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Sheep, Bighorn Issue Discussed At Public Land Council Meeting

By Colleen Schreiber

DURANGO, Colo. — Stockmen grazing sheep on federal lands in much of the West have yet another big fight on their hands. This one is over grazing of domestic sheep on federal allotments where bighorns or even just bighorn habitat itself is known to exist. It's been an issue for many years, but it came to a head in Idaho in 2010.

Those attending the recent Public Lands Council meeting here heard an update from a panel of speakers who have been fighting the battle behind the scenes, largely in the halls of Congress. Peter Orwick, executive director of the American Sheep Industry Assn., offered a brief update on the research that the Public Lands Council Trust has helped fund.

The USDA Agricultural Research Service based in Pullman, Washington, is heavily involved in the actual research. One piece that is getting a lot of emphasis is mapping bighorn habitat and incorporating where domestic sheep grazing is occurring. They're also trying to better document where the transplants of wild sheep are taking place.

"They put about 30 wild sheep in Arizona without first doing some predator work," Orwick said. "Mountain lions took 13 of the bighorns in the first three weeks."

After that incident, when ASI was going to bat once again to secure funding for Wildlife Services, 169 organizations signed on to a letter sent to Congress. Included in that group were Wild Sheep People and the Sportsmen for Fish and Wildlife.

"We were pleased that they were there to support Wildlife Services, but we did remind them that they were pretty late to the party. Sheep and cattle ranchers have been fighting the WS issue for decades."

Currently there is an ongoing appeal with the Payette decision, a plan by the U.S. Forest Service to eliminate some of the domestic sheep allotments on the Payette Forest in Idaho because of supposed bighorn/domestic sheep disease issues.

One of the primary points made in the brief submitted by ASI and the other groups who oppose the decision is that the Forest Service did not take into account the information and the research provided by ARS scientists. The research backed by the Forest Service contingency entailed pen research in which wild sheep were

penned with domestic sheep. They point out that when this occurred, the wild sheep got pneumonia and some ultimately died.

Yet the most significant part of the research was ignored, Orwick told listeners. It showed that the domestic sheep and wild sheep had fence-line contact for two months without any problems.

“When they’re forced to live together nose to nose for a period of time, that’s when the potential problems occur,” Orwick explained.

It’s a particularly significant point because those who understand the workings of a federal sheep allotment know that domestic sheep are under herd, and most are not only under the careful watch and care of Peruvian herders, but also livestock protection dogs. Thus pro-domestic sheep groups contend that while the bighorns and the domestic sheep may share similar habitat on these vast federal allotments, the chance of them having nose to nose contact is unlikely, particularly for extended periods.

In a related matter, ASI has also engaged Holland and Hart in the *Cottonwood Environmental Law Center et al v. U.S. Sheep Experiment Station et al* litigation. As Orwick pointed out, the Sheep Experiment Station based in Dubois, Idaho, has been the whipping child of environmental groups such as Western Watersheds for well over three years. It is here that much of the domestic/bighorn-related research is underway. Western Watersheds, in usual form, is using the National Environmental Policy Act as an excuse to have the station closed, when in fact the closure effort has far more to do with their agenda to remove domestic livestock from federal lands.

“One of the memos from this spring that bottom-lined the issue is that in the Region 4 framework on management of bighorn sheep, it was stated in FS briefs that framework was developed in collaboration with Western Watersheds to avoid future litigation,” Orwick said. “The deal called for abandonment of the sheep station as opposed to just closing it — to walk away from the land, the facilities, the employees, and the research, and it’s the only dedicated station exclusively for sheep research in America.”

A Watersheds press release following USDA’s call to close the sheep station also took full credit for pushing USDA into the decision.

“They (USDA) claim it was a budget issue,” he continued, “but Congress has been appropriating money; it’s an administration decision where they put that money. They’re just tired of being harassed and sued by Western Watersheds, so that’s why they made the decision to just walk away from the entire station. I always thought they would decide to put cattle on the station and do cattle and range research, but they didn’t even want to do that.”

Jim Richards, a partner at Cornerstone Government Affairs, offered still more perspective on the bighorn issue and other federal lands issues. First, however, he made a general statement about

federal lands.

“I’ve always had an issue with calling these lands ‘public’ lands. They’re federal lands, because these lands are under federal domain, and organizations like Western Watersheds and the Center for Biological Diversity cannot determine what happens on these federal lands, but that’s kind of where we’ve gotten to,” Richards told listeners.

“It’s a sad state. Their agenda is to eliminate production of protein off federal lands, period. It’s not just sheep; cattle are next, and if hunters think they can benefit from it, they’re wrong. The only ones left will be people walking around with cameras taking pictures of wildlife and taking pictures of all the fires that will be burning, because that’s all that’s going to be left.”

Richards said he doesn’t necessarily blame BLM or USFS for the role they’re playing with respect to many of these issues.

“They’re responding to the pressure of the people with these agendas who have a lot of money.”

The closing of the sheep station, he said, is simply part of the environmentalists’ broader agenda.

“How can we get the science from ARS to counter the bad science that they’re basing decisions on for bighorns if they nullify our ability to do research?”

According to the Western Association of Fish and Wildlife Agencies, 25 percent of domestic sheep production is in bighorn habitat. ASI, PLC and other supporting industry groups developed a letter directed to the secretaries of Agriculture and Interior raising the seriousness of the issue and the concerns they had with the science used in the Payette decision, the regulatory decisions based off that bad science, and the process the agencies intend to use going forward of permanently retiring some sheep allotments.

It was a bipartisan letter; Congressmen Greg Walden, R-Oregon, and Kurt Schrader, D-Oregon, both signed it. Yet, despite the fact that several hunter organizations stood with ASI, PLC and the like on the WS’s funding issue, the Oregon Association of Hunters sent a letter to the Oregon Congressmen castigating them for signing the letter and insisted on the preservation of bighorn sheep that they had worked to restore.

“They placed the sole blame on domestic sheep,” Richards said. “We countered them on every single point, and that’s what we’re going to have to do over and over again. If it weren’t for a lot of the work that the permittees do on their allotments — range restoration, water and on down the line — a lot of the wild game wouldn’t be there.

“We’ve got to fight these folks and make sure they are held accountable for their actions, but we have to be smart about it, and

we have to provide real leadership,” he concluded.

Bonnie Brown, executive director of the Colorado Wool Growers, provided still more clarification on the bighorn issue specific to Colorado. First, she noted that the issue with respect to the bighorns is whether domestic sheep can transmit pneumonia-causing bacteria to bighorn sheep.

“The fact of the matter is the degree of risk of potential disease transmission from domestic sheep to bighorn sheep under open range conditions is unknown,” Brown said.

“Forced-contact pen studies are not indicative of what happens under normal range conditions, and the FS wants to continually rely on those pen studies.”

The Forest Service issued a landscape grazing analysis, which is part of the Environmental Assessment process, on the Weminuche Wilderness Area in the San Juans.

“We had some pretty significant issues with it,” said Brown.

One issue that really concerned all permittees is a clause that said that if a permittee sold out, the allotment had to be sold to a family member or those grazing allotments would sunset.

“The FS quite frankly does not have the authority to do that,” Brown told listeners. “We called them on that immediately, and they finally started backing off on that.”

Another issue had to do with the fact that Colorado has a memorandum of understanding signed by Colorado Wool Growers, the Colorado Department of Agriculture, Colorado Parks and Wildlife, BLM, and the Forest Service, and the EA completely ignored the intent of that MOU as it relates to interaction between bighorns and domestic sheep.

The third issue was the mapping and the habitat designation.

“In 2012 BLM and FS published some mapping information identifying where there was habitat overlap between domestic grazing allotments and bighorn sheep. The overlap area was less than 20 percent, and on the Weminuche it’s even less than that. So all of this commotion of trying to drive domestic sheep producers out of business is on a very small percentage that the bighorn actually even occupy,” she stressed.

The fourth major issue was the failure of the Forest Service to consult with USDA-ARS.

“Don Knowles is the premiere infectious disease specialist working on the bighorn/domestic sheep issue, and they didn’t consult ARS at all. You would think USDA would utilize their own experts on the issue, but since their research results don’t support the agenda of the FS, they failed to do that.”

ASI, PLC, CWGA and others pushed back, and ultimately the Forest Service abandoned the EA and instead will now conduct an Environmental Impact Statement.

“I’m okay with that because an EIS requires that the Forest Service consult with ARS.”

Brown also offered an update on the livestock guardian dog issue. The epicenter for this particular issue is Silverton.

“We have a few trust fund babies that don’t have anything better to do with their time than to complain about the livestock protection dogs,” Brown told the group.

The sheep industry acknowledges that there has been an occasional problem where a dog bites a recreationist.

“That is never acceptable and as an industry we’re working hard with the ranchers to get the really aggressive dogs off their allotments.”

She acknowledged that it is a catch-22 for sheep producers.

“We don’t have wolves and grizzly problems in the San Juans, but my northern producers tell me that in some of those situations, the herders’ lives depend on having those dogs buy them enough time to get back to their camp and back to safety.”

The industry, Brown said, continues to work on finding ways to make livestock protection dogs less aggressive toward people without losing their aggressiveness toward the real predators.

“Most of the time, if you holler at the dogs and tell them to go back, they turn and go back to the sheep. So we’re trying to do more and more public outreach and educate them about the dogs and how to react if approached.

“We’ll keep trying to ratchet down the rhetoric so we can keep those dogs out there,” she concluded.

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