

**THE HUMANE SOCIETY
OF THE UNITED STATES**

November 24, 2020

Re: October YES Virtual Workshops and Conflict and Mortality Reduction Report

Dear YES Members,

The recent report providing “Recommendations for reducing bear-human conflicts and grizzly bear mortalities in the Yellowstone Ecosystem” and the subsequent virtual YES workshop to discuss this report was informative. We appreciate the opportunity for the public to again engage with YES members on the critical topic of conflict prevention and reducing injuries to both grizzly bears and people. However, we have remaining questions regarding the report as well as concerns about the workshop process and the robustness of the recommendations provided by the technical team. We are sending this follow-up letter to raise these points, as we believe many key ideas were either not adequately addressed due to a lack of time, or were ignored. We request that the technical team and YES members fully consider the points below. Additionally, we request a joint follow-up conversation that is not so time-limited, where we can fully discuss priority conflict prevention recommendations.

We appreciate the groundwork that went into soliciting public input prior to the YES meeting on conflict prevention and the technical team’s report. We also recognize that due to COVID-19 there are considerable challenges with structuring virtual workshops and public participation in meetings, and we appreciate the effort made by the meeting planners in this regard. However, because participants were specifically asked to submit comments and questions on the report, it would have been appropriate for these to be addressed by the technical team or YES members at some point during the meeting. The breakout group format allowed specific conversation, but did not provide an opportunity for participants to have their ideas and questions addressed by the report authors or YES members. Instead, the conversation seemed rushed and there wasn’t space for many concerns or questions to be addressed; nor were participants told how their input from the survey and ‘long form’ would be considered or addressed, leaving several of us -- who sent detailed ideas and comments -- wondering if our input would be considered at all.

Many of us have participated in every available avenue provided by the YES committee, and at our own instigation, to offer input and feedback on grizzly bear conflict prevention, yet still do not feel that our questions are being answered or that our comments and ideas are being addressed. Following this workshop, we are concerned that important questions and recommendations will be forgotten and/or not pursued. Please take time to review this letter and the feedback and recommendations within. It is

key to ensure that data informs recommendations and we hope, in the name of grizzly bear conservation and recovery, that the committee will incorporate our feedback and recommendations.

Virtual Workshop Format

Overall, we appreciated the ability to interact with the Committee virtually and the format of breaking out into the smaller groups was much better than having a larger group discussion. However, we are concerned that all the ideas and discussion of the small groups were not captured in the google slides. It was difficult to write much information on the small slides, and the specific format of the slides made it challenging to know where to capture ideas that were discussed in the small group conversations. We are concerned that the reportbacks didn't accurately capture what was discussed and that a lot of important small group discussion was lost between the tiered reporting and challenging nature of recording thoughts on the google slides.

Livestock Conflicts and Producer Outreach

The recommendations that were highlighted by the group facilitators as common threads in the Livestock Conflict session were: the need for producer led initiatives and flexibility on public lands grazing allotments. However, this absolutely does not reflect the conversation that we were a part of, and not what was reported back to the larger livestock conflict group. In fact, in the larger group, flexibility for public lands grazing permits was only mentioned once by a YES member, so this was hardly a common thread for all five small breakout groups. The overwhelming consensus from all five breakout groups was that proactive conflict prevention methods need to be better developed and implemented based on data and research and that this would require working with state and federal agencies, NGOs, and producer groups. Instead, facilitators reported the discussion as if everyone in the workshop was on board with utilizing only voluntary measures and allowing livestock producers the flexibility to do what they wanted on public lands.

Due to our concerns about the efficacy of the virtual workshop and the discounting of numerous prior recommendations submitted by our groups, we reiterate several points that have not received adequate attention from the Committee. First, it is essential that the data guide management. On the issue of livestock grazing, the data sets and the narrative presented in the report clearly identify successful techniques to reduce livestock-grizzly conflicts on public lands grazing allotments. The removal of livestock and the change in class of livestock from sheep to cattle, particularly steers rather than cow/calf is the tool that has been responsible for the significant reduction in livestock conflicts within the recovery zone (RZ).¹ There are very few livestock remaining in the RZ, primarily due to "3rd party transactions, in which non-agency affiliated groups have provided financial compensation to permittees who agreed to waive their grazing permits back to the USFS." However, voluntary permit retirement is not listed in the recommendations report for reducing conflict. Due to the structure of the workshop and google doc recording tool, we fear that the committee will once again overlook this valuable and proven conflict prevention measure. YES could be a leader in identifying high-conflict areas and working with producers and NGOs to negotiate the retirement of grazing allotments in those areas, especially where there are repeated conflicts or in connectivity corridors.

¹ See for example the recommendation from the Interagency Grizzly Bear Study Team: "[...take a look at alternative grazing strategies to minimize grazing conflicts. Cow/calf operations in grizzly habitat are much more vulnerable than yearling operations." Yellowstone Mortality and Conflicts Reduction Report. June 5, 2009. p. 35.

Additionally, many of the breakout groups discussed the efficacy of nonlethal conflict prevention measures, many of which have been proven to work, yet were left out of the mortality report. Specifically, the success of range riding programs and human presence in identifying natural livestock mortalities for carcass removal, identifying the presence of grizzly bears, and keeping herds closer together. This along with electric fencing around calving or lambing areas, electric fence around sheep bedding areas at night, sheep herding, guard dogs, and carcass removal and sanitation have all proven effective in reducing livestock-grizzly conflicts. Thus, it stands to reason that federal agencies can incorporate these conflict prevention techniques as requirements into federal grazing permits, particularly in areas identified as high conflict and areas that grizzly bear populations are expected to expand into. Producers often use public lands that have restrictions or regulations by which they must abide. Agencies have an obligation to protect wildlife and other resources on those lands so these nonlethal measures, proven to prevent conflict, should be included in all grazing permits and annual operating instructions.

Here, YES can be a leader in identifying areas of high conflict and areas where grizzly bears are expanding their range, so that federal agencies can incorporate specific nonlethal conflict prevention tools as terms and conditions into grazing permits and annual operating instructions where they will be the most effective at reducing conflict and saving the lives of livestock and grizzly bears.

Backcountry Recreation and Hunting Related Conflicts

We were encouraged by the discussion in this topic on the need for a much more detailed conflict reporting database. It was recognized that there is a need to specifically identify hunting-related grizzly bear conflicts and mortalities rather than lumping them in with site conflicts and self-defense kills. YES members also identified the need for a detailed conflicts database in regard to livestock conflicts. Currently, it seems that only a fairly high-level, general conflicts database exists and it is not available to all relevant agency staff or the public. Having this detailed information broadly available would help YES and other agency land and bear managers prioritize resources, discern where additional regulations and permit requirements are needed, and increase outreach and education efforts.² Without this information, many agency personnel cannot discern the specific situations and conditions in which conflicts arise or identify conflict patterns. Indeed, during the meeting one YES member requested such detailed information as essential, in order to be able to make informed recommendations on conflict prevention to the IGBC Executive Committee.

Another important discussion and need identified in the breakout groups was in regard to requirements of outfitters and the lack of standardization, i.e. some conflict prevention infrastructure (such as portable electric fencing and grain storage containers) being provided by agencies for some outfitters but not others, and that permits should be reviewed by land management agencies for consistency on conflict prevention measures required of outfitters.

Additionally, as with the livestock conflict discussion, it is essential that state and federal agencies with the authority to implement and enforce regulations do so to keep people and grizzlies safe. In addition, the creation of Bear Management Areas in Yellowstone National Park that includes high

² See the Interagency Grizzly Bear Study Team's recommendation #2 for preventing hunting-related conflicts: "[D]evelop a database with all encounters and mortalities with specific details on each incident...The IGBST and the states should work up a full, detailed table and compile these data for all encounters and mortalities for at least the last 5 years, and for all such incidents from now on." Yellowstone Mortality and Conflicts Reduction Report. June 5, 2009. p. 22.

quality bear habitat where recreational activity is closed or access restricted on a seasonal basis has proved very successful in reducing human-bear conflicts and thus grizzly bear mortalities. This success should be used as a gold standard of how to successfully reduce conflicts and all agencies in the GYE should be required to identify additional areas that can be managed with similar changes in seasonal access.

Another factor that was discussed during the meeting that requires immediate attention is making rules and regulations consistent across all agencies within the GYE. These can be food storage orders, outfitter permit requirements, backcountry permit requirements, hunting permit requirements, and livestock grazing permit requirements. It is essential that agencies work together to incorporate the best tools for conflict reduction consistently across the GYE.

Finally, YES must recommend a prohibition on bear baiting. This was a recommendation made by the public that is not being considered for future recommendations. We are going to great lengths to reduce the chance of grizzly bears obtaining human food, yet allowing bear baiting in occupied grizzly territory- this is obviously inconsistent and counterproductive. YES should be proactive in recommending this common-sense action. This is a simple and necessary rule that will reduce conflicts and grizzly bear mortalities.

Front Country Conflicts and Community Planning

The conversation and highlighted recommendations in this session follow the greater theme of the virtual workshop and the recommendations from the mortality report in that they are largely centered on voluntary measures. While working with local governments, garbage companies, NGOs etc. can be an important aspect of increasing front country and community safety, it can only go so far and must be coupled with specific requirements.

YES can be a leader in identifying priority communities and counties for new sanitation ordinances, but County Commissioners, particularly those involved in YES have an important leadership role in developing and implementing front country and community food storage and sanitation ordinances. We know that bear proof containers are successful at preventing conflicts. Requiring them in all places that are currently occupied and will soon be occupied by grizzlies should be a priority recommendation. Partnerships with NGOs can help provide funding for these programs, but it is important to recognize that inconsistent and largely voluntary measures are not enough to keep people and grizzlies safe in front country and community settings.

Finally, we were encouraged to hear that there is wide recognition of the fact that regulations have no impact if they are not adequately enforced. This is a key factor in ensuring continued safety for humans and grizzlies.

As high-level managers and decision-makers, YES members have the charge and authority to make necessary regulatory changes to prioritize grizzly bear conservation and recovery. Requiring conflict prevention measures throughout the GYE is essential to keeping conflicts and grizzly bear mortalities low and people safe. If there are data gaps, YES has the responsibility to do what they can to fill those gaps, but when regulatory mechanisms have been proven to reduce conflicts and grizzly bear mortalities then it is the obligation of the state, federal, and county decision makers and managers to follow the best available scientific information and implement and enforce those regulations. Virtually

all of the high priority recommendations in the technical report are voluntary measures. To make substantive and needed progress in protecting people and grizzlies, agencies must not shy away from enacting regulations, especially those that have already been proven to reduce conflicts.

Thank you for taking the time to read and consider these additional comments and concerns. We look forward to your response and to more in-depth discussion on priority conflict prevention recommendations that YES will put forward to the IGBC Executive Committee.

Sincerely,



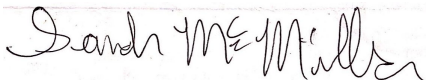
Jocelyn Leroux
Washington and Montana Director
Western Watersheds Project
P.O. Box 8837
Missoula, MT 59807
(406) 960-4164
jocelyn@westernwatersheds.org



Bonnie Rice
Senior Campaign Representative, Greater Yellowstone-Northern Rockies Regions
Sierra Club
(406) 582-8365
bonnie.rice@sierraclub.org



Kristin Combs
Executive Director
Wyoming Wildlife Advocates
P.O. Box 1772
Wilson, WY 83014
(307) 200-3057
kristin@wyowild.org



Sarah McMillan

Conservation Director
WildEarth Guardians
(406) 549-3895
smcmillan@wildearthguardians.org



Josh Osher
Policy Director
Western Watersheds Project
406-830-3099
P.O. Box 1135
Hamilton, MT 59840
josh@westernwatersheds.org



Nicholas Arrivo
Managing Attorney, Wildlife
Humane Society of the United States
202.676.2339
narrivo@humanesociety.org



Michele Dieterich
Grizzly Committee
Friends of the Bitterroot
PO Box 442
Hamilton, MT 59840
news@friendsofthebitterroot.net