

WILDLIFE

Judge rejects Idaho expansion of USDA predator program

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A federal judge ordered the Department of Agriculture's predator control program in Idaho to take a more in-depth look at the impact of killing animals. Christopher Bruno/Wikipedia

A federal judge has ruled that an Agriculture Department program that kills thousands of so-called nuisance animals in Idaho every year must conduct a more thorough analysis of its activities before expanding operations.

Chief U.S. District Judge Lynn Winmill, in a sharply worded ruling issued late Friday, wrote that USDA's Wildlife Services program failed to take the required "hard look" at the cumulative impacts of expanding its Idaho operations.

Specifically, an environmental assessment (EA) conducted by Wildlife Services wasn't thorough enough to support expanding activities in the state, Winmill wrote.

What's more, Wildlife Services appeared to brush off concerns expressed by other federal agencies that pressed the program for a more detailed environmental impact statement (EIS).

"Under the National Environmental Policy Act, an agency may use a convincing and objective analysis to reject criticisms and refuse to prepare a full EIS," he wrote. "But that was not done here."

He added, "While Wildlife Services responded in detail to the criticisms, their reasons for rejecting them were not convincing and objective; the agency failed to take the required 'hard look' at the concerns raised by the other agencies."

Winmill's ruling was in response to a lawsuit filed last year by a coalition of environmental groups — the Western Watersheds Project, WildEarth Guardians, the Center for Biological Diversity and Predator Defense — in the U.S. District Court for the District of Idaho.

"Wildlife Services will now have to fairly evaluate how killing thousands of coyotes in southern Idaho each year affects the environment," Talasi Brooks, a staff attorney for Advocates for the West, who represented the groups, said in a statement.

"The opinion is a win for wildlife, and a win for management based on modern science," she added.

A USDA spokeswoman said the agency cannot comment on matters pertaining to ongoing litigation.

Wildlife Services is tasked with destroying animals that are deemed a threat to crops and livestock, mostly coyotes.

Winmill did not remand the draft EA back to Wildlife Services with orders to prepare an EIS, which would be the normal course of action.

Instead, he wrote that because “the parties have indicated they desire further input on remedies,” the court will need to schedule “a status conference to discuss the next step in this litigation.”

But the wording of Winmill’s ruling is blunt, particularly as it relates to Wildlife Service’s approach to evaluating its activities in Idaho.

Among other things, Winmill wrote that Wildlife Services did not adequately respond to “numerous critical comments” of the draft EA, issued in 2015, especially those expressed by the Bureau of Land Management, Fish and Wildlife Service, Forest Service, and Idaho Department of Fish and Game.

BLM, the Forest Service and the state agency commented “that the Draft EA was not an objective analysis of the environmental impacts” of the program, the ruling says.

Wildlife Services, he wrote, should have studied these concerns “in greater depth” in an EIS.

“In conclusion, the lack of reliable data and the unconvincing responses to the serious concerns of agencies with long experience and expertise in the very area Wildlife Services sought to expand its operations into, demonstrates that the expanded [predator control] program is controversial, and its environmental impacts highly uncertain, so that an EIS is required” under the mandates of the National Environmental Policy Act.

Bethany Cotton, wildlife program director for WildEarth Guardians, said the group wants Wildlife Services to use nonlethal predator control methods in the future.

So do representatives of the other groups involved in the lawsuit.

“This is a big victory for Idaho’s native wildlife and a major rebuke to this trigger-happy federal agency,” Andrea Santarsiere, an attorney at the Center for Biological Diversity, said in a statement. “Killing predators like foxes and coyotes is ineffective and inhumane.”