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Endangered Species: Groups move to file suit over lead ammunition in federal condor habitat

By April Reese
E&E reporter

Environmental groups today said they plan to sue the Forest Service for allegedly failing to protect endangered California condors in Arizona's Kaibab National Forest from lead ammunition left behind from hunting.

Lead ammunition, which scavengers sometimes ingest when feeding on game carcasses or gut piles, is the leading cause of death for the condor and remains the main obstacle to establishing a self-sustaining population of condors in Arizona, according to the Arizona Department of Game and Fish.

In 2005, the department started offering free non-lead ammunition to hunters. But the Forest Service has its own responsibility to ensure lead stays out of condor habitat on national forest lands in Arizona, said Sandy Bahr of the Sierra Club's Arizona chapter, which filed the notice of intent to sue along with the Center for Biological Diversity.

"The Forest Service has the ability and the authority to regulate land use types of issues and to restrict activities

that are threats to people and wildlife alike," Bahr said. Hunting is allowed in most of the Kaibab National Forest, and no restrictions have been imposed on the use of lead ammunition by either the Forest Service or the Arizona Game and Fish Department.

The groups said that by failing to protect the birds from lead ammunition, the agency is violating the Endangered Species Act and the Resource Conservation and Recovery Act.

Condors were reintroduced to the Vermilion Cliffs near the Arizona-Utah border in 1996 as an "experimental nonessential population" under a special provision of the Endangered Species Act. About 60 condors are now found throughout the region, including in the Kaibab National Forest, Grand Canyon National Park, and lands in Utah and Nevada.

But since condors were released in Arizona, 12 to 14 have died of lead poisoning, primarily from lead ammunition. The scavengers can accidentally ingest lead shot and bullet fragments while feeding. In 2006, 95 percent of all Arizona condors had lead

exposure, and 70 percent of the Arizona population was treated, according to the groups. As long as lead ammunition remains an issue, condor recovery is unlikely, said Jay Lininger, a conservation advocate with the center.

"If we want condors to survive, we must stop using ammunition that contaminates their food supply with toxic lead, especially on our national forests," he said.

The center, along with several other groups, also has asked U.S. EPA to regulate lead in ammunition (Greenwire, March 12).

Bahr said the groups favor working with the Forest Service to address the issue over proceeding with the suit. They hope to collaborate with the agency on a plan requiring the use of non-lead ammunition in the Kaibab. If they do end up moving forward with legal action, the groups would seek an immediate ban on the use of lead ammunition in the Kaibab, she said.