Legal and Conservation Status of Bison in Surrounding Regions

Idaho

The State of Idaho classifies bison as "unprotected" wildlife and domestic livestock (Gates et al., 2010). "Having no other designated status, bison are classified by default as unprotected wildlife in Idaho under the Idaho Fish and Game rules (Idaho Administrative Procedures Act (IDAPA) 13.01.06.200.01.a) and as livestock (Idaho Code §25-3301) and domestic animals under Idaho Department of Agriculture rules (IDAPA 02.04.20.101.12) (J. Rachael, Idaho Department of Fish and Game, personal communication). Bison are listed as an S1 Species in the wildlife commission status report. An S1 rank means that the species is a "critically imperiled species at high risk because of extreme rarity, however Idaho does not currently have any long-term conservation goals for bison within the state, or any proposals for restoration (Gates et al., 2010; J. Rachael, personal communication). There is no language pertaining to bison under Idaho Code Title 36, which pertains to fish and game.

"Under Idaho Code §25-618, bison are considered a significant risk for 'spreading contagious disease to persons, livestock, and other animals' and provides for the management or eradication of bison which have not been reduced to captivity" (J. Rachael, personal communication). Idaho code §25-618 places management of wild bison that pose a threat of disease under the direction of the Department of Agriculture: "it is the purpose of the provisions of this section to provide for the management or eradication of bison which have not been reduced to captivity and which pose a threat to persons, livestock or other animals through the transmission of contagious disease, and to prescribe the duties of the department of agriculture" (Idaho code §25-618). Gates et al. (2010) suggest the major legislative and/or policy obstacles for the restoration of bison within Idaho are the disease status of bison originating in Yellowstone National Park, conflicts within the agricultural and forestry sectors, and regulatory status.

North Dakota

The State of North Dakota classifies bison as a domestic animal under the nontraditional livestock regulations, and the state does not manage any bison as wildlife. North Dakota Administrative Code 48-12-01.0 states that "'Domestic animal' means . . . bison" (NDAC 48-12-01.1-01). North Dakota does not manage a public bison herd. There is a federal herd managed by the USFWS in Sully's Hill National Game Preserve, and a herd managed by the NPS in Theodore Roosevelt National Park (Gates et al., 2010). North Dakota does not have any proposals for further bison restoration within the state. Gates et al. (2010) suggest the major legislative and/or policy obstacles for restoration within North Dakota are conflicts within the agricultural and forestry sectors and regulatory status.

South Dakota

Within the state of South Dakota bison are classified as both wildlife and domestic livestock dependent on their location (Gates et al., 2010). South Dakota statute §39-5-6 defines bison as livestock (South Dakota Code §39-5-6, 2010). Bison are viewed and managed as wildlife only within the confines of the National Park System in Badlands and Wind Cave National Parks under the management of the NPS, and within Custer State Park under the management of South Dakota Game, Fish and Parks (Gates et al., 2010). A bison herd is also managed by South Dakota Game, Fish and Parks on Bear Butte State Park. South Dakota statute Title 41, the regulations for Game, Fish, Parks, and Forestry, does not include bison in its definitions of wildlife, though South Dakota statute §41-17-1.1 includes bison in its discussion of fees for harvest within Custer State Park (South Dakota Code §41-17-1.1, 2010).

South Dakota does have long-term conservation goals for the bison within the state parks, but there are no plans for additional restoration (Gates et al., 2010). Gates et al. (2010) suggest the major legislative and/or policy obstacles for restoration are conflicts within the agricultural and forestry sectors, the classification of bison as livestock outside of the state and national parks, their management under captivity, and regulatory status.

Wyoming

The State of Wyoming classifies bison as both wildlife and domestic animals based on their location. Wyoming Code § 11-6-302 states that "bison are considered livestock unless otherwise designated by the Wyoming livestock board and the Wyoming game and fish commission" (Wyoming Code § 11-6-302). Wyoming Code §23-1-302 gives the Wyoming Game and Fish Commission the authority "to designate individual bison or identifiable herds of bison as wildlife when the action is subsequently approved by the Wyoming livestock board" (Wyoming Code §23-1-302, 2010). Bison are classified as wildlife only within the national forests and national parks of Teton and Park Counties; throughout the remainder of the state bison are classified as livestock (Gates et al., 2010).

Bison within Grand Teton National Park.
COURTESY NPS

The Wyoming Fish and Game Department, NPS, and USFWS manage the bison herd that utilizes Grand Teton National Park and the National Elk Refuge with long-term conservation goals (Gates et al., 2010). Wyoming State Parks and Historic Sites manage the herds at Hot Springs State Park and Bear River State Park (Gates et al., 2010). Wyoming is exploring the potential for further reintroductions, including the reintroduction of a herd

on the Wind River Reservation of the Northern Arapaho (Gates et al., 2010). Gates et al. (2010) suggest the major legislative and/or policy obstacles of reintroduction in Wyoming are the disease status of YNP and Jackson-Grand Teton bison, conflicts within the agricultural and forestry sectors, and the regulatory status of bison outside of designated areas in statute (Park and Teton Counties).

Alberta

Within the province of Alberta, plains bison are classified as a domestic species (Gates et al., 2010). The province considers wild plains bison to be extirpated, and does not recognize them under the Alberta Wildlife Act (Gates et al., 2010). There are no long-term conservation goals or plans for reintroductions of plains bison by the Province of Alberta, although there have been proposals to include plains bison in native species management plans in Banff and Waterton Lakes National Parks (Gates et al., 2010). The herds in Elk Island and Waterton Lakes National Parks are managed by Parks Canada Agency. There are two plains bison herds that range on military reserves. The Department of National Defense manages the Canadian Forces Base Wainwright herd; and the Department of National Defense, Saskatchewan Environment, and Fish and Wildlife Branch manage the free-ranging Primrose Lake Air Weapons Range herd, as it straddles Alberta and Saskatchewan (Gates et al., 2010; L. Saigeon, Saskatchewan Ministry of Environment, personal communication). Gates et al. (2010) suggest the major legislative and/or policy obstacles, which hinder further conservation and reintroduction efforts, are conflicts within the agricultural and forestry sectors, the legal status of bison as livestock, and the conservation status of hybrid bison in Wood Bison National Park.

British Columbia

In the province of British Columbia, plains bison are classified both as wildlife and as domestic animals. The British Columbia Wildlife Act classifies bison as a big game species (R.S.B.C c. 488, 1996). Bison may be produced commercially and held as a domestic animal with a game farm license. The British Columbia Game Farm Act defines bison as a "game" species that may be domestically raised (R.S.B.C. c.168, 1996). British Columbia does not have any long-term conservation goals or proposals for restoration of plains bison (Gates et al., 2010). There is one conservation herd of plains bison in Pink Mountain Provincial Park, which is managed by the British Columbia Ministry of Environment (Gates et al., 2010). Gates et al. (2010) suggest the major legislative and/or policy obstacles of conservation and restoration are conflicts within the agricultural and forestry sectors, and also that plains bison in BC are considered to be outside of their original range.

Saskatchewan

In Saskatchewan plains bison are classified both as a wildlife species and as domestic animals. The Wildlife Regulations list "bison, other than domestically raised

bison" as a big game species (R.R.S. c. W-13.1 Reg. 1, 1981). The Livestock Dealers Regulations include bison in the definition of livestock (R.R.S. c. A-20.2 Reg. 9, 1995). The Captive Wildlife Regulations state that a person may hold in captivity, without a license, "bison that have been reared in captivity" (R.R.S. c. W-13.1 Reg. 13, n.d.). Parks Canada manages a captive herd in Grasslands National Park and a free-ranging herd within and around Prince Albert National Park, and maintains long-term conservation goals (Gates et al., 2010; L. Saigeon, personal communication). The Saskatchewan Environment and Parks Branch has management authority over Buffalo Pound Provincial Park (Gates et al., 2010). Gates et al. (2010) suggest the major legislative and/or policy obstacles in efforts to expand bison conservation are conflicts within the agricultural and forestry sectors and limited availability of suitable habitat.