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THE PROBE

National Animal Damage Control Association

NO. 6 May, 1980

ANIMALS GOT RIGHTS AGAIN

We mentioned animal rights legislation before [PROBE #2, p.3] with a tongue-in-cheek attitude, but we want to correct that attitude right now. In an article in ENVIRONMENTAL LAW [99:241] a D.S.Favre [Ass. Prof., Detroit Law School] proposed an ammendment to the U.S. Constitution stating that "...all wildlife shall have the right to a natural life, and no state shall make any law that would deprive any wildlife of life, liberty or habitat without due process of law; and that every species shall have the right to defend these rights, by the appointment of human guardians." You know who these human guardians are going to be - - the same lawyers who feed on the sucker's money funneled into environmentalist groups.

As WLF points out, we support laws that outline man's responsibilities towards animals, that prevent misuse of animals and protect animal species, but the establishment of "animal rights" as a legal principle is *SICK*. The recognition of these rights establishes a broad general principle whose drastic effects would be unbelievable.

The WLF (WILDLIFE LEGISLATIVE FUND) also points out the "anti-"organizations raise millions of dollars by depicting a brown-eyed baby seal threatened by a big hulk with a club. But does this money go to protect the seal ? Hell, no ! The International Fund for Animal Welfare plunked down over $500,000 in Ohio in 1977 to support a constitutional ammendment to prohibit trapping. This money was raised to protect that little seal pup.

I wouldn't believe a politician even if he said he was lyin'.

WELL ! AT LEAST WE TOLD 'EM HOW IT IS - George S. Rost

I attended the oversight hearings before Senator Simpson in Washington, D.C. on April 25th as a representative of NADCA mostly at my own expense. In my presentation, which will be printed in the proceedings of the hearings, I pointed out the ADC program had always been a source of embarassment to the Department of the Interior and the Fish & Wildlife Service administrators who felt their mission was to protect wildlife, not kill it. They hoped by ignoring ADC, the problem would go away. When it became evident agricultural interests

could not afford to let the program wither away, the Service used the budgetary process to hamstring it. We survived because we managed to get the most out of little money and despite the sniping from all sides, the moral of the field remained high as we could see we were aiding the production of food and fiber in this country. The only reason USDI stayed with ADC was because the Animal Damage Control Act of 1931 said such a program would be provided. It also specified the Secretary would use the best methods available to accomplish this mandate. It is obvious in his recent policy statement regarding 1080, denning and reduction in aircraft and other lethal methods that the Secretary is not following Congress' intent and these are oversights in the Department's conduct of the ADC program with which Congress should be concerned.

In 1971-2 the Defenders of Wildlife (DW) brought suit against Interior to have it shut down the ADC program. The court ruled against DW on the grounds there would be more harm to the environment if the program was stopped than if it were allowed to continue. However, Interior made a secret deal which was kept sealed for two years. The deal was that if DW would drop further suit, an Executive Order would be issued banning toxicants. Thus Executive Order 11643 was issued banning the use of toxicants for predator control on federal lands. Bills have also been submitted to transfer ADC responsibilities to the States, but these died quietly in Congress. However, in anticipation the Department dropped 66 manpower ceilings from the ADC program. When the bills failed, these ceilings were not returned. When the Office of Management & Budget realized this, they returned the 66 ceilings to the Department. Actually only 26 of these went to the ADC program. The rest were used to cover expansion of the Washington Directorate and staff new programs. Now the Regions are telling ADC to further reduce force to get within ceilings.

The Executive Order added a new financial burden to the program by eliminating the use of toxicants which are more efficient and less expensive than mechanical methods of control. Interior claimed additional monies would be available for more aircraft and personnel needed to fill this gap. But it was not until 1975-7 through pressure brought on by the Department of Agriculture that budgetary relief was obtained. Additional monies for research came not from Interior but from EPA.

Further dilution of ADC effort was the adoption of "management by objectives" by the Service. This allowed the Secretary to ignore the mandate of 1931 and decide on his own how much ADC effort would be funded. Supposedly this was to work from the ground up, but in this case the Director told ADC it had so much money - - so fit a program within those limits. These funds ignored inflation and the actual needs of the program. The reason given for the static budget was supporters of ADC would see to it there was a Congressional add-on later in the year. While Congress did raise this add-on, the money was budgeted quarterly so ADC had to work with skimpy funds for three quarters and then have too much to utilize wisely in the last quarter.

Even further dilution took place when FWS created area offices within each region. This was supposed to bring decision making closer to the people. They were to be staffed with no more than 7 positions. Today each has 35 to 40 positions, many offices have no staff member with ADC expertise. Yet State ADC Supervisors must go to area offices for direction. As the area officers have no expertise in

ADC they buck it on to the Regional offices. In other words, a useless layer of fat has been added at the expense of the field. This despite assurances to Congress that funding for area offices would not come from the field stations. They were right - - funds were raked off at Washington and Regional levels before they ever reached the field.

Further downgrading of ADC is shown in personnel policies by the USFWS. Qualified ADC field personnel are passed over for Washington and Regional office positions even in ADC activities. Twice now the program coordinator position in Washington has been filled with a non-ADC person. It is not a bright future for qualified young ADC managers when they know beforehand they are considered second class citizens because they believe in what they are doing.

NADCA is extremely concerned with the apparent reliance of the Secretary on the Council of Environmental Quality personnel. These people have no knowledge of predator problems and lack the experience to make creditable recommendations. The wife of a former council member is a Director in the Defenders of Wildlife. It is understandable why protectionist recommendations are being made to the Secretary. Andrus appointed Ms Cynthia Wilson to supervise the ADC program. Her credentials as a "biologist" are Vice President of the Animal Welfare Institute. She has consistently blocked correspondence prepared for the Secretary by ADC personnel with her nitpicking, protectionist attitude. An example of how she hamstrings the Washington, D.C. staff is making them change such statements as "Rancher John Doe had 8 sheep killed by coyotes." to "Rancher John Doe said he had 8 sheep killed by coyotes."

The ADC program is conducted in each state under enabling legislation by the States. Thus a Master Cooperative Agreement is in force in each state with an ADC program. As these agreements were negotiated mutally with two to four State agencies, it is inconceivable that the Secretary would take unilateral action to drastically change the conditions of these agreements. But this he has done in eliminating tools and techniques specified in these agreements without renegotiating. This action has nullified a close working relationship of fifty to sixty years duration. This may make the protectionist groups happy, but it may backfire on them. If the various State Departments of Agriculture feel they don't need the USFWS jellyfish any more, the protectionists will have to develop inside contacts in each State as they have in Interior and the Service. This won't be so easy.

The timing of implementation of Andrus' new policy needs clarification. Andrus is telling people he will not restrict the use of traps, M-44s, etc. until effective non-lethal tools are available. But the Service is switching to an extension type program. Budget reductions are taking place and $1,000,000 is going from operations to research. So either his directions are being ignored or he is talking out of both sides of his mouth.

USFWS Region I Director decided to make brownie points and show Andrus how his policy can work. He appointed a task force to put together a computer model of the policy and test it out in an operational program. One of the immediate problems they encountered was the lack of clarification of definitions by Andrus on such minor items as "level of acceptable losses" which Andrus tosses around

carelessly. Thus the task force decided they would define these so they could get on with their assignment. To have one Region proceed with a new policy based on their interpretation will cause chaos throughout the total program. Mr. Andrus had better check on what is happening. It is not good management to get a policy on line in a computer before whatever passes as "management" has defined that policy precisely.

In conclusion, NADCA suggests the following approach for the ADC program:

ADC personnel should tighten up any loose ends on field use of operational procedures. Economy measures should be taken on the conduct of the program, i.e., assignment of personnel, use of aircraft, utilization of all control techniques when practical and request additional ceilings to obtain the proper supervisor-District Field Assistant (DFA) ratio.

The Director should recognize ADC as a valid wildlife management tool. Proper and adequate budgeting should be undertaken, returning ADC ceilings diverted to other programs and issuing a strong directive to all Service personnel, especially the Washington Directorate, that the taking of surplus or offending birds and mammals is a part of wildlife management.

The Secretary of the Interior should recognize the confusion he has created by not providing details of his policy when issued and should have all plans by USFWS held in abeyance until more direction is provided. Any task force to review the ADC program should have either the Chief of the ADC program or one of his staff on the task force. Any review presently made of ADC where ADC was not represented should be discarded. Mr. Andrus should support all the programs legislated to his Department and not pick and choose which ones he will carry out.

The Legislature should look closely at the intent of the Act of March 2, 1931 and determine which Department of the Executive Branch can best carry out the mandate of the Act. Based on past performance, NADCA recommends the transfer of the ADC program to the Department of Agriculture.

At the conclusion of my ten minute summary statement, Senator Simpson asked me two questions concerning the ADC program - - "How is the morale of the ADC personnel ?" and "How important is denning to the ADC program ?". I referred to the statements in my prepared report which described the low morale throughout the ADC program. Regarding denning I gave him this information:

One of the most weak-kneed pronouncements by Andrus in the many he's made has to be the prohibition of denning. To say coyote pups have nothing to do with sheep killing is like claiming there is no physical relationship between Dr. Jekyll and Mr. Hyde. We have documented proof that killing will often stop when the den is destroyed even if the adults are not taken. So now we must lose another biologically sound and environmentally safe ADC tool because of a highly emotional appeal. Denning operations coincide in time and place with the most critical predation loss period - - lambing and calving season. The importance of this tool is shown in the following data collected from Colorado, Montana, Utah and Wyoming for 1979:

Month	Coyotes taken by denning	Coyotes taken by other methods	Total coyotes taken	% taken by denning
April	785	915	1673	45%
May	1035	711	1746	59%
June	535	468	1003	53%
July	89	620	709	13%

At the conclusion of the oversight hearings, Senator Simpson stated that the overwhelming preponderance of evidence clearly shows that Secretary Andrus' policy was ill-advised and he should be told to cease and desist in its implementation.

A number of Senators made statements opposing Secretary Andrus' new policy. Among these presenting the strongest case for Andrus to withdraw it were: Senators Domenici and Schmitt of New Mexico, Hatch of Utah, Hayakawa of California, Bentsen and Tower of Texas, Pressler of South Dakota and Stafford of Vermont.

When you see a situation you cannot understand - - look for the financial interest.

ENVIRONMENTAL ACTIVISTS CAPTURE WASHINGTON

That headline was taken from an article by H. Peter Metzger [*Reason*, May, 1979] sent to me by Dale Wade. Metzger starts out:: "With the rare exception of the capture of a society by religious fanatics dedicated to myth and superstition, throughout history no newly ensconced power structures have advocated the destruction, or even slowing down, of the wealth-generating machine...Not until now, anyway." He points out there have been a great number of people around since the sixties who have wanted to slow down the economy for reasons that are based on no stronger superstitions than those religious fanatics of another time. These are true believers who exude party line and exclude from any serious attention any nonconforming person or opinion.

"Carter's promise of a populist, egalitarian, informal, and open government has turned into a government of intolerant zealots, almost religious in the intensity of their beliefs...Carter has introduced into public service a new kind of individual not formerly part of the Washington scene. They are the environmentalists, the consumer-advocates, and others from what is loosely called the counter-culture. The strength of the new men and women who dot the Carter Administration and who came out of a gaggle of activist organizations is that they feel in possession of moral legitimacy."

Though these public interest lawyers, consumerists, civil rights workers and environmental advocates number less than 100 in all, they hold powerful positions in the Administration - - 14 key White House assistants, including the president's chief speechwriter, came out of the public interest movement. As Metzger points out a speechwriter is not a glorified secretary, but more often than not actually originates public policy by the hypnotic effect of his words on his employer.

All three members of the Council of Environmental Quality come from their ranks. Ranking jobs in the Department of the Interior and the Environmental Protection Agency have gone to men and women who have sued in courts and lobbied on the Hill for conservation, protection of wildlife, clean air and water.

Metzger calls these people "...coercive utopians: utopians, self-evidently; and coercive in that, instead of convincing us that their vision of tomorrow is so attractive that we ought to move their way by normal democratic means and convinced by their good example, they are doing it covertly and, therefore, coercively." The article continues on in great detail about the "anti-energy vision" of these coercive utopians stating: "...anti-energy environmental issue is tailor-made for those who seek massive and rapid political change in an otherwise stable society." These environmentalists who have been crushed at the polls in tests of their policies before the public are able to achieve their aims by worming into the Administration.

Metzger's background is a public affairs officer for the Public Service Company of Colorado so he is not totally devoid of bias. However, he makes some good points and gives reason to worry about the way this country is being run. And we have our own experiences in ADC during this last decade to recognize he isn't just whistling "Dixie".

Found the reason for that turkey on the White House front lawn - - spare parts.

DEDICATION

We would like to dedicate this issue to Conridge Thomas, USFWS trapper, Lubbock, Texas. Con was able to interest the Evanses who run the Slaton Flying Service to sign up as supporting members with the result we had the $200 necessary to get this issue out. Thank you, Con, Larene and the Evans family !

I got things money can't buy - - like unpaid bills.

WILL THEY EVER LEARN ?

Despite very visible examples of what the introduction of a species can do to an ecosystem, the anti-control element continues to cry out for the abandonment of control for any vertebrates. They hope to restrict the use of what few controls are available to the point they will disappear from the market. We, of course, have before us the impact of starlings, feral pigeons, dogs, and burros, English sparrows, commensal rats and mice as examples of exotic creatures that found a home in the good ol' U.S. of A. Just about as serious are the population explosions of native animals who find their habitats improved by civilization, such as, coyotes, blackbirds and deer. In 1977 a free-ranging population of mongooses were discovered near Miami, Florida. Without traps and baits they would have increased, instead of being wiped out. The Caribbean area has a number of classic examples of what the establishment of this particular species on various islands have done to destroy and even extirpate a variety of ground-dwelling or nesting birds. These introductions are going to keep showing up as pet owners, for one stupid reason or another, continually release exotic fish, reptiles, birds and mammals into the wild. If the environmentalists have

their way, we would be left completely without any tools or expertise for trapping and baiting these introductions as they appear.

At least our government will never be overthrown - - there's too much of it.

MASKED MARAUDERS

I came across a good trapping tip for raccoons programmed to raid garbage cans. Lay a garbage can on its side, preferably a fragrant one, and put a live trap inside that. This will prevent the animal from taking the bait out of the back of the trap, besides making a good covered set so passerbys are not apt to spot the trapped 'coon. The can should be wedged so it won't roll.

U.S.Public Health Service Morbidity & Mortality Weekly Report [29(15):177-8] states two rabid raccoons cost the State of South Carolina approximately $10,000. A resident picked up several raccoon kits along the side of the road. He kept one which later started to show aggressiveness in biting and scratching members of the family. It was diagnosed as rabid. The publicity turned up another rabid pet (not of the same litter). The two required some 18 humans to go through the rabies treatment series. Our only thought is that it is too bad the Defenders of Wildlife and their ilk don't bother to get out into the woods more often as they might encounter similar experiences.

Speaking of rabies - - there was an interesting newspaper article on the complete recovery of a woman in advanced stages of rabies after being given 27 doses of *interferon*. *Interferon* is a naturally recurring human protein that has scientists so impressed lately with its potential to treat cancer, hepatitis, influenza and other diseases. The only problem is the cost, about $2,500 per innoculation, but a breakthrough is expected to make production much cheaper in the near future.

At my age I don't eat natural foods - - I need all the preservatives I can get.

MAIL CALL

We mentioned last time you should let us know if you don't receive any issues of the PROBE. We'd like to stress you must let us know if you move. Bulk mailing gets even less consideration than first class mail from our Postal "Service" as they won't forward it. So please let us know when you move as it costs us to make a copy and send it to you at first class rates. Remember, if I have the money, I'll try to get out an issue around the middle of the month.

A man never knows the value of a woman's love - - until he pays alimony.

SONITIZING

Nope, we're not talking about shirts (that's sanforizing) but a recent attempt to market ultrasonics for commensal rodent control. Impex Industries and Residex Co. are marketing an intergrated plan for using *Sonitron*™ devices in combination with a program of sanitation and the use of traps, bait stations and/or glue boards in the areas where sound is ineffective. The *Sonitron*™ device "...emits ultrasonic sound waves that tend to disorient rodents, disrupt their social structures, and keep them away from previously inhabited areas." In my personal opinion, a proper program of sanitation and reductional methods will do the job without the need for the band music. The potential favorable cost/benefit ratio of any ultrasonic device to solve a given rodent problem appears very limited. However, if you have anyexperiences with these devices, I wish you would share them with me and the rest of the members.

Often intelligence tests tell you you'd have been smart not to take them.

SOMETIMES THE NEWS JUST STINKS

According to THE TRAP LINE (Texas USFWS newsletter), Frank Turkowski and Martin Popelka (Ulvalde Predator Research Field Station) are participating in a four state project to evaluate attractants in order to improve lures used in the field for attracting predators. After preliminary test screening, kits of 16 predator lures were put in the field for ADC personnel to use during routine predator damage control activities. In addition to the lures, these kits included slow-release base materials which prolong the emission of odors and protect lures from adverse weather conditions. The kits also included whistle-type calls for decoying predators and battery-powered devices that produced prey animal sounds at regular intervals to draw coyotes and other predators to the vicinity of traps and M-44s.

After some field testing, the following lures seemed to be the favorite as far as the trappers were concerned:

Carman's Distant All Call (Superior Quality Animal Lures, New Milford, PA 18834)

Craig O'Gorman - horsemeat-bobcat meat scent base (P.O.Box 291, Broadus, MT 59317)

DRC-6503 - synthetic fermented egg formula developed by Denver Wildlife Research Center

The synthetic lure will be stocked at the Pocatello supply depot as a liquid and in pre-dipped M-44 capsule holders. This concept is promising as lures manufactured by the fermentation process often have inconsistent odor properties. The use on M-44s is especially useful in areas where insects consume baits applied in a conventional manner or where windblown sand removes the baits from the holders. A complete report on the results will be available for those interested.

I got no life insurance. When I die I want it to be a sad day for everyone.

REGION II - C. R. "Pink" Madsen

Ed Olson who runs the ADC program for the Navajo states that while coyotes are reportedly up 3% for the western U.S. in general, there is a 9% increase in Arizona and a 44% increase on the Navajo Nation. It is not surprising that deer production is down to about 6% which is not enough to sustainthe herds which are an important resource for the Indians. It is felt the drop in the deer herd is mainly due to coyotes despite the armchair balance of nature belief predation rarely affects prey populations. The Indians are very unhappy about Andrus' lack of professional advice for eliminating what few effective controls we have left for coyote control.

Other bits of information show the ADC program does fill a need in Arizona. A sheepman in the Yuma region lost 300 head of sheep last year to coyotes and feral dogs and only 30 this year under an ADC trapping program. Another sheepman in Parker with good weather had a lambing percentage last year of 100%, but this year this percentage went to 130% after trapping was carried out by ADC. Around Florence, coyotes can be heard nightly despite the area being trapped by local fur trappers and intensive hunting with electronic calls by professional callers. The coyote population is never going to be in danger when subjected only to trapping and shooting pressure.

I met with the Arizona Game & Fish commissions in both Phoenix and Tucson regarding the high cost of trapping licenses which prohibit a rancher or beginner from running a few traps and seeking a change in state laws to permit shooting coyotes from airplanes under State supervision. In Utah I met with National Woolgrower executives encouraging their support of NADCA and discussing the current status of anti-ADC actions. Had several contacts with State Fish & Game fieldmen who report beaver and deer damage problems are increasing. The latter are becoming particularly bad in orchards within urban sprawl areas where deer herd reduction is not a feasible control measure.

In addition, I sent a number of letters to members of Arizona's congressional staff, as well as other Congressmen, Secretary of the Interior, Council of Environmental Quality, National Park Service (re the need for feral burro control in the Grand Canyon National Park and their short sighted lobbying over the years against management of obnoxious wildlife species), and various U.S. Fish & Wildlife Service personnel in the region.

The Texas ADC office has been informed they should cut back from 19 to 14 full-time employees because of an "overceiling in ADC" (see article by George Rost). However, it has been learned the Regional Director is not bound by individual branch ceilings but for the total Wildlife Resources ceiling. In the unfriendly skies of Interior, one wonders if a 26% reduction in force isn't punitive.

When a politician says he's cutting red tape, he's doing in lengthwise.

REGION I - Homer S. Ford and Willard E. Nelson

Dick Eldrege and us furnished information to George Rost that was most helpful to him in preparing his report to the committee on Environment and Public Works.

Bill Nelson is on the Council organized to combat the anti-trapping petition being circulated in Oregon. As of this writing, it appears this petition may not make it to the ballot.

Politicians should understand free speech is a right not a continuous obligation.

REGION IV - John C. Jones

I attended the hearings on Representative de la Garza's Animal Damage Control Act of 1981 (HR 6725). The NADCA position on this bill is lukewarm as the bill calls for an impossible dream - - close coordination between two government agencies - - USDA and USDI. While it has been possible to sometimes achieve a happy collaboration at field level, the bureaucrats at the top will certainly not release any of their sacred "rights". The bill also called for the use of 1080 to which EPA objected strenuously.

The more you think of politicians, the less you think of them.

EDITOR: William D. Fitzwater, Sec/Treas NADCA

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