FRED FULSTONE, JR.
MARIANNE F. LEINASSAR
Phone: 775-465-2381
Fax: 775-465-1200

F.I.M., CORP.
Farming and Livestock

P.O. BOX 12
SMITH, NEVADA 89430

Remarks prepared for the Sagebrush Ecosystem Council
March 13, 2014

By Fred Fulstone
FIM Corporation
Smith Nevada

Prior to 1850 birds that were presumably sage grouse were seen but not abundant. The pre-1850 exploration parties could not find enough game, including birds, for camp sustenance and they had to eat their horses in order to survive the trip across what is now Nevada.

Later, Ridgeway reported seeing them but they were few and far between.

Ranches raising sheep and cattle were established before Ridgeway traveled through our area. Early livestock grazing begin with sheep and cattle driven across Nevada on their way to feed the Forty-niners, and then sheep and cattle coming back into Nevada with the Comstock and other discoveries.

Ranches were established based on the Spanish/Mexican concept that the control of water gave control of feed and control of water came on the basis of prior appropriation and beneficial use. Ranches were being set up in the 1850s and through out the late 1800s. Changes to vegetation, development of irrigated meadows as hay fields, and predator control were all byproducts of ranching. Ranching greatly benefitted wildlife of all kinds including sage hens, mule deer, and a bunch of song bird species.

All those benefits of ranching were provided to society at no charge because the costs of the benefits were paid by private enterprise with private capital. Following ranch establishment, society was blessed with an abundance of wildlife, access to remote areas following roads built by ranchers, even the towns were a result of ranch establishment and in turn were a source of shelter, food, and medical or emergency help for everyone.

The birds increased to the historic peak populations in about 1950-1970. That's when sage hen flocks were reported to darken the sky when they flew off of meadows. Those meadows were the product of irrigation by livestock producers.

See attached Exhibit #1 page 8 – Historical Sage Hen Numbers. This was true for the whole state of Nevada.

Predator control was in private hands until the end of the Depression when Wildlife Services included predator control goals. I don't remember the exact sequence of events and names but it should be easy to find on the USDA web site. Early predator control efforts were targeting predators of domestic sheep, and that is still the case with sheepmen paying a head tax to support the federal predator control programs.

Prior to 1080 they had strychnine and other toxicants available as well as trapping. Many people argue that the effectiveness of 1080 is the direct cause of the sage grouse and mule deer peak in the mid-1900s. I would argue effective predator control was important but only a part of the cause and effect of predator declines and game bird increases. Changes to habitat had occurred as a direct result of grazing that also benefitted species such as sage hen and mule deer. Prior to about 1980 there was moderate to severe levels of grazing throughout the sage grouse areas and the birds thrived in the presence of fairly intense grazing pressure on the vegetation as well as the effective predator control in the same areas. Agency biologists of course claim that sage hens and other species are creatures of some natural or primeval world and any disturbance by any person who is not a biologist destroys the balance of nature and the birds will all die. See attached article on predators and ranching Exhibits #2, #3, and #4.

My conclusion is that the sage hens increased as a result of heavy grazing of uplands and of wet meadows (most of the meadow acreage was created by irrigation) with lots of livestock and people within the sage hen habitats. They were able to take advantage of the beneficial disturbance of habitat because predator control for the protection of sheep was intense within the sage grouse habitat. That predator control became much more effective with the arrival of 1080 in (I think) the mid-1940s.

Just like the dramatic increase in sage hen numbers that followed the establishment of livestock ranches there are several things that coincide with the apparent catastrophic decline of sage grouse in the time between 1970 and 2000.

First in my mind is the regulatory attack on ranching that forced many ranches out of business. Forest Service and BLM both started to systematically (and here I add ruthlessly) deny authorization for grazing for some percentage of each ranch grazing permit. They didn't often cancel a permit outright; rather the agency officials cut some part of the numbers of animals and watched with amusement as the rancher tried to stay in business when he didn't have enough livestock to fully pay the costs of operation.

In the 1970s a number of the environmental laws came into existence and in response to these new laws the agencies dramatically increased the number of agency employees justified on the basis of enforcing the new regulations that the agencies wrote when the new laws told them to write more regulations. Bureaucrats are always self justifying and the period of time from about 1975 to present has got to be the golden age of government employment (known as the government spending bubble).

The result of bureaucrats justifying their jobs in the next budget has had predictable results of regulatory abuse of the public in order tom give the appearance of each government job being indispensible. Our communities lost the ranchers who were the direct cause of increased natural resource health to begin with, including increased numbers of sage hens. And we lost effective predator control techniques including 1080 as a toxicant.

So, beginning in the mid-1970s the numbers of government officials and the regulations that feed them began to rise exponentially, the numbers of livestock and livestock owners (ranchers) begin a dramatic decline, the numbers of many wildlife species including sage hens begin a dramatic decline, with the loss of ranchers came the simultaneous loss of predator control in general and 1080 in particular, and with the reduced effectiveness of predator control the predator population have increased a lot (not as much as the increase in bureaucrats though.)

How can we tell if the loss of sage grouse since the peak population of about 1960 is caused by the lapse in predator control or by the mushroomed population of federal and state biologists?

What we do know is from the historic record that when we had more ranchers and especially more sheep and almost no state or federal biologists we had historically high numbers of sage grouse. Most sane people would suggest that if we want to have the sage grouse numbers that we had 60 years ago then the obvious solution is to return to the range livestock production that we had 60 years ago and let private enterprise once again bring benefits to our communities.

Fred Fulstone
Smith Nevada

EXHIBIT #1

Past, Present, And Future Actions

For Conservation of the

GREATER SAGE-GROUSE

BI-STATE DISTINCT POPULATION SEGMENT

DRAFT

Draft 1-26-12

Prepared For:

Bi-State Executive Oversight Committee for Conservation of Greater Sage-Grouse

Prepared By:

Bi-State Technical Advisory Committee Nevada and California

SUMMARY

The 2012 BiState Action Plan for sage-grouse conservation reports on the past, present, and future actions of the cooperators in the Bi-State DPS area. Conservation planning for greater sage-grouse in the Bi-State area began in 2000 with the *Nevada Sage Grouse Conservation Strategy* prepared by Governor Guinn's Sage Grouse Conservation Planning Team. The first edition of the *Greater Sage-Grouse Conservation Plan for the Bi-State Plan Area of Nevada and Eastern California* was completed in 2004.

The Bi-State Local Working Group includes the Bi-State Technical Team, the State and federal land management agencies, state wildlife departments, and stakeholders from eastern California and western Nevada that comprise of the Bi-State greater sage-grouse Distinct Population Segment (DPS). The full and complete commitment to Bi-State sage-grouse conservation comes from the ground up at the local planning level through the highest levels of our land management and wildlife management agencies in both Nevada and California who signed this document. Our proven track record of commitment to planning and implementation of conservation actions is documented by our list of projects completed since 2004:

XYZ Conservation Actions were completed throughout the entire Bi-State area and are broken down as follows.

Pine Nut PMU	xx Actions
Desert Creek – Fales	
Bodie PMU	
Mount Grant MPU	
White Mountain PMU	
South Mono PMU	

Actions have been completed that address each of the four limiting factors of concern to the Bi-State LAWG and identified in the 2010 USFWS Finding.

Habitat. The 2004 Bi-State Plan has been used for planning and implementing habitat treatment actions for Bi-State sage-grouse. The objectives of the habitat improvement actions completed since 2004 have primarily been directed at:

1. Expansion of sagebrush habitat and improved habitat conditions in the sage-grouse habitat.
2. Improved meadow habitat for increased edge and increased diversity and production of grasses and forbs.

Predation

Regulatory Mechanisms

Small Isolated Populations

Recreation

Factor A – Habitat	Factor C – Predation	Factor D – Regulatory Mechanisms	Factor E Small and Isolated Populations	Factor E Recreation

Future project planning, evaluation of project effectiveness, and risk assessment will be based on a Science-based Adaptive Management Approach that will be based on spatial data analyses to

1. Delineate priority core habitat,
2. Locate and prioritize future habitat improvement projects,
3. Monitor and evaluate results of completed actions for conservation effectiveness. and
4. Prioritization risks for each PMU.

1.0 INTRODUCTION

In March 2010, the US Fish and Wildlife Service (FWS) determined that the Bi-State population of greater sage-grouse constitutes a valid Distinct Population Segment (DPS) and thus is a listable entity under the Endangered Species Act (ESA). The Bi-State DPS comprises a genetically unique meta-population of greater sage-grouse that defines the far southwestern limit of the species' range. This genetic distinction is likely the result of natural geologic events and subsequent long-term geographic isolation based on prevailing physiographic and habitat conditions.

The Bi-State DPS occurs over an approximately 170-mile long range, which is up to 60 miles wide and includes portions of eight counties in western Nevada and eastern California.

In June 2000, the Nevada Governor's Sage Grouse Conservation Team (Governor's Team) provided the forum for coordinating a landscape level approach to greater sage-grouse conservation and management. The Bi-State Local Area Working Group (LAWG), consisting of biologists from the Bureau of Land Management (BLM), the US Forest Service (USFS), Natural Resources Conservation Service (NRCS), Nevada Department of Wildlife (NDOW), Californian Department of Fish and Game (CDFG), private property owners, and other key stakeholders, developed the first edition of the *Greater Sage-Grouse Conservation Plan for the Bi-State Plan Area of Nevada and Eastern California* (Appendix L *in* NDOW 2004,) (Bi-State Plan). The Bi-State Plan identified a strategy for sage grouse conservation, identified and prioritized population risks, and specified projects to address the risks that were known at that time.

Executive Oversight Committee. An executive oversight committee (EOC) was formed in December 2011 consisting of the Directors of State and Federal agencies in Nevada and California with regulatory authority in the Bi-State DPS area. The purpose of the EOC according to the [signed MOU – date to be announced] is to provide a framework to facilitate interagency cooperation among the parties that will ensure a coordinated multi-jurisdictional effort to conserve greater sage-grouse populations and habitats based on population and habitat conservation goals rather than land ownership or jurisdictional boundaries. Among other things, each of the participating agencies agreed to:

1. Provide leadership representation on the Bi-State Executive Oversight Committee.
2. Provide staffing assistance and support to the Bi-State Strategy Team, the Bi-State Technical Advisory Team and the Bi-State Local Area Working Group.
3. Share technical expertise and data regarding greater sage-grouse populations and habitats within the Bi-State DPS.
4. Identify and implement management actions that will provide for the long-term conservation of greater sage-grouse populations and habitats within the Bi-State DPS [area].
5. Support the review, update, and continued implementation of the Greater Sage-Grouse Conservation Plan for the Bi-State Plan Area of Nevada and Eastern California.
6. Consider the identification and implementation of greater sage-grouse conservation actions within the Bi-State DPS a priority for their agency.

The Bi-State Technical Advisory Team includes biologists assigned by the EOC from each participating agency. The Technical Team is responsible for providing technical guidance and identifying actions necessary for conservation of the Bi-State DPS. The Technical Team conservation recommendations are presented in this Action Plan. The members of the Team are identified at the end of this document.

Past, Present, and Future Actions For Conservation of the Bi-State Sage-Grouse DPS described in this report are provided to respond to the request for information from the EOC and also serves to meet the Bi-State LAWG objective to update the 2004 Conservation Plan. This Plan compiles information on conservation projects and efforts that have been accomplished since the 2004 Conservation Plan was completed and documents projects that are ongoing and will be implemented in the 2012-2013 timeframe and beyond. A supporting feature of the 2012 Conservation Plan is the Geodatabase that holds spatial and quantitative information about projects and populations in the Bi-State DPS area. The Bi-State Geodatabase will be maintained by the Bishop BLM.

The Bi-State Action Plan includes a strategic, science-based adaptive management approach for future project planning, evaluation of project, effectiveness, and identifying quantifiable risks to each life stage of the population.

The 2012 Conservation Action Plan will be amended annually to augment the Bi-State Geodatabase with updated information on projects completed, ongoing projects, and

proposed projects developed through the Adaptive Management Plan or other planning processes. The plan amendment will document planning decisions and monitoring results from the previous fiscal year (October 1 – September 30) and layout a scope of work for the following year. Updates to the Plan and the Geodatabase will be submitted to the EOC by November 30 of each year.

1.1 Background on the Bi-State DPS

Much of the available genetic, population, and habitat data characterize the Bi-State DPS as a genetically diverse, locally adapted meta-population consisting of several relatively small, localized breeding populations distributed among suitable sagebrush habitats throughout the Bi-State area. In 2001, the Governor's Team delineated six Population Management Units (PMU) for the Bi-State population area as shown in Figure 1. Sage-grouse populations occurring in the Long Valley portion of the South Mono PMU and the Bodie PMU are the largest and best documented populations within the Bi-State area. Key habitat in Nevada is shown in Figures 2, 3, and 4. Public lands administered by the BLM and USFS and private lands provide important habitat for populations of greater sage-grouse within the Bi-State area. Land ownership and extent are summarized for each PMU in Table 1

Table 1. Population Management Units and Land Management Status in the Bi-State DPS Area.

PMU Name (In Geographic Order from North to South)		Land Management / Ownership Distribution (acres) [check acres]					
	Size	BLM	USFS	Native American	Private	State / County	Dept. of Defense
Pine Nut	574,373	344,791	70,492	60,000 (approx.)	144,798	13,758	
Desert Creek - Fales	567,992	6,110	493,612		65,716	2,552	
Bodie	349,630	180,022	81,382	40	58,952	6,081	
Mount Grant	699,079	279,916	300,910	27,963	41,945		48,936
White Mountain	1,753,875	1,455,716	245,542		52,616		

South Mono	579,483	1200,775	312,084	441	17,662	3,944	

1.2 Lek Survey Methods and Population Summaries

In the Nevada portion of the Bi-State DPS area, sage-grouse leks are monitored by three separate methods. Lek counts and lek routes are conducted by various agency personnel and volunteers. Lek counts and lek routes follow accepted protocols developed in Connelly et al. (2003). These monitoring techniques are applied multiple times in a given breeding season for known active leks; however, additional attention is required in the future to monitor those leks labeled as unknown or inactive. Leks are monitored from approximately March 15 through May 15 of each year. In addition to ground based monitoring, NDOW also conducts intermittent, but fairly common, helicopter surveys of high elevation leks that are difficult to reach by vehicle. Aerial lek counts are conducted in the Pine Nut and Mount Grant PMUs. Five lek locations have been identified in the Wassuk Range (Mount Grant PMU) through helicopter survey, but are currently unsubstantiated as there have been just two years with positive data recorded for these leks (2005 and 2006). The Aurora Lek is also surveyed via helicopter. This lek appears to be a relatively large lek within this PMU ranging between 14 and 94 birds over the last seven years.

In California sage-grouse lek surveys in the Bi-State area currently employ a "saturation count" methodology for deriving the annual single day peak male count on each breeding complex. Saturation counts require that all known active leks within a breeding complex be counted simultaneously by at least one experienced observer. Counts are conducted on a minimum of three separate days during the period at which the male and female attendance is at a maximum. The annual single day peak count is the survey having the highest cumulative number of male grouse counted on all leks within a breeding complex. Leks are monitored beginning as early as mid-March to determine the likely period of peak occupation. Lek monitoring is performed collaboratively by a team of interagency personnel from CDFG, BLM, USFS and the Los Angeles Department of Water and Power (LADWP). Graduate students from the University of Idaho and University of Nevada Reno and personnel from the U.S. Geological Survey, as well as numerous volunteers, have also participated in past surveys.

Two core sage grouse populations, Bodie Hills and Long Valley, occur in the Mono

County portion of the Bi-State. These core areas annually comprise approximately 94 percent of all strutting males counted during annual lek surveys in California. The remaining six percent of males are counted on leks from three smaller peripheral populations at Parker, Granite Mountain, and Fales. Lek monitoring has been conducted since 1953 in the Bodie Hills, Long Valley and Fales breeding complexes. However, the saturation count method has only been used consistently since 1987 in the Bodie Hills and Long Valley. Annual lek monitoring efforts prior to 1987 did not always involve multiple counts because of problems associated with observers, weather constraints, and road access due to snow.

Pine Nut PMU Population Summary. The Mill Canyon Dry Lake lek located in the northern portion of the Pine Nut Mountains is the only known, consistently reliable lek in the Pine Nut PMU (a correction to the 2004 Plan). Lek counts have been conducted at this lek since 2001. The average male attendance at this lek over the last 11 years is 14.1. Last year (2011) the lek count was 17 males, or 20.6 percent higher than the 11-year average male attendance. The maximum male count was 22 (2003) and the minimum was 6 (2008). The 11-year data set is insufficient for making inferences on population trend. However, an increase in the number of males in attendance has been observed. Recent data collected from radio-marked birds indicates substantial use around the south-central portion of the Pine Nut Mountains and it is likely that another lek occurs in this area. Follow-up surveys scheduled for 2012 should reveal the location of another lek in this area.

Desert Creek – Fales PMU Population Summary - Nevada Portion,

There are four leks within the Nevada portion of the Desert Creek-Fales PMU that have consistent lek count data: Desert Creek #2, Wiley Ditch #2, Wiley Ditch #3 and Sweetwater #2.. These leks are located in large valley bottoms south of Wellington, Nevada to the south end of Sweetwater Flat along State Route 338.The long-term average male attendance for all of these leks is 24.2. In 2011, the average male attendance was 18.3, or 24.4 percent below the long-term average. A decrease in attendance at the Sweetwater #2 lek from 2007 (n=xx) to 2011 (n=xx) is concerning. In 2005 and 2006, 31 males and 30 males, respectively, were observed at this lek. No males have been observed over the last two years and it is not clear why this lek has

seemingly been abandoned.

Other known leks within the Nevada portion of this PMU exhibit intermittent activity. These leks are monitored during each breeding season, however, data for many of these leks are sparse. The potential that there are other undiscovered leks within this PMU is fairly high, especially within the upper elevations of the Pine Grove Hills. More intensive helicopter survey work scheduled in 2012 may lead to the discovery of these leks.

Desert Creek – Fales PMU Population Trend - California Portion. The Fales portion of the Desert Creek-Fales PMU is located in northern Mono County in the general vicinity of Sonora Junction near the intersection of Highways 395 and 108. The Fales breeding complex includes two active and two inactive trend leks located on Burcham and Wheeler Flats. In addition, one lek occurs on Jackass Flat located in the extreme northeast corner of Mono County near the CA-NV state line. Due to the remoteness and inaccessibility of the area, this lek was only monitored in 2003 and 2004.

Initial population monitoring efforts in the Fales area began in 1953 with the counting of Lek 1. Leks 2 and 3 were added to the survey in 1957 and Lek 4 in 1961. From 1953-1980, the average number of males counted on all four leks was 78 males (Figure 4). The high peak count during this same period was 205 males in 1963. Of these 205 males, nearly 50 percent were counted on Lek 1, located within 50 meters west of Highway 395. Annual male attendance on Lek 1 averaged 36 birds from 1957-1970; however, from 1971-1980, that use declined to an average of just 9 males. By 1981, grouse use of Lek 1 had ceased entirely and no birds have been observed on this lek since that time. From 1981-2011, after the disappearance of Lek 1, the average number of males counted within the Fales breeding complex was 27 birds. Lek 4 was last active in 2003 when one strutting male and 3 hens were observed. This lek became permanently inactive in 2006 when a home was built within 50 meters west of the lek. Recent peak male count data from the last decade suggests that although the Fales population is very small compared to historic levels, it has remained relatively stable.

5 females = 1 male
Their model
5 X 205
= 1025
Total
together
at
Sonora
Junction
in 1963

Bodie PMU Population Trend. To date, a total of eight dependable long-term leks as well as numerous associated satellite grounds, have been identified in the Bodie PMU. The majority of these leks are located in the Bodie Hills east of Hwy 395;

however, one trend lek and several satellite grounds occur to the west of the highway. Although leks in the Bodie Hills have been monitored since 1953, this summary examines the trend in peak male attendance beginning in 1987 when the saturation count method was first employed.

The long-term average (LTA) peak male attendance from 1987-2011 was 194 grouse counted on an average of 10 leks (Figure 1). A maximum peak high count of 432 males was obtained for 13 leks counted in 2011, while the minimum peak high count was 64 males counted on 6 leks in 1998.

The period from 1987-2011 is marked by four distinct changes in population. From 1989-1992, the trend in strutting males remained high, ranging from between 128% and 185% of the LTA. This trend was reversed during the period between 1993 and 2003, when the average number of males dropped to between 33 percent and 84 percent of the LTA. Between 2004 and 2009, the trend in strutting males remained relatively stable, fluctuating between 90 percent and 115 percent of the LTA. The period from 2010-2011 was featured by peak male counts that ranged from 153 percent and 222 percent above the LTA. The 2011 count of 432 males was the highest peak male count recorded in the Bodie Hills since 1953. Lek count data for the period from 1987-2011 indicates that the Bodie Hills population has remained relatively stable.

Mount Grant PMU Population Summary. The largest known active lek within the Nevada portion of this PMU is the Aurora lek situated between Aurora Peak and the Brawley Peaks along the Nevada/California border. The average attendance at this lek is 24.8 males; however as many as 94 males were observed in 2006. Fifty-two male sage-grouse were observed at this lek in 2011. This lek is difficult to survey because of its elevation and the propensity of the area to be inaccessible by vehicle due to snow and mud and is normally surveyed by helicopter.

White Mountain PMU Population Summary. CDFG conducted lek discovery helicopter flights in the White Mountain PMU in March of 2006 and again in April 2008. During the March 2006 flight, a total of 206 sage grouse (unidentified as males or females) were observed. Grouse were observed in high elevation (2,875 meters) sagebrush scrub habitat located in vicinity of the Bucks Peak, Red Peak, Iron Mountain, Tres Plumas Flat, and Chatovitch Flat. Because it was still early and in the breeding season and snow conditions were quite deep, these observations do not necessarily

reflect the locations of lek sites. In April 2008, a total of 33 grouse were observed southwest of Crooked Creek in the vicinity of Sagehen Flat and Blanco Mountain.

A sage grouse telemetry study is needed in the PMU to determine lek site locations and important seasonal habitats such as nesting, brooding and wintering locations.

South Mono PMU Population Trend. The PMU is comprised of three breeding complexes, including Long Valley, Parker and Granite Mountain. The Long Valley breeding complex is located in Long Valley and includes eight trend and associated satellite leks situated along the upper Owens River drainage and the Crowley Lake basin. The Parker breeding complex includes one trend lek located in Parker Meadow at the northwest end of the June Lake Loop. The Granite Mountain breeding complex includes two inactive trend leks located east of the Mono Basin in the Adobe Valley and Sage Hen Summit areas.

This summary examines the trend in peak male attendance beginning in 1987 when the saturation count method was first employed. However, it should be noted that maximum high male counts were obtained for Long Valley in 1962, 1963 and 1986, when 408, 405 and 406 males were counted, respectively.

The LTA peak male attendance from 1987-2011 was 250 grouse counted on an average of nine leks. The maximum peak high male count during this period was 370 males in 1987 and the low 165 males in 1991 (Figure 2). Male lek attendance during the 13 year period from 1989-2003 remained either at or below the LTA of 250 birds. Beginning in 2004, peak male lek attendance in Long Valley increased to 140 percent of the LTA and this trend continued through 2007 (Figure 2). Male attendance again declined below the LTA in 2008 and 2009, but increased to 154 percent of the LTA in 2011. Lek count data collected from 1987-2011 indicates that the Long Valley sage grouse population is stable to moderately increasing.

The two trend leks in the Granite Mountain breeding complex have been monitored since 1984 (Figure 3). Since that time, these leks have comprised between zero and three percent of all strutting males counted in the South Mono PMU. Between 1984 and 1994, the Adobe lek averaged 11 males; however, in 1995 the number of males at this lek began to steadily decline until it became inactive in 2001. In 1990, the Gaspipe lek was discovered; however, no strutting males have been observed on this lek since 2008. From 1990-2011, the LTA male attendance at the Gaspipe lek was just 6 birds. Overall,

Creative Thinking Helps Predator Control Programs

AMY TRINIDAD
Sheep Industry News Editor

"In recent years, there has been a growing feeling that we need to be more aggressive in finding additional funding to meet the predator demands."

Sterling Brown, Vice President of Public Policy for the Utah Farm Bureau Federation

Within the past year, two state governments passed legislation to assist livestock producers and sportsmen alike with predator issues – mainly with coyotes. Like many states, funding was the leading concern when it came to the predator damage control programs in Utah and South Dakota; however, state legislators teamed up with state agencies and producer groups in a grass roots effort to increase permanent, ongoing funding for these vital programs.

For a number of years, Utah has had a unique partnership with a number of local, county, state and federal agencies to ensure that the livestock industries as well as sportsmen have had adequate predator control. This partnership was between the U.S. Department of Agriculture's (USDA) Wildlife Services (WS), the Utah Department of Agriculture and Food, the Utah Division of Wildlife Resources (DWR) as well as a number of land owners.

"Through this partnership, funding has been the limiting factor," explains Sterling Brown, vice president of public policy for the Utah Farm Bureau Federation. "It is constantly a push-pull battle to gain additional funding for our state's growing demand."

With no to little increases from federal and state appropriations for predator control programs, the private sector was forced to contribute more money; however, it was not enough to meet the demand of the programs.

"In recent years, there has been a growing feeling that we need to be more aggressive in finding additional funding to meet the predator demands," says Brown, explaining that several rural Utah Farm Bureau members got together and developed an idea of increasing Utah hunting permits to raise more money for predator control programs. Over time, Utah Farm Bureau, sportsman groups and the legislature agreed to a $5 increase.

"Hunters obviously have a lot at stake when it comes to predators. The deer population in recent years has declined for a number of reasons. One of those reasons is the increase in predators, particularly that of coyotes on the fawn populations," explains Brown. "The hunting community has been scrambling to find the best options to reduce predators and let the deer population increase."

This idea of increasing big game hunting permits gained traction in 2012 when Sen. David Hinkins from Orangeville sponsored S.B. 87 Predator Control Funding. This bill called for an additional $5 to be added to hunting licenses specifically for the Predator Control Restrict Account and used by the DWR to fund a predator control program of predatory animals. This fee is expected to generate $600,000 for the coyote bounty program.

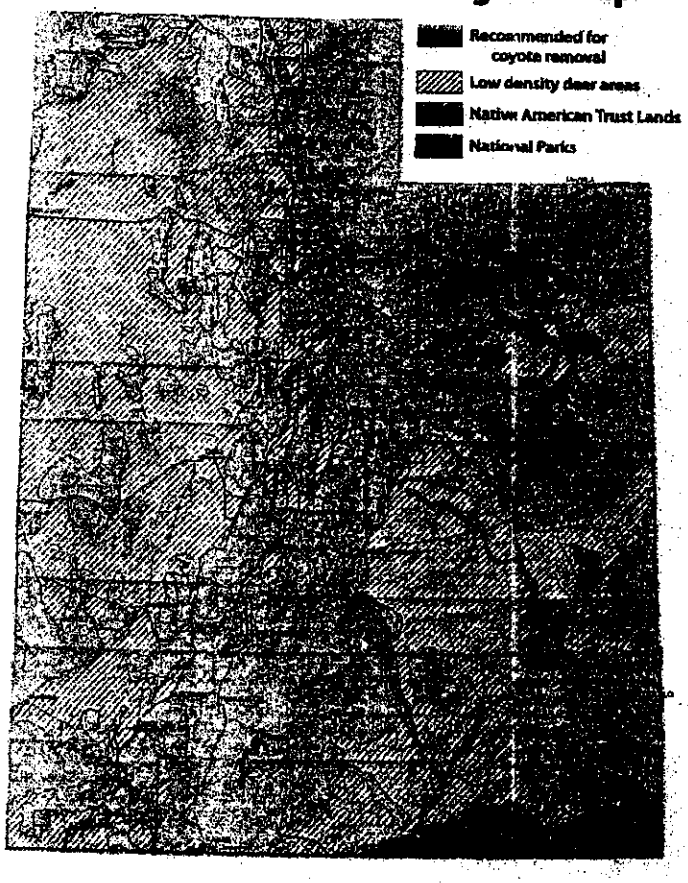
At the same time, another piece of legislation was passed by the Utah state legislature – S.B. 245 or the Mule Deer Protection Act – which allocates a total of $750,000 of ongoing funding for the state's predator control programs. As part of this funding, the DWR implemented a new predator control program that provides incentives for members of the public to remove coyotes. Participants in this program can receive $50 for each properly documented coyote that is killed in Utah. Although this program is designed to benefit mule deer populations by targeting coyotes, it comes as a benefit to the livestock industry as livestock and deer share many of the same lands in Utah.

Sponsored by Sen. Ralph Okerlund of Monroe, Utah, this bill allocates $250,000 to the DWR to combat predators that prey specifically on deer herds, $250,000 to USDA/WS for aerial predator control and the remaining $250,000 will be allocated to the Utah Department of Agricultural and Food to increase funding for the existing coyote bounty program.

According to John Shivik, mammals coordinator with the DWR, 6,724 coyotes have been turned in from September (the date when the agency starting payments) until mid-May which he says is in line with the DWR's expectations.

"Based on the sheer magnitude of the number of coy-

Utah's Predator Control Program map



otes checked in, the program is running rather smoothly," says Shivik, explaining that it is too early to tell if the program is having any impact. The DWR will be looking at the locations of where the coyotes were killed and comparing that data with mule deer populations to see if progress is being made; however, Shivik says that will take a few years to sort out.

Talking about all the new funding for the state's predator control programs, Brown says, "We feel like 2012 was a banner year to help sportsmen and livestock producers combat predators. So far we fill optimistic that we are on the right footing here and setting the stage of a brighter future for these groups."

Those at the Utah Wool Growers Association concur. Matt Mickel, treasurer of the organization, says, "The Utah Wool Growers are thankful that the state legislature stepped up in good faith to help with our depredation issues from coyotes. We are thrilled to hear that many coyotes are being taken."

Further to the northeast, members of the South Dakota state legislature this year passed an act to increase the surcharge on certain hunting licenses for predator control purposes, approve temporary funding provisions relating to predator control and to declare depredation an emergency.

Rep. Betty Olson, South Dakota

"We are just being run over by coyotes and our predator boards were just flat out of money," relays Rep. Betty Olson of Prairie City, who operates a ranch with her husband and introduced the legislation.

In South Dakota, a combination of county government, state and USDA funds, in addition to private funds collected through predator districts, are used to help manage depredation. According to Max Matthews, president of the South Dakota Sheep Growers Association, funding for the animal damage control program in South Dakota was cut in 2007 which lead to the elimination of the aerial hunting program and a couple trappers. "This reduction to the animal damage control program could not have come at a worse time," he explains. "The mange that had been hitting the coyotes was on the decline. As a result, the coyote numbers across the state were increasing at an alarming rate. The state trappers had too much area to cover and not enough time allocated to the program to be able to manage the coyote population."

In the past few years, aerial hunting has returned to South Dakota through WS and although this has helped manage the coyote population, Matthews says their numbers are still increasing resulting in more dollars lost to the livestock industry.

This new legislation to help manage the coyote population, which was signed into law on March 25, went into effect on July 1 and increases the surcharge on certain hunting licenses from $5 to $6, in other words, raises the fee of hunting licenses by $1. Olson

explains that the original $5 fee is deposited in a special fund known as the South Dakota sportsmens access and landowner depredation fund which deals with situations like deer in hay fields and geese in corn fields. However, the additional dollar will only be used for animal damage control programs such as increasing aerial hunting and reimbursing trappers.

"Although the legislation was scheduled to go into effect July 1, livestock producers needed the help immediately so we wrote a cash transfer clause into the bill. We borrowed $160,000 from the Department of Game, Fish and Parks to fill in the time gap," Olson explains.

These funds will be repaid with interes based on the cash flow fund rate no later thar June 30, 2014.

"We figured with the new revenue coming in, it should more than cover the loan by nex year in addition to funding the program," Olson relays, saying the program should bring in around $200,000 a year.

"The increase in funding should return the animal damage control program back to where it was six years ago," explains Matthews. "Controlling the coyote population to a manageable number can only be done through the funding of an effective anima damage control program. Without the funding, the predation to livestock and wildlife cannot be controlled."

As was the case in Utah, this legislation was seen as favorable by a majority of the sportsmen's groups. South Dakota had also seen a decrease in wildlife due to the number of predators.

Olson worked on a number of pieces of legislation to assist livestock producers this year including:

- S.B. 205 adds the wolf to a list of predators in South Dakota as soon as they are taken off the endangered species list. Olson explains that the wolf is considered endangered in the western side of the state, but not in the eastern side. The Missouri River marks the dividing line. Therefore, as of July 1, wolves were considered predators on the east side of the Missouri River; however, they remain protected until delisted on the western side of the river.
- Due to the fact that local predator control districts are strapped for cash, H.B 1168 authorizes county commissions to increase their predator-control levies on sheep and cattle; however, Olson says this legislation must be passed by 51 percent of the livestock producers in the district in order to take effect.
- H.B. 1167 restructures the policy advisory committee for animal damage control. As it stands currently only the animal damage control supervisor, the secretary of Game, Fish and Parks and the secretary of agriculture are the only three on this committee, which hadn't been active since 2010. This bill that was passed adds a member from USDA/WS, the South Dakota Sheep Growers Association, the South Dakota Cattlemen Association, the South Dakota Stock Growers Association, the South Dakota Farmers Union, the South Dakota Farm Bureau and the South Dakota Wildlife Federation and requires the group to meet at least once per year.

Sage grouse need cattle and ranchers

By KENNY BENTZ
For the Capital Press

Guest comment
Kenny Bentz

The ongoing debate concerning the possible Endangered Species Act listing of sage grouse brings to mind the issue of how do we, as a community, influence the decision so as to retain our property rights and the ability to continue in business?

We can argue that the drive to have an endangered species listing for the sage grouse has nothing to do with the bird but is only a method to place millions of western acres, both public and private, under nonresident control. This is not just an agricultural industry problem. If successful, this listing will completely change the way that those of us indigenous to the sagebrush desert will be able to conduct our lives. Make no mistake, to many in the opposition this is another battle in a war to once again remove the humans making their home in the open spaces of the western United States.

I believe that we should stick together, those creatures that actually live here. That means all of us, including the sage grouse. We, indigenous humans, are the native environmentalists. Who better to know the land and the creatures? Who would have more affinity for the high desert landscape? Why have we allowed the debate to frame those of us who have lived here for generations, as people who pillage and plunder nature? Why would the opinion of someone who has chosen to live elsewhere carry more weight than the facts presented by those of us that the decision actually affects?

To this end, we must come to the rescue of one of our own, the sage grouse. A listing of this bird and the actions that are proposed will only serve to increase the major threats. We must continue to bring the debate back to what is actually best for the sage grouse and force the opposition to prove how their proposed actions will increase the number of birds by limiting the major threats. These threats are wildfire, predation and loss of habitat. We have, in the range cow, an ally that unknowingly fosters an environment conducive to sage grouse.

Cattle and sage grouse do not compete for the resources. Rather, the cow provides a positive benefit for the grouse each time she takes a bite of grass. She is (1) Reducing the threat of wildfire by removing the fine fuel that carries the fires; (2) Providing cow dung that fosters insects; (3) The primary herbivore removing the coarse grasses which allows the delicate regrowth; and (4) She continues to provide the economic base that keeps the rancher on the land, both private and public. If indeed the goal is to increase the number of sage grouse, the cow is the best tool available.

Wildfire is the number one threat to the condition of the range and specifically the sage grouse. Not only does fire kill the birds, it destroys the habitat by removing the sage brush and opens up thousands of acres to invasive plants.

Well-managed grazing on these lands can go a long way toward controlling wildfire. There are thousands of acres in the West that have no cattle on them and many millions of acres that have a 50 percent or more reduction in the amount of grazing over the last 40 years. That being said, the sage grouse numbers have declined in conjunction with the reduction of cattle allowed on public land.

The production of manure, while sounding like what we often get from Washington, D.C., is important to provide a needed food source for the sage grouse. The cattle and the grouse end up using the same sources of water, which places the grouse in contact with what the cow has left behind. Actual entomology aside, a cow pie attracts insects which attract grouse. This is a plentiful food source during the dry times of the year.

All animals that eat grass prefer the young short grass in the spring or the regrowth later in the year. This includes cattle, deer, elk and sage grouse. In listening to the current debate, many people assume that grouse only eat sagebrush leaves. This is not the case. They also eat tiny forbs and regrowth. The cow is a primary grazer, meaning she can and will eat mature grass plants leaving them the regrow that season. This is a benefit to the rest of the system.

Perhaps the most important benefit the cow provides is an economic reason for a human to manage the land. This manager not only works to maintain and improve the land, he or she limits non-agricultural land development because the private ranch lands remain open working landscapes. With a rancher involved, Bureau of Land Management lands are managed by a businessman paying for the privilege to be on continuous fire watch, build and maintain water systems and control predators among the many other management duties that have a positive impact. The change to the land both private and public would be dramatic without an active, competent manager. What must also be understood is that the indigenous human is not an intruder to our high desert environment, but has been an intricate part of the environment for thousands of years.

An ESA listing of the sage grouse, while creating havoc in the rural West, will result in less sage grouse. Active management of the high desert by knowledgeable, competent, motivated, "native environmentalists" will provide an economic base for our rural communities and ensure that we can keep our beautiful, diverse, open West intact (and thriving?)

Kenny Bentz owns and operates ranches near Crane, Ore. He is passionate about increasing local control and preserving property rights.

EXHIBIT #3

EXHIBIT #4

Western Ag Reporter Thursday Feb. 13, 2014

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33 of the January 30 issue of the paper) the comments I wrote on behalf of the Beaverhead Outdoors Association on the state sage-grouse plan. I have sent them to Senator Brenden and Rep. Schwaserer but was unable to find an e-mail address for Mr. Stoneberg. All three have great points.

Thank you for a great paper and all you do!

Steve Jennings
Email

...a person can't say something positive, he should not say anything at all. As far as his subscription renewal, I think your paper would be better off without his.

Have a good week.

Darrel Kisler
Warden, WA

Five sons... what riches!

Linda, I have five sons. Three are helping run our ranch. We also have a grandson working here, which is good!

When I was listening to our President, I didn't hear anything about agriculture. I wonder why? Maybe because they want cheap food as usual. So be it!

We sold our calves yesterday. They brought a real good price, but not in line with what we have to pay for tractors and trucks.

You folks are doing a good job out there! Keep up the good work. I read Pat's "As I See It" and "Bill's Warbag" first. Then I let my sons read it.

Sage hen letter

Ed Miller
Spearfish, SD

The MAIN reason...

To the Five-Star Editor! I missed the meeting on the sage chickens on the 29th. But I do have an opinion on what has happened to the numbers. Of course we have the farming, livestock, loss of sagebrush, drilling for oil and gas, plus human movement into subdivisions, all of which I think plays only a MINOR cause of the decrease in numbers.

I think the main reason is the increase of predators, both on the ground (four-legged ones) and of course the birds. We have all of the eagles, falcons, and more crows and ravens than I have ever seen before. They eat the eggs, and I am sure this has been discussed and debated somewhat.

Going back in history in Powder River and Carter counties when Montana had a great number of sheep, we had a high rate of predator control. With 1080 poison, trapping, and aerial control, sage chickens were most everywhere. In fact, I know in those two counties that it was a hunter's paradise for all the birds and game animals. Now that the sheep numbers are just over 200,000 in the whole state, we have not been controlling the predators like we used to, and we now have what we have. Eggs are easy to find, and of course, live sage chickens are quite tasty to the predators.

I have thoughts on the wolf situation also. First of all, it was illegal because the Canada wolf was not what we had. Secondly, it was an idiot idea put together by a bunch of idiots. Look at the cost and damage it has done to the state they brought them into. It scattered the elk carrying brucellosis to the cattle all over several states.

Buffalo, one sentence on this subject: Have the Livestock Commission, FWP, and Park Service check with the Custer Park in South Dakota on how they handle their buffalo as it really works.

I hope this will in some way open eyes on the above subjects.

ASAP (Always Say A Prayer!)

Willard L. Moore
Columbus, MT

Editor's note: Whoop whoop! Five-star editor? Oh that's the nicest thing anybody has called me in a long time! Maybe I'll get a name tag saying "Linda Grosskopf, Five-Star Editor of WAR, Five-Star Paper" ... how would that be? LG

NO FARMS-NO FOOD

Linda, I thought you might be interested in the letter and bumper sticker we received in the mail from the American Farmland Trust. The bumper sticker is like the NO FARMS-NO FOOD sticker mention in the January 16 issue of WAR. The address for American Farmland Trust