

May 12 version to reflect conf. call with Servheen, Shoemaker, Landenberger, Dixon, Tyers, and Canfield.

PROPOSED CHANGE AND RATIONALE

Existing Forest Plan Direction:

Amendment 19 Standard: Adopt Yellowstone access standards when they become available. In the interim, within Bear Management Subunits (unless allowed through consultation with the USFWS): 1) do not increase *open motorized access route density* from the current level, 2) do not increase *total motorized access route density* from the current level and 3) do not decrease the amount of *core area(s)* from the current level.

Guideline: Use the best available technology to analyze human access and its effects on grizzly bear in the Grizzly Bear Recover Zone for projects increasing road or trail access or decreasing core area.

Proposed Amendment:

Adopt recommendations for habitat management from the GYE Grizzly Bear Conservation Strategy (i.e. current best science) as follows:

Inside the Primary Conservation Area (PCA) or Recovery Zone (RZ), maintain the percent of secure habitat in Bear Management Subunits at or above 1998 base levels (see Table X). Projects that reduce secure habitat below base levels must follow the Application Rules.

Secure Habitat is defined as any contiguous area ≥ 10 acres and more than 500 meters away from an open or gated motorized route or recurring low level helicopter flight line. Gates that are permanently closed to public motorized use, yet remain available for motorized use by administrative personnel are still considered motorized routes, and hence, detract from secure grizzly bear habitat. Lakes larger than 1 square mile in spatial extent are excluded from secure habitat analysis.

See Figure/Table XX for additional definitions (insert Figure A-1 from 2006 FP Amend)

Application Rules:

The following rules must be applied for any projects resulting in changes to secure habitat inside the PCA/RZ that reduce levels below the 1998 baseline; or below the fully implemented 2006 Gallatin National Forest Travel Management Plan levels for Gallatin #3, Madison #2, and Henry's Lake #2 Subunits.

Permanent Changes to Secure Habitat

A project (e.g. construction of permanent roads and/or motorized trails) may permanently change secure habitat so long as secure habitat of equivalent habitat quality and quantity is replaced (e.g. through road closures and decommissioning) in the same Bear Management Subunit. Quality will be assessed based on our best collective scientific understanding of grizzly bear habitat. Replacement habitat must be in place before project implementation or concurrent with project development.

Exception: For activities based in statutory rights, such as access to private lands under the Alaska National Interest Lands Conservation Act (ANILCA) or the 1872 General Mining Law, if permanent reductions in secure habitat cannot be replaced within the affected subunit, then secure habitat will be compensated to levels at or above the 1998 baseline at a commensurate level in the nearest subunit. **In these rare situations, these become permanent changes to the baseline.**

- Honor existing oil and gas or other mineral leases. Proposed Applications for Permit to Drill and operating plans within those leases are required to meet the application rules. New leases, Applications for Permit to Drill, and operating plans must meet the secure habitat standard.

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Temporary Changes to Secure Habitat

Temporary reductions in secure habitat, from baseline levels, can occur to allow projects. **Projects should be concentrated in space and time to minimize disturbance.**

For application rules, a project refers to any temporary activity that requires construction of new routes, reconstruction or re-opening of a restricted route, or recurring helicopter flights (i.e. <500 m above the ground and for more than 2 consecutive days).

Additionally, all of the following conditions must be met for temporary projects:

- Only one project that affects secure habitat may be active within any Bear Management Subunit at one time.
- The total acreage of secure habitat affected within a given Bear Management Unit does not exceed 1 percent of the acreage in the largest subunit within that Bear Management Unit. "Secure habitat affected" is the acreage within the 500-meter buffer around any temporary motorized route or recurring low level helicopter flight line that extends into existing secure habitat.
- All temporary roads associated with a project that affects secure habitat will be in place, collectively, for no more than 3 consecutive years.
- Secure habitat must be restored within one year of project completion.

Exceptions:

Activities in secure habitat that are not considered as temporary reductions to secure habitat and do not detract from secure habitat:

- Activities that ***do not*** require route construction, reconstruction or re-opening of a permanently closed road, or recurring low level helicopter flight lines
- Project activities (e.g. temporary road construction/maintenance/use or recurring low level helicopter flights) that occur between December 1 and February 28
- Helicopter use for short term (completed within 2 days for the duration of the project), or at higher elevation (> 500 meters above ground level with no landing)
- Facilities open only to non-motorized use; e.g. access routes with permanent barriers, decommissioned or obliterated roads, and non-motorized trails.
- ***Activities that involve over the snow use***

Developed Sites

Inside the Primary Conservation Area or Recovery Zone, maintain the number and capacity of developed sites at or below 1998 levels. Projects that change the number or capacity of developed sites must follow the Application Rules.

Application Rules for developed sites

Mitigation of detrimental impacts must occur within the affected subunit and be equivalent to the type and extent of impact. Mitigation measures must be in place before implementation of the project or included as an integral part of the completion of the project.

- New sites must be mitigated within that subunit to offset any increases in human capacity, habitat loss and increased human access to surrounding habitats. Consolidation and/or elimination of dispersed campsites are adequate mitigation for increases in human capacity at developed campgrounds if the new site capacity is equivalent to the dispersed camping eliminated. To benefit the grizzly bear, capacity, season of use, and access to surrounding habitats of existing developed sites may be adjusted.

- Proposed Applications for Permit to Drill and operating plans within those leases should meet the developed site standard. New leases, Applications for Permit to Drill, and operating plans must meet the developed site standard.

Exceptions:

- Changes to the baseline values for the number and capacity of developed sites may occur due to a variety of reasonable circumstances listed below. Such changes could permanently increase the number or capacity of developed sites but would not require mitigation. Examples of allowed changes that may affect the developed site baseline include, but are not limited to, the following:
 - the agency acquired better information or updated/improved information in its database(s);
 - the agency acquired or sold land which contained developed sites;
 - the agency complied with Federal laws (e.g., Americans With Disabilities Act, ANILCA, etc.); For activities based in statutory rights, such as access to private lands under the Alaska National Interest Lands Conservation Act (ANILCA) or the 1872 General Mining Law, if the number of developed sites exceeds the 1998 baseline, reduce developed sites within the affected subunit if possible or in the nearest subunit. In these rare situations, these become permanent changes to the baseline.
 - the agency modified an existing developed site or dispersed campsite to reduce resource damage, environmental impacts, or the potential for grizzly bear conflicts (e.g., installing a pit toilet at a heavily used dispersed site to avoid damage to water resources or installing a bear-resistant food storage structure to reduce conflicts);
 - the agency modified an existing human use area to enhance human safety.
- Expansion of existing Administrative sites is allowed; these are sites or facilities constructed for use primarily by government employees to facilitate the administration and management of public lands.
- Developments on private land are not counted against this standard.

I deleted this language from the "standard". Is there any reason to keep it at all (as part of the standard or as an exception)? We have to analyze new developments with a BE or BA for all projects, and if applicable, get additional "take" from FWS.

"any proposed increase, expansion, or change of use of developed sites from the 1998 baseline in the Primary Conservation Area (Recovery Zone) is analyzed and potential detrimental and positive impacts on grizzly bears are documented through a biological evaluation or assessment."

Livestock Grazing

Inside the Primary Conservation Area or Recovery Zone, do not create new active livestock grazing allotments, do not re-establish sheep allotments that are either vacant or closed, and do not convert existing cattle or horse allotments to sheep allotments.

Application Rules for livestock grazing

- Permittees with allotments with recurring conflicts will be given the opportunity to place livestock in a vacant allotment outside the Primary Conservation Area or Recovery Zone where there is less likelihood for conflicts with grizzly bears as these allotments become available.

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Monitoring Items:

Monitoring Item 1 – Monitor Secure Habitat and Motorized Access Inside the Primary Conservation Area or Recovery Zone annually. Compare levels to the 1998 baseline, and submit for inclusion in the Interagency Grizzly Bear Study Team Annual Report. Report on secure habitat, open motorized access route density greater than one mile per square mile, and total motorized access route density greater than two miles per square mile in each Bear Management subunit on the national forest.

Outside the Primary Conservation Area or Recovery Zone in identified Bear Analysis Units (BAU) monitor changes in secure habitat and submit for inclusion in the Interagency Grizzly Bear Study Team Annual Report every two years.

Monitoring Item 2 - Inside the Primary Conservation Area or Recovery Zone, monitor changes in the number and capacity of developed sites on the national forest, and compare with the 1998 baseline. On an annual basis, submit this information for inclusion in the Interagency Grizzly Bear Study Team Annual Report.

Monitoring Item 3 – Monitor the number of active livestock grazing allotments inside the Primary Conservation Area or Recovery Zone. Monitor and evaluate allotments for recurring conflicts with grizzly bears both inside the PCA/RZ and within BAU's. On an annual basis, submit this information for inclusion in the Interagency Grizzly Bear Study Team Annual Report.

Rationale:

We are replacing Appendix G and Amendment 19 with the best available direction for Yellowstone Grizzly Bears, adopted from the Conservation Strategy. Amendment 19 states that once access standards become available for the Yellowstone, these will be adopted. Those standards are available per the Conservation Strategy, so in essence, we are now formally adopting those standards. This direction, the best available science for conserving and protecting grizzly bears, would apply whether grizzly bears are listed under ESA or managed by the state of Montana. **Appendix G came from the guidelines developed in 1986, and were not based on research. These have been superseded by a 2007 Recovery Plan Supplement and are no longer applicable. Research has shown that secure habitat is the greatest predictor of grizzly bear mortality risk (Schwartz et al. 2010).**