

Groups plan suit over toxic ammo

Say lead bullets in carcasses poisoning California condors

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By KEVIN HOWE, Herald Staff Writer

A coalition of conservationist and health organizations has served notice that it will sue the state California Fish and Game Commission for continuing to allow lead ammunition to be used for hunting in California .

The groups contend that lead bullets lodged in carcasses left by hunters are poisoning California condors that feed on them.

"Lead poisoning from ammunition is the single greatest obstacle to the recovery of wild California condors," said Jeff Miller of the Center for Biological Diversity, one of the organizations joining forces in the suit.

Other parties include the Natural Resources Defense Council, Physicians for Social Responsibility and the Wishtoyo Foundation. They plan to file suit within 60 days under provisions of the federal Endangered Species Act.

The group is advocating that non-lead bullets made from copper and other materials be used for hunting, contending that such bullets offer performance equal to or superior to lead bullets.

Hunters using lead ammunition risk poisoning themselves by eating shot or bullet fragments embedded in meat.

"Lead ammunition is bad for hunters and their families, too," said Jonathan Parfrey, executive director of Physicians for Social Responsibility. "People eating meat from animals taken with lead ammunition often have unhealthy lead levels in their own bodies."

Federal law requires the use of non-lead shot when hunting waterfowl because of widespread lead poisoning of waterfowl and secondary poisoning of eagles. Lead poisoning of loons, swans, upland game and the continued poisoning of eagles prompted additional restrictions on lead shot and lead fishing tackle in national parks, national wildlife refuges and on public lands in many states.

The Department of Fish and Game is one of the agency members of the California Condor Recovery Program, said DFG spokesman Steve Matarano, who said the lawsuit's proponents seem to have ignored the work done through the program. Last year, the Fish and Game Commission discussed the lead bullet issue and rejected a ban.

The Center for Biological Diversity, he said, asked the commission to ban lead ammunition in 2005. The commission voted 3-1 against an emergency ban on lead ammunition, Matarano said, and asked that Fish and Game study the issue and report on it in 2007 or earlier if the department's efforts to educate hunters, ranchers and gun users on ways to avoid lead poisoning in condors.

"It's our concern to reduce lead exposure," he said. "We've always taken this issue very seriously."

There is no direct evidence that bullet lead is the main source of lead poisoning in condors, Matarano said, though the department doesn't rule out the possibility.

"We always recommend continuing research and monitoring of that impact," he said.

The lawsuit could drive a wedge between hunters and ranchers and conservationists, said Kelly Sorenson, executive director of the Ventana Wildlife Society, a member agency of the Condor Recovery Program and the only nonprofit organization in California releasing condors into the

wild.

"We think a lawsuit of this kind is premature," he said.

The Wildlife Society's scientists are convinced that ammunition is a source of lead poisoning for condors, but "we have not yet given hunters and ranchers an opportunity to solve the problem," Sorenson said.

In Arizona last year, where condors are released in the wild, the game and fish department began a coupon program which made non-lead, copper ammunition available free to hunters who wanted to use it in areas where the condors live.

Surveys afterward showed that 78 percent thought the ammunition performed as well or better than conventional lead ammo, Sorenson said, adding that a similar program could be implemented in California .

The Wildlife Society, he said, is considering such a coupon program.

"I believe hunters and ranchers are true conservationists," Sorenson said, "and if given a chance to help, they would."

In California and Arizona , he said, 10 birds have succumbed to lead poisoning and 11 to electrocution on power lines. Others have died from malnutrition, ingesting other toxic substances. In at least one case, a condor was shot. As of December, he said, there were 373 condors, including 127 that had been released in the wild. Thirteen are living at Pinnacles National Monument and 29 in Big Sur.

Meanwhile, Matarano said, the Condor Recovery Program "really is a success story."

The last 22 wild condors were caught in 1982 and placed in a captive breeding program in Southern California zoos.

The first condor chick to be fledged in the wild since 1982 left the nest in 2004, Matarano said, and there have been other nesting pairs observed since.

The Center for Biological Diversity, he said, has inaccurately reported a 36 percent mortality rate of condors because of lead poisoning.

"The petitioners have never really taken seriously or even acknowledged the work of the lead reduction committee," Matarano said. "They always presupposed it wouldn't work. We disagree."

The most recent incident involving lead affecting condors in Monterey County occurred in late June, when a flock of condors released at Pinnacles National Monument was discovered feeding on carcasses of ground squirrels and other rodents that had been shot or poisoned in the area.

U.S. Fish and Wildlife Service biologists captured 10 of 11 free-flying condors they suspect ate the ground squirrels. Field tests revealed elevated lead levels in the blood of four birds, said Jim Petterson, supervisory wildlife biologist at Pinnacles. The remaining captured birds tested at acceptable levels. All of the birds were given shots of Vitamin K-1 to counteract the effect of possibly eating rodent poison.

Denise Louie, chief of natural resources at Pinnacles, said even microscopically small bits of lead can be fatal because the birds can't process food when lead paralyzes their digestive systems.

A lead-poisoned bird quickly becomes weak and mentally impaired, she said, and dies of starvation or is killed by predators.

Electric power lines are a danger to condors. On June 30, a juvenile California condor collided with power lines in Big Sur, killing it within a month of its release into the wild.

The Center for Biological Diversity is a nonprofit conservation organization dedicated to the protection of imperiled species and their habitats. The Natural Resources Defense Council is a national, nonprofit organization of scientists, lawyers and environmental specialists dedicated

to protecting public health and the environment.

Physicians for Social Responsibility is a public policy organization of medical and public health professionals working for nuclear disarmament, a healthful environment and an end to the epidemic of gun violence.

The Wishtoyo Foundation is an American Indian organization that utilizes traditional Chumash cultural values and practices to foster environmental awareness.

In addition to the Wildlife Society and DFG, other members of the California Condor Recovery Project include the U.S. Fish and Wildlife Service, U.S. Forest Service, National Park Service, San Diego Wild Animal Park and the Los Angeles Zoo.