

**Sixty-first Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE CONCURRENT RESOLUTION NO. 3021  
(Representatives Kempenich, Froelich)  
(Senators Erbele, Taylor)

A concurrent resolution urging the United States Fish and Wildlife Service not to list the black-tailed prairie dog, *Cynomys ludovicianus*, as a threatened or endangered species under the Endangered Species Act.

**WHEREAS**, in 2007 the Forest Guardians (also known as WildEarth Guardians), Biodiversity Conservation Alliance, Center for Native Ecosystems, and Rocky Mountain Animal Defense filed a petition with the United States Fish and Wildlife Service requesting that the black-tailed prairie dog, *Cynomys ludovicianus*, be listed as a threatened or endangered species under the Endangered Species Act; and

**WHEREAS**, the petition filed with the United States Fish and Wildlife Service requested that the black-tailed prairie dog, *Cynomys ludovicianus*, be listed as endangered throughout its range, which includes Arizona, Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming; and

**WHEREAS**, the United States Fish and Wildlife Service has initiated a status review of the species to determine if the listing is warranted; and

**WHEREAS**, the North Dakota Game and Fish Department has submitted its prairie dog management plan to the United States Fish and Wildlife Service and restated the department's belief that this state's black-tailed prairie dog, *Cynomys ludovicianus*, population is biologically viable; and

**WHEREAS**, large concentrations of prairie dog populations cause widespread crop destruction, compete with livestock for the same grazing areas, and create hazardous conditions for livestock;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Sixty-first Legislative Assembly urges the United States Fish and Wildlife Service not to list the black-tailed prairie dog, *Cynomys ludovicianus*, as a threatened or endangered species under the Endangered Species Act; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the regional director of the United States Fish and Wildlife Service, the director of the United States Fish and Wildlife Service, the Secretary of the Interior, and to each member of the North Dakota Congressional Delegation.

\_\_\_\_\_  
Speaker of the House

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President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2009,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State