



United States Department of the Interior

FISH AND WILDLIFE SERVICE Mountain-Prairie Region



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FWS/R6/080098

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January 3, 2024

Dear Yellowstone Bison Conservation Partner:

As a valued conservation partner, the United States Fish and Wildlife Service (Service) seeks your help in collecting the latest scientific information regarding the Yellowstone bison (*Bison bison bison*; defined as the population of Plains bison in and around Yellowstone National Park). This information will help us develop a Species Status Assessment (SSA) for the Yellowstone bison.

The SSA will inform our decision on whether the Yellowstone bison is warranted for listing under the Endangered Species Act of 1973, as amended (Act). The SSA framework is an analytical approach that characterizes a species' ability to sustain populations over time based on the best scientific understanding of current and future abundance and distribution, taking into consideration any threats and beneficial conservation efforts that could influence or affect the species' status. An SSA begins by characterizing a species' unique life history and needs at the individual, population, and species scales, followed by an analysis of its current and future conditions and the factors influencing these conditions. An SSA is grounded in conservation biology principles and is a transparent and explicit analysis based solely on the best available science. We will complete the SSA, as well as solicit peer review, before any Service policies are applied or decisions are made, which provides greater flexibility to engage with our partners and technical experts. The SSA generates clear, logical analyses that informs our decisions under the Act and provides foundational, biological information to help guide species conservation. As we develop the SSA, we encourage all interested parties to provide any new information regarding the status and potential threats to the Yellowstone bison.

Since 2014, the Yellowstone bison has been petitioned for listing three times. The Service received the first two petitions in 2014 and 2015 and published a not-substantial 90-day finding (81 FR 1368; January 12, 2016). On January 31, 2018, the United States District Court for the District of Columbia remanded the finding to the Service to conduct a new 90-day finding. In 2018, we received the third petition requesting emergency listing for the Yellowstone bison. The Service published a single finding for the three petitions (the first and second petitions from the 90-day finding remanded on January 31, 2018, and the third petition received in 2018), concluding that the petitions did not provide substantial scientific or commercial information indicating that the petitioned action may be warranted (84 FR 46927; September 6, 2019). On January 12, 2022, the United States District Court for the District of Columbia again remanded the finding for the Service to conduct a new 90-day finding. The Service published a substantial 90-day finding (87 FR 34228; June 6, 2022), concluding that the three petitions presented substantial information that listing may be warranted for the Yellowstone bison.

Now, the Service will be analyzing the best scientific and commercial data available for the Yellowstone bison and making a determination on whether a Distinct Population Segment of the species is warranted for listing as endangered or threatened under the Act. The Service anticipates

publishing a 12-month finding and, if warranted, a concurrent proposed listing rule no later than September of 2026.

As part of the SSA development process for Yellowstone bison, the Service seeks the latest scientific information on the population including, but not limited to, the following:

- Historical and current distribution of the Yellowstone bison, population sizes, population trends, and any updates to the Yellowstone bison's predicted range;
- Genetics;
- The effects of severe weather occurrences on Yellowstone bison and its habitat;
- The effects of climate change on Yellowstone bison and its habitat;
- Disease and predation;
- The effects of existing regulatory mechanisms;
- Any updates to laws, regulations, policies, or management plans that may apply to the population; and
- Ongoing or planned conservation efforts for the population and its habitat.

While the Service will accept new information throughout this SSA process, responses are requested by March 2, 2024, if possible. If you submit information, the Service requests the inclusion of supporting documentation such as data, maps, methods used to gather and analyze data, copies of pertinent publications, reports, or letters by knowledgeable sources. Please provide spatial data if possible. Submit information electronically to: fwsyellowstone_bison@fws.gov. Under the Administrative Procedure Act, information we use in our decision, including names and addresses, becomes part of our Administrative Record, available to the public and releasable under the Freedom of Information Act (FOIA). The Service recognizes the time and effort necessary to collect the information and data for this request, and greatly appreciate any information submitted.

The Service will ultimately provide a public notification of our finding in the *Federal Register*. Any associated proposed rulemakings would include an opportunity for the public to review and comment on the proposal(s). At this time, the Service expects the finding and notification will be delivered to the *Federal Register* in September of 2026. The Service appreciates your willingness to provide the latest scientific information for the Yellowstone Bison. If you would like additional information or have any questions about the Yellowstone bison, please contact Tyler Abbott at tyler_abbott@fws.gov or by phone at (307) 757-3707.

Sincerely,

MATTHEW
HOGAN

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MATTHEW HOGAN
Date: 2023.12.21
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Regional Director