



United States Department of the Interior



FISH AND WILDLIFE SERVICE

National Bison Range
58355 Bison Range Road
Moiese, MT 59824
(406) 644-2211
FAX (406) 644-2661

Memorandum

Date: September 8, 2009
To: Jeff King, Project Leader, National Bison Range Complex
From: Tim Miller, Deputy Project Leader, National Bison Range
Subject: Law Enforcement Status Report for 2009.

The following is an update to the memorandum sent to Bill West, on June 3 2008, dealing with the status of Law Enforcement and the need for assistance. During the 2009 summer season NBR did receive LE assistance from Lee Metcalf NWR, Lost Trail NWR, and Charles M. Russell NWR. Most assistance was for weekend coverage. The following is a list of the LE assistance for the spring and summer months: May- 1 weekend (Red Sleep Open/Migratory Bird Day), June- 1 partial weekend, July- 3 weekends, 3 weekdays, August- 2 weekends. Although the assistance is appreciated, the NBRC is still lacking adequate Law Enforcement coverage, to protect our entrusted natural and visitor resources. The National Bison Range needs either two more dual function officers or one full time officer to adequately protect the resources on the refuge. I have found there are not enough hours in the day to deal with LE issues and my managerial functions. During FY09 I have lacked adequate time to deal with case management, relying on neighboring Refuges, and our local Special Agent. Follow ups to cases such as arson, antler theft and poaching have lacked the appropriate time to make the cases even with the assistance from other agencies. The following paragraph is a synopsis of a recent incident affecting our trust resource the bison herd, followed by a list of the enforcement issues and violation notices issued.

On August 22, 2009 at about 18:40 hours I observed about eighty head of bison the hill south of Turkey Woman while traveling on Highway 200. The bison were out of their appropriate grazing unit, High Point. I was traveling back from hiking with a friend and my two boys and had planned on closing up Red Sleep Tour at 19:00 hrs. While closing down the tour road, I observed fresh vehicle tracks traveling around the locked gate at Triskey Creek. Following the tracks I observed the High Point south gate in Triskey open and the vehicle tracks traveling through the open gate. I also observed numerous bison tracks going through the same gate. It appeared that whoever traveled off road in this closed area left the gate open. Two days later we were able to move the herd of about 150 bison back into High Point grazing unit to continue breeding activities. This is the third time this has occurred since October of 2007. NBR also had incidents occur this past week that involved NBR CSKT employees acting in a capacity that is typically a law enforcement activity, due to my absents from the station. Below is a list

of violations that have occurred this year, however this does not account for the almost daily complaints of people walking in closed areas and other common violations.

National Bison Range Complex: NBR- 17 NOV's, Ninepipe NWR-0, Pablo NWR-6 NOV's, NWMTWMD-10

Off Road Vehicle- 2 NOV---8 cases documented

Littering- 4 NOV

Trespass Closed Area (with wildlife disturbance)- 3 NOV, numerous warnings every week

Arson with government property damage- 1

Spotlighting Wildlife- 1 NOV

Illegal Take Migratory Bird- 7

Toxic Shot- 1 NOV

Camping- 1 NOV, 14 warnings

Hunt without license- 3 Assist 1 NOV

Fishing without License- 3 NOV, 2 warnings

Fishing in closed area-4 NOV, 3 documented

Poaching- 3 deer WMD (MTFWP case), 1 mule deer investigated NBR

Traffic reckless driving- 2 NOV

Traffic wrong way travel- 2 NOV, numerous reports

Traffic DUI- 4 both to 3 turned over to County 1 to CSKT

Felony child endangerment- 2 turned over to Lake County

Drug Possession- 5 – 3 to Lake County, 2-CSKT

Minors in possession of alcohol- 5 to Lake County and CSKT

On the National Bison Range many of the incidents occur after business hours, requiring Law Enforcement to be available most of the time. Red Sleep Mountain Tour Road is open from 6:00am to 9:30pm most of the summer, and as we know is highly visited. Gates need to be opened before and closed every night of the week. If the Range is not patrolled frequently people tend to walk into the closed areas to approach wildlife, and do other activities they would most likely not do if they knew that Law Enforcement was present. At the complex refuges such as Pablo regular weekend patrols are need to control the littering, and disturbance issues associated with the race track, fishing, off road travel, and trespass activities.

As you can see from the above it is impossible for a dual function Deputy Project Leader /LE to adequately protect the trust resources and provide visitor protection on this refuge complex, and complete my primary duties in this challenging management agreement with the CSKT. I have offered a few solutions above such as another two dual function officers, or a full time LE officer. I hope this memorandum displays our enormous need for LE, and for completing the FWS side of the Annual Funding Agreement with the CSKT.

Tim Miller

Deputy Project Leader

TM/tm

Cc: Greg Langer, Region 6 Law Enforcement Chief
Clay Ronish, Zone LE, MT