

ROB BISHOP, UT
CHAIRMAN
DON YOUNG, AK
LOUIE GOHMERT, TX
DOUG LAMBORN, CO
ROBERT J. WITTMAN, VA
JOHN FLEMING, LA
TOM MCCLINTOCK, CA
GLENN THOMPSON, PA
CYNTHIA LUMMIS, WY
DAN BENISHEK, MI
JEFF DUNCAN, SC
PAUL A. GOSAR, AZ
RAUL R. LABRADOR, ID
DOUG LAMALFA, CA
JEFF DENHAM, CA
PAUL COOK, CA
BRUCE WESTERMAN, AR
GARRET GRAVES, LA
DAN NEWHOUSE, WA
RYAN ZINKE, MT
JODY HICE, GA
AUMUA AMATA COLEMAN RADEWAGEN, AS
TOM MACARTHUR, NJ
ALEX MOONEY, WV
CRESENT HARDY, NV
DARIN LAHOOD, IL

JASON KNOX
STAFF DIRECTOR

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

RAUL M. GRIJALVA, AZ
RANKING MEMBER
GRACE F. NAPOLITANO, CA
MADELINE Z. BORDALLO, GU
JIM COSTA, CA
GREGORIO KILILI CAMACHO SABLAN, CNMI
NIKI TSONGAS, MA
PEDRO R. PIERLUISI, PR
JARED HUFFMAN, CA
RAUL RUIZ, CA
ALAN LOWENTHAL, CA
MATTHEW CARTWRIGHT, PA
DON BEYER, VA
NORMA J. TORRES, CA
DEBBIE DINGELL, MI
RUBEN GALLEGO, AZ
LOIS CAPPS, CA
JARED POLIS, CO
WM. LACY CLAY, MO

DAVID WATKINS
DEMOCRATIC STAFF DIRECTOR

September 27, 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 appreciate the response of July 6 from your regional office director to my letter regarding concerns over the U.S. Fish and Wildlife Service (Service) proposal to remove Endangered Species Act (ESA) protections for grizzly bears in the Greater Yellowstone Ecosystem (GYE). I also appreciate your decision to reopen the public comment period on the proposed delisting rule for consideration of the peer review and documents pertaining to the states of Idaho, Montana, and Wyoming's plans to allow sport hunting for grizzly bears immediately upon delisting. However, significant uncertainty remains about whether or not GYE grizzly bears will be managed responsibly in a post-delisting environment because the Service has not made public proposed revisions to the draft GYE Grizzly Bear Conservation Strategy (Conservation Strategy).

As you know, the Conservation Strategy is the critical document that will guide management of GYE grizzlies should the delisting proposal become final. Therefore, it is imperative that it includes clear and enforceable commitments by federal and state agencies to ensure that the progress made to this point on grizzly bear recovery is not lost. It is my understanding from talking to numerous stakeholders that the Conservation Strategy has undergone significant revision since the final draft was released earlier this year, warranting additional review of the document by the public before it becomes final. I also understand that the views of the National Park Service, which manages approximately 40 percent of the Primary Conservation Area for grizzly bears and has played a pivotal role in the recovery of grizzly bears in the GYE, have not been adequately considered.

I recently received a letter from NPS in response to a series of questions I asked Yellowstone National Park Superintendent Dan Wenk about GYE grizzly bears. I have enclosed a copy of that letter for your consideration. Among other things, NPS raised significant concerns with the Service's specification of a minimum population size of 500 grizzly bears, the lack of strong standards to ensure connectivity of GYE grizzly bears with other populations, and the

R6
Prepare draft
(0)
D Sign
Due 10/19

Subj: Specific Questions
Regarding ESA + Grizzly Bears

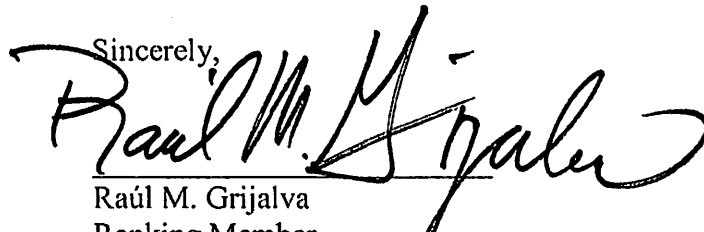
uncertainty of how a sharp increase in human-caused mortality through hunting would impact the population. These concerns are echoed in the peer review of the proposed rule, with reviewers writing that the issue of management to facilitate connectivity with other grizzly populations “is not adequately addressed,” that “overharvest and a potential subsequent lag in management response could drive bear numbers below the desired minimum populations size,” and that “there is no scientific basis for the lower limit of 500 bears,” a level that represents a 17 percent reduction from the Service’s most conservative estimate for the current population.¹ Finally, NPS expresses legitimate concerns about the impacts of allowing hunting within the John D. Rockefeller, Jr. Memorial Parkway and other areas adjacent to Yellowstone and Grand Teton National Parks on the visitor experience, the regional economy, and the core population of bears living within the parks.

For these reasons, I request the following:

1. Before finalizing a delisting rule for GYE grizzly bears, release and allow public comment on a revised final draft Conservation Strategy, including final state management plans.
2. Require that the Conservation Strategy and state management plans contain clear and enforceable measures to ensure the GYE grizzly population remains stable or increases and allow for connectivity to other populations, and that the conservation strategy adequately addresses the potential impacts of climate change and secures grizzly bear habitat on federal lands.
3. Ensure that the National Park Service retains its authority to manage the John D. Rockefeller, Jr. Memorial Parkway as a National Park Service Unit, including by prohibiting the hunting of grizzly bears, and prohibit the hunting of grizzly bears on lands adjacent to the Parks and within the Primary Conservation Area.

Without these conditions being met, it seems unlikely that grizzly bear recovery will be a lasting success, and therefore I will not be able to support delisting. 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,



Raúl M. Grijalva
Ranking Member
Committee on Natural Resources

Cc: The Honorable Sally Jewell, Secretary of the Interior
The Honorable Jonathan Jarvis, Director, National Park Service

¹ *Scientific Peer Review for Greater Yellowstone Grizzly Bears*. Amec, Foster, Wheeler – Houston, TX. June 9, 2016. Available online: https://www.fws.gov/mountain-prairie/es/07142016_GrizzlyBearPeerReview.pdf



United States Department of the Interior

NATIONAL PARK SERVICE
INTERMOUNTAIN REGION
12795 West Alameda Parkway
P.O. Box 25287
Denver, Colorado 80225-0287



IN REPLY REFER TO:

September 14, 2016

The Honorable Raúl M. Grijalva
United States House of Representatives
Committee on Natural Resources
Washington, D.C. 20515

Dear Congressman Grijalva:

Thank you for your recent letter requesting answers to questions regarding the proposed delisting of grizzly bears in the Greater Yellowstone Ecosystem (GYE) and potential effects inside and outside Yellowstone National Park. I am responding on behalf of the Intermountain Region of the National Park Service, which encompasses the parks in the affected area. Our responses to these questions follow:

Does the National Park Service (NPS) believe that hunting within the Primary Conservation Area (PCA) is consistent with the habitat security goals of the Conservation Strategy?

The PCA encompasses Yellowstone National Park, part of Grand Teton National Park and the John D. Rockefeller, Jr. Memorial Parkway, national forests and other ownerships. It is intended to provide secure habitat for grizzly bears where access-related disturbances are limited. If, after delisting, the states of Idaho, Montana, and Wyoming decide to hunt grizzly bears within the portion of the PCA outside national parks, the NPS has requested they focus the majority of these harvests away from park boundaries and in areas where human-bear conflicts are prevalent. Without such commitments, hunting could be concentrated within the PCA and near park unit boundaries, which could have significant impacts to bear viewing, regional economics, dispersal, and genetic connectivity.

Does the NPS support the potential removal of more than 200 – or one out of every four – bears from the Demographic Monitoring Area (DMA)?

The NPS does not support the removal of 200 grizzly bears from the DMA. Demographic recovery criterion 1 of the Draft Grizzly Bear Recovery Plan Supplement: Revised Demographic Criteria (USFWS 2016) and the proposed delisting rule specify a minimum population size of 500 grizzly bears within the DMA for genetic health. This is not a population goal or target. Rather, demographic recovery criterion 3 identifies a population objective based on the 2002-2014 Chao 2-modeled average of 674 bears (95% confidence interval = 600-757 bears). Furthermore, in Table 1 the proposed delisting rule indicates “if population size is estimated as fewer than or equal to 600 in any year, no discretionary mortality will occur unless

necessary for human safety.” The NPS has conveyed to the U.S. Fish and Wildlife Service that these different population thresholds are confusing and could be interpreted differently by various stakeholders.

Does it concern the NPS that bears in national parks would effectively be providing the source population of bears for the states’ discretionary mortality allocation?

Human-caused mortality within the PCA likely will increase after the delisting of grizzly bears if and when the states decide to implement hunting on national forest lands, private lands, and elsewhere outside NPS-managed lands. Without commitments to conservative restrictions on hunting and focusing hunting away from park boundaries, the role of the PCA in providing secure habitat and reducing human-caused mortalities to grizzly bears likely will be substantially diminished. Such commitments would help lessen the adverse effects of habitat loss from private developments in the PCA, dampen the effects of high and unpredictable human-caused mortality on multiple use and private lands (i.e., provide a refuge effect), offset the effects of unreported, harvest-related, wounding loss on the grizzly bear population, and limit potential source-sink dynamics from inside to outside the parks.

How would mortality rates of 9-10 percent for independent females and 20-22 percent for independent males impact the ability to maintain a recovered population?

Survival rates of adult grizzly bears are high without human-caused deaths, while reproductive rates are quite low. Any harvest of bears above conservative harvest levels could intentionally or inadvertently contribute to reduced population growth due to increased adult mortality and disruption of social organization, which could result in fewer young animals added to the population in the future.

The states maintain the proposed harvest levels combined with rigorous monitoring and timely adaptive management adjustments should result in sustainable harvests and the maintenance of a viable population of grizzly bears. Current estimates of grizzly bear vital rates suggest an adult female mortality rate of 7.6 percent or less would result in a stable to increasing population, whereas mortality rates of 9 to 10 percent would cause a population decline. Mortality rates of 20 to 22 percent for adult males may potentially disrupt the social structure of the population, possibly lowering cub production. We have recommended monitoring and research to evaluate the extent of unintended harvest of females with cubs, wounding loss, whether hunting is being sustained by dispersal of bears from national parks (i.e., source-sink dynamics), and any effects of modest to liberal harvests on the demographics and numbers of bears living within the PCA.

How would these mortality rates impact the ability of bears to expand outside of the PCA and achieve connectivity with other grizzly bear populations within the Northern Continental Divide Ecosystem?

The extent to which hunting in the PCA would inhibit connectivity to the Northern Continental Divide Ecosystem would depend on the extent and location of future hunter harvest. If grizzly bears are harvested at rates near the upper end of the proposed mortality limits, and that harvest is concentrated within the linkage zones connecting to the Northern Continental Divide

Ecosystem, then connectivity could be inhibited. The state of Montana has indicated that they will manage discretionary mortality in these areas to retain the opportunity for natural movements of bears between ecosystems, but no details have been provided as to how this would be assured. Some stakeholders would like to see a more detailed plan for connectivity within these linkage zones in the delisting rule, conservation strategy, state management plans, and/or the three-state memorandum of agreement.

How important is wildlife viewing – and grizzly bear viewing in particular – to Yellowstone visitors and surrounding communities?

Grizzly bears are one of the premier wildlife attractions for visitors to the Yellowstone/Grand Teton area, which contributes to the public's enjoyment and sense of pride in our conservation heritage. Tourism has a large and increasing influence on the regional economy, with more and more entrepreneurs, residents, and visitors seeing the environment and wildlife as valuable resources for recreation and viewing. There were more than 4.1 million visits to Yellowstone National Park during 2015, which contributed an estimated \$493 million to nearby communities, supported about 7,730 jobs, and had a collective benefit of about \$638 million to the area's economy. Over 90% of visitors indicated the park was the primary reason for visiting the area.

Visitation to Yellowstone and Grand Teton National Parks for wildlife viewing and other recreational activities is expected to continue to increase in the future. Ninety-nine percent of visitors to Yellowstone National Park expect to see a bear, and 67% did during a recent trip. This illustrates the strong desire and expectation of park visitors to see bears while they are in national parks.

How would bear hunting immediately outside Yellowstone impact opportunities for bear viewing within the park?

Many grizzly bears in Grand Teton and Yellowstone National Parks have necessarily habituated to the presence of millions of non-threatening visitors each year, for the many decades since bears were last hunted. This may make them more susceptible to future hunting when they leave the parks. Bear viewing could be impacted by the harvest of bears that frequent roadsides, bear avoidance of people following encounters with hunters, or other factors. Thus, the NPS has recommended to the U.S. Fish and Wildlife Service and the surrounding states that any future harvests be conducted in a way that (1) respects the mission of the NPS, (2) protects regional economic benefits and the enjoyment of bear watching, (3) reduces the risks associated with wounded bears entering the parks, and (4) limits the likelihood that well-known or transboundary bears will be harvested.

The NPS respects that hunting regulations are firmly in the purview of the states. However, the NPS is concerned that a delisting decision without commitments to conservative harvest restrictions in the portion of the PCA outside the national parks could result in a serious setback for grizzly bear management. The harvest of bears in such a manner as may impact bear-viewing opportunities in the parks will create great pressure to revisit this delisting decision and likely make future delistings of other iconic species more difficult. Thus, the NPS would like to lessen the risk of a bears being harvested near park boundaries. Elements of such a strategy

could include (1) no hunting of bears in the John D. Rockefeller, Jr. Memorial Parkway, (2) focusing the majority of harvests away from park boundaries and in areas where human-bear conflicts are more prevalent, and (3) imposing strict limits on female harvest in areas near park boundaries.

How vulnerable are so-called “celebrity bears” within Yellowstone and Grand Teton National Parks to hunting outside the park?

A grizzly bears’ vulnerability to hunting when leaving the refuge of a national park likely would depend, in part, on the proportion of time it spent outside the national park and the distance it traveled from the park’s boundary. Concentrating hunting in areas that have frequent human-bear conflicts could reduce the chances of bears that frequent the parks being harvested because most concentrations of conflicts occur in areas away from park unit boundaries. Conflicts sometimes occur in park gateway communities, which could expose those bears to some risk of harvest. However, if these bears are causing conflicts in gateway communities, they would likely be removed in management actions by state agencies regardless.

Is grizzly bear hunting along the Parkway consistent with the mission of NPS? Would hunting along the Parkway be supported by visitors to these parks?

The enabling legislation for the John D. Rockefeller, Jr. Memorial Parkway allows hunting at the discretion of the Wyoming Game and Fish Commission. However, due to the popularity and documented regional economic benefits of non-consumptive use of grizzly bears for viewing and photography, the NPS has requested that the delisting rule, conservation strategy, state management plans, and other related documents identify the John D. Rockefeller, Jr. Memorial Parkway as one of the three national park units in the Greater Yellowstone Ecosystem where grizzly bear hunting will not be permitted. Many visitors and stakeholders that prioritize photography, recreation, and wildlife watching strongly support this request.

Thank you for the opportunity to provide comments.

Sincerely,



Sue E. Masica
Regional Director