



# BUFFALO FIELD CAMPAIGN

March 26, 2019

Chairman Brian Hoven and the Senate Agriculture, Livestock & Irrigation Committee  
Montana Senate  
PO Box 200500  
Helena, MT 59620-0500

## BUFFALO FIELD CAMPAIGN COMMENTS ON HB 332 – DO NOT PASS

Mr. Chairman and members of the Senate Agriculture, Livestock & Irrigation Committee,

On behalf of Buffalo Field Campaign, I am submitting testimony on HB 332. Mr. Chairman, I request that my testimony be entered into the hearing record. Thank you.

HB 332 looks like SB 284, a bill introduced and defeated during the 2015 session of the Montana legislature.

HB 332 gives a board of county commissioners veto power over the state of Montana's decision to relocate wild buffalo anywhere in the state.

Buffalo Field Campaign opposes HB 332 and the sponsor's attempt to cede state authority over wildlife to a board of county commissioners by requiring their approval before wild buffalo could be relocated in Montana.

The translocation of wildlife is strictly controlled under various provisions of current law. Mont. Code Ann. §§ 87-5-701 through 87-5-725.

In addition, the legislature has imposed several bureaucratic barriers to the translocation of wild buffalo specifically. Mont. Code Ann. § 87-1-216(3)-(7).

These additional barriers include the imposition of several costly unfunded mandates, imposing fencing costs, animal identification and health protocols, containment measures, a technical study of the forage carrying capacity, and property and safety liability on Montana taxpayers. Any plan to transplant buffalo is subject to public hearings and public comment in any affected county before a decision is made.

These provisions in the code have already decided a public process begun in 2009 to reintroduce buffalo as a wildlife species in Montana but abruptly ended in 2015.

*"Protecting the Last Wild Bison"*

HB 332 would remove authority for a state decision – where all Montanan’s have a represented interest – to a board of county commissioners who do not represent any Montanan’s interest beyond the county line.

Wildlife in Montana belong not to the state or any one person or interest group but to future generations who are the beneficiaries of the public trust we hold in common.

Reintroducing wildlife is the responsibility of wildlife authorities entrusted with ensuring our natural heritage is protected and persists for future generations to enjoy and experience. County commissioners have no comparable authority to uphold the state of Montana’s public trust responsibility for wildlife.

The state of Montana is a trustee for our wildlife – this duty should not be diminished by the Montana Legislature and, in the case of wild buffalo, delegated to a board of county commissioners.

In poll after poll, the majority of Montanan’s have made it clear that we favor restoration of wild buffalo including 70% of 400 registered voters polled by Moore Information in 2011 and nearly eight in ten of 500 Montana voters polled by Tulchin Research in 2015 support restoring wild buffalo populations on public lands (76% support) and on tribal lands (78% support). By a vast majority, Montanan’s favor (72% support) wild buffalo being managed like wildlife, not livestock.

HB 332 is not amendable. Thank you for acting to prevent the erosion of Montanan’s ability to recover and protect our natural wildlife heritage by voting against HB 332.

Respectfully,



Darrell Geist  
Habitat coordinator  
Buffalo Field Campaign  
PO Box 957  
West Yellowstone MT 59758  
Phone: (406) 531-9284  
Email: [z@wildrockies.org](mailto:z@wildrockies.org)

Sources:

<https://defenders.org/sites/default/files/publications/Defenders-of-Wildlife-Montana-Bison-Poll-Public-Memo-1-15.pdf>

<https://www.nwf.org/~media/PDFs/Regional/Northern-Rockies/NRPRC-RB-BisonPoll.ashx>

<https://www.montanaotg.com/blog-native/2015/7/1/bison-manager-ends-40-year-career-with-fwp>

[https://www.bozemandailychronicle.com/news/wildlife/fwp-bison-expert-shocked-by-job-change/article\\_cc0ccefc-dd38-5f70-80f3-e22a85b83ba0.html](https://www.bozemandailychronicle.com/news/wildlife/fwp-bison-expert-shocked-by-job-change/article_cc0ccefc-dd38-5f70-80f3-e22a85b83ba0.html)

Montana's statewide plan to reintroduce buffalo as wildlife was abandoned in 2015. The principal biologist leading the planning effort was forced to accept re-assignment as a brucellosis technician (and a pay cut) or retire after 40 years with the agency. When Arnie Dood's Endangered Species Coordinator position with Montana Fish, Wildlife & Parks was eliminated, it also terminated the statewide buffalo reintroduction planning effort which was abandoned in the summer/fall of 2015.

The purpose of this Environmental Impact Statement is to determine if bison restoration is appropriate and if so, what potential opportunities are feasible and consistent with Montana's laws, policies, rules, and regulations. It is FWP's [Fish, Wildlife & Parks] desire to fulfill its statutory obligations to manage all wild ungulates in the state, while recognizing that bison management presents additional challenges compared to other species.

. . .

By law, FWP needs to "enforce all the laws of the state regarding the protection, preservation, management, and propagation of fish, game, fur-bearing animals, and game and nongame birds within the state" (§ 87-1-201 MCA). Furthermore, FWP is required to manage wildlife, fish, game, and nongame animals in a manner that prevents the need for listing under the state list of endangered species (§ 87-5-10 MCA) or under the federal Endangered Species Act (16 U.S.C 1531, et seq.), and in a manner that assists in the maintenance or recovery of those species (§ 87-1-201 MCA). Within this context, FWP implements positive conservation and management strategies that fulfill these directives to preserve and restore wildlife species in Montana.

Montana Fish, Wildlife & Parks, *Bison Conservation and Management*, Draft Environmental Impact Statement (June 2015).