



United States Department of the Interior

NATIONAL PARK SERVICE
Theodore Roosevelt National Park
P.O. Box 7
Medora, North Dakota 58645



October 12, 2024

Record of Determination for Allowing Temporary Access to the South Unit Wildlife Handling Area.

Pursuant to 36 C.F.R. § 1.5 (a), due to the unique public access need for a viewing area during horse roundup operations within a closed section of the park from October 13 to October 18, 2024, the National Park Service has made the decision to temporarily establish a designated area within the normally closed South Unit Wildlife Handling Area at Theodore Roosevelt National Park.

This temporary public use of the South Unit Wildlife Handling Unit, which is bounded by a staked area surrounded by caution tape and identified in the enclosed map, may be accessed from 9:30 am to 11:30 am and again from 1:00 pm to 2:30 pm each day from October 13 to 18, 2024. The dates of access may be terminated prior to October 18 should roundup operations be completed earlier than planned. The time frames for viewing are set to potentially optimize opportunity for animal observation (the timing that animals will be in the viewable areas) and best utilize the limited staff that can be available to assist the public during viewing while other staff are working on the gather and in other locations of the park. We cannot guarantee all facets of the horse roundup will be able to be observed during these periods as work is heavily influenced by weather, animal behavior, fueling of helicopters, potential maintenance issues, and staffing. We selected the two separate periods to provide a broader timeframe for viewing given those uncertainties.

The location for the viewing area was selected as it provides one of the only vehicle accessible areas off Fryburg Road so as to minimize impacts to vehicle passage and to address safety concerns associated with road shoulder parking along Fryburg Road. The viewing location is just a few hundred yards from the Wildlife Handling Facility but more importantly, it is within a direct line of sight to the primary pastures and direction that horses will be entering the facility. There is also a potential that animals will be entering from a variety of directions, so the viewing area is limited in size for the safety of the viewing public, horses, and staff. The viewing area is also geographically restricted as the topography is challenging being sloped and can only house a limited number of vehicles and expansion beyond the designated area will impact safe staffing operations and work flow (blocking trailer access and/or restrict the entrance and egress). The topography will block some views, but the location represents the only real option for placement that ensures efficiency and effectiveness of the gather as well as the safety of the public, horses, helicopter operators, and staff.

Fryburg Road (a county road) that leads to the Wildlife Handling Facility maybe closed at times to ensure public safety and limit disturbance to animals when helicopter operations are near the roadside. This restriction is necessary to ensure the horses can be effectively and efficiently

gathered. This may temporarily limit access to the designated viewing area. Viewing of wildlife roundups in the past have attracted individuals to park on the shoulder of that country road. The park works cooperatively with the Billings County Sheriff's Department to clear the road shoulder for safety of the public, horses, and employees while active helicopter operations are taking place, and the road is also closed to reduce risk to passing vehicles. All efforts will be made to reestablish access to the site and allow free travel along Fryburg Road.

This temporary access is necessary to provide a safe, secure viewing area for those persons interested in observing roundup operations. Horse roundup operations involve bringing feral horses that are generally unpredictable in their behaviors and may attempt to jump fencing, break through fencing and the public is required to maintain a safe distance from horses at all times. The Park's Superintendent's Compendium states that "Except for inadvertent or casual encounters with wildlife in areas where traffic is required or essential, willfully approaching, remaining, viewing, or engaging in any activity within 25 yards to bison, elk, and feral horses or closer to any other wildlife including nesting birds, or within any distance that disturbs, displaces, or otherwise interferes with the free unimpeded movement of wildlife, or creates or contributes to a potentially hazardous condition or situation, is prohibited." (Page 8). The viewing area within the South Unit Wildlife Handling Area can be secured to minimize any risk to the public when they remain with the designated area. For this reason, there will be no access to restroom facilities for the public as they are located within a less secure location. The Project Aviation Safety Plan (signed 9/23/2024) also clearly articulates the safety requirements for this operation. Staff/volunteer safety is a primary responsibility and all staff have been trained and given individual roles during the roundup operations. The public cannot distract from those responsibilities as it will jeopardize not only staff/volunteer safety but also that of the public and the animals themselves.

This temporary access public use expansion will not adversely affect the park's natural, aesthetic or cultural values; nor will it require significant modification to the resource management objectives. This added access should provide relief to those concerned about the nature of horse roundup operations by providing more direct viewing.

Accordingly, the National Park Service determines publication as rulemaking in the Federal Register is unwarranted under 36 C.F.R. § 1.5(c). This temporary opening of a normally closed areas is consistent with Superintendent's Compendium general parameters.

Pursuant to 36 C.F.R. § 1.7, notice of this temporary and partial access will be made by use of temporary fencing and other barriers, for areas affected by this opening and by notices to the public via the park's website. Finally, pursuant to 36 C.F.R. § 1.5(c), this Record of Determination is available to the public upon request.

Nancy Finley

Acting Superintendent

10/12/2024

Date

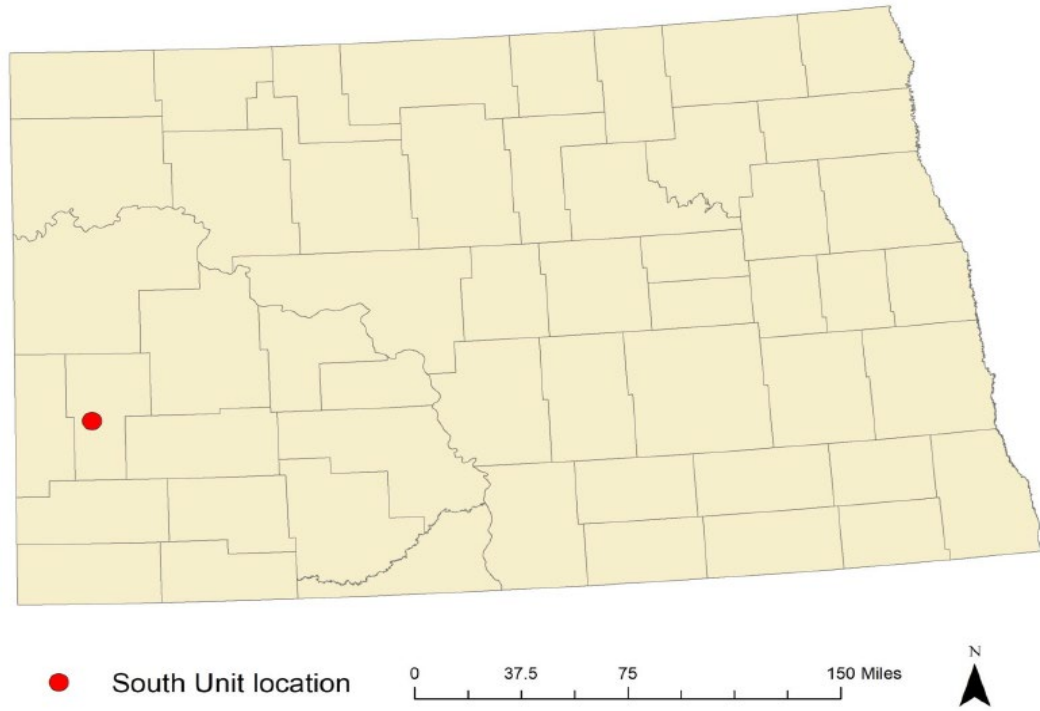


Figure 1: Location of the South Unit of Theodore Roosevelt National Park in the state of North Dakota

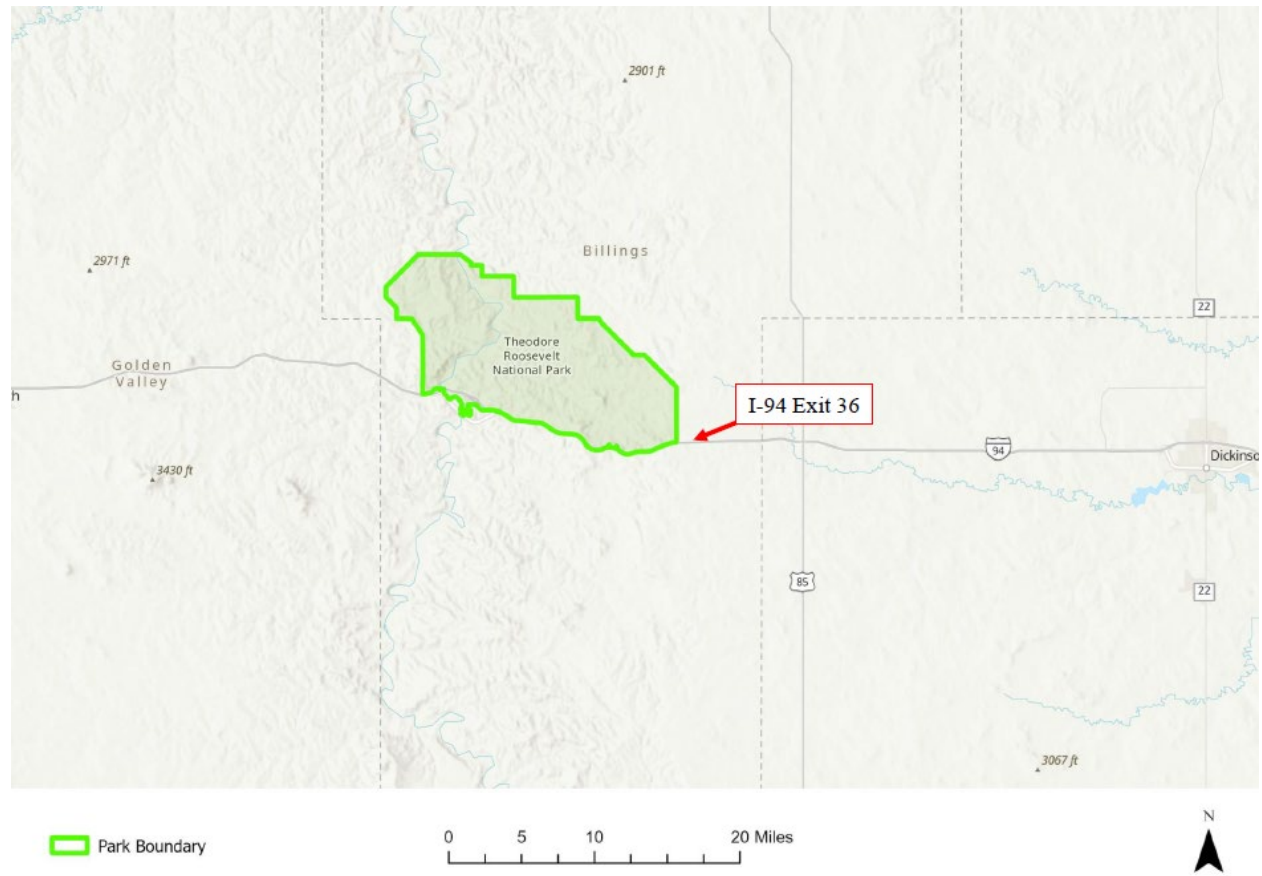


Figure 2: The South Unit Location and Interstate Exit to Access the Wildlife Handling Area

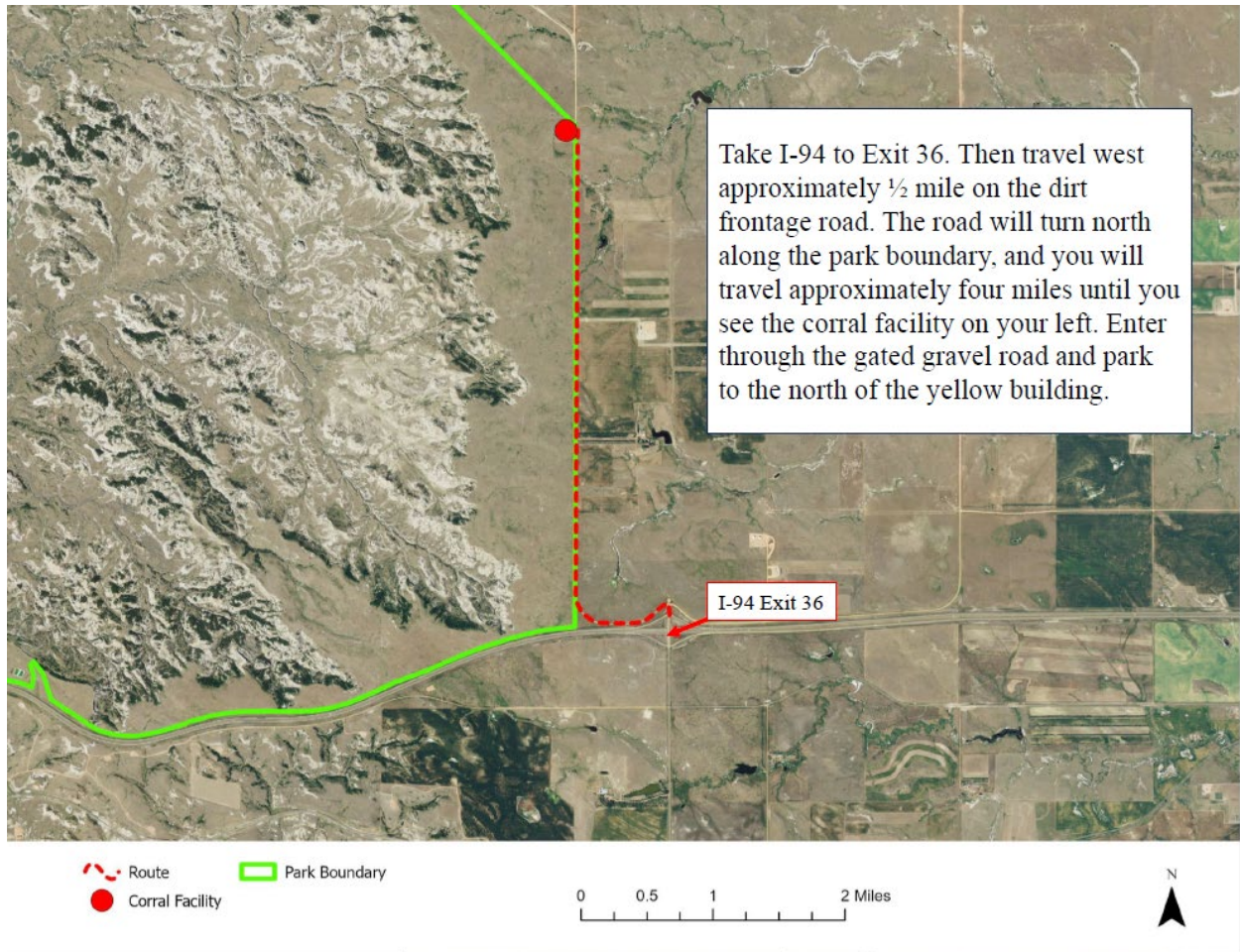


Figure 3: Directional Map to the Wildlife Handling Area



Figure 4: The Location of the Designated Observation Area at the Wildlife Handling Area