



May 10, 2016

Noreen Walsh, Region 6 Director
U.S. Fish and Wildlife Service
Mountain-Prairie Region
134 Union Blvd.
Lakewood, CO 80228

RE: Proposed Rule to Remove Grizzly Bears in the Greater Yellowstone Ecosystem
From the Federal List of Threatened and Endangered Wildlife.

Dear Regional Director Walsh,

On behalf of the Montana Stockgrowers Association (MSGA) and the Montana Public Lands Council (MPLC), we appreciate the opportunity to provide comment regarding the proposed rule to remove grizzly bears in the Greater Yellowstone Ecosystem from the federal list of Threatened and Endangered Wildlife.

Our organizations represent landowners who run livestock on combined private, state and federal lands in Montana and have significant and long standing interest in the management of grizzly bears in and around Yellowstone National Park. In the initial review of the proposed rule, our organizations overall supports the removal of the grizzly bear from the threatened status of the Endangered Species Act and return the bears management to the state of Montana. We also believe if the bear is removed from the threatened status, the Federal Government should provide adequate funding for the management of the grizzly bear.

Population Criteria

It is stated that in 2013, the U.S. Fish and Wildlife Service (USFWS) proposed changes to two of the recovery criteria, including, "the demographic goal of maintaining a minimum population of 500 animals." The proposed rule does not provide adequate justification for this change and given this criteria was utilized in the 2007 delisting rule and was not challenged in the 2009 court case, our organizations request this population criteria be adjusted to the original 500 population level. Further, the "Ninth Circuit ruled that the Service's final rule **did** have adequate regulatory mechanisms but did not adequately explain why the loss of whitebark pine was not a threat to the GYE grizzly

bear population,” which our organizations view as additional justification for retaining the original population recovery goals.

On page 13188, under the *Demographic Recovery Criterion 3*, it states that if the population estimates fall below the 600, “there will be no discretionary mortality, except as necessary for human safety.” We recommend this provision be removed and allow the state to make the necessary bear removal decisions, based on their experience and the need. There will certainly be strict consideration on removals if population levels near this number, but a certain amount of flexibility must be given to the state.

Livestock Grazing

Throughout the proposed rule, there are references indicating the need to reduce livestock grazing allotments within the proposed area map. Our organizations are opposed to removal or reduction of these allotments, due to their critical importance for the economy of Montana and having no impact on grizzly bear population and expansion. On page 131195, it is stated “*Approximately 14 percent (45/311) of all human-caused grizzly bear mortalities in the GYE between 2002 and 2014 were due to management removal actions associated with livestock depredations.*” The rule continues to state that “*even with direct grizzly bear mortality, current levels of livestock allotments have not precluded grizzly bear population growth and expansion.*” These statistics and statements clearly show that livestock grazing allotments do not impede the conservation of grizzly bear recovery, as indicated directly by the USFWS. These statements conflict with the reference on page 13196, where on the Caribou-Targhee National Forest, *The mandatory restriction on creating new livestock allotments and the voluntary phasing out of livestock allotments with recurring conflicts further ensure that the PCA will continue to function as source habitat.*” Our recommendation is to remove statements such as this that infer grazing allotments should be phased out, based on the USFWS own statements.

Local Management Strategies

Montana has proven to be an effective manager of recovered species and once again, should be given the authority to manage grizzly bears in the GYA. Because Montana has a diverse and intermingled landscape of private, state and federal land, it is critical to have these land managers support in a successful conservation program. Our organizations agree with the USFWS on page 13218 that states, “*Delisting could increase acceptance of grizzly bears by giving local government and private citizens more discretion in decisions that affect them. Increased flexibility regarding depredating bears in areas outside of the PCA may increase tolerance for the grizzly bear by landowners and livestock operators by potentially reducing the number of conflict situations.*” This delisting effort will continue to have support from landowners, as there is more of an opportunity to work directly with the state management agency to resolve conflict situations.

Funding

MSGA and MPLC also recommend that as the USFWS continues to move toward delisting this species, some acknowledgement that federal dollars are needed to help defer the costs of grizzly bear management for the states. The costs of grizzly bear recovery should not be assumed solely by the states involved in this national effort.

In conclusion, we support delisting of the Greater Yellowstone population of grizzly bears from the federal list of Endangered and Threatened Wildlife. Montana and the surrounding GYA states have fulfilled our obligations for grizzly bear recovery and must be allowed to fully implement state management plans. Grizzly bears have met their recovery goals since they were proposed for delisting in 2005, so it is important to continue this effort for a final delisting rule.

Thank you for taking the time to review these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Bodner". The signature is fluid and cursive, with the first name "Jay" and last name "Bodner" clearly distinguishable.

Jay Bodner
Natural Resource Director
Montana Stockgrowers Association
Montana Public Lands Council