

# NELSON: Potent alliance forges exemption

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past few months prove one thing: the potent effect of giving an animal a human name and a human face.

"Pete the Moose was a red herring," he said. "This shouldn't have been about Pete, but the press bought it hook, line and sinker. The story was great for the heart, but not for the health of all our wildlife."

## From Holsteins to elk

The story began here, on Big Rack Ridge, where one morning last week Doug Nelson's Ford pickup bounced along a rough gravel road at feeding time.

In 2000, Nelson strung seven miles of fence to enclose this square mile of rolling ridge-top outside Irasburg village. He installed several dozen bull elk, culled from a larger herd he had been raising in Derby since 1994, and began selling elk hunts.

He is a stocky, white-haired 68-year-old native of Derby, wearing the jeans, work boots and Carhartt shirt that reflect his description of himself — "I'm first and foremost a dairy farmer" — although that's a bit like Bill Gates describing himself as a software salesman.

Nelson is Vermont's largest dairy operator, with 2,500 milkers and a total of 5,000 head spread across five farms in the Northeast Kingdom and New Hampshire.

He owns a sophisticated breeding facility where eggs are flushed from prize cows for transplanting in others. He raises grand-champion Holsteins and has built a big auction barn in Derby Line where periodic sales attract buyers from across the Northeast and Canada. His herd of 300 female elk provide meat for his Cow Palace restaurant in Derby Line.

He's the kind of businessman who can afford the \$200,000 investment in seven miles of fencing, the \$500 a day it costs to feed his elk and deer, and the more than \$100,000 he has spent on legal fees defending what he sees as his right — and an economic benefit to Vermont — to raise captive elk.

He chuckles when he tells anecdotes of state Fish and Wildlife regulators telling him in the 1990s that he would not be allowed to raise elk in Vermont and, later, that they would take steps to limit or end his operation. So far, it is Nelson who has prevailed.

## Elk 'to wake up dead'

Nelson and his son Richard have farmed their elk like their cows, breeding to produce bull elk with trophy-sized racks.

Clients pay \$2,000 to \$7,500 to spend the night in a rustic cabin at Big Rack Ridge, then go out with a guide. They can be assured of shooting an elk; the forest is dense with the animals, and they can't escape the fence.

"Some people have all kinds of money, but they don't have the time to go to Wyoming for two weeks to hunt. They can come here for a weekend, and it won't cost them more than that Wyoming trip," Nelson said. "They leave with a wall full of antlers and a freezer full of meat."

What he wants, he said, is a clean kill with no suffering for the animal: "I want that elk to wake up dead."

If clients want to trudge through the forest to get their shot, they can, but they don't need to leave the gravel road that runs just inside the perimeter fence. "If they want to ride in the pickup, they can ride in the pickup," he said. "The ethics are up to the hunter."

He's touched on an undercurrent that runs through the years-long debate over Big Rack Ridge: whether what happens there can be described as hunting.

"I would not call it hunting. That does hunters a disservice," Lt. Kim Klein, the region's head game warden, said last week.

For many hunters, the sport is defined in part by the concept of "fair chase" — that is, that the animal has a chance of escape. The hunt pits the skill of the hunter against the native instincts, strength and speed of the animal — and often the animal wins. In what critics call "canned hunts," the shooter always wins.

## 'You're a beauty, buddy'

As Richard Nelson shoveled corn from the back of the truck, massive elk with antlers branched and heavy as oak limbs ambled from the thin forest of birch and fir to nibble the feed. Tame fallow and sika deer trotted up, looking for a handout of Wonder bread.

"Yep, you're a beauty, buddy," Doug Nelson remarked with affection as a bull elk ambled toward a trough of corn.

Skittish whitetail deer were everywhere, bounding away from the truck and the humans. Inside a second fence, Pete the Moose and a female, Patty, slouched to the wire for their food.

And that's the problem, according to state wildlife biologists: the mixing of imported, game-park animals with natives like whitetail and moose.

When Nelson fenced in his land, some native whitetail and moose were captured inside. They've reproduced — and been joined by others that crashed the 8-foot-fence in winter, when snowdrifts make it easier to clear.

Today, Nelson estimates there are 200 whitetail inside the fence; he declines to say how many moose.

State Fish and Wildlife biologists say captive herds, packed into a small area, are a potential source of devastating diseases. They particularly fear chronic wasting disease, CWD, a mad-cow-like brain disease that has infected wild deer populations in the West and Midwest.

Each of Nelson's dead elk is tested for CWD — 93 bulls, 41 cows since 2005 — and every test has been negative. In addition, no new captive elk or exotic deer have been imported in recent years, he said.

Some in the Fish and Wildlife Department do not believe Nelson has closed his herd to new animals, but they cannot produce hard evidence. Most animals at Big Rack Ridge don't wear ear tags, so there is no way to tell whether captive — or wild — deer have come in or left, they point out.

Nelson calls the disease argument nonsense. Thirty states allow hunting parks like his, he points out.

Nelson quotes his own wildlife biologist, Texas deer specialist James Kroll, as saying "CWD is more prevalent in wildlife biologists" than in captive herds.

Kroll could not be reached last week.

Kroll's testimony at a hearing last winter reassured lawmakers, but not state wildlife biologists.

## CWD: 'This is a big deal'

If a whitetail at Big Rack Ridge caught a disease from one of the imported animals and then escaped through the fence, it could spread that illness to Vermont's deer herd.

At least one deer has escaped from the hunting preserve. Last week, a game warden shot a fallow deer that had been seen wandering along Vermont 14 near Big Rack Ridge for several days, said Klein, the game warden.

The Fish and Wildlife Department has been working on a plan to respond to CWD if it should ever reach the state — a cataclysmic plan.

"Any way you spell it, CWD will reduce hunting opportunity permanently if it ever becomes established. We plan to depopulate 300 square miles of deer to keep that from happening if we ever find a wild infected deer," Shawn Haskell, the Fish and Wildlife Department's chief deer biologist, wrote in an e-mail.

CWD has been associated with game farms in other states, so Laroche, the Fish and Wildlife commissioner, said his department felt it could not run the risk of allowing native and imported cervids — deer and elk — to mix.

"I'm required to protect the health and welfare of wildlife in the state of Vermont. This is a big deal," he said.

Fear of CWD led the state Fish and Wildlife Board to spend years drafting rules to govern Nelson's hunt park and one other, in West Fairlee. State law now bans creation of any new hunting parks.

As of January 2009, the rules forbid the mixing of imported and wild cervids. Nelson was given a year to decide how to dispose of the whitetail deer and moose at Big Rack Ridge.

If he did not, the Fish and Wildlife Department would kill them.

## '200 innocent whitetails'

Nelson might operate a facility where shooters kill captive animals for sport, but he was outraged at the state's plan.

"I am not going to let you shoot 200 innocent whitetails and fawns. You are going to make it a killing ground. God!" he said he warned Fish and Wildlife officials.

Besides, he added, most of the native deer and moose were born after he fenced the ridge. He has fed them, protected them from predators, dosed their feed with medicine to eliminate parasites. They belong to him, he said.

"There might have been six deer here when I started. I'm happy to pay for six," he said.

Instead of bowing to the new regulations, he took his case to some state legislators. He had two important allies: Sen. Robert Starr, D-Essex-Orleans, a longtime friend, and Pete the Moose.

Pete was rescued as an orphaned calf in June 2009 by 73-year-old David Lawrence of Albany. He raised Pete by hand until Nelson offered a sanctuary at Big Rack Ridge, where Lawrence still visits him daily.



Photos by CANDACE PAGE, Free Press

ABOVE: Bull elk are nearly hidden in a stand of ferns at Big Rack Ridge in Irasburg on Monday. They are part of a herd of 50 or more male elk on the square-mile property. BELOW: David Lawrence of Albany feeds white bread to a fallow deer at Big Rack Ridge in Irasburg on Monday. Lawrence visits the elk hunting preserve almost daily to feed the tame deer as well as Pete the Moose, an animal he raised by hand after it was orphaned as an infant in 2009.



Such animal rescues are illegal in Vermont, where no one is allowed to own a wild animal.

When news spread that Pete was in danger of death at the hands of the state along with the rest of the native deer and moose, animal lovers sprang to his defense. Soon, Pete had a website, two Facebook pages. "Pete" was on Twitter. There were Pete rallies in Montpelier and Waterbury.

"This moose kind of personifies everything we want to see happen: to see the little guy win, to see him survive losing his mother, being attacked by dogs, and then showing this great affection for humans," said Beth White of Morrisville, the woman behind Pete's Facebook account.

## 'I kept Wayne in the dark'

Starr, a longtime supporter of Nelson's diversification into elk farming, saw the support Pete was attracting among his constituents.

He quietly began drafting legislation to give Big Rack Ridge special status, exempt from Fish and Wildlife regulation and to be overseen instead by the state Agriculture Agency. He asked that agency's lawyers to draft the language, he said, rather than one of the Legislature's staff of lawyers, because "things don't always stay private" inside the Statehouse.

Bartlett, chairwoman of the Senate Appropriations Committee, had Starr's amendment added to the state budget bill during the final day of the session.

Elizabeth McLain, an aide to Gov. Jim Douglas, knew Starr was working on legislation. She, too, kept that fact from the Agency of Natural Resources.

"I absolutely kept (ANR Secretary) Jonathan (Wood) and Wayne completely in the dark. I didn't tell them one single thing that was going on," she acknowledged to the Fish and Wildlife Board on May 26, although she did not explain why. McLain did not return telephone inquiries last week.

In her startlingly frank post-mortem with the board, McLain said Nelson "has been flouting the law for years," and the state had not been able to do anything about what she described as the lack of tagging and disease-testing protocol at Nelson's operation.

She acknowledged that allowing Nelson to take ownership of the deer and moose on his property "absolutely" violates the principle that wild animals are held in public trust for the people of the state.

"The fact is that they are not wild any more, and that's the problem, we can't turn them back into wild animals. So either they are under control, or they are slaughtered," she told the board.

The new special status provides some benefits, she said. Nelson must erect a second fence to ensure no contact between animals inside the park and those outside. Oversight, formerly divided between Agriculture and Fish and Wildlife, will be more focused and effective now, she said.

Starr's amendment applies only to Big Rack Ridge and sets no precedent for others who would like to own a share of the state's deer herd, McLain said.

"It could have been worse, absolutely it could have been a lot worse," she told the board.

## 'An impressive herd'

McLain's explanations did not quiet the anger of board members, wildlife managers and at least some in the hunting community.

"It is depressing, discouraging, really it is," said Ames, the Fish and Wildlife Board chairman. "We are appointed by the governor to depoliticize these decisions about our native wildlife. This is a slap in the face to that process."

He and others say they are most upset that Nelson not only was essentially awarded ownership of the deer and moose at Big Rack Ridge, but will be able to profit from them by selling the right to shoot them.

"They are being turned over from a resource owned by all of us to an individual. It's very bad policy in a lot of ways," said Eric Nuse of Johnson, executive director of Orion, a hunting organization that teaches hunter ethics.

As he finished feeding his elk and deer last week, Nelson said he is happy with the new state of affairs.

"This is what we've wanted all along," he said.

"This is a farming venture," Richard Nelson put in. "Perhaps we are pioneers."

"And pioneers get all the arrows," his father said.

Down at his Derby restaurant, a pamphlet advertises Big Rack Ridge's "trophy elk hunts." It tells hunters, "We also have moose, buffalo, fallow deer, red deer, and coming soon, an impressive herd of whitetail deer."

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# BP: Company defends Hayward's yacht outing

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more than 1,700 boats and 16,000 sailors as famous yachtsmen compete with wealthy amateurs in a 50-nautical mile course around the island at England's southern tip.

"Bob" finished fourth in its group. It was not clear whether Hayward actually took part in Saturday's race or attended as a spectator.

The boat, made 10 years ago by the Annapolis, Md.-based boatbuilder Farr Yacht Design, lists for nearly \$700,000.

Hayward had already angered many in the U.S. when he was quoted in the Times of London as suggesting that Americans were particularly likely to file bogus claims for

compensation from the spill. He later shocked Louisiana residents by telling them that no one wanted to resolve the crisis as badly as he did because "I'd like my life back."

Ronnie Kennier, a 49-year-old oysterman from Empire, La., said Hayward's day among the sailboats showed once again just how out of touch BP executives are with the financial and emotional suffering along the Gulf.

"He wanted to get his life back," Kennier said. "I guess he got it."

In Washington, President Barack Obama's chief of staff Rahm Emanuel made the same observation Saturday on ABC's "This Week."

Obama and Vice President Joe Biden enjoyed a round of golf Saturday near Washington, something they've done on other weekends since the spill and a fact that wasn't lost on users of social networking sites. Twitter feeds compared Obama and Biden's golfing to Hayward's yachting, lumping them together as diversions of privileged people who should be paying more attention to the oil gushing into the Gulf.

"Our government, the executives at BP, it looks like they decide to worry about it later," said Capt. Dwayne Price, a charter fisherman in Grand Isle, La., who now spends his days shuttling media out to the oiled wa-

ters. "Things need to happen now. The longer this is strung out, the worse it's going to be."

BP, Britain's largest company before the oil rig exploded, has lost about 45 percent of its value since the explosion — a drop that has alarmed millions of British retirees whose pension funds hold BP stock. Just this week, the company announced that it was canceling its quarterly dividend.

The British press, much more sympathetic than the American media to BP's plight, has expressed disbelief at the company's strategy.

"It is hard to recall a more catastrophically mishandled

public relations response to a crisis than the one we are witnessing," the Daily Telegraph's Jeremy Warner wrote Friday.

About 50 miles off the coast, a newly expanded containment system is capturing or incinerating more than 1 million gallons of oil daily, the first time it has approached its peak capacity, according to the Coast Guard. BP hopes that by late June it will be able to keep nearly 90 percent of the flow from the broken pipe from hitting the ocean.

More than 120 million gallons have leaked from the well, according to the most pessimistic federal daily flow rate estimates. Oil has been washing up from Loui-

siana to Florida, killing birds and fish, coating delicate marshes and wetlands and covering pristine beaches with tar balls.

Sai Stiffler spent Saturday doing some repairs on his shrimp boat at Delta Marina in Empire, La., after a passing shower made things stifflingly hot and muggy. He signed up for BP's "vessel of opportunity" program but hasn't been hired, and he was not pleased that Obama was playing golf and BP's CEO was at a yacht race while his life is on hold.

"Right now is no time for that," Stiffler said. "I don't think they know how bad people are hurting. They make a lot of promises but that's it."