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Environmentalists take feds to court over sheep grazing

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Sheep ranchers in the western U.S. certainly haven't had anything handed to them and things may get tougher still. A new lawsuit threatens the largest sheep research unit in the western U.S., one which provides valuable information to sheep producers searching for new ways to remain profitable in today's market. Two environmental groups, Center for Biological Diversity (CBD) and Western Watersheds Project (WWP), recently filed suit against numerous government agencies alleging, according to a CBD press release, that the U.S. Sheep Experiment Station (USSES), located near Dubois, ID, has been conducting illegal grazing of domestic sheep and is harming the local ecosystem by doing so.

USSES is a research center under USDA's Agricultural Research Service (ARS) which owns ground for research purposes in central Idaho and southern Montana. On June 25, a press release from CBD claimed USSES has been unlawfully grazing more than 3,000 head of sheep in viable endangered species habitats. The environmentalists also make the claim USSES has been operating on other public lands, including Bureau of Land Management (BLM) and U.S. Forest Service (FS) ground, without proper permits and with no management plan in place.

The two groups allege in their suit that grazing is taking place on USSES lands without National Environmental Policy Act (NEPA) analysis and with no Endangered Species Act (ESA) consultation having been done.

In an email response to questions concerning the issue, CBD representative Michael Robinson outlined the violations committed by the station, citing expired permits on public land, along with no management plans or NEPA/ESA compliance. CBD claims proof of these allegations is contained within information obtained from USSES records through the Freedom of Information Act (FoIA).

However, experiment station personnel have released public documents showing that in the years between 1915-1922, the ground they operate on was removed from the public domain as a result of executive orders issued by Presidents Wilson and Harding. The agency again purchased land specifically for research purposes from two private ranches in the 1940s, completing the acreage upon which USSES currently conducts research.

The effect of these documents nullifies the suit filed by CBD and WWP, since USSES operates on ground which is not publicly owned or controlled. However, CBD called those claims "baseless," as neither environmental group recognizes the property as being immune from regulations applied to public land.

Jay Bodner, natural resource coordinator for the Montana Stockgrowers Association, last week dismissed the suit as just another attempt by environmental groups to punish ranchers for what the groups perceive as a negative activity.

“It’s pretty much another case of these groups trying to ban grazing on public lands, without using science as a basis for their actions,” he said.

A source close to USSES indicated that BLM and FS lands are strictly winter ranges for the sheep, while USSES-owned ground was the summer pasture where SES research is conducted. The perceived lack of a management plan on the public land is due to interagency communication, where BLM and FS simply issue directives to USSES regarding the first and last dates the ground is available for grazing.

The grazing land where USSES operates falls within what CBD claims to be an area known as the ‘Greater Yellowstone Ecosystem.’ As a result, CBD and WWP claim USSES’ activities impact the migration patterns of large predators in the area, which include endangered species such as grizzly bear, wolves and lynx. In addition, the groups claim that USSES kills these endangered species on a regular basis using predator control methods such as aerial gunning, poisoning, and trapping.

Sources familiar with USSES activities and practices claim that these allegations are patently false, saying that large predators are removed only when the bears or wolves endanger the sheep herders, circumstances which have only occurred a few times in the history of USSES. They also rebuke the claims made by CBD that the sheep grazing practices of USSES endanger the “world’s largest concentration of bighorn sheep” through transmission of disease.

One source indicated that USSES maintains a three- mile buffer between sheep and bighorns by sending scouts on a daily basis to look for bighorns, moving the sheep accordingly. If the two species come too near one another, USSES policy is to load their sheep on a truck and remove them from the area immediately.

The government agencies involved in the lawsuit include USSES, ARS, and FS, agencies which all operate under USDA. Despite claims disputing CBD evidence, Robinson remains hopeful that the evidence needed to win the suit exists. “Although we haven’t had a chance to look at all the information obtained through our FoIA request,” he admits.

Calls to USSES seeking comment were directed to the ARS office in Beltsville, MD, where ARS spokesperson Shawn Adams explained that, “Due to the case being involved in litigation, neither USSES or ARS can comment at this time.” — **Tait Berlier, WLJ Editor**