

Groups file suit in defense of predators

Conservationists allege Wildlife Services operating in violation of federal laws

By ERIC BARKER of the Tribune
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Four conservation groups filed suit against the federal Wildlife Services agency Thursday, alleging that its predator killing program in Idaho violates federal environmental laws and that it sometimes acts beyond its statutory authority.

- The Center for Biological Diversity, Western Watersheds Project, WildEarth Guardians and Predator Defense are targeting the agency responsible for killing wildlife that ranges from species like starlings that infest cattle feedlots and dairies to carnivores like coyotes, mountain lions and wolves that sometimes prey on livestock and are often blamed for harming deer and elk populations.
- The agency traditionally has worked with livestock producers to remove predators but also carries out other lesser known actions such as using poison to control rodent populations, applying oil to goose eggs in an effort to manage urban goose numbers and trapping and killing marmots that can weaken levees by digging networks of burrows into the earthen structures.
- Wildlife Services often conducts its actions at the behest of federal agencies like the U.S. Forest Service, Bureau of Land Management and the U.S. Army Corps of Engineers. It also works with state wildlife management agencies like the Idaho Department of Fish and Game. For example, when Idaho has approved the aerial killing of wolves in the Lolo Zone to benefit elk herds there, Wildlife Services employees have done the shooting.

- The suit claims the agency has never adequately examined and disclosed to the public the possible environmental effects of its planned actions as required by the National Environmental Policy Act. It says the agency too often passes off its responsibility to analyze both the need and consequences of wildlife killing on other agencies like Idaho Fish and Game.
- "Wildlife Services is a federal agency and its activities have a significant effect on Idaho wildlife. They probably kill in the environs of 70 wolves a year and they kill thousands of coyotes, and thousands of ravens, or want to, and they kill over 100,000 starlings on a yearly basis," said Talasi Brooks, an attorney for Advocates of the West, a Boise-based environmental law firm representing the groups. "They have an independent duty to analyze this."
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- Last fall, the agency completed an environmental analysis of its Idaho activities, but the suit claims the analysis doesn't take the "hard look" required by the law and it lacks critical details such as baseline information on the species it controls and site-specific details on its projects. The suit also argues the agency's attempt at tallying the cumulative effects of its actions, such as its coyote killing program that is heavily concentrated in south central Idaho, isn't scientifically valid.
- The group's complaint even challenges the authority of the agency to kill animals when the aim is to benefit other wildlife. It claims "the Animal Damage Control Act as amended does not grant Wildlife Services the authority to kill predators to ostensibly assist game species populations without establishing that the predators are 'injurious' to populations of the game species to be benefitted."
- Plaintiffs are asking the court to find the agency in violation of the National Environmental Policy Act and its regulations and to require it to complete an environmental impact statement looking at its program of work in the state. They're also asking the court to require the agency to carry out detailed analysis on each of its individual projects.

- Kirk Gustad, an official in the agency's Idaho office at Boise, said it has a policy of not commenting on pending litigation.