

**GAO**

Testimony

Before the Subcommittee on National  
Parks, Forests and Public Lands,  
Committee on Natural Resources,  
U.S. House of Representatives

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**YELLOWSTONE  
NATIONAL PARK**

**Preliminary Observations  
on the Implementation of  
the Interagency Bison  
Management Plan**

Statement of Robin M. Nazzaro, Director  
Natural Resources and Environment



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# Highlights

Highlights of [GAO-07-638T](#), a testimony before the Subcommittee on National Parks, Forests and Public Lands, Committee on Natural Resources, U.S. House of Representatives

## Why GAO Did This Study

Yellowstone National Park, in northwest Wyoming, is home to a herd of about 3,600 free-roaming bison. Some of these bison routinely attempt to migrate from the park in the winter. Livestock owners and public officials in states bordering the park have concerns about the bison leaving the park because many are infected with brucellosis—a contagious bacterial disease that some fear could be transmitted to cattle, thus potentially threatening the economic health of the states' livestock industry. Other interested groups believe that the bison should be allowed to roam freely both within and outside the park.

In an effort to address these concerns, five federal and Montana state agencies agreed to an Interagency Bison Management Plan (IBMP) in December 2000 that includes three main steps to “maintain a wild, free-ranging population of bison and address the risk of brucellosis transmission to protect the economic interest and viability of the livestock industry in Montana.”

This testimony discusses GAO's preliminary observations on the progress that has been made in implementing the IBMP and the extent to which bison have access to lands and an easement acquired for \$13 million in federal funds. It is based on GAO's visit to the greater Yellowstone area, interviews with federal and state officials and other interested stakeholders, and review of related documents.

[www.gao.gov/cgi-bin/getrpt?GAO-07-638T](http://www.gao.gov/cgi-bin/getrpt?GAO-07-638T).

To view the full product, including the scope and methodology, click on the link above. For more information, contact Robin M. Nazzaro at (202) 512-3841 or [nazzaro@gao.gov](mailto:nazzaro@gao.gov).

## YELLOWSTONE NATIONAL PARK

### Preliminary Observations on the Implementation of the Interagency Bison Management Plan

#### What GAO Found

More than 6 years after approving the IBMP, the five federal and state partnering agencies—the federal Department of the Interior's National Park Service and Department of Agriculture's Animal and Plant Health Inspection Service and Forest Service, and the state of Montana's Departments of Livestock and of Fish, Wildlife and Parks—remain in step one of the three-step plan primarily because cattle continue to graze on certain private lands. A key condition for the partner agencies to progress further under the plan requires that cattle no longer graze in the winter on certain private lands north of Yellowstone National Park and west of the Yellowstone River to minimize the risk of brucellosis transmission from bison to cattle; the agencies anticipated meeting this condition by the winter of 2002/2003. Until this condition is met, bison will not be allowed to roam beyond the park's northern border in this area. While a prior attempt to acquire grazing rights on these private lands was unsuccessful, Montana's Department of Fish, Wildlife and Parks is currently negotiating with the private land owner to acquire grazing rights on these lands.

Yellowstone bison have limited access to the lands and conservation easement that federal agencies acquired north of the park. In 1998 and 1999, as part of a larger conservation effort to provide habitat for a variety of wildlife species, protect geothermal resources, and improve recreational access, federal agencies spent nearly \$13 million to acquire 5,263 acres and a conservation easement on 1,508 acres of private lands north of the park's border—lands towards which bison frequently attempt to migrate in the winter. The conservation easement prohibits development, such as the construction of commercial facilities and roads, on the private land; cattle grazing rights were retained by the land owner. The Yellowstone bison's access to these lands will remain limited until cattle no longer graze on the easement and certain other private lands in the area.

#### Bison in Yellowstone National Park



Source: GAO.

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Mr. Chairman and Members of the Subcommittee:

I am pleased to be here today to discuss our preliminary work on issues related to managing bison in the Yellowstone National Park area. Bison lived in this area long before the park was established in 1872, and have been under some form of human management since the early 1900s. In 1901, after years of hunting and poaching, the Yellowstone herd had been reduced to about 25 bison. For nearly the next six decades, bison management in the park emphasized reestablishing the bison herd and controlling the size of the population. Through a policy of natural regulation adopted by the park in the 1960s, the bison population has increased, and about 3,600 bison roam the park and surrounding areas today.

Brucellosis—a contagious bacterial disease that can infect domestic animals, wildlife, and humans—was first found in the Yellowstone bison herd in 1917 and is believed to have been transmitted from livestock. Livestock owners and public officials in the states bordering the park are concerned about brucellosis in the bison herd because of the risk of bison transmitting the disease back to cattle and the economic impact such an occurrence could have on the livestock industry. The state of Montana and its livestock industry, in particular, have been active in protecting the brucellosis-free status that the state has held since 1985 by advocating for limits on bison migration. These efforts have been opposed by advocacy groups working to expand bison habitat and protect the wild free-roaming character of the bison, and who assert that there has never been a documented case of brucellosis transmission from bison to cattle in the wild. Many years of public controversy over the management of bison in the Yellowstone National Park area have ensued as a result of these competing concerns.

In an effort to address these concerns in the early 1990s, the Department of the Interior's (Interior's) National Park Service, the Department of Agriculture's (USDA's) Animal and Plant Health Inspection Service and Forest Service, and Montana's Departments of Livestock and Fish, Wildlife and Parks agreed to develop a joint long-term bison management strategy. This joint planning effort ultimately resulted in a three-step, Interagency Bison Management Plan (IBMP) that was agreed upon by the five federal and state partner agencies in December 2000. Concurrent with the development of a bison management strategy, the Forest Service was also pursuing the acquisition of certain private lands and conservation easements near the northern boundary of the park to expand critical

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migration and winter range habitat for a variety of wildlife species, protect geothermal resources, and improve recreational access.

My testimony today summarizes work performed to date that GAO began in mid-January 2007 at the request of the Chairman of the House Committee on Natural Resources and Congressman Maurice D. Hinchey. GAO previously reported on the bison management issue and development of the IBMP in the 1990s. A list of related GAO products is provided in appendix I. Our current work is focused on determining: (1) the progress that has been made in implementing the IBMP and the associated costs and challenges; (2) what lands and easements north of Yellowstone National Park, acquired for \$13 million in federal funds, have been made available to bison and other wildlife; and (3) what advances have been made in developing a brucellosis vaccine and remote delivery method for bison. To begin addressing these objectives, we visited the Yellowstone National Park area to attend an interagency sponsored public meeting on the IBMP, tour the bison management areas near Yellowstone National Park, interview federal and state agency officials as well as members of interested stakeholder groups, and review relevant documentation. We have conducted our work to date in accordance with generally accepted government auditing standards.

Over the next several weeks, we will continue to collect and analyze information to refine our approach for completing the review. To date, our efforts have focused mostly on the first two broad objectives. Thus, my remarks today will provide our preliminary findings on the first two objectives.

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## Summary

In summary, more than 6 years after approving the IBMP, the five federal and state partnering agencies remain in step one of the three-step plan because cattle continue to graze on certain private lands. A key condition for the partner agencies progressing further under the plan requires that cattle no longer graze in the winter on certain private lands adjacent to the north boundary of Yellowstone National Park and west of the Yellowstone River to minimize the risk of brucellosis transmission from bison to cattle. The agencies anticipated meeting this condition by the winter of 2002/2003. Until this condition is met, bison will not be allowed to roam freely beyond the park's northern border, west of the Yellowstone River. The Forest Service has been successful in purchasing certain private lands and continues its vacancy of national forest grazing allotments in the area; however, the partner agencies have yet to acquire cattle grazing rights on other private lands adjacent to the north boundary of Yellowstone

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National Park and west of the Yellowstone River. While a prior attempt by Interior was unsuccessful, Montana's Department of Fish, Wildlife and Parks is currently negotiating with the private land owner to acquire these grazing rights.

Yellowstone bison have limited access to the lands and conservation easement that federal agencies acquired north of the park. In 1998 and 1999, as part of a larger conservation effort to provide habitat for a variety of wildlife species, protect geothermal resources, and improve recreational access, federal agencies spent nearly \$13 million to acquire 5,263 acres and a conservation easement on 1,508 acres of private lands north of the park's border, lands towards which bison frequently attempt to migrate for suitable winter range. While the conservation easement prohibits development, such as the construction of commercial facilities and roads, on the private land, the land owner retained cattle grazing rights. The Yellowstone bison's access to these lands will remain limited until cattle no longer graze on the easement and other private lands in the area.

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## Background

Yellowstone National Park is at the center of about 20 million acres of publicly and privately owned land, overlapping three states—Idaho, Montana, and Wyoming. This area is commonly called the greater Yellowstone area or ecosystem and is home to numerous species of wildlife, including the largest concentration of free-roaming bison in the United States. Bison are considered an essential component of this ecosystem because they contribute to the biological, ecological, cultural, and aesthetic purposes of the park. However, because the bison are naturally migratory animals, they seasonally attempt to migrate out of the park in search of suitable winter range.

The rate of exposure to brucellosis in Yellowstone bison is currently estimated at about 50 percent. Transmission of brucellosis from bison to cattle has been documented under experimental conditions, but not in the wild. Scientists and researchers disagree about the factors that influence the risk of wild bison transmitting brucellosis to domestic cattle and are unable to quantify the risk. Consequently, the IBMP partner agencies are working to identify risk factors that affect the likelihood of transmission, such as the persistence of the brucellosis-causing bacteria in the environment and the proximity of bison to cattle, and are attempting to limit these risk factors using various management actions.

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The National Park Service first proposed a program to control bison at the boundary of Yellowstone National Park in response to livestock industry concerns over the potential transmission of brucellosis to cattle in 1968. Over the next two decades, concerns continued over bison leaving the park boundaries, particularly after Montana's livestock industry was certified brucellosis-free in 1985. In July 1990, the National Park Service, Forest Service, and Montana's Department of Fish, Wildlife and Parks formed an interagency team to examine various alternatives for the long-term management of the Yellowstone bison herd. Later, the interagency team was expanded to include USDA's Animal and Plant Health Inspection Service and the Montana Department of Livestock. In 1998, USDA and Interior jointly released a draft environmental impact statement (EIS) analyzing several proposed alternatives for long-term bison management and issued a final EIS in August 2000. In December 2000, the interagency team agreed upon federal and state records of decision detailing the long-term management approach for the Yellowstone bison herd, commonly referred to as the IBMP.

The IBMP is a three-step plan for managing bison on the northern and western sides of Yellowstone National Park, areas to which bison typically attempt to migrate for suitable winter range. The stated purpose of the IBMP is to:

“maintain a wild, free-ranging population of bison and address the risk of brucellosis transmission to protect the economic interest and viability of the livestock industry in Montana.”

Although managing the risk of brucellosis transmission from bison to cattle is at the heart of the IBMP, the plan does not seek to eliminate brucellosis in bison. The plan instead aims to create and maintain a spatial and temporal separation between bison and cattle sufficient to minimize the risk of brucellosis transmission. In addition, the plan allows for the partner agencies to make adaptive management changes as better information becomes available through scientific research and operational experience.

Under step one of the plan, bison are generally restricted to areas within or just beyond the park's northern and western boundaries. Bison attempting to leave the park are herded back to the park. When attempts to herd the bison back to the park are repeatedly unsuccessful, the bison

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are captured or lethally removed. Generally, captured bison are tested for brucellosis exposure.<sup>1</sup> Those that test positive are sent to slaughter, and eligible bison—calves and yearlings that test negative for brucellosis exposure—are vaccinated. Regardless of vaccination-eligibility, partner agency officials may take a variety of actions with captured bison that test negative including, temporarily holding them in the capture facility for release back into the park or removing them for research. In order to progress to step two, cattle can no longer graze in the winter on certain private lands north of Yellowstone National Park and west of the Yellowstone River. Step two, which the partner agencies expected to reach by the winter of 2002/2003, would use the same management methods on bison attempting to leave the park as in step one, with one exception—a limited number of bison, up to a maximum of 100, that test negative for brucellosis exposure would be allowed to roam in specific areas outside the park. Finally, step three would allow a limited number of untested bison, up to a maximum of 100, to roam in specific areas outside the park when certain conditions are met. These conditions include determining an adequate temporal separation period, gaining sufficient experience in managing bison in the bison management areas, and initiating an effective vaccination program using a remote delivery system for eligible bison inside the park. The partner agencies anticipated reaching this step on the northern boundary in the winter of 2005/2006 and the western boundary in the winter of 2003/2004.

In 1997, as part of a larger land conservation effort in the greater Yellowstone area, the Forest Service partnered with the Rocky Mountain Elk Foundation—a nonprofit organization dedicated to ensuring the future of elk, other wildlife and their habitat—to develop a Royal Teton Ranch (RTR) land conservation project. The ranch is owned by and serves as the international headquarters for the Church Universal and Triumphant, Inc. (the Church)—a multi-faceted spiritual organization. It is adjacent to the northern boundary of Yellowstone National Park and is almost completely surrounded by Gallatin National Forest lands. The overall purpose of the conservation project was to preserve critical wildlife migration and winter range habitat for a variety of species, protect geothermal resources, and improve recreational access. The project included several acquisitions from the Church, including the purchase of land and a wildlife

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<sup>1</sup>If the Yellowstone bison herd exceeds a target population size of 3,000 bison as set forth in the IBMP, other management actions, such as removing the captured bison to quarantine or slaughter, may be taken to reduce the size of the herd.

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conservation easement, a land-for-land exchange, and other special provisions such as a long-term right of first refusal for the Rocky Mountain Elk Foundation to purchase remaining RTR lands. The project was funded using fiscal years 1998 and 1999 Land and Water Conservation Fund appropriations totaling \$13 million.<sup>2</sup>

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## Implementation of the IBMP Remains in Step One Because Cattle Continue to Graze on RTR Lands

Implementation of the IBMP remains in step one because cattle continue to graze on RTR lands north of Yellowstone National Park and west of the Yellowstone River. All Forest Service cattle grazing allotments on its lands near the park are held vacant, and neither these lands nor those acquired from the Church are occupied by cattle. The one remaining step to achieve the condition of cattle no longer grazing in this area is for the partner agencies to acquire livestock grazing rights on the remaining private RTR lands. Until cattle no longer graze on these lands, no bison will be allowed to roam beyond the park's northern border, and the agencies will not be able to proceed further under the IBMP.

Although unsuccessful, Interior attempted to acquire livestock grazing rights on the remaining RTR lands in August 1999. The Church and Interior had signed an agreement giving Interior the option to purchase the livestock grazing rights, contingent upon a federally approved appraisal of the value of the grazing rights and fair compensation to the Church for forfeiture of this right. The appraisal was completed and submitted for federal review in November 1999. In a March 2000 letter to the Church, Interior stated that the federal process for reviewing the appraisal was incomplete and terminated the option to purchase the rights. As a result, the Church continues to exercise its right to graze cattle on the RTR lands adjacent to the north boundary of the park, and the agencies continue operating under step one of the IBMP.

More recently, the Montana Department of Fish, Wildlife and Parks has re-engaged Church officials in discussions regarding a lease arrangement for Church-owned livestock grazing rights on the private RTR lands. Given the confidential and evolving nature of these negotiations, specific details about funding sources or the provisions being discussed, including the

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<sup>2</sup>The Land and Water Conservation Fund Act of 1965 was enacted to help preserve, develop, and assure access to outdoor recreation resources. Among other purposes, appropriations from the fund may be used for federal acquisition of land and waters and interests therein. Pub. L. No. 88-578, 78 Stat. 897. 16 U.S.C. §4601-4, et seq.

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length of the lease and other potential conditions related to bison management, are not yet available.

Although the agencies continue to operate under step one of the plan, they reported several accomplishments in their September 2005 *Status Review of Adaptive Management Elements for 2000-2005*. These accomplishments included updating interagency field operating procedures, vacating national forest cattle allotments within the bison management areas, and conducting initial scientific studies regarding the persistence of the brucellosis-causing bacteria in the environment.

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## Federal Land and Easement Acquisitions Sought to Provide Critical Habitat for Many Species, But Bison Access to These Lands Remains Limited

The lands and conservation easement acquired by the federal government through the RTR land conservation project sought to provide critical habitat for a variety of wildlife species including bighorn sheep, antelope, elk, mule deer, bison, grizzly bear, and Yellowstone cutthroat trout; however, the value of this acquisition for the Yellowstone bison herd is minimal because bison access to these lands remains limited. The Forest Service viewed the land conservation project as a logical extension of past wildlife habitat acquisitions in the northern Yellowstone region. While the Forest Service recognized bison as one of the migrating species that might use the habitat and noted that these acquisitions could improve the flexibility of future bison management, the project was not principally directed at addressing bison management issues.

Through the RTR land conservation project, the federal government acquired from the Church a total of 5,263 acres of land and a 1,508-acre conservation easement using \$13 million in Land and Water Conservation Fund appropriations.<sup>3</sup> As funding became available and as detailed agreements could be reached with the Church, the following two phases were completed. In Phase I, the Forest Service used \$6.5 million of its fiscal year 1999 Land and Water Conservation Fund appropriation to purchase Church-owned lands totaling 3,107 acres in June and December 1998 and February 1999. Of these lands, 2,316 acres were RTR lands, 640 acres were lands that provided strategic public access to other Gallatin National Forest lands, and 151 acres were an in-holding in the Absaroka Beartooth Wilderness area.

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<sup>3</sup>The Forest Service and the Church chose not to complete the land-for-land exchanges proposed in the conservation project.

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In Phase II, BLM provided \$6.3 million of its fiscal year 1998 Land and Water Conservation Fund appropriations for the purchase of an additional 2,156 acres of RTR lands and a 1,508-acre conservation easement on the Devil's Slide area of the RTR property in August 1999. In a December 1998 letter to the Secretary of the Interior from the Chairs and Ranking Minority Members of the House and Senate Committees on Appropriations, certain conditions were placed on the use of these funds. The letter stated that "the funds for phase two should only be allocated by the agencies when the records of decision for the 'Environmental Impact Statement for the Interagency Bison Management Plan for the State of Montana and Yellowstone National Park' are signed and implemented." The letter also stated that the Forest Service and Interior were to continue to consult with and gain the written approval of the governor of Montana regarding the terms of the conservation easement. Under the easement, numerous development activities, including the construction of commercial facilities and road, are prohibited. However, the Church specifically retained the right to graze domestic cattle in accordance with a grazing management plan that was to be reviewed and approved by the Church and the Forest Service. The Church's grazing management plan was completed in December 2002, and the Forest Service determined in February 2003 that it was consistent with the terms of the conservation easement. The Church currently grazes cattle throughout the year on portions of its remaining 6,000 acres; however, as stipulated in the conservation easement and incorporated in the grazing management plan, no livestock can use any of the 1,508 acres covered by the easement between October 15 and June 1 of each calendar year, the time of year that bison would typically be migrating through the area.

While purchased for wildlife habitat, geothermal resources, and recreational access purposes, the federally acquired lands and conservation easement have been of limited benefit to the Yellowstone bison. As previously noted, under the IBMP, until cattle no longer graze on private RTR lands north of the park and west of the Yellowstone River, no bison are allowed to migrate onto these private lands and the partner agencies are responsible for assuring that the bison remain within the park boundary.

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Mr. Chairman, this concludes my prepared statement. Because we are in the very early stages of our work, we have no conclusions to offer at this time regarding these bison management issues. We will continue our review and plan to issue a report near the end of this year. I would be

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pleased to answer any questions that you or other Members of the Subcommittee may have at this time.

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**GAO Contacts and  
Staff  
Acknowledgments**

For further information on this testimony, please contact me at (202) 512-3841 or [nazzaror@gao.gov](mailto:nazzaror@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. David P. Bixler, Assistant Director; Sandra Kerr; Diane Lund; and Jamie Meuwissen made key contributions to this statement.

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# Related GAO Products

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*Wildlife Management: Negotiations on a Long-Term Plan for Managing Yellowstone Bison Still Ongoing.* [GAO/RCED-00-7](#). Washington, D.C.: November 1999.

*Wildlife Management: Issues Concerning the Management of Bison and Elk Herds in Yellowstone National Park.* [GAO/T-RCED-97-200](#). Washington, D.C.: July 1997.

*Wildlife Management: Many Issues Unresolved in Yellowstone Bison-Cattle Brucellosis Conflict.* [GAO/RCED-93-2](#). Washington, D.C.: October 1992.

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