

## Summary of public comments for RO

States:

- It is not appropriate to reference ~~s-to~~ “perpetuity” and “indefinitely” to describe management (i.e., the Conservation Strategy). The proposed rule references requirements (e.g., conservation reliant species) beyond the ESA’s mandates and infringe on the legal authority of the three state Wildlife Commissions to manage wildlife.
- The tri-state MOA states that the management objective for the demographic monitoring area is the range between 600 and 747 (based on the 95% CI of the model-averaged population size from 2002–2014) and not a single point objective of 674 bears (the average), as sometimes mentioned in the proposed rule. **This is in direct contradiction to the agreement between the States and the Service at the Idaho Falls meeting and summarized in Director’s Dan Ashe’s letter.**
- The state recommends deleting Table 3 and subsequent discussion in the proposed rule because the information is subject to change and subject to multiple variables. **The information in Table 3 and the following 3 paragraphs is important for the public and future managers to clarify the definitions and calculation of total, background, and discretionary mortality. Although this is an example, the mortality limits used in these calculations are not subject to change unless the IGBST recalculates vital rates or a new population estimation method is adopted, either of these instances would necessitate a public comment period.**
- The Service’s requirement that specific hunting regulations be implemented as a condition of delisting is inappropriate and has given the public the impression that the states intend to immediately implement a hunt. The states want to remove the specific regulatory mechanisms from the rule (e.g., the states will suspend grizzly bear hunting in a hunting district inside the DMA if total mortality limits for any sex/age class are met at any time during the year). The tri-state MOA and state management plans are sufficient evidence that the states will adequately manage grizzly bears upon delisting. **The tri-state MOA is not a binding regulatory document and therefore cannot be relied on to demonstrate adequate regulatory mechanisms.**
- Remove the reference to genetic health from the 500 minimum in demographic recovery criterion 1. **Although reference to genetic health is missing from criterion 1 in the Conservation Strategy, that is the basis of the 500 minimum and is discussed in the proposed recovery plan supplement. 500 was never meant to be the minimum population threshold as they suggest.**
- Remove as a trigger for a Service status review ‘changes in federal, state, or tribal laws, rule, regulations, or management plans that depart significantly from the specifics of population or habitat management detailed in this proposed rule and significantly increase the threat to the population.’ Replace with ‘result in significant, documented declines in the population that threaten meeting recovery criteria for the GYE DPS.’ **In a species with low reproductive rates, there is often a lag affect in being able to detect**

**population decline. Therefore, it is necessary to ensure that adequate regulatory mechanisms exist to prevent a decline rather than waiting to act until after a decline is detected.**

National Park Service:

- Requests that potential hunting not be allowed in the John D. Rockefeller, Jr. Memorial Parkway and that potential hunting be concentrated in conflict areas, away from park boundaries.
- Requests that the NPS receives the approximately 21% of the distribution of discretionary mortality that represents the NPS lands under their jurisdiction in the Demographic Monitoring Area. Mortality on NS lands includes periodic grizzly bear removal for human safety and occasional vehicle collisions. Currently, discretionary mortality is only divided among the three states.
- Clarify that demographic recovery criterion 1 is a minimum population size of 500 individual **for genetic health** to eliminate confusion about ~~what~~ the population objective ~~is~~. Demographic recovery criterion 3 states that the population objective is the 2002–2014 model-averaged Chao2 estimate of 674 (95% CI = 600–757).
- If a new estimation model other than Chao2 is used in the future, the states will recalibrate the population thresholds (i.e., minimum and average number of bears) and proportions of allocated hunter harvest based on the estimates provided by the new model in comparison to Chao2.