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Date: 01/19/2000 2:00 PM

Format

From: larobinson/r1@fs.fed.us at ~INTERNET

Subject: Bitt. Outreach Q&A for FEIS

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Laird,

The updated Q&A for the FEIS is attached in Word. This should replace the Q&A in the outreach plan that was transmitted to DC with the rule in October.

-Johnna

**Appendix A. Final Environmental Impact Statement**  
**Grizzly Bear Recovery in the Bitterroot Ecosystem**  
***U.S. Fish and Wildlife Service Preferred Alternative***  
**Question and Answers** (updated 1/18/2000, J. Roy)

***Are grizzly bears native to the Bitterroot Ecosystem, and were they ever common there?***

Historically, the grizzly bear was a widespread inhabitant of the Bitterroot Mountains in central Idaho and western Montana. When Lewis and Clark traveled through the Bitterroot country in 1806, grizzly bears were abundant. They killed at least seven grizzly bears including one female and two cubs while camped near present-day Kamiah, Idaho. Grizzly bears were common in central Idaho until the early 1900's. William Wright, a hunter and naturalist, wrote of killing dozens of grizzly bears over several years at the turn of the century in the Bitterroot Mountains. Conservative estimates indicate trappers and hunters killed 25 to 40 grizzly bears annually in the Bitterroot Mountains during the early 1900's. A major influx of hunters, trappers, and settlers at the turn of the century, and later sheepherders were responsible for direct mortality and elimination of grizzly bears from the Bitterroot Ecosystem.

***Do grizzly bears reside in the Bitterroot Ecosystem today?***

The last verified death of a grizzly bear in the Bitterroot Ecosystem occurred in 1932 and the last tracks were observed in 1946. Although occasional unverified reports of grizzly sightings persist in the Bitterroot Ecosystem, no verified tracks or sightings have been documented in more than 50 years. Based on the best scientific evidence available, and the lack of verified evidence for more than 50 years, there appear to be no grizzly bears in the Bitterroot Ecosystem at this time, and thus there is no evidence of an existing grizzly bear population in the Bitterroot.

The definition of a grizzly bear population, as used in the Final Environmental Impact Statement on Grizzly Bear Recovery in the Bitterroot Ecosystem to define a minimal existing grizzly bear population in the Bitterroot, follows: "A grizzly bear population is defined by verified evidence within the previous six years, consisting of photos within the area, verified tracks and/or sightings by reputable scientists or agency personnel, of at least two different female grizzly bears with young or one female seen with different litters in two different years in an area geographically distinct from other grizzly bear populations. Verifiable evidence of females with young, to be geographically distinct, would have to occur at least 20 miles from the nearest non-experimental grizzly bear population recovery zone boundary."

***How does the Bitterroot Ecosystem fit into overall grizzly bear recovery efforts?***

The grizzly bear was listed as a threatened species in the lower 48 States under the Endangered Species Act (ESA) in 1975. As such, the U.S. Fish and Wildlife Service (USFWS) was mandated by Congress to conserve listed species and the ecosystems upon which they depend. The USFWS is the primary agency responsible for recovery and conservation of threatened species, including grizzly bears in the U.S. The Revised Grizzly Bear Recovery Plan (USFWS 1993) and the Bitterroot Ecosystem Recovery Plan Chapter - Supplement to the Grizzly Bear Recovery Plan (USFWS 1996) identify actions necessary for conservation and recovery of the species. The ultimate goal of the plan is removal of the species from threatened status in the conterminous 48 States. The Bitterroot Ecosystem Recovery Chapter calls for the preparation of an Environmental Impact Statement (EIS) to evaluate the proposed action and a range of alternatives to recover the grizzly bear in the Bitterroot Ecosystem.

Bear biologists have estimated that the habitat in the Bitterroot Ecosystem could eventually support more than 200 grizzly bears. This would increase the current minimum number of grizzly bears in the

contiguous United States by 25-30%, and would increase habitat size and extent. Establishment of a third major population in the remote Bitterroot Ecosystem would contribute significantly to long-term conservation and recovery of the grizzly bear.

A metapopulation analysis conducted by Dr. Mark Boyce for the Final EIS (FEIS) predicts the addition of the Bitterroot population will reduce the probability of extinction for grizzly bears in the lower 48 States by 88-99%, depending on different growth rate variances used in his model. Results of this analysis are presented in FEIS Appendix 21. In all cases examined in the report, there is a significant reduction in the probability of extinction for grizzly bears in the United States with a restored Bitterroot population. The addition of population areas (such as the proposed Bitterroot population) causes a geometric decline in extinction probability, and greatly improves the probability of existence and therefore the effectiveness of conservation for the grizzly bear.

***Why are grizzly bears listed as a threatened species when there are plenty of grizzly bears in Canada and Alaska?***

Grizzly bears once ranged across most of the western two-thirds of North America from Alaska to Central Mexico. Due to indiscriminate killing and habitat modification, grizzlies currently occupy less than 2% of their former range in the lower 48 states, and number only 800 to 1,000 bears in five populations. Before 1800, the total population in the lower 48 states is estimated to have been more than 50,000 grizzly bears.

In 1975, the U. S. Fish and Wildlife Service (USFWS) determined that less than 1,000 bears lived in the lower 48 states and that population declines, habitat loss, and population isolation warranted listing these grizzlies as a threatened species. Listing decisions are based on the available evidence that a species "is in danger of extinction throughout all or a significant part of its range, or likely to become so" (ESA Sect. 3(6), (20)). The Endangered Species Act (ESA) defines "species" in terms of distinct population segments (ESA Sect. 3(16)). That is, the ESA applies not only to species and subspecies, but also to distinct population segments of species. If populations are reproductively distinct, they are considered "distinct population segments." Thus, if a population of bears is reproductively isolated from other populations, that population is defined as a species under the ESA. If the population meets the statutory criteria as either "threatened" or "endangered," it is subject to protection under the ESA. This means that the status of grizzly bears in the Yellowstone Ecosystem, for example, is determined independently of the status of grizzlies in Alaska, or the Cabinet/Yaak Ecosystem, or other grizzly bear populations. Bears in one area can be taken off the endangered species list while bears in another can remain listed as threatened or endangered.

***Does the Bitterroot Ecosystem provide enough suitable habitat to support a recovered grizzly bear population?***

The Bitterroot Ecosystem is one of the largest contiguous blocks of federal land remaining in the lower 48 United States. The core of the ecosystem contains three wilderness areas which make up the largest block of wilderness habitat in the Rocky Mountains south of Canada. Of all remaining unoccupied grizzly bear habitat in the lower 48 States, this area in the Bitterroot Mountains has the best potential for grizzly bear recovery, primarily due to the large wilderness area. As such, the Bitterroot Ecosystem offers excellent potential to recover a healthy population of grizzly bears and to boost the long-term survival and recovery prospects for this species in the contiguous United States.

The habitat quality of the BE has been studied extensively by Scaggs (1979), Butterfield and Almack (1985), Davis and Butterfield (1991), and Merrill et al. (In press). All four of these studies concluded that the BE contains suitable habitat essential to the maintenance of a grizzly bear population.

Dr. Mark Boyce completed a habitat-based population viability analysis for the Bitterroot Ecosystem in 1999. It is included in the FEIS (included as Appendices 21 A & B). This assessment indicates the habitat in the BE is capable of supporting a population of 308-321 grizzly bears. This number is 10-15% higher than the USFWS recovery goal estimate (Recovery Plan) because further evaluation of the habitats in the southern portion of the Ecosystem indicate that even though the forb and berry production in these dry habitats is relatively low, the southern half of the Bitterroot Ecosystem contains substantial stands of whitebark pine as well as populations of elk and deer that can provide food for grizzly bears. Further, the remoteness of the area and the paucity of roads will help to ensure that a viable population of grizzly bears can persist in the Bitterroot Ecosystem of Idaho and Montana. FEIS Appendix 21 provides the best scientific information available to indicate the habitats in the BE are capable of supporting a viable population of grizzly bears.

***Does the habitat in the Bitterroot Ecosystem provide adequate food resources for grizzly recovery?***

Habitat quality has been studied extensively. At least seven different studies have been conducted within the Bitterroot Ecosystem that have direct applicability to the potential for grizzly bear recovery. The most current study conducted by the Craighead Wildlife-Wildlands Institute, "Abundance and Spatial Distribution of Grizzly Food-Plant Groups in the Salmon-Selway Ecosystem: A Preliminary Analysis and Report" (Hogg, Weaver, Craighead et al., In prep.) is included as Appendix 21D in the FEIS. Results of this comprehensive research study indicate important grizzly bear foods such as huckleberry and other berry-producing plants and whitebark pine are abundant and widely distributed in the Bitterroot Ecosystem.

Habitat quality varies throughout the experimental population area, and likewise throughout the recovery area. However, studies indicate that a great variety of preferred grizzly bear foods are present in the ecosystem. A wide variety of all season foods are present including good quantities of several key berry species, forbs and grasses, as well as historically high levels of ungulates to provide carrion during the fall and spring months. Food habits of black bears are quite similar to those of grizzly bears. Healthy populations of black bears live within the Bitterroot Ecosystem, and annual hunter harvest totals about 900. A recovered population of 280 grizzly bears will be able to find sufficient high quality forage within and adjacent to the recovery area. Although bear densities may not recover to their historical levels during the peak of the salmon and whitebark pine era, the population should achieve densities similar to those found in other interior ecosystems where those food sources are not present. The key to recovery in the Bitterroot Ecosystem will likely be effective management including limitation of human-caused mortality rather than quantity or quality of habitat.

At one time grizzly bears were present in high densities throughout the Bitterroot Ecosystem. Salmon and whitebark pine, two important grizzly bear foods, were common during the peak of grizzly bear populations. Salmon have been virtually eliminated along the Clearwater drainage due to dams that have blocked their migration. Whitebark pine has been reduced from its historical abundance in the Bitterroot Ecosystem due to blister rust, and now is most prevalent in the southern half of the ecosystem. Grizzly bears relocated to the Bitterroot Ecosystem will likely come from areas where neither salmon nor whitebark pine are plentiful. Due to the current reduced availability of salmon and whitebark pine compared to historic ecosystem conditions, a restored grizzly bear population in the Bitterroot Ecosystem will likely contain fewer bears distributed at lower densities across the landscape, compared to historic grizzly bear populations.

***Where will grizzly bears be obtained for reintroduction into the Bitterroot Ecosystem?***

Subadult grizzly bears of both sexes will be trapped, each year for five years, from areas in Canada (in cooperation with Canadian authorities) and the United States that presently have populations of grizzly bears living in habitats that are similar to those found in the Bitterroot Ecosystem. Three sources of grizzly bears for the Bitterroot Ecosystem have been identified: southeast British Columbia, the Northern Continental

Divide Ecosystem population in northwest Montana, and the Yellowstone Ecosystem population. The specific number of bears that can be obtained yearly from potential source populations is unknown at this time. Some undetermined level of mortality is expected among transplanted bears. Every effort will be taken to minimize this, but mortalities are expected to occur. Any transplanted bears that die or are removed as a result of human action can be replaced. Such replacements will be in addition to the original minimum of 25 bears.

Bears which could be classified as nuisance bears under the Interagency Grizzly Bear Guidelines will not be placed in the Bitterroot. Only those bears with no history of conflict with people or livestock will be used for reintroduction in the Bitterroot.

***What are the expected impacts to source populations from removal of grizzly bears for reintroduction into the Bitterroot?***

There will be no significant detrimental effects to the health of source populations because mortality limits in the Grizzly Bear Recovery Plan and the British Columbia grizzly bear management criteria will be met during implementation of Alternative 1. Public comment on the Draft EIS indicated concern regarding impacts to population recovery in the Yellowstone and Northern Continental Divide Ecosystems from removal of grizzly bears. Contribution of bears from either ecosystem will be based on the current mortality levels for that ecosystem. Mortality data are updated annually and any removal of bears from either ecosystem will be predicated on achievement of the mortality limits. Since these data are updated each year, it is necessary to recalculate mortality levels for both the NCDE and YE prior to making a decision on the origin of any relocated bears. The specific number of grizzly bears that can be obtained from the NCDE or YE is unknown at this time. The female contribution will be designed to minimize impacts on the source population and no female grizzly bears will be removed from within the NCDE or YE recovery zone boundary or from within 10 miles outside the boundary. The male contribution can be a higher number because population increase is affected little by removal of subadult males. Since no bears will be removed from the YE or NCDE if the mortality limits will be exceeded, and no female bears will be removed from within the recovery zone or within 10 miles of the recovery zone boundary of either ecosystem, then the effects on recovery of any removals of bears from the NCDE or YE will be nonexistent.

***How will grizzly bears under threatened status be affected by moving them to the Bitterroot Ecosystem?***

Under Alternative, 1 grizzly bears from source populations listed as threatened that are moved to the Bitterroot Experimental Population Area under section 10(j) of the ESA will be given "nonessential experimental" status. For the purposes of the ESA, each member of a nonessential experimental population will be treated as a threatened species except that: (1) under ESA Section 7 they will be treated as a species "proposed" to be listed; and (2) critical habitat will not be designated for the nonessential experimental population. Section 10(j)(2)(A) of the ESA states, "The Secretary of Interior may authorize the release (and the related transportation) of any population (including eggs, propagules, or individuals) of an endangered species or a threatened species outside the current range of such species if the Secretary determines that such release will further the conservation of such species."

***Will the Bitterroot nonessential experimental grizzly bears be protected against illegal killing by the ESA?***

Yes. The Special Rule 10(j) for Establishment of a Nonessential Experimental Population in the Bitterroot Ecosystem and Alternative 1 indicate that grizzly bears reintroduced to the BE under ESA 10(j) nonessential experimental population status will be *fully protected against illegal killing*. The Special Rule indicates the *only* circumstances under which a grizzly bear within the Experimental Population Area can be



legally taken. Persons can kill a grizzly bear in the Experimental Population Area in defense of their own life or the lives of other persons. Additionally, persons with a valid permit issued by the USFWS, can legally take grizzly bears for scientific or conservation purposes, or a livestock owner on private lands within the experimental area can take a grizzly bear to protect livestock actually pursued or being killed (after efforts to capture the bear have proven unsuccessful). Also, authorized employees of specified management agencies can take a bear in the experimental area that constitutes a demonstrable but non-immediate threat to human safety or that is responsible for depredations to lawfully present domestic animals or other personal property, if efforts to capture the bear have failed (under Interagency Grizzly Bear Committee Nuisance Bear Guidelines).

***Who will manage the grizzly bears reintroduced into the Bitterroot Ecosystem?***

Under Alternative 1 a fifteen member Citizen Management Committee (CMC) will be appointed by the Secretary of Interior in consultation with the governors of Idaho and Montana, and the Nez Perce Tribe. This committee will implement the Bitterroot Chapter of the Grizzly Bear Recovery Plan and will be authorized management implementation responsibility by the Secretary of Interior, in consultation with the governors of Idaho and Montana, for the Bitterroot grizzly bear experimental population. The CMC will develop management plans and policies, as necessary, for the management of grizzly bears in the experimental population area. All decisions of the CMC must lead to recovery of the grizzly bear in the Bitterroot Ecosystem, and minimize social and economic impacts to the extent practicable within the context of the existing recovery goals for the species.

The members will serve six-year terms and will consist of seven individuals appointed by the Secretary of the Interior based on the recommendations of the governor of Idaho, five members appointed by the Secretary of the Interior based on the recommendations of the Governor of Montana, one member representing the USDA Forest Service appointed by the Secretary of Agriculture or his/her designee, and one member representing the USFWS appointed by the Secretary of the Interior or his/her designee, and one member appointed by the Secretary of the Interior based on the recommendation of the Nez Perce Tribe. Members recommended by the Governors of Idaho and Montana will be based on the recommendations of the interested parties and will include at least one representative each from the appropriate state fish and wildlife agencies. If either governor failed to make recommendations, the Secretary will accept recommendations from interested parties.

Members of the CMC will consist of a cross-section of interests reflecting a balance of viewpoints, and be selected for their diversity of knowledge and experience in natural resource issues and for their commitment to collaborative decision-making. The CMC, with the exception of federal agency members, will be selected from communities within and adjacent to the recovery and experimental population areas. The CMC will continue until the recovery objectives are met and the Secretary of Interior completes delisting of the Bitterroot population. Management authority will then revert to the state wildlife agencies.

Alternative 1 will authorize the Idaho Department of Fish and Game and/or the Nez Perce Tribe, Montana Department of Fish, Wildlife, and Parks, and the USDA Forest Service, in coordination with the USFWS, to exercise day-to-day management responsibility within the experimental population area in accordance with the Special Rule. The USFWS and cooperating agencies will share management responsibility as per agreements with, and in consideration of, recommendations from the CMC.

***Will independent scientific information be readily available to the CMC?***

Two scientific advisors will be appointed by the Secretary to the CMC as non-voting members to attend all meetings of the CMC and to provide scientific expertise in support of CMC management recommendations. These scientific advisors will not be employed by Federal agencies involved in grizzly bear

recovery. The Secretary is to contact the Wildlife Society Chapters in Idaho and Montana and the Universities of Idaho and Montana for nominations and he/she will select one wildlife scientist representing each state, and will appoint them as advisors to the CMC.

***What is the overall mission of the CMC, and how will it operate?***

Mission Statement: "The mission of the CMC is to facilitate recovery of the grizzly bear in the Bitterroot Ecosystem by assisting in implementing the Bitterroot Chapter of the Recovery Plan. Regarding the land and wildlife management agencies, the role of the CMC is to make recommendations to them that the CMC believes will lead to recovery of the grizzly bear. Decisions on, and implementation of these recommendations is the responsibility of the land and wildlife management agencies."

Operating Guidelines: "The CMC will meet a minimum of two times per year and meetings will be open to the public. Additionally, the committee will provide reasonable public notice of meetings, produce and provide written minutes of meetings to interested persons, and involve the public in its decision-making process. This public participation process will allow members of the public and/or special interest groups to have input to CMC decisions and management actions."

***How will progress of the CMC be monitored; and what process will be followed by the Secretary of Interior to resolve disputes over whether CMC actions are leading to recovery?***

The Secretary of the Interior or the USFWS representative on the CMC shall review 2-year work plans to be submitted by the CMC which outline the directions for the Bitterroot recovery effort. If the Secretary of the Interior determines, through the USFWS representative on the CMC that the decisions of the CMC, the management plans, or the implementation of those plans are not leading to the recovery of the grizzly bear within the Experimental Area or are not in compliance with the special rule, the USFWS representative on the CMC shall solicit from the CMC a determination whether the decision, the plan, or implementation of components of the plan are leading to recovery or why it believes it is in compliance with the special rule. Notwithstanding a determination by the CMC that a decision, plan, or implementation of a plan is leading to recovery of the grizzly bear within the Experimental Area or is in compliance with the rule, the Secretary of the Interior, who necessarily retains final responsibility and authority for implementation of the Endangered Species Act, may find that the decision, plan, or implementation of a plan is inadequate for recovery and may resume lead management responsibility.

The USFWS representative will consider CMC input before making any determination that CMC actions are not leading to recovery. In the event that the USFWS representative on the CMC determines that the actions of the CMC are not leading to recovery of the Bitterroot grizzly bear population or are not in compliance with the rule, then the USFWS representative shall recommend to the CMC, based on the best scientific and commercial data available, alternative or corrective actions and provide a 6-month time frame in which to accomplish those actions. Should the CMC reject those alternatives, the USFWS representative will convene a Scientific Review Panel of three and the USFWS representative will submit for peer review to the panel those CMC actions or decisions upon which the USFWS representative based his/her decision that the actions or decisions of the CMC are not leading to recovery or are at variance with the special rule. The USFWS representative will consider the views of all CMC members prior to making a recommendation on initiating a Scientific Review Panel.

Members of the panel will be professional scientists who have had no involvement with the CMC and will not be employed by federal agencies responsible for grizzly bear recovery efforts. The Secretary will select one member of the panel, and the Governors of Idaho and Montana in consultation with the Universities of Idaho and Montana (respectively), are to select one panel member each. The Scientific Review Panel will review issues, solicit additional information if necessary, and using the best scientific and commercial data

available, make timely recommendations to the CMC as to whether CMC actions, decisions, and/or processes are in compliance with the special rule and will lead to recovery of the grizzly bear in the Bitterroot Ecosystem. Examples of CMC actions or lack of actions, decisions, and/or processes that can be evaluated by the Scientific Review Panel include, but are not limited to: sufficiency of public involvement in CMC activities; specific decisions involving sanitation and outreach activities; management of nuisance bears; adequacy of recommendations to land and game management agencies; and adequacy of CMC actions in addressing issues such as excessive human-caused grizzly bear mortality, and other actions that are important in leading to recovery of the grizzly bear in the Bitterroot Ecosystem. The basis for the recommendations of the Scientific Review Panel will be CMC adherence to the special rule.

If, after timely review, the CMC rejects the recommendations of the Scientific Review Panel, and the USFWS representative determines the CMC actions are not leading to recovery of the Bitterroot population, he/she will notify the Secretary. The Secretary will consider the panel's recommendations, and if he/she nevertheless decides to resume lead management responsibility, he/she will seek consultation with the Governors of Idaho and Montana to review with them the reasons for his/her decision and further attempt to resolve the discrepancies between the suggested alternatives and the actions or decisions of the CMC. If, after that consultation, the Secretary resumes lead management responsibility, he/she will take appropriate actions to assure there is an adequate regulatory process relating to Department of Interior management of grizzly bears, and will publish a Notice in the Federal Register explaining the rationale for the determination and notify the Governors of Idaho and Montana. The CMC will disband and all requirements identified in the special rule regarding the CMC will be nullified. If the Secretary does not resume lead management responsibility, the CMC shall continue until the recovery objectives have been met and the Secretary of the Interior has completed delisting.

#### ***Where will grizzly bears be reintroduced?***

The Bitterroot Grizzly Bear Recovery Area will be designated under Alternative 1 to consist of the Selway-Bitterroot Wilderness and the Frank Church-River of No Return Wilderness. This area is approximately 5,785 square miles. This is the area where recovery will be emphasized. If, in the future, new wilderness areas are designated adjacent to the Recovery Area, the Citizen Management Committee can recommend to the Secretary of Interior their addition to the Recovery Area. Bears will only be released in the Selway-Bitterroot Wilderness, unless the Citizen Management Committee determines that reintroduction in the River of No Return Wilderness is appropriate. Specific relocation sites that have high quality bear habitat and low likelihood of human encounters will be identified and recommended by the management agencies to the Citizen Management Committee.

#### ***How and when will bears be reintroduced?***

The U.S. Fish and Wildlife Service vision for implementation of Alternative 1 includes a "phase-in" period during the first year of implementation to establish the CMC, introduce sanitation standards, install sanitation equipment, and perform public outreach information and education activities. This first year of implementation will be a joint effort of the CMC and management agencies and will serve to lessen social impacts and potential conflicts from reintroduction of grizzly bears to the Bitterroot Ecosystem. During the summer of the second year approximately 4-6 grizzly bears will be reintroduced into the Selway-Bitterroot Wilderness on federal lands managed by the USDA Forest Service. Grizzly bears will be reintroduced to establish a small colony of bears from which a population can grow over time. The U.S. Fish and Wildlife Service, USDA Forest Service, states of Idaho and Montana, and the Nez Perce Tribe in consultation with the CMC will release a minimum of 25 bears over a five-year period. The U.S. Fish and Wildlife Service will designate this reintroduced population of grizzly bears as "nonessential experimental."



### ***What is a nonessential experimental population?***

Before 1982 the U.S. Fish and Wildlife Service (USFWS) could reintroduce threatened and endangered species into unoccupied historical range; however, many attempts to do so were fervently resisted. The USFWS was not able to assure other federal agencies, state and local governments, and private landowners that transplanted populations would not disrupt their future land-management options due to the "jeopardy" prohibition of Section 7 and/or the taking prohibition of Section 9 of the Endangered Species Act (ESA). In an effort to encourage acceptance of reintroductions, Congress amended the ESA in 1982 to include a new Section 10(j) that allowed the Secretary of Interior the opportunity to designate reintroduced populations as "experimental." Section 10(j) gives the USFWS more flexibility for the management of these populations by providing that all experimental populations shall be treated as threatened species regardless of the status of the donor population. Special rules concerning prohibited acts must be written by the USFWS. Basically, the writing of special rules provides the USFWS the opportunity to tailor the reintroduction of an experimental population to specific areas and specific local conditions, including specific opposition.

"Nonessential" refers to an experimental population whose loss would not be likely to appreciably reduce the likelihood of the survival of the species in the wild. Because nonessential experimental populations are treated under ESA Section 7 as "proposed species," federal agencies must only confer with the USFWS on activities that the agencies believe might jeopardize the species. Moreover, the agencies would be under no obligation under Sec. 7(a)(2) to avoid actions likely to jeopardize the species. Congress expected that most experimental populations would be considered "nonessential."

### ***What are the advantages to local citizens of designating bears as a nonessential experimental population?***

Numerous public comments and positions of elected local, state, and federal government officials during the early scoping processes for the Bitterroot Draft Environmental Impact Statement (DEIS) indicated they would repeatedly and fervently resist attempts to reintroduce grizzly bears without assurances that current uses of public and private lands would not be disrupted by recovery activities and that grizzly bears that attack livestock would be controlled. Such assurances can be made under nonessential experimental population designation.

In 1982, Congress amended the ESA to permit greater management flexibility for species that are reintroduced to their historic range. The purpose of the added flexibility was to garner more local support for restoration efforts. Such populations may be designated as "experimental" and managed within a delineated area according to special rules designed to balance needs of both people and listed species. Citizens can be involved in crafting such management rules.

Under Alternative 1 of the FEIS, the U.S. Fish and Wildlife Service proposes to designate the reintroduced population of grizzly bears in the Bitterroot Ecosystem as "nonessential experimental". Such designation will allow these grizzly bears to be treated as a species "proposed for listing" rather than "threatened" for the purpose of section 7 of the Endangered Species Act, and thus will not be subject to the formal consultation provision of the Act. Flexibility is provided by limiting the consultation requirements of section 7 of the ESA and by permitting special rules to be written covering section 9 takings of the ESA. Activities undertaken on private lands are not affected by section 7 of the Act unless they are funded, authorized, or carried out by a Federal agency. The biological status of the grizzly and the need for management flexibility resulted in the Service proposing to designate the grizzly bears reintroduced into east-central Idaho as "nonessential." Because reintroduced grizzly bears will be classified as a nonessential experimental population, the Service's management practices can reduce local concerns about excessive government regulation on private lands, uncontrolled livestock depredations, excessive big game predation, and the lack of State government and local citizen involvement in the program.

### ***Where will grizzly bears be managed under Alternative 1?***

The Bitterroot Grizzly Bear Experimental Population Area (experimental population area), which includes most of east-central Idaho and part of western Montana, will be established by the U.S. Fish and Wildlife Service under authority of section 10(j) of the Endangered Species Act. This approximately 25,140 square mile area will include the area bounded by U.S. Highway 93 from Missoula, Montana, to Challis, Idaho; Idaho Highway 75 from Challis to Stanley, Idaho; Idaho Highway 21 from Stanley to Lowman, Idaho; Idaho Highway 17 from Lowman to Banks, Idaho; Idaho Highway 55 from Banks to New Meadows, Idaho; U.S. Highway 95 from New Meadows to Coeur d'Alene, Idaho; and Interstate 90 from Coeur d'Alene, Idaho, to Missoula, Montana. Much of the experimental population area has high-quality bear habitat with low likelihood of conflicts between grizzly bears and humans.

Grizzly bears moving outside the recovery area into the surrounding experimental population area will be accommodated through management provisions in Alternative 1, and through management plans and policies developed by the CMC, unless potential conflicts are significant and cannot be corrected. All grizzly bears found in the wild within the boundaries of the experimental population area after the first releases will be considered nonessential experimental animals, and will be counted as part of the recovery goal if there is reasonable certainty of their long-term occupancy in such habitats outside the Recovery Area. Grizzly bears outside the experimental population area will be considered as threatened unless they are marked or otherwise known to be experimental animals.

### ***How long will it take to recover grizzly bears in the Bitterroot Ecosystem?***

The tentative recovery goal of this alternative is approximately 280 grizzly bears. The CMC can recommend a revised recovery goal, based on scientific advice, once sufficient information is available. Any recommendations for revised recovery goals developed by the CMC will require public review and Service approval as appropriate for any revision of any recovery plan. Population projections indicate that bear populations will require at least 110 years at a 2% growth rate or a minimum of 50 years at a 4% growth rate to reach the tentative recovery level of approximately 280 bears. Realistically, grizzly bear recovery in the Bitterroot Ecosystem will take a minimum of 50 years, and given potential mortality, could likely take more than 110 years.

Reintroduction of grizzly bears into the Bitterroot Ecosystem will enhance bear metapopulation viability in the northern Rockies by increasing genetic diversity, and potentially increasing genetic interchange among populations if bears immigrate or emigrate. It will also accelerate achievement of recovery goals through reintroduction over natural recovery.

### ***What will be the risk to human safety from reintroduced bears in the Bitterroot Ecosystem?***

Injury rates will probably be similar to those that currently exist in areas outside of national parks where grizzly bears exist. In northwest Montana and north Idaho (outside of Glacier Park), only two bear inflicted injuries have occurred in the last 50 years. A hunter shot and injured a grizzly bear that responded by mortally injuring the hunter in the Bob Marshall Wilderness in 1956. And a bird hunter in the Mission Valley shot and wounded a grizzly that responded by injuring the hunter in 1985. In the Yellowstone Ecosystem outside of the Park, there have been 17 injuries (including 3 mortalities) within the last 156 years.

In the Bitterroot Ecosystem, bears will be placed in remote areas and will be far removed from any national parks and habituation problems in populated areas. During the first several decades following reintroduction, chance of injury caused by grizzly bears will be exceedingly small due to the low density of bears in the area. Under Alternative 1, populations are estimated to achieve recovery levels of approximately 280 bears in a minimum of 50 years, and likely more than 110 years. Using human injury rates from areas with similar circumstances (the Northern Continental Divide and Yellowstone Ecosystems), and recognizing

a net increase in human visitation, projections for human injury once bears are recovered 50-110+ years in the future, are less than one injury per year and less than one grizzly bear-induced human mortality every few decades.

***What does the U.S. Fish and Wildlife Service propose to do to reduce the risk to human safety from reintroducing grizzly bears in the Bitterroot Ecosystem?***

The USFWS will take all possible actions to reduce the risk of human/bear conflicts. Only grizzly bears with no history of conflicts with people will be considered candidates for reintroduction. Suitable bears will be released at wilderness sites within the Bitterroot Ecosystem to reduce the likelihood of encounters with humans. All released bears will be fitted with radio collars and their movements will be monitored to keep the public informed of general bear locations and recovery efforts. A proactive public outreach information and education program will be initiated to inform the public about the recovery program, grizzly bear biology, and how to safely recreate in the Bitterroot Ecosystem. Sanitation improvements will be made to campgrounds and backcountry campsites. These programs will be initiated during the first year of implementation of Alternative 1 before bears are reintroduced, and will continue through the implementation phase, and into the monitoring and management phase.

Under Alternative 1, unless the CMC determines otherwise, private lands outside the national forest boundary in the Bitterroot Valley, Montana (private lands lying within the experimental population area and outside the Bitterroot Forest boundary south of U.S. Highway 12 to Lost Trail Pass) are an area where any human/grizzly conflicts will be considered unacceptable. Grizzly bear occupancy will be discouraged in these areas (exclusion area) and grizzly bears will be captured and returned to the Recovery Area, or destroyed, or placed in captivity depending on the history of each bear. If a grizzly bear enters the exclusion area, State and Federal wildlife management agencies will attempt to capture it immediately and notify the public of its presence as soon as possible. The public will be updated until the bear is caught. Further, any grizzly bear that occupies inhabited human settlement areas on private land within the Experimental Area that in the judgement of the management agencies or Committee presents a clear threat to human safety or where there is indication that it may become habituated to humans, may be relocated by management agencies.

***Can a person kill a grizzly bear in self-defense?***

Yes. Within the Experimental Population Area, Alternative 1 will continue to allow a person to kill a grizzly bear in defense of that person's own life or the lives of others, provided that such taking is reported within 24 hours to appropriate authorities.

***Does Alternative 1 allow people to harass or kill grizzly bears in defense of property?***

Yes. Under Alternative 1, any livestock owner may be issued a permit by the U.S. Fish and Wildlife Service, the Idaho Department of Fish and Game, or the Montana Department of Fish, Wildlife, and Parks and appropriate Tribal authorities to harass grizzly bears found in the experimental population area that are actually harming or killing livestock (cattle, sheep, horses, mules), provided that all such harassment is by methods that are not lethal or physically injurious to the grizzly bear and such harassment is reported within 24 hours to appropriate authorities.

A livestock owner will be issued a permit by the appropriate authorities to kill a grizzly bear killing or pursuing livestock on private lands within the experimental area once a permit has been obtained, the response protocol established by the CMC has been satisfied, and efforts by the wildlife agency personnel to capture the depredating bear have been unsuccessful. If significant conflicts, as determined by the CMC, occurred between grizzly bears and livestock in the Experimental Population Area, these can be resolved in favor of livestock by the agencies moving the bear or removing it.

***If grizzly bears become a problem or nuisance to human safety or private property, can they be controlled?***

Yes. Bears that frequent areas of high human use, act aggressively toward humans, or kill livestock will be dealt with under the Interagency Grizzly Bear Committee Nuisance Bear Guidelines. This means they will be trapped and moved, or destroyed by management agencies. Grizzly bears posing problems to camps, cabins, individuals, and stock may be relocated rapidly to remote areas, or killed by authorized personnel of state, tribal, or federal agencies. For example, individual bears that wandered into areas deemed unsuitable for bear residency (such as agricultural, residential, or recreational developments) can be removed. Other potential management options also may be used, such as aversive conditioning techniques that train individual bears to avoid humans and their property. Under Alternative 1 the CMC will be responsible for making management recommendations in nuisance bear situations.

***Will public lands be closed as a result of grizzly bear reintroduction?***

No. Alternative 1 proposes no changes to existing land management practices or plans. The special rule indicates that the Citizen Management Committee will review any potential impacts to land uses and assure that resource extraction activities will be maintained at levels consistent with grizzly bear recovery. The special rule also indicates that existing USDA Forest Service Forest Plan standards and guidelines, as amended, will be deemed adequate pending review by the CMC. It is anticipated that laws and regulations, in effect at the time of issuance of the special rule, and governing land management activities will promote grizzly bear recovery.

However, the scope of the FEIS only covers the actions of the USFWS and cooperating agencies in evaluating alternatives to recover the grizzly bear in the BE of Idaho and Montana. The actions evaluated in the document relate to those actions involving direct management of grizzly bears. Actions involving allocation of public resources such as timber, mining, road building, or grazing on National Forest lands and State lands are not a part of the FEIS. Decision documents involving allocation of these resources on National Forest and State lands are the legal responsibility of the USDA Forest Service, and the states of Idaho and Montana, through appropriate Forest and State planning processes.

***Will grizzly bear recovery in the Bitterroot Ecosystem affect current land-uses such as timber harvest and mining?***

Reintroduction of a nonessential experimental population of grizzly bears into the Bitterroot Ecosystem is not expected to impact land uses, including timber harvest and minerals extraction activities, as long as they meet the existing standards and guidelines of the USDA Forest Service Forest Plans. Minerals extraction will likely not be altered due to grizzly bear concerns alone. Recommendations will be made to land management agencies by the CMC to reduce potential impacts if the need arises. The CMC will be responsible for recommending changes in land-use standards and guidelines as necessary for grizzly bear management.

***Is recreation compatible with grizzly bear survival?***

Yes, recreation is compatible with grizzly bears. As long as people use common sense in bear habitat to keep clean camps and avoid surprising bears along trails, there is little impact on either people or bears from recreation. Most grizzly bears try to avoid people, so an encounter or even seeing a bear is unlikely. Hundreds of thousands of people hike, fish, hunt, camp and enjoy grizzly bear habitat every year with very few conflicts of any kind.

***Could recreation be impacted by grizzly bears?***

There could be rare instances in which a grizzly bear is frequenting an area used by recreationists or other forest users where the safety of the people or the bear is at risk. In such cases, temporary closures of the area may be instituted until the safety risk is past. In the Northern Continental Divide Ecosystem, where a minimum population of about 325 grizzly bears currently exists (1998 estimate), only one trail was closed on national forest lands because of grizzly bears in the last 10 years. This closure was a result of concerns for human safety when a bear was seen feeding on an elk carcass along a trail. During the peak of the visitor use season in Glacier National Park, fewer than 5% of trails are closed at any time as a result of safety concerns. Because of the difference between national park and national forest management, closures in the Bitterroot Ecosystem (which is mainly national forest land) will be extremely rare and probably be similar to the Northern Continental Divide Ecosystem. Also, under Alternative 1, trail and road closures are not expected solely for grizzly bears at this time. And any trail, road, or area closure will be based on recommendations of the CMC, and their charge will be to minimize social and economic impacts from the management of the reintroduced population, to the extent practicable within the context of the existing recovery goals for the species.

***Will hunter opportunity be reduced due to grizzly bear predation on ungulates?***

Grizzly bears are omnivores, but feed primarily on vegetation. Studies indicate that a grizzly bear diet consists of about 90% vegetable and insect matter. Studies also indicate that because of their eating habits and short periods of predation (usually only during ungulate calving season), 280 grizzly bears may eat as many elk as will 20 adult cougars over a one year period. A population of 280 bears can be expected to prey upon 504 ungulates per year across the Bitterroot Ecosystem. The loss of 504 ungulates to a recovered grizzly bear population will represent approximately 0.38% of estimated pre-harvest populations of ungulates in the Bitterroot area. It should not be necessary to adjust hunting seasons to compensate for grizzly bear predation on ungulates.

***Will restrictions be placed on black bear hunting in the Bitterroot Ecosystem?***

Black bears are hunted in Montana and Idaho under state regulations. In Montana, use of dogs for hunting bears was prohibited in 1921 and baiting of bears was canceled in 1948. In central Idaho, baiting of black bears and pursuing black bears with hounds in wilderness areas can be evaluated by the CMC to assure that these activities do not hinder grizzly bear recovery. Any restrictions on black bear hunters or other hunting opportunities to reduce the likelihood of mistaken identity kills or to address other potential conflicts can be recommended by the CMC, but will have to be acceptable and implemented by the Idaho Department of Fish and Game and Montana Department of Fish, Wildlife, and Parks.

***Will grizzly bears in the Bitterroot Ecosystem kill livestock and how many?***

Livestock grazing, although presently either not occurring or at very low densities within the recovery area, is not expected to be significantly impacted. However, within the experimental population area boundaries, grazing occurs predominantly in the southern portion of the Bitterroot Ecosystem. Consequently, at recovered grizzly population levels and current livestock stocking rates, impacts to livestock will be expected to be similar to levels occurring in portions of the NCDE and the YE. In 50-110+ years (the estimated time to recovery assuming a 2-4% growth rate) grizzly bears will likely be present within the southern portion of the Bitterroot Ecosystem. Projections indicate that at a grizzly bear population level of 280 bears in the recovery area, yearly livestock losses to depredation by bears may range from 4-8 cattle and 5-44 sheep. Management activities will try to preempt livestock problems. The CMC will try to make all uses compatible with recovery.

***How much will this reintroduction program cost?***



Present cost estimate for capturing a minimum of 25 grizzly bears, transplanting bears to the central Idaho recovery area, and monitoring and management of grizzly bears over a 5-year period of reintroductions is \$283,632 annually. The CMC will meet about 4-6 times annually during the early period of the project and less frequently later. Travel expenses and associated costs will amount to an estimated \$20,000 per year (included in the \$283,632). In addition to costs involved in transplanting, monitoring, and management of bears, there is also a cost associated with sanitation, information and education, and law enforcement activities conducted by the USDA Forest Service within the recovery area. This cost will be approximately \$150,000 annually. The total annual cost for the 5-year reintroduction period will be approximately \$433,632/year, and the total 5-year implementation cost will be approximately \$2,168,160. Annual costs for monitoring and citizen management will be approximately \$193,000 for each year beyond the 5-year reintroduction period.

Economic cost/benefit analysis indicates grizzly bear recovery in the Bitterroot Ecosystem will lead to total net economic benefits of 40.4-60.6 million dollars per year. This estimate represents the "existence value" which is the value potential visitors and others place on having a recovered grizzly population in the Bitterroot Ecosystem. Economic analyses indicate annual costs after the 5-year reintroduction period will include an implementation cost for monitoring and Citizen Management of \$193,000, and livestock loss value ranging from \$2,720-\$8,568, for a total cost of \$195,720-\$201,568 per year. The annual cost during the initial 5-year reintroduction phase will be \$436,352-\$442,200 per year, which includes capture and transport of bears, monitoring and management, and livestock loss value.

#### ***Why are the Fish and Wildlife Service and other agencies proposing to recover the grizzly bear in the Bitterroot Ecosystem?***

The USFWS, with support of the Interagency Grizzly Bear Committee, proposes to recover the grizzly bear and restore this component of the Bitterroot Ecosystem by reestablishing the species within this portion of its historical range. The grizzly bear was listed as a threatened species in the lower 48 States under the Endangered Species Act (ESA) in 1975 (Federal Register, V.40, No.145, Part IV-3173-4). As such, the U.S. Fish and Wildlife Service was mandated by Congress to conserve this listed species and the ecosystems upon which it depends. The USFWS is the primary agency responsible for recovery and conservation of threatened species, including grizzly bears in the U.S.

The USFWS and the National Marine Fisheries Service have a statutory lead in enforcing provisions of the Endangered Species Act. They work closely with other land management agencies to recover species listed under the ESA. In the ESA, Congress declared that all federal agencies shall seek to conserve endangered and threatened species and the habitat upon which they depend. The Forest Service is only one of many cooperators necessary to the survival of the grizzly bear and other listed species. Approximately one-third of all species listed as threatened or endangered under the ESA live on National Forests or Grasslands. States, other Federal agencies, and Native American Tribes are also partners in recovering threatened and endangered species.