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IN REPLY REFER TO:

FA/S E/FS--Guidelines for  
Grizzly Mgmt. in Greater  
Yellowstone (6-1-79-F-100)

NOV 5 1979

Mr. Craig W. Rupp  
Regional Forester  
Rocky Mountain Region  
P.O. Box 25127  
Lakewood, Colorado 80225

Dear Mr. Rupp:

This is our biological opinion prepared in response to your May 24, 1979, request for formal consultation on the Guidelines for Management Involving Grizzly Bears in the Greater Yellowstone Area. We have examined the document in accordance with the Section 7 "Interagency Cooperation Regulations" (50 CFR 402, 43 FR 870) and the Endangered Species Act Amendments of 1978.

## BIOLOGICAL OPINION

It is our biological opinion that implementation of the Guidelines for Management Involving Grizzly Bears in the Greater Yellowstone Area will promote the conservation of the grizzly bear.

### BASIS OF OPINION

The Guidelines offer sound recommendations for developing programs to aid in the conservation of the bear and for eliminating or minimizing human/grizzly conflicts causing adverse impacts to the bear or its habitat. Coordination of programs and activities, through the use of the guidelines, should aid the Forest Service and National Park Service in meeting their responsibilities to conserve this species. The degree to which the grizzly bear will benefit depends upon how extensively and how judiciously the Guidelines are applied.

It is important for the recovery of the grizzly bear that: (1) grizzly habitat be identified and managed as one continuous unit where possible; (2) management priorities be established; and (3) the continuity of management be maintained. Adoption and use of the Guidelines will promote such management. These multi-agency guidelines identify management direction to be taken in behalf of the bears which cross through the



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jurisdiction of several State and Federal agencies. It is an effective method of identifying possible interagency management conflicts so action can be taken to resolve the conflicts and provide compatible management across agency boundaries.

Except for a few areas, we believe that the management situations delineated by the Shoshone, Bridger-Teton, and Targhee National Forests, and Grand Teton National Park reflect an accurate appraisal of grizzly use and desirable management. The steps the Forest and Park Services have taken to resolve difficult issues and make a commitment to grizzly management are commendable. The full array of management situation designations will be an important tool in making management decisions. These designations identify good grizzly habitat so that limited resources can be used to direct efforts where the most benefit will result.

There are, however, things that the Guidelines and this biological opinion will not do. The management situations identify areas necessary for species survival and recovery and consequently imply critical habitat. Our biological opinion cannot ratify this implied designation of critical habitat. These management situations should be considered as interim management zones until official designation of critical habitat has been published.

It is desirable to take an umbrella approach with consultations covering management recommendations. However, in such a consultation it is impossible to: (1) identify specific impacts of projects that have not been proposed; (2) relate project impacts to the biological components and the manner in which grizzlies use an affected area; and (3) predict the degree of compliance with the Guidelines. It is impossible to render a biological opinion on all programs and activities identified in the Guidelines in each of the five management situations. Consultation on Forest Management Plans, Park Master Plans, Park Resource Management Plans, or projects developed through use of these guidelines will be more appropriate than consultation on the guidelines.

Implied in the Guidelines is the assumption that all agencies adopting the Guidelines will fully implement them. This is necessary to achieve the continuity of management. Without standard application, management will remain fragmented and, therefore, less effective.

The Gallatin National Forest and Yellowstone National Park have not identified the full array of management situations upon which the Guidelines are based. The failure to delineate management situations on the Gallatin National Forest fragments this attempt to develop the Guidelines and makes implementation of the Guidelines and conservation of the species less effective. Grizzlies are known to occur outside the areas delineated as Management Situation 1 on the Gallatin National Forest and good grizzly habitat exists outside this zone, so these areas require delineation. Known conflict sources, such as livestock allotments that may be preventing

grizzlies from reaching carrying capacities in areas that qualify as Management Situation 1, need to be resolved. We recommend that the Gallatin National Forest make the commitment other Forests have made by delineating all five of the management situations that may occur in their area of jurisdiction.

The same situation exists in Yellowstone National Park. There may be valid administrative reasons for Yellowstone not delineating management situations. However, the structure of the Guidelines implies that Yellowstone accepts the concept of management situations and their recommended management. If Yellowstone National Park is to be signatory to the Guidelines, the Park should either delineate management situations or specify that management is directed by the Yellowstone Operating Procedure Bear Management Policy attached as an Appendix to the Guidelines.

#### RECOMMENDATIONS

We concur with almost all of the management directions, but have the following recommendations.

1. Program/Activity Review: The Guidelines indicate that U.S. Forest Service procedures (1977) will be used in most instances to evaluate the effects of activities and programs upon grizzlies and their habitat. We agree that the procedure is an excellent method of determining habitat quality and estimating consequences of specific project impacts. However, the method does not require a consideration of the cumulative effects of past, ongoing, and foreseeable actions which may certainly change the "consequence analysis" ratings. We recommend that the U.S. Forest Service procedures (1977) incorporate the consideration of cumulative effects on the grizzly and its habitat.

2. Timber Management: Post-sale area improvements are outlined in which reforestation is cited as a method to establish cover patches in cut blocks and supplemental cover screens for wet meadows, marshes, bogs, ponds, and other riparian areas. We are not opposed to habitat improvement but suggest that these measures are unnecessary if adequate "leave strips of uncut timber" are properly programmed into the sale design and contract.

The Guidelines recognize road closures as an important management tool but they are vague concerning when roads will be closed to the public. Road closures after termination of timber sales will not adequately protect the grizzly in all cases. We recommend that road closures during the logging contract period, as well as after termination of the sale contract, be considered.

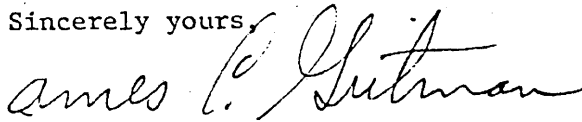
3. Range Management: The conflict between sheep and grizzlies is well documented by the Interagency Grizzly Bear Study Team, Border Grizzly Project, and our own Animal Damage Control program. The recent

illegal killing of grizzly #14 on Boone Creek and other suspected poaching demonstrates the incompatibility between grizzlies and sheep allotments in Management Situation 1. The recovery of grizzly in areas where this type of conflict occurs will continue to be suppressed.

The Guidelines describe various management alternatives to eliminate or lessen this conflict, including removal of bear attractants, changing the season of use, bedding practices, grazing areas, or changing from sheep to cattle if the range is suitable for cattle. These measures are designed to reduce or eliminate the conflict between bears and sheep. They do not, however, address the conflict that occurs between man and bear. Indiscriminant and illegal killing of grizzly bears to prevent sheep depredation still occurs. If operators on sheep allotments in Situation 1 areas are not willing to operate within the framework of the Guidelines, we recommend the sheep be removed.

This completes the formal consultation process on the Guidelines for Management Involving Grizzly Bears in the Greater Yellowstone Area. We appreciate the cooperation, including the extension of time, your staff has given us in meeting our joint responsibility under the Endangered Species Act.

Sincerely yours,



JAMES C. GRISMAN  
Acting Regional Director

REFERENCE CITED

U.S. Forest Service. 1977. Method for determining grizzly bear habitat quality and estimating consequences of impacts on grizzly habitat quality. Prepared by Stephen P. Mealey. Northern Region Contract No. 11-1200. Missoula, Montana. Multilith. 47 pp.