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HOUSE BRIEFING ON COYOTES
Room 2107 Rayburn
THURSDAY, JULY 17, 1975
9:30 a.m.

ANNOUNCEMENT

Today the President has amended Executive Order 11643 to permit expanded experimental predator control research on Federal lands and in Federal programs. The purpose of the amendment is to allow the development of economically feasible and environmentally acceptable methods to protect livestock producers from coyote predation.

BACKGROUND

- The livestock industry is suffering losses from coyote predation.
- Losses run as high as 30% annually for some Western producers.
- 55.2% of Western range land is owned by the Federal government.
- Federal regulation now bars all methods employing chemical toxicants for predator control, except in emergency circumstances or in certain restricted experimental programs.
- A 1972 Executive Order bans use of chemical toxicants on Federal lands and in Federal programs.
- EPA suspended Federal registration of all chemical toxicants used for predator control.

CURRENT FEDERAL PREDATOR CONTROL ACTIVITY

- DOI operates a combined coyote research and control program with FY 75 budget authority of \$5 million.
- Control methods are largely mechanical (trapping, shooting).
- Experiments are being conducted with the M-44 device and other control mechanisms employing sodium cyanide such as toxic collars.
- M-44 is a spring-loaded device which propels sodium cyanide into the predator's mouth.
- Selective control devices are those which work primarily on the coyote attacking the sheep. For example, the toxic collar is placed on target sheep and releases a lethal dose of sodium cyanide when a predator bites the collar.
- EPA has granted experimental M-44 use permits to seven Western states and DOI.

POLICY

The Federal policy of restricting the use of chemical toxicants on Federal lands and in Federal programs remains unaltered. However, in recognition of the plight of the livestock industry, the President, in compliance with all existing statutes, is (1) expediting research efforts which promise low cost control without adverse environmental impact and (2) strengthening the conventional predator program.

ACTIONS TAKEN

- To enhance our national capacity to conduct research to develop environmentally acceptable and selective processes of predation control, the President has made the following decisions:
- (1) Request EPA's expedited decision as to the registration of sodium cyanide in the M-44 device for the purpose of predator control. The EPA decision will be made by September 15, 1975.
 - (2) Implement an expanded experimental program for the research on methods for using sodium cyanide for predator control and at the same time strengthen conventional control programs. These expanded programs are now being put in place and should be fully implemented by September 1, 1975.
 - (3) Amend Executive Order 11643 to allow expanded experimental use of sodium cyanide devices on public lands and in Federal programs for predator control for one year. The amended Executive Order was signed by the President on Friday, July 18, 1975.
- Sodium cyanide administered through selective devices could offer an environmentally acceptable method of control for two reasons:
- (1) If the devices prove successful, only actively predating animals would be killed;
 - (2) Sodium cyanide is a non-persistent chemical. For this reason, it neither harms the environment nor possesses a secondary kill capacity.

EXPANDED PROGRAM BREAKDOWN

- Will increase research and conventional control personnel up to 25% for each category.
- Will expand experimental program to give maximum results.

Costs: \$2.948,000

Financing: The expanded program represents the cooperative efforts of the following organizations:

Agriculture -	\$1,400,000
Interior	\$1,248,000
EPA	\$ 300,000

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- (3) Amend Executive Order 11643 to allow expanded experimental use of chemical toxicants on public lands and in Federal programs. The amended Executive Order was signed by the President on Friday, July 18, 1975.

-- Certain chemical toxicants administered through selective devices could offer an environmentally acceptable method of control for two reasons:

- (1) If the devices prove successful, only actively predating animals would be killed;
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* * *

Mark Andrews -
look at whole EPA
or what it is doing -

* Nat Academy of Sciences
to EPA a memo to
for recommendations

U.S. on DDT
Decision

Brooklyn - memo -

Phil - Primary food

eat Tsp DDT per
Buph



Am Gorn - not asked for
an input - could have
been input - App from
12

1977 Even order went
Too far.

~~E~~ appear & Glauk
like across the country

Two people worried

Gorn - last - said
CQ people were
coming - President
sped out to
the Nader people



Hansen - interested what
going to - ~~the~~ game
renew when coyotes controlled.
Satisfy everybody except the
people who are worried about
what the coyotes are doing

W. C. Allen - was not consulted
on exec order

Structure of what is
already happening.

Gom - Lloyd

Hansen - important -
Think President
got some ~~idea~~
Lamm poor advice

Hansen - sum up people -

~~#~~ Tie our hands
Behind our backs

for - out EPA legislation

When last word was
given out of Bureau,
we're

Part come up
with - 'we're
going




Gom - Taken completely
away from
~~EPA~~.

M⁶ Am - P gallery

That's not a that
round

, none of us who
mean for enough
to be a rats for
step
"Whomism. Not as much



now, ~~as~~ before,

Maybe ~~now~~ now.

Green New Day

in Court

See - Wrong
Sheep
there is
going
out of Baltimore



25

COYOTE BRIEFINGS:

Senate--11 a.m. in EF 100 Capitol.

House--9:30 a.m. in 2107 Rayburn,
and Vern Loen is working on that
one.

THE WHITE HOUSE

WASHINGTON

July 17, 1975

MEMORANDUM FOR JIM CANNON
FROM ANDRE BUCKLES
SUBJECT COYOTE PRESS PLAN

PURPOSE

This is to inform you of the final announcement plan for the President's decisions regarding the coyote problem.

ANNOUNCEMENT PLAN

In general, there are four main groupings to which the announcement will be geared: Press, Congress, Environmentalists and the Livestock Industry.

PRESS BRIEFING PLAN

Action-forcing event: Nessen's announcement that the President has amended Executive Order 11643. The President could sign the amendment on Friday, July 18, which means we could announce Friday.

PROPOSAL

- (1) Nessen announce that the Executive Order has been amended - Friday, July 18, 10:30 a.m.
- (2) Nessen announce that there will be an additional press briefing on coyotes for interested press in the Secretary's Conference Room at the Department of the Interior Friday at 2 p.m.
- (3) The Department of Interior press briefing will present a panel of staff level experts handling any questions from the press. Agencies represented will be CEQ, EPA, Agriculture and Interior.

CONGRESSIONAL BRIEFING PLAN

Friday, July 18: The White House Congressional Relations Office will set up briefings for members of the House and Senate who have made their interests known to the President. Briefings probably will be conducted by Tod Hulin. Each agency involved will subsequently brief additional appropriate members and their staffs.

ENVIRONMENTAL BRIEFING PLAN

Friday, July 18: Following the 10:30 White House announcement, Russ Peterson will convene a briefing session at CEQ for environmental interest groups including, but not limited to, the National Audubon Society, the Humane Society, the Izaak Walton League and the Sierra Club.

LIVESTOCK INDUSTRY BRIEFING PLAN

Friday, July 18: Following the 10:30 White House announcement, Secretary Butz or his representative will convene a briefing session at USDA for industry groups including, but not limited to, the National Cattlemen's Association, American Sheep Producers Council, the National Wool Growers Association, the National Lamb Feeders Association.

United States Senate

WASHINGTON, D.C. 20510

July 17, 1975

The Honorable Gerald R. Ford
The White House
Washington, D.C. 20500

Dear Mr. President:

It has come to my attention that once more efforts are underway to substantially weaken or abolish President Nixon's 1972 Executive Order halting the use of predator poisons on Federal lands and in Federal programs. Executive Order #11643 is an important step toward the development of intelligent Federal policy which strikes a balance between economic and environmental interests. Abolishing the Order will simply increase the difficulties facing those who support sensible environmental policies within the Congress, without conferring any corresponding social benefit upon the Nation.

As I wrote to Secretary Morton in February, 1974, I believe the emotional nature of the debate over predator control has tended to obscure the important facts of the case.

- 1) Mechanical techniques of predator control are available and have proven equal and superior to predator poisons. The rate of kill for coyotes in F.Y. '72, '73, and '74 was respectively 71,091; 76,490; and 71,750.
- 2) Data on sheep losses is highly suspect because the data collection techniques are dominated by extrapolation, estimation, and surmise with an inadequate fraction of observed losses. Even taking the data at face value, the perturbation in the reported loss rate between F.Y. '72 and F.Y. '73 is not substantially different from reported loss rates when field poisons were used. Indeed, using the more accurate Department of Agriculture figures, (sheep inventories at the beginning of the year, plus the number of lambs born, minus the number of sheep at the end of the year), sheep losses to all causes has risen less than 1% from 1970 to 1974.
- 3) Both EPA and the Department of the Interior have been using a coyote-specific predator control agent (M-44) on a selective use, experimental permit basis. This



The Honorable Gerald R. Ford
July 17, 1975
Page 2

program, combined with already available mechanical techniques should be tried before any consideration is given to more Draconian measures.

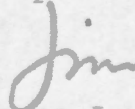
- 4) The use of general field poisons has potentially devastating effects on local wildlife -- effects which may have a substantial impact on the balance of nature in the area. Upsetting the balance of nature may have more serious consequences for wool growers than the predation problem they now face.

These points are especially valid when one considers that the Congress appropriated over one million dollars for the Economic Research Service of the Department of Agriculture to study all facets of the decline of the wool industry and the extent to which predator losses play a part. Draft versions of these reports are due to be completed within the next three months, with the final version due for publication in November.

I strongly urge you to resist efforts to weaken the ban on the use of general field agents, supporting instead limited and predator-specific control programs where there is a demonstrated need to do so.

The reports ordered by Congress will clarify where, and even if, a demonstrated need to utilize any form of predator poisons exists. May I further urge that you take no action to weaken or abolish Executive Order #11643 until you have an opportunity to carefully examine and weigh the information contained in the reports.

Respectfully,



James L. Buckley



Friday, July 18, 9:30 a.m., Room 2107 RHOB

- ✓ Poage, W. R. - D- Texas - Agriculture
- ✓ Johnson, James - R - Colo - Agriculture, Interior and Insular Affairs
- ✓ Hightower, Jack E - D - Texas - Agriculture, Small Business
- Foley, Tom - D - Washington - Agriculture, chairman;
Standards of Official Conduct
- Wampler, William - R- Va. - Agriculture, Select Committee on Agriculture
- Sebelius, Keith - R - Kansas - Agriculture, Interior and Insular Affairs
- Melcher, John - D - Montana - Agriculture, Interior and Insular Affairs
- Roncalio, Teno - D - Wyoming - Interior and Insular Affairs;
Public Works and Transportation; Joint Committee on
Atomic Energy *represented*
- ✓ Abdnor, James - R - S. Dak - Public Works and Transportation;
Veterans' Affairs
- ✓ Andrews, Mark - R - N. Dak. - Appropriations
- Baucus, Max - D - Mont. - Appropriations *represented*
- Santini, James - D - Nev - Interior and Insular Affairs;
Interstate and Foreign Commerce; Select Committee on Aging
represented
- STAFF
- ✓ Hyde Murray, Counsel, Committee on Agriculture
- Steven Allen, Staff Consultant, Committee on Agriculture
- ✓ Nick Ashmore - Staff Consultant, Committee on Agriculture
- Bob Bor - Majority Counsel
- ✓ John Baize, Staff Consultant

✓ attended

*Montani Cabana
a member
of the party*

July 18, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

EXECUTIVE ORDER

ENVIRONMENTAL SAFEGUARDS ON ACTIVITIES FOR
ANIMAL DAMAGE CONTROL ON FEDERAL LANDS

By virtue of the authority vested in me as President of the United States, and in furtherance of the purposes and policies of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the provisions of Section 1 of the Act of March 2, 1931 (46 Stat. 1468, 7 U.S.C. 426) and the Endangered Species Act of 1973 (87 Stat. 884, 16 U.S.C. 1531 et seq.), Executive Order No. 11643 of February 8, 1972, is amended to read as follows:

"Section 1. It is the policy of the Federal Government, consistent with the authorities cited above, to:

(1) Manage the public lands to protect all animal resources thereon in the manner most consistent with the public trust in which such lands are held.

(2) Conduct all mammal or bird damage control programs in a manner which contributes to the maintenance of environmental quality, and to the conservation and protection of the Nation's wildlife resources, including predatory animals.

(3) Restrict the use on public lands and in Federal predator control programs of any chemical toxicant for the purpose of killing predatory animals or birds which would have secondary poisoning effects.

(4) Restrict the use of chemical toxicants for the purpose of killing predatory or other mammals or birds in Federal programs and on Federal lands in a manner which will balance the need for a responsible animal damage control program consistent with the other policies set forth in this Order; and

(5) assure that where chemical toxicants or devices are used pursuant to Section 3(b), only those combinations of toxicants and techniques will be used which best serve human health and safety and which minimize the use of toxicants and best protect nontarget wildlife species and those individual predatory animals and birds which do not cause damage, consistent with the policies of this Order."

"Sec. 2. Definitions. As used in this Order the term:

(a) "Federal lands" means all real property owned by or leased to the Federal Government, excluding (1) lands administered by the Secretary of the Interior pursuant to his trust responsibilities for Indian affairs, and (2) real property located in metropolitan areas.

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*we'll see how we read
way a joke
to protect
"coyotes"*

*wire
and another*

*which
don't
like it*

*and
back
animals*

(b) "Agencies" means the departments, agencies and establishments of the Executive branch of the Federal Government.

(c) "Chemical toxicant" means any chemical substance which, when ingested, inhaled, or absorbed, or when applied to or injected into the body, in relatively small amounts, by its chemical action may cause significant bodily malfunction, injury, illness, or death, to animals or to man.

(d) "Predatory mammal or bird" means any mammal or bird which habitually preys upon other animals, birds, reptiles or fish.

(e) "Secondary poisoning effect" means the result attributable to a chemical toxicant which, after being ingested, inhaled, or absorbed, or when applied to or injected into, a mammal, bird, reptile or fish, is retained in its tissue, or otherwise retained in such a manner and quantity that the tissue itself or retaining part if thereafter ingested by man, mammal, bird, reptile or fish, produces the effects set forth in paragraph (c) of this Section.

(f) "Field use" means use on lands not in, or immediately adjacent to, occupied buildings."

"Sec. 3. Restrictions on Use of Toxicants. (a) Heads of agencies shall take such action as is necessary to prevent on any Federal lands under their jurisdiction, or in any Federal program of mammal or bird damage control under their jurisdiction:

(1) the field use of any chemical toxicant for the purpose of killing a predatory mammal or bird; or

(2) the field use of any chemical toxicant which causes any secondary poisoning effect for the purpose of killing mammals, birds, or reptiles.

(b) Notwithstanding the provisions of subsection (a) of this Section, the head of any agency may authorize the emergency use on Federal lands under his jurisdiction of a chemical toxicant for the purpose of killing predatory mammals or birds, or of a chemical toxicant which causes a secondary poisoning effect for the purpose of killing other mammals, birds, or reptiles, but only if in each specific case he makes a written finding, following consultation with the Secretaries of the Interior, Agriculture, and Health, Education, and Welfare, and the Administrator of the Environmental Protection Agency, that an emergency exists that cannot be dealt with by means which do not involve use of chemical toxicants, and that such use is essential:

(1) to the protection of the health or safety of human life;

(2) to the ^{protection} ~~preservation~~ of one or more wildlife species ~~threatened with extinction, or likely within the foreseeable~~ future to become so threatened; or

(3) to the prevention of substantial irretrievable damage to nationally significant natural resources.

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(4) to ~~the~~ ^{protection} of ~~domestic~~ ^{non-domestic} livestock and poultry.

(c) Notwithstanding the provisions of subsection (a) of this Section, the head of an agency may authorize the use, on an experimental basis, of sodium cyanide to control coyote and other predatory mammal or bird damage to livestock on Federal lands or in Federal programs, provided that such use is in accordance with all applicable laws and regulations, including those relating to the use of chemical toxicants, and continues for no more than one year."

"Sec. 4. Rules for Implementation of Order. Heads of agencies shall issue such rules or regulations as may be necessary and appropriate to carry out the provisions and policy of this Order."

GERALD R. FORD

THE WHITE HOUSE,
July 18, 1975

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