

From: [Robert Aland](#)
To: [Bean, Michael](#); dan_ashe@fws.gov; Michael_Thabault@fws.gov; Bridget_Fahey@fws.gov
Cc: Chris_Servheen@fws.gov
Subject: GRIZZLY BEARS
Date: Friday, July 17, 2015 11:43:02 AM

Dear Messrs. Bean, Ashe and Thabault and Ms. Fahey:

1. **TRAPPING, ETC.** The Grizzly Bear Recovery Coordinator and his acolytes on the IGBST have continued to harass grizzly bears in the GYE by trapping and collaring in order to, according to one press report, “collect data on and monitor the population of grizzlies in the [GYE].” What possible purpose could this harassment have other than to continue to prepare for removal of the bears’ ESA protection? How can this conduct, which stresses the bears beyond comprehension, be justified? Having substituted one abstract formula for counting the bears in 2013 for the previous abstract formula, both subject to manipulation to produce the number of bears desired by the Coordinator, the IGBST, the IGBC and Idaho, Montana and Wyoming wildlife agencies, can there be any doubt that the trapping is designed to allow FWS to argue in the next litigation that “not only do we have an accurate formula for counting the GYE bears but also the number is confirmed by the indisputable physical evidence provided by trapping and collaring”? This section of the next delisting proposal probably is already written with this language. At no level within FWS, the committees and the other agencies can these great bears catch a break; they have no internal champions.

2. **ASHE MEETING & POLITICS.** I understand that FWS Director Ashe met with Governors Bullock, Otter and Mead and members of their staffs on December 7, 2014, with regard to the delisting of the bears. Obviously that meeting was not held for the purpose of reviewing the best available science and instead was held for the purpose of exerting political pressure for delisting. Thus, the meeting was consistent with Governor Mead’s May 2012 letter to Secretary Salazar requesting a new and prompt delisting effort and Secretary Salazar’s July 2012 affirmative response. All documents relating, directly and indirectly, to the December 7 meeting should be preserved and included in the Administrative Record in the litigation that will take place with regard to the new delisting effort, since political pressure clearly has contaminated the delisting process.

With regard to the politics, I noted the following recent comments by a wildlife biologist: “While no one would deny that the politics of grizzly recovery often borders on the bizarre, the claim that the science to support delisting is settled couldn’t be further from the truth. Yet given 30 years of ‘spin control’ by federal and state agencies on what constitutes ‘recovery’ of grizzlies, the mistake is at least understandable. Here’s the reality: The grizzly bear is the slowest reproducing mammal in North America. Females don’t reproduce until they’re 5 or 6 years old, only breed every third year after that, and produce an average of two cubs per litter with nearly 50% mortality. A female grizzly won’t even replace herself in the population with another breeding age female until she’s nearly 12, and will often be done breeding by her mid-20s — if she’s still alive.” Do you disagree with the biologist?

3. **ASHE COMMENT.** FWS Director Ashe described grizzly bears in an internal e-mail early in 2015 as “**troublesome.**” I cannot imagine a more inappropriate comment by the head of the agency legally entrusted with the duty and responsibility to objectively and scientifically analyze the evidence and determine whether to delist. “Troublesome” to whom? Governors? Outfitters?

Ranchers? Resource exploiters? States righters? Certainly they are not “troublesome” to the general public (see #6 below). Director Ashe's e-mail too should appear in the AR, since it also contaminates the delisting process by negating scientific analysis.

4. **PRIORITIES.** The Department of the Interior, including the FWS in particular, are in a constant battle with Congress to obtain funds to carry out its duties and responsibilities. FWS should stop its Captain Ahab-like pursuit of the great bears, including the expenditure of inordinate amounts of human and financial resources, and move on with its limited resources to other matters of higher general priority. Why are you so focused on re-litigating issues that already have been litigated and lost? How many times has that happened in FWS's history? Do other federal Departments allocate their resources to re-litigating old losses?

5. **NCDE.** I'm beginning to see references to the NCDE grizzly bears in comments by FWS and other wildlife officials in the delisting context. Is this another strategic (rather than scientific) step in the ongoing effort to differentiate for litigation purposes the next delisting effort from the prior one?

6. **PUBLIC SENTIMENT.** As you know, 99.3% of the comments filed by the public in response to the last delisting proposal (total of about 195,000, although the Coordinator gave the number in an internal e-mail as 215,000) were in opposition to delisting; and about 90% of the comments from Idaho, Montana and Wyoming were in opposition. FWS arrogantly dismissed that overwhelming public sentiment in the last litigation on the ground that public comments “are not a vote count.” The continued disregard of this overwhelming public sentiment can only be explained on the basis of political pressure and Ahab-like pursuit for personal validation. Get over it. Come to your senses. Move on. Leave the great bears alone.

Sincerely,

Robert H. Aland
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