

Judge: Agency failed to justify Idaho wildlife-killing plans

June 26 2018, by Keith Ridler

A federal agency's justifications for killing coyotes and mountain lions and other predators in Idaho to protect livestock and other wildlife such as elk violate environmental laws because they lack a scientific review, a federal court has ruled.

U.S. District Court Judge B. Lynn Winmill in a decision Friday said the U.S. Department of Agriculture's reasons for not doing the [scientific review](#) "were not convincing or objective."

The Agriculture Department's Wildlife Services kills and removes predators that kill livestock in many states, especially in the U.S. West. In Idaho, the agency killed nearly 4,000 coyotes in 2016.

The agency chose to update its [predator](#)-removal plans in Idaho after environmental groups said previous documents were outdated. In 2015, the agency released a draft document of an Environmental Assessment and accepted comments. In 2016, it released the final Environmental Assessment that expanded the agency's responsibilities in Idaho to also killing predators that preyed on game animals such as deer and elk.

Environmental groups sued, contending the agency violated environmental laws by not doing a more extensive scientific review called an Environmental Impact Statement, or EIS, to more fully understand the ramifications of killing predators. Winmill agreed that the agency needed to do the more extensive review, which can take several years to complete.

"The court finds that Wildlife Services acted in an arbitrary and capricious manner in deciding not to prepare an EIS," Winmill wrote.

Winmill noted that Wildlife Services rejected comments on the draft document from the U.S. Bureau of Land Management, U.S. Forest Service and Idaho Department of Fish and Game that, Winmill wrote, said the draft "was not an objective analysis of the environmental impacts."

Winmill quoted the BLM, which said the draft "sounds like a pre-decisional defense of lethal methods, and fails to consider the real benefits of alternative approaches."

The U.S. Department of Justice, which represents federal agencies in court cases, acknowledged an email from The Associated Press on Tuesday but didn't respond with comments.

The Environmental Assessment "authorized a kneejerk killing of native predators such as coyotes, and it wasn't interested in whether the science supported that," said Kristin Ruether of the Western Watersheds Project, one of the environmental groups involved in the lawsuit.

Bethany Cotton of WildEarth Guardians said the ruling will have ramifications in other states. "The premise of the decision is applicable basically everywhere else Wildlife Services operates," she said.

Winmill delayed entering a judgment in the case while the opposing sides try to reach an agreement. The timeline for that hasn't been set, but it's expected to take place in the next several weeks, with Winmill issuing a judgment later this summer.

The conservation groups said they would push for the Environmental Impact Statement and possibly request injunctions on some of Wildlife

Services activities until the scientific review is completed.

The groups said the injunctions might include some types of predator-killing poisons and aerial gunning of coyotes.

The coalition of environmental groups participating in the lawsuit also includes Predator Defense and the Center for Biological Diversity.

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