

• **National Parks Conservation Association** • **Defenders of Wildlife** • **InterTribal Bison Cooperative** • **Greater Yellowstone Coalition** • **The Fund for Animals** • **Humane Society of the United States** • **Endangered Species Coalition** • **Natural Resources Defense Council** • **The Ecology Center** • **Jackson Hole Conservation Alliance** • **Cold Mountain, Cold Rivers** • **Buffalo Field Campaign** • **The Pegasus Foundation** •

Secretary Gale Norton  
Department of Interior  
1849 C Street, NW  
Washington, DC 20240

March 12, 2003

Dear Secretary Norton:

The recent National Park Service-led bison management operations at Stephens Creek are of great concern to our organizations and the more than 8 million members we represent. We believe that the Park Service has greater discretion, authority and responsibility in the matter than it is currently exercising. We believe that with NPS leadership, solutions are readily available that would benefit Yellowstone's bison and prevent unnecessary slaughter. Sadly, the Park Service's recent actions have led to the same "unnecessary killing" of Yellowstone bison that the federal agencies accused the State of Montana of several years ago. This Park Service-led "unnecessary killing" creates a dangerous precedent for treatment of park wildlife and directly conflicts with the high standard of protection required for national parks.

Yellowstone National Park was created in 1872 as the world's first national park. The park offered safe haven to the last survivors of North America's great bison herd which was slaughtered to the brink of extinction in the late 1800s. Today, Yellowstone's wild, free-roaming bison are the only link to those once majestic herds. Furthermore, recent scientific studies have revealed that Yellowstone's bison have never interbred with cattle. This genetic uniqueness makes Yellowstone's bison the only living link to the great herds of our nation's history.

The National Park Service's mission and guiding laws require the highest standard of protection for Yellowstone's bison. The National Park Service is mandated to "conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." (*NPS Organic Act, 16 USC 1, 2-4*). The current National Park Service practice of unnecessary slaughter of Yellowstone's bison conflicts with this mission. The Park Service must uphold the highest standards of protection for Yellowstone's bison. The Park Service must also take a leadership role in pursuing solutions that serve to protect Yellowstone's bison. We are disturbed that the Park Service is neither upholding the highest standards of protection nor pursuing available solutions.

## **1. NPS Leadership is Necessary to Secure Safe Winter Habitat for Bison at Yellowstone's Boundaries**

Although the bison management plan was predicated upon the lands north of Yellowstone National Park being free of cattle after the winter of 2001-2002, the Church Universal and Triumphant is still running cattle on private grazing leases on its Royal Teton Ranch property adjacent to the park. As a result, Step 1 of the bison management plan is still in place on the north side. Removing cattle from this area was a critical underpinning of the bison management plan and a goal of the \$13 million federal-private land exchange of 1999. The Record of Decision requires that in Step 1 the agencies “cooperate with RTR to develop a Bison Management Plan for the Royal Teton Ranch that is consistent with the provisions of this Joint Management Plan.” (p.31)

We encourage the National Park Service to engage the Church in discussions to complete the terms of the agreement, including *immediate* removal of cattle from the private RTR holdings. The Park Service's responsibility to protect park wildlife clearly necessitates the aggressive pursuit of safe lands adjacent to the park for bison winter range. The Park Service's failure to live up to this responsibility is an unacceptable waste of \$13 million of taxpayer money earmarked explicitly to protect Yellowstone's bison by creating a safe zone on the Royal Teton Ranch.

## **2. NPS has Clear Discretion to Uphold Highest Standards of Protection for Yellowstone's Bison**

Despite clear legal mandates to protect park wildlife, the Park Service appears to be interpreting the Record of Decision in a way that fails to protect park bison in Yellowstone National Park.

Under Step 1 of the plan, the Record of Decision directs NPS to “use hazing within YNP to prevent bison movement north onto private and public lands in the Reese Creek area. If hazing is unsuccessful, the NPS will operate the Stephens Creek capture facility and capture all bison attempting to exit the Park in the area. The agencies will test all captured bison, send seropositives to slaughter, and temporarily hold up to 125 seronegative bison at the Stephens Creek capture facility.” (p.27) While our organizations support solutions beyond capture and testing of Yellowstone bison, that procedure is preferable to the Park Service's current strategy of slaughtering all captured bison without engaging in any testing.

Despite the current estimated size of the bison population in Yellowstone, the Park Service's decision to forgo the testing of captured bison and not to hold seronegatives at the Stephens Creek facility is not mandated by the terms of the plan. A target population number of 3,000 was set in the plan, but does not force any specific action in Zone 1, which lies entirely within Yellowstone National Park.

Zone 1 is “YNP winter habitat in the Reese Creek vicinity that bison normally occupy. During Step 1, bison attempting to exit the Park may be subject to hazing, capture, testing and vaccination, or lethal removal.” (p.30)

According to the Bison Management Plan ROD (p.32), "If the late-winter/early-spring bison population is above the 3,000 target, specific management actions may be undertaken at the Stephens Creek capture facility or outside the Park in the western boundary area to reduce its size."(emphasis added).The use of the word "may" clearly makes the decision to depart from ordinary hazing and testing protocols discretionary, rather than mandatory as the National Park Service has claimed. Thus, the Park Service clearly has discretion to continue hazing and testing protocols rather than proceeding to slaughter. If a decision is made to depart from the hazing and testing protocols, options short of outright slaughter can be selected. NPS has the discretion and opportunity to investigate and implement options that would protect Yellowstone's bison.

We ask for an immediate halt to slaughter of Yellowstone's bison. With over 200 bison already captured and sent to slaughter without testing, we formally request that the National Park Service explain its choice to take drastic, irreversible measures that depart from its core mission and that fail to protect Yellowstone's bison herd from unnecessary killing.

Sincerely,

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Cc: Fran Mainella, Director, National Park Service  
Suzanne Lewis, Superintendent, Yellowstone National Park