

Statements on Royal Teton Ranch and Yellowstone bison in the Record of Decision, Final Environmental Impact Statement and Bison Management Plan for the State of Montana and Yellowstone National Park, December 20, 2000. US Department of the Interior, National Park Service, US Department of Agriculture, US Forest Service, Animal and Plant Health Inspection Service.

“The U.S. Forest Service, Gallatin National Forest, manages lands and interest in lands newly acquired north of Reese Creek adjacent to Yellowstone National Park. These acquired lands and conservation easement lands benefit wildlife generally, including bison, and reduce the complexity of managing wildlife habitats north of the park. The federal agencies anticipate future discussions with the Royal Teton Ranch to develop a bison management plan for the Royal Teton Ranch that is consistent with the decision in this document.” (Page 6)

“Step One

In the north boundary area NPS would continue to monitor bison from approximately November 1 to April 30 within Yellowstone National Park and use hazing within the park to prevent bison movement north onto private and Gallatin National Forest lands in the Reese Creek area. If hazing is unsuccessful, the NPS will operate the Stephens Creek capture facility and capture all bison attempting to exit the park in the area. The agencies will test all captured bison, send seropositives to slaughter, and temporarily hold all seronegatives (up to 125 animals) for release back into the park in the spring. The agencies will vaccinate with a safe vaccine all vaccination eligible bison that they capture. Agency personnel will remove bison outside the park that they cannot haze back into the park or capture. Recently, the U.S. Departments of the Interior and Agriculture purchased some of the lands and acquired easements on other lands north of this boundary. The Gallatin National Forest now manages the purchased lands and easements. Step Two would begin when a pre-existing private cattle lease on the RTR lands terminates (anticipated in the winter of 2002/2003).” (Pages 11-12)

“Step Two

Step Two in the north boundary area begins when cattle no longer graze during the winter on the Royal Teton Ranch adjacent to the Reese Creek boundary of the park. The agencies expect this to occur when a preexisting private cattle lease expires in 2002. The agencies will allow seronegative bison to occupy these lands during the winter under certain conditions. Initially, the agencies will allow up to 25 seronegative bison outside the park in the northern boundary area. When the agencies are confident they can manage these bison, they will tolerate up to 50 bison outside the park in the Reese Creek area. Again, when the agencies agree they have adequate information and ability to manage 50 bison in this boundary area, the number will increase, this time up to 100 bison. This increase could take place in a single winter, or be spread over a number of winters, depending on the experience gained by managing bison outside the boundary of the park, weather, and the number of bison that chose to emigrate in any given winter. The agencies will allow the seronegative bison as well as other bison that agency personnel cannot capture but that are tolerated to remain outside the park until April 15. The number and distribution of bison on the north side, as well as most

impacts associated with these factors (such as viewing, cultural significance of the herd, impacts to grizzly bears, livestock operations, etc.) could at times be similar to those described for alternative 3. Population control would limit impacts in some cases, so that they would be less beneficial (such as for viewing or grizzly bears) or less adverse (livestock operations) than for alternative 3.” (Page 12)

“Maintaining the Northern Boundary - Reese Creek to Yankee Jim Canyon

15. In Step 1 (expected winter 2000/2001 through winter 2001/2002), while cattle graze Royal Teton Ranch (RTR) lands under a private grazing lease, NPS would continue to monitor bison from approximately November 1 to April 30 within YNP and use hazing within YNP to prevent bison movement north onto private and public lands in the Reese Creek area. If hazing is unsuccessful, the NPS will operate the Stephens Creek capture facility and capture all bison attempting to exit the Park in the area. The agencies will test all captured bison, send seropositives to slaughter, and temporarily hold up to 125 seronegative bison at the Stephens Creek capture facility. Vaccination eligible bison that are captured would be vaccinated with a safe vaccine. Once the capacity of the capture facility is reached, all additional bison attempting to exit YNP would be removed at the Stephens Creek facility (seropositive bison would be sent to slaughter and seronegative bison may be sent to a quarantine facility, if available, and, if not available may be sent to slaughter or be removed for jointly approved research. The seronegative bison held at the facility will not be retested and will be released to the Park in the spring. Bison outside the Park that cannot be hazed back into the Park and evade capture would be subject to lethal removal. Every effort will be made to avoid conducting necessary lethal management actions on RTR ranch lands. The agencies, with the Forest Service as the lead agency, will initiate an evaluation of potential sites for a capture facility in Zone 2. (See Paragraph 19.)” (Page 27)

“17. Step 2 begins (expected winter 2002/2003) when cattle no longer graze private lands outside YNP on portions of lands known as the RTR in Zone 2 during the winter.

a. In Step 2, as in Step 1, NPS would continue to monitor bison within YNP. Bison attempting to exit the Park in the Reese Creek area would be captured and tested at the Stephen’s Creek capture facility. Seropositive bison would be sent to slaughter and a limited number of seronegative bison, including seronegative pregnant bison (see paragraph 18), will be released. Vaccination eligible bison that are captured would be vaccinated with a safe vaccine. In Step 2, all released bison must remain in Zone 2 west of the Yellowstone River and South of Yankee Jim Canyon on lands controlled by the USFS and RTR.

b. In Step 2, during the first year that bison move to the Reese Creek area, the number of seronegatives that will be released and will be allowed in Zone 2 will not exceed 25 bison. After gaining sufficient experience in successfully managing approximately 25 bison outside the Park in Zone 2, the agencies will tolerate up to 50 bison. Successfully managing the bison outside the Park means that the agencies are able to enforce spatial and temporal separation including near the northern end of Zone 2 at Yankee Jim Canyon as set forth in the attached map. See Map, Northern Boundary

Management Zones, Figure 4. After gaining sufficient experience successfully managing approximately 50 bison outside the Park in Zone 2, the agencies will tolerate up to 100 bison. The numbers of bison outside the Park, enumerated in this paragraph, will be the maximum in Montana at any given time on the Northern boundary area. The agencies may adjust these numbers based on the experience gained during Step 2.

c. After the applicable tolerance limit of Zone 2 is reached during Step 2, NPS will attempt to prevent further movement of bison north of YNP. If hazing becomes ineffective, the NPS will operate the Stephens Creek capture facility and capture all additional bison attempting to exit the Park in the Reese Creek area. Bison attempting to exit the Park that cannot be hazed or captured would be subject to lethal removal. The agencies will test all captured bison, send seropositives to slaughter, and temporarily hold up to 125 seronegative bison at the Stephens Creek capture facility. Vaccination eligible bison that are captured would be vaccinated with a safe vaccine. Once the capacity of the capture facility is reached, all additional bison exiting YNP would be removed at the Stephens Creek facility (seropositive bison would be sent to slaughter and seronegative bison may be sent to a quarantine facility, if available, and, if not available, may be sent to slaughter or be removed for jointly approved research). The seronegative bison held at the facility will not be retested and will be released to the Park in the spring.

d. All bison outside YNP in Zone 2 would be hazed back into YNP no later than April 15. Those bison that cannot be hazed will be subject to lethal removal.” (Page 28)

“19. During Step 2, the agencies will evaluate the most effective means to enforce the northern boundary between Zone 2 and Zone 3 at Yankee Jim Canyon, including considering the need, design, and location of a capture facility within Zone 2, most likely on Forest Service lands. The agencies will consult with RTR on the location of the capture facility. The purpose of such a facility in Zone 2 would be to enforce spatial separation between Zone 2 and Zone 3 when hazing or other management practices become ineffective or to capture bison over the tolerance limit (initially 25 and eventually presumed to be 100). Captured bison could be moved to Stephens Creek for holding, sent to slaughter, or to a quarantine facility, if available, or removed for jointly approved research. The agencies, with the Forest Service as the lead agency, will complete any necessary NEPA analysis for the capture facility.” (Pages 28-30)

“24. RTR Lands: When bison will be allowed to be on RTR lands as set forth herein, it is agreed that active bison management including vaccination shall not routinely take place thereon. When exigencies require management actions, the agencies shall notify RTR of the contemplated action, and seek RTR approval therefore, which shall not be unreasonably withheld. Exigencies include actions to:

(a) Protect life or property;

(b) Address migrations of bison inconsistent with paragraphs 15, 17-20, and 25 outside the Park in the northern boundary area.

- (c) Haze bison back into the Park in the spring of each year;
- (d) Enforce spatial and temporal separation where necessary.

Lethal removal will not be routinely accomplished on RTR lands and shall require the same permissive procedures as set forth above.

The agencies intend to have as little bison management on RTR lands as possible. Nevertheless, the agencies may be required to take management actions on RTR lands as authorized under Montana or Federal law and the provisions of this plan.

In Step 1, the agencies will cooperate with RTR to develop a Bison Management Plan for the Royal Teton Ranch that is consistent with the provisions of this Joint Bison Management Plan. Should the Joint Bison Management Plan be altered, the agencies will cooperate with RTR to adjust the RTR Plan so that the RTR Plan will remain consistent with the Joint Bison Management Plan. Before the RTR Plan can be implemented, the state and federal agencies must approve the RTR Plan.” (Page 31)

“Other Management Provisions

31. Management actions outside the Park will be jointly supported operations conducted by personnel assigned by Montana DOL and MFWP, USFS, APHIS, and NPS. The in-Park vaccination program will be implemented by personnel from NPS. The agencies, and RTR ranch where appropriate, will enter into the appropriate memorandum of understanding to describe specific commitments of personnel to all management actions, delineate operation details for implementation of the plan, and describe reporting requirements for the elements described in the Plan, including those for the implementation of the vaccination program. In addition the agencies will prepare any necessary memorandum of agreement for the funding of all management actions.” (Page 32)

“Topic: Population Control

Response: As noted in the FEIS (see, for example, vol. 2, p. 93), 3,000 bison was identified in the NAS report as the level above which the frequency and size of bison movements to areas outside the park would increase. Although it is true that environmental and other conditions in the analysis area are variable and other research suggests the population in the park would likely fluctuate between 1,700 and 3,500, the agencies are trying to balance factors such as natural regulation and maintaining ecosystem processes, which contribute to the wildness of the herd, with protection of Montana cattle from the risk of transmission. The agencies have adopted 3,000 as a spring population limit, maintained through culling of bison as they attempt to exit the park, to both maximize the effects of ecosystem processes inside the park and help keep relatively large-scale migrations from occurring. Additionally, the agencies recognize that severe winter weather conditions, including deep, crusted snow, can occur on bison winter ranges within the park. These conditions can force larger numbers of bison to lower elevation winter ranges outside the park. Tolerance of up to

100 bison on public lands in the west boundary area and up to 100 bison on public and Royal Teton Ranch lands north of the Reese Creek boundary also provides managers with flexibility in managing bison. In addition, the final plan outlined in the ROD proposes mitigation measures that emphasize non-lethal measures to preserve the bison population. The mitigation measures require the agencies to consider emphasis of non-lethal management measures when the bison population reaches 2,300. If the bison population reaches 2,100, the agencies are required to increase implementation of non-lethal management measures. As to the grooming of trails, the agencies do not believe the evidence supports the idea that closing them will preclude bison from entering Montana.” (Page 52)

“Topic: Miscellaneous Procedural Comments

Response: In the final plan, Zone 3 does not extend into Idaho. As indicated in the FEIS (vol. 2, p. 273), although APHIS agrees a nationwide review of its brucellosis eradication program might be useful in reviewing past performance, such a review would not be completed in time to help in evaluating this bison management plan. It is true that another way to look at the ultimate tolerance of untested bison outside the park is as mitigation for lethal actions either in earlier steps, or in Step 3 to control bison numbers. This EIS is one vehicle by which the public is able to comment on the bison quarantine protocol under the Administrative Procedures Act, and as noted in the FEIS, additional NEPA analysis on features of the quarantine process and facility is anticipated in the future, offering another public input opportunity. The EIS also includes information on the Winter Use Plan, and any decisions on road or trail closures as a result of that plan would be carried over into the Bison Management Plan. Impacts of those closures can be found in the EIS accompanying the Winter Use Plan. As indicated above, additional NEPA analysis and public input opportunities will also be available before parkwide bison vaccination is implemented. The livestock permit on the Horse Butte allotment is due for consideration and probably reissuance in 2001. The Gallatin National Forest will complete a NEPA process tiered to the bison management EIS before it issues a permit. Additionally, the Forest Service acquired most of the Royal Teton Ranch lands under a Congressional mandate and with Land and Water Conservation Fund dollars and, therefore, did not require a NEPA process. Part of the forest’s future land acquisition includes a land exchange with Royal Teton Ranch, which requires a NEPA process currently in progress.” (Page 61)

Researched by:

Darrell Geist & Associates
PO Box 7941
Missoula MT 59807
(406) 531-9284
z@wildrockies.org