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December 20, 2012

Ken McDonald
Montana Fish, Wildlife & Parks Wildlife Bureau
Attn: Public Comment
P.O Box 200701
Helena, MT 59620-0701
(406)-444-02612

RE: Public comment on the Elk Management Guidelines in Areas With
Brucellosis Working Group Recommendation as proposed by Montana Fish,
Wildlife & Parks (FWP)

Dear Montana Fish, Wildlife & Parks, Wildlife Bureau,

Thank you for the opportunity to comment on the Elk Management
Guidelines in Areas With Brucellosis Working Group Recommendation as
proposed by Montana Fish, Wildlife & Parks.

Buffalo Field Campaign was founded in 1997 to stop the slaughter of
Yellowstone's wild buffalo population, protect the natural habitat of wild
free-roaming buffalo and all native wildlife, and to work with people of all
Nations to honor the sacredness of that wildlife.

Buffalo Field Campaign is located in West Yellowstone, Gallatin County,
Montana and also in Gardiner, Park County, Montana. We are supported by
volunteers and citizens in Montana, Idaho and Wyoming, and by people
throughout the United States and from around the world who value
America's native wildlife and the ecosystems upon which they depend, and
enjoy the natural wonders of our irreplaceable public lands.

As an organization and on behalf of its supporters, Buffalo Field Campaign is concerned and actively involved with protecting the last remaining descendants of indigenous bison in North America to occupy their original range in the Greater Yellowstone ecosystem. Buffalo Field Campaign actively publicizes the plight of the bison, to end their slaughter by government agencies, and to secure long-term protection for viable populations of wild bison and year-round habitat in the Greater Yellowstone ecosystem. Buffalo Field Campaign actively engages the American public to honor our cultural heritage by allowing wild buffalo to exist as an indigenous wildlife species and fulfill their inherent ecological role within their native range, and serve as the genetic wellspring for future wild, free ranging bison populations.

While our organization's efforts focus primarily on wild bison, Buffalo Field Campaign has been closely following and documenting FWPs' elk capture and brucellosis testing study to protect this native wildlife species from suffering the same brutalities that native wild buffalo have incurred in the name of disease management. We draw your attention to our online video "When Elk Fly":

<http://www.buffalofieldcampaign.org/media/video/bisonvideos1011.html>

Additional photos and information on Montana's elk capture and test program can be reviewed online:

<http://www.buffalofieldcampaign.org/media/update1011/030311.html> and <http://www.buffalofieldcampaign.org/media/update1112/030112.html>

Buffalo Field Campaign would like to go on record and have all of our comments fully considered and addressed by Montana FWP.

We commend FWP for rejecting management actions as mentioned in table 1 "Management alternatives considered by Elk Management Guidelines in Areas With Brucellosis Working Group, 2012" under 'New Management of Disease in Elk' and 'Extreme Management' that test and slaughter elk on any scale and in any locale or region in Montana.

The stated need to manage brucellosis in cattle rightfully places the responsibility of management primarily on the cattle industry. Any program developed for testing sero-prevalence in elk for brucellosis and slaughtering elk that test positive places the burden of disease management unfairly on the shoulder of public wildlife and is not in the public interest. Effective

disease management for livestock herds through increased collaboration between wildlife managers and livestock producers should aim, in all instances, to reduce and eliminate impacts on public wildlife.

At the same time we question why Montana continues the same slaughter program for wild bison that it has rejected implementing for wild elk. Migratory bison are far fewer in number and their range is severely restricted while elk number 150,000 and range freely across the state.

Montana has repeatedly and continually sought to reduce our only migratory bison and severely limit the population's geographical distribution. Buffalo Field Campaign believes the evidence indicates this slaughter program jeopardizes the long-term viability and genetic diversity of bison in Montana (Halbert 2012).

Please explain why FWP feels a test and slaughter program for wild elk is inappropriate, but testing and slaughtering bison is a program it continues to pursue. We raise this question not to argue for slaughtering and reducing populations of bison and elk, but to publicly debate the unfair and scientifically unsound policies developed by Montana for managing our wildlife populations.

Test and slaughter of our wildlife is as inappropriate for bison as it is for elk in the greater Yellowstone ecosystem.

We have many objections to the Elk Management Guidelines in Areas With Brucellosis being considered by FWP.

Starting with the 'Issue Statement' the Working Group's recommendations clearly further livestock industry control over elk and wildlife in Montana. The Working Group's recommendations advance the livestock industry's interests to the detriment of our native wildlife throughout: reduce winter herd size/density, in open areas (primarily non-timbered) of elk winter range, reduce wolf/pack numbers, more intensive hazing of elk in high risk areas, etc.

Additionally, the Working Group advances several objectives that solely service livestock interests: STRATEGIC OBJECTIVE: Minimize impacts of brucellosis in wildlife to livestock producers in the DSA; MEANS OBJECTIVE: Minimize sero-prevalence in elk in each wintering elk herd

within the DSA; MEANS OBJECTIVE: Minimize # of livestock tested annually as a percent of total population in DSA, etc.

Missing from the Working Group's report is the importance of the livestock industry's responsibility to contribute financially (for the management of their own livestock) or in general acknowledging its shared responsibility for protecting our wildlife). We also have concerns with the broad sweeping implications of some of the more vague objectives and action alternatives outlined in the Working Group's proposed recommendations.

FWP should reject the Working Group's proposed recommendations as the onus of responsibility to protect livestock is not borne by the industry but comes at taxpayer expense to the detriment of our wildlife populations. If FWP proceeds with further planning, we ask that this document be redrafted to clearly and accurately define doable, cost effective objectives and action alternatives that were left vague and open for interpretation by the Working Group. FWP also needs to define a purpose and need for action. Finally, if FWP proceeds with additional public process, the agency needs to identify a Responsible Official for the public to contact.

We ask that FWP reject the Working Group's proposed recommendation in "Action Alternatives" to "reduce wolf/pack numbers" in "open (primarily non-timbered) elk winter range." This action alternative unfairly scapegoats predators and reflects the fact FWP has not fully considered and evaluated the benefit wildlife predators contribute to our ecosystem and state.

The values and benefits Montana reaps from our irreplaceable wildlife and wild lands are contributed by people who come from all over our state, our nation and our world to view wildlife, hunt, and recreate.

FWP needs to consider and evaluate these benefits in the context of its wildlife management duties and policy choices:

- * 10,000 Montana jobs and over \$100 million dollars in revenues that wildlife viewing opportunities and wildlife watching contributes each year (Leonard USFWS 2008);
- * Hunter and angler expenditures in Montana topped half a billion dollars in 2008: fishing \$239,917,978 and hunting \$292,367,289;
- * "... between 1969 and 1989, more than 96% of all new jobs in the Greater Yellowstone Area came from sectors other than timber, mining, and agriculture."

* 10 million people traveled to Montana in 2008 and spent \$3 billion supporting \$897 million dollars in worker salaries.

The substantial financial contributions wildlife makes to the state and how that financial contribution supports entire sectors of Montana's economy must be acknowledged and protected by FWP. These economic facts provide hard proof of the public's desire to have access to vibrant wildlife populations in their native habitats. The industry and jobs that wildlife brings to the state and region cannot be ignored by FWP. We ask FWP to evaluate and disclose to the public the impact that proposed action alternatives will have on incoming dollars to the region and state from wildlife watching, hunting and tourism.

We also take offense with and demand that FWP reject the idea that the Montana public should have to pay for another program that subsidizes the livestock industry. This is yet another example of an entitlement program for the cattle industry taken at the expense of Montana's wildlife, taxpayers, and hunters. We ask that FWP reject the Working Group's proposed recommendations to create another costly, wasteful and ineffective taxpayer funded program for ranchers.

Montana's current model of brucellosis management is fundamentally flawed and in need of fundamental revision. An effective program to manage livestock disease is already in place. We ask that FWP reject objectives and action alternatives that make more public lands and wildlife management areas available to grazing cattle. FWP must also acknowledge the role that state and federal managers have played in the unnatural congregation of wildlife.

According to scientists Meagher and Meyer (1994), brucellosis was introduced to Yellowstone's migratory bison and elk populations by cattle. Elk were likely infected with brucellosis by cattle on state and federal "feed grounds" that unnaturally congregate wildlife.

The wholesale conversion of wildlife habitats to feed and graze cattle has contributed to the unnatural congregation of elk and bison on livestock feed lines, and on National Forests and Wildlife Refuges. This severe loss of wildlife habitat to grazing cattle is a hard lesson learned in Wyoming and Idaho that should not be forgotten by Montana.

We ask FWP to consider that the “fundamental objective” of minimizing disease transmission can be, and is being, accomplished by managing cattle.

We ask FWP to reject proposed recommendations that create and/or continue heavy-handed and unnecessary management actions on our native wildlife. FWP must shift the emphasis for minimizing disease transmission back onto livestock producers to manage what is manageable in vast landscapes: the cattle. Some of our recommendations include:

- * Cattle should continue to be managed in individual herd plans. This livestock department-run program to manage cattle disease is in place and receives generous state and federal taxpayer funding.

- * If a vaccine is to be developed and improved upon it should be used for cattle, not wildlife. RB51 calf and adulthood cattle vaccination is 75% effective. If public money is to be used on vaccination, it makes sense to continue improvements with what works on cattle today.

- * Montana needs to confront USDA APHIS on its two-faced approach of eliminating *brucella abortus* but supporting its “select agent” status – a status that thwarts research into a vaccine that effectively prevents cattle from becoming infected with the disease (U.S. Dept. of Agriculture APHIS letter to Hon. Jon Tester 2012).

The investigation and disclosure of factors of *brucella abortus* infection in livestock is shrouded in secrecy (Montana Dept. of Livestock 2008; U.S. Dept. of Agriculture APHIS 2012). USDA APHIS and the Montana Dept. of Livestock need to act in the public interest and publicly share what they know. Without real data, the public has no way of determining what factors contributed to the actual cases of *brucella abortus* in Montana livestock.

Livestock and wildlife managers need to be more forthright and transparent with all disease data in livestock and wildlife so the public can better educate itself on the actual threat of disease. In turn the public can provide more educated, accurate and scientifically supported input to government agencies that are trustees of our wildlife and wild lands.

“Management tools” contemplated by Montana should be based on real-life data corroborated through scientific investigation that is transparent and verifiable. Otherwise, many of the tools proposed and or adopted by Montana may prove ineffective, costly and be inappropriately applied to wildlife.

Montana should review and be informed by the lessons it has learned from an ineffective, costly and inappropriate bison plan that has wasted tens of millions of taxpayer dollars (US GAO 2008) to destroy thousands of wild buffalo that have not infected cattle with any disease (Beja-Pereira 2009). The fact is, even prior to Montana's pursuit of several costly and destructive disease management plans that have been in place for decades, bison have never infected cattle with brucellosis in the wild.

Acquiring habitat and or purchasing cattle grazing allotments in perpetuity best accomplishes the "fundamental objective" of maximizing cost effectiveness – especially when taxpayer and hunter dollars are spent to manage wildlife. Buying out the livestock makes more habitats available for wildlife and eliminates opportunities for disease transmission to cattle.

The "fundamental objective" of maximizing cost effectiveness is best accomplished through cattle herd management plans in Designated Surveillance Areas because this program is already in place (Montana Dept. of Livestock 2010; Montana Dept. of Livestock 2008).

While compliance with USDA APHIS brucellosis rules cost local cattle ranchers about \$430,000 annually, Montana taxpayers pay for half the cost.

Montana calculated APHIS' new regulations provide an annual net benefit to cattle ranchers statewide of \$5.5 million to \$11.5 million (Montana Dept. of Livestock 2011).

FWP needs to step up and re-direct taxpayer funds coming into Montana for disease management to programs and policies that benefit wildlife as opposed to limiting the range and numbers of our wildlife populations.

Montanans have made it abundantly clear that we want habitats for robust wildlife populations for future generations. We would argue it is the responsibility of FWP to start changing the conversation and debate to reflect this responsibility and the public's concerns for protecting our natural heritage.

FWP must start implementing scientifically based programs that show concern for and add benefits for our wildlife that are infected with disease introduced by cattle and other livestock. FWP, a wildlife agency, should not

implement a program that one-sidedly supports livestock to the detriment of our native wildlife populations.

We would like to remind FWP of its public trust responsibilities and that it must act on behalf of “each generation as trustee of the environment for succeeding generations” (MCA 75-1-103). FWP has the ability to lead changes in public policy and in programs that can positively affect native wildlife for future generations of Montanans. FWP has a responsibility to lead by rejecting objectives and action alternatives that are singularly designed to benefit the livestock industry. The entire Working Group document is written to enhance livestock producers to the detriment of native wildlife, wildlife enthusiasts, and Montana sportsmen and women. We strongly urge FWP to reject another costly, wasteful taxpayer funded welfare program for cattle ranchers. Please do not permit management of our wildlife heritage to be taken over by livestock interests.

Sincerely,

A handwritten signature in black ink that reads "Daniel Brister". The signature is written in a cursive style with a prominent flourish at the end.

Daniel Brister, MS
Executive Director
Buffalo Field Campaign

Sources referenced for review and consideration by Montana FWP:

1. Beja-Pereira, Albano, Betsy Bricker, Shanyuan Chen, Claudia Almendra, P. J. White, and Gordon Luikart. 2009. DNA Genotyping Suggests that Recent Brucellosis Outbreaks in the Greater Yellowstone Area Originated from Elk. *Journal of Wildlife Diseases* 45(4): 1174-1177.
2. Rob Brooks and Zoe King, Montana Fish, Wildlife & Parks, 2008 HUNTER/ANGLER USE AND EXPENDITURES FACT SHEET, July 2009 online:
<http://fwp.mt.gov/doingBusiness/reference/surveys/socialEconomic/hunting.html>.
3. HALBERT, NATALIE D., PETER J. P. GOGAN, PHILIP W. HEDRICK, JACQUELYN M. WAHL, AND JAMES N. DERR. 2012. Genetic Population Substructure in Bison at Yellowstone National Park. *Journal of Heredity Advance Access* published February 8, 2012.
4. Leonard, Jerry, U.S. Fish & Wildlife Service, Wildlife and Sport Fish Restoration Programs, *Wildlife Watching in the U.S.: The Economic Impacts on National and State Economies in 2006*, July 2008. Online: <http://wsfrprograms.fws.gov/Subpages/NationalSurvey/reports2006.html>
5. Meagher, M. and Margaret E. Meyer. 1994. On the Origin of Brucellosis in Bison of Yellowstone National Park: A Review. *Conservation Biology* 8(3): 645-653.
6. Montana Dept. of Livestock, PRELIMINARY EPIDEMIOLOGY REPORT MONTANA BRUCELLOSIS, September 19, 2008.
7. Montana Dept. of Livestock, Department of Livestock Sets Meetings on DSA, October 25, 2010. Online: <http://liv.mt.gov/news/2010/20101025.mcp>
8. Montana Dept. of Livestock, Economic Analysis: MDOL's DSA Worth Millions to Cattle Producers, State, March 4, 2011. Online: <http://liv.mt.gov/news/2011/20110304.mcp>
9. Montana Dept. of Livestock Fact Sheet September 19, 2008.
10. Montana Office of Tourism, Montana's Tourism and Recreations Industry Fast Facts online: <http://travelmontana.mt.gov/faq/fastfacts.asp>.
11. U.S. Dept. of Agriculture APHIS EPIDEMIOLOGY REPORTS May 17, 2012 Freedom of Information Act response.
12. U.S. Dept. of Agriculture APHIS letter to Hon. Jon Tester, July 20, 2012.
13. U.S. Government Accountability Office, "YELLOWSTONE BISON, Interagency Plan and Agencies' Management Need Improvement to Better Address Bison-Cattle Brucellosis Controversy," March 7, 2008. Online: <http://www.gao.gov/products/GAO-08-291>.