



Group alleges feds not doing enough for bighorn sheep

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The U.S. Department of Interior violated federal law by failing to take adequate steps to protect an endangered population of Sierra bighorn sheep, environmentalists argue in a lawsuit filed Thursday.

The Center for Biological Diversity alleges that the U.S. Fish and Wildlife Service "failed to perform the measures necessary" to protect a small population of bighorns living in the rugged high country east of Yosemite National Park.

The service continues to allow the grazing of domestic sheep that could infect bighorns with disease and potentially decimate the species, the environmental group argues in a suit filed in U.S. District Court in Sacramento. The sheep were grazed earlier this year on Forest Service land under permits issued to lifelong Nevada sheep rancher Fred Fulstone of Smith Valley.

The suit seeks a court order to designate public land in the area as "critical habitat" for the bighorn, an action that would likely require further scrutiny of domestic sheep grazing in the area, said Daniel Patterson, an ecologist with the group. It would also require Fish and Wildlife to finalize a draft recovery plan for the animal.

"We're telling the Bush Interior Department that it's time to follow the law," Patterson said.

"Protecting critical habitat and finishing the recovery plan is the right thing to do and it will work.

"Americans want wild Sierra Nevada bighorn recovered for future generations and critical habitat provides the best way to do it."

Officials with the U.S. Fish and Wildlife Service said Thursday they had no comment on the lawsuit.

The bighorn population probably began plummeting in the mid-1800s with the arrival of gold miners to the Sierra, and the introduction of disease-carrying domestic animals were "perhaps the largest contributing factor," the lawsuit said. As few as 100 animals were alive in 1998, the year before Fish and Wildlife approved an emergency listing for the bighorn as endangered, the suit said.

But the herd has since swelled in size to about 350, the beginning of a promising recovery environmentalists fear could be derailed by the continued close proximity of domestic sheep.

"We want to see that recovery happen," Patterson said.

Fulstone, 85, told the Reno Gazette-Journal last September that the issue doesn't concern the future of the bighorn but instead is

an attempt at a "land grab" by the government.

If he loses the ability to graze sheep on Forest Service land "this would put us out of business. It would ruin our whole operation," Fulstone said at the time.

Fulstone's Nevada-based ranching operation currently includes about 15,000 ewes and lambs and produces 1 million pounds of meat and 100,000 pounds of wool annually, the rancher said.

The issue also involves the Nevada Department of Agriculture.

Dr. Annette Rink of the department's Animal Disease Laboratory has questioned whether domestic sheep pose as big a danger to bighorns as portrayed by critics. She also questions whether the listed population of Sierra Nevada bighorns are really genetically distinct from the desert bighorns found to the east, which are not considered endangered.