

Summary Report from the Interagency Bison Management Plan Meeting May 9, 2013



First draft presented 31 May 2013 by meeting facilitator Scott Bischke

The following summary report reflects activities at the May 9, 2013 meeting of the Interagency Bison Management Plan (IBMP) Partners, held at the Gran Tree Plus Best Western Hotel in Bozeman MT. This report comes from the notes and flip chart records of facilitator Scott Bischke¹. The nine Partner attendees were Don Herriott (APHIS), Ron Trahan (CSKT), Earvin Carlson (ITBC), Christian Mackay (MBOL), Marty Zaluski (MDOL), Sam Sheppard/Pat Flowers (MFWP), McCoy Oatman (NP), David Hallac (NPS-YNP), and Mary Erikson (USFS-GNF). In addition to those at the deliberative table, ~20 staff members from across IBMP organizations and ~25 members of the public were present (attendance sheets are available from the facilitator).

Action Items Identified	2
Agreeing to previous meeting minutes	3
Discussion of Winter 2013 IBMP Operations.....	3
Seroprevalence (and more).....	6
Yellowstone bison population structure	8
Overview of Hebgen Lake/Duck Creek landscape assessment	9
Discussion of potential adaptive management changes.....	10
History of bison and brucellosis management in YELL.....	14
Partner briefings and updates.....	15
Partner Protocols: Review, clarify Partner consensus concept	17
2013 Meeting planning	18
Public comment.....	18
Abbreviations	20
Appendix A.	21

¹ MountainWorks Inc.; scott@eMountainWorks.com

Action Items Identified

Table 1.—Action items identified during this meeting

#	Who	What	By when
1	MZ, DaveH	MDOL to meet with NPS regarding discussion of how many animals to vaccinate at the boundaries to decrease prevalence.	Before next IBMP meeting
2	JT	JT to send reference on Tom Hobbes vaccination/seroprevalence model to Partners (via SB, as needed).	ASAP
3	SB	SB to make the requested word change (see report text) to Management Action 1.1c of the IBMP Adaptive Management Plan and repost to ibmp.info.	ASAP
4	MZ, ME, PF	(a) rewrite the proposed AM change (as part of this charge, Partners asked that the new language be considered for making the proposed MDOL AM request more general for the entire north boundary), (b) send to rest of Partners to review before August IBMP meeting, and (c) present the rewritten AM change to the Partners at the August meeting.	Revision sent before next meeting, presentation at next meeting
5	PF	Redraw zone boundaries to update maps to reflect the zone concepts with new realities after recent adaptive changes and report to Partners at the next IBMP meeting.	To present at next IBMP meeting
6	AJ, SM, Becky Weed	Creation of livestock-related bison brochure, these people volunteered, or were volunteered, to help—Becky Weed, Steve Merritt.	Before next IBMP meeting
7	AJ, TM, ML	Creation of Tribal-related bison brochure, Tom McDonald and Mike Lopez volunteered to help.	Before next IBMP meeting
8	SB	SB to complete AM section of ibmp.info.	Before next IBMP meeting
9	SB	In the final bullet under the “Method of Decision Making” section of the Partner Protocols, change “...will be addressed...” to “...can be addressed...”, then repost to IBMP.info. No signature loop or documentation other than in notes for this meeting required.	ASAP
10	DaveH, YNP, SB, DH	Check availability of the conference rooms in Mammoth and Gardiner and work with SB and DH to determine if a change of fall venue is to be pursued.	ASAP
11	SB (TM, DH)	Scott to request # of people who would attend a summer field trip hosted by the CSKT, then share results with TM and DH to decide if a field trip day will be offered.	ASAP

Agreeing to previous meeting minutes

The facilitator asked if there were any objections or changes to the draft meeting report from the November 2012 IBMP meeting. No objections were made nor modifications requested. Thus the Partners agreed that the meeting report from their November 2012 meeting are considered final and may be posted as such to IBMP.info.

Discussion of Winter 2013 IBMP Operations

BISON HUNT

Summary

Overall, the Partners lauded the Winter 2012/13 hunt as a success. MFWP shared hunt results from the hunt (Figure 1). As tribal entities are not required to report to MFWP, the tribal numbers shown in Figure 1 are considered to be estimates. At this meeting, the NPT reported a successful hunt, with 80 animals harvested. The CSKT reported harvesting 60 animals, though they stopped with their hunt earlier than planned due to hunting success and concerns of impact on bison populations.

NPS agreed that the hunt was a success, but did urge continued work by the Partners regarding setting harvest number and sex quotas.

Challenges

Several issues and challenges were reviewed with respect to the Winter 2012/13 hunt. MFWP stated that the goal is to have an ethical and safe hunt for all, with everyone following the rules of their respective governing body. All recognize that everyone must learn “as we go” given, for example, that this was the first time for an extended hunt, especially on the Beattie Gulch side of the Yellowstone River (Figure 2). As noted by Partners, challenges to this year’s hunt included:

- congestion and competition for hunting space,
 - *Partners described the need for increased habitat for hunting or, short of that, better use of—for example, distribution across—existing habitat.*
 - *In its hunter orientation, the CSKT let hunters know that Beattie Gulch would be crowded.*
 - *The CSKT noted that most congestion issues resulted from animals funneling to and then concentrating in one area. Along with Beattie Gulch, they also reported congestion issues at the east side of the Yellowstone River above Gardner.*
 - *The USFS noted that they could be more involved in making information available about what's open on forest land for hunting, location of carcasses on forest land, and so on.*
- infractions,
 - *Those that committed rules violations were dealt with rapidly according to the appropriate state or tribal laws. Partners noted constant communication between the states and the tribes (along with the USFS)—those groups will meet later in the summer to learn from the issues that arose this year.*
- wounded bison going back into the Park, and
- large gut piles later in the season that had the potential to attract grizzlies,
 - *Roughly ~8000 pounds of material were removed in a process involving substantial collaboration.*
- issues, as reported by the NPT and CSKT, of members of other tribes illegally hunting under NPT or CSKT treaty rights.
 - *These violations were handled promptly by the respective tribal law enforcement entities.*

Montana- State Licensed Bison Harvest (Winter 2012-2013)				
Hunting District	Bulls Taken	Cows Taken	Unknown Sex	Total Bison Taken in District
385-GARDINER	6	10		16
395-WEST YELLOWSTONE	10	11		21
Total	16	21		37

Montana- Tribal Treaty Bison Harvest (Winter 2012-2013)				
Hunting District	Bulls Taken	Cows Taken	Unknown Sex	Total Bison Taken in District
385-GARDINER	39	17	31	87
395-WEST YELLOWSTONE	21	32	1	54
Total	60	49	32	141

Montana- Combined State Licensed and Tribal Treaty Bison Harvest (Winter 2012-2013)				
Hunting District	Bulls Taken	Cows Taken	Unknown Sex	Total Bison Taken in District
385-GARDINER	45	27	31	57
395-WEST YELLOWSTONE	31	43	1	75
Combined State and Treaty Harvest	76	70	32	178

UPDATED BY FWP 2/25/2013

Figure 1.—Results of Winter 2012/13 hunt as compiled by MFWP.



Figure 2.—Google Earth view of key locations in North Side operations discussions.

HELICOPTER-HAZING LAWSUIT

A decision was made in favor of the defendants, that helicopter hazing is not a taking of grizzlies under the Endangered Species Act (see Appendix A/Table A1).

WINTER OPERATIONS

Partners discussed progress to date on winter operations, as reflected in this section. One big picture concept emerged in the discussion: that North Side operations tend to be driven by separation of bison and cattle, while West Side operations tend to be driven by green-up, spring grazing, and timing of cattle returning to pasture.

North Side

NPS reported that the largest number they recorded outside the park was 680 in the Gardiner Basin (Figure 2), with 220-225 animals north of Reese Creek. NPS expressed belief that hunting kept the numbers outside the Park lower than they might have been.

Some property damage was reported (fencing on the Hoppe property). MDOL reported moving bison off Hoppe land, with most incursion was coming from the river side. They postulated that hunting pressure, not hay as an attractant, pushes bison from Beattie Gulch across the river into Hoppe's cows.

West Side

MFWP stated that no property damage has been reported to them on the West Side (Figure 3) to date. They did receive one call, but no help was requested.

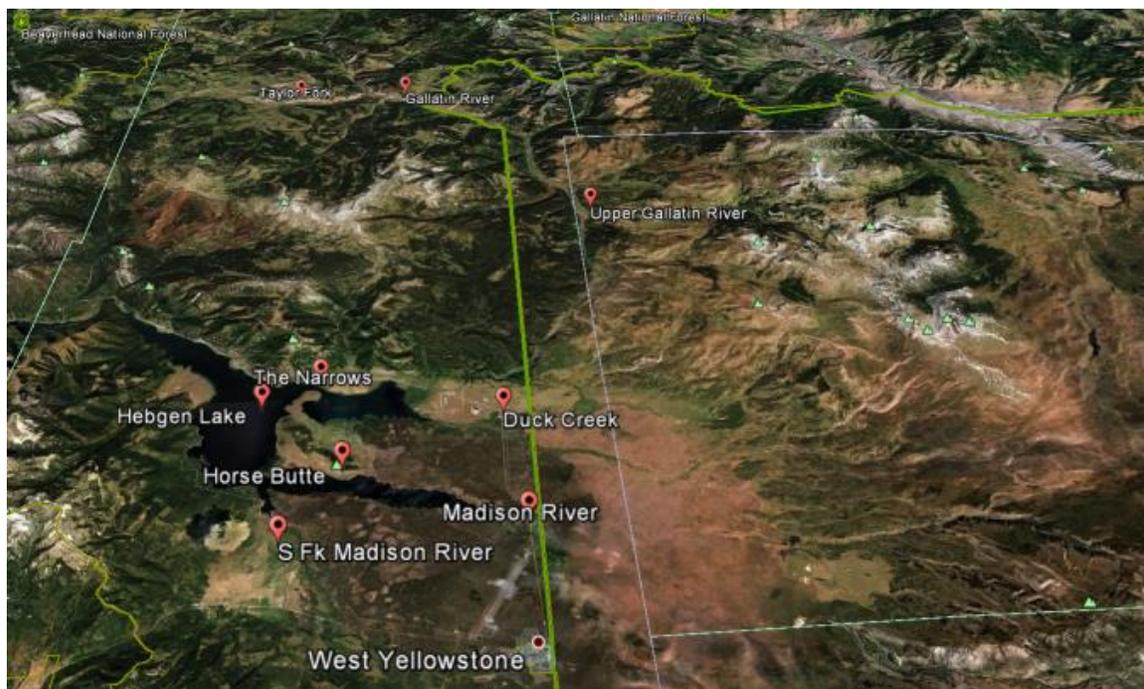


Figure 3.—Google Earth view of key locations in West Side operations discussions.

MDOL reported that 199 bison have been seen on Horse Butte, and that several excursions into Zone 3 have already occurred. MDOL stated belief that once bison counts on Horse Butte go above ~250 animals, bison start heading to the south side of the Madison River, and then from there to and across the South Fork of the Madison River and into Zone 3 (onto both private and USFS lands). While the Povah ranch is largely

fenced, two incursions have occurred: the first because a gate was left open, the second by a bison going through a fence. MDOL agreed that the Povah property was now largely fenced protected against bison access, though some areas remain where Partners could consider more fencing.

The hunt may have pushed animals onto the Steinmetz property, although it was noted that this is a natural migration route. Fencing was mentioned as a possible option; a counter argument was made that landowners want elk on their property. Perhaps, it was suggested, the Partners should consider a drop fence in this area.

Two open ended questions from Partners were put forward—aren't landowners responsible to have their own fences to protect their property? Why are elk OK but not bison?

As in past years, Zone 3 incursions are considered a problem as cattle expected to be coming in to the area approximately June 1. A question was raised about why Zone 3 is considered so absolute, particularly for publically owned USFS lands—is there a potential for harm or legal issues? GNF noted that they have the ability to modify turn on dates for public grazing allotments. MDOL responded that (a) ranchers must have cattle on grass for a certain span of time for their bottom line to pencil out (i.e., waiting until later may be too big a business liability to overcome), (b) that while fencing is good and important, it is not always effective, and (c) that Zone 3 lands are also close to Idaho and that the Idaho State Veterinarian has stated great concern about not wanting bison coming into Idaho.

Partners discussed that the bison follow green-up in the spring. There was some debate regarding whether green-up first occurs on private land, and hence the draw of bison into Zone 3, including first to Horse Butte and then to the South Fork of the Madison.

Counter arguments were made that bison don't want use the same spot only but instead will use the full system available to them. While they may go to Horse Butte first, they can and will go everywhere and not just because there are 250+ on Horse Butte.

Partners discussed that habitat, if managed properly, can be used as a tool to modify bison movement, behavior, and distribution whether on the West or North Sides (or otherwise). Similarly, a thought was put forward that if we continue to move bison, they will learn which areas are "OK" for them to be, where they won't be bothered. Two such West Side areas, it was suggested, include USFS land and private land on Horse Butte, and the delta area where the Madison River enters Hebgen Lake. These might be target areas toward which Partners should haze bison. Opportunities might, likewise, be available on the North Side.

Seroprevalence (and more)

GAO LETTER REGARDING IBMP PERFORMANCE EFFORTS TOWARD 2008 GAO REPORT

As Lead Partner, Don Herriott described receiving a letter from the Government Accounting Office (GAO) asking for an update on IBMP progress towards completing GAO recommendations in their 2008 report. Don responded with a list of IBMP accomplishments since the 2008 report that directly respond to the GAO recommendations, as follows:

- (1) Increased transparency (e.g., info portal ibmp.info)
- (2) Operating under an adaptive management plan
- (3) Added Tribal entities to the deliberative table
- (4) RTR lease/fencing on the north side to increase tolerance (public/private partnership)
- (5) Greatly increased numbers of bison on Horse Butte
- (6) Ongoing injection of science into the debate (e.g., regular presentations at IBMP meetings)
- (7) Progress made on determining validity of remote vaccination
- (8) Creation of a Designated Surveillance Zone (DSA; meaning all of Montana no longer quarantined if a cow in the GYA is infected with brucellosis)
- (9) Citizens Working Group formed, with most of their recommendations adapted by the Partners
- (10) Three on-the-ground meetings with landowners
- (11) Successful bison hunts carried out by Montana and Tribal hunters since 2005 and 2007, respectively

- (12) Increased tolerance AM changes made on the North Side of YELL
- (13) Developed bison quarantine protocol
- (14) Transfer of quarantined bison to the Fort Peck Reservation
- (15) EA for bison tolerance near NW corner YELL currently in progress
- (16) Creation of Partner Protocols to guide their interactions
- (17) Winter Operations Plan updated per AM changes
- (18) No brucellosis transfer from bison to cattle

REVIEW OF THE 2000 ROD—WAS SEROPREVALENCE REDUCTION EXPLICITLY CALLED OUT AS A GOAL?

In response to an action item from the previous IBMP meeting (November 2012), PJ reviewed the 2000 Record of Decision to determine if seroprevalence reduction had been explicitly called out as goal. PJ provided the Partners a memo in response to that question on November 29, 2012. He found that no specific seroprevalence reduction goals were called out in the ROD, but that a call to decrease seroprevalence over the life of the plan had been noted in several responses to comments. PJ's memo to the Partners can be found on the IBMP website, at the page set aside for this meeting (<http://ibmp.info/Library/20130509/20130509.php>).

REPORT ON NPS BRUCELLOSIS SCIENCE WORKSHOP

Dave Hallac reported on a brucellosis workshop held February 26-28, 2013, co-sponsored by NPS and MFWP. Dave noted that the draft report from the workshop is in progress and, once complete, will be released to Partners for review. Dave's full presentation on the workshop can be found <http://ibmp.info/Library/20130509/20130509.php> and will not be repeated here. The text below captures key Partner comments and discussion following Dave's presentation.

- In their deliberations, the review panel considered existing areas of tolerance only, not areas of possible expansion. As such, their conclusions cannot be applied to the areas of new tolerance under conclusion (i.e., the conclusions may or may not apply, but the panel did not consider that possibility). One Partner suggested that the panel findings were "not applicable" to the current IBMP situation, while another countered that the concept of "not readily extrapolated" would be a better summary statement than "not applicable".
- Partners stated respect for the assembled panel's expertise. One Partner suggested that the only possible "missing" was someone with expertise and experience in interventions on populations with a goal of disease suppression (e.g., getting rid of tuberculosis in Minnesota).
- The panel was not in favor of remote vaccination. As such, the panel included no discussion on the importance of timing between vaccinations and hunting to protect hunters from vaccine exposure.
- Vaccination were downplayed by the panel following presentation by Paul Cross (USGS) of data showing that elk being 15% seropositive for *brucella* live within 100 miles. Thus the panel felt that it would be hard to have an effective bison-only vaccination program for eradicating brucellosis.
- MZ stated disagreement with the panel conclusion that decreasing seroprevalence would not change management activities. Instead, MZ stated belief that decrease in seroprevalence *would* change management, saying that if seroprevalence was decreased to the level of surrounding elk then we can change management activities toward bison.
- Given that the CWG was part of the workshop, a request was made to the public for any comments; 1 speaker commented, as follows: Dr. Steve Olsen, at the last IBMP meeting, noted that there has been no success to date in 80 years of working on a brucellosis vaccine. Even if we could create one, it would be seven years until it would come to market. It is not good enough to reduce seroprevalence, we must eliminate it. If bison stayed within the confines of YELL, having seropositive animals could be OK, but that is not the case.
- One major conclusion of the panel was to support the work and efforts underway by the IBMP.

DISCUSSION OF OPTIONS FOR RB-51 VACCINATION

MDOL stated that they continue to consider vaccination as a tool of importance. Vaccination is highly effective in cattle. Not enough experience exists—less than 300 bison have been vaccinated—to say that vaccination is ineffective in bison.

MDOL committed to increasing vaccination efforts on the West Side this year, but was not able to follow through on that commitment. The advantage of the West Side is that trapping occurs later in the year (~early April) than the North Side (usually Jan/Feb, although with significantly lower numbers than the West Side). Additionally, the hunt is in full swing when most bison are being trapped so the question becomes: Given safety concerns associated with people ingesting bison with still virulent vaccine, can bison hunting at the Park boundary be carried out at the same time as vaccination efforts are underway just inside the Park? One response: could animals vaccinated at the Stephens Creek facility be held for 21 days before releasing to where they might roam out of the Park and be hunted? MO noted that the issue of decreased numbers of bison available for the hunt—resulting from vaccination (or otherwise)—is a big concern to tribes. ML noted that the ROD is a 15-year document and that as Partners work toward the end of the 15-year period it is key that we understand impact on the treaty hunt as the ROD sunsets.

NPS stated respect for the great importance to MDOL of vaccination and decreasing seroprevalence. But the question, DaveH asked, is what are we trying to achieve? What are the objectives of a vaccination program? MZ noted that in the ROD the Partners committed to decreasing seroprevalence as an intent. As he had stated earlier, MZ noted that decreasing seroprevalence of brucellosis in bison to the same level of surrounding elk (~15%) would be a great goal.

A discussion ensued about the power of modeling to reveal seroprevalence reduction based on the number of bison vaccinated. JT stated that the goal of the model used at the time of the EIS was to look at different alternatives; it was not designed as a predictive tool. A more recent model by Tom Hobbs of Colorado State University *is* predictive. DaveH added that models show that after 30 years of vaccination seroprevalence in bison is reduced to 30%, making the goal of reaching the elk seroprevalence value of 15% highly unlikely (and the reduction to 30% at a cost of at \$0.5 M per year every year over the 30 years).

MZ noted that along with modeling, thought needs to be given to the practical and logistical issues of means of bison capture, vaccination, and release so as to be unavailable to hunters.

Two action items resulted from the discussion:

- ****Action item 1**—MDOL to meet with NPS regarding discussion of how many animals to vaccinate at the boundaries to decrease prevalence (MZ, DH).
- ****Action item 2**—JT to send reference on Tom Hobbes vaccination/seroprevalence model to Partners.

Yellowstone bison population structure

Dr. Peter Gogan of the USGS Northern Rocky Mountain Science Center provided a presentation on the population structure of YELL bison (Figure 4). The presentation can be reviewed at <http://ibmp.info/Library/20130509/20130509.php> and will not be repeated here. A few key points from Dr. Gogan's presentation and the discussion that followed are provided below:

- There is no question as to the existence of a population substructure, it exists. Rather the question is the extent of interchange between the Northern and Central herds.
- The two herds have distinctive herd characteristics, including aberrant molar teeth in the Central herd and differing pregnancy rates between the subpopulations.
- Genetic studies of YELL bison indicate that multiple breeding populations exist, but that they are not completely isolated.
- In response to a question about whether he thought the data showed that the bison substructure should be preserved, Dr. Gogan said that was a management question to which he would not respond. He said that his job as a scientist was to provide good science but not to direct policy; that was up to others.



Figure 4.—Peter Gogan of the USGS-Northern Rockies Research Station addresses the IBMP Partners, staff, and general public about the population structure of Yellowstone bison.

Overview of Hebgen Lake/Duck Creek landscape assessment

Cavan Fitzsimmons described an upcoming USFS landscape assessment of GNF lands (Figure 5). That assessment is the precursor to future GNF projects that could impact IBMP goals, including potential habitat restoration and/or improvement, understory manipulation for fire management, and others. CF said the GNF expects the first efforts to be north of Hebgen Lake, and that later they could address issues on the North Side of YELL.

CF noted that the GNF has a big interest in grasslands since they are limiting factors for wildlife. The Forest recognizes the need for (a) a healthy grass understory to get growth, (b) an improved understanding of fire ecology since fire has big impacts on grasslands, and (c) separately, a budget to carry out the needed assessment and manipulation work.

ME added that GNF lands are public lands and we have a responsibility to manage habitat. Thus, GNF wants to get this planning effort in front of the IBMP given potential impact to bison. We are not yet at the stage of a proposal, she noted. Instead we are first focusing on a strong planning effort that has just started. We believe that public participation and acceptance for this process is of great importance to the success of the work.

CF closed with an invitation to the IBMP Partners to provide input on potential projects to GNF: The process is still being developed, and we are ground truthing potential actions we might undertake. We expect to scope the proposal for this fall (2013) with a decision on the proposal by winter 2015. We want your input!

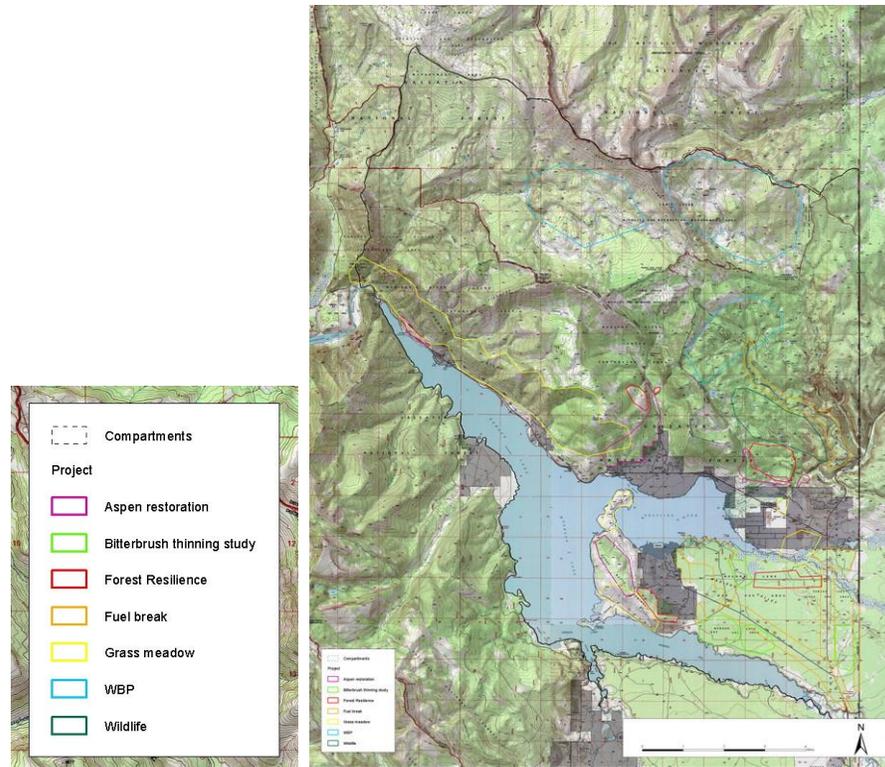


Figure 5.—Areas of USFS landscape assessment and potential habitat improvement projects.

Discussion of potential adaptive management changes

Lead Partner Don Herriott introduced this discussion of potential adaptive management changes to the IBMP as part of the normal IBMP calendar, as called out under the Partner Protocols.

PROPOSED REWORDING OF MANAGEMENT ACTION 1.1C

This item is a carryover from the last IBMP meeting. RW/NPS note that each item called out under Adaptive Management Plans Management Action 1.1c. has been completed, with project reports accepted and with journal publication. The recommendation is to reword the action to be more general about research work so that there would be a place to report newly activated research projects. RW suggested that the specific rewording be to change “Use research findings on ... to inform AM” to instead say, “Use research findings to inform AM.” Alternative is to drop the management action altogether since the work as stated is complete.

Partners agreed and took this as a simple housekeeping issue. All unanimously agreed to the suggested wording change and that this issue was so minor as to not require a sign off loop. They assigned the facilitator the following action item: ****Action item 3—SB** to make the requested word change to Management Action 1.1c of the IBMP Adaptive Management Plan and repost to ibmp.info.

PROPOSED DATE CHANGE ON THE NORTH SIDE BOUNDARY

MZ provided a handout describing a proposed North Side change. In summary, the recommended adjustment was to: *Reduce the opportunity for bison to reach the non-tolerance area of Dome Mountain Ranch and Paradise Valley by keeping bison south of Slip & Slide Creek.* The full hand out describing the requested AM change can be found at <http://ibmp.info/Library/20130509/20130509.php> and will not be repeated here.

The proposed change led to a substantial discussion. Highlights of that discussion, captured under key topics, follows:

- **Is the boundary of the new North Side tolerance zone, i.e., the hydrologic divide, a sufficient barrier to bison movement north of that boundary?** MDOL stated that in creating the new tolerance zone, Partners envisioned the hydrologic divide as a strong barrier to bison movement. This thought did not prove true this year as one bull went over the hydrologic divide and 42 cows went up Joe Brown Gulch and almost over the divide.
- **What happened to those 42 bison this year?** MDOL—We took the 42 to Cutler Meadows then toward the Park. The next day they went back into the Park. We can't leave them around the new cattle guard vicinity due to highway safety concerns. If we don't push them toward the Park, they could just go right back.
- **What is the reason for the proposed AM change, and is the AM change needed?** The AM Plan currently has no action point to deal with bison poised to cross into Zone 3 (i.e., cross the hydrologic divide). MDOL believes the Partners need such an actionable metric for two reasons: (1) it is time consuming to get up to the Divide to move bison nearing the divide (the only way up there is via a 2 hour ride on horseback); and (2) even though the bison may be in a tolerance area, you can't see them from the highway given the steep topography, so you can't know if they are about to go into Zone 3 until you later find them there on the other side of the divide. Additionally, the Partners did not have any experience for this North Side change in the way we did for expanded West Side tolerance before increasing that tolerance—so for the North Side change the Partners went into blind.
- **Would this be a unique management action?** Because of the difficulties just noted, MDOL requests an action option if bison make it to the bottom of Joe Brown Gulch. Such an action option will better help the Partners successfully implement the 2011 North Side AM change for expanded North Side tolerance. MFWP noted that the request was similar to management on the West Side, that if is a preventative measure that does not change the Zone 3 line, and that it allows for minimal management action instead of the required much bigger action should the bison get beyond the hydrologic divide. MDOL noted that this action would be similar to trigger points at Red Canyon and the South Fork of the Madison on the West Side, and during the hunt. All of these locations, like the requested North Side change, involve bison in Zone 2.
- **But don't the Partners have this flexibility already?** General consensus, including MDOL, was that the Partners do have the flexibility, though MDOL stated a desire to declare the management action directly in the AM plan. RW noted that NPS has similar flexibility without a trigger point, we predict and go. This same approach already exists as a possibility here.
- **How does this proposed change impact the MEPA process the state completed to allow increased tolerance?** Several Partners asked, Wouldn't this proposed change have us effectively moving the tolerance line that was agreed to under the recent state MEPA process? The proposed AM change would be hard for the general public to understand—i.e., Why is MDOL hazing? Isn't this the same as decreasing tolerance that we just added? MDOL—Let's not forget that "How this appears to the public" includes ranchers. The state agencies need to show they are responsive and responsible to the auspices of MEPA and twin IBMP goals making best use of the data available.
- **What else could be done?** (1) We are able to get some info from telemetry. (2) We could keep track of yearly snow—when levels are high they would not be able to make it over the hydrologic divide and we would not need to stop them south of Slip and Slide Creek (counter thought—But what snow level would we use?). (3) We could add a drift fence on the divide (feedback that there is not a single pass where they cross the hydrologic divide at but rather they are able to access the entire divide—this is an area too big to install and maintain a fence). (4) A key is that there is a time element to consider—we are only worried about this issue when snow is melted and it is haze back period.
- **Would the AM proposal be more acceptable to Partners if worded differently?** ME said that the exact words we use for this proposed AM change mean something. Saying "...by keeping bison south of Slip and Slide..." is too absolute since there are time when bison north of that line are OK. I would

support the proposed change if the language was clearer and not so absolute. Perhaps say, “keep away from the hydrologic divide” ... “by using Slip and Slide Creek as an action point for possible management response”?

- **Could we use the Ops Plan as a means to accomplish this goal instead?** TR—For example, could we add something like this to the Ops Plan: “If bison are in the Joe Brown area, consider snow pack and whether it is light enough that bison would be able to cross the hydrologic divide? If yes, then take action.” MZ—Yes, Ops Plan could be a good and appropriate place for the proposed management, but two points: (1) we have similar trigger points on the West Side, (2) if the only AM changes we make are to *increase* tolerance, then the AM process is not useable for MDOL.

As the discussion wound down, the Partners recognized that they were not greatly apart on the proposed management action and that they had three options: integrating the AM change into (1) the Ops Plan, (2) the AM plan, though with some rewording, or (3) making no change, given that MDOL already has this authority. Partners settled on option (2), rendering ****Action item 4:** MDOL, MFWP, GNF to (a) rewrite the proposed AM change (as part of this change, Partners asked that the new language be considered for making the proposed MDOL AM request more general for the entire north boundary), (b) send to rest of Partners to review before August IBMP meeting, and (c) present the rewritten AM change to the Partners at the August meeting.

PROPOSED CHANGE OF THE TARGET HAZE-BACK DATE FOR BISON FROM THE HEBGEN BASIN INTO YNP

DaveH provided a handout describing a proposed change to the haze-back date for bison from the Hebgen Basin into YELL. The recommended adjustment was to: *Change the target haze-back date for bison from the Hebgen basin into Yellowstone National Park (YNP) from May 15 to June 1 to reduce repetitive hazing (with the associated funding, logistical, staffing, and wildlife disturbance costs), and focus hazing in April and May on keeping bison off areas that will be occupied by cattle in summer.* The full hand out describing the requested AM change can be found at <http://ibmp.info/Library/20130509/20130509.php> and will not be repeated here.

The proposed change led to a substantial discussion. Highlights of that discussion, captured under key topics, follows:

- **What is the logic for this change?** Partners should concentrate on private properties at risk (e.g., along the South Fork of the Madison). The change of haze back into the Park until June 1 will (1) assure improved habitat suitability in the Park; (2) to get more effective haze back for personnel available; and (3) it will be easier on the animals (we expect that over time less animals would be hazed). NPS stated that its proposal was to try the change for a year and learn from it. The risk of transmission could be reduced with new AM techniques, including putting pressure on bison to stay off private land. We might see bison go back into the Park since Hayden Valley to the east tend to green up quicker. The soonest possible to implement this AM proposed change would be next season.
- **Why change the dates?** This is tough for us at MDOL. We would oppose any statement of an absolute date. It just doesn't work given uncertain spring time conditions. We have proven not to be able to keep bison off private land. We have had wide swings in haze back dates already away from the May 15 target—for example two years ago we had so much snow on the ground we didn't even have our first call until May 29th. Partners stated appreciation for the fact that the date has proven to be flexible. NPS noted that Partners could look back at annual reports to find information about annual distribution, etc, and would find that the May 15th goal has been met most years.
- **Improving hazing efficiency of personnel on the ground.** Partners agreed with the goal of decreasing staffing needs and increasing efficiency of those on the ground. Yet some questioned that outcome, asking: How would it change from now per AM change requested? We are pushing them off now. Wouldn't a change in the target date mean a couple more weeks pushing them off private lands (and then they go back to be pushed off again) before the June 1 push into YNP? One response—Yes the result would be another two weeks of hazing. Some bison would become unhazeable. Also, we may not have the resources late in the year.

- **What are the core MDOL concerns?** One Partner asked: Is your concern one of these two issues: (a) Pushing the date back would not actually decrease the resources needed; or (b) Changing the target date would impact specific properties with cattle on them? The response: Both! It has taken 2-3 weeks of extensive work pretty much every year for the last seven years. Private properties of concern include Deep Well, Bar N, Stennett. For these private properties, recall that bison management is MDOL's responsibility alone. Additionally, there is a big concern about having bison/cattle separation when bison calves might be on site. Stated concisely, MDOL can see five main problems with the proposal: (1) we would extend daily hazing activities; we have not been successful at keeping bison out of Zone 3 or off private property—in fact there could be a counter argument to changing haze target back until earlier; (2) ultimately we are not using research as we have committed—i.e., brucella lasts 20+ days in the spring; (3) we don't have the staffing to carry out the proposed change; (4) this is an issue of personnel safety; and (5) we have the flexibility now and have already, in past years, exercised it.
- **Could the turn on dates for cattle in the Hebgen Basin be modified to later?** Some Partners suggested that given the relatively small number of ranchers involved, it might be possible to get a more uniform and later turn out date. MDOL countered that if grass is short and hay costly ranchers want to turn their cattle out early to keep their operation financially viable; i.e., a certain amount of time on grass is required for the business to pencil out. A later target date for bison haze back runs counter to that reality. One suggestion: Possibly we could do a hybrid model—let them stay on Horse Butte two more weeks but take them back into YELL from private lands May 15.
- **What about the state MEPA process?** Partners wondered if the state MEPA process for West Side tolerance increases would be circumvented by the proposed IBMP AM change or, similarly, if NPS should delay this proposal since some of it is already addressed by the State MEPA process.
- **Do we have the flexibility to try this AM change under the Ops Plan?** Possibly, if we combined this new timing with fencing (South Fork of the Madison and the Narrows), but otherwise no. If we have bison on Horse Butte, we will have them along the South Fork of the Madison.

Partners discussed whether the proposal could be reworded to be more acceptable to all Partners? A general consensus was that they were not close enough to an agreement—e.g., GNF noted that it was not in favor of adding a fence on USFS land to protect the South Fork of the Madison River, if that's what it took to make the requested AM change happen—to make an effort at rewording the proposal worthwhile. As such, DaveH stated that based on the discussion, NPS will withdraw the AM request from Partner consideration at this time.

PROPOSED ZONE CONCEPT ADAPTIVE CHANGE

At the last IBMP meeting, PF volunteered to draft an alternative AM proposal for increasing Zone 2 to include new North Side tolerance area as a counter to the AM change proposed by NPS at the Nov2012 meeting. The proposed NPS change was to—*Remove management zone labels (i.e., Zones 1, 2, and 3) from the adaptive management plan and annual report for the IBMP, and replace this terminology with geographical boundaries where necessary.*

At this meeting, PF noted that he could come up with no better proposal and, in addition, the more he thought about it the more he decided that he likes the zone concept and feels it is relevant for the Partners to retain. Yes the lines have moved but there is still a difference in management between areas. MDOL concurred with this thought. Several points of pertinent discussion followed:

- One Partner noted support for a future AM change to declare areas that have been designated in the recent past as areas of increased tolerance as Zone 2. Still some there was some discussion about exactly what each zone (1,2,3) means, given that some lands deemed Zone 2 are actually public lands that could be available to bison per normal public lands wildlife policy.
- A counter to this point was made: For example, Dome Mountain is for wildlife but also it is in direct proximity to private land; thus it becomes a problem to the goals of the IBMP. Partners have agreed that there is a line to manage risk to nearby private lands while recognizing wildlife have no

boundaries. Tolerating bison in Zone 2 requires a confidence level that they will not go over to Zone 3; thus risk and threshold are important!

- Some current Zone 3 lands, however, have far less concern of bison getting onto private lands than the Dome Mountain example. It is in those areas in particular where not all the public agrees with the zone concept.

At the conclusion of the discussion, PF accepted ****Action item 5**—Redraw zone boundaries to update maps to reflect the zone concepts with new realities after recent adaptive changes and report to Partners at the next IBMP meeting.

History of bison and brucellosis management in YELL

Dr. Jack Rhyan of APHIS provided a presentation on the history of bison and brucellosis management in YELL. The presentation can be reviewed at <http://ibmp.info/Library/20130509/20130509.php> and will not be repeated here. A few key points from Dr. Rhyan’s presentation follow:

- After the great demise of the bison herds (Figure 6), five remnant herds served as the foundation for rebuilding the current population.
- Bison were introduced to YELL from these foundational herds. In 1901, \$15,000 was appropriated to establish new herd of buffalo in YNP. In 1902, 18 cows from remnant of Pablo-Allard herd and 3 bulls from Goodnight herd were purchased, received, and housed in an enclosure near Mammoth.
- The YELL bison herd was originally intended to be domestic. Witness: “It is our intention to feed and handle the new herd of buffalo in the same manner that domestic cattle are handled...and before turning them loose to brand them U.S. in such a way that they can always be identified as United States property.”—Acting Superintendent Maj. Pitcher, Oct 14, 1902
- In the early 1900s the YELL herd was actively managed (e.g., fed, herded, pastured at night, slaughtered, some bulls castrated, sold or donated, held in pens for tourists)
- In the 1930s NPS shifted management philosophy and policies, including: requiring scientific study before developing management programs; discouraging the animals’ dependence on man (e.g., using artificial feeding, predator control, and other protective measures only when needed); maintaining population of ungulates not to exceed carrying capacity of range; natural presentation of wildlife to public.
- In the 1940’s supplemental feeding was done only as needed. During the severe winter of ’43/44, buffalo migrated down Paradise Valley close to Livingston.
- In the 1950s and 60s—vaccination of the “wild herd” was discontinued, though population reductions by slaughter and live shipments took place. 1967 – Adopted Natural Regulation policy
- 1970s to present—In the 1980’s buffalo began somewhat regular winter migrations out of YNP; 1988/89 and 96/97 were largest out migrations. 1985 – 1991 MT had bison hunts.
- In 2005/06 – ~1000 animals captured and sent to slaughter or quarantine; Montana reinstated hunts
- Brucellosis
 - 1917—first report of brucellosis in YNP bison; 1932—first report of brucellosis in elk in YNP. Source of *B. abortus*?
 - 1941—USFWS recommended only seronegative buffalo be used in filling requests for live shipments & these be vaccinated.
 - 1944—AVMA report that NPS was permitting shipment of brucellosis-infected buffalo to areas free of the disease. Live shipments were temporarily suspended. Portions of Lamar herd vaccinated with strain 19 in 1941, and 1946 – 48.
 - In 1948 report of vaccine field trial, Dr. Coburn (USFWS) reported reduced seroprevalence in vaccinated animals. Recommended continuation of vaccination of calves and yearlings. Also recommended only shipping immature seronegative animals for live release.

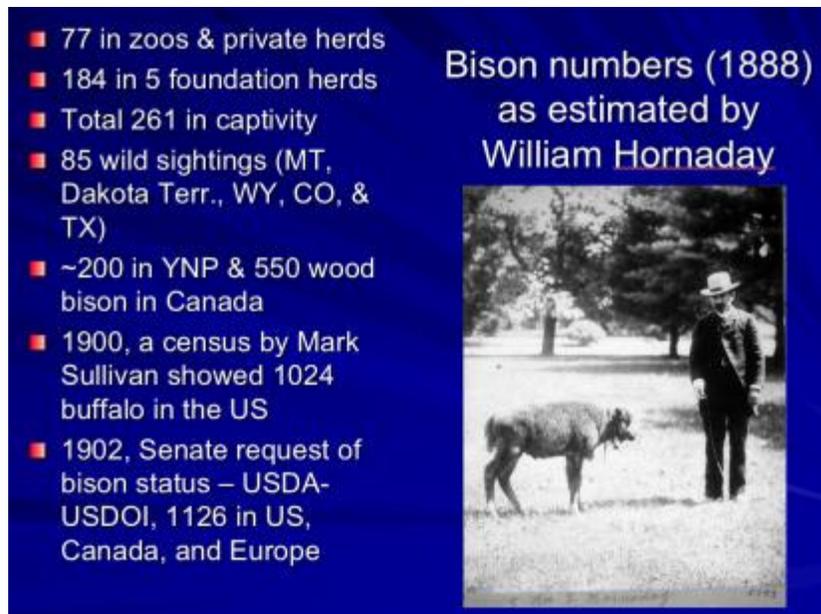


Figure 6.—A slide from Jack Rhyhan’s presentation showing the precipitous decline in bison populations in the late 1800s per an estimate by William Hornaday.

Partner briefings and updates

Pat, Christian—Lawsuit regarding expanded bison tolerance on North Side/Gardiner Basin

Combined Park County lawsuit decided Jan 7, 2013. The suit was dismissed. All findings were in favor of the state (MFWP, MDOL). It is being appealed to the MT Supreme Court. See Appendix A/Table A1.

Hannah—Bison/brucellosis related bills in Montana State legislature

Hannah Scott, legislative intern for the CSKT, presented a review of 11 bills introduced in the recent Montana legislature (see Appendix A/Table A2). Only one of these bills became law (HB 328: “AN ACT ALLOWING NOTIFICATION OF SPECIAL WILD BUFFALO HUNTING LICENSE RECIPIENTS AS TO WHERE WILD BUFFALO OR BISON ARE LOCATED”). MFWP stated the bill is not intended for a warden to take the hunters by the hand and lead them to the bison. The intent of the bill is not unethical; instead the intent is to treat Montana hunters like tribal hunters.

Separately, PF stated that bison are a hugely contentious issue across the boards; that we need some opportunity for dialogue so as not to have the livestock industry bring these bills up every legislative session, and that his belief is that we spend too much energy on all sides on these bills and that it is not time well spent by anyone. CM stated his agreement to these points and noted that MDOL did not support any of these bills; that it was a very polarizing situation; and that it was great to see tribal entities represented at the hearings on these bills.

Christian, Marty—Status of USDA review of Montana brucellosis efforts

A review and audit of Montana’s wildlife brucellosis mitigation program (e.g., wildlife and livestock surveillance, enforcement) was conducted by APHIS September 2012. MDOL was pleased with the outcome of the Montana review, which said that the state is being proactive and responsive in its efforts to identify occurrences of the disease and prevent its spread in livestock and wildlife within and from the Designated Surveillance Area. MZ reported that the good results came in part due to partnership with the brand enforcement (theft) folks. Along with multiple positives, the report also made some recommendations for Montana’s program, including increasing the number of herds using herd management plans, increasing surveillance on slaughter cattle from the DSA, continuing wildlife surveillance activities, and continuing/expanding producer outreach and education. The full report is available via the MDOL website.

Pat—status of relocation of quarantined bison from YNP to Turner

The lawsuit ended with summary judgment in favor of the defendants. The contention was that the state had violated managing the public trust (and more) by moving bison to the Turner Ranch. Judge found in favor of the state. The case may be appealed. See Appendix A/Table A1.

Arnie Dood—State Bison Management Plan

One year ago the state went through scoping meetings. The meetings were well attended and vocal, and resulted in ~23,000 comments. The summary notes from these meetings were made available to attendees and online. We brought the summary issues from these meetings forward. We intended to do public work groups starting in September (2012) but the election, the change of MFWP Director, and other issues circumvented that goal. We are still hoping for work groups to happen. Arnie reported that he and co-worker Stephanie Adams are continuing to collect information but waiting for a go ahead from the MFWP Director. A citizen provided comment to AD—for sharing, consider that stockmen, cattlemen, and farm bureau meetings all occur in June.

Andrea—Update on developing and implementing a factual education program about bison

Andrea reported that 4000 copies of two bison education brochures (Bison Basics and Staying Safe in Bison Country) have been printed and are ready for distribution by Partners and public or private groups for appropriate use. She handed out samples of the brochures, plus showed the webpage—<http://ibmp.info/bisoneducation.php>—that has been created to provide access to those wishing to get brochures for distribution, as well as in the future instructional videos on bison.

AJ stated that her next goal is to complete landowner and Tribal brochures, but that she needs people from those two groups to help in creation of the brochures (e.g., development of key talking points).

****Action item 6:** Creation of livestock-related bison brochure, these people volunteered (or were volunteered) to help—Steve Merritt, Becky Weed. ****Action item 7:** Creation of Tribal-related bison brochure, Tom McDonald and Mike Lopez volunteered to help.

Ryan—update on Gonacon trials

At the November 2012 IBMP meeting, Ryan reported that bulls had been put in with cows in early August and taken out in early October. Spring calving results, as shown below, are now available. Ryan summarized preliminary results from the study as showing that there is some apparent impact of Gonacon on the ability of bison to become pregnant.

Sero status	No treatment	Treated with Gonacon
Positive	11 of 14 pregnant	3 of 15 pregnant
Negative	5 of 5 pregnant	3 of 5 pregnant

Scott for Partners—Recognition that on Mar 23 the MT/WY Tribal Leaders Council passed a resolution regarding the protection of wild buffalo in and around YNP and Montana

Some Partners stated that the resolution passed by the MT/WY Tribal Leaders Council included some false information. RT noted that the CSKT attempted to provide information about what was happening at the IBMP into the MT/WY tribal council discussions. EC said that ITBC will, likewise, attempt to do so in the future.

Scott—updates on IBMP.info

Scott let the Partners know that the Library at IBMP.info had been revamped for easier searching, including re-labeling of some subheadings, plus renaming and reordering of files to show chronological order. The work on collecting and posting IBMP adaptive management history is nearing completion (****Action item 8**—SB to complete AM section of ibmp.info).

Partner Protocols: Review, clarify Partner consensus concept

At the close of the previous (Nov 2012) IBMP meeting, there was slight confusion about the meaning of “consensus” in the newly adapted Partner Protocols describing Partner interactions. These protocols can be found at <http://ibmp.info/library.php>. The area of concern from the Protocols is shown below:

From the Partner Protocols:

Method of decision making

Many decisions needed to implement the IBMP are connected directly to agency authorities and are the sole responsibility of individual agencies. However, broader strategies are developed by the collective group of agencies to accomplish the two IBMP goals. In cases where multiple agencies are responsible for making specific decisions, the following procedures describe the process.

- The Lead Partner is responsible for facilitating discussions and determining via vote if there is consensus regarding recommendations under consideration by the Partners.
- Each of the nine Partner organizations has one vote in multi-agency decisions. The Partners seek consensus (100%) for all decisions that they make as a group. For face-to-face meetings, votes are done with simple thumbs up or down, or in response to the question, “Are there any objections to the proposal on the table?” No objections equals consensus; i.e., consensus can be achieved if a Partner chooses to abstain from a vote. If a Partner is not represented, then it is assumed that they have no objection and hence consensus can still be achieved.
- Partner(s) having a minority opinion have an obligation to offer an alternative solution to seek further consensus.
- If full consensus is not possible then differences will be addressed by the dissenter(s) proposing an adaptive management change for the coming adaptive management cycle (described under the Adaptive Management and Annual Calendar sections of these protocols).

The confusion is reflected in the summary report from that meeting, as shown below, which includes an incorrect statement by the facilitator in **bold**:

From the November 2012 IBMP meeting summary report:

Another point of discussion centered on the role of consensus. To address these concerns, several key changes—proposed by PF and agreed upon by all Partners—were made in the draft that was currently under consideration. These changes included:

- (1) Making the CSKT, ITBC, and NPT full decision makers (i.e., are “full Partners”) in all IBMP decisions, including those called out to the other five agencies only through the 2000 ROD. To be clear, as stated in the Protocols, this change does not impact those instances where individual agencies are ROD- or court-mandated as the sole decision maker, but rather only those decisions deemed as “IBMP decisions”.
- (2) **Keeping the Partners as a group that seeks consensus but *no longer requiring 100% consensus on all decisions*.** Instead, decisions and action can proceed even with dissent of a Partner. However, a method for recording dissent from consensus decision was created.
- (3) Creating an obligation that when that dissent is registered (#2), that *dissent must be presented in the form of a solution* via the adaptive management process set forth elsewhere in the Partner Protocols.

A short discussion at this meeting led to the conclusion that the thought process in (2) above was wrong, that indeed *for a decision to be represented as an IBMP decision still requires 100% consensus² or it is not agreed upon and IBMP action cannot proceed on that decision*. Likewise the Partners noted that the

² Per Merriam-Webster Dictionary “consensus” means general agreement, the judgment arrived at by most of those concerned, or group solidarity. Thus it is important to note that the Partners are calling out *100%* consensus as their goal in decision making, not simple majority rule.

statement in the final bullet of the Partner Protocol section shown above is incorrect. They instructed the facilitator to make the following change: ****Action item 9:** In the final bullet under the “Method of Decision Making” section of the Partner Protocols, SB to change “...will be addressed” to “...can be addressed”, then repost to IBMP.info. No signature loop or documentation other than in notes for this meeting required.

2013 Meeting planning

The Partners agreed that the one day format is preferable to the previous two day format.

The Partners discussed possible locations aside from the current tentative plan of Chico Hot Springs for their fall meeting. Several alternative locations were suggested: Bear Creek Council or the Comfort Inn in Gardner, or the Community Center in Mammoth. Some thought that it would be nice to have a meeting in Gardner for the local community. Partners noted that Chico is cost effective because shared housing (e.g., renting one large cabin) is possible. The Mammoth idea was considered positive by those who live in the area since they would not have far to travel.

This discussion led to two action items: ****Action item 10:** DaveH/YNP to check availability of the conference rooms in Mammoth and Gardiner and work with SB and DH to determine if a change of fall venue is to be pursued.

Regarding a summer field trip: TM stated a willingness for the CSKT to host a field trip to see river and habitat restoration work, or a visit to Wild Horse Island, as part of the summer IBMP meeting. Several Partners noted that it is fire season in August so making a one-day meeting, much less adding a field trip, is difficult. The Partners agreed to set the meeting date as Wednesday, July 31st and to withhold judgment on a field trip pending completion of the following action: ****Action item 11:** SB to request the number of people who would attend field trip, then share results with TM and DH to decide if a field trip day will be offered.

Public comment

The following notes on public comment to the IBMP Partners are not intended to be complete, but rather reflect the facilitator’s best effort to capture key statements. The facilitator has especially attempted to capture those comments from the public that appeared to be solution oriented and have the potential for inclusion in AM planning and/or process improvement. These items, as well as other potentially actionable items, are called out with a “***” in the listings that follow.

Names associated with comments are available from the facilitator. They are not included here, however, in an effort to focus on the comment rather than the speaker. Line breaks in the bullets indicate a new speaker.

- Regarding bison on Dome Mountain: is the prevention of disease a more important goal than the wanton waste of a public resource when you kill an animal just for being there?
- I appreciate the transparency on display at this meeting by the Partners.
- We need to address the possibility that with reduced population numbers of bison, and the potential of disease or a bad winter, that bison could go on the endangered species list. We do not want that to happen.
- We need equality of state and tribal hunts in numbers harvested and length of season.
- We are a long way out now since the slaughter of 1996/97.
- I respectfully ask that capture and send to slaughter not be a tool used by the IBMP Partners.
- Sportsmen in MT will help in any way possible—call me. I am happy to help. (name and phone # available from facilitator).

- Sometimes we need to learn to express our opinions even while we struggle to hold our tongue.
- Yesterday in Havre I listened to Mike Molesky (sp?) talk about bison. He said clearly that there is no preconceived plan to have free roaming bison all around the state, but we will bring up bison scoping.
- I like to see the discussion in this group. When I see this group I see it is possible to have a discussion.

- I went from the RAC to the BLM RMP meeting on grazing release. I don't want wildlife to take away land from livestock.
- My concern is that the GNF will decrease grazing allotment times. Ranchers will get mad at the USFS, but not at snow and acts of God.
- Please remember that decisions made here impact people around the state.
- The facilitator has chosen not to show a final speaker's comments due to that speaker's demeanor being inappropriate for a public forum.

*** Meeting adjourned ***

Abbreviations

- AJ—Andrea Jones
- AM—Adaptive management
- APHIS—Animal and Plant Health Inspection Service
- BB—Brooklyn Baptiste
- BFC—Buffalo Field Campaign
- CF—Cavan Fitzsimmons
- CM—Christian Mackay
- CSKT—Confederated Salish Kootenai Tribes
- CWG—Citizens’ Working Group
- DaveH—David Hallac
- DH—Don Herriot
- DSA—Designated Surveillance Zone
- DW—Dan Wenk
- EA—Environmental Assessment
- EC—Earvin Carlson
- GAO—Government Accountability Office
- GNF—Gallatin National Forest
- GWA—Gallatin Wildlife Association
- GYA—Greater Yellowstone Area
- ITBC— Inter Tribal Buffalo Council
- JH—John Harrison
- JS—Jim Stone
- KL—Keith Lawrence
- LG—Larry Greene
- MBOL—Montana Board of Livestock
- MD—Marna Daley
- MDOL—Montana Department of Livestock
- MDOT—Montana Department of Transportation
- ME—Mary Erickson
- MEPA—Montana Environmental Policy Act
- MFWP—Montana Fish Wildlife and Parks
- ML—Mike Lopez
- MO—McCoy Oatman
- MOU—Memorandum of Understanding
- MSGA—Montana Stockgrowers’ Association
- MSU—Montana State University
- MZ—Marty Zaluski
- NEPA—National Environmental Policy Act
- NGO—Non-governmental organizations
- NP—Nez Perce
- NPS—National Park Service
- NPCA—National Parks Conservation Alliance
- NRDC—Natural Resources Defense Council
- Park—Yellowstone National Park
- PF—Pat Flowers
- PIOs—Public Information Officers
- PJ—PJ White
- RC—Ryan Clarke
- ROD—Record of Decision
- RFP—Request for proposals
- RT—Ron Trahan
- RobT—Rob Tierney
- RTR—Royal Teton Ranch
- RW—Rick Wallen
- SB—Scott Bischke
- SEIS—Supplemental EIS
- SK—Salish Kootenai
- SS— Sam Sheppard
- TM—Tom McDonald
- TR—Tim Reid
- USFWS—US Fish and Wildlife Service
- USGS—US Geological Survey
- WMA—state of MT wildlife management areas
- YELL—Yellowstone National Park
- YNP—Yellowstone National Park

Appendix A.

Table A1.—Summary of current lawsuits surrounding IBMP as of 5-9-13*

Defendant		Sued by (Plaintiff)	Reason	Status	
1	MDOL	MSGA	deviation from implementing the IBMP on the West Side of YNP	?	?
2	IBMP Partners	Alliance for Wild Rockies	helicopter hazing	NOI to appeal to the 9 th Circuit Court	Finding for the IBMP Partners (state, APHIS, USFS, NPS) in District Court; notice of injunction pending appeal
3	MFWP	GWA, BFC, others?	privatization of a public resource; i.e., sending previously quarantined YELL bison to Turner	Case closed	Summary judgment for the state
4	State of MT (MDOL, MFWP)	Park County Stockgrowers'	implementation of proposed 2011 adaptive changes in Gardiner Basin	Case closed	Case found for the state of MT; increased tolerance allowed
5		Park County			
6	USFS, NPS, APHIS, MDOL, YELL	BFC, WW, GWA, others (?)	over their participation in implementation of IBMP; to stop federal agencies from killing bison	Case closed	Finding for the Federal government in the 9 th circuit court

** Note: This table put together by facilitator generally with "on-the-fly" input from Partners. Thus, specific details may not be exact or may be incomplete.*

Table A2.—Quick summary (as facilitator could find 5/7/13 via MSGA, BFC, newspaper reports)

#	Bill title (passed or still active)	Status
HB 328	AN ACT ALLOWING NOTIFICATION OF SPECIAL WILD BUFFALO HUNTING LICENSE RECIPIENTS AS TO WHERE WILD BUFFALO OR BISON ARE LOCATED	Passed; signed into law by Gov Bullock
Bills believed to be inactive, tabled, or dead for this session		
HB 249	AN ACT REVISING LAWS RELATED TO THE PRESENCE OF WILD BUFFALO OR WILD BISON ON PRIVATE PROPERTY; AMENDING SECTION 81-2-121, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.	Tabled in House Approp. Committee
HB 312	AN ACT PROVIDING AUTHORIZATION FOR TESTING AND PREVALENCE REDUCTION OF BRUCELLOSIS IN LIVESTOCK AND WILDLIFE; ESTABLISHING RESPONSIBILITY FOR TESTING COSTS; REQUIRING REPORTING; PROVIDING RULEMAKING AUTHORITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.	Tabled in House Ag Committee
HB 396	AN ACT REQUIRING APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS BEFORE THE DEPARTMENTS OF LIVESTOCK OR FISH, WILDLIFE, AND PARKS MAY AUTHORIZE ANY RELEASE, TRANSPLANTATION, OR RELOCATION OF WILD BUFFALO OR BISON CERTIFIED AS BRUCELLOSIS-FREE INTO A MONTANA COUNTY	Passed; vetoed by Gov Bullock
HB 484	AN ACT CLARIFYING THE DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT OF LIVESTOCK AND THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FOR MANAGING WILD BUFFALO OR WILD BISON THAT MIGRATE FROM YELLOWSTONE NATIONAL PARK INTO THE STATE OF MONTANA; AMENDING SECTIONS 81-2-120, 87-1-216, 87-1-271, 87-1-304, 87-2-101, 87-2-701, 87-2-702, 87-2-730, 87-2-731, AND 87-6-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.	Tabled in House Approp. Committee
HB 507	AN ACT GENERALLY REVISING MANAGEMENT OF WILD BUFFALO AND WILD BISON; APPLYING LIVESTOCK LAWS TO CERTAIN WILD BUFFALO AND WILD BISON; RESTRICTING WHERE WILD BUFFALO AND WILD BISON MAY BE RELEASED OR TRANSPLANTED; GRANTING RULEMAKING AUTHORITY; AMENDING SECTIONS 15-1-101, 15-24-921, 81-1-101, 81-2-120, 81-3-201, 81-4-602, 81-4-603, 81-5-101, 81-5-104, 87-1-216, 87-1-271, 87-1-304, 87-2-101, 87-2-701, 87-2-702, 87-2-730, 87-2-731, 87-6-101, AND 87-6-906, MCA; AND REPEALING SECTION 81-2-121, MCA.	Tabled in House Ag Committee
HB 610	AN ACT GENERALLY REVISING MANAGEMENT OF WILD BUFFALO AND WILD BISON; APPLYING LIVESTOCK LAWS TO CERTAIN WILD BUFFALO AND WILD BISON; RESTRICTING WHERE WILD BUFFALO AND WILD BISON MAY BE RELEASED OR TRANSPLANTED; GRANTING RULEMAKING AUTHORITY; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 81-1-101, 81-2-120, 81-3-201, 81-4-602, 81-4-603, 81-5-101, 81-5-104, 87-1-216, 87-1-271, 87-1-304, 87-2-101, 87-2-701, 87-2-702, 87-2-730, 87-2-731, 87-6-101, AND 87-6-906, MCA; REPEALING SECTION 81-2-121, MCA; AND PROVIDING AN EFFECTIVE DATE.	Tabled in House Ag Committee
LC 1827	AN ACT PROHIBITING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FROM EXPENDING ANY FUNDS ON THE RELOCATION OR TRANSPLANTATION OF WILD BUFFALO OR BISON ON THE SPOTTED DOG WILDLIFE MANAGEMENT AREA; AMENDING SECTIONS 87-1-201 AND 87-1-216, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.	Draft cancelled
LC 1946	Revise laws related to bison	On hold 1/17/13
SB 143	AN ACT REVISING BISON MANAGEMENT LAWS; ESTABLISHING A YEAR-ROUND HUNTING SEASON; INCREASING THE NUMBER OF AVAILABLE LICENSES; PROHIBITING THE TRANSFER, RELOCATION, OR TRANSPLANTATION OF WILD BUFFALO WITH CERTAIN EXCEPTIONS; GRANTING RULEMAKING AUTHORITY; AND AMENDING SECTIONS 81-2-120, 81-2-121, 87-1-216, 87-1-301, 87-1-304, 87-2-506, 87-2-701, 87-2-702, 87-2-730, 87-2-731, AND 87-6-304, MCA	House vote 50 Yea, 50 Nay; defeated
SB 256	AN ACT MAKING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS LIABLE FOR DAMAGE TO PRIVATE PROPERTY BY WILD BUFFALO AND BISON; REQUIRING AN ESTIMATION OF PRIVATE PROPERTY DAMAGE AND COSTS FOR WHICH THE DEPARTMENT WOULD BE LIABLE IF A WILD BUFFALO OR BISON PROPOSED FOR RELEASE OR TRANSPLANTATION ESCAPES	Passed but vetoed by Gov Bullock
SB 305	AN ACT REVISING THE DEFINITION OF WILD BUFFALO AND WILD BISON	Passed but vetoed by Gov Bullock
SB 341	AN ACT ESTABLISHING CRITERIA FOR THE TRANSPLANTATION, INTRODUCTION, OR AUGMENTATION OF CERTAIN WILDLIFE SPECIES; PROVIDING FOR A PUBLIC SCOPING PROCESS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS 87-5-702, 87-5-703, 87-5-704, 87-5-713, AND 87-5-716, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.	Tabled in House FWP Committee