



NATURAL RESOURCES DEFENSE COUNCIL

By regular mail and facsimile

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Comments Re: Mammal Damage Management in the Commonwealth of Virginia
Environmental Assessment

To Whom It May Concern:

On behalf of the Natural Resources Defense Council, and our 1.3 million members and online activists, 11,296 of whom live in Virginia, we write to comment on Wildlife Services' draft Environmental Assessment evaluating the impacts of alternatives for mammal damage management in Virginia. See U.S. Dept. of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, "Environmental Assessment for Wildlife Services' Mammal Damage Management in the Commonwealth of Virginia" (August 2012) ("Draft EA").

For the reasons set forth below, we urge Wildlife Services to withdraw the Draft EA and instead prepare an environmental impact statement ("EIS"). The preparation of an EIS is required in this case because the widespread taking of Virginia's mammal populations, proposed by the Draft EA, will have a significant effect on the environment. In addition, the Draft EA contains flaws and deficiencies and thus also fails to comply with the requirements of the National Environmental Protection Act.

I. Statutory Requirements

The National Environmental Policy Act ("NEPA") is "our basic national charter for protection of the environment." 40 C.F.R. § 1500.1(a). It was enacted in 1970 to put in place procedures to ensure that before irreversibly committing resources to a project or program, federal agencies "encourage productive and enjoyable harmony between man and his environment," "promote efforts which will prevent or eliminate damage to the environment," and "enrich understanding of the ecological systems and natural resources important to the Nation." 42 U.S.C. § 4321.

Section 102(2)(C) of NEPA requires federal agencies to prepare an environmental impact statement for any "major Federal action significantly affecting the quality of the human environment." 42 U.S.C. § 4332(2)(C). The fundamental purpose of an EIS is to force the

decision-maker to ensure that the policies and goals defined in NEPA are infused into the actions of the federal government. 40 C.F.R. § 1502.1. An EIS analyzes the potential environmental impacts, alternatives, and mitigation opportunities for major federal actions. Significant effects need not be certain to occur to trigger the EIS requirement—rather, “an EIS must be prepared if ‘substantial questions are raised’” as to the effects of the proposed action. Idaho Sporting Congress v. Thomas, 137 F.3d 1146, 1149 (9th Cir. 1998) (quoting Greenpeace Action v. Franklin, 14 F.3d 1324, 1332 (9th Cir. 1992)).

“In determining whether to prepare an environmental impact statement the Federal agency shall . . . prepare an environmental assessment.” 40 C.F.R. § 1501.4(b). An environmental assessment (EA) is “a concise public document” that serves, *inter alia*, to “provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact.” *Id.* As with any document prepared under NEPA, an environmental assessment is intended to “ensure that environmental information is available to public officials and citizens before decisions are made and before actions are taken.” 40 C.F.R. § 1500.1(b). If the environmental assessment concludes that a proposed action will not have a significant effect on the environment, the federal agency prepares a “finding of no significant impact.” 40 C.F.R. § 1508.13. If the environmental assessment concludes that a proposed action will have a significant effect on the environment, the agency must prepare an environmental impact statement. 42 U.S.C. § 4332(2)(C).

II. Wildlife Services Has Failed to Satisfy NEPA

A. The Draft EA’s Impact Assessment is Inadequate

Fundamental to satisfying NEPA’s requirement of fair and objective review, agencies must ensure the “professional integrity, including scientific integrity,” of the discussions and analyses that appear in environmental impact statements. 40 C.F.R. § 1502.24. Agencies are further required to identify their methodologies, indicate when necessary information is incomplete or unavailable, acknowledge scientific disagreement and data gaps, and evaluate indeterminate adverse impacts based upon approaches or methods “generally accepted in the scientific community.” 40 C.F.R. §§ 1502.22(2), (4), 1502.24.

Further, the law requires agencies to evaluate all “reasonably foreseeable” and “cumulative” impacts of their actions. 40 C.F.R. §§ 1502.22, 1508.25(c). “Cumulative impacts” are defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.” 40 C.F.R. § 1508.7. The purpose of the cumulative impacts requirement is to ensure that the public is provided with a “realistic evaluation of the total impacts” of various activities by avoiding just looking at individual activities “in a vacuum.” Grand Canyon Trust v. Federal Aviation Administration, 290 F.3d 339, 342 (D.C. Cir. 2002). In order to ensure that this goal is achieved, NEPA requires an analytical discussion of cumulative impacts, not just a statement filled with generalities or a simple listing of possible adverse impacts. See e.g., Muckleshoot Indian Tribe v. United States Forest Service, 177 F.3d 800, 811 (9th Cir. 1999) (“very broad and general statements devoid of specific, reasoned conclusions” held insufficient); Friends of the Earth v. United States Army Corps of Engineers, 109 F.Supp. 2d 30 (D.C.D.C. 2000) (cumulative impacts analysis that contained “no actual analysis” and only a “conclusory statement” was insufficient).

Here, the Draft EA fails to fully analyze the potential impacts removing mammals – particularly

predators – can have on local ecosystems. Further, it fails to fully examine the economic benefits of keeping such species on the landscape, choosing instead to focus solely on the economic costs of doing so.

1. The Ecological Effects of Mammal Removal Can Be Significant

While the Draft EA details, at length, the detrimental effects mammals can have on ecosystems, it fails to fully analyze the ecological benefits mammals provide and the environmental costs of removing these species. The absence of such discussion is particularly problematic when it comes to predators, since, as a growing body of literature documents, they can have profound effects on their ecosystems by, for example, controlling the distribution, abundance, and diversity of their prey, which in turn regulates many other species in the ecosystem. (Estes 2001.) Some predators also influence the structure of the ecosystem through their physical presence by dispersing seeds and distributing rich nutrients after they forage. In addition to ecosystem services such as prey regulation and seed dispersal that predators can affect, recent research specifically links the ecological role of predators with some of the most fundamental life-sustaining ecosystem services, such as nutrient cycling and corresponding biological productivity. (Schmitz et al. 2010.)

One example of the Draft EA's failure to properly analyze the ecological role of predators is its discussion of small and medium-sized predators (also known as mesopredators), such as skunks, coyotes, foxes, river otter, and raccoons. There is increasing evidence of the pervasive ecological roles that these species play. (Roemer et al. 2009, Prugh et al. 2009, Beschta and Ripple 2009, Crooks and Soule 1999.) For example, river otters prey on a wide variety of animals, including crayfish, fish, frog, insects, and birds. Their presence, therefore, regulates the population of these species lower in the food chain. (Gittleman and Gompper 2005.) Additionally, otters play an important role in distributing aquatic nutrients in terrestrial ecosystems, thereby increasing the prevalence and growth of the plant community in the surrounding riparian habitat. (Crait and Ben-David 2007.) Similarly, the removal of coyotes can completely change the composition of an entire community, as evidenced by a study of the removal of 354 coyotes from study sites in Texas. (Henke 1999.) In that study, rodent species diversity declined while rodent density and the abundance of other small mammals and predators, including badgers, foxes, and raccoons, increased. *Id.* Because each species plays a different role in its ecosystem – from seed predation and dispersal by rodents (Roemer et al. 2009) to soil aeration and native plant recruitment by badgers (Eldridge and Whitford 2009) – the removal of even “abundant” species like coyotes can have broad ecosystem level effects. The Draft EA does not sufficiently analyze the environmental effects of such removals.

2. The Draft EA Does Not Sufficiently Account for the Economic Benefits of Keeping Mammals on the Landscape

While the Draft EA contains a lengthy discussion of the economic costs mammals can inflict, it fails to give the same attention to the economic benefits associated with keeping mammals on the landscape. (See, e.g., EA at 4, 5, 12, 13.) While the Draft EA argues that “[t]he CEQ does not require a formal, monetized cost benefit analysis to comply with the NEPA,” (EA at 39), Wildlife Services cannot analyze only one side of this ledger. If the agency is going to seek to justify its proposed action by providing a detailed, monetized, analysis of the economic costs of predators, it cannot ignore or fail to monetize their benefits. Otherwise, it lacks a rational basis for choosing one alternative over the other, cannot conclude that its proposed action will meet the agency’s self-identified purpose and need, and fails to provide the public with adequate information to comment on the proposed action.

Unfortunately, Wildlife Service's failure here to account fully for the benefits predators provide is not an isolated phenomena. *Fuzzy Math* – a recently published, peer-reviewed NRDC study of Wildlife Service's cost benefit practices – found that it is not uncommon for Wildlife Services to overemphasize losses caused by predators and minimize or discount any benefits. (Loomis 2012.) Indeed, when Wildlife Services does produce economic analyses of predator control conducted, they are often incomplete and sometimes incorrect, in large part because they omit the economic values to society that are lost when large numbers of predators are killed. Id.

In order to fully analyze the impacts of its proposed action, the Draft EA should fully analyze the economic value associated with the following:

- Wildlife Viewing– While the Draft EA mentions that wildlife viewing provides some economic benefit, it does so only in passing and fails to give it the same level of consideration with which it analyzes the damage wildlife causes. Wildlife viewing values have been estimated for most regions of the U.S. by the National Survey of Hunting, Fishing and Wildlife Viewing performed every five years by the U.S. Fish and Wildlife Service.
- Existence or Passive Use Value – The Draft EA also only mentions in passing the existence value wildlife has to people who may never see the species in the wild. While these values may at first seem abstract, a value can be assigned to them using such approaches as the Contingent Value Method (CVM). Indeed as we pointed out in *Fuzzy Math* (Loomis, 2012, p.11):

The CVM approach has been applied for example, by the U.S. Fish and Wildlife Service in its Environmental Impact Statement (EIS) evaluating the economic benefits of wolf reintroduction (Duffield, 1991; Duffield, et al. 1993), by the National Park Service in its EIS estimating the economic benefits of Elwha Dam removal (Loomis, 1996) and by the U.S. Bureau of Reclamation in an evaluation of the effects of improving in stream flows in the Grand Canyon (Welsh, et al., 1995). State fish and game agencies have also applied CVM to valuing wildlife in Alaska, California, Idaho and Montana (Peterson, et al. 1992; Donnelly, et al. 1985; Loomis, 1989; Loomis, et al. 1988 and 1990).

- Value of Ecosystem Services – The Draft EA fails to even mention the fact that ecosystem stability provides economic benefits that should be measured and analyzed if the Draft EA is going to quantify the economic benefits that its proposed action is expected to provide. There is a growing recognition that maintaining a functioning ecosystem with its entire inter-related species provides many economic values to society in the form of ecosystem services, (Daily 1997), such as water purification for drinking purposes, erosion control, pollination of crops, control of pests, and renewal of soil fertility. (Brown et al. 2007.) Formal federal government recognition of the economic values of these ecosystem services was advanced by the National Research Council's (2004) report entitled *Valuing Ecosystem Services: Toward Better Environmental Decision Making*. Additionally, the U.S. Department of Agriculture established an Office of Ecosystem Services and Markets in 2008.

For additional recommendations on how Wildlife Services can fully account for the benefits wildlife provides, please see our full report, which we have attached for your convenience.

B. Alternatives Analysis

At bottom, an EIS or an EA must “inform decision-makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment.” 40 C.F.R. §§ 1502.1, 1508.9. The agency must therefore “[r]igorously explore and objectively evaluate *all* reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.” *Id.* § 1502.14(a) (emphasis added). Here, the Draft EA fails to fully analyze another less environmentally damaging alternative that would still provide for lethal control when necessary. Further, it should consider an additional alternative that would incentivize nonlethal removal, while reducing the perverse incentives that Wildlife Service’s current “cooperator” structure can create.

1. The Draft EA Fails to Fully Consider an Alternative that Requires the Use of Nonlethal Methods before Lethal Methods

While nonlethal techniques cannot resolve livestock-predator conflicts in every instance, they should be utilized before lethal removal to prevent the taking of species and the detrimental ecological effects that can follow. While the Draft EA touches briefly on such a “nonlethal first” approach, it does not give this alternative the full analysis required. Instead, Wildlife Services claims that since no standard exists to determine requester diligence in applying nonlethal methods, a nonlethal first approach would only require Wildlife Services to evaluate the presence or absence of nonlethal methods, which is unnecessary since Wildlife Services already does so under the Proposed Action, which includes WS Directive 2.101. (EA at 50.) However, the reality is that a nonlethal first approach is drastically different from the approach suggested by the Proposed Action because Wildlife Services Directive 2.101 does not *require* the use of appropriate nonlethal techniques before Wildlife Services will assist with lethal removal. Instead, it simply gives “preference . . . to nonlethal methods when practical and effective.”

Further, the Draft EA makes speculative and unsupported conclusions by claiming that a nonlethal first approach is unnecessary because persons experiencing damage often employ nonlethal methods before contacting Wildlife Services, but fails to provide any support for this claim. (EA at 50.) Even if true, this assertion suggests that if people commonly try nonlethal approaches before contacting Wildlife Services, verifying that a reasonable range of these approaches have been attempted first would place a limited burden on the agency. However, in those instances where nonlethal techniques have not been attempted, requiring that they be tried first has the potential to reduce the unnecessary removal of ecologically valuable species from the landscape.

In addition, while the Draft EA does mention a suite of nonlethal predator-livestock conflict prevention methods, it fails to consider many others – particularly, many animal husbandry practices. A great success story in the Northern Rockies involves the Mountain Livestock Cooperative (“MLC”),¹ which has been working on the ground to prevent conflicts between large carnivores and livestock for almost two decades throughout Idaho, Wyoming, Montana, and Alberta. MLC merges ranchers’ knowledge about livestock, their land and surroundings with

¹ Mountain Livestock Cooperative brochure, at http://www.nrccooperative.org/pdfs/MLC_brochure.pdf (last visited Sep. 20, 2012).

scientific knowledge about carnivore behavior and ecology.

In late April and early May 2010, MLC put together a workshop for ranchers on the interactions between large carnivores and livestock in the Mountain West. MLC opined that traditional grazing practices in the Rocky Mountains exacerbate livestock vulnerability to wolves. Conference organizers and attendees shared valuable and proven information on how to manage livestock differently to non-lethally prevent livestock conflicts with large carnivores. Much of that information – or discussion of similar techniques that would be applicable to animal conflicts in Virginia with livestock owners – is absent from the Draft EA's discussion of the efficacy of nonlethal methods.

While there is no silver bullet or boilerplate solution when it comes to animal husbandry practices, there are a number of practices (many not considered in the Draft EA) that can be employed to reduce conflicts between predators and livestock – and many such practices often lead to better livestock production and results overall. The Draft EA should examine a wider range of animal husbandry practices before ruling out husbandry as an ineffective means of reducing depredations.

There is also precedent for including a nonlethal first approach in the Draft EA, as past documents from Wildlife Services have considered an alternative that would mandate a practicable combination of nonlethal and lethal methods. Wildlife Services' Washington office, for instance, released a Summary Environmental Monitoring Review of the "Predator Damage Management in Washington" EA and Supplement to the EA, in which the following alternative is considered (USDA 2010, p. 2):

Nonlethal Before Lethal Methods Alternative requires that: 1) cooperators show evidence of sustained and ongoing use of nonlethal/husbandry techniques aimed at preventing or reducing predation prior to receiving services from WS, 2) WS would use or recommend, as a priority, nonlethal techniques in response to a confirmed damage situation, and 3) lethal techniques would only be used when the use of nonlethal methods failed to keep damages below an acceptable level.

This alternative is commendable in its use of lethal methods only if nonlethal methods have failed in a particular situation. The Draft EA should have considered such an alternative more comprehensively.

2. The EA Fails to Consider an Alternative that Would Require 100% Cooperator Funding for Lethal Take and Increase Federal Funding for Nonlethal Damage Management

In addition to fully analyzing a "nonlethal before lethal" alternative, we recommend that Wildlife Services also analyze an alternative that would alter the federal contribution to its cooperators in order to incentivize nonlethal techniques. Specifically, Wildlife Services should examine a new alternative that requires cooperators to pay 100% of the cost of lethal removal but provides increased federal cost share for Wildlife Services staff to assist with nonlethal conflict prevention.

The current arrangement under which Wildlife Services operates, which effectively provides forty to sixty percent subsidy for lethal removal to cooperators, incentivizes the use of lethal techniques.

In contrast, a structure under which cooperators pay 100% of their lethal removal costs but receive assistance from Wildlife Services when conducting nonlethal work, would properly incentivize nonlethal methods of conflict prevention. This is appropriate since lethal removal of predators often provides a narrow benefit to a few individuals (prevention of livestock depredation or property damage, for example) while imposing a broad cost on society (the removal of valuable animals from the landscape). By contrast, nonlethal techniques confer broad benefits on society but can come at an increased cost to landowners. Thus, subsidizing the use of nonlethal techniques is appropriate, while subsidizing the use of lethal techniques is not.

C. Wildlife Services Must Prepare an Environmental Impact Statement

While the Draft EA seems to base its decision not to prepare an EIS on whether “the proposed action or the alternatives result in *adverse* impacts to the environment” (EA at 30) (emphasis added), NEPA requires federal agencies to prepare an EIS for any major federal action “significantly affecting the quality of the human environment.” 42 U.S.C. § 4332(2)(C).

The Council on Environmental Quality (“CEQ”) has enacted regulations to ensure compliance with NEPA. These regulations “are binding on all federal agencies and provide guidance to the courts for interpreting NEPA requirements.” Or. Natural Res. Council v. United States Forest Serv., 834 F.2d 842, 847 n. 5 (9th Cir. 1987). In determining whether a proposed action “significantly” affects the environment and thus requires an EIS, CEQ regulations lay out ten factors for federal agencies to consider. 40 C.F.R. § 1508.27(b). Any one of these factors, standing alone, is sufficient to require preparation of an EIS. Ocean Advocates v. United States Army Corps of Eng’rs, 402 F.3d 846, 865 (9th Cir. 2005). In this case, at least the following six factors strongly suggest that preparation of an EIS is required:

- (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial;
- (2) The degree to which the proposed action affects public health or safety;
- (3) The degree to which the effects on the quality of the human environment are likely to be highly controversial;
- (4) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks;
- (5) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration; and
- (6) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

See 42 C.F.R. § 1508.27.

In addition to the significant environmental effects that reduction of local mammal populations may have on Virginia’s environment, several of these factors merit further elaboration.

First, Wildlife Services clearly believes that its preferred alternative will have significant beneficial effects, including curbing disease transmission, protecting agricultural resources, reducing damage to natural resources, and protecting private property.

Second, the effects of Wildlife Services' mammal management activities are uncertain and controversial. Mammals such as foxes, bears, and bats provide a wide variety of benefits to the ecosystems in which they live and reductions in such species may affect those ecosystems in ways scientists do not yet fully understand. Finally, there is significant public interest and controversy surrounding the lethal removal of mammals – especially predators – and especially through the use of poisons, such as toxicants.

Third, Wildlife Services' preferred alternative could serve as a precedent for future actions. Wildlife Services carries out mammal and predator damage management activities throughout the country. Thus, Wildlife Services' mammal damage management activities in Virginia, and the manner in which those activities are analyzed by the agency, has the potential to act as precedent for similar actions in other states.

It should be clear, under this rubric, that Wildlife Services' proposed actions present the potential for significant adverse impacts on mammals and Virginia's environment. The agency thus cannot authorize these activities absent the preparation of a full EIS.

II. Additional Mitigation Measures

A. Wildlife Services' Personnel Should Adopt the Use of Non-lead Ammunition in All Circumstances

The Draft EA properly admits that the use of non-lead ammunition to manage damage caused by mammals can result in lead exposure in many other species. (EA at 41.) However, it fails to provide a full analysis of the impacts of lead ammunition on the environment.

In recent years, numerous scientific studies have drawn a link between the use of lead ammunition in firearms and lead exposure in wildlife and humans. Cases of lead poisoning from the ingestion of lead ammunition have been documented for more than one hundred species, including fifty-nine species of terrestrial birds and many of animals that Wildlife Services routinely shoots, including deer, squirrels, rabbits, and coyotes (Johnson et al. 2007).

Lead poisoning from the ingestion of lead ammunition in avian scavengers that feed on carrion has been particularly well-studied. These species often feed on carcasses of animals that have been shot with lead ammunition, ingesting lead bullets, bullet fragments, or lead shot. (Fisher et al. 2006.) Even one ammunition-tainted meal can cause fatal lead poisoning in some species. (Pain and Rattner 1988; Pattee et al. 2006; Cade 2007.) However, sublethal doses of lead can also have devastating impacts, causing neurological and physiological impairment that hampers normal breeding and survival behaviors. (Scheuhammer and Norris 1996.)

Lead poisoning of mammals from lead ammunition is not as well-studied. However, a 2008 pilot study of mammalian carnivores in the Yellowstone ecosystem hypothesized that large carnivores that scavenge to some degree – including black bears, grizzly bears, wolves, and coyotes – could be at risk from ingesting lead ammunition in game carcasses. The study found that grizzly bears exhibited heightened blood lead levels during hunting season, suggesting that, like avian scavengers, these animals are ingesting lead ammunition in carcasses or gut piles.

(Rogers et al. 2008.)

Despite the fact that lead poisoning in species from scavenging is a well-documented occurrence, the Draft EA proposes to mitigate this simply by removing mammals “within areas where retrieval of all mammal carcasses for proper disposal is highly likely (e.g., at an airport).” (EA at 41.) The Draft EA states that such a measure would “greatly reduce the risk of scavengers ingesting or being exposed to lead that may be contained within the carcass.” (EA at 41.) However, the fact that Wildlife Services will only remove animals with rifles in areas where retrieval is “highly likely” indicates that some game may be left unrecovered, which is problematic given that even one un-retrieved animal carcass can have unintended environmental impacts if another animal feeds on it. In addition, removal of carcasses from areas like airports does not address the need to mitigate for potential lead exposure in areas where Wildlife Services is not capable of retrieving all carcasses in such a controlled manner – e.g., heavily forested and unfenced areas.

By contrast, it would be far easier, as well as more protective of the environment, for Wildlife Services to simply require its agents and employees to use non-lead ammunition. At a minimum, the Draft EA should mandate the use of non-lead ammunition in areas where the removal of all carcasses is not “highly likely.”

The burden of requiring the use of non-lead ammunition would be minimal. Certified non-lead ammunition is available in a wide variety of calibers and loads from numerous manufacturers.² Additionally, the cost of switching ammunition types is practically nonexistent, particularly when weighed against the costs of conducting lethal removal activities for predators (a box of non-lead ammunition may cost, for example, between ten and fifteen dollars more than a box of high-quality lead ammunition). And non-lead ammunition is widely considered to be just as, if not more, effective than lead ammunition. A 2006 survey of over a thousand hunters conducted for the Arizona Game and Fish Department found that 60% rated non-lead ammunition accuracy as excellent or above average and nearly 75% said they would recommend non-lead ammunition to other hunters. (Seng 2006.)

In addition, transitioning to non-lead ammunition is consistent with Wildlife Services’ existing policy that management activities be “environmentally safe . . . and socially acceptable.”³ The continued use of lead ammunition by Wildlife Services is also inconsistent with the agency’s own policies. Wildlife Services Program Directive 1.201 states that:

Actions considered and employed should be biologically sound, environmentally safe, scientifically valid, and socially acceptable. The WS program also strives to reduce damage caused by wildlife by emphasizing control methodologies designed to minimize risk to humans, the potentially affected wildlife species,

² For non-toxic shotgun shot approved by the U.S. Fish and Wildlife Service for waterfowl hunting, see “Nontoxic Shot Regulations for Hunting Waterfowl and Coots in the U.S.” [U.S. Fish and Wildlife Service. http://www.fws.gov/migratorybirds/CurrentBirdIssues/nontoxic.htm](http://www.fws.gov/migratorybirds/CurrentBirdIssues/nontoxic.htm) (last accessed July 21, 2011).

³ Mission and Philosophy of the WS Program, available at http://www.aphis.usda.gov/wildlife_damage/ws_directives.shtml.

non-target species, and the environment.⁴

In short, there is simply no reason for Wildlife Services not to require its employees and contractors to use non-lead ammunition for all of its activities in Virginia.

III. Conclusion

For the reasons set forth above, we continue to urge Wildlife Services to withdraw its Draft EA and prepare a full EIS.

Thank you for considering these comments.

Sincerely,

Ellis Pepper
Project Attorney

⁴ Mission and Philosophy of the WS Program, available at http://www.aphis.usda.gov/wildlife_damage/ws_directives.shtml.

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