

Greater Yellowstone Ecosystem Grizzly Bear Population Proposed Delisting Questions and Answers

Why does the U.S. Fish and Wildlife Service (FWS) believe the Greater Yellowstone Ecosystem grizzly bear population is recovered?

Recovery is based on ~~more than just the number of bears in the ecosystem. It depends upon a combination of factors including:~~ estimated population size, distribution throughout the ecosystem, sustainable mortality limits, quantity and quality of habitat, and adequate regulatory mechanisms, ~~and a good balance of male and female bears that are well-distributed throughout the ecosystem.~~

The FWS has determined ~~the that regulatory mechanisms, both current and post-delisting regulatory commitments, are adequate to sufficiently minimize the~~ threats to grizzly bears and their habitat ~~have lessened~~. On-the-ground, detailed monitoring reveals Greater Yellowstone Ecosystem (GYE) grizzly bears are now recovered and no longer need federal protection. Rebounding from as few as 136 grizzly bears when they were listed as threatened in 1975, today they thrive with conservative population estimates of more than 700 grizzlies in the ~~Yellowstone ecosystem~~ GYE.

The Interagency Grizzly Bear Study Team (Study Team) is responsible for long-term monitoring and researching of grizzly bears in the ~~Yellowstone ecosystem~~ GYE and carefully studies population size, numbers of females with cubs, health, survival rates for all sex and age classes, what they eat, how far they roam, and mortality rates. The team has learned grizzly bears have ~~doubled more than doubled tripled~~ their range since the mid-70s and now ~~utilize-occupy~~ more than 22,500 square miles of the ~~Yellowstone ecosystem~~ GYE, which is larger than the states of New Hampshire, Massachusetts, and Rhode Island combined.

Also, ~~since the~~ population ~~is essentially stable~~ stability from 2002–2014 and that other signs of density-dependent regulation indicates ~~that~~ the ~~Yellowstone ecosystem~~ GYE grizzly bear population is at or near ~~its~~ carrying capacity and the population size has tripled since it was listed for grizzly bears. The Study Team is made up of scientists and biologists from the U.S. Fish and Wildlife Service; U.S. Forest Service; U.S. Geological Survey; National Park Service; States of Idaho, Montana, and Wyoming; and the Wind River Fish and Game Departments of the Shoshone and Arapaho Tribes Eastern Shoshone, and Northern Arapaho, and Shoshone Bannock Tribal Fish and Game Departments.

The U.S. Fish and Wildlife Service delisting of the Yellowstone grizzly bear in 2007 was overturned by the Courts in 2009. Why do you think this delisting of the bear will be successful?

This decision is based on the best-available science. Because of the ~~advancement in monitoring tools and techniques, and the~~ collection of several more years of data, the FWS has a more ~~accurate recent~~ estimation of population growth and vital rates for ~~of~~ the Yellowstone grizzly bear population and was able to determine that changes in the population vital rates are due to the GYE population approaching carrying capacity and not as a result of the decline in whitebark pine-.

Will the grizzly bear be restored to its historic range?

The U.S. Fish and Wildlife Service has no plans to reintroduce grizzly bears to other states at this time. The FWS and the National Park Service are working together to evaluate the feasibility of restoring grizzly bears within the North Cascades [National Park](#) in the State of Washington, but no decisions have been made.

How can the U.S. Fish and Wildlife Service call the Yellowstone grizzly bear population a conservation success story and propose delisting when [connectivity corridors](#) ^[JF1] have not been reestablished?

The Yellowstone grizzly bear population has exceeded recovery goals identified in the 1993 Grizzly Bear Recovery Plan. While the FWS would certainly like to [see connectivity to the Northern Continental Divide Ecosystem \(NCDE\) in the future, it is not currently a threat to the GYE population.](#) [Food storage rules are in place on public lands between the GYE and the Northern Continental Divide and Bitterroot Ecosystems to promote natural connectivity.](#) [study connectivity corridors for grizzly bears, the reality is, we just don't have the manpower to do so at this time.](#) [Federal and State agencies continue to monitor for potential natural connectivity between the NCDE and the GYE. Grizzly bears are currently found approximately half way between the NCDE and GYE areas the it is likely that these populations will be connected in the near future though natural dispersal and movements.](#)

Why did it take the U.S. Fish and Wildlife Service and the State Game and Fish Agencies so long to come to an agreement?

The FWS and the States of Idaho, Montana, and Wyoming have the same goal: to ensure a thriving, self-sustaining, and robust population of grizzly bears in the Yellowstone ecosystem that will never again need Endangered Species Act (ESA) protection. Each of us just may approach the issue from slightly different perspectives.

The U.S. Fish and Wildlife Service has said it will only delist the Yellowstone grizzly bear if regulatory mechanisms will be in place. What are they?

[Habitat standards have been implemented by the National Parks and National Forests inside of the GYE Primary Conservation Area \(PCA; formerly the Recovery Zone\) to maintain or improve upon 1998 levels of secure habitat, developed sites, and livestock allotments. Additionally, 71% of suitable habitat outside of the PCA is designated Wilderness, Wilderness Study Area, or Inventoried Roadless Area and is secure habitat. Furthermore, the grizzly bear is considered a "species of conservation concern" under the Forest Service Planning Regulations, which ensures consideration of grizzly bears and their habitat in land management plans.](#)

[The States of Montana, Idaho, and Wyoming will implement regulatory mechanisms in law and regulation to ensure that grizzly bear mortality, including sport hunting, inside the Demographic Monitoring Area \(DMA\) is limited to maintained within sustainable limits to achieve the population objective of 674 grizzly bears, the average population estimate for 2002–2014. Regulations include, but are not limited to: grizzly bear hunting will be suspended within 24 hours if mortality limits for any age/sex class is met; any mortality exceeding mortality limits in](#)

any year will be subtracted from that age/sex class mortality limit for the following year; prohibition of hunting of females with young; suspension of all discretionary¹ mortality, except that required for human safety, if the population estimate falls below 600.

Will delisting the Yellowstone grizzly bear allow it to be hunted?

Yes. Upon delisting, the states of Idaho, Montana, and Wyoming would have the authority to issue permits for the take of grizzly bears in the Greater Yellowstone Ecosystem, except where hunting is otherwise prohibited, such as Yellowstone and Grand Teton National Parks. Adequate regulatory mechanisms will need to be in place prior to a final delisting to ensure a ~~thriving~~stablehealthy, self-sustaining population of grizzly bears is maintained.

When will hunting begin?

Post-delisting management of hunting outside National parks and reservation lands ~~of~~in the Yellowstone grizzly bear would be the responsibility of the States of Idaho, Montana, and Wyoming.

Is there a trigger or baseline population at which hunting will stop?

The FWS considers 600 grizzly bears in the Yellowstone ecosystem to be the lower limit at which ~~there is no management and~~ discretionary mortality is no longer allowable. The goal would be to manage for approximately 674 grizzly bears, the average population from 2002–2014, to ensure a sustainable and resilient population that utilizes the ~~entire available~~all suitable habitat in the Greater Yellowstone Ecosystem. We do not anticipate population numbers to dip down to 600 ~~Yellowstone~~ grizzly bears in the GYE.

How did the U.S. Fish and Wildlife Service come up with the target of 674 grizzly bears?

Prior to the early 2000's, the Greater Yellowstone Ecosystem grizzly bear population was steadily increasing, but since then it has been relatively stable. The average bear population from 2002 to 2014 was approximately 674 bears; approximately the same population present when the FWS delisted the species in 2007. This is likely near the ecosystem's long-term carrying capacity and the approximate population size that we would use as our target for post-delisting management.

When will the final rule be published?

The FWS is hopeful to publish the final delisting rule for the Yellowstone grizzly bear population in fall 2016.

What are the steps to the delisting process?

Once a population has reached its recovery goals, the FWS must assess whether it still needs protection under the ESA based on a 5-factor analysis: habitat destruction or modification, overutilization, disease or predation, inadequate regulatory mechanisms, or other factors.

If the 5-factors are found to not be substantial, then a proposed rule to delist is published in the *Federal Register*. Then the FWS seeks input from the public, scientific community, federal and state agencies, as well as peer review from three experts.

If information and review further support the decision to delist, then a final rule is published in the *Federal Register*. The species is removed from the Lists of Endangered and Threatened Wildlife and Plants. The FWS monitors the species according to a post-delisting monitoring plan. See more at: <http://www.fws.gov/endangered/what-we-do/recovery-process.html>

What happens after delisting?

Even if the Yellowstone grizzly bear population is delisted, the FWS ~~doesn't just walk away; we remain~~ engaged with the species. The ESA requires that the FWS, in cooperation with the States, monitors the recovered species for a minimum of 5 years in order to assess the species' ability to sustain itself without the ESA's protective measures. Grizzly bears are considered a "conservation-reliant" species and therefore the Conservation Strategy will remain in effect indefinitely to assure population recovery is maintained.

The draft post-delisting Conservation Strategy is available at the time the proposal for delisting is published in the *Federal Register*. We seek peer review and public comment of this document. Once the final delisting monitoring plan is approved, it is put into action. If, within the designated monitoring period, threats to the species change or unforeseen events change the stability of the population, then the species may be relisted ~~or the monitoring period extended~~. The FWS reviews annual reports provided by the States that track population numbers.

What criteria for conservation and recovery are identified in the plan and the strategy [UF2]?

~~xxx~~ The Recovery Plan identifies three demographic criteria for recovery: (1) maintain a minimum population size of 500 individuals to maintain genetic health; (2) occupancy of at least 16 of the 18 bear management units inside the Primary Conservation Area by females with young during a 6-year sum to ensure adequate distribution; and (3) maintain annual mortality limits to maintain the GYE grizzly bear population at approximately the 2002–2014 mean of 674 individuals. All of these recovery criteria have been met since at least 2004.

The Conservation Strategy specifies the necessary plans for population and mortality management, habitat, and nuisance bear management. Additionally, it details the regulatory mechanisms and monitoring programs that exist to maintain a recovered grizzly bear population.

Why is the U.S. Fish and Wildlife Service establishing the Yellowstone grizzly bear as a Distinct Population Segment?

The FWS believes that the Yellowstone grizzly bear population is biologically recovered. Designating the Yellowstone grizzly bear as a Distinct Population Segment (DPS) allows greater management flexibility for the species. The grizzly bear was listed as a threatened species in the lower 48 United States and a Recovery Plan developed prior to the addition of DPS policy to the Endangered Species Act. Recovery Zones and demographic parameters for six different grizzly bear populations are identified in the 1993 Recovery Plan with the intent that individual populations would be delisted as they achieve recovery. This delisting only impacts the

Yellowstone grizzly bear population; all other grizzly bears in the lower 48 states remain protected.

Why is the U.S. Fish and Wildlife Service publishing a proposed rule to delist the Yellowstone grizzly bear population when tribes are adamantly opposed?

The FWS has and will continue to engage in formal consultation with tribes. Any objections to delisting will be considered alongside the rest of the best-available science. Tribes have a tremendous amount of traditional ecological knowledge and scientific information to contribute to this matter, and their input is very important to the FWS.

If the Yellowstone grizzly bear is delisted, and conservation groups sue, how much will that cost taxpayers?

The FWS does not have an estimate of what the cost to taxpayers would be if a decision to delist the Yellowstone grizzly bear were litigated.

According to the Department of Justice, the U.S. Fish and Wildlife Service Mountain-Prairie Region defended 23 lawsuits relating to the endangered species act (ESA) filed by conservation groups between fiscal years 2009-2012, at a cost of \$1.87 million in attorney fees. Not all ESA lawsuits are filed by conservation groups. Private land owners, pro-development interests, and states are few of the other entities that litigate the federal government.

Do environmental groups get funding from the federal government to file suits?

No group [directly](#) receives federal funding to file lawsuits. The Courts can [federal funds as](#) award costs to a party who prevails against the federal government. The Department of Justice has authority for negotiating fee claims. Please contact the DOJ for more information.

How is the public able to participate in the planning process?

Publication of the proposed delisting rule in the *Federal Register* opens a 60-day comment period. [Concurrent with the proposed rule the FWS is also releasing a draft 2016 Conservation Strategy and draft Supplement to the Grizzly Bear Recovery Plan with Revised Demographic Criteria for the Greater Yellowstone Ecosystem for public comment.](#)

[You can find the Yellowstone Grizzly Bear Conservation-All three documents are available at **www.INSERT HERE.COM**](#)

To submit comments, you can send by U.S. mail or hand-delivery: Public Comments Processing, ATTN: FWS-R6-ES-2016-00xx. U.S. Fish and Wildlife Service Headquarters, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803; or go to **Federal eRulemaking Portal:** <http://www.regulations.gov>, search Docket No. FWS-R6-ES-2016-00xx, and follow the instructions for submitting comments.

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