



BUFFALO FIELD CAMPAIGN

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RE: Yellowstone bison 12 month status review (FWS/R6/080098)

Actions needed for protecting and fully restoring the abundance, distribution, and ecological functions of wild Yellowstone bison herds.

Dear Regional Director Matthew Hogan,

On behalf of Buffalo Field Campaign, I am attaching the following publication for your consideration which speaks for itself:

Clayton T. Lamb et al., *Braiding Indigenous rights and endangered species law, Recovery targets fall short of culturally meaningful abundance*, Science 380 (6646): 694–696 (May 19, 2023).

The authors argue persuasively for establishing “recovery targets and processes that restore abundance” for culturally important species, including wild bison, beyond minimum viable population sizes that guide recovery of endangered species.

The precipitous decline of the southern bison subspecies, plains bison (*Bison bison bison*), occurred well before SARA [Species at Risk Act] or ESA [Endangered Species Act] came into effect (in 2002 and 1973, respectively). Nevertheless, wild plains bison are still clearly endangered. Today, the species remains at <1% of its historic abundance and occupies a markedly reduced range (see the second figure). Despite early recovery efforts, wild, free-ranging plains bison populations represent only 10% of the current abundance of plains bison; the remaining 90% are privately owned (6). Yet, plains bison remain unlisted in both Canada and the United States despite clear scientific recommendations to do so (10).

... bison recovery will remain incomplete until peoples’ cultural connection with bison—including, perhaps, a prominent role in diet—is restored across broader landscapes.

Lamb et al. 2023 at 695 (citing in part “explicit policies of cultural genocide” in the decline of great herds of bison that caused “starvation, infighting, and the erosion of Indigenous culture.”).

“Protecting the Last Wild Bison”

The authors also address the obligations of colonial governments “to honor the legal treaty and constitutional rights of Indigenous peoples, including rights to fish, hunt, and trap” in recovering culturally meaningful abundances of wild bison herds. Lamb et al. 2023 at 695–696.

We see multiple paths forward that could support increased recognition of legal obligations to Indigenous peoples and recover species to culturally meaningful abundances. A first path includes defining more ambitious recovery targets while still working within the confines of endangered species laws. Recovery plans for culturally important species could propose MVP targets as only a preliminary step toward full recovery. For species with abundances greater than a MVP, recovery status could be assessed against a new global standard, the International Union for Conservation of Nature (IUCN) Green List of species that assesses the degree a species has recovered, which complements the Red List that has been measuring species’ risk of extinction since 1964. The Green List sets out ambitious recovery targets—such as “full recovery,” which is defined by restoring historic abundance, distribution, and ecological function—and measures species’ progress toward these targets (14). We recommend that full recovery also include abundance targets that support food security, materials, and cultural relationships that rely on these animals. The 2016 wood bison recovery strategy provides a rare example of abundance targets to support Indigenous rights and particularly a culturally meaningful harvest (15). Such culturally meaningful recovery targets will likely be of similar magnitude to historic abundance but must also accommodate the evolving practices, cultures, and communities of Indigenous peoples.

We acknowledge that full recovery will remain challenging for some species, such as plains bison, because of decreases in their historic habitat due to agriculture, urbanization, transportation infrastructure, and resource extraction. In such cases, a modified recovery target based on remaining or restorable habitat may be required. In all cases, culturally meaningful recovery targets must be codeveloped with Indigenous peoples and reflect their present and desired future relationships with a species and the land.

. . .

A second path includes legal enforcement of Indigenous rights.

. . .

Recovering species abundance to culturally meaningful levels would satisfy important aspects of presently infringed treaties between Indigenous peoples and governments.

. . . it could be the case that entirely new laws are needed to support such recovery in some countries . . . to specifically address Indigenous rights violations and wildlife abundance shortfalls.

The U.S. Fish & Wildlife Service must find a path forward to fulfill all of its’ obligations by working with Indigenous peoples to codevelop culturally meaningful goals for fully recovering the

abundance, distribution, and ecological functions of wild bison herds where they are now extinct as a consequence of State and federal government actions and inadequate regulatory mechanisms.

A handwritten signature in black ink that reads "Darrell Geist". The letters are cursive and fluidly connected.

Darrell Geist, habitat coordinator
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