

CWD UPDATE 78

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The escape of over 100 elk from a captive facility in Idaho is causing some concern in Idaho and neighboring Wyoming. The facility had had run ins with authorities in the past and the escape was not reported until a neighbor of the facility reported seeing the animal in her pasture. Details of the escape and efforts to remove the elk are in three attached articles from the Casper, Wyoming Star Tribune newspaper.

The USDA-APHIS-VS has indefinitely postponed the implementation of the new rule on CWD testing and interstate transport of captive cervids. In the September 8 Federal Register, the agency announced the postponement stating that they had received petitions from the Association of Fish and Wildlife Agencies, the U. S. Animal Health Association, and the National Assembly of State Animal Health Officials protesting certain aspects of the rule. APHIS will publish the petitions in an upcoming Federal Register for comments. The two primary issues raised in all three petitions are; 1) The preemption of Federal interstate movement regulations over State requirements for importation (i.e., issues of federalism); and 2) The scientific basis for the “ramping up” process in the Federal interstate movement requirements.

Nebraska Game and Parks reports an additional CWD positive female white-tailed deer from near the town of Whitney, Nebraska in the panhandle, in the vicinity of numerous other positive findings in the past. This animal was a road kill picked up by agency biologists for testing. This brings the total number of positives for Nebraska to 90 animals since the first one was detected in 2000.

Idaho elk escape worries Wyo

By WHITNEY ROYSTER

*Star-Tribune environmental reporter
with wire reports*

Wyoming wildlife officials expressed alarm at the news Wednesday that more than 100 domesticated elk have escaped from a private game reserve on the border of Yellowstone National Park in eastern Idaho.

"(The news) hits me very cold. It sends shivers up my back," said Terry Cleveland, director of the Wyoming Game and Fish Department.

The elk apparently broke through a fence weeks ago on the Chief Joseph hunting reserve near Rexburg, Idaho, on the fringe of the Targhee National Forest, 10 miles from the southwestern border of Yellowstone. The escape raises fears that the animals will blemish the genetic purity of wild herds, spread disease and flummox hunters.

"This is the train wreck we've seen coming for a long time," Steve Huffaker, director of the Idaho Department of Fish and Game, said Wednesday in announcing the escape.

Cleveland said officials from his office called Idaho and understood the escaped elk are red deer elk, a subspecies of elk not found in North America, "which would clearly impact the gene pool of native Rocky Mountain elk in the (greater Yellowstone area) and in Wyoming."

"We simply won't allow them to knowingly let them come into the state of Wyoming," Cleveland said.

Wyoming outlawed game farms in the 1970s, and the state has won court battles challenging the law. The farms are not prohibited in Idaho and other neighboring states.

In addition to problems with the gene pool, Cleveland said disease is a concern, as the private animals might have chronic wasting disease, tuberculosis or brucellosis.

"We don't want these animals in Wyoming," he said. "We absolutely don't. It shows you the peril that you incur when you have animals that are under private ownership that have the capability to breed with

wild animals."

The only way Wyoming will know if the animals are here is if someone sees them -- the red deer elk can have different antler configuration and a different bugle -- or if a hunter kills one. Cleveland said his department has asked Idaho officials to keep Wyoming informed.

In 2002, Rex Rammell, Chief Joseph's owner and a longtime veterinarian, successfully lobbied the Idaho Legislature to forgive most of the more than \$750,000 he owed to the state for failing to apply blaze-orange ear tags to identify the animals as domestic. Regulators also said he improperly maintained protective fencing on an elk ranch 35 miles east of Rexburg.

Rammell also has clashed with the Idaho Department of Agriculture over his refusal to allow state regulators to inspect his specially bred trophy bull elk for chronic wasting disease. The incurable disease kills elk by boring tiny holes in their brains.

Other concerns trail behind the escape. Archery season for elk began in Idaho Aug. 31, and Huffaker said hunters may be unable to distinguish between wild elk, which are legal to shoot, and the domestic elk, which are private property.

Rammell told the Idaho ag department that the elk are tagged, but they might not have tags identifiable from at least 150 yards away, as state law requires, said Debra Lawrence, the agency's chief of animal health and livestock.

Department inspectors already have determined that Rammell's fencing was up to par, she said. The elk likely charged the fence until they created a large hole.

She said inspectors must complete their investigation before they decide whether to fine Rammell.

Rammell did not return calls from The Associated Press on Wednesday.

"It's a mess, that's all I know," Huffaker said. "I've never been a big fan of domestic elk. I figure elk are in the wild and that's the way God made them."

On Wednesday, none of the elk had been recaptured. Yellowstone National Park wildlife officials said they are unlikely to even see one of

the domestic elk unless the animals travel main roads or trails.

"It's an awful big park," spokesman Al Nash said.

Steve Schmidt, an Idaho Fish and Game regional supervisor, said Rammell did not report the loss to state officials. Several nearby landowners reported the escape and continue to relay sightings of suspected domestic elk in the surrounding alfalfa fields and forest slopes, he said.

Franz Camenzind, executive director of the Jackson Hole Conservation Alliance, said his first reaction is that the incident shows why Wyoming is fortunate not to allow private game farms.

"It's very difficult to keep diseases out of them," and if the animals escape, there are potential political and biological problems, he said.

"I'm just shocked to hear this. I hope they can round them up as soon as possible, if that's even possible."

Camenzind said disease, such as chronic wasting disease or tuberculosis, is "potentially catastrophic" for wild elk in the region.

"I think the state of Idaho should immediately exert all kinds of restrictions on that operator, examine his enclosure, try to determine if they can detect any disease there," he said.

Although Wyoming feeds wild elk in the winter in northwest Wyoming on feedgrounds, Camenzind said this situation is different because the animals disperse in summer every year.

Idaho let elk breeder off the hook in 2002

*By JESSE HARLAN ALDERMAN
Associated Press writer*

BOISE, Idaho -- When the Idaho Department of Fish and Game announced the escape of more than 100 domesticated elk from a private game reserve near Yellowstone National Park, former state Sen. Laird Noh was alerted with a late-night phone call from a colleague.

The specially bred trophy elk -- which GOP Gov. Jim Risch authorized to be killed on sight Thursday because of concerns they could spread disease and blemish the gene pool of wild herds -- bolted through a fence on Rex Rammell's Chief Joseph hunting reserve in eastern Idaho.

Noh wasn't surprised. Rammell is a familiar name, a man Noh described in 2002 as a "bad actor" who shouldn't have been "legislated off the books" when state lawmakers forgave some \$750,000 in fines that the elk breeder owed to the state for numerous violations.

"This is often how we learn lessons," the Kimberly Republican said Friday. "It was shaping up to be a very unfortunate situation. I didn't think they had any business writing away actions of the judiciary and regulators."

Four years ago, Rammell tangled with the state Department of Agriculture over hefty fines assessed against him for failing to apply blaze-orange ear tags that identify elk as domestic. Inspectors also said he improperly maintained protective fencing on an elk ranch 35 miles east of Rexburg and protested a law requiring testing for the incurable chronic wasting disease.

Rammell took his case all the way to the state Supreme Court, where he lost. Officials say he has since complied with disease testing, but never properly tagged the animals.

Still, Rammell successfully lobbied the Legislature to forgive the fines. A law capping how much state agencies can fine violators won passage and relieved Rammell of hundreds of thousands of dollars in debt.

Rammell has not returned numerous calls for comment about the elk

escape.

A supporter of the bill, state Rep. Dennis Lake, R-Blackfoot, said Friday he does not regret his vote.

The bill did not support Rammell or the controversial practice of breeding trophy elk for wealthy hunters; it reined in the agriculture department for levying excessive fines, he said.

"I'd say I'm probably opposed to (domestic elk breeders)," Lake said. "But I said it then, I'm not going to let a department use heavy-handed tactics just because they don't like them, either."

Noh, who chaired the Senate Resources and Environment Committee for 22 years before his 2004 retirement, said the bill to ease Rammell's fines typifies the knee-jerk reactions against government that Noh said have become so common in the Republican-dominated Legislature.

"This is a micro-example of the trouble we get into if we go too far in turning the free-market system loose with no controls," he said.

But some lawmakers predict a swing toward more regulation in the elk farming industry. Lake predicted opponents will revive efforts to limit, or even bar, the operations in the next year's legislative session. Neighboring Wyoming bans elk farms.

"I'm sure we'll see some bills, from outlawing them to everything else," he said. "The Legislature is reactive -- you know it and I know."

State Rep. Mack Shirley, R-Rexburg, faced primary challenges from Rammell in 2002 and 2004. Even though Shirley said Rammell unfairly tarred him as liberal, he hoped state regulators would not burden the elk breeder with unfair fines.

He also cautioned against new laws that could hurt the growing elk farming industry in eastern Idaho.

"Although, Mr. Rammell is an opponent of mine, I recognize this could be devastating to him as well," Shirley said. "I hope we don't overreact to the extent it hurts the overall industry. We have 140-plus ranchers who have been so careful and so diligent."

Wyo wardens gun for Idaho elk

*By BRODIE FARQUHAR
Star-Tribune correspondent*

Following the lead of Idaho, the Wyoming Game and Fish Department has directed its employees to shoot any elk/red deer hybrids that may show up in Wyoming after they escaped recently from an eastern Idaho game farm.

The lethal removal of these animals will address potential disease and genetic hybridization concerns within Wyoming's wild elk, said Robin Kepple, Game and Fish information officer in Casper.

Game and Fish Director Terry Cleveland said he's deeply suspicious as to why the Idaho owner of the escaped domestic elk has historically refused to allow Idaho officials to inspect his animals for disease. Animal farms around the country have incubated such diseases as brucellosis, tuberculosis and chronic wasting disease.

Cleveland said he's also worried about the timing of the escape -- the fall breeding season is already under way. Hybrid elk/red deer might have already mated with native elk.

"It is almost a worst-case scenario," he said, implying that the only thing that could be worse is if the domestic animals turn out to be diseased.

The domesticated animals escaped from the Chief Joseph hunting preserve near Rexburg, Idaho, where they were bred for large antlers and canned hunts for hunters willing to pay top dollar for a guaranteed kill.

The Wyoming agency issued the lethal take permit for the 160 domesticated elk that escaped from the game farm 10 miles west of the Wyoming/Yellowstone National Park border.

Wyoming is not actively enlisting private sportsmen in the eradication of the domesticated elk. Scott Talbot, an assistant division chief in Game and Fish's wildlife division, said Wyoming hunters may indeed wind up taking some of these escaped animals.

"An elk is an elk," said Talbot, so if a hunter bags a domesticated elk

inadvertently, that's his or her elk for the season. Given migration patterns, he said, there's a strong possibility that some domesticated elk will eventually show up in Wyoming. Just in case, Wyoming's elk feedgrounds will be closely monitored, he said.

It won't be easy to spot an escaped domesticated elk, or distinguish it from wild elk. According to Ed Mitchell, conservation information supervisor for the Idaho Department of Fish and Game, the domesticated elk have USDA brucellosis ear tags -- aluminum tags about the size of a postage stamp.

"I'm told they tend to oxidize to a dull gray," Mitchell said.

Al Nash, spokesman for Yellowstone National Park, said there have been no sightings in the park, where the fall rutting season is under way. Nash said park biologists are concerned about protecting the genetic purity of the wild elk herd in Yellowstone.

Why is genetic purity important?

"Genetic hybridization can be a bad idea for three reasons," said Fred Allendorf, a professor of biology at the University of Montana. "First, wild populations tend to be genetically adapted to local conditions, so if you introduce genes that aren't adapted locally, you can have problems. Secondly, hybrids tend to have reduced fitness. Third is the prevalence of disease in game farms."

Hybridization can have unfortunate consequences, he said. Take, for example, a recent paper on hybridization between whitetail and mule deer.

"You know how mule deer hop and whitetails gallop? Hybrids tend to stumble," Allendorf said.