

## Bringing back the bulls

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Despite what Bruce Babbitt says, bull trout listing is anything but business as usual

They named this trout the bull in deference to its overgrown head, and also for its habit of bullying smaller fish onto its dinner table.

It was the salmon of western Montana, migrating upriver from Lake Pend Oreille in great numbers, lending its name to the river's bends and breaks. Indians knew the confluence of Rattlesnake Creek and the Clark Fork River as the place of the young bull trout. Where the Blackfoot met the Clark Fork was the place of the big bull trout.

Indian elders told of bull trout so big they dragged the ground when strung from the saddle of a horse. White settlers took photographs of long ropes of bulls caught, they boasted, with ruby-eyed wobblers and live mice. Children saw schools of bull trout hugging the gravel bottoms in side channels, and - later - told of jigging red-and-white spoons in front of the fish.

For all its brawn, though, the bull trout was quickly subdued and very nearly eliminated by western settlement. Dam building blocked its migratory runs, stranding and strangling whole populations. Miners filled the water with poison and sediment, smothering bull trout eggs and rendering the river overly warm. Loggers did the same, and cleared the streambank of the protection of old trees. Fish managers introduced new species of sport trout able to out-compete native species.

Montana sportsmen, in fact, went to war against the bull trout in the late 1920s. The June 1926 edition of "Montana Wildlife" magazine christened the bull trout "the cannibal of Montana's streams" and called for its elimination. Bull trout fed on commercial salmon and sometimes on "real" trout: brookies, rainbows and browns. Anglers snagged and dynamited and netted the bulls, tossing many into the bushes to rot.

By 1957, George Weisel, then a professor at the University of Montana, warned that the bull trout was in trouble. The big, native, cold-water char was threatened with extinction - and remains so, protected now by the same government agencies that once promoted its eradication, avoided by anglers who once easily snagged the daily limit, named last week to the endangered species list.

Few, maybe none, believed Interior Secretary Bruce Babbitt on Friday when he stood, flyrod in hand, at the confluence of the Clearwater and Blackfoot rivers and suggested that the listing of bull trout would have little effect.

The secretary's reassurances were, in fact, still in the air when his own employees began saying otherwise.

To designate the Columbia River population of bull trout as a threatened species means to protect, conserve and recover the fish throughout its historic range in Montana, Idaho, Washington and Oregon.

"Everything west of the Divide, unless there was a waterfall or a warm spot on a stream, was bull trout territory," said Lori Nordstrom, a fish and wildlife biologist for the U.S. Fish and Wildlife Service in Helena. "They used the upper headwaters of streams, but also the mainstem of rivers. They filled the

whole Columbia River Basin."

In 1892, when federal fish commissioner B.W. Evermann took a census on Montana streams, bull trout were common in most of the larger affluents of the Columbia River, particularly "the Hellgate, Missoula, Pend Oreille, Flathead, Bitterroot and Big Blackfoot rivers and in Flathead and Swan lakes." By today's place names, those are the Clark Fork River above and below Missoula, the Flathead River above and below Flathead Lake, and the Bitterroot and Blackfoot rivers.

Evermann also collected bull trout - which he called "salmon trout" - from Rattlesnake Creek, and told of reports of such fish in the Jocko River.

What that means, given last Friday's action by the Interior secretary, is that federal agencies must review all of their projects - timber sales, road building, forest plan revisions, dam relicensing - to make sure they do not adversely affect bull trout. All of their projects west of the Continental Divide in Montana, Idaho, Oregon and Washington.

Nordstrom explained. Section 7 of the Endangered Species Act is the handle, directed at federal agencies, insisting that projects be analyzed for their potential effect on bull trout - and that the potential be minimized.

"This is where people say the Endangered Species Act stops projects," Nordstrom said. "This is where it could happen. But over the life of the act, so few projects have been entirely stopped. Yes, projects get adjusted - and will get adjusted - to minimize the effects on bull trout. Yes, that will happen."

The U.S. Forest Service will shoulder most of the new, bull-trout workload. Much of the char's habitat is on national forest land.

When the Forest Service reviews a proposal and finds an adverse effect on bull trout, it will take that finding to the Fish and Wildlife Service for a Section 7 consultation. Together, officials at the two agencies will look for ways to minimize the effects.

Environmentalists can - and do - challenge Section 7 decisions. If the Forest Service, for example, says a project will not adversely affect bull trout, someone or some group may object, Nordstrom said. Sometimes, those objections end up in court. Sometimes, they force the government into stronger pro-species action.

"The bull trout listing is big because of the number of projects that the Forest Service will have to evaluate," Nordstrom said. "Whereas grizzly bears (also a threatened species) pretty much stay up in the mountains, bull trout range is the whole Columbia River Basin."

Bull trout will play a role in the relicensing of the big hydropower dams on the lower Clark Fork River. "Those dams totally blocked fish passage," Nordstrom said. "They eliminated the migratory form of the fish. Should we try now to get bull trout back above those dams? Is it possible, or is it too expensive or too risky?"

Small dams, too, including Tin Cup Dam in the Bitterroot National Forest, are due for bull-trout scrutiny, according to Nordstrom. And someone, she said, "is going to have to figure out what to do about the non-native fish that we introduced."

"Even if habitat conditions were perfect, if we still had brook trout, we could eventually lose bull trout," Nordstrom said. "You could try and get rid of brook trout, but the chance of that is pretty slim. Besides, we have anglers coming from all over the world to fish for brook trout. It's a very hard issue."

Same, too, for the lake trout and bull trout in Flathead Lake. The lake trout are outcompeting the native bulls, "but nobody agrees on what should be done," Nordstrom said. "The Fish and Wildlife Service thinks we should lean toward conserving bull trout. But there are plenty of lake-trout advocates out there."

The most alarmed messages on Nordstrom's answering machine these days are from ranchers who own stream frontage west of the Divide. Here's what they want to know:

If my cow steps in a bull trout redd, will I be charged with a violation of the Endangered Species Act and thrown in jail?

Nordstrom's answer: Probably not.

"We may require some fencing of streams to keep cows out of the water in bull-trout sensitive areas," she said. "We may want some streambanks repaired so they are not eroding. But if a cow stepped in a redd, we are not going to be prosecuting somebody. We could. Maybe we should. But realistically, it will not happen."

The Endangered Species Act is less onerous on private landowners than on public land managers. Private individuals cannot, the act says, "take" a protected species. And "take" is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or attempt to engage in any such conduct."

That's what worries ranchers - "that somebody will tell them that those cows out in the stream are taking bull trout," Nordstrom said.

Of course, the Fish and Wildlife Service does not have the staff to work with every landowner in bull-trout country. "I have a big mailing list," Nordstrom said, "but I don't know everybody. A lot will be up to local biologists and citizens, talking to landowners, letting them know they have bull trout."

The one big private owner of bull trout habitat - Plum Creek Timber Co. - already is working on a habitat conservation plan, outlining how company land will be managed to protect the species.

"We - the Fish and Wildlife Service - will try to get the best deal for bull trout," Nordstrom said. "Plum Creek will try to get the best deal for their business. Then they'll know, if they manage their lands under the plan, that we won't come and say, 'You're violating the Endangered Species Act. You're taking bull trout.'"

"It's really a good deal for bull trout," she said, "to know that we have an agreement on land management and that we think it will benefit bull trout."

The grumpiest responses to last Friday's announcement on the Blackfoot came, in private, from state government.

Noticeably absent from Babbitt's riverside news conference was Montana Gov. Marc Racicot, who was invited, and Fish, Wildlife and Parks director Pat Graham, also invited. Previous commitments, came the official reply. Not happy with the listing, came the private.

Babbitt's staffers, in fact, could not convince Fish, Wildlife and Parks employees to sell them a fishing license for their boss. Babbitt, they were told, would have to buy the license in person. Eventually, the secretary completed the transaction in the parking lot at the fishing access - just before he stepped into the water as proof that anglers would not be affected by the bull trout's listing.

Then someone called to the Interior secretary: "Hey, do you have a fishing license?" Babbitt only smiled.

What rankled the governor and the fish and game department was that the federal government proceeded with listing in spite of Montana's work - over the past five years - to write a bull trout restoration plan. A draft of the plan is in circulation; a final version is expected by year's end.

"The idea was that citizens in the areas where these fish are can best decide how to keep the species viable and protected," said Ken McDonald, bull trout recovery coordinator for Montana Fish, Wildlife and Parks.

"The state of Montana has done a tremendous amount of work to conserve and protect bull trout in the last several years," McDonald said. "It was all voluntary, I guess you'd say, with the idea of protecting and helping the bull trout.

"The question is: Was that enough? As our director said, in response to Babbitt's thing, what resources will come to the table with listing that aren't already there? Listing doesn't necessarily provide any additional resources for recovery."

Montana gets \$45,000 a year from the federal government for endangered species work, McDonald said. "For everything - grizzlies, wolves, everything. Our expenditures are many times more than that, so I guess our position is we would rather put our efforts into on-the-ground recovery actions rather than paperwork."

With the bull-trout listing, all projects are subjected to another layer of paperwork and permitting, McDonald said. And documents don't bring back the fish.

FWP was initially worried that the listing would restrict recreational fishing. But the federal government intends to publish a special rule deferring to state fishing regulations. Anglers would not be allowed to fish for bull trout (except in Swan Lake), but if they accidentally caught a bull, they would not be cited for a violation of the Endangered Species Act. Provided the fish was released.

Stream surveys - gill netting and electroshocking - will now require a permit from the Fish and Wildlife Service, as that work could accidentally kill bull trout. Streambank restoration work, too, will require consultation because of the potential for a brief, temporary increase in stream sediment.

"Management authority and jurisdiction for the species shifts from state management to federal management," said McDonald. "And our idea, particularly with the governor's bull trout roundtable, was to keep Montanans doing the right things for bull trout - to keep it within the state and at the local level of management responsibility."

Montana's work was not, though, for naught, said Nordstrom, at the Fish and Wildlife Service. Montana's restoration plan will become part of the federal recovery plan.

"The state folks put on a show like they are cranky, but they've known this was coming for a long time," Nordstrom said. "They are mad that there wasn't more acknowledgement of what Montana's done. But the governor always said the state wasn't doing this just to stop listing. He always said the work was for the good of Montana and because this is Montana's bull trout.

"They've known the state couldn't stop listing. They knew we had to look at a bigger area than Montana."

It could be three years before the Fish and Wildlife Service finishes its plan for bringing back healthy bull trout populations to Montana, Idaho, Washington and Oregon.

No one knows, for sure, what that plan will include - or how it will measure success.

"Potentially, there will be a huge impact on land management," said McDonald. "Listing could impact every land management decision from ridgeline to ridgeline."

Every new road that sends silt into a stream. Every housing development or summer cabin built alongside a stream. Every bridge or culvert. All forestry and mining and grazing, McDonald predicted. Depending on how the federal government's final rule is written - and whether it is enforced.

"The benefit, though," came the counterpoint from Nordstrom, "is that people are going to be thinking about bull trout. That's the benefit of listing."

"Bull trout need cold, clean, connected water, and we have taken that away from them," she said. "If we didn't do anything, bull trout would simply keep going downhill until they were gone. And then, there would be nothing to be done."