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F.I.M., CORP.

Farming and Livestock

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July 29, 2013

Please Read the complete packet, you will see that the 25 years between 1950 and 1975 were the years the sage hen and other wildlife flourished into to their highest numbers. Those were the years predator control was at its best. We had four times more trappers then and good toxicant control. We also had much higher numbers of livestock on the ranges those years. The State of Nevada and the Federal Government have cut trappers and monies to the Wildlife Service by one half which is just the opposite of what they should do to enhance the sage hen.

Area concerned includes our allotment within the three Units: Bodie Unit (Mt. Biedeman, Rancheria Gulch, and Little Morman Allotments), Pinenut Unit (Spring Gulch Allotment), and Desert Creek Unit (Sulpher Allotment).

We have had pinion encroachment over the last 60 years, and a drought for last 25 years which has also affected the sage hen.

If there are any questions please call.

(S) Fred Fulstone

June 11, 2013
Smith Valley Library
Fred Fulstone

Agriculture is our No. 3 industry and it supports sage hen and wildlife more than anyone. Grazing is a big business. Grazing lands in the US amounts to some 770 million acres and are used by 100 million head of domestic livestock. Grazing is the foundation for an industry that generates \$40 billion in Ag income annually. The special interest and extreme environmentalist are suing the USFWS because they haven't listed the sage hen. Grazing lands are in the best shape in over 100 years scientists report. Our family has been working very close with all agencies.

Where is the scientific evidence and commercial data that the sage hen are dying from malnutrition or poor habitat? The Livestock Permittees, the Forest Service and the BLM have been working together for the last 70 years to improve the habitat for livestock and wildlife, and they have done it. (See article #1**pass out) The livestock people are on the range 24/7 and I don't think they have ever seen a sage hen dead from starvation.

There is no scientific evidence or facts that the sage hens are dying from starvation. This is all supposition used by some agencies and extreme environmentalist. (**article attached) If the sage hen is listed it will cause an adverse economic impact on the agricultural people. (Read Scalia Supreme Court Decision)

To increase the sage hen we must control the hawks, ravens, coyotes, and rabbits in areas of livestock grazing.

If the sage hen is listed the Forest Service and BLM will be forced to interfere with our grazing cycle, possibly close some areas and put us out of business which would certainly affect the community.

We must concentrate to keep our allotments open with good managed grazing which we have now.

In order to increase sage hen numbers, we should consider transplanting some of the Bi-State Birds into new areas where there is good habitat.

There are millions of acres of good sage hen habitat out east of Walker Lake just clean up the predators first.

I don't think it is good policy for the national welfare of the people to destroy the livestock industry to think they are keeping the sage hen. This is not true.

Are we the people so rich and elegant, that we can destroy the whole livestock industry here in the west just to look at this bird? We must find a way to save both. It is there.

As I have worked with and watched this committee from its very first day in Yerington, Nevada many years ago. I would hope that this committee does not target livestock grazing as a major concern to save the sage hen. I don't know for sure, I would hope everyone on this committee will vote against listing the sage hen. If the bird is listed it will be more difficult to manage due to the ESA regulations. Very few listings have ever helped the species.

The Forest Service and BLM are already panicking. I don't think they want to stop all grazing. They are not sure what is going to happen. Neither are the permittees. The permittees and the grazing agencies should be given more time to work together and figure out a plan to enhance the sage hen and save the livestock operators.

Number 1 is to control the predator by getting more money to the Wildlife Service. There is 75000 acres of good sage brush and grass habitat right next to the Desert Creek lek that should take care of lots of sage hen if we can keep them from the predators.

I want to give you one more example why I know we should control predators.

In the years 1950 to about 1975 we had 100's of pheasants on our ranches here in Smith Valley.

Dr. Mary Fulstone would have her Lyon County Annual Doctors meeting and Pheasant hunt every year for about 20 years. There were hundreds of pheasants everywhere; it didn't take long to get their limits.

Then in the 70's the government stopped the toxicant program for coyotes and birds disappeared.

Also the Fish and Game tried to plant some more pheasant but they all died.

My son-in-law, a dentist here in Smith valley raises about 300 pheasants every year and plants them on the ranch. We are trying to get them going on their own by planting a little wheat, but the hawks generally finishes them off. We see the hawks killing them, feathers everywhere. This is the same for the sage hen.

My last word is that you can't enhance the sage hen by discontinuing grazing; you would probably make it worse.

IWGA members seen out and about...

Convention 2002, Sun Valley, Idaho



...at Banquet Mr. & Mrs. John Oliagu, Conans & Spence Rule, and Jeff Siddaway.



Lucille Wilson, Hammett, and family after receiving a lifetime achievement award from the industry.



Spence Rule, Mike Gwerry, and Ron Cole discuss the current lamb market.



Idaho Commissioner Dr. Barry Dueltke with son, Tim, at the Sun Valley Lodge.



Dr. and Mrs. Al Ward, Caldwell, upon receiving an award for his outstanding research.



Brian Bean, San Francisco, listens to a speaker at the banquet in the Lodge Dining Room.



Larry Memman, Utah, a wool buyer for Roxwell Wool, talks back and converses with members.



A lifetime achievement award was presented to John & Judi Paulkner, Gooding at the President's Banquet.

Classified Ad's

Free to a good home. One 4 yr. male gilded llama. Not suitable for packing, but could guard. Reliable owners, Call Pat at 208-846-8700

Wanted
Interested in buying an old sheep wagon.
Jon Cates 817-304-1999

Grazing lands are in best shape in over 100 years, scientists report

by Mark Steele

An issue paper by a prestigious group of science organizations and individuals may put the emotional topic of livestock grazing on public lands into perspective for both livestock owners and environmental advocates, and those who will be making public policy in the future.

The "Environmental Impacts of Livestock on U.S. Grazing Lands" was released last month by CAST - the Council for Agricultural Science and Technology, which is a nonprofit organization composed of 37 scientific societies, along with many others.

The conclusion of the task force was that properly managed grazing lands provide positive environmental benefits. They point to clean water supplies, the capacity to sequester or tie up carbon and

carbon dioxide that can help the "Greenhouse Effect," and that grazing has the potential to maintain biodiversity.

This reports is not a rubber stamp for the livestock industry. It clearly points out the negative effects on soil and water quality, riparian areas, biodiversity, and invasive plants if not managed properly.

"Livestock grazing, however, is one of the few tools available to natural resource managers for developing and maintaining desirable plant community structure, decreasing fuel loads to decrease wildfire risks, and regulating nutrient cycling in the ecosystem," the report stated.

The scientists summarized that the environmental impacts of livestock grazing can be prevented or controlled by when grazing is done, how long, and the

intensity that livestock graze. The key, they said, to sustainable grazing is managing the vegetation cover, not just for livestock, but to hold the soil in place, filter water, and to recycle nutrients.

Grazing is a big business. Grazing lands in the U.S. amount to some 770 million acres and are used by 100 million head of domestic livestock. Grazing is the foundation for an industry that generates \$40 billion in ag income annually.

The report points out grazing animals are a natural and important component of most of the grassland ecosystems and included the large animals such as bison, elk, deer, antelope, and even prairie dogs, grasshoppers and mice.

"Domestic livestock have displaced
(continued on next page)

2002 Resolutions

(continued from previous page)

ascertain native grazers (and) humans have assumed the role of land and forage managers, often deciding which grazers should use the forage and to what extent," the issue paper stated.

Another point made was in many ecosystems more grazing occurs below the soil surface than above it by soil insects, nematodes, and other organisms.

Grazing can be used as a tool to change the vegetation to reach management objectives, such as decreasing the grasses and increasing shrub growth. Some Fish and Game biologists have noted that the decrease in numbers of domestic sheep in the West and the decrease of brush fires, coincides very closely with the fall in numbers of mule deer. They wonder if a slow change in habitat has favored grazing animals such as elk over mule deer, antelope, and even sage grouse.

The CAST scientists note poor grazing practices that lead to overgrazing can accelerate soil erosion, but if properly managed, increases in soil organic matter may be greater in grazed lands than ungrazed lands.

One of the more important observations made about grazing in the report may be the role grazing lands will play in sequestering or tying up carbon dioxide than the shrub lands that most people believed were more efficient.

"Grazing lands may be used in the future to influence the global carbon cycle and to take up more CO₂ from the atmosphere," the task force stated.

The report pointed out several negatives from improper grazing, including overwidening of streams and shallow areas that can increase water temperatures.

Another area of concern was heavy grazing in riparian or wetland zones that can significantly effect surface and ground water quality, with significant impacts on aquatic life.

The researchers said that excluding grazing animals from ecosystems that evolved with grazing may actually decrease biodiversity through dominant competition by other plants.

In the report...the conclusion by the task force was that the overall condition of grazing lands was much better than 100 years ago.

Reprinted from the Curibou County Sun, Vol. 71, No. 8

IWGA STANDING RESOLUTIONS
All resolutions will be before the membership for consideration at the General Session.

WOOL CONTAMINATION

WHEREAS, contamination of wool by scourable paint and paint that bleeds out during the scouring process is a problem to the textile manufacturers which costs the sheep industry in both reputation and monetary returns, and

WHEREAS, contamination of wool by polypropylene (plastic) (wine) also remains a significant problem.

NOW THEREFORE, be it resolved that the IWGA urges all wool growers to follow the manufacturers recommendations for the use of sheep paint, not allowing the branding paint in any way, and IWGA urges wool producers and paint manufacturers to be aware of polypropylene contamination and to take those steps necessary to assure that wool clips are free from this type of contamination.

PACKER CONCENTRATION

WHEREAS, the concentration in the meat packing industry has dramatically increased, and

WHEREAS, this concentration has taken the form of vertical as well as the more traditional horizontal concentration, and

WHEREAS, this concentration certainly inhibits and stifles the free market in a very detrimental manner to sheep producers, and

WHEREAS, the Attorney General of Idaho has joined with regional and national associations of attorneys general to address packer concentration,

NOW THEREFORE, be it resolved that the IWGA supports investigation and urges appropriate action be taken to insure that the products of the sheep industry have access to fair markets.

NAFTA/GATT AGREEMENTS

WHEREAS, the North American Free Trade Agreements and the General Agreements on Tariffs and Trade have caused innumerable financial difficulties for Idaho Farmers,

WHEREAS, the allowing of excessive imports from countries where the farmers are subsidized to a greater degree than American farmers makes it much more difficult for small, family farmers to compete, not only in the larger world markets, but locally as well,

NOW THEREFORE, be it resolved the IWGA supports the re-opening and re-examination of NAFTA and GATT to amend and modify these agreements so that they better meet the needs of the sheep industry and all of

agriculture in general.

U OF I RESEARCH & EXTENSION

WHEREAS, the College of Agriculture, University of Idaho, is responsible for providing the Idaho agricultural industry and rural communities with new technology and education programs to assist with problem solving so that the industries and communities can remain competitive and viable, and

WHEREAS, the U of I Caine Veterinary Research and Teaching Center, Caldwell, Idaho, is part of the College of Agriculture and has proved to be invaluable to Idaho's livestock industry, and

NOW THEREFORE, be it resolved that the IWGA supports the Agricultural Research and Extension Budget, of which the U of I Caine Veterinary Research and Teaching Center is part of, and urges the Idaho Legislature to approve a budget for the Research and Extension programs of the College of Agriculture that provides an increase in funding for services and programs being provided by the U of I Caine Veterinary Research and Teaching Center.

CAINE CENTER FUNDING

WHEREAS, the UI Caine Center has been a valuable resource to Idaho's livestock industries, and

WHEREAS, the Center has also proven invaluable for disease research concerning Idaho's wildlife resources, and

WHEREAS, funding is a critical concern for the Center,

NOW THEREFORE, be it resolved that the IWGA support the continuation of the \$100,000 to the Center for livestock/wildlife disease research,

NOW THEREFORE, be it further resolved that IWGA supports efforts to develop an animal health laboratory that consolidates the ISDA Animal Health Laboratory, the IDF&G Wildlife Laboratory and the Caine Veterinary Teaching and Research Laboratory into a single expanded laboratory that will serve the needs of Idaho animal industries and wildlife for animal health laboratory services.

ADC PROGRAM SUPPORT

WHEREAS, the Wildlife Services (ADC) program is of extreme importance to Idaho's agricultural industries, particularly the sheep industry, and

WHEREAS, Idaho's livestock industry is continuing to realize substantial losses due to increasing predator populations, and

WHEREAS, wolf recovery has increased costs to ADC,

NOW THEREFORE, be it resolved that the IWGA strongly urges all cooperators in the program, including county, state and federal levels, to support the program so it may

article # 2

Washington

PATRICIA PEAK KLINTBERG, Farm Journal Washington Editor

To cut taxes or not to cut



USDA analysis shows farmers pay capital gains taxes three times more often than other taxpayers and estate taxes six times more often

Paying for cuts is the kicker
The new found civility between Republicans and Democrats will be sorely tested by the debate about tax cuts and how to pay for them. Both parties acknowledge that estate and capital gains taxes create economic distortions in agriculture.

A USDA analysis shows farmers pay capital gains taxes three times more often than other taxpayers and estate taxes six times more often. Yet the administration proposes capital gains tax relief for home sales only—which is more gesture than substance since strategies already exist to avoid capital gains taxes on homes. Likewise, the proposed estate tax change just gives heirs extra time to pay off Uncle Sam.

However, there is increasing interest in a solution that both parties may embrace: indexing the estate tax exemption and capital gains taxes for inflation.

Consider that the \$600,000 estate tax exemption, effective since 1987, would be \$1 million today if it had been indexed. Look at what happens to the capital gains tax on an acre of land purchased in 1966 for \$158 and sold in 1996 for \$890: if indexed, the tax is \$47/acre, if not, it's \$205/acre, says USDA Chief Economist Keith Collins.

Indexing won't fly unless Congress can pay for it. Since discretionary federal spending amounts to about one-third of the total budget, it will be tough to scrape up enough to offset tax cuts. That's why there is talk of "correcting" the Consumer Price Index (CPI), thought to overstate inflation by

living increases, a mere 1% cut in the CPI saves \$141 billion over five years.

Civil rights gripes breed more bureaucracy

It is hard to believe that a farmer seeking information about programs could be denied timely help at the county level. For farmers to whom this has happened, it is even harder to prove.

After listening to minority and low-income producers, Agriculture Secretary Dan Glickman is convinced "the structure by which we implement agricultural programs is not accountable." Yet his solution to federalize Farm Service Agency (FSA) employees so they are no longer accountable to farmer-elected county committees promises more bureaucracy, not more accountability.

He would appoint two members of each county committee to reflect racial and sexual diversity, and create civil rights complaint offices in every agency.

Meantime, USDA's own inspector general found the present civil rights office far from a model. It had 241 complaints backlogged. Of the 151 cases dealing with credit, 73 complain of being denied loans due to discrimination. Yet producers were dealing with then-federal Farmer's Home Administration employees.

Property rights victory

In a major victory for property rights advocates, the U.S. Supreme Court handed down a unanimous decision that landowners have the right to contest enforcement of the Environmental Sta-

adverse economic impact.

The case involved a group of Oregon farmers and ranchers who sued the U.S. Fish and Wildlife Service after the agency diverted irrigation water to maintain minimum water levels for two species of fish, causing the farmers and ranchers to sustain crop and livestock losses. The Ninth Circuit Court of Appeals ruled against the landowners.

In the Supreme Court decision, Judge Antonin Scalia writes: "The obvious purpose of the requirement that each agency 'use the best scientific and commercial data available' is to ensure that the ESA not be implemented haphazardly on the basis of speculation or surmise. While this no doubt serves to advance the ESA's overall goal of species preservation, we think it readily apparent that another objective... is to avoid needless economic dislocation produced by agency officials zealously but unintelligently pursuing their environmental objectives."

Limited CRP extension?

Rep. Jerry Moran (R., Kan.) proposed legislation to allow current Conservation Reserve Program (CRP) contractors who bid and are denied entry into the new CRP a one-year extension. He reasons that if producers don't know if they are in or out until June, preparing grass for wheat planting in September will be difficult.

USDA acknowledges the problem but may support an extension shorter than one year for winter crops only. The new lower rental rates

Read this



Deer in Fred's alfalfa field
1-9-91

I am Fred Fulstone from Smith Valley, Nevada, and have operated my sheep and cattle operation for over 72 years. Our sheepherders live on the range 24/7/365 with the sage hen, deer, and other wildlife. We certainly have learned all about the wildlife and range areas. As you know the Bi-State sage grouse is considered a different sage hen here in Western Nevada, and adjoining California, from the rest of the sage hen. It has been considered to be listed without listing the rest of the Nevada sage hen population. If the sage hen is listed the livestock ranchers could lose their grazing rights. This has happened to me before with the listing of the bighorn sheep in California. If listed people could be put out of their homes if the bird gets on their property or on their patios.

Listing this sage hen would be disastrous for all of us here in the Bi-State area. Some people say the ESA protection should be as a distinct population segment of sage grouse. Others are trying to prove that the local sage grouse are a different variety. Both of these claims are made without good scientific

data to back it up. At least part of the question could be dismissed easily with appropriate Nuclear DNA comparisons. Distinct population segments are based on a population being isolated from any others. The biologist failed to explain how the sage grouse arrived in Smith Valley in the first place, if Smith Valley is so far from the other flocks that they cannot travel to Western Nevada.

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March 27 2013

We must give these birds a chance because they are coming back. Everybody is rushing to quick to list them. They have had a tuff time the last few years because of West Nile, fires, and the drought of the last 10 years. Also the predators have not been controlled, especially the ravens. They are robbing the nests. Also the coyotes and hawks have increased. If we list them, we will have less chance to help them because of ESA regulations. I can't see where the USFWS have saved or helped any species they have listed. They have created lots of problems with the economy where ever they have acted first. Just to mention a few, the spotted owl, the desert turtle and the suckerfish at Klamath Lake. They have all been a disaster for the people and the species. Remember farming and livestock is the 3rd largest industry in Nevada. Some of the sage hen plans have been based on false science and false assumptions.

#1. Emphasized too much on tall grass. The birds need the short tender grass

#2. Cut too many AUM's and left millions of acres of rough grass to burn and at the same time burned up the sage hen and other wildlife.

#3. Prior to 1850 biologist assumed lots of sage hen here, wrong, very few. As settlers came the sage hen increased. The settlers developed water and pasture.

#4. When we had more sheep on the range, we had fewer fires and more sage hen.

#5. The livestock people built reservoirs which made more strutting grounds.

#6. If you list the Bird you will be penalizing the very people who created the habitat, controlled the predator, which helped sustain the Bird.

Submitted by Fred Fulstone on 3-27-2013

Fred Fulstone

For F.I.M. Corporation

Smith, Nevada

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SAGEBRUSH ECOSYSTEM COUNCIL

March 27, 2013

Carson City, NV

Predator control has been proven to be the most important tool to save the sage hen. There are many factual, scientific predation management plans based on data that were made by responsible scientists to prove this. Back history of sage hen numbers also proves this.

Nevada at one time had two million (2,000,000) sheep. Today we have about 60,000.

In the past years when there were millions of sheep on the range there were millions of sage hen and deer on the same range. Sage hen numbers increased because of changes to habitat that came with grazing and from predator control by the shepherders.

The sheepmen started the predation management plan and later had the help of the government, which was called the Wildlife Service. There were thousands of sheep herders with rifles and traps which helped control predators. Also the sheepmen pay a tax of 2 cents per head to help on the program.

The federal government and the state of Nevada have cut their predator control money and work force by two-thirds. Now with fewer shepherders and fewer government trappers we have fewer sage hen.

Cattle have replaced the sheep on the ranges and with fewer sheep there is less money available from sheepmen alone to control predators; everyone must help with the cost of predator control if we are going to increase the sage hen.

As we discussed at the Bi-State sage hen meeting February 8, 2013:

The Secretary of Interior should take into account the extent to which grazing yields public benefits over and above those accruing to the users of the forage resource for livestock purposes. We need to keep multiple use principles. We want the State and local governments to be able to make decisions on our grazing because they live here and better understand our problems.

April 28, 2004

TO: Director, U.S. Fish and Wildlife Service
Assistant Director, Endangered Species, USFWS
Regional Directors, USFWS

FROM: Assistant Secretary for Fish and Wildlife and Parks

SUBJECT: Endangered Species Guidance Letter No. 2, Critical Habitat

Critical Habitat

A. Generally:

Habitat loss is one of the key factors in the decline of species to threatened or endangered status. Habitat is necessary for species to thrive and survive and not become extinct.

The Endangered Species Act sets up an essentially legal construct called critical habitat. This legal process should not be confused with the creation of actual habitat that can be observed and in which species can live. "Critical habitat" is a legal and administrative exercise that adds very little additional conservation benefit to a listed species. At the same time, it creates a tremendous social and economic disruption to the communities that are affected.

Although there are superior methods by which to conserve habitat for species, the designation of critical habitat must be founded on the best available science, an accurate assessment and characterization of existing management and protection measures, and a sound economic analysis. Where there is no data available, or the available data is flawed, speculation must not be substituted. In light of the limited value of critical habitat designations in conservation terms, and the significant costs to society at large, critical habitat designations must be no greater than the habitat identified as essential to the conservation of the species.

B. Important Points:

"Critical habitat" as defined in the Act, will be designated for each species at the time of the listing, except where not prudent or not determinable.

Habitat, as that term is used in conservation biology, is indispensable to the continued existence of species. But, critical habitat designations are only a small element of our nation's conservation strategy and arguably, the most costly. Accordingly, designations should not detract from other conservation efforts that provide greater species benefits. The Service's critical habitat designations must be based on the best available data and accurate, complete

economic analyses. [Economic analyses must be consistent with OMB guidelines. Further guidance on economic analysis is forthcoming.] Critical habitat designations must not be based on speculation or determinations that lack supporting data.

Do not designate critical habitat where existing management or protection measures adequately conserve essential habitat and those measures are likely to continue for the foreseeable future. Protected lands such as state and national parks, wildlife refuges, national forests, etc., are examples of areas that may not need special management or protection.

Designate unoccupied habitat only when occupied habitat is insufficient to provide the limited additional conservation benefit of critical habitat.

The information provided to the Secretary for the relative benefit assessment provided for under section 4(b) (2) of the Act, must be as rigorous as the biological analysis.

Areas covered by a completed Habitat Conservation Plan generally do not meet the definition of critical habitat in section 3(5) (A) for those species whose habitat is conserved by the HCP, whether or not the species is a "covered species" in the HCP.

Pending HCPs are to be considered for exclusion under section 4(b) (2).

Military lands covered by an Integrated Natural Resources Management Plan (INRMP) are not designated critical habitat if the INRMP provides a benefit for the species for which the critical habitat is proposed.

When considering other military lands for exclusion under section 4(b) (2), defer to the military's analysis of national security and military operational and training needs.

When considering state managed or tribal lands, defer to state and tribal assessment of management and protection measures in the absence of contrary evidence.

Working with landowners, local governments, states, and tribes on a voluntary partnership basis often provides conservation benefits superior to the designation of critical habitat.

The "precautionary principle" is not used as a scientific tool in our critical habitat designations. Policymakers may weigh precautionary approaches in the context of risk-based management decisions.

Complete and accurate administrative records are essential to the process of critical habitat designations.

Detailed guidance is contained in the Draft Interim Critical Habitat Guidance dated April 30, 2004. This guidance compiles, in a single document, instructions that have been applied on an ad hoc basis during the last two years. Staff should relay comments and suggestions through their supervisors as they use the guidance. The guidance will be revised based on staff and other comments, experience, and suggestions after there has been an opportunity to apply the guidance.

8-34 4

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**Remarks for the Bi-State meeting at Smith Valley Library on
March 18th, 2013**

Listing the sage hen would threaten our homes and our ranches and it would not save the bird. First we must improve sage hen habitat by controlling the predators that destroy the sage hens, their nests, and their chicks. Refer to enclosed article on Ravens. The birds right after hatching are very vulnerable to everything. Some reports say that we are losing 50% of our nests today and 70% of that loss is from ravens. (Mark Jensen, Supervisor, Wildlife Services, Reno Nevada).

Wildlife Services is in charge of predator control and they have lost 45% of their work force. At one time we had three trappers here – one in Smith Valley, one in Mason Valley, and one in Carson Valley. Today we have one trapper that has to cover all three valleys plus Fallon and Austin. We also don't have a lion hunter anymore.

THINGS WE NEED TO DO IMMEDIATELY TO SAVE THE SAGE HEN:

No 1. We must have more trappers to control ravens, coyotes, badgers, bobcats, and other predators.

No 2. We need to protect the grazing of livestock to control fires and enhance the sage hen. Refer to enclosed article on fires.

No 3. Where open grazing is allowed it accomplishes more than just providing feed for livestock

1. Livestock consumes the fuel that wildfires need to grow.
2. Livestock owners improve the water resource and create new water sites
3. Livestock grazing helps in the natural re-seeding, fertilizing, and cultivating of the grasses, forbs, and brush. This is necessary for the production of the sage hen and other wildlife. Sage grouse follow in the livestock footprints and into the bed grounds (especially sheep). These sage grouse feed on insects and other sources of nutrients left by the animals. It is common to see sage grouse chicks eating the pellets from the lambs which are highly nutritious because it is partially digested milk.

No 4. The livestock generally feed off the tall meadow grasses and forbs in the spring and then as the uplands dry the sage hen come down to the new growth of forbs and short green grasses in early summer. The livestock have to graze the meadows before the sage hen broods arrive to provide this benefit. The meadows that have been grazed are preferred by the sage hens.

No 5. You must remember that sage hen get much of their nutrients from the flies and insects which are abundant around livestock. This is not factored into the habitat plan.

No 6. Livestock on the range offers relief from predation because the predators prey on livestock. When livestock owners kill the predators the wildlife benefit along with the sheep and cattle.

NOW TO KIND OF SUM THINGS UP

Livestock grazing and predator control are the two most important tools we have to save and enhance the sage hen.

During those years from about 1955 to 1980 we had thousands of sage hen in Smith Valley, the Pine Nut Range, and Bodie Hills. Also during those years we had many trappers and the use of toxicants and we controlled the numbers of predators very well. During those years we had ten or more times the numbers of grazing animals on the Federal ranges than we now have and we had thousands of sage hen on the same areas. At the time from 1950 to 1980, when we had thousands of sage hen on the ranges, there were plenty of nutrients on the ranges to sustain the many birds so that proves the nutrients are there and the habitat was sufficient. As soon as the grazing permits were cut by the agencies the trappers and toxicant use was cut down and the sage hens started to disappear.

If you want to save the sage hen then contact the Wildlife Services in Reno. They are probably the most important government service to call in order to manage the sage hen.

We must not let this bird be listed under ESA. Our whole area would come under the control of the US Fish and Wildlife Service and those agency people would write an ESA recovery plan with no regard to local needs. The listing and regulations that follow would be a disaster economically and environmentally to our communities. Everyone would be hurt including livestock production, mining, housing control, recreation such as hunting and fishing, and just about every other aspect of our custom and culture and there is very little possibility of all those regulations resulting in more sage grouse.

The big problem is that the USFWS uses false science to get what they want and conspire with like-minded groups to do that.

For a very good example of how the ESA works, look at what happened in Klamath Falls area after the USFWS listed a sucker fish. This allowed the USFWS to implement their recovery plan and to give all the water in the Klamath Lake to the endangered species. That meant the farmers got no water for their crops even though they and the community businesses faced immediate economic destruction and citizens were forced into personal bankruptcy.

The USFWS was doing everything backwards. After the USFWS took over, about 80% of the sucker fish died.

What is the worse part? The National Academy of Science would later rule that the USFWS recovery plan was based on false science.

Without irrigation water 200,000 acres of farm land and 50,000 acres of wildlife refuge habitat dried up. This destruction was the result of the science used to list the sucker fish was corrupt.

Conclusion

Sagebrush is not a problem, we have plenty of it. Nevada is the sagebrush state. To increase the sage hen numbers and save our rural communities, we must perform the following:

1. Don't list the sage hen
2. Control predators
3. Control fires
4. Improve water supplies
5. Increase our grazing area
6. Get DNA of Bi-State Sage Grouse and compare to others so we know what we are doing. We need responsible action.

Submitted by Fred Fulstone

Fred Fulstone

For F.I.M. Corporation

Smith, Nevada

Nevada's airborne irritants

Ravens threaten endangered wildlife, ranches

By Henry Brean
Las Vegas Review-Journal

LAS VEGAS — Never mind the Super Bowl team from Baltimore, who defeated Northern Nevada favorites Colin Kaepernick and the 49ers.

In Nevada, real ravens pose a growing problem for ranchers, wildlife managers and two well-known species struggling to survive.

The clever and adaptable black bird preys on both the desert tortoise and the sage grouse — the former already protected under the Endangered Species Act, the latter on track to join it.

Efforts to save those species could mean death for more ravens. Already, the birds are killed by the thousands in Nevada each year.

Some people think far more ravens need to die. Others believe the wholesale murder of them won't accomplish anything — and it might just make things worse.

But the raven isn't waiting around to learn its fate. It just keeps reproducing, learning new things and expanding its range.

By some estimates, raven populations nationwide have grown by 300 percent in the past 40 years. In Nevada, the increase is thought to be more like 600 percent.

Humans

The raven succeeds on the spoils of our success. It feeds on our garbage, hunts from our transmission towers and follows our highways to new territory, dining on roadkill along the way.

"We're literally paving the way for ravens to move farther and farther into the desert," Jason Jones, a herpetologist with the Nevada Department of Wildlife, told the Las Vegas



A raven, center left, prepares to take off as other types of birds flock to Apex Landfill north of Las Vegas. AP

Review-Journal.

Common ravens grow to about 25 inches in length and weigh more than 2 pounds. They can live for more than 20 years and survive almost anywhere.

"You find them in Death Valley in the summer and at Prudhoe Bay, Alaska, in the winter," said John Hiatt, longtime conservation chairman for the Red Rock Audubon Society. "They're everywhere there is something to eat."

They're also among the smartest birds around. They solve puzzles, avoid threats and exhibit behavior that resembles play.

Shawn Espinosa, a staff biologist for the Nevada Department of Wildlife, said we should all be glad the birds don't have opposable thumbs.

"They might rule the world," he said with a laugh.

Killing ravens

Almost 20,000 common ravens have been legally killed across Nevada in the past 12

years, according to state figures.

Last year alone, the Department of Wildlife killed 1,997 ravens, three birds shy of the limit set by its U.S. Fish and Wildlife Service permit.

The raven, as it turns out, is a protected species as well. It falls under the Migratory Bird Treaty Act of 1918, which covers more than 80 percent of birds native to the United States. For the time being, state wildlife officials plan to keep killing as many ravens as the law will allow, though they acknowledged that such efforts might well be futile.

There is some research that suggests killing ravens could increase their concentrations — that when a mated pair is killed, two pairs of ravens will take over the open territory, effectively doubling the number of beaks to feed. Even so, the state has spent almost \$150,000 to poison 6,850 ravens in 10 Nevada counties since 2007.

Hank Vogler has been running livestock in White Pine

County for almost 30 years. His spread in Spring Valley, in the heart of sage grouse country, is home to more than 6,000 sheep.

It's also a magnet for ravens, which foul his water troughs, steal food from his rams and kill up to 100 of his lambs each year by pecking out their eyes and tearing at their umbilical cords.

"Let me go to the window," Vogler said by phone one recent Thursday. "Yep. Out where the rams were fed this morning, it's absolutely black with crows."

He can go out and blast away at them with a shotgun, but they're smart enough to keep their distance. If they see him with a gun, they will just wait for him to leave and go back to stealing feed.

As far as he is concerned, killing ravens has proven ineffective only because wildlife officials haven't killed enough of them yet.

"Do I want to see every crow on Earth, every raven, die? No," Vogler said. "But do we need 600 percent more of them than we did before? No."

2012 WILDFIRES ¹²⁻³⁴

67,774 FIRES BURNED 9.3 MILLION ACRES NATIONWIDE, INCLUDING ABOUT 860,000 ACRES IN NEVADA. AT AN ESTIMATED \$1.96 BILLION, IT WAS THE COSTLIEST YEAR EVER FOR FIRE SUPPRESSION. 2013 COULD BE WORSE.



By Jeff DeLong
jdelong@rgj.com

The sheer size of the wildfires that burned across a dry nation in 2012 helped drive the cost of quenching flames to an estimated \$1.96 billion, making for the costliest year for fire suppression ever, experts said.

Fifty-one fires larger than 40,000 acres – including several that burned vast swathes of range in Northern Nevada – cost more than \$580 million to extinguish, according to a summary released by the National Interagency Fire Center.

It's a costly and damaging trend that, with a second dry winter seemingly taking the West in its grip, shows every sign of continuing in 2013.

"It was extensive, among one of the more extensive in recent history," Ken Frederick, spokesman for the Boise-based fire center, said of last year's destructive season.

"It's estimated it will be the most expensive," Frederick said. "Any way you

INSIDE

After coming in \$400 million over budget last year, the U.S. Forest Service says it might let more fires burn instead of attacking every one of them. **3A**

cut it, it's expensive."

Drought conditions in Nevada and across much of the nation combined with warm summer temperatures and often windy days to produce huge wildfires that burned long and charred vast islands of vulnerable terrain, Frederick said.

While the numbers are still preliminary, the estimated \$1.96 billion to fight fire on federal land in 2012 would surpass the previous record of \$1.92 billion in 2006, Frederick said. The bulk of the cost – \$1.5 billion – was spent to battle wildfires on land managed by the U.S. Forest Service. Another \$460 million was spent to fight fire on Bureau of Land Manage-

See **WILDFIRES**, Page **3A**

PAST NEVADA FIRE YEARS, ACRES BURNED

2011 | 417,400

2010 | 23,800

2009 | 33,300

2008 | 71,900

2007 | 890,100

2006 | 1.3 million

Source: National Interagency Fire Center, Western Great Basin Coordination Center, Nevada State Forester

ABOVE: A plume of smoke from the Chips Fire rises above the Plumas National Forest in Northern California, on Aug. 18.

AP PHOTO/LEE BILTO

School police could play larger off-campus role

Wildfires

Continued from Page 1A

ment land, much of that in Nevada.

More than 9.3 million acres burned, roughly matching the amount of land charred in 2007 and only surpassed by the 9.8 million acres burned in 2006.

The second-largest fire in the country last year was the lightning-sparked Holloway Fire, which burned more than 460,800 acres in both Nevada and Oregon.

That fire burned for a month and cost more than \$9.1 million to suppress, according to the center's summary.

The Holloway Fire and two other large lightning fires that burned in Nevada in August, the Bull Run Complex and the Dallas Canyon Fire, cost nearly \$17 million to sup-

press combined.

In some cases, fires burning in remote locations grew so large in part because firefighting resources were engaged fighting other blazes where lives and neighborhoods were at risk, Frederick said.

"It's very typical those types of fires will get a lower priority than fires that are threatening homes," Frederick said. "We simply don't have the army of resources it takes to combat a large number of fires."

A snowy December left many with high hopes 2013 would produce fire hazards at diminished levels from 2012 but a remarkably dry January and February has largely dissolved such optimism, said Nevada State Forester Pete Anderson.

He predicts another busy fire season for the Silver State and others parts of the country.

"We had a lot of high hopes but

unless something turns around, it looks like we're going to be pretty dry," Anderson said. "I know the Forest Service and BLM are both very concerned. You just never know where that fire is going to start and who is going to be impacted."

"I'd say we're looking at something comparable to last year. It's been pretty dry," Frederick agreed. Early season fire danger will be dictated to a large degree by what happens in the spring and how mountain snowpacks melt, he said.

Whatever happens in 2013, studies indicate a warming climate could bring fire seasons of the future that significantly surpass what occurred last year, Frederick said.

"It won't be surprising if we start to see 10- to 12-million acre fire seasons," he said. "It could happen. It may well happen."



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Photo 1. In our tests, any sheep which ran from coyotes usually were pursued and attacked. Coyotes generally select lambs over ewes if they have a choice.



Photo 2. Our coyotes usually attacked by running alongside fleeing sheep and biting them behind and below the ear. Then they braced their feet to stop the sheep from running. In this picture two 2-year-old coyotes are attacking a 90 lb. ewe.

Cover story

How Coyotes Kill Sheep

By Robert M. Timm and
Guy E. Connolly

COYOTE PREDATION is a serious problem for many sheep ranchers in North America, but the act of predation is seldom witnessed under range conditions. Therefore, the sheep-killing behavior of wild coyotes has received little study. In experiments with captive animals, we

obtained photographs which illustrate what we believe to be the usual mode of coyote attack on sheep. The resulting wounds are characteristic of coyote predation, even though dogs or other predators may sometime inflict similar wounds.

The 12 coyotes used in this study were either captured as pups or born in captivity. At the time of these trials, eight of the animals were 2 years old and four were yearlings; none had had previous hunting or prey-killing experience. Nevertheless, five of these coyotes killed and fed upon lambs at the first opportunity. Three more coyotes, which did not attack sheep



Photo 5. The throat attack pattern of coyotes leaves characteristic lesions which may or may not be externally visible. This coyote-killed ewe showed few external wounds, but sub-cutaneous examination revealed extensive tissue damage and hemorrhaging in the larynx region. Tooth punctures can often be found in the overlying skin.

Robert M. Timm is currently Extension wildlife specialist, University of Nebraska, Lincoln; and Guy E. Connolly is wildlife research biologist, U.S. Fish and Wildlife Service, Wildlife Research Station, Twin Falls, Idaho. The research was done when both authors were at the University of California, Davis. The report is a contribution of Western Regional Research Project W-123, "Evaluating Management of Predators in Relation to Domestic Animals". The work was supported in part by the USDA, Agricultural Research Service, Western Regional Laboratory. The authors thank D. A. Wade, W. E. Howard, W. M. Longhurst, R. Teranishi, and E. Murphy for advice and support; A. H. Murphy, D. T. Torell, and A. Hulbert for sheep; M. Vann and C. Berry for coyote pups; J. Fammatre for assistance; and M. Beaucage for photograph number 4. Reprinted from RANGEMAN'S JOURNAL, August 1977, by permission of the Society of Range Management.



Photo 3. As soon as the coyotes arrested the flight of the sheep, they shifted their bite toward the sheep's throat. Once a firm grip was secured in the larynx region, the coyote simply held on and waited for the sheep to succumb. This manner of attack appeared to cause death primarily by suffocation, although blood loss and severe tissue damage also occurred. The time from onset of attack to death of the sheep or beginning of feeding, whichever occurred first, averaged 13 minutes. In 24 of the 25 fatal attacks, the neck and throat region was the main point of attack.



Photo 4. As soon as the sheep stopped struggling, the coyote(s) began feeding. On 9 of 21 kills where feeding was observed, the coyotes entered the body cavity and ate intestines and other viscera. They also fed upon the rump or hind leg (10 cases), the neck (7), front leg and shoulder (7), head (6), and other sites. On the average, each coyote fed for 25 minutes and ate about 4 pounds. Coyotes fed just before tests killed sheep but did not feed on them.

at first, did so in later tests. Of the 11 coyotes which were tested singly against individual 30 to 70-lb. lambs, eight killed the lambs.

In our tests, one to four coyotes were released into a 0.4-acre pen with 1 to 6 sheep, usually for 2 to 5 hours. The coyotes killed one or more sheep in 22 of the 46 tests. For the tests in which a fatal attack occurred, the time from release of coyotes to onset of attack varied from 1 to 154 minutes, with an average of 47 minutes. Of the coyotes tested individually with single lambs, the dominant animals (2-year-old males and the females paired with them) attacked most frequently. Yearling males attacked less frequently, and the two unpaired females did not attack sheep.

While we cannot be sure that wild coyotes will sheep in exactly the manner we observed with captive animals, the wounds resulting from our tests resembled those reported by many workers who studied coyote predation under range conditions. Therefore, we believe that the killing patterns we saw are generally representative of coyote predation on sheep.

On ranges where mountain lion, black bear, and bobcat predation is improbable, tissue damage, tooth marks, and hemorrhage in the larynx

region on sheep carcasses is commonly indicative of coyote predation. However, coyotes sometimes attack the hindquarters of sheep. Dog-inflicted wounds seem to be more variable than those caused by coyotes. It is reported that dogs tend to attack the hindquarters, flanks, head, and/or abdomen of

the sheep and seldom kill as cleanly as do coyotes. Wounds caused by dogs can usually be recognized as such, but at times they are indistinguishable from those made by coyotes. In such cases, tracks and other evidence at the scene often indicate which species of predator caused the damage.



Photo 6. A coyote consumed about 5 pounds from the rump of this 70 lb. lamb without killing it. We have seen range sheep with similar wounds. Of 25 coyote kills we observed, this was the only case in which the attack was not directed primarily to the neck and throat area of the sheep. Extensive feeding on the rump and hind leg, as shown here, also occurred on about half of the sheep killed with the customary throat hold.

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State of Nevada Assembly

February 25, 2012

“I’m not exaggerating, there were thousands”

THE INTRODUCTION OF AGRICULTURE AND ITS IMPACT ON SAGE GROUSE

By all accounts, sage grouse were rare when Europeans first entered the Great Basin, as I documented in two earlier reports.

However, the populations of sage grouse in Nevada rapidly increased following the introduction of agriculture and livestock in the mid to late 19th century. “Clouds” of birds, creating “thunderous” noise as they concurrently rose into flight, are recorded by the 1880’s.

For example, from interviews of “old timers” published by the Northeastern Nevada Historical Society: “Sage chickens (sage grouse) were so plentiful in the 1890’s...they clouded the sky...the birds were always thick in the meadows. As I passed by, they would rise up like a bunch of blackbirds...oh they were thick.” (George Gruell interview of Syd Tremewan, 1964).

Another: “When we lived on Gance Creek (around 1900) there were lots of sage hens. I have seen them fly up the mountain right behind our house...they sounded like thunder...I am not exaggerating, there were thousands.” (George Gruell interview with George Nelson, 1966).

For a more scientific documentation of this huge rise in sage grouse during this time frame, Robert “Bob” McQuivey, a 30 year NDOW biologist, by literally reviewing all of the early newspapers, journals and laws passed in Nevada, has documented this population explosion. I have read some of his extensive research, which I am currently attempting to get published. In a nutshell, it confirms the above observations.

So, what caused this dramatic change, from almost nothing to abundance?

1. Habitat manipulation and expansion, especially meadows and man-made hayfields.
2. The mechanical removal of sagebrush and pinyon/juniper trees for primarily fuel.
3. The introduction of non-native plants, especially common dandelion, alfalfa, and other forbs.
4. Livestock grazing.
5. Stable supplies of water in areas previous dry or intermittent.
6. Predator control.

It should be noted none of the man-made changes were done intentionally to benefit sage grouse. It was simply coincidental.

HABITAT CHANGES. As settlers started to quickly dot the Nevada landscape, one of their first acts was to create a meadow of sorts for their domestic animals. For large ranches it was to primarily grow hay and expand lush grazing areas. Yet even the smallest start-up ranch had horses and generally a milk cow or two. By fencing an existing meadow, finding a level piece of sagebrush covered ground, damming the local spring or stream, and irrigating, meadows were both expanded and created new.

As is well documented, sage grouse have a symbiotic relationship to meadows. They especially relish certain forbs (most of us would call them "weeds"), and insects common on meadows.

However, when meadows are not basically "mowed down", sage grouse avoid them. Livestock usage, by eating the plants, actually increases sage grouse usage. For example, from "The Relationship of Cattle Grazing to Sage Grouse", a thesis done at UNR by Carol Evans in 1986: "Klebenow (1982) found that birds tended to avoid meadow areas of dense rank vegetation, but would use the areas once they were "opened up" by grazing. Oakleaf (1971) reported that heavily grazed meadows...were utilized by sage grouse, while succulent areas of ungrazed meadows...were not used as feeding areas. After cattle grazed and left a meadow, sage grouse were observed to concentrate there in greater numbers than before the grazing..." (DeRoucher, 1980)."

This flies in the face of the common misconception that grazing harms sage grouse. As Evans noted: "During the last three surveys, observed use of grazed meadows was significantly higher than expected."

Why? "Grazing by cattle prior to the cessation of plant growth...increases the quality of the food forb resources for sage grouse. Grazing increases the succulence of forbs by interrupting and delaying maturation. New leaf tissue is higher in crude protein...than mature tissue. Sage grouse appeared to seek sources of succulent forbs by selecting for meadows grazed by cattle."

NEW PLANTS: non-native plants can be harmful, like cheatgrass, or beneficial. Common dandelion, just like the ones you find in your lawn, is not native to Nevada. The good news: sage grouse love to eat it. Food studies of sage grouse show it to be a primary and dominant dietary item today. As Evans noted: "A study of this unique forb (dandelion) might yield important insights into how the environment for sage grouse has changed and how sage grouse have responded...the distribution of dandelion is closely tied to grazing...it increases with grazing and is noticeably less abundant in communities protected for long periods...dandelion unlike other forbs, retained its succulence long after maturation...dandelion is an exotic and not native to sage grouse habitat..."

Other plants introduced include alfalfa, which also is highly attractive to sage grouse; as are the insects these new man-made meadow complexes attracted. All in all, the huge increase in meadows or meadow-like fields and hay producing areas were the primary catalyst for sage grouse expansion, all done together with livestock grazing.

MECHANICAL REMOVAL OF SAGEBRUSH, primarily for fuel, also benefitted sage grouse by removing older less productive plants and allowing younger more succulent plants to grow. As recorded in 1877: "Sagebrush is about the only fuel in this timber-less country and hundreds of thousands of cords of it are annually consumed...like the grand forests of the Sierras, the wild sage of the Great Basin is rapidly disappearing and as it is a plant of exceedingly slow growth, it is not improbable that it may ultimately become extinct..." (from the "Tuscarora Times Review" as quoted in McQuivey's work).

This also helps explain why areas recorded by the early explorers as vast seas of sagebrush were later described as grass dominated by the 1890's. The fear of sagebrush going extinct was obviously grossly exaggerated, and its rapid recovery was a boon for the sagebrush-eating sage grouse, as the younger plants and re-growth were much more productive in the leaves they eat, especially in winter. The removal of Pinyon/Juniper trees over much of Nevada during this same time frame had much of the same effect.

WATER DEVELOPMENT, allowing livestock to graze areas otherwise off limits due to an absence of consistent drinking water, was also a boon for sage grouse. Windmills, stock ponds, spring improvements, earthen dams in strategic spots to catch run-off, and irrigation of formerly sage covered flats converted to hay meadows all greatly expanded habitat availability for sage grouse.

PREDATOR CONTROL also likely boosted sage grouse production. For example, the early Mormons, only two years after arriving in the Great Basin, "...sponsored a contest to kill off the 'wasters and destroyers'. About 800 wolves [coyotes], 400 foxes, 2 wolverines, 2 bears, 2 wildcats, 37 mink and several thousand hawks, owls, eagles and crows were killed in the hunt. One dollar in tithing was offered on a continuing basis for each wolf or fox skin." (From Arrington, "Great Basin Kingdom", page 59). Virtually every cowboy, shepherd, rancher and ranch boy carried a firearm and shot every predator they crossed. While today condemned to a certain extent, this action likely contributed strongly to the rapid expansion of sage grouse into its newly enhanced habitats.

All in all, agriculture and ranching in the Great Basin was the catalyst for the noted huge increase in sage grouse in Nevada. As the small ranch complexes were slowly eliminated from Nevada by economic conditions as well as the Taylor Grazing Act and other government actions, the smaller man-made meadows dried up as well. Grazing, predator control and maintenance of various related stock water developments also declined.

Declined, yes, but not eliminated entirely. (At least not yet). Much of these agricultural improvements remain that still greatly enhance sage grouse habitat, and although down in number compared to the highs described, sage grouse are still significantly above the historic low numbers noted by the first explorers.

While attending a [Nevada] Governor's Sage Grouse Conservation Team meeting, I asked de-facto leader, Nevada Department of Wildlife (NDOW) biologist Sean Espinosa what in his view is the best sage grouse success story in Nevada since the team was formed in 2000. He stated: "Smith Creek Ranch."

Considering the fact that many government people have made it clear they feel the livestock industry is the cause of the sage grouse decline, the irony is huge. Smith Creek Ranch in central Nevada is a working cattle ranch and has been for almost a century and a half. (Incidentally, I agree wholeheartedly with Espinosa's opinion; Smith Creek Ranch is loaded with sage grouse. I have personally seen several hundred birds there myself.)

The ranch, as so many Nevada ranches once did, has a man-made reservoir and irrigates about 1200 acres – a man-made meadow complex. I have spent a great deal of time there, and seeing several hundred sage grouse on this meadow is not uncommon. NDOW has documented more than 500 sage grouse on this man-made meadow at one time. When the ranch was purchased by the current owner in the late 1990s, the meadow was “dirt”. By irrigating, a hay/grazing meadow was soon home to hundreds of sage grouse (and cattle), at a spot you would have been lucky to see a dozen birds a decade or so earlier.

Consider: multiply this creation of a meadow and grazing it (to stimulate plant production; gardeners call this ‘pruning’), as early Nevada ranchers did in nearly every canyon with some water starting in the mid 19th century, and you will begin to understand why the populations of sage grouse went from next to nothing to “clouding the sky” in only a few decades. Think of it as Smith Creek Ranch on steroids.

Agriculture and livestock bad for sage grouse? History says otherwise.

Sincerely,
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State of Nevada Assembly

“Raven numbers have increased 1500% in areas of the western United States within an approximate 25 year time period.” – Idaho State University, 2005

RAVENS AND SAGE GROUSE

July 5th 2012

SAGE GROUSE DECLINE: Populations of sage grouse have been in decline for several decades and “habitat loss” is as a rule blamed. Today they are being seriously considered for placement on the “endangered species” list by the Federal Government. Even in states with excellent habitat available – such as Nevada – bird numbers have shown a similar trend.

As several studies have noted adult sage grouse survival is generally not a problem. Recruitment – how many young birds join existing adult populations – has been documented to be poor. Consequently several recent studies, including two especially pertinent for Nevadans conducted in Elko County by Idaho State University, have attempted to address why.

“Predator control” is today a major topic of debate. The idea of removing predators, once the catch-all answer for downward trends in wildlife populations, is today regarded by college educated wildlife biologists as an anachronism, a holdover of a less educated past. Consequently most modern wildlife biologists seem to go to great lengths to avoid even discussing using predator control as a tool in their management arsenal.

Yet, examples of predators having long term impacts can be substantial and documented. When for example a primary food source is supplied unintentionally by man, secondary food sources can suffer catastrophic declines without a corresponding decline in the predator’s population.

The increase in ravens in the western United States has been nothing short of phenomenal. A 300% increase in general has been noted, with 1500% increases documented in certain areas. Much of this increase has come about from man-supplied food sources.

This trend was noted in one of the Elko studies: *“Generalist predators [such as ravens] that reach high numbers in human altered habitats are of great concern because they can reduce prey populations [such as sage grouse] and these predators have been shown to continue depredate bird nests even at low prey densities.”*

In plain English, even when sage grouse decline sharply in numbers because the ravens are eating them, as long as the ravens have other food sources, the raven populations are not affected by the declines in sage grouse.

The impacts ravens have on sage grouse is in truth old news. A 1948 study conducted by the Oregon State Game Commission concluded: *“The greatest single limiting factor of sage grouse is nest predation by ravens. While other predators do contribute to their toll, this study showed that the raven was the single greatest limiting factor and the control of winged predators is an essential element in sage grouse management”.*

The 1948 Oregon study, in brief, had a “control” area in quality sage grouse habitat where raven populations were substantially reduced. Another very similar area was left alone with no raven removal. The results: *“Ravens again proved to be the chief limiting factor of sage grouse, and raven control the most feasible management method on increasing grouse populations. Five and five-tenths percent nesting success on an uncontrolled area as compared to a 51.2% success on an area where ravens and other avian predators were controlled is a strong indication of the raven’s effect on this species.”*

History repeats itself: the 2005 Elko study, conducted by Idaho State University, while couched in more “politically correct” jargon, reached very similar conclusions, again using the control/no control methodology: *“Sage grouse nest failure and observed raven predation of sage grouse nests were associated with indices of raven abundance...our findings should raise some conservation concern considering that raven abundance has increased an estimated 300% in the past 27 years in the United States including reports of 1500% increases within an approximate 25 year period in areas of the western United States”.*

Ciel Georgetta, writing about the domestic sheep industry in his Western history classic “Golden Fleece in Nevada” made an interesting observation. Written in 1968, he stated *“The crow [raven] is a newcomer. He is not a native of the state. It is believed there was not a crow in all Nevada until after the First World War when automobiles began crossing the country. All along the road jackrabbits were killed by cars. The crows followed from one rabbit to the next one, all the way out west. Now Nevada has many thousands of crows and they form one of the greatest pests at lambing time.”*

Georgetta is wrong on no ravens in Nevada as their presence was well noted by the early immigrants for similar reasons – they followed the emigrant trail eating dead draft animals and livestock. Nevertheless his observation, from a man native to eastern Nevada, whose father was head of one of the pioneer ranching families of this State, shows they were very scarce.

Interestingly, the time frame he notes for the raven showing up in Nevada, WWI, which ended in 1918, matches almost exactly the date for an overall decline in sage grouse populations in the Oregon study mentioned earlier. They noted a gradual decline beginning in 1919 which continued to the years of their study, 1946-1947.

Incidentally, most people in Nevada, including myself, cannot distinguish a "crow" from a "raven" although they are two distinct species. Thus people like Georgetta lump them together.

STUBBLE HEIGHT AND PREDATION: One of the new theories on protecting sage grouse nests from avian predators is to leave "stubble", i.e. unconsumed grass and weeds, among the sage brush plants sage grouse typically nest under to provide concealment for nests.

While sounding plausible at first, this is probably the worst possible thing we could do, and I highly suspect the motive for pushing this particular pseudo-solution is a back-door attempt to remove livestock from the ranges. It is a terrible idea in that if carried out, the fire danger would increase exponentially; the bulk of the grasses and forbs today are combined with cheatgrass or in reality are totally composed of cheatgrass.

Once you start leaving the recommended minimum height of eight-inch-high dry cheatgrass stubble, you virtually guarantee fire will sweep through that sage brush community, destroying the habitat completely for sage grouse. In short, no sage, no grouse.

It should be noted as well that the peak historic sage grouse populations in Nevada, when descriptions of "clouds of birds" and "thousands of sage hen" were noted was also the time frame of unlimited and totally unrestricted grazing by - no exaggeration here - millions of sheep and hundreds of thousands of cattle and horses. If "stubble height" is so critical for protection, how did they survive and actually prosper in the very same time frame that by all accounts Nevada was so severely overgrazed?

The 2010 Elko study, again conducted by Idaho State University, discovered that increased stubble height actually **increased predation** of nests by non-avian predators. *"We also found that badger predation increased at nests with greater visual obstruction. [After ravens, badgers were found to be the most destructive predator of nests, eggs and young birds]. Other studies have found negative or no relationships between nest survival and grass height, grass cover, shrub height, canopy cover, understory cover, and species of nesting shrub".*

In truth, not only does stubble increase fire danger, but aids additional predation as well. Hardly a well thought out "solution".

In conclusion the logical steps to help restore sage grouse populations is to reduce raven numbers, by first doing what is practical, i.e. cover or destroy man-provided food

sources; second to use selective predator control in key sage grouse habitat, probably through USDA provided professional trappers; and three, allowing and encouraging shooting and hunting seasons for crows, even possibly a bounty system of some type, while looking to get out of or get variances on the international 1918 Migratory Bird Treaty, which calls for raven protection.

To my recollection, crow hunting as a means of protecting sage grouse started in the 1980s. Idaho was one of the first states to legalize it. The obvious question: how can you tell unprotected crows from protected ravens?

My good friend Mike Meizel, an avid trapper and outdoorsman and former Chief of Buildings and Grounds for the State of Nevada, posed that question to an Idaho Game Warden in the late 1980s. This particular Warden, blessed with good old common sense and aware of the damage ravens were causing, wryly noted "crows are the ones that hit the ground"!

Beware of the simplistic response you will get from certain biologists when raven removal is suggested. "Yes" they will say, "we know ravens eat the eggs and removal helps with that but the *problem* is the *juveniles* that survive past nesting are not surviving to full adulthood. Something in the *habitat* is the problem." Ok, then what is that *problem* specifically? The tangible discussion typically ends about there and a series of nebulous theories – none of which seem to focus on the likelihood of *additional predation* – takes over. Not a single study I have read has suggested starvation as the cause of juvenile grouse not making it to full adulthood. In fact food studies for sage grouse state the opposite; there is a bit of a mystery why there are not many times more grouse as the studies show they eat only token amounts of their potential food supply. "Habitat" per se is NOT the problem.

Currently thanks to the mental roadblock the words "predator control" causes among most of today's wildlife biologists, virtually every possible scenario, no matter how outlandish or poorly thought out, is placed ahead of predator removal on the "to-do" list. Indeed, several proposals call for removing from the public domain sage grouse population enhancement tools, most notably livestock grazing and agriculture despite strong evidence these greatly increased sage grouse populations in Nevada.

As I have documented in other papers, sage grouse were all but non-existent when white man first arrived in Nevada. Following the introduction of landscape modifying and landscape enhancing changes, especially the introduction of the livestock range industry and all that came with it – including predator control - sage grouse populations exploded.

Based on early explorer journals describing Indian diet and wildlife they observed, two of my earlier reports detailed the fact Nevada had next to no sage grouse comparatively speaking. For additional facts based on Indian diet, I have completed a careful review of Julian Steward's 1938 report on Indian practices, including food sources, before white contact. Taken from interviews Steward did with older Indians in the 1920's and 30's,

and covering virtually all of Nevada, it is a wealth of first hand information from the Indians themselves and the results on sage grouse will be of interest to those seeking facts rather than fables presented by some about the "good old days!"

I will report on that soon. I will also be reporting on the impacts on sage grouse populations caused by crested wheat seedings. Please feel free to contact me about any aspects of these reports, copies of past reports and feel free to circulate them as you see fit.

In the meantime, we need to give raven removal a strong seat at the "save the sage grouse" table. I strongly believe that not only can we stop the decline in their populations, but using the past as our guide, begin rebuilding. *Nevada could be a model for enhancing sage grouse populations.* We simply need the leadership to boldly experiment and challenge the bureaucratic choke-hold on methodology. Rather than wringing our hands over "saving" some token remnant, why don't we focus on what works? We can expand our sage grouse populations. *The answer is in our own past!*

Sincerely,
Assemblyman Ira Hansen
District 32

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State of Nevada Assembly

February 21, 2012

LIVESTOCK GRAZING AND WILDFIRE

At our January 27, 2012 Public Lands Committee meeting, a briefing paper by Bob Sommer, Fire Staff Officer for the Humboldt – Toiyabe National Forest, U.S. Forest Service, was read into the record. A single paragraph caught my eye: "...in 2007, the University of Nevada Cooperative Extension Service issued a report titled "Northeastern Nevada Wildfires 2006, part 2 – Can livestock grazing be used to reduce wildfires? They concluded "...livestock grazing is not a panacea for wildfire reduction on Northern Nevada rangelands."

I had read the 2006 UNR report mentioned and recalled a quite different conclusion. In fact, the UNR report reads: "Can livestock grazing reduce the risk of large recurring wildfires? In a word yes, but with limitations...In site specific situations, livestock can be used as a tool to lower fire risk by reducing the amount, height and distribution of fuel. Livestock can also be used to manage invasive weeds in some cases and even to improve wildlife habitat. This *under-utilized tool* (emphasis mine)..."

In short, while grazing is not a "panacea", (which means "cure-all") it is a valuable tool and in the opinion of the authors of the 2006 UNR report an "under-utilized" tool as well.

The basic question: how can we reduce the main cause of the million acre fires, the alien cheatgrass? Cheatgrass has been in Nevada since the 1890's at least, yet the catastrophic fires did not start until the year 1999. For over a century the presence of cheatgrass did not result in fires of this magnitude. Why not? What did we do different then than now?

Also to consider is the business end of fires. As James Young, UNR range scientist for 43 years noted, "*Fire suppression [has become] a multi-million dollar business that reaches from the rangelands of Nevada to corporate America. It is not in everyone's interest to biologically suppress the cheatgrass-wildfire cycle on Nevada rangelands.*"

Today hundreds if not thousands are employed in a government funded range fire industry that was a token of what we see today when compared to only a little over a decade ago. The BLM/Forest Service fire budget is now in the hundreds of millions. and a range reseeding/recovery industry has been spawned as well, all relying paradoxically on a continuation of range fires. A conflict of interests exists; the successful long term solving of the

million acre fires means the elimination of employment for this dramatically expanded bureaucracy.

What is the impact of livestock grazing on cheatgrass and hence wildfires? In 2008 at UNR a symposium was held by the leading experts in range management. They published their conclusions in "Great Basin Wildfire Forum: The Search for Solutions." Here are several excerpts.

DR. PAUL TUELLER, professor of range ecology at UNR for 42 years: *"The extreme fire years in the recent past must be due, in part, to the noted reduction in grazing the forage base, resulting in significant fuel buildup. The lower and sometimes upper reaches of the mountain ranges have turned yellow as a result of post-fire cheatgrass establishment...Development of intensive grazing strategies is needed to allow utilization of cheatgrass and reduce future fuel loads. Grazing animals will be the tools that must be used to make desirable changes in vegetation."*

DR. LYNN JAMES, director of the USDA ARS plant research laboratory at Logan, Utah for 35 years: *"Fires depend on adequate fuels-grasses and certain shrubs. The larger the fuel load, the hotter the fire will burn and the more damaging it will be...An economical and efficient way to remove excess grass is with an on-off grazing system. Fuel loads are reduced, while producers benefit from forage consumed by their livestock. Other grazing strategies can aid in preventing or managing wildfires and controlled burns. Fires that do occur burn with reduced intensity and a general upward trend in rangeland condition is sustained."*

DR. KEN SANDERS, professor of rangeland ecology at the University of Idaho for 32 years: *"The third biggest threat is the reduction in grazing on public rangelands. If the proposed sage grouse habitat guideline that recommends leaving a grass stubble height of 18 centimeters is applied, it will not only result in an adverse economic impact on livestock producers, but it will also result in increased, higher intensity wildfire due to a larger fuel load."*

DR. WAYNE BURKHARDT, UNR professor of range management, emeritus: *"For the past 40 years, the management strategy, at least on public lands, has been to reduce or modify livestock grazing on these annual grasses, presumably to allow the re-establishment of native bunchgrasses. This has proven to be disastrous. Pre-adopted annual grasses [such as cheatgrass] can out-compete native bunchgrasses for early spring moisture on arid range sites. Reductions in grazing on these rangelands have not promoted the establishment of native flora, but rather have allowed flammable fuel build-up and increased fire frequency, intensity and spread. These unnatural fires remove the sagebrush overstory, prevent shrub re-establishment and create the conditions for the establishment of monotypic annual grasslands on what should be a shrub/grassland vegetation community.*

Public land grazers have an important role in protecting the resource by reducing fire danger, by managing fuels and improving the health and productivity of the range. Grazing should be firmly established as a necessary tool in reducing fire danger. The public needs to understand that fine fuel reduction and weed control are positive aspects of grazing and that properly managed grazing is good for the land."

DR. SHERM SWANSON, professor, Department of Natural Resources and Environmental Science, UNR: *"The presence of grazing animals on the range should not be viewed as overgrazing, but rather as a valuable tool. When used properly, grazing can help achieve resiliency in desirable plant communities and responsible fire and fuels management."*

In USFS Fire Staff Officer Bob Sommer's briefing paper he also wrote: "After the Murphy fire, the Idaho BLM State Director put together a team from both Nevada and Idaho... The purpose was to look at plant communities and livestock grazing in relation to the Murphy fire. The team concluded that much of the Murphy fire burned under extreme fuel and weather conditions that likely overshadowed livestock grazing as a factor influencing fire extent and fuel consumption."

I bring this up as, while studying this question, I came across this quote from Dr. NEIL RIMBEY, professor and range economist at the University of Idaho. He wrote: *"A tour of Idaho's Murphy Complex fire and the Tongue Complex on Juniper Mountain in the late summer revealed graphic evidence that grazing may reduce fuel loads and even stop fires."*

Clearly, if both men are describing the same fire complex, and I believe they are, they seem to be reaching substantially different conclusions from what I assume are the same observations.

If fires require fuel, and the fuel causing the fires is cheatgrass, the goal to block fires then is to remove as much fuel – cheatgrass – as possible. Less fuel – less fire. And if cheatgrass has been around for over 100 years, and fires were relatively small and uncommon up until 1999, livestock must have been the source of keeping this fuel in check.

So why no giant fires prior to 1999? *This is why I am highly skeptical of the BLM and USFS.* The same "experts" that now assure us they have the solution are the same "experts" that got us into our current mess. Starting in the 1950's, the "experts" came in and told us the "range was over grazed" and the solution was a reduction of livestock. So they began to cut, small at first, huge by the 1980s and 1990s. Between 1982 and 1991, Nevada had a reduction of 180,000 head of cattle. The experts assured us this would reestablish healthy native plant communities and reduce the less desirable shrub species, primarily, ironically now, sagebrush. If you read the literature right up to the time of the massive fires, you will note the livestock industry was highly criticized for an alleged huge increase in sagebrush. Sagebrush and several other native shrubs are largely unpalatable for livestock. Hence, since they are not eaten and the more desirable plants are, they tend to increase in numbers, while the desirable palatable plants decline. This is especially ironic now in light of the fact the decline in sagebrush habitat is the primary reason the "experts" give as the cause to put sage grouse on the endangered list.

Every decade or so in the government land management agencies there is an almost complete turnover of "range scientists", as field personnel move up the management ladder, and a whole new crop of college-educated "experts" take their place. Yet Nevada ranches, most owned by the same families for generations, are "non-experts" totally at the mercy of their federal masters. This is not a put-down per se of all federal land management people, many if not most of which are good hardworking individuals. It is a statement explaining why I am highly skeptical of listening always to the "experts", as their track record in Nevada has been horribly bad.

I have always believed the people who will be most harmed by bad land management practices are the ranchers themselves, hence they have a strong financial incentive to insure the long term health of the ranges they use. It is the ranchers who have been the most vocal critics of the Federal policies, warning of exactly what has come to pass. Yet today, if our most recent meeting is an example, we are shunting aside the "non-experts" who actually live on the ground, and are once again being dictated to by "experts" getting their marching orders from Washington D.C.

Incidentally, I have absolutely no connection with the livestock industry. I am in fact a contractor living in Sparks. But I have a strong interest in the plant communities and wildlife of Nevada and have spent literally years in Nevada's backcountry. I have carefully read everything about these issues I can get my paws on (including the book "Cheatgrass" by Young & Clements. One of the few books, purchased in 2009, my wife teased me about buying. Not exactly on the NY Times best seller list!)

In conclusion, any reasonable person would agree using domestic animals to reduce the quantity and spread of cheatgrass is the best solution currently available. The government required massive reduction in AUMs and livestock turn out time frames must be reversed if we are serious about having a public rangeland composed of native plants. Our current trend insures massive fires almost indefinitely, a huge taxpayer subsidized "range fire" industry, and a future Nevada landscape composed of the dull yellow color of mono-typical stands of cheatgrass. Nevada will be the "Sagebrush State" no more.

Sincerely,

Ira Hansen
Assemblyman District 32

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January 30, 2013

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re: FIM Corporation comment regarding the "Scoping Notice -- Greater Sage-Grouse Bi-State Distinct Population Segment Forest Plan Amendment (EIS)"

INTRODUCTION

Our comments are well supported by literature citations, empirical observations, and other factual information. I have not included those in this letter since it is just a scoping letter that implies your NEPA process will seek detailed information later.

We can demonstrate that your proposals lack the following facts and these must be included in your documents if you are to meet the Information Quality Act standards and other standards for federal documentation under both NEPA and the ESA:

1. Your proposal fails to clearly state that the goal of your plan is to have more sage grouse in the future. Your plan must state how many sage grouse are present and include scientific monitoring to determine how many more sage grouse are present at a future date. In accordance with NEPA, if your plan and your management activities fail to result in an increased number of sage grouse it is a bad plan that must be discarded and replaced with a plan that works.
2. Your proposal fails to clearly state the benefits that sage grouse receive when livestock are grazed on the rangelands that provide sage grouse habitat. If you want sage grouse numbers and abundance that was present in the mid-1900s you will have to arrange for the conditions that correlate with that abundance which was many more livestock grazing within sage grouse habitats.
3. Your proposal fails to note that predation has a severely limiting effect on sage grouse populations, especially nest success and brood rearing. It is well documented that ravens, coyotes, bobcats, can greatly reduce the ability of sage grouse to reproduce and survive. This plan should include rigorous predator controls if the goal is to have more sage grouse.
4. Your proposal fails to put forth an analysis of economic effects that will be the result of special treatment of sage grouse to the exclusion of other land uses. Our

ranch alone employs as many as 20 people and our ranch operating expenses provides cash that circulates within western Nevada and adjoining parts of California. Forest Service and BLM both intend to prohibit grazing which will destroy jobs and local economies so you must state what that effect will be.

5. Your proposal fails states that USDA Forest Service and USD! BLM are planning for management of what the Endangered Species Act calls a Distinct Population Segment. As federal agencies you are both required to demonstrate that you are in compliance with ESA by documenting that you are using the best available scientific and commercial data. You are also required to demonstrate how this bird is a DPS in accordance with the federal standards of discreteness and significance as defined by the ESA and subsequent policy.

DISCUSSION

I am Fred Fulstone from Smith, Nevada and I am submitting these comments on behalf of the F.I.M. Corp. of Smith Nevada. F.I.M. Corp is a family owned and operated sheep ranch with land, existing property rights, and grazing preference within adjudicated range allotments in both Nevada and adjoining areas of California.

The Fulstone family have been agricultural producers in Western Nevada for over 150 years and in that time sage grouse populations grew from none to a great abundance in about 1950 and have now declined in numbers since about 1980. Our ranch history during this time (150) years includes how our livestock, especially our sheep, have greatly benefitted sage grouse.

At this time three generations of our family owns and operates our sheep ranch with headquarters in Nevada and ranch property in both California and Nevada. Our operation includes private property along with Bureau of Land Management and Forest Service grazing allotments in both Nevada and California. Our permits on a number of BLM and Forest Service grazing allotments allow us to graze our sheep by herding them on open range throughout the year. Our range is approximately 100 miles from north to south and 75 miles from east to west.

In order to produce our lambs and wool, we have a working force of 18 people in addition to the immediate family. We have run 1000 head of cattle most of our lives along with the sheep.

The first Fulstone homesteaded in 1854 near Genoa. My grandfather bought our first ranch in Smith Valley in 1903 and my father began running a few sheep in 1910.

My mother, Dr. Mary, was one of the first woman Medical Doctors in Nevada.

My wife, Irene, was a school teacher and also made many thirty mile horse back rides with me to the Sheep Camps.

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Now Marianne, my daughter, can run this ranch and we enjoy the help of her son Kris and daughter Danielle.

LISTING THE SAGE HEN WOULD BE DISASTROUS

Listing the sage hen would be disastrous for all of us here in the Bi-State area as would sage hen management that excludes livestock grazing and predator control. Some people say the ESA protection should be as a Distinct Population Segment of sage grouse and others are trying to prove that the local sage grouse are a different variety. Both of these claims are made without good scientific data to back it up. At least part of the question should be dismissed easily with appropriate nuclear DNA comparisons.

Distinct Population Segments are based on a population being isolated from any others but the biologists fail to explain how the sage grouse arrived in Smith Valley in the first place if Smith Valley is so far from other flocks that they cannot travel to Western Nevada.

Our Bi-State committee has done a very good job so far, but most of their concerns seem to be limited to sagebrush as one part of the sage hen habitat. We have plenty of sagebrush. We also note in the sage grouse literature that ideal sage grouse breeding and nesting habitat is sparsely vegetated with sagebrush cover less than 25%. It can also be shown that sage grouse populations were at a peak when grass cover in their nesting and brood rearing habitat was impacted greatly by livestock and sage grouse populations decreased following BLM and Forest Service cuts in permitted grazing.

First we must improve sage hen habitat by controlling the predators that destroy the sage hens, their nests, and their chicks. They birds right after hatching are very vulnerable to everything. Some reports say that we are losing 50% of our nests today and 70% of that loss is from ravens. (Mark Jensen, Supervisor, Wildlife Services, Reno Nevada).

Wildlife Services is in charge of predator control and they have lost 45% of their work force. At one time we had three trappers here – one in Smith Valley, one in Mason Valley, and one in Carson Valley. Today we have one trapper that has to cover all three valleys plus Fallon and Austin. We also don't have a lion hunter anymore.

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THINGS WE NEED TO DO IMMEDIATELY TO SAVE THE SAGE HEN:

No 1. We must have more trappers to control ravens, coyotes, badgers, bobcats, and other predators.

No 2. We need more open range grazing and more permitted grazing on the ranges. (and less housing development)

No 3. Where open grazing is allowed it accomplishes more than just providing feed for livestock

1. Livestock consumes the fuel that wildfires feeds need to grow.
2. Livestock owners improve the water resource and create new water sites
3. Livestock grazing helps in the natural re-seeding, fertilizing, and cultivating of the grasses, forbs, and brush. This is necessary for the production of the sage hen and other wildlife. Sage grouse follow in the livestock footprints and into the bed grounds (especially sheep). These sage grouse feed on insects and other sources of nutrients left by the animals. It is common to see sage grouse chicks eating the pellets from the lambs which are highly nutritious because it is partially digested milk.

No 4. The livestock generally feed off the tall meadow grasses and forbs in the spring and then as the uplands dry the sage hen come down to the new growth of forbs and short green grasses in early summer. The livestock have to graze the meadows before the sage hen broods arrive to provide this benefit. The meadows that have been grazed are preferred by the sage hens because the shorter meadow plants enable the sage hens to see any approaching predators. They seem to like open space.

No 5. Livestock on the range offers relief from predation because the predators prey on livestock. When livestock owners kill predators the wildlife benefit along with the sheep.

NOW TO KIND OF SUM THINGS UP

Livestock grazing and predator control are the two most important tools we have to save and enhance the sage hen.

During those years from about 1955 to 1980 we had thousands of sage hen in Smith Valley, the Pine Nut Range, and Bodie Hills. Also during those years we had trappers and the use of toxicants and we controlled the numbers of predators very well. During those years we had ten or more times the numbers of grazing animals on the Federal ranges than we now have and we had thousands of sage hen on the same areas. As soon as the grazing permits were cut by the agencies the trappers and toxicant use was cut down and the sage hens started to disappear.

If you want to save the sage hen then contact the Wildlife Services in Reno. They are probably the most important government service to call in order to manage the sage hen.

We must not let this bird be listed under ESA and both the Forest Service and the BLM have the responsibility as federal agencies to show that they have objectively used the best available data to determine what is best for sage grouse. Our whole area, including your agencies, would come under the control of the US Fish and Wildlife Service and those agency people would write an ESA recovery plan with no regard to local needs. The listing and regulations that follow would be a disaster economically and environmentally to our communities. Everyone would be hurt including livestock production, mining, manufacturing, recreation such as hunting and fishing, and just about every other aspect of our custom and culture and there is very little possibility of all that regulation resulting in more sage grouse.

The big problem is that the USFWS uses false science to get what they want and conspire with like minded groups to do that.

For a very good example of how the ESA works look at what happened in Klamath Falls area after the USFWS listed a sucker fish. This allowed the USFWS to implement their recovery plan and to give all the water in the Klamath Lake to the endangered species. That meant the farmers got no water for their crops even though they and the community businesses faced immediate economic destruction and citizens were forced into personal bankruptcy.

The USFWS was doing everything backwards. After the USFWS took over, about 80% of the sucker fish died.

What is the worse part? The National Academy of Science would later rule that the USFWS recovery plan was based on false science.

Without irrigation water 200,000 acres of farm land and 50,000 acres of wildlife refuge habitat dried up. This destruction was the result of the science used to list the sucker fish was corrupt.

The USFWS has recently done the same thing to me when they listed Sierra Nevada Bighorn Sheep as an endangered Distinct Population Segment. Now they have forced the Forest Service and BLM to cancel five of my grazing permits and I have lost nearly 75,000 acres of summer range. I had paid for these permits for over 65 years and over this time had invested over a Million Dollars in range improvements. Of course the agencies do not want me to recover any of those costs which is clearly an un-Constitutional Taking. And just like the sucker fish in Klamath Falls the very best recovery plan that the biologists could write has not resulted in more bighorn sheep.

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BACK TO THE SAGE HENS

Sagebrush is not a problem --- we have plenty of it.

In some areas where the sagebrush is tall (3' to 4') and very thick it should be sprayed. That gives the forbs and grasses a chance to come which is very valuable as habitat and forage for the sage hens.

We have done this in cooperation with the BLM in some areas the sage hen has flocked into the sprayed areas.

We need better management of meadow forbs or grasses so forage will be available to sage hen broods when they come off the sage brush onto the meadows in June and July.

We know how to do all of these things which are sound management and it does not require heavy handed regulation.

BY EMAIL /s/ Fred Fulstone

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Packet #3
12 pages
1-12

**Remarks prepared for the Sagebrush Ecosystem Council
July 30, 2013**

**By Fred Fulstone
FIM Corporation
Smith Nevada**

I am Fred Fulstone from Smith, Nevada. I know you are mostly interested in discussing sage grouse but I would like you to understand that the Fulstone family has been agricultural producers in Western Nevada for over 150 years. At this time three generations of our family owns and operates our sheep ranch with headquarters in Nevada and ranch property in both California and Nevada. Our operation includes private property along with Bureau of Land Management and Forest Service grazing allotments in both Nevada and California.

We graze our sheep by herding them on open range throughout the year. In effect our sheep, our family members, and our employees live and work within sage grouse habitats and sagebrush ecosystems year round. For years we have observed and studied our land and wildlife. Sage hen populations have grown from none in the 1800s to a great abundance in about 1950 and have now declined in numbers since about 1980. The decline of sage hens is the result of federal grazing regulations and the decline parallels declining numbers of livestock on federal ranges, especially sheep.

Our ranch history has developed over a period of more than 150 years. History illustrates the fact that the presence of our sheep greatly benefits sage grouse. As our sheep operation increased following the Depression, sage grouse numbers also increased in the federal and private lands where we grazed. Our sheep are herded on open range which has required several forms of range developments. An example of our management in the Bodie Hills includes development of water for sheep that also became important sage grouse water and strutting areas. We have also sprayed old-aged dense stands of sagebrush which became important brood rearing and winter sage grouse habitats with many more birds than before treatment. Our sheep require protection from predators, especially coyotes, and the sage hens benefit from our predator control. Often sage grouse broods travel right along with our bands of sheep.

FIM Corp has provided both this Governor's Committee and the BiState Sage Grouse Committee with well documented observations and data that we can only hope will be incorporated into your documents. Some of our reports are included in your minutes from previous meetings and if any are missing we will provide replacements.

Today I have brought three articles that illustrate the ideas you should incorporate into your reports.

First is an article by Rob Hooper, Executive Director of the Northern Nevada Development Authority, "Agriculture – Nevada's hidden economic engine". Hooper correctly describes the importance of agriculture production in the economy of Nevada which included \$665 Million dollars in annual revenues in 2011. What Hooper didn't discuss is the catastrophic economic loss to every community in the state that has resulted from federal grazing permit reductions that have caused sheep numbers to drop from over one million to less than 80,000 and cattle numbers have dropped by about 250,000. Floyd Rathbun, in his letter to the Nevada Association of Counties illustrates that just returning range livestock numbers to the levels that we know the rangelands can support would bring well over \$200 million into the state's economy every year. We also know from history that re-stocking those federal rangelands would result in a great increase in sage grouse. Both the economy and the wildlife would benefit.

Second is an article by Amy Trinidad entitled "Creative Thinking Helps Predator Control Programs". Trinidad explains that in Utah, South Dakota, and other states the cost of predator control had been paid almost entirely by livestock producers for years. Everyone benefitted including both agriculture and sportsmen. However, the costs of controlling predators to some acceptable level has increased and certain federal programs have lost funding so the exam. Both states used increased hunting license fees to raise money for predator control and that money was divided between private predator control through payment of bounties, the state Fish and Game agencies, and US Wildlife Services, Nevada took a step in this direction several years ago but the Nevada program is not working as well so we should use the examples provided by the other states.

Ben Granholm, as a student, met with Fred in 2009 and heard what business is like under the regulation of the Endangered Species Act listing of the Sierra Nevada Bighorn Sheep. Ben wrote the article "Destruction of the American Sheep Industry" and described how the biologists themselves knew that the real risks to the bighorn sheep were due to deficiencies of natural rangelands where they had been transplanted. In spite of what the agency biologists knew to be the facts about bighorn sheep biology, they used an unproven accusation that disease from domestic sheep meant that domestic sheep must be prohibited. Now the Forest Service allotments have very few bighorn sheep and they are no longer contributing to the local economy. If a student could spot the fallacies built into agency biology that was tailored to support ESA regulation then just think how much better this committee should be able to sift the facts from fiction of sage grouse biology and sagebrush ecosystem management.

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THE PEAKS, HILLS AND VALLEYS OF THE FRONT RANGE OF THE SIERRA NEVADA

WHERE THE CLIMATE FOR BUSINESS IS PERFECT

Agriculture – Nevada's hidden economic engine



Rob Hooper
Executive Director, NNDA

With Nevada leading the Nation in unemployment and foreclosures, we hear a lot of rhetoric about the need to follow the example of other states or import the experts who can tell you what is wrong and how to fix our plight. Once in a while, however, it pays to look right under our own noses for answers that have been there all along. We just have not taken full advantage of them. One of these "low hanging fruits" to get Nevada's attention is agriculture. Agriculture could hold the cards for our region's future, both in direct production as well as related manufacturing and processing.

The Ag scene has been in Nevada for a long time. Even in the worst of economic times Nevada Ag has continued to be a reliable and stable contributor to our economy. The total Ag business in the state accounts for more than \$665 million in annual revenues producing a net profit within the state of \$137 million. Nevada's top Ag products are cattle and calves, alfalfa

and hay, dairy products, onions, and potatoes — in that order. Much of our alfalfa and Timothy hay is sent to California and abroad because of its high quality. With nearly 5,000 farm operators on 3,000 farms and ranches in Nevada, 4,500 workers are employed by farm operators while many Ag-related industries employ thousands more, thus making Nevada Ag an important and vibrant industry.

Nationally, Ag exports are a bright spot in the economy with a net export surplus for nearly 50 years. This is the second consecutive record-setting Ag export year with nearly \$138 billion in exports and \$42 billion in net export surplus. Nevada Ag continues to be a major source of export revenue for Nevada, bringing \$555 million into our economy every year and that number keeps growing.

According to Clint Koble, state executive director of USDA's Farm Service Agency, "The potential for Nevada Ag products and exports is unlimited. Global population growth means we must increase agricultural production by 70 percent by 2050 in order to feed the 9 billion people that will inhabit the earth. In 1940 a farmer fed 19 people; today that farmer feeds 150 people. Demands for Ag products will continue as

our population continues to grow. American Ag technology and innovation that has made America the envy of the world must continue nationally, as well as here in Nevada, to keep America competitive and provide local jobs. Plain and simple, Ag has been a big "economic driver" in Nevada and it will continue."

For the Sierra, Ag is even more important as three of our Northern counties (Lyon, Humboldt and Churchill) are in the top counties for agriculture which produces 45 percent of the Ag products in the state directly contributing \$232 million annually to the economy. There are several Ag projects planned for the region that could dramatically impact these local economies. The numbers only tell one side of the story. Nevada Ag holds the promise for a more diversified future for the State.

Agriculture in the U.S. is moving into a greater focus by the federal government and states alike. It is the source for new "science-based technologies", and in a world where food shortages are predicted to become the norm, the ability to produce and deliver food is going to be the best business bet for the next several decades. This not only includes the direct production of agriculture products, but also the use of the products



in added-value processing to manufacture a wide variety of products. In addition, the manufacturing of tools and equipment used in Ag provides additional opportunities for job expansion and revenue production for the state.

NNDA is increasing its focus and support of Ag in the Sierra Region and strongly believes this sector holds great promise for our region's future. In the coming months you will hear more about efforts in this area. This Christmas season, and throughout the year, make sure you enjoy some Nevada beef, Winnemucca spuds and Tahoe Ridge Wine. Oh yes, don't forget some Latin Farm's jams on your rolls made from Nevada wheat and local milk... Get the picture?

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4-12

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.

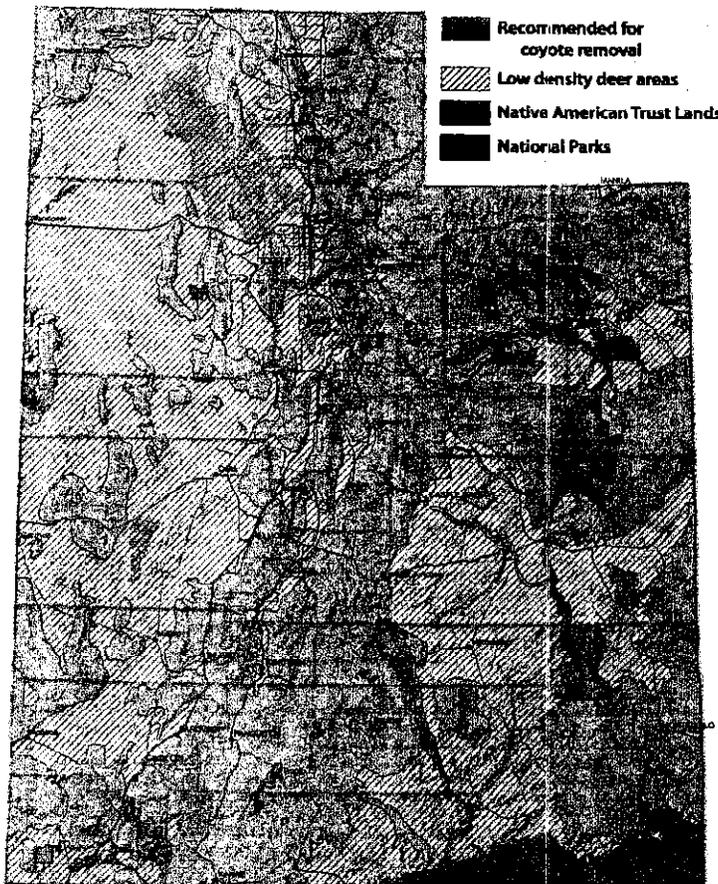
At the same time, another piece of legislation was passed by the Utah state legislature – S.B. 245 or the Mule Deer Protection Act – which allocates a total of \$750,000 of ongoing funding for the state's predator control programs. As part of this funding, the DWR implemented a new predator control program 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.

"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.



Rep. Betty Olson, South Dakota

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."

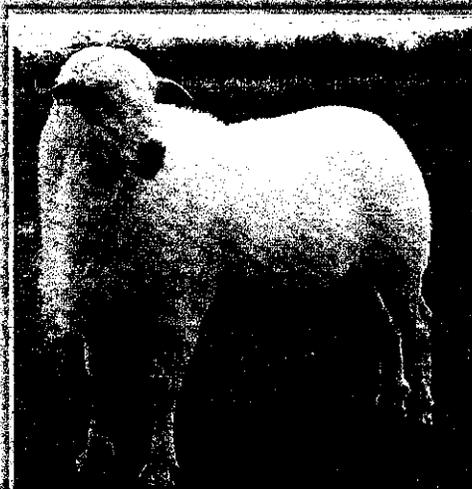
In the past few years, aerial hunting has returned to South Dakota through WS and although this has helped manage the coyote population, Matthews says their numbers are still increasing resulting in more dollars lost to the livestock industry.

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

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explains that the original \$5 fee is deposited in a special fund known as the South Dakota sportsmen's 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 interest based on the cash flow fund rate no later than June 30, 2014.

"We figured with the new revenue coming in, it should more than cover the loan by next 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 animal 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. ☺

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Destruction of the American Sheep Industry

**Ben Granholm
Nevada Union FFA
January 26, 2009**

Stepping out of the school van, I noticed the tumbleweeds roll past the shearing barns - barns that looked as though they had stood for an eternity against the forces of nature and yet stood strong, sound, and solid. I was soon to discover that, like those barns, the inhabitants of the ranch had learned to meet the challenges head on, to exist and even prosper against all odds. Suddenly, a tall, thin, elderly man with a weather worn face and hands rounded the corner of the barn. I knew instantly that our host for the day was the type of man whose hands could at one moment be constructing a barbed wire fence, and the next be gently pushing a newborn lamb towards its first meal. He greeted our group with a smile and these welcome words:

“Good morning, I am Fred Fulstone. Thank you for coming and including our sheep ranch on your ag production tour. Our ranch has been in operation over a period of 150 years. The first Fulstone homesteaded in 1854, followed by my grandfather that bought our first ranch in Smith Valley in 1903. “

I was captured by his words and curious how such a desolate area could support a ranch with 10,000 ewes.

Mr. Fulstone continued, “Our ranch employs eighteen people in addition to immediate family including myself, my daughter and my grandson. Our ranch includes private property as well as Bureau of Land Management and Forest Service Grazing allotments, allowing us to graze our sheep by herding them on open range throughout the year. The range is about 100 miles from north to south and 75 miles from east to west.”

The Fulstone ranch is real, with a real threat to their economic survival through the elimination of public grazing lands based on hotly debated scientific findings and the Endangered Species Act, the ESA, protecting the Sierra Bighorn Sheep (Knowles). Today, I will outline how the Forest Service has used the Endangered Species Act to eliminate domestic sheep

from public lands grazing allotments and how ultimately the American sheep industry is endangered and could face extinction.

In 1984 the California Fish and Game and the National Park Service decided to establish a herd of Bighorn Sheep in the Lee Vining Canyon area of California, bordering the Fulstone ranch's summer grazing allotments (Fulstone). From the beginning of establishing the Bighorn Sheep, the ranch was promised their grazing lease allotments would never be affected by any migrating Bighorn Sheep (Fulstone). Mr. Fulstone retained all the guarantees in the letters he received from the Forest Service and continued to care for the summer range, as if it was his own property. Unfortunately, everything changed with the severe winter die-off of the Bighorn in 1995 and 1998. Suddenly, because of their decreasing numbers, the Bighorn Sheep were listed as an endangered population (Knowles).

The worse was yet to come. Due to continued severe winter die-offs, the numbers of the Bighorn dwindled to a mere three head (Knowles). Instead of the Forest Service moving the remaining Bighorns to a range that would protect and support them from predators and the winter weather, the domestic sheep were blamed. The Forest Service knew, because of the endangered listing with the ESA, if they could show a threat from domestic sheep, the sheep would have to be removed from the allotments. The Forest Service never acknowledged their mistakes in managing the Bighorn, but instead claimed the die-offs were caused by co-mingling and nose-to-nose contact with domestic sheep, leading to a fatal form of pneumonia (Fulstone).

In the lab environment, the wildlife biologists "proved," through nose-to-nose contact that domestic sheep transmitted the Pasteurella disease to Bighorns (Knowles). But the question still remained: would the lab findings translate into the real world? The most thoroughly studied disease outbreak of Bighorn Sheep was in Hells Canyon in 1995-96. Three hundred twenty-

seven Bighorn Sheep died in that epidemic (Rathburn). Ninety-seven head were cultured with twenty-two different strains of Pasteurella isolated; however, this was not indicative of a single point source (Rathburn). What does that all mean? The Pasteurella bacteria species is an opportunistic disease, most likely triggered by environmental stress, not the six domestic sheep found on a nearby ranch (United States Sheep Industry). Mixing of Bighorn and domestic sheep usually only happens during breeding season and only if the ratio of male to female Bighorn's are out of proportion (United States Sheep Industry). Regardless of what veterinarians have proven in field trials, the Forest Service wildlife biologists continue to insist their agency handbooks and lab findings are the only sources of correct information regarding disease transmission (United States Sheep Industry).

The issue involves not just if the literature points to domestic sheep infecting the Bighorn, but what the real risk to Bighorn Sheep are, due to natural range conditions. Laboratory conditions cannot simulate the miles of rangeland and the management techniques applied by range sheep operations to prevent contact between domestic sheep and wildlife (Fulstone). Laboratory conditions cannot simulate naturally occurring environmental hurdles for Bighorn recovery: feed availability, predation, severe weather, human impact, in addition to stress from re-introduction (Fulstone). Measures to control Pasteurella prior to establishing known risks and contamination sources have damaged local ranch families and their local economic stability (Rathburn).

The bottom line is Mr. Fulstone has spent \$400,000 over the last twenty years appealing agency decisions and buying additional allotment permits, both public and private (Fulstone). The ranch has lost over 7000 animal units per month, meaning the Fulstone sheep herds have been cut by 35,000 head (Fulstone). The sheep industry is being squeezed out by special interest

groups, environmentalists, and our very own Forest Service in the name of the Endangered Species Act. Abraham Lincoln once said, "It is much the duty of government to render prompt justice against itself, in favor of citizens, as it is to administer the same between private individuals." If the agencies involved in canceling grazing allotments from the Fulstone Ranch fail to accept peer reviewed science and find solutions that work for everyone involved, public and private alike, they may soon find a golf course and condominiums in what was once the home of true environmental stewards, the Fulstone family. Today, the American sheep industry is fading from the record high of fifty-six million head nationwide in 1942 to a mere six million today (The National Academies of Sciences).

As my class loaded up in the van and I said goodbye, Mr. Fulstone shook my hand and said, "Please, continue our fight, young man, and understand how important it is for America, for all of us, to keep the American sheep industry viable and productive for all generations to come." Mr. Fultsone, you have my word.

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