About the Document

Title: Proposed Rule Removing the Greater Yellowstone Ecosystem (GYE) Population of Grizzly Bears From the Federal List of Endangered and Threatened Wildlife; Availability of Draft Recovery Plan Supplement: Revised Demographic Criteria and a Draft 2016 Conservation Strategy for this Population.

Brief summary: We are proposing to remove protections of the ESA from the GYE grizzly bear population and turn over management and conservation to an experienced interagency group of natural resource managers under a unified Conservation Strategy. Concurrent with this proposal, we have updated portions of the Demographic Recovery Criteria 1 and 3 for this population and the Conservation Strategy (i.e., the post-delisting management plan) to reflect the best available science, improve clarity, and provide consistency with other regulatory documents (i.e., National Forest Plans).

Timeline of the Peer Review:

Estimated dissemination date: March 2016
Peer review initiated: March 2016
Peer review to be completed by: Close of the public comment period
Final determination regarding status of the Yellowstone grizzly bear population: Fall 2016

About the Peer Review Process

Type of review: USFWS policy
In accordance with our July 1, 1994 peer review policy (59 FR 34270) and the Office of Management and Budget's December 16, 2004 Final Information Quality Bulletin for Peer Review, the U.S. Fish and Wildlife Service intends to seek peer review on this proposed delisting rule, the draft Recovery Plan Supplement: Revised Demographic Criteria, and the draft 2016 Conservation Strategy.
~~subject these proposed revisions to the 1993 Grizzly Bear Recovery Plan to independent scientific peer reviews.~~ These reviews will occur concurrently with the public comment period for the proposed ~~revisions~~rule. Because this peer review will occur concurrently with public review, peer reviewers will not be provided with copies of public comments.

The Service ~~requested nominations for peer reviewers from the Interagency Grizzly Bear Study Team.~~ is ~~-~~contracting the solicitation and coordination of ~~The Service then selected and solicited comments from 5 of these~~ the independent scientific review~~ers~~. The independent peer reviewers shall be experienced senior-level ecologists, bear biologists, or population modelers, and bear managers who have previously conducted similar reviews or regularly provided reviews of research and conservation articles for the scientific literature. Reviewers must be well-versed in the demographic management of mammals, preferably bears or other carnivores. Potential conflicts of interest include: employment or affiliation with the Service, the States of Montana, Wyoming, or Idaho, the Interagency Grizzly Bear Study Team, the Western Governors Association; peer reviewers who have offered a public opinion or a statement either for or against delisting; and peer reviewers directly or indirectly employed by or associated in any way with any organization that has either litigated the federal government concerning grizzly bears or wolves or taken a position on one side or the other about recovery and delisting of grizzly bears or wolves. In addition, the reviewers should have no financial or other conflicts of interest with the outcome or implications of the report.

The contractor will be responsible for assigning an experienced, senior and well-qualified manager to lead this review and for the selection of 5 well-qualified, independent reviewers. ~~Y of these potential reviewers accepted the opportunity to review the proposed revisions and will answer questions pertaining to the logic of our assumptions, sources of scientific uncertainty, management approach, and biological conclusions. These reviewers are experienced bear biologists and researchers that do not work for the Service. They were chosen based on their direct research experience with bears and their experience with the conservation and management of bears.~~

We requested that these reviewers provide individual, written responses on the three documents referenced in the Notice of Availability published in the Federal Register: (1) the Proposed Rule Removing the Greater Yellowstone Ecosystem Population of Grizzly Bears From the Federal List of Endangered and Threatened Wildlife; (2) the draft Grizzly Bear Recovery Plan Supplement: Revised Demographic Criteria for the Greater Yellowstone Ecosystem population; and (3) the draft 2016 Conservation Strategy for the Greater Yellowstone Ecosystem population. Individual peer reviews, once all are completed, will be available upon request (see Contact section below). We will summarize and respond to the issues raised by the peer reviewers in special sections of the respective documents: (1) the Final Rule Removing the Greater Yellowstone Ecosystem Population of Grizzly Bears From the Federal List of Endangered and Threatened Wildlife; (2) the final Grizzly Bear Recovery Plan Supplement: Revised Demographic Criteria for the Greater Yellowstone Ecosystem population; and (3) the final 2016 Conservation Strategy for the Greater Yellowstone Ecosystem population.

The purpose of seeking independent peer review is to ensure that the best biological and scientific data are being used in this revision process, as well as to ensure that reviews by recognized experts are incorporated into the final rule, final Recovery Plan Supplement: Revised Demographic Criteria, and final 2016 Conservation Strategy. Peer reviewers were asked to consider, but not limit their responses, to the following questions and provide any other relevant comments, criticisms, or ideas:

Proposed Rule:

1. Does the proposed rule provide adequate review and analysis of the factors relating to the persistence of the grizzly bear population in the GYE (demographics, habitat, disease and predation, and genetics)?
2. Are our assumptions and definitions of suitable habitat logical and adequate?
3. Are the details for habitat management adequate in the proposed rule?
4. Is management to facilitate connectivity with other grizzly populations adequately addressed in the proposed rule?
5. Is the management of discretionary mortality, including hunting, scientifically sound and sufficiently detailed?
6. Are the conclusions relating to the effects of changes in food resources on the GYE grizzly bears scientifically based and logical?
7. Is our explanation of density dependent effects versus whitebark pine decline driven effects scientifically sound?

Draft 2016 Conservation Strategy:

1. Are the habitat management mechanisms scientifically sound and sufficiently detailed in the draft 2016 Conservation Strategy?

2. Is the management of discretionary mortality, including hunting, scientifically sound and sufficiently clear and detailed so that managers can use this document to successfully implement mortality management in the future?
3. Is management to facilitate connectivity with other grizzly populations adequately addressed in the draft 2016 Conservation Strategy?
4. If implemented, is the Conservation Strategy adequate to reasonably ensure the long-term viability of the GYE grizzly bear population?

Draft Recovery Plan Supplement: Revised Demographic Criteria:

1. Please provide your scientific evaluation (e.g., the pros and cons) of the revised recovery goal's objective to manage and maintain the population around the 2002–2014 model-average Chao2 estimate of 674 (95% CI 600–757)
2. Please provide your scientific evaluation (e.g., the pros and cons) of monitoring the demographic criteria exclusively within the demographic monitoring area

~~Proposed Rule:~~

1. ~~Does the proposed rule provide adequate review and analysis of the factors relating to the persistence of the grizzly bear population in the GYE (demographics, habitat, adequate regulatory mechanisms, disease and predation, and genetics)?~~
2. ~~Is our establishment of this population as a distinct population segment (DPS) logical and adequate? Specifically, are our arguments pertaining to the discreteness and significance of the population sufficient according to the DPS policy, as described in the rule?~~
3. ~~Are our assumptions and definition of suitable habitat logical and adequate?~~
4. ~~Are the details for habitat management and regulatory mechanisms adequate in the Proposed Rule?~~
5. ~~Is the management of discretionary mortality, including hunting, scientifically sound and sufficiently detailed?~~
6. ~~Are the conclusions relating to the effects of changes in food resources on the GYE grizzly bears scientifically based and logical?~~
7. ~~Is our explanation of density dependent effects versus whitebark pine decline driven effects scientifically sound?~~
8. ~~Is uncertainty adequately considered and addressed?~~
9. ~~Did we include all the necessary and pertinent literature to support our assumptions/arguments/conclusions?~~

~~Draft 2016 Conservation Strategy:~~

1. ~~Are the habitat management mechanisms scientifically sound and sufficiently detailed in the draft 2016 Conservation Strategy?~~
2. ~~Is the management of discretionary mortality, including hunting, scientifically sound and sufficiently clear and detailed so that managers can use this document to successfully implement mortality management in the future?~~
3. ~~Is management to facilitate connectivity with other grizzly populations adequately addressed in the draft 2016 Conservation Strategy?~~
4. ~~If implemented, is the Conservation Strategy adequate to reasonably ensure the long-term viability of the GYE grizzly bear population?~~
5. ~~Did we include all the necessary and pertinent literature?~~

~~Draft Recovery Plan Supplement: Revised Demographic Criteria:~~

1. ~~Given known (and unknown) levels of uncertainty, are the revised demographic criteria likely to support long-term conservation of grizzly bears in the GYE?~~
2. ~~Is managing to maintain the population around the 2002–2014 model-average Chao2 estimate of 674 (95% CI = 600–757) (instead of stability or an increasing or decreasing population) an appropriate approach for this population of grizzly bears?~~
3. ~~Is assessment of demographic criteria exclusively within the demographic monitoring area identified a reasonable biological and statistical approach?~~
4. ~~Do the proposed revisions and supporting documents provide all the necessary and pertinent literature to support our assumptions and conclusions?~~

About Public Participation

This contracting ~~peer review process will be~~was initiated ~~immediately~~ upon publication of the Notice of Availability (NOA) of the Proposed Rule, draft Recovery Plan Supplement: Revised Demographic Recovery Criteria, and draft 2016 Conservation Strategy for the Grizzly Bear Population in the Greater Yellowstone Area in the Federal Register. Public comments are scheduled to be accepted for at least 60 days after the NOA is published. Extensions to this comment period are under consideration. You may submit comments by one of the following methods:

- **Electronically**: Go to the Federal eRulemaking Portal: http://www.regulations.gov. In the Search box, enter Docket No. FWS-R6-ES-2016-0042, which is the docket number for this rulemaking. Then, click on the Search button. On the resulting page, in the Search panel on the left side of the screen, under Document Type heading, click on the Proposed Rules link to locate this document. You may submit a comment by clicking on the blue "Comment Now!" box.
- **By hard copy**: Submit by mail to:
  Public Comments Processing
  Attn: Docket No. FWS-R6-ES-2016-0042
  U.S. Fish and Wildlife Service
  MS: BPHC
  5275 Leesburg Pike
  Falls Church, VA 22041-3803

E-mail or faxed comments will not be accepted. Comments and materials received, as well as supporting documentation used in preparation of this proposed action, will be available for inspection, by appointment, during normal business hours, at our Missoula office (see address above).

Contact

For more information, contact Dr. Chris Servheen, Grizzly Bear Recovery Coordinator, and Dr. Jennifer Fortin

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