



United States Department of the Interior

FISH AND WILDLIFE SERVICE Mountain-Prairie Region



IN REPLY REFER TO:
FWS/R6/

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225-0486

STREET LOCATION:
134 Union Boulevard
Lakewood, Colorado 80228-1807

JUN 22 2016

The Honorable Raúl M. Grijalva
Committee on Natural Resources
House of Representatives
218 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Grijalva:

Thank you for your letter of June 7, 2016, concerning the proposed rule to delist grizzly bears in the Greater Yellowstone Ecosystem (GYE). Director Ashe requested that I respond to your inquiry. Specifically, your letter encouraged the U.S. Fish and Wildlife Service (Service) not to publish a final rule to delist the GYE grizzly bear until federal land managers and state wildlife officials have plans in place that exhibit adequate regulatory mechanisms to conserve grizzly bear habitat, allow for connectivity between the GYE and other populations, and limit mortality to sustainable levels.

As stated in the proposed rule to delist the GYE population of grizzly bears, all the state and federal agencies party to the draft 2016 Conservation Strategy for the Grizzly Bear in the GYE will need to sign a memorandum of understanding agreeing to implement the revised 2016 Conservation Strategy prior to a final delisting rule. Furthermore, revised state plans will be finalized prior to a final determination on the proposed rule. We intend to fully evaluate all aspects of the plans, including whether they effectively provide for the conservation of grizzly bears and their habitat, prior to a final determination on the proposed delisting rule. Sustainable mortality limits are addressed in the proposed rule and are part of the requirements for the states to adopt in their management plans and regulations prior to the Service issuing a final rule. Grizzly bears outside of the GYE area delineated in the proposed rule, including areas that provide potential connectivity to other populations, would remain listed should we finalize the delisting of the GYE population. In addition, affected National Forests and National Parks have incorporated, or will incorporate before a final rule is issued, the habitat standards and criteria into their Forest Plans and National Park management plans and/or Superintendent's Compendia via appropriate amendment processes so that they are legally applied to these public lands within the GYE.

Thank you for this opportunity to communicate our proposed process and commitment to the delisting of the GYE grizzly bear. I hope this letter fully addresses your concerns. If you need further information, please contact me at (303) 236-7920 or Michael Thabault, the Assistant Regional Director for Ecological Services in the Mountain-Prairie Region, at (303) 236-4210.

Sincerely,

Regional Director

ECOLOGICAL SERVICES

#	NAME /TITLE/ OFFICE	LTR*
/	Backsen, Sarah	F
	Bergstrom, Pat	F
	Boroja, Maria	F
	Burgess, Angela	F
	Burgess, Kevin	F
	DeBerry, Drue	F
	Hansen, Craig	F
	Juliusson, Lara	F
	Konishi, Kathy	F
	Laye, Doug	F
	Lickfett, Todd	F
	Orton-Palmer, Amelia	F
	Shoemaker, Justin	F
	Skorupa, Joe	F
	Wiechman, Lief	F
	Willey, Seth	F
		F
		F
		F
2	Nelson, Marjorie / Chief – ESA	F
	Matt Kales	F
1, 6	Naylon, Jill/Secretary / ARD-ES TRINA	F
	Alt, Nicole/ Deputy ARD-ES	F / G
3	Thabault, Mike / ARD-ES	F / G
5	Regional Director / Deputy RD	F / G
4	External Affairs AMM	F
	Budget Administration	F
	Fisheries	F
	Law Enforcement	F
	Migratory Birds / State Programs	F
	Refuges	F
	Ecological Services	H

* F -- surname G -- signature H -- return to originating office

FROM: Jill Naylon

DATE:

S U R N A M E		
TITLE	NAME	DATE
AUTHOR / RO LEAD	<i>[Signature]</i>	6/13/16
TYPIST		
SECRETARY / ARD - ES		
BRANCH CHIEF, CLASSIFICATION AND RECOVERY		
BRANCH CHIEF, LANDSCAPE CONSERVATION AND RESTORATION		
BRANCH CHIEF, DECISION SUPPORT		
DIVISION CHIEF, ECOLOGICAL SERVICES	<i>[Signature]</i>	6/17/16
DEPUTY ARD - ECOLOGICAL SERVICES	<i>[Signature]</i>	6/17/16
ARD - ECOLOGICAL SERVICES	<i>[Signature]</i>	6/21/16
ARD - EXTERNAL AFFAIRS	<i>[Signature]</i>	6/21/16
ARD - FISHERIES		
ARD - LAW ENFORCEMENT		
ARD - MIGRATORY BIRDS		
ARD - NATL WILDLIFE REFUGE SYSTEM		
SECRETARY / REGIONAL DIRECTOR	<i>[Signature]</i>	6/19/16
DEPUTY REGIONAL DIRECTOR		
REGIONAL DIRECTOR	<i>[Signature]</i>	6/20/16

Chief & Staff

SWilling 6/21/16

Note to Reviewer

DCN: 063311.

This letter is in response to a letter from Representative Raul Grijalva on the GYE grizzly bear delisting proposal. Jennifer Fortin-Noreus and Wayne Kasworm helped develop this response. Due date is 6/21/16 for RD signature. The letter states what was stated in the proposed rule as it would be premature to offer any subsequent comment.



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Thank you for this opportunity to communicate our proposed process and commitment to the delisting of the GYE grizzly bear. I hope this letter fully addresses your concerns. If you need further information, please contact me at (303) 236-7920 or Michael Thabault, the Assistant Regional Director for Ecological Services in the Mountain-Prairie Region, at (303) 236-4210.

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U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

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DAVID WATKINS
DEMOCRATIC STAFF DIRECTOR

June 7, 2016

The Honorable Daniel M. Ashe
Director, U.S. Fish and Wildlife
Department of the Interior
1849 C St., NW
Washington, D.C. 20240

Dear Director Ashe,

I would like to congratulate you on the significant progress the U.S. Fish and Wildlife Service (Service) and its partners have made toward protecting and recovering grizzly bears in the Greater Yellowstone Ecosystem (GYE). The tremendous growth of this population of bears is a testament to the effectiveness of the Endangered Species Act (ESA), and the many people who have worked tirelessly to restore the grizzly to this landscape deserve our highest praise.

However, I am concerned that the recent proposal to isolate GYE bears from the rest of the grizzlies in North America and remove it from the list of ESA threatened species does not do enough to ensure that these bears will continue to thrive. Specifically, the proposed rule makes the bold assumption that the states of Wyoming, Montana, and Idaho will put in place grizzly bear management plans containing adequate and enforceable regulatory mechanisms as required by the ESA. While these three states are currently developing their management plans, the contents of the final products are largely unknowable at this point. Further, the U.S. Forest Service has not started the process of amending forest plans in the GYE to incorporate necessary post-delisting conservation measures.

Ensuring that federal land managers and state wildlife officials have in place plans that will conserve grizzly bear habitat, allow for connectivity of GYE bears with other populations, and limit mortality to sustainable levels is critical to conservation success after ESA protections are removed. This is especially important given the scientific uncertainty surrounding the availability of forage for GYE grizzlies, and how climate change could cause them to range farther in search of food, increasing the likelihood of interactions with humans. For these reasons, I respectfully ask that you commit to not issuing a final rule on GYE grizzlies until after the state and Forest

Service have finalized their plans, the Service has allowed for additional public comment on the utility of these plans as part of a post-delisting conservation strategy, and Service scientists have deemed the plans adequate and enforceable as required by law. Rushing to finalize the rule without addressing these concerns will likely result in the Service losing yet another lawsuit – an outcome that no one wants.

Thank you for your attention to this matter. If you have any questions, please have your staff contact Matt Strickler on the Natural Resources Committee Democratic Staff at (202) 225-6065. I look forward to your response.

Sincerely,

A handwritten signature in black ink, reading "Raúl M. Grijalva". The signature is fluid and cursive, with a large, stylized "R" and "G".

Raúl M. Grijalva
Ranking Member
Committee on Natural Resources



FISH AND WILDLIFE SERVICE DOCUMENT TRACKING CONTROL SLIP

FWS Form 3-2180
Attach to front of folder

Date: 06/08/2016

DCN: 063311		ES No:	
Orig Office: CCU	Input Date: 06/07/2016	Addressee: Raul Grijalva	
Due Date:	Signature Level: RD		
Subject: Concerns about certain decisions regarding the GYE Bears vs other grizzlies in the listing/delisting process			

Comments:

Task Codes:

- | | | |
|-------------------------|--------------------------------|---------------------------|
| 0 - Prepare Draft Reply | 6 - Revise | 12 - Email Draft Reply |
| 1 - Prepare Reply | 7 - Obtain Additional Comments | 13 - Advance Read |
| 2 - Appropriate Action | 8 - Other - See Comments | 14 - File |
| 3 - Surname | 9 - Mail/Distribute | 15 - For Your Information |
| 4 - Signature | 10 - Finalize | 16 - Surname through DTS |
| 5 - Review/Comment | 11 - Simultaneous Surnames | 17 - Required ES Review |

Routing:

Assigned To	Task	Assigned Date	Due Date	Completed Date
CCU	2 - Appropriate Action	06/07/2016		06/07/2016
R6-ARD-ES	1 - Prepare Reply	06/07/2016	06/16/2016	
R6	1 - Prepare Reply	06/07/2016	06/21/2016	06/07/2016