TWS Draft response to the Bitterroot Grizzly Recovery EIS

Dr. Chris Servheen
U.S. Fish and Wildlife Service
University Hall, Room 309
University of Montana
Missoula, MT 59812

Dear Dr. Servheen:

This letter is in response to the Draft EIS for recovery of grizzly bears in the Bitterroots. This letter reflects the combined comments of both Idaho and Montana State Chapters of The Wildlife Society (TWS), a professional organization of wildlife biologists. Both chapters have a combined membership of over 500? professional biologists with diverse backgrounds and affiliations with all state and federal agencies, universities, and many private organizations and corporations. Due to the significance of the Bitterroot EIS, both Chapters of TWS felt it important to respond to the proposal with a single voice to provide professional peer review, and scientific input. The following comments reflect TWS's state chapters professional review of this document.

First we would like to commend the extraordinary effort of the EIS team and USFWS for collecting and preparing such a body of data and thought. The public involvement efforts that provided the compromise for the preferred alternative certainly shows the willingness of the Service to work within the current framework of the EIS to provide maximum flexibility of a rigorous law, as well as include the concerns of the local citizens and governments. Never before has a recovery experiment of this nature and magnitude been proposed with such a controversial wildlife species as the grizzly bear.

EIS Review

The EIS is being proposed to recover bears in the Bitterroots because: 1) the Bitterroots once had thriving population of bears; 2) it is the largest contiguous wilderness in the lower 48 states, has diverse and adequate bear habitat, and provides the last best chance for reestablishing a population; 3) creation of another population of bears reduces the likelihood of grizzlies going extinct within the next few centuries; 4) the ESA requires the USFWS to recover grizzlies, 5) ecologically, the grizzly bear is missing and can reestablish certain lost ecosystem functions and structure, 6) the majority of national, regional and local publics support recovery. TWS agrees with the above reasons for recovery, and supports the recovery effort in order to sustain and improve biological diversity, reestablish a missing species, and increase the likelihood of grizzly bear survival as a species in the lower 48 states.

Given that, it is clear the only way to reestablish a population is to reintroduce grizzly bears to the Bitterroots. Obviously, natural recovery is improbable due to the distance from the next nearest ecosystem with grizzlies, and the lack of quality habitat and linkage corridors between the ecosystems. Linkages could be established, but given known grizzly bear occupancy

behaviors and slow rate of population growth, natural movements of females into the Bitterroots is unlikely for many decades. Movements of males would be possible sooner, but reestablishment of a population would likely not only take time, but also expensive and concerted efforts to reestablish corridors and decrease negative stimuli that would deter bear movements or cause bear mortality.

There are a variety of opinions on how best to approach recovery of grizzly bears in the Bitterroots. TWS supports reintroducing grizzly bears to the ecosystem within a scientifically devised plan giving the bears the best chance of survival. The two schools of thought are encompassed in alternative 1 and alternative 4. Because alternative 2 requires natural migration, and alternative 3 is a no bear alternative, we consider both as not biologically viable alternatives to achieve recovery, based on the aforementioned reasons.

Alternative 1 deals specifically with the political realities of this complex issue and poses the suggestion that using an ecosystem approach to habitat management, grizzly bear habitat should remain sufficient, thus highlighting the most critical issue as the reduction of direct grizzly bear mortality. The grizzly bear does not add an inordinate amount of regulation under the experimental design. Under alternative 1, the issues are how best to get the local publics behind the recovery process thereby reducing bear mortality.

Alternative 4 is the reverse approach, a habitat based approach using the fully threatened status to impose restrictions, thus making the habitat more appealing to bears, but perhaps less appealing to some of the local publics and politicians. The argument for this design indicates grizzly bears could potentially be less likely to be killed by humans because there would be fewer roads, and more restrictions.

Given experiences in other areas and countries, empowering local publics tends to appease those people most likely to cause mortality of wildlife, in this case grizzly bears. How best to do this is the question being addressed in this document. We support the empowering of local publics but not at the expense of loss of scientifically designed and implemented research and management. Any committee of citizens should be required to obtain the best scientific and peer reviewed input from the experts in the field before making decisions. However, given the current feeling of many citizens in the states of Idaho and Montana, it is clear that even with citizen control, you would not get overwhelming support from dissenters . Consequently, this approach should be looked at very critically and the special rules should be further analyzed to provide sideboards to assure the **primary goal** of a citizens committee is grizzly bear recovery using proven scientific information.

In this day and age, funding to government agencies are continually declining. As a way to delay implementation of the plan, politicians continue to threaten the USFWS with funding cuts, and also require further study of already identified risks and benefits. TWS would like to emphasize to the politicians that without proper funding, or rerouted funding for redundant and unnecessary research, the best laid plan cannot be fully implemented and a grave disservice to the citizens and tax payers of Idaho and Montana as well as to the wildlife of these two states would result. Undoubtedly, funding from the private sector and agencies could be

forthcoming, but to remove funding from the USFWS earmarked for the recovery effort would potentially cause worse case scenarios to become realities, i.e. self-fulfilling prophesies. Proper management and research does not happen on good will alone. Full involvement of state and federal agencies, and full funding of this important endeavor is truly needed to continue to show that the wildlife profession is worthy of the citizens trust.

Grizzly bear recovery in all ecosystems are linked politically, biologically, and economically. In order to better assure that grizzly bears will survive for the next few centuries, recovery in one system should benefit recovery in another. If Yellowstone or the NCDE is delisted, or bears within these systems are showing a penchant for moving into areas where trouble is unavoidable, then there should be flexibility in recovery goals and mortality limits to allow bears to be moved preemptively, and perhaps be used to recover bears in the Bitterroots.

Lastly, it has become common place for organizations to sue the FWS whenever a document or policy is presented. The act of suing does a great disservice to those efforts to recover bears in many cases, because personnel time and funding have to be diverted to answer litigious and often superfluous cases. If organizations clearly are supportive of grizzly bear recovery then they should be willing to work within the frameworks of the public involvement process, or reimburse the grizzly recovery effort within the agencies for expenditures. Clearly, when recovery efforts are being stalled, needed funding diverted to litigation or settlements, grizzly bears are the clear losers. TWS believes it is time to work with all partners and stakeholders to reduce costs, and improve the quality of the draft EIS so that it is appealing to an even wider audience.

In summary, the Idaho and Montana Chapters of TWS supports reintroducing grizzly bears into the Bitterroots and empowering the local citizens under scientifically reviewed guidelines and management. We also believe that every effort should be forthcoming to assure adequate funding, and that all stakeholders be included in finalizing the proposal. TWS would be willing to assist in further developing guidelines in the special rules and assist in creating a scientific review committee. Thank you for the opportunity to comment on this proposal.

Sincerely,

Dr. James Unsworth
President
Idaho Chapter The Wildlife Society
Boise, Idaho

Dr. Dan Pletcsher
President
Montana Chapter of The Wildlife Society
Missoula, Montana

Under each of the three alternatives IDF&G is responsible for notifying counties of threshold conditions. This implies F&G will routinely monitor the number of elk within 1 mile of the Egin-Hamer road and keep an eye on the Hamer weather station data. Presently the IDF&G only flies the area every other year to survey big game. Whether resources or manpower will allow the IDF&G to conduct routing surveys in the future is unknown.

The impacts section of the EA indicates as many as 20 big game road kills can be expected each winter the Egin-Hamer road is open. The EA states that increased road kills are beneficial for carrion feeders, such as bald eagles, but stipulates the increase in carrion would not affect wintering eagle populations. This seems, at best, very speculative and, at the least, somewhat contradictory. No data on historic eagle populations are presented.

The Egin-Hamer road was originally closed in the winter to protect the elk. Even if elk are no longer using the area near the road, opening the road in the winter provides a vehicular traffic corridor that splits the wintering range. At the very least this will have a modest negative impact due to occasional road kills and a reduction in useable winter habitat along the corridor. Alternative 1 offers nothing to offset these debits. Alternative 2 does provide a significant amount of additional protection to elk by eliminating OHV use on over 300,000 additional acres north and south of the Egin-Hamer Road. This Alternative will keep vehicles off of the Taylor Well Road, parallel and north of the Egin-Hamer Road, which presently, at least in theory, could be legally used as a substitute for the Egin-Hamer Road. Alternative 3 provides additional protection, particularly in the spring before existing OHV restrictions are over for the season but horsemen and hikers enter the area for various recreational pursuits before elk are ready to leave the range.

It is my opinion that for the maximum benefit of the wildlife, the road should remain closed during the winter and the restrictions in Alternative 3 be implemented. However, Alternatives 2 and 3 likely provide better stewardship of the resource than the existing condition, and both are very reasonable tradeoffs: some elk may be impacted but several hundred thousand acres of winter range will be better protected than under the existing plan. The requirement to close the road when threshold conditions exist provides an additional margin of protection of the resource. Opening the Egin-Hamer Road in the winter can be a win-win situation under Alternatives 2 and 3 for both wildlife and road users if conditions are monitored and closures are respected and enforced. How that will be done is as yet unknown. One nagging question exists: Will winter vehicle traffic on the Egin-Hamer reduce elk use near the road such that the threshold condition (200 elk within a mile of the road) for road closure will never occur?

The Bureau of Land Management recently issued a Finding of No Significant Impact for the Environmental Assessment (IDI-030-97-019) titled: Proposed Medicine Lodge Resource Management Plan Amendment/EA to Amend Egin-Hamer Road Rights-of-Way. This EA addresses the proposed change in the annual closure of the Egin-Hamer road to protect wintering elk. Following is a summary of the proposed alternatives and comments by Tim Reynolds of the Environmental Science and Research Foundation in Idaho Falls.

South of the Saint Anthony Sand Dunes in Eastern Idaho, the Egin-Hamer Road passes through the 42,000 acre Nine-Mile Knolls Area of Critical Environmental Concern (ACEC). The ACEC represents about 10% of the Sands Wildlife Management Plan area. Because this is crucial winter range for North America's largest desert-wintering elk population (approximately 3,800 animals in 1993), the road is closed to vehicles from December 1 through April 30. This closure has been in effect since the road was established nearly a decade ago. Because the road crosses county lines, the road closure is enforced by both Jefferson and Fremont Counties. The alternate route nearly doubles the travel time, causing an inconvenience and expense to the mostly agriculture-related traffic. This closure is stipulated by rights-of-way agreement between the BLM and both counties. To provide additional protection to wintering elk, the Nine-Mile Knolls ACEC is closed to all off-highway vehicles (OHVs) during the same time period.

Jefferson and Fremont Counties recently presented the BLM with a proposal (Alternative 1) to keep the road open during the winter. They contend that elk have shifted their wintering concentration in the past decade and, at least during some winters, elk use near the road is minimal or nonexistent. Some limited pellet group transect data from the BLM and the Idaho Department of Fish and Game are presented in the EA to demonstrate a shift of wintering elk away from the Egin-Hamer Road. The Counties recognize elk may return to winter near the road in the future, and presented threshold criteria for **required** reclosure of the road within 12 hours of notification by the Idaho Department of Fish and Game when (1) snow accumulation during any month reaches 80% of the historical maximum recorded for that month at the Hamer weather station, **AND** (2) maximum daily temperatures at the Hamer weather station do not exceed 10F for five consecutive days (or 7 out of 10 consecutive days), **AND** (3) a minimum of 200 elk are residing within 1 mile of the Egin-Hamer Road. If criterion 3 is met, and either criteria 1 **OR** 2 is met, the Idaho Department of Fish and Game could **request** that the counties close the road. Once closed, the road would remain closed through March 31. Off highway vehicles would continue to be prohibited on the Nine-Mile Knolls ACEC from December 1 through March 31.

Two additional alternatives regarding the Egin-Hamer road and adjacent lands were developed.

Alternative 2

This alternative would allow the Egin-Hamer Road to remain open throughout the year unless the reclosure criteria (above) were met. Furthermore, the ACEC and 250,000 additional acres in and near the Sand Wildlife Management Plan area north of the Egin-Hamer Road and would be closed to **ALL** vehicle use (not just OHVs) from January 1 through April 30. An additional 75,000 acres south of the Egin Hamer road would also be closed to ALL vehicle use, but for one month less (until March 31). The Red Road, the major north-south conveyance in the eastern portion of

the closure would remain open until snow conditions precluded normal vehicle traffic, at which time snow machines would be permitted only on the Red Road. This alternative increases the number of acres prohibiting winter OHV use from 42,000 to nearly 340,000.

Alternative 3.

This alternative mimics Alternative 2 except that **ALL** motorized and **ALL** non-motorized human entry would be prohibited basically during the dates indicated above. That is, **NO HUMAN ENTRY** would be permitted during the winter on approximately 340,000 acres of actual or potential crucial elk winter range. This is the BLM's preferred alternative.

Alternative 4.

This is the no action alternative in which the present situation would continue. That is, a winter closure of the Egin-Hamer Road and prohibited winter use of OHVs in the 42,000 acre Nine-Mile Knolls ACEC.

None of the closures apply to grazing permittees caring for their stock or maintaining range improvement structures on BLM lands.

The lands proposed for closure in Alternatives 2 and 3 are a mosaic of Federal (56%), State Department of Lands (23%), private (20%) and Idaho Department of Fish and Game (2%) ownership.

The Environmental Assessment examines the impacts to wildlife for each Alternative. Leaving the Egin-Hamer Road open in the winter (Alternatives 1,2, and 3) would result in increased road kills (estimated at about 20 animals per year), increased poaching, and, because a corridor of approximately 10,500 acres (1 mile each side of the road) would be removed from winter elk use and established wintering patterns subsequently disrupted, some increased depredation on croplands is expected. However, Alternatives 2 and 3 would close hundreds of thousands of acres to significant winter disturbance and likely benefit elk populations. Moreover, Alternative 3 would have the additional benefit of no human entry during the early spring, allowing elk to remain undisturbed at lower elevations and use high-quality early green-up forage after the rigors of winter. This would help reduce winter mortality and help ensure successful elk calving in the spring.

Comments:

All Alternatives except the No Action Alternative, are based on the assumption elk do not use the winter range in the same way they did several years ago. The Environmental Assessment does not present any defensible data to support this conclusion. Pellet group transect data are only given for the Fall of 1988 and the Springs of 1989, 1991, and 1993. The only responsible conclusion is that decreased elk use within a mile of the Egin-Hamer Road between the 1991 and 1993 pellet group transect counts coincided with an emergency elk feeding program at Hamer.