



THE SECRETARY OF THE INTERIOR
WASHINGTON

DEC 13 2011

The Honorable Brian Schweitzer
Governor of Montana
Helena, Montana 59620

Dear Governor Schweitzer:

Thank you for your December 2, 2011, letter concerning Yellowstone Bison. I note with gratitude your announcement on December 5 of your approval for the relocation of the 66 bison being held in Corwin Springs to the Fort Peck and Fort Belknap Indian Reservations. Be assured that the Department of the Interior (DOI) will provide support as necessary to help the Tribes manage these animals, which, as you know, have been quarantined for over two years and are determined to be brucellosis-free. We believe these bison are suitable for relocation and we are pleased that you share that belief. Moreover, transfer of these bison to Fort Peck and Fort Belknap fulfills the Tribes' longstanding desire to reintroduce Yellowstone bison to their Reservations. For centuries, these animals have provided food, clothing, and spiritual sustenance to American Indians.

For DOI, the first principle of our bison conservation initiative is to base management of our herds on the best available science. An equally important principle is determining when bison are brucellosis-free and what level of quarantine is necessary. On this issue, we work closely with our colleagues at the Department of Agriculture's Animal and Plant Health Inspection Service and to applicable state veterinarians.

The DOI will assist the State of Montana in the relocation of the 143 Yellowstone bison that have been through the quarantine process and are being held on the Turner Ranch near Bozeman. You state in your December 2, 2011, letter—and you have communicated to me in our several conversations on this topic—your strong preference in having these bison moved to the National Bison Range (NBR), located in Moiese, Montana, and managed by the Fish and Wildlife Service (FWS). We acknowledge that the InterTribal Buffalo Council supports relocation of Yellowstone bison to NBR, provided the current NBR herd is protected to preserve its cultural and historical significance to the Confederated Salish and Kootenai Tribe.

The NBR, like all refuges within the National Refuge System, is subject to administration under the National Wildlife Refuge System Administration Act. That Act and the regulations issued pursuant to it guide FWS's management of refuges. Any movement of bison from the Turner property to the NBR will need to be reviewed to determine the programmatic viability of such an action. I have asked the FWS to evaluate the introduction of Yellowstone bison to the NBR from the Turner property. Such evaluation will include, among other things, consideration of NBR's bison carrying capacity, impacts of such a transfer on other wildlife managed within NBR, and

an evaluation of whether transferring Yellowstone bison from the Turner property will benefit the specific conservation purposes of NBR. This evaluation will not be completed in the 2012 season.

In addition, the Wind River Tribes in Wyoming are a potential partner in helping to resolve the relocation of the bison held on Turner Ranch. The Wind River Reservation is part of the Greater Yellowstone Ecosystem and the Tribes are actively discussing how to provide a home for these bison. The FWS has a Wildlife Assistance office located near Wind River that regularly works with the Wind River Tribes on wildlife and fisheries conservation. Such a plan would have to have the full agreement and support of the Wind River Tribes and the Wyoming State Veterinarian. I have asked the FWS and the National Park Service (NPS) to explore this option further.

Obviously, addressing the Corwin Springs and Turner Ranch quarantined bison does not resolve the long-term, ongoing issue of comprehensive management of Yellowstone bison. While the Department of the Interior alone cannot resolve this issue, I am willing to look at options of moving Yellowstone bison onto other DOI properties.

To advance the longer term management issues, I have asked the NPS to evaluate three specific options. First, I have asked NPS to explore the feasibility of relocating Yellowstone bison to the South Unit of Badlands National Park, located on the Pine Ridge Indian Reservation, to be managed in cooperation with the Oglala Sioux Tribe. Aside from the necessary planning that would be required for such action, the South Dakota State Veterinarian would need to be consulted regarding the health/disease status of the bison. Tribal consultation and environmental and historic preservation compliance would also be essential components of such an option.

Second, I have asked NPS to evaluate the Great Sand Dunes National Park in Colorado as a potential recipient of Yellowstone bison in partnership with The Nature Conservancy (TNC). Under this option, NPS would work with TNC to explore the feasibility of using a portion of TNC's Zapata Ranch, along with sections of the Park, to house disease-free Yellowstone bison. Again, such an option would require coordination with the Colorado State Veterinarian and several other Colorado agencies. Transfer of Yellowstone bison to Great Sand Dunes would also be subject to a determination of infrastructure needs, environmental compliance reviews, and a determination by NPS that the bison are consistent with the fundamental purpose of the Park and will not impair Park resources.

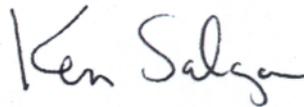
Third, I have asked NPS to explore the feasibility of developing or operating a quarantine facility with partners near Yellowstone National Park. This option, if feasible, would require an evaluation of infrastructure and other needs.

Finally, I am also requesting that the NPS, FWS, and the Bureau of Land Management evaluate other Federal properties that might be suitable for relocation of brucellosis-free Yellowstone bison. Such evaluation would need to consider the established purposes of the property, the programmatic constraints, if any, and whether the bison are eligible for interstate transport. If a property is found to be suitable, the effort would also likely require an amendment to existing

planning documents and appropriate environmental review, and would similarly not be completed during the 2012 season.

In conclusion, I ask that you help me explore the options discussed in this letter, including reaching out to other governors if necessary. I want to work with you to manage bison numbers and reduce disease prevalence in the Yellowstone herd. I thank you for your continued dedication to working with me in finding lasting solutions to the Yellowstone bison management issues. I am confident that working together we can achieve successful and effective bison management.

Sincerely,

A handwritten signature in black ink that reads "Ken Salazar". The signature is written in a cursive style with a large, stylized "K" and "S".

Ken Salazar

OFFICE OF THE GOVERNOR
STATE OF MONTANA

BRIAN SCHWEITZER
GOVERNOR



JOHN BOHLINGER
LT. GOVERNOR

December 2, 2011

Secretary Ken Salazar
US Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Secretary Salazar:

I write to provide an update regarding our recent discussions of the disposition of Yellowstone National Park bison. I know we agree that Yellowstone bison are a precious national resource, representing the largest herd of the small handful of remaining herds of genetically-pure bison in America.

Through the National Park Service, the Department of Interior has participated in the interagency quarantine program for Yellowstone bison, whereby we have proven up a protocol by which disease-free bison can be made available for bison restoration efforts on tribal lands and public lands across the West.

I believe it was October 14, 2011 when I first discussed with you the possibility of the National Bison Range (NBR) at Moiese, MT, operated by US Fish and Wildlife Service, serving as one repository for bison coming out of quarantine, and potentially even becoming a key staging center for the restoration of genetically-pure, disease-free bison on suitable reservations and public lands across the West. I proposed that any number of bison up to approximately 200 animals could serve as an initial shipment.

Since genetic testing has confirmed that the bison herd at NBR, like most across the country, contains cattle genes, you will recall I proposed that any Yellowstone bison sent to NBR be segregated from the existing bison-cattle hybrid herd to maintain genetic integrity. I further noted that NBR could choose to maintain this segregation through appropriate management measures, or they could choose to draw down the hybrid herd as the new, genetically pure herd grew.

The NBR seems an ideal site for such a repository, given its storied history. At the turn of the century, as the American Bison Society sought to preserve bison from extinction, President Theodore Roosevelt requested, and Congress approved, creation of the NBR. Established in 1908 with 18,500 acres, the NBR is one of the oldest wildlife refuges in the nation. The first bison were released there in 1909, and other animals supplemented the herd over the years. Somewhere along the line, bison with cattle genes were introduced, and remain within the herd today.

Other factors make the NBR an appealing site, beyond its original purpose of bison preservation: its historical relationship with the Confederated Salish and Kootenai Tribes; its

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long-established public acceptance; its existing on-site management expertise; and its ability to provide proper acreage, facilities, and care. It also seems that given the long-time presence of bison on the NBR, very little environmental analysis would be necessary for such a relocation.

When again we spoke about this proposal on November 1, 2011, I began to hear strange reasons as to why this NBR proposal wouldn't work. US Fish and Wildlife Service Director Dan Ashe indicated that the agency was "comfortable" with the genetics of the NBR herd. I found that assertion difficult to fathom, given the purpose of the NBR concerning bison preservation, and the mission of the US Fish and Wildlife Service. Would the agency have accepted, when it came to restoration of wolves, a wolf-dog hybrid in the mix? Would any wildlife agency in the West accept the release of elk containing red deer genes as part of an elk restoration proposal? We both know the answers to those questions.

Director Ashe also indicated that his agency maintains a very close relationship with the InterTribal Buffalo Council (ITBC), which is officially chartered by the federal government as *the* Tribal Organization under Section 17 of the Indian Reorganization Act, recognized for reestablishment of buffalo herds on Indian lands. When I contacted the ITBC about the NBR proposal, however, they had not been consulted. It turns out that the ITBC very much supports this idea in concept, as you will note in their November 29, 2011 letter to me, attached.

In my last conversation with Director Ashe on December 1, 2011, he indicated additional concerns with YNP bison, this time related to disease. He suggested that the science is "divided" as to whether these bison were indeed brucellosis-free. You can imagine how shocked I was to hear this news, given the involvement of three federal agencies (the National Park Service, USDA APHIS, and the Forest Service) in the bison quarantine program under the Interagency Bison Management Plan. It is worth noting that one of these agencies, the National Park Service, is a sister agency to the US Fish and Wildlife Service within the Department of Interior. It is also worth noting that the recognized federal authority concerning disease in bovids, USDA APHIS, has repeatedly declared these animals disease-free, through well over a dozen rounds of testing within the bounds of the most rigid of disease testing protocols.

I asked Mr. Ashe which scientists within Interior still maintained doubts as to the disease-free nature of these bison. He indicated that Tom Roffe, Chief for Wildlife Health, US Fish and Wildlife Service, had these concerns. Yet at the same time, Matt Brown, AP reporter, tells me that Mr. Roffe indicated to him that he "personally believes" these bison are indeed brucellosis-free. As you may understand, I am having difficulty reconciling these differences.

Apparently Mr. Roffe is further concerned that the presence of Yellowstone bison would somehow prevent NBR from shipping bison to other states, as it does on occasion. This position too is difficult to reconcile, given that these same states and other states routinely accept cattle and bison from Montana producers, including those in the Yellowstone area, after only one round of testing under the very same disease management structure.

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Finally, according to today's press reports, Mr. Roffe is concerned that Yellowstone bison could expose NBR bison to other animal diseases or parasites. This new information presents a developing pattern in which the US Fish and Wildlife Service continues to raise the bar. Nonetheless, I am certain that we can test these bison for whatever diseases or parasites may be of genuine concern.

Mr. Secretary, in our discussions I have never doubted that you wished to be helpful in finding solutions to the complex questions associated with Yellowstone bison and conservation of bison in North America. I still believe that. It has become difficult to find that same level of commitment within Interior. In all candor, if Interior is indeed rejecting this proposal, one that has its beginnings in bison from Yellowstone once owned by Interior, I simply ask for sound explanations as to why.

This is an opportunity for better cooperation and meaningful progress on a matter that is long past due for good solutions. I hope we do not let the opportunity slip away.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Schweitzer". The signature is stylized with a large initial "B" and a long, sweeping underline.

BRIAN SCHWEITZER
Governor



InterTribal Buffalo Council
2497 West Chicago Street
Rapid City, SD 57702
Phone: (605) 394-9730
Fax: (605) 394-7742
www.itbcison.com

November 29, 2011

Governor Brian Schweitzer
Office of the Governor
Montana State Capitol Bldg.
P.O. Box 200801
Helena MT 59620-0801

Dear Governor Schweitzer:

The InterTribal Buffalo Council (ITBC) Board of Directors has reviewed and discussed your proposal to partner with the United States Department of Interior and the Confederated Salish and Kootenai Tribes to utilize the National Bison Range serving as a repository for Yellowstone buffalo released from quarantine. As you are aware, the ITBC has been involved in first, the Greater Yellowstone Inter-Agency Brucellosis Committee and now, the Inter-Agency Brucellosis Management Plan work group as the Native American voice for buffalo/bison protection, preservation and restoration issues. ITBC's primary concern is to prevent the needless killing of buffalo that forage outside the boundaries of the Yellowstone Park and seek options that will preserve and enhance the genetic integrity of the Yellowstone buffalo/bison.

In the spirit of protection, preservation and restoration of genetically pure buffalo, ITBC supports the concept of continuing a quarantine program that will eventually result in the distribution of disease-free Yellowstone bison to Indian Tribes. ITBC member Tribes have long-awaited the point when Yellowstone bison might be awarded and relocated to Indian lands throughout the west. Thus, ITBC supports the concept of utilizing the National Bison Range as a repository for disease-free Yellowstone bison with the objective of eventually awarding the disease free animals to Tribes.

While ITBC supports the overall concept, we must express the following caveats:

1. ITBC does not want the proposal to interfere or delay the current prospect of awarding disease-free Yellowstone bison to the Assiniboine and Sioux Tribes of the Fort Peck Reservation or the Gros Ventre and Assiniboine Tribe of the Fort Belknap Reservation.

Member Tribes

- Blackfeet • Cheyenne & Arapaho Tribes of OK • Cheyenne River Sioux • Chippewa Cree Tribe of Rocky Boy's Reservation • Confederated Salish & Kootenai • Confederated Tribes of the Umatilla • Crow Creek Sioux • Crow Tribe • Flandreau Santee Sioux • Fort Belknap Gros Ventre & Assiniboine • Fort Peck Tribes • Ho-Chunk Nation • Iowa Tribe of OK • Jicarilla Apache • Kalispel • Lower Brule Sioux • Mesa Grande Band of Mission Indians • Modoc Tribe of OK • Nambe' Pueblo • Nez Perce • Northern Arapaho • Northern Cheyenne • Oglala Sioux Tribe • Omaha Tribe of NE • Oneida Nation of WI • Picuris Pueblo • Pit River Tribe • Pojoaque Pueblo • Ponca Tribe of NE • Prairie Band of Potawatomi Nation • Prairie Island Dakota • Rosebud Sioux • Round Valley Tribes • Sac & Fox of the Mississippi in Iowa • Salt River Pima-Maricopa Indian Community • San Juan Pueblo • Sandia Pueblo • Santee Sioux of NE • Seneca Cayuga Tribe of OK • Shoshone-Bannock • Sisseton-Wahpeton Oyate • Southern Ute • Spirit Lake Sioux • Spokane • Standing Rock Sioux • Stevens Village IRA Council, AK • Stillaguamish Tribe of Indians • Taos Pueblo • Three Affiliated Tribes • Turtle Mountain Band of Chippewa • Ute • Winnebago of NE • Yakama Nation • Yankton Sioux

2. ITBC does not want the proposal to interfere with the treaty hunting rights to Yellowstone bison of the Yakima, Nez Perce, Shoshone Bannock and CSKT Tribes.

Further, ITBC actively supported the Confederated Salish and Kootenai Tribes in their long-standing negotiations with the Department of Interior to assume management responsibility of the National Bison Range. ITBC, along with the CSKT, have been disappointed by the Department of Interior's hesitation to allow the CSKT complete management authority of the National Bison Range. Therefore, we are hopeful this proposal does not affect the fragile co-management agreement currently in place between the Department of Interior and the CSKT.

Finally, we understand that the CSKT have expressed a desire to protect the current NBR herd due to its cultural and historical significance to the Tribe. Thus, we support the use of the NBR for Yellowstone bison if concerns of the CSKT are resolved.

As you and I have a long history in working together on difficult issues affecting Tribes, I am confident we can work together on your proposal to forward a meaningful, tribally accepted alternative to the current ongoing Yellowstone bison management discussion. Thank you for directly conferring with the ITBC in this critical matter. Please do not hesitate to contact me at (406) 450-2443 or Jim Stone, ITBC Executive Director, at (605) 394-9730, or our legal counsel, Majel Russell, at (406) 259-8611.

Respectfully,

A handwritten signature in black ink, appearing to read "Ervin Carlson". The signature is fluid and cursive, with a large initial "E" and "C".

Ervin Carlson
President



THE SECRETARY OF THE INTERIOR
WASHINGTON

JAN 12 2012

The Honorable Brian Schweitzer
Governor of Montana
Helena, Montana 59620

Dear Governor Schweitzer:

Thank you for your letter of December 16, 2011, concerning Yellowstone Bison. I look forward to continuing working together on this and other issues of importance to you and the State of Montana. I truly value our personal and professional working relationship and am encouraged that together we can find both short and long term solutions to issues arising from bison migrating out of Yellowstone National Park.

In recognition of the ongoing importance of this matter, and to most effectively coordinate the efforts of the Department, I have appointed Acting Assistant Secretary for Fish and Wildlife and Parks, Ms. Rachel Jacobson, to lead a Department of the Interior Bison Strike Team comprised of the leadership of the U.S. Fish and Wildlife Service, the National Park Service, the Bureau of Land Management, and the Bureau of Indian Affairs to work on these issues. Ms. Jacobson will be available to you and your office, and she will be providing me with regular updates.

One of the first tasks for this Strike Team is to help facilitate the recently approved transfer by the Montana's Fish, Wildlife and Parks Commission of the 68 bison from quarantine facilities to the Fort Peck and Fort Belknap Reservations in Montana. You referenced a combined estimate of approximately \$350,000, and we will ensure that the resources are available to help make this relocation effort successful. This historic restoration effort of a species sacred to these Tribes is a significant example of how states and tribes can work together. My Senior Advisor in Montana, Mr. Steve Doherty, is working to schedule a meeting with the Tribes and State as soon as possible. The concerns and involvement of the Tribes and the State of Montana are essential—the Department seeks to provide assistance in this effort, not directives.

I believe that the initiatives currently underway in the Gardiner Basin are critical for the management of bison migrating out of Yellowstone National Park this winter. Your efforts to expand the areas of tolerance for bison, in the face of some criticism, have been noteworthy. The quarantine feasibility study during 2005-2011 demonstrated that it is scientifically possible to quarantine, repeatedly test, and to certify Yellowstone Bison as brucellosis free. I have asked Yellowstone's Superintendent, Mr. Dan Wenk, to further coordinate with the Animal and Plant Health Inspection Service, state veterinarians and other State officials that you may identify as we develop further protocols for out migrating bison.

The Department of the Interior is completely engaged on this issue. We will fully and fairly evaluate the options presented in my December 13, 2011, letter to you. Providing for a well thought out and defensible bison conservation management plan for migrating bison and relocation in suitable landscapes will take some time. However, please understand that this Federal effort is not going to "kick the can down the road" for someone else to deal with.

I agree that winter's imperative and resulting bison migration makes time of the essence. I look forward to working with you and Montana's agencies so that we can achieve our mutual objectives.

Sincerely,


Ken Salazar

OFFICE OF THE GOVERNOR
STATE OF MONTANA

BRIAN SCHWEITZER
GOVERNOR



JOHN BOHLINGER
LT. GOVERNOR

December 16, 2011

The Honorable Ken Salazar, Secretary
US Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Secretary Salazar:

Thank you for your response of December 13, 2011 regarding Yellowstone bison. I believe we are making progress, and I very much appreciate your assurance of assistance to Montana tribes as they prepare to accept genetically-pure, disease-free bison. I have asked the tribes to assess their needs, and the combined estimate looks to be approximately \$350,000.

I also appreciate that you have asked the US Fish and Wildlife Service to evaluate the relocation of Yellowstone bison to the National Bison Range and various other lands managed by Interior. You have indicated that this analysis in all cases will take at least one year. I would hope that at least in some cases it can be accomplished in a more timely fashion.

As you have noted, these activities alone do not resolve the long-term, ongoing issue of comprehensive management and conservation of Yellowstone bison, but the options you have suggested are a very good start. I like your idea of relocating Yellowstone bison to other lands managed by the Department of the Interior. They are, after all, held in trust by Interior for the benefit of the American people, and I believe that if we are to continue building upon the progress we've made, time is of the essence.

To this end, I propose that following the bison hunt currently underway, bison trapped at Yellowstone National Park's Stephens Creek facility be tested. Those testing negative for brucellosis could be held at the nearby Corwin Springs facility or the area known as the Slip and Slide Ranch until May 1 of a given year, the date at which bison are typically moved back into the Park. From there, Interior would relocate these test-negative bison to a federal facility of its choice for the remainder of their quarantine period. Once this period is over, these bison could be relocated to suitable lands managed by Interior, where the necessary environmental analysis would already have been completed.

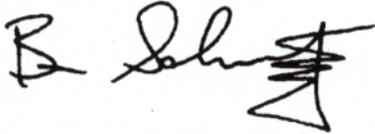
As part of this proposal, Montana is willing to work with Yellowstone Park to ensure that the Park can ship test-positive bison to slaughter, if that is deemed necessary. We would take great pains to ensure the safety and security of these shipments. I am assuming that USDA's Animal and Plant Health Inspection Service would lend its assistance as well.

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Through this approach, we not only address short term management, but more importantly we begin the process of bison restoration to suitable lands without further unnecessary delay. Restoration should only involve bison with no evidence of cattle genes, and we can even begin to replace hybridized bison in herds managed by Interior and other herds across the West.

I appreciate your commitment to coming up with good solutions, and being willing to act quickly.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Schweitzer". The signature is stylized with a large initial "B" and a long, sweeping horizontal stroke that ends in a sharp downward point.

BRIAN SCHWEITZER
Governor