

MEMORANDUM

DEPARTMENT OF TRANSPORTATION

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DATE: January 8, 2002

TO: Executive Management Team

FROM: Tom Norton

SUBJECT: Black-tailed Prairie Dog Relocation Guidelines

Earlier this summer, the EMT agreed upon the following guidelines for addressing Black-tailed Prairie Dogs on CDOT projects. These guidelines should be applied to those activities that are funded either in part or in total with state and/or federal transportation dollars:

- Projects should be designed and constructed in such a way as to avoid and minimize impacts to Black-tailed Prairie Dog towns or colonies.
- Black-tailed Prairie Dogs adversely affected by projects should be trapped and relocated consistent with relevant Memorandums of Understanding, and applicable state laws and regulation.
- Black-tailed Prairie Dogs that live in colonies adversely affected by projects that cannot reasonably be relocated should be trapped and given to the USFWS for use in the Black-footed Ferret reintroduction program, or an equivalent program.
- When Black-tailed Prairie Dog town or colonies cannot be avoided, CDOT should ensure that only minimal impacts to Black-tailed Prairie Dogs and surrounding habitats occur.
- Relocations shall be conducted in accordance with CRS 35-7-203, as well as any other applicable law or regulation.
- Efforts should be made to cooperate with other public and private agencies to minimize the fiscal impact of relocation / reintroduction activities to CDOT.

Background:

The United States Fish and Wildlife Service (USFWS) have classified Black-tailed Prairie Dogs as “warranted but precluded” for protection under the Endangered Species Act due to insufficient resources. As such, the State of Colorado has undertaken efforts to ensure the continued viability of the Black-tailed Prairie Dog.

The State of Colorado has entered into a Memorandum of Understanding with ten other state and federal agencies for the conservation of black-tailed prairie dogs. Through careful conservation planning and a pro-active approach the long-term viability of the species can be assured while avoiding the need for federal listing.

It is important that CDOT adopt a statewide strategy that will assist in diminishing the negative effects that transportation related activities have on the continued survival and recovery of the species. Adopting a pro-active departmental policy under the authority of CDOT may help minimize the possibility of a potentially more restrictive federal designation in the future and is consistent with State and Transportation Commission policy direction.

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Policy Basis:

The Transportation Commission has adopted policy statements and policy guidance in the 2020 Statewide Transportation Plan adopted November 2000, that direct CDOT activities. These include:

“Statewide Transportation Policy on the Environment:

CDOT will promote a transportation system that is environmentally responsible and encourages preservation of the natural and enhancement of the created environment for current and future generations. We will incorporate social, economic, and environmental concerns into the planning, design, construction, maintenance and operations of the states existing and future transportation system. With the active participation of the general public, federal, state and local agencies, we will objectively consider all reasonable alternatives to avoid or minimize adverse impacts.”

and:

“Environmental Policy Guidance:

The Transportation Commission supports pro-active techniques to mitigate impacts of the transportation system on the environment by developing creative strategies that:

- Comprehensively address anticipated environmental impacts of the state transportation system.
- Consider project enhancements in affected communities in a cost effective manner consistent with the mission of the Department; and
- Expedite project development.”