland Management Plan is extensive and comprehensive. It is balanced and informed and is guided by science and the social values of Boulder's residents. The city gave ample opportunity for comment by the Division of Wildlife, other agencies, and the public and the final product that was approved by council was a result of extensive work and a long public process. Despite the commendable effort city staff made to engage and include members of the public in drafting the plan it is obvious from this experience that one key constituency was missed. The most common concern from the neighboring community in Gunbarrel was that they were left out of the process that led to Richardson II being designated a Prairie Dog Conservation Area. This was most apparent last fall when the community asked and the city appropriately granted more time for comment and review. With respect to the many hours the city has already dedicated to drafting and finalizing the Grassland Management Plan we encourage you to engage with the Gunbarrel community on prairie dog conservation and the Grassland Plan. Depending on your available resources, we also encourage you to implement some of your mitigation proposals for the existing prairie dogs on Richardson II specifically the posting of educational signs, raptor perches, consultation with private property owners experiencing conflict, and maintenance of a buffer zone. We would be willing to partner with you on these efforts and provide support because it is obvious that if we do not properly educate and engage with local communities that have the potential to play a role in prairie dog conservation we will lose their support and future efforts may be jeopardized.

The debate over prairie dogs in the Boulder area has been ongoing for several years and has proven to be extremely emotional with many people on either side of the debate. The City of Boulder has done a remarkable and noteworthy job of not only engaging in the debate but working to find solutions to the challenges that face black tailed prairie dogs in urban environments. Black tailed prairie dogs are not a state or federally listed endangered species but they are a state species of special concern. While there are many visible colonies in Boulder County prairie dogs still face pressure from shrinking and fragmented habitat and the plague and proper management and conservation of prairie dogs not only benefits the species but is crucial for the many other wildlife species that depend on prairie dogs. The denial of this permit application in no way reflects the DOW's position on the importance of prairie dog conservation or the City of Boulder's laudable efforts. The City of Boulder is an essential partner with the DOW in wildlife management and we look forward to a continued productive relationship including future prairie dog relocation permits.

Respectfully,



Larry Rogstad
Area Wildlife Manger

CC: Representative Dickey Lee Hullinghorst HD 10, Boulder County Board of County Commissioners
S. Yamashita, K. Green, L Rogstad, K. Cannon, file