EXHIBIT 15
DATE 1.25.05
NO. 286

House Bill 286
January 25, 2005
Presented by Chris Smith
House Fish, Wildlife & Parks Committee

Mr. Chairman and committee members, for the record I am Chris Smith, Chief of Staff for Montana Department of Fish, Wildlife & Parks (FWP).

I am here in opposition to HB 286. This bill would repeal the joint authority of Fish, Wildlife and Parks and the Department of Agriculture to manage prairie dogs. It would also repeal Montana's prairie dog management plan, which was developed through an extensive public process and approved by FWP, the Department of Agriculture and the Department of Natural Resources and Conservation.

The threat of federal listing of prairie dogs was certainly one of the factors that led to passage of HB 492 by the 2001 Legislature. However, it was not the only factor, and there is some important history the committee needs to consider in reaching a decision on HB 286.

Discussions about prairie dogs in Montana did not begin with the threat of listing. In fact, a broad spectrum of Montanan's, including landowners, called the Montana Black-footed Ferret Working Group, started developing prairie dog management guidelines in the mid 1980's, well before anyone ever imagined we would see a petition to list this species. This working group adopted the first prairie dog management guidelines in 1988, 10 years before the listing petition.

Discussions among stakeholders continued after that and the Montana Prairie Dog Working Group was organized in 1996 – two years before the petition was filed – with the goal of developing a comprehensive prairie dog management plan. The Prairie Dog Working Group process was highly visible and featured numerous opportunities for the public to participate.

In the course of developing their plan, the Prairie Dog Working Group recognized the need for FWP to have some legal authority to manage this species. Rep. Clark's HB 492 during the 2001 session addressed that need. HB 492 granted authority to FWP to designate the black-tailed and white-tailed prairie dogs as "nongame wildlife in need of management" and created dual management authority for prairie dogs with Department of Agriculture. It also required that any management plan be approved by the Department of Natural Resources, as well as FWP and the Department of Agriculture.

In addition to the working group process on the plan, the rule-making process to designate prairie dogs as "nongame wildlife in need of management" included an environmental analysis to comply with Montana Environmental Policy Act, press releases soliciting public comment, public hearings, and compilation and analysis of all public comments received. Between the rule making and plan development, a large number of Montana citizens devoted over 5 years and significant sums of money in time and travel to make decisions about how we should manage prairie dogs.

Montana's final Prairie Dog Conservation Plan was adopted by FWP, the Department of Agriculture and the Department of Natural Resources and Conservation in 2002. The plan was formally endorsed by the Bureau of Land Management, U. S. Forest Service, Bureau of Indian Affairs, Natural Resources Conservation Service and U. S. Department of Agriculture: Animal and Plant Health Inspection Services: Wildlife Services. Repeal of a conservation plan with such substantial public and agency ownership should not be taken lightly.

It is also important to note that Montana's Prairie Dog Conservation Plan provides the foundation for the management of prairie dogs and wildlife species associated with prairie dogs. The management plan gives Montana the ability to respond to any future petition to list any one of numerous wildlife species commonly associated with prairie dogs or to respond to a catastrophic plague outbreak in prairie dogs. We think it would be a mistake to discard our ability to do so.

The 2001 Legislature established a 2007 sunset date for the joint authority to manage prairie dogs to give the people of Montana adequate time to evaluate how the new dual status works. The collaborative efforts of all the parties involved has led to the development a limited prairie dog shooting regulation and to implementation of Montana's Prairie Dog Conservation Plan. It has been very successful and remarkably uncontroversial to date. Rather than discard a successful program designed to not only conserve prairie dogs, but to conserve several wildlife species commonly associated with prairie dogs, we encourage this committee to defer this matter until the sunset date established by the 2001 Legislature.