



**U.S. Government  
Accountability Office  
Investigates Bison Plan and  
Land Deals Funded by American Taxpayers**



Led by the oldest female, a cow calf family regroups along the Madison River after being forced off public lands by National Park Service rangers and Montana Livestock agents using helicopters and horses. Under a multi-million dollar taxpayer funded plan wild bison herds are not permitted to roam beyond Yellowstone National Park year-round. Darrell Geist photo

Produced November 2009 by Buffalo Field Campaign, a 501(c)(3) nonprofit founded in 1997 to stop the slaughter of Yellowstone's wild buffalo herd, protect the natural habitat of wild free-roaming buffalo and native wildlife, and to work with people of all Nations to honor the sacredness of the wild buffalo.



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## CONGRESS CALLS FOR AN INVESTIGATION

In October 2006 Congressmen Maurice Hinchey, Charles Bass, and Nick J. Rahall II requested the U.S. Government Accountability Office (GAO) conduct an investigation of the Interagency Bison Management Plan and an associated taxpayer funded land deal on the Royal Teton Ranch. In April 2008 GAO made its report to Congress *Yellowstone Bison - Interagency Plan and Agencies' Management Need Improvement to Better Address Bison-Cattle Brucellosis Controversy* and concluded the plan needed to be refined, revised or replaced.

The plan's stated purpose is to: "maintain a wild, free ranging population of bison and address the risk of brucellosis transmission to protect the economic interest and viability of the livestock industry in the state of Montana." Agencies that are party to the plan include the National Park Service, U.S. Forest Service, U.S. Dept. of Agriculture Animal and Plant Health Inspection Service (APHIS), Montana Dept. of Livestock and Montana Fish, Wildlife & Parks.

The highly critical GAO report identified several key deficiencies and faulted the slew of federal and state agencies behind the plan under which over 3,200 wild American bison have been destroyed in and around Yellowstone National Park since 2000:

"The interagency bison management plan does not have clearly defined, measurable objectives, and the partner agencies share no common view of the objectives. Consequently, the agencies have no sound basis for making decisions or measuring the success of their efforts... Additionally, the agencies have not designed a monitoring program to systematically collect data from their management actions, nor have they set forth a coordinated research agenda to resolve remaining critical uncertainties related to bison and brucellosis-related issues."

Even if all three steps of the plan were achieved, the GAO concluded the controversy would remain unresolved as the

underlying mandates, philosophies, and political interests are in conflict.



American bison are a herd species. A family group share the energy loss of winter migration by breaking trail single file through the snow on Hebgen Lake, Montana. These wild bison were captured for slaughter March 2008 by Montana livestock agents on private land near Yellowstone Park. Darrell Geist photo

According to the GAO, the bison plan is nearly all paid for by American taxpayers with U.S. treasury expenditures of \$3,222,345 in fiscal year 2006.

Following release of the GAO report, House Natural Resources Committee Chairman Nick J. Rahall said: "It has been clear for some time now that the current Interagency Bison Management Plan is not working." Rep. Maurice Hinchey added: "The entire process must be reorganized and opened up for oversight by Congress and the public."

**GAO FINDS KEY DEFICIENCIES:** Lack of accountability to American people and Congress, no measure of progress, no science review

Among the key findings and conclusions in its' report, the GAO found:

- ". . . the agencies lack accountability among themselves and to the public, and it is difficult for the public to obtain information without



attending the meetings or contacting each individual agency.”

- “In the absence of a systematic monitoring program, the agencies have lost opportunities to collect data that could help resolve important uncertainties. The plan states that all captured bison are to be tested for exposure to brucellosis, but fewer than half of those captured since 2001 have been tested. For example, in early winter 2006, the agencies lost an opportunity to collect scientific data on about 900 bison. Park Service officials captured these bison as they attempted to leave through the park's northern boundary. The bison were consigned to slaughter without being tested at the capture facility because the Park Service determined that they would not be used for research and could not be held in the capture pens until the spring for release back into the park.”

Confinement of wild bison inside Yellowstone National Park's Stephens Creek bison trap has led to goring, trampling, and death for this iconic American wildlife species. Calves have also been born in captivity.

- “The plan specifically states that it does not identify how the agencies will measure success or failure. In fact, several agency officials acknowledged that they had not identified metrics or parameters for measuring how well they are meeting the plan's stated goals.”
- “Park Service, APHIS, and Montana Department of Livestock officials also told us that they are not testing any hypotheses or the assumptions on which the plan is based. Furthermore, the agencies have no process to collectively review new scientific information related to brucellosis, much less to assess how the plan may need to be changed to reflect the latest information.”
- “. . . the federal government continues to spend millions of dollars on uncoordinated management and research efforts, with no means to ensure that these

efforts are focused on a common outcome that could help resolve the controversies.”



Montana livestock agents deploy a helicopter to force wild bison off the Yellowstone Ranch Preserve, Horse Butte peninsula, May 2009. Bison are welcome on the privately held preserve and there are no cattle present at any time of year on the peninsula,

wintering and calving habitat for bison migrating from the Yellowstone plateau.

### GAO: AGENCIES' FAILING TO ADAPT

The GAO also reported that the agencies have “not adequately implemented adaptive management,” the basis for the agencies’ decision to implement a tiered step disease risk management approach to separate bison and cattle in time and space.

Adaptive management is a strategy of “learn by doing”. According to experts in the field, decision makers must identify clear objectives to be achieved, address uncertainties and challenge their own assumptions by directing research and investigation to gain new knowledge and updated information.

By systematically testing, monitoring, and measuring their actions, the agencies can then evaluate the effectiveness of approaches taken on the ground, learn from their experiences, and adapt to new information and insights or redirect their actions where they have clearly failed.

Moreover, the GAO found the agencies operate individually rather than cohesively in a coordinated fashion, and have

poorly communicated with the public who feel their input is not acted upon. These detailed failings led GAO to conclude that the "agencies' management lacks the accountability and transparency expected by the public and Congress."

**GAO: BISON UNNECESSARILY KILLED**

The GAO report discovered that the agencies are failing to follow their promise to test bison destined for slaughter - and resolve an uncertainty in their testing which, to date, does not determine infection or the health of bison:

"According to the U.S. Geological Survey, a published study by researchers at the Idaho National Engineering and

Environmental

Laboratory (now known as the Idaho National

Laboratory) has shown that it is possible to detect *Brucella abortus* DNA in blood samples rather than antibodies to *Brucella abortus* and thereby determine actual infection . . .

Current brucellosis tests involve

determining whether a blood sample taken from an animal contains antibodies to the brucellosis bacterium. The presence of these antibodies indicates that the animal has been exposed to the bacterium in quantities sufficient to trigger antibody production but does not necessarily mean the animal is infected with, or ill from, the disease itself."



Bison bulls present no valid disease risk to cattle yet are routinely shot for migrating beyond an interagency bison management zone in their historic range. Seamus Allen photo

To date, the agencies have not pursued testing that could determine infection from immune response to exposure, nor have they investigated how their plan is impacting bison genetic health and natural resistance to diseases, a major

research gap identified by the agencies in its decade-old environmental analysis.

#### **GAO: AGENCIES NOT IN STEP WITH THEIR OWN PLAN**

The GAO report found that the agencies are stuck in step one, with no timeline on how to get out of this step the most deadly and intrusive one for migrating bison: "The agencies have no estimate regarding how long it will take to meet the conditions for starting step two, nor have they revised their estimated dates for reaching step three, which was expected by winter 2005-2006."

Failure by the agencies to resolve that condition has resulted in over 2,600 wild bison being captured for slaughter inside Yellowstone National Park's Stephens Creek trap in the Gardiner Basin.

In testimony before the US Congress, Robin M. Nazarro, Natural Resources and Environment Director for the GAO, said the plan remains mired in step one "primarily because cattle continue to graze" on the Royal Teton Ranch, lands owned by the Church Universal and Triumphant. "Implementation of the IBMP remains in step one because cattle continue to graze on RTR lands north of Yellowstone National Park and west of the Yellowstone River . . . Until cattle no longer graze on these lands, no bison will be allowed to roam beyond the park's northern border, and the agencies will not be able to proceed further under the IBMP."

#### **GAO: TAXPAYER FUNDED LAND DEALS OFFER LITTLE FOR WILD BISON**

Nazarro testified that in 1998 and 1999 "federal agencies spent nearly \$13 million to acquire 5,263 acres and a conservation easement on 1,508 acres of private lands north of the park's border, lands towards which bison frequently attempt to migrate for suitable winter range."

As part of that taxpayer funded land agreement, a provision in



the Devil's Slide Conservation Easement stipulated that a Bison Management Plan for the Royal Teton Ranch would be produced to allow a "safe haven for the bison". The safe haven never materialized. To date, National Park Service rangers intercept bison migrating to Devil's Slide and lands purchased by the American people for their wildlife habitat values. Wild bison are either trapped in a pen or forcefully moved inside Yellowstone National Park.

A wild bison is pinned in a head-lock and nose-clip inside Stephens Creek, Yellowstone National Park. Blood testing for antibody exposure is stressful and does not detect disease infection.

In December 2008, Montana Fish, Wildlife & Parks negotiated a \$3,300,000 deal to lease grazing rights for 30 years on the Royal Teton Ranch from the Church Universal and Triumphant west of the Yellowstone River in the Gardiner Basin. For details and maps on the Royal Teton Ranch land deals see: <http://www.buffalofieldcampaign.org/legal/rtr.html>.

The National Park Service will provide \$1,500,000 in funding, non-government groups have pledged additional funding and Fish, Wildlife and Parks will contribute \$300,000 including personnel to maintain fencing and cattle guards, among other tasks. The Church removed all cattle from its private lands in the fall of 2008.

Material terms of the 30-year contract require wild bison to be captured inside Yellowstone National Park at Stephens Creek and blood tested. Female bison will be collared and fitted with vaginal telemetry. Initially, 25 eligible bison will be permitted to migrate through a narrow electrified fenced 'corridor' to seasonally graze on U.S. Forest Service lands acquired from the Church in 1998/1999. Bison may be hunted, and each season must be captured again, sent to quarantine, or forced back into Yellowstone National Park by April 15.



Bison advocates have raised a red flag on millions of American taxpayer dollars spent with no real benefit for wild bison, and the unprecedented authority ceded to a private party over a public trust bison herd to migrate onto public wildlands through private

lands. Devil's Slide, Gardiner, Montana. Darrell Geist photo

#### GAO: IMPLICATIONS FOR AMERICA'S LAST WILD BISON

*"Multiple recent suspected transmissions of brucellosis from elk to cattle in the area have highlighted the importance of addressing this disease in its broader wildlife and ecological context, and doing so could have significant implications for the future management of Yellowstone bison."*  
GAO, 2008

Shortly after the GAO went to press with its report, Montana lost its brucellosis-free status after reporting a second incident of cattle testing positive for exposure to brucellosis. Both cattle herds were pastured in Paradise Valley near Emigrant, Montana.

In a July 24, 2008 press release, Montana's state vet Dr. Martin Zaluski stated: "We've now had two cases of the disease in two years, and no contact with bison in either case. It supports our conclusion that elk were the source in both cases."

Zaluski based his claim on a U.S. Dept. of Agriculture APHIS

report that was criticized for its incomplete data, and lack of methodology disclosure. The prospect that elk or another cattle herd may have caused Montana to lose its brucellosis-free status, calls into question the plan's effectiveness in ever meeting its' dual purpose: "maintain a wild, free ranging population of bison and address the risk of brucellosis transmission to protect the economic interest and viability of the livestock industry in the state of Montana."

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