

Habitat Subcommittee Conference Call – August 29, 2016

Proposed language specific to new developments (i.e., deviation from baseline) in YNP was discussed, as were comments/concerns submitted by USFS (included at end of these notes). A question was raised why specific only to Park Lands when the 1998 baseline was to reduce mortality, etc. throughout the ecosystem? Justification was explained as follows: NPS has done a good job managing bears and habitat, and has very low mortality. However, because the majority of the Park lands are secure habitat, the habitat standards are more restrictive than other federal lands, and they have no ability to increase capacity under the current restriction. The proposal was intended to make it more fair and allow some increased capacity

All parties expressed understanding the need to provide the NPS more latitude and appreciate the NPS's conundrum. However, USFS has similar need. Short sighted to not allow similar circumstances for all federal lands, especially since this is a "legacy document" that will be effective for the foreseeable future.

YNP is concerned that if the specifics allowing some development are put off to some future process and date, they will be asking Regional Director to sign the CS without knowing the specifics. Any future discussion will be at discretion of YES

USFS expressed understanding of the need to provide relief for the Park (and USFS) while providing some clear direction for future managers (i.e., less subjectivity)

Options:

- A) Attempt to craft acceptable language in the next week, or
- B) Incorporate a definitive process and strict timeline for addressing this issue.

The committee agreed to pursue Option B, with the understanding that it will need to be vetted by each agency's chain of command. With that, the following steps were agreed to:

- Jennifer will send out draft language to include process and timeline on 8/29;
- Committee members will review and provide comment ASAP, with the desire to have a completed product by 8/31 or 9/1.
- Staff will review product with chains of command by early 9/2
- WE will conference call on Friday at 10 am to hopefully finalize.

Proposal with USFS comments attached on next page

Habitat Standards inside Yellowstone and Grand Teton National Parks and the John D. Rockefeller Memorial Parkway

Since 1998, visitor use to National Parklands has increased significantly, necessitating the need for additional infrastructure to responsibly accommodate current, and likely future, increases in visitor use. The objectives of the habitat standards are to reduce displacement of bears and to reduce human-caused mortality. YNP and GTNP/JODR have adequately addressed both of those issues through the implementation of the Bear Management Area program in 1982 (YNP 1983) and the Superintendent's Compendium (GTNP/JODR 2016), which restricts or closes public use of seasonally important habitat in the park. From 2002 to 2014, human-caused mortality was extremely low within YNP (mean = 1.1 per year) and GTNP/JODR (mean = 0.5 per year). During the same period in YNP and GTNP/JODR, 7 and 5 mortalities, respectively, occurred from vehicle strikes along roads and 4 and 1 human-caused mortalities, respectively, were associated with human developments in YNP and GTNP/JODR, respectively. Major developed sites, such as Old Faithful, Mammoth, and Flagg Ranch, do not represent preferred habitat for bears, and therefore a slight increase to the footprint or capacity of developed may have minimal to no impact on the GYE grizzly bear population. Associated modifications to the level of secure habitat and motorized access route density would also have minimal to no impact on the GYE grizzly bear population. The level of secure habitat for those BMUs that are contained within National Parklands is significantly greater than those outside of National Park units (see Figure 2 and Appendix E). As such, it is acceptable to consider slight changes to the 1998 baseline within National Parklands to accommodate increased infrastructure needs while minimizing impacts to higher priority habitats.

Application Rules within National Parklands

The number and capacity of developed sites within National Parklands will be maintained at or below the 1998 level with the following exceptions:

- Any proposed increase, expansion, or change in use of developed sites from the 1998 baseline in National Parklands will be analyzed through the NEPA process, and potential detrimental and positive impacts documented through biological evaluation or assessment by the action agency.
- Any construction of new sites that biological evaluation indicates will have detrimental

Commented [LLA-1]:

The intent and needs of the Parks are well understood and valid, however, we are going about this without meaningful inclusive discussion with all parties and without consideration of long-term consequences.
i.e., Forest lands also have experienced significant increase in human use plus the added burden of:

- rampant illegal user-created routes by ever-increasing number of ATVs
- timber harvest mandates
- grazing in prime grizzly habitat
- Wide-scale hunting
- unlimited snowmobiling

What if the FS demands the same allowances as the Parks ... will be opening the door even wider to development? Would this be acceptable? A distinct standard for the Parks ignores the complex pressures on our Forest lands.

Commented [LLA-2]: • Too vague & presumptive. What is meant by "slight"?

- How do we define Major developed site?
- How big a change in footprint?

• It may be possible to argue that for administrative purposes it is necessary to allow an increase in capacity within existing footprint of major developments. But any more than this (at this time!) will be too large a deviation from the 1998 baseline.

- Any further changes should be saved for the 2-year review process.

Commented [LLA-3]: Gives the wrong message – that because secure habitat is high, we can afford to degrade it some. This violates the intent of the CS Habitat standards.

Also, not accurate.

Thorofare 1&2 – 100% secure
Boulder/Slough 1&2; Shoshone 1-4; S. Absaroka 1-3; Hellroaring 2 -
> All outside Parks and have ≥ 95% secure.

Because of high secure habitat counts inside GBRZ, it was deemed in court that we had adequate measures for long-term preservation of griz. To now say we have more than enough undermines the original argument of 2007 Final Rule.

Commented [LLA-4]: As a stand-alone rule, this opens the door wide for carte blanche change in existing sites or increase in new sites as long as NEPA is done and detrimental effects documented.

- NEPA is required regardless of legal status of the bear, thus, can't be used as an exception.
- Contradicts 3rd bullet
- No mention of mitigation
- Do you mean MAJOR developed sites only?

impacts to grizzly bears, will be mitigated for within that BMU to offset any detrimental impacts caused by the increase in the number of developed sites and/or capacity for human use, habitat loss, and increased access to surrounding habitats. Examples of mitigation within that BMU may include: increased information and education; increased conflict prevention resources (e.g., improved sanitation); or increased law enforcement and patrols.

- Changes to existing developed sites or new sites are acceptable as long as these changes or new developments: 1) do not increase the number of visitor overnight use sites and/or result in increased overnight visitor presence at existing sites; 2) are for visitor safety or environmental protection such as toilets, parking areas, or interpretive displays; and 3) that appropriate sanitation and human-bear conflict minimization efforts are associated with any such changes or enhancements.

Literature Cited

Yellowstone National Park. 1983. Record of Decision on Final Environmental Impact Statement (FES 83-6) for Grizzly Bear Management Program. Yellowstone National Park, Wyoming, USA. 217 pp.

Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway. 2016. Superintendent's Compendium. Moose, Wyoming, USA. 38 pp.

Commented [LLA-5]:

- Intent of the original habitat standards was to place MEASURABLE sideboards to human access.

• This language is susceptible to vagaries of administrative interpretation.

• How do we measure educational outreach?

- Does the hand-out of info at the entrance qualify as mitigation? OR, can we build a new educational visitor center (or youth camp) in secure habitat with the intent of educating the public?

Commented [LLA-6]: Does not seem reasonable to allow new hires of law enforcement to be used as mitigation for development.

Commented [LLA-7]: This statement contradicts itself and contradicts the first bullet which allows for increased number of sites, increase in capacity and footprint.