

Bear Creek Council Newsletter

August 11, 2006

August General Meeting **August 15th, 7:00 p.m.** **Arch Park in Gardiner**

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Bear Creek Council

(BCC) membership (\$40)

includes membership in

Northern Plains Resource

Council. Northern Plains

supports BCC with a

community organizer,

lobbying, fund-raising,

member trainings and

representation on the

Northern Plains board.

BCC President Rick McAdam and Vice President Carolyn Duckworth attended the last Northern Plains Board meeting August 5th in Billings. Following are a few notes Rick sent regarding the meeting:

Highwood Generating Station: The NPRC board voted to comment critically on the Highwood Generating Station, a coal fired electric generation facility proposed near Great Falls for generating power for about 1/3 of Montana. There are too many downsides and alternatives that haven't been addressed currently. The plant is proposed for 250 megawatts of coal-fired power and only 6 megawatts of wind power. Mark Fix will draft Northern Plains's comments. There will be more specifics at the BCC general meeting.

I-154: NPRC will oppose and encourage its members to vote NO on this "Taxpayer Trap". I-154 will enable irresponsible developers to demand huge payouts from taxpayers for alleged losses to their property values. The MT State Budget Director, David Ewer, determined this measure will cost Montanans "potentially tens of millions of dollars" through state taxes. He said even greater costs will be paid through local property taxes. Those millions would have zero benefits for Montana families. The initiative is cloaked as a measure reforming eminent domain. Out of state interests, such as New York real estate mogul Howard Rich, are pumping millions to push this law on Montana and other states. Oregon passed a similar measure in 2004 and now faces \$4 billion in claims. There will be an information sheet on this at the BCC general meeting.

Coal bed methane task force report: Fidelity Exploration (FEPCO) has filed for water rights for the groundwater they are siphoning in order to get the gas. They say they want to use it for irrigation and dust suppression – both bad ideas due to high salinity – and "other uses". This has the distinct possibility of leading to commoditization and privatization of water, which is becoming a global issue. The implications are far reaching even if you don't live in CBM country. NPRC is challenging this water right application and looks to be in for a big fight. It is now a statewide issue and could impact any landowner.

Negotiations with DEQ and industry over water treatment numbers have not been productive despite the fact that the department was directed to come up with recommendations for standards for the September Board of Environmental Review meeting. Related to this NPRC will join with the Northern Cheyenne Tribe in their lawsuit challenging the MPDES permits granted to FEPCO. Our major concern is that the department did not require or establish technology based effluent limits in the permits.

Bison news – Carolyn Duckworth

IBMP meetings—See Rick’s report (below) plus—we have heard a public “workshop” will be held in September for the agencies to present ideas for changing the bison management plan. This is all we know; if you hear more, contact Carolyn.

Action Needed: Please write or call Hal Harper or Governor Schweitzer: They continue to blame the National Park Service for various problems in bison management. This attitude is counterproductive, unfair, unhelpful—and wastes the time of NPS officials who have to defend themselves instead of working on productive solutions. See www.bearcreekcouncil.org for the address/phone/email or go to the state’s website.

APHIS redistricting: See Rick’s IBMP report for momentum on this goal.

Working with NPRC: Rick, I, and Tom Torma met with Mark Fix after the NPRC board meeting to discuss bison. Mark has personal experience with brucellosis—his dad had to kill a few reactive cattle that never turned infectious; only those animals out of the herd had to be killed. Mark asked us to talk with members of the Ag task force next to find out if we can agree on potential and goals. We also have to find out if NPRC can actually spend time on this; they are short on organizers and staff and long on needed actions.

Stephen’s Creek: Loss of habitat is the major potential problem; we sent a letter about this so that we receive future documents.

Buyout: Some groups may be backing away from the buyout due to CUT intransigence and Rates’ desire to continue raising cattle. Hank wrote the governor on June 25 explaining his family’s position on keeping cattle and why brucellosis is a risk they are willing to take.

Quarantine: Dave will talk to Pat Flowers or Kurt Alt and ask if we can observe the quarantine operations and why the road side area is off limits to buses of educational groups and other interested people. Rick will help with this.

Rick’s Notes (slightly edited) from the Interagency Bison Management Plan (IBMP) Operations Review Meeting in Bozeman, July 26, 2006.

This is the periodic review by the signatories to the IBMP of the plan’s current status and operations since the last meeting. This includes the recent 2005-06 winter operations. This meeting was open to the public and the usual folks you would expect from the representative agencies were there: Tom Linfield, Mt State Veterinarian; Pat Flowers, MT FWP; Becky Heath, Gallatin NF Supervisor; Suzanne Lewis, Glenn Plumb, Tim Reid, NPS; Ryan Clark, APHIS; Hal Harper from Gov. Schweitzer’s Office. Also attending were: Kate Gordon, RTR President & Becky Summerville, RTR attorney; Rick Wallen, Al Nash, NPS; Ken Britton, GNF; Amy McNamara, GYC; Glenn Hockett, Gallatin Wildlife Alliance; Darryl Geis, BFC; Arnold Gertensen, former MT State vet, now with APHIS; Kara Ricketts, MT Farm Bureau; Don Woerner, Laurel vet; plus a number of other conservation and livestock industry reps.

The perfunctory agency reports of management actions went over the numbers of bison shipped to slaughter, tested, hazing actions, hunt numbers, other mortalities. There were updates on the Quarantine Feasibility Study, Remote Vaccination EIS, adjacent lands.

Some items of interest:

The movement of bison into the Gardiner Basin began in November, 2005. This is earlier than normal. Most of these animals came from the central interior of Yellowstone – Hayden Valley, not Lamar. Bison’s acceptance of hazing was gone by January. Then capture and shipping to slaughter without testing began. New groups from the northern range began coming out in March. An MSU study shows central plateau bison have actually been moving north for 20 years.

Spring bison count – 3,700. Growth rate is 8-13%; lower in Lamar, higher in Hayden Valley.

Bison hunt permits were proposed to be increased to 100; with 15 “cow/calf only” permits. *However, yesterday's newspapers said a total of 150 were approved.*

The speed limit was reduced to 55 mph on the west side on US 191, outside of the Yellowstone portion. *We should request that on US 89 for public and animal safety, as many have previously suggested in the spring when deer fatalities are abundant.*

Remote Vaccination: RB-51 vaccine is safe for bison and other non-target species. The draft EIS on Remote Vaccination expected in early 2007. Alternatives will be: 1) no action 2) vaccinating only captured calves/yearlings 3) vaccinating calves/yearlings pre- sexual maturity.

Testing results from the quarantine facility are expected in mid-August. These should be available to the public; probably on FWP website. Of animals that have sero-converted while in quarantine, 6 of 7 tested positive for brucellosis upon slaughter. There are still 2 bighorn sheep in the upper pasture. Results so far allow proceeding to Phase II of the study. Fall, 2007, will be the first breeding of the quarantine animals. Fall, 2008, the first animals will be available for relocation. Relocation site(s) are still indefinite.

Adjacent Lands: Munz property on Horse Butte may be purchased by private buyer.

Cash-Eldridge (Taylor Fork): No grazing there in 2006, but there will be in 2007. There will be a decision in April on a new permittee or allotment. This can be withdrawn in the future if the land is deemed suitable for bison.

Royal Teton Ranch buyout is still being talked about says Pat Flowers.

Hal Harper: Gov. Schweitzer wants more bison hunting permits. Use of eminent domain will not be considered. Wants to see changes in IBMP and new approaches out of crisis management, and increase in time/space separation. Still very interested in elimination of the disease.

Pat Flowers: IBMP is a risk-management plan, not an elimination plan.

Resolution of Western States Livestock Health Association (vets): quarantine of cattle co-mingling with *elk* is appropriate in Zone 3. In Zone 2 regular testing of cattle herds without cost to the cattle owner.

Discussions from the public: Bill Meyer, rancher, outfitter (formerly in Yellowstone) asked about the idea of different zones of classification for cattle and brucellosis. This was a seminal event from the point of view of conservation groups, because it came from the other side of the aisle, from a rancher, and demonstrated the logical nature of this concept – just what BCC is advocating in our policy statements. Tom Linfield and Glenn Plumb brought up the fact that the regionalization concept is already being used by APHIS in the Upper Peninsula of Michigan with tuberculosis in deer. ... Well Ryan Clark of APHIS became as irate as I've ever seen him (which isn't really too bad, because he usually has an ear-to-ear grin, but the change in expression and tone was radical). Tom Linfield commented, and Arnold Gertensen also. According to them this would be a free ticket for entities involved in the deadly battle for brucellosis elimination to slack off on the fight against this world-threatening disease. However, Don Woerner, a vet from Laurel, jumped all over this by injecting not only elk, but also feral swine in the Southeast US (carriers of another brucella strain) into the equation, and asking why APHIS isn't as concerned. No good answer ensued. Other folks were quick to see the logic and the end result was Glenn Plumb being assigned a research task to determine if such a change required a change in the *Code of Federal Regulations* or if it was a change in the *Uniform Methods and Rules* for dealing with livestock. I think the ball is rolling in the direction we want it to on this issue. This is something that would do more than set the stage for greater tolerance of bison outside of Yellowstone while protecting Montana's brucellosis-free status. It would remove the necessity of a buy-out of cattle leases and owners in the Gardiner Basin, thus allowing Hank to keep his cattle and possibly leave RTR hanging in the breeze with theirs.

Park County Growth Policy – The growth policy has been passed by the county commissioners, who strengthened waterway protection language and added provisions for increased trails and parks. BCC supported these changes. A vocal minority of residents are already actively planning opposition, perhaps a legal challenge to the policy. Copies of the document are available, for a charge, from Insty Prints in Livingston.

