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Dear Mr. Scurlock and Mr. Henningsen:

Please accept these comments on the five-year review for the elk Brucellosis Management Action Plans (BMAP's). For many years both the Greater Yellowstone Coalition and the Jackson Hole Conservation Alliance have been involved in educating the public and advocating for responsible public policy dealing with brucellosis in wildlife in western Wyoming. Our goals are to achieve healthy free-ranging populations of wildlife distributed throughout western Wyoming that will benefit the ecosystem and sustainable human communities and businesses. The position held by our organizations is to expeditiously phase out the elk feedgrounds as the most effective and sustainable way of achieving this goal and that will effectively manage brucellosis in elk and livestock.

Our comments here are limited to two of the Elk Herd BMAP's, the Jackson Elk Herd and the Pinedale Elk Herd.

Jackson Elk Herd Brucellosis Management Action Plan

We note that in the Goal and Objectives section of the Jackson Elk Herd BMAP it includes:

- 2) use available data to develop management actions to reduce brucellosis transmissions among wildlife and from elk to cattle, and
- 3) select appropriate management actions for implementation in the elk herds. (page 4)

In light of the above goals we recommend pilot projects that include:

- 1) Exclusionary elk-proof fences around winter livestock feeding areas in areas where elk are expected to range in order to effect spatial separation between elk and livestock.
- 2) We also recommend the expeditious phase out of the elk feedgrounds.

Fencing to prevent commingling

The June 2007 JEH BMAP states:

“Damage and elk-to-livestock commingling contribute to increased risk of intraspecific disease transmission among elk. In most circumstances, elk are not tolerated consuming private crops and commingling with cattle. Strategies to hold elk on artificial feed longer and hazing elk to feedgrounds are often employed to minimize these conflicts. These practices increase the chance that an aborted fetus contaminated with Brucella will be contacted by elk wintering on feedgrounds, thus increasing exposure rates among elk.”
(page 9)

Since separation is key to preventing interspecific transmission of brucellosis between elk and cattle (or from elk to horses), and allowing elk to naturally spread out on the landscape diminishes the risk of elk-to-elk intraspecific transmission, elk-proof fencing around winter livestock feeding areas (and subsequent phasing out of the artificial feeding of elk on the feedgrounds) would solve this problem. Given that damage from some elk getting into livestock feedlines on private lands has continued despite keeping most elk on the feedgrounds during winter, it's apparent that all the efforts to keep them on the feedgrounds with hay and by hazing doesn't solve this problem. Fences around livestock will. And, as the BMAP describes, elk keep getting sick with brucellosis on elk feedgrounds. It's a failed policy all around.

There are only three wintering livestock operations with more than 20 horses or cattle within 20 miles of the three Gros Ventre feedgrounds. And one of those livestock operations, along Crystal Creek in the Gros Ventre Valley, has already constructed an elk-proof fence around its haystack and horse feeding area.

Two more livestock operations west of the feedgrounds in the Gros Ventre Valley, one with approximately 80 horses and the other with less than 200 cattle (post calving season) and a few dozen horses, have yet to erect elk-proof fencing to exclude free ranging elk from commingling with livestock or eating their hay that is pitched to livestock. We recommend that the WGFD work out an agreement with these remaining livestock owners to elk-proof their operations and/or the WGFD can get permission from the Bridger-Teton Forest to construct the minimal amount of elk-proof fencing on nearby public lands that would prevent elk commingling with these livestock during winter and still enable trans-landscape big game movements. At the most, a total of three or four miles of elk-proof fence on USFS land would suffice to protect both locations from elk. These kinds of fences are not unusual in western Wyoming as they exist in various locations in Sublette, Lincoln and Teton Counties. Much less fencing would suffice if placed with landowners' permission on their private property. Any other livestock wintered in the area at different locations (e.g., at Kelly) amount to very small numbers and elk-proofing those locations, if needed at all, could easily be accomplished.

Elk numbers

Regarding a pilot feedground phaseout project for the Gros Ventre elk feedgrounds, the 2007 JEH BMAP states:

In April 2006, WGFD assembled a document evaluating the proposal for a phase-out of elk feeding in the Gros Ventre drainage (WGFD 2006) It was concluded that the only

way a trial phase-out of feeding could be attempted is if the current population of elk wintering in the Gros Ventre is reduced by 1,000-1,500 animals, mitigation measures to prevent livestock and elk commingling are implemented by landowners in areas of highest potential for damage and commingling, and the NER agrees to accommodate any additional elk that would move from the Gros Ventre drainage to the NER. (page 12)

In these comments we will address all these phase out criteria.

Specifically regarding the numbers of elk sustainable in the Gros Ventre Valley without artificial feeding, the 2006 WGFD report states:

*“(B)ased on the three carrying capacity estimates calculated in this assessment for mean and above average precipitation years, to some degree historic accounts of elk numbers and starvation events, and the need to prevent added competition for forage with bighorn sheep and moose wintering in the Gros Ventre valley, it appears there may be adequate forage available most winters for an elk herd closer to 3,000 than the current 4,000-4,500.”
(page 25)*

The WGFD 2005 Annual Big Game Herd Unit JCR’s says that during late February 2006 winter elk surveys showed a total of 3,796 elk in the Gros Ventre Valley. (Table 1, page 104) During the WGFD Season Setting Meeting in Jackson, Wyoming, March 29, 2011, information presented by the WGFD to the public showed February 2011 counts for elk in the Gros Ventre Valley were 2775. Thus, there are now 1,021 less elk in the Gros Ventre than in February 2006. Obviously the number is now below 3,000 and has met this criterion for phase out determined by the WGFD in both the JEH BMAP and the 2006 response to the Gros Ventre phase out proposal.

Funding

“WGFD could facilitate in locating funding sources for landowners that have the desire to implement a large-scale fencing project.” (JEH BMAP: 14) As noted above we recommend that the WGFD locate funding sources and construct fencing on nearby public lands if private lands applications are not feasible.

The Natural Resources Conservation Service (NRCS) has its Environmental Quality Incentives Program (EQIP) which can provide funding for brucellosis mitigation projects. There is also \$500,000 made available by the USFWS in the Bison and Elk Management Plan, p. 80, Table 2-2, which can be used for “Elk/Bison Conflict Resolution on Adjacent Lands”. The WGFD has also regularly allocated funds in their annual budgets for commingling and damage prevention, such as the haystack fencing projects (JH Bison BMAP:36). And the Wildlife and Natural Resource Act passed in 2005 by the Wyoming legislature contains funding expressly “To mitigate conflicts and reduce potential for disease transmission between wildlife and domestic wildlife” (Wyoming Statute 9-15-103 (d) (viii)). Funds to mitigate commingling can also come from USDA-APHIS.

Clearly there is adequate funding available nowadays, and the WGFD in collaboration with the USFS, USFWS, USDA-APHIS and livestock producers need to move quickly to implement strategic fencing projects on whatever lands are most appropriate to alleviate the commingling problems. Such fencing should not adversely affect big game migrations and should be only as extensive as necessary to maintain separation of livestock from big game. (the above

paragraphs have been excerpted from comments on the Jackson Hole Bison BMAP by GYC and JHCA, 1-17-2008, pages 4-5)

In 2005 conservation groups estimated a cost savings of more than \$1.5 million dollars over ten years if winter feeding and vaccinating elk on the 3 Gros Ventre feedgrounds are phased out. (GYC, et al 2005) The savings would likely be even more if calculated today and some of those savings could be applied to elk-proof fencing of livestock feeding areas.

Elk Refuge

As for the concern expressed by the WGFD in the 2006 JEH BMAP about the National Elk Refuge needing to “agree[] to accommodate” any elk from the Gros Ventre if elk feedgrounds are phased out: The Elk Refuge is required by the Refuge System Improvement Act of 1997 to “provide for” conservation of healthy wildlife, healthy plant communities and healthy habitats on Refuge lands. Elk are healthiest when free-ranging and not constrained or artificially fed, and therefore the Refuge should not refuse to accommodate free ranging elk or any species of wildlife on healthy habitat.

Protection of Winter Ranges

Currently there are approximately 100,000-acres of agency-designated elk winter range in the Gros Ventre Valley and more in surrounding areas (GYC 2005a). During winter, the Bridger-Teton Forest and other agencies restrict human use on much of this winter range to protect big game. The “Don’t Poach The Powder” Campaign spearheaded by the Jackson Hole Conservation Alliance (with partners: BTNF, Grand Teton National Park, Greater Yellowstone Coalition, National Elk Refuge, Rocky Mountain Elk Foundation, and WGFD) pays for radio and print ads, maps, brochures and other community education efforts to help protect the big game winter ranges from human disturbance. In the past few years, the Jackson Interagency Habitat Initiative (JIHI) has conducted prescribed-burns over thousands of acres on or near these winter ranges to improve forage production. Wildfires have also burned and regenerated plant communities throughout the Jackson Elk Herd Unit Area. Many stakeholders, including the JHCA and GYC, paid a total of \$455,000 for the buyout of the Bacon Creek/Fish Creek Cattle Allotment in 2007 which now protects the forage from livestock grazing on nearly 60,000-acres of winter range in the Gros Ventre Valley for the use of wintering big game. Clearly there is plenty of protected native winter range available for elk near the three Gros Ventre feedgrounds.

Recommendation

Given the above accomplishments, the time is ripe for the WGFD to help craft a pilot project in the Gros Ventre Valley consisting of fencing the remaining elk-livestock commingling areas and ceasing winter feeding of elk. The benefits of such a project will be: 1) saving significant costs over the long term by not feeding or vaccinating elk; 2) reducing risk of brucellosis infection among cattle and elk; 3) healthier elk ranging free on the landscape; and, 4) learning how to phase out other elk feedgrounds. We stand ready to help the WGFD and all stakeholders in this endeavor.

Pinedale Elk Herd Brucellosis Management Action Plan

There are three elk feedgrounds in the Pinedale Elk Herd BMAP: Scab Creek, Fall Creek and Muddy Creek. We recommend fencing in nearby livestock on their winter feedlines with strategically-placed elk-proof fencing and phasing out the 3 elk feedgrounds.

“To reduce the risk of interspecific transmission, cattle and elk need to be separated both temporally and spatially during the risk period.” (PEH BMAP:2) “(F)encing of winter cattle feedlines could prevent elk from co-mingling with cattle.” (Id: 5) Thus, we are in agreement with these statements.

From 2006 through 2010 the Wyoming Game And Fish Department conducted an expensive five-year Test and Removal (aka: Test and Slaughter) of seropositive elk at the three Pinedale Elk Herd feedgrounds. According to the 2006 PEH BMAP: “This option (Test and Removal) could eliminate a percentage of the seropositive animals on a feedground.” “Feedground Elimination . . . could become more realistic,” if one or more management actions took place including Test and Removal. (Id: 4) Thus, Test and Removal has already taken place.

Hundreds of thousands of acres of agency-designated big game winter ranges exist on public lands down gradient of the elk feedgrounds south of the limited numbers of private lands and ranches. Most of this winter range is managed by the BLM. Strategic elk-proof fencing erected on or near private lands livestock winter feeding locations would enable the elk to bypass livestock and haystacks and spend the winter months on public lands winter ranges from the East Fork River, Big Sandy River and beyond. Some elk-proof fencing has already been erected in this area.

Some of the same funding mechanisms suggested above for the Jackson Elk Herd could apply to funding fencing projects. The cost savings from not feeding hay and not vaccinating elk anymore may be even more nowadays than the \$1.4 million dollars savings over ten years estimated in 2005 (GYC et al 2005). The savings could be applied by WGFD towards costs of elk-proof fencing.

Recommendation

Now that Test and Removal has taken place, and given that elk-proof fences can solve the commingling problem and hay damage problem and still enable big game migrations, and given that there exists plenty of big game winter ranges from the East Fork through the Big Sandy country and beyond, it is time to phase out these three elk feedgrounds.

Conclusion

The two pilot projects we are recommending would provide excellent opportunities to protect the livestock and hunting industries while providing for sustainable, healthy, free-ranging elk herds. We also recommend that livestock producers implement as effective a brucellosis vaccination program for cattle as possible, including booster vaccinations for cattle if necessary. What is learned from these pilot projects should be applied to phasing out more of the elk

feedgrounds in the near future providing benefits to residents and visitors alike, now and for the future.

As always, we stand ready to assist all stakeholders in implementing these projects.

Respectfully submitted,

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