













VIA FACSIMILE AND EMAIL ONLY

April 28, 2014

The Honorable Tom Vilsack, Secretary U.S. Department of Agriculture 1400 Independence Ave., SW Washington, D.C. 20250-0003

Re: Opposition to USDA-APHIS Planned Raven Control in Idaho

Dear Secretary Vilsack:

The undersigned local, regional and national conservation groups write to request the United States Department of Agriculture (USDA) through Animal and Plant Health Inspection Services-Wildlife Service (Wildlife Services) abandon its planned partnership with the Idaho Department of Fish and Wildlife (IDFG) to shoot, poison, and euthanize over 4,000 Common ravens in and around southern Idaho. Wildlife Services' proposal and environmental assessment fails the most basic principles of scientific investigation; ignores the central threats to Greater sage-grouse habitat and populations throughout Idaho (wildfire, weeds, fragmentation and livestock grazing); fails to fully examine the direct, indirect and cumulative impacts of using the avicide DRC-1339 across the southern Idaho landscape; and will fail to achieve any replicable and tenable scientific conclusions on the impact of raven control on sage-grouse nest success. For these reasons, we respectfully ask that Wildlife Services abandon this project, and refocus its efforts on improving sage-grouse habitat and populations through more scientifically supportable methods.

In its Environmental Assessment, entitled Supplement to the Environmental Assessment: Predator Damage Management in Southern Idaho (March 2014) (EA), Wildlife Services claims this project will "evaluate whether raven removal can help enhance sage-grouse populations in areas where habitat management and nonlethal raven management efforts to date do not appear to be sufficient to restore populations." EA at 4-5. But, as noted in the attached comments from Dr. Clait Braun, a leading sage-grouse expert and past Chair of Wildlife Service's own National Advisory Committee, this project "is not well designed nor

scientifically supported, especially because the project lacks scientific controls and no scientific way to measure success of the project. **Due to the failures in the design of this project, no tenable scientific data will be gathered.**" See attached, at pp. 2-3 (emphasis added). According to Dr. Braun, "[t]his project should be expected to pass stringent tests of scientific justification and compelling logic. Unfortunately, it fails those tests." *Id.* at 3.

In addition to being scientifically invalid, Wildlife Services' proposal is equally unnecessary. In the EA, Wildlife Services admits that raven predation is not a "significant *range-wide* threat" to Greater sage-grouse, and the Conservation Plan for the Greater Sage-Grouse in Idaho similarly concludes that raven predator was not a "priority threat to sage-grouse statewide." EA at 2. The U.S. Fish and Wildlife Service's own 2013 Conservation Objectives Team Report (COT Report) similarly ranks all predation as the 17th threat to Greater Sage-Grouse populations. The U.S. Geological Survey reached the same conclusions in its recent report, entitled Summary of Science, Activities, Programs, and Policies That Influence the Rangewide Conservation of Greater Sage-Grouse (*Centrocercus urophasianus*) (concluding that "there is little published support for predation being a limiting factor in sage-grouse populations"). In light of the scientific information establishing predation as a minor threat to sage-grouse populations, Wildlife Services would be wise to focus its limited budget, manpower and resources in more constructive pursuits.

Moreover, Wildlife Services' EA does not adequately examine the direct, indirect and cumulative impacts of Wildlife Service's proposed application of DRC-1339 across southern Idaho, providing further cause to abandon this joint project. For example, in its Tech Note on DRC-1339, Wildlife Services admits that owls are sensitive to DRC-1339, and several different species of owl are located within and throughout the treatment areas. Yet, Wildlife Services makes no effort at quantifying the direct, indirect and cumulative risks of applying DRC-1339 on owls and other sensitive, non-target species. Nor does Wildlife Services' EA examine the likely impacts on sage-grouse of its construction of additional predator perches (to serve as so-called bait stations) throughout sage-grouse habitat in southern Idaho, and Wildlife Services failed to examine any alternative to the proposed raven killing experiment.

Finally, Wildlife Service's application of the avicide DRC-1339 as proposed is inconsistent with the Environmental Protection Agency's (EPA) registration label. *See* EPA Registration No. 56228-29. According to the registration label, Wildlife Services is not permitted to "store, apply or even temporarily place treated bait in locations accessible to children, pets, domestic animals, or non-target wildlife." See EPA Registration No. 56228-29, at 2. The label also has specific "ENTRY RESTRICTIONS," which notes, "Keep persons other than authorized handlers, as well as pets and livestock, away from the bait at all times. Only protected handlers may be in the areas during bait application. Exclude all unauthorized persons from application sites during prebaiting and baiting." *Id.* Wildlife Services' plan does not adhere to these restrictions, and Wildlife

Services' provides no account of how it intends to exclude adults, children, pets and domesticated animals from the poisoning locations. Indeed, based on the breadth of the poisoning areas, it is impossible for Wildlife Services to comply with these limitations, absent an around-the-clock monitoring effort that is not included in the current proposal. Importantly, unlike the State of Idaho's Supplemental Labeling for use of DRC-1339 in feedlots, SLN No. IS-050014, Wildlife Services cannot comply with the EPA's registration label by posting the area with warning signs during the baiting operation.

For these reasons, in addition to the reasons explicated in our respective comments on the Supplemental EA, the undersigned groups request APHIS-Wildlife Services abandon its ill-conceived project to poison, shoot, crush and euthanize up to 4,000 ravens in Idaho, and turn its attention to more pressing demands designed to reduce sage-grouse depradation, including improving habitat, quickly removing carrion on the public lands, and other measures.

Please feel free to contact us if you would like to continue this discussion, or of you have any additional questions. We can be reached at the contact numbers below.

Very truly yours,

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cc (via email only):

Ed Avalos, Under Secretary for Marketing and Regulatory Programs (MRP) (ed.avalos@osec.udsa.gov)

Max Holzman, Acting Dep. Under Secretary MRP (max.holzman@osec.udsa.gov)
Kevin Shea, USDA-APHIS Administrator (kevin.shea@osec.usda.gov)
Todd Grimm, Idaho State Director, Wildlife Services
(todd.k.grimm@aphis.usda.gov)

SENT VIA TELEPHONE FACSIMILE ONLY

State Director USDA APHIS Wildlife Services 9134 W. Blackeagle Drive Boise, ID 83709 FAX (208) 378-5349

Re: Comments on Wildlife Service's Supplement to the Environmental Assessment: Predator Damage Management in Southern Idaho

To Whomever It May Concern:

- 1. My name is Clait E. Braun, and I reside in Tucson, Arizona.
- 2. I have a B.S. in Technical Agronomy from Kansas State University, a M.S. in Wildlife Management from the University of Montana, and a Ph.D. in Wildlife Biology from Colorado State University. In addition, I have attended numerous short courses, workshops, technical sessions, etc., to remain current in my professional work and am a Certified Wildlife Biologist.
- 3. I was a Research Wildlife Scientist, Wildlife Research Leader, and Avian Program Manager for the Colorado Division of Wildlife during 1969-99. In addition, I taught as an Instructor at the University of Montana (1963-65) and Colorado State University (1966-69), and have been an invited lecturer at more than 20 U.S. and Canadian universities. I also worked as a Soil Scientist in Montana (1964) and Kansas (1961) for the U.S.D.A, Soil Conservation Service and as a Research Technician with the Montana Department of Fish and Game (1965).
- 4. My field research was primarily on different species of birds, especially grouse (1965-2013). I specifically conducted and directed research on sage-grouse (*Centrocercus* spp.) throughout Colorado from 1973 through 1999.

My research on sage-grouse has caused me to review sagebrush-steppe ecosystems (plants and animals) throughout all western states and provinces. This research has led to more than 300 scientific publications, mostly in peer-reviewed journals. A copy of my biographic sketch is attached.

- I served on the National Advisory Committee for Wildlife Services
 (USDA, APHIS) during 1999-2005 as Vice Chair and Chair, and during 2008-2009 as Chair.
- 6. I thoroughly reviewed Wildlife Services' Supplement to the Environmental Assessment: Predator Damage Management in Southern Idaho, dated March 2014, as well as appropriate scientific papers.

General Conclusions

- a. The proposed common raven (*Corvus corax*) control effort to increase protection (recruitment) of sage-grouse (*Centrocercus urophasianus*) as measured by counts of males on leks through improved nest success and chick survival of sage-grouse over a 2-year interval (2014-2015) is without merit as no benefit to recruitment of breeding populations of the species is expected and none will be able to be demonstrated. Further, such benefit has not been demonstrated for any wild population of Galliformes (*Phasianidae: Tetraoninae*).
- b. The proposed common raven control action is not well designed nor scientifically supported, especially because the project lacks scientific controls and no scientific way to measure success of the project. Due to the failures in the design of this project, no tenable scientific data will be gathered. Indeed, it

appears that this project represents nothing more than Wildlife Services' efforts to indiscriminately kill over 4,000 ravens, and to shift the blame on sage-grouse declines away from habitat degradation (from energy development, infrastructure, weeds, fire, and livestock grazing, etc.) and towards predation. But, in its recent listing rule concluding that sage-grouse warrant protection under the Endangered Species Act, the U.S. Fish and Wildlife Service (USFWS) did not include predation as a major factor of concern for maintenance of populations of greater sage-grouse.

- c. This proposal avoids any mention of the devastating actions by public land management agencies in failing to properly manage habitats useful to sage-grouse on public lands.
- d. This project should be expected to pass stringent tests of scientific justification and compelling logic. Unfortunately, it fails those tests.

Specific Comments

a. The goal of the proposed action is to assess the efficacy of common raven removal to aid in protection and restoration of sage-grouse populations. No data are presented that raven predation of eggs or young of sage-grouse are related to the decline in the long-term trend in sage-grouse counted on leks in Idaho. No data are presented that removal of ravens will increase numbers of sage-grouse counted on leks in Idaho nor are data presented to indicate that removal of ravens has increased the numbers of sage-grouse counted on leks anywhere. Please present all data supporting Wildlife Services' underlying premise that raven predation of sage-grouse eggs or young is related to the decline of sage-grouse in Idaho.

- b. Common ravens and many other species have been documented to eat sage-grouse eggs. The specific impact of common raven predation on sage-grouse nest success and survival of chicks in unknown, despite a modeling study in Nevada. The available data do not suggest that removal of common ravens will increase counts of sage-grouse on leks in year 1 (2014) or year 2 (2015). Indeed, the recent paper by Robinson and Messmer (2013, Human-Wildlife Interactions) indicated that sage-grouse survival rates, nest success, and brood success were greater in an area receiving less intense predator control and no raven control compared to an area with more overall predator control and raven removal.
- c. The data that suggest that numbers of common ravens are increasing are based on estimates and not on replicated distance sampling. Thus, the estimated common raven densities are likely biased high.
- d. No evidence is presented to eliminate other predators or other causes (habitat loss, fragmentation, degradation) as being involved in the declines in sage-grouse counted on leks in Idaho.
- e. The Idaho Conservation Plan for Greater Sage-grouse (Appendix A) does not recommend predator control unless nest success of sage-grouse is less than 25% or survival of adult hens is less than 45%. Their data suggests that sage-grouse nest success and survival of adult hens currently exceeds these rates, and Wildlife Services provides no rationale or reason to undertake predator control in this situation. The USFWS in their 2010 ruling did not find that predation was a major threat to stability of greater sage-grouse populations. The USFWS ruling found the most immediate threats to greater sage-grouse were (1)

inadequacy of existing regulatory mechanisms, and (2) present or threatened destruction, modification or curtailment of habitat of the species.

- f. Elevated platforms are suggested as a method to make eggs containing DRC-1339 available to common ravens. This methodology may also make the avicide available to non-target avian species, and Wildlife Services never examined this potential cumulative impact in its environmental assessment. Moreover, it appears that Wildlife Services intends to use DRC-1339 in direct contravention of the limitations including in the pesticide registration label.
- g. The scientific literature (Cote and Sutherland 1997; reviewed by Hagen 2011) has discredited the premise that predators adversely affect bird populations including sage-grouse nesting success and recruitment. Again, Wildlife Services never examines this scientific information in its environmental assessment.
- h. The methodology does not suggest Wildlife Services took a hard look at impacts and purposes of the proposed action.

Conclusions

I have spent much of my career designing and implementing scientific studies designed to gather reliable, informed, and replicable scientific information on greater sage-grouse populations, trends, and habitat conditions. The Wildlife Services' proposed raven killing 'experiment' fails to meet the most basic elements of scientific investigation, and will produce no reliable, informed, or replicable data on the impacts of raven populations on sage-grouse nests and recruitment. Moreover, the proposed protection effort will not be able to

demonstrate any benefits to sage-grouse, it is controversial in terms of use of DRC-1339 because of potential effects on non-target avian species, and the entire project requires a more complete and comprehensive review. This project is unprofessional, indefensible, any results will not be credible, and there is no real science involved. No benefits to sage-grouse will be documented based on science (as there is no science).

/s/ Clait Braun

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Cc (email only):

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Joani Walsh, Deputy Under Secretary for Marketing and Reg. Programs, joani.walsh@osec.usda.gov

Kevin Shea, Administrator, Animal and Plant Health Inspection Services, kevin.a.shea@aphis.usda.gov

William H. Clay, Deputy Administrator, Wildlife Services, bill.clay@aphis.usda.gov

BIOGRAPHICAL SKETCH

Clait E. Braun, Grouse Inc., 5572 N. Ventana Vista Road, Tucson, AZ 85750 E-mail: sgwtp66@gmail.com, sg-wtp@juno.com Phone/Fax 520-529-4614

Born: 4 October 1939, Kansas City, Missouri, USA

Academic Training

B.S. 1962. Technical Agronomy, Kansas State University, Manhattan M.S. 1965. Wildlife Management, University of Montana, Missoula Ph.D. 1969. Wildlife Biology, Colorado State University, Fort Collins

Experience (50 years of study of species of grouse, including Sage-Grouse)

Director, Grouse Inc., Tucson, AZ (2000-Present) Avian Research Program Manager, Colorado Division of Wildlife Wildlife Research Leader-Avian, Colorado Division of Wildlife Soil Scientist, Soil Conservation Service, USDA, Kansas and Montana

Memberships

The Wildlife Society

Editor (*Journal of Wildlife Management*) (1981-83) Vice President, President, Past President Charter and Founding Member of Colorado and Montana Chapters Editor, Sixth Edition, *The 'Techniques Manual'* (2005) Fellow

The Wilson Ornithological Society

Elected Board Member, Vice President, President Life Member Editor (*Wilson Journal of Ornithology*) (2007-2012)

Colorado-Wyoming Academy of Science

Elected Board Member, Treasurer, President, Life Member

American Ornithologist's Union

Elected Member, Elected Fellow, Life Member

Cooper Ornithological Society: Life Member
American Society of Mammalogists: Life Member
Great Plains Natural Science Society: Life Member
American Association for the Advancement of Science (1969-2014)
American Men and Women of Science
Who's Who in the West
Personalities of the West and Midwest
Dictionary of International Biography

Professional Achievement Awards

Colorado State University

Colorado-Wyoming Academy of Science

Gunnison Sage-Grouse Stewardship Award

The Wildlife Society (Chapter, Section, National)

U.S. Department of Agriculture (SCS)

Western Agencies Sage & Columbian Sharp-tailed Grouse Technical Committee

---Robert L. Patterson Award

Wilson Ornithological Society---Klamm Award

Publications

Over 300 Technical Articles (especially on grouse) published in Peer-reviewed and Non Peer-reviewed Journals, Symposia, Proceedings (List Available upon Request)

Referee

Peer Reviewer for 20+ National/International Journals

Technical Editor or Editor

Multiple Books and Proceedings, and Professional International Journals Most Recent

Greater Sage-Grouse; Ecology and Conservation of a Landscape Species and its Habitats. 2011. Studies in Avian Biology, Number 38. 645 pp.

Quail VII: Proceedings of the Seventh National Quail Symposium: 2012: 386 pp.

Consultant

County (Gunnison, Colorado), State (Nevada, New Mexico, Oregon, Utah, Wyoming), Federal (USFWS), and Provincial (Alberta) governments, and Private Entities (NGO's, Private Ranchers)

Professional Interests

Birds (especially Grouse and Columbids), Habitat Management, Alpine Ecology, Sagebrush-steppe, Population Dynamics

National Advisory Committee, Wildlife Services (USDA, APHIS)

1999-2005, Vice Chair and Chair 2008-2009 Chair

Publications of Clait E. Braun 1963-2014

1963

Braun, C. E. and R. D. Taber. 1963. The Missoula hunter: expenditures and bag, 1956-1962. Proceedings of the Montana Academy of Science. 23: Abstract.

1965

Braun, C. E. 1965. A survey of land values directly attributable to waterfowl within the contiguous United States. Thesis. University of Montana, Missoula, USA.

1966

- Braun, C. E. 1966. Waterfowl clubs and the economic values of land for waterfowl hunting in the Pacific Flyway. Annual Meeting, Northwest Section, The Wildlife Society 1966: Abstract.
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- Braun, C. E. 1971. Investigations of band-tailed pigeons in Colorado. Annual Meeting, Northwest Section, The Wildlife Society 1971: 14.
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 Colorado Division of Wildlife, Fort Collins, USA.

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1974

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1975

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