



701 FW 8, Fenced Animal Management

FWM#: 266 (new)

Date: August 8, 1996

Series: Wildlife - General

Part 701: Population Management at Field Stations

Originating Office: Division of Refuges

8.1 Purpose and Scope. This chapter promulgates policy for fenced animal management on Service lands. By special acts of Congress or by special designation herein, five refuges are authorized to preserve and propagate remnant herds of nationally and/or historically significant animals. This chapter relates to the management of animal species now present on the refuges listed below where these species have historically occurred and where reintroduction has been authorized.

A. National Bison Range, Montana: bison, Rocky Mountain elk, bighorn sheep, pronghorn antelope;

B. Wichita Mountains Wildlife Refuge, Oklahoma: bison, Rocky Mountain elk, Texas longhorn cattle;

C. Fort Niobrara National Wildlife Refuge, Nebraska: bison, Rocky Mountain elk, Texas longhorn cattle; and

D. Sullys Hill National Game Preserve, North Dakota: bison, Rocky Mountain elk.

E. Walnut Creek National Wildlife Refuge, Iowa: bison, Rocky Mountain elk.

8.2 Policy. The Service will maintain remnant herds of nationally and/or historically significant animals on those refuges established for that purpose, to ensure their continued existence in numbers sufficient to perpetuate the associated cultural, scientific, and aesthetic values. Bison and Texas longhorn cattle will not be introduced onto any National Wildlife Refuge except those listed for these species in Section [8.1](#), above.

8.3 Objectives. To maintain representative herds of nationally and/or historically significant animals under reasonably natural conditions to:

A. Assure a nucleus breeding population of the species;

B. Provide appropriate viewing opportunities for public enjoyment; and

C. Support that level of scientific study feasible within the scope of managing a representative herd.

8.4 Authorities.

A. General. 50 CFR 30.1 and 30.2 provide for the disposal of surplus animals.

B. Specific. Establishment and related legislation implies the authority for maintenance and management of nationally and/or historically significant animals.

(1) National Bison Range, Montana. This refuge was established in the Agricultural Appropriation Act of May 23, 1908 (35 Stat. 267; 16 U.S.C. 671), for the herd of bison presented by the American Bison Society to the United States.

(2) Wichita Mountains Wildlife Refuge, Oklahoma. Under the Act of January 24, 1905 (33 Stat. 614; 16 U.S.C. 684-6), this area was established as a forest and game preserve for the protection of game animals and birds by Presidential proclamation of June 2, 1905. It had originally been set aside as a forest reserve in 1901. By order of the Secretary of Agriculture, effective April 1, 1935, the administration of the area was transferred from the Forest Service to the Fish and Wildlife Service. This transfer was confirmed by the Agricultural Appropriation Act of June 4, 1936, and by Presidential proclamation of November 27, 1936.

(3) Fort Niobrara National Wildlife Refuge, Nebraska. This refuge was created by Executive Order 1461 on January 11, 1912, as a preserve and breeding ground for native birds. The reserve was known as Niobrara Reservation. The reservation was enlarged by Executive Orders 1642 dated November 1912, 3256 dated March 1920, and 7301 dated February 1936. Presidential Proclamation 2416, dated July 25, 1940, changed the name to Fort Niobrara National Wildlife Refuge. Bison and elk were reintroduced to the reservation in 1913 and longhorns in 1936.

(4) Sullys Hill National Game Preserve, North Dakota. Under the Act of April 27, 1904, this area was established by Presidential proclamation of June 2, 1904, as a national park. It was made a big game preserve by the Act of June 30, 1914 (38 Stat. 434; 16 U.S.C. 674), for "the proper maintenance of the preserve and the animals and birds placed thereon including buffalo, elk, deer, and such other wild or rare animals and birds as the Secretary of the Interior may decide." By Act of March 30, 1931, the area was transferred from the National Park Service to the Fish and Wildlife Service for administration as a National Game Preserve.

(5) Walnut Creek National Wildlife Refuge, Iowa. The National Oceanic and Atmospheric Appropriations Act of 1990 authorized the U.S. Fish and Wildlife Service to establish the Walnut Creek National Wildlife Refuge to; restore native tallgrass prairie, wetland, and woodland habitats for breeding and migratory waterfowl and resident wildlife; to serve as a major environmental educational education center providing opportunities for study; to provide outdoor recreation benefits to the public; and to provide assistance to local landowners to improve their lands for wildlife habitat.

8.5 Management Plan. A plan for the management of remnant herds will be prepared for each national wildlife refuge upon which such herds are presently maintained. A single plan may be written for all species (if authorized) or each species may be treated in a separate plan. The plan must be prepared in accordance with 602 FW 2, Planning Process.

A. Purpose. The plan(s) will include the overall documentation of the management program on the refuge including the population objective levels, herd composition, research needs, breeding and selection, disease prevention and control, and surplus animal disposal.

B. Content. The management plan(s) will include a brief description of the refuge objectives relating to the specific population and discussion of the relationship of the management of this species with other objectives.

(1) The plan(s) will contain a detailed description of the management program for each species and maps of each management unit. The program description should include:

(a) Criteria guiding population objective levels and herd composition, breeding, and selection. (See paragraph [8.7](#), below.)

(b) Methods of disease prevention and control. (See paragraph [8.8](#), below.)

© Management Analysis. (See paragraph [8.9](#), below.)

(d) Record keeping procedures. (See paragraph [8.10](#), below.)

(e) Surplus animal disposal program. (See paragraph [8.11](#), below.)

(2) The plan(s) must show how the management program is scientifically sound and fulfills specific refuge objectives. It

must describe the management program, portray its scope, purpose, and limits, as well as describe the problems, offer solutions, prescribe administrative controls, and set forth the scientific and technical methods and procedures necessary for program achievement. It should also set forth management needs for physical facilities and equipment. Finally, the plan(s) must show sound estimates in terms of dollars and staff required to accomplish this plan.

8.6 Consultation and Coordination.

A. Coordination with Other Federal Agencies. The U.S. Department of Agriculture, Veterinary Services Department, shall be consulted in the development of the surplus animal disposal program to ensure that all Federal requirements for disease control and eradication are met. In addition, the refuge manager shall annually coordinate surplus animal disposal programs with local U.S. Veterinary Services representatives to ensure compliance with Federal regulations relating to sales and transportation.

B. Coordination with States. Appropriate State offices should be consulted during the development of management programs or when significant changes in the program occur.

C. Endangered Species Consultation. All bison and longhorn management programs shall be reviewed periodically to determine if they may affect, adversely or beneficially, Federally listed endangered or threatened species or their critical habitats. The refuge manager will initiate consultation as appropriate in accordance with Section 7 of the Endangered Species Act and intra-Service consultation procedures, as necessary. (See [730 FW 2](#), Endangered Species Management at Field Stations or 7 RM 2, Endangered Species Management for Section 7 consultation procedures.)

8.7 Population Management.

A. Herd Composition.

(1) Bison. The general objective will be to maintain an approximately equal herd sex ratio on each area. Age composition should be structured to approximate naturally occurring conditions.

(2) Texas Longhorn Cattle. Age and sex ratios for refuge longhorn herds are to be established within the guidelines of maintaining representative herds. The herd composition chosen for each refuge must be fully explored and documented in the longhorn management plan.

(3) Elk, Bighorn Sheep, and Pronghorn Antelope. Age composition and sex ratio should approximate naturally occurring conditions.

B. Herd Breeding and Selection.

(1) Bison. Breeding should occur under natural conditions without artificial manipulation. If a bison herd is determined to be a separate strain, there should be no introduction of bison from different strains. However, if it is determined through research that two or more areas have similar strains or have strains that can be mixed without the loss of genetic material, or the modification of characteristics, then some interchange between herds would be appropriate to lessen the possibility of inbreeding.

(2) Texas Longhorn Cattle. A decision to intensively manage the breeding program of refuge longhorn herds must be fully explained in the longhorn management plan. Accurate breeding records should be maintained so that periodic reviews can be conducted to ensure inbreeding is not developed. Breeding bulls may be exchanged between the Wichita Mountains and Fort Niobrara. Exchange of breeding bulls with non-refuge sources or the use of semen from animals with blood groups not specifically identified as containing only longhorn characteristics requires the approval of the Regional Director.

C. Selection of Surplus Animals for Disposal. Selection of animals for retention and/or removal from herds will be accomplished with full consideration for the objective of a representative herd. Appropriate records will be maintained at each refuge to adequately document the criteria used in selection.

8.8 Disease Prevention and Control. The refuge manager shall develop programs to provide for the periodic inspection and testing of refuge herds to ensure that the herds are in good health and do not carry infectious diseases. Safeguards to prevent the introduction of disease to refuge herds from outside sources will also be implemented.

8.9 Management Analysis. Each refuge will monitor disease, productivity, and associated factors which contribute to effective management. Cooperation with universities and other research agencies is encouraged. Liaison should be maintained between managers of the four refuges on the management and sale of animals.

8.10 Records Kept on Longhorns. Appropriate registration and breeding records shall be maintained on each refuge to adequately document longhorn breeding program criteria and physiological traits used in selection.

Managers may continue to participate in the affairs of the various longhorn cattle and bison breeders associations so long as the associations' constitutions and by-laws recognize Federal limitations on membership in such organizations.

8.11 Disposal of Excess Populations.

A. General. Disposition will be made only during regularly scheduled periods, except in exigent circumstances affecting the animals, their range, or the recipient. The refuge manager is responsible for determining the existence of "exigent circumstances." The refuge manager may donate surplus animals in accordance with [701 FW 5](#), Collections, Donations, and Disposals; and the following.

(1) Refuge managers will generally not donate live surplus animals or slaughter surplus animals for donation as food unless circumstances warrant, e.g., injured animals. Animals and animal parts donated for food or other purposes must be free of infectious disease. Such donations must be in compliance with all applicable health standards.

(2) Due to the cost in staff and funds involved and the many State and Federal health laws governing meat sales, such sales shall be used as the last resort for disposal of surplus bison and longhorns.

(3) Any organization receiving donated bison will be assessed, in advance, actual costs of auxiliary services necessary to complete the roundup, culling, and transfer. Auxiliary costs are those expenses above the normal cost of operations including, but not limited to, such tasks as helicopter rental, special vaccinations and tests, staff overtime, and corralled animal care.

Sale or other disposition of surplus range animals will be in accordance with 50 CFR 30.2.

B. Surplus Bison for Native Americans. Public Law 95-341, American Indian Religious Freedom Act (P.L. 95-341), the Indian Self-Determination and Education Assistance Act (P.L. 93-638, as amended), and the Native American Policy of the U.S. Fish and Wildlife Service are the basis for this section.

(1) Section 1 of P.L. 95-341 declares it to be the policy of the United States to protect and preserve for American Indians, Eskimos, Aleuts, and Native Hawaiians, their right of freedom to believe, express, and exercise their traditional religions. This right includes access to sites, use, and possession of sacred objects, and the freedom to worship through ceremonial and traditional rites. Section 2 of the Act requires the President to direct the relevant Federal agencies to evaluate their policies and procedures in consultation with native traditional religious leaders to determine appropriate changes necessary to protect and preserve American Indian religious cultural rights and practices.

(2) Implementation of the Indian Self-Determination Act is addressed in the Native American Policy of the U.S. Fish and Wildlife Service. Section IV, SELF-DETERMINATION, states: "The Service favors empowering Native American governments and supporting their missions and objectives in assuming program management roles and responsibilities through contracting and other mechanisms." This section of the Service Manual is consistent with the spirit and direction of that policy.

(3) Therefore, in response to Native American government requests for additional bison for use in American Indian religious or self-determination activities, the guidelines listed below were adopted. The purpose of the American Indian allotment is to assist in the restoration of self-sustaining bison herds on tribal lands.

C. The Annual Bison Roundup is the collection of all bison at the specific refuge for the purpose of blood testing and separation into groups for sale, donation to Native American tribes, and for vaccination of those that will be returned to the herd. The roundup takes place in September of each year and is conducted in accordance with the management plan (paragraph [8.5](#)).

(1) Following the annual bison roundup and prior to the public sale, twenty-five percent of the surplus bison from refuges will be made available for donation to tribes or intertribal organizations (i.e., Inter-Tribal Bison Cooperative). More than twenty-five percent may be donated on a case-by-case basis at the discretion of the Regional Director.

(2) This American Indian allotment will be made available to tribes for specific purposes and conditions outlined in cooperative agreements or other appropriate agreements. Priority consideration will be given to requests to assist in the restoration of self-sustaining bison herds on tribal lands (see [701 FW 5](#)). These agreements must be in place before requests for bison will be accepted. This allotment will consist of the representative percentage of animals by sex and age class of those animals surpluses.

(3) Specific requests for bison must be made by August 1. Indian tribes or tribal organizations that have been identified as qualified by the Bureau of Indian Affairs must have agreements in place with the Service at least 30 days prior to public sale dates to qualify for donation.

(4) Donated bison will be claimed and removed from the refuge according to guidelines issued by the refuge manager. Bison not removed in accordance with issued guidelines will be returned to the herd and otherwise disposed of in accordance with policy.

(5) All bison not donated from an American Indian allotment or for purposes outlined in [701 FW 5](#) will be sold at the public sale.

8.12 Safety. During all phases of herd management, appropriate measures and safety devices shall be utilized to ensure protection of visitors, Service personnel, and the animals.

A. Training of Employees. Employees shall be adequately trained before being assigned difficult and dangerous duties such as rounding up, sorting, or moving animals via horseback, foot, or aircraft as well as branding, castrating, medication, or tagging such animals.

B. Protective Equipment. Employees shall be required to wear or utilize personal protective safety equipment when performing handling, roundup, census duties, or other associated dangerous duties as described above.

C. Public Safety.

(1) Volunteers shall not be utilized during any phase of management activities which requires work in close and unprotected proximity to the animals.

(2) The public shall be given adequate notice either through signs at the entrance to the refuge, and/or notice and leaflets distributed to the general public warning of the dangers inherent in approaching animals in a natural environment. Refuge managers must develop effective ways to advise the public of the unpredictable habits of these animals and to minimize direct contact between the public and these animals. If the public is afforded a chance to view the roundup, handling, sale, or loading, it shall be afforded a safe viewing area.

8.13 Humane Treatment of Animals.

A. The Service shall meet its obligation to ensure that animals receive treatment commensurate with the highest standards for care and utilization. Fences, gates, loading chutes, handling corrals, etc., shall be designed to minimize injury to the animals.

B. The photographing of running or stampeding animals will be accomplished only at such times when rapid movement of animals is required as a normal management activity. This type of activity shall not be "staged" to supply

opportunities at the convenience of the photographer.

C. Any severely injured animals shall be dispatched in an effective and humane manner.

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