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July 6, 2017

Jessica Held
U.S. Department of Justice
Environment and Natural Resources Division Natural Resources Section
P.O. Box 7611
Washington, DC 20044-7611

Re: Prairie Dogs at Rocky Flats National Wildlife Refuge

Dear Ms. Held:

It has come to our attention that Refuge Manager David Lucas has offered the Rocky Flats National Wildlife Refuge (“Refuge”) as an available new home for the relocation of approximately 100 prairie dogs from Longmont, CO. Please see the enclosed article from the Longmont Times Call dated June 28, 2017.

As we stated in our recent complaint regarding the Refuge, prairie dogs and other burrowing animals can dig as far as 18 feet into the ground. ECF No. 11 at ¶ 47(4). Prairie dogs particularly create deep burrows and wide tunnels, and build surface mounds by accumulating dirt from below ground and nearby surface area.¹ There also are no barriers to prevent the prairie dogs from migrating back and forth between the Refuge and the Central Operable Unit, and then later leaving the site altogether.

We believe this action requires at a minimum an Environmental Assessment to determine its impact on the environment at the Refuge. Please refer this request to your clients at the U.S. Fish and Wildlife Service, as we would like to avoid any need to file additional litigation for failure to comply with NEPA.

Very truly yours,

/s/ Randall M. Weiner
Randall M. Weiner

Enc.

¹ K. Shawn Smallwood, “Animal Burrowing Attributes Affecting Hazardous Waste Management,” 22 Environmental Management 831 (1998); Morrison, Smallwood and Beyea, “Monitoring the dispersal of contaminants,” at 293 (1997).