

OFFICE OF SPECIES CONSERVATION

BRAD LITTLE
Governor



P.O. Box 83720
Boise, Idaho 83720-0195

April 23, 2020

U.S. Fish and Wildlife Service
Grizzly Bear Recovery Office
University of Montana
University Hall #309,
Missoula, MT 59812

Re: FWS-R6-ES-2019-N144, Status Review of Grizzly Bear in Lower-48 States

Dear Ms. Cooley,

The State of Idaho through the Idaho Governor's Office of Species Conservation (OSC) appreciates the opportunity to provide information for FWS-R6-ES-2019-N144, Status Review of Grizzly Bear in Lower-48 States. We further appreciate U.S. Fish and Wildlife's (FWS) understanding of the prioritization of state resources for public health and safety during the COVID-19 pandemic, and FWS' willingness to accept Idaho agency comments in installment fashion during this time.

As the FWS knows, there are several state agencies and stakeholders in Idaho that are affected by the management decisions regarding the status of grizzly bears. As a state, OSC, the Idaho Department of Fish and Game (IDFG), and the Idaho Department of Lands (IDL) are integral to providing information to FWS regarding grizzly bears in Idaho.

OSC is dedicated to planning, coordinating, and implementing actions within the State of Idaho that will preserve, protect, and restore species listed as candidate, threatened, endangered, or considered rare and declining while taking into consideration the state's economic vitality and values.

IDFG implements the policy set by the Fish and Game Commission to manage wildlife for the benefit of all Idahoans. IDFG's mission is to preserve, protect, perpetuate, and manage all fish and wildlife in Idaho for the public interest (Idaho Code 36-103(a)).

IDL professionally and prudently manages Idaho's endowment assets to maximize long-term financial returns to public schools and other trust beneficiaries and to provide professional assistance to the citizens of Idaho to use, protect and sustain their natural resources.

The status of the grizzly bear and how that relates to the lower 48 states and Canada significantly affects the State of Idaho. Below are comments the State of Idaho believes are important to consider while conducting this five-year status review.

IDL provided information to FWS on March 16, 2020. This information was focused on the regulatory mechanisms and conservation measures that reduce human-caused grizzly bear

mortality and benefit grizzly bear habitat on state endowment lands, private forest, and rangeland. The attached comments include current and updated population information, including location information from IDFG remote camera projects (statewide and Panhandle) and 2019 information regarding grizzly bears in the Clearwater Region. The State of Idaho will follow up with additional installment(s) of information in a phased approach regarding population status, threat analysis, regulatory mechanisms, conservation measures, and other items relevant to the status review.

It is important that FWS recognize the broader context of grizzly bear conservation and management when considering the details of overall grizzly bear status. Lately, certain grizzly bear populations that are associated with National Parks, larger than some entire states, such as those in Yellowstone Ecosystem and the Northern Continental Divide Ecosystem, have made headlines due to those populations expanding outside of the recovery area boundaries. Recovering grizzly bear populations within these designated recovery zones is one task but rebuilding and expanding grizzly bear populations outside of these areas in working landscapes will take a different level of prolonged commitment to working with state and local stakeholders to achieve success. The same park-like approach should not be applied. As bears expand outside of these boundaries there is a significantly increased potential for conflicts among grizzly bears and people, but a balance needs to be maintained.

Successful grizzly bear conservation in Idaho has resulted in bear population expansion into developed areas that FWS has acknowledged are unsuitable for grizzly bears because of recurring conflicts with people. In northern Idaho, the Kootenai Valley Resource Initiative (KVRI) has been working as part of the community to help with the dissemination of information to reduce potential conflicts. However, there are several instances that continue to affect the community due to the delayed status review. One pertinent example is the fact that 10 bears in the area between Bonners Ferry and the Canadian border living in agricultural and residential areas outside of recovery zones are not included in any population estimate. It is imperative that in conducting this review and assessing recovery, that the grizzly bear population is taken in its entire context. The significant range expansion of grizzly bears since the 1975 listing has involved building a community of knowledge and trust, especially when success inherently correlates with expansion into areas of increased conflicts among grizzly bears and people.

For decades, Idaho, along with its sister states, has chosen to invest considerable resources to support grizzly bear population growth and related conflict management, with an interagency goal of attaining their removal from the federal endangered species list. FWS does not currently have adequate personnel resources in Idaho to address conflicts or directly provide other community support functions for grizzly bears. The States, and particularly our rural communities, have shouldered most of this burden. This has resulted in more precautions and less freedom in outdoor livelihoods, rural living, and recreation, along with considerable investments of time and resources in a wide array of measures, including real property acquisitions, sanitation, and animal husbandry.

The State of Idaho takes pride in our contributions to one of the most successful conservation efforts of our time. Nevertheless, it is vital to such conservation efforts that the ESA works as it was intended, and that federal protections and associated restrictions are lifted for healthy populations. Delisting of healthy populations promotes and incentivizes community investment in conservation and allows federal resources to be allocated to the species most in need of protection.

As such, it is imperative that the FWS five-year review clearly identify and apply the legal standards for determining what ESA status is appropriate in the context of the brown bear species, grizzly bear subspecies and grizzly bear distinct population segments (DPS) under DPS policy. Where science-based information supports a determination that a species/subspecies/distinct population segment is not likely to become endangered within the foreseeable future throughout all or a significant portion of its range, ESA protection is not warranted.

Idaho has appealed the federal district court decision that set aside the final rule designating and delisting the Greater Yellowstone Ecosystem Distinct Population Segment, and Idaho has asked the appellate court to reinstate the delisting rule. Notably, this litigation is about the 2017 delisting rule's compliance with administrative procedure. Whatever the outcome of the appellate ruling, the fact remains that the Greater Yellowstone DPS continues to meet ESA criteria for delisting and delisting of the Greater Yellowstone DPS remains warranted. Data collected by the USGS Interagency Grizzly Bear Study Team and additional information available since the 2017 delisting rule continue to support delisted status for this population.

Current information supports the inclusion of the entirety of Idaho within a geographic area where grizzly bears are not listed under the ESA -- either through delisting of the grizzly bear subspecies or a revised listing. FWS' prior identification of "isolated populations" in eastern Washington, Idaho, and Montana along the international boundary does not accurately portray the connectivity of these populations among themselves as well as above this border. Continued listed status is inconsistent with current population information. Current information shows the Northern Rockies have a grizzly bear population of sufficient size and genetic fitness connected to Canada populations, along with a five-factor analysis, that warrants delisting (encompassing the identified recovery zones in Idaho for the Selkirk and Cabinet-Yaak, the Northern Continental Divide recovery zone in Montana, and the area designated for the 10j nonessential experimental population in the Selway-Bitterroot). The State of Idaho's forthcoming comments will provide additional detail in this regard.

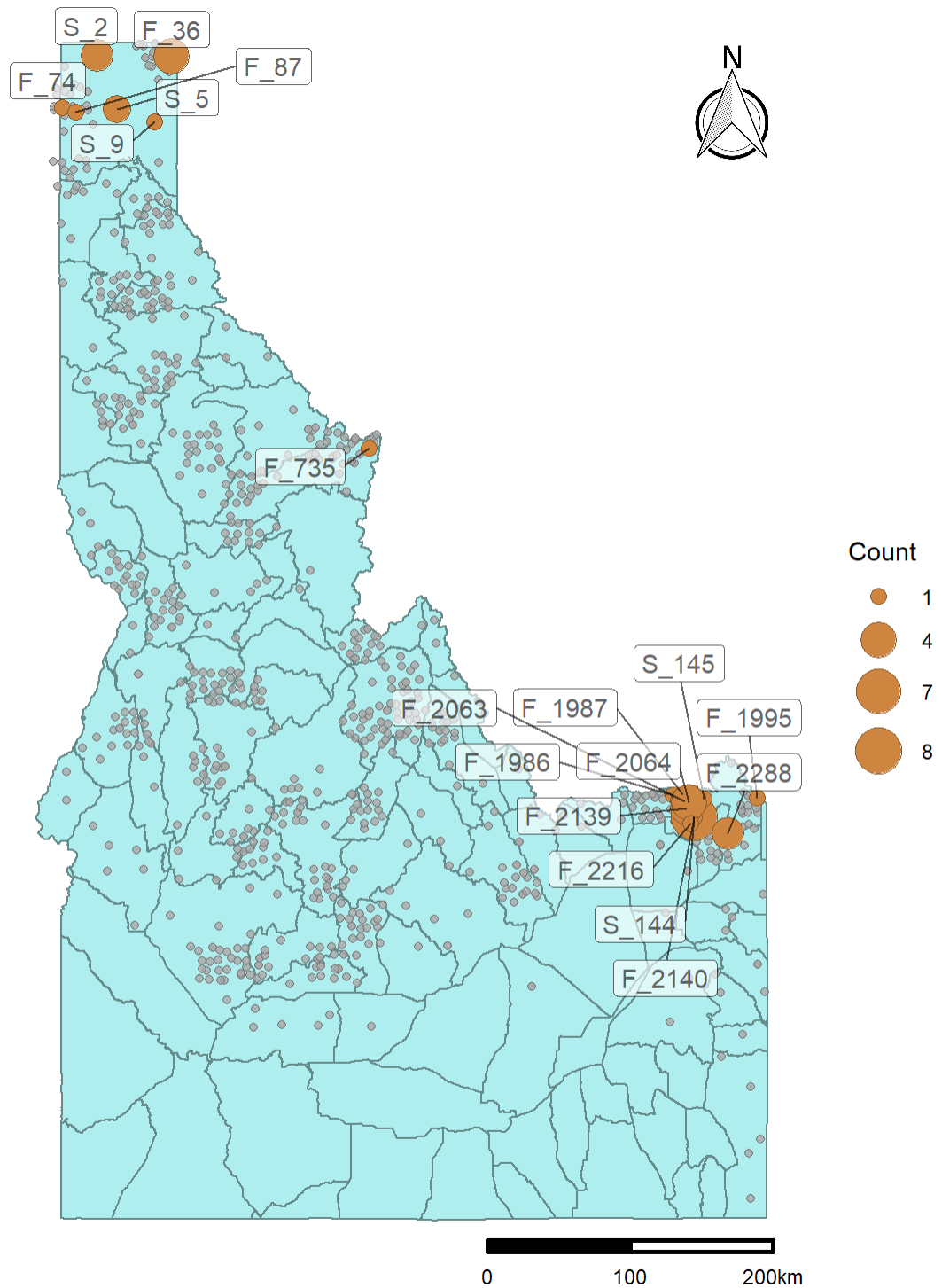
Again, we appreciate the opportunity to comment and to do so in installment fashion. If you have any questions regarding the attached comments, please contact the State of Idaho using the following contacts: IDFG's Wildlife Bureau Chief, Toby Boudreau, at 208-287-2745 or toby.boudreau@idfg.idaho.gov, and OSC's terrestrial species manager, Joshua Uriarte, at 208-332-1556 or joshua.uriarte@osc.idaho.gov.

Sincerely,



Joshua Uriarte
Terrestrial Species Program Manager and Policy Advisor

GRIZZLY BEAR LOCATION/MONITORING INFORMATION: 2019 DETECTIONS DURING IDFG STATEWIDE REMOTE CAMERA SURVEY (SURVEY DESIGN FOR OTHER SPECIES)



The above map (**Figure 1**) summarizes grizzly bear image data for 2019 from an IDFG statewide remote camera survey for other species (cameras deployed summer 2019). To reduce bias for active individuals,

IDFG used a maximum individual bear count using 10-minute intervals per camera. For example, if during one 10-minute interval at camera “Z,” a pair of grizzly bears walked through the viewshed and triggered the camera 3 times—resulting in two images of a single grizzly bear and one image with two grizzly bears—a count of “2” would be recorded for that 10-minute interval. The map depicts the grizzly bear maximum counts for each camera summed over the entire survey period, with circle size increasing for larger summed count numbers. Gray circles indicate camera locations with zero grizzly bear sightings. The labels are state (S) or focal (F) cell ID numbers corresponding to a camera location.

The grizzly bear detected in the image at F_735 (central Idaho on the border with Montana) was radio-collared and was identified as bear #927 through its corresponding telemetry data. This is the male bear that was translocated to the Cabinet-Yaak recovery zone as a young male in 2018, that agencies moved back to the Cabinet-Yaak zone again later in the year for conflict prevention, and that left the zone again in 2019 but returned on its own to the Cabinet-Yaak to den in the fall.

OBSERVATIONS BY MONTH (JUNE-OCTOBER 2019)

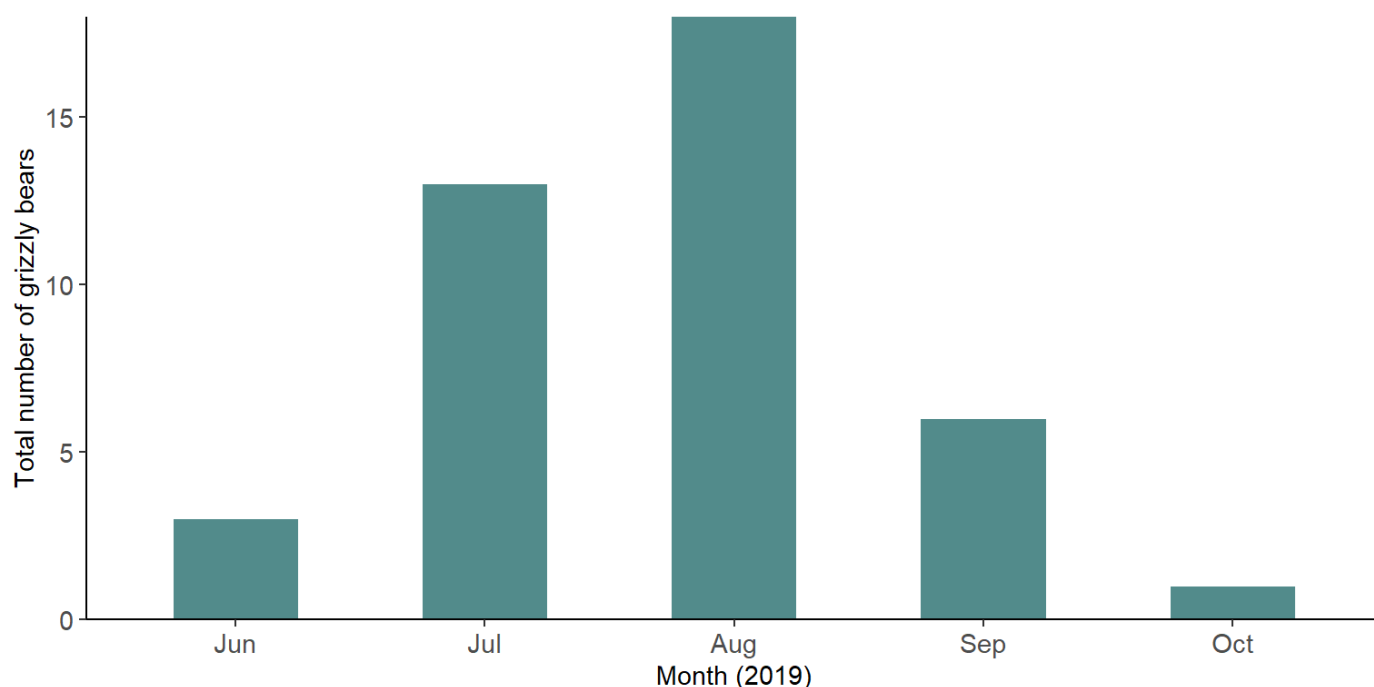


Figure 2. Maximum grizzly bear counts for all cameras summed within each month (Observations outside of June-October 2019 excluded)

OBSERVATIONS BY TIME OF DAY

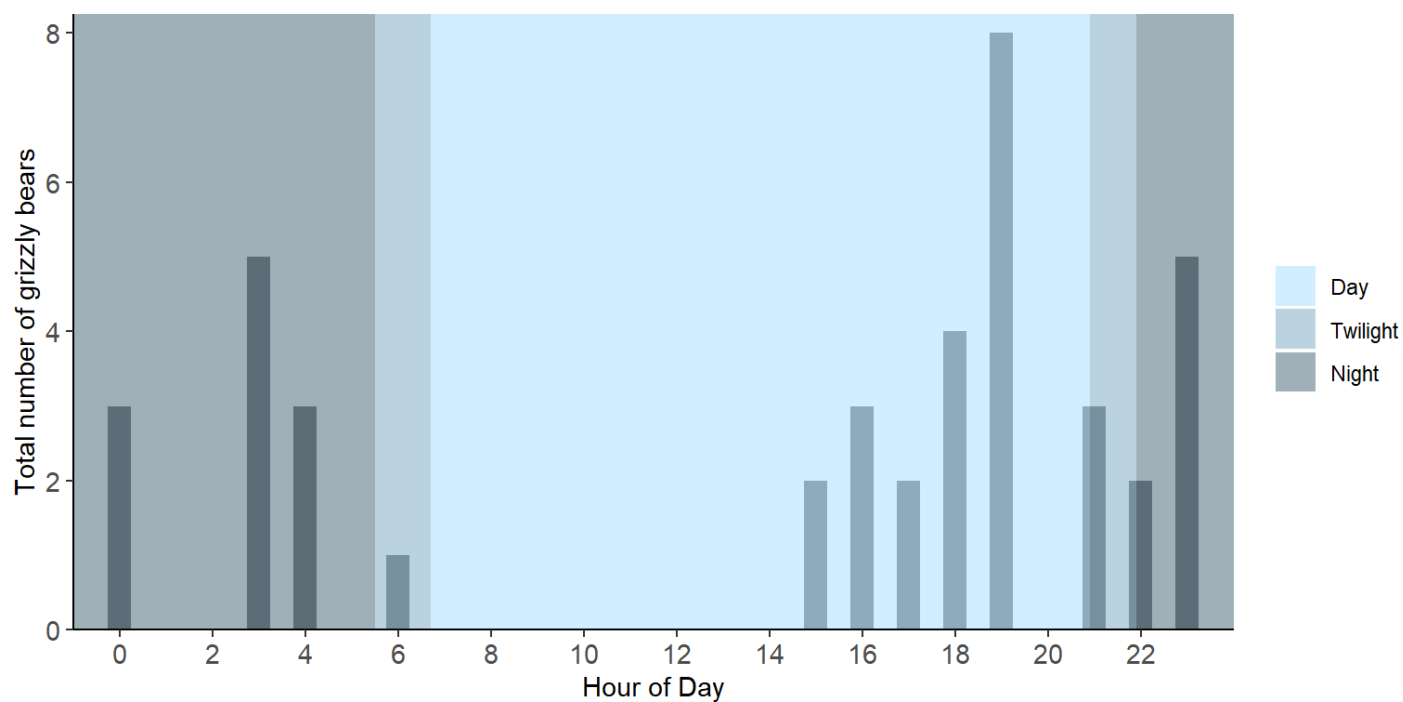


Figure 3. Maximum grizzly bear counts for all cameras summed within each hour. Timing of night, day, and twilight (nautical-civil) based on data from Challis, ID (approximate geographic center of state) on August 15, 2019 (median date of camera deployment).

OBSERVATIONS BY HABITAT (BASED ON PRESENCE/ABSENCE DATA)

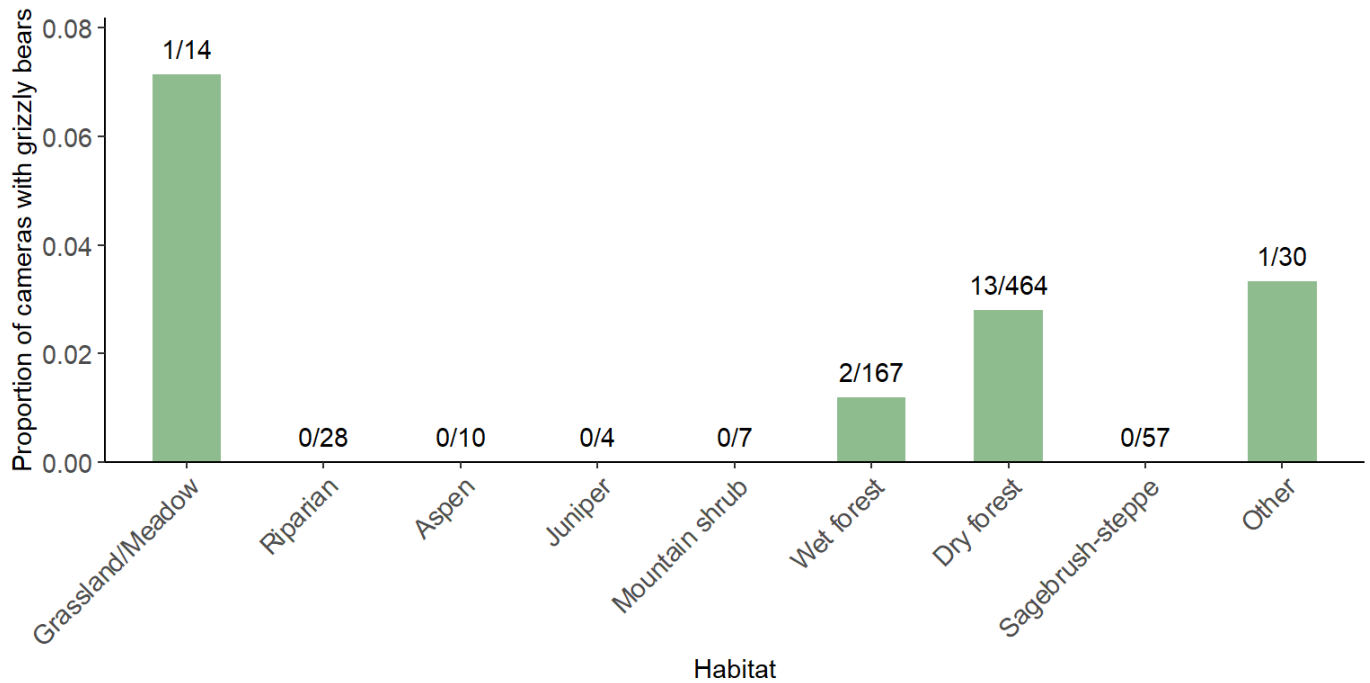


Figure 4. Grizzly bear observations by habitat type, based on qualitative data collected by camera deployers. Labels above the bars indicate number of cameras that observed grizzly bears out of total number of cameras within a given habitat type. Computations use presence/absence data to account for variation in environmental availability. The y-axis is the proportion of cameras in a given habitat category with grizzly bear images at any point during the survey period. All cameras with habitat data are included, not accounting for camera issues (*e.g.*, high motion trigger sensitivity, short battery life, SD card malfunction, etc.).

OBSERVATIONS BY TRAIL TYPE (BASED ON PRESENCE/ABSENCE DATA)

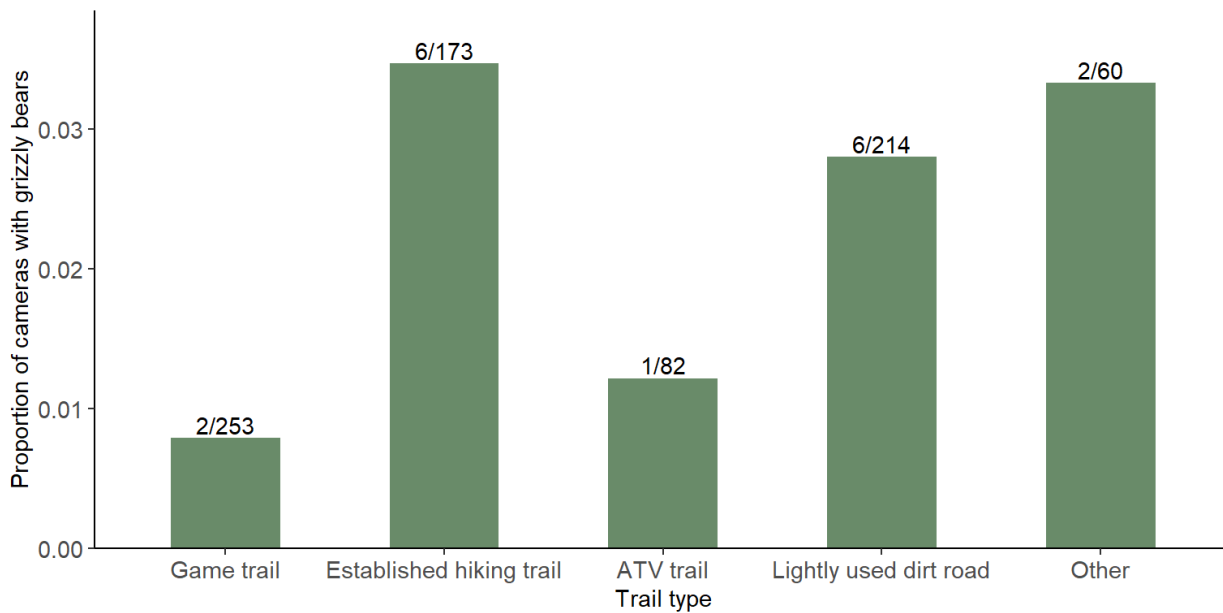


Figure 5. Grizzly bear observations by trail type, based on qualitative trail data collected by camera deployers. Labels above the bars indicate number of cameras that observed grizzly bears out of total number of cameras facing a given trail type. Computations use presence/absence data to account for variation in environmental availability. The y-axis is the proportion of cameras in a given trail category with grizzly bear images at any point during the survey period. All cameras with trail data are included, not accounting for camera issues (*e.g.*, high motion trigger sensitivity, short battery life, SD card malfunction, etc.).

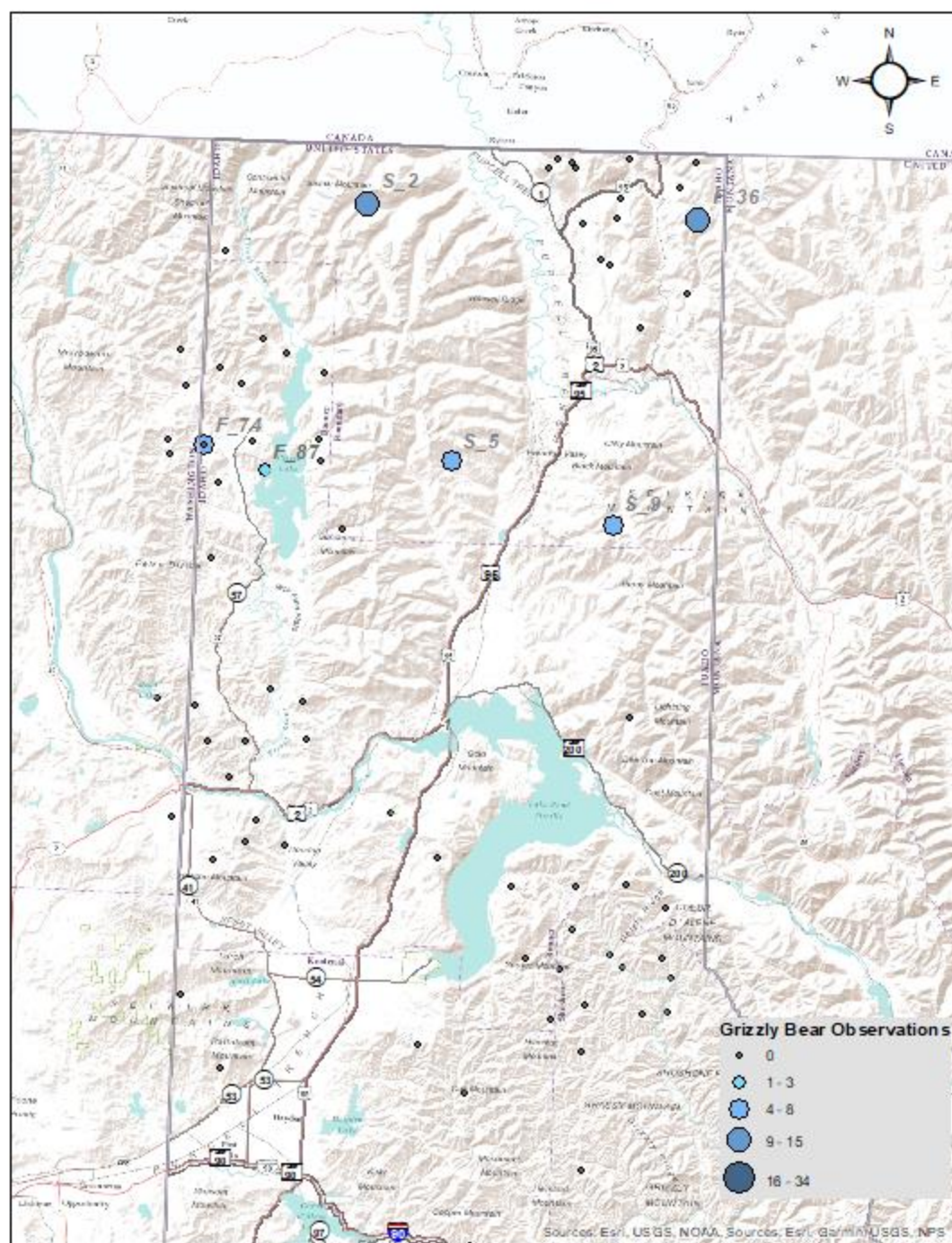


Figure 6. 2019 grizzly bear IDFG remote camera observations, Panhandle Region

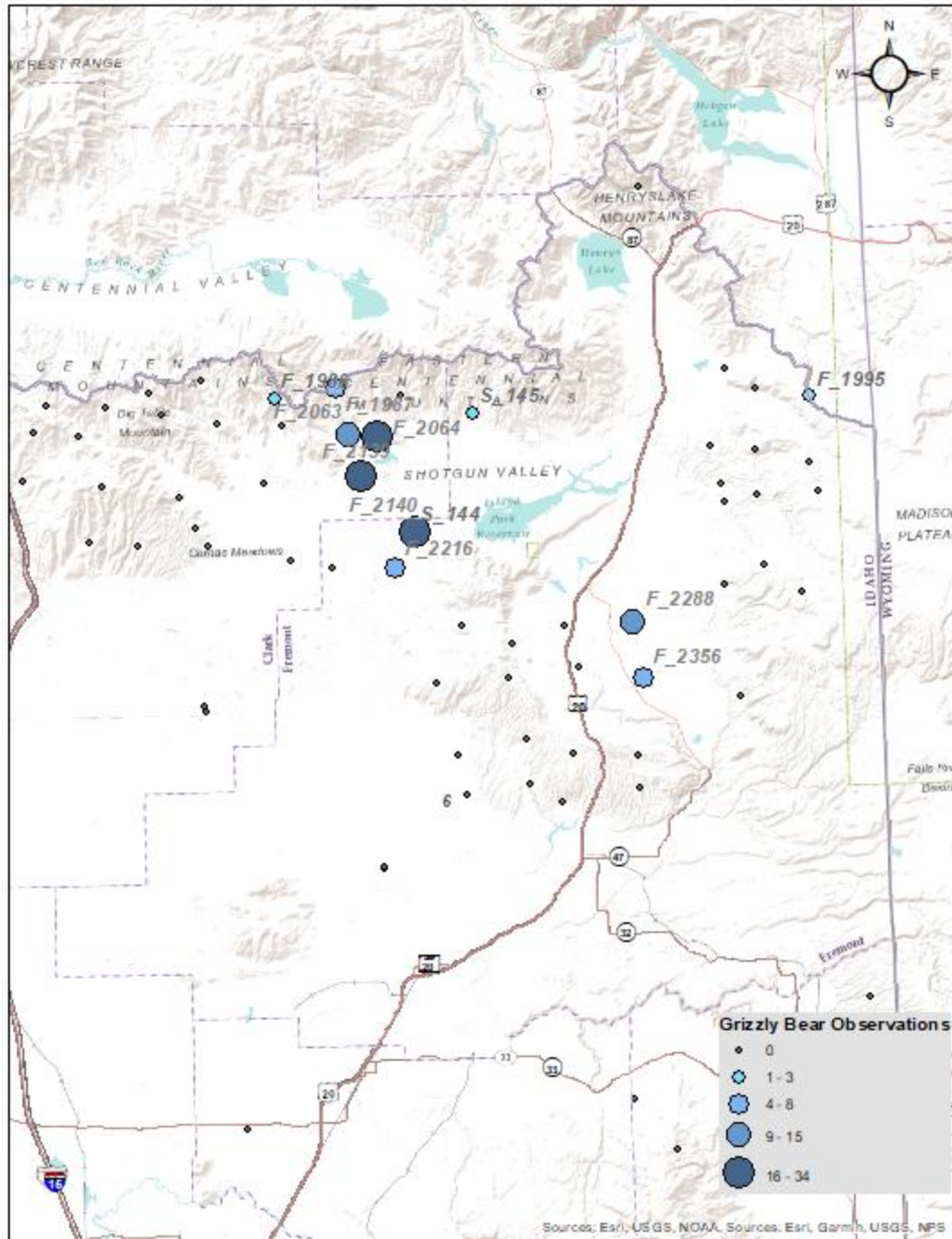


Figure 7. 2019 grizzly bear IDFG remote camera observations, Upper Snake Region

GRIZZLY BEAR LOCATION/MONITORING INFORMATION: CLEARWATER REGION

There were no verified observations of grizzly bear in the Clearwater Region between 2011 and 2018.

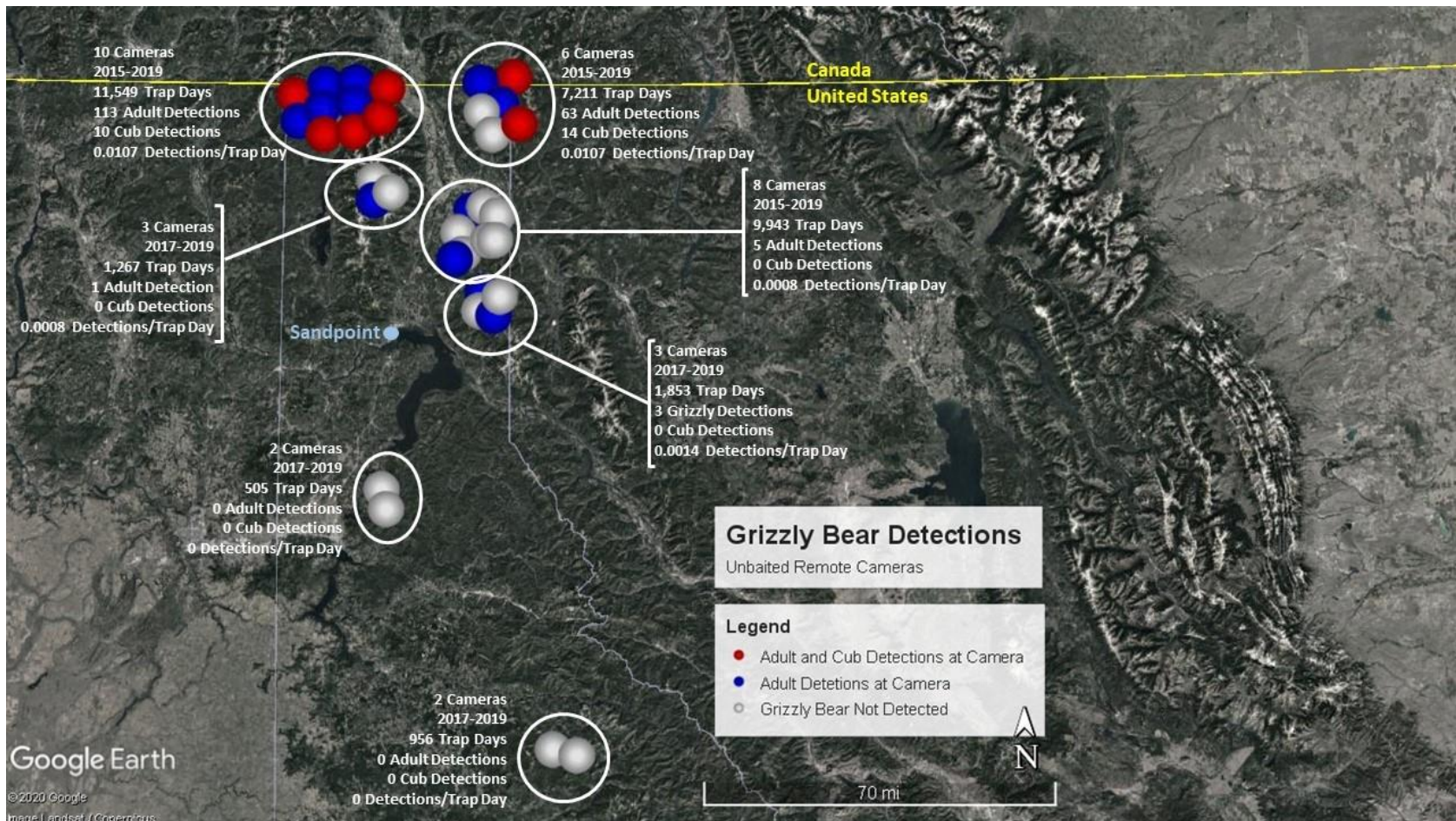
In 2019, radiocollared bear #927 entered and left the Clearwater Region, returning to the Cabinet Mountains in Montana to den. USFWS has access to this radiocollar data. Bear #927 appeared at IDFG remote camera location F_735 in 2019 (see Figure 1).

A private individual reported a grizzly bear from game camera image in 2019 in the Newsome Creek drainage (Nez Perce-Clearwater National Forest), and IDFG verified the image as a grizzly bear and a camera at the reported location. IDFG collected bear scat from the vicinity of the camera that laboratory analyses determined was black bear. IDFG does not have information on the whereabouts of this grizzly bear in 2020.

A private individual reported a grizzly bear from game camera image in 2019 in the South Fork Whitebird Creek drainage (Nez Perce-Clearwater National Forest). IDFG collected hair samples from the vicinity of the camera. Genetic analyses (received April 2020 from Petkau Laboratory) matched male grizzly bear S21285M, which USFWS radiocollared as a yearling in 2017 (radiocollar dropped off in 2018) and which USFWS had also separately sampled by hair snares. USFWS has the prior telemetry information (FWS 2018 Cabinet-Yaak Annual Report).

In April 2020, IDFG verified relatively fresh grizzly bear tracks in snow in the Fish Creek Meadows Recreation area, a few miles to the north of the South Fork Whitebird Creek drainage. IDFG collected some hair from near these tracks and sent them to the Petkau Laboratory to determine if they are from bear S21285M. Bear S21285M does not have any known history of conflict and would be four years old in 2020.

GRIZZLY BEAR LOCATION/MONITORING INFORMATION: DETECTIONS DURING 2015-2019 IDAHO PANHANDLE REMOTE CAMERA SURVEY (SURVEY DESIGN FOR OTHER SPECIES)



The above map summarizes where IDFG did and did not detect grizzly bears during a 2015-2019 Canada lynx survey in which IDFG deployed remote cameras in Idaho's Panhandle (Selkirk, Purcell, Cabinet, St Joe and Coeur d'Alene areas; see Legend for color coding of adults, cubs, and non-detects).

IDFG deployed unbaited camera stations at randomly selected locations along roads or trails, deploying 24 cameras in 2015 and 10 cameras in 2017. The cameras ran continuously from deployment until retrieval in 2019 with annual servicing. 'Trap Day' is a 24-hour period with normal camera function. 'Detection' is a verified grizzly bear image at least 10 minutes apart from any other grizzly bear image. 'Detections/Trap Day' is (total camera group trap days)/(total grizzly bear detections). Data include only images verified as grizzly bear by the designated IDFG Regional Wildlife Biologist, after initial image review and identification by IDFG Wildlife Technicians.