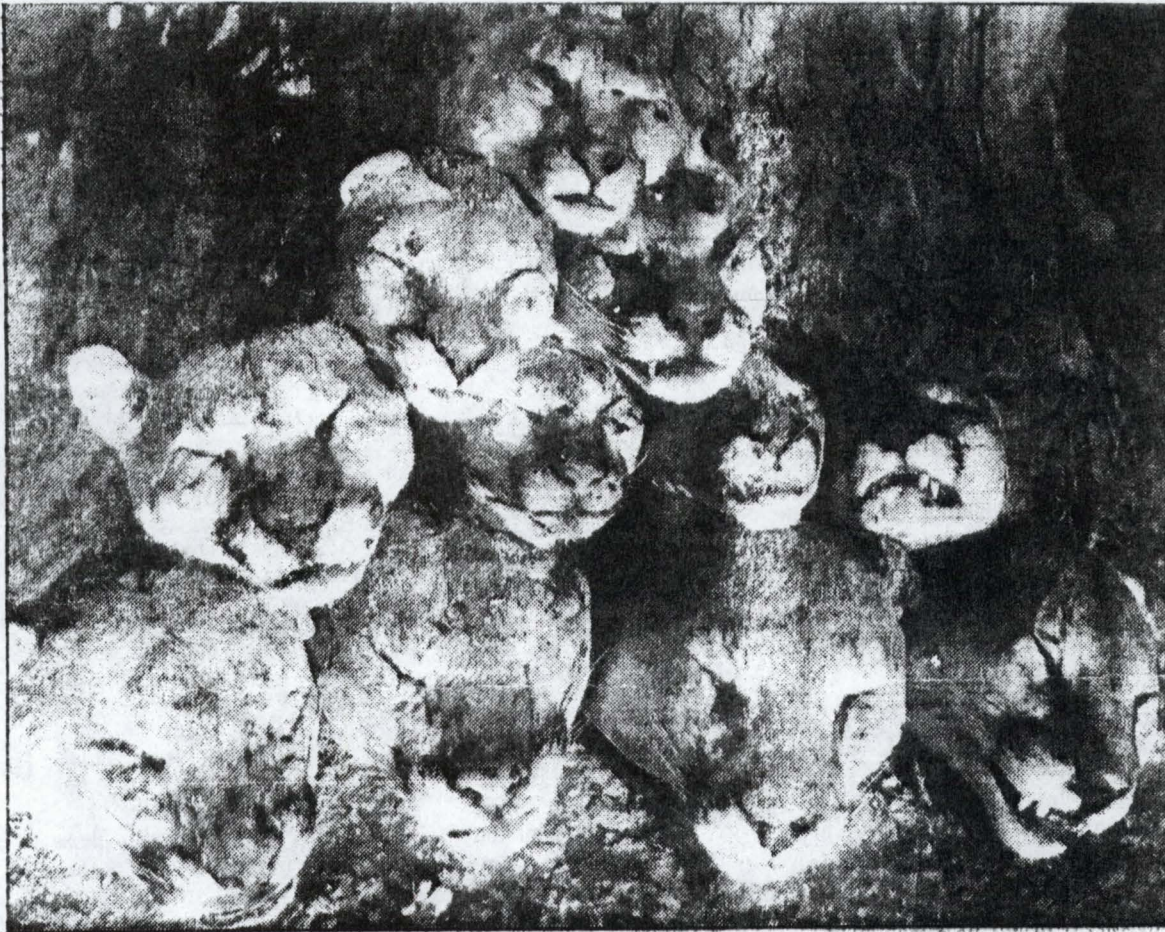


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FRONT Page

Phoenix



A photographer who requested anonymity captured this grisly portrait of mountain lions that were killed under a law permitting ranchers and federal agents to kill animals that might pose a threat to ranchers' stock.

Ranchers, U.S. hunters kill wildlife without rein by state

By Barry Burkhart
Arizona Republic Outdoor Editor

The rotting heads of 24 mountain lions were laid out in the dust.

Mostly from animals killed in traps in southeastern Arizona's mountain ranges, the severed heads were about to be shipped to the Arizona Game and Fish Department so the agency could calculate the age and condition of the animals.

Hunters and trappers employed by a federal agency, Animal Dam-

age Control, killed most of the lions for ranchers who complained that the predators were threatening the cattle grazing on their land or on land they leased from the federal government. The others were killed by the ranchers themselves.

The heads were being sent to the state agency as a favor by Animal Damage Control, an arm of the U.S. Department of Agriculture. There's no law that allows the Game and Fish Department any control of the killing, either before or after.

Longstanding state law stipulates that ranchers and federal agents assisting them can kill lions, bears or any other non-endangered animals that might be a threat to their stock without interference from any state agency.

The stock-killing laws allow them to kill predators at all times of the year and by any method. They don't have to prove that the animals were an actual threat, only that the rancher believed them to be.

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wildlife without state rein

—RANCHERS, from page A1

The ranchers' and federal agents' only responsibility is to inform the state game agency after an animal is killed.

The ranchers say the laws allow them to protect their livelihood from marauding lions and bears without unnecessary interference. Conservationists and state officials complain that the livestock industry is insulated from state wildlife laws, allowing ranchers the use of otherwise illegal trapping methods and an unlimited number of kills.

"We don't want to keep ranchers from making a living," said John Phelps, a biologist specializing in furbearing animals for the agency. "We just want to manage those animals."

He added, "We're handcuffed by the law. We're not even empowered to take 'depredating' animals," a wildlife term for an animal that is creating a nuisance affecting humans.

"No one involved doubts that depredation occurs, and you have the right to protect your property," Phelps said.

"But reason has to enter into this."

Mountain lions are susceptible to trapping because they bury their prey, then return and feed on it daily.

Richard Dickerson of Phoenix, a former Animal Damage Control hunter and trapper, said that trait makes it easy to tell which lion is killing livestock. It also causes some problems.

"If a female with kittens kills the livestock, then you also have to trap her kittens," he said.

"Unfortunately, you have to take them because they can't survive without her anyway."

\$4.50 cost per kill

Animal Damage Control in Arizona is made up of about a dozen hunters and trappers, all federal employees, and a staff of four in its Phoenix office.

According to its 1987 annual report, Animal Damage Control employees killed 121,500 animals in Arizona in fiscal 1987, including 30 bears, 14 mountain lions, 1,530 coyotes and 250 acres of prairie-dog towns. The bulk of the kill was blackbirds and other small animals.

The kills were accomplished for about \$4.50 per creature, paid by the U.S. government. In 14 Western states, according to its 1988 report, the agency spent \$26 million to kill the animals.

President Bush has recommended an increase to \$29.8 million in fiscal

1990 for the agency.

Stock-killing laws and Animal Damage Control long have been a criticized by conservation groups, but the situation exploded in 1987.

It started when a hunter found a dead black bear in a massive steel trap along Peach Orchard Creek in the Galiuros Mountains near Safford. He also found four more bear carcasses in nearby brush.

Klondyke rancher charged

Arizona game officials investigating the case found an additional four dead bears. In February 1988, they recommended more than a dozen charges related to improper killing of bears to the Graham County attorney.

Charges were filed against Klondyke rancher Eddie Lackner, who could legally kill the bears as long as he reported them to the state. He had filed no reports.

The gigantic steel trap Lackner used would have been illegal under state laws, but not for a rancher. Because he had killed so many bears, the state agency had to cancel bear-hunting season in the Coronado National Forest for 1987.

Lackner, who acknowledged killing the bears, pleaded guilty in July to two misdemeanor counts of failing to report bear kills.

Under a plea agreement worked out with Graham County Attorney Jack Williams, the rancher was put on probation for two years. The agreement also called for a suspended \$277 fine and a program of range improvements to be conducted by Lackner.

The agreement also prohibited him from using the large traps to catch predators on his ranch. The U.S. Forest Service later suspended one of his grazing leases for two years because of the unreported killings.

Conservationists furious

Conservation groups, especially the Arizona Bear Society, were furious with what they considered to be a slap on the wrist for Lackner, and his case became a rallying cry for conservation efforts to modify the depredation laws.

Dickerson said he has killed "about a dozen" mountain lions on the leased federal land where Lackner's cattle grazed. He said Lackner has been unfairly treated.

"He's a rancher," Dickerson said of Lackner. "He does that for a living. He has to protect his property."

So far in 1989, 24 mountain lions have been reported killed on or around Lackner's land and land he leases in the Coronado National

Forest. Twenty of those were killed by Animal Damage Control personnel in the area, mostly by trapping. The other four were killed by Lackner.

Steve Johnson of Tucson, Southwestern representative of Defenders of Wildlife, expressed the view of a number of critics of the predator killing when he said cattlemen such as Lackner cause many of their own problems.

Herd management berated

"He could do a much better job of managing his cattle herd," Johnson said.

"He allows his bulls to breed year around, and that allows the cows to drop calves in the rough country — lion and bear country."

"If he would control the herd better, have all his cows calf at once, he could control the area and the losses."

Johnson has another argument against killing problem animals on land leased from federal agencies. In Arizona, that means land owned by either the Bureau of Land Management or the Forest Service.

"Private land is one thing, but ranchers who lease public land pay about \$1.86 a cow per month," Johnson said.

"Calves are free. That's less than \$23 a year for each cow. That's one-eighth to one-fourth of fair market value."

"That's one of the reasons those prices are so low — so wildlife can feed on that same land. The rancher should be willing to take some losses for those kinds of prices on public land. Wildlife has a right to be there."

State agency seeks role

Conservation groups are using the same argument against ranchers who are seeking legislation that would force depredation payments from the state for habitat losses caused by elk grazing.

Phelps said he would like to end the Animal Damage Control system and control predators through sport hunting, with the Game and Fish Department monitoring the take.

Game and Fish Director Duane Shroufe said his department is intent on changing the law to give the agency more control over the killing of predators.

"The movement began . . . after the Lackner incident," he said.

"The (Game and Fish) Commission approved a (proposed) bill this year, but it never was introduced. It didn't make anyone happy."

"After this session (of the Legislature), we'll regroup."