

PROTECTING BIGHORN SHEEP HABITAT – A WORTHY CAUSE?

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Abstract: In 1950, F. Couey estimated that 1200 bighorn occupied 16 different areas within the state of Montana. Primarily a result of regulated hunting, transplant of animals to suitable areas, and protection and proper management of habitat important to bighorn sheep, 43 well established populations now numbering 4,500 reside in nearly all suitable historic habitats, from the rugged mountainous regions of the west to the river breaks in the east. Although the predominance of the acres of occupied habitat is under public ownership, important areas are in private ownership and some public land areas are not accessible to bighorn sheep hunters or the general public due to private land closures or leased hunting rights. The strong desire by many to own a little, or large, piece of Montana is now a major factor influencing wildlife habitat and hunter and public recreational access. In 1987, Montana's state legislature passed landmark legislation, known as House Bill 526, which provided authority and approximately \$3.3 million annually in funding for Montana Fish, Wildlife & Parks to acquire through fee title, lease, or conservation easement, important wildlife habitat that was seriously threatened. Since that time \$32.7 million has been spent and over 258,526 acres of important wildlife habitat has been acquired. The administrative rules that were adopted by FWP are collectively known as Habitat Montana. These rules apply to all acquisitions of interest in land by FWP to secure wildlife habitat, including bighorn sheep auction license funding which Montana receives from the auction of one license each year. Since 1986, when the auction funds first became available, over 4,000 acres of important habitat for bighorn sheep has been acquired in four locations in Montana. The criteria for selection of projects and the procedures used by FWP to acquire wildlife habitat is described using the Whiskey Ridge Conservation Easement Proposal currently in process. Although securing important bighorn sheep habitat is a worthy goal in and of itself, benefits also accrue to the landowner who wants to maintain his/her ranching operation or pass the ranch on to heirs, the local economy, hunters, and the general public. Often, it's not the monetary exchange that is significant, but the social benefits one receives from accomplishing something that will insure bighorn sheep will be present in the area for many years to come.

Journals of early explorers indicate Rocky Mountain sheep were widely distributed in Montana in the early 1800s. Meriwether Lewis described them near the mouth of the Marias River in July, 1806 (Thwaites Ed., Lewis, Vol. 5, pp 229, July 29, 1806). About the same time (July 26, 1806), Clark, who was

going down the Yellowstone River, describes observing 40 bighorns near Pompey's Tower. On August 3, 1806, Clark again describes: "at the junction of the Missouri and Yellowstone Rivers I saw a large gang of ewes, yearlings and lambs and one ram. Shot the ram. We now have one ram, a ewe, and a yearling

in the collection.” Joseph Whitehouse also stated the following in his journal during the same expedition: “the hunters came in at dark had killed 1 black tailed. Deer 2 Ibex or mountain Sheep (rams) which had handsom large horns. we took care of the horns in order to take them back to the U. States. a pleasant evening (Moulton, G., 1986).

Although Lewis and Clark do not mention bighorn when they crossed the Rocky Mountains, there are other references to bighorn in the mountains about that time. Bradbury described Indian bows made from the male horns of an animal the French called “gros corne” (Thwaites, Early Western Travels, Vol 5, 1809-11), and Gabriel Franchers, in his voyage to the Northwest Coast of America described an animal with great curved horns like a domestic sheep (Thwaites, Vol 6, 1811-14).

Like most game animals, bighorn sheep decreased dramatically during settlement of the West. Contact with domestic sheep, range competition from livestock, disease, and subsistence hunting all contributed to the decline. Montana’s bighorn hunting season was closed in 1915, and remained closed until 1953. Following major die-offs along the East Front of the Rockies in 1925, 1927, and 1932, bighorn sheep in Montana were considered rare or even endangered.

Following Montana’s acceptance of the Federal Aid to Wildlife Restoration Program, the State Fish and Game Department initiated a Bighorn Sheep Investigations project. The results of that effort were published in 1950, and author and biologist Faye Couey stated

that 1200 bighorn occupied 16 different areas within the state at that time (Couey, 1950). Couey’s recommendations included 1) establishing a “ranch” to hold captured bighorn for disease studies and future transplant stock; 2) treating bighorn with salt blocks containing Phenothiazine to treat them for intestinal nematodes; 3) limited permit hunting of rams; 4) trapping and transplanting bighorn to new areas to expand distribution; 5) predator control; and, 6) signs to educate hunters on the characteristics of bighorn to prevent accidental shootings.

Although the “ranch” was never established, and the salt block treatments proved to be unsuccessful, the hunting season was opened in 1953 and trapping and transplanting, although tried to a limited extent before, was began in earnest. From 1941 to the present, nearly 2,000 bighorns have been transplanted within Montana. Most, about 1800, were transplanted after 1960.

Today, there are 45 well established populations numbering 4,500 which occupy most of the historic habitat in Montana, especially on public land. Most transplants now occur in areas that have previously suffered a significant die-off. Additionally, more and more bighorn have been captured and transferred to other western states for transplant. Since 1990, 137 Montana bighorn have been transplanted in the states of Idaho, Oregon, Washington, and Utah.

Changing Times

But, another change is occurring across the landscape, impacting bighorn habitat

and the public's access to view and utilize that resource.

Although 78.6 percent of the 3.7 million acres of habitat occupied by bighorn in Montana is under public ownership, over 802,000 acres still remain in private ownership and some public land areas remain un-accessible to bighorn sheep hunters or the general public due to private land closures. Once family owned farms and ranches primarily used for agricultural purposes, are now owned by nonresident landowners and large corporations with less dependence on agricultural production or they have been divided into smaller parcels for single family homes or vacation retreats.

The Center of the American West, University of Colorado at Boulder, recently initiated a "Ranchland Dynamics" project to obtain a clearer picture of the rates and patterns of changes in ownership and use of the West's ranchlands (Travis, W., et al, 2004). Of particular interest to this project is the widespread transfer of ranches out of traditional hands to a new generation of owners with different land management goals. They noted some ranchlands were being subdivided for residential use, while others were kept intact or enlarged when purchased by owners who often had more interest in the amenity values of the property rather than livestock production. In studying a ten county area in the Greater Yellowstone Area (GYE) of Wyoming and Montana, they have found that:

“Universally, agricultural extension agents in each county reported major attrition among agricultural operators.

Those ranch owners who inherited ranches burdened with debt or who borrowed money to buy and operate ranch properties during the period between 1975 and 2000 have had the greatest difficulty making a go of it. In the past fifteen years, as land values have increased in response to the demand for rural recreational and residential properties, full-time ranchers have been priced out of the land market. With the exception of a few rare individuals whose previous land investments have deepened their pockets, in today's Greater Yellowstone Area, traditional ranchers face a dilemma of being unable to expand their ranch operations in order to meet changing market conditions or to enable their children to join in the ranch enterprise.”

These changes are significant in themselves, but when you consider the future and ask yourself ; What are the long-term consequences of the current high land values and lack of dependence on agricultural uses?, you begin to worry about the wildlife habitat values and how these might be protected for future generations. Increased emphasis on land protection and wildlife habitat enhancement efforts seems the only prudent avenue to take if we want to

protect wildlife habitat values on private land in the future.

Montana's efforts to secure important wildlife habitat for future generations began with the acquisition of 1,004 acres of elk winter range on the east side of the Little Belt Mountains in the central part of the state near the Judith River in 1940. Shortly thereafter, in 1947, the famed Sun River Game Range was purchased along the Rocky Mountain Front, primarily for elk winter range, but which also included some of the first bighorn sheep habitat secured by the state. Although several important big game winter ranges and key waterfowl areas were purchased early on, the effort really got going with the passage of House Bill 526 by the Montana Legislature in 1987.

Habitat Montana Program

House Bill 526 (87-1-241& 242 MCA) passed the legislature in 1987 and was reauthorized again in 1994. The legislation funding the program sunsets in March, 2006, so the 2005 Legislature will be considering legislation to reauthorize the program. House Bill 526 provided a "means for FWP to acquire wildlife habitat through leases, conservation easements, or fee title." It directed the FWP Commission to adopt a policy for the statewide program (Habitat Montana) to acquire diverse habitat, reasonably distributed across the state with emphasis on habitat that is seriously threatened. Funding for the program totals approximately \$3.3 million per year from a portion of the fees paid for hunting licenses by nonresidents and residents. The majority of the funding (93%) comes from nonresident licenses.

The Habitat Montana Program (ARM 12.9.508-512) was adopted by the FWP Commission through the administrative rule process. The three main goals of the program are:

- 1) To Conserve Wildlife and Natural Communities
- 2) To Sustain Ecological Systems, and
- 3) Compatible Habitat Management

In adopting the policy, the commission directed all wildlife habitat acquisitions follow the procedures established under Habitat Montana regardless of funding source. Thus, the acquisition of sheep habitat utilizing the auction license funding follows the same procedures as that used to purchase a waterfowl area with duck stamp funds. To highlight the significance of this effort, Montana now has over 124 sites, totaling nearly 700,000 acres of important wildlife habitat protected (243,749 fee title; 117,545 lease; and 337,035 conservation easement).

The implementation procedures detailed in the plan involve identifying the staff responsible for different phases of an acquisition, establish criteria for property selection and prioritization, requires development of an environmental assessment and management plan for the property, sets procedures for public involvement and future monitoring requirements. Although the legislation provides authority to lease the land, or purchase an interest in the land through a conservation easement or by fee title, the legislation indicated conservation easements or lease are the preferred methods. As a result, the program emphasis has been on conservation

easements and the acreage under conservation easement has dramatically increased over the last ten years (7,638 acres in 1992 versus 325,433 acres in 2002).

Since 1986, when the sheep license auction funds first became available, 4,585 acres of important habitat for bighorn sheep has been acquired in four locations in western Montana. In 1994, the 1,554 acre Cole property in the Thompson Falls area was purchased and eventually named the Mount Silcox WMA. Three separate transactions between 1995 and 2000 resulted in the purchase of 1,413 acres in the Lost Creek area near Anaconda. In 1998, 65.5 acres were added to the Kootenai Falls Wildlife Management Area. In addition to the acquisitions, a conservation easement on 1,552 acres was completed in 1998 on the Gillies Ranch near Rock Creek.

Whiskey Ridge Proposal:

Once the home of the Audubon sheep, *Ovis Canadensis auduboni*, (last one reported taken in 1916), portions of the Missouri River Breaks of northeastern Montana provide some of the best habitat for bighorn sheep in Montana today.

Between 1958 and 1961, 43 bighorns from the Sun River Herd were released near Two Calf Creek in north Fergus County. By 1971, the population had grown to 90 animals. The herd experienced high winter mortality during the winter of 1971-72 and for the next 8 years, the population was static at 20 to 30 animals. In 1980, 28 bighorns were released in the Chimney Bend area in north Fergus County. These sheep subsequently merged with the remnants

of the Two Calf population and pioneered into the Missouri Breaks on both sides of the river. By 1986, a total of 63 sheep were counted during a fixed wing survey of this area. A total of 281 sheep were observed here in 1992. A 1995 survey recorded 462 animals, and by 1997, there were a minimum of 483 sheep in this area. In 2003, a complete survey of this area recorded in excess of 700, approximately ½ of that number on each side of the river. This herd now stands as Montana's second largest next to the Sun River Herd (800 –900) in west central Montana.

In November, 2002, the local wildlife biologist recommended FWP consider purchasing a conservation easement on three ownerships along Whiskey Ridge some 12 miles north of Winifred along the south side of the Missouri River. The properties encompass 4,360 acres of deeded ground with a ½ interest in another 320 acres. BLM acreage associated with the properties is 4,180 acres and State School Trust land adds an additional 320 acres. Since two of the landowners wanted to sell out, and another wanted to retain ownership but buy out a sibling's ½ interest, purchase of a conservation easement outright was only possible with the owner who wanted to buy out her sibling's interest. FWP would have to come up with additional revenue to purchase the properties in fee title, even if the goal ultimately was to divest of the fee value and retain a conservation easement in the area.

In June of 2003, FWP sent a letter to the Montana Chapter of the Foundation For North American Wild Sheep and the national organization of FNAWS describing the project and asking if they

wanted to form a partnership with FWP to secure the property. Basically, if FNAWS could raise enough revenue to purchase one of the properties and then subsequently donate or sell the conservation easement to FWP and sell the remaining fee value to another landowner, FWP might be able to obtain an easement on all three properties, the ultimate goal. In addition, if a local landowner with additional sheep habitat and interest in buying the underlying fee value of all the property could be found, perhaps additional sheep habitat in an adjacent area or another area of Montana could be protected.

So, began the long and sometimes circuitous route of moving forward with the proposal. The local FNAWS chapter took on the project with gusto. They contacted other chapters with a challenge and worked with individuals, corporations, and the national to raise enough funds to pursue a purchase agreement with one of the landowners. After much discussion, the decision was made to proceed with recommending to the FWP Commission that the department pursue acquisition and eventual retention of a conservation easement on the three properties along Whiskey Ridge. Following Commission approval last spring, additional negotiations occurred and, FWP sent out a solicitation for proposals from adjacent or other landowners in the state with sheep habitat that might wish to purchase the remaining fee value of the lands in exchange for a conservation easement on their properties. Additional inquiries have been made by individuals to purchase the fee value outright. At the time of submission of this publication, FWP and FNAWS are in the negotiation with the landowners.

If agreement can be reached with the landowners, the project still must go through the environmental assessment process, receive public comment, and ultimately be approved by both the FWP Commission and the State Land Board.

Conclusion:

As Dr. Harold Picton said in his February 2002 presentation to the Montana Chapter of the Wildlife Society annual meeting on “The Resurrection of Montana Wildlife Populations”, “The 19th century was disastrous for Montana wildlife. Fur trapping, hide hunting, and subsistence hunting by the early explorers and settlers depleted most of the wildlife to near extinction. Although protective laws were passed in the late 1800s and early 1900s, wildlife populations increased little. The surveys of the Montana Office of the State Game and Fish Warden, formed in 1901, painted a dismal picture. The only sizeable elk herds were in the Sun River-South Fork of the Flathead and Yellowstone Park areas (Avare, H. 1912)”. Picton also cited several reports which indicated the Sun River-Flathead elk herd was regarded as being in danger in 1913, and the head of the U.S. Biological Survey expressed fears that the Gallatin Herd of the Yellowstone Park area might go extinct.

The 20th century brought with it prosperity and a widespread interest in restoring the once great wildlife populations of the West. Today, we reap the benefits of that previous generation’s efforts. We are currently at the beginning of the 21st century. What will this century hold for wildlife and their habitat?

History shows that one cannot rely on the techniques of the past to perpetuate the wildlife populations of the future. All the protective laws and enforcement of the late 1800s did little to restore the wildlife to the West. The trapping and subsequent transplanting and reintroduction of wildlife to historic habitats brought back the wildlife where habitat was still present. Public land initiatives and establishment of the state game agencies, passage of the Pittman Robinson Wildlife Restoration Act and numerous other actions have helped significantly along the way.

We are now at a point when we need to focus on what is happening to the ownership and uses of the habitat that is key to bighorn and other wildlife survival. Without the habitat, we can transplant animals until the “cows come home” and no more animals will survive. Programs like Habitat Montana are pivotal to protecting wildlife habitat for the future. The partnerships we can form with organizations like FNAWS and sportsmen and women can result in projects like Whiskey Ridge coming to fruition. All we need to do is work together, just like the previous generation did in restoring the wildlife we currently enjoy.

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