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FWP to reconsider sheep's place on public land

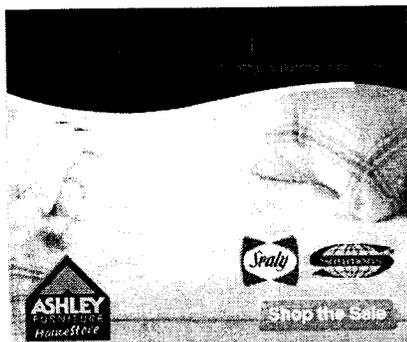
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Posted: Monday, July 6, 2009 11:00 pm | Updated: 3:03 pm, Wed Oct 28, 2009.

By DANIEL PERSON Chronicle Staff Writer |

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Earlier this month, three conservation groups challenged the agency for allowing domestic sheep to cross the Robb-Ledford Wildlife Management Area, a practice the groups say makes the habitat inhospitable to bighorn sheep due to diseases the domestic sheep can give to bighorns.



The management area is located near Sheridan.

"The most immediate issue regarding bighorns in Montana is the domestic sheep trailing FWP allows on the Robb-Ledford Wildlife Management Area," wrote Summer Nelson, Montana legal counsel for the Western Watersheds Project in Missoula on behalf of her group, the Gallatin Wildlife Association and hunting group Safari Club International. "WWP, GWA and SCI contend this use is incompatible with WMA purposes, public trust responsibilities over native wildlife and restoring and maintaining healthy bighorn herds."

Pat Flowers, director of FWP Region 3 based in Bozeman, said his agency has never done an environmental analysis of allowing domestic sheep onto the Robb-Ledford, since sheep don't graze there. Rather, the sheep spend about two days on the Robb-Ledford en route to and from grazing allotments in the Gravelly Mountains south of Ennis.

And since the bighorn sheep in the area were transplanted as part of an effort to restore the species to the landscape, the agency is guided by an agreement to not allow reintroduced bighorns to affect land management in the state.

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"We plan to do a formal review of that activity, to make a decision on how or if that activity should continue," he said.

Diseases carried by domestic sheep have been blamed for die-offs among bighorn. The sheep industry contends that research on the effect domestic sheep have on bighorns is still incomplete, citing times when big horns have died off without any known contact with domestic animals.

Regardless of the risk posed by domestics, intermingling usually does prove deadly for the bighorns. For fear that roaming bighorns will contract deadly diseases and bring them back to the herd, FWP wildlife managers have killed bighorns that mingle with domestic sheep herds.

Biologists say about 2 million bighorns once inhabited the West, but they disappeared over most of their range in the 1800s and early 1900s due to disease and unregulated hunting, according to the Associated Press. Reintroductions and added protection in the last 50 years have boosted bighorn numbers to about 50,000.

Reintroductions in Montana are guided by a memorandum of understanding, stating that bighorns being returned to the landscape will not adversely effect how land is managed for grazing leases.

Still, Flowers said that agreement could be reevaluated later this summer, when he expects the agency to formally take up the issue.

"There's nothing to prevent us from revisiting that," he said. "That will be an alternative we will evaluate."

Daniel Person can be reached at dperson@dailychronicle.com or 582-2665.

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Greenhorn Mountains herd culled, moved after wandering outside agreed upon area

Bighorn sheep transplant under review

- Story
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Bighorn sheep transplant under review

By Nick Gevock - 10/03/2009 Mtstandard.com | Posted: Saturday, October 3, 2009 11:00 pm | (0)

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photo courtesy of Montana Fish, Wildlife and Parks two Bighorn sheep are shown in this photo.

State wildlife officials are reviewing how well a bighorn sheep transplant in the Greenhorn Mountains of southwest Montana has gone after nine years of problems with the herd moving into areas with domestic sheep.

The Montana Department of Fish, Wildlife and Parks is also conducting an environmental study to determine how much sheep ranchers should be charged to continue trailing sheep across the Robb-Ledford Wildlife Management Area.

The two issues are linked because the bighorns were transplanted into the Greenhorns, north of the wildlife management area, under an agreement that they'd be shot or transplanted if they moved close to domestic sheep in the area.

"It's time to review the status of the bighorn sheep transplant: how well it's worked, what are the current problems, how come we haven't been able to have a hunting season yet," said Kurt Alt, FWP regional wildlife manager. "We're looking at the whole nine yards because it's time and you can't do one without the other." Biologists introduced the first group of 30 bighorns into the Greenhorns in 2003 and another 39 were put in the area the following year, said Bob Brannon, FWP Sheridan biologist. The bighorns were reintroduced under a memorandum of understanding with sheep ranchers in the area that the sheep would be managed to stay in the Greenhorns and not wander close to their grazing allotments or private pastures.

The bighorns roamed quickly, Brannon said. Starting that year and continuing through last spring, 14 bighorns that have wandered out of the Greenhorns have been killed by FWP. Another 18 bighorns from the herd that migrated to the Ruby Mountains were moved to the Highlands.

This year biologists counted 30 bighorns in the Greenhorns, Brannon said.

"We have removed enough sheep from that potential population, either through killing them or transplant that it's questionable whether there are enough remaining to establish a viable population," he said.

But that's unacceptable to the Gallatin Wildlife Association, a hunting advocacy group based in Bozeman. Glenn Hockett, club president, said sportsmen's dollars were used to transplant those bighorns and yet FWP has had to spend a lot of money every time the bighorns do what wildlife does n move to its preferred habitat.

"That Greenhorn (memorandum of understanding) from our perspective was a nightmare," he said, referring to the agreement between land agencies and sheep ranchers.

Hockett said his group would like to see bighorns throughout the Gravelly Mountains, including the Snowcrest Range. And they'd like to see bighorns be able to use the Robb-Ledford and Blacktail game ranges in winter.

But that's not going to happen as long as domestic sheep are trailed through the Robb-Ledford and graze in summer in the high meadows of the Gravellys, Hockett said.

"We don't think those allotments should be allotted to domestic sheep and we don't think any sort of commercial use of public lands should conflict with preservation and restoration of native species," he said. "We really think that trailing is an incompatible use for the reason that FWP purchased those wildlife management areas." But Joe Helle, a Dillon sheep rancher who for years has taken his livestock through the Robb-Ledford, said that's not true. His sheep cross the game

range for about a day to get to their summer pastures, which he said are vital to their ranching operation.

Helle added that they have court rulings finding that the trailing is a use of a public right of way. And while he agrees bighorns and domestic sheep cannot come together because they can transmit disease and possibly interbreed, he said wildlife benefits from having a healthy ranching industry.

"We've gotten along for years around here with a shared attitude n we provide food and space for wildlife and we expect to have the ability to take our sheep up on public lands," he said. "Wildlife uses our private land and we use public lands for 90 days in the summer n it's a workable tradeoff." Hockett said their goal is not to drive sheep ranchers out of business, but rather find a solution such as alternative pastures or feeding the sheep hay in summer. But Helle said that's just not feasible because there are no other pastures available and hay is too expensive.

Alt said FWP is conducting the study of the domestic sheep trailing because of new rules requiring a permit for commercial activities on its lands. At the same time, the assessment of the Greenhorn bighorn herd is meant to determine whether the herd should continue to be managed or moved to another area better suited to wild sheep.

Reporter Nick Gevock may be reached at nick.gevock@mtstandard.com.

Opinions wanted The public has until Oct. 15 to comment on the environmental assessment. Details are available at www.fwp.mt.gov under recent public notices and comments may be e-mailed to rltrailing@mt.gov, or through mail to Sheep Trailing on Robb-Ledford WMA, Montana Fish, Wildlife and Parks, 1400 South 19th Ave., Bozeman, MT 59718.

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Posted in Local on *Saturday, October 3, 2009 11:00 pm* Updated: 9:21 am.

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FWP to reconsider sheep's place on public land

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76-2-901. Agricultural activities -- legislative finding and purpose. (1) The legislature finds that agricultural lands and the ability and right of farmers and ranchers to produce a safe, abundant, and secure food and fiber supply have been the basis of economic growth and development of all sectors of Montana's economy. In order to sustain Montana's valuable farm economy and land bases associated with it, farmers and ranchers must be encouraged and have the right to stay in farming.

(2) It is therefore the intent of the legislature to protect agricultural activities from governmental zoning and nuisance ordinances.

History: En. Sec. 1, Ch. 309, L. 1995.

Provided by Montana Legislative Services

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76-2-902. Definitions. As used in this part, the following definitions apply:

(1) "Agricultural activity" means a condition or activity that provides an annual gross income of not less than \$1,500 or that occurs on land classified as agricultural or forest land for taxation purposes. The condition or activity must occur in connection with the commercial production of farm products and includes but is not limited to:

- (a) produce marketed at roadside stands or farm markets;
- (b) noise;
- (c) odors;
- (d) dust;
- (e) fumes;
- (f) operation of machinery and irrigation pumps;
- (g) movement of water for agricultural activities, including but not limited to use of existing county road ditches, streams, rivers, canals, and drains, and use of water for agricultural activities;
- (h) ground and aerial application of seed, fertilizers, conditioners, and plant protection products;
- (i) employment and use of labor;
- (j) roadway movement of equipment and livestock;
- (k) protection from damage from wildlife;
- (l) prevention of trespass;
- (m) construction and maintenance of buildings, fences, roads, bridges, ponds, drains, waterways, and similar features and maintenance of streambanks and watercourses;
- (n) conversion from one agricultural activity to another, provided that the conversion does not adversely impact adjacent property owners;
- (o) timber harvesting, thinning, and timber regeneration;
- (p) burning and stubble and slash disposal; and
- (q) plant nursery and commercial greenhouse activities.

(2) "Commercial production of farm products" means the growing, raising, or marketing of plants or animals by the owner, owner's agent, or lessee of land that provides an annual gross income of not less than \$1,500 or that occurs on land that is classified as agricultural or forest land for taxation purposes. The term includes but is not limited to:

- (a) forages and sod crops;
- (b) dairy and dairy products;
- (c) poultry and poultry products;
- (d) livestock, including breeding, feeding, and grazing of livestock and recreational equine use;
- (e) fruits;
- (f) vegetables;
- (g) flowers;
- (h) seeds;
- (i) grasses;
- (j) trees, including commercial timber;
- (k) fresh water fish and fish products;
- (l) apiaries;
- (m) equine and other similar products; or
- (n) any other product that incorporates the use of food, feed, fiber, or fur.

History: En. Sec. 2, Ch. 309, L. 1995.

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76-2-903. Local ordinances. A city, county, taxing district, or other political subdivision of this state may not adopt an ordinance or resolution that prohibits any existing agricultural activities or forces the termination of any existing agricultural activities outside the boundaries of an incorporated city or town. Zoning and nuisance ordinances may not prohibit agricultural activities that were established outside the corporate limits of a municipality and then incorporated into that municipality by annexation.

History: En. Sec. 3, Ch. 309, L. 1995.

Provided by Montana Legislative Services

Domestic Sheep Trailing on Robb/Ledford WMA Scoping Notice

Management Plans - 09/18/2009

Scoping Notice for Evaluation of Domestic Sheep Trailing on Robb/Ledford WMA
and Current and Future Status of the Greenhorn Bighorn Sheep Transplant

Domestic sheep trailing was allowed through the upper portions of the Robb/Ledford Wildlife Management Area (WMA) prior to FWP purchasing the property from the Rocky Mountain Elk Foundation. Annual sheep trailing has been allowed by FWP since it acquired the WMA in 1988.

At their May 2002 meeting, the FWP Commission approved reintroduction of bighorn sheep in the Greenhorn Mountains contingent upon a Memorandum of Understanding (MOU) that was signed prior to the transplant by FWP, the domestic sheep producers near the Greenhorns, the USDA Forest Service, and the Bureau of Land Management. That MOU allows for the continued grazing and trailing of domestic sheep on public lands.

Administrative rules that guide commercial uses on WMAs became effective in January 2007. Domestic sheep trailing across the WMA has been described as a commercial use of the WMA. FWP intends to evaluate those rules in relation to the Robb/Ledford domestic sheep trailing activity through the development of an Environmental Analysis (EA) beginning with this scoping notice.

In addition, this scoping notice is intended to start formal evaluation of the current and future status of the Greenhorns Bighorn Sheep transplant.

You are invited to identify specific issues and provide comments on future domestic sheep trailing on the Robb/Ledford WMA and on the current and future status of the Greenhorns Bighorn Sheep transplant.

Montana Fish, Wildlife and Parks is asking for comments on these topics until October 15, 2009. To be most helpful, comments should be substantive and specific to the proposed actions being considered. They should include: (1) name, address, telephone number, and organization represented, if any; (2) title of the action (i.e. "Sheep Trailing on Robb/Ledford WMA and the current and future status of the Green