

From: [Munoz, Anna](#)
To: [Serena Baker](#); [Seth Willey](#)
Subject: Fwd: FW: public comment on federal register yellowstone wants to kill grizzly bears
Date: Thursday, September 08, 2016 2:52:46 PM

FYI

----- Forwarded message -----

From: Ivy Allen <ivy_allen@fws.gov>
Date: Thursday, September 8, 2016
Subject: FW: public comment on federal register yellowstone wants to kill grizzly bears
To: Anna Munoz <anna_munoz@fws.gov>

FYI ...

Ivy Allen | Native American Liaison. | U.S. Fish and Wildlife Service |
Mountain-Prairie Region | 134 Union Blvd., Lakewood, CO 80228 |
Ivy_Allen@fws.gov | 303-236-4575

-----Original Message-----

From: Jean Public [mailto:jeanpublic1@yahoo.com]
Sent: Thursday, September 08, 2016 2:24 PM
To: wayne_kasworm@fws.gov; ivy_allen@fws.gov
Cc: hope_grey@fws.gov
Subject: Fw:public comment on federal register yellowstone wants to kill grizzly bears

what a horrific slimy skeevy idea to kill the grizzly bears which everyone in America loves. they are our elephants. they need to be fully protected from the evil vile venal people in montana wyomnig etc. grizzlys stay in their own mileau and they should be protected they have very low reproduction rates so that killing them wipes out the population. America is proud that god gave us those m,arvelous wonderful animals to love, protect, respect and admire. we do not want them taken off any list so that skeey slimy venal vile huntres can kill them. I am so sick of this corrupt govt agency working for the nra and gun profiteers. m,ost of America loves wildlife you are well aware of the many millions who travel vast distancdes and spend their hard earned moneyh to see these wonderful creatues. you want to kill a kknown tourist destination. you are cdrazyh in the corrupt Washington govt that alswhyas acts to hurt the us public constantly these days. we have such venal corrupt people in govt these days whose onlyh thought is kill kill kill. we are sick of this assault. we want the grizzlies protected constantly. tell the gd ag profiteers to get off our nationl 'land they are the problem,n not th egirzzlies. stop leasing land to the farmers on national land now. its time to stop giving them leases for \$7.00 an acre and then they want all the wildlikfe killed and they constantly whine about getting all the wildlkfie

klilled so they can continue to lease our national land for \$7. an acre.
they leave th eland destroyed. the American public does not
want to do business with these damn ag profiteers. they are the problem.,
stop the leasing of our national land to cattle
robber baron ranchers and to ag profiteers. tell them to go bujy private
land. that will give them sometihning to do so they sotp
their continual whining to kill all the wildlife we have lef tin this
country.l we are sick of them and their whininiong. leave the graizzlies
alone. protect them. this agency has becomenothign but moneygrubbers seeing
all wildlife as cash cows for their agency monetary gain.

> Register Volume 81, Number 173 (Wednesday, September 7,
> 2016)]
> [Proposed Rules]
> [Pages 61658-61661]
> From the Federal Register Online via the Government
> Publishing Office [www.gpo.gov]
> [FR Doc No: 2016-21368]

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> DEPARTMENT OF THE INTERIOR

> Fish and Wildlife Service

> 50 CFR Part 17

> [Docket No. FWS-R6-ES-2016-0042;
> FXES11130900000-167-FF09E42000]
> RIN 1018-BA41

> Endangered and Threatened Wildlife and Plants; Removing the
> Greater Yellowstone Ecosystem Population of Grizzly Bears
> From the
> Federal List of Endangered and Threatened Wildlife

> AGENCY: Fish and Wildlife Service, Interior.

> ACTION: Proposed rule; reopening of comment period;
> availability of
> peer review and supplementary documents.

> -----
>
> SUMMARY: We, the U.S. Fish and Wildlife Service (Service),
> announce the

> reopening of the public comment period on our March 11,
> 2016, proposed
> rule to revise the List of Endangered and Threatened
> Wildlife, under
> the authority of the Endangered Species Act, by removing the
> Greater
> Yellowstone Ecosystem population of grizzly bears (*Ursus*
> *arctos*
> *horribilis*). In our proposed rule, we emphasized that the
> governments
> of Montana, Wyoming, and Idaho needed to promulgate
> regulations
> managing human-caused mortality of grizzly bears before we
> would
> proceed with a final rule. Montana, Wyoming, and Idaho
> recently
> finalized such mechanisms. We are also announcing the
> receipt of five
> independent peer reviews of the proposed rule. We are
> reopening the
> comment period for the proposed rule to allow all interested
> parties an
> additional opportunity to comment on the proposed rule in
> light of
> these documents. If you submitted comments previously, you
> do not need
> to resubmit them because we have already incorporated them
> into the
> public record and will fully consider them in preparing the
> final rule.
>
> DATES: We will consider comments received or postmarked on
> or before
> October 7, 2016. Comments submitted electronically using the
> Federal
> eRulemaking Portal (see ADDRESSES, below) must be received
> by 11:59
> p.m. Eastern Time on the closing date.
>
> ADDRESSES: You may submit comments by one of the following
> methods:
> (1) Electronically: Go to the Federal eRulemaking
> Portal: <http://www.regulations.gov>.
> In the search box, enter the docket number for the
> proposed rule, which is FWS-R6-ES-2016-0042. Then click on
> the Search
> button. On the resulting page, you may submit a comment by
> clicking on
> "Comment Now!" Please ensure you have found the
> correct document

> before submitting your comments. If your comments will fit
> in the
> provided comment box, please use that feature of
> <http://www.regulations.gov>,
> as it is most compatible with our comment review
> procedures. If you attach your comments as a separate
> document, our
> preferred file format is Microsoft Word. If you attach
> multiple
> comments (such as form letters or a petition), our preferred
> format is
> a spreadsheet in Microsoft Excel.
> (2) By hard copy: Submit by U.S. mail or hand-delivery
> to: Public
> Comments Processing, Attn: FWS-R6-ES-2016-0042; Division of
> Policy,
> Performance, and Management Programs; U.S. Fish and Wildlife
> Service;
> MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.
> We request that you send comments only by the methods
> described
> above. We will post all comments on <http://www.regulations.gov>.
> This
> generally means that we will post any personal information
> you provide
> us (see Public Comments below in SUPPLEMENTARY INFORMATION
> for more
> information).
> Document availability: You may obtain the information
> and documents
> associated with this reopened public comment period and
> described below
> in SUPPLEMENTARY INFORMATION at <http://www.regulations.gov>
> under Docket
> No. FWS-R6-ES-2016-0042, from the Service's Mountain
> Prairie Region
> Grizzly Bear Web site
> <https://www.fws.gov/mountain-prairie/es/grizzlybear.php>,
> or from the office listed in FOR FURTHER INFORMATION
> CONTACT.
>
> FOR FURTHER INFORMATION CONTACT: Wayne Kasworm, Acting
> Grizzly Bear
> Recovery Coordinator, U.S. Fish and Wildlife Service,
> Grizzly Bear
> Recovery Office, University Hall, Room #309, University of
> Montana,
> Missoula, MT 59812; telephone 406-243-4903. For Tribal
> inquiries,
> contact Ivy Allen, Native American Liaison, U.S. Fish and

> Wildlife
> Service; telephone: 303-236-4575. Persons who use a
> telecommunications
> device for the deaf (TDD) may call the Federal Information
> Relay
> Service (FIRS) at 800-877-8339.
>
> SUPPLEMENTARY INFORMATION:
>
> Public Comments
>
> We will accept written comments and information during
> this
> reopened comment period on the March 11, 2016, proposed rule
> (81 FR
> 13174) to remove the Greater Yellowstone Ecosystem (GYE)
> population of
> grizzly bears (*Ursus arctos horribilis*) from the List of
> Endangered and
> Threatened Wildlife. We specifically seek comments on the
> proposed rule
> in light of five peer reviews and recently finalized State
> regulatory
> mechanisms. The State regulations describe Wyoming, Montana,
> and
> Idaho's approach to managing human-caused mortality
> should we delist
> the grizzly bear in the GYE. The State regulatory mechanisms
> include
> Montana's Grizzly Bear Hunting Regulations, Chapter 67
> of the Wyoming
> Game and Fish Commission regulations, Idaho's Fish and
> Game Commission
> Proclamation, and the Memorandum of Agreement Regarding the
> Management
> and Allocation of Discretionary Mortality of Grizzly Bears
> in the
> Greater Yellowstone Ecosystem (Tri-State MOA). Copies of
> Grizzly Bear
> Montana Hunting Regulations, Chapter 67 of the Wyoming Game
> and Fish
> Commission regulations, Idaho's Fish and Game Commission
> Proclamation,
> and the Tri-State MOA are available on the Internet at
> <http://www.regulations.gov>
> under Docket No. FWS-R6-ES-2016-0042 or at
> <https://www.fws.gov/mountain-prairie/es/grizzlybear.php>;
> or upon request from
> the U.S. Fish and Wildlife Service, Grizzly Bear Recovery
> Office (see

> FOR FURTHER INFORMATION CONTACT). We will consider
> information and
> recommendations from all interested parties.
>
> [[Page 61659]]
>
> You may submit your comments and materials concerning
> the proposed
> rule by one of the methods listed in ADDRESSES. We will not
> accept
> comments sent by email or fax or to an address not listed in
> ADDRESSES.
> If you submit a comment via <http://www.regulations.gov>,
> your entire
> comment--including your personal identifying
> information--will be
> posted on the Web site. If you submit a hardcopy comment
> that includes
> personal identifying information, you may request at the top
> of your
> document that we withhold this information from public
> review. However,
> we cannot guarantee that we will be able to do so. We will
> post all
> hardcopy comments on <http://www.regulations.gov>.
> Comments and materials we receive, as well as supporting
>
> documentation we used in preparing the proposed rule, will
> be available
> for public inspection on <http://www.regulations.gov>
> under Docket No.
> FWS-R6-ES-2016-0042, or by appointment, during normal
> business hours,
> at the Grizzly Bear Recovery Office (see FOR FURTHER
> INFORMATION
> CONTACT).
>
> Background
>
> On March 11, 2016, we published a proposed rule to
> revise the List
> of Endangered and Threatened Wildlife in title 50 of the
> Code of
> Federal Regulations at 50 CFR 17.11(h), under the authority
> of the
> Endangered Species Act of 1973, as amended (16 U.S.C. 1531
> et seq.), by
> removing the Greater Yellowstone Ecosystem (GYE) population
> of grizzly
> bears (*Ursus arctos horribilis*) (81 FR 13174). In the

- > proposed rule, we
- > explained that State regulations addressing human-caused
- > grizzly bear
- > mortality in Montana, Wyoming, and Idaho must include five
- > elements to
- > maintain a recovered population of grizzly bears in the GYE:
- > 1. Suspension of all discretionary mortality inside the
- > Demographic
- > Monitoring Area (DMA), except if required for human safety,
- > if the
- > model-averaged Chao2 population estimate falls below 600.
- > 2. Suspension of grizzly bear hunting inside the DMA if
- > total
- > mortality limits for any sex/age class (as per tables 1, 2,
- > and 3 in
- > the proposed rule) are met at any time during the year (the
- > mortality
- > limits in these tables are reiterated in table 1 in this
- > document,
- > below).
- > 3. Prohibition of recreational harvest of female grizzly
- > bears with
- > young.
- > 4. In a given year, allowance of discretionary mortality
- > only if
- > nondiscretionary mortality (e.g., mortality from illegal
- > kills,
- > mortality from self-defense, calculated unknown/unreported
- > mortalities,
- > natural mortalities, and mortality from other causes such as
- > vehicle
- > collisions) does not meet or exceed total mortality limits
- > for that
- > year.
- > 5. Provisions to ensure that any mortality that exceeds
- > total
- > mortality limits in any year will be subtracted from that
- > age/sex class
- > total mortality limit for the following year to ensure that
- > long-term
- > mortality levels remain within prescribed limits inside the
- > DMA.
- >
- > Table 1 \1\--Total Mortality \2\ Limits
- > for Grizzly Bears Inside the
- > Demographic Monitoring Area
- > [These mortality rates were calculated as those limits
- > necessary to
- > manage toward the long-term average population size that
- > occurred from

> 2002 to 2014 using the model-averaged Chao2 population
> estimate method
> (674, 95% CI = 600-747). If the population estimate is
> fewer than 674,
> the total mortality rate for independent females and
> dependent young
> must be less than 7.6 percent. If population size is
> estimated at fewer
> than 600 in any year, no discretionary mortality will
> occur unless
> necessary for human safety.\3\]

> -----
> Total grizzly bear
> population
> estimate

> -----
> <=674 675-747
> >747

> -----
> Mortality limit % for independent <=7.6%
> 9% 10%
> FEMALES (>=2 years) (using model-
> averaged Chao2 method).....
> Mortality limit % for independent 15% 20%
> 22%
> MALES (>=2 years) (using model-
> averaged Chao2 method).....
> Mortality limit % for DEPENDENT <=7.6%
> 9% 10%
> YOUNG (using model-averaged
> Chao2 method).....

> -----
> \1\ Similar to table 1 in proposed rule (81 FR
> 13174, March 11, 2016).
> \2\ Total mortality: Documented known and probable
> grizzly bear
> mortalities from all causes including but not limited to:
> Management
> removals, illegal kills, mistaken-identity kills,
> self-defense kills,
> vehicle kills, natural mortalities, undetermined-cause
> mortalities,
> grizzly bear hunting, and a statistical estimate of the
> number of
> unknown/unreported mortalities.
> \3\ The phrasing in the table header in the proposed
> rule erroneously
> noted that there would be no discretionary mortality at
> population

> levels fewer than or equal to 600 bears, as opposed to
> population
> levels fewer than 600 bears. We changed the phrasing here
> to match the
> phrasing in the rest of the proposed rule, the revised
> recovery
> criteria, and the draft conservation strategy.
>
> We noted that regulatory mechanisms containing these
> provisions
> must be in place in each State for delisting to occur
> because the
> adequacy or inadequacy of those regulatory mechanisms help
> inform us
> whether a species, once delisted, will remain recovered. The
> ESA
> requires the Service to consider existing regulatory
> mechanisms when
> making listing determinations.
> Montana, Wyoming, and Idaho recently finalized such
> regulatory
> mechanisms governing potential hunting seasons for grizzly
> bear. These
> three States also approved the Tri-State MOA, which outlines
> their
> coordinated plans for grizzly bear management and allocates
> discretionary mortality of grizzly bears in the GYE between
> the three
> States. The three States approved the Tri-State MOA on the
> following
> dates: Wyoming, on May 11, 2016; Montana, on July 13, 2016;
> and Idaho,
> on August 8, 2016.
>
> Highlights of Recently Released State Grizzly Bear
> Management
> Regulations
>
> Montana, Wyoming, and Idaho each used a different
> regulatory
> method, appropriate to their respective legal processes, to
> enact their
> State rules governing human-caused grizzly bear mortality.
> Montana's
> Fish and Wildlife Commission adopted hunting regulations
> that outline
> the structure of a possible future grizzly bear hunting
> season on July
> 13, 2016 (Montana Fish and Wildlife Commission, 2016).
> Montana's Fish

> and Wildlife Commission also approved the Tri-State MOA
 > (Wyoming Game
 > and Fish Commission, Montana Fish and Wildlife Commission,
 > & Idaho Fish
 > and Game Commission, 2016). Before adopting these
 > regulations and the
 > MOA, Montana released the drafts of these documents for
 > public comment
 > and review. The Montana Fish and Wildlife Commission adopted
 > the
 > hunting regulations and the MOA in the same manner that it
 > adopts other
 > regulations, with public notice and comment. In the Service
 > Assessment
 > below, we assume the MOA and hunting regulations are
 > regulatory in
 > nature.
 > On July 8, 2016, the Wyoming Game and Fish Commission
 > approved a
 > regulatory framework that ``provides for the management of
 > grizzly
 > bears in Wyoming to ensure a recovered population"
 > (Wyoming Game and
 > Fish Commission, 2016). The Wyoming Game and Fish Commission
 > invited
 > the
 >
 > [[Page 61660]]
 >
 > public to participate in the process of developing these
 > regulations
 > with a public comment period. Once the Governor of Wyoming
 > approves and
 > signs these regulations, they will be incorporated into
 > Chapter 67 of
 > the Wyoming Game and Fish Commission's regulations. In
 > the Service
 > Assessment, set forth below, we anticipate that, prior to
 > publication
 > of our final rule, the Governor of Wyoming will sign the
 > version of the
 > regulations that was approved by the Wyoming Game and Fish
 > Commission.
 > Idaho's Fish and Game Commission issued a
 > proclamation relating to
 > the limit of the take of grizzly bears in the GYE on August
 > 8, 2016
 > (Idaho Fish and Game Commission, 2016). Idaho Code Section
 > 36-105
 > authorizes the Idaho Fish and Game Commission to use

> proclamations,
 > which ``have full force and effect as law," as a
 > means of ``setting
 > any season or limit on numbers, size, sex or species of
 > wildlife
 > classified by the commission as game animals."
 > Since grizzly bears are
 > classified as game animals in Idaho Administrative Code
 > 13.01.06.100.01e, the Idaho Fish and Game Commission may use
 > a
 > proclamation to establish binding limits on the take of
 > grizzly bears
 > (Idaho Administrative Code 13.01.06.100.01e).
 > Table 2 cross-references the aforementioned requirements
 > in the
 > proposed rule with the content of each State's
 > regulations. The full
 > text of the State regulations and the Tri-State MOA can be
 > found on the
 > Internet at <http://www.regulations.gov>
 > under Docket No. FWS-R6-ES-2016-
 > 0042 or <https://www.fws.gov/mountain-prairie/es/grizzlybear.php>;
 > or
 > upon request from the Grizzly Bear Recovery Office (see FOR
 > FURTHER
 > INFORMATION CONTACT).
 >
 > Table 2--Cross-Reference Between the Regulatory
 > Requirements in the Proposed Rule To Remove the Greater
 > Yellowstone Ecosystem Population of Grizzly Bears From
 > Listing Under the Endangered Species Act (81 FR 13174;
 > March 11, 2016) and the State
 > Grizzly Bear Regulatory Mechanisms
 > -----
 > -
 > Montana (Tri-state
 > Required element described in the memorandum of
 > agreement Wyoming (Chapter 67 of Idaho (ID Fish and Game
 > proposed rule (MOA) and Grizzly
 > Bear WY Game and Fish Commission
 > hunting
 > regulations) Commission regulations) proclamation)
 > -----
 > -
 > Requirement 1: Suspension of all Tri-State MOA:
 > section Section 4(c)..... Section 2.
 > discretionary mortality inside the IV(2)(a)(i), section
 > Demographic Monitoring Area (DMA), IV(2)(c)(i), section
 > except if required for human safety, IV(4)(a), and
 > section

- > if the model-averaged Chao2 IV(6).
- > population estimate falls below 600.
- > Requirement 2: Suspension of grizzly Tri-State MOA:
- > section Section 4(d)..... Section 3 and section
- > bear hunting inside the DMA if total IV(2)(c), section
- > 5.
- > mortality limits for any sex/age IV(4)(a), and
- > section
- > class (as per tables 1, 2, and 3 in IV(6).
- > the proposed rule) are met at any
- > time during the year (these
- > mortality limits are reiterated in
- > table 1 in this document).
- > Requirement 3: Prohibition of Tri-State MOA:
- > section Section 4(e)..... Section 4.
- > recreational harvest of female IV(4)(b); Grizzly
- > Bear
- > grizzly bears with young. Hunting Regulations,
- > pp. 4 and 7.
- > Requirement 4: In a given year, Tri-State MOA:
- > section Section 4(d) and Section 5.
- > allowance of discretionary mortality IV(2)(c), section
- > section 4(k).
- > only if non-discretionary mortality IV(4)(a), and
- > section
- > (e.g., mortality from illegal kills, IV(6).
- > self-defense, calculated unknown/
- > unreported mortalities, natural
- > mortalities, and other causes such
- > as vehicle collisions) does not meet
- > or exceed total mortality limits for
- > that year.
- > Requirement 5: Provisions to ensure Tri-State MOA:
- > section Section 4(g), section Section 6.
- > that any mortality that exceeds IV(2)(c).
- > 4(k), and section 4(l).
- > total mortality limits in any year
- > will be subtracted from that age/sex
- > class total mortality limit for the
- > following year to ensure that long-
- > term mortality levels remain within
- > prescribed limits inside the DMA.
- > -----
- > -
- >
- > Service Assessment
- >
- > The Service has reviewed the recently finalized State
- > regulations
- > governing the management of grizzly bears in the GYE and the

> regulation
> of human-caused mortality (including the Tri-State MOA,
> Montana's
> Grizzly Bear Hunting Regulations, Chapter 67 of
> Wyoming's Game and Fish
> Commission regulations, and Idaho's Fish and Game
> Commission
> Proclamation). Our preliminary assessment is that these
> documents are
> consistent with the letter or intent of the regulatory
> requirements
> regarding human-caused mortality that we outlined in the
> proposed rule.
> Thus, based on our review, we believe the regulatory
> framework in
> Montana, Wyoming, and Idaho, in combination with the
> Tri-State MOA,
> will maintain a recovered population of grizzly bears in the
> GYE. We
> are accepting public comments on these State regulations and
> our
> preliminary assessment that they provide adequate regulatory
> mechanisms
> such that we can conclude that the population no longer
> meets the
> definition of threatened under the Endangered Species Act.
>
> Peer Review and Public Comments
>
> In accordance with our joint policy on peer review
> published in the
> Federal Register on July 1, 1994 (59 FR 34270), we subjected
> the
> proposed delisting rule to peer review. We received
> submissions from
> five independent peer reviewers, and their input is
> available as
> described under ADDRESSES. These peer reviews were conducted
> by third-
> party selected scientific experts in large carnivore ecology
> and
> management with expertise in one or more of the following
> areas:
> population ecology, management, demographics, conservation,
> and
> population genetics.
>
> [[Page 61661]]
>
> We welcome any comments on the proposed rule in light of

> these reviews
> (see compiled reviews in Amec Foster Wheeler, 2016).
> Previously
> received public comments, and the data and information they
> provided,
> can be found at <http://www.regulations.gov>
> under Docket No. FWS-R6-ES-
> 2016-0042.
>
> References Cited
>
> A complete list of references cited is available: on the
> Internet
> at <http://www.regulations.gov>
> under Docket No. FWS-R6-ES-2016-0042;
> from the Service's Mountain Prairie Region Grizzly Bear
> Web site
> <https://www.fws.gov/mountain-prairie/es/grizzlybear.php>;
> or upon
> request from the Grizzly Bear Recovery Office (see FOR
> FURTHER
> INFORMATION CONTACT).
>
> Authority
>
> The authority for this action is the Endangered Species
> Act of
> 1973, as amended (16 U.S.C. 1531 et seq.).
>
> Dated: August 16, 2016.
> James W. Kurth,
> Acting Director, U.S. Fish and Wildlife Service.
> [FR Doc. 2016-21368 Filed 9-6-16; 8:45 am]
> BILLING CODE 4333-15-P
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