Exhibit 1 to Plaintiffs' Motion and Brief in Support of Motion Objecting to the Administrative Record as Incomplete, and to Compel the Defendants to Produce Documents to Complete the Record

#### ITEMS NOT INCLUDED IN THE ADMINISTRATIVE RECORD THAT ARE NECESSARY TO COMPLETE THE RECORD

#### I. DOCUMENTS AND INFORMATION REFERENCED IN THE ADMINISTRATIVE RECORD OR KNOWN TO BE PART OF THE FULL RECORD, BUT NOT INCLUDED

#### **US Forest Service Record / Documents:**

- 1. Assessment of Management Situation for the Gallatin Forest Plan, used under NFMA for each forest to develop its original forest plan, and referenced in the GNF Plan but not included in the plan or record
- 2. Annual Monitoring Reports for the Gallatin Forest Plan, and Monitoring and Evaluation Reports required every five years under NFMA to evaluate trends from the annual monitoring reports and analyze the need for changes to the Forest Plan
- 1995 MOU between the USFS and Montana Department of Livestock referenced in **Document 8**, in response to Question 17, but not included in AR

#### 4. 320 Ranch Taylor Fork Land Project folder

- a. All figures and maps referenced in the EA and/or DN/FONSI, not included
- 5. GNF Forest Plan amendment 2006, OTO tract, documents not included:
  - a. Decision Notice and FONSI
  - b. Analysis
  - c. Public comment record
  - d. Maps
- 6. **Document 23, IBMP Annual Report 2008/2009**, documents referenced but not included:
  - a. Reports referenced on page 24, expected in December, 2009
    - i. Dr. Luikart, Dr. Allendorf, Dr. Schwartz research to estimate the existing heterozygosity, allelic diversity, and long-term probabilities of genetic conservation for overall bison population and identified subpopulations

Plaintiffs' Exhibit to Motion Objecting to Administrative Record as Incomplete and to Compel Defendants to Produce Documents to Complete the Record – Items not Included in the Record and Necessary for a Complete Record

(or data/information available and before the agencies, if report remains unpublished)

- ii. NPS/APHIS & UC-Davis collaborative research to estimate probabilities of brucellosis transmission within and between species and areas
- b. Jones et al. article/research paper referenced but not included
- 7. Royal Teton Ranch, documents not included (referenced in folder, or otherwise known to exist):
  - a. Master agreements
  - b. Bison Preservation and Management Plan for Royal Teton Ranch and Adjacent Environs
  - c. Memorandum of Understanding and Covenant for Further Assurances
  - d. Option to Purchase an Easement and Grant Right of First Refusal
  - e. Wildlife and Bison Management Plans
  - f. RTR maps
  - g. RTR Conservation Easement (Devil's Slide)
  - h. Original conservation easement documents

### 8. RTR Bison Fence

a. SUP permit application, referenced in **document 57** but not included

# 9. Document 63

- a. Map is referenced but not included
- 10.GNF's proposed "Clean-Up Amendment" eliminating native species viability requirement; any documents or documented discussion related to the proposed amendment
- 11.Cutler Meadows grassland restoration project (this land was acquired by GNF as part of the RTR agreement in 1998-1999), documents not included:
  - a. Decision & analysis
  - b. Public comment record
  - c. Maps
- 12. All information and decisions related to sagebrush eradication on the Gallatin National Forest, sagebrush habitat information/monitoring, and sage obligate species.
- 13. Scientific studies and management plans related to sagebrush habitat and sagebrush obligates in Montana and the Greater Yellowstone Area.

Plaintiffs' Exhibit to Motion Objecting to Administrative Record as Incomplete2and to Compel Defendants to Produce Documents to Complete the Record –1Items not Included in the Record and Necessary for a Complete Record2

### NPS Record / Documents:

- 1. Yell006338 Park Service response to GAO Report
  - Appendix III of a draft report referenced but not included
- 2. Document Note to Files Summary 2008 NPS Bison Haze-back Ops West May 2008
  - a. Federal Interagency SafeCom filed for failure to flight follow (MDOL) while operating helicopter inside YNP, referenced but not included
- 3. Yell007249/50, 1-19-09 email Lewis to Plumb conference call summary
  - a. One note refers to USFS Special Agent Herrick's comment that his edits to the operating procedures were mandatory, because those agreed to in 2007 were outside USFS authority – no documents were provided that include these edits or any other USFS or interagency discussion regarding the edits (this may be provided by either NPS or USFS, but reference to these edits appeared in the NPS Record)

### General / Both Agencies:

- 4. GAO bison reports in full only partial reports included or referenced
- 5. Information (USGS, e.g.) related to bison and cattle intermingling in Wyoming without brucellosis transmission incidences
- 6. The IBMP Annual Report, July 1, 2008 through June 30, 2009 cited numerous National Park Service funded publications and reports, listed below and which were not included in the AR:
  - a. Bruggeman, J. E., R. A. Garrott, P. J. White, F. G. K Watson, and R. W. Wallen. 2009a. Effects of snow and landscape attributes on bison winter travel patterns and habitat use. Pages 623-647 in K.A. Garrott, P. J. White, and F. G. R. Watson, editors. The ecology of large mammals in central Yellowstone: sixteen years of integrated field studies. Elsevier, Academic Press, California.
  - b. Bruggeman, J. E., P. J. White, R. A. Garrott, and F. G. K Watson. 2009b. Partial migration in central Yellowstone bison. Pages 217-235 in R. A. Garrott, P. J. White, and F. G. R.

Plaintiffs' Exhibit to Motion Objecting to Administrative Record as Incomplete 3 and to Compel Defendants to Produce Documents to Complete the Record – *Items not Included in the Record and Necessary for a Complete Record*  Watson, editors. The Ecology of Large Mammals in Central Yellowstone. Elsevier, San Diego, California.

- c. Fuller, J. A., K A. Garrott, and P. J. White. 2009. Emigration and density dependence in Yellowstone bison. Chapter 13 in K A., Garrott, P. J. White, and F. G. K Watson, editors. Large mammal ecology in central Yellowstone: a synthesis of 16 years of integrated field studies. Elsevier, Academic Press Terrestrial Ecology Series, San Diego, California.
- d. Geremia, C., P. J. White, K A. Garrott, R. Wallen, K. E. Aune, J. Treanor, and J. A. Fuller. 2009a. Demography of central Yellowstone bison: effects of climate, density and disease. Chapter 14 in K A., Garrott, P. J. White, and F. G. K Watson, editors. Large mammal ecology in central Yellowstone: a synthesis of 16 years of integrated field studies. Elsevier, Academic Press Terrestrial Ecology Series, San Diego, California.
- e. Geremia, C., P. J. White, and K Wallen. 2009b. Migration and disease-related removals of Yellowstone bison: effects of density and snow pack. National Park Service, Yellowstone Center for Resources, Mammoth Hot Springs, Wyoming.
- f. Jones, J. D., J. T. Treanor, and K L. Wallen. 2009. Parturition in Yellowstone bison. Report YCR-2009-0 1. National Park Service, Mammoth Hot Springs, Wyoming.
- g. Jones, J. D., J. T. Treanor, and K L. Wallen. 2009. Parturition in Yellowstone bison. Report YCR-2009-0 1. National Park Service, Mammoth Hot Springs, Wyoming.
- h. Thein, T. K, F. G. R. Watson, S. S. Cornish, T. N. Anderson, W. B. Newman, and K E. Lockwood. 2009. Vegetation dynamics of Yellowstone's grazing system. Pages 113-133 in K A. Garrott, P. J. White, and F. Watson editors. Large mammal ecology in central Yellowstone: a synthesis of 16 years of integrated field studies. Elsevier, San Diego, California.
- Treanor, J., J. Johnson, K Wallen, S. Cilles, P. Crowley, and D. Maehr. 2008. Vaccination strategies for managing brucellosis in Yellowstone bison. National Park Service, Mammoth Hot Springs, Wyoming.
- More final reports were expected to be released December 2009 (IBMP Annual Report, July 1, 2008 through June 30, 2009 – two of these reports were listed in List 1 from Plaintiffs) identified in the

Plaintiffs' Exhibit to Motion Objecting to Administrative Record as Incomplete 4 and to Compel Defendants to Produce Documents to Complete the Record – *Items not Included in the Record and Necessary for a Complete Record*  Yellowstone National Park Bison Monitoring and Surveillance Plan, including:

- i. Abundance, demographic rates, limiting factors for overall bison population and subpopulations
- ii. Migratory and nomadic movements by bison at a variety of scales outside the Park
- iii. The culture tissue study results of 400 bison slaughtered in 2007-2008
- iv. Strength and duration of immune response in bison following parenteral vaccination
- 8. Aune, K, J. Rhyan, B. Corso, T. Roffe. Undated. Environmental persistence of brucella organisms in natural environments of the Greater Yellowstone Area a preliminary analysis. 8 p
- 9. <u>USGS studies re bison and/or brucellosis</u> these studies do not appear to be in the record, but are relevant and apparently considered by the agencies for bison and brucellosis management decisions: <u>http://biology.usgs.gov/pub\_aff/faq.html#hot\_brucellosis</u> "USGS scientists are collaborating with university, State, and Federal groups on a number of studies. Ecological studies focus on forage availability, habitat use, and bison population dynamics. Brucellosis research includes examining the risk of transmission of the disease from wildlife to cattle, identification of exposed animals in the field, and the safety of vaccines to wildlife species. The information gained from these studies assists national park managers, Federal and State officials, Congress, and others in developing future bison management plans.

See <u>http://www.fort.usgs.gov/research\_briefs/Bison\_Brucellosis.html</u> for summaries of the current bison and brucellosis studies being conducted by USGS and collaborating scientists."

a. Montana Fish, Wildlife & Parks. 2009. Montana's Comprehensive Fish and Wildlife Conservation Strategy. Available online at:

http://fwp.mt.gov/specieshabitat/strategy/fullplan.html.

#### II. DOCUMENTS AND INFORMATION SUPPLIED TO THE AGENCIES BY PLAINTIFFS OR OTHER PARTIES WHICH WERE "BEFORE" THE AGENCIES AND SHOULD HAVE BEEN DIRECTLY OR INDIRECTLY CONSIDERED

Plaintiffs' Exhibit to Motion Objecting to Administrative Record as Incomplete5and to Compel Defendants to Produce Documents to Complete the Record –1Items not Included in the Record and Necessary for a Complete Record5

- 1. Buffalo Field Campaign comments for South Fork and Watkins Creek cattle grazing alloments
- 2. Full copy of September 9, 2008 letter from Jim Bailey of Belgrade, Montana to IBMP Partners – only partial letter included
- 3. Buffalo Field Campaign comments to GNF/USFS regarding Horse Butte capture facility permit renewal, including scoping statement and curriculum vitae from Dr. Paul Nicoletti (College of Veterinary Medicine, University of Florida, Gainesville, Florida.)
- 4. Gallatin Wildlife Association comments to GNF about Wapiti and Cache-Eldridge grazing allotments

#### 5. Literature cited and/or provided to USFS and/or NPS – (accompanying the following comments or other correspondence to the agencies: comments on South Fork and Watkins Creek grazing allotments; comments on renewal of Horse Butte capture facility permit; February 2009 letter requesting agencies prepare a supplemental environmental impact statement; and April 2008 Emergency Rulemaking Petition to stop the bison slaughter) not included in the administrative record:

- Acevedo-Whitehouse, K., F. Gulland, D. Greig, and W. Amos.
   2003. Disease susceptibility in California sea lions. Nature.
   422:35.
- b. Allendorf, F.W. 1986. Genetic drift and the loss of alleles versus heterozygosity. Zoo Biology. 5:181-190.
- c. Allendorf, F.W. and R.F. Leary. 1986. Heterozygosity and Fitness in Natural Populations of Animals. In Conservation Biology: The Science of Scarcity and Diversity, edited by M.E. Soulé. Sinauer Associates. Sunderland, MA. Pages 57-76.
- d. Amos, W. and A. Balmford. 2001. When does conservation genetics matter? Heredity. 87:257-265.
- e. Ballou, J. and K. Ralls. 1982. Inbreeding and Juvenile Mortality in Small Populations of Ungulates: A Detailed Analysis. Biological Conservation. 24:239-272.
- f. Berger, J. 1996. Scenarios involving genetics and population size of bison in Jackson Hole. Report to the National Park Service.
- g. Berger\_The Last Mile How to Sustain Long-Distance Migration in Mammals.pdf

- h. Berger, J. and C. Cunningham. 1994. Bison: Mating and conservation in small populations. Columbia University Press, New York.
- i. Bjornlie and Garrott\_Effects of Winter Road Grooming on Bison in Yellowstone National Park.pdf
- j. Boyd, D. 2003. Conservation of North American bison: status and recommendations. Master's Degree Thesis. University of Calgary, Calgary, Canada. 222 pages.
- k. Boyd, D.P. and C.C. Gates. 2006. A Brief Review of the Status of Plains Bison in North America. JOW. 45:15-21.
- 1. Buffalo Field Campaign wildlife database: <u>http://wildlife.buffalofieldcampaign.org/</u>
- m. BFC\_Bison observations Hebgen Basin 2002-2009.jpg
- n. Cannon\_The Analysis of a Late Holocene Bison Skull from Fawn Creek, Lemhi County, Idaho, and Its Implications for Understanding the History and Ecology of Bison in the Intermountain West.pdf
- o. Cannon\_WHAT THE PAST CAN PROVIDE -CONTRIBUTION OF PREHISTORIC BISON STUDIES TO MODERN BISON MANAGEMENT.pdf
- p. Chambers, K.E. 1998. Using Genetic Data in the Management of Bison Herds. In International Symposium on Bison Ecology and Management in North America. Edited by L.R. Irby and J.E. Knight. Montana State University, Bozeman, MT. Pages 151-157.
- q. Christianson, A., P.J. Gogan, K.M. Podruzny, and E.M. Olexa. 2005. Incisor wear and age in Yellowstone bison. Wildlife Society Bulletin. 33:669-676.
- r. Fallon\_The ecological importance of bison in mixed-grass prairie ecosystems.pdf
- s. Frankham, R. 1995. Conservation genetics. Annual Review of Genetics. 29:305-327.
- t. Secretary Kempthorne et al. Yellowstone Bison Emergency Rulemaking Petition April 10, 2008 Page 30
- u. Franklin, I.R. 1980. Evolutionary change in small populations. Pages 135-149 in M. Soulé and B. Wilcox, editors. Conservation biology: an evolutionary-ecological perspective. Sinauer Associates, Sunderland, MA.

- v. Freese, C.H., K.E. Aune, D.P. Boyd, J.N. Derr, S.C. Forrest, C.C. Gates, P.J. Gogan, S.M. Grassel, N.D. Halbert, K. Kunkel, and K.H. Redford. 2007. Second chance for plains bison. Biological Conservation. 136(2):175-184.
- w. Fuller, J.A., R.A. Garrott, and P.J. White. 2006. Emigration and Density Dependence in Yellowstone Bison. Journal of Wildlife Management. 71(6):1924-1933.
- x. Gates\_Map of Potential Bison Habitat in Greater Yellowstone.jpg
- y. Gates\_Map of Yellowstone bison winter range and corridors.jpg
- z. Geist\_Gardiner RD and Hebgen Lake RD Public Grazing Allotments 2009.xls
- aa. Geist\_Status review of public lands grazing on the Gallatin National Forest.pdf
- bb.Gogan, P.J.P., K.M. Podruzny, E.M. Olexa, H.I. Pac, and K.L. Frey. 2005. Yellowstone bison fetal development and phenology of parturition. Journal of Wildlife Management. 69:1716-1730.
- cc. Greater Yellowstone Coalition v. Bosworth, 209 F. Supp. 2d 156 (D.D.C. 2002). US District Court for the District of Columbia, Civil Action NO.: 01-1516 (RMU) (JMF)
  Magistrata Judga Facciala opinion. Picerdo Urbina final

Magistrate Judge Facciola opinion, Ricardo Urbina final judgment and order, May 13, 2002.

- dd.Grigg, J. L. 2007. Gradients of predation risk affect distribution and migration of a large herbivore. Master of Sci. Thesis, MSU, Bozeman, MT. 77 pp.
- ee. Gross, J.E. and G. Wang. 2005. Effects of population control strategies on retention of genetic diversity in National Park Service bison (Bison bison) herds. National Park Service. Unpublished report.
- ff. Halbert, N.D., T.J. Ward, R.D. Schnabel, J.F. Taylor, and J.N. Derr. 2005. Conservation genomics disequilibrium mapping of domestic cattle chromosomal segments in North American bison populations. Molecular Ecology. 10:2343-2362.

- gg.Halbert, N.D. and J.N. Derr. 2007. A comprehensive evaluation of cattle introgression into US federal bison herds. Journal of Heredity. 98:1-12.
- hh.Hamlin, K.L. and J. Cunningham. 2009. Greater Yellowstone Area elk movements: brucellosis and hunter access. Montana Dept. Fish, Wildlife & Parks, Bozeman, MT. 117pp.
- ii. Harris, R.B. and F.W. Allendorf. 1989. Genetically effective population size of large mammals: an assessment of estimators. Conservation Biology. 3:181-191.
- jj. Hartl, D.L. and A.G. Clark. 1997. Principles of population genetics. Sinauer Associates, Sunderland, MA.
- kk.Hornaday\_The Extermination of the American Bison ebook
- ll. James, J.W. 1971. The founder effect and response to artificial selection. Genetic Research. 12:249-266.
- mm. Jourdonnais\_Upper Gallatin Potential Bison Winter Range.jpg
- nn.Jourdonnais\_Winter Range Assessment for Bison.pdf
- oo.Keller, L.F. and D.M. Waller. 2002. Inbreeding effects in wild populations. Trends in Ecology & Evolution. 17:230-241.
- pp.Knapp et al\_The Keystone Role of Bison in North American Tallgrass Prairie.pdf
- qq.Bison Habitat Evaluation East of the Yellowstone River from Dome Mountain to YNP, Tom Lemke, Wildlife Biologist, Montana Fish, Wildlife & Parks, February 14, 2006.
- rr. Wildlife Habitat and Wildlife Use On and Near the Royal Teton Ranch, Tom Lemke, Wildlife Biologist, Montana Fish, Wildlife & Parks, July 7, 1997.
- ss. Mattson, D. J. and D. P. Reinhart. 1994. Bear use of whitebark pine seeds in North America. Pages 212-220. in W. C. Schmidt and F. K. Holtmeier, compilers. Proceedings of the International workshop on subalpine stone pines and their environment: The status of our knowledge. USDA Forest Service, Intermountain Research Station, General Technical Report INT-GTR-309, Ogden, Utah.
- tt. Mattson, D. J., K. Barber, R. Maw, and R. Renkin. 1999. Coefficients of habitat productivity for Yellowstone's grizzly bear habitat. Technical Report. USGS Forest & Rangeland Ecosystem Science Center, Corvallis, Oregon.

- uu.McCleneghan Jr., L.R., J. Berger, and H.R. Truesdale. 1990. Founding lineages and genetic variability in plains bison (Bison bison) from Badlands National Park, South Dakota. Conservation Biology. 4:285-289.
- vv.Meffe, G.K. and C.R. Carroll. 1994. Principles of Conservation Biology. Sinauer Associates, Sunderland, MA.
- ww. Mitton, J.B. and M.C. Grant. 1984. Associations Among Protein Heterozygosity, Growth Rate, and Developmental Homeostasis. Annual Review of Ecology and Systematics. 15:479-499.
- xx.State of Montana, Record of Decision, Interagency Bison Management Plan, December 22, 2000.
- yy.Montana Fish, Wildlife & Parks and Gallatin National Forest\_ Available Habitat Expansion Areas.pdf
- zz. NRDC. 2008. A petition to list the whitebark pine, Pinus albicaulis, as a threatened species under the endangered species act.
- aaa. Neel, M.C., M.P. Cummings. 2003. Effectiveness of Conservation Targets in Capturing Genetic Diversity. Conservation Biology. 17(1):219-229.
- bbb. Olexa, E.M. and P.J.P. Gogan. 2005. Spatial Population Structure of Yellowstone Bison. Journal of Wildlife Management. 71(5): 1531-1538.
- ccc. Petit, R.J., A.E. Mousadik, and O. Pons. 1998. Identifying populations for conservation on the basis of genetic markers. Conservation Biology. 12:844-855.
- ddd. Polziehn, R.O., C. Strobeck, J. Sheraton, R. Beech. 1995.
   Bovine mtDNA discovered in North American bison populations. Conservation Biology. 9:1638-1643.
- eee. Pritchard, J.K., M. Stephens, and P. Donnelly. 2000. Inference of population structure using multilocus genotype data. Genetics. 155:945-959.

fff.Schullery and Whittlesey\_Greater Yellowstone Bison Distribution and Abundance in the Early Historical Period.pdf

ggg. Shull, A.M. and A.R. Tipton. 1987. Effective population size of bison on the Wichita Mountains Wildlife Refuge. Conservation Biology. 1:35-41. Secretary Kempthorne et al. Yellowstone Bison Emergency Rulemaking Petition April 10, 2008 Page 32

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- hhh. Soulé, M.E. 1980. Thresholds for survival: maintaining fitness and evolutionary potential. Pages 151-169 in M.E. Soulé and B. Wilcox, editors. Conservation biology: an evolutionecological perspective. Sinauer Associates, Sunderland, MA.
- iii. Stormont, C.J., 1993. An update on bison genetics. In: Walker, R. (Ed.), Proceedings of the North American Public Bison Herds Symposium, Lacrosse, Wisconsin. Custer State Park Press, South Dakota. Pages 15-37.
- jjj. The Wildlife Society\_Position Statement of the Montana Chapter of The Wildlife Society on Wild Bison in Montana.pdf
- kkk. Tomback, D.F., Arno, S.F. and Keane, R.E. (Eds.) 2001. Whitebark Pine Communities - Ecology and Restoration. Island Press. 440 pp.
- Ill. U.S. Department of Agriculture Record of Decision (for Long Term Special Use Authorization for Wyoming Game and Fish Commission to Use National Forest System Land for their Winter Elk Management Activities). 2008. Department of Agriculture Bridger-Teton National Forest. Pp. 15.
- mmm. U.S. Fish & Wildlife Service\_Wildlife Watching in the U.S. The Economic Impacts on National and State Economies in 2006.pdf
- nnn. US Department of the Interior Fish and Wildlife Service\_Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition To List the Yellowstone National Park Bison Herd as Endangered.pdf
- 000. U.S. Forest Service, Northern Region Threatened, Endangered and Sensitive

Species: http://www.fs.fed.us/r1/projects/wwfrp/tes-index.shtml.

"The Threatened, Endangered and Sensitive (TES) Species Program is the Forest Service's dedicated initiative to conserve and recover plant and animal species that need special management attention, and depend on National Forest and Grassland habitats."

ppp. US Forest Service\_Bison Management Synopsis.pdf
 qqq. USFSR1\_Addition of the goshawk and black-backed
 woodpecker to the R1 sensitive species list.pdf

rrr.USFSR1\_Northern Region revised sensitive species list.pdf sss. USFSR1\_Sensitive Species List Update Process for Wildlife.pdf

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- ttt. USFSR1\_Sensitive wildlife species.pdf
- uuu. USFSR1\_Threatened Plants.pdf
- vvv. USFSR1\_Threatened, Endangered, and Sensitive Species List for Fish.pdf
- www. USFSR1\_Wildlife Sensitive Species Risk Elements.pdf
- xxx. Ward, T.J., J.P. Bielawski, S.K. Davis, J.W. Templeton, and J.N. Derr. 1999. Identification of domestic cattle hybrids in wild cattle and bison species: a general approach using mtDNA markers and the parametric bootstrap. Animal Conservation. 2:51-57.
- yyy. Wilson, G.A. and C. Strobeck. 1999. Genetic variation within and relatedness among wood and plains bison populations. Genome. 42:483-496.
- zzz. Wilson, G.A. and K. Zittlau. 2004. Management strategies for minimizing the loss of genetic diversity in wood and plains bison populations at Elk Island National Park. Unpublished report. 41 pages.

#### III. DOCUMENTS AND INFORMATION KNOWN TO EXIST, LIKELY TO EXIST, OR APPARENTLY NOT INCLUDED IN FULL, AND WHICH ARE RELEVANT TO THE DECISIONS AND APPROPRIATELY PART OF THE WHOLE ADMINISTRATIVE RECORD

# **US Forest Service**:

#### **Royal Teton Ranch**

- a. Correspondence regarding RTR and bison management
- b. Correspondence regarding proposed DOI purchase of RTR grazing rights
- c. GNF communications or records concerning what if any discussions it had to develop the bison management plan for the RTR

#### **RTR Fence Permit**

- a. Are the documents included in the AR the final decisions? They do not have signatures (SUP DM, SUP USFWS)
- b. Is there correspondence between the GNF and parties requesting fencing permits and about the decision to issue the permit?

### Document 63

Plaintiffs' Exhibit to Motion Objecting to Administrative Record as Incomplete12and to Compel Defendants to Produce Documents to Complete the Record –12Items not Included in the Record and Necessary for a Complete Record12

The document appears to have originally contained more than three pages included in the administrative record.

# <u>NPS</u>:

- 1. Only one report is included from APHIS/MFWP to NPS/YNP for three permits for the quarantine feasibility study (**Document Bison Quarantine Facility Summary April 2009**). Are there additional reports regarding these three separate permits that should have been part of the administrative record?
- 2. Any Presidential directives regarding YNP boundaries, Park/habitat acquisition, or bison.
- 3. YNP is a World Heritage site, thus YNP must submit reports to the World Heritage committee, and the committee submits reports and/or recommendations to YNP. One topic of concern to the committee has been bison. However, no reports are included in the record.

### General / Both Agencies:

- 1. The IBMP FEIS Volume I, Appendix J, page 797 refers to bison as a food source for threatened species and the need to conduct additional evaluation of the IBMP if information became available after 2000 that indicated a decline in any key grizzly bear foods. Are there any documents or studies completed regarding bison and grizzly bears, and/or documents or discussion about the need for consultation or reevaluation of the IBMP due to information available since 2000?
- 2. Any document or recording of public comments at IBMP partner meetings.
- Detailed financial reports or accounting for IBMP and related decisions (including acquisition of materials, equipment, contractors, expense detail) – limited financial information is included in the record
- 4. Are there any documents regarding or including persistence and disappearance research data? Studies are referenced, but no data is included
- 5. Suitability analyses prepared for grazing allotments and/or bison or sage brush obligate habitat performed by GNF on the Hebgen Lake and Gardiner Ranger Districts since 2000, to administratively close grazing allotments on the forest.

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- 6. Is there more information and/or discussion related to PCR Test Research (detects infection rather than exposure)?
- 7. Are there any reports, briefings, documentation of management operations and activities at the Duck Creek capture facility or the Horse Butte capture facility (similar to those YNP has for Stephens Creek operations)?
- 8. Are there any documents/discussions related to cattle grazing allotment buy-outs (eg Wapiti and Cache-Eldridge) and USFS decisions to cancel scoping for such allotments, etc?