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MEETING WITH THE PRESIDENT
RE: COYOTES
FRIDAY, JULY 11, 1975
9:15 a.m. (Oval Office)

Table 1

Coyote kill for the last two years, by technique:

fixed wing aircraft shooting	18,089
helicopter shooting-----	27,105
trapped-----	58,991
denned-----	16,710
ground shot-----	12,682
snared-----	4,747
dogged-----	465
M-44 -----	<u>1,637</u>
 TOTAL -----	 140,426

Results of April 1975 M-44 use:

Number of States	Number live-stock protected	Number of M-44's	Number coyotes killed
8	137,271	4,225	206

In addition, 117 other animals were killed:

foxes -----	44
wild dogs -----	10
raccoons -----	7
skunks -----	25
opossums -----	<u>31</u>
 TOTAL-----	 117

THE WHITE HOUSE
WASHINGTON

DATE: July 10, 1975

TO: JIM CANNON

FROM: JIM CAVANAUGH

SUBJ: Coyotes

FYI _____

Action _____

A copy has been sent to
Tod Hullin.

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

July 9, 1975

MEMORANDUM FOR:

James M. Cannon
Assistant to the President
for Domestic Affairs

SUBJECT:

Predator Control

I recommend the following option for handling the problem of coyote predation on sheep.

Direct the Secretary of the Interior to launch a major program immediately toward use of the toxic collar.

Obtain EPA permit for extensive testing of the toxic collar in high predation areas and upon successful completion of tests obtain permit for emergency use of the collar in all areas experiencing more than 2% sheep losses the previous quarter.

The toxic collar has been demonstrated to work well, usually killing the coyote within a few minutes of his attack and usually without loss of the sheep.

This technique has the following advantages:

1. It gets the killers only. Since most coyotes do not kill sheep, this technique may gradually deplete the killers in the coyote population. Most other methods of control have probably selectively removed the non-sheep killers and favored the production of killers.
2. It may well teach the crafty coyote that sheep predation does not pay.
3. It does not kill other wildlife and will not contaminate public lands with poisons.
4. It is relatively safe for human handling.

5. It uses a non-persistent poison, thus scavengers of dead coyotes will not be affected.
6. It should be relatively inexpensive. Mass produced reusable collars should cost less than \$5.00 apiece. The present Federal-State cooperative program killed 71,000 coyotes last year at a cost of \$127 per coyote. The pelt of the coyote currently sells for \$37 and a sheep for \$30-\$40. It is interesting to note that some American entrepreneurs capitalize on the abundance of coyotes. Last year over 100,000 coyotes were killed for their pelts.
7. It promises to have a significant impact in reducing sheep losses from predation. There is little convincing evidence that the other techniques used in the past have had much effect in reducing sheep losses. And the M-44 device is also likely to be equally ineffective in reducing sheep losses.
8. It lends itself to self-help programs by ranchers after brief training by government agents. Thus, it should be possible to have large numbers in use by next spring's lambing season.

Here is how it works:

A collar consisting of a linkage of plastic capsules containing a saturated water solution of sodium cyanide is placed around a sheep's neck.

The sheep is tethered near the flock. Tests have shown that a coyote is 150 times more likely to select a tethered sheep than a sheep in the flock.

Coyote sheep killers almost invariably attack a sheep's throat. When a tooth punctures one of the capsules on the collar, the sodium cyanide solution which is under pressure in the capsule squirts into the coyote's mouth. The poison works rapidly, dropping the coyote within a few yards from where he released the sheep.

It is possible that one tethered, collared sheep could get a number of coyote "killers."

By hiring a substantial number of government agents now to approach sheep ranchers in troubled areas with a supply of collars, a TV demonstration of how effective the technique is, and the offer to teach them how to run tests with their own herds, it should be possible to satisfy the ranchers that we are responding to their problem. Some Senators and Congressmen may wish to discuss this new technique with their constituents who are especially in need of help.

A professional camera crew should be hired to prepare TV clips of how the technique works for use by the predator control agents.

It is important to keep in mind, however, that the sad state of the sheep industry in general has little to do with predation by coyotes. This industry has been going down hill since the early 1940's in spite of a number of government subsidies and protections which make it something other than a free enterprise. It has declined most precipitously during periods of all out use of poisons and during periods of maximum coyote kills. It has declined more percentage-wise in the 31 eastern states where there are almost no coyotes. It would seem highly appropriate for more attention to be given to defining the real causes of the sheep industry's decline rather than beating on the traditional whipping boy -- the coyote. Please see the attached chart for some statistics on the sheep industry and the coyote.

Over 90% of the sheep ranchers have no appreciable coyote predation. The main problem occurs where sheep are released on their own into mountainous terrain on public lands with no herdsmen and no fences. It seems that an appropriate question for the U.S. government to ask is, "Should government further subsidize a marginal operation in the most unfavorable environment, or should it encourage the transfer of this sheep production to more favorable grazing land?" After all, 30 years ago our country grazed three times as many sheep as it does today.

One explanation of the relatively low coyote predation on sheep in most areas is that these areas have large numbers of rabbits and rodents, the preferred food of the coyote. In fact,

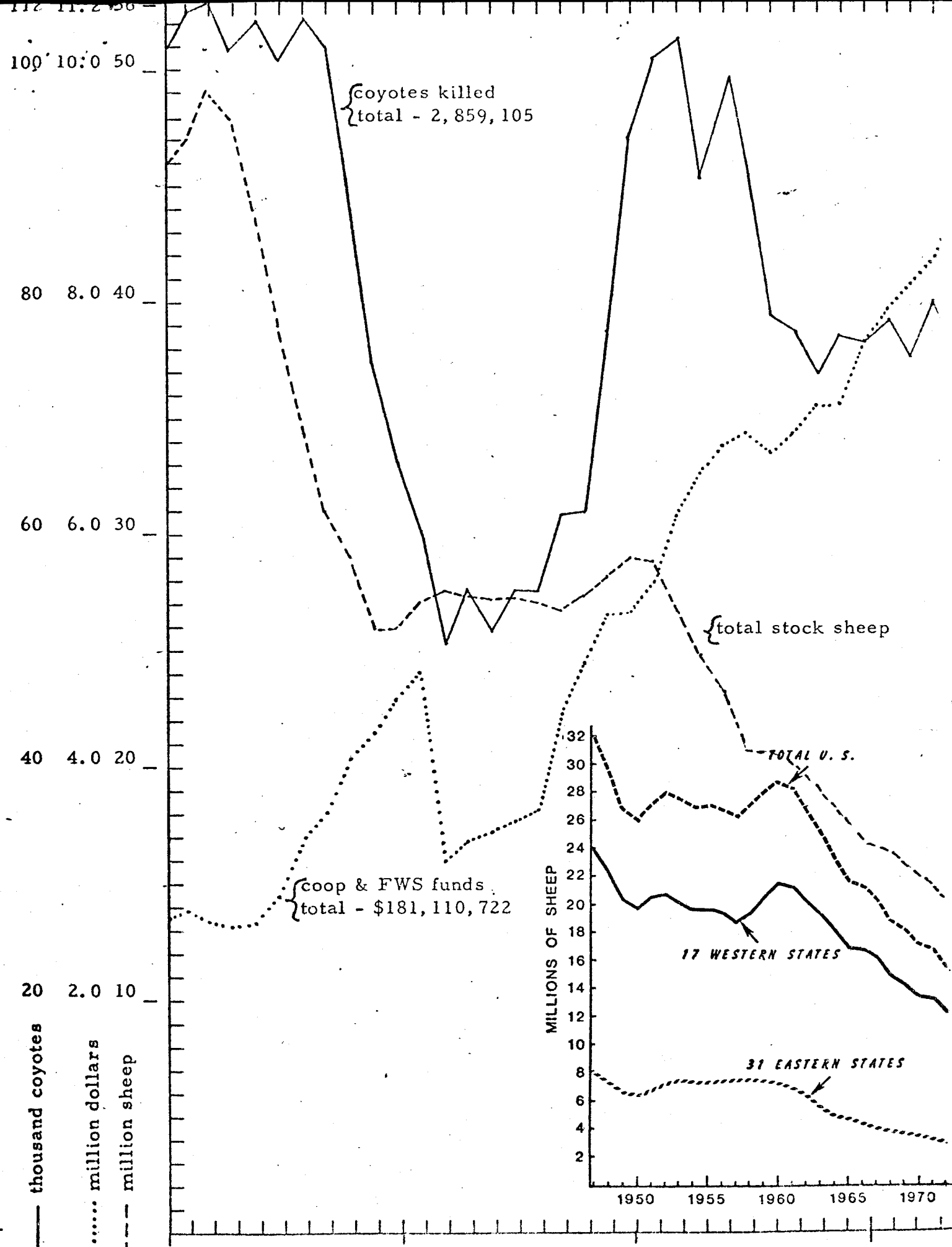
the coyote population appears to be more influenced by rabbit population than by the effectiveness of poisons and guns.

Maybe the Federal government should buy out the sheepmen in the predator prone areas and then sell the sheep to ranchers in rabbit country.

A handwritten signature in cursive script, appearing to read "Russ".

Russell W. Peterson
Chairman

Attachment



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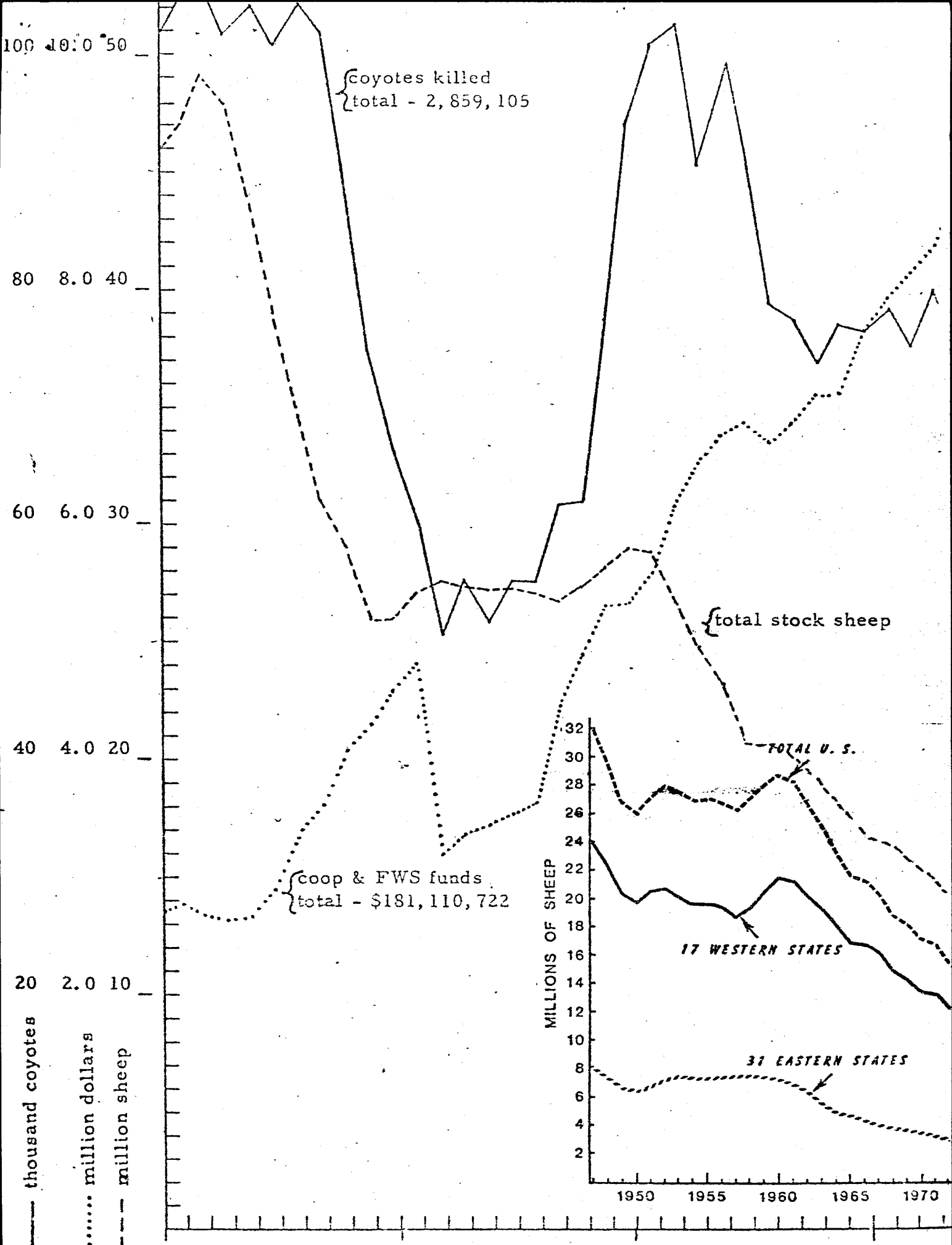
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Russell W. Peterson
Chairman

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THE WHITE HOUSE

WASHINGTON

MEETING TO DISCUSS PREDATOR CONTROL

FRIDAY, JULY 11, 1975
9:15 a.m. (45 minutes)
The Cabinet Room

From: Jim Cannon 

I. PURPOSE

The purpose of this meeting is to discuss whether and under what conditions poisons should be used to control sheep predators, primarily coyotes.

II. BACKGROUND, PARTICIPANTS, PRESS PLAN

A. Background: The sheep industry alleges unmanageable livestock losses from coyote predation. While effectiveness of control devices varies, nothing has been developed which prevents predator losses. Nevertheless, industry believes that poisons offer the most effective method for predator control. However, the use of poisons presents two major problems: (1) killing of non-target species and (2) secondary poisoning of non-target species caused by their feeding on poisoned animals.

Currently, the poisons that the sheep industry wants to use (1080, strychnine, sodium cyanide) are banned on Federal lands and in Federal programs by the Executive Order and suspended by EPA from use on all lands under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

If the Executive Order were amended today, the poisons that the sheep herders want to use would NOT be available and could NOT be used because they are still suspended by EPA. Thus, amending the Executive Order at this time would not help the wool growers.

However, Interior and EPA think that their ongoing experiments will produce data allowing the registration and use of sodium cyanide by early September. If sodium cyanide is registered for use, it could be used on private lands but not used on public lands because the Executive Order prevents it. The Executive Order would then have to be amended before sodium cyanide could be used on public lands.

Attached at Tab A is a copy of my memorandum to you on the coyote problem.

B. Participants: See list attached at Tab B.

C. Press Plan: The meeting will be announced. There will be a White House staff photo.



THE WHITE HOUSE

WASHINGTON

ACTION

file

July 3, 1975

MEMORANDUM FOR: THE PRESIDENT
FROM: JIM CANNON *J. Cannon*
SUBJECT: Coyote Paper

Attached (Tab A) is our decision paper on the coyote issue for your review. It has been reviewed by Jack Marsh, Robert T. Hartmann, Phil Buchen (Dudley Chapman), Max Friedersdorf, and Jim Lynn.

Dudley Chapman of Phil Buchen's staff provided some additional views which are at Tab B.

In view of the comments made by the environmentalists at this morning's Cincinnati meeting, you may want us to meet with an environmental group to get their specific recommendations and input prior to your making your final decision.

Attachment

* THE DOMESTIC COUNCIL



THE WHITE HOUSE

WASHINGTON

July 3, 1975

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *J.C.*
SUBJECT: Coyotes

Background

The issue is whether, how and under what conditions the Federal government should permit the use of toxicants (poisons) to control sheep predators, primarily coyotes.

Executive Order 11643 of February, 1972, restricts the use of toxicants for predator control on public lands and in Federal programs.

After the Executive Order was issued, Congress enacted, and President Nixon signed, the Federal Pesticide Control Act of 1972. This legislation provided that the registration of toxicants by EPA on both private and public lands be based on their effect on the environment.

To date, EPA has not authorized the use of any toxicants for coyote control. Therefore, poisons are now banned on all private and public lands by the 1972 law.

Court Situation:

A Wyoming Federal Court on June 12, 1975 revoked EPA suspension of pesticide registration. But because the decision was based on a technicality (i.e, failure to file an environmental impact statement by EPA) it is doubtful that the suspension will last long.

Congressional Situation

Those members favoring action that would permit resuming the use of poison against coyotes primarily represent the Western states and include:

Senators Mansfield, McClure, Garn, Moss, Domenici, Bentsen, Montoya, Fannin, Abourezk, Church, Tower, Bartlett, Laxalt, Curtis, McGovern, Hansen, Dole, Bellmon and Hatfield; and

Representatives Krueger, Runnels, Symms, Lujan, Abdnor, Hansen, Mahon, Melcher, Litton, Poage, Sisk, Burleson, Sam Steiger, Baucus.

Those members concentrating on the environmental concerns primarily represent the Eastern states and include Senators Javits, Hart, Buckley, Gravel, Proxmire, Stafford, Pell, Bayh, Cranston, Brooke, McIntyre, Nelson, Ribicoff, Weicker, Hugh Scott, Mathias, Schweiker, Williams, Pastore.

Max Friedersdorf indicates that the Congressional environmental forces are not active on the issue. On the other hand, the "Mansfield forces" are becoming more intense.

Options

1. Direct EPA and Interior to complete research and administration steps required to enable necessary predator decisions regarding use of one specialized toxicant to be made in time for the fall 1975 lambing season.

Recommend: Marsh, Lynn, Hartmann, *CANNON*

Approve _____ Disapprove _____

2. Rescind Executive Order and introduce legislation seeking to eliminate Federal restrictions on chemical toxicant use for predator control.

Recommend: Friedersdorf, Marsh, Hartmann, *CANNON*

Approve _____ Disapprove _____

B



THE WHITE HOUSE

WASHINGTON

July 3, 1975

MEMORANDUM FOR: JIM CANNON

FROM: DUDLEY CHAPMAN *DL*

SUBJECT: Coyote Paper: Intermediate Options

Following are suggested substitutions for (1) the paragraph entitled Court Situation and (2) Option 1 of your July 2 Options paper:

* * *

Legal Factors

Federal control of pesticides affecting sheep growers derives from three sources:

1. Executive Order 11643, signed by President Nixon in 1972, bans all use of chemical pesticides on Federal lands subject to three very narrow exceptions for (i) the protection of human health or safety, (ii) the preservation of wildlife species threatened with extinction, or (iii) the prevention of substantial and irretrievable damage to nationally significant natural resources.

2. The Federal Insecticide, Fungicide and Rodenticide Act of 1947 (FIFRA) as amended by the Federal Environmental Pesticide Control Act of 1972 (FEPCA). This statute requires EPA to maintain a system of registration restricting permissible pesticide chemicals and their uses. The statute permits emergency exceptions for Federal and State agencies.

3. EPA Regulations. EPA has issued regulations under the above statute which presently prohibit the use of all chemicals that sheep growers want to use. It is expected that one of these chemicals will become available in time for the 1975 fall lambing season. The regulations also provide procedures for invocation of the emergency exception.



NOTE: Litigation. The EPA regulations are presently enjoined from being enforced in a suit brought by livestock interests on the ground that EPA did not file an environmental impact statement. The suit was filed in Wyoming but has nationwide implications, so that in practical effect all the EPA regulations are at least temporarily suspended. The Justice Department is appealing this ruling and expects to be successful. The analysis in this paper assumes that the regulations will be reinstated.

Appeals for Relief

Two levels of relief are being sought by livestock interests. The sheep growers are pressing for a change in the Executive Order only at this time. This change is supported by the Interior Department. Other livestock groups, supported by the Department of Agriculture, prefer that you rescind the Executive Order in its entirety and propose legislation to the Congress to eliminate restrictions on chemical toxicant use for predator control.

Discussion

The need for chemical toxicants is seasonal and will not arise again until the fall of 1975. By that time, one chemical may be approved for use under the existing EPA regulations and would, therefore, be available on non-Federal lands. An amendment to the Executive Order, as proposed by the sheep growers and Interior, would accomplish this. The effect of the amendment would be to add a new ground of exception based on economic impact on livestock owners.

In addition to amending the Executive Order, changes in the EPA regulations may be accomplished by executive action that could be completed by fall. The regulations, like the Executive Order, presently contain no provision for exceptions based on economic impact on livestock owners. Such an exception could be published for public comment and accompanied by an environmental impact statement (neither or which are required for a change to the Executive Order). This could provide a more permanent basis for considering economic impact on livestock owners under the regulations as well as under the Executive Order.



A change in the Executive Order alone is criticized by those favoring the Department of Agriculture's position on the ground that (a) it would have no effect outside Federal lands and (b) even on Federal lands, the EPA regulations would still apply. The sheep growers understand this but are willing to settle at present for an amendment to the Executive Order. The further step of amending the EPA regulations would probably draw both attacks and lawsuits from environmental interests.

* * *

OPTIONS

Option

1. (a) Amend the Executive Order to provide for exceptions based on economic considerations for temporary and limited purposes.

(b) Direct EPA to revise its regulations to provide for exceptions based on economic considerations, with appropriate time limitations and safeguards.

cc: Phil Buchen
Ken Lazarus
Tod Hullin





ATTENDEES

Earl Butz, Secretary of Agriculture

Russell Train, Administrator, Environmental Protection Agency

Russell Peterson, Chairman, Council on Environmental Quality

David Lindgren, Acting Solicitor, Department of the Interior

(Secretary Hathaway was the Governor of Wyoming when that State brought suit to prevent the Federal suspension of registered predator control poisons. When asked about this during his confirmation hearings, Secretary Hathaway stated that he would not become personally involved in a reassessment of the Department's position on predator control. Secretary Hathaway has delegated the Department's responsibility on this issue to the Solicitor's Office).

James T. Lynn, Director, OMB

Don Rumsfeld

Robert T. Hartmann

Jack Marsh

Max Friedersdorf

Phil Buchen

Jim Cannon

Dick Dunham

Tod Hullin


Jim Mitchell, OMB

THE WHITE HOUSE

WASHINGTON

MEETING TO DISCUSS PREDATOR CONTROL

FRIDAY, JULY 11, 1975
9:15 a.m. (45 minutes)
The Cabinet Room

From: Jim Cannon 

I. PURPOSE

The purpose of this meeting is to discuss whether and under what conditions poisons should be used to control sheep predators, primarily coyotes.

II. BACKGROUND, PARTICIPANTS, PRESS PLAN

A. Background: The sheep industry alleges unmanageable livestock losses from coyote predation. While effectiveness of control devices varies, nothing has been developed which prevents predator losses. Nevertheless, industry believes that poisons offer the most effective method for predator control. However, the use of poisons presents two major problems: (1) killing of non-target species and (2) secondary poisoning of non-target species caused by their feeding on poisoned animals.

Currently, the poisons that the sheep industry wants to use (1080, strychnine, sodium cyanide) are banned on Federal lands and in Federal programs by the Executive Order and suspended by EPA from use on all lands under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

If the Executive Order were amended today, the poisons that the sheep herders want to use would NOT be available and could NOT be used because they are still suspended by EPA. Thus, amending the Executive Order at this time would not help the wool growers.

However, Interior and EPA think that their ongoing experiments will produce data allowing the registration and use of sodium cyanide by early September. If sodium cyanide is registered for use, it could be used on private lands but not used on public lands because the Executive Order prevents it. The Executive Order would then have to be amended before sodium cyanide could be used on public lands.

Attached at Tab A is a copy of my memorandum to you on the coyote problem.

B. Participants: See list attached at Tab B.

C. Press Plan: The meeting will be announced. There will be a White House staff photo.

July 3, 1975

MEMORANDUM FOR:

THE PRESIDENT

FROM:

JIM CANNON *J. Cannon*

SUBJECT:

Coyote Paper

Attached (Tab A) is our decision paper on the coyote issue for your review. It has been reviewed by Jack Marsh, Robert T. Hartmann, Phil Buchen (Dudley Chapman), Max Friedersdorf, and Jim Lynn.

Dudley Chapman of Phil Buchen's staff provided some additional views which are at Tab B.

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July 3, 1975

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Options

1. Direct EPA and Interior to complete research and administration steps required to enable necessary predator decisions regarding use of ~~one~~ specialized toxicant to be made in time for the fall 1975 lambing season.

Recommend: Marsh, Lynn, Hartmann, **CANNON**

Approve _____ Disapprove _____

2. Rescind Executive Order and introduce legislation seeking to eliminate Federal restrictions on chemical toxicant use for predator control.

Recommend: Friedersdorf, Marsh, Hartmann, **CANNON**

Approve _____ Disapprove _____

WA-44



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THE WHITE HOUSE

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FROM: DUDLEY CHAPMAN *DL*

SUBJECT: Coyote Paper: Intermediate Options

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Russell Peterson, Chairman, Council on Environmental Quality

David Lindgren, Acting Solicitor, Department of the Interior

(Secretary Hathaway was the Governor of Wyoming when that State brought suit to prevent the Federal suspension of registered predator control poisons. When asked about this during his confirmation hearings, Secretary Hathaway stated that he would not become personally involved in a reassessment of the Department's position on predator control. Secretary Hathaway has delegated the Department's responsibility on this issue to the Solicitor's Office).

James T. Lynn, Director, OMB

Don Rumsfeld

Robert T. Hartmann

Jack Marsh

Max Friedersdorf

Phil Buchen

Jim Cannon

Dick Dunham

Tod Hullin

Jim Mitchell, OMB

