

PLANNING PROCESS



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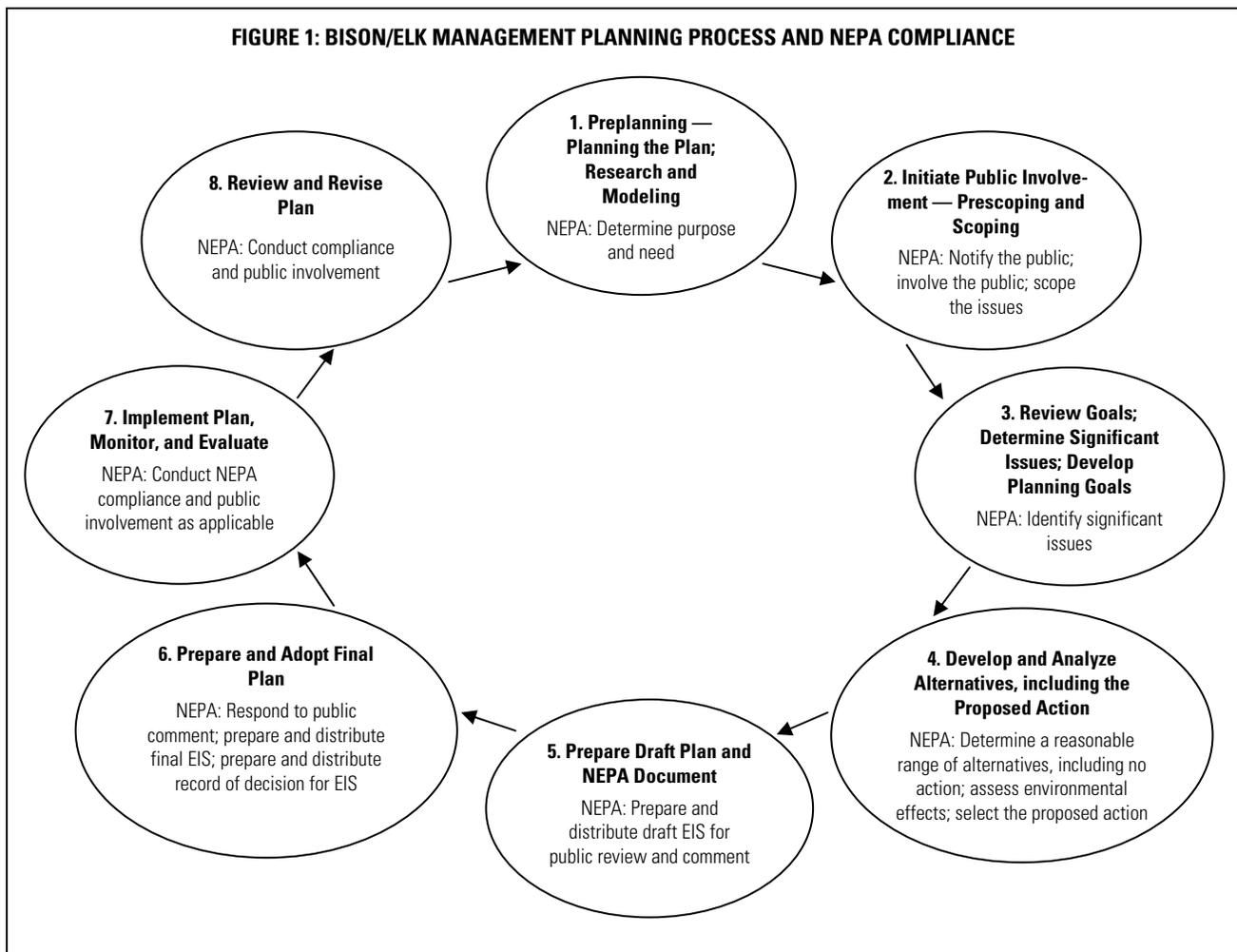
SCOPING PROCESS AND ISSUES

The *Bison and Elk Management Plan* was developed in accordance with the National Environmental Policy Act and the implementing regulations of the Council on Environmental Quality. Steps in the planning process for scoping for the identification of significant issues, the development of alternatives, and the review process for the *Draft* and *Final Environmental Impact Statements* are described in this chapter.

The scoping process involved the public, cooperating agencies and partners, as well as USFWS and NPS staff. Following scoping, additional public and interagency workshops and meetings were held, which allowed the planning team to develop and refine the range of alternatives; the process is illustrated in Figure 1.

SCOPING PROCESS

Important considerations in the development of goals, objectives, and strategies were the opinions, perspectives, and values of the stakeholders and the general public. The U.S. Fish and Wildlife Service and the National Park Service engaged in extensive public outreach, in addition to tribal and agency consultation, in an effort to ensure that all interested stakeholders had the opportunity to be involved in the planning process. The term stakeholder is used to refer to individuals (including private citizens and ranchers); organizations (including those for conservation, sportsmen, outfitters, animal rights, and education); Native American tribes; and federal, state, and local governmental agencies.



Several efforts were undertaken to gain a better understanding of future conditions that people would like to see with respect to elk, bison, and their habitat, and the strategies that people felt were necessary to achieve these conditions (Koontz and Hoag 2005; U.S. Institute for Environmental Conflict Resolution [USIECR] 2000). Results of the research were used to identify and fill potential gaps between the alternatives and stakeholder preferences.

Outreach focused on the identification of issues and information sharing; development of the planning process (preplanning); identification of how people wanted to be involved in the process; descriptions of the conditions people would like to see in the future with respect to the elk and bison populations, their habitat, and associated recreational opportunities on the National Elk Refuge and in Grand Teton National Park; the identification of alternative management approaches, strategies, and actions; and input on the *Draft and Final Bison and Elk Management Plan and Environmental Impact Statements*. Each of these efforts is described in more detail below.

INTRA- AND INTERAGENCY MEETINGS AND BRIEFINGS

Interagency Working Group Meetings

Interagency working group meetings were held as needed starting in October 2000. The main purposes of the meetings were to help the lead agencies design and carry out the prescoping and scoping process (using input from the public), monitor progress being made in the public involvement process, examine information obtained from the public, and help develop preliminary problem definitions, goals, and alternatives to provide templates for public involvement.

Other Interagency and Agency Meetings

Representatives of the planning team met regularly and provided briefings at other interagency meetings. Planning team representatives attended annual Elk Studies Group meetings and provided background information and status updates. Planning team representatives also provided briefings on project status at meetings

of the Greater Yellowstone Interagency Brucellosis Committee.

TRIBAL INVOLVEMENT AND CONSULTATION

As stated under “Legal and Policy Guidance” (see page 11), the agencies are committed to upholding their relationship with American Indian tribes and to implementing their activities in a manner consistent with each agency’s policies. As such, tribes were afforded an opportunity to be involved in the planning process. Several tribal representatives participated in the situation assessment and attended stakeholder meetings. Each of the 11 tribes with known traditional association to the project area were sent project initiation letters and were faxed news releases notifying them of each of the stakeholder/public meetings. Affiliated tribes include the Arapaho, Blackfoot, Crow, Chippewa-Cree, Gros Ventre, Assiniboine, Sioux Tribes of the Fort Beck Indian Reservation, Nez Perce, Northern Cheyenne, Confederated Salish and Kootenai Tribes, and Eastern Shoshone.

Briefings were provided at meetings of the Montana-Wyoming Tribal Fish and Game Commissioners (Nov. 29, 2001; Apr. 25, 2002), Montana-Wyoming Tribal Leaders Council (Feb. 27, 2001), Intertribal Bison Cooperative (Oct. 5, 2001; Feb. 13, 2002; Feb. 14, 2002), Northern Arapaho Business Council (July 31, 2001), Shoshone-Bannock Business Council (Aug. 9, 2001), the Eastern Shoshone Business Council (Aug. 9, 2001; Jan. 24, 2002), and the Yellowstone National Park government-to-government consultation meeting (Oct. 2, 2001).

A meeting in Jackson, Wyoming (April 16, 2002) was held for all the affiliated tribes to solicit input on alternatives for the document. The meeting included a tour of the National Elk Refuge and Grand Teton National Park to familiarize the tribal representatives with current management practices.

Situation Assessment

In the fall of 1999 the Fish and Wildlife Service and the Park Service enlisted the services of the U.S. Institute for Environmental Conflict Resolution (based in Tucson, Arizona) to obtain input from 130 people from various agencies,

tribes, organizations, governing bodies, and private citizens on issues of interest to them and to assess how people wanted to be involved in the planning process. Based on this input, the institute developed a preliminary list of issues and a set of recommendations for public involvement. To develop those recommendations, several cooperators were used, including the University of Wyoming Institute for Environmental and Natural Resources. The final report, or "Situation Assessment," contains recommendations as well as an overview of specific viewpoints and concerns expressed by a wide range of government and private stakeholders in the Jackson elk and bison herds (USIECR 2000). Copies of the report are on file at the National Elk Refuge headquarters in Jackson, Wyoming.

PLANNING UPDATES

Brochures

Two planning update brochures were created for use in the February 10, 2001, and March 10, 2001, prescoping meetings. Update #1 described background information and a timeline for the planning process. Update #2 summarized results of the February 10 meeting and included ideas on how to involve the public, desired future conditions, and desired strategies.

A "Scoping Brochure" summarized the background and the purpose of and need for the management plan, as well as the status of the planning process. It listed all the agencies involved and the affected programs. The decision area was described and contrasted to the analysis area. The missions and management objectives of the National Elk Refuge and Grand Teton National Park / John D. Rockefeller, Jr., Memorial Parkway were defined. The brochure contained a brief summary of the prescoping meetings and a timeline for actions and products of the planning process. A schedule of the scoping meetings was included. This brochure was mailed to everyone on the mailing list in July 2001.

An "Alternative Development Brochure" summarized prescoping and scoping results, solicited additional public involvement in developing the range of alternatives to be presented in the environmental impact statement, and revised the estimated timeline for actions and

products. This brochure was mailed to everyone on the mailing list in October 2001.

Additional planning update brochures were created throughout the planning process to inform the public about the progress of the planning process.

Website

A website for the bison and elk management plan was set up at <<http://www.fws.gov/bisonandelkplan>> and was linked to the National Elk Refuge's website at <www.nationalelkrefuge@fws.gov>. Information on the planning process, news releases, schedules and timeline, highlights of the public meetings (including all comments made by the public), background information, map of the project area, project documents, and how to contact the Interagency Working Group were posted.

PUBLIC AND TRIBAL MEETINGS

Prescoping Meetings

Eight prescoping meetings were held from February 10 to May 5, 2001, in Wyoming (Jackson, Riverton, Casper, Cheyenne, and Rock Springs). During these meetings the agencies introduced the planning process and explained the background and history leading up to the need for the planning effort. Two basic questions were posed: "What conditions would you like to see in the future?" and "How do you want to be involved in the planning process?"

In later meetings information was provided in response to public requests about the need for more information about disease, habitat, carrying capacity, and many other topics.

Scoping Meetings

Ten scoping meetings were held throughout the country from July 20 to August 3, 2001; six meetings were held in Wyoming plus meetings in Idaho, Montana, Colorado, and Virginia to reach a national audience.

Participants were asked to focus their comments on the major management issues that had been identified during prescoping. The public

expressed a wide variety of opinions on bison and elk herd sizes, population controls, winter feeding, habitat, recreation, and disease management.

Alternative Development Meetings

Two alternative development meetings were held on November 28 and 29, 2001, in Riverton and Jackson, Wyoming. Input was similar to that expressed during the scoping meetings, with a wide variety of opinions represented on all management issues. A list of all the comments received by the public to date was handed out.

Other Meetings and Discussions

Several groups took the initiative to organize meetings with other groups to discuss issues. For example, the Jackson Hole Outfitters and Guides Association invited several conservation and environmental organizations to identify areas of potential common ground (June 28, 2002). The National Wildlife Federation sponsored a panel discussion about wildlife management in the Jackson area, with an emphasis on the bison and elk management planning process (July 12, 2001). The Adaptive Management Practitioner's Network held their annual meeting in Jackson (Jan. 14–17, 2001). They sponsored a two-day forum on the use of adaptive management and collaborative processes in the Greater Yellowstone Area, with a focus on the bison and elk management planning process.

Individual Meetings and Discussions

Numerous one-on-one discussions and field trips were held. Agency representatives answered questions and spoke with individuals who called or stopped by offices. Agency representatives gave briefings and status updates to attendees of special interest group meetings, for example, the County Commissioners Monthly Agency Briefing (April 24, 2001), Chamber of Commerce (April 25, 2001), and the Jackson Hole Outfitters and Guides Association (May 3, 2001).

Agency representatives also spoke periodically to individuals and representatives of other agencies, tribes, other governing bodies, and special interest groups, one-on-one and in small groups.

RESULTS OF SCOPING AND ALTERNATIVES MEETINGS

The planning team received 25 letters from organizations and approximately 1,000 letters from the general public expressing their views on a variety of issues relating to management practices, goals, and desired outcomes, as summarized below.

PUBLIC, TRIBAL, AND STAKEHOLDER ISSUES

Seven significant issues were identified during interagency meetings, meetings with USFWS and NPS staff, meetings with tribal governments and organizations, and stakeholder meetings that involved the public. These issues were considered in the formulation of alternative sets of objectives and strategies, and the planning team made every effort to ensure that the range of alternatives encompassed the viewpoints expressed in the issue statements.

1. Bison and Elk Populations and Their Ecology

Most members of the public generally agreed that they want healthy bison and elk herds, whether for the abundance of recreational opportunities that this would sustain or for the benefit of the animals themselves and the ecosystem. There was considerable disagreement over how many animals in each herd would be desirable or needed. Some people thought that there are too many bison. Others felt that numbers for both herds should be determined by the carrying capacity of the environment and not arbitrarily set by humans. Some people thought that the current state objectives of 350–400 bison and 11,000 elk for the entire Jackson herds were just about right; others disagreed.

Public bison and elk hunting was recommended as an important management tool that keeps population numbers in check and offers recreational opportunities. Some stakeholders were against hunting of any kind, however, and felt that contraception is the only acceptable means of population control. Some felt that Native Americans should be allowed to take bison either by hunting or by relocating the animals to reservations.

Predation by native predators was viewed by some individuals as the preferred method of population control, while other stakeholders worried that wolves and a growing grizzly bear population would decimate the elk population. Some people concerned about growing populations of wolves and bears would like to see the maximum number of elk on the refuge increased to offset predator impacts. Others stated that predators are a vital part of the ecosystem and that viewing wolves and bears is important to many visitors and contributes to the economy.

2. *Restoration of Habitat and Management of Other Wildlife Species*

Some people wanted to see habitat restored and improved, but opinions differed on the specifics of this goal. Some wanted the planning process to look at winter habitat throughout the region (that is, taking an ecosystem approach) and to encourage migration out of Jackson Hole to better distribute the herd. Others emphasized improving habitat in Grand Teton National Park and Bridger-Teton National Forest by eliminating cattle grazing, allowing wildfires to burn within prescription, and/or improving habitat on the National Elk Refuge through continued prescribed fires and increased irrigation, or conversely through the planting of only native plants and decreased irrigation. Some people said that a thorough analysis of the effects of both herds on vegetation in the valley is needed to determine the carrying capacity. However, some citizens pointed out that forage “under 4 feet of snow” is not available to ungulates, no matter how rich or diversified it may be. Some people expressed concerns about the adverse effects that elk and bison may be having on native habitats (especially willow, aspen, and cottonwood communities) and associated wildlife.

3. *Winter Feeding Operations of Bison and Elk*

Comments regarding feeding covered every possible scenario, from not feeding bison or elk at all, to feeding every winter. Some stakeholders did not want bison to be fed on the National Elk Refuge where they might compete with elk. Feeding in Grand Teton National Park was suggested as an



Collecting antlers for the annual Jackson auction.

alternative. Other people recommended that the agencies consider phasing out feeding over the long term, taking into account forage production, habitat improvement, and expansion of winter range. Some stakeholders felt that winter feeding on the refuge should continue, but the way in which elk and bison are fed should change (e.g., switching from pellets to hay, increasing the number of feeding locations, and feeding earlier to protect habitat).

4. *Disease Prevalence and Transmission*

There was discussion about brucellosis and the high rates of infection in both the bison and elk herds. This disease is of concern because of the economic effect it could have on livestock producers if contracted by cattle. Suggestions for dealing with the problem included conducting additional research; vaccinating elk, bison, and cattle; enforcing health certificate requirements on the Department of the Interior; removing cattle from the area; and treating bison and elk equally when considering the risk of disease transmission to cattle. Some stakeholders were concerned about the potential of other more serious diseases getting into the herds. They felt there is a need to assess this risk with regard to the feeding program, and one person suggested developing a contingency

plan for any epidemic that may occur. Encouraging elk to leave the National Elk Refuge and migrate to other public lands was one suggested method of alleviating this risk, while other individuals felt that well-fed elk were less likely to contract diseases. Many agreed that more research on diseases was warranted.

5. *Recreational Opportunities*

Many people expressed concern that changes in the management of elk and bison on the National Elk Refuge and in Grand Teton National Park would impact hunting and viewing opportunities. Hunting was identified as a popular form of recreation, but viewing wildlife, specifically bison and elk, was also recognized as an important recreational pastime for all visitors. The agencies were encouraged to consider and manage the conflicts between winter recreation and wildlife. Although some people felt these conflicts were an educational matter, others felt that all recreation impacts on wildlife should be limited to avoid stressing animals during a critical period in their life cycle.

6. *Cultural Opportunities, Traditions, and Lifestyles*

Tribal representatives and other members of the public have stated that American Indian tribes should be actively involved in decisions regarding bison. Some Native Americans have traditions and spiritual values that are closely associated with both elk and bison. Local residents also expressed concern about how changes in elk and bison management would affect their own traditions and lifestyles, which are in part dependent on wide-open spaces and plentiful wildlife.

7. *Commercial Operations and the Local and Regional Economy*

Wildlife viewing and hunting were identified as contributing to the local economy. Many businesses depend on abundant wildlife, and outfitters and dude ranchers in particular rely on elk and bison to provide hunting opportunities. Some people expressed concerns about the effects of changes in bison

and elk management on the local economy and the quality of life in Jackson Hole.

AREAS OF POTENTIAL COMMON GROUND AMONG THE PUBLIC, TRIBES, AND STAKEHOLDER GROUPS

The U.S. Fish and Wildlife Service and the National Park Service are required to consider public, tribal, and stakeholder perspectives. While there is increasing emphasis on working toward decisions that accommodate the interests of the greatest number of people, public opinion cannot be adequately represented in one set of perspectives.

Potential areas of common ground were identified to a certain extent, and the results were considered in formulating alternatives. Although many of the opinions were widely divergent, there were several common themes. Based on pre-scoping, scoping, and alternative development meetings and the “Situation Assessment” (USIECR 2000: 25), the following areas of potential common ground were identified.

1. The public, tribes, and stakeholders generally want sustainable and healthy herds of elk and bison.
2. Habitat is critical for elk and bison conservation, and winter range in the Jackson Hole area should be maintained and enhanced.
3. To the extent that elk begin to use enhanced winter range, some stakeholders otherwise opposed to reductions in supplemental feeding may be willing to accept a reduction as long as numbers of elk in the Yellowstone, Teton Wilderness, and Gros Ventre herd segments can be maintained at or close to existing levels on an annual basis.
4. Most groups would like to see continued access to elk and bison for a variety of uses (recognizing that some stakeholders are opposed to hunting).
5. The bison and elk herds are important to people in the Jackson area, the state, American Indian tribes, and the nation.
6. To the extent that changes are made in management, there is a general desire for incremental, rather than drastic or premature, changes in management.

THE DRAFT AND FINAL ENVIRONMENTAL IMPACT STATEMENTS

RANGE OF ALTERNATIVES

Based on the scoping process, the U.S. Fish and Wildlife Service and the National Park Service developed six alternatives for in-depth analysis in the *Draft Environmental Impact Statement*.

These alternatives included the following:

- *Alternative 1* — No action
- *Alternative 2* — Minimal management of habitat and populations, with support for migrations
- *Alternative 3* — Restore habitat, support migration, and phase back supplemental feeding
- *Alternative 4* — Restore habitat, improve forage, and phase back supplemental feeding (proposed action)
- *Alternative 5* — Restore habitat, improve forage, and continue supplemental feeding
- *Alternative 6* — Restore habitat, adaptively manage populations, and phase out supplemental feeding

COMMENTS ON THE DRAFT PLAN/EIS

The *Draft Bison and Elk Management Plan and Environmental Impact Statement (Draft Plan/EIS)* was available for public review from July 21, 2005, to November 7, 2005. In late August 2005 the U.S. Fish and Wildlife Service and the National Park Service held a series of public open houses and formal hearings in Bozeman, Montana; Jackson, Wyoming; and Riverton, Wyoming. In addition to the public hearing testimony, public comments on the *Draft Plan/EIS* were also received in the form of letters, e-mails, form letters, and petitions.

During the comment period, the agencies received over 11,900 written comments and public testimony from 241 individuals, 37 agencies or organizations, and 1,751 form letters or petitions. The most common comment topic was alternative preference. About 65% of the commenters

expressed a preference for Alternative 6, while about 12% preferred Alternative 5 (fewer than 1% expressed support for Alternative 4). Many of the commenters, however, did not express a preference for any particular alternative.

While many issues were raised, most of the concerns were centered around the following topics:

- Population management
- Habitat management
- Supplemental feeding
- Disease
- Public use and economics
- Legal mandates and jurisdiction
- Native American tradition and history

Besides alternative preferences, the most common concerns or issues expressed in individual comments (including form letters) were:

1. Support for protecting and restoring wildlife migration routes
2. Opposition to the use of existing vaccines
3. Suggestion that bison should be managed like other big game species
4. Suggestion that supplemental feeding should be phased out
5. Suggestion that populations should be managed with hunting and habitat protection
6. General concerns about disease
7. Concern that a disease outbreak could jeopardize local outfitting and ranching opportunities
8. Support for supplemental feeding
9. Concern about impacts to other species if elk and bison feeding was reduced
10. Support for reducing the size of the bison herd

This list does not include issues in letters from agencies or organizations, which were responded to separately.

The U.S. Fish and Wildlife Service and the National Park Service responded to all substantive comments (including individual comments, agency comments, and form letters) in the *Final Environmental Impact Statement*.

MEETING WITH SHOSHONE-BANNOCK TRIBES

The agencies received one request from the tribes for a consultation meeting. The agencies met with the Shoshone-Bannock Tribes on October 12, 2005, to brief tribe members and to discuss their concerns regarding the *Draft Plan/EIS*.

SIGNIFICANT CHANGES TO THE DRAFT PLAN/EIS

The following discussion summarizes significant changes that were made in the process of developing the *Final Environmental Impact Statement*.

1. **Inclusion of a statement that clarifies the desired conditions to be achieved by the end of 15-year plan for managing the bison and elk populations.** This statement reflects the agencies' purposes, missions, goals, and other legal requirements. As a result, the management goals more effectively describe the general targets for achieving the desired conditions. In addition, the management goal for sustainable populations in Grand Teton National Park and John D. Rockefeller, Jr., Memorial Parkway was modified to include the role of the Wyoming Game and Fish Department in achieving population objectives for the Jackson bison and elk herds.
2. **Modification of Alternative 4 (Preferred Alternative) to include more of the adaptive management emphasis found in Alternative 6.** The agencies, in cooperation with the Wyoming Game and Fish Department and others, would use existing conditions, trends, new research findings, and other changing circumstances to provide the basis for developing and implementing a dynamic framework for decreasing the need for

supplemental feeding on the National Elk Refuge in order to achieve the desired conditions over the long term.

3. **Modification of Alternative 4 to allow more flexibility in reducing feeding and achieving population objectives.** The number of years that feeding would take place (in above-average winters, estimated to be 5 out of 10 years) was deleted in order to emphasize a process for achieving desired conditions by the end of the plan. A phased approach would be used to reduce herd size and the need for supplemental feeding. Following implementation of the first phase, approximately 5,000 elk would be expected to winter on the refuge. As herd sizes and objectives were achieved, further reductions in feeding or elk numbers could occur, based on established criteria and changing social, political, or biological conditions.
4. **Development of a structured framework under Alternative 4 for identifying specific criteria that would have to be met for progressively transitioning from intensive supplemental winter feeding to greater reliance on free-standing forage.** The framework, which would be developed collaboratively with the Wyoming Game and Fish Department, would provide a basis for determining herd sizes, ratios, and mitigation measures for bison/elk and cattle co-mingling on private lands. The framework would be based on winter distribution patterns of elk and bison, prevalence of diseases, and public support.
5. **Modification of Alternative 4 to include the mitigation components of Alternative 6 to minimize conflicts with adjacent landowners.** Mitigation would include an emphasis on developing partnerships to provide human and/or financial resources to manage co-mingling and reduce crop depredation by elk and/or bison on private lands.
6. **Modification of bison population objectives for Alternatives 4 and 6.** For Alternative 4 the agencies would work cooperatively with the Wyoming Game and Fish Department to maintain and ensure a genetically viable population of approximately 500 bison (400 is generally considered to be the minimum

recommended size to maintain heterozygosity of the herd over the long term). Monitoring of habitat conditions and health of the herd would be used to make recommendations regarding herd size. For Alternative 4 a public bison hunt would be implemented to reduce the bison population in accordance with Wyoming's licensing regulations and an approved refuge hunting plan. The U.S. Fish and Wildlife Service could potentially allow for the removal of a small number of bison for ceremonial purposes by Native American tribes. The recommended population objective for Alternative 6 was also modified to be 500 bison instead of 400.

7. **Use of RB51 vaccine for bison population under Alternative 4.** The Wyoming Game and Fish Department could vaccinate elk and bison for brucellosis on the refuge under Alternative 4 as long as it was logistically feasible and safe for wildlife.
8. **Initiation of a public outreach effort to build understanding of natural elk and bison behavior, ecology, distribution, disease implications, and effects to other species for Alternative 4.** An option to consider opening the southern portion of the refuge in the fall to wildlife observation in order to increase harvest efficiency was dropped from consideration due to safety issues with the ongoing hunting program. The option to open the southern portion of the refuge for an early season hunt was retained.

COMMENTS ON THE FINAL PLAN/EIS

The *Final Bison and Elk Management Plan and Environmental Impact Statement* was published on February 2, 2007, and the 30-day waiting period ended on March 12, 2007. A total of 938 e-mails were received from individuals and 5 letters from organizations. The majority of e-mails were petitions in support of Alternative 6 with changes, while two individuals opposed hunting. A total of 4,738 comments (including signers of petitions) were recorded. In addition, a meeting was held with the Shoshone-Bannock Tribes on March 9, 2007, at Fort Hall, Idaho, to discuss the tribes' concerns about the *Final Plan/EIS*.

None of the comments raised new issues or presented reasonable alternatives to those

presented in the *Final Plan/EIS* or provided additional information relevant to the analysis.

SUMMARY OF FEIS COMMENTS

1. **Supplemental Feeding.** While the *Final Plan/EIS* acknowledged that many biological issues on the refuge are related to supplemental feeding, Alternative 4 made no commitment to phase out supplemental feeding.
2. **Adaptive Management Framework.** The proposed adaptive management framework to reduce reliance on supplemental feeding was not adequately described and analyzed, and it presented no observable benchmarks or standards by which the public could gauge progress.
3. **Legal Mandates.** Alternative 4 does not conform to the existing laws and policies that govern management of the National Elk Refuge.
4. **Fencing.** The Preferred Alternative should include additional fencing and/or partnerships to reduce property damage and co-mingling of elk and bison with livestock.
5. **Bison.** Population targets for bison should be higher, and bison should be allowed to distribute over a larger geographic area than what was proposed in Alternative 4. The agencies should consider other habitat modeling data in determining the carrying capacity for bison.
6. **Vaccination.** Some commenters were opposed to the use of vaccines (Strain 19 or RB51) in elk or bison.
7. **Tribal Concerns.** A process was not been identified for how the tribes would participate in a ceremonial hunt. Alternative 4 only provided the potential that tribal ceremonial take could occur, and the numbers of bison that could be taken by the tribes (5 or possibly more, depending on need) was too low. The importance of traditions and cultural values was not adequately addressed in the *Final Plan/EIS*, and the agencies' trust responsibilities, including treaty and subsistence rights, were not addressed.
8. **Other.** Comments opposed hunting.

DISCUSSION OF FINAL PLAN/EIS COMMENTS

Issues raised about supplemental feeding, legal mandates, bison population objectives, habitat modeling assumptions, vaccination, and hunting were addressed in *Volume 2: Responses to Comments on the Final Plan/EIS*, and changes were made in the *Final Plan/EIS*. These issues are not new and are not discussed further. Other issues that warrant further clarification are discussed below.

Adaptive Management Framework

The Preferred Alternative identified in the *Final Plan/EIS* was modified from the Proposed Action identified in *Draft Plan/EIS* as a result of the public comments. The Preferred Alternative provides substantial guidance and direction for managing the Jackson bison and elk herds for the next 15 years. Even though this plan does not constitute a commitment for future funding, any significant deviation from Alternative 4 will require further public review and analysis.

The most significant issue identified throughout the planning process is that there is not enough winter forage to support the Jackson bison and elk herd sizes that are desired by the public and the State of Wyoming. Further complicating the issue is that these populations migrate across several jurisdictional boundaries, requiring cooperation and coordination among agencies and jurisdictions with differing legal mandates and constituents.

The Preferred Alternative clearly states that the Fish and Wildlife Service intends to progressively reduce the use of supplemental feeding on the National Elk Refuge, and specific objectives and strategies were outlined to address habitat conservation and wildlife management in order to achieve a greater reliance on free-standing forage. Many of the commenters on the *Final Plan/EIS* wanted a definitive answer about eliminating the use of supplemental feeding, and many agencies and stakeholder groups, as well as the public, have divergent opinions about phasing out supplemental feeding. The plan does not identify whether or not feeding will be phased out within 15 years; instead, it focuses on achieving the desired conditions that have been identified through an adaptive, progressive, and

collaborative approach that incorporates different objectives and tools (strategies) for managing these populations. No management tool will be precluded in the effort to resolve current bison and elk management issues, nor will any predictions be made about how fast the first phase of this plan can be implemented. When the biological, social, and political conditions enable the Fish and Wildlife Service to consider a phaseout of feeding, this adaptive framework will provide flexibility; success will not be possible without the continued cooperation and coordination with other federal/state agencies, including the Wyoming Game and Fish Department.

The integral components of the management framework described in the *Final Plan/EIS* — population management, habitat restoration, public education, and monitoring — are not linear, separate components. They are dynamic and interwoven and require adaptable and workable solutions to changing biological, social, and political conditions. The primary considerations in developing a structured framework are identified in greater detail in the *Final Plan/EIS*. Successful implementation of the Preferred Alternative will require additional discussions between the agencies, particularly between the Wyoming Game and Fish Department and the U.S. Fish and Wildlife Service to address issues such as criteria for feeding, vaccination procedures, management of the bison and elk hunts, and continued coordination and cooperation between the Wyoming Game and Fish Department and the U.S. Fish and Wildlife Service. The outcome of these discussions will be documented in a new memorandum of understanding or other appropriate agreement document, which will be made available to all stakeholders.

Fencing

The need for additional fencing on the refuge other than what was identified in the Preferred Alternative is not anticipated, but there is flexibility within the alternative to work with adjacent landowners, the Wyoming Game and Fish Department, and others to identify strategies (including fencing) for reducing conflicts on private lands.

Tribal Concerns

The option of potentially allowing the tribes to take a small number of bison for the purposes of a ceremonial event was included in the Preferred Alternative; however, this remains a sensitive issue for the State of Wyoming as well as the tribes. The population objectives for bison and the subsequent analysis would remain unchanged regardless of whether a small taking for ceremonial purposes was eventually allowed, and discussions with the tribes will continue. Other

tribal concerns were addressed in volume 2 of the *Final Plan/EIS*.

RECORD OF DECISION

The Record of Decision for the plan was signed by the Regional Directors of the U.S. Fish and Wildlife Service and the National Park Service on April 26, 2007. A copy is reprinted in this document as Appendix F.

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