

SENATE NATURAL RESOURCES
EXHIBIT NO. 2
DATE 1-15-13
BILL NO. SB 75



**Montana Fish,
Wildlife & Parks**

TO: Members of the Senate Fish and Game Committee
FROM: Jeff Hagener, Director *Jeff Hagener*
RE: Request for Information on Big Horn Sheep Transplants – SB 83
DATE: January 13, 2013

At the January 10th hearing on SB 83 you requested information from the department on the history of big horn sheep transplants and a comparison of language in SB 83 to the requirements of the Montana Big Horn Sheep Conservation Strategy dated January 2010. Please find that information attached.

If you have technical questions about this information please feel free to contact Quentin Kujala at 444-5672 or qkujala@mt.gov.

c: Sen. Murphy, SB 83 sponsor



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APPENDIX C

Transplant history of bighorn sheep in Montana, 1922-~~2009~~²⁰¹²

Year	Source	Number	Release Location
1922	Banff, Alberta, Canada	12	National Bison Range, Lake Co.
1939	National Bison Range, Lake Co.	23	Hart Mountain Refuge, Oregon ¹
	National Bison Range, Lake Co.	2	Washington State University, Pullman (for research)
	Mission Mtns., Missoula Co.	2	Wildhorse Island, Lake Co.
1942	Sun River, Teton Co.	11	Gates of the Mountains, Lewis & Clark Co.
1943	Sun River, Teton Co.	3	Gates of the Mountains, Lewis & Clark Co.
1944	West Gallatin, Gallatin Co.	1	Sun River, Teton Co.
	Ural-Tweed, Lincoln Co.	2	West Gallatin River, Gallatin Co.
1947	Sun River, Teton Co.	2	West Gallatin River, Gallatin Co.
	Sun River, Teton Co.	6	Wildhorse Island, Lake Co.
	Colorado, Tarryall herd, Park Co.	16	Billy Cr. Missouri River Breaks, Garfield Co.
1954	Sun River, Teton Co.	6	16 Mile Canyon, Gallatin Co.
	Wildhorse Island, Lake Co.	12	Kootenai Falls, Lincoln Co.
1955	Wildhorse Island, Lake Co.	9	16 Mile Canyon, Gallatin Co.
	Wildhorse Island, Lake Co.	8	Bull Mtn., Jefferson Co.
	Wildhorse Island, Lake Co.	4	Kootenai River, Lincoln Co.
	Sun River, Teton Co.	3	Bull Mtn., Jefferson Co.
1956	Sun River, Teton Co.	13	Sheep Cr., Cascade Co.
	No source available	1 to 4	National Zoological Park, Washington, D.C.
1957	Sun River, Teton Co.	7	Bull Mtn., Jefferson Co.
	Wildhorse Island, Lake Co.	6	Bull Mtn., Jefferson Co.
1958	Wildhorse Island, Lake Co.	5	Sheep Cr., Cascade Co.
	Sun River, Teton Co.	9	Two Calf Cr., Missouri River Breaks, Fergus Co.
	Wildhorse Island, Lake Co.	7	Blue Hills, Custer Co.
	Sun River, Teton Co.	5	Blue Hills, Custer Co.
1959	Sun River, Teton Co.	13	Eddy Cr., Sanders Co.
	Wildhorse Island, Lake Co.	6	Thompson River, Sanders Co.
	National Bison Range, Lake Co.	13	Two Calf Cr., Missouri River Breaks, Fergus Co.



Appendix C. Continued

1974	Sun River, Teton Co.	27	Pryor Mtns., Carbon Co.
	Sun River, Teton Co.	21	Little Rocky Mtns., Phillips Co.
	Sun River, Teton Co.	18	Pryor Mtns., Carbon Co.
1975	Sun River, Teton Co.	31	Rock Cr., Granite Co.
	Ford Cr., Lewis & Clark Co.	31	Berray Mtn., Sanders Co.
	Sun River, Teton Co.	11	Beartooth Game Range, Big Belt Mtns., Lewis & Clark Co.
	Sun River, Teton Co.	47	Beartooth Game Range, Big Belt Mtns., Lewis & Clark Co.
	Wildhorse Island, Lake Co.	2	Berray Mtn., Sanders Co.
1976	Sun River, Teton Co.	25	Blue Hills, Custer Co.
	Sun River, Teton Co.	39	Sheep Cr., Pondera Co.
1979	Wildhorse Island, Lake Co.	41	14 Mile Cr., Sanders Co.
	Wildhorse Island, Lake Co.	25	Rock Cr., Granite Co.
	Wildhorse Island, Lake Co.	18	Washington State University, Pullman, WA
	Wildhorse Island, Lake Co.	14	Flathead Indian Reservation, Little Money, Sanders Co.
	Wildhorse Island, Lake Co.	11	Flathead Indian Reservation, Sanders Co.
1980	Sun River, Teton Co.	28	Missouri River Breaks, Fergus Co.
	Sun River, Teton Co.	28	Missouri River Breaks, Phillips Co.
1981	Wildhorse Island, Lake Co.	5	14 Mile Cr., Sanders Co.
1982	Sun River, Teton Co.	13	Washington State University, Pullman, WA (for research)
1984	Rock Creek, Granite Co.	1	release location unknown
	National Bison Range, Lake Co.	3	Stillwater River, Beartooth Mtns., Stillwater Co.
1985	National Bison Range, Lake Co.	4	Petty Cr., Missoula Co.
	Thompson Falls, Sanders Co.	2	Lost Cr., Deer Lodge Co.
	Thompson Falls, Sanders Co.	7	Mill Cr. Absaroka Mtns., Stillwater Co.
	Lost Creek, Deerlodge Co. and Rock Cr. Granite Co.	23	Boulder River, Absaroka Mtns., Park Co.
	Lost Creek, Deerlodge Co.	39	Tendoy Mtns., Beaverhead Co.
	Cinnabar Mtn., Park Co.	13	Mill Cr. Absaroka Mtns., Park Co.
	Thompson Falls, Sanders Co.	2	National Bison Range, Lake Co.
1986	Thompson Falls, Sanders Co.	14	Tendoy Mtns., Beaverhead Co.

Appendix C. Continued

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	Sun River, Teton Co.	47	Beartooth Game Range, Big Belt Mtns., Lewis & Clark Co.
	Wildhorse Island, Lake Co.	2	Berray Mtn., Sanders Co.
1976	Sun River, Teton Co.	25	Blue Hills, Custer Co.
	Sun River, Teton Co.	39	Sheep Cr., Pondera Co.
1979	Wildhorse Island, Lake Co.	41	14 Mile Cr., Sanders Co.
	Wildhorse Island, Lake Co.	25	Rock Cr., Granite Co.
	Wildhorse Island, Lake Co.	18	Washington State University, Pullman, WA
	Wildhorse Island, Lake Co.	14	Flathead Indian Reservation, Little Money, Sanders Co.
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	Thompson Falls, Sanders Co.	2	Lost Cr., Deer Lodge Co.
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Appendix C. Continued

2000	Missouri River Breaks, Blaine Co. and Fergus Co.	20	Elkhorn Mtns., Broadwater Co.
	Thompson Falls, Sanders Co.	16	Kootenai Falls, Lincoln Co.
	Sun River, Teton Co.	27	Sapphire, Mtns., Ravalli Co.
2001	Sun River, Teton Co.	32	Highland Mtns., Silver Bow Co.
	Bonner, Missoula Co.	3	Highland Mtns., Silver Bow Co.
2002	Missouri River Breaks, Blaine Co.	20	Idaho/Oregon Hells Canyon
	Sula, Ravalli Co.	23	Utah
	Sula, Ravalli Co.	14	Highland Mtns., Silver Bow Co.
	Sun River, Teton Co.	30	Tendoy Mtns., Beaverhead Co.
2003	Missouri River Breaks, Blaine Co.	30	Greenhorn Mtns., Madison Co.
	Bonner, Missoula Co.	2	Kootenai Falls, Lincoln Co.
2004	Sun River, Lewis & Clark Co.	24	Kootenai Falls, Lincoln Co.
	Sun River, Teton Co.	39	Greenhorn Mtns., Madison Co.
	Sun River, Lewis & Clark Co.	10	Bitterroot Mtns., Ravalli Co.
	Bitterroot Mtns., Ravalli Co.	12	Sheep potentially infected with <i>Brucella ovis</i> , Colorado ³ (for research)
	Thompson Falls, Sanders Co.	35	Utah, Flaming Gorge
2006	Missouri River Breaks, Phillips Co.	19	North Dakota, Little Missouri River
	Missouri River Breaks, Blaine Co.	20	Wyoming, Big Horn Mountains
	Ten Lakes, Lincoln Co.	2	Ural-Tweed, Lincoln Co.
2007	Sun River, Teton Co.	32	Nebraska
	Sun River, Lewis & Clark Co.	30	Utah
	Missouri River Breaks, Blaine Co.	20	North Dakota
	Missouri River Breaks, Blaine Co.	20	Nebraska
	Ruby Mountains, Madison Co.	18	Highland Mtns., Silver Bow Co.
	Plains, Sanders Co.	42	Wyoming (Laramie Peak)
	Bonner, Missoula Co.	27	Utah
	Rock Creek, Granite Co.	15	Utah
	E. Fk. Bitterroot River, Ravalli Co.	25	Utah

Year	Source	Number	Release Location
2010	Wild Horse Island, Lake County	16	Kootenai Falls WMA, Lincoln County
	Wild Horse Island, Lake County	24	Berray Mountain, Sanders County
2011	Wild Horse Island, Lake County	50	Hog Heaven/CS&KT, Flathead and Lake Counties
	HD 482 Whiskey Ridge/Dog Creek, Fergus County	21	Sheep Creek, Cascade County
	HD 482 Whiskey Ridge/Dog Creek, Fergus County	25	Beartooth WMA/Willow Creek/HD 455, Lewis & Clark County
2012	Wild Horse Island, Lake County	49	Tendoy Mountains, Beaverhead County

The last new Montana bighorn sheep transplant was in the Greenhorn Mountains, 2003-2004. Other releases since 2004 have been in other states or augmentations to existing Montana sheep populations.

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A comparison of specific elements of SB 83 to corresponding sections of the current Montana Bighorn Sheep Conservation Strategy. This comparison was requested by the Senate Fish and Game Committee to clarify conflicting testimony. Proponent testimony generally suggested SB 83 merely codified the existing Strategy. Opponents maintain SB 83 goes substantively beyond the existing Strategy in a manner that effectively precludes future transplants.

BILL LANGUAGE	CONSERVATION STRATEGY LANGUAGE
<p>Section 1(d): It is the legislature's intent that the requirements of this section ensure that mountain sheep transplantation projects are implemented only after it is determined that transplantation of mountain sheep will not jeopardize existing domestic sheep grazing allotments and after proper protections are made to ensure that the department assumes financial responsibility for efforts to keep mountain sheep and domestic sheep separate.</p>	<p>Page 3: "While FWP should vigorously defend existing bighorn sheep populations against recognized threats to the bighorn sheep or to their habitat and should vigorously pursue additional bighorn sheep where circumstances allow, FWP believes that any localized removal, transfer, or conversion of established domestic sheep allotments on public lands for the benefit of bighorns should only come with the willing participation of the producer and land management agencies."</p> <p>Page 65: "Approve transplants only after considering public input on issues relating to the proposal, including possible negative impacts to agricultural production or livestock. FWP will make efforts to notify local landowners of the potential transplant and develop appropriate agreements, prior to approval, with individual landowners and/or agencies that own significant portions of the area where bighorns are expected to establish. FWP will seek to satisfy or mitigate local concerns and eliminate and/or mitigate possible negative impacts to agricultural production or livestock, and maintain respectful landowner relations."</p> <p>Page 65: (FWP will) "Assume the risk of transplant failure, holding no landowner or public grazing allotment lessee responsible without proof of negligence or intent."</p> <p>Page 67: "Only those sites with landowner agreements completed and signed will be approved."</p>

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<p>Section 3(a): The department may not transplant mountain sheep if domestic sheep or domestic goat operations exist within the proposed transplantation area or in the immediate surrounding area.</p>	<p>Page 63: "Areas within 23 km of known domestic sheep or goat distribution pose a higher risk of commingling of bighorn sheep and domestics and potential disease transmission. Before a decision to transplant bighorn sheep to such areas is made, other mitigation factors should be evaluated."</p> <p>Page 65: "Use transplants to establish and encourage bighorn herds into naturally connected metapopulations, for the demographic and genetic benefits of such metapopulations, while maintaining adequate separation from domestic sheep or goats to diminish the potential for commingling and potentially serious disease problems."</p> <p>Page 67: "Preference will be given to those sites not in close proximity to domestic sheep and those with limited competition from other livestock or wild ungulates."</p>

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<p data-bbox="228 552 824 726">Section 3(a): The department may not transplant mountain sheep if domestic sheep or domestic goat operations exist within the proposed transplantation area or in the immediate surrounding area.</p>	<p data-bbox="870 285 1458 495">Page 63: "Areas within 23 km of known domestic sheep or goat distribution pose a higher risk of commingling of bighorn sheep and domestics and potential disease transmission. Before a decision to transplant bighorn sheep to such areas is made, other mitigation factors should be evaluated."</p> <p data-bbox="870 537 1458 821">Page 65: "Use transplants to establish and encourage bighorn herds into naturally connected metapopulations, for the demographic and genetic benefits of such metapopulations, while maintaining adequate separation from domestic sheep or goats to diminish the potential for commingling and potentially serious disease problems."</p> <p data-bbox="870 863 1458 989">Page 67: "Preference will be given to those sites not in close proximity to domestic sheep and those with limited competition from other livestock or wild ungulates."</p>

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<p>Section 6(a)(i): Before transplantation of mountain sheep is approved, the department shall obtain written permission from landowners holding 80% of the private land located within the proposed transplantation area.</p>	<p>Page 65: "Approve transplants only after considering public input on issues relating to the proposal, including possible negative impacts to agricultural production or livestock. FWP will make efforts to notify local landowners of the potential transplant and develop appropriate agreements, prior to approval, with individual landowners and/or agencies that own significant portions of the area where bighorns are expected to establish. FWP will seek to satisfy or mitigate local concerns and eliminate and/or mitigate possible negative impacts to agricultural production or livestock, and maintain respectful landowner relations."</p> <p>Page 67: "Only those sites with landowner agreements completed and signed will be approved."</p>
<p>Section 6(b): Before transplantation of mountain sheep is approved, the department shall consult and coordinate with the department of agriculture and the department of livestock if the transplantation will impact agriculture or livestock operations in the transplantation area of the surrounding area.</p>	<p>MCA 87-5-716 as referenced on page 64: "The commission and the department shall consult with the departments of agriculture, human health and human services, and livestock in all matters relating to the control of wildlife species and exotic wildlife that may have pose a risk to human health or safety."</p>