

I would like to start my comments by telling you that I believe this draft Bison EIS is ILLEGAL. It is illegal for several reasons which include but are not limited to the following:

1. The purpose of an EIS is to provide "detailed information concerning significant environmental impacts". This document fails to provide detailed information especially since no specific sites for bison restoration have been identified.
2. The document discusses many environmental consequences by stating "because a specific site has not been selected it is not possible to predict secondary and cumulative impacts". Again the document fails to provide specifics as required by law.
3. The document should be neutral and unbiased. It is biased in many places. One example, in Section 2.7.1 – Social Value/Perception of Bison Restoration in Montana, the EIS is quick to provide specific survey numbers from 2 surveys involving a total of 900 Montana voters. Both of these surveys indicate an overwhelming majority of those surveyed support bison restoration of some kind in Montana. Let me remind you that 900 out of 10 million plus citizens is only .0009%. Quite frankly, a drop in the bucket. On the other hand agriculture is only mentioned as not generally supporting bison restoration. In just one example from agriculture the Montana Stockgrowers Association has 2000 paid memberships and a policy that opposes bison restoration. So 2000 opposed is more than twice the number specifically mentioned by the identified surveys. Plus, this is just one of the numerous agriculture organizations that oppose bison restoration.
4. Personal comments are included in the document when they are not based in science or fact.
5. According to NEPA an Environmental Assessment is conducted to determine if an EIS is required. It is not the other way around. In other words you have the process backwards.

I also believe the Director Hagener should recuse himself from having a part in any Bison EIS or EA including decision making regarding which alternative to pursue. From April 2009 to December 2010 he was the Managing Director of the American Prairie Foundation, now the American Prairie Reserve. This organization figures prominently as a case study for alternative #2 of the draft Bison EIS. Because of Mr. Hagener's former relationship with the American Prairie Reserve I believe his ability to make

an unbiased decision in regards to bison relocation has been compromised. Plus in a recent interview with Glasgow Courier reporter James Walling, Ron Aasheim, FWP communication and education coordinator, confirmed that "APR has contacted FWP about its interest in bison restoration but has presented no specific proposals". Again, looks like a potential conflict of interest to me.

Now I will address other concerns and question I have with the draft Bison EIS. Chapter 1.5 states "bison restoration cannot happen on any lands without approval and cooperation from landowners". I remind FWP of this statement because the CMR National Wildlife Regus was mentioned during the public scoping process as a potential location for bison restoration. It is also widely rumored as a potential location. FWP needs to remember that there are 22,000 acres of the CMR that are privately owned. I suspect that if the CMR is chosen as a location you will never get the cooperation of all of those landowners.

On page 22 of the document, the first complete sentence states, "there are many unknowns about how a bison herd may behave and use any particular location in modern day Montana." That statement alone makes it clear that the ability to determine any environmental consequences, public safety concerns, potential property damage, damage to livestock resources, program costs and maintenance, and local economic costs and/or benefits are impossible to determine with any amount of accuracy.

In Chapter 1.1.1 it states "Bison restoration presents opportunities for restoring some of the ecological role bison played on the prairie". Later in that section is states that the value of bison to the ecosystem has been forgotten. If we have forgotten their value to the ecosystem, how do we decide what their ecological value is, whether it is really missing from the landscape, and how will we define when the ecological role has been re-established?

Section 1.1.1 states "Bison were the primary source of sustenance for many of the plains tribes. Native Americans and bison coexisted for thousands of years." Unfortunately, when bison disappeared from the plains it created a new ecosystem. One you are trying to recreate even though we no longer remember the value of bison to the ecosystem. One keystone species you seem to be neglecting in your evaluation is homo sapiens. They have been part of the plains ecosystem for thousands of

years. What will happen to their numbers and their role in the ecosystem if bison restoration occurs?

In Chapter 1.1.3 it states "Completion of this EIS allows FWP to explore a variety of opportunities for bison restoration that may be biologically, socially, politically, and economically feasible." When did politics determine wildlife policy? FWP and the Governor need a reminder that they work for the citizens of the state of Montana and not outside interest groups that seem to have inserted themselves into the discussion of bison restoration in Montana. Also, because this document has no specifics it is not possible to determine the biological, social or economic feasibility.

Chapter 2.4.1 the documents states that "the sale of cattle and calves was valued at \$1.7 billion in Montana in the 2012 agricultural census". That number could drop significantly if bison start roaming in additional Montana counties. Why? Other states and countries will add additional testing burdens on cattle producers to prove that breeding age cattle are brucellosis free. Testing that will be conducted at the sellers' expense. How will FWP compensate ranchers who lose money to stricter testing regulations in order to sell their livestock?

Chapter 2.7.1 is very biased in discussing opinions about bison relocation in Montana. Several very specific numbers are included when citing polls and surveys that support bison relocation. However, when discussing organizations or polls that do not favor bison relocation we get general information. You say a number of agricultural organization oppose "free-roaming" bison. Would it be so hard to identify the organizations and their membership? Also, how many counties does MACo represents? How many landowners does MACD represent? It is difficult to determine the true public opinion of bison relocation when you hide the numbers.

In Chapter 3.3.1 it states, "Other specifics to be evaluated in a site/program specific EA include but are not limited to:... 15) private residences such as seasonal cabins on the site". What about private residences that are occupied year round and are primary residences?

In Chapter 3.3.1 it states "any restoration sites would have defined geographic boundaries." What is a defined geographic boundary? Also, since when did bison honor boundaries? Yellowstone National Park is a clear reminder that boundaries have no meaning to bison.

Landownership is a topic in Chapter 3.3.1 where it states that "FWP would work closely with counties and landowners to reduce conflicts in all cases". How does FWP define "work closely"?

Chapter 3.3.1 talks about land use and states the "restoration of bison should not lead to changes in existing land uses." It does not specifically mention how bison restoration will maintain cropland as cropland and areas of livestock grazing as livestock grazing.

Again in Chapter 3.3.1 it states "the goals of restoring bison at a certain level would be to manage the vegetation for both grazing and/or browsing animals, including bison, other native wildlife, and perhaps domestic livestock." How will you know if you have met this goal? What will you do with the bison in the event of drought, fire and/or flood and thus the loss of forage?

In Chapter 3.3.1 it discusses FWP responsibly for damages per MCA 87-1-216 (5b). This code only addresses damage to private property. Loss of grass/forage for livestock grazing would not be covered should bison go outside the boundaries of their defined geographic area. Loss of grazing will negatively affect any livestock producer who should be so unfortunate as to have bison invade their private property. It is up to FWP to work with the legislature to remedy this oversight. This issue is also somewhat addressed when discussing game damage and contingency strategy. Again, there is no specific recourse for loss of grass.

Chapter 3.3.1 discusses a test project will comply with all applicable statutes and strive to minimize negative impact to surrounding landowners, etc. The test project would have local community involvement. Please define local community involvement. Local community support is the more important objective and it is imperative that FWP add that to their list of goals. They should only conduct a bison restoration project where there is local support. It also mentions that an outreach program would be developed to ensure the local community was updated on test progression and what to expect from bison in the area. How will the information be decimated?

In Chapter 3.4.1 there is a discussion of the impact of bison on regional agriculture stating it has been limited. I would like to know which agriculture producers in the Henry Mountain region you spoke to that told you impact has been limited. There are Henry Mountain ranchers that

have been identified that say otherwise and encourage landowners and concerned citizens to not allow bison restoration to occur. They tell us that bison are hard on the habitat and many areas of the Henry Mountains have been damaged and will never recover. These producers tell us that fencing does not work to control bison in the Henry Mountains. They frequently go through a fence. Pasture fences were abandoned for this reason. Allotment boundary fences are impossible to maintain and ranchers' cattle are always in jeopardy of being trespassed. The bison are having a major impact on the winter range of cattlemen. The winter grazing of some cattlemen has been reduced by 55% because of the bison. It doesn't help that the range monitoring that occurs does not happen on the winter range.

Chapter 3.4.2 is a case study utilizing data from the American Prairie Reserve herd. This is not a useful case study. APR has only had bison for 10 years and is only recently fully and possibly overstocked for the AUM's they intend to graze. Therefore, their data is not complete and this case study should be removed. There is not enough history.

Chapter 3.4.2 discusses the socio-political environment surrounding APR. It states "APR is now one of the top tax payers in Phillips County". This information is absolutely irrelevant. The real estate taxes would be paid in full by whoever owned the land and the same goes for personal property taxes. APR as a top tax payer occurs only because they are a large landowner; it contributes no additional dollars to local government budgets.

In Chapter 4.2.3 it says "APR's bison stocking rates are less than earlier cattle stocking rates when the lands were under different. How do we know that the stocking rate is less than under previous management?"

Chapter 4.4.3 discusses that bison could be fenced out of particular areas at the request of the landowner and that the costs would be the responsibility of the livestock producer including increased ranch staff time. It clearly states in MCA 87-1-216 (4) the department (FWP) may not release, transplant, or allow wild buffalo or bison on any private or public land in Montana that has not been authorized for that use by the private or public owner. So how does it become the responsibility of the landowner to fence out bison they do not want? This should be the responsibility of FWP.

I also find the document filled with poor grammar. The EIS says that we could do this, or we should do this or we would do this. Could is the past

tense of can or as an alternative to can suggesting less force or certainty. Should is the past tense of shall or as an auxiliary function to express a request in a polite manner or to soften a direct statement. Would is the past tense of will or used in an auxiliary function to express a plan or intention. It is my opinion that "woulda, shoulda, coulda", are all very weak words and certainly do not imply any specific action, something required in an EIS.

I also find it ludicrous that comments are accepted from outside the state of Montana. It would seem to me that only Montana residents and landowners should have any say in bison restoration. This is a state issue, not a national issue. But again, the Governor and FWP seem to forget who pays their salaries.

My husband and I, along with his parents farm and ranch 50 miles south of Malta. Our ranch has been in the family for 98 years. Between the four of us we have at least 162 years of ranching experience. We neighbor the CMR National Wildlife Refuge, The Nature Conservancy, and the American Prairie Reserve. I feel strongly that we are a target for bison restoration and that nobody cares about nor is listening to our opinions, our concerns, or our frustrations.

I would like to remind the FWP that according to the Montana Constitution Article II, Section 3 and I quote, "All persons are born free and have certain inalienable rights. They include the right to a clean and healthful environment and the rights of pursuing life's basic necessities, enjoying and defending their lives and liberties, acquiring, possessing and protecting property, and seeking their safety, health and happiness in all lawful ways. In enjoying these rights, all persons recognize corresponding responsibilities."

As I said, our family ranch is a target for bison restoration and all I am trying to do with my comments is to exercise my constitutional and inalienable right to protect my property, and to ensure the safety, health, and happiness of myself, my family, and my livestock.

Therefore I support alternative #1 – no action. I would also comment that alternative #3 – restoration of a publicly managed bison herd on tribal lands is irrelevant as an idea. The tribes are sovereign nations and can choose to have all the bison they wish. They do not need the assistance of the state of Montana.