



Montana Fish, Wildlife & Parks

1420 East 6th Avenue, Helena MT 59601

February 13, 2009

Ladies and Gentlemen:

The enclosed Draft Environmental Assessment (EA) has been prepared for the FWP's proposal to translocate 41 brucellosis-free bison from the bison quarantine facility near Gardiner, Montana to the Northern Arapaho Tribe at the Wind River Reservation in central Wyoming.

Bison were brought into in the quarantine feasibility study beginning in 2005 to determine whether it is possible to certify that individual or groups of YNP bison are free from brucellosis, including latent infections of brucellosis, with the ultimate purpose to provide disease-free bison for conservation purposes. These bison otherwise would have been sent to slaughter. The quarantine protocols and research data gathered at the bison quarantine facilities have established processes and monitoring methods that have yielded bison that are seronegative for brucellosis, and that can be used to supplement genetic variation of existing wild bison herds or establish new herds on the American Plains, where appropriate.

The draft EA is available for review from FWP at the address provided above or viewed on FWP's Internet website: <http://www.fwp.mt.gov/publicnotices>.

Montana Fish, Wildlife & Parks invites you to comment on the attached proposal. Public comment will be accepted until 5:00 p.m. on March 13, 2009. Comments should be sent to the following:

Bison Translocation
Montana Fish, Wildlife & Parks
PO Box 200701
Helena, MT 59620-0701

Or email comments to: Bisonphaseiv@mt.gov

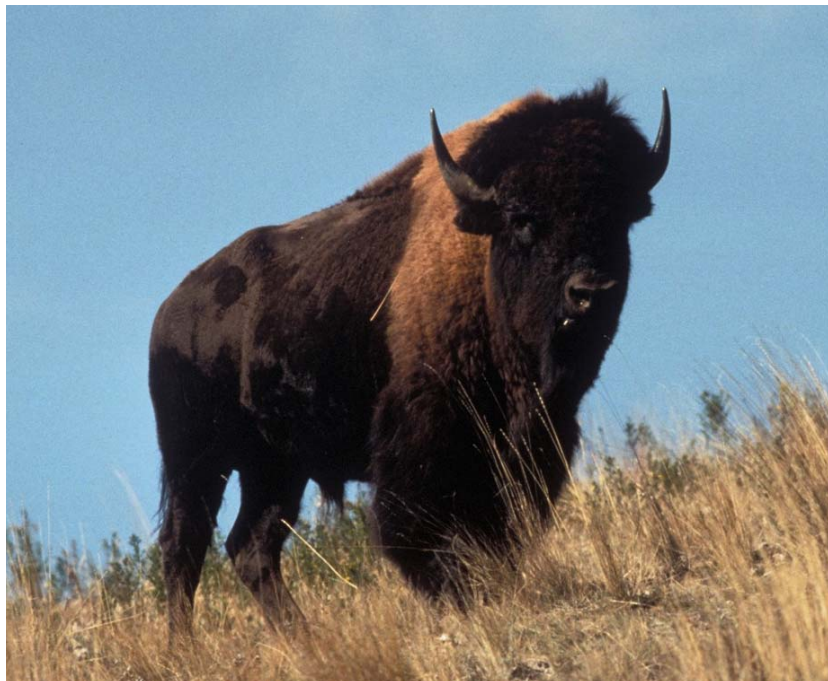
Sincerely,

A handwritten signature in black ink, appearing to read "Ken McDonald". The signature is written in a cursive, flowing style.

Ken McDonald, Administrator
Wildlife Division

DRAFT ENVIRONMENTAL ASSESSMENT

BISON TRANSLOCATION Bison Quarantine Phase IV



February 2009



**Montana Fish,
Wildlife & Parks**

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Draft Environmental Assessment

Bison Translocation

February 2009

PREFACE

There has been a long history in North America of restoring wildlife populations by capturing animals from robust populations and transplanting them to new habitats or augmenting existing populations near extinction. In the Greater Yellowstone Ecosystem, there is an extensive history of capturing, holding, transporting and relocating wildlife as a species conservation strategy. Yellowstone elk were routinely captured and widely distributed in the mid 1900's to restore wild elk throughout North America. Bison and antelope have been captured and moved from Yellowstone to create or augment populations elsewhere. Yellowstone has also been a recipient of such transplanted wildlife during restoration efforts including Rocky Mountain wolves from Canada and bison from Texas and northern Montana.

The challenge regarding the transplanting of bison is the potential for those bison being hosts to *Brucella abortus*. It is well documented that, in cattle, *Brucella abortus* (brucellosis) may infect calves and remain serologically undetectable or be only transiently detectable until sexual maturity. Heifers, during their first pregnancy, may seroconvert and abort an infected fetus. Anecdotal evidence in bison (three animals from a privately owned South Dakota herd and one animal originating from Yellowstone National Park) suggests that latent infection may occur in bison calves. It was important to determine if this commonly occurs in bison, since it would impact future management actions involving capture, quarantine, and release of seronegative animals outside Yellowstone National Park (YNP).

In 2004, Montana Fish, Wildlife & Parks (FWP), the National Park Service (YNP), and USDA Animal and Plant Health Inspection Service (APHIS) investigated the implementation and logistics of a bison quarantine facility determine if seronegative bison calves can be serially tested and efficiently screened for brucellosis while maintaining them in a secure environment. The construction and execution of this research has been in accordance with the Interagency Bison Management Plan (IBMP) and the 2000 Bison Management Environmental Impact Study (EIS).

The IBMP cooperating agencies agree that capture and relocation of bison to other suitable habitats would be an appropriate alternative to lethal removal of bison that exceed the population objectives for YNP, as defined by the IBMP. Relocation of bison also would provide an opportunity to coordinate the IBMP with a broader North American bison conservation strategy by establishing new public and tribal bison herds

and augmenting existing public and tribal bison herds with quarantine feasibility study (QFS) bison. However, the Brucellosis Uniform Method and Rules (UM&R) (USDA APHIS, VS 1998) discourage the movement of animals from brucellosis-affected herds unless the animals have first cleared quarantine to certify that each animal is free of brucellosis.

In 2005, FWP and APHIS established two bison quarantine facilities to begin a 5-year research program to determine the latent expression of brucellosis in bison and test the sensitivity of quarantine procedures for detecting the bacteria in multi-generations of bison. If at the completion of the program the remaining bison are found to be seronegative for brucellosis, the cooperating partners have considered disposition of the bison to tribal or non-tribal organizations for conservation purposes. Bison released at the end of their quarantine and testing would be considered brucellosis free and available for restoration and conservation efforts.

During the public comment period for the environmental assessments of the Feasibility Studies of Phase I and Phase II/III, numerous comments were received by FWP regarding what would happen to the bison coming out of the quarantine facility. Comments submitted were focused on appropriate locations be chosen for reestablishment of herd on tribal and public lands, the desire to maintain the bison in the public ownership, and need for a unified bison conservation plan.

1.0: NEED AND PURPOSE FOR ACTION

North American plains bison, which in the 17th century numbered over 25 million and occurred over much of the continental United States, southern Canada and northern Mexico, were by the end of the 19th century limited to less than 30 animals in Yellowstone National Park and isolated individuals in zoos or private captivity (DOI, Bison Conservation Initiative). As of the early 21st century, a variety of efforts have succeeded in bringing plains bison back to relative abundance, with over 500,000 animals now present in North America, mostly in private ownership. The current plains bison population in North America reflects its disparate roots. Most of the herds number fewer than 1000, are contained by fences, and show evidence of cross-breeding with domestic cattle at some point in their ancestry. Conservation efforts to date have essentially developed two lines of the same species: the domestic bison, subjected to the selection and breeding schemes common in livestock management; and a wild bison, subject to natural breeding and selection to the degree that space and management constraints allow (DOI, Bison Conservation Initiative).

A large-scale genetics study, conducted from 1999 – 2002 screening for prevalence and site of introgressed loci, allelic diversity, and frequency of private alleles, found no cattle gene introgression in bison at Yellowstone. Since YNP's bison are only one of a limited genetically "pure" population within the U.S., they are important to bison conservation efforts throughout the U.S. The prevalence of brucellosis in the herd's population restricts the use of individual animals in conservation efforts for other wild bison herds.

The quarantine protocols and research data gathered at the bison quarantine facilities in Gardiner have established processes and monitoring methods that have yielded bison that are seronegative for brucellosis, and that can finally be used to supplement genetic variation of existing wild bison herds or establish new herds on the American Plains where appropriate.

As part of the quarantine feasibility study, a total of 100 bison calves that originated in YNP were brought into the quarantine facilities in 2005 and 2006. During the study, a portion of the group was culled and extensively tested for brucellosis, resulting in a 95% probability of detecting brucellosis prevalence. The remaining animals were moved into Phase II of the study, which included the breeding of the cows with the bulls during Spring 2007.

As of June 2008, sixteen of the cows delivered offspring. These cows and their offspring, along with four of the bulls, need to be removed from the facility in Spring 2009 to create space for a second repetition of the feasibility study. All of the cows were bred in Spring 2008 and could be pregnant when they leave the feasibility study facility. Therefore, there is immediate need to place up to 41 bison (21 cows, 16 calves, and 4 bulls), with expectation of another 15-20 calves in 2009 from the pregnant cows.

The 2006 year-class cows (17) that did not conceive in 2007 were bred again in 2008, and are expected to be available for release in late 2009. These too will be bred before being relocated.

In winter 2009, another 100 bison calves were brought into the facility for a second repetition of the quarantine protocol. Half of these will be bred in 2009, resulting in an additional 40-80 bison needing to be placed in 2010, with an additional 30-40 needing to be placed in 2011.

1.1 Objectives of the Proposed Action

- 1.1.1 Establish genetically pure herds of plains bison for future conservation and restoration efforts.
- 1.1.2 Monitor newly established herds for non-native diseases, such as brucellosis.

1.2 Authorities

Montana statute section 87-1-201, Montana Code Annotated (MCA), authorizes the Montana Fish, Wildlife and Parks Commission to set the policies for the protection, preservation, and propagation of the wildlife, fish, game, furbearers, waterfowl, nongame species, and endangered species of the state 87-1-201 MCA. Within the policies established by the Commission, FWP is responsible for supervising the management and public use of all the wildlife, fish, game, furbearing animals, and game and nongame birds of the state.

FWP has a long history of successfully transplanting wildlife within the state and supporting species-specific conservations efforts in other states (MCA 87-5-701). Since the early 20th century, FWP has been proactive in restoring native wildlife species to ecosystems where they once existed or used transplanting as a way to manage population densities for the benefit of the species and the natural resources it relies on.

In 2007, fish and game agencies for Colorado, Idaho, Montana, Utah, and Wyoming signed the *Memorandum of Agreement on the Management of Multi-state Wildlife Resources in Boundary Habitats of Colorado, Idaho, Montana, Utah, and Wyoming*. This agreement addresses both legal and policy considerations involving wildlife species management, including the introduction, relocation, and management of interstate wildlife populations in the adjacent states. The agreement enables the involved states to cooperate effectively on issues of land management, wildlife disease surveillance and control, wildlife relocations, and the genetic impacts of such actions.

The Montana Department of Livestock (DoL) has authority to manage bison entering Montana from YNP as a species requiring disease control. DoL is authorized to remove or destroy publicly owned bison that come from a herd that is infected with a dangerous disease or whenever those bison jeopardize Montana's compliance with state or federally administered livestock disease control programs (81-2-120 M.C.A.). DoL is an active partner and signatory for the Interagency Bison Management Plan (IBMP) and has been involved with and supportive of the bison quarantine feasibility study.

1.3 Relevant Documents and Plans

1.3.1 Bison Management Plan for Montana and Yellowstone National Park (2000)

The State of Montana was a co-lead with the Departments of the Interior and Agriculture in the development of the Interagency Draft Environmental Impact Statement (DEIS) and Bison Management Plan. A federal Final Environmental Impact Statement (FEIS) for Bison Management for the State of Montana and Yellowstone National Park, which included the IBMP, was published in August 2000. In November 2000 the state Final Environmental Impact Statement (FEIS) (State of Montana 2000a) for the IBMP was completed. The final state of Montana (2000b) and federal (USDOJ et al. 2000b) Records of Decision were published in December 2000 pursuant to the requirements of the Montana Environmental Policy Act (MEPA) and NEPA. These documents anticipated the addition of quarantine as a method for live distribution of bison that otherwise would be sent to slaughter. This EA is, therefore, tiered to the Bison Management Plan EIS and the following documents.

1.3.2 Interagency Bison Management Plan (November 2007, current version)

The IBMP provides the Bison Management EIS's cooperating partners guidance on the day-to-day management of bison leaving Yellowstone National Park (YNP). The operating procedures of the IBMP were designed to meet the management principals of the EIS.

1.3.3 Bison Quarantine Feasibility – Phase I, Environmental Assessment (2004)

This environmental assessment was prepared in cooperation with APHIS VS set forth to implement a bison quarantine feasibility study that could be used for approved research to establish operation parameters, design, and location for such a facility. Based on the completion of the environmental assessment and comment analysis, a decision was made to embark upon the establishment of a bison quarantine feasibility study facility near Corwin Springs, Montana. Phase I stressed the culturing of tissue samples from bison to determine if they harbor brucellosis after several seronegative tests.

1.3.4 Bison Quarantine Feasibility – Phase II/III, Environmental Assessment (2005)

Phase II/III of the feasibility study analyzed in this assessment went to further the research and testing protocols initially implemented in Phase I. The basis for Phase II/III was based on the successful results of Phase I. Completion of the study is expected to provide insight to the feasibility of quarantine protocols as one component of a broader bison conservation strategy.

1.3.5 Bison Conservation Initiative, U.S. Department of Interior (2008)

The Department of Interior (DOI) put forth a framework that would establish steps for addressing health and genetic composition of DOI bison herds and would acknowledge the ecological and cultural role of bison on the American landscape. Through the initiatives partners, including federal, state, and tribal representatives, work to establish new herds with no cattle introgression and develop guidance for disease surveillance and herb health monitoring programs.

1.4 Overlapping Jurisdictions

1.4.1 InterTribal Bison Cooperative (ITBC)

ITBC is a non-profit tribal organization and is committed to reestablishing buffalo herds on Indian lands in a manner that promotes cultural enhancement, spiritual revitalization, ecological restoration, and economic development. The role of the ITBC is to act as a facilitator in coordinating the transfer of surplus buffalo from national parks to tribal lands, providing technical assistance to its membership in developing sound management

plans that will help each tribal bison herd become a successful and self-sufficient operation, and coordinating education and training programs between its members.

The proposals from the Northern Arapaho and Fort Peck Tribes were submitted under the auspices of the ITBC.

1.4.2 Montana Department of Livestock

The Montana Legislature has designated bison that originate from YNP as a species requiring disease control. The Montana Department of Livestock (DoL) is authorized to remove or destroy publicly owned bison that enter Montana from a herd that is infected with a dangerous disease or whenever those bison jeopardize Montana's compliance with state or federally administered livestock disease control programs (81-2-120 (1-4) M.C.A.). The DoL regulatory authority for the administration of the control of bison that emigrate from YNP is identified in Montana Administrative Rule (A.R.M. 32.3.224). The Montana legislature has found that bison pose a significant potential for transmission of infectious disease to persons or livestock and for damage to persons or property (87-1-216 (1) M.C.A.). FWP is required to cooperate with the Department of Livestock in the management of these bison (87-1-216 M.C.A.). FWP also is authorized to enter into cooperative agreements with other agencies to promote wildlife research (87-1-210 M.C.A.).

1.4.2 Northern Arapaho Nation

The Northern Arapaho Tribe is a federally-recognized Indian Tribe and has been identified in the federal register as the "Arapaho Tribe of the Wind River Reservation," Wyoming. The Tribe is identified by the United States as the "Arrapahoe Nation" in the September 17, 1851, Treaty of Fort Laramie and as the "Northern Arapaho" in the May 10, 1868 Treaty.

The tribe is governed by the Northern Arapaho Tribal Code to govern and to provide for the health, safety, welfare, and economic security of its people and others within the jurisdiction of the Tribe.

Per the Tribal Code, the Tribe has the Authority to Cooperate. "In exercising, performing, or carrying out any power, privilege, authority, duty, or function, the Northern Arapaho Business Council may cooperate with and assist other governing bodies or authorities of other Indian tribes, the United States, or of states. Any power, privilege or authority exercised or capable of being exercised by the Business Council may be exercised and enjoyed jointly with any other governing body having a similar power, privilege, or authority. Cooperation may be informal or subject to resolution, code, or other appropriate action and may be embodied in a written agreement. The authority to cooperate with other governing bodies may be delegated by the Business Council to an agency, department, program or other entity of the Northern Arapaho Tribe, provided that such delegation is in writing and not contrary to law."

1.4.3 USDA Animal and Plant Health Inspection Service, Veterinary Services (APHIS VS)

APHIS VS has regulatory authorities under the Animal Health Protection Act (AHPA) (7#U.S.C. 8301 et seq.). It is under this act that APHIS manages the National Brucellosis Eradication Program. Pursuant to the AHPA, Congress authorized the Secretary of Agriculture to cooperate with state authorities to carry out the provisions of the AHPA and to administer its regulations. Thus APHIS enters into cooperative agreements with individual states for a brucellosis eradication program. This program is premised on the Code of Federal Regulations and UM&R. The UM&R describes minimum standard procedures for surveillance, testing, quarantine, and interstate transport. APHIS VS has the federal regulatory authority to approve quarantine protocols.

The removal of bison from the quarantine research study and the actions that APHIS will be continuing after their removal fall within the class of actions that have been categorically excluded under APHIS' National Environmental Policy Act (NEPA) Implementing Procedures in 7 Code of Federal Regulations, section 372.5(c)(1), Routine Measures. Routine measures under the APHIS procedures include identifications, inspections, testing, quarantines, removals, and monitoring employed by agency programs to pursue their missions and functions.

APHIS VS will facilitate the submission of necessary veterinary information to both the Montana and Wyoming Departments of Livestock to obtain all required permits for the translocation of the bison to the Wind River Reservation.

1.4.4 Wyoming Department of Livestock

As with its counterpart in Montana, Wyoming Department of Livestock (WDL) is tasked with the oversight of livestock and livestock related diseases within the state. WDL has the authority to take necessary steps to ensure brucellosis is not passed from wildlife to livestock and work with relevant parties, including federal agencies, when required (WSA § 11-19-405). Those bison not found in the Absaroka wild bison management area and the Jackson wild bison herd area, are designated as either privately owned or bison running at large (Wyoming Administrative Regulations, Chapter 41).

1.4.5 Wyoming Fish & Game

As previously acknowledged, a signed Memorandum of Understanding (MOA) exists between Wyoming Game & Fish (WGF) and FWP. As defined in the MOA, FWP will consult with WGF on the movement of wildlife species between the states. Although, the bison will be placed onto the Wind River Reservation with the sovereign Northern Arapaho Nation, FWP has conferred with WGF about the proposed translocation of bison.

WGF per Wyoming State Statue 23-1-103, grants the department the authority over all wildlife in the state to provide an adequate and flexible system for control, propagation,

management, protection, and regulation of those species. “Wildlife” means all wild mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks, and wild bison designated by WGF commission and the Wyoming livestock board (WSA § 23-1-101 (xiii)). Wild bison are found in the Absaroka wild bison management area and Jackson wild bison herd area, and accordingly, are considered wildlife. Otherwise, bison within the state are considered livestock (WSA § 11-20-101 (iv)).

1.5 Decision That Must Be Made

The decision to be made is whether FWP should approve the transfer of the QFS bison from the quarantine facility to the Northern Arapaho Tribe or if another alternative evaluated in this environmental assessment (EA) should be chosen. This EA discloses the analysis and environmental consequences associated with implementing each of the alternatives. This EA will provide information and analysis to determine whether an action results in a significant effect and would, therefore, require the completion of an environmental impact statement (EIS). The responsible official for this proposal is the FWP’s Wildlife Division Administrator, Ken McDonald. If an EIS is not required, a Decision Notice will document the decision and the rationale for it.

2.0: ALTERNATIVES

2.1 Alternative A: Proposed Action

Montana Department of Fish, Wildlife, and Parks (FWP) proposes to translocate 41 wild bison (4 bulls, 21 cows, and 16 calves) resulting from the quarantine feasibility study to the Wind River Indian Reservation in Wyoming. These bison would be from the bison quarantine facility near Gardiner, Montana.

This location and management proposal by the Northern Arapaho met FWP’s and APHIS’s criteria for when a group of bison from the quarantine facility was ready for disposition.

The Wind River Reservation is home to the Northern Arapaho and Eastern Shoshone Indians. The Wind River Reservation approximately 17 miles south of Thermopolis, Wyoming. The Northern Arapaho would assume management responsibility of the transplanted animals, such as fencing, etc. Criteria considered for the transplant location is included as *Appendix A*.

As part of the proposed action, the Tribe would be required to hold the transplanted bison in fenced pastures for a five years and make those bison and their offspring available for testing by USDA Animal and Plant Health Inspection Service, Veterinary Services (APHIS VS). The Tribe will be required to agree to a brucellosis monitoring protocol developed by APHIS VS.

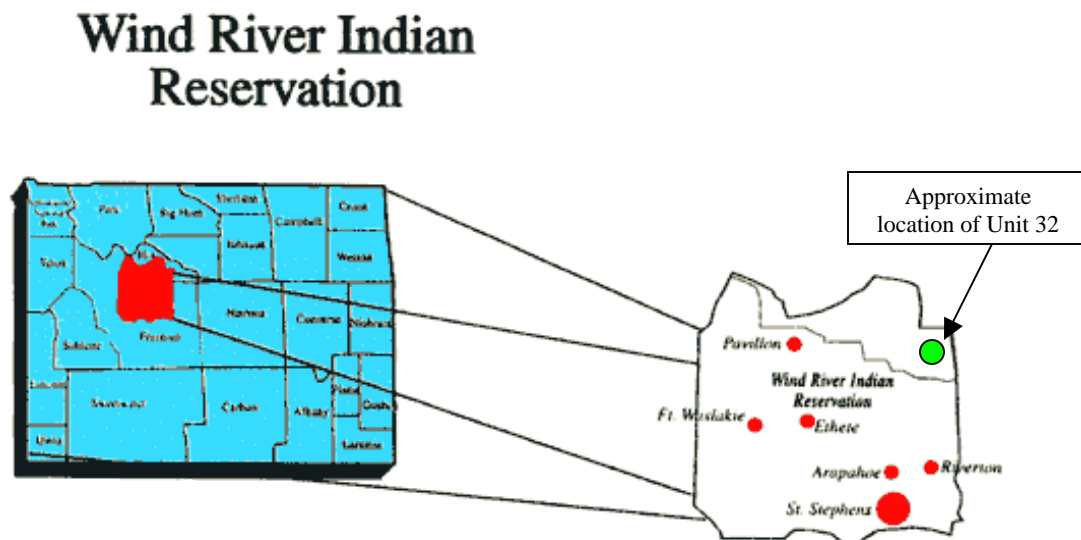
Location of Project Area

The site location for the Northern Arapaho Project is located on the Wind River Indian Reservation in southwest Wyoming. The Reservation straddles both Fremont and Hot Springs Counties, but the transplanted bison will be on tribal land within Hot Springs County.

The tribal location for the bison is Range Unit 32. Range Unit 32 consists of 32,208 acres of tribal lands, with 5,427 AUM's, under the jurisdiction of the Tribe's Arapaho Ranch. With good distribution and rotation the range unit has a current carrying capacity of 452 bison. Area allocated for the bison on the Arapaho Ranch is only 5% of the ranch's total acres.

Currently, the entire range unit is not fenced for bison. However, the Tribe does have an alternative holding area within 1 mile of tribal land, the Red Canyon Ranch, which would be used until the fencing at the Arapaho Ranch is completed. The Red Canyon Ranch has been used over the past 10-years as a commercial bison ranch. The Ranch has approximately 25 bison on its 1,000 acres with bison-proof fencing surrounding its borders. The Tribe and the current manager of the Ranch are committed to an arrangement so that the Tribe can lease the Red Canyon's Ranch's facilities and pastures for up to 2-years or until the Arapaho Ranch's bison fencing is complete. Prior to the arrival of the quarantine feasibility study (QFS) bison, the ranch's herd would be sold or moved so that the new bison could be sequestered for further monitoring.

The Tribe is planning on renovating the Arapaho Ranch's fence line at Unit 32 in phases, beginning in the fall of 2008 with the Burgess Homestead Area of the Range Unit. When the fencing is completed the translocated bison will be moved to the Arapaho Ranch.



See *Appendices B and C* for additional maps.

Logistics of Transporting Bison

When the bison are moved between the quarantine facility and the Wind River Reservation, the bison will be transported in sealed horse trailers or other livestock-appropriate trucks.

The most direct route will be chosen from Montana to the release site depending upon existing road and weather conditions at the time. The bison will be treated humanely throughout their move with an effort to maintain family units.

All bison to be moved will be tested for brucellosis within 30-days of being transplanted, per APHIS rules, to ensure they are still negative for brucellosis.

Herd Management (from the Tribe's Proposal Information)

The herd will be managed as wild and allowed to range free within their designated environment after their first year of arrival. A 'hands-off' philosophy will be maintained for transplanted bison and will only be rounded up for testing purposes or if needed for treatment of a disease outbreak or extenuating circumstances such as fire or other environmental factor that may require them to be removed from the range unit. This herd will have a zero tolerance for leaving the range unit or designated Red Canyon Ranch property while in a closed herd status, which is defined as the 5-year monitoring period.

Selective removal of individual bison from the herd would only be done for a specific reason such as an older rogue bull that may continually try to leave the range unit, health reasons, etc. Otherwise culling will be done randomly to better represent a more natural process.

Estimated carrying capacity of the Arapaho Ranch's range unit would be approximately 452 adult bison, with an ideal population of 300, fluctuating from environmental factors. After the reception of the 41 QFS bison, no new bison would be added to the herd for the first five years while in closed status nor will any live bison leave the range unit. Once carrying capacity is reached, tribal hunting will be utilized as a means of reducing herd size, animals will be randomly selected for removal to achieve a more natural culling effect. Select tribal members and bison restoration project staff, as well as Arapaho Ranch employees will hunt bison in a culturally acceptable and humane manner.

When the herd is no longer closed after the 5th year, round ups will be conducted on an as needed basis to randomly remove animals and those animals would be made available to other Tribes and public conservation entities.

Although the tribe will be using a mainly hands-off policy in management, they do work with a local vet. If it is noted that at anytime any health concerns are found, per any recommendation from the veterinarian, the Tribe may wish to work the herd to avoid a complete outbreak. A policy of necropsy of all animals that die of unknown causes will be implemented.

The Tribe will maintain a working relationship with APHIS VS in monitoring/testing of the herd. The bison manager will also keep up to date on symptoms of any type of disease outbreak and of any local outbreaks that may be in the vicinity of this herd. When animals are removed from the herd for any reason, the bison restoration project staff or Arapaho Ranch staff will document the animal, reason for death or where transferred to and if needed conduct tests to confirm cause of death if not intentional.

Native grass hay will be supplemented to the herd when they arrive as a form of soft release and into late spring to allow for the bison to acclimate into a new grazing environment. Supplemental feeding of various amounts of native grass hay may be used in the winter until all phases of fence construction has been completed allowing for full use of the range unit. After the closed herd status is removed, supplemental feeding will only be used during extenuating environmental/weather circumstances such as severe snowstorms, flooding, fire or any other circumstance that could drastically reduce the range unit's carrying capacity.

Costs

The Tribe accepts all costs associated with the movement of bison to Wyoming, fencing, and management of the QFS herd. APHIS VS will be responsible for brucellosis testing during the 5-year period.

2.2 Alternative B: No Action

The No Action alternative is that the bison would not be transplanted to a new location outside the Greater Yellowstone Ecosystem. Because the need to remove the 41 bison from the quarantine facility is critical for the continuance of the feasibility study, under this alternative this bison group will likely be slaughtered in order to provide space at the quarantine facility.

The feasibility study was tailored to accommodate a limited number of bison held at the quarantine facility with the expectation that when a group was ready for disposition, an organization meeting FWP and APHIS's criteria would be chosen and the bison would be moved off-site to complete the monitoring component of the research.

The feasibility study would continue as described on page 3 of this document and further discussed in the EA completed for Phases II/III.

2.3 Alternative Considered but Eliminated from Further Consideration

2.3.1 Translocation of Bison to a Different Location

During the summer of 2008, FWP published a news release in statewide papers and sent the announcement to interagency partners requesting that letters of interest on the brucellosis-free bison be submitted to the FWP by the end of September 2009. Of those interested parties, five letters were received. FWP then sent those organizations a formal Request for Proposal (RFP) packet, which further explained the goals of the translocation

effort and criteria for the facilities and management of those bison. The deadline for submission of completed RFP information was December 1, 2008, which was extended to December 15th. Only three RFP's were submitted to FWP and they were from the Northern Arapaho, Fort Belknap, and Fort Peck Tribes.

FWP considered the information provided by Fort Belknap Indian Community in Harlem, Montana and the Fort Peck Indian Reservation in Wolf Point, Montana. Although both had merits, they were eliminated from further consideration based on the following considerations.

The Fort Belknap Indian Community proposal did meet many of the criteria required by cooperating partners for consideration. One particular difference between their proposal and the Northern Arapaho's was that Fort Belknap would be acting only as facility for the bison that would be transferred to other Tribes or conservation organizations during the first two-years of the monitoring process. It was the preference of FWP and APHIS VS that the translocated bison be initially placed in a permanent location so that monitoring efforts by APHIS could be completed. If bison were transplanted to Harlem, then spilt on to other tribal reservations, that effort would be considerably more difficult or impossible.

Fort Peck's proposal was dismissed as a location for the available bison in 2009 because they stated their facilities and fenced pasture would not be ready to receive the animals until 2010. FWP will retain their proposal for consideration when another group of brucellosis-free bison are available. Fort Peck's proposal was for the acceptance of bison in 2010.

2.3.2 Returning Brucellosis-Free Bison to Yellowstone National Park (YNP)

This option was originally discussed in the environmental assessment completed for Phase II/III and with in its Decision Notice. In both those documents, FWP, APHIS VS, and other cooperating partners believed the placement of the brucellosis-free bison back in the Park would be an inappropriate use of the QFS bison since there were no areas within the park that did not already have an established bison herd, the exposure of the brucellosis-free bison to known infected herds would likely reinfect the returned bison with the bacteria, and the population of the existing bison herds in YNP are already at or above the carrying capacity of the resources. Thus, if they moved beyond YNP boundaries would be managed under the guidance of the IBMP. The genetic value of the 41 brucellosis-free bison to conservation efforts of the species warranted the effort for translocation to an appropriate location in offered by tribal groups or conservation organizations.

3.0: AFFECTED ENVIRONMENT & PREDICTED ENVIRONMENTAL CONSEQUENCES

Section 3 describes the physical, biological, and human resources of the environment that may be affected by the alternatives presented in the previous section and the environmental effects that the alternatives may have on those resources. Affected

environment and environmental consequences have been combined into one chapter to give the reader a more concise and connected depiction of what resources exist in the project area that are directly associated with the proposed action.

3.1 Description of Relevant Pre-Existing Factors in Wyoming

In historic times, the landscape of the Great Plains, including the territory now known as the Wind River Indian Reservation, were often areas where large herds of bison dominated the landscape. The presence of bison in such large numbers helped to affect the vegetation through the specie's seasonal grazing.

Both the Arapaho and Red Canyon Ranches have been grazed over recent years by cattle or bison. The native vegetation and wildlife have adapted to their presence and pressure on the landscape.

The 595,000 acre Arapaho Ranch is owned and operated by the Northern Arapaho Tribe and supports a commercial cattle business. Since the ranch's establishment in 1940, the tribe has managed the commercial livestock operation with balancing the resource needs of the existing wildlife and native vegetation. This management strategy has earned the ranch the USDA's organic certification. The cattle operation will continue to exist on the ranch's property on the acres where bison were not present.

The Red Canyon Ranch, where the bison would be temporarily placed, has been breeding and ranching bison for over 10-years. The ranch facility includes two handling facilities with grazing pastures surrounded by electric and barbwire fencing. The ranch spans over 1,600 acres in the foothills of the Owl Creek Mountains.

3.2 Description of Relevant Resources

3.2.1 Access of Bison to Montanans

As acknowledged in Section 1.2, the management of wild bison in Montana is a joint endeavor by FWP and DoL, because this species of wildlife is potentially a carrier of brucellosis. Section 1.4.1, specifically describes DoL's authority to control livestock diseases in Montana. The Interagency Bison Management Plan's (IBMP) adaptive management strategy of spatial and temporal separation works to eliminate bison and cattle from commingling in the same area or adjacent areas at the same time and maintaining a specific period between the time bison are moved from an area and when cattle are moved onto those lands.

In addition to the IBMP, in 2005 FWP authorized the state's first permitted bison hunt in 15-years. The hunt is considered a positive population management tool to the methods established in the IBMP. During the 2007-2008 bison hunting season, 82 permits were issues by FWP to Montana hunters (tribal and non-tribal). Those hunters removed 63 bison.

Furthermore, under their 19th century treaty rights (Steven's Treaty), members of the Nez Perce and Salish Kootenai Tribes can hunt bison on public lands, such as Forest Service (FS) property adjacent to YNP. These two tribes are currently the only tribes recognized to have treaty hunting rights in the Yellowstone area. Tribal treaty hunters removed 103 bison.

Predicted Consequences of Alternative A

If the QFS bison were translocated to Wyoming, this group of bison would be initially lost to tribal groups and the general public for conservation efforts of the species. However, as this group and its offspring progress beyond the 5-year monitoring period on the Wind River Reservation, there is the possibility that some of those animals would be dispersed through the InterTribal Bison Cooperative (ITBC) to tribal lands in Montana or to other public entities in Montana for conservation purposes.

Furthermore, if there was ever a catastrophic event effecting YNP's bison herd, individuals from the QFS bison herd could be used to help strengthen the gene pool of the remaining YNP animals for the survival of the species within the ecosystem.

Opportunities to hunt bison would remain available to Montana hunters through the licensing system administered by FWP, because bison migrating past YNP's boundaries is expected to continue as bison population within the park remain high.

Predicted Consequences of Alternative B

Under the No Action alternative, the QFS bison would be lost to Montanans because of the high likelihood the animals would be slaughtered in order to make room for the induction of the next group of bison into the feasibility study.

3.2.2 Vegetation

The Arapaho Ranch is situated at the southeastern edge of the Owl Creek Mountains and is dominated by mountain grasslands. The elevation of the area to be dedicated to bison ranges from 3,000 – 7,100 at Stagner Mountain. The AUM allotment for the affected acres is 5,427.

The landscape is a blend of native grasses and forbs. On the southern facing areas there is a mix of grassy/ sage and old burned out juniper forests. On the flats there is sagebrush, salt cedar, greasewood, rabbitbrush, juniper stands, as well as some grassy meadows. There are no designated farmlands in the affected areas.

In 1999, the Cates fire complex burnt the northern portion of range unit 32. The health of the vegetation is fully recovered and the range conditions are very good at this time (personal communication with FWS in Cody).

The Red Canyon Ranch is positioned in an area where the Upper Sonoran and Montane habitats meet, in which a variety of vegetation thrives. Types of vegetation found on this ranch includes: bluebunch, steppe blue grass, june grass, blue gramma, needleandthread, green neddlegrass, Indian rice grass, threadleaf sedge, juniper, limber pine, and willow in the riparian areas along Nostrum Spring. The ranch has used controlled burns to rehabilitate vegetation and reduce fuels.

Predicted Consequences of Alternative A

In impacts reported in both the Bison Management Plan EIS (2000) bison and other ungulates had significantly changed the sagebrush, riparian, aspen, and low elevation conifer communities within the Yellowstone Northern Winter Range, but had much less impact on grassland communities. Data used in those environmental analyses noted that bison removed large quantities of forage and may have influenced productivity, and even distribution of some habitats. However, the research showed those impacts does not necessarily represent an abnormal ecological state. In ecological systems where ungulates are abundant, grazing and trampling from animals are normal ecological processes and area expected to influence plan communities. Furthermore, no data was found to prove that numbers of 2,000-5,000 bison, the range of population size for YNP over the past 20-years, has had long-term negative impacts on plant communities.

Historically, bison moved through open plains, grasslands, and woodlands. Because of concerns from the livestock industry about transmission of brucellosis, the Yellowstone bison have been confined to a limited range. Bison are grazers and feed on grasses, forbs, and sedges. The massive head is used to sweep snow away from forage. They possess a greater digestive capacity than cattle.

Historically bison have had important ecological values on the landscape. Since bison consume large quantities of grasses and sedges and may contribute to new plant growth by distribution of seeds, breaking up soil surfaces, and fertilizing by recycling nutrients through their waste products. Those influences to the natural environment were considered when the interagency partners drafted the IBMP. Those same impacts are likely to occur if the proposed action were implemented.

Since fencing is required at the Arapaho Ranch for the bison, there will be some displacement of vegetation due to the new postholes and installation equipment. These disturbances are not expected to measurably alter the diversity or abundance of native vegetation.

Based on the vegetation resource data used in the EIS and that the number of bison initially placed on tribal land will be a limited number and the vegetation is adapted to the grazing pressure of livestock, FWP expects there are no short or long-term impacts to the vegetation.

Predicted Consequences of Alternative B

If the translocation was not implemented, there likely would not be any change in the livestock operations at both ranches and existing vegetation would be subjected to routine grazing pressure from cattle on the Arapaho Ranch, bison at the Red Canyon Ranch, and resident wildlife populations.

Since the Tribe is very interested in establishing a bison herd on tribal lands, the fencing activities will likely continue in order to prepare the ranch for future bison translocation opportunities from Montana or through the InterTribal Bison Cooperative (ITBC).

3.2.3 Cultural & Historic

Prior to the arrival of Europeans to America, Native Americans hunted bison to supply them with food, and materials to make clothing, tools, cultural artifacts, and shelters. Like many Plains tribes, the Arapaho followed the bison as part of their subsistence and the bison became entwined to many of their cultural and ceremonial traditions.

By the mid-1800s, the expansion of white settlers in the west, the population losses due to small pox epidemics, and lack of food because bison herds had become commercial hunted, signaled the end of the historic ways of the Plains Indians. What followed were battles and treaties for peace and designated reservations for many tribes. Unfortunately, most of these reservations no longer have wild bison because the species was aggressively hunted by professional hunters for their hides. In Wyoming, the only remaining wild herds are found on the Absaroka and Jackson bison management areas, northwest of the Wind River Reservation.

Much of the Arapaho's culture evolved around bison. The tribe followed them across the plains from southern Colorado to Montana. Where the tribe migrated depended on there being buffalo nearby. Bison provided materials for clothing, sheltered, food, tools, toys, and medicine, as well as articles of everyday life. In present day Arapaho life, the bison is still very much respected and recognized as the life-giver as it was in earlier times. Arapaho culture still has the bison woven in ceremonies through its hides, skulls, ritual paints, and songs. Arapaho have an old ancient song that is used in ceremonies today, which translated mean" the buffalo are coming".

The Northern Arapaho Tribe are members of the ITBC whose goal is to reestablish healthy buffalo populations on tribal lands in order to reestablish hope for Indian people. ITBC has a membership of 57 tribes, of which many own private bison herds. ITBC coordinates the transfer of surplus bison from national parks to tribal lands and provides technical assistance to its members.

Predicted Consequences of Alternative A

With the establishment of a tribal herd on the Wind River Reservation, the Northern Arapaho could reengage in traditional cultural activities that connect them with bison.

Predicted Consequences of Alternative B

If the Northern Arapaho were unable to receive the QFS bison, they would continue work with the ITBC to locate additional opportunities to bring the species back to the plains and the reservation for the benefit of their people and for the conservation of the bison.

3.2.4 Wildlife

The grassland habitat at the Arapaho Ranch supports a variety of wildlife species. Species known to exist are mule deer, antelope, coyotes, black bear, a variety of bird species (sage grouse, chukars, wild turkeys), and numerous small mammals. A limited population of elk (approximately a group of 75) and mountain sheep also use the target area. There is the potential for wolves to move in and around the reservation's property since they are a sensitive species in Wyoming, but no confirmed observations have been recorded on the reservation. There is at least one known wolf pack known to move in the region.

The sandstone canyons and grasslands of the Red Canyon Ranch support similar diversity of wildlife species as that at the Arapaho Ranch. Additional species that are known to use the area are mountain lions, bobcats, and moose along the creeks.

Since 1985 when a strict game code was adopted by the tribes of the Wind River Reservation, wildlife population amounts for all species is very strong and healthy (personal communication with FWS in Cody). In the Owl Mountains, the number of elk is approximately 3,500.

Predicted Consequences of Alternative A

The proposed action will not result in the deterioration of wildlife habitat for the following reasons: 1) the removal of existing livestock from the rangeland and replacing them with bison will likely not change the amount of forage currently available for ungulates and other species, 2) the level of grazing use by a small number of bison might have a limited positive impact on the habitat, since the AUM capacity is higher than the actual pressure, and 3) the Tribe's management philosophy to balance the needs of wildlife and vegetation resources implemented on the Arapaho Ranch will be continued with the placement of bison on the ranch.

There will be an increase in wildlife diversity and abundance with the addition of bison on the landscape at the Arapaho Ranch. Since the area where the transplanted herd will be moved into is required to be fenced by the tribe, some wildlife movement may be impaired depending on the fence's design.

FWP does not anticipate any significant changes in diversity or abundance of non-game species because this proposal is unlikely to change wildlife habitats or ecological relationships in noteworthy ways.

The elk at the Arapaho Ranch are not known to be carriers of brucellosis, but the Tribe and APHIS will implement surveillance efforts to confirm this information. If the elk are discovered to be carriers, the Tribe and APHIS will work together to decrease the potential of bison-elk infection.

FWP does not expect any changes to the diversity or movement of wildlife at the Red Canyon Ranch because the ranch has grazed bison over recent years, fencing already exists along its boundary that wildlife navigate around or through.

Predicted Consequences of Alternative B

There would be no changes to the diversity and movement of game and non-game species that are known to use either ranch property. As previously noted, the Tribe will likely continue with the installation of fencing at their ranch in order to prepare it for possible placement of bison there in the future. The existing barriers to animal movement at the Red Canyon Ranch would remain in place, but they are known to the indigenous wildlife and have been present in the migrations routes for numerous years.

3.2.5 Brucellosis & Cattle

The challenges related to cattle and the possible transmission of brucellosis to cattle is an emotional and economic issue for many livestock owners and wildlife organizations. The Interagency Bison Management Plan (IBMP) currently provides guidance to cooperating agencies for the management of YNP bison moving beyond the Park's boundaries within the Greater Yellowstone Ecosystem.

Considerable research and analysis on bison distribution and movements, management of the spread of brucellosis, methods to manage emigrating bison, economic impacts to the cattle industry, and potential affects on other resources were completed for the Final Bison Management Plan EIS. This EA will reference findings from that document where appropriate but will not reproduce the EIS's complete discussions and analyses on those issues. Please refer to <http://liv.mt.gov/AH/diseases/brucellosis/gya.asp> for a copy of the entire EIS.

As previously noted in the Preface Section, FWP and APHIS VS completed two environmental assessments for the planning and establishment of a bison quarantine facility to establish protocols to test and screen QFS bison for brucellosis.

The bison to be transplanted have been involved in the brucellosis research program since 2006. As testing protocols were established and refined, these bison were screened multiple times for brucellosis. As of December 2008, the adult bison waiting transplantation have been screened between 9-15 times and the calves have been screened twice for brucellosis. Before they are moved to Wyoming, the entire group will be tested one more time. Based on these results over, these bison are considered brucellosis-free by APHIS VS. As dictated by the IBMP and the quarantine protocols, only brucellosis-free bison would be available for conservation efforts.

Predicted Consequences of Alternative A

Although the both ranches graze other livestock on their respective properties, the specific acres in which the bison would be translocated would be entirely free of cattle and existing bison, which is the case at the Red Canyon Ranch. The separation of cattle and bison follows the temporal and spatial management of the two species that is in the IBMP. Additionally, this separation is criteria required by FWP and APHIS VS for a location for the brucellosis-free bison leaving the quarantine facility. See 5.0 Monitoring for specific information about future monitoring of the bison after translocation is complete.

FWP does recognize the possibility that the originating species for brucellosis is elk. The elk herd that uses the Arapaho Ranch is not known to be infected. If the transferred bison were placed at the Red Canyon Ranch first, Tribal officials with the assistance of APHIS would attempt to test the elk for brucellosis. If the bacteria were present in the herd, steps would be taken to decrease the potential of contamination between those elk and the translocated bison. Management steps might include redesign of the fence, limit bison movement in known elk range, or additional monitoring protocols. Such management decisions would be under the jurisdiction of the Tribe and APHIS VS.

During the first 5-years after placement on the reservation, the bison herd will be categorized as an “research herd” by APHIS should any of the bison subsequently test positive for brucellosis, the state’s brucellosis status would not be affected. Wyoming currently maintains a class-free status. (Personal communication with APHIS 2/09)

The EIS identified many methods to address the risk of transmission between bison and cattle, but the IBMP primarily relies on enforcement of spatial and temporal separation of potentially infectious bison or their birth products and susceptible cattle. Although the transplanted bison will be brucellosis-free, monitoring protocols for their first 5-years at their new location will maintain spatial separation between the species.

Based on the history of the bison at the quarantine facility and that they were tested numerous times by APHIS VS, FWP believes there is a very low probability the transplanted bison harbor brucellosis and that there is a risk of transmission to cattle on the Arapaho Ranch.

Predicted Consequences of Alternative B

If the bison are not moved to the Wind River Reservation, the existing of brucellosis in native wildlife populations will remain a threat to livestock interests and ongoing state and federal programs will continue to monitor for infections in cattle populations within Wyoming.

3.2.6 Aesthetics

The landscape of the Arapaho Ranch is one of open space through the eastern foothills of the Owl Mountains. The Ranch's management philosophy, which incorporates the Arapaho's core cultural values of the land, follows a program that seeks to balance the needs of the natural resources (vegetation and wildlife) with the business of owning livestock. Currently, range unit 32 provides a natural viewshed of the mountains and grasslands with no noticeable man-made improvements.

The environment of the Red Canyon Ranch is one that blends the natural landscape of its surroundings with a working ranch. The majority of the ranch's buildings and facilities are clustered in a central area with the remaining acreage open range.

Predicted Consequences of Alternative A and Alternative B

The installation of a fence around range unit 32 at the Arapaho Ranch is expected to continue with or without the QFS bison since the Tribe is committed to bringing bison to the reservation for cultural, historic, and conservation reasons. Depending upon its design, the portions of the fence may be visible from State Highway 20 and be a minor distraction of the landscape's natural beauty.

3.2.7 Access & Recreation

The Wild River Reservation allows access for a variety of recreational activities to all tribal members on the 2 million acres of tribal property. Summer activities include boating, fishing, mountain and country outings; and our colorful Pow-wows attract visitors from all over the world. Each tribal member is allocated 4 hunting permits on the reservation for elk.

Predicted Consequences of Alternative A

The placement of bison on the Wind River Reservation will not change the recreational opportunities offered to its' members within the ranch's boundaries. No new opportunities will be extended to the public on the ranch. Elk and deer hunting would continue to be allowed on the ranch to tribal members after the bison are translocated there. As a method of managing the herd's size, some tribal members will be able to hunt bison after the 5-year monitoring period is over.

There are three dirt roads for entering into the proposed tribal bison range. Locked gates will restrict entry to the range and cattle guards will be installed at those sites to restrict bison from leaving the range.

Predicted Consequences of Alternative B

Access and recreational opportunities would continue to be primarily restricted to tribal members and access would remain very limited and subject to tribal permission.

4.0: RESOURCE ISSUES CONSIDERED BUT ELIMINATED FROM DETAILED ANALYSIS

The Montana Environmental Policy Act (MEPA) provides for the identification and elimination from detailed study of issues, which are not significant or which have been covered by a prior environmental review, narrowing the discussion of these issues to a brief presentation of why they will not have a significant effect on the physical or human environment or providing a reference to their coverage elsewhere (ARM 12.2.434(d)). While these resources are important, they were either unaffected or mildly affected by the proposed action, or the affects could be adequately mitigated.

A few issues were found not to be significant to the decision and were eliminated from further detailed analysis. In general, the reasons for eliminating these issues included:

- Experience and/or analysis from other bison management related documents have demonstrated that effects related to this issue are not noteworthy.

4.1 Soil & Geologic

The soil composition for the areas where the Arapaho and Red Canyon Ranches are located is a mix of Chugwater, Morrison, and Cloverly sandstones, and Gypsum Spring formations.

Although the number of animals using the ranch may fluctuate over time, after the first year of translocation the bison will be able to roam in larger areas so soil-disturbing activities caused by bison is expected to be limited.

Some soil groundbreaking activities will be required for the installation of the fence posts and cattle guards. Potentially, some post locations may be in the same spots of existing fence supports, thus reducing the need for new postholes. These impacts will be in limited areas and are not expected to impact any geological features or cause irreversible influences to soil qualities.

4.2 Water Resources

Within range unit 32 where the QFS bison will finally be placed, there are perennial creeks and numerous intermittent creeks. Since the property has been used for grazing cattle in previous years, there are seven manmade watering stations in areas where water supplies can fluctuate. The likelihood that the bison's movements will change the existing bank conditions is low since the number of bison traveling on the property will be limited and the bison are expected to move along while foraging.

5.0 MONITORING PROTOCOLS

The cows were exposed to bulls in 2008 and will be due to calve in Spring/Summer of 2009. The Tribe will maintain them in one or more fenced pastures, approved by Federal

and State animal health officials, on site until fall of 2009. During winter and spring, bison will be observed daily for abortions. Any aborted fetuses will be reported immediately to investigators and submitted to the state veterinary diagnostic laboratory for an abortion work-up and *Brucella* culture. In the fall of 2009, all bison (cows, yearlings and calves) will be worked through a chute and blood samples collected by APHIS for brucellosis serology testing. If animals are negative on serology, fences can be removed and the animals allowed to range.

Serologic tests will include the following: fluorescence polarization assay, standard card, standard tube, standard plate, complement fixation, rivanol, and BAP A. Interpretation of tests will be done by the designated brucellosis epidemiologist and the regional epidemiologist. Assuming an approximate 50% male/50% female calf crop each year and assuming that the slight majority of females will first breed as two-year-olds to calve as 3-year-olds and that animals will calve every year thereafter, it is anticipated that approximately 75 bison will be tested in 2009, and the maximum population in the following 4 years will be: 2010 - 100; 2011 - 135; 2012 - 183; and 2013 - 244.

As part of the requirements of the project to ensure that latent infection is not present in the translocated bison, it is necessary to monitor the population for 5 years following translocation. During the first year (2009) every animal will be serologically tested by APHIS as described above. Thereafter, a percentage of adult or adolescent bison will be tested by APHIS. Using a calculation to determine a 5% or greater prevalence with 95% confidence, a figure of 45 to 53 bison will need to be tested each year as the population grows. Animal capture can be accomplished by setting up a trap and working them through a chute or by chemical immobilization delivered by dart, or by helicopter capture or a combination of techniques.

Should serologically positive animals be detected in 2009 or subsequent years, the positives will be sacrificed, necropsied, and specimens collected for culture. If brucellosis infection is confirmed, whole-herd testing will be necessary. With results of the whole-herd test, a disease management plan will be developed in cooperation with the Tribe, the State Veterinarian's office, and APHIS epidemiologists. Depending on testing results, the disease management plan may consist of vaccination and rigorous test and slaughter, to whole herd depopulation.

It is anticipated that if the translocated herds remain seronegative for 5-years following quarantine, continued regular monitoring will not be required.

In addition to the APHIS testing requirements, ITBC's commitment to bison conservation and their experience with providing technical assistance to tribes with bison will provide the Northern Arapaho with additional guidance and ensure compliance.

6.0 POTENTIAL LONG-TERM CONSEQUENCES

The placement of the brucellosis-free bison into the Wind River Reservation and their availability of them for further monitoring will provide APHIS VS with important data to

add to the research information gathered through the efforts at the bison quarantine facility for the testing and screening for brucellosis in bison.

The completion of the 5-years of monitoring is expected to validate the protocols developed at the quarantine facility that will further the objective of establishing genetically pure herds of plains bison for future conservation and restoration efforts. Through the 57-member ITBC network, the offspring of the QFS bison could have long reaching benefit with the sharing of their genetics with other tribal herds.

Additionally, the fulfillment of the translocation effort will reconnect the Northern Arapaho with a wildlife species that is a core component to their culture. The accessibility of wild bison at the reservation will likely benefit the Shoshone that share the reservation with the Northern Arapaho, since the Shoshone share many of the same reverence for the bison within their cultural heritage.

7.0 PUBLIC PARTICIPATION AND COLLABORATORS

7.1 Public Involvement

During the previous two environmental assessments (EA) associated to the quarantine facility, the public was invited to submit comments through scoping and public meetings, as well as during public comment periods for each EA. Those comments and responses from FWP, which did include some related to the placement of brucellosis-free bison, are available at:

In addition to those opportunities, the Northern Arapaho has scheduled two informational meetings, one at the Wind River Casino in Riverton, WY on February 5, 2009 and another to be scheduled in the near future.

For this EA the public will be notified in the following manners to comment on this EA, the proposed action and alternatives:

- Two public notices in each of these papers: *Helena Independent Record and The Bozeman Chronicle*;
- One statewide press release;
- Direct mailing to adjacent landowners and interested parties in Montana; and
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

Copies will be available for public review at FWP Region 3 Headquarters and at the FWP Headquarters office in Helena.

FWP plans to schedule a public meeting in Bozeman within the comment period where there will be an opportunity to speak with FWP and tribal members on the proposed translocation of bison. Announcements for when the meeting is scheduled will be posted on FWP's website and in local newspapers.

This level of public notice and participation is appropriate for a project of this scope.

The public comment period will extend for (31) thirty days. Written comments will be accepted until 5:00 p.m., 13 March 2009 and can be mailed to the address below:

Bison Translocation
Montana Fish, Wildlife & Parks
1420 E. 6th Ave.
Helena, MT 59601
Or email comments to: bisonphaseiv@mt.gov

7.2 Collaborators - Other Agencies/Offices that Contributed to the EA

InterTribal Bison Cooperative, Rapid City SD
Montana Department of Livestock, Helena MT
Montana Fish, Wildlife and Parks, Helena MT
Legal Bureau
Wildlife Division
Northern Arapaho Tribe, Ft. Washakie WY
U.S. Department of Agriculture, Animal and Plant Health Inspection
Service, Veterinary Services, Ft. Collins CO
U.S. Fish and Wildlife Service, Bozeman MT
U.S. National Park Service, Yellowstone National Park WY
Wyoming Game & Fish, Wildlife Division, Cody WY

8.0 ANTICIPATED TIMELINE OF EVENTS

Public Comment Period on EA: Mid- February until Mid-March 2009
Decision Notice Published: End of March
Begin Translocation Efforts of Bison to Wyoming (if applicable): Early April

9.0 DETERMINATION IF AN ENVIRONMENTAL IMPACT STATEMENT IS REQUIRED

Based upon the above assessment, which has identified a limited number of minor impacts to the physical and human environment FWP concludes that none of the impacts associated with either alternative would have a significant impact on the human environment. In determining the significance of each impact, the criteria defined in the State of Montana's Administrative 21.2.431 was used.

This environmental assessment is therefore the appropriate level of analysis for the proposed action and an environmental impact statement is not required.

10.0 EA PREPARER

Rebecca Cooper, FWP MEPA Coordinator Helena, MT

References

- Montana Fish, Wildlife & Parks. 2004. Bison Quarantine Feasibility Study Phase I and Decision Notice. http://fwp.mt.gov/publicnotices/notice_696.aspx and http://fwp.mt.gov/publicnotices/notice_739.aspx
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- National Park Service. 2000. Bison Management for the State of Montana and Yellowstone National Park, Final Environmental Impact Statement. National Park Service, Washington, D.C., NPS D-655a. <http://liv.mt.gov/AH/diseases/brucellosis/gya.asp>
- Northern Arapaho Tribe. Tribal Code. <http://www.northernarapaho.com>
- Red Canyon Ranch. www.gear-gear.com/the_ranch.htm
- U.S. Department of Agriculture, Animal and Plant Health Inspection Service. 1998. Brucellosis Uniform Method and Rules. www.aphis.usda.gov/lpa/pubs/bruumr.pdf
- U.S. Department of Interior. 2008. Bison Conservation Initiative. <http://www.doi.gov/initiatives/bison.html>
- Western Real Estate of Wyoming. Red Canyon Ranch. www.westernre.net

Appendices

- A – Quarantine Bison Criteria as Defined in the Request for Proposals Announcement
- B – Location Map of Range Unit 32
- C – Northern Arapaho Assessment Letter
- D - USDA Animal and Plant Health Inspection Service Letter of Support

APPENDIX A

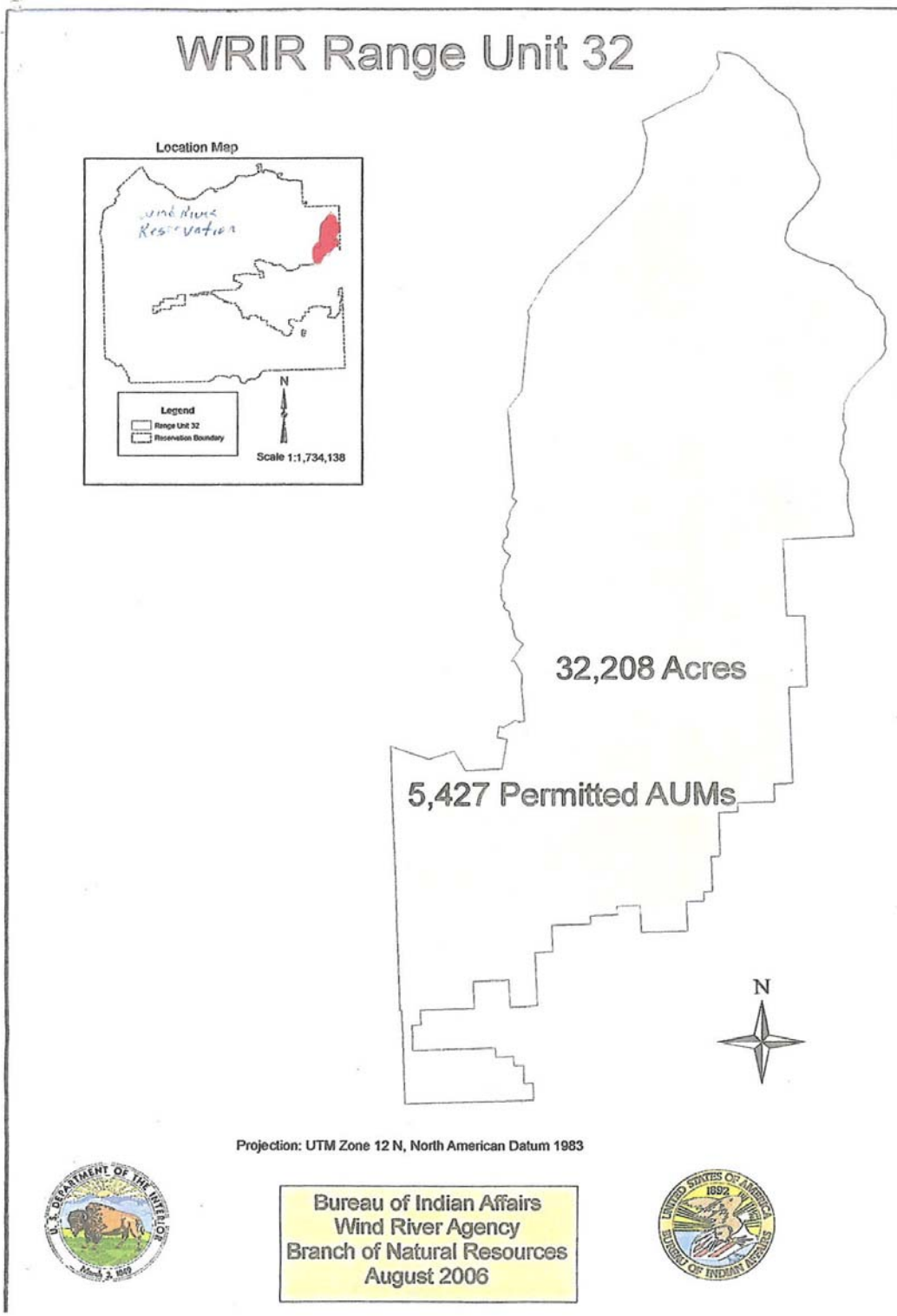
Translocation Criteria as Described in RFP Announcement

The following criteria for quarantine bison apply to all sites/scenarios:

- Translocation site must be within suitable habitat within the historic range of plains bison.
- Agreement to a surveillance and monitoring plan, and a response protocol developed by APHIS (attached) if brucellosis is detected.
- Any decision to translocate quarantine bison for the purpose of establishing new or augmenting existing conservation herds requires the consent of the entity that receives the bison and that entity's commitment to manage the bison in a manner that supports the purposes of the North American Bison Conservation Strategy.
- All applicable import rules and laws apply.
- Quarantine bison, including any offspring, cannot be used for commercial purposes – i.e., sold as livestock (vs. ecotourism, outfitting, etc.).
- Quarantine bison (and any offspring) must be managed as native wildlife (pre- and post 5-year closed herd). Bison will be public/Tribal wildlife (not private) forever.
- On public land, a suitable comprehensive management plan to address population management, control of distribution, management of wildlife conflicts and habitat management within the project area would be required.
- As much as is practical, hunting should be part of the population management program (as appropriate) on any restoration area.
- All restoration projects must comply with environmental regulations of recipient jurisdictions.
- A public involvement process must be completed to assure a degree of social acceptance of the project.
- Intent is to enable expansion of founders rather than hold them at the number initially dispersed.

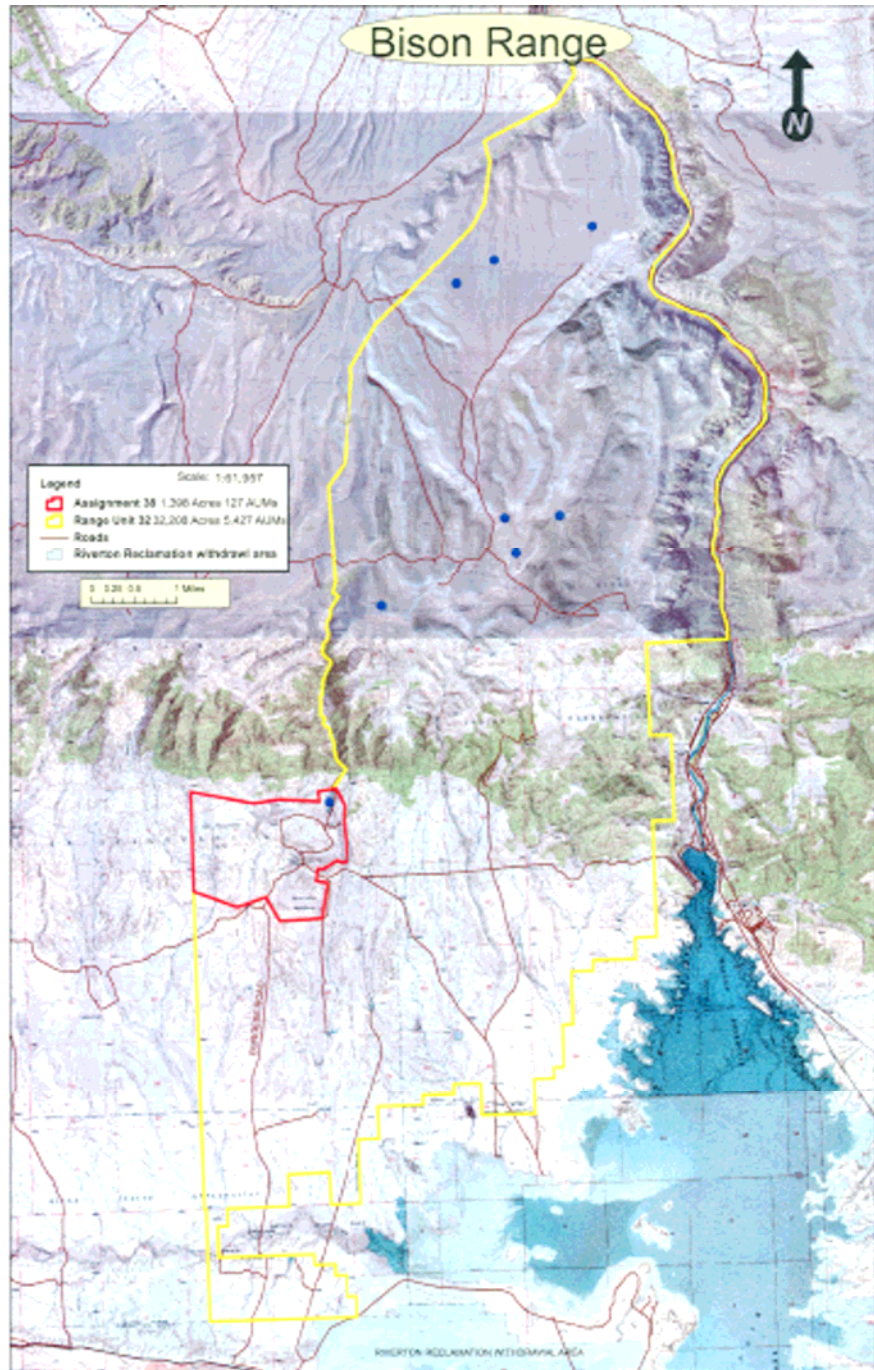
APPENDIX B

Wind River Indian Reservation Unit 32 Location Map



APPENDIX B, continued

Wind River Indian Reservation Proposed Bison Range



APPENDIX C

Northern Arapaho Assessment Letter

February 9th 2009

To Rebecca Cooper

Hello Mrs. Cooper

To answer your question the buffalo would probably have a positive impact on the land. Buffalo range further and eat a more varied diet than the cattle that have been utilizing this area and so the areas around watering sources would be allowed regrowth as opposed to the continued foraging. I believe that the entire unit would also benefit from a wider diet as well as a wider range of feeding habits from the buffalo as opposed to cattle, where grasses are constantly mowed down by cattle, the buffalo would seek a variety of grasses, forbs, shrubs over a much wider area allowing the entire range unit grasses to seed and replenish

The Arapaho people will benefit by having a traditional animal that is held in high regard back into our lives. The local schools are planning studies based on the people and our relationship with the buffalo. Right Now St Stephens School is making a traditional Teepee made from buffalo hides tanned by the kids and sewn by the kids. These kinds of activities will only improve as we have our own herd. Traditional lives will again have a balance, a traditional source of buffalo meat and artifacts as opposed to the search and buy method used today for needed ceremonial items.

Ken Trospen
Northern Arapaho Tribe

APPENDIX D

USDA Animal and Plant Health Inspection Service Letter of Support



February 11, 2009

**United States
Department of
Agriculture**

Animal and Plant
Health Inspection
Service

Veterinary Services

Western Region
2150 Centre Avenue
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Mr. Patrick J. Flowers
Regional Supervisor
Montana Fish, Wildlife and Parks
1400 South 19th Avenue
Bozeman, MT 59718

Dear Mr. Flowers:

This letter is to express United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services' (USDA APHIS VS) support for the translocation of the first bison cohort from the Quarantine Feasibility Study (QFS) to the Northern Arapaho Tribe of Fort Washakie, Wyoming. Since its inception, APHIS VS has been involved with QFS research on bison at the quarantine facility. In its role APHIS has worked closely with Montana Fish, Wildlife and Parks (MFWP) throughout the design, development, and initiation of the study. With the successful completion of the quarantine portion of the study we recognize it's the responsibility of MFWP to move the bison from the QFS facility in Montana to Washakie, WY.

We are pleased that the bison have remained brucellosis-free and are being transferred to suitable habitat within the historic range of plains bison as offered by the Northern Arapaho Tribe. We applaud the willingness and desire of the Northern Arapaho Tribe to use the bison for conservation purposes.

As part of its mission, APHIS has responsibility to ensure the health of U.S. livestock. APHIS continues to work as a partner in the cooperative State-Federal brucellosis eradication program to eliminate brucellosis from the U.S. Great strides have been made in eradicating brucellosis in U.S. livestock. The primary remnants of brucellosis are reservoirs in wildlife populations, which have the potential to endanger domestic herds in the Greater Yellowstone Area (GYA), including Yellowstone National Park and Grand Teton National Park. The QFS seeks to define a protocol which will produce a brucellosis-free animal that APHIS feels confident to certify. The bison that MFWP plan to release to the Northern Arapaho Tribe are the first which will pass through this protocol. Their release into a natural environment as brucellosis-free animals will serve an important conservation goal.



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To help ensure the bison remain brucellosis-free and present no threat to domestic livestock, APHIS will support the annual brucellosis monitoring of the trans-located bison by:

- providing personnel to help with the bison roundups and working the bison through a chute for testing purposes,
- collecting blood samples and providing laboratory testing for detection of *Brucella* antibodies in bison and
- supporting the diagnostic workup of any fetuses collected if a bison aborts.

APHIS looks forward to a time when brucellosis is no longer a threat to domestic livestock and GYA bison. Meanwhile, APHIS plans to continue its support of the Interagency Bison Management Plan including continued cooperation with MFWP on the QFS.

Sincerely,



Jerry W. Diemer, DVM
Associate Regional Director, Western Region
USDA APHIS Veterinary Services