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January 11, 2010

Bison Translocation
Wildlife Division
Montana Fish, Wildlife & Parks
P.O. Box 200701
Helena, MT 59620-0701

RE: Comments on Draft Environmental Assessment on the Translocation of Quarantined Yellowstone Bison

Dear Montana Fish, Wildlife & Parks Bison Translocation Team,

Thank you for the opportunity to comment on Montana Fish, Wildlife & Park's (MFWP) Draft Environmental Assessment on the Translocation of Quarantined Yellowstone Bison.

Buffalo Field Campaign was founded in 1997 to stop the slaughter of Yellowstone's wild buffalo population, 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 wild buffalo.

Buffalo Field Campaign is located in West Yellowstone, Gallatin County, Montana, and is supported by volunteers and citizens in Montana, Idaho and Wyoming, and by people throughout the United States and from around the world who value America's native wildlife and the ecosystems upon which they depend, and enjoy the natural wonders of our irreplaceable public lands.

As an organization and on behalf of its members, Buffalo Field Campaign is concerned and actively involved with protecting the last remaining descendants of indigenous bison in North America to occupy their original range in the Greater Yellowstone ecosystem. Buffalo Field Campaign actively publicizes the plight of the bison, to end their slaughter by government agencies, and to secure long-term protection for viable populations of wild bison and year-round habitat in the Greater Yellowstone ecosystem. Buffalo Field Campaign actively engages the American public to honor our cultural heritage by allowing wild buffalo to exist as an indigenous wildlife species and fulfill their inherent

ecological role within their native range, and serve as the genetic wellspring for future wild, free ranging bison populations.

Buffalo Field Campaign would like to go on record as being strongly opposed to the Quarantine Feasibility Study, as we believe that better solutions - including the protection and creation of wild bison migration corridors, along with stronger cattle-based brucellosis-risk management - are available for restoring wild bison throughout their native range in the U.S. However, the Yellowstone bison that have been captive in the Quarantine Feasibility Study are extremely important to us; they are members of America's last continuously wild population and Buffalo Field Campaign and our supporters have a stake in their future.

Buffalo Field Campaign holds extreme reservations about Yellowstone bison being transported to the private lands of Turner Enterprises, Inc., and we also have other concerns with your Environmental Assessment as outlined below.

1. Inadequate time for meaningful public input:

* The thirty-day public comment period for this Draft Environmental Assessment (EA), which coincides with the holiday season, does not allow enough time for the public to properly and thoroughly digest the disseminated information, and produce satisfactory comments and questions. With release of the EA to the public at 11am MST on December 15, the public has, in fact, only been given 28 days to comment, which is unacceptable. Buffalo Field Campaign formally requests an extension of the public comment period to at least 90 days, and no less than 60 days.

2. Misinformation disseminated to the public as fact:

* Montana Fish, Wildlife & Parks issued a press release on December 15, 2009 announcing the release of its Environmental Assessment to translocate quarantined Yellowstone bison. In the release, MFWP states, "Many Yellowstone bison are infected with brucellosis..." This statement is untrue. While it is true that "many" (50%) Yellowstone bison have been exposed to brucella abortus, the rate of actual infection is far less. The fact is "few Yellowstone bison are infected with brucellosis."

3. Agencies have failed to use their time to properly plan for the eventual return of quarantined Yellowstone bison to public and tribal lands:

* "The aim of the project is to determine the feasibility of capturing, raising and breeding bison calves from Yellowstone National Park that are free of brucellosis exposure for the establishment of new wild herds," Montana Fish, Wildlife & Parks.

* Montana Fish, Wildlife & Parks (and partner agency U.S. Department of Agriculture's Animal & Plant Health Inspection Service (USDA's APHIS)) had more than five years to

accomplish its stated goal and determine suitable habitat on public or tribal lands, working with state, federal and tribal governments. The agencies have failed to outline a plan to help ensure that the goals of the Quarantine Feasibility Study would be met and that public Yellowstone bison would be returned to public and/or tribal lands. Buffalo Field Campaign requests that the agencies prepare and propose such alternatives for the public to consider and comment on.

* Under section 2.5.3 in the Draft EA there is an alternative for placing bison on a MFWP Wildlife Management Area (WMA). This is one alternative that makes sense, helps reach the stated goals of the quarantine project, has support from the public, and should be pursued by MFWP. Due to the fact that MFWP is a state wildlife agency it is therefore a more suitable option for Yellowstone bison than placing them with livestock producers. WMAs may help the quarantined Yellowstone bison potentially regain their lost wild integrity, which is a direct result of being held captive, raised as livestock and routinely handled during quarantine. If a livestock conflict exists, for example if cattle are present on any WMA that is suitable for public Yellowstone bison, the livestock should be removed to set precedence for wildlife's use of Wildlife Management Areas. Placing quarantined Yellowstone bison on WMAs in Montana follows the stated goals of the Quarantine Feasibility Study. Therefore, Buffalo Field Campaign asks that WMA sites be selected by MFWP, Environmental Impact Statements be written on those sites, and funds and equipment be allocated for the purpose of placing Yellowstone bison on Montana state lands managed by MFWP.

* MFWP has hundreds of thousands of acres in Montana where these Yellowstone bison could be relocated to right now, yet MFWP has failed to adequately assess or consider available public lands habitat in Montana and disseminate the information to the public. The Robb/Ledford Wildlife Management Area is suitable public habitat currently available. "The primary goal of Montana's Wildlife Management Areas is to maintain vital wildlife habitat for the protection of species and the enjoyment of the public." "MFWP's Wildlife Management Areas (WMAs) are managed with wildlife and wildlife habitat conservation as the foremost concern. WMAs protect important wildlife habitat that might otherwise disappear from the Montana landscape" <http://MFWP.mt.gov/habitat/wma.html> MFWP can achieve its goals of conserving soils, watershed protection, plant and wildlife diversity on these Wildlife management Areas far better with wild buffalo than cattle. Buffalo Field Campaign requests that MFWP prepare proposals to reintroduce bison on Wildlife Management Areas for the public to comment on.

* Lands within the ownership of the U.S. Department of Interior, the agency that handed over these public Yellowstone bison from Yellowstone National Park with the intention of restoring Yellowstone bison to public and tribal lands, is the largest public land-owner in the United States and given that they have developed a Bison Conservation Initiative they should be a direct partner in the planning and assisting with placement of quarantined Yellowstone bison on public and tribal lands. A copy of the Department of Interior's Bison Conservation Initiative is attached.

* The Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Reservation in Montana submitted a proposal for obtaining these Yellowstone buffalo, and they've been working on bringing Yellowstone buffalo home for years. The agencies are familiar with the efforts of these tribes. The tribes intend to depopulate their current herd, which has been in existence since 1974, and establish a permanent herd from Yellowstone bison on 22,000 acres. The Fort Belknap reservation covers 675,000 acres. The tribes have long sought to establish a herd from Yellowstone "on tribal and public lands in a manner that promotes cultural enhancement, spiritual revitalization, and ecological restoration." Why would the State of Montana and the U.S. government deny them this opportunity, especially considering that the stated goals of the Quarantine Feasibility Study are to return Yellowstone bison to public and tribal lands?

4. Turning public Yellowstone bison over to private interests fails to meet the goals of the Quarantine Feasibility Study:

* The translocation of quarantined Yellowstone bison to Turner Enterprises, Inc. removes public Yellowstone bison from the public trust, and undermines the stated intent of the Quarantine Feasibility Study. Since this proposed alternative does not meet the goals of the Quarantine Feasibility Study, it should be eliminated. USDA's Animal & Plant Health Inspection Service, MFWP's partner agency in the Quarantine Feasibility Study, has stated publicly their opposition to the transfer of these Yellowstone bison to a commercial entity ("*A U.S. Department of Agriculture veterinarian also criticized the move, saying it went against the original intent of the bison relocation program launched in 2005,*" "*Officials Say Turner's ranch best scenario for park bison,*" *Bozeman Daily Chronicle, November 11, 2009*).

* MFWP has not outlined any set plans or public discussions for the eventual release from Turner Enterprises, Inc. to public and/or tribal locations after the five years of quarantine following translocation. Again, the stated purpose of the Quarantine Feasibility Study was to use these Yellowstone bison to help repopulate public and tribal bison herds, and restore bison to public and tribal lands. Therefore any alternative involving Turner Enterprises, Inc. or any other private entity does not meet the stated goals of the project and must be eliminated. Any alternatives involving Turner Enterprises, Inc. (or any placement of public Yellowstone bison onto private land) should absolutely incorporate the placement of the original quarantined Yellowstone bison and their offspring into public and/or tribal herds as part of MFWP's "direct management" after the initial 5-year period of translocation to said private land(s).

* Allowing Turner Enterprises, Inc. to keep 90% of the quarantined Yellowstone bison's offspring born during the proposed 5-year placement on Turner's private property undermines the intent of the Quarantine Feasibility Study. Allowing a private interest, Turner Enterprises, Inc., to "increase genetic diversity" of the private Castle Rock bison herd solely benefits a private commercial business and does not lead to the repopulation of public and/or tribal herds. Removing Yellowstone bison from the public trust to benefit a domestic bison producer is contrary to the stated goals of the Quarantine

Feasibility Study. See attached Yellowstone National Park Permit #YELL-2007-SCI-5506 (See page 3 of 4).

* Any alternative involving progeny of research Yellowstone bison going to benefit private entities should necessarily incorporate placement of original research Yellowstone bison and remaining offspring into public and/or tribal herds as part of MFWP's "direct management" after the 5-year quarantine period following translocation
NOTE: It is unclear in the EA what MFWP means by "direct management," so this term should be defined.

* Placing the offspring ("progeny") of quarantined Yellowstone bison into Turner Enterprise, Inc.'s private Castle Rock bison herd would be a loss of public Yellowstone bison genetics that could otherwise be used to repopulate public and/or tribal herds. Placement of these Yellowstone bison offspring for private commercial benefit is against the stated goals of the Quarantine Feasibility Study, and therefore any alternative involving placement of Yellowstone bison offspring on to private bison ranches should be eliminated. See attached Yellowstone National Park Permit #YELL-2007-SCI-5506 (See page 3 of 4).

5. Yellowstone National Park bison transferred to quarantine shall not be used for commercial or revenue-generating purposes. Reference: Permit #YELL-2007-SCI-5506 (See page 3 of 4), copy attached.

* According to the Scientific Research and Collecting Permit issued by Yellowstone National Park to USDA's APHIS and MFWP, *quarantined Yellowstone buffalo captured from Yellowstone "may be used for scientific or education purposes only, and shall be dedicated to public benefit and be accessible to the public in accordance with NPS policies and procedures."*

* Additionally, the permit states unequivocally that *Yellowstone bison removed to quarantine "may not be used for commercial or revenue-generating purposes* unless the permittee has entered into a Cooperative Research and Development Agreement or other approved benefit-sharing agreement with the National Park Service (NPS). The sale of collected research specimens or other unauthorized transfers to third parties is prohibited."

* The permit states that Yellowstone bison that remain alive in quarantine are still considered "Federal property". In other words, the National Park Service must be contacted prior to Yellowstone bison being killed in quarantine: *"they shall not be destroyed or discarded without prior NPS authorization."*

* If the permit holders can't find a home for the quarantined Yellowstone bison remaining, Yellowstone National Park certainly has authority to intervene and prevent their slaughter.

* It is clear then that (1) Yellowstone National Park's permit prevents Yellowstone buffalo from being used for commercial benefit without an agreement that is for any for-profit concern. (2) Yellowstone National Park has jurisdiction over Yellowstone buffalo and their offspring remaining in quarantine. (3) It is within the National Park Service's authority to intercede and prevent commercialization of Yellowstone buffalo without a written agreement, and prevent USDA's APHIS and MFWP from slaughtering these buffalo if they fail to find a home for them.

6. Quarantine Feasibility Study fails to meet its goals, wasting millions of U.S. tax dollars and the irreplaceable lives and wild integrity of Yellowstone bison:

* Due to the absence of planning and lack of public discussion regarding MFWP's eventual "direct management" (a term repeatedly used yet undefined) over quarantined Yellowstone bison and their offspring, all alternatives are incomplete and in need of revisions that include eventual placement of quarantined Yellowstone bison into public and/or tribal herds.

* There should fundamentally be more state and federal participation helping to prepare tribal lands and more funds and support allocated to tribes interested in receiving and maintaining quarantined Yellowstone bison. As repopulating tribal herds is a stated goal and priority in the Quarantine Feasibility Study all agencies involved should be more proactive and focus-oriented on placing Yellowstone bison in tribal herds or reintroducing Yellowstone bison to tribal lands.

* Alternative B, 2.2 the "no action" alternative in the Draft EA calls for the slaughter of 58 quarantined Yellowstone bison to make room for the remaining quarantined Yellowstone bison and progression of research. This alternative effectively removes five years of research and does not meet the stated goals of the Quarantine Feasibility Study and therefore should be eliminated as an option. Furthermore, with MFWP's and USDA-APHIS's severe failure to appropriately plan and secure tribal and/or public habitat for these Yellowstone bison, as is the stated goal of the Quarantine Feasibility Study, further quarantine of Yellowstone bison captured for the purpose of the study should be halted. Slaughter is absolutely unnecessary, as there are thousands of acres of public land immediately available in Montana, on tribal lands, and millions of acres of public lands managed by the U.S. Department of Interior where these Yellowstone bison could go. See attached Yellowstone National Park Permit #YELL-2007-SCI-5506 (See page 3 of 4).

* The Quarantine Feasibility Study has proven to be a complete failure, and Buffalo Field Campaign is strongly opposed to it. MFWP and USDA's APHIS have shown a severe lack of knowledge of how the quarantine process, in all of its aspects, adversely affects the behaviors of captured wild Yellowstone bison. The agencies have failed to properly plan to ensure that the stated goals of returning Yellowstone bison to public and tribal lands would be met. The agencies have failed to disclose how quarantining captured wildlife for ten years results in the domestication of a keystone native wildlife

species. Buffalo Field Campaign requests that these management failures be seriously evaluated and disclosed to the public. An evaluation of the agencies' failures must be disclosed to the public for comment in a supplemental Environmental Analysis or Impact Statement.

7. Placement of minimal number of quarantined Yellowstone bison in Wyoming's Guernsey State Park, with the goal of slaughtering the rest fails to meet stated goals of Quarantine Feasibility Study:

* Alternative C, 2.3, in the Draft EA calls for placement of 14 quarantined Yellowstone bison in Guernsey State Park, while 30 Yellowstone bison remain in the quarantine facilities and 40 quarantined Yellowstone bison go to slaughter. The resulting fate of 70 of the 88 Yellowstone bison does not meet the stated goals of Quarantine Feasibility Study and therefore should be eliminated as an option. Furthermore, since the 14 Yellowstone bison would only be on public (state) land for the next five years, with no plan for placement following this extended quarantine period, the Quarantine Feasibility Study fails again to meet its stated goals by relocating Yellowstone bison to Guernsey State Park. See attached Yellowstone National Park Permit #YELL-2007-SCI-5506 (See page 3 of 4).

* Placement of Yellowstone bison to Guernsey State Park in Wyoming would require enclosing a migratory animal in an area too small to conserve this inherent trait that defines American bison as a wildlife species. The effects upon the land and the Yellowstone bison need to be evaluated and disclosed in an Environmental Analysis or Impact Statement before it can be considered as a feasible, let alone desirable, option.

In closing, the proposed preferred alternative to translocate captured, quarantined Yellowstone bison to the private lands of Turner Enterprises, Inc., is objectionable because it effectively removes public wildlife from the public trust, and removes the potential for Yellowstone bison to be returned to tribal lands. Translocating quarantined Yellowstone bison to Ted Turner's private Green Ranch is incongruous with the stated goals of the Quarantine Feasibility Study. See Yellowstone National Park Permit #YELL-2007-SCI-5506 (See page 3 of 4).

The agencies have had years to evaluate suitable public and tribal lands, and to work with state, federal and tribal governments to ensure that the goals of the Quarantine Feasibility Study would be met. You have clearly not done so and you need to go back to the drawing board.

The agencies should expedite the release of the Yellowstone bison currently being held in the quarantine facility to suitable tribal or public lands habitat. See attached Yellowstone National Park Permit #YELL-2007-SCI-5506 (See page 3 of 4).

The translocation of these Yellowstone bison out of the public trust to the private lands of Turner Enterprises, Inc. shows a failure on the part of the agencies to fully evaluate and meet the stated goals of the Quarantine Feasibility Study, which is to, "determine the feasibility of capturing, raising and breeding bison calves from Yellowstone National Park that are free of brucellosis exposure for the establishment of new wild herds," (MFWP Press Release 12/15/09).

The Yellowstone bison population is the last continuously wild population of American bison to occupy their native range and the only one that retains their identity as a wildlife species. The relationship between buffalo and First Nations cultures has been ignored or undermined throughout the government's interfering and disrespectful management of bison in North America, and the resulting proposed alternatives to the Quarantine Feasibility Study underscore the lack of consideration the government gives to First Nations who hold buffalo as an integral part of their culture. The ongoing mismanagement of this treasured keystone species, as outlined in the Interagency Bison Management Plan and all of its components thus far carried out, jeopardizes the evolutionary potential and wild integrity of *Bison bison*, a species that is critical to the ecological health and restoration of North America's grassland and prairie ecosystems.

Agencies involved in the IBMP and its various management facets must reevaluate the adverse impacts of the IBMP, including the Quarantine Feasibility Study, and seek the wisdom, guidance and direct participation of First Nations before further placing this irreplaceable population of American bison in jeopardy.

Thank you for taking Buffalo Field Campaign's comments into consideration. Supplemental comments will be forthcoming. Buffalo Field Campaign would appreciate receiving a response from you on this issue and would like to be kept informed on all proposals, decisions, and management actions affecting quarantined Yellowstone bison.

Sincerely,

Buffalo Field Campaign
West Yellowstone, Montana

Attachments:

1. Quarantine Feasibility Study Permit # YELL-2007-SCI-5506
2. Yellowstone National Park Memo: Transfer of Surplus Bison Under the IBMP
3. Department of Interior's Bison Conservation Initiative