



Attention: NCDE Conservation Strategy  
USFWS  
University Hall, Room 309  
Missoula, MT 59812

August 1, 2013

Dear Dr. Servheen

Thank you for the opportunity to comment on the Draft Northern Continental Divide Ecosystem (NCDE) Conservation Strategy. This Conservation Strategy defines the direction and guidelines for grizzly bear management and monitoring post delisting of the NCDE grizzly bear population and would remain in effect for the 5-year monitoring period after delisting.

Defenders of Wildlife (Defenders) is a national non-profit conservation organization with more than 1,100,000 members and supporters nationwide, including more than 4,800 in Montana. Defenders is a science-based advocacy organization founded in 1947 focused on conserving and restoring native species and the habitat upon which they depend. Over the last two decades, Defenders has played an important role in the recovery of grizzly bears in the Northern Rockies. Recognizing that the largest threat facing long term grizzly bear recovery is human related mortalities, Defenders has focused heavily on reducing conflict through our coexistence program. Since 1997, we have spent more than \$500,000 on more than 250 projects designed to minimize or eliminate conflicts between people and grizzly bears. Additionally, in 1997 Defenders started the Grizzly Compensation Trust, reimbursing more than \$397,000 to ranchers in the region for livestock losses due to grizzly bears. Today Defenders continues to assist communities living in grizzly country with the tools necessary to prevent conflicts with grizzly bears and promote tolerance. These methods include sharing the cost of electric fencing projects, bear-resistant garbage storage, range riders, livestock protection dogs, voluntary grazing allotment retirements, outreach, educational materials and more. We operate these projects in partnership with local communities and residents as well as county, state, tribal and federal agencies.

Defenders recognizes the immense efforts agencies, multiple non-governmental organizations and local residents have invested in bringing the NCDE grizzly bear population to where it is today. Grizzlies in the NCDE are expanding into areas that have not seen grizzly bear activity in 50 years. It is our goal to ensure that the NCDE remains a robust and growing population with the ability to become a seed population for the smaller Cabinet-Yaak population, provide connectivity between Yellowstone and the NCDE and over time repopulate the Bitterroot Recovery Area.

### **Primary Conservation Area (PCA) and Management Zones**

We support the intent of tiered zone protections for grizzly bears post-delisting. We understand that this is intended to provide varying degrees of security for grizzly bears post-delisting particularly in the PCA,

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Zone 1 and the Demographic Connectivity Areas (DCAs). However, we would like to see these protections strengthened to truly encourage connectivity between the NCDE and the Bitterroot, Yellowstone and the Cabinet-Yaak populations. Grizzly bears are less resilient to environmental disturbance due to low reproductive rates, the need for high quality foods in the spring and the natal philopatry of females (Weaver et. al. 1996). Human development and roads fragment habitat, females being particularly sensitive to this fragmentation (Proctor, et. al. 2012). The reality is grizzly bears must routinely navigate a mix of public and private lands, particularly in expansion areas. Development of private lands means the majority of secure habitat available to bears is on public lands. Therefore, it is increasingly important that public lands are managed in such a way as to promote grizzly bear occupancy. We acknowledge that these protections will vary depending on male or female occupancy goals.

### **Forest Service Sensitive Species Policy**

The draft conservation strategy presumes that the Forest Service will continue with current sensitive species policy found in Forest Service Manual (FSM) 2600, Chapter 2670. However, it is widely known that the Forest Service is in the process of rewriting FSM 2670, and that the current sensitive species policy program is likely to be replaced with species of conservation concern policies and conservation requirements as defined under the 2012 Planning Rule. Therefore it is uncertain whether grizzly bears will be afforded the policy protections cited in the conservation strategy, including biological evaluations ensuring “a higher level of scrutiny for future projects within the NCDE so that ‘viable populations’ can be maintained ‘throughout their geographic ranges’” (Draft Conservation Strategy, p.27).

While the draft conservation strategy cannot reflect future policy changes, the strategy should require the Forest Service regional forester to designate grizzly bears as species of conservation concern on each of the eight national forests covered by the strategy. In addition, rather than relying on Forest Service policy manuals that may be revised, the conservation strategy should require project-level viability assessments to ensure that those occur despite changes in agency policy. Furthermore, the draft conservation strategy errs in applying Forest Service sensitive species policy to other agencies including the BLM which has its own special status species policy articulated in manual 6840. The conservation strategy should refer to this manual when articulating BLM’s responsibilities for sensitive species management.

### **General Motorized Access Issues**

Data consistently suggests a correlation between grizzly bear mortalities and distance to a road. Unfortunately, a “closed” road does not always result in a road with minimal access. Illegal use of closed roads is prevalent. The conservation strategy should encourage roads be removed or obliterated rather than closed in the PCA, Zone 1, DCAs and Zone 2. Removing roads has been shown to improve habitat conditions and security for grizzly bears.

The draft conservation strategy is premised on the assumption that managing for baseline 2011 habitat and motorized access conditions will be sufficient to achieve grizzly bear conservation objectives. Admittedly, “this approach contains some level of uncertainty” (Draft Conservation Strategy, p.19). Higher levels of certainty can be achieved through the adoption of more rigorous regulatory mechanisms in the form of land management plan standards and guidelines on Forest Service lands.

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The revision of the Flathead National Forest plan, beginning in 2014, provides an opportunity to establish consistent motorized access habitat standards (as well as other necessary habitat conservation measures and habitat monitoring plans) for grizzly bears throughout the NCDE region, for national forest lands in all zones, based on the goals and objectives of the conservation strategy. As a designated species of conservation concern, it will be necessary for these national forests to adopt standards and guidelines to provide habitat conditions that conserve core grizzly bear populations and ensure connectivity for dispersing grizzly bears, and to monitor those habitat conditions.

In the PCA and in DCAs within Management Zone 1, in addition to the PCA Federal Motorized Access Habitat Standards, more conservation certainty for grizzly bears can be achieved by requiring the Forest Service to retain the Flathead forest plan Amendment 19 and apply this standard to all of the five national forests with lands within the PCA and DCAs. While it is valid to assume that 2011 Security Core, Open Motorized Route Density (OMRD) and Total Motorized Route Density (TMRD) values will conserve grizzly bears, carrying forward an actual science-based standard represents a more conservative conservation strategy for the PCA and DCAs. Applying the PCA standards to the DCAs is a more reliable means of ensuring achievement of conservation goals within those areas.

### **Salish DCA and Ninemile DCA**

Encouraging female occupancy in DCAs is vital to long term connectivity between these populations. Consequently, we ask the Service to specifically recommend no hunting within the DCAs at a minimum, through the monitoring period. Hunting within the DCAs will inevitably result in the deaths of female grizzlies and potentially orphan cubs. For instance, it is illegal to harvest a black bear female with cubs in Montana (MT FWP Black Bear Hunting Regulations 2013, pg. 5), yet in Montana Fish Wildlife and Park's Region 2 alone, approximately 2 females with cubs are mistakenly killed during the hunting season, orphaning cubs or resulting in the cub/s subsequent death (J. Jonkel, personal communication, July, 2013). If the goal for these DCAs is indeed to promote female occupancy, then hunting in these two zones should be prohibited into the foreseeable future. Additionally, zero human-caused mortality should be the goal of federal, state and tribal agencies involved in grizzly bear management within the DCAs until grizzly bear populations have functioning connectivity and female mortality is below the currently proposed maximum of 10%.

### **Management Zone 1**

For Forest Service and BLM lands in Management Zone 1 outside of the DCAs, the conservation strategy should require a more consistent approach than simply adhering to ad hoc motorized access habitat management standards included in current land management plans as of 2011. While the risk of having ineffective management standards to the core NCDE grizzly bear population is reduced moving away from the PCA and DCAs, application of consistent, science-based standards is still necessary to meet conservation goals with confidence. The Flathead forest plan revision may guide the development of consistent habitat standards for other Forest Service and BLM lands within Management Zone 1, based on the goals and objectives of the conservation strategy, as well as the regulatory and public participation framework of the 2012 Planning Rule. We recommend that Management Zone 1 standards

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developed for the Flathead forest serve as the basis for consistent standards for the other Management Zone 1 forests.

Additionally, in the PCA and Zone 1 we request that the Forest Service not increase the number of recreational sites but rather maintain the number of recreational sites currently on the landscape. The Lolo LMRP standards state “The forest will not significantly expand the capacity of developed recreation sites on the Lolo N.F. during the next 10-year period” (Conservation Strategy, pg. 86). This alludes to the potential for increasing recreational site development after the 10-year period and is not unique to the Lolo N.F. The Forest Service currently provides numerous and variable recreational opportunities. These existing sites should be maintained and the number and size of sites should not increase after 10 years. The Forest Service needs to recognize that whether it be 10, 20 or 30 years into the future, increasing the number of campgrounds, trailheads and administrative sites on the landscape increases the risk of conflicts between people and grizzly bears.

## **Management Zone 2**

Likewise, Management Zone 2 motorized access habitat requirements will need to be improved to ensure consistent connectivity standards are applied on federal lands. The objective of Zone 2 as stated is to “manage for genetic connectivity between the NCDE and the Yellowstone Ecosystem.” Zone 2 has indeed had male grizzly bears documented moving south of I-90 but their documented presence is not evidence that the habitat in Zone 2 is secured in a way as to promote long-term connectivity between Yellowstone and the NCDE. In fact, Zone 2 has a myriad of private lands interspersed with public lands and large swaths of Zone 2 contain livestock operations. Current protections for other species such as elk may provide habitat protections for grizzly bears in Zone 2 but public land managers in Zone 2 need to readdress land management and travel plans and incorporate consistent grizzly bear habitat and habitat connectivity standards for both of the Zone 2 national forests.

Leaving things as status quo in Zone 2 will not promote connectivity and could indeed lead to the deaths of male grizzly bears. For instance, the Butte Ranger District on the Beaverhead-Deerlodge National Forest (BDNF) has the highest level of motorized route densities in the state of Montana, in particular the Boulder River and Upper Clark Fork landscapes, which offer Security Core (summer) values around only 30%. According to the recent Biological Opinion for the West and North Analysis Area on the BDNF, “the Boulder River, Jefferson River, Clark Fork-Flints, and Upper Clark Fork landscapes and corresponding hunting districts exhibit the highest open linear motorized road and trail densities within the WNAA. These portions of the WNAA are also where grizzly bears are not being detected, likely moving south from areas of the NCDE to the north of the Forest” (Supplement to the Biological Opinion on the Effects of the 2009 Revision of the Beaverhead-Deerlodge National Forest Land and Resource Management Plan on Grizzly Bears, May 28, 2013).

Given these existing habitat conditions, FWS concluded that the BDNF forest plan motorized route management objectives and standards, and temporary road building plans, may affect the ability of grizzly bears to effectively disperse across the landscape. Travel planning on the BDNF is expected to improve habitat conditions, yet those planning efforts are some years out. To ensure that consistent habitat connectivity conditions are provided on the BDNF and other Zone 2 national forest lands (in particular the western portion of the Helena NF), we recommend that the conservation strategy require

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those Zone 2 national forests to commit to a reliable process (e.g. travel management process) to 1) identify, map, and manage linkage habitats essential to grizzly bear movement between ecosystems and 2) manage access to achieve lower road densities. Standards for the management of linkage habitats should be developed consistent with management of DCAs. Acquiring some level of commitment from the Forest Service to take connectivity habitat protection actions is consistent with the goals and objectives of the conservation strategy. We are encouraged to hear that the BDNF and HNF intend to develop and implement Food Storage Orders in all lands within Zone 1 and 2 before adoption of the Strategy.

As currently proposed by the Strategy grizzly bear mortalities will not be counted within Zone 2. It is therefore difficult to understand how the Service will determine if the objective of Zone 2, to manage for genetic connectivity between the NCDE and Yellowstone (Conservation Strategy, pg.35) has been achieved. We ask the Service to identify how grizzly bear movements and survival rates will be monitored within Zone 2.

### **Mortality Limits**

The draft conservation strategy states that the NCDE “should eventually serve as a source population for genetic and demographic rescue of other grizzly bear populations.” Additionally a demographic goal of the strategy is to “Maintain demographic linkage opportunities to the west and south towards the Cabinet/Yaak and Bitterroot ecosystems” (Draft Conservation Strategy, pg. 37). We agree that the NCDE population has the potential to accomplish these goals. However, in-between the NCDE and other ecosystems anthropogenic development is increasing and it has been found that even low densities of residential development create sinks (Schwartz, et. al. 2012). In order to effectively accomplish the Strategy’s goal we ask that the Service reduce the 10% female mortality limit to below 8% to encourage an increasing grizzly bear population rather than maintain a stable one. Grizzly bears, particularly females, need to continue to expand within and push outward from the NCDE. Moreover, a conservative mortality limit is prudent in the wake of delisting and as noted by Harris (Section C: Conservation Strategy, Appendices pg. 9) there is considerable uncertainty surrounding the number of bears dying and the vital rates of the standing population. More time is needed to fully understand trend dynamics of grizzly bears in the NCDE.

Currently the Conservation Strategy does not identify a dependent young mortality limit, yet cub-of-the-year and yearling survival rates are monitored annually. As stated in the 2012 NCDE Trend Monitoring Report “Knowledge of the age structure of the grizzly bear population in the NCDE is necessary for management.” The report further goes on to state that the stable age structure of grizzly bears in the NCDE was estimated using in part, cub and yearling female survival rates. Setting a dependent young mortality limit within the PCA and Zone 1 would ensure continued monitoring of this age class.

### **Survival Rate Monitoring Intervals**

Low reproductive rates coupled with extensive habitat loss make grizzly bear populations particularly sensitive to high levels of mortality. The current recommendation for 6, 8, 10 and 12 (Conservation Strategy, pg. 38) year intervals with associated survival parameters before a management review is initiated is intended to provide safeguards when the population is in potential decline. However, it

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allows for an unnecessary time lag. It is valid to assume that there will be occasional declines in survival for circumstances such as; a short-term series of 2-3 years where berry crops fail. However, allowing female survival rates to drop for lengthy intervals of time before formally investigating the reason for the decline could result in missed opportunities to identify the cause of lower survival rates and potentially find a solution. More important, lengthy intervals of low female survival rates could result in an unstoppable population decline. We suggest reducing the time interval where a decline is observed and a management review required to 3 consecutive years as is applied in the Yellowstone population.

### **USFWS Population Monitoring Period Post-Delisting**

Grizzly bear populations reproduce slowly and are subject to high levels of human related mortality. Combined with uncertain future climate change impacts, rapid development on private lands and an expected state hunting season, negative impacts to grizzly bear populations post-delisting are inevitable. This is sufficient cause to ask the Service to extend the required 5 year monitoring period as required by the ESA to 10 years to provide time to digest and comprehend some of these initial impacts and the role they play in long term grizzly bear recovery and connectivity.

### **Funding**

Appendix 16 states that the projected new annual expenses to implement this strategy will be \$437,510. This brings the projected total annual expenses to implement this Strategy to \$1,822,621. All the agencies currently involved are facing smaller budgets. For example, sequestration impacts released by the White House indicate that Montana will face a decrease of \$1.2 million in grants for fish and wildlife protection. Idaho faces an \$857,000 decrease in grants for fish and wildlife protection (Washington Post, February 25 2013). Montana Fish, Wildlife and Parks recently dropped its beneficial Living with Wildlife grant program due to funding deficiencies. This program provided important grants assisting with tools and techniques to minimize conflicts with bears. Obvious budget deficiencies create difficulties for each agency to effectively implement the Conservation Strategy. We are very concerned that the goals of the Strategy will not be accomplished due to a lack of funding. A secure, larger source of annual grizzly bear specific funding is required and will be particularly important post-delisting. We understand that the Interagency Grizzly Bear Committee (IGBC) is currently looking into a partnership with the National Fish and Wildlife Foundation to create a grizzly bear conservation fund (Vynne, 2012). We encourage this proposed partnership.

### **In Conclusion**

The success of grizzly bear recovery in the Northern Continental Divide Ecosystem is important not only to grizzly bears living within this ecosystem but also to a robust, connected and resilient meta-population in the future. Currently the NCDE population is documented as increasing at an approximate rate of 3% a year (Mace et. al. 2012). We would like to see this population continue to increase and expand, particularly to the south and west and we appreciate the intense efforts on the part of the agencies, non-governmental organizations, residents and supporters in aiding the recovery of the Northern Continental Divide population of grizzly bears.

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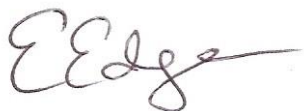
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Yet, we are concerned that the Strategy does not go far enough to provide adequate habitat protections, particularly within Zone 1, the DCAs and Zone 2: areas where grizzly bears are expanding and can provide connectivity, a vital component to recovery. As human development increases in Zones 1 and Zone 2 and grizzly bears expand, it is expected that more grizzlies will come into conflict with more people. This is already being seen in rising grizzly bear mortalities associated with private lands. The West's higher than average human population growth rate suggests that grizzly bears will rely heavily on the large blocks of contiguous public lands for security (Montana Challenge Research Report 2004). Therefore, the public lands in these zones must provide adequate security to enable grizzly bears to live, find adequate food resources, den and reproduce. The Strategy must require stronger habitat protections specifically, reduced road density standards on public lands, particularly in the DCAs and Zone 2 where current habitat protections are far from sufficient for grizzly bears.

As grizzly bears continue to expand into areas that have not seen grizzly bear activity in a number of years, solutions for human-related bear conflicts and public education regarding grizzly bears will be even more important for grizzly bear management and recovery. While we are hopeful that the NCDE grizzly bear population will be an ESA success story, we feel there is still much to do to safeguard their future.

We thank you for the opportunity to comment on the Conservation Strategy.

Sincerely,



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