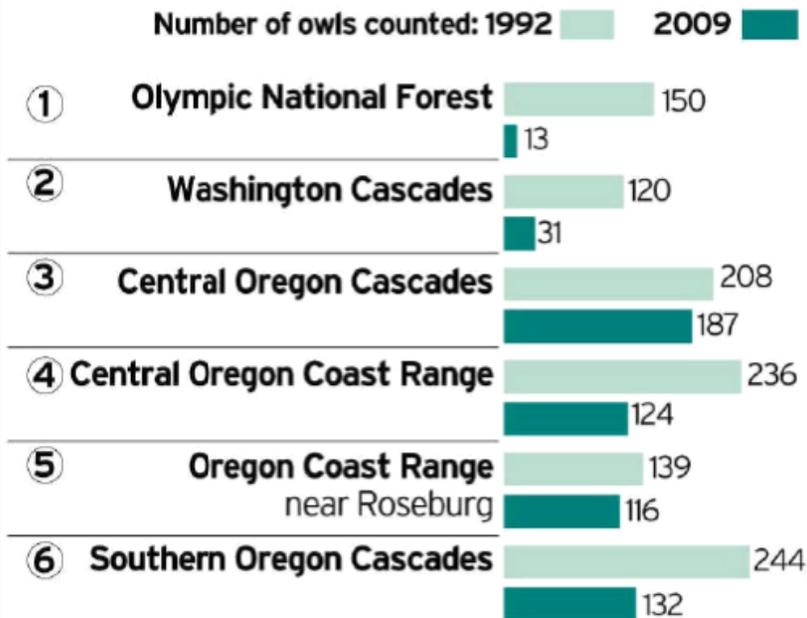


Adult spotted owl trends

For two decades, researchers have counted spotted owls in study areas scattered through the bird's U.S. range from Washington to Northern California. Below are counts, all declining, in six Oregon and Washington study areas that reported results through 2009:





How could something so cute be so mean? Photo from Wikipedia

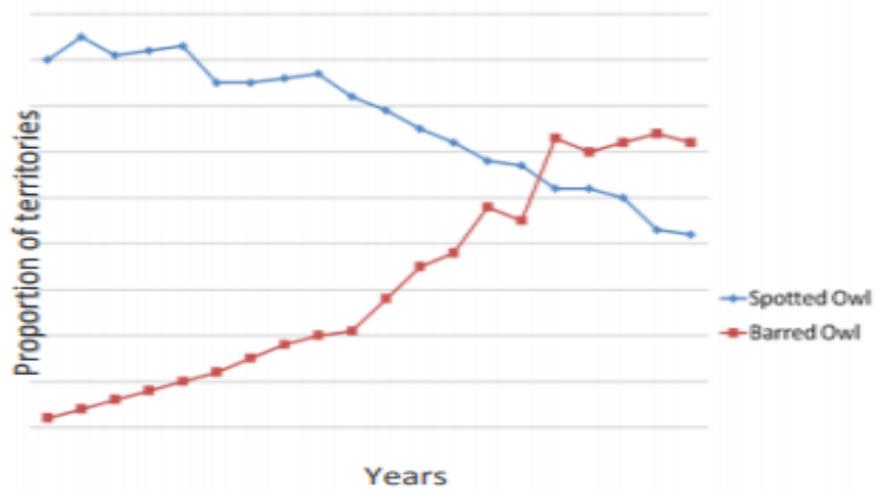
The Spotted Owl Is in Peril Again. And You Can't Blame the Loggers.

Invasive barred owls are horning in on the native bird's turf, leading biologists to take drastic measures.

By [Brett Cihon](#)

Tuesday, June 14, 2016 9:45am | [NEWS & COMMENT](#)

Proportion of territories occupied by Spotted Owls and Barred Owls, 1990 – 2008
Coast Range Study Area



“Recovery Action 29: Design and implement large-scale control [removal] experiments to assess the effects of barred owl removal on spotted owl site occupancy, reproduction, and survival.”

Experimental Removal of Barred Owls to Benefit Threatened Northern Spotted Owls

Final Environmental Impact Statement

Prepared by:

Oregon Fish and Wildlife Office
U.S. Fish and Wildlife Service
Portland, Oregon

July, 2013



To Shoot or Not to Shoot

THE ETHICAL DILEMMA OF KILLING ONE RAPTOR TO SAVE ANOTHER

By Lowell V. Diller



Credit: Janice Diller

Lowell V. Diller, Ph.D. and CWB, is Senior Biologist for Green Diamond Resource Company in Korb, California, Adjunct Professor in the Department of Wildlife at Humboldt State University in Arcata, California, and a Past President of the Western Section of The Wildlife Society.

On September 10, 2013, the U.S. Fish and Wildlife Service (FWS) announced its [Record of Decision](#) authorizing the experimental lethal and non-lethal removal of barred owls (*Strix varia*) from four study areas in the Pacific Northwest as a means to benefit threatened northern spotted owls (*Strix occidentalis caurina*) (FWS 2013). As I write this article, I've just returned from helping to conduct the first such removals authorized by the federal action, done in the Hoopa Valley Reservation of northern California.

Such announcements can sound sterile, even routine. But as one who has been involved in planning and research on barred owl removal since its inception, I know how much thought, science, and emotional angst go into reaching these decisions. For me personally, the issue of lethal removal of one raptor to save another raises ethical questions that all of us in the wildlife profession, and in society at large, need to explore.

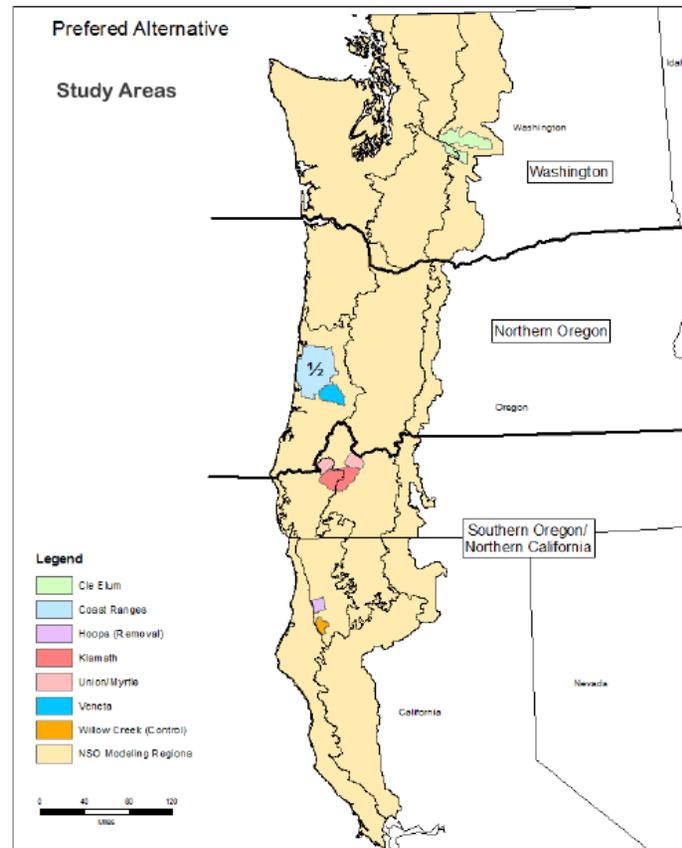
On One End of the Gun

I'll never forget the day in February 2009 when I stood in a forest looking down the barrel of my

contrast, I saw owls and other raptors as something to be strictly protected. In fact, I've spent most of my professional career working to conserve spotted owls, raptors that look remarkably similar to the owl I was about to shoot.

Shooting that barred owl and the others that followed was part of an effort to understand the impact of barred owls on spotted owls and to learn whether the latter could recover following lethal removal of barred owls. After nearly five years of research—done in collaboration with the California Academy of Sciences and FWS—the answer appears to be yes. We found that virtually 100 percent of the sites freed from barred owls have been rapidly re-occupied—within the same breeding season—by spotted owls, and the number of occupied spotted owl sites has increased in the removal areas. We also found that the removal was rapid, technically feasible, and cost effective—results we'll soon publish in the *Wildlife Society Bulletin* (Diller et al. in press). This is highly encouraging, given the mounting threat that barred owls pose to one of the nation's most iconic at-risk species.

Figure 2-2. Study areas for the Preferred Alternative.



Update of Barred Owls Removed

The following tables summarize the number of individual barred owls removed on each study area.

Year	Hoopa	OR Coast	Cle Elum	Union/ Myrtle
2013/2014	71	na	na	na
2014/2015	54	na	na	na
2015/2016	81	241	125	na
2016/2017*	64	240	84	185
Total	270	481	209	185
*Removals through 7/21/2017				

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FRIENDS OF ANIMALS; PREDATOR
DEFENSE,
Plaintiffs-Appellants,

v.

UNITED STATES FISH AND WILDLIFE
SERVICE, an agency of the United
States,
Defendant-Appellee.

No. 15-35639

D.C. No.
6:14-cv-01449-
AA

OPINION

Filed January 10, 2018

Before: Diarmuid F. O'Scannlain, Richard A. Paez,
and Carlos T. Bea, Circuit Judges.

Opinion by Judge O'Scannlain

- Friends of Animals sued to stop the U.S. Fish and Wildlife Service from killing barred owls as an experiment to protect spotted owls.
- The U.S. Migratory Bird Treaty Act for the protection of migratory birds, requires compliance with four international treaties -one each with Canada, Mexico, Japan, and Russia.
- Of the four treaties, owls are protected only under the treaty with - Mexico.
- Friends of Animals argued that barred owls can be killed under the treaty only “when used for scientific purposes, for propagation or for museums.” Id., art. II(A) and that the experiment is benefitting the spotted owl, not the barred owls that will be shot.
- The court ruled against the Friends and held that “use for scientific purposes” could mean “to employ” the bird, or “to carry out” a scientific purpose “by means of” the bird, or “to derive service” from the bird for a scientific purpose. Removing a bird to procure its demise likely fits within the letter of those definitions, even if the bird (or its cadaver) is not itself the subject of scientific experiment.

Predation - Ravens and Sage Grouse

**FINAL ENVIROMENTAL ASSESSMENT
PREDATOR DAMAGE MANAGEMENT IN IDAHO**



Prepared by the

**United States Department of Agriculture
Animal and Plant Health Inspection Service
Wildlife Services**

in cooperation with

Idaho Department of Fish and Game

and in consultation with

**Idaho Department of Agriculture
Idaho Department of Lands
Nez Perce Tribe
Shoshone-Bannock Tribes
United States Department of Agriculture Forest Service
United States Department of the Interior Fish and Wildlife Service
United States Department of the Interior Bureau of Land Management**

November 2016

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

WESTERN WATERSHEDS PROJECT,
WILDEARTH GUARDIANS, CENTER FOR
BIOLOGICAL DIVERSITY, and PREDATOR
DEFENSE,

Plaintiffs,

v.

USDA APHIS WILDLIFE SERVICES,

Defendant.

No. 1:17-cv-206

COMPLAINT

INTRODUCTION

7 U.S.C. § 8351 (formerly § 426). Predatory and other wild animals

The Secretary of Agriculture may conduct a program of wildlife services with respect to injurious animal species and take any action the Secretary considers necessary in conducting the program. The Secretary shall administer the program in a manner consistent with all of the wildlife services authorities in effect on the day before October 28, 2000.

4. Here, Wildlife Services again violated NEPA by failing to examine any site specific impacts of its anticipated activities, and failing to establish that ravens and other predators are depressing or otherwise injuring populations of sage-grouse and other desired game species.

5. Wildlife Services' attempt to expand its Idaho program to kill sage-grouse predators and other wildlife to "benefit" native species is also unlawful because it exceeds the agency's statutory authority under the Animal Damage Control Act, which only allows Wildlife Services to take actions deemed "necessary" to control "injurious animal species." 7 U.S.C. § 426. The 2016 Idaho EA and DN/FONSI fail to establish that the target species are "injurious," and hence Wildlife Services lacks statutory authority to undertake its proposed new wildlife killing.

THE END

The most immediate threat to the existence of the Northern spotted owl doesn't carry an axe.

It doesn't wear plaid, work in a sawmill, or drive a pickup truck featuring a faded yellow bumper sticker reading "Save a logger—kill an owl."

Instead, 25 years removed from the Timber Wars of the early '90s, which anecdotally pitted hemp-wearing environmentalists against grizzled loggers, the spotted owl is challenged by a foe hardly distinguishable from itself. That's because it's another owl.

Specifically, the barred owl, an invasive species that has moved into Pacific Northwest forests and wrought havoc on their native cousins.

"If we don't do something about the barred owl, we're going to lose the Northern subspecies of the spotted owl," U.S. Fish and Wildlife Service's Robin Bown says. "I wouldn't have told you that 10 years ago."