

# CHAPTER I

## *INTRODUCTION*





## **INTRODUCTION**

This section of the final Environmental Impact Statement (FEIS) discusses the purpose and need for the action, background of why the FEIS is being developed, project location, legal constraints of any decision, how the planning process was developed, scoping of the draft Environmental Impact Statement (DEIS), and major issues and concerns that were considered in detail in the Environmental Impact Statement.

This FEIS relies on the U. S. Fish and Wildlife Service (USFWS) Grizzly Bear Recovery Plan and the Bitterroot Ecosystem Recovery Plan Chapter (USFWS 1982, 1993, 1996); the Endangered Species Act, Proposed Rule 10(j), Establishment of a Nonessential Experimental Population of Grizzly Bears in the Bitterroot Area of Idaho and Montana (USFWS 1997); and the Summaries of Public Comments on the Scoping of Issues and Alternatives, and the draft Environmental Impact Statement (USFWS 1995, 1998). The Bitterroot Ecosystem Recovery Plan Chapter (USFWS 1996) is included as Appendix 14.

## **PURPOSE OF THE ACTION**

Grizzly bears (*Ursus arctos horribilis*) are a part of America's rich wildlife heritage and once ranged throughout most of the western United States. However, distribution and population levels of this species have been diminished by excessive human-caused mortality and loss of habitat. Today, only 800 to 1000 grizzly bears remain in a few populations in Montana (Northern Continental Divide, Yellowstone, and Cabinet/Yaak Ecosystems), Idaho (Yellowstone and Selkirk Ecosystems), Wyoming (Yellowstone Ecosystem), and Washington (Selkirk and North Cascades Ecosystems). Wildlife species, like the grizzly bear, are most vulnerable when confined to small portions of their historical range and limited to a few, small populations. Expansion of the range of the species will increase the number of bears within the lower 48 states and increase habitat size and extent, and further conservation of the species.

The Grizzly Bear Recovery Plan (USFWS 1982) called for evaluation of the Bitterroot Ecosystem (BE) as a potential recovery area. The best scientific evidence available indicates there are no grizzly bears in the BE at this time (USFWS 1996). Based on the results of a 5-year study (Davis and Butterfield 1991) of the BE, bear scientists estimate that the area could eventually support more than 200 grizzly bears (Servheen et al. 1991). The Interagency Grizzly Bear Committee (IGBC) endorses the BE as a grizzly bear recovery area. The IGBC is a group of high-level administrators that represent the federal and state agencies involved in grizzly bear recovery, and coordinate agency efforts in implementing the Grizzly Bear Recovery Plan.

The USFWS, with support of the IGBC, proposes to recover the grizzly bear and restore this component of the BE by reestablishing the species within this portion of its historical range. The recovery of grizzly bears in the BE will allow the return of this prominent native omnivore now

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missing from this large block of Rocky Mountain wilderness habitat. The USFWS has determined that there are no grizzly bears in the BE at this time, that recovery of grizzly bears in the BE would facilitate conservation and recovery of the species in the lower 48 States, and that recovery of grizzly bears in the BE would require reintroduction of bears from other areas (USFWS 1993, 1996, 1997a). The action proposed in this FEIS is to reintroduce a minimum of 25 grizzly bears over a 5-year period from which a population could grow over time.

A public survey conducted in 1995 (Duda and Young 1995) indicated that 64% of local, 74% of regional, and 77% of national respondents were supportive of reintroducing grizzly bears into the BE. The two most popular reasons given by respondents for supporting reintroduction were the desire to save the grizzly bear from extinction, and to return this species as a missing component of the ecosystem.

The BE is one of the largest contiguous blocks of federal land remaining in the lower 48 United States. The core of the ecosystem contains the Selway-Bitterroot and Frank Church-River of No Return Wilderness Areas. Together these two wilderness areas make up the largest block of wilderness habitat in the Rocky Mountains south of Canada. Of all remaining unoccupied grizzly bear habitat in the lower 48 States, this area in the Bitterroot Mountains has the best potential for grizzly bear recovery, primarily due to the large wilderness area. As such, the BE offers excellent potential to recover a healthy population of grizzly bears and to boost long-term survival and recovery prospects for this species in the contiguous U. S. The potential for grizzly bear recovery will be enhanced in the lower 48 States by inclusion of the BE because habitat will be increased by almost 10,000 square miles or almost 25% (including the wilderness area and outside buffer zones). In addition, any new or additional populations of grizzly bears will add to the known populations and therefore provide for a higher recovery potential for the species as a whole, decreasing the amount of time the species is on the Endangered Species List and the regulatory burden placed on the public. Other outcomes of recovery of the grizzly bear in the BE include its potential delisting and eventual return to state management where human uses could include hunting. The recovery of the grizzly bear in the BE would also aid in restoration of Nez Perce Tribe cultural and spiritual values related to the grizzly.

## **NEED FOR THE ACTION**

*Legal.* The grizzly bear was listed as a threatened species in the lower 48 States under the Endangered Species Act (ESA) in 1975 (Federal Register, V.40, No.145, Part IV-3173-4). As such, the U.S. Fish and Wildlife Service was mandated by Congress to conserve listed species and the ecosystems upon which they depend.

The USFWS is the primary agency responsible for recovery and conservation of threatened species, including grizzly bears in the U.S. The Revised Grizzly Bear Recovery Plan (USFWS 1993) and the Bitterroot Ecosystem Recovery Plan Chapter - Supplement to the Grizzly Bear Recovery Plan

(USFWS 1996) identify actions necessary for conservation and recovery of the species. The ultimate goal of the plan is removal of the species from threatened status in the conterminous 48 States. The BE Recovery Chapter calls for the preparation of an Environmental Impact Statement (EIS) to evaluate the proposed action and a range of alternatives to recover the grizzly bear in the BE. This action is supported by the IGBC.

*Biological.* A metapopulation can be defined as a set of spatially disjunct populations, among which there is some potential immigration (Wells and Richmond 1995). Given understanding of population biology and metapopulation dynamics, the chances of survival of grizzly bears south of Canada increase as more populations are added to a grizzly bear metapopulation. Each additional population decreases the overall total number of grizzly bears that are necessary for long-term survival of the metapopulation. Also, each additional population reduces the number of bears that are necessary in each individual population within the metapopulation. This suggests that for grizzly bears to survive in the lower 48 States, each additional population with potential connection to other populations increases the probability of survival. Therefore, one way to achieve recovery of grizzly bears in the lower 48 States and assure survival is to establish several smaller populations of grizzly bears. The ability of the Yellowstone population to contribute to a metapopulation has been questioned because of geographic distance to other populations and habitat fragmentation, although evaluation of this possibility is continuing (USFWS 1993). The addition of the BE to the grizzly bear recovery effort will increase long-term survival probabilities and conservation of grizzly bears within the lower 48 States.

## **BACKGROUND**

For thousands of years, grizzly bears lived in a variety of habitats throughout most of western North America. An estimated 50,000 grizzly bears roamed the American West prior to European settlement (USFWS 1993). Due to loss of habitat and excessive and intentional killing by people, grizzly bears have been eliminated from all but approximately 2 percent of their historic range in the lower 48 States (USFWS 1993).

Historically, the grizzly bear was a widespread inhabitant of the Bitterroot Mountains in central Idaho and western Montana. When Lewis and Clark traveled through the Bitterroot country in 1806, grizzly bears were abundant. They killed at least 7 grizzly bears including 1 female and 2 cubs while camped near present-day Kamiah, Idaho (Thwaites 1959). Grizzly bears were common in central Idaho until the early 1900's (Wright 1909, Merriam 1922, Burroughs 1961). Wright (1909) wrote of killing dozens of grizzly bears over several years in the Bitterroot Mountains. A major influx of hunters, trappers, and settlers at the turn of the century, and later sheepherders were responsible for direct mortality and elimination of grizzly bears from the BE. Conservative estimates indicate trappers and hunters killed 25 to 40 grizzly bears annually in the Bitterroot Mountains during the early 1900's (Moore 1984, 1996). The last verified death of a grizzly bear in the BE occurred in 1932 and the last tracks were observed in 1946 (Moore 1984, 1996). Although occasional unverified

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reports of grizzly sightings persist in the BE (Melquist 1985), no verified tracks or sightings have been documented in more than 50 years.

In 1975, the grizzly bear was listed as a threatened species in the 48 contiguous States under the U.S. Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). At that time the BE, along with the Northern Continental Divide and Yellowstone Ecosystems were listed as areas where grizzly bears were known or thought to exist and where recovery should be emphasized. The BE was initially described as the Selway-Bitterroot Wilderness and surrounding National Forest Land. As enacted by Congress, the purposes of the ESA are “to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, to provide a program for the conservation of such endangered species, threatened species, and to take such steps as may be appropriate to achieve the purposes of the treaties and conventions set forth...” The ESA “further declared to be the policy of Congress that all Federal Departments and agencies shall seek to conserve endangered species and threatened species and shall use their authorities in furtherance of this Act.” The ESA also states, “The Secretary shall develop and implement plans (herein referred to as ‘recovery plans’) for the conservation and survival of endangered species and threatened species...”

A Grizzly Bear Recovery Plan, finalized in 1982, called for the evaluation of the Selway-Bitterroot country as a potential recovery area. At that time the BE was classified as an Evaluation Area because it was in need of more research to determine habitat quality and whether grizzly bears still occurred there. The Bitterroot Evaluation Area (BEA) encompassed about 5,500 square miles. The boundary ranged from the St. Joe River Watershed divide in the north, to the Salmon River in the south, the transition of roaded and unroaded National Forest land in the west, to the Selway-Bitterroot Wilderness boundary and Fish Creek road in Montana in the east.

Attempts to verify presence of grizzly bears continued through the 1980's and are ongoing. Numerous studies have failed to verify the presence of grizzly bears in the BE (Melquist 1985, Groves 1987, Servheen et al. 1990, Kunkel et al. 1991). Three different habitat studies were conducted from 1979 through 1991 to investigate habitat suitability of the BE for grizzly bears (Scaggs 1979, Butterfield and Almack 1985, Davis and Butterfield 1991). The authors suggested that using an established set of criteria (Craighead et al., 1982), habitat in the BEA was sufficient to support grizzly bears. An interagency group of grizzly bear scientists reviewed the information and concurred, suggesting the BEA could support between 200 and 400 bears (Servheen et al. 1991). Following these efforts in 1991, the IGBC endorsed the BE as a recovery area and recommended the USFWS to pursue grizzly bear recovery in the BE.

In 1992, with the endorsement of the IGBC, the USFWS organized a Technical Working Group to develop a Bitterroot Ecosystem Chapter to append to the Grizzly Bear Recovery Plan. This group was comprised of biologists from the USFWS, USDA Forest Service (USFS), Idaho Department of Fish and Game (IDFG), and the Montana Department of Fish, Wildlife and Parks (MDFWP). During the development process a Citizen's Involvement Group was organized, and several public

scoping meetings were conducted in local communities of central Idaho and western Montana to gather public comments. Public involvement guided preparation of the BE Grizzly Bear Recovery Plan Chapter.

The IGBC authorized creation of the Selway-Bitterroot Ecosystem Subcommittee (SBES) in 1993. The SBES is comprised of officials that are responsible for management decisions within the recovery zone boundaries, to include; a USFWS regional field office supervisor, IDFG and MDFWP Regional Supervisors, and USFS Forest Supervisors. In addition, the Idaho State Legislature passed House Bill 317, which established a grizzly bear Oversight Committee for the purpose of guiding the development of conservation plans for each recovery area in Idaho. Committee members include chairmen of both Idaho house and senate resource subcommittees, IDFG, USDA Wildlife Services (formerly Animal Damage Control), and representatives from timber, mining, livestock, wildlife, and recreation industries. The Oversight Committee integrated public comments received during scoping meetings, with recommendations of the Technical Working Group, and a review of pertinent information, and proposed the following for inclusion into the BE Grizzly Bear Recovery Plan Chapter:

- 1) If grizzly bears must be reintroduced, one alternative should include the designation of an experimental population under Sect. 10(j) of the ESA.
- 2) Grizzly bears should only be introduced within the boundaries of the Selway-Bitterroot Wilderness, and bears that move outside the wilderness should be captured and returned.
- 3) A communications program should be established to keep the public informed of the recovery program.
- 4) The boundaries of the recovery “zone”<sup>1</sup> should be adjusted.
- 5) No special land management accommodations for grizzly bears should occur outside the wilderness boundary.

The Oversight Committee recommendations for the BE Grizzly Bear Recovery Plan Chapter were similar to those made by the Citizen’s Involvement Group. These proposals received close scrutiny by the USFWS and the Technical Working Group biologists and were discussed and reviewed by the SBES. The USFWS integrated these proposals into the BE Recovery Plan Chapter (USFWS 1996). This chapter developed for the Grizzly Bear Recovery Plan calls for the preparation of an EIS to evaluate a full range of grizzly bear recovery alternatives, including the reintroduction of a small number of grizzly bears into the BE as a nonessential experimental population under section 10(j) of the ESA.

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<sup>1</sup> Recovery zone currently called recovery area.

## PROJECT LOCATION AND DESCRIPTION

This project involves the area defined as the Bitterroot Ecosystem of central Idaho and western Montana in the northern Rocky Mountains. The analysis area considered in this FEIS is referred to as the Bitterroot Grizzly Bear Primary Analysis Area (PAA) and includes USDA Forest Service lands potentially affected by grizzly bear recovery in the BE of Idaho and Montana (Figure 1-1). The heart of the PAA is centered around Wilderness Areas of central Idaho, while a small portion extends over the crest of the Bitterroot Mountains into western Montana.

The PAA includes about 16,686,596 acres (26,073 square miles) of contiguous national forest lands in central Idaho and western Montana (see Figure 3-2 in Chapter 3). These include all or parts of the Bitterroot, Boise, Challis, Clearwater, Nez Perce, Payette, Sawtooth, Salmon, and Panhandle National Forests in Idaho, and the Bitterroot and Lolo National Forests in western Montana. A few

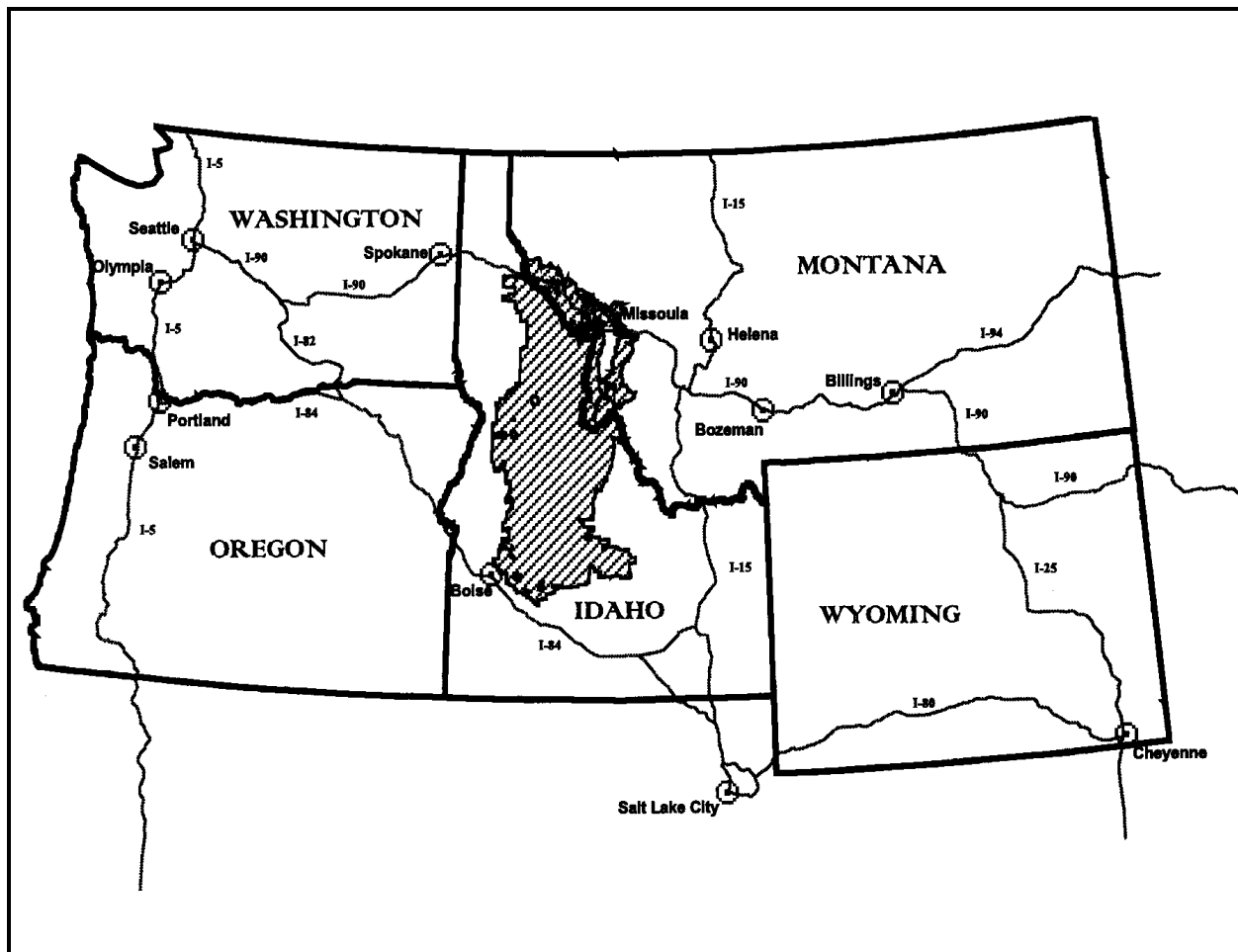


Figure 1-1. Regional perspective showing the analysis area considered in the Final Environmental Impact Statement for Grizzly Bear Recovery in the Bitterroot Ecosystem.



## *Project Location and Description*

scattered parcels of private and state land are interspersed throughout this area, but total acreage is minor.

The center of the PAA is characterized by 3 large wilderness areas covering a contiguous area of almost 4 million acres (6,250 mi<sup>2</sup>). These include the Frank Church-River of No Return (2,361,767 acres; 3,690 mi<sup>2</sup>), the Selway-Bitterroot (1,340,681 acres; 2,095 mi<sup>2</sup>) and the Gospel Hump (200,464 acres; 313 mi<sup>2</sup>) Wilderness Areas (Figure 3-3).

The PAA contains 3 major mountain ranges; the Salmon River Mountains (south of the Salmon River), the Clearwater Mountains which extend from the Salmon River north to the upper Clearwater River drainage, and the Bitterroot Mountains which form the eastern border of the PAA along the Montana-Idaho state line.

## **LEGAL CONTEXT**

### **Endangered Species Act**

Purposes of the ESA (16 USC 1531, et seq.) are "to provide a means whereby ecosystems upon which endangered species and threatened species depend may be conserved, to provide a program for the conservation of such endangered species and threatened species, and to take such steps as may be appropriate to achieve the purposes of the treaties and conventions set forth in subsection (a) of this section." Conserve, conserving, and conservation are defined within the Act as to use and the use of all methods and procedures that are necessary to bring any endangered or threatened species to a point at which the measures pursuant to the Act are no longer necessary. "Such methods and procedures include, but are not limited to, all activities associated with scientific resources management such as research, census, law enforcement, habitat acquisition and maintenance, propagation, live trapping, and transplantation, and in the extraordinary case where population pressures within a given ecosystem cannot be otherwise relieved, may include regulated taking."

### **USFWS Policy**

"The mission of the U.S. Fish and Wildlife Service is to conserve, protect, and enhance fish and wildlife and their habitats for the continuing benefit of the American people" (USFWS National Policy Issuance #94-11, Aug. 18, 1994).

### **USDA Forest Service Creative Act of 1891**

National forests are established under the Creative Act of March 3, 1891, which allows the President to set aside and reserve national forests from the public domain (16 USC 471). Management of national forests by the USFS was established under the Organic Act of June 4, 1897, stating "No National Forest shall be established, except to improve and protect the Forest within the boundaries, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the U.S." (16 USC 473).

## **USDA Forest Service Policy**

The National Forest Management Act of 1976 (16 USC 472a et seq.) directs the management of national forests. Plans are prepared for each Forest as required by the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 USC 1600-1614). These forest plans guide natural resource management activities on national forests and, along with the associated laws and regulations, are the basis for management of national forests for diversity, production of outputs, use by the public, and protection of not only natural and cultural resources located there but protection of millions of people visiting national forests.

## **Animal Damage Control Act of 1931**

The USDA, Animal and Plant Health Inspection Service, Wildlife Services (formerly Animal Damage Control (ADC) ) program is conducted pursuant to the Animal Damage Control Act of March 2, 1931 (7 USC 426-426b), as amended, which states, in part:

"The Secretary...is authorized and directed to conduct such investigations, experiments, and tests as he may deem necessary...on public domain...State, ...privately owned lands of...animals injurious to agriculture, ...forestry, ...wild game animals,...and for the protection of stock...and to conduct...control...of such animals...and may cooperate with States, individuals and public and private agencies, organizations and institutions."

The overall mission of the Wildlife Services Program is to: "Assist in protecting the wildlife resource by providing national leadership in the control of conflicts between wildlife and man."

## **Wilderness Act of 1964**

This act provides the framework for designation by Congress of units of the National Wilderness Preservation System and prescribes policy for their management. A wilderness is recognized as an area where the earth and its community of life are untrammelled by man. Wilderness areas shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness and the preservation of their wilderness character (16 USC 1131 et seq.).

## **National Environmental Policy Act of 1969 (NEPA)**

This act requires that the responsible official submit a detailed report on major federal actions significantly affecting the quality of the human environment prior to taking major federal actions (42 USC 4321 et seq.). Implementation of any one of the alternative plans for restoration of grizzly bears into the BE of central Idaho and western Montana is considered such a major action and this planning effort is, therefore, subject to NEPA requirements.

### **Treaty with the Nez Perce, 1855**

The Nez Perce Treaty of 1855 (12 Stat. 957), signed by Territorial Governor Isaac I. Stevens, ceded to the U.S., title to lands occupied or claimed by the Nez Perce Tribe. Treaty rights reserved by the Nez Perce Tribe in the ceded lands as described in the 1855 Treaty include "the right of taking fish at all usual and accustomed places in common with the citizens of the Territory," "together with the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed land."

### **Indian Self Determination Act**

"The Congress declares its commitment to the maintenance of the Federal Government's unique and continuing relationship with and responsibility to the Indian people through the establishment of a meaningful Indian self-determination policy which will permit an orderly transition from Federal domination of programs for and services to Indians to effective and meaningful participation by the Indian people in the planning, conduct, and administration of those programs and services" (P.L. 93-638).

### **Montana State Law**

Montana statute (87-5-301) mandates the preservation, protection and management of the grizzly bear as a rare species. Under the Nongame and Endangered Species Conservation Act (87-5-109), taking of grizzly bears is authorized for scientific, zoological, or education purposes, for propagation in captivity, or for other special purposes by permit issued by the Director, Montana Department of Fish, Wildlife, and Parks. Where necessary to alleviate property damage, state endangered species may be taken under a permit issued by the Director of MDFWP, and where possible under the supervision of Department personnel. Grizzly bears may also be taken without a permit in emergency situations involving an immediate threat to human life. In 1923, the state of Montana declared the grizzly bear a game animal.

### **Idaho State Law**

The grizzly bear is listed as a state threatened species in Idaho. State statutes and regulations allow taking of wildlife, including grizzly bears, to protect human life and property. Reporting the taking of animals under these situations is required. The Idaho Legislature has authorized the Idaho Legislative Oversight Committee to be actively involved in the process and development of the EIS and to oversee all activities regarding grizzly bear recovery in Idaho.

### **International Treaties**

Several treaties affect how the federal government manages federal land and wildlife (including endangered species) under federal authorities, including the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere and Convention on International Trade in Endangered Species (CITES). These treaties differ in emphasis and species of primary concern, but collectively provide clear mandates for identifying and protecting important habitats and ecosystems, and protecting and managing individual species.

## **PLANNING AND EIS PROCESS**

The process used to develop alternatives for grizzly bear recovery into the Bitterroot Ecosystem was designed to fulfill legal mandates cited above. Four alternatives in this FEIS represent long-range strategies to achieve grizzly bear recovery. One alternative is a no action alternative and could result in natural recovery over an extended period of time. One alternative prevents grizzly bear recovery. When alternatives require changes in existing law to be implemented, those changes are clearly identified.

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### **Scope of This Document**

This document covers the actions of the U.S. Fish and Wildlife Service and cooperating agencies in evaluating alternatives to recover the grizzly bear in the BE of Idaho and Montana. The actions evaluated in this document involve the listed grizzly bear and relate to actions involving grizzly bears and the management of these grizzly bears. Actions involving allocation of public resources such as timber, mining, road building, or grazing on National Forest lands and State lands are not implementable through a Record of Decision signed by the USFWS. Decision documents involving allocation of these resources on National Forest and State lands are the legal responsibility of the USDA Forest Service, and the states of Idaho and Montana, through appropriate Forest and State planning processes.

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### **Scoping Process and Public Participation**

A public participation and interagency coordination program was developed to identify issues related to grizzly bear recovery in the BE and alternatives to be considered, as required by the NEPA process. Seven public scoping sessions, in the form of open houses were held in Grangeville, Orofino, and Boise, Idaho; in Missoula, Helena, and Hamilton, Montana; and Salt Lake City, Utah, from July 5 to 11 with a 45-day public comment period on the proposal (see Appendix 16) ending July 29, and extended to August 21, 1995. Written comments on preliminary issues and alternatives were received from more than 3,300 individuals, organizations and government agencies. About 80 percent of written responses were from residents of counties in Montana and Idaho adjacent to the proposed recovery areas. The USFWS also met with federal, state, and tribal agencies to provide information and discuss issues throughout the scoping process. Results of the public scoping process were summarized in the document, "Summary of Public Comments on the Scoping of Issues and Alternatives for Grizzly Bear Recovery in the Bitterroot Ecosystem" (USFWS 1995). The introduction and summary of issues chapters from this document are included in Appendix 19.

In addition, a survey was conducted for the Interagency Grizzly Bear Committee to assess public attitudes on grizzly bear recovery. The survey was performed as part of the initial public involvement process to prepare an Environmental Impact Statement for proposed recovery of grizzly bears to the BE of central Idaho. Several drafts of the survey were developed by Responsive

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Management, a private company specializing in surveys. Several pretests of the questionnaire were conducted during the week of June 5, 1995. A total of 919 telephone surveys was completed between June 9 and June 24, 1995: 311 locally, 306 regionally, and 302 nationally.

The Draft EIS was released for public review and comment on July 1, 1997. The DEIS and the Summary of the DEIS were published on the USFWS web site at: <http://www.r6/fws/gov/endspp/grizzly>. The comment period was extended two times and closed on December 1, 1997. During October 1997, public hearings/open houses to gather public comments on the DEIS were held in seven communities on the perimeter of the Bitterroot area. Approximately 1400 people attended these hearings and 293 individuals testified. The dates and locations for the public hearings were as follows: Challis, Idaho and Hamilton, Montana (October 1); Missoula, Montana and Lewiston, Idaho (October 2); Boise, Idaho and Helena, Montana (October 3); and Salmon, Idaho (October 8). In addition, the USFWS held meetings with local community and state leaders, federal, state, and tribal agencies, and private interest groups in communities around the perimeter of the proposed Recovery Area to provide information and gather comments.

Comments were received from 24,251 individuals, organizations, and government agencies. These comments arrived in over 2,660 letters, DEIS summary forms, resolutions, and hearing testimonies. Ten petitions were received with over 21,000 signatures. Fifteen form letters were identified. This degree of interest from the public indicates the strong feelings people have in the possibility of grizzly bear recovery into the Bitterroot Ecosystem. An analysis of the public comments on the DEIS was performed by an interagency team of 14 employees from the Service and the USDA Forest Service in December - January 1998. The system used to analyze comments was objective, reliable and traceable. A detailed summary report, *“Summary of Public Comments on the Draft Environmental Impact Statement for Grizzly Bear Recovery in the Bitterroot Ecosystem”* and an executive summary report were prepared and released to the public in April 1998 (U.S. Fish and Wildlife Service 1998). Appendix 20 contains the “Introduction” chapter of this report. Issues raised during public comment on the DEIS were similar to the issues identified during public scoping. A summary of DEIS issues with USFWS responses is included in Chapter 5.

The EIS Team identified significant issues, and through the NEPA process, discussed and decided on necessary revisions to the DEIS to be responsive to public comment. Public comment resulted in modifications to the DEIS proposed action (Alternative 1), and the addition of two alternatives to the FEIS. All comments from federal, state, and local government agencies having regulatory authorities, and native American tribes are printed in the FEIS. Responses to those comments are presented in this document (see Chapter 5, “Consultation and Coordination” for more information). A representative sample of comment letters from non-governmental organizations are also printed in Chapter 5 with USFWS responses. Due to the volume of response, specific letters from individuals and most non-governmental organizations were not printed in the FEIS. However, issues identified through analysis of all public comments (U. S. Fish and Wildlife Service 1998), and the responses are presented in Chapter 5.

## SCOPING OF ISSUES

### Introduction

The public identified 46 grizzly bear recovery issues during the scoping process. These issues were either, addressed / included in one or more alternatives (26 issues), analyzed in detail as an issue or potential impact of grizzly bear recovery (11 issues), or not analyzed further with the reason explained (9 issues). The determination to classify an issue as a major issue or concern to be analyzed in detail in the EIS is made solely on its relevance to the decision being made, or based on the best scientific judgement that the issue is significant to the decision being made. For instance, some people were concerned about the impact of grizzly bears on invertebrates. Because grizzly bears are not documented to have impacts on populations of these types of animals, the issue is not significantly impacted by grizzly bear recovery and therefore not analyzed further. In contrast, the decision about how grizzly bears are recovered and managed will have impacts on the extent of land-use restrictions. Consequently, this issue was classified under a major issue and concern heading, "What kind of land-uses will be altered solely for grizzly bears?" and is addressed as an impact of grizzly bear recovery in the EIS. All issues raised by the public were considered, but not all were analyzed because some were not significant, as explained later.

The issues and alternatives identified and their resulting impacts were divided into two categories: those analyzed in detail and those not considered in detail. Issues and alternatives analyzed in the EIS are divided into two additional categories: those incorporated into alternatives, and those evaluated as impact topics. The following list represents issues evaluated in the EIS. Descriptions of the reasons for evaluating or eliminating issues and alternatives and their impacts from consideration follow each list. No Environmental Justice issues were identified as significant through the scoping process, therefore further consideration of this issue in development of alternatives, mitigation, and effects analysis was determined to not be necessary.

### Issues and Impacts Evaluated in the EIS

*Issues Addressed as Part of Alternatives -- these 26 issues and impacts are addressed / included as part of one or more alternatives in the EIS (see Chapter 2 for a description of Alternatives).*

- Management Strategies
- Strategies to Control Nuisance Bears
- Illegal Killing of Grizzly Bears
- Recovery Area (Geographic Boundaries, Size & Range)
- Recovery Time
- Monitoring and Evaluation
- Experimental, Nonessential Population & Area
- Private Property Rights
- Endangered Species Act (ESA)
- Ecosystem Management
- Grizzly Bears as a Missing Component of the Ecosystem

Definition of Population Viability for Grizzly Bears  
Travel Corridors & Linkages (Range of Grizzly Bears)  
Habitat Protection Requirements  
Laws, Restrictions, Rights, Authority  
Federal, State, Local, and Tribal Authority  
Compliance with Forest Plans  
Are Grizzly Bears Native to the Bitterroot Ecosystem  
Effects on Grizzly Bears from Human Incursions Outside Wilderness  
Population Corridor Linkages  
Effects “to” Grizzly Bears (Genetics, Disease, Colonization, etc.)  
Habitat Security  
Cost of Program to Taxpayer  
Education  
Political Influence  
Enjoyment of Grizzly Bears (Viewing, etc.)

*Management Strategies.*-- Proposed management strategies were outlined briefly in the description of alternatives provided in the scoping brochure (Appendix 16) and the question & answer pamphlet for the proposal to recover grizzly bears in the Bitterroot Ecosystem. Most respondents saw a “gap” in “how-to” manage the reintroduction as presented. Some new alternatives were generated from various coalitions with numerous individuals rallying to support the inclusion of a particular alternative for analysis in the EIS. Overall, there was more support for these new alternatives and their management strategies than for the proposed alternatives described in the scoping brochure and pamphlet.

*Strategies to control nuisance bears.*-- Bears that frequent areas of high human use, act aggressively toward humans, or kill livestock would be dealt with under protocol already established for other grizzly bear recovery areas by the Interagency Grizzly Bear Committee. Nuisance grizzly bears would be relocated rapidly to remote areas or killed by authorized personnel of state, tribal, or federal agencies (see Appendix 15, IGBC Nuisance Grizzly Bear Management Guidelines (IGBC 1986)). Many respondents didn’t want bears that wander out of the wilderness boundary to automatically be considered problem bears. They feel the bears will move where there is an adequate food source and question whether the proposed site has adequate habitat to keep the grizzly bear contained in the recovery area. There were other people, mostly local residents, who support the concept of relocation or disposing of problem bears.

*Illegal Killing of Grizzly Bears.*-- It is legal to kill a grizzly bear in self-defense or defense of others. The kill must be reported within 24 hours, and an investigation will take place to determine whether it was indeed a case of self-defense. Grizzly bears cannot be killed by members of the public in defense of property. Several people felt that enforcement should be severe and surveillance increased. Others felt that killing grizzly bears in self-defense is acceptable as is killing grizzly bears

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by mistake during the spring black bear season. Some respondents were unclear about the provisions of the ESA for killing a grizzly in self-defense.

*Recovery Area (Geographic Boundaries/Size/Range).*-- An experimental population must be identified by a geographic boundary, a visible mark of identification as a member of a released group of animals, or other means specified in the special rule. Bears that occur outside of a designated experimental population area would receive full protection as a threatened species under the ESA unless they were otherwise identifiable. Most people who commented on this particular issue provided their own interpretation of recovery area boundaries. A popular comment was to, “allow bear recovery on all of our public lands, not just designated wilderness areas.” Other comments pertained to buffer zones of adjacent roadless areas needing to be included in the recovery area boundary. Conversely, others felt the boundary needs to be restricted to only wilderness area boundaries particularly around the Bitterroot Valley. Other people needed more information and wanted clarification in the EIS.

*Recovery Time.*-- Due to their inherent low productivity, grizzly bear populations grow slowly, even under the most favorable conditions. Realistically, grizzly recovery in the BE could take a minimum of 50 years, and likely more than 110 years. In an uncertain world, there may be occasional setbacks. A few people commented on the length of time recovery would take. Those in favor of reintroduction preferred accelerated recovery and those opposed to reintroduction favored the “no action alternative.” While several people supported grizzly bear recovery, they felt bears should come into an area naturally rather than being reintroduced.

*Monitoring and Evaluation.*-- All released bears would be fitted with radio transmitters and their movements monitored frequently. The most popular comment on this issue was to solicit peer review, from the independent scientific community, during all aspects of reintroduction. The process for verification of sighting reports was questioned.

*Experimental/Nonessential Population and Area.*-- In 1982, Congress amended the Endangered Species Act to permit greater management flexibility for species that are reintroduced to their historic range. The purpose of added flexibility was to garner more local support for recovery efforts. Such populations may be designated as “experimental” and managed within a delineated area according to special rule designed to balance needs of both people and listed species. Support and opposition were split evenly for this designation. Supporters maintained that flexibility in management would win local support. Opponents said the designation is contrary to the purpose of the ESA and reduces the level of protection for the grizzly bear.

*Private Property Rights.*-- Grizzly bears cannot be killed by members of the public in defense of property. A few respondents expressed concern about not having the right to protect their private property from the grizzly bear. They felt they should have the legal option to kill a bear in defense of life or property. They point out that the burden of regulations on property owners would be “oppressive.”



*Endangered Species Act (ESA).*-- The grizzly bear in the conterminous 48 States was listed as a threatened species under the Endangered Species Act (ESA) in 1975. A threatened species is one that is “likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.” An endangered species is further defined as one “in danger of extinction throughout all or a significant portion of its range...” The grizzly bear is also listed as a threatened species under Idaho state regulations and as a game species under Montana state regulations. A great number of respondents believe the bear must be reintroduced as fully protected under the ESA and feel any attempt to do otherwise is against the law. They believe the experimental nonessential designation would not ensure the safety of reintroduced bears or the safety of bears that might already be there. However, a few respondents felt experimental nonessential designation would give needed flexibility. Many respondents feel the grizzly bear is not a threatened species due to the numbers that already exist in other areas. Some people feel the ESA should be abolished, particularly those who favor the “no action” alternative.

*Ecosystem Management.*-- A majority of respondents who favor recovery feel the grizzly bear is a necessary component of the ecosystem that is now missing. However, some people feel the ecosystem has evolved with the absence of the grizzly bear, and that its return would upset the existing ecology. Quite a few people mention there is a lack of food supply particularly grasses and forbs, berries, pine nuts, and that anadromous fish are lacking.

*Grizzly Bear as a Missing Component of the Ecosystem.*-- Many people feel the grizzly bear embodies the ‘wild’ in wilderness. Several people stated that survival of the grizzly indicated a healthy ecosystem for all species, including humans. One person felt bears are necessary for human health research because of the unique bone and kidney function they display during hibernation. Several people felt that humans should leave nature alone, and not reintroduce bears to the BE. Others thought the habitat needs improving before reintroducing bears. They suggest returning anadromous fish runs and fire to the ecosystem to improve food availability.

*What is a Viable Grizzly Bear Population? Number of Bears?*-- Ecological conditions in the Bitterroot Mountains appear comparable to other grizzly bear ecosystems in the Rocky Mountains. Bear biologists estimate that the food resources in the BE could eventually provide for an average density of about 1 bear for each 20-30 square miles of public land. Similar densities of grizzly bears occur in portions of the Northern Continental Divide Ecosystem (NCDE) and Yellowstone Ecosystem (YE) (USFWS 1993). Monitoring the movements and diets of reintroduced bears would provide a more definitive answer. Many people favoring recovery felt that the rate of reintroduction should be increased and that the population recovery goal is too low. Others feel the goals of recovery should be set before reintroducing bears. A few people stated that bears are a nuisance on the Rocky Mountain Front and “no one is doing anything about it.” Some said it is not necessary to reintroduce bears in the BE to recover a population. A few people stated that a lack of grizzly bear sightings in the BE could indicate that bears don’t want to live in that area.

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*Travel Corridors & Linkages (Range of Grizzly Bears).*-- This issue relates to the relatively large areas that grizzly bears require, and the fact that, by their nature the bears will not be confined to a specific area. This issue is addressed by identifying management strategies for grizzly bears in specific areas in the various alternatives. Certain types of management will restrict the range of grizzly bear populations. Many people felt that travel corridors between ecosystems must be identified, established and maintained. Comments indicated corridors are essential to link isolated populations of grizzly bears for dispersal and genetic interchange, and are thus critical for long-term survival of the grizzly bear.

*Population Corridor Linkages.*-- Because grizzly bears do not readily colonize distant areas, most bear biologists consider recovery by natural recolonization unlikely. Corridors between grizzly bear habitats would have to be created because remaining areas of suitable grizzly bear habitat are fragmented by human development. Linkage zones between ecosystems are currently being studied by the USFWS for their necessity and feasibility. Many people responded that recovery of the grizzly bear is dependent on habitat corridors connecting bear populations. Many believe current populations are not adequate to sustain the species due to isolation and limited numbers. Several people believe that restoring bears to the BE could begin to link existing isolated bear populations in northwest Montana and Yellowstone National Park. One person stated that “to isolate Bitterroot Recovery...is politics, not science.” Another stated that the Bitterroot is no longer an intact ecosystem.

*Habitat Protection Requirements.*-- Extensive access into occupied grizzly bear habitat can increase the risk of human-caused mortality and reduce effective use of habitat by grizzly bears and other wildlife including elk and fish populations. Existing standards and guidelines for elk, fish and riparian habitat management appear adequate for grizzly bear security. Direct human-caused mortality of grizzly bears is the major impediment to population recovery. Most people who commented on habitat protection requirements felt it should be protected either throughout the entire recovery area or only inside wilderness boundaries. Those who support restoration efforts prefer protection throughout the entire recovery area. Those who oppose recovery prefer no protection requirements, or protection only in the wilderness. This latter group sees requirements for habitat protection as interfering with other consumptive uses of the forest, i.e., logging, building roads, access, etc.

*Laws, Restrictions, Rights, Authority.*-- A large number of comments addressed the need for a local citizen’s management committee or local advisory committee. Several stated that management should remain with the USFWS, States, and Tribes. A Citizen’s Management Committee will be evaluated in one or more alternatives.

*Federal, State, Local & Tribal Authority.*-- Existence of a nonessential experimental grizzly bear population in the Bitterroot Ecosystem will not change the authority of local, state, tribal, or federal government except as specified in the special rule establishing the Bitterroot grizzly bear population. However, the various alternatives do place different emphasis on the level of state or tribal

involvement in implementing various recovery strategies. Public comment during issue and alternative scoping indicated that people believed that a citizen management committee would be a fair way to implement management of grizzly bear recovery. This concern is reflected in one or more alternatives. There were numerous comments regarding who should have jurisdiction over management of the grizzly bear. While several respondents support local citizen involvement, they also stated that overall day-to-day bear management responsibilities should reside with the USFWS.

*Compliance With Forest Plans.*-- Two respondents commented on compliance. One was critical of Forest Plans and questioned their adequacy in terms of protecting and maintaining suitable grizzly bear habitat. The other comment stated that current wildlife management will be deemed adequate unless the Citizen Management Committee decides otherwise. This issue is examined in more than one alternative.

*Are Grizzly Bears Native to Bitterroot Ecosystem.*-- Historical evidence indicates that grizzly bears were common in the Bitterroot Mountains. Members of the Lewis and Clark expedition killed 7 grizzly bears in 1806 near present-day Kamiah, Idaho. During the late 1800s, the Bitterroot area was well-known for grizzly hunting. For example, a hunter named Wright killed 5 grizzly bears in one episode on the Clearwater River, and over several years killed dozens of grizzly bears in the Bitterroot region. One report estimated that trappers killed 25 to 40 grizzly bears in the Bitterroot Mountains every year around the turn of the century. Some people feel that a few grizzly bears still exist. Many people questioned that this species was ever in the Selway-Bitterroot Wilderness Area because the habitat is “questionable” and “historical records don’t support the existence of grizzly bears there.”

*Effects on Grizzly Bears from Human Incursions Outside Wilderness (Logging, Road Building, Mining & Off-Road-Vehicles).*-- This would vary by land designation and by grizzly bear recovery alternative. More than one-half of the Bitterroot Primary Analysis Area (Figure 3-1) lies in designated wilderness (Figure 3-3) where no timber harvest or mining can occur by law. On National Forest lands outside Wilderness, Forest Plans determine areas suitable for timber harvest, mining, vehicle access, etc. Many people stated the necessity to keep the recovery area off-limits to road building and logging. Many respondents provided suggestions for restructuring logging and logging practices. Several respondents feel the area won’t support bears because of indirect incursions, i.e. the Columbia Dams have blocked salmon migration and fire suppression has altered the habitat/vegetation.

*Genetics, Disease, Colonization Effects on Grizzly Bears.*-- Numerous people responded that recovery of the threatened grizzly bear is dependent on habitat corridors connecting bear populations. Corridor linkage is critical and necessary for genetic viability. Several comments indicated there was inadequate food for bears in the area.

*Habitat Security.*-- The 5,500-square mile Bitterroot Evaluation Area (BEA) extends from the Salmon River north to, and including, the North Fork of the Clearwater River. Approximately 97%

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of the area is public land, managed by the USFS; the remaining area is private or state owned. About 50% of the area is in the Selway-Bitterroot and Frank Church-River of No Return Wilderness Areas. One partially paved highway bisects this area. Minimal cattle or sheep grazing occurs within the area at present. Thus there is a large core of remote country. Other portions of the River of No Return Wilderness south of the current evaluation area might also be suitable. A great number of people commented on the importance and necessity of roadless areas for adequate grizzly bear habitat. Many feel road density standards need to be enforced. Several people stated the importance of closing roads to all motor vehicles to curtail use. Several commented on the critical need for low elevation bear habitat in the spring.

*Cost of Program to Taxpayer.*-- Cost of grizzly bear recovery will vary between alternatives and is displayed for each alternative (Appendix 7). This issue was of concern to many of the respondents. Many felt that grizzly bear recovery is a waste of taxpayer's money. Several stated that they would like the money spent on other programs, while others said that the money should be used for the national deficit. Questions were raised about the validity of actual costs. Some felt it would be higher than predicted.

*Education.*-- This issue addresses public education about camping, hiking precautions, food storage, bear identification, etc. Several people commented on the importance of having an education program to teach humans how to coexist with grizzly bears. They stressed the need to teach people about proper disposal of garbage, how to handle food, and how to hike and camp safely in grizzly bear country. A few people that were against grizzly bear recovery commented that education wouldn't help.

*Political Influence.*-- Several people commented about how they think political influence will affect the recovery of grizzly bears. Many respondents conveyed their exasperation with the political system and the role they believe it plays in determining the outcome of the proposed restoration. Some believe that politics instead of science is the guiding force in recovery efforts. Many respondents against recovery reiterated their view that the political process has not worked to their advantage. Some see a "hidden agenda" by pro-grizzly advocates to "lock up the land." Many respondents also resent people or groups outside the local community or state as having undue influence on recovery efforts into the area in which they live. Some also say they think the Endangered Species Act is being misinterpreted for political means.

*Enjoyment of Grizzly Bear (Watching, etc.).*-- The ability of people to enjoy either the presence or absence of grizzly bears is reflected in the various alternatives. Several people mentioned that they would like nothing more than to see a grizzly bear in the wild. Several commented that they would appreciate being able to see a grizzly bear in the wilderness rather than behind bars in a zoo. One said there is a need to restore the top carnivore on earth.

***Issues/Impacts Analyzed in the EIS.*** -- *The 11 issues / impacts identified by public scoping (and briefly explained below) will be addressed/analyzed for each alternative. They have been consolidated into the following 7 major areas, and will be presented as such in Chapter 4.*

Effects of Grizzly Bear Recovery on Human Health and Safety

Effects of Grizzly Bear Recovery on Source Populations of Grizzly Bears

Effects of Grizzly Bear Recovery on Land-Use Activities - to include Timber Harvest,  
Minerals Extraction, and Livestock Grazing

Effects of Grizzly Bear Recovery on Wildlife

Effects of Grizzly Bear Recovery on Public Access and Recreational Use

Social Effects of Grizzly Bear Recovery

Economic Effects of Grizzly Bear Recovery

*Human Health and Safety (Effects of Grizzly Bear Recovery on Human Health & Safety).*-- Numerous people responded that they feel the grizzly bear poses problems with human safety. Safety is a very volatile issue with many respondents speaking from the heart with anger and emotional pleas concerning the danger they see for themselves and their family. Several say to “put human safety first.” Many people speak of the negative effect grizzly bears would have on relaxing enjoyable trips to the backcountry. Some refer to the problems with grizzly bears in other areas such as Glacier National Park and the Bob Marshall Wilderness. Only a few people stated that human safety was not a concern; most of those promoted public education and commented that the issue of safety is exaggerated.

*Capturing and Release Methods (Effects of Grizzly Bear Recovery on Source Populations of Grizzly Bears).*-- Many people wanted grizzly bears removed from healthy donor populations that are not listed as threatened, and wanted scientific studies to verify and document the impacts. People are concerned about humane handling of bears, and duration of their contact with humans during transportation. There were requests to limit media to trained professionals. Comments also indicated concern about removal of bears from British Columbia.

*Restrictions on Use of Public Lands (Effects of Grizzly Bear Recovery on Land-Use Activities).*-- Grizzly bear recovery can have an impact on types of land-use restrictions implemented on public lands. Restrictions affecting open road density, motor vehicle use, hunting, and hiking have been used in some limited areas to enhance recovery where illegal killing or disturbance by humans was a major factor affecting grizzly bear survival. In some areas, habitat manipulation (logging or fire) was used to enhance habitat for grizzly bears. Various alternatives reflect different levels of land-use restrictions. One of the major reasons respondents oppose the restoration is fear of additional access closures in the area. Most of these comments came from local residents who enjoy the amenities of the backcountry and feel that recovery of grizzly bears will affect them directly. They feel areas will be closed to protect people as well as bears and traditional uses of the area will not continue. Several respondents are concerned by the possible closure of the Magruder Corridor. A few respondents feel that restrictions are necessary to protect the grizzly bear and to protect the habitat.

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*Effects of the Grizzly on Big Game Species (Effects of the Grizzly Bear Recovery on Wildlife).*-- A few people stated their concern for the welfare of wildlife populations in the recovery area. The most common concern is for elk herds and how they would be affected by the grizzly bear. Many point out that grizzly bears can devastate elk calf populations. People are also concerned with effects on black bear, deer populations, and big game hunting opportunities.

*Effects of Grizzly on Other Predators (Effects of the Grizzly Bear Recovery on Wildlife).*-- A handful of respondents were concerned with effects the grizzly bear would have on other predators. Most felt there are already enough predators in the area especially considering the prey base and food supply.

*Effects of Grizzly on Hunting Opportunities (Effects of Grizzly Bear Recovery on Public Access and Recreational Use).*-- Several people stated that potential conflicts with spring black bear hunting in the recovery area need to be addressed to avoid accidental killing of grizzly bears. Some people favor a moratorium on spring black bear hunting. Some hunters are concerned with the restrictions on access that might come with grizzly bear recovery. A few people stated that when the grizzly bear is recovered, there should be a hunting season on them. Other hunters voiced their support for a recovered grizzly bear population that would not be hunted.

*Effects of Grizzly on Outfitters/Guides (Effects of Grizzly Bear Recovery on Public Access and Recreational Use).*-- A few outfitters and guides stated that they were concerned about hunting opportunities and for the safety of their clients. They feel their livelihood would be directly affected by grizzly bears in the area. Some say their clients will stop coming to hunt in the area if there are grizzly bears there. They contend that their clientele comes to the area to have an option for good hunting without grizzly bears like in the Bob Marshall Wilderness. They also felt that the grizzly bear would prey upon elk and deer and therefore reduce the game available for harvest.

*Effects of Grizzly on Other Recreational Opportunities (Effects of Grizzly Bear Recovery on Public Access and Recreational Use).*-- Several people who use the BE for hiking and camping were very concerned about recovery of the grizzly bear. They avoid the Bob Marshall Wilderness and Glacier National Park because of the presence of grizzly bears. Some feel grizzly bears would infringe upon the safety and solitude they enjoy in the Bitterroot Mountains, and that there will be more closures and restrictions in the areas they use for hiking and camping. There was concern for the safety of people who float the Salmon River.

*Economic/Social (Social Effects of Grizzly Bear Recovery and Economic Effects of Grizzly Bear Recovery).*-- Grizzly bear recovery will have an impact on economics of the affected areas. Several people are concerned that the grizzly bear is being considered more important than the livelihood of humans. Some commented on the economic impact that restoring grizzly bears would have on the livestock industry. Some also feel their “quality of life” would be threatened, and their lives would have to change. Numerous comments point to the high cost of implementing the recovery

efforts in particular and the high cost of government spending in general. A handful of respondents feel the grizzly bear would actually bring more tourists to the area and therefore benefit the economy.

*Effects on Local Economy (Economic Effects of Grizzly Bear Recovery).*-- This issue reflects the economic concerns of people in communities near the grizzly recovery area. Comments focus on perceived negative impacts from grizzly recovery, such as reduction in forestry, mining, ranching, and tourism. Positive impacts that were mentioned include an increase in tourism brought by the grizzly, and the attraction of living in a 'wild' area.

*Effects of Grizzly on Livestock and Pets (Economic Effects of Grizzly Bear Recovery).*-- Several people expressed their concern regarding loss of livestock and pets to grizzly bears. They feel it is probable that grizzly bears will supplement their diets with domestic livestock and domestic pets. Some stated their concerns for the cattle ranchers and said that compensation for livestock depredation should be part of the plan. Several commented that the grizzly bear was not a threat to livestock.

### ***Significant Issues/Impacts and Concerns***

The specific issues / impacts (listed and discussed above) that were identified by the public and incorporated into the EIS, as either parts of the alternatives (26 issues), or as areas potentially impacted by grizzly bear recovery (11 issues grouped into 7 major impact areas), share a common set of management concerns. All of these issues / impacts can be summarized into an examination of the who, what, when, where and how of grizzly bear recovery and management. To clarify how various alternatives address the issues / impacts and concerns of the public, they were grouped into 7 general grizzly bear management questions / concerns that the USFWS considers most significant. An example of how they were grouped is demonstrated by the question, "Where will grizzly bears be obtained, reintroduced, and recovered?" This question incorporates parts of the issues of grizzly bears as a missing component of the ecosystem, travel corridors and linkages, range requirements, ecosystem management, habitat security, and recovery areas. The other 6 questions incorporate a variety of these and other issues/impacts that were also important to the public. These 7 questions form a basis to consistently describe and compare each alternative being analyzed in the EIS, and assess how the alternatives are responsive to all significant public issues/impacts and concerns.

*The 7 major grizzly bear management questions / concerns were developed from the 37 pertinent issues / impacts raised during public scoping. The USFWS considers these most significant and they will be used to describe the alternatives:*

1. What will be the risk to human safety?
2. What kind of land uses will be altered solely for grizzly bears?
3. How much will implementation cost?
4. How does this alternative address linkage zones?
5. Are habitat quality and size of the recovery area sufficient for recovery?
6. How will grizzly bears and their habitat be managed?
7. Where will grizzly bears be obtained, reintroduced, and recovered?

## **Issues and Impacts Not Evaluated in the EIS**

- Consultation with Fish & Wildlife Service
- Interagency Grizzly Bear Committee Guidelines
- State or Private Bear Management Specialist
- Wilderness Act
- Effects of Grizzly Bear on Other Endangered Species
- Effects of Grizzly Bear on Other Animals, Fish, Birds, etc.
- Spiritual/Cultural
- Visitor Use
- Miscellaneous

These 9 issues / impacts that are not within the scope of the decision to be made in the EIS, or will not be significantly impacted by the alternatives, are not analyzed further in the EIS. Issues not analyzed in detail and the reasons why they were not chosen for detailed analysis in the EIS are explained below. Most are addressed in the EIS and Appendices as noted below.

*Consultation with Fish & Wildlife Service.*-- Only two people commented saying the requirement to consult with the USFWS should remain in place for activities with potential impacts on roadless areas and other habitat needed for full recovery. The involvement of the USFWS is mandated by Federal Law under Section 7 of the ESA.

*Interagency Grizzly Bear Guidelines.*-- There was only one comment received on this issue. The person stated that the “decision” seemed to have already been made and why waste time with public involvement and the NEPA process now. There were no substantive comments on the guidelines to analyze in the EIS.

*State or Private Bear Management Specialist.*-- There were no public responses to this issue. Concerns for state or private bear management are covered under the Federal, State, Tribal and Local Authority issue that is analyzed in one or more alternatives.

*Wilderness Act.*-- Although numerous respondents spoke to wilderness in other issues, the Wilderness Act itself was only referred to in the sense that the grizzly bear did not exist in the Bitterroot Mountains when the Act was passed. The Wilderness Act is discussed in Chapter 1.

*Effects of Grizzly on Other Endangered Species (Such as Listed Salmon).*-- Some concerns were raised about restoring the grizzly bear in an area where the Chinook salmon and steelhead trout populations are dwindling. They point out that fish is a food source for the grizzly bear. The USFWS prepared an Intra-Service Section 7 Evaluation for the Restoration of Grizzly Bears to the Bitterroot Ecosystem (Appendix 9A), which analyzed and documented any impacts from this proposal to other Threatened and Endangered Species expected to occur in the BE. This Evaluation which is termed a Biological Assessment indicated no significant adverse effect to other listed species from this proposed reintroduction. The USFWS also prepared a Biological Assessment for



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the National Marine Fisheries Service to document the impacts of this proposal on salmon and steelhead trout. Formal consultation with the National Marine Fisheries Service, and their resulting Biological Opinion indicated grizzly bear restoration in the BE is not likely to jeopardize the continued existence of listed steelhead or salmon species or result in the destruction or adverse modification of critical habitat (Appendix 9B). Also see Appendix 3 for discussion of potential impacts to salmon.

*Effects of Grizzly on Other Animals, Fish, Birds, Etc.--* There was a request to consider other threatened and endangered organisms. The USFWS will prepare an Intra-Service Section 7 Evaluation for the Restoration of Grizzly Bears to the Bitterroot Ecosystem (Appendix 9). This will analyze and document any impacts from this proposal to other Threatened and Endangered Species.

*Spiritual/Cultural.--* This issue relates to the spiritual symbolism of the grizzly bear, its cultural significance to the West, preserving the grizzly for future generations, and benefits of simply knowing that grizzly bears exist in the reintroduction area. A few commented on the complexity and mystery associated with wilderness and that grizzly bear recovery in the area would make the wilderness whole again. Many speak of their respect for nature and “there should be some humility on the part of humans so the natural ecosystems can flourish.” Some individuals, particularly from the local area, say the recovery of the grizzly bear would “decrease the quality of their wilderness experience.” Although these issues were not used to develop alternatives or analyses, information on spiritual and cultural issues is included in Chapter 3 and Appendix 5.

*Visitor Use.--* This issue reflects the effects grizzly bears will have on visitor use. There were very few comments concerning this issue. Visitor use is considered under; “economic effects of grizzly bear recovery” and “effects of recovery on public access and recreational use.”

### *Miscellaneous*

There were a few comments and suggestions about fines for people who don’t follow sanitation guidelines in bear country and remarks about political influence. Because these comments weren’t substantive to the issues, they won’t be considered in the EIS.

## **ALTERNATIVE SCOPING**

### **Resource Inventory and Analysis**

Information on various issues had to be compiled to objectively address potential impact of grizzly bear recovery. During and after scoping, efforts were made to identify and collect types of information needed for planning grizzly bear recovery strategies and analyzing potential impacts of grizzly bears on the environment. Information on grizzly bear biology, land ownership, status, management, ungulate (mule deer, white-tailed deer, elk, moose, bighorn sheep, and mountain goats) biology and management, other wildlife (black bears, mountain lions, small mammals), economics, and use of public land were gathered from resource agency files, standard technical references, and

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current scientific literature. This information was used to classify and describe resources and uses so the potential impacts of grizzly bear recovery on those resources could be identified and analyzed systematically. It was also used to help formulate grizzly bear management alternatives.

### **Development and Evaluation of Alternatives**

After the resource information was analyzed, and the public participation process identified a range of various issues and alternatives, it became necessary to describe grizzly bear management alternatives, including a proposed action. As a first step toward developing recovery alternatives, issues of concern to the public were compared to the grizzly bear management alternatives previously identified by the public or other groups that had already examined this subject. The USFWS used preliminary issues identified from public comments received during scoping meetings for the BE Recovery Plan Chapter, and the Notice of Intent to complete an EIS for Recovery in the BE, to formulate three preliminary alternatives. Prior to conducting formal scoping meetings and a comment period, the USFWS proposed these three preliminary alternatives for consideration and published them in a Scoping of Issues and Alternatives brochure that requested ideas and comments from the public (Appendix 16). The alternatives were: Alternative 1 - No Action (Natural Recolonization); Alternative 2 - Reintroduction of an Experimental Population (Proposed Action); and Alternative 3 - Accelerated Reintroduction of a Standard (Fully Protected) Population.

Two new alternatives were suggested during the public scoping period. The first proposed alternative entitled The Citizen Management Committee Alternative was submitted by the National Wildlife Federation, Defenders of Wildlife, the Resource Organization on Timber Supply, and the Intermountain Forest Industry Association (USFWS 1995). The second alternative identified was the Alliance for the Wild Rockies Alternative, which was proposed by the Alliance (USFWS 1995).

### **Alternatives Identified During Scoping, not Evaluated in the DEIS, but Included in the FEIS**

Alternative 2 - Reintroduction of an Experimental Population (Proposed Action) was proposed by the USFWS during initial scoping for issues and alternatives. In response to public comment received during scoping, the USFWS modified this alternative from USFWS management of the experimental population to management by a Citizen Management Committee (as proposed by a coalition of non-governmental organizations). This modified alternative became Alternative 1, the proposed action of the DEIS. Public comment received on the DEIS indicated a desire for the originally scoped Alternative 2 to be evaluated in the FEIS. In response to this request, the Service included this alternative as Alternative 1A “Restoration of Grizzly Bears as a Nonessential Experimental Population with USFWS Management” in this FEIS.

### **Alternatives Identified During Scoping, but not Evaluated Further**

Alternative 3 that was identified in the scoping document, “Accelerated Reintroduction of a Standard Population” is not evaluated in this EIS. Securing 10 non-nuisance grizzly bears per year from similar habitat in the lower 48 States or southern British Columbia is not feasible because of a lack

of a suitable number of bears from existing source populations. For this reason the alternative was eliminated.

### **Alternatives Addressed in the FEIS**

Four alternatives that represent different approaches to grizzly bear recovery and management were developed for evaluation in the DEIS because they encompassed most of the concerns raised during scoping, and they represented a full range of alternatives. Two additional alternatives (Alternatives 1A and 4A) were added to the FEIS in response to public comments received on the DEIS. Two alternatives (Alternatives 2 and 3) do not necessarily meet the purpose of and need for action, but were included in the DEIS and FEIS to be responsive to public comments, to provide a full range of alternatives for consideration, and to meet the requirements of NEPA. All six FEIS alternatives reflect public comments and suggestions identified through issue and alternative scoping, and public comments on the DEIS. These alternatives are discussed in detail in Chapter 2.

After a review of this FEIS by government agencies, tribes, tribal agencies, special interest groups and the general public during a public review period, the USFWS will select an alternative, revise the alternative if necessary based on public response, and publish a Record of Decision documenting the USFWS rationale for the decision. The alternative selected for implementation will become the management plan for grizzly bear recovery in the BE.

The six alternatives considered in this FEIS are:

1. Restoration of Grizzly Bears as a Nonessential Experimental Population with Citizen Management Alternative (The Preferred Alternative):

The goal is to accomplish grizzly bear recovery by reintroducing grizzly bears designated as a nonessential experimental population to central Idaho and by implementing provisions within Section 10(j) of the ESA, conduct grizzly bear management to address local concerns. A Citizen Management Committee (CMC), created under a special rule to be published in the Federal Register, would be tasked with management of this grizzly bear population.

- 1A. Restoration of Grizzly Bears as a Nonessential Experimental Population with USFWS Management Alternative:

The goal is to accomplish grizzly bear recovery by reintroducing grizzly bears designated as a nonessential experimental population to central Idaho and by implementing provisions within Section 10(j) of the ESA, conduct grizzly bear management to address local concerns. The U.S. Fish and Wildlife Service would manage this grizzly bear population.

2. The No Action Alternative - Natural Recovery:

The goal is to allow grizzly bears to expand from their current range in north Idaho and northwestern Montana southward into central Idaho and western Montana, and to recolonize the BE. The ultimate goal is natural recovery of grizzly bears in the BE.

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### 3. The No Grizzly Bear Alternative:

This alternative would prevent grizzly bear recovery in the BE.

### 4. Restoration of Grizzly Bears as a Threatened Population with Full Protection of the ESA and Habitat Restoration Alternative:

The goal is to achieve recovery through reintroduction and extensive habitat protection and enhancement to promote natural recovery. A ten member Scientific Committee would be established to perform additional research, implement reintroduction of bears, and monitor results of the program. The grizzly bear would have full status as a threatened species under the provisions of the ESA.

### 4A. Restoration of Grizzly Bears as a Threatened Population with Full Protection of the ESA and USFWS Management Alternative:

The goal is to achieve recovery through reintroduction with the USFWS managing recovery of the population. Other federal and state agencies and the Nez Perce Tribe would assist the USFWS with management activities. The grizzly bear would have full status as a threatened species under the provisions of the ESA.

## **PUBLIC REVIEW OF DEIS**

The Draft EIS was released for public review and comment on July 1, 1997. A Notice of Availability was published in the Federal Register, the DEIS was mailed to the entire mailing list, and copies of the DEIS and Summary of the DEIS were mailed to over 60 local libraries in Idaho and Montana. The DEIS and the Summary of the DEIS were also published on the Service web site at: <http://www.r6/fws/gov/endspp/grizzly>. A news release announcing the availability of the DEIS and requesting public comment was provided to local and national media contacts (newspaper, television, radio). Comments were to be received through September 30. The comment period was extended to November 1 based on numerous requests for more time to prepare responses. The comment period was extended a second time to December 1, 1997 following a request from a member of the Idaho Congressional delegation. A press release announced each extension.

To provide an opportunity for people to voice their concerns, public hearings/open houses were held during October 1997 to gather public comments on the DEIS. These were held in seven communities on the perimeter of the Bitterroot area. Approximately 1400 people attended these hearings and 293 individuals testified. The dates and locations for the public hearings were as follows: Challis, Idaho and Hamilton, Montana (October 1); Missoula, Montana and Lewiston, Idaho (October 2); Boise, Idaho and Helena, Montana (October 3); and Salmon, Idaho (October 8). Hearings were conducted from 4 p.m. to 8 p.m. and verbal testimony (treated the same as written comments) was recorded and any written comments were accepted. In addition, the Service held

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meetings with local community, state leaders, and interest groups in communities around the perimeter of the proposed Recovery Area.

Comments on the DEIS were received from over 24,000 individuals, organizations, and government agencies. These comments arrived in over 2,660 letters, DEIS summary forms, resolutions, and hearing testimonies. Ten petitions were received with over 21,000 signatures. Fifteen form letters were identified.

An analysis of the public comments on the DEIS was performed by an interagency team of 14 employees from the Service and the USDA Forest Service in December - January 1998. The system used to analyze comments was objective, reliable and traceable. Every comment was given an individual identification number and was coded according to the demographic nature of the response. Substantive comments (positive and negative) on issues or alternatives were coded and entered into a database. A respondent's exact words were used when entering responses into the database. A detailed summary report, *"Summary of Public Comments on the Draft Environmental Impact Statement for Grizzly Bear Recovery in the Bitterroot Ecosystem"* and an executive summary report of 24,251 public comments were prepared and released to the public in April 1998 (U.S. Fish and Wildlife Service, 1998). Issues raised during public comment on the DEIS were similar to the issues identified during public scoping.

All comments from federal, state, and local governments having regulatory authorities, and comments from Native American Tribes are printed in Chapter 5 of the FEIS. Responses to those comments are also provided in Chapter 5. Due to the volume of response, most letters from individuals and non-governmental agencies are not printed in the FEIS, but 18 letters from the most prominent or most vocal large private organizations, representing the diverse points of view about the proposal, are included and responded to in detail. Issues identified through the analysis of public comments on the DEIS (USFWS 1998) and the USFWS responses are presented in Chapter 5.