



North Cascades Ecosystem

Grizzly Bear Restoration Plan /
Environmental Impact Statement



North Cascades Ecosystem Grizzly Bear Restoration Plan / Environmental Impact Statement

Public Scoping Comment Analysis Report

March 2023

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INTRODUCTION

Public scoping is the process by which the National Park Service (NPS) and U.S. Fish and Wildlife Service (FWS) solicit public input on the scope of issues and alternatives to be addressed in a National Environmental Policy Act (NEPA) document, such as an environmental impact statement (EIS). It is a process open to the public that is conducted early in the NEPA planning process. Public scoping can include meetings and mailings to inform the public about the project and on the planning process guiding the preparation of an EIS. Scoping also instructs the public on how to provide comments on the project. After the public scoping period ends, the comments are analyzed and summarized. The comment summary, in addition to other relevant law, policy, planning documents, and scientific literature, is used to identify key issues, develop alternatives, and describe environmental impacts. The NPS and FWS held a public scoping period for the North Cascades Ecosystem (NCE) Grizzly Bear Restoration Plan/EIS (plan/EIS) from November 10, 2022, through December 14, 2022. The agencies held four virtual public scoping meetings during this period. The public was encouraged to submit comments through the NPS Planning, Environment, and Public Comment (PEPC) website (<https://parkplanning.nps.gov/NCEGrizzly>). Comments were also accepted by postal mail or hand delivered to the park. Approximately 6,200 pieces of correspondence were received during the public scoping period for this plan/EIS. This report describes the public scoping process for this plan/EIS and presents the analysis and summary of public comments received.

PUBLIC SCOPING FOR THE NORTH CASCADES ECOSYSTEM GRIZZLY BEAR RESTORATION PLAN/EIS

The public scoping period was open for 34 days from November 10, 2022, through December 14, 2022. The NPS issued a press release to 700 media outlets announcing the dates, times, and places of the public scoping meetings. Letters were also sent to Tribes, County Commissions, and district Congressional offices notifying them of the public scoping meetings and offering to brief them on the process. The NPS PEPC website (<https://parkplanning.nps.gov/NCEGrizzly>) was activated for the public to submit comments. The Notice of Intent was published in the *Federal Register* on November 14, 2022. Four virtual public scoping meetings were held during the comment period on the following dates:

- November 15, 2022: Virtual Meeting
- November 18, 2022: Virtual Meeting
- December 1, 2022: Virtual Meeting
- December 2, 2022: Virtual Meeting

A total of 212 people attended the four meetings, with each meeting ranging from 29 to 85 attendees.

At each meeting, NPS and FWS staff delivered a presentation providing information about the background of the project, including grizzly bears and the NCE, the purpose and need, alternatives, potential impact topics, schedule, and information on how to submit comments via the PEPC website. NPS and FWS personnel, as well as staff from the Washington Department of Fish and Wildlife (WDFW) and the United States Department of Agriculture Forest Service (USFS), were available to answer questions via a chat box during the virtual meetings.

During the scoping period, 6,207 pieces of correspondence were entered into the PEPC system including 4,275 form letters.

The PEPC system is a database used to analyze and summarize public scoping comments. Interested parties were encouraged to enter their comments directly into PEPC. Hard copy correspondences received at the public meetings, by postal mail, or in person were also entered into the PEPC system for analysis. All correspondences are included on the North Cascades Ecosystem Grizzly Bear Restoration Plan/EIS website at: <https://parkplanning.nps.gov/NCEGrizzly>.

DEFINITION OF TERMS

Primary terms used in the document are defined below.

Correspondence: A correspondence is the entire document received from a commenter. This includes letters; written comment forms; comments entered directly into PEPC; and any other written comments provided either at the public scoping meetings, by postal mail, or in person at the park.

Comment: A comment is a portion of the text within a correspondence that addresses a single subject. It could include such information as an expression of support or opposition for an alternative, additional data regarding the existing condition, or suggestions for resource topics to be considered.

Code: A code is a grouping centered on a common subject. The codes were developed during the scoping process and are used to track major subjects.

Concern: Concerns are statements that summarize the issues identified by each code. Each code was further characterized by concern statements to provide a better focus on the content of comments. Some codes required multiple concern statements, while others did not. In cases where no comments were received on an issue, the code was not identified or discussed in this report.

Quotes: Representative quotes have been taken directly from the text of the comments received from the public and further clarify the concern statements. Quotes have not been edited for grammar.

COMMENT ANALYSIS METHODOLOGY

Correspondence was received by hard copy letter via postal mail or delivered in person at the park or correspondence entered directly into the internet-based PEPC system. Letters received by email, through the postal mail, or submitted in person at the park, were entered into the PEPC system for analysis.

Once all the correspondence was entered into PEPC, each was read, and specific comments within each unique correspondence were identified. Over 2,320 comments were derived from the correspondence received. When identifying comments, every attempt was made to capture the full breadth of comments submitted.

To categorize comments, each comment was assigned a code to identify the general content of a comment and to group similar comments. Twenty-seven codes were used to categorize all of the public scoping comments received. An example of a code developed for this project is *IT1100 – Impact Topic: Wildlife and Habitat*. In some cases, the same comment may be categorized under more than one code, reflecting the fact that the comment may contain more than one issue or idea.

GUIDE TO THIS REPORT

This report is organized as described below. The *Content Analysis Report* and the *Concern Report* are provided in the following sections of this document. Additional PEPC reports and the full list of correspondence are provided as appendices. For more information on how to find a particular correspondence, see instructions below under “How do I find my correspondence?”

Content Analysis Report: This is the basic report produced from PEPC that provides information on the numbers and types of comments received, organized by code and various demographics.

Concern Report: This report summarizes the comments received during the public scoping process. In the report, comments are organized by codes and further organized into concern statements. Representative quotes are provided for each concern statement. A list of concern statements, in table format, is provided at the beginning of the *Concern Report* section for quick reference (refer to table 6).

Representative Quote: A comment that exemplifies many other comments under a specific code.

HOW WILL MY COMMENT BE USED?

As described above, all comments are categorized into concern statements, such as “Commenters stated that grizzly bear restoration is a necessary action because of the species listing under the Endangered Species Act” and “Commenters were in support of restoring grizzly bears and stated that it would increase tourism and land value in the area.” These concerns are listed in tables 6 through 27 in the *Concern Report* section of this document. These concerns will guide the alternatives, issues, impact topics, and references to be considered during drafting of the plan/EIS.

This report is a summary of public comments received during the public scoping period for the plan/EIS. This report, including the comments in this report, has not been screened for consistency with NPS law and policy, or for whether a particular comment is within the scope of the plan/EIS.

CONTENT ANALYSIS REPORT

Table 1. Correspondence Distribution by State

State	Percentage	Number of Correspondences
Washington	17.8%	1,103
California	13.8%	857
New York	5.4%	337
Florida	5.3%	330
Illinois	4.1%	252
Texas	3.9%	242
Pennsylvania	3.4%	214
Colorado	3.3%	206
Oregon	3.0%	184
Arizona	2.6%	161
Ohio	2.5%	154
Massachusetts	2.2%	139
Michigan	2.2%	134
New Jersey	2.1%	132
Virginia	2.0%	127
North Carolina	2.0%	125
Wisconsin	1.9%	117
Maryland	1.7%	108
Tennessee	1.4%	86
Connecticut	1.3%	83
Georgia	1.3%	82
Minnesota	1.3%	81
Missouri	1.3%	80
Nevada	1.1%	69
Indiana	1.0%	65
New Mexico	1.0%	64
South Carolina	0.8%	51
Montana	0.8%	49
Idaho	0.7%	44
Unidentified	0.7%	42
New Hampshire	0.7%	42
Kentucky	0.6%	39
Utah	0.6%	35
Vermont	0.5%	32
Iowa	0.5%	30

State	Percentage	Number of Correspondences
Kansas	0.5%	30
Alabama	0.5%	29
Louisiana	0.4%	26
Oklahoma	0.4%	26
Maine	0.4%	23
Rhode Island	0.4%	22
Delaware	0.3%	21
Alaska	0.3%	19
Hawaii	0.3%	16
Washington D.C.	0.2%	15
Wyoming	0.2%	15
Nebraska	0.2%	13
West Virginia	0.2%	13
Arkansas	0.2%	12
Mississippi	0.2%	11
North Dakota	0.1%	9
South Dakota	0.1%	8
Puerto Rico	0.0%	3
Total		6,207

Table 2. Correspondence Distribution by Country

Country	Percentage	Number of Correspondences
United States of America	99.3%	6,163
Canada	0.3%	16
United Kingdom	0.1%	9
Germany	0.1%	5
Italy	0.1%	4
Australia	0.0%	2
France	0.0%	1
Greece	0.0%	1
Portugal	0.0%	1
Austria	0.0%	1
Mexico	0.0%	1
Puerto Rico	0.0%	1
Spain	0.0%	1
Switzerland	0.0%	1
Total		6,207

Table 3. Correspondence Count by Organization Type

Organization Type	Correspondences	Signatures
County Government	2	2
Non-Governmental	5	5
Tribal Government	1	1
Unaffiliated Individual	6,199	6,199
Total	6,207	6,207

Table 4. Correspondence Distribution by Correspondence Type

Type	Number of Correspondences
Web Form	6,182
Letter	20
Other	4
Petition	1
Total	6,207

Table 5. Correspondence Distribution by Code

(Note: Each correspondence may have multiple codes. As a result, the total number of correspondences may be different than the actual comment totals)

Code	Description	Correspondences
AL100	Preliminary Alternatives: Support Grizzly Bear Restoration	933
AL200	Preliminary Alternatives: Oppose Grizzly Bear Restoration	285
AL300	Preliminary Alternatives: Other/New Alternatives	183
AL400	ESA Section 10(j) Experimental Population Designation	177
CC1000	Consultation and Coordination: General Comments	50
CC1100	Consultation and Coordination: Public Involvement	44
GA1000	Impact Analysis: Impact Analyses	19
IT1000	Impact Topic: Wilderness	178
IT1100	Impact Topic: Wildlife and Habitat	102
IT1200	Impact Topic: Visitor Use and Experience	73
IT1300	Impact Topic: Human Safety	110
IT1400	Impact Topic: Rare, Unique, Threatened, or Endangered Species	24
IT1500	Impact Topic: Socioeconomics	52
IT1600	Impact Topic: Cultural/Historical Resources	52
IT1800	Impact Topic: Long-term Management of Resources or Land/Resource Productivity	17
IT1900	Impact Topic: Impacts to Grizzly Bears	162
IT2000	Impact Topic: Other/New Impact Topics	8
MT1000	Miscellaneous Topics: General Comments and Comments Outside Scope of Plan	54

Code	Description	Correspondences
ON1000	Other NEPA Issues: General Comments	17
PN1000	Purpose And Need: Planning Process And Policy	7
PN1100	Purpose and Need: ESA	39
PN1200	Purpose and Need: RCW 77.12.035	23
PN2000	Purpose And Need: Park Purpose And Significance	1
PN3000	Purpose And Need: Scope Of The Analysis	2
PN7100	Purpose and Need: Purpose and Need for Taking Action	46
PN8000	Purpose And Need: Objectives In Taking Action	2
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CONCERN REPORT

As described above, this report summarizes the comments received during the public scoping period for the NCE Grizzly Bear Restoration Plan/EIS.

Table 6. AL1000 - Proposed Action

<p>CONCERN STATEMENT: Commenters expressed support for the proposed action. Commenters favored restoring grizzly bears as an experimental population under section 10(j) of the Endangered Species Act (ESA) as part of the Proposed Action. Some commenters pointed out the merits of management flexibility under the 10(j) rule. Several commenters noted the ecological benefits of grizzly bear restoration, while others noted that natural restoration has not worked in the past and that active translocation of the bears to the North Cascades Ecosystem (NCE) was the science-backed path forward. Commenters requested that the plan include:</p> <ul style="list-style-type: none"> • Science-based program continuity • Compliance with federal statutes, policy, and case law • Consultation and partnerships with states, tribes, and other communities • Incorporation of indigenous knowledge • Public education on the positive ecological role of grizzly bears and to dispel myths about the bears • Proactive mitigation measures against key risks • Clear objectives for measuring the program's success
<p>Representative Quote: Hello I'm writing in **support** of the Grizzly bear reintroduction and restoration proposal - **Proposed Action - Restoration as an Experimental Population.** Support of healthy intact ecosystems is essential for continuity of lands we rely on but have long taken for granted. These healthy ecosystems give us our food, water, air and natural spaces. Restoring Grizzlies to healthy sustainable populations is a way to restore what has been degraded and improve the health and vitality of our region for future generations. I support the Proposed Action - to actively reintroduce experimental populations of Grizzlies under 10j provisions. The science does not support natural restoration. There is no evidence of a sufficient population in the NCE to allow for Alternative A to work. Passive measures have not worked and there's no evidence they will work any better with time. I am supportive of the incremental experimental reintroduction plan. Having a smaller but sufficient initial population, allow for study of key indicators, and learn from it and adjust in subsequent years. Issues I believe need consideration: Program continuity: given that this will take many years to execute and measure and decades to be successful, we need a way to ensure program continuity that is science based and not based on political whims. Communities & Tribes: The Grizzly restoration plan must include partnerships and consultation as active stakeholders of tribes in Washington and British Columbia, and communities adjacent to the NCE. Indigenous Knowledge: The tribes themselves have the deepest history and knowledge and a critical role in understanding the role this species plays in the ecosystem. We need to listen and learn. Education: A robust education program that dispels myths and educates people on the unanticipated ways a species like Grizzlies can positively impact the ecosystem. Top Risks & Mitigation plans: Identify top risks to success and have proactive mitigations plans in place. Continuous Study & Measurement for Success: Have clear objectives we're measuring against - measurements of success in reintroduction, measurements and study of ecosystem impacts, and measurement and monitoring of key risk factors Thank you for resurrecting this proposal. I look forward to hearing the decision and watching the restoration of our ecosystem and its historic and rich biodiversity. Thank you for resurrecting this proposal and for your consideration.</p>
<p>Representative Quote: Grizzly bears are a vital natural and cultural part of the PNW and restoring them would bring an improved and needed balance to the NCE. As the Public Scoping Materials outline, this decision (EIS) addresses how best to: • Avoid the permanent loss of grizzly bears in the NCE • Contribute to the restoration of biodiversity of the ecosystem for the benefit and enjoyment of present and future generations • Enhance the probability of long-term survival and conservation of grizzly bears within the NCE and thereby contribute to</p>

<p>overall grizzly bear recovery • Support the recovery of the grizzly bear to the point where it can be removed from the Federal List of Threatened and Endangered Wildlife Species Objectives The only way to successfully reach each of these goals is by implementing Alternative B.</p>
<p>Representative Quote: As the exact effects that reintroduced grizzly bears will have on outdoor recreationists in the NCE is unknown, as well as the impact non-motorized recreationists will have on bear populations, we support the initial reintroduced population being designated as a 10(j) population within the meaning of the Endangered Species Act (ESA). As stated in the scoping document, this will provide managers flexibility to adapt management actions to best accommodate for existing outdoor recreation use as well as ensure impacts to the bear population are mitigated.</p>
<p>Representative Quote: The science is crystal clear that the NCE is isolated from any healthy, viable or even threatened and endangered grizzly bear populations and requires bear translocations if recovery is the goal. Three to seven bears/year over 10 years initially may be achievable if prospective donor First Nations agree to allow animals from their traditional territories to be captured and moved to reestablish a North Cascades population.</p>
<p>Representative Quote: Defenders continues to support grizzly bear recovery based on the best available science, which demonstrates that proactive recovery through augmentation (a.k.a translocation) is the most effective way to recover grizzly bears to the NCE. We are therefore encouraged to see a proactive approach that includes capture and release of bears from other populations into the NCE listed as the Proposed Alternative in the NOI. While it is understood that a No Action Alternative is a standard consideration in every EIS process, Defenders urges the agencies to emphasize the efficacy of the Proposed Alternative for meeting recovery goals. The No Action alternative has been functionally in effect for the last 50 years. No recent confirmed sightings indicate that natural recruitment, also known as passive recovery, is working.</p>
<p>CONCERN STATEMENT: Commenters requested the proposed action include concrete objectives and provide more information on the population goals of the restoration plan. One commenter said they would like a quantitative goal for grizzly bear species recovery in the NCE. They asserted that the U.S. Fish and Wildlife Service (USFWS) avoids quantitative species reporting. Another commenter asked about the implementation timeframe for the proposed action and how many translocations would be required to recover the population.</p>
<p>Representative Quote: All the alternatives in the previous draft plan/EIS within the NCE aimed to establish a population of more than 200 grizzly bears over time. The 1982 Grizzly Bear Recovery Plan recognized that there was incomplete or missing data necessary to publish a number that would constitute recovery success in the NCE. If the NCDE has more than 1,000 grizzly bears, and they still enjoys ESA protection, the question is what the final threshold quantity of bears for the NCE may be. It is noteworthy that as an agency, US Fish and Wildlife Service is characterized by a pattern of quantitative avoidance when it comes to species reporting, and dismissal of requests to issue geodetically surveyed threatened and endangered species maps at the local level. To the regulated community, such legislative changes to the ESA might be well received.</p>
<p>Representative Quote: Regarding augmentation, the scoping information indicates that the population in the area is “functionally extirpated” from the ecosystem. While the information indicates grizzlies have been confirmed in recent years, there have been no bears killed recently, which is usually (and unfortunately) the standard for absolute proof. However, how will the placement of a few bears recover a population that is estimated at most at 50 bears (20 in the US and 25 to 30 in Canada)? In other words, how many different augmentations and over what period of time will be necessary to recover the populations? It certainly seems that a one-time augmentation is not being proposed, but rather a process of constant augmentation over years if not decades. Any analysis needs to be clear about this issue and analyze all of the augmentations under any alternative that proposes such an effort.</p>

Table 7. AL300 - Preliminary Alternatives: Other/New Alternatives

<p>CONCERN STATEMENT: Commenters suggested that the plan incorporate more provisions for human-grizzly bear coexistence education and conflict avoidance measures. Commenters recommended requiring bear-resistant food storage lockers in every campground and working with hunters and anglers to educate them on proper ways to clean fish and field dress animals to avoid attracting bears to campgrounds, trails, and roads. Commenters were supportive of grizzly bear food resource monitoring, expanded fire management guidelines, and strategies to reduce impacts to other endangered species.</p>
<p>Representative Quote: Project should include a robust program of bear smart communities to reduce conflict. A strong program working with livestock producers to reduce conflicts through carcass pickup and electric fencing would also be required. These programs would be beneficial to any program supporting the recovery of grizzly bears in the Cascades.</p>
<p>Representative Quote: I represent the Lower Columbia Basin Audubon Society as the Conservation Chair. The Society fully support the reintroduction of grizzly bears to the NCE. We therefore support Alternative B, the Proposed Action which we believe is the most appropriate action. The society believes that a complete ecosystem containing all historic flora and fauna will benefit the avian diversity and population numbers in the North Cascades. As climate change progresses, the higher elevations will see an increase in bird species and population numbers. The area will be a climate refuge and a fully diverse fully functioning ecosystem will assist in bird survival. We understand that people generally have an aversion to grizzly bears since they have been, so to speak, villainized over the centuries. That is why it will be critical to have a robust educational outreach program early in the process. Some comparisons should be made to where grizzly bears and people coexist in relative harmony, such as Yellowstone National Park. Or more remote areas of the Rocky Mountains where hunters, hikers, wilderness users and bears coexist. The society feels that remote tracking of the reintroduced bears will be a critical part of the reintroduction. It is important to know where they are going and what they are doing. Bears are explorers and may set off into areas, such as private lands, where foraging is easier and human encounters could occur. Ready food resources for the grizzly bears are important. Food resources should be monitored before and during the reintroduction to assure bears will stay in the locations where they are wanted and eating an abundance of nutritious foods. A fat happy bear is easier to get along with. If the food resources are low due to drought or other circumstance bear introduction should be put on a pause. To maintain a healthy ecosystem, wildfires must be contained before they become too large to stop. A good fire response program must be maintained to prevent the grizzly bears from leaving the NCE and venturing into human population areas.</p>
<p>Representative Quote: Please include these areas in scoping for the proposal to reintroduce grizzly bears to the North Cascades: 1. Continue and even enhance the ongoing public education and safety measures that have been undertaken for years at campgrounds, trailheads, and throughout the North Cascades National Park and Wilderness ecosystems. 2. As climate change continues to affect natural habitats, it is imperative that measures be included to provide for prime grizzly foraging habitat for decades to come. Management strategies need to be flexible enough so that meadow habitats for grizzly bears are not lost in the future. 3. Fire management strategies need to be reviewed and perhaps updated to be adaptive and utilize the benefits that naturally-occurring fires (ex. caused by lightning strikes) bring in creating prime foraging habitat for grizzly bears. 4. Not to exclude other species that could potentially be affected by management strategies for grizzly bears, scoping needs to address adverse affects that could result for other species living in the same areas as grizzly bears. Wherever possible, human-induced disruptions should minimize or eliminate disturbances for spotted owls and other listed species.</p>
<p>Representative Quote: I urge the agencies to include as part of any action alternatives an aggressive education/outreach and prevention program (e.g. Bear Smart, BearSAFE) in advance of the actual restoration process. It is vital that people understand how to live in GB country and prevent incidents. This program should include installation of food storage containers in public campgrounds and back country sites; bear resistant trash bins and dumpsters in public areas; working with local communities to encourage the use of bear resistant garbage containers and dumpsters for food wastes (grocery stores, restaurants, outfitters). Additionally, a step up plan should be identified or tiered of that will describe how problem bears (vs accidental encounter in the wild)</p>

will be dealt with to avoid injury to persons and to protect wild grizzly that are not habituated or food conditioned.
<p>Representative Quote: I recommend a keen awareness towards sanitation to preventatively secure human-provided food sources and garbage in public campgrounds and facilities prior to any potential grizzly reintroductions. This includes bear-resistant garbage containers and a detailed plan for pickup and disposal services (including transfer stations) so that these sites do not pose a risk to any reintroduced bear(s). I recommend, beginning throughout the northern half of the NCE (then southward as funding allows), bear-resistant food storage lockers be in every US Forest Service and National Park System campground, like areas within the Rocky Mountains and adjacent areas of Canada where reintroductions have already occurred. Similar efforts should be made to work with State jurisdictions within Washington (WDFW, DNR, State Parks, etc.), who manage millions of acres under their management authority to do the same. Finally, that land authorities where hunting and fishing seasons occur, work together on guidelines for field-dressing animals and cleaning fish killed by the sporting public (e.g., field dressing must occur a minimum of 100 yards from a road or trail and not within campgrounds; all fish entrails must be thrown back into the water source).</p>
<p>CONCERN STATEMENT: Commenters recommended implementing a live remote tracking system and using trail cameras to help livestock operators and members of the public avoid grizzly bears.</p>
<p>Representative Quote: Similar to how Washington and WDFW has gone about wolf re-introduction, provide ranchers with near real-time information on the location and movement of grizzly bears. This will allow ranchers to move their livestock and reduce the amount of cows and sheep killed by grizzly bears.</p>
<p>CONCERN STATEMENT: Commenters suggested closing vacant livestock grazing allotments, transitioning sheep grazing allotments to cattle because they are less vulnerable to depredation, and exploring ways to permanently retire grazing allotments to reduce conflict with grizzly bears.</p>
<p>Representative Quote: There are a few ways to approach this that should be analyzed and included in an action alternative. First, all currently vacant livestock grazing allotments should be closed to protect the resource and avoid the potential for future conflict. Additionally, sheep are more vulnerable to depredation, so transitioning sheep grazing allotments to cattle allotments should be considered. Finally, part of the reintroduction rule should allow for the permanent retirement of livestock grazing allotments for conflict reduction purposes. Language that could be included to ensure that livestock grazing allotments can be retired is: "Grazing privileges that are lost, relinquished, or canceled, would have the attached AUMs held for watershed protection and wildlife habitat in perpetuity." This is an essential tool to allow for conflict reduction/prevention that does not result in the lethal removal of grizzly bears which is something that should be avoided.</p>
<p>CONCERN STATEMENT: A commenter requested that the plan include an alternative that manages grizzly bears entirely for the bears' benefit and protects them from any trophy hunting.</p>
<p>Representative Quote: C. Develop a Bear First alternative plan to fully protect this population of grizzly bears from any trophy hunting on federal public lands, and celebrate their considerable values. The HSU'S and HSLF request that the NPS and FWS develop and consider an alternative in its planning process, in which restored grizzly bears living on federal public lands on the NCE are managed entirely for the bears' own benefits, where they can live unmolested by humans (e.g., trophy hunters, poachers and others who kill them), which prevents resultant intra-specific strife and infanticide.² In this Bear First alternative, grizzly bears' considerable intrinsic and ecological values are celebrated and valued in accordance with mainstream public values as advanced by Prof. Michael Manfredo and other social scientists. ³ • A January 2022 poll by Remington Research Group, Inc. found that 76% of American voters oppose trophy hunting, and specifically 73% oppose grizzly bear trophy</p>

hunting.⁴ This shows that opposition to hunting grizzly bears is growing, compared to a 2016 poll in which only 68% of American voters had opposed grizzly bear trophy hunting.⁵ Even pro-hunting and -trapping entities such as the National Shooting Sports Foundation and Responsive Management have found that 66% of Americans disapprove of trophy hunting." • When asked in 2015, 60% of grizzly bear biologists said they "believe delisting would be an incorrect decision, or at the very least a violation of the precautionary principle."⁷ A 2018 survey of grizzly bear biologists determined that 74% of them recommended continued ESA protections for GYE grizzly bears.⁸ • When compared to Stephen Kellert's groundbreaking work about American's wildlife values from 1978, the number of Americans who had positive attitudes toward mammalian carnivores had grown by orders of 40% to 47% by 2014, and that same study showed that Americans are increasingly considerate of the welfare of wildlife.⁹ A Manfredo et al. (2018) survey of Americans' wildlife values found that most Americans hold Mutualist values (Mutualists extend their social network to animals), while the number of Traditionalists (those who believe animals serve utilitarian purposes) has declined in the United States.¹⁰ A 2020 survey found that 92% of Montanans believe that grizzly bears have a right to exist. Acknowledge grizzly bears' intrinsic values. A 2019 study of adult U.S. residents also found that 81% believe that wildlife hold intrinsic value.¹² Bruskotter et al. (2015) write, " ... most people believe that wildlife possess 'intrinsic value,' which suggests that wildlife should be treated with regard for their own welfare, not just their utility (or lack thereof) to humans."¹³ Because of the radical change in public values, it makes sense for the NPS and FWS to develop a Bear First plan to restore grizzly bears to the NCE. Acknowledge bears as sentient beings worthy of protection. Highly sentient, bears have the largest brain size of any carnivore.¹⁴ Their intelligence has been compared to that of great apes; they are able to, for example, estimate quantities (that is, count), and assess moving stimuli and subsets of stimuli.¹⁵ They form close social attachments with their kin. 16 Cubs learn foraging styles from their mothers¹⁷ who spend prolonged periods raising and nurturing their young.¹⁸ They also use tools.¹⁹ Bears have a light-paw bias while foraging. 20 Bears know when they are being hunted and change their foraging behaviors-even forgoing feeding-to avoid encountering hunters.²¹

CONCERN STATEMENT: Commenters proposed a natural recovery alternative where the USFWS and NPS work with Canadian authorities to ensure habitat connectivity and that grizzly bears are protected on both sides of the border. Several commenters were against direct intervention with grizzly bear populations and wanted the recovery plan to take a more natural course. Commenters also asked for an alternative that does not violate the Wilderness Act and were concerned about the impacts of heavy machinery, invasive monitoring techniques, and helicopter use.

Representative Quote: Analyze a natural recovery alternative. This is NOT the same as the No Action alternative. Under a natural recovery alternative, the FWS and NPS would actively work with agencies in British Columbia to ensure that grizzlies are protected on both sides of the border. Under this alternative, the agencies would identify and protect corridors and connectivity so that bears could move across the border without getting killed.

Representative Quote: I am writing in regards to ask you to reconsider your approach for grizzly recovery in the Cascades. The proposed action lacks a natural recovery option. The best way to meet the goal of a viable grizzly population in the North Cascades would be to allow for and boldly promote the natural recovery of grizzlies. This is a very different approach than the "no action" option, which is to "do nothing." A natural recovery alternative would require working with British Columbia to protect grizzlies over a larger land base and would provide for connectivity between populations in the U.S. and Canada using protected habitat corridors. It would also include other measures to ensure that grizzlies are not killed by humans, regardless of what side of the border they are on and whether they are in National Parks, Wilderness, or other public or private lands. It might take longer and require more patience than the instant gratification of capturing and releasing dozens of bears, but it would ultimately create a more durable population sharing the landscape with a human population that is more likely to respect the bears that make it back to the North Cascades on their own. The initial plan would most likely degrade Wilderness in the North Cascades, weaken the grizzly population in the Northern Continental Divide Ecosystem (NCDE) around Glacier National Park, and strip the individual grizzlies of their current protections under the Endangered Species Act. Please reconsider this approach and the idea of an

<p>“experimental” population. Instead, analyze a natural recovery alternative, one that doesn't violate the Wilderness Act. Thank you for your attention to this matter.</p>
<p>Representative Quote: 1. I oppose the capture of grizzlies from the Northern Continental Divide Ecosystem. Leave bears where they are and promote native population health and growth. 2. I oppose the "experimental population" designation. Leave bears in the NCDE. These are protected under the Endangered Species Act and would lose this protections under the ESA if moved. This appears to be the real reason to move them, to allow them to be killed by ranchers. 3. Develop a natural native population recovery plan that includes identifying and protecting corridors and connectivity so that bears could move across the border without getting killed by the local psychopaths. 4. Develop an alternative that doesn't violate the Wilderness Act. Should the NPS choose to translocate bears, the agency should first consider limiting translocation to sites outside of Wilderness. If the NPS decides to translocate within Wilderness, it must comply with the Wilderness Act: no helicopters, no motorized equipment, and no invasive monitoring.</p>
<p>Representative Quote: It seems obvious that, given the grizzly bear's low reproductive rate, any recovery, regardless of the method employed, will take several decades. Thus, why is augmentation currently deemed preferable to natural recovery when both methods will take a long time? Natural recovery may begin rather quickly, given the ability of grizzlies to travel long distances. The Fish and Wildlife Service recognizes that in the Bitterroot Ecosystem a bear, whose genetic background was from outside the ecosystem, was illegally killed in 2007 even though no evidence of bears had been seen for 60 years. A second grizzly was killed in the region in 2009, and in the past year a collared female grizzly has wandered into that same ecosystem and denned there. Since the Cascades supposedly have more bears (at least according to the USFWS website), it would appear that natural recovery is potentially viable. If bears are moving into the Bitterroot Ecosystem, they can certainly expand and move into the Cascades, provided there is connectivity.</p>
<p>CONCERN STATEMENT: One commenter suggested a new alternative for grizzly bear restoration that would include critical habitat designation, Section 4(d) rule protections, Section 7 consultation, and a recovery plan. They suggested restoring grizzly bears as a threatened population without designating the population as experimental to avoid reducing protections for translocated bears.</p>
<p>Representative Quote: Alternative 1: Restore Grizzly Bears as a Threatened Population Wildlands Network supports including an alternative to restore grizzlies as a threatened population without an experimental population designation. In this alternative, we recommend the agencies examine a reintroduction of grizzlies with an accompanying critical habitat designation, blanket 4(d) rule protections, a Section 7 consultation requirement, and a recovery plan to guide recovery efforts. We recommend this alternative due to our concern that the current proposed action would effectively downgrade the Endangered Species Act ("ESA") protections in place for captured bears from the Northern Continental Divide Ecosystem once they are released in the NCE. Downgrading concerns would not be ameliorated if capture occurred in Canada, as many of the populations in southern British Columbia are "threatened." Moreover, the breeding habits of grizzlies overall are vastly different from wolves the agencies successfully reintroduced in Yellowstone National Park using a 10(j) classification. As one author wrote, as compared to wolves "grizzly populations [are] more fragile" and "[cannot] sustain even minimal losses as wolves could."</p>
<p>CONCERN STATEMENT: Several commenters asserted that the proposed plan ignores the impacts of translocation on grizzly bears and the surrounding ecosystem. They requested a plan with a more gradual timeline. They also indicated that the relocation of grizzly bears should cease if a stable and natural population is not established in a given timeframe and that efforts should focus on habitat preservation and restoration.</p>
<p>Representative Quote: The current plan by NPS and FWS to relocate grizzlies is misguided in many ways. First of all: why in heaven's name would any agency think it was a good idea to capture bears that might lose their current protections under the Endangered Species Act (ESA)? These bears could be shot, re-captured, or killed in</p>

the North Cascades. This is not protecting them! Secondly: The definition of “Wilderness” means restoring the area's grizzly population without the use of motor vehicles, helicopters, and motorized equipment, without trammeling or manipulating Wilderness or its wildlife. This plan stomps on the definition of Wilderness. Third: This plan would initiate heavy-handed management that would not only be detrimental to Wilderness, but to bears as well. The bears would be subjected to initial capture, handling, and helicopter flight, and attendant stress from such activities. Some may be injured or even die as a result! How is that being protective of wildlife? They would likely be collared, drugged, subject to samples taken, and handled for many years. And if that weren't enough, the proposed plan ignores the literature describing the effects of helicopters on wildlife, including grizzlies. To conclude, a plan is needed that might take longer and require more patience than the instant gratification of capturing and releasing dozens of bears. A longer timeline would ultimately create a more durable population sharing the landscape with a human population that is more likely to respect the bears that make it back to the North Cascades on their own. Please consider these arguments and re-think your misguided proposal.

Representative Quote: These should be included in the draft EIS: o If there is evidence that the introduced bears do not thrive, and continued relocation of bears does not establish a natural, stable population of bears, there must be an established time or determination of failure that would trigger an end this experiment.

CONCERN STATEMENT: Commenters were concerned that the plan would endanger the existing grizzly bear population in British Columbia and in the Northern Continental Divide Ecosystem. Several commenters noted that grizzly bear populations in these areas are not robust enough to serve as a source for the recovery plan.

Representative Quote: Taking the grizzlies from northern populations is not a good idea, in that these northern populations aren't yet fully established themselves. Why weaken a population that is just getting established to form another? Then you risk losing both and nothing is accomplished. The agencies must not pursue alternatives that would violate the Wilderness Act and would entail heavy-handed, stressful management of bears. If the NPS decides to translocate within Wilderness, it must comply with the Wilderness Act: no helicopters, no motorized equipment, and no invasive monitoring. Remember, the bears are our first and only concern when manipulating and moving them is involved. Grizzlies must be protected on both sides of the border with British Columbia and the U.S. This is a very important project and must be done right.

Representative Quote: Please reconsider your approach to Grizzly recovery in the Northern Cascades! Please do not capture and move other populations that have not fully recovered or would change ecosystems drastically and remove them from areas where they are protected y the Endangered Species Act. Please find an alternative that doesn't violate the Endangered Species Act and cause such detrimental consequences in many areas!

Representative Quote: I strongly encourage you to reconsider how you to want to manage grizzly bear populations in the Pacific Northwest I strongly oppose the capture of grizzlies from the Northern Continental Divide Ecosystem. The federal agencies plan to kidnap bears from either British Columbia or the Northern Continental Divide Ecosystem (NCDE) around Glacier National Park to move to the North Cascades. Grizzlies have still not recovered in the NCDE, and there are no "extra" bears there to move to Washington. Such a plan would weaken the NCDE grizzly population and diminish the likelihood of developing the needed population linkages between the NCDE grizzlies and those elsewhere, such as in Yellowstone. You must also develop an alternative that doesn't violate the Wilderness Act. The agencies must not pursue alternatives that would violate the Wilderness Act and would entail heavy-handed, stressful management of bears. Should the NPS choose to translocate bears, the agency should first consider limiting translocation to sites outside of Wilderness. If the NPS decides to translocate within Wilderness, it must comply with the Wilderness Act: no helicopters, no motorized equipment, and no invasive monitoring Thank you for your consideration and support.

CONCERN STATEMENT: One commenter requested that the recovery zone be extended westward to Puget Sound.

<p>Representative Quote: The north Cascades Bear Recovery Zone needs to extend westward to the Puget sound as representative of the original bear habitat as their original feeding territory included the salmon runs on the coastal rivers and streams.</p>
<p>CONCERN STATEMENT: Commenters requested the plan take a more aggressive and expeditious approach to reach carrying capacity after the initial restoration. Specific requests included:</p> <ul style="list-style-type: none"> • Restore more grizzly bears earlier and over a shorter period of time. • Include an alternative with a target population of 200 bears within 50 years. • Increase the number of released grizzly bears to 10 or more per year. • Raise the initial population to 50 before the adaptive management phase begins. • Increase the desired grizzly bear population to above 200.
<p>Representative Quote: The proposed action takes an extremely cautious approach to grizzly bear recovery, with only a few bears introduced each year up to a starter population of 25, and a full target population of 200 not materializing for 60 to 100 years. It is difficult to say what humans will be doing in 60 to 100 years, but adaptive management of NCE grizzly bears could be quite low on the priority list. Grizzly bears are adaptable creatures with a good prognosis in the face of climate change. Their role in safeguarding biodiversity in the North Cascades may become increasingly important as other keystone species disappear. While it is still feasible (and remotely socially/politically acceptable) to complete costly NEPA analyses and fly around in helicopters translocating bears, I think we should move more of them more quickly. I understand proceeding cautiously for the first 5 to 10 years while we retrain humans in the NCE, but after that, I say we shoot for carrying capacity as fast as possible. The EIS should include a detailed study of the feasibility of grizzly bear recovery efforts as our own social, economic, and political systems become less secure. If the study finds reduced feasibility over time, alternatives that speed up the recovery process should be prioritized.</p>
<p>Representative Quote: Inclusion of an alternative with a target grizzly population of 200 bears within 50 years</p>
<p>Representative Quote: Wildlands Network is looking forward to grizzly bear reintroduction in a landscape where they have been "functionally extirpated," and where the land has a carrying capacity for over 250 grizzly bears. While preparing the NCRP EIS, we encourage the agencies to explore alternatives that restore grizzly bears to the North Cascades ecosystem ("NCE") in an efficient and expeditious manner. We support this effort because the establishment of a robust NCE grizzly population will further boost the resiliency, redundancy, and representation of the species and contribute to the long-term recovery mission of the FWS Grizzly Bear Recovery Program.</p>
<p>Representative Quote: Across all alternatives, Wildlands Network asks the agencies to explore options that: • increase the approximate number of released grizzly bears each year from the proposed 3 to 7 each year to 10 or more per year; • raise the initial population level from the proposed 25, before an adaptive management phase would commence, to 50; • raise the desired NCE population of grizzly bears above the proposed 200; and accomplish all these options in a timeframe under the proposed 60 to 100 years.</p>
<p>Representative Quote: Vital Ground alternatively supports restoring the NCE grizzly population without an experimental population designation and varying the number and frequency of proposed grizzly bear releases into the NCE to achieve the restoration goal in a shorter time period.</p>
<p>CONCERN STATEMENT: A commenter suggested adding an alternative that would not include relocation of grizzly bears but would implement a section 10(j) experimental population designation if grizzly bears naturally migrate into the NCE.</p>

<p>Representative Quote: An additional alternative suggestion: If 10(j) management options are valuable for grizzly management, a “No Action” alternative should be developed that includes 10(j) management guidelines to be activated IF grizzlies naturally migrate into the North Cascades Complex.</p>
<p>Representative Quote: Lastly, if grizzly bears naturally migrate into the North Cascades Complex, “A No Action Alternative” should be developed that includes “10j management guidelines.”</p>
<p>CONCERN STATEMENT: One commenter asked for the plan to further analyze how to support increased population resiliency once grizzly bears are relocated to the NCE.</p>
<p>Representative Quote: Alternatives 2 & 3: Future Scenario Alternatives In the January 2022 "Species Status Assessment for the Grizzly Bear in the Lower-48 States," the FWS used scenario planning to "describe plausible futures for the grizzly bear" and explored a "range of possible future conditions for the grizzly bear." These scenarios depended on differing conditions along a range of "source, stressor, activity, or conservation action[s]." Of the five "plausible" scenarios examined, two scenarios titled "increased conservation" and "significantly increased conservation" resulted in outcomes over a 30-to-45-year timeframe where grizzly bears in the NCE transitioned from a "functionally extirpated condition[] with no resiliency" and "so do not currently contribute to redundancy or representation" to one of "low resiliency" that represented "an increase in redundancy and representation." As the FWS noted, "this improvement in redundancy reduces risk to the grizzly bear from catastrophic events." We encourage the agencies to examine the "increased conservation" scenario and "significantly increased conservation" scenario as Alternatives 2 & 3. We acknowledge that several of the stressors, activities, and conservation actions considered in this scenario planning are largely outside the agencies' control (i.e., funding). However, we encourage the agencies to examine the variables within the agencies' control, especially those that influence qualities deemed essential for grizzly bear recovery, such as "access to large, intact blocks of land with limited human influence that provide cover, high-caloric foods, dens, and areas for dispersal" qualities deemed essential for grizzly bear recovery.</p>
<p>CONCERN STATEMENT: Commenters expressed support for the no-action alternative and asked the USFWS to consider delisting grizzly bears to decrease adverse effects on humans and potential conflicts.</p>
<p>Representative Quote: For the present scoping and EIS process, quantification of the human, socioeconomic, and cultural impacts on the human environment as required by the NEPA CEQ regulations is required. Impacts to the human environment from the proposed introduction would likely be less prevalent from direct effects than from indirect effects. As a result, any EIS emerging from this scoping process must focus analysis of the impacts that will likely occur in the future (40 CFR § 1502.10):33 NPS Policy 2.1.2. “At key points of planning and decision-making, the Park Service will identify reasonable alternatives and analyze and compare their differences with respect to: short- and long-term costs; and environmental consequences that may extend beyond park boundaries.” The NPS policy language at 2.1.2 is consistent with the NEPA requirement at 40 CFR §1508.8 that all reasonable direct and indirect effects and alternatives that differ from the preferred alternative be investigated. The costs and consequences associated with introductions of U. arctos in close proximity to human activities warrants careful consideration of the delisting alternative in the Lower 48 United States.³⁴ Based upon significant data and petitions from three states, delisting U. arctos has the highest potential to mitigate the costs and potential human impacts associated with the presence of apex predators such as U. arctos.³⁵ 40 CFR §1508.14 states that the: “Human environment shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment. . .” And, “. . .When an environmental impact statement is prepared and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment.” 33 40 CFR §1502.1 “Agencies shall focus on significant environmental issues and alternatives and shall reduce paperwork and the accumulation of extraneous background data. Statements shall be concise, clear, and to the point, and shall be supported by evidence that the agency has made the necessary environmental analysis.” 34 35 40 CFR § 1500.2(e) “Use the NEPA process to identify and assess the reasonable alternatives to</p>

proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment.” 40 CFR § 1500.2(f) “Federal agencies shall to the fullest extent possible: (f) Use all practicable means ... to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment.” 12
Representative Quote: The Stillwater Technical Solutions (STS) document called "A Statutory, Policy and Technical Analysis and Alternatives for Inclusion in the Scoping and EIS" and its recommended alternatives are endorsed by the WSFB and associated County Farm Bureaus in response to the joint-agency Notice of Intent to prepare North Cascades Ecosystem Grizzly Bear Restoration Plan/EIS (NIP) proposal by the National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS). The NIP currently contains three alternatives for potential introduction of grizzly bears in the North Cascades National Park. The WSFB fully support presented alternative 1 and oppose presented alternatives 2 and 3 for reasons supported by the attached documents.
Representative Quote: Enclosed please find the comments and alternatives prepared by Stillwater Technical Solutions (STS) called "A Statutory, Policy and Technical Analysis and Alternatives For Inclusion in the Scoping and EIS" dated December 13, 2022. This document and its recommended alternatives is endorsed by the County Commissioners in response to the joint-agency Notice of Intent to prepare North Cascades Ecosystem Grizzly Bear Restoration Plan/EIS (IP) proposal by the National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS). The NIP currently contains three alternatives for potential introduction of the grizzly bear (<i>Ursus arctos</i>) in the North Cascades National Park, Washington. Comments on Notice The alternatives are: 1) No Action: continue with existing management practices; 2) Introduce an experimental population under section 10(j) of the US Endangered Species Act; 3) Additional Potential alternatives that include introduction of the NCE grizzly population without an experimental population designation or varying the number and frequency of grizzly bear releases into the NCE. For reasons supported by the attached documents, we oppose Alternatives 2 & 3 as presented, and are placing additional Scoping Alternatives in the public record to be incorporated in the EIS and scoping process as per National Environmental Policy Act (NEPA) implementing regulations from the Council of Environmental Quality (CEQ) at 40 CFR I 501.7, et. al.
CONCERN STATEMENT: One commenter indicated that the plan should include measures to limit or ban black bear hunting to prevent accidental deaths to grizzly bears.
Representative Quote: Also, any hunting methods for black bears need to be evaluated. It may be that black bear hunting should not occur for some time in the recovery area in order to prevent accidental deaths of grizzlies. Other protective measures may need to be instituted including seasonal closures to human use of areas where grizzlies may congregate during crucial times. Precise information on where the augmentation and relocations may occur is lacking. However, it may be best for managers and grizzlies for any reintroduction to be done outside of Wilderness, if it is done at all. Given the perceived access needs of the agencies involved, it may be less stressful for the grizzlies to be released after a shorter trip than a longer one that would presumably occur in Wilderness. In addition, all alternatives should include non-mechanized methods for releasing, monitoring, or otherwise “managing” grizzlies within Wilderness in the North Cascades.

Table 8. AL400 - ESA Section 10(j) Experimental Population Designation

CONCERN STATEMENT: Commenters expressed support for designating the restored grizzly bears as an experimental population under section 10(j) of the ESA. Commenters stated that a 10(j) alternative would ensure the recovery of grizzly bears, protect public safety, and ensure successful coexistence with humans. Some commenters asked for the 10(j) rule to be implemented in conjunction with other management systems to reduce human-grizzly bear conflict and to limit lethal take as much as possible. One commenter was in favor of the 10(j) rule and asked for more collaboration with Native American Tribes to help achieve conservation goals. One commenter requested the 10(j) rule increase the number of grizzly bears being translocated to the NCE and stated American grizzly bears should be prioritized over other bears within the ecosystem. One commenter requested NPS and USFWS to refrain from designating “no bear zones” on a map and consider management actions related to human-bear conflicts on the periphery of the ecosystem with increasing levels of private
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ownership. One commenter requested that NPS and USFWS not issue any permits that allow private landowners to kill or harm grizzly bears. The commenter also requested the 10(j) designation not provide authorization for unnecessary road development or recreation on public lands and that road densities remain carefully managed on public lands, to minimize grizzly bear displacement and mortality.
Representative Quote: We support a 10(j) experimental population approach to restoration of grizzly bears to the NCE, which would provide land managers with greater management flexibility in the event of human-bear conflict situations and other issues that may arise due to their reintroduction.
Representative Quote: The rule must ensure sufficient releases to achieve a scientifically-supported population size, provide for connectivity, and protect bears from take-especially lethal removal.
Representative Quote: B. Consider the conservation impacts of any allowable take under a 10(j) rule. Because grizzly bears are a conservation-reliant species, they need to be cared for into perpetuity or face extinction. Maintaining strong protection against human-caused mortality is necessary so that they can actually function in the family units they require for social stability, which aids in recruitment of future generations. ¹ This means that the individuals are not continually killed by poachers, government agents, livestock producers, or, as in Alaska, by trophy hunters. Should NPS and the FWS proceed with an alternative that includes development of a 10(j) rule, HSUS and HSLF strongly object to expanding allowable take beyond the exceptions in the existing 4(d) rule. 50 C.F.R. § 17.40(b). The Notice of Intent does not specify what types of otherwise illegal take a possible 100) rule would allow. Such take exceptions could range from the unobjectionable (e.g., allowance of non-lethal capture for monitoring purposes) to the highly problematic. For instance, the issuance of permits to private landowners to kill depredating bears could potentially undermine the reintroduction effort by creating a Section 9 exception that swallows the baseline prohibition on take. The FWS's experience with the reintroduction of Mexican wolves-which continue to face unacceptably high levels of human-caused mortality, threatening the population's long-term viability- is illustrative, and underscores the perils of carving exceptions to Section 9. Because of the conservation-reliant nature of grizzly bears, allowing any additional human-caused mortality could threaten the survival of the experimental population and contravene the conservation purpose of the ESA. Accordingly, NPS and the FWS must carefully assess the impact of any take allowed under a new 10(j) rule.
Representative Quote: NPCA urges the agencies to avoid drawing hard lines on a map which can create the perception that there are "no bear" zones where bears would be removed automatically. Instead, the agencies should consider increased flexibility in management actions related to human-bear conflicts on the periphery of the ecosystem with increasing levels of private ownership. o The EIS should identify the core areas, which are primarily public lands, as the areas where bear recovery is emphasized. Management plans should make it clear that agencies will respond to any human-bear conflicts on both public and private lands and that decisions on the disposition of any bears in such conflicts will be per the Interagency Grizzly Bear Guidelines, which call for increasing efforts to prevent conflict on private lands and enhanced responses on private lands should conflicts occur. There should also be a commitment to increased education and enhanced sanitation at all public campgrounds and facilities like visitor centers. o Further from the core recovery area, the FWS could evaluate a more flexible management approach that still includes enhanced efforts to assist landowners to secure attractants like garbage, livestock and fruit trees on private lands to reduce the probability of conflicts using techniques such as electric fencing. Actual bear management actions in these peripheral areas might include preemptive relocation of bears from such areas prior to conflicts and potential removal of bears that do get into severe or repeated conflicts in such areas to preclude the possibility of conflict reoccurrence. It should not include moving bears for simply being on the landscape.
Representative Quote: Regarding the proposal to designate reintroduced grizzly bears in the NCE as an experimental population under section 10(j) of the U.S. Endangered Species Act (ESA; 16 U.S.C. 1531 et seq.), Defenders supports this option to the extent that it promotes the recovery of the population, ensures management is humane and prioritizes non-lethal alternatives, and enables humans and grizzly bears to coexist. Given that grizzly bears are slow reproducers and dispersers, a 10(j) rule would likely be in effect for over 100 years. This necessitates the agencies to carefully consider the long-term implications of the 10(j) rule design. During the previous EIS process, we expressed concerns that the 10(j) proposal presented as of July 2018 did not sufficiently

limit mortality or adequately secure habitat to fully recover grizzlies in the NCE and recommended several modifications to the proposed rule. We plan to review any proposed 10(j) rule through the same lens and look forward to working with the agencies to develop appropriate language.

Representative Quote: NPCA strongly opposes any consideration of permits under a 10(j) designation to allow a landowner or private citizen to harm or harass bears as this is a safety issue and will likely lead to increased conflicts. Allowing the public to harass bears will also lead to the application of such techniques to bears that may just be occasionally visible rather than the specific bears that are involved in conflicts. Bear management should be left to experienced professionals in state and federal agencies. • NPCA also strongly opposes any consideration of permits under a 10(j) designation to allow the public to kill a grizzly bear in the context of conflict management. Grizzly bears can be killed by the public in self-defense or defense of other people as per 50 CFR 17.40. Any such self-defense killings would be investigated by federal and state law enforcement authorities to confirm that it was indeed self-defense. The agencies should make it clear in public messaging that while the management of grizzly bears under 10(j) status can include enhanced management flexibility, all grizzly bears under 10(j) status are still fully protected by the ESA from illegal killing and that any such illegal killing of a grizzly bear will be fully prosecuted by federal authorities. • NPCA urges the NPS and FWS to maintain road density standards even if moving forward with restoration under a 10(j) status. While 10(j) status eliminates the need to require FWS Section 7 consultations on all projects with a federal nexus such as timber sales on U.S Forest Service lands, NPCA recommends that road densities remain carefully managed on public lands. Motorized use of roads displaces grizzly bears and other wildlife like elk from valuable habitat. Roads also increase mortality risk for bears as they bring more people into potential contact with bears. It should be clear made clear that a 10(j) designation is not an authorization to allow unbridled road development and associated recreation on public lands.

Representative Quote: the FWS should use the forthcoming NEPA process to consider how different recovery frameworks (e.g. recovery permits versus experimental population designations) will affect broader recovery. As we have discussed, the different mechanisms for conducting reintroduction can have very different consequences for a species and its management. The “wholly separate” requirement of § 10(j), for instance, can hinder the formation of an inter-connected metapopulation necessary for grizzly recovery. While the FWS will likely undertake separate NEPA analysis in conjunction with a proposed § 10(j) rulemaking, the forthcoming EIS will be the best opportunity to evaluate a § 10(j) framework in comparison to recovery permits and other possible mechanisms for reintroduction.

Representative Quote: I spend over 50 nights each year in the backcountry, many of these nights in the North Cascades. I want to voice my support for Alternative B (Proposed Action), in which the NPS and WDFW would release bears into the NCE and surrounding areas as an experimental population under Section 10(j) of the Endangered Species Act. If adopted under Alternative B, the 10(j) designation would ensure grizzly bear restoration does not restrict other land uses or compromise public safety. This proposed action effectively prioritizes both the restoration of grizzlies and conflict-free management efforts for surrounding communities. There are few places left in the lower 48 states with habitat as secure, wild and productive as the North Cascades - or where the federal government plans to restore them. Grizzly restoration can be done successfully and safely as demonstrated in the Cabinet-Yaak ecosystem in Northwest Montana where a sustainable population has been established over three decades. Any reintroduction process of grizzlies to the North Cascades will be slow (about 3 to 7 bears a year), low density (an initial goal population of 25 bears over 9,800 square miles), and closely monitored by wildlife biologists. Currently, Washingtonians co-exist alongside 25,000 black bears. Thank you for your consideration and time on this important topic.

Representative Quote: If the NPS and FWS proceed with reintroduction of grizzly bears as an experimental population under section 10(j) of the ESA, we urge you to employ the strongest possible sideboards on any allowed take of grizzly bears. Take is defined under the ESA as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Any proposed 10(j) rule must be designed to clearly further the conservation, and recovery, of the species. The Draft EIS should include detailed analysis of how the impacts of each considered management approach would change if FWS utilizes ESA section 10(j) to designate the reintroduced bears as an experimental population.

Representative Quote: In regard to a proposed 10(j) rule: • Take should be prohibited broadly, with only those narrow exceptions necessary to further the conservation of the introduced population and the non-experimental

listed grizzly populations. • Such exceptions should not encompass incidental take; incidental taking should be prohibited. • Lethal removal of a grizzly bear should only be considered where there is a demonstrable threat to human safety, and, for non-immediate threats to human safety, only after non-lethal removal options and utilization of conflict prevention methods have been exhausted. • No grizzly bears should be hazed or relocated as a result of conflict with livestock unless demonstrable, repeated efforts have been made by the livestock producer to prevent such conflicts using commonly-available techniques. • Landowners should not be given a permit, or otherwise authorized, to kill grizzly bears. • No grizzly bear should be pre-emptively relocated if the bear is not a threat to human safety, particularly if the bear has not become habituated or food-conditioned. Doing so acts as a disincentive for communities to employ conflict prevention measures, and increases the risk to the bear of injury or death from capture and relocation. • The boundary of a 10(j) experimental population should be conservatively drawn (such as 25 miles beyond the NCE recovery zone boundary) to the east, so that there is no possibility of grizzly bears in the Selkirks population being affected by the NCE 10(j) designation, and so that the Selkirks grizzly population will continue to receive full protections as currently under the ESA.

CONCERN STATEMENT: One commenter noted the proposed section 10(j) experimental population would not translocate enough grizzly bears to meet a population of 200 bear within the next 60 years. The commenter requested an expedited option be included to translocate between 10 and 15 grizzly bears per year to achieve population growth.

Representative Quote: A 10(j) experimental population has too few bears translocated (5-8) per year, seeking a minimum viable population of 200 by 50-60 years in the future. In addition, the 10(j) option has too many human-caused mortalities (killing bears) available to managers. The EXPEDITED option would accelerate that to 10-15 translocated bears per year, and the 200 “essential” bears should be achieved within 25 years. American grizzlies from the NCDE and GYE should be prioritized over international bears from Canada.

CONCERN STATEMENT: Commenters requested that the agencies involved create and analyze an alternative that does not create an “experimental” population designation under section 10(j) of the ESA. Commenters were especially concerned that the 10(j) rule would reduce protections for grizzly bears under the ESA and would leave them vulnerable to hunting. Some commenters asked for an alternative focused on natural recovery where more wildlife corridors are created between the United States and Canada. Other commenters asked that the grizzly bears be translocated to the NCE while retaining their endangered species status. Commenters asked for an estimate of how many bears would be taken each year as a result of the 10(j) designation compared to full protection under the ESA. Commenters also requested the EIS:

- Describe how the project would maximize the welfare and survival of translocated grizzly bears.
- Describe how the project would minimize impacts to source populations and other wildlife population in the area, particularly those with ongoing recovery efforts.
- Provide a detailed study of how a 10(j) designation is likely to affect the success of NCE grizzly recovery, as compared to full ESA protections throughout the recovery zone.
- Disclose the number (or proportion) of grizzly bears likely to be taken each year as a result of the 10(j) designation and adjust planned translocation efforts to offset any foreseen losses of individual bears.

Representative Quote: The Environmental Impact Statement must consider Alternatives that do not incorporate the Endangered Species Act 10(j) rule classifying grizzly bears as an experimental population.

Representative Quote: Ecosystem (NCDE) around Glacier National Park, and strip the individual grizzlies of their current protections under the Endangered Species Act. The proposed action includes a problematic proposal to designate the reintroduced grizzly bears in the NCE as an "experimental population" under section 10(j) of the U.S. Endangered Species Act (ESA). Under this designation, the bears (at least any captured in the

U.S.) would lose their current protections under the Endangered Species Act (ESA) and could be shot, re-captured, or killed in the North Cascades.
Representative Quote: The federal agencies plan to kidnap bears from either British Columbia or the Northern Continental Divide Ecosystem (NCDE) around Glacier National Park to move to the North Cascades. But grizzlies have still not recovered in the NCDE, and there are no "extra" bears there to move to Washington. Such a plan would weaken the NCDE grizzly population and diminish the likelihood of developing the needed population linkages between the NCDE grizzlies and those elsewhere, such as in Yellowstone. Please don't do this. It's an awful plan. I do animal rescue and we never bring animals to another location especially in another state. It's illegal in Massachusetts to relocate wildlife. You'll be jeopardizing their very existence.
Representative Quote: As such, the fate of North Cascades population is based upon habitat protections, connectivity, and grizzly protection in British Columbia. The fact that bears are not being detected now in the North Cascades, but were apparently expanding their range in the past couple of decades, suggests that their populations are in trouble in Canada. The Draft EIS needs to determine whether there are regulatory mechanisms in place in both Canada and the US that would allow recovery and if not, then augmentation should not be pursued until adequate regulatory protections are in place. Second, the Draft EIS should address whether there is connectivity to other populations in Canada as no other US population or recovery area is close enough to be considered connected.
Representative Quote: Pleas oppose the capture of grizzlies from the Northern Continental Divide Ecosystem. The federal agencies plan to kidnap bears from either British Columbia or the Northern Continental Divide Ecosystem (NCDE) around Glacier National Park to move to the North Cascades. But grizzlies have still not recovered in the NCDE, and there are no "extra" bears there to move to Washington. Such a plan would weaken the NCDE grizzly population and diminish the likelihood of developing the needed population linkages between the NCDE grizzlies and those elsewhere, such as in Yellowstone National Park. Also, I oppose an "experimental population" designation. The agencies must create and analyze an alternative that does not rely on the so-called "experimental" population designation. Under such a designation, individual bears from the NCDE—which are currently protected under the Endangered Species Act—would be taken from their home range and transported to Washington state, where they would lose their protections under the ESA.
Representative Quote: It is imperative for the National Park Service and the U.S. Fish and Wildlife Service to evaluate an Action Alternative that restores grizzly bears to the North Cascades Ecosystem without the limitations placed on the population under the 10(j) rule. Employing the 10(j) rule will only work to maintain continued isolation of recovering populations when explorer bears are deemed problematic outside of the core recovery zone, where they will have no protection, and are removed.
Representative Quote: As we discuss below, the NPS and FWS should conduct reintroductions using recovery permits, without resorting to experimental population designations under ESA § 10(j). Should the FWS use experimental population designations, it must develop a rule with sufficient protections to ensure grizzly recovery, and without the pitfalls we have seen in other 10(j) designations, particularly those involving carnivores. Further, the forthcoming EIS must consider how designation of a § 10(j) experimental population would impact the broader population of ESA-listed grizzlies in the lower-48. A) The FWS Should Use Recovery Permits to Reintroduce Grizzly Bears in the NCE, Instead of Experimental Population Designations.
Representative Quote: Based on our review, the 10(j) proposed action for restoration of grizzly bears in the North Cascades would only add complexity to a situation that does not need it. To authorize the release of an experimental population under 10(j), USFWS must determine that the release would further conservation and recovery of a listed species (recognizing that the 1975 listed entity does not meet the current definition of "species"). USFWS has not adequately explained how use of 10(j) rulemaking to translocate bears to the North Cascades for an isolated population of 200 bears over the next 60-100 years promotes recovery of any specific distinct population segment warranting ESA protection. Nor has USFWS adequately explained how the 10(j) proposed action will make delisting robust, recovered populations elsewhere in the lower-48 states any easier. Grizzly bears have increased in number and expanded in area. Populations have recovered from an ESA perspective. Without the ability to delist recovered and robust populations, we risk loss of social tolerance and conservation commitment when the management flexibility that was promised with bear population growth fails to materialize.

Representative Quote: Until there is a clear path to delisting recovered populations, we cannot support actions that appear to only make that path more difficult. Creating an additional small, isolated population that cannot meet USFWS criteria for resilience or short-term genetic fitness appears to divert from recovery achievements in currently occupied areas rather than promoting them. A 10(j) population effort also diverts ESA resources away from grizzly bears in currently occupied areas and supplants other ESA priorities (for species other than grizzly bears) that have a better prospect of meeting ESA requirements. As long as there isn't a clear path to delisting for currently occupied areas and recovered populations, it is only sensible to avoid making the current ESA quagmire larger and more complicated with a 10(j) rulemaking. Instead, it's reasonable for us to prioritize and focus resources on occupied grizzly bear recovery areas.

Representative Quote: The 10(j) rule will inhibit population connectivity and remove protections outside of recovery zones. An integral part of the goal of reintroduction is to implement measures within the authority of the NPS and USFWS to minimize human-caused grizzly bear mortalities. Reintroducing grizzly bears under the 10(j) rule decreases protections and will increase the likelihood of human caused mortality. The 10(j) rule only provides ESA protections on National Park Service and National Wildlife Refuge lands. Protections for grizzly bears outside of the NCE GBRZ are lost under the 10(j) designation.

Representative Quote: The NCE would be the only grizzly bear population managed under the 10(j) rule and sets an unwarranted precedent for future reintroductions. When the grizzly bear was listed as threatened under the Endangered Species Act in 1975, populations were not listed as discrete entities, the grizzly bear was listed as, "the Grizzly Bear of the 48 Coterminous States." The grizzly bear population in the coterminous 48 states should remain one population and be managed as such with a focus on protecting core habitat and migration corridors.

Representative Quote: The goal is a recovered and interconnected population of grizzly bears, therefore the NCE population cannot be managed as a discrete population. First, this assumes explorer bears will not be immigrating and emigrating into and out of the NCE Recovery Zone and secondly, this movement is and should be the goal of the program; overall recover of grizzly bears as one interconnected and interbreeding population and support the recovery of the grizzly bear population to a sustainable level that allows it, as one population, to be removed from the Federal List of Endangered and Threatened Wildlife. Reintroduction under the 10(j) rule, essentially claims that this new wild population of grizzly bears is not essential to the continued existence of the species and will fail to provide for the population's genetic health, will actively imperil the long-term viability of grizzly bear in the wild by inhibiting population connectivity by impeding dispersal, and providing inadequate protection for genetically valuable grizzly bears.

Representative Quote: Wildlife impacts. EPA recommends the DEIS describe how the project would maximize welfare and survival of translocated grizzly bears and would minimize impacts to source populations and other wildlife population in the area, particularly those with ongoing recovery efforts. We recommend that the DEIS identify the management differences between ESA-listed non-experimental and 10(j) experimental population designations, as well as the impacts to other ESA-listed species' restoration that may have been experienced due to 10(j) designation. While the proposed re-introduction activities do not directly affect transportation infrastructure, we encourage the DEIS to analyze opportunities to improve ecological connectivity, which would contribute to the safety of human travelers by preventing wildlife-vehicle collisions, to the success of grizzly bear re-introduction, and to the restoration and maintenance of biodiversity in the North Cascades Ecosystem. Additionally, it would be helpful for the DEIS to describe any lessons learned from previous efforts under USFWS's Grizzly Bear Recovery Program.

Representative Quote: For the EIS, I ask that you conduct a detailed study of how a 10(j) designation is likely to affect the success of NCE grizzly recovery, as compared to full ESA protections throughout the recovery zone. Please disclose the number (or proportion) of grizzly bears likely to be taken each year as a result of the 10(j) designation. If the 10(j) designation remains part of the proposed action, please adjust planned translocation efforts to offset any foreseen losses of individual bears.

CONCERN STATEMENTS: Commenters requested modifications be made to the language in the section 10(j) rule. One commenter requested that the wording of the 10(j) language specify that NPS and USFWS are the sole managers of the recovery effort. The commenters were concerned that state governments and private

interests could hinder the recovery of grizzly bears by allowing too much hunting or by reducing the grizzly bear population if there are conflicts with livestock.

Representative Quote: It is not the process I would prefer, but I understand the need to have options as agencies deal with the return of a predator species, and the need for public information, involvement, and safety. Perhaps more importantly, we need options and regulations to buffer against efforts to stall, overturn, or remove grizzly bears from the NCE in the future. If properly implemented, 10(j) listing for threatened species could provide these benefits to managing agencies. Alternative elements and Management Tools to be Considered However, how the 10(j) listing is worded will be critical as 10(j) provides authorities, ranchers, and landowners with more options for managing bears. This is problematic as nearby state governments (including those with grizzly recovery zones), as well as private interests, have a long history of actively working to reduce predator numbers, and kill and trap bears and wolves. One of the current leading causes of death for grizzly bears is conflict with livestock operators and big game hunters <https://www.grizzlytimes.org/problem-killing-bears>. 10(j) language should firmly lock in NPS and USFWS as sole managers of this recovery effort.

Representative Quote: FoA also urges the Federal Agencies to consider how ranchers and private landowners will use an “experimental population” designation under section 10(j) of the Endangered Species Act and ensure “more flexible” management methods will not lead to fatal means of “management.” Instead, non-lethal means for avoiding and deescalating the rarely occurring interactions should be required whenever possible.

Representative Quote: Section 10(j) applies to species populations that are reintroduced to an area where they do not exist. If the agencies determine that grizzly bears do not currently exist in the NCE and determines that bears in the NCE must be managed as an experimental population, we suggest that any 10(j) rule should be narrowly tailored to provide for the conservation of the species as required by the ESA. Overly aggressive 10(j) rules that allow for lethal removal of species have stunted recovery in other instances, and thus we would propose that any 10(j) rule limit lethal removal by residents only to clear situations of self-defense. We do not feel that protection of livestock is a valid reason for killing a grizzly bear when trying to recover the population, especially in instances where livestock owners do not first exhaust nonlethal methods. If the NPS and FWS proceed with reintroduction of grizzly bears as an experimental population under section 10(j) of the ESA, we urge you to employ the strongest possible protections on any allowed take of grizzly bears. Take is defined under the ESA as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Any proposed 10(j) rule must be designed to clearly further the conservation, and recovery, of the species. The DEIS should include detailed analysis of how the impacts of each considered management approach would change if FWS utilizes ESA section 10(j) to designate the reintroduced bears as an experimental population. Additionally, we wish to stress that as proposed, healthy, non-conflict bears will be taken from the wild and their native ecosystems from other populations - - likely the NCDE grizzly bear population - - for this reintroduction effort. As such, every effort must be made by the FWS to ensure that these healthy, non-conflict bears will be protected to the greatest extent in regard to any allowable take under an ESA section 10(j) rule. Specifically, lethal removal of a grizzly bear should only be considered when there is a demonstrable threat to human safety. This should not include non-immediate threats. Relocation of grizzly bears within the NCE or that leave the NCE after reintroduction should be carefully considered by the agencies. At minimum no grizzly bear that currently exists in the NCE should be relocated if the bear is not posing a threat to human safety. Doing so disincentivizes communities using proper conflict prevention measures and relocation may cause injury or death due to the stress and complications surrounding capture and relocation. The boundary of a 10(j) designation needs to be carefully considered in the DEIS to prevent the possibility of grizzly bears in the Selkirks population being affected by the NCE 10(j) designation. The agencies must ensure the Selkirks population continues to receive full protection under the ESA. The Center suggests that the 10(j) boundary for the NCE extends no more than 25 miles east of the North Cascades Recovery Zone boundary. This will leave ample space between the NCE and the Selkirk Recovery Zone so that grizzlies originating in the Selkirks will remain fully protected pursuant to the ESA.

CONCERN STATEMENT: Commenters expressed concern that the section 10(j) rule would focus more on reducing liability issues for the NPS and USFWS rather than benefitting the species' recovery efforts in the NCE.

Representative Quote: Should the FWS resort to experimental population designations, any § 10(j) rules must, by statute, “further the conservation of such species.” Id. § 1539(j)(2)(A). As courts have held, species recovery is “at the heart” of § 10(j), Ctr. for Biological Diversity v. Jewell, No. CV-16-00094-TUC-JGZ, 2018 WL 1586651, at *5 (D. Ariz. Mar. 31, 2018), and the FWS has a “non-discretionary duty” to ensure that every rule promulgated thereunder will further recovery. Defs. of Wildlife v. Tuggle, 607 F. Supp. 2d 1095, 1117 (D. Ariz. 2009). Unfortunately, § 10(j) processes often focus far more on reducing liability than benefits to the species. More than twenty years ago, a commentator observed that the FWS “seems to interpret section 10(j) to authorize, if not require, the adoption of any and all control measures needed to gain the support of those potentially affected by a reintroduction” (Doremus, 1999). This remains true. As organizations involved in § 10(j) reintroductions for other species, including Mexican wolves and black-footed ferrets, we too often see § 10(j) rules offer concessions that undermine recovery.

CONCERN STATEMENT: One commenter asked for the EIS to assess the grizzly bear restoration as an experimental and nonessential population to provide additional flexibility under section 7(a)(2). They also asked that issuance of a section 10(a)(1)(B) incidental take permit be considered and analyzed in the EIS. They argued that a 10(a)(1)(A) permit would be too limited in scope to allow for adequate take of grizzly bears.

Representative Quote: RMEF understands that the USFWS may choose to continue development of an EIS under its preferred alternative. Under this circumstance, RMEF offers the following: The presence of grizzly bears in the NCE is not essential for the continued existence of grizzlies in the U.S. and RMEF strongly recommends that the EIS assess the restoration as an experimental population that is nonessential. A designation of nonessential experimental population provides additional flexibility needed to manage the grizzly population and prey species through relaxed federal agency consultation requirements under section 7(a)(2).

Representative Quote: In addition, issuance of a section 10(a)(1)(B), an incidental take permit (which is needed when a non-federal project is likely to result in 'take' of a listed species), should be assessed in the EIS. Grizzly bears and their prey species benefit from active management and in some areas of Washington, continued land management is critical for their success. There are a multitude of non-federal projects already in progress that will continue well after the restoration of an experimental population. Examples include critical habitat improvements (prescribed burning, timber thinning, etc.), wildfire prevention treatments, and transportation projects intended to improve wildlife connectivity. The 10(j) designation should not preclude mechanical thinning, hazardous fuel management, commercial timber harvest or other treatments needed to enhance prey species habitat. A 10(a)(1)(A) permit has a very limited scope of 'take' and is not intended to cover the range of likely 'take' incidents associated with activities other than research. It is essential that the USFWS analyze the slate of non-federal projects to occur on the landscape and need for a 10(a)(1)(B) permit.

CONCERN STATEMENT: Commenters requested additional information on the section 10(j) designation to determine the certainty, safety, and overall effect the experimental population would have on the NCE. Commenters requested examples of 10(j) management options. Commenters noted the information provided to the public about the 10(j) was insufficient to make an informed decision.

Representative Quote: 10(j) management: Scoping material states - “The process will include assessing alternatives to include a 10(j) experimental population designation, which provides land managers with additional options for managing grizzly bears. If adopted, the 10(j) designation would add more certainty, safety, and control for the region.” The general public needs far more information concerning options concerning 10(j)

options for “certainty, safety, and control.” Do those responding to the scoping materials have any examples of 10(j) management options for grizzlies used in other areas of the nation?” The NPS provides plenty of information concerning the positive value of importing grizzlies but nothing concerning potential 10(j) management options. It's like being told, “You WILL be living with grizzlies! Now, how do you want to do it?” The NPS and FWS must provide more information concerning the parameters of 10(j) management options if they hope to receive thoughtful input.

Representative Quote: I think the 10j listing and the explicit 3 depredations/year prediction in the scoping materials will help address some concerns around coexistence with livestock. I think the document could further clarify how the 10j rule and other management actions could address concerns about safety during backcountry recreation, which were very prevalent in the comments and seen to be less explicitly addressed on the scoping materials.

Representative Quote: Grizzly bears across the continental United States are currently listed as threatened and receive Section 9 protections as provided in a species-specific 4(d) rule. 50 C.F.R. § 17.40(6). This rule generally prohibits take of grizzly bears while providing limited exceptions for (1) the take of bears in self-defense or defense of others; and (2) responses by state and federal authorities to significant depredation and/or threats to human safety. The existing 4(d) rule provides a relatively high level of protection for grizzly bears while still allowing management flexibility to address genuine human-bear conflicts (including through relocation). NPS and the FWS should consider whether a separate 1 0Q) rule covering only the reintroduced NCE population is truly necessary in light of the existing 4(d) rule. NPS and the FWS correctly recognize that the mere fact that a population has been reintroduced does not compel the FWS to issue a 10(j) rule for such population. Rather, Section 10 of the ESA grants the discretionary authority to issue a rule, only after a determination that creating exceptions to Section 9's prohibition on take meets the following conditions: • Is "necessary for the establishment and maintenance of [the J experimental population," • "If exercised, will not operate to the disadvantage of [the] species," and • "Will be consistent with the purposes and policy set forth in section 2 of [the Act]" - a legislative purpose characterized by the Supreme Court "to halt and reverse the trend toward species extinction, whatever the cost." Tennessee Valley Auth. v. Hill, 437 U.S. 153, 184 (1978). 16 U.S.C. § 1539(a)(1)(A), (d). The Notice of Intent provides scant information and analysis regarding the need for a 10(j) rule in light of the above factors. It only vaguely notes that a prospective 10(j) rule would provide "greater management flexibility," but does not explain why that flexibility does not exist under ordinary Section 9 protections or the existing 4(d) rule.

Representative Quote: Based on our review, the 10(j) proposed action for restoration of grizzly bears in the North Cascades would only add complexity to a situation that does not need it. To authorize the release of an experimental population under 10(j), USFWS must determine that the release would further conservation and recovery of a listed species (recognizing that the 1975 listed entity does not meet the current definition of "species"). USFWS has not adequately explained how use of 10(j) rulemaking to translocate bears to the North Cascades for an isolated population of 200 bears over the next 60-100 years promotes recovery of any specific distinct population segment warranting ESA protection. Nor has USFWS adequately explained how the 10(j) proposed action will make delisting robust, recovered populations elsewhere in the lower-48 states any easier. Grizzly bears have increased in number and expanded in area. Populations have recovered from an ESA perspective. Without the ability to delist recovered and robust populations, we risk loss of social tolerance and conservation commitment when the management flexibility that was promised with bear population growth fails to materialize.

Representative Quote: NPS and USFWS appear to acknowledge the inherent dangers of reintroducing grizzly bears to our local communities in the current proposal; however, instead of taking pause, they have chosen to accelerate the EIS effort. The "10j" proposal is not well-defined. It identifies the need for grizzly bear management options for "certainty, safety and control for the region." However, it then goes on to suggest reintroduction. In a time when collaboration and partnerships are the norm for restoration efforts, the lack of coordination and consultation with local communities on this effort, as well as the failure to address rural community concerns, is disappointing. Federal agencies have an obligation to coordinate and consult with local governments, specifically county governments, to ensure consistency between federal and local planning efforts and policies. There has been no effort to engage us in this current effort, and the EIS timeline appears to fast-track the effort toward a predetermined outcome. This board also questions the legality of the effort, given

Washington State law states, "Grizzly bears shall not be transplanted or introduced into the state (RCW 77.12.035)." We are concerned the current approach appears to run counter to local and state policies and laws.
CONCERN STATEMENT: Commenters expressed opposition to the section 10(j) rule, noting the legal issues surrounding the experimental population and delisting of the grizzly bears in the NCE.
Representative Quote: Our understanding is that a 10j experimental population cannot lawfully be introduced within the habitat range of existing grizzly bear populations. It is critical for you to explain the same.
Representative Quote: We ask the federal agencies to step back from evaluating a 10(j) proposal to move grizzly bears to the North Cascades until the agencies can identify a viable legal framework and criteria for delisting grizzly bears in the lower-48 states. Such a framework is important to continued grizzly bear conservation in Idaho and adjacent states.
Representative Quote: Discuss the legal and practical necessities for as well as the attendant protocol response procedures and their ramifications stemming from applying the 'experiment' tag to this proposed wildlife reintroduction project. What does that mean for the day-to-day administration and management of the project as well as deviations from the plan and increased operational costs.
CONCERN STATEMENT: Commenters expressed opposition to the application of the ESA and section 10(j) rule for the restoration of grizzly bears in the NCE, noting there is no rational basis for the restoration of a species that has been extirpated if the population is stable in other portions of its range.
Representative Quote: We believe the application of the ESA and Section 10(j) to be an inappropriate use of that policy. The ESA does not provide a rational basis for the introduction of U. arctos into the NCE when the conditions for recovery of the species have already been met. If a species is stable throughout a significant portion of its range, agencies have no scientific basis under the ESA to seek introduction of any species into a region where it was extirpated.
Representative Quote: This effort is not about recovery. And it is not in fulfillment of The endangered species act. It is an end run around The endangered species act in attempt to grab habitat outside of the national park for grizzly bear recovery which is illegal. There are no resident non-transient grizzly bears in the North Cascades national Park. Therefore, no grizzly bears are threatened or endangered and this is not actually a use of the endangered species act and not a recovery. Using the 10 j option to illegally plant an isolated non-essential population of grizzly bears in the national Park is an abomination of the endangered species act. Grizzly bears have been studied and are known and do use a 300 mile range in the summer wandering into different habitats looking for mates and for other forage. The 10 j option then calls for the managers to declare any population of grizzlies to be threatened. Thus, managers have themselves created a situation in which they have created a threatened population. That threatened population did not exist before they planted an isolated wandering population of grizzly bears. Thus this is not simply an illegal attempt to recover grizzly bears in the North Cascades Park but an attempt to then increase grizzly bears where they don't exist in areas outside of the park. Because this option also gives the managers the right to restrict use and control people and bears on private, public, tribal and park property outside of the park.
Representative Quote: The ESA does not provide a rational basis for the introduction of U. arctos into the NCE when the conditions for recovery of the species have already been met. If a species is stable throughout a significant portion of its range, agencies have no rational basis under the ESA to seek introduction of any species into a region where it was extirpated. ²⁴ Endangered Species are defined in the ESA as: The term "endangered species" means any species which is in danger of extinction throughout all or a significant portion of its range other than a species of the Class Insecta determined by the Secretary to constitute a pest whose protection under the provisions of this Act would present an overwhelming and overriding risk to man. Threatened Species are defined in the ESA as: The term "threatened species" means any species which is likely to become an

endangered species within the foreseeable future throughout all or a significant portion of its range. The clearly defined and qualified terminology of the ESA demonstrate the need for delisting of U. arctos 25 across the lower 48 United States to be greater than pursuit of a Section 10(j) experimental population within a localized, extirpated region such as the NCE. Currently, Wyoming and Montana have stable and growing U. arctos populations; the current NCE proposal raises questions as to why FWS and NPS are again pursuing an introduction of U. arctos at the expense of reviewing three delisting petitions that have been before the agency for up to a year. The potential loss of human life, livestock depredation, and increased regulatory costs to local governments are exacerbated when U. arctos is listed as “threatened” under the ESA. States like Montana, which has a long history of the presence of U. arctos, have tools to manage U. arctos issues but are inhibited in doing so by listing under the ESA. States that do not have a U. arctos presence would face even greater economic impacts in the event of a ESA Section 10(j) experimental introduction of U. arctos. As the Montana 23 Ibid.

Representative Quote: Rather than developing a 10(j) rule that would allow for “management flexibility,” the agencies should take the time to ensure adequate preparation and safeguards for grizzlies. The EIS newsletter identifies the need for a 10(j) rule because it “would focus on supporting grizzly bear restoration in the NCE while reducing or avoiding potential land use and other conflicts in areas both inside and outside the NCE.” However, with adequate planning at the outset and an emphasis on conflict avoidance and coexistence, the vaguely referenced “land use and other conflicts” can still be minimized without threatening the long-term success of a North Cascades grizzly population and slowing down recovery by allowing a relatively unchecked number of “management removals.”

Table 9. CC1000 - Consultation and Coordination: General Comments

CONCERN STATEMENT: Commenters requested consultation and coordination efforts be made with the Canadian federal government and the British Columbia provincial government throughout the planning process. Commenters also requested NPS and USFWS coordinate with the Canadian federal government to establish wildlife corridors. Several commenters requested additional information on how consultation and coordination with the Canadian federal government and the British Columbia provincial governments would be addressed during the planning process.

Representative Quote: The NEPA process for grizzly reintroduction into the North Cascades Ecosystem is complicated by the ecosystem spanning the U.S.-Canadian border. In the public information sessions, mention was made of a parallel process in British Columbia and the need to coordinate between the neighboring agencies. Yet, the planning document makes no mention of how this coordination will be addressed. How will the different national actions be coordinated? What will the U.S. do if the Canadian choice is in not completely compatible? For example, one nation chooses an aggressive reintroduction, and the other chooses no action. Shouldn't international coordination be one of the issues in the planning process to set expectations on both sides of the border?

Representative Quote: Grizzly bears are currently protected in the NCE. DOI should work with Canadian counterparts to ensure safe migration corridors between Canada and the US. This plan as proposed would force bears from another established area to be dropped into the NCE where survival is highly questionable. Severe restrictions on trail users is clearly going to be necessary, and even then, it is questionable whether decades of restricted access will matter to the population survival. The only reason DOI is now doing this is as a way to eliminate on-going litigation by groups that claim to help the bears but are really litigating for their own fundraising purposes. The bears are just being used. This plan doesn't help the bears, the communities, or the recreation users. It is a business decision promoted for good business.

Representative Quote: As such, the fate of North Cascades population is based upon habitat protections, connectivity, and grizzly protection in British Columbia. The fact that bears are not being detected now in the North Cascades, but were apparently expanding their range in the past couple of decades, suggests that their populations are in trouble in Canada. The Draft EIS needs to determine whether there are regulatory mechanisms in place in both Canada and the US that would allow recovery and if not, then augmentation should not be pursued until adequate regulatory protections are in place. Second, the Draft EIS should address whether there is connectivity to other populations in Canada as no other US population or recovery area is close enough to be considered connected.

Representative Quote: We recognize that there was a prior analysis undertaken in 2017 and many of the topics below were addressed at least to some extent in the Draft Environmental Impact Statement (EIS) associated with that public process. However, as the agencies are noting that this is a 'completely new process' we urge you to include analysis on the following topics in the forthcoming Draft EIS: 1. Ecological importance and benefits of restoring a viable population of grizzly bears to the NCE 2. Natural and regional history of grizzly bears and the reasons for their decline/extirpation 3. Cultural and spiritual importance of grizzly bears to Native Americans and First Nations 4. Economic benefits to communities around the recovery zone 5. Likelihood of natural recolonization and status of nearest grizzly bear populations including connectivity to other grizzly bear populations 6. Potential impacts to/benefits for fish and wildlife populations from grizzly bear reintroduction 7. Analysis of the number of cattle and sheep operations in and adjacent to the NCE and status of the allotments on lands managed by the Forest Service 8. Potential impacts to the livestock industry 9. Non-lethal methods of preventing conflicts between livestock and grizzly bears 10. Compensation programs for livestock depredation by grizzly bears in Washington State 11. Impacts/benefits for recreation and potential effects of grizzly bear recovery on recreation access 12. Recreation access and economies in other areas with grizzly bears (i.e. Yellowstone, Northern Rocky Mountains); information on the numbers of recreationists in these ecosystems who safely recreate in occupied grizzly bear habitat 13. Human safety and coexistence with grizzly bears, including how other grizzly bear recovery areas have promoted coexistence 14. Consideration of how grizzly bear secure habitat will be consistently maintained on lands managed by the Forest Service 15. Current road density analysis for lands in the NCE 16. Current levels of motorized access and projections on how this might increase/decrease under various recovery scenarios 17. Estimated time to recovery under each option, including the most expedited options 18. Inclusion of an alternative with a target grizzly population of 200 bears within 50 years 19. Impacts of moving individual grizzly bears back to the NCE if they venture close to or outside the NCE recovery zone boundary, including potential mortality 20. Impacts of movement of bears from the Northern Continental Divide Ecosystem and/or Canada, both on an individual and population level.

CONCERN STATEMENT: Commenters requested consultation and coordination efforts with indigenous tribes and communities in the United States and Canada before, during, and following the restoration of grizzly bears to the NCE. Commenters called for additional information on how consultation and coordination processes with Tribal nations would be conducted during the planning process. Commenters said that the plan should better incorporate indigenous knowledge and acknowledge the deep cultural significance of grizzly bears to some Tribes and First Nation communities in the region. Commenters also asked for more inclusion of Tribal and First Nations representatives in the planning process.

Representative Quote: If the US government is interested in sourcing animals for translocations from British Columbia, it is imperative that consultations with the appropriate First Nations are held and permissions secured sooner than later. On the US side of the border, we ask that the IGBC Chair renew efforts to enlist tribal representatives in the NCE subcommittee. It is the only subcommittee without a First Nations/Tribal representative.

Representative Quote: It seems plausible that US and BC grizzly bear recovery actions have potential implications for each other, particularly considering the proposed 10(j) rule and experimental/non-essential designation. We propose that there be some level of coordination with BC grizzly recovery team led by the Okanagan Nation Alliance and partners. It's a good first step to invite the ONA biologist to sit on the NCE technical team and the inclusion of NC tech team members on the BC working groups.

Representative Quote: With this letter the Snoqualmie Indian Tribe is providing comment on the Notice of Intent To Prepare North Cascades Ecosystem Grizzly Bear Restoration Plan/Environmental Impact Statement. The Snoqualmie Indian Tribe [Tribe] is a federally-recognized sovereign Indian Tribe and a signatory to the Treaty of Point Elliott of 1855, in which it reserved to itself certain rights and privileges, and ceded certain lands to the United States. As a signatory to the Treaty of Point Elliot, the Tribe specifically reserved to itself, among other things, the right to fish at usual and accustomed areas and the "privilege of hunting and gathering roots and berries on open and unclaimed lands" off-reservation throughout the modern day state of Washington. Treaty of Point Elliot, art. V, 12 Stat. 928." Long before the early explorers came to the Pacific Northwest, our people hunted deer,

elk, and bear, fished for salmon, and gathered berries and wild plants for food, medicine, and fiber. Today, many of our members live in the communities of Snoqualmie, North Bend, Fall City, Carnation, Issaquah, Mercer Island and Monroe, and they exercise their cultural heritage and traditions using resources from across what is now the state of Washington, and beyond. The Snoqualmie People have a special cultural connection with the great bear, and we are committed to the protection and management of all native species. Article XIV of the Constitution of the Snoqualmie Indian Tribe states that: "Nature and its biodiversity, the environment and the tribal heritage are the responsibility of every tribal member. The tribal government shall endeavor to guarantee for every tribal member the right to a healthy environment and the possibility to influence the decisions that concern their own living environment." To this end, we support taking measures to begin the recovery of grizzly bear in the North Cascades. In particular, we support a cautious approach to recovery, similar to what was outlined in Alternative C from the 2019 DEIS, and similar to what is discussed in the Proposed Action—Restoration as an Experimental Population Under the ESA. It is our hope and desire that the timeline of the approaches that are scoped under this process, and of the approach that may eventually be agreed upon will allow for continual assessment of recovery progress, will closely monitor any potential conflicts, and will enable the practice of adaptive management to address any anticipated or unanticipated concerns that may arise. Please be sure to include cautious, measured timelines and approaches in the final scoping documents. We do acknowledge that as the population of grizzlies in the Cascades grows, the potential for grizzly bear - human interactions will grow as well. Conflicts will likely need to be addressed, and we request the continuing opportunity to weigh in on the best ways address such challenges. Clearly, the safety of tribal members and the general public is paramount; however, we know that it is possible to live in this region with places for grizzly bears and for humans, because the Tribe has done exactly that for millennia prior to the arrival of Europeans. As the grizzly bear restoration plan is implemented, we request continued consultation regarding grizzly bear dispersal both within and outside the North Cascades Ecosystem. This way, the Tribe can be sure to communicate with and provide information to Tribal members who may be exercising their rights in areas where grizzly bears may be present. Thank you for the opportunity to comment on the Notice of Intent To Prepare North Cascades Ecosystem Grizzly Bear Restoration Plan/Environmental Impact Statement, Washington. We look forward to further discussion with our federal partners regarding the details of the plan as it is further developed and implemented.

Representative Quote: Coordination with Tribal Governments. EPA encourages the lead agencies to consult with the Tribes and incorporate feedback from the Tribes when making decisions regarding the project. EPA recommends the DEIS describe the issues raised during the consultations and how those issues were addressed.

Representative Quote: We need to listen to and learn from the Tribal Nations. Native American Tribes are seeking a greater voice in the Grizzly management and need to listen. Deep cultural ties dating back thousands of years connect Indigenous people to grizzly bears through myth, culture and law. The Hopi Tribe see grizzly bears, known as Hoonaw, as a healer and medicine man. To the Eastern Shoshone, grizzly bears are kin, elders. They aren't to be hunted for food, sport or hides. The Shoshone learn about them as medicine. They learn from them. The Eastern Shoshone, Hopi and more than 200 other tribes or tribal organizations have signed a treaty demanding protection for the grizzly bear. Many of them have also joined lawsuits to overturn federal efforts at removing Endangered Species Act protection from grizzlies. In the process, they have expanded the public discussion about which values and voices have a stake in the grizzly's future.

Table 10. CC1100 - Consultation and Coordination: Public Involvement

CONCERN STATEMENT: With regard to the public scoping process, commenters were unhappy with the virtual meeting format and requested in-person meetings be held. Others indicated that the scoping comment period was too short and requested the comment period be extended to allow adequate time for individuals and organizations to provide meaningful comments on the project. Some commenters requested the NPS and USFWS hold multiple in-person public hearings at a variety of urban and rural locations to accommodate individuals with limited internet access.

Representative Quote: Public Meetings - Is there a communication plan? Will there be in person public meetings? Online meetings are not adequate, and an effort should be made to engage with rural communities on both the east and west side of the Cascades.

Representative Quote: I do not feel that the Virtual Scoping meetings were a good use of time for many interested parties, including myself. The lack of experts from the broader Recovery Area, inability to ask follow-up questions and the short time frame allotted for the meetings limited meaningful interaction and clarification of issues. I hope as you proceed with this project that this will change.

Representative Quote: To ensure meaningful participation in this process we formally request the NPS and USFWS to hold in-person public hearings in, at a minimum, each directly affected county within the NCE footprint. We also request at the least a 30-45-day extension on the public scoping period so that the Member Farm Bureaus and Counties have sufficient time to analyze priorities and develop substantive comment for the scoping process. Extending the scoping period is critical as the DOI's announcement for this proposal coincides with fall meetings and national holidays. Given the significance of this proposal to the people of Washington, lessees of state and federal lands, and the presence of prime farmlands in the region of influence, an extension of the scoping period and public comment opportunity will ensure robust, thorough, and necessary public participation occurs.

Representative Quote: The people of Washington most effected by this proposal spend their time in the field, far from a computer, and in many instances, far from reliable internet service. Rural resource dependent counties have long been underserved by federal departments in their rule-making procedures and regulatory actions, ceding the rule making influence to special interest environmental organizations who have the time and resources to drive these processes. We ask the NPS and USFWS to recognize these compounding factors and take action to facilitate comment and public participation in a comprehensive and meaningful manner. As this process proceeds it is critical that NPS and USFWS officials come out from behind their computers and meet in person, face-to-face with the people of Washington.

Representative Quote: Education and outreach efforts may require local public meetings to discuss the restoration process. NPCA encourages the agencies to visit a diversity of locations on both the west and east sides of the Cascades. Both rural and urban audiences deserve equal opportunities to engage, and both audiences recreate and otherwise use public lands in the recovery zone, with significant numbers coming from the most populated parts of the state. Online public meetings ought to also be an option, so people who cannot make in-person meetings can participate.

CONCERN STATEMENT: Commenters expressed concern about the availability of the scoping materials and requested these materials be made available for the public to review, including the project mailing list and stakeholders. Commenters requested additional information be provided to the public to help with the decision-making process and asked who the final decision-makers will be. Commenters requested the following be included: examples of section 10(j) management options used in other parks, updates on how the previous and current comments will be addressed in the EIS, and more information on the impacts and concerns raised by local residents. One commenter requested that all resources cited in the NEPA document be made easily available for the public to review. One commenter indicated that the information provided in the scoping materials did not provide sufficient information on the effects of restoring grizzly bears into the NCE. One commenter expressed concern about pursuing the restoration of grizzly bears in the NCE and noted the information about the 10(j) proposal was not clearly defined in the scoping materials. The commenter also noted the amount of coordination and consultation completed with local communities was not sufficient and did not meet federal obligations.

Representative Quote: To the best of my knowledge, the scoping meeting transcripts and videos are not available for public review. This seems highly unusual. Do the agencies involved in conducting the four scoping sessions have a legal responsibility to maintain scoping materials for public review? Does the decision to not maintain records of the scoping meetings expand or limit distribution of scoping material to a broader public? How are those interested in reviewing the four scoping meetings able to thoughtfully compare and contrast questions raised at each meeting without access to transcripts of the four virtual scoping meetings? They can't.

Representative Quote: A final comment: All the documents from Environmental Assessments should be easily available to those persons interested in the details accumulated. This is valuable information whether or not one supports the "re-introduction of grizzlies".

Representative Quote: All management decisions should be founded upon enabling legislation that defines the North Cascades Complex as a "...vast recreational complex." Did the NPS/FWS scoping document or the virtual meetings specifically reference public recreation and visitation in light of PL 90-544 and its legislative history (Senate Report 700 and House Report 1870) and the 1984 Wilderness Act? We know that Governor Dan Evans, co-sponsor of the Wilderness Act, testified :""What the bill would not do is to keep the park visitor shut out of the park. All the existing transportation and development corridors would be excluded from wilderness designation... I believe the parks are there to provide recreation, as well as the preservation of the natural ecosystem." Do the scoping documents reflect this recreation priority? Specifically, how does the scoping document or virtual meetings reflect an evaluation of grizzly importation on the potential impact on visitor use of trails and campgrounds throughout this recreational complex? It would seem the scoping documents and meetings should have included considerable reference and discussion concerning the effects of the introduction of grizzlies into the North Cascades. Again, all management decisions should be founded upon legislation that defines the North Cascades Complex as a "...vast recreational complex."

Representative Quote: 7. There needs to be "written" context as to how public comments, both previous and current, will be assimilated and weighed into the final decisions.

Representative Quote: 10(j) management: Scoping material states - "The process will include assessing alternatives to include a 10(j) experimental population designation, which provides land managers with additional options for managing grizzly bears. If adopted, the 10(j) designation would add more certainty, safety, and control for the region." The general public needs far more information concerning options concerning 10(j) options for "certainty, safety, and control." Do those responding to the scoping materials have any examples of 10(j) management options for grizzlies used in other areas of the nation?" The NPS provides plenty of information concerning the positive value of importing grizzlies but nothing concerning potential 10(j) management options. It's like being told, "You WILL be living with grizzlies! Now, how do you want to do it?" The NPS and FWS must provide more information concerning the parameters of 10(j) management options if they hope to receive thoughtful input.

Representative Quote: It is common that a FEIS contains an Appendix which describes how comments on a DEIS have been addressed in a FEIS. We respectfully submit this practice be extended to the present situation where an Appendix describes how comments to the first DEIS have been responded to in the new DEIS. Among other things doing so would great expedite reviews of the new DEIS.

Representative Quote: The scoping document is discriminative against families, businesses, minorities and private property owners who have built their lives near or have supported the NCES who would now be threatened by the impacts of the presence of Grizzly Bears and their aggressive habits and behavior. The scoping document assumes a majority of the population supports Grizzly Bear presence in the NCES as can be deducted from alternatives presented. I challenge the two agencies as to be transparent as to their limited mailing lists and comments from a privileged population who can be categorized as special interest groups. The agenda to introduce Grizzly Bears stands as a bias, discriminatory agenda, as evidenced by even beginning this process again after being halted. It is not the general population asking for Grizzly Bears to return, is it? A responsible team will explain if this is an agency driven agenda, or the general population crying out for the return of the Grizzly.

Representative Quote: I also think that it will be important to improve transparency about how the agencies integrate the comments they receive into final decisions. Who are the ultimate decision-makers? Is there an interdisciplinary team from across agencies and partner organizations that can weigh in on decision-making? How will the tribes' and First Nations' opinions be weighted? There are approaches to making the science and politics included in a decision more explicit (e.g, structure decision-making). Advisory boards or citizen advisory committees might make people feel more represented.

Representative Quote: NPS and USWFS appear to acknowledge the inherent dangers of reintroducing grizzly bears to our local communities in the current proposal; however, instead of taking pause, they have chosen to accelerate the EIS effort. The "IOj" proposal is not well-defined. It identifies the need for grizzly bear management options for "certainty, safety and control for the region." However, it then goes on to suggest reintroduction. In a time when collaboration and partnerships are the norm for restoration efforts, the lack of coordination and consultation with local communities on this effort, as well as the failure to address rural community concerns, is disappointing. Federal agencies have an obligation to coordinate and consult with local governments, specifically

county governments, to ensure consistency between federal and local planning efforts and policies. There has been no effort to engage us in this current effort, and the EIS timeline appears to fast-track the effort toward a predetermined outcome. This board also questions the legality of the effort, given Washington State law states, "Grizzly bears shall not be transplanted or introduced into the state (RCW 77.12.035)." We are concerned the current approach appears to run counter to local and state policies and laws.

CONCERN STATEMENT: Commenters requested the NPS and USFWS provide sufficient public education and outreach to recreationalists, ranchers, farmers, and the public about wildlife management. Commenters requested the NPS provide trainings about coexisting with wildlife, minimizing interactions, and best management practices. One commenter requested that the EIS include an appendix document detailing educational and safety training measures for the public.

Representative Quote: Many federal and state wildlife and conservation agencies are adept at moving or translocation of wildlife species and managing them in their new homes. Grizzly bear-human conflicts can occur but tend to be much rarer than the public sometimes realizes. There are several ways to mitigate bear- human conflicts, including public education, better management practices for livestock ranching in grizzly country, and other initiatives.

Representative Quote: coping should address the kind of education needed to allow recreationists access to bear territory and behavior. Scoping should also address the fears of the inhabitants outside of the park, that the bears will migrate out of the North Cascades National Park to farms and towns. We should finally have the ability to live with and protect what is left of the wild

Representative Quote: Some of the most vocal opposition will likely come from agricultural and ranching individuals who own land or use public land within or adjacent to the NCE. These groups should be targeted for specific education and as many one-on-one meetings as possible. At least some of these people have opinions based on propaganda their grandfather heard and may be receptive to facts from people who are willing to engage them directly and address their concerns. Some won't be receptive, but hopefully can be assuaged by assurances of reimbursement if they lose livestock or have agricultural damage from bears. Ranchers or others using public lands for their private livelihood should be aware that multi-use land management may involve aspects that they're not thrilled with, but it's public land, and conservation matters too. They should not get to monopolize at the exclusion of beneficial management for wildlife and wilderness.

Representative Quote: The Federal Agencies should include in the scope of the EIS and Restoration Plan provisions to educate humans around the NCE, including ranchers and farmers, on methods to minimize interactions with Grizzly Bears, including electric fences, bear- proof trash receptacles, bear-proof food canisters, and non-lethal methods of managing and deescalating interactions between humans, domestic animals (including livestock), and Grizzly Bears.

Representative Quote: 9. The FAQs included this, "Would this recovery effort require visitors to the recovery area to change their behavior?" The response appears to be a potentially dangerous downgrading of the seriousness of living with grizzly bears. One of my duties was to train employees new to SE Alaska brown bear behavior. The class was 4 hours and included sections on identification, how to behave in bear country, how to recognize signs that a bear may be near, how to recognize a stressed bear, how to avoid bear conflicts, and how to use deterrents. Simply put, the best bear encounter is no encounter. The last paragraph of this section is pathetically inadequate. I suggest an Appendix detailing the educational and practical training that people recreating in grizzly bear habitat need in order to have a safe trip for people, pets, and bears (bears acting like bears when people act incorrectly will most likely be euthanized, this is not a good thing). This plan should incorporate other educational and safety plans to provide the best information.

Table 11. GA1000 - Impact Analysis: Impact Analyses

<p>CONCERN STATEMENT: One commenter requested the EIS analyze the environmental impacts of project activities, including grizzly bear transportation via helicopter, conflict control and capture activities, and habitat modifications from activities like road maintenance. Another commenter requested that the EIS assess the impacts of climate change on the restoration plan.</p>
<p>Representative Quote: The NCE continues to adapt to our changing climate. The changes to NCE due to climate might be conducive to the recovery efforts or could also be detrimental. The draft EIS will need to be flexible to climate change and the short and long-term effects it may have on the NCE.</p>
<p>Representative Quote: • Environmental impacts. EPA recommends the DEIS analyze impacts to environmental resources that may result from project activities such as grizzly bear transportation (e.g., helicopter usage), conflict control (e.g., capture activities), or habitat modifications (e.g., road maintenance).</p>
<p>CONCERN STATEMENT: Several commenters requested impact analyses related to livestock. Commenters asked for an analysis of potential impacts to livestock and strategies to proactively prevent conflicts between livestock and grizzly bears. Commenters suggested the following strategies be analyzed in the EIS: monitoring for and removing livestock carcasses, identifying the presence of grizzly bears, regular livestock surveillance for sick livestock, and encouraging livestock operators to keep herds closer together or in defensible spaces. A commenter asked that the EIS include of the number of sheep and cattle operations in and adjacent to the NCE. Commenters also recommended looking into the latest science on grizzly bear depredation on livestock.</p>
<p>Representative Quote: It is essential to ensure adequate mechanisms are in place on public lands grazing allotments to attempt to prevent conflict, rather than just react to it. The previous DEIS relies entirely on reacting following conflict when it states, “if a bear frequents an allotment area, the FWS and WDFW would work with the USFS and livestock owners to determine the best course of action to minimize bear-livestock interactions” (page 149). Rather than waiting to take any action until a grizzly bear is already frequenting a grazing allotment, the agencies managing these grazing allotments must collaborate and come up with uniform requirements for nonlethal conflict deterrence measures on public lands proactively. Some examples of successful nonlethal deterrence measures are 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. Since poor livestock surveillance is strongly associated with livestock losses, experts recommend maintaining regular and frequent human presence to detect and reduce carnivore-livestock conflict on the range. Trained individuals can closely monitor livestock and carnivore behavior, detect sick or dead livestock so that they can be promptly removed or properly managed, and keep herds or flocks together in defensible spaces (Parr et al., 2017; Barnes, 2015; Musiani et al., 2004).</p>
<p>Representative Quote: Analyze the number of sheep and cattle operations inside and adjacent to the NCE along with the status of grazing allotments on lands managed by the Forest Service and Dept. of Natural Resources. * Potential impacts to livestock. * Non-lethal methods of preventing conflicts between livestock and grizzly bears.</p>
<p>Representative Quote: Non-lethal methods of preventing conflicts between livestock and grizzly bears.</p>
<p>Representative Quote: The NEPA CEQ regulations at 40 CFR §1502.24 state that agencies: “shall make explicit reference by footnote to the scientific and other sources relied upon for conclusions in the Statement.” The citations below demonstrate this conclusion to be misleading and errant: • “While it is unknown how many individual bears are responsible for depredations at high bear densities, the positive relationship between bear density and depredation event counts suggests that as more grizzly bears become spatially associated with livestock, they kill livestock at a higher levels, which could indicate that bears depredated on livestock opportunistically rather than a few problem bears repeatedly depredating” (Anderson et al. 2002). • “Grizzly bears are opportunistic omnivores” (Wells 2017 pg. 6).40 • “Livestock depredation by grizzly bears in the GYE</p>

during 1992-2000 has been found to be unrelated to the availability of bear foods” (Gunther et al. 2004). b. Taxpayer Burdens From Depredation Compensation Programs Government compensatory programs only transfer the depredation cost burden to the American taxpayer:

CONCERN STATEMENT: Commenters requested that the EIS include an analysis of impacts to humans in the NCE and beyond. They also requested an analysis of the human, socioeconomic, and cultural impacts of the restoration. Other commenters requested that the planning team consider human population growth around the NCE. One commenter asked for an analysis of cumulative impacts within the NCE and outside the region, particularly as the grizzly bears disperse. Some commenters asserted that indirect impacts of the restoration could be greater than direct impacts to humans. One commenter asked that the EIS provide a “detailed inventory” of private landownership around and inside the Stephan Mather Wilderness along the Stehekin River to analyze potential impacts in the area. One commenter asked for an impact analysis of road closures resulting from the restoration, including an assessment of the potential benefits, such as reduced sediment runoff to streams near poorly maintained roads.

Representative Quote: The proposal will bring multigenerational conflicts with human systems, impacts to county economies and local culture, and is counter to Washington State Law. Federal statutes and National Environmental Policy Act (NEPA) processes require that these impacts be identified, documented, and evaluated in the public record before implementation.

Representative Quote: This Major Federal Action will have indefinite cumulative effects throughout the region of influence (ROI) and eventually, as demonstrated in Montana, outside the ROI. The former DEIS was focused on the “unlikely” impacts of the primary phase of introduction and does not provide due diligence to the likely impacts that would occur during the secondary phase where U. arctos individuals disperse to ecosystems outside the NCE. 31 Under the Microscope. An examination of the questionable science and lack of peer review in Endangered species listing decisions. Majority Staff Report. U.S. House of Representatives Committee on Natural Resources. December 15, 2014.

Representative Quote: Will trends of increasing human population in and around the NCE actually be included in the analysis, or brushed aside given "Grizzly bear density is roughly inverse to that of human population density" (Mattson and Merrill, 2002; Mowat et al., 2013)?

Representative Quote: Private land ownership extends far into the Stephan Mather Wilderness along the Stehekin River to T33NR27E Section 37. 284 privately owned properties or 2,151.61 acres, exist in these forest, wilderness and recreation areas associated with recreation, secluded living and part time residents. The attraction of Lake Chelan and the town makes this region a tourist attraction. A detailed inventory of the lands and properties to be included in EIS Scoping and the Evaluation of Risk and Avoidance of Unanticipated Takings analysis required by EO 12630 is included in Attachment D.

Representative Quote: The DEIS needs to include the locations, mileages, and current conditions and uses of the roads and trails proposed to be either seasonally or permanently closed, clearly specifying which action is proposed, why needed, and the likely scope and scale of impacts to land management and public recreation. Any additional resource benefits of closures (e.g. reduced potential of delivery of sediments to streams in poorly maintained roads) also needs to be described and considered during selection of the preferred alternative. Since these closures will likely be one of the most controversial aspects of the proposed action it would not be appropriate or sufficient to only state a relatively wide range of possible closures, The DEIS needs to describe either all specific proposed closures, or at least both the most likely specific closures and the maximum number and locations of closures that may occur under each of the Action Alternatives.

CONCERN STATEMENT: One commenter requested that the EIS include an assessment of the ecosystem services and benefits to humans that would result from restoring grizzly bears. They asked for the EIS to present the research and evidence of the benefits of the restoration, including biodiversity and the importance of “whole and functioning local and global ecosystems to human health.” Another commenter requested that the EIS include

data on the positive economic impacts of grizzly bears through increased tourism, noting that previous research has found that positive impacts are often underestimated. They also asked for an analysis of the costs to educate and equip local residents to be “bear-aware.”

Representative Quote: Impacts to Humans from Increasing Biodiversity and Restoring Whole Ecosystems The Plan/EIS should address the ecosystem services and benefits to humans from returning grizzly bears to NCE landscape. Because proactive grizzly bear reintroduction will require a long-term commitment and investment by the public, it is important that the agencies communicate the significance of maintaining and increasing biodiversity for the nation's future health and wellbeing when asking the public to continue to invest in large-scale conservation and preservation initiatives like grizzly bear recovery. Natural processes sustain us, and grizzly bear recovery plays a direct role in our own future. Habitat that supports grizzly bear also supports human needs such as 1) clean water, 2) carbon storing forests, 3) future scientific discoveries from preserved biodiversity within grizzly bear habitat, including grizzlies themselves, and 4) quality landscapes to enjoy and recreate within for human mental and physical health. Defenders therefore requests that this EIS systematically present the research that has occurred within recent years that relates the importance of whole and functioning local and global ecosystems to human health.

Representative Quote: I am writing as a visitor to the North Cascades, resident of an Alaskan town with many brown bears, and former resident of the greater Yellowstone ecosystem. I encourage the EIS to include as much data as possible on the positive economic impact of bears for tourism, and to include projections on future users. The numbers of wildlife viewers visiting public land is rapidly rising in the last few years, even as users such as hunters decreases. Previous research on this subject is likely to underestimate positive impact and overestimate negative impact of bears. I also encourage the EIS to include cost estimates for educating and equipping local residents on living 'bear-aware'. As someone who lives around brown bears, and has worked as a bear viewing guide, I believe bears belong in the North Cascades and would, over time, bring overall a positive impact for the people who live around the ecosystem.

CONCERN STATEMENT: A commenter asked that the EIS analyze all costs to implement the recovery, including costs to the Forest Service, the state, and private stakeholders.

Representative Quote: Please include in the EIS analysis the following: 1. Total duration cost to implement/mitigate the recovery program within the greater NCE. Include cost to Forest Service, state and private stakeholders. a. relocation of bears b. Recreation requirements for mitigation c. Private and state costs d. Enforcement e. Outreach f. Management

Representative Quote: Funding for implementation - Much of this project appears to be on the MBS and Okanogan- Wenatchee National Forests. Funding on national forests for wilderness rangers and other recreation staff is, has been and continues to be, in decline. There will obviously be a need for increased personnel to adequately and safely implement bear introductions. Will this be addressed? A cost analysis? Funding sources?

Representative Quote: Cost What is the cost per Grizzly Bear to be moved to the NCES? Taxpayers need transparency as to where their monies are being directed and how much is spent to support just even one bear being brought into this area. A responsible EIS will list: Transportation Costs Fuel Costs Management Costs (collaring, monitors, personnel hired) Planning Costs ~a bear management plan will be necessary, what will be required? Hiring? Publishing? Media costs? Relocation Costs (Intervention)

Representative Quote: 2) It is not fiscally responsible. The idea of introducing grizzly bears into the North Cascades has been studied, halted, re-opened, dismissed and now opened again. How much more taxpayer money is going to be spent on this over and over again? If the grizzlies are introduced, then there is the added expense of monitoring and possibly relocating problem bears. One source indicated that a bear relocation in a remote area (like most of the North Cascades) can cost in excess of \$10,000. As a resident of Stehekin we can see that the National Park Service is struggling to maintain service to the visitor. They are so understaffed that they cannot

even keep the Golden West Visitor Center open, maintain bridges and trails, or repair a damaged road that is key to visitor access to our beautiful high country.

Representative Quote: To do these things well, North Cascades National Park, the USFS, WDFW and other land managers may need more staff and volunteers. Recreation is already increasing faster than our public lands and wildlife can absorb the impacts. Does the National Park Service, USFS and BLM have the money to add staff to oversee this reintroduction? Too often Congress and our state legislature passes funding for infrastructure like roads and bridges as we've seen in Yellowstone National Park, but not for addition staff to manage park visitors. Who will change this by educating Congress and legislators that managers of our public lands need more money to manage recreation and people? Some "smaller infrastructure" is also needed to provide bear-proof storage for campers and bear-proof garbage containers for residents living in communities near grizzly populations. Managing livestock and other domestic animals

Table 12. IT1000 - Impact Topic: Wilderness

CONCERN STATEMENT: Multiple commenters indicated that any recovery effort would need to adhere to the requirements of the Wilderness Act and therefore must not include management practices such as helicopter use and invasive relocating and monitoring techniques. As a result, commenters stated that a natural recovery alternative in collaboration with British Columbia should be considered, as noted under concern statements for "Alternatives Considered but Dismissed."

Representative Quote: Develop an alternative that doesn't violate the Wilderness Act. The agencies must not pursue alternatives that would violate the Wilderness Act and would entail heavy-handed, stressful management of bears. Should the NPS choose to translocate bears, the agency should first consider limiting translocation to sites outside of Wilderness. If the NPS decides to translocate within Wilderness, it must comply with the Wilderness Act: no helicopters, no motorized equipment, and no invasive monitoring.

Representative Quote: I oppose the capture of grizzlies from the Northern Continental Divide Ecosystem. I oppose an "experimental population" designation. You should analyze a natural recovery alternative. This is NOT the same as the No Action alternative. Lastly you need to develop an alternative that doesn't violate the Wilderness Act.

Representative Quote: 1. I oppose the capture of grizzlies from the Northern Continental Divide Ecosystem. Leave bears where they are and promote native population health and growth. 2. I oppose the "experimental population" designation. Leave bears in the NCDE. These are protected under the Endangered Species Act and would lose this protections under the ESA if moved. This appears to be the real reason to move them, to allow them to be killed by ranchers. 3. Develop a natural native population recovery plan that includes identifying and protecting corridors and connectivity so that bears could move across the border without getting killed by the local psychopaths. 4. Develop an alternative that doesn't violate the Wilderness Act. Should the NPS choose to translocate bears, the agency should first consider limiting translocation to sites outside of Wilderness. If the NPS decides to translocate within Wilderness, it must comply with the Wilderness Act: no helicopters, no motorized equipment, and no invasive monitoring.

Representative Quote: The current plan by NPS and FWS to relocate grizzlies is misguided in many ways. First of all: why in heaven's name would any agency think it was a good idea to capture bears that might lose their current protections under the Endangered Species Act (ESA)? These bears could be shot, re-captured, or killed in the North Cascades. This is not protecting them! Secondly: The definition of "Wilderness" means restoring the area's grizzly population without the use of motor vehicles, helicopters, and motorized equipment, without trammeling or manipulating Wilderness or its wildlife. This plan stomps on the definition of Wilderness. Third: This plan would initiate heavy-handed management that would not only be detrimental to Wilderness, but to bears as well. The bears would be subjected to initial capture, handling, and helicopter flight, and attendant stress from such activities. Some may be injured or even die as a result! How is that being protective of wildlife? They would likely be collared, drugged, subject to samples taken, and handled for many years. And if that weren't enough, the proposed plan ignores the literature describing the effects of helicopters on wildlife, including grizzlies. To conclude, a plan is needed that might take longer and require more patience than the instant

gratification of capturing and releasing dozens of bears. A longer timeline would ultimately create a more durable population sharing the landscape with a human population that is more likely to respect the bears that make it back to the North Cascades on their own. Please consider these arguments and re-think your misguided proposal.

Representative Quote: Please consider these points with regard to recovering Grizzly bears in the North Cascades; Please develop an alternative that doesn't violate the Wilderness Act. The agencies must not pursue alternatives that would violate the Wilderness Act and would entail heavy-handed, stressful management of bears. Should the NPS choose to translocate bears, the agency should first consider limiting translocation to sites outside of Wilderness. If the NPS decides to translocate within Wilderness, it must comply with the Wilderness Act: no helicopters, no motorized equipment, and no invasive monitoring. In addition, the agencies must create and analyze an alternative that does not rely on the so-called "experimental" population designation. Under such a designation, individual bears from the NCDE—which are currently protected under the Endangered Species Act—would be taken from their home range and transported to Washington state, where they would lose their protections under the ESA. Also, please analyze a natural recovery alternative. This is NOT the same as the No Action alternative. Under a natural recovery alternative, the FWS and NPS would actively work with agencies in British Columbia to ensure that grizzlies are protected on both sides of the border. Under this alternative, the agencies would identify and protect corridors and connectivity so that bears could move across the border without getting killed. Moving bears from one ecosystem where they are not fully recovered to a new area is not a viable solution. Help the bears that are left to recover in a healthy and wild environment and establish a healthy and sustainable population that maintains a well balanced ecosystem in the North Cascade ranges. Thank you for considering my concerns and suggestions.

Representative Quote: When analyzing alternatives in the new Plan and EIS, the Agencies should not (and need not) plan to invade designated North Cascades Wilderness Areas with helicopters. Helicopters and all mechanized equipment are prohibited in designated Wilderness Areas which includes 94% of North Cascades National Park Service Complex and 100% of the adjacent Wilderness Areas of the NCE. Therefore, NCCC requests the inclusion of an Alternative that utilizes the many non-Wilderness release or drop locations near the core of the NCE which can be accessed by road or by helicopters

CONCERN STATEMENT: Commenters stated grizzly bear restoration efforts would degrade wilderness efforts, specifically from the use of helicopters, monitoring cameras, the presence of personnel, and trapping bears.

Representative Quote: The plan's proposed helicopter landings would most likely occur either in Wilderness in North Cascades National Park or in Wilderness within the surrounding National Forests, despite most of the project area being outside of Wilderness. The extensive use of helicopters in Wilderness would continue indefinitely for monitoring bear movement and numbers, and would degrade the Wildernesses involved.

Representative Quote: The National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS) have restarted their plan to translocate grizzly bears into the North Cascades Ecosystem (NCE) in Washington. While a new population of grizzlies in the North Cascades would this species to that ecosystem, the agencies' initial plan is misguided many ways. The initial plan would most likely degrade Wilderness in the North Cascades, weaken the grizzly population in the Northern Continental Divide Ecosystem (NCDE) around Glacier National Park, and strip the individual grizzlies of their current protections under the Endangered Species Act. By designating bears as "experimental", the bears (at least any captured in the U.S.) would lose their current protections under the Endangered Species Act (ESA) and could be shot, re-captured, or killed in the North Cascades. PLEASE NO! Heavy-handed management would not only be detrimental to Wilderness, but to bears as well. If the Park Service adopts a translocation plan, it must be in line with the letter and spirit of the Wilderness Act. The proposed action lacks a natural recovery option. The best way to meet the goal of a viable grizzly population in the North Cascades would be to allow for and boldly promote the natural recovery of grizzlies. Thank you for accepting comments.

Representative Quote: This disturbing management approach will damage the Wilderness and destroy the lives of bears with their initial capture, handling, helicopter flight(s), and attendant stress. As a result of the capture,

some bears will be injured and will even die! Bears will be collared, drugged, subject to medical samples taken, and handled for many years. This proposed plan ignores the literature describing the effects of helicopters on wildlife, including grizzlies. In addition, collaring bears sets them up for cruel culling as their population grows, radio-collared bears will be treated the way we have handled rancher and wolf depredation issues, which is described in a sterile term such as “wolf management.”

Representative Quote: If the agencies adopt a translocation plan, it must be consistent with the letter and spirit of the Wilderness Act. The NCE encompasses the North Cascades National Park and 2.6 million acres of Wilderness in the Pasayten, Mt. Baker, and Stephen Mather Wildernesses. We fear the current proposal would degrade those Wilderness areas, in violation of the Wilderness Act. The plan's proposed helicopter landings, use of motor vehicles and other motorized equipment could occur either in Wilderness in North Cascades National Park or in Wilderness within the surrounding national forests. Such use could continue indefinitely for monitoring bear movement and numbers, and would degrade the Wildernesses involved. Most of the NCE is outside of Wilderness, so there are better choices geographically.

CONCERN STATEMENT: Commenters stated that additional Wilderness areas should be designated, and recreation should be prohibited within Wilderness areas.

Representative Quote: The same fate awaits the Grizzly Bear population, Grizzlies need a lot of land to roam in, and use for their territories, Grizzlies are loners and will not tolerate other Bears, or sometimes people in their territory. What is needed is for large parts of the country to be set aside as Wilderness areas, to protect wildlife, and the practice of allowing people to go hiking and camping in Grizzly Bear territory in Wilderness areas, needs to be prohibited. All so if people decide to go hiking in grizzly or any Bear habitat and they encounter a bear get mauled or killed, it is because the bear is protecting it's territory and or cubs, Bears don't hunt and kill people as a normal practice and the Fish and Game Departments and rangers, need to stop going out and killing any bear the harms a human.

CONCERN STATEMENT: Commenters stated that grizzly bears are an important component of Wilderness character and contribute to the visitor experience.

Representative Quote: Those who say that reintroducing grizzly bears into the North Cascades Ecosystem would threaten families, wildlife and livestock are typically people who have never lived in grizzly country and are speaking from fear, not experience. Most peoples “experience” of grizzly bears is from Hollywood movies that are designed to represent them as bloodthirsty monsters. They are not. But it does make for a more exciting movie. They are not monsters just as they are not cuddly teddy bears. They are powerful, wild animals that evolved in this ecosystem over thousands of years and they belong here. Having grizzly bears on the landscape heightens your awareness of the natural world through which you travel. While most people traveling in grizzly country will never see one, the experience is vastly different than traveling through a tame landscape. Just seeing the track of a grizzly in the mud is an eye opening experience causing you to look differently at your surroundings. Wilderness areas are less wild without them. In all my years of rangers in grizzly country I can honestly say that just spotting a grizzly bear in the wild is the highlight of many peoples trip, something they will tell stories about for the rest of their lives. I have personally seen many dozens of grizzlies over the years and encountered a few closely - all memorable experiences that have made my life richer, with my own stories to tell.

Representative Quote: Grizzlies are necessary for the proper functioning of the North Cascades ecosystem. They are a symbol of wildness, wilderness, and the American West. And, at a time of massive species and environmental decline, necessary for the preservation of an important, major species in the U.S. Their range once spanned half the continent; now they are found in only 2% of their former range in the continental U.S. Research has shown the North Cascades National Park to provide suitable habitat and adequate food sources.

CONCERN STATEMENT: Commenters stated that the plan/EIS should incorporate additional analysis of Wilderness impacts if helicopters or other motorized equipment will be used in designated Wilderness areas.
Representative Quote: Please include a Minimum Requirement Analysis for placing Grizzly Bears into designated National Park or Forest Wilderness areas if motorized equipment is planned to be used. Also, include in this analysis similar documentation for any Wilderness source areas.
Representative Quote: 7. Will helicopters be used to transport grizzly bears into designated Wilderness Areas? Helicopters may be used in designated Wilderness Areas, but will require additional assessment and higher-level approvals.

Table 13. IT1100 - Impact Topic: Wildlife and Habitat

CONCERN STATEMENT: Commenters expressed concern that restoring grizzly bears to the NCE could adversely affect other wildlife populations, including native salmonids, ungulates, and small mammals through predation. Commenters also stated that populations of other predators, including black bears, could be adversely affected through competition.
Representative Quote: it would make sense to assume the bears would be introduced into deep wilderness where their interactions with the public would be somewhat limited. This would presumably include the Chilliwack drainage. The Chilliwack drainage provides spawning habitat for 99% of the Fraser Summer Sockeye, as well as critical habitat for bull trout and kokanee salmon. Grizzly bears are known to prey on salmon. How will a bear population affect the salmon and trout populations of the Chilliwack/Fraser river systems?
Representative Quote: 4. The Background paper you provided identified "Wildlife and wildlife habitat" as an issue to be discussed in the EIS. But the Notice of Intent published in the Federal Register on 11/14/2022 said that "potential environmental impacts on wildlife and fish (emphasis added) ... " Salmon and other fish are an important food source for bears. According to the Okanogen-Wenatchee N.F. web page, Pacific Northwest National Forests include 25, 000 miles of fish streams. Do any of these streams provide seasonal runs of salmon that could be utilized by grizzly bears? Due to loss of suitable habitat and climate change on land (droughts) and in the oceans (warming and increased acidity) listed salmon populations are already stressed with many populations in decline. This impacts another listed species, resident orcas that are starving to death because they cannot find enough salmon to eat. If salmon are even just a small portion of grizzly bears' diet, are their populations able to withstand additional predation without harming/impacting other resources, such as Washington fish replacement numbers, Tribal Treaty Rights, orcas, commercial fishers, and sport fishers? I encourage the agencies to give this issue a full and honest review and avoid the appearance of downgrading the issue as minor and not worth mentioning.
Representative Quote: The park already has several large predators, including black bears, wolves, lynx, cougar, bobcat, and wolverine. Can the ecosystem support another large predator, one that is large enough to prey on other predators that are already struggling, such as the lynx and fisher?
Representative Quote: We already have a very low population of animals like deer and elk. If grizzly bears are introduced, they will eat all of these animals, and then eat the native black bears, then eat the salmon in the river, and when they run out of these, they will get desperate and kill livestock, destroy the Buckner orchard, and possibly eat people if they get too hungry. They won't ballance the ecosystem, they will destroy it, then starve and die. This area doesn't have the capacity to contain these huge predators, along with the animals that are already here. A healthy griz can eat up to 30 pounds of meat per day. If a single deer weighs an average of 200 pounds, that means a big bear could eat 50 deer in just one year. This would be devastating to the already meager deer population. Pease rethink your desision.
Representative Quote: NCNP's hoary marmot population has decreased 65% in the past 10 years. Grizzly bears are known to be active in alpine areas at certain times of the year to forage for whitebark pine nuts and berries. What is the chance that a bear would also see the marmot population as a potential food source, thus decreasing

the population even more? Sure, we'll have grizzly bears, at the cost of marmots, and the decline of marmots would be directly caused by human interference.

Representative Quote: Please do not try to reintroduce grizzly bears into the North Cascades area. I am a resident of Edelweiss, located between the communities of Mazama and Winthrop. We already have a significant problem with black bears, as the recent wildfires have reduced habitat and natural food sources. I truly question whether there is enough bear habitat left for the existing black bears. If natural bear habitat were plentiful, why would we have had scavenger bears entering our already “bear-proof” garbage containers this summer? Introducing additional bears would further diminish natural food sources.

Representative Quote: Bighorn sheep (*Ovis canadensis*) have been designated by USDA Forest Service (USFS) Region 6 as a sensitive species. This designation indicates concern for the long-term viability and conservation of the species on National Forest System (NFS) lands. Bighorn sheep were extirpated from the State of Washington by 1935 and have more recently been reestablished in multiple herds in a fraction of their former range. This occupied range overlaps habitat proposed for *U. arctos*. During the previous reintroduction proposal the Services reported that *O. canadensis* is unlikely to be affected by *U. arctos* introduction. Although *U. arctos* may be behaviorally omnivorous in some ecosystems, its dentition, jaw morphology, forward-looking eyes, and other physical characteristics indicate that it is evolutionarily carnivorous. Despite their occasional omnivorous behavior, *U. arctos* has a digestive tract of a carnivore. Different bears consume varying ratios of meat-to-vegetation depending on environmental factors, but they all tend to consume meat as it becomes available. In the northern Rockies, grizzlies obtain most of their meat from large herbivores such as elk, deer, bison, moose, and cattle. Other herbivores, including goats and sheep, are also at risk when depredation opportunity presents itself. When grizzlies emerge from hibernation, they immediately seek food sources, and will travel significant distances in search of sustenance. In the spring, with vegetation in short supply, the carnivore behavior tends to dominate, with the bears using a variety of foods with varied intent. The lambing cycle of *O. canadensis* coincides with the *U. arctos* emergence from hibernation, and placentas have proven to be potent attractants for carnivores and scavengers, including hungry *U. arctos* emerging from their dens. 26 Survey of the Proposed Fish and Wildlife Service ESA Section 10(j) Historical Range Rule. Stillwater Technical Solutions. J.R. Carlson, et. al. August 5, 2022. 27 Federal Register / Vol. 87, No. 109 / Tuesday, June 7, 2022. 28 8-8-22 Comment on ESA Rule.pdf (mt.gov) 27 Federal Register / Vol. 87, No. 109 / Tuesday, June 7, 2022. 28 8-8-22 Comment on ESA Rule.pdf (mt.gov) Breeding Range Map The green area shows the predicted habitats for breeding only. Click for more information In the fall, male bighorns battle for mating access in head-to-head combat, and the sound of colliding horns are a dinner bell that can be heard for miles by grizzlies in their pre-hibernation hyperphagic stage. The presence of *U. arctos* in *O. canadensis* habitat represents a reasonably foreseeable adverse impact to the health and safety of individual bighorn sheep at all life stages and to the overall health and safety of the recovering populations of the species in the northern Cascades. Forest Service Manual (FSM) Sections 2670.32 and 2672.1 provide direction to the agency to avoid or minimize impacts to designated sensitive species. Because the Services cannot predict the degree to which *U. arctos* individuals brought into proximity with *O. canadensis* populations would select bighorn sheep for predation, it is not possible to determine whether depredation impacts to one or more herds would significantly reduce this sensitive species' numbers. Thus, human-assisted augmentation of the number of *U. arctos* individuals in proximity to *O. canadensis* occupied habitat is incompatible and inconsistent with the purposes and needs of the *O. canadensis* recovery effort. Because there is a foreseeable chance that some *U. arctos* individuals proposed for introduction could cause predation to recovering herds of bighorn sheep, the USFS is obligated by its own policies to ensure protection of the bighorn sheep. Thus, the proposal introduces an intra-agency conflict that must be resolved in any potential EIS.

Representative Quote: In addition to the threat to the agricultural economy, the introduction of apex predators has had a devastating impact on the ungulate population. Responsible animal husbandry requires the entity managing the animals to properly assess whether there is a food source available to an animal. • The scoping document needs to undertake an accurate count of the prey animals available for these predators before an introduction occurs. It would be irresponsible to introduce any animal to a place where they will starve or die of disease. The ungulate population of this state is struggling in many regions. Again, our constituents report, anecdotally, that opportunities for hunting are becoming minimal because there simply are not animals to hunt. These ungulates are important prey animals, but also are important to feed our constituents. Hunting is important

for the subsistence of the tribes and constituents in our districts, especially in the rural areas that struggle with food security. These are also the regions that are most likely to be impacted by your decisions.
Representative Quote: Displacement and possible death of the existing Black Bears and the impacts to their home range being significantly reduced and competition for food resources. o Ungulates provide substantial protein to Grizzlies, especially in spring. Ungulates winter range continue to be impacted by human development. The draft EIS will need to include current status, possible impacts by proposed grizzly introduction, and monitoring of ungulates in the NCE.
Representative Quote: In the fall, male bighorns battle for mating access in head-to-head combat, and the sound of colliding horns are a dinner bell that can be heard for miles by grizzlies in their pre- hibernation hyperphagic stage. The presence of U. arctos in O. canadensis habitat represents a reasonably foreseeable adverse impact to the health and safety of individual bighorn sheep at all life stages and to the overall health and safety of the recovering populations of the species in the northern Cascades. Forest Service Manual (FSM) Sections 2670.32 and 2672.1 provide direction to the agency to avoid or minimize impacts to designated sensitive species. Because the Services cannot predict the degree to which U. arctos individuals brought into proximity with O. canadensis populations would select bighorn sheep for predation, it is not possible to determine whether depredation impacts to one or more herds would significantly reduce this sensitive species' numbers. Thus, human-assisted augmentation of the number of U. arctos individuals in proximity to O. canadensis occupied habitat is incompatible and inconsistent with the purposes and needs of the O. canadensis recovery effort. Because there is a foreseeable chance that some U. arctos individuals proposed for introduction could cause predation to recovering herds of bighorn sheep, the USFS is obligated by its own policies to ensure protection of the bighorn sheep. Thus, the proposal introduces an intra-agency conflict that must be resolved in any potential EIS.
Representative Quote: This scoping document does not adequately address all the negative aspect to other species of animals. Our ungulate populations are on a sharp decline, along with Hoary Marmots, may other smaller mammals species. While cougar, bob cat and wolf population are on the increase. If bears only eat small mammals and not fish what about the impact of that? Will grizzly bears wipe out the last of the Hoary Marmots? Last summer I took my family on a hiking trip in to the upper Stehekin Valley that used to be teaming with marmots, but we did not see a single marmot in two days and only one pika. Will the bears gobble up the rest of the marmots, pikas, deer fawns, and elk calves, what is the impact of that?
CONCERN STATEMENT: Commenters indicated that restoring grizzly bears could adversely affect native vegetation communities, specifically whitebark pine and alpine meadows.
Representative Quote: the park is making efforts to preserve the remaining whitebark pine population, including preservation of existng trees, and procuring seed stock from trees suspected of being resistant to white pine blister rust. Whitebark is an important food source for grizzly bears in other ecosystems, and could become one in the park. Whitebark pine populations in the western Cascades have decreased by 41% due to attacks from white pine blister rust and mountain pine beetles, with the NCNP populations doubling their rate of decline between 2006 and 2011. And yet, the park wishes to add another stressor to these trees? What will the effect of bears be on the seed stock? How will that affect regeneration of whitebark?
Representative Quote: We are told that we can no longer have horses grazing in the recovery zone because of the impact, (that is very minor), on the fragile alpine meadows. What about the impact of grizzly bears tearing up large swathes of fragile alpine meadows in search of ground squirrels? Would that be 10, or 100 times more damaging? Is this just a double standard?
CONCERN STATEMENT: Commenters stated that grizzly bears play a key ecological role as a native keystone species in the NCE and provide balance to the ecosystem. Commenters specifically mentioned that grizzly bears play a vital role in dispersing seeds, distributing nutrients, and controlling herbivore populations.

Representative Quote: As omnivores, Grizzly bears play instrumental ecological roles dispersing seeds, conducting essential bioturbation, and have complex interactions with other predators and scavengers (I am thinking of the AMAZING multi-species use of kill sites with interactions among grizzlies, wolves, coyotes, ravens, eagles, and wolverines in the Yellowstone Basin Ecosystem.

Representative Quote: Grizzlies are necessary for the proper functioning of the North Cascades ecosystem. They are a symbol of wildness, wilderness, and the American West. And, at a time of massive species and environmental decline, necessary for the preservation of an important, major species in the U.S. Their range once spanned half the continent; now they are found in only 2% of their former range in the continental U.S. Research has shown the North Cascades National Park to provide suitable habitat and adequate food sources.

Representative Quote: Grizzlies are considered an umbrella species. Their conservation will benefit other species. Grizzlies weed out injured and weak deer, elk and small mammals. They turn over the soil searching for roots, and spread seed, keeping plant and animal communities healthy. In other ecosystems where grizzlies live, it is said that they infrequently kill livestock. Their impact on livestock should not be a factor in the decision to restore these native, American animals to the North Cascades. They are solitary and mostly vegetarians. They can be aggressive, but it is reported that people are seldom their prey and fatalities are rare. They benefit the economy by boosting tourism to view these magnificent, charismatic animals, symbols of the wilderness of our heritage.

Representative Quote: Grizzly bears lived in the North Cascades for thousands of years, and they belong here. I want to help chart a new future where we coexist with grizzly bears Grizzly bears play a key ecological role as a native keystone species in the North Cascades I want to pass down a wild landscape to future generations that include all native species, including the grizzly. Grizzly bears are culturally important to many Native American tribes and First Nations People in Yellowstone and the northern Rocky Mountains live, work and recreate alongside grizzly bears, and we can too in the North Cascades. There are only a few places left where grizzly bears can exist, and the North Cascades is one of them.

Representative Quote: The PCTA supports the purposes and needs presented in the scoping documents and the reintroduction of grizzly bears to the North Cascades Ecosystem (NCE). Grizzly bears are a historically natural part of the NCE, and we support efforts to recover the species and promote an environment that maintains its natural conditions, processes, and species composition. Grizzly reintroduction is consistent with direction in the PCT's designating statute, the 1968 National Trails System Act, to conserve the natural qualities of the areas through which national scenic trails may pass. The Act states: "National scenic trails... will be extended trails so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails may pass [emphasis added]."

Representative Quote: Grizzly bears (*Ursus arctos horribilis*) play several important roles in the maintenance of healthy ecosystems (Tardiff and Stanford 1998). In searching for and consuming food, grizzly bears facilitate several ecosystem processes, including spreading seeds and fertilizing plants through their scat, distributing nutrients between terrestrial and aquatic environments, and aerating soils through digging for bulbs and rodents (Tardiff and Stanford 1998). Without the presence of grizzly bears, the overall distribution and abundance of plant species within an ecosystem could completely change (Tardiff and Stanford 1998). With the absence of grizzly bears in Washington State, not enough is known about how nutrient cycling has changed, but many scientists hypothesize that Washington could be detrimental effects (Tardiff and Stanford 1998). Grizzly bears are an umbrella species, meaning that protecting grizzly bear habitat also protects the biodiversity of all flora and fauna in their habitat (Roberge and Angelstam 2004). An umbrella species provides ecosystem services such as sustaining soil and plant health, supporting clean water production, and the maintenance of recreation areas (Sergio et al. 2008). Through the conservation of grizzly bears, all species within the same ecosystem will flourish. Bringing grizzlies home to the NCE (the largest contiguous area of land that could support grizzlies left in the United States) would help preserve some of the most beautiful and wild places left in our country. An evaluation done by Almack et al. (1993) concluded the North Cascades Ecosystem had ample habitat to support a healthy population of grizzly bears. Sharing the mountains with grizzly bears creates a humbling experience from which all humans can benefit. Bears create respect for the land and nature itself. They highlight the most unforgiving aspects of life in the mountains and highlight the importance of environmental stewardship. Future generations of people and wildlife deserve the benefits of having the grizzlies back in the Cascades. I support Alternative C: incremental restoration.

Representative Quote: Impacts to Ecosystem Resiliency and Health from Restoring Grizzly Bear More than ever before, researchers are demonstrating the important roles that wildlife play in ecosystem health. Defenders requests that the Plan/EIS synthesize research on the contributions grizzly bears make to ecosystem health. As a large omnivore, grizzly bears are an important element of the ecosystem and their presence influences ecosystem processes and other species. In some ecosystems grizzly bears disperse nutrients after consuming salmon. In others they are important seed dispersers, and in still others they are considered a top predator limiting ungulate densities. In Yellowstone, researchers documented that grizzly bears consumed approximately 266 species within 200 genera from 4 kingdoms (Gunther et al 2014). By digging in the soil for roots, they disturb the soil, which increases alpine meadow plant diversity and makes nitrogen more available in the environment (Doak and Loso 2003). Importantly, grizzly bears are often referred to as an "umbrella" species - a wide-ranging species whose requirements include those of many other species (Groom 2006) - due to their need for large expanses of intact, variable habitat (Gunther et al 2014). The Plan/EIS is an appropriate place to detail the documented positive effects on ecosystem health that will occur from grizzly bear recovery.

Representative Quote: Trophic cascades occur when predators limit the density or behavior of their prey and thereby enhance survival of the next lower trophic level. The removal of apex predators can cause the "release" of mid-sized or "mesopredators" like foxes, raccoons, and skunks that are not at the top of the food chain in the presence of large carnivores like wolves. For example, studies have also shown how wolves can aid pronghorn populations because "wolves suppress[] coyotes and consequently fawn depredation." Increased abundance of mesopredators in turn can negatively affect populations and diversity of other species, including ground-nesting birds, rodents, lagomorphs, and others. In some cases, declines in these species results in reduced prey for other predators and contribute to their decline and extirpation. Grizzly bears are also known for helping vegetation generation. For example, grizzly bears often dig in the dirt to uncover food sources such as insects and roots. In doing so, they spread seeds that helps the planting and generation of trees and plants. Focusing on the benefits of having grizzly bears on the landscape is not only important because it is an environmental consideration legally requiring analysis, but this information may also aid in increasing the social tolerance for the reintroduction efforts.

Representative Quote: Grizzly Bears Provide Significant Ecological Benefits Grizzly bears provide key ecosystem benefits that will enhance the overall health of the NCE for generations to come. Grizzly bears distribute seeds across elevations, enhance soils and disperse seed beds for grasses and forbs. Some of these types of seeds would otherwise struggle to move across the landscape. The grizzly bear's long claws allow it to dig and aerate alpine and subalpine soils, facilitating wildflower growth. Their digging and seed dispersal serves as a form of meadow maintenance resulting in the reduction of conifer encroachment on alpine meadows. Scientists are also still learning about how grizzly bears impact the dynamics of predator and prey interactions in the system. We do know that the grizzly's ability to take kills from cougars and wolves requires those other species to work harder to find prey, since their kills can sometimes be claimed by grizzly bears, which in turn has a cascading impact on ungulates and other prey species. As we have learned from the restoration of wolves in Yellowstone, a system with highly functional predators and available prey can result in positive impacts for vegetation in riparian habitat, which directly benefits insects, birds, and fish that otherwise suffer from overgrazing ungulates, especially near rivers and streams. Scientists still have much to learn about the ecological role grizzly bears play in the North Cascades, but we are confident that their presence likely has even more ecological benefits that we don't yet fully understand.

Representative Quote: Acknowledge grizzly bears' considerable ecological value. Grizzly bears are an important umbrella species who increase the biological diversity of their forest ecosystems. For example, bears eat fruits and disperse seeds across long distances, 22 even dispersing more seeds than birds. 23 Bears break logs while grubbing, which helps the decomposition process and facilitates the return of nutrients to the soil. In one study, researchers found that bears were the dominant species moving salmon from streams into riparian zones. Bears ate about half of the salmon, leaving remnants that contributed to greater tree ring growth.24 They also found higher plant growth along the riparian areas where bear trails existed and where bears' urine deposit was high. 25 Bears recycle carrion.26 Use sound science to determine minimum viable populations. Is a goal of 200 grizzly bears in the NCE sufficient? Grizzly bears have both low reproductive and dispersing potentials, but are highly susceptible to anthropogenic threats. Grizzly bears are slow to disperse - the home ranges of male offspring are only about 18 to 26 miles from their mothers, while female offspring will overlap or remain just 6 to 9 miles away from their mothers.27 Mother bears reproduce only if they have enough fat to survive the winter

and to be able to nurse a small litter of cubs for 2 to 3 months in the den.^{1,8} In the Northern Continental Divide Ecosystem ("NCDE"), the age of reproduction starts at 5.4 years, but can vary from 3 to 8 years. In fact, NCDE grizzly bears have one of the slowest rates of reproduction among large mammals due to small litter sizes and long intervals between births.²⁹ The FWS writes: " ... it may take a single female 10 years to replace herself in a population.³⁰ Females cease productivity in their mid- to late-20s.³¹ Ensure connectivity to other grizzly bear populations. As a guiding principle, bears must have connectivity; that is, they require linkages between subpopulations so that genetic material can be exchanged to keep populations vital, maintain genetic diversity, and prevent genetic drift and inbreeding depression.³² Another key element for grizzly bear conservation is protecting their denning sites from industrial extractive actions and winterized recreation. Having a safe and secure den is a matter of fitness or death for a grizzly bear, and the bear's site must be warm and relatively dry. It also must not be in the path of disturbance from forest cutting, mining activities, oil and gas exploration and human recreation, because bears who have to relocate a den during their time of hibernation (and particularly for a female with cubs) pay a toll in fitness costs.³³ According to the FWS and for a point of reference, the greatest source of NCDE grizzly bear mortality is from management removals, secondarily from poachers, and thirdly from hunters killing bears for "defense of life" (please see our discussion on bear spray below).

CONCERN STATEMENT: One commenter stated that the EIS incorrectly describes grizzly bear prey species as being evenly distributed throughout the NCE.

Representative Quote: The Jan. 2017 Draft described studies (Alamack et al. 1993; Gaines et al. 1994) that were conducted to evaluate portions of the NCE for GB's and concluded that the NCE has suitable habitat essential for the maintenance of a Grizzly Bear population. The studies identified 124 plant species known to be GB foods through an exhaustive review of studies conducted on GB's south of Alaska and that 100 of the 124 identified plant species exists in the study area. They also mapped ranges of GB wildlife prey species known to occur in the NCE study area and said that ungulates were dispersed relatively evenly throughout the study area. Based on these studies, the teams concluded that sufficient vegetative Grizzly Bear foods are readily available in the NCE and that occurrence of wildlife prey species can sustain a Grizzly Bear population. I have worked in the NCE since 1984 and don't understand how the study could say that important GB prey species (elk, deer, mountain goats, marmots, etc.) are dispersed relatively evenly throughout the NCE. My experience is that these animals (especially elks, mountain goats and marmots) are found in certain areas but missing from many other areas in the NCE.

CONCERN STATEMENT: One commenter asked how the proposed restoration of grizzly bears to the NCE would affect ongoing state efforts to restore elk populations.

Representative Quote: The Northern Cascades Ecosystem (NCE) supports diverse wildlife species, including the North Cascades Roosevelt elk herd. For the past several decades, managers at the Washington Department of Fish and Wildlife (WDFW) have been working to restore the elk herd to populations within the stated objective of 1,700-2,000 elk (WDFW 2018). Still short on this goal, RMEF requests an analysis of how grizzly bear restoration in the NCE will impact WDFW efforts to restore elk in this area.

CONCERN STATEMENT: Commenters stated that the NCE cannot support a grizzly bear population.

Representative Quote: I do not believe that our eco system will ever support a grizzly bear population. If it could I believe that they would be here. I have looked into many of the untouched drainages around the Stehekin valley. There is no way that Grizzlies could have ever been hunted out of here. There are vast areas that would be virtually impossible to hunt any kind of animal into extinction, even if people were literally trying to. I believe that Grizzlies have passed through this area, probably many times, but have never stayed. The habitat is not right

to sustain them for any length of time. So, I believe, if Grizzlies are introduced here they won't stay. There will be a massive amount of money spent, that would be much better spent somewhere else in this day and age, and in the end, it will be for nothing.
Representative Quote: Current status of the NCES ecosystem cannot support them. This is why they are not here. Of the 31,000 Grizzly Bears residing to the north of the NCES in British Columbia, none have wandered southward to this ecosystem to live. There is not a fence stopping them. Why have they not migrated south?
Representative Quote: Therefore, the proposed action to have “approximately” 15 to 70 bears added to the ecosystem would impact lands, property, and wildlife far beyond the scope of the agency authorities.
CONCERN STATEMENT: One commenter stated that the EIS should clarify what habitat restoration actions to increase biodiversity have been considered as an alternative to relocating grizzly bears in the NCE.
Representative Quote: Four potential release areas were shown in the Jan. 2017 Draft (Figure 12 and Map 2). Are these release areas still being considered? Instead of relocating GB's to the NCE what about considering habitat restoration actions to increase habitat diversity? For instance, increase GB forage habitat using silvicultural treatments, prescribed fire, etc., for ungulates species (deer, elk, mountain goats, etc.) to provide more food for GB's? What about increasing GB forage habitat by increasing huckleberry habitat, through silvicultural treatments and prescribed fire methods? It is unclear whether, or not, these GB habitat restoration treatments have been thoroughly investigated in the NCE?
CONCERN STATEMENT: One commenter stated that the EIS should consider potential impacts to wildlife outside the park. The commenter also stated that permission to access private lands should be established prior to the execution of the plan if management actions would occur on private lands.
Representative Quote: Please provide a baseline to which these proposed actions can measure the gains and losses. This baseline must include all predators on all lands, because the proposed actions will affect animals beyond the scale of NPS lands and management. If the NPS plans to manage outside the park lands, permission to enter and manage should be obtained prior execution of the plan. These permissions should include private and other public lands.

Table 14. IT1200 - Impact Topic: Visitor Use and Experience

CONCERN STATEMENT: Commenters expressed support for the addition of grizzly bears to the NCE and noted it would beneficially affect visitor use and experience by increasing opportunities for viewing grizzly bears in nature, and improve the NCE. Commenters noted the chances of encountering a grizzly bear are minimal and precautions should be taken. Commenters stated visitors should be trained on how to handle an encounter with a grizzly bear and noted visitors should be encouraged to pack bear spray, travel in groups, make noise on the trail, properly store food, and employ other best practices that contribute to a positive visitor experience.
Representative Quote: Many federal and state wildlife and conservation agencies are adept at moving or translocation of wildlife species and managing them in their new homes. Grizzly bear-human conflicts can occur but tend to be much rarer than the public sometimes realizes. There are several ways to mitigate bear- human conflicts, including public education, better management practices for livestock ranching in grizzly country, and other initiatives.

CONCERN STATEMENT: Commenters stated that the EIS should consider the impacts that grizzly bear restoration would have on recreational activities with most commenters noting that proper bear safety measures reduce the potential for human-beat conflicts. One commenter requested the final EIS analyze potential adverse impacts of single-track, non-motorized trails to grizzly bear habitat because they are likely less impactful than motorized trails and roads.

Representative Quote: In the Notice, the Federal Agencies request input into the potential effects that Grizzly Bear reintroduction will have on the human environment and human activities. (87 Fed. Reg. 68192). Hiking, camping and boating are just a few of the many recreational activities people pursue in the region. (National Park Service Information Sheet, <https://www.nps.gov/noca/index.htm>). Grizzly Bear reintroduction into the NCE should not limit the ability of people to engage in these activities, as the limited number of bears slowly introduced should not lead to significant encounters, as the NCE is comprised of roughly 10,000 square miles and includes vast areas in which the difficult terrain limits the ease with which humans may participate in recreational opportunities. FoA encourages the Federal Agencies to include within the scope of the RPM and EIS the impact recreational activities will have on wildlife and critical habitats.

Representative Quote: Further, single-track, non-motorized trails do not necessarily have the same impacts on grizzly bear habitat as do motorized trails and roads; as such, we would like the EIS to analyze potential adverse impacts of each accordingly.

Representative Quote: There are too few places where we may experience the ancient character of wildlands that include the full complement of species that evolved over thousands of years. Similarly, there are many places outdoor recreationists can visit in Washington state where they will not encounter grizzly bears, including major national parks like Olympic, and Mount Rainier. We believe that a diversity of experience is important for park users, and the North Cascades has the capacity to provide a unique visitor experience, setting itself apart from what one may experience when visiting many other public lands in Washington. Moreover, users have more tools and knowledge than ever to safely recreate in grizzly bear country. We appreciate the park's continued efforts to educate visitors, encouraging them to pack bear spray, travel in groups, make noise on the trail, properly store food, and employ other best practices that contribute to visitor safety.

Representative Quote: *Food storage* Current food storage orders on National Forest lands within the NCE are insufficient and nearly impossible to comply with due to a lack of trees of appropriate size and structure to meet hanging requirements in many areas within the recovery zone —especially at higher altitudes. Requirements for IGBC-approved food storage devices that do not require hanging would ensure a greater level of compliance in areas where bear lockers, poles, or wires are not provided. *Bear Spray* The EIS should examine how best to encourage the public to carry bear spray within the NCE.

Representative Quote: Those who say that reintroducing grizzly bears into the North Cascades Ecosystem would threaten families, wildlife and livestock are typically people who have never lived in grizzly country and are speaking from fear, not experience. Most peoples “experience” of grizzly bears is from Hollywood movies that are designed to represent them as bloodthirsty monsters. They are not. But it does make for a more exciting movie. They are not monsters just as they are not cuddly teddy bears. They are powerful, wild animals that evolved in this ecosystem over thousands of years and they belong here. Having grizzly bears on the landscape heightens your awareness of the natural world through which you travel. While most people traveling in grizzly country will never see one, the experience is vastly different than traveling through a tame landscape. Just seeing the track of a grizzly in the mud is an eye opening experience causing you to look differently at your surroundings. Wilderness areas are less wild without them. In all my years of rangering in grizzly country I can honestly say that just spotting a grizzly bear in the wild is the highlight of many peoples trip, something they will tell stories about for the rest of their lives. I have personally seen many dozens of grizzlies over the years and encountered a few closely - all memorable experiences that have made my life richer, with my own stories to tell.

Representative Quote: I do not agree with the opinions that the remaining fragments of wilderness in the Northwest should be primarily for recreation, hiking and backpacking, of two legged animals at the cost to wild life, and to make life easier for us, wild life should be kept from their original habitat. The Cascades are large enough to hold both species of animals, if the park is managed for both, and plans for that kind of management should be part of the scoping.

Representative Quote: By and the large, the fears that I have heard expressed over grizzly bear reintroduction is based out of misinformation or ignorance about the bears. There's ample reason to believe that grizzlies will benefit the region, not only by filling an important ecological role but by attracting wildlife lovers to come to North Cascades for a chance at photographing a grizzly. Please follow the best available science, including science on human-wildlife coexistence, to guide the restoration of grizzly bears to the North Cascades.

Representative Quote: Many outdoor recreationists express that recreating in grizzly bear country provides a unique outdoor experience that many seek out. The presence of grizzly bears in an ecosystem enhances the "wildness" one would expect to find in wilderness areas. The increased wildness increases a visitor's awareness of their surroundings, and appreciation of the primeval nature of the North Cascades. The opportunity to witness a grizzly bear in its natural habitat is a dream for many - and creates what some call "forever memories" that they treasure throughout their lives, pass on to their children and grandchildren. The abundance of wildlife is part of what makes our national parks and public lands such spectacular resources, which ought not be slowly degraded by the decline and ultimate extirpation of the suite of species that call these lands home. As managers of these lands and resources, the agencies have both moral and legal obligations to conserve park resources and provide for their use and enjoyment "in such a manner and by such means as will leave them unimpaired" for future generations.

Representative Quote: Related to reducing potential conflicts between grizzly bears and outdoor recreationists, we support the intent of the following FAQ: "Would this recovery effort require visitors to the recovery area to change their behavior? Black bears already occupy the areas that grizzly bears are expected to be in the future, and much of the human behavior needed to avoid conflict with that species applies to recreation around grizzly bears as well. Learning how to safely recreate in black bear country goes a very long way to learning how to recreate where there are grizzly bears. The national park and national forests are already addressing the high-risk elements of human-grizzly bear conflict by increasing awareness of, and/or requiring, proper backcountry food storage and by installing bear resistant garbage disposal systems and food storage lockers in campgrounds in order to reduce human-black bear conflict." The PCTA is incredibly supportive of additional backcountry bear-resistant food containers (i.e., bear canisters) requirements for overnight users to mitigate against human and bear conflicts. Additionally, we support opportunities to increase public education around how PCT hikers, horseback riders, and other backcountry travelers can recreate more responsibly. We believe that proper food storage requirements and effective public education should negate the need to unduly restrict backcountry and wilderness recreation opportunities.

CONCERN STATEMENT: Commenters requested that the EIS provide additional information on how grizzly bear restoration in the NCE would affect access to recreational opportunities, as detailed below, and the associated management techniques that would be used to address the impacts:

- Access to developed and dispersed recreation sites by motor vehicle
- Recreation activities that use trailed and trail-less areas such as hiking, climbing, mountaineering, fishing, camping, skiing, mountain biking and trail running
- Day trip party size restrictions, both minimum and maximum
- Overnight backcountry uses and party size restrictions, both minimum and maximum
- Outfitters and guides
- Permanent, seasonal, and temporary trail and backcountry closures.
- Restricted access on new and existing trails, and within the NCE
- Recreational use along the Pacific Crest Trail corridor and visitor experience

Commenters noted human-grizzly bear encounters may encourage visitors to carry firearms and asked how the NPS would handle this. One commenter requested the NPS and USFWS provide the existing grizzly bear-related public outreach methods and subsequent changes to those outreach methods to minimize negative grizzly bear-human interactions. One commenter asked how the NPS and USFWS plans to address a grizzly bear and/or grizzly bear cub entering a populated area. One commenter requested the EIS also include an itemized list of trails and campground closures where grizzly bears are located in the park.

<p>Representative Quote: I am in support of reintroducing them into the North Cascades. That said, I would be very opposed to see any curtailment of access as a result. This bears repeating. If the reintroduction of grizzlies into the North Cascades incurs limitations on our access to the backcountry, then I'm very against the initiative. Thank you!</p> <p>Tom Kimbrell</p>
<p>Representative Quote: 8. The "Grizzly Bear Proposal" is to restore the "previous healthy" ecosystem and for people to experience grizzlies for generations to come. Currently, grizzly bears are to be away from people and the only people that will be able to experience them are hikers, park and wildlife employees and nearby farmers and ranchers. The EIS needs to explain exactly "how" the generations of "visitors" will be able to actually experience grizzly bears in their native habitat. Also, the EIS should further explore more avenues to realize this intended objective such as repairing the Stehekin Washington road into the heart of the North Cascades in hopes that all individuals may be able to have this opportunity.</p>
<p>Representative Quote: The impact to the Pacific Crest Trail and 1000+ hikers that pass through every year. What happens if they kill live stock or domestic pets? What will be the impact of visitors wanting to go backpacking. Bear spray has only be proven effective if used properly, this doesn't address the fact the most people fail to use it correctly, panic and use it too soon or into the wind and only hit themselves, to only anger an already irritated bear. What would happen if someone legally carrying a hand gun were to shoot a bear attacking them in self-defense?</p>
<p>Representative Quote: Fear of bear encounters is a substantive issue. Would this fear encourage hikers to carry weapons stronger than bear spray, such as firearms? This could be a concern for NCNP management. Would weapon carrying visitors need to register this with the NPS. More law enforcement? More backcountry rangers with protection? Do biologists and staff working with grizzlies cary weapons?</p>
<p>Representative Quote: Throughout the grizzly bear reintroduction planning process, it will be important to recognize that the PCT is a highly valued recreational resource that sees use from thru-hikers (people attempting to hike the entire trail in one season), other backpackers and horseback riders, and day-hikers. Additionally, there are countless other backcountry travelers who use the PCT as part of a broader backcountry or wilderness trip. Altogether, the PCT sees thousands of people per year. This level of recreation use along the PCT corridor should be considered as grizzly reintroduction zones are developed in the environmental impact statement (EIS). The PCTA would like to avoid a situation where access to the PCT is unduly restricted due to concern of bear and human conflicts. With this, we strongly support the language and intent of the following FAQ that was released with the scoping documents: "Would trails and roads be closed to protect grizzly bears? There are thousands of miles of trails traveled safely by millions of people in grizzly bear country in the other recovery areas, such as in the Rocky Mountains. Roads on federal lands within the North Cascades Ecosystem have been managed with grizzly bears in mind since the publication of the recovery plan chapter in 1997. Care has been taken to maintain road systems in a way to ensure secure habitat for bears while meeting the needs of people. None of the alternatives require long-term closures."</p>
<p>Representative Quote: Human activities and public outreach. EPA recommends the DEIS detail the effects of or overlap with human activities in the area (e.g., legal hunting, recreation, livestock operations). Describe the existing bear-related public outreach and changes to that outreach to minimize negative grizzly-human interactions.</p>
<p>Representative Quote: Will this mean the river will be closed to fishing in it most prime dry fly fishing season? What of the impact to the visitor coming here to fish? What about the impact to my business if they close the river to prevent bear human interaction? The list of effected users of the park goes on and on.</p>
<p>Representative Quote: Restrictions on New and Existing Trails - The majority of hikers and other recreationists depend on trails to reach their favorite recreation destinations. How will the development of new trails be impacted by grizzly bear recovery? How will existing trails and the maintenance of those trails be impacted by grizzly bear recovery?</p>
<p>Representative Quote: We request that the new EIS provides robust details on recreation, trails, and public safety impacts and management techniques in each of the potential alternatives. As our 2017 comment letter reads, the previous DEIS vaguely identified these issues and provided little detail or direction. Please consider the following issues to analyze for the EIS and provide specific detail regarding how the following may be impacted and recreation management techniques that are likely to be utilized: Restrictions on Use of Public Lands - Continued access to the special places people love to visit in the North Cascades is incredibly important to hikers, climbers</p>

and other recreationists. What kind of uses will be altered for grizzly bear recovery? Please address how the following may be impacted and recreation management techniques that are likely to be utilized: -Access to developed and dispersed recreation sites by motor vehicle; -Recreation activities that utilize trailed and trail-less areas such as hiking, climbing, mountaineering, mountain biking, electric mountain biking, and trail running; -Day trip party size restrictions, both minimum and maximum; -Overnight backcountry use and party size restrictions, both minimum and maximum; -Outfitters and guides; and -Permanent, seasonal and temporary trail and backcountry closures. If the DEIS will contain a map with potential staging and release areas, please include all recreational sites, including campgrounds, trails, major roads, and other recreational sites.

Representative Quote: Please address how the following may be impacted and the recreation management techniques that are likely to be utilized: • Access to developed and dispersed recreation sites by motor vehicle. • Recreation activities that utilize trailed and trail-less areas such as hiking, climbing, mountaineering, mountain biking and trail running. • Day trip party size restrictions, both minimum and maximum. • Overnight backcountry uses and party size restrictions, both minimum and maximum. • Outfitters and guides. • Permanent, seasonal and temporary trail and backcountry closures. • Restrictions on New and Existing Trails

CONCERN STATEMENT: Commenters expressed opposition to the addition of grizzly bears to the NCE because they would adversely affect visitor use and experience with regard to safety and access to recreational opportunities in nature. Commenters noted increased risks to hikers and recreationalists visiting the trails and NCE and noted the NPS would no longer allow dogs on trails with grizzly bears.

Representative Quote: NPS can't even handle the black bears due to not ticketing humans for leaving food around or instead NPS/FWS kills the bears instead of shutting down the campground. If you are opening this door at least start today about ticketing and kicking humans out who do not follow the rules. It's already unfair you are moving the bears here and if you don't police the humans the bears will end up being killed to no fault of their own.

Representative Quote: 3) In other areas (Yellowstone, Glacier) where reintroduction has occurred, camping in anything but hard sided structures (campers, trailers) is not allowed in some areas thus limiting tent camping. We, because of the closed road can only tent camp, thereby further limiting camping opportunities . 4) If experimental introduction is allowed, special regulations can be introduced that would further limit hiking and camping opportunities within the park and the NRA. 5) The already very restrictive use of horses to move supplies and people into the back country would most likely be curtailed further or stopped completely. 6) With the lack of road access to the majority of the park (unlike Yellowstone, Glacier) the access would become even more limited to the older segment of our population. 7) The potential of grizzly human interaction would deter more people from wanting to hike and backpack with no other options, ie as you can't drive anywhere within the park. 8)In Stehekin we have a significant Kokanee spawn every fall so much so that the lower valley smells of fish, this would be a huge draw for grizzly bears wanting to fatten up before hibernation, most likely resulting in a higher concentration of bears, thus increasing the chance of negative bear human interaction. Even though this is a short term situation it could result in a horrific situation for humans, to those both visiting and residing in the lower valley. This would put both humans and the grizzly, in grave danger. 9) If a grizzly human interaction resulted in an injury, medical care is very limited and not very timely. 10) The present population of deer and elk would be severely impacted the elk herd is small and just starting to establish itself. We have now seen wolves in the valley, another introduced species. 11) All of the businesses in the lower valley fishing, pack trips, and hospitality could be severely impacted as a result of this project with no means of remediation.

Representative Quote: Despite comments about the proposed flexibility of the 10 (j) Rule, my concern is that eventually there will be situations that result in closures of roads and trails of great value to recreation and other users. Projects may be shut down altogether. There were projects shut down due to Grizzly Bear core habitat on National Forest lands issues even before his project was started. Ultimately, this could lead to a situation where agencies may be forced to implement expensive permit systems which could limit public use and crowd more people into smaller areas.

Representative Quote: National Parks with grizzlies don't allow dogs on the hiking trail and people around here take their pets up all the time on the trails and now we will not be able to.

Representative Quote: It is obviously going to have an effect for the Stehekin Valley hiker that wants to get into the high-country. There is a lot of fear generated around grizzlies that will discourage a visitor from a metropolitan area as well as the real fact that if a grizzly is encountered on a trail, those trailheads will be closed. Affecting many day-hikers, who have already lost many good trails due to the upper-valley not being accessible.

Representative Quote: There is a strong likelihood that the numbers of backcountry recreationalists will continue to grow, which could force grizzlies into areas in the NCE that may not be conducive to their ability to thrive. o Heavily used recreation areas and trails already have proven adverse impacts on existing wildlife home ranges.

Representative Quote: The impact on recreation from this grizzly bear effort has already been considerable. Many worthwhile projects that would have maintained, repaired or improved recreation infrastructure have been altered, stopped or made more costly. This trend will increase if new bears are imported. With all federal land managing agencies struggling with a substantial burden of maintenance and reconstruction backlog of their existing infrastructure, including their backcountry and wilderness facilities, adding additional burdens and constraints by bringing in bears makes the problem worse. Human population increases in the region coupled with growing interest in healthy outdoor activities has created a boom in use for all agencies managing wildland facilities. Well maintained, sustainable outdoor facilities have a much lower environmental footprint than unsustainable & poorly maintained facilities. This plan makes that maintenance more expensive and the backlog larger by drawing needed funds away thereby increasing it's overall environmental impact. You would be spending scarce dollars on a fools errand. Outdoor recreation on federal lands have become a key driver for the economies of cities and towns surrounding the North Cascades. It needs to be improved to sustainably handle the demand. Community health of the region will be improved if more people get out and enjoy the outdoors. The significant impact of spending scarce recreation management dollars on a misguided Griz import effort needs to be addressed by both land management agencies.

Representative Quote: The ever increasing amount of human use and disturbance on our "wild places" including the North Cascades must be addressed before we think about adding grizzlies. I follow issues involving the increasing impacts of human recreation on wildlife habitat. At the federal level. Congress. and at the state level. our legislators, are providing a lot of money to increase and enhance recreational opportunities. Unfortunately this is often focused on infrastructure and planning and not on the staff that is needed to manage. monitor and control the negative impacts of recreation. It is being well documented that human disturbance is really limiting the ability of many species to use good habitats on our public lands because of human recreation. Yet we as a state and country seem to want more of this. WDFW is trying to increase the number of people interested in hunting and trapping and fishing!! I doubt they can mitigate and reduce the impacts of even the current amount of recreation. The same is true of the USFS and DNR.

CONCERN STATEMENT: One commenter noted the information provided during the scoping process made comparisons between the NCE and other Recovery Areas that were inaccurate. The commenter noted there are far more differences than similarities between the NCE and other Recovery Areas, particularly around the number of people in the area, recreational use, and individual trails, as well as hunting, motorized recreation, bicycle use, and equestrian use.

Representative Quote: One thing that has struck me both in the prior process and again in the Virtual Meetings, were ecosystem comparisons between the North Cascades and the other Recovery Areas. I felt these comparisons were played up during the recent Virtual Meetings. While there are some similarities in the natural systems, the presence of humans that are actively engaged across this landscape is greater, by an order of magnitude, from the other areas. The amount of recreation use on National Forest lands within the Recovery Area are some of the highest in the US. Similarly, some Washington State DNR lands within the recovery area have extremely high use. Individual trails and recreation sites within these areas' rival backcountry use of the entire National Park. In addition, hunting, motorized recreation, bicycle, and equestrian use is extremely high in relationship to other Recovery Areas.

CONCERN STATEMENT: Commenters requested the EIS examine and provide guidance on high-intensity use/nonmotorized trails for grizzly bear restoration in the NCE. The commenter noted the current guidance is incomplete and requested the EIS address how nonmotorized, high-intensity-use trails would be treated in relation to roads in the calculation of core habitat.

Representative Quote: One topic that this plan should specifically examine and provide clear guidance on is "high-intensity-use" non-motorized trails. Current definitions and guidance on the management of grizzly bear recovery is incomplete and problematic in this regard. Please ensure the plan answers the following questions: 1) Should non-motorized high-intensity-use trails continue to be treated the same as roads in the calculation of core habitat? In 1997, NPS and USFS agreed to a no-net-loss-of-core-area policy on federal lands within grizzly bear recovery zones. Core areas are defined as areas with the following characteristics: (1) No motorized use of roads and trails during the non-denning period. (2) No roads or trails that receive nonmotorized, high-intensity use. (3) A minimum of 0.3 mile (500 meters) from any open road, motorized trail, or high use trail. While it was clear at the time that roads were a significant factor in grizzly bear management, the decision to treat high-intensity-use trails the same as roads in the calculation of core habitat appears to have been arbitrary.

CONCERN STATEMENT: One commenter requested the NPS and USFWS conduct an analysis to determine if certain human behaviors provoke and/or exacerbate grizzly bear attacks. The commenter specifically requested whether snowmobiling, helicopter skiing, or other motorized recreation would harm, disturb, or constitute a "taking" under the ESA.

Representative Quote: Consider whether mountain biking in the range of NCE grizzly bears is dangerous for bears and humans. For cougars, erratic movements are more likely to provoke attacks. Unfortunately, a U.S. Forest Service law enforcement officer was killed by a bear he surprised while mountain biking with a friend near West Glacier National Park.⁴³ It would be beneficial to decisionmakers and the public alike if NPS or FWS could provide a rigorous analysis of grizzly bear attacks to determine if certain human behaviors exacerbate attacks, as Mattson et al. (2011) have done for mountain lions, before drawing conclusions about the effect of mechanized transport on bear populations. Consider whether snowmobiling, helicopter skiing, or other motorized recreation will harm, disturb or otherwise cause "take" of threatened NCE grizzly bears as contemplated by the ESA. Snowmobiles have the potential to disturb grizzly bears in their dens, and that disturbance results in energetic costs to grizzly bears including increased activity, elevated heart rates, and possible den abandonment and even potential cub mortality.⁴⁵ Helicopter skiing is not a benign activity, and puts skiers, pilots and wildlife in danger. Flying helicopters in winter months to high altitude destinations, particularly during winter storm events, could result in helicopter crashes, killing or maiming both skiers and their pilots in the remote backcountry. If tragedy occurs, they will then need to be transported out by rescue crews who not only put their own lives in peril, but add to disturbance of winter-stressed wildlife. Helicopter noise or crashes could conceivably trigger avalanches, which could harm grizzly bears or black bears denning in the area by covering over, crushing or smothering their dens. And the same is true for wolverines, who prefer high altitude habitats and den in deep snows. Helicopter skiing is extremely unsafe for people and the environment and should not be permitted on America's public lands.

Table 15. IT1300 - Impact Topic: Human Safety

CONCERN STATEMENT: Commenters expressed concerns about the increased danger and potential for negative grizzly-human interactions as a result of grizzly bear restoration, in violation of NPS Management Policies. Commenters noted there are large human populations in the NCE, as well as an influx of recreational users, and restoring grizzly bears increases the risk for property damage, livestock killings, and human injury or death. Commenters expressed concerns that the grizzly bears would migrate to more populated areas in search of food sources, which would increase grizzly-human interactions. One commenter requested additional information about the layout of the Backcountry campgrounds and visitor safety. Commenters requested the final EIS provide monitoring measures, conduct a threat analysis, include a detailed analysis of impacts to visitor use and

experience on the Pacific Crest Trail, and include a mitigation plan. Commenters requested the NPS and USFWS disclose any information about predatory grizzly bear behavior on humans, particularly for the existing grizzly bear donor group, and requested all federal interagency issues and conflicts be resolved during the scoping and EIS process.

Representative Quote: Have considerations been given to the layout of backcountry camps in the park? Many of them do not have designated cook areas or there is not enough space between cook areas and tent pads. I think this would be an important consideration for the safety of backcountry users.

Representative Quote: What about the impact on the thousand plus PCT trail hikers? Sorry you just hiked 2,500 miles but there was a bear sighting please turn back! Recreational use in our national parks and forest is on a steep rise, what about the impacts to all those visitors who just want to get out and enjoy our natural resources that were created just for that use?! In 2018 during an EIS hearing in Stehekin the NPS had a ranger here to answer questions about grizzly bears. When asked about human bear interaction he said; "You have nothing to fear as long as you don't surprise them, stay away from blind corners and choke points like stream crossings. Yell at every bend in the trail make lots of noise and you will be ok." That is hard to do in mountains filled with blind corners, choke points, bends or switch backs every couple of hundred yards. In other words don't go hiking in the Cascades, or expect a bear attack. He even said we will have human bear problems but they can be mitigated, What does that mean? Locked out of the woods? The point was really driven home to me the next day when while I was working along the lake and I heard lots of loud yelling coming closer and closer to me from the trail a 100 yards above me. In concern I climbed up to the trail to see three young girls working in Stehekin for the summer with terrified looks on their faces yelling as loud as they could to scare off any bears just around the next bend in the trail. So much for a relaxing hike in the woods with peace and quiet. The impacts to the visitor and locals are not adequately addressed This scoping should include a detailed assessment of all of the those that would be negatively affected. To simply assert that there would little or no impact is false.

Representative Quote: As you move forward with the planning part of this possible grizzly restoration I would like to make sure you guys are focusing on the impact on our local communities. Bringing the grizzly bear back to the North Cascades would greatly impact the public safety which in turn could cause closures to our national forest. As a community member who used recreates on the national forest land year round I would hate to see it closed to everyone because of the Grizzly. I would also be concerned of the peoples safety in the local mountain communities, as these animals typically find their way into the towns. Lastly if the National Park ended up getting closed due to these bears, it would greatly hurt the local mountain towns economy, as they depend on the tourist who come to use the national forest.

Representative Quote: Potential Conflicts with Trail Programs by Other Federal Agencies - The congressionally mandated Pacific Northwest National Scenic Trail (PNWNST) bisects the NCE and adjacent federal lands. Currently in its own scoping process, the trail would introduce additional federal employees, contractors, volunteers, and visitors into the NCE. If the proposed action to establish a U. arctos population in the NCE moves ahead, incidence of human/bear interactions will increase. This is especially problematic as between 2010 and 2022, 25 fatal U. arctos attacks on humans, some depredatory rather than defensive, have been documented in the public record (Attachment B). The NEPA CEQ Regulations require all Federal interagency issues and conflicts to be resolved during the scoping and EIS process.

Representative Quote: Park managers understand that significant public concern exists concerning public safety in areas of grizzly activity and publish a Bear Safety page on their website. (<https://www.nps.gov/noca/learn/nature/bear-safety.htm>) This webpage provides a list of actions to take when in the vicinity of black or grizzly bears. Reading this page offers little comfort when considering the goal of a grizzly population of up to 200 bears in addition to the already sizable black bear population in the complex. During the virtual meeting I attended, a question was asked concerning grizzlies and hiker/camper/visitor safety. The wildlife expert spoke about how we already live in an area that is dangerous. "Cougars, black bears, wolves, and other predatory wildlife species are already here." Did this statement assuage public safety concerns? I think not. We were also told that there will be extensive educational outreach to inform the public how to avoid encountering grizzlies in the first place and, secondly, just how you should react if charged by these huge clawed, apex predators rushing you with Olympic sprinter speed because YOU surprised them. One suggestion was that

hikers should make noise on the trail to let the grizzly know a human is in the area. Making noise on the trail in a wilderness is not exactly why people hike in the wilderness in the first place. Maybe bells work. Maybe not. We were told bear spray could be helpful - but don't spray into the wind should a charging bear attack. The bear spray will just cause you a great deal of irritation and blind you before the grizzly rips into you. I guess the hikers could move (or ask the grizzly to move) into a position where the bear spray will be blown effectively towards Mr. or Mrs. Grizzly

Representative Quote: 3) In other areas (Yellowstone, Glacier) where reintroduction has occurred, camping in anything but hard sided structures (campers, trailers) is not allowed in some areas thus limiting tent camping. We, because of the closed road can only tent camp, thereby further limiting camping opportunities . 4) If experimental introduction is allowed, special regulations can be introduced that would further limit hiking and camping opportunities within the park and the NRA. 5) The already very restrictive use of horses to move supplies and people into the back country would most likely be curtailed further or stopped completely. 6) With the lack of road access to the majority of the park (unlike Yellowstone, Glacier) the access would become even more limited to the older segment of our population. 7) The potential of grizzly human interaction would deter more people from wanting to hike and backpack with no other options, ie as you can't drive anywhere within the park. 8) In Stehekin we have a significant Kokanee spawn every fall so much so that the lower valley smells of fish, this would be a huge draw for grizzly bears wanting to fatten up before hibernation, most likely resulting in a higher concentration of bears, thus increasing the chance of negative bear human interaction. Even though this is a short term situation it could result in a horrific situation for humans, to those both visiting and residing in the lower valley. This would put both humans and the grizzly, in grave danger. 9) If a grizzly human interaction resulted in an injury, medical care is very limited and not very timely. 10) The present population of deer and elk would be severely impacted the elk herd is small and just starting to establish itself. We have now seen wolves in the valley, another introduced species. 11) All of the businesses in the lower valley fishing, pack trips, and hospitality could be severely impacted as a result of this project with no means of remediation.

Representative Quote: With the North Cascades National Park (NCNP) near its geographic center, the proposal to import *U. arctos* individuals to the NCE would violate Section 1.9.1.4 of the NPS Management Policies 2006 which mandate the safeguarding of human life: "The safety and health of employees, contractors, volunteers, and the public are core Service values. In making decisions on matters concerning employee safety and health, NPS managers must exercise good judgment and discretion and, above all, keep in mind that the safeguarding of human life must not be compromised." 1 FR 87 68190, Notice of Intent to Prepare North Cascades Ecosystem Grizzly Bear Restoration Plan/Environmental Impact Statement, Washington. 2 Comments, Issues and Recommendations on the Grizzly Bear Introduction Plan and Environmental Impact Statement. Stillwater Technical Solutions. October 23, 2019. 3 McLellan, B.N., Proctor, M.F., Huber, D. & Michel, S. 2017. *Ursus arctos* (amended version of 2017 assessment). The IUCN Red List of Threatened Species 2017: e.T41688A121229971. <http://dx.doi.org/10.2305/IUCN.UK.2017-3.RLTS.T41688A121229971.en>. 1 As documented in Attachment B, *U. arctos* is an aggressive apex predator capable of sudden and unprovoked attacks on humans. Since 2010, *U. arctos* individuals have killed five people within NPS-managed park and/or national recreation units. NPS has a fundamental agency responsibility to ensure that its programs protect all human life and interests, not just individuals working within NPS park units. The proposed species restoration project also would violate NPS Management Policies 2006 Section 1.4.7.1 which covers unacceptable impacts. Both science and history demonstrate that is reasonably foreseeable to anticipate that a *U. arctos* individual may attack, injure, or even kill a park unit visitor, employee, or contractor. Section 1.4.7.1 states: "Park managers must not allow uses that would cause unacceptable impacts ... for the purposes of these policies, unacceptable impacts are impacts that, individually or cumulatively would ... create an unsafe or unhealthful environment for visitors or employees..." The proposed introduction of imported *U. arctos* individuals also would violate NPS Management Policies 2006, Section 4.4.2.2, which covers the restoration of native plant and animal species only when all of five criteria have been met. In this Policy we are mindful that "the safeguarding of human life must not be compromised" when we find that the proposed restoration actions fail to meet the second criterion: "The species does not, based on an effective management plan, pose a serious threat to the safety of people in parks, park resources, or persons or property within or outside park boundaries." As noted, that there have been at least five fatal *U. arctos* attacks on humans in NPS-managed park units since 2010. We have not included those people who have lost their lives to *U. arctos* attacks outside park boundaries that are near NPS park units. Section 4.4.2.2 may

also be read to extend the NPS prohibition against restoring populations of U. arctos to adjacent private lands or impacted properties managed by federal, state, or local government entities. Stability of U. arctos Populations -
<p>Representative Quote: Issues and Recommendations on the Grizzly Bear Introduction Plan and Environmental Impact Statement. Stillwater Technical Solutions. October 23, 2019. 3 McLellan, B.N., Proctor, M.F., Huber, D. & Michel, S. 2017. Ursus arctos (amended version of 2017 assessment). The IUCN Red List of Threatened Species 2017: e.T41688A121229971. http://dx.doi.org/10.2305/IUCN.UK.2017-3.RLTS.T41688A121229971.en. As documented in Attachment B, U. arctos is an aggressive apex predator capable of sudden and unprovoked attacks on humans. Since 2010, U. arctos individuals have killed five people within NPS-managed park and/or national recreation units. NPS has a fundamental agency responsibility to ensure that its programs protect all human life and interests, not just individuals working within NPS park units.</p>
<p>Representative Quote: The recent NPS and FWS fails to address the differences in Washington State population In contrast to the populations of Montana and Wyoming. The population of Washington state (2022) is approximately 7.9 million while the population of Montana is approximately 1.1 million and Wyoming 582,328. The potential risk of fatalities and severe bear maulings is many times larger in this vast recreational complex. Detailed work needs to be done by NPS and FWS to show the potential increased safety risk to hikers, campers and outfitters in Washington state by extrapolating data from Montana and Wyoming.</p>
<p>CONCERN STATEMENT: Commenters emphasized that the danger of a grizzly attack on a human is minimal. Commenters stated that using proper procedures and precautions would minimize the risk for negative human-grizzly encounters.</p>
<p>Representative Quote: I follow human-bear conflicts and the rare attacks of bears on humans. I read the reports. Usually humans have made some major mistakes. I also backpacked extensively in the North Cascades. During this time, I discovered how differently bear attractants are used and handled by some horse outfitters and trail crews from what I was accustomed to as a backpacker. I discovered how failures to follow the basic rules for camping in bear country. I also discovered that the USFS was also not very interested in this and lacked the staff to monitor these problems. Because I care a lot about the individual grizzlies, and the 10 or so who might be forced to come to my state, I do not believe it is fair or ethical to capture and remove grizzlies from their homes and release them in the North Cascades until our state is prepared to provide a safe home for them. Currently, we are not even ready to live well with black bears. I do not believe our state will do any better living with grizzlies. Because of the basic natures of these two species, we might do much worse. I've been very disappointed in the Washington Department of Fish and Wildlife's management of black bears and its failure to lead in developing programs for living with bears and recreating with bears. This must change if our state will change. The state legislator must become more interested in the importance of our wildlife and our wild places. Human disturbance is only increasing and along with the increasing impacts of climate change, wildlife is facing huge challenges.</p>
<p>Representative Quote: There are too few places where we may experience the ancient character of wildlands that include the full complement of species that evolved over thousands of years. Similarly, there are many places outdoor recreationists can visit in Washington state where they will not encounter grizzly bears, including major national parks like Olympic, and Mount Rainier. We believe that a diversity of experience is important for park users, and the North Cascades has the capacity to provide a unique visitor experience, setting itself apart from what one may experience when visiting many other public lands in Washington. Moreover, users have more tools and knowledge than ever to safely recreate in grizzly bear country. We appreciate the park's continued efforts to educate visitors, encouraging them to pack bear spray, travel in groups, make noise on the trail, properly store food, and employ other best practices that contribute to visitor safety.</p>
<p>Representative Quote: I think it is important to distinguish as to risk, Grizzly behavior in BC versus Alaska Brown Bear behavior in Northern BC, Aleutians, etc. In conclusion the human risk of re-introduction of Grizzlies is low, very low.</p>
<p>Representative Quote: Nearly every on foot sighting I've had resulted in the bear quickly leaving the area before I could even react. We strictly follow bear safety guidelines, a good practice for wilderness travelers anywhere. There are many studies showing that grizzly bears avoid human contact when possible. That is not necessarily the</p>

case for black bears. One study done in Yellowstone included a trail crew of park workers traveling with a location sensor. Various grizzly bears in the park had radio collars and were also tracked. Monitoring both, park biologists were able to note grizzlies moving away from a trail as the trail crew approached, then going back to a (presumed) food source afterwards. The trail crews never knew the bear was close by. The proposed action in the North Cascades would reintroduce a small number of grizzly bears in one of the most remote areas in Washington state. The chance of grizzly-human encounter would be extremely low; the bears would have a large wilderness home where they could thrive.

CONCERN STATEMENTS: Commenters suggested a variety of measures to minimize human-grizzly encounters. These suggestions included flagging, motion activated lights and noise makers, fencing, protective husbandry, guard dogs, and bear-resistant trash cans. Commenters requested nonlethal measures be included in the EIS to address potential conflicts between humans and grizzly bears to minimize bear killings. One commenter requested the NPS and USFWS use the Interagency Grizzly Bear Guidelines as a framework for conflict management between grizzly bears and humans.

Representative Quote: Related to reducing potential conflicts between grizzly bears and outdoor recreationists, we support the intent of the following FAQ: "Would this recovery effort require visitors to the recovery area to change their behavior? Black bears already occupy the areas that grizzly bears are expected to be in the future, and much of the human behavior needed to avoid conflict with that species applies to recreation around grizzly bears as well. Learning how to safely recreate in black bear country goes a very long way to learning how to recreate where there are grizzly bears. The national park and national forests are already addressing the high-risk elements of human-grizzly bear conflict by increasing awareness of, and/or requiring, proper backcountry food storage and by installing bear resistant garbage disposal systems and food storage lockers in campgrounds in order to reduce human-black bear conflict." The PCTA is incredibly supportive of additional backcountry bear-resistant food containers (i.e., bear canisters) requirements for overnight users to mitigate against human and bear conflicts. Additionally, we support opportunities to increase public education around how PCT hikers, horseback riders, and other backcountry travelers can recreate more responsibly. We believe that proper food storage requirements and effective public education should negate the need to unduly restrict backcountry and wilderness recreation opportunities.

Representative Quote: The National Park Service and other land managing agencies in the North Cascades Ecosystem along with partner organizations have done a very large amount of good work over many years educating the public on how to camp and hike safely in bear country. Black bears are numerous in the Cascades, and equipping campgrounds with bear-resistant trash containers, consistently posting bear-related safety information at trailheads, and many other measures have prepared us for the day when grizzly bears once again inhabit the Cascades. We hope that the restoration plan and EIS will review and evaluate these measures and programs and include ideas for continuing to improve them to further ensure the safety of people visiting habitat where both bear species are present.

Representative Quote: It is also imperative that the plan require more be done to prevent conflict including in the back country, expand programs that foster coexistence between grizzlies and people. Also, ban bear-hunting in surrounding areas and educate the public on respecting bears from a distance, not feeding bears or leaving food available at camp sites and bear proofing trash facilities.

Representative Quote: NPCA encourages the NPS and FWS to consider the following when evaluating the use of the 10(j) designation: • The application of the Interagency Grizzly Bear Guidelines should be the basis of the management system applied to human-bear conflict management in NCE. These Guidelines provide a framework for conflict management that allows necessary flexibility but clear guidance on the application of such flexibility. These Guidelines have proven successful after decades of use in ecosystems with grizzly bears in Montana, Wyoming and Idaho.

Representative Quote: As part of the draft F.TS, consider setting up policies and programs that mitigate and prevent human-bear conflicts and reduce the high mortality that grizzly bears in the lower 48 experience. As Stringham (2013) suggests, agencies' policies for bears and other wildlife are often too rigid and simplistic to

conform with modern societal values that privilege humaneness and conservation over w1lmt0n killing.⁵⁹ For instance, he suggests that agencies should not kill bears unless they are a true public safety hazard-and not because someone felt frightened when they saw one.⁶⁰ Penteriani et al. (2018) have suggested we must avoid six ecological traps for grizzly bears: human food sources in settlements, agricultural lands, roads, artificial feeding sites, hunting and other human causes.' ' The NPS and FWS must anticipate them and mitigate them. We discuss some solutions below. Along with livestock producers, set up a collaborative process modeled on the Blackfoot Challenge. The Blackfoot challenge is a multi-agency collaborative that works in agreement with local residents. These agencies, NGO and ranchers have set up phone trees, instituted electric fencing around area apiaries, feed, trash and calving grounds. They removed downed livestock, who are composted behind electric fencing. As a result of employing these commonsense solutions, since 2003 human-bear conflicts have decreased by 96% in the Blackfoot Valley of Montana and the number of grizzly bears killed in the area correspondingly declined by 80% over that same time frame. ⁶² See also the forthcoming proceedings from the 6th International Human-Bear Conflict Workshop (Lake Tahoe, October, 2022).⁶ • Require bear spray in the NCE. In addition to preventing the regrettable loss of human and bear life, conflict reduction enhances public support for bear recovery. ⁶⁴ Experts researching human-bear conflicts have consistently and uniformly concluded that "bear spray represents an effective alternative to lethal force" to ensure "personal safety for those recreating and working in bear country."⁶⁵ Indeed, multiple decades' worth of robust literature published by state and federal wildlife management professionals, veterinarians, and academic researchers has proven time and time again that bear spray works: ■ A comprehensive study of every recorded incident in which bear spray was used during dose-range bear encounters in Alaska over a 20-year period (1996-2006) found that in 98% of cases, persons carrying bear spray walked away completely uninjured. And in the 2% of cases where bears did injure persons carrying bear spray, the injuries were minor and did not require hospitalization. ⁶⁶ A majority (74%) of the encounters examined in the study were with grizzly bears. The authors found that bear spray is "highly effective" at stopping undesirable behavior and aggression by grizzly bears, concluding that "[p]ersons working and recreating in bear habitat should feel confident that they are safe if carrying bear spray," and recommending its use to "reduce the number of bears killed [by firearms] in defense-of-life."⁶⁷ • An earlier study of bear spray incidents in Alaska during the preceding decade (1985-1995) reached a similar conclusion, observing that bear spray stopped aggressive behavior during close-range encounters with grizzly bears in 94% of cases and endorsing its widespread use.⁶⁸

Representative Quote: • The I interagency Grizzly Bear Committee has twice (1999 and 2008)⁶⁹ reviewed the efficacy of bear spray and published position papers endorsing its use. In each case, IGBC biologists reviewed scientific literature, investigated incident reports, surveyed U.S. and Canadian wildlife managers, and drew on their own experience with grizzly bears. The official position of the IGBC, based on this comprehensive research, has remained: "No deterrent is 100% effective. but compared to all others, including firearms bear spray has demonstrated the most success in fending off threatening and attacking bears and preventing injury to the person and animal involved. The proper use of bear spray will reduce the number of grizzly bears killed in self-defense, reduce human injuries caused by bears, and help promote the recovery and survival of the grizzly bear." • Controlled studies of pepper spray on captive grizzly bears have shown a near-100% success rate in halting aggressive behavior, even using products far less sophisticated than bear spray available on the market today. An early 1962 study proved that pepper spray effectively terminated aggressive behavior by grizzly bears without triggering further aggression.⁷⁰ In 1981, a University of Montana research repelled all aggressive bears in a lab-recreated "charging bear" experiment, using commercial pepper spray formulated for repelling dogs. ⁷¹ The success of these early proof-of-concept studies provided motivation for the development of contemporary bear spray, including products that meet the IGBC's minimum recommended performance standards.⁷² ■ Not only is bear spray effective at resolving bear attacks without injury, it is more cHcctivcthan any existing alternative - including firearms. According to the FWS, "persons encountering grizzlies and defending themselves with firearms suffer injury about 50% of the time," while "persons defending themselves with pepper spray escaped injury most of the time, and those that were injured experienced shorter duration attacks and less severe injuries.m3 Firearms are simply less effective than bear spray at stopping a bear attack. Unlike a canister of bear spray, which is specifically formulated and designed for use during aggressive bear encounters, "most handguns and many rifles are of inadequate caliber to kill or stop a charging [grizzly J bear" and the "narrow and sloped" physiology of a grizzly's cranial vault renders fatal shots "exceeding difficult to hit accurately in a rapidly charging bear."⁷⁴ The U.S. Geological Survey reports that even "experienced hunters have found that despite using firearms to defend themselves against a charging bear, they were nonetheless attacked and badly hurt. "75

CONCERN STATEMENT: Commenters requested the EIS address the potential impacts of human-grizzly bear interactions, particularly during adverse weather, and how these impacts would affect recreational opportunities due to increased safety concerns. One commenter requested additional information regarding transportation access if a grizzly bear were to attack a visitor in the NCE. One commenter noted there is no motor vehicle availability in sections of the Pacific Crest Trail and if a person were attacked, transportation to access a hospital would be limited.
Representative Quote: I will be looking for the EIS to address the danger of human/bear interaction in times of adverse weather, as when drought or unseasonal snows reduce forage, or when wildfire drives bears into unusual areas.
Representative Quote: NPS also needs to fully analyze in an alternative, public health and safety concerns that come from the restoration of grizzly bears in this area. NEPA requires a broad range of alternatives and analysis. Information needs to be provided to the public on how recreation will be affected in this area due to safety concerns. BRC recommends current management practices in the North Cascades Ecosystem.
Representative Quote: Should a grizzly bear attack occur on the Pacific Trail near Stehekin or other trails above Tumwater Camp Ground, acknowledge there is no motor vehicle availability to transport PAGE 4 the injured hiker or camper to the Stehekin Landing. Furthermore, there is no timely transportation access to a hospital due to lack of regular seaplane flight service from Chelan.
CONCERN STATEMENT: Commenters expressed concern that restoration of grizzly bears in the NCE would cause potential liability issues for the NPS and USFWS if negative human-grizzly bear encounters occur. Once commenter noted the restoration of grizzly bears in the NCE would be in direct conflict with the NPS <i>Management Policies</i> .
Representative Quote: the NPS Management Policies 2006 states ..."the safeguarding of human life must not be compromised." Are individuals within the NPS and USFWS going to shoulder the Accountability and Liability of attacks and fatalities from bear human interactions?
Representative Quote: Include a legal opinion concerning potential liability accruing to the federal government from handling/managing/relocating (transplanting) top-of-food web omnivores with predatory instincts and immense physical strength. In the body of jurisprudence, courts of limited jurisdiction (at state level) have found in analogous situations that government agencies liable for damages resulting from the deaths of humans killed by relocation of so-called dangerous wildlife (principally, cougars). To the point: Why would the National Park Service and U.S. Fish and Wildlife Service NOT be liable if a transplanted grizzly injured or killed a human visitor inside the core release zone or a transplant animal strayed onto adjacent private lands where it damaged property or harmed human rural residents or visitors.
Representative Quote: With a liability potential in mind, fully disclose and explain the suite of contingencies in the recovery plan specifically related to modifying, curtailing or eliminating public use of national forest lands as well as those protocols for managing and resolving public safety incidents.
CONCERN STATEMENT: A commenter asked for an assessment of bear boxes and other bear protection infrastructure around the restoration area.
Representative Quote: What is the current infrastructure outside of the National Park for Grizzly Bears? In the Mount Baker Snoqualmie National Forest, there are no to few bear boxes at campgrounds. We did not see this addressed in the previous EIS. Furthermore, there is a number of dispersed camping sites throughout the forest

that provide important community and tourist infrastructure. This differs from much of the infrastructure of the NCNP. What funding would be provided/is needed for the Mt. Baker Snoqualmie and DNR to prepare for and support safe recreation in the recovery area? This should include developed, backcountry and dispersed camping areas. Knowledge of local infrastructure is important. DNR and FS personnel actively working in these areas should be included in the EIS.
CONCERN STATEMENT: Commenters requested the NPS and USFWS provide additional information on where the grizzly bears would be released and requested the tracking and data monitoring information be made available to the public.
Representative Quote: when a bear is released will the public be informed of the general area of release (ie on such and such a date a male grizzly bear was released in the Copper Pass area)?
Representative Quote: Lastly, we hope that tracking and data monitoring will be addressed in detail in the plan. We understand that all bears brought into the NCE will be tracked using a collar. Will the bears be monitored daily, with their whereabouts tracked on an ongoing basis? Will communities be notified if/when a bear comes into proximity of a town, campground, or other area where humans frequent? Communication and transparency will play a huge role in ensuring that those living and recreating in the NCE continue to feel safe.
Representative Quote: Who will receive the collar data also needs to be explained in the EIS. This is a huge issue with our wolf recovery. Will horse packers and outfitters who use USFS lands including Wilderness Areas receive this collar data ? Will livestock producers who graze on public lands or private lands receive this info?

Table 16. IT1400 - Impact Topic: Rare, Unique, Threatened, or Endangered Species

CONCERN STATEMENT: Commenters expressed concern that designation of an experimental population would reduce the level of protection grizzly bears currently receive under the ESA. As a result, commenters requested the EIS include an alternative that does not include the section 10(j) rule.
Representative Quote: The proposed action includes a problematic proposal to designate the reintroduced grizzly bears in the NCE as an "experimental population" under section 10(j) of the U.S. Endangered Species Act (ESA). Under this designation, the bears (at least any captured in the U.S.) would lose their current protections under the Endangered Species Act (ESA) and could be shot, re-captured, or killed in the North Cascades.
Representative Quote: Capturing and relocating the bears may not be the best practice as their populations haven't yet stabilised in their current habitats. The Grizzlies must remain on the endangered list until their populations are sustainable in their home habitats. Too many humans like to kill them and will look for opportunities if they are not protected. Please research and develop a natural recovery program for the Grizzlies in coordination with US and Canadian wildlife authorities that will allow cross-border movement and protection of these magnificent beings. Please ensure that the new program does not violate the Wilderness act.
Representative Quote: Transporting bears to areas where they would no longer be under EPA protection is counterproductive to increasing their numbers. Without adequate protection, bears transported into these areas could effectively be reduced in numbers.
CONCERN STATEMENT: Commenters suggested that ESA protections for grizzly bears should be maximized to the extent possible, specifically for USFS actions that could affect grizzlies. Additionally, commenters requested the EIS consider management actions for after the species is delisted to ensure the population is not eradicated.

<p>Representative Quote: Future planning also must include for when this species is removed from the ESA. In other states, including many in the western United States, once a species is delisted, it is “open season” and plans for eradication are quickly back on the table. As the EIS evaluates the interplay between grizzly bears and wolf recovery, it must take for example the plight of wolves in Idaho, Montana, and Wyoming now that they are no longer protected under the ESA. Hunters in these states can indiscriminately kill or trap as many wolves as they like year-round on private land and even on surrounding areas to our National Parks. https://www.nytimes.com/2022/01/17/opinion/wolves-endangered-yellowstone.html)</p>
<p>Representative Quote: I understand the USFS would have to “confer” with the USFWS under Section 7, but given that USFS land accounts for the vast majority of the NCE, and given what I've seen of the USFS's version of “restoration” (early Mission Restoration Project implementation and one-size-fits all Twisp Restoration Project proposal), I'm not sure everyone is on the same page. I would like the USFWS to be able to apply binding terms and conditions to USFS actions rather than just grizzly-friendly suggestions. And, for instances where private projects have real potential to adversely affect grizzly bears, I would like to see actual ESA protections in place.</p>
<p>CONCERN STATEMENT: One commenter stated that the EIS should provide a thorough analysis of potential impacts of the alternatives on spotted owl and marbled murrelet. The commenter specifically noted that the EIS should consider measures to avoid impacts to these species, such as avoiding the use of helicopters for translocation of grizzly bears.</p>
<p>Representative Quote: As an Audubon chapter, we are, of course, particularly interested in birds and the recovery of threatened and endangered bird species. We know that as a standard practice every EIS examines the potential effects of a proposed action on listed species. We request that this EIS do a thorough job examining how each alternative might impact the spotted owl and the marbled murrelet. (We are not aware of marbled murrelet nests in the park complex but believe the potential for them exists in such places as the upper Baker River drainage.) Considerations should include, for example, bringing grizzlies to the ecosystem in such a way that nesting marbled murrelets and spotted owls are not disturbed by helicopter operations.</p>
<p>CONCERN STATEMENT: One commenter stated that they support delisting grizzly bears under the ESA. The commenter requested that the EIS be placed on hold until a delisting petition review is complete.</p>
<p>Representative Quote: RMEF has long advocated for state management of grizzly bears, which is in line with RMEF's support of the North American Model of Wildlife Conservation, under which state management of wildlife along with the financial contributions from hunters has dramatically increased wildlife populations across the U.S. in the last 100 years. RMEF supports removal of grizzly bears from the ESA list, transferring its management to state wildlife agencies.</p>
<p>Representative Quote: RMEF requests that the NCE Grizzly Bear Restoration Plan and EIS be put on hold until the delisting petition review is complete, and a decision made - in order to properly analyze the effects of a proposed restoration. As such, RMEF recommends the 'No Action Alternative - Existing Management', as proposed in this Notice of Intent.</p>
<p>CONCERN STATEMENT: One commenter asked how restoration of grizzly bears would affect gray wolf recovery.</p>
<p>Representative Quote: What are the impacts on the recovery of other species such as grey wolves? Will this make it less likely the wolves will disperse into the region where the grizzlies are and make it impossible for the state to reach its population goals for delisting?</p>

Table 17. IT1500 - Impact Topic: Socioeconomics

<p>CONCERN STATEMENT: Commenters expressed concern that the restoration of grizzly bears in the NCE would result in economic losses from decreased tourism and visitation due to safety concerns, as well as impacts to local businesses, ranchers, and farmers. Commenters requested the NPS and USFWS determine the economic and social impacts on the NCE that would result from grizzly bear restoration prior to preparing a final EIS. Commenters requested the following information be included in the final EIS:</p> <ul style="list-style-type: none"> • Address potential eminent domain implications to private lands and properties impacted by capture and release of grizzly bears • Identify USFS obligations, funding strategies, and impacts to their revenue generation and existing work as a result of this project. • Quantify and assess the Methow Valley Area for accessible grizzly bear and human conflicts <p>Commenters also questioned the current USFWS methodology for dispersion and population growth in other recovery areas, noting it has the potential to significantly underestimate potential socioeconomic impacts.</p>
<p>Representative Quote: Revisit and update both the social and economic consequences (impacts) in Whatcom County to community business income, state tax revenues, loss of property values resulting directly from a reduction in human access and use of both core and buffer areas in the North Cascades zone. Another economic impacts segment should assess costs imposed on such items as livestock production and costs to local governments of changes in their operations in response to grizzly bear interaction incidents and presence.</p>
<p>Representative Quote: Executive Order 12630 directs administrative agencies to assess the potential takings of private property under the 5th and 14th amendments of the U.S. Constitution during the pre-decisional analyses. For the current proposal this means the agencies are to quantitatively assess the implications of the preferred alternative of introducing U. arctos into the NCE ecosystem. The just compensation clause in Article 1, Section 16 of the Washington State Constitution and implementing statutory requirements in the Washington Protection of Private Property Act⁴² also reaffirm this important principle at the State level. “Responsible fiscal management and fundamental principles of good government require that government decision-makers evaluate carefully the effect of their administrative, regulatory, and legislative actions on constitutionally protected property rights.”⁴³ For the proposed action, the Services are required by Executive Order 12630, DOE Departmental Manual 318 DM 1, the NEPA CEQ Regulations, and other federal law⁴⁴ to evaluate, quantify and report during the EIS and scoping process the potential takings implications to private lands and properties that foreseeably could result from the capture and release of 3 to 7 grizzly bears into the NCE over the proposed 10-year period. A detailed inventory of the lands and properties to be included in the Evaluation of Risk and Avoidance of Unanticipated Takings analysis required by EO 12630 is included in Attachment D.</p>
<p>Representative Quote: Rural community economies need to be addressed in the NCE EIS: o Most communities closest to, or inside the NCE, rely principally on agriculture and natural resource economies. These economies are very fragile and are already at risk. What kind of safeguards will be established in the draft EIS to mitigate impacts to these livelihoods? o USFS has played a large role in rural economies in many ways since their creation, and the USFS has the largest land allocation in the NCE. USFS, MBS Forest already operates with limited capacity and funding. The draft EIS will need to identify USFS obligations, funding strategies, and impacts to their revenue generation and normal body of work by this project.</p>
<p>Representative Quote: b. The Okanogan Basin The east slope of the Cascade along the Okanogan Basin is the primary agriculture region for Okanogan County. In the Loomis State Forest within the NCE there are 3,415 acres of active privately owned range lands, and private residential property. There are 1941 acres in the Okanogan National Forest south of the Loomis State Forest to the Wenatchee Nation Forest which are also within the NCE. Okanogan County has over 28,000 acres of deciduous fruit trees producing many varieties of apples, pears, cherries and stone fruits. The tree fruit industry is by far the largest industry in the county generating over \$250,000,000 in revenue, dollars that remain in the community⁷⁰. Washington Department of Natural resources leases lands for agricultural purposes.⁷¹ Crop Acres Dry Land 283 Irrigated land 210 Apples 38 General Agriculture 2,203 These DNR leased lands are primarily along the Okanogan River and Columbia River as are privately owned orchard lands. Their location and intersection with the NCE projected boundary mean they are</p>

also accessible to bears. Another concern is depredation on cattle especially for ranchers who use US Forest Service and DNR lands for grazing leases and allotments. In Okanogan County M-1 management on USFS lands are within the NCE. In the Okanogan National Forest, the M-1 lands extend from the Okanogan basin side into the NCE as far as Yellow Jacket Cr. near Lost River in the Methow. c. Lake Chelan in Chelan County

Representative Quote: I run a guided fly fishing business on the Stehekin river that is full of spawning kokanee salmon in the fall. I read in the 2018 EIS document where the experts say that Glacier Park grizzly bears (which would likely be used in the relocation) will not eat salmon? This is once again supposed science that can't be proven and defies common sense, to think a grizzly bear introduced to yummy salmon while not eat them! The rugged cascade mountain range is not teaming with food, of course once they find their way to the river loaded with Salmon, they will stay to fill their bellies, just as the black bears do. Will this mean the river will be closed to fishing in its most prime dry fly fishing season? What of the impact to the visitor coming here to fish? What about the impact to my business if they close the river to prevent bear human interaction? The list of effected users of the park goes on and on.

Representative Quote: The negative economic impacts on outfitter operations, trail closures, apple and pear orchard owners losing workers and business owners need to be addressed in the proposed scoping document.

Representative Quote: Rural community economies need to be addressed in the NCE EIS: o Most communities closest to, or inside the NCE, rely principally on agriculture and natural resource economies. These economies are very fragile and are already at risk. What kind of safeguards will be established in the draft EIS to mitigate impacts to these livelihoods? o USFS has played a large role in rural economies in many ways since their creation, and the USFS has the largest land allocation in the NCE. USFS, MBS Forest already operates with limited capacity and funding. The draft EIS will need to identify USFS obligations, funding strategies, and impacts to their revenue generation and normal body of work by this project.

Representative Quote: The NEPA CEQ regulations at 40 CFR §1502.24 state that agencies: “shall make explicit reference by footnote to the scientific and other sources relied upon for conclusions in the Statement.” The citations below demonstrate this conclusion to be misleading and errant: • “While it is unknown how many individual bears are responsible for depredations at high bear densities, the positive relationship between bear density and depredation event counts suggests that as more grizzly bears become spatially associated with livestock, they kill livestock at a higher levels, which could indicate that bears depredated on livestock opportunistically rather than a few problem bears repeatedly depredating” (Anderson et al. 2002). • “Grizzly bears are opportunistic omnivores” (Wells 2017 pg. 6).40 • “Livestock depredation by grizzly bears in the GYE during 1992-2000 has been found to be unrelated to the availability of bear foods” (Gunther et al. 2004). b. Taxpayer Burdens From Depredation Compensation Programs Government compensatory programs only transfer the depredation cost burden to the American taxpayer:

Representative Quote: a. The Methow Valley The Methow Valley is one of the most significant inholdings that juts directly into the heart on the North Cascades Ecosystem. Agriculture in the Methow Valley has a rich past when at one time the valley floor was dotted with family-run farms. Today, there are dozens of small farms that produce livestock, dairy, hay, orchard fruits, grains, and vegetables. Roughly 9,000 of the valley's privately-owned irrigated and dryland acres are currently used for farming and ranching.⁵⁹ Land use in the Valley is best illustrated by this graphic:⁶⁰ There is approximately 60 river miles from Pateros to Mazama that is part of North Cascades Ecosystem. The North Cascades Ecosystem encompasses both sides of the Valley. This area is easily accessible and is a prime location for grizzly bear and human conflicts that need to be quantified and assessed during the EIS scoping process. Population dynamics demonstrate that the Valley is well developed.⁶¹ As of 2020 Totals population is 10,780 which breaks down to 6400 full-time, and 4,380 part-time.⁶² The upper Methow is already experiencing a high rate of human/black bear contacts. There is a larger population and food resources are limited due to recent forest fires forcing bears to feed on garbage can refuse. At this point the response is to encourage Wates-wise collection service to invest in bear proof garbage cans. Methow Bear Aware organization is seeking funding for the cans. The first round of the effort plans kicking off with \$15,000. But the issue just begins with trash cans. Recently, black bears aggressively went after the hives of local beekeepers. This is one example of increased costs and attempts to accommodate black bears on private lands and in local businesses. Grizzly bears will bring a much higher price and limit personal freedom to enjoy life in the Methow valley. The central policy question is that if the Washington Fish and Wildlife can't manage local black bears, how can Federal agencies manage experimental populations of grizzly bears?⁶³ We believe the response is they

are not able to manage unpredictable and dangerous Apex predators. 18 The population growth dynamic is illustrated by this graphic: Consideration must be given to the recreation and tourism that bring a large influx of people to the Methow which is also integral to both the Valley and greater Okanogan County economic viability. The Methow valley during the summer and winter offer many opportunities to get outdoors and close to the beauty of the Valley: river rafting, mountain and road biking, horseback riding and pack trips, hiking in the nearby North Cascades and local trails, snow sports in winter: ice skating, snowmobiling, cross country skiing and downhill skiing.^{64 65 19} Other activities and organizations lead to events that bring people to the Methow experience: marathons and endurance running competitions, Outward Bound⁶⁷, North Cascades Mountain Guides, The Bush School,⁶⁸ and the many accommodations that offer outdoor activities as well. Sun Mountain Lodge holds outdoor camp side breakfasts and dinners. Their experience with black bears shows the potential conflicts that can occur with grizzly bears. Black bears often attend the camp side breakfasts or dinners. The temptation for food leads some to become a threat or nuisance to guests. This results in requiring Washington Fish and Wildlife Service to trap and relocate the bear or a more recent policy will lead to euthanizing the bear. If grizzly bears are present, they will shut down this event.⁶⁹ In summary the Methow will be a grizzly bear magnet that will create many opportunities for bear-human conflicts.

Representative Quote: Economic impacts and potential inclusion of the rural communities of the Grizzly Bear plans. Given that the Darrington and Concrete School Districts have the highest poverties, and have been in decline over the past 30 years in their counties since the NorthWest Forest Plan has gone into effect, how will these plans effect them? The rural communities have faced cuts to economic development, decreases in resource extraction, cuts to federal jobs, and cuts to schools as jobs have been lost. Much of this has occurred due to diverse reasons including impacts of plans to improve habitat for Spotted Owls, Marbled Murrelets, and Salmon. Despite these restrictions on rural communities, these listed species continue to decline in population. Most of the family wage jobs available are resource dependent (logging, millwork, mining, hauling resources, hydroelectric, federal agencies). Statements in support of grizzly bear introduction and in the previous EIS seem to meet the argument for bears such as both stating that grizzly bears will not come by roads, and that the grizzly bears will bring in tourist dollars as they flock to see the bears by driving on roads. Often statements supporting Environmental Impact Statements are made saying that a proposed environmental decision/policy will benefit the rural community, yet the reality on the ground is different. -A. How will grizzly bear introduction affect local economies, specific to the rural economies where they are based? (Often, economic studies on tourism include all the tourist dollars spent in the cities such as Seattle for a visit to the Forest in Darrington). For example, there is not a single guide company in the Darrington School District. Yet, the tourist dollars generated by guides coming from Leavenworth and/or Bellingham are included in the economic impact of tourism. Furthermore, these businesses pay their sales taxes for their services not to the rural communities where they are basing their programs out of, but to where their urban businesses are based. It is important that these economic factors be individualized to the rural economies where the grizzly bears will be introduced. -B. How will reintroduction efforts employ/contract with locals and tribes? Much of the current work involves employing researchers and agencies from outside of the introduction area from communities that are not likely to be heavily impacted by grizzly bear introduction. For rural communities to be sustainable and to improve success of buy in on grizzly bear introduction, it is important that the land management decisions involve, employ and contract locals/businesses living on the lands being impacted. We suggest that the EIS include potentials for direct economic benefit for the Concrete and Darrington School Districts. -C. How could different reintroduction plans disempower each rural community (Darrington, Concrete, etc) and each local tribe? This is important for local buy in and long term success of proposed plans.

Representative Quote: Depredation; Socioeconomic Impacts - a. Flawed Predictive Models Previous initiatives demonstrate that FWS does not have a reliable and predictive methodology to accurately project U. arctos population increases and dispersion rates. As demonstrated, the regulatory framework from Montana reveals bear population and dispersion rates that far exceed projections by FWS and other agencies.³⁶ Heavy reliance on predictive calculations, as opposed to the use of objective empirical data methodologies, has led to substantive miscalculations by FWS of U. arctos restoration efforts in both the GYE and the NCDE. The predictive methodology/calculations used by FWS in the NCDE in 2004 and 2010 mispredicted U. arctos population growth and dispersion by a significant amount of animals.³⁷ Significantly, the errant methodologies used by the agency to justify a no action alternative for controlling U. arctos expansion has led to increased levels of human/bear contact. U. arctos restoration in the GYE and NCDE demonstrates that these bears are both unpredictable and uncontrollable. Despite the vast resources spent on precautionary measures to reduce contact, interactions

between grizzlies and humans are documented to be increasing across the range, with an associated level of human mortality (attachment B). Agency miscalculations and bias against the human environment have allowed the U. arctos population to expand and disperse unchecked across a 15,000 square mile area outside of the 9,600 square mile NCDE recovery area.³⁸ Instead of mitigating bear dispersion and protecting domestic sheep grazing allotments from depredation within USFS rangelands and NPS systems, domestic sheep allotments are being phased out.³⁹ The original DEIS on page 147 states that: “impacts per grizzly bear are also likely to be much less than in GYE because grizzly bears relocated under this alternative would be less carnivorous than grizzly bears in the GYE based on their feeding habits in source areas; therefore, any depredation is expected to occur at a much lower rate than grizzly bears in the GYE.” ³⁶ NPS Policy 2.1.2: “At key points of planning and decision-making, the Park Service will identify reasonable alternatives and analyze and compare their differences with respect to: short- and long-term costs; and environmental consequences that may extend beyond park boundaries.” ³⁷ Bear Biologist Cecily Costello says grizzlies have nearly doubled their original range in the NCDE, and expanded faster than FWP predictions, leading to an increase in livestock depredations along the eastern edge of the ecosystem. The estimated occupied range for the NCDE grizzly bear population is almost 25,000 square miles, which is a 42% increase from what was estimated in 2004, and it's a 25% increase from what was estimated in 2010. <https://www.mtpr.org/post/montana-wool-growers-want-more-funding-livestock-depredation-investigations> ³⁸ <https://www.mtpr.org/post/montana-wool-growers-want-more-funding-livestock-depredation-investigations> ³⁹ “Inside the YGBRZ, no new grazing allotments can be created and sheep are being phased out of allotments because they are commonly preyed upon by grizzly bears” (U.S. Fish and Wildlife Service 2007) (Wells 2017) Livestock Depredation by Grizzly Bears on Forest Service Allotments in the Greater Yellowstone Ecosystem, pg. 8. 14

Representative Quote: Will this new plan for GB's result in more permanent road and trail closures on National Forest lands adjacent to the North Cascades National Park? These public roads and trails are critical for recreation access to these important public lands and provide significant recreation benefits to the local economies. Based on USFS interpretation of USFWS GB habitat management requirements, permanent road and trail closures could occur as a result of this GB restoration plan. This information should have been shared up front with the public in this scoping document. Closing existing public roads and trails that provide important recreation value to the public is a significant issue.

CONCERN STATEMENT: Commenters indicated support for the restoration of grizzly bears in the NCE and stated it would increase tourism and support local and regional economics. One commenter noted any adverse impacts to ranchers and would not result in economic losses. Commenters requested the EIS provide a detailed analysis on the economic impacts on grizzly bear restoration.

Representative Quote: Millions of people live and recreate in grizzly bear country annually, and numerous highly effective educational outreach programs ensure that this could occur in the NCE. Embracing grizzly recovery in the NCE will focus additional energy and resources from around the nation on ensuring a future for both bears and the people who treasure the abundant natural values of the ecosystem. Recovery of the species will also stimulate positive economic impacts far beyond the reach of those partners immediately collaborating on the effort. Tourism industries anchored on the lower 48 State's two model ecosystems where grizzlies have recovered – the Yellowstone and the Northern Continental Divide Ecosystems – are a testament to the benefits that large, charismatic megafauna like grizzlies bring to communities, and moreover, to current and future generations of outdoors enthusiasts.

Representative Quote: Balanced Economic Analysis including Impacts from Grizzly Bear Tourism To enhance the probability of long-term survival of grizzly bears in the NCE, as stated in the Purpose and Need of the NOI, the Plan/EIS should also contain a balanced analysis of the economic impacts of actively recovering this population, including any foreseeable beneficial economic impacts to local economies. The opportunity to view bears not only provides a positive visitor experience (Taylor et al. 2014), it contributes millions of dollars to the local economies of gateway communities (Richardson et al. 2014). Grizzly bears were once reported as the top priority animal desired to be viewed by visitors to Yellowstone Park (Duffield et al 2006). With the reintroduction of grizzlies, North Cascades National Park will contain the full complement of species native to

the landscape, making it more likely to draw visitors from around the world. The extent to which local communities benefit from grizzly bear tourism will incentivize long term support of their presence beyond the recovery process.

Representative Quote: Consider wildlife-watching tourism opportunities that benefit local communities. Because of its immense popularity, grizzly bear viewing in Alaska's Katmai National Park and Preserve on platforms near waterways is strictly limited. More than 10 million viewers tune into bear cams annually to watch brown bears fish for salmon every summer and fall. 76 Tapping into this bear fervor, the NPS holds an annual "Fat Bear Week" contest to see if viewers can predict which bear in Katmai National Park & Preserve will gain the most weight. In 2021, more than 800,000 votes were cast and the winning bear was "Otis," an aged, toothless bear who was featured-along with his competitor bears-in before and after eating-migratory salmon images that delightfully spoof on fad diet ads. 77 Economist John Loomis and others calculated the opportunity cost of time for 2,649 Katmai web cam viewers to derive an average consumer surplus of \$11 per hour.78 Loomis et al. (2018) found that if this is applied to the 2.42 million web cam viewer hours, it "yields and annual benefit of more than \$27 million annually."79 The NPS maintains a website showing economic data nationally, by state and by park. We pulled national data and data from a few national parks where bears abound: ■ National data: "In 2021, 297 million park visitors spent an estimated \$20.5 billion in local gateway regions while visiting NPS lands across the country. These expenditures supported a total of 323 thousand jobs, \$14.6 billion in labor income, \$24.3 billion in value added, and \$42.5 billion in economic output in the national economy." ■ Denali National Park and Preserve: "In 2021, 230 thousand park visitors spent an estimated \$255 million in local gateway regions while visiting Denali National Park & Preserve. These expenditures supported a total of 3,590 jobs, \$140 million in labor income, \$22S million in value added, and \$384 million in economic output in local gateway economies surrounding Denali National Park & Preserve." ■ Katmai National Park and Preserve: "In 2021, 24.8 thousand park visitors spent an estimated \$40.3 million in local gateway regions while visiting Katmai National Park & Preserve. These expenditures supported a total of 569 jobs, \$22.1 million in labor income, \$35.3 million in value added, and \$60.4 million in economic output in local gateway economies surrounding Katmai National Park & Preserve." ■ Great Smoky Mountain National Park: "In 2021, 14.2 million park visitors spent an estimated \$1.3 billion in local gateway regions while visiting Great Smoky Mountains National Park. These expenditures supported a total of 18.8 thousand jobs, \$618 million in labor income, \$1.0 billion in value added, and \$1.8 billion in economic output in local gateway economies surrounding Great Smoky Mountains National Park." ■ Yellowstone National Park: "In 2021, 4.9 million park visitors spent an estimated \$630 million in local gateway regions while visiting Yellowstone National Park. These expenditures supported a total of 8,740 jobs, \$294 million in labor income, \$456 million in value added, and \$834 million in economic output in local gateway economies surrounding Yellowstone National Park." 80

Representative Quote: In the U.S., only 4.6% of the population held hunting licenses in 2021.81 That is because the public is more concerned about the conservation and the welfare of animals, including native wildlife. Wildlife watchers are a much larger constituency in terms of number of people and dollars spent in the economy, according to data collected by the U.S. Census Bureau and put into reports by the FWS. While wildlife watchers are growing in number, hunter numbers are in decline. Another federal agency, the Bureau of Economic Analysis, maintains a helpful online database of all national and state outdoor recreational spending.83 Hunter numbers and economic contributions are in historic decline,84 and hunters and trappers represent only between 0.97% and 1.4% of the hundreds of billions of dollars expended in the U.S. annually on outdoor recreation. 85

CONCERN STATEMENT: Commenters requested additional funding be provided to compensate ranchers if livestock are lost due to grizzly bears. One commenter requested additional information on the available food sources in the NCE to help ranchers understand the potential impacts on livestock. Commenters requested the NPS and USFWS introduce nonlethal conflict prevention measures to prevent economic loss for ranchers and farmers. One commenter stated additional funding should not be provided from lost livestock due to grizzly bears, and compensation should only be provided when property is lost due to federal decisions or regulatory takings of private property. One commenter asked if owners would be provided standards and procedures for protecting domestic livestock. The commenter also asked if the existing protocols and reimbursement standards for wolf territories would be extended for grizzly bears. One commenter requested the final EIS discuss the

allowances and restrictions allotted to private property owners if grizzly bears cause safety issues, environmental issues, or depredation of livestock on their property.

Representative Quote: Ranchers, Cattlemen, and Hobby Ranchers should be fully compensated for Livestock that is harmed by the Grizzly Reintroduction Program.

Representative Quote: Particular consideration should be made for private property owners, whom—in Skagit County—have voiced a spectrum of both support, as well as concern. The Restoration Plan must detail the specific allowances and restrictions private property owners will have if a grizzly bear enters onto their property or causes safety or environmental issues, including the depredation of livestock. We hope that the plan will elaborate on what removal and relocation would actually look like, perhaps providing examples or case studies from other ecosystems that have undergone similar restoration projects.

Representative Quote: Wolves have been reintroduced to western ecosystems and should serve as a model of what is reasonable to do and what is not. Grizzlies can and should be reintroduced to the northern Cascades but in small numbers and in carefully selected locales. Problems with humans, especially livestock ranchers, should be expected. Solutions to anticipated problems, especially predation, should be available before they occur. There should be a financial compensatory fund available. I recommend this action be taken but enacted more intelligently than the wolf reintroduction.

Representative Quote: It is essential to be prepared for the potential of grizzly bear-livestock conflict. The NCE has a unique position as far as the timeline of reintroduction goes. There has been substantial research in recent years about the efficacy of nonlethal conflict prevention measures. Research shows that nonlethal methods are more effective than lethal control measures for preventing livestock depredation by large carnivores (Shivik et al., 2003; Lance et al., 2010; Breck et al., 2011; Stone et al., 2017; Barnes, 2015). Researchers have also found that, “[b]ecause wolves co-occur across most of the grizzly bear range in the American West, many practices useful for managing wolf conflict also work for grizzly bears,” and that “carcass removal, electric fencing, human presence, range riders, and livestock guardian dogs are effective ways to deter both wolf and grizzly bear predation,” (Western Landowners Alliance, 2018). Additionally, studies show that the effectiveness of nonlethal tools is enhanced when several types are used in combination on an adaptive basis (Bangs et al., 2006; Sime et al., 2007; Breck et al., 2012). This research is coming from places where people have had to adapt after the fact of conflict. However, the NCE can implement the lessons from this research to ensure that grizzly bears do not suffer in the same manner that they continue to in other ecosystems. The NCE can ensure that adequate protection measures are in place up front prior to conflicts arising.

Representative Quote: The Services' appear to be carrying forward a previous notion that has been proven to be incorrect. The NEPA CEQ regulations at 40 CFR §1502.24 state that agencies: “shall make explicit reference by footnote to the scientific and other sources relied upon for conclusions in the Statement.” The citations below demonstrate this conclusion to be misleading and errant: • “Grizzly bears are opportunistic omnivores” (Wells 2017 pg. 6).40 Fiscal loss is simply shifted from the directly affected property owner to indirectly affected taxpayers. If the NPS is to uphold its policy at 1.9.5.1. “strive to be an effective and efficient steward of appropriated and non-appropriated funds and services” then compensation programs must not be viewed as a mechanism to mitigate impacts, nor to avoid significance as defined by NEPA. Compensation should be provided when property is lost due to federal decisions or regulatory takings of private property,41 but the transfer of liability through governmental depredation compensation programs does not change the severity of impacts for U. arctos damage. • “While it is unknown how many individual bears are responsible for depredations at high bear densities, the positive relationship between bear density and depredation event counts suggests that as more grizzly bears become spatially associated with livestock, they kill livestock at a higher levels, which could indicate that bears depredated on livestock opportunistically rather than a few problem bears repeatedly depredating” (Anderson et al. 2002). • “Livestock depredation by grizzly bears in the GYE during 1992-2000 has been found to be unrelated to the availability of bear foods” (Gunther et al. 2004). b. Taxpayer Burdens From Depredation Compensation Programs Government compensatory programs only transfer the depredation cost burden to the American taxpayer: The agencies purport that destruction of gardens, orchards, beehives, or protection of sheep is relatively easy to prevent through the use of electric fencing. This may be true in a small farm or ranch applications, but for livestock operations with larger acreages of pasture, or public lease lands,

fencing out U. arctos either with grizzly-grade electric or traditional fencing is prohibitively expensive. “Electric or traditional fencing can protect livestock from interactions with grizzly bears but can be expensive and unrealistic on public lands” (Wilson et al. 2005). As a result, the NEPA CEQ Regulations require the EIS process account of indirect cost impacts to the human environment and systems from the proposed introduction of U. arctos. 40 Livestock Depredation by Grizzly Bears on Forest Service Allotments in the Greater Yellowstone Ecosystem 41 U.S. Constitution Article V, XIV; EO 12630; Washington State Constitution, Article 1, Section 16.; WA Office of Attorney General - Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property September 2018; Okanogan County Code - 18.04.050 (H); Stevens County Comprehensive Plan - 1.1, 1.2 GP1 15

Representative Quote: Have the NPS and FWS considered developing resources to support compensation and conflict prevention should it occur on the landscape? NPCA encourages exploring the potential to develop or contribute to existing state-run compensation and conflict prevention funds to compensate ranchers and farmers for documented livestock losses due to grizzly bears and provide resources to support preventative practices such as electric fencing. While such a program will likely have little use in the early period of reintroduction, the existence of such a program from the beginning could help address conflicts should they arise. There should also be explicit recognition that documented grizzly bear damages to orchards will be compensated along with efforts to assist in securing orchards using electric fencing and other means.

Table 18. IT1600 - Impact Topic: Cultural/Historical Resources

CONCERN STATEMENT: Commenters noted that grizzly bears play an important role in the culture and spirituality of the Native American Indigenous Tribes and First Nations, and the heritage of the residents in the Pacific Northwest; they requested the EIS analyze the potential ethnographic impacts from the proposed action.

Representative Quote: In addition, the cultural significance of grizzlies to the indigenous people of our region should be considered. I believe that impacts on livestock can be balanced and the benefits outweigh the potential harm.

Representative Quote: Grizzly bears lived in the North Cascades for thousands of years, and they belong here. I want to help chart a new future where we coexist with grizzly bears Grizzly bears play a key ecological role as a native keystone species in the North Cascades. I want to pass down a wild landscape to future generations that include all native species, including the grizzly. Grizzly bears are culturally important to many Native American tribes and First Nations People in Yellowstone and the northern Rocky Mountains live, work and recreate alongside grizzly bears, and we can too in the North Cascades. There are only a few places left where grizzly bears can exist, and the North Cascades is one of them.

Representative Quote: I encourage you to reintroduce grizzly bears in the North Cascades. Grizzlies play an important role in the environment as a keystone species. They are also very important for Native American communities. Grizzlies were hunted to extinction in the area, they did not die out because the conditions weren't right. Please help restore grizzlies and right this wrong.

Representative Quote: We need to listen to and learn from the Tribal Nations. Native American Tribes are seeking a greater voice in the Grizzly management and need to listen. Deep cultural ties dating back thousands of years connect Indigenous people to grizzly bears through myth, culture and law. The Hopi Tribe see grizzly bears, known as Hoonaw, as a healer and medicine man. To the Eastern Shoshone, grizzly bears are kin, elders. They aren't to be hunted for food, sport or hides. The Shoshone learn about them as medicine. They learn from them. The Eastern Shoshone, Hopi and more than 200 other tribes or tribal organizations have signed a treaty demanding protection for the grizzly bear. Many of them have also joined lawsuits to overturn federal efforts at removing Endangered Species Act protection from grizzlies. In the process, they have expanded the public discussion about which values and voices have a stake in the grizzly's future.

Representative Quote: The Snoqualmie People have a special cultural connection with the great bear, and we are committed to the protection and management of all native species. Article XIV of the Constitution of the Snoqualmie Indian Tribe states that: "Nature and its biodiversity, the environment and the tribal heritage are the

responsibility of every tribal member. The tribal government shall endeavor to guarantee for every tribal member the right to a healthy environment and the possibility to influence the decisions that concern their own living environment." To this end, we support taking measures to begin the recovery of grizzly bear in the North Cascades. In particular, we support a cautious approach to recovery, similar to what was outlined in Alternative C from the 2019 DEIS, and similar to what is discussed in the Proposed Action—Restoration as an Experimental Population Under the ESA. It is our hope and desire that the timeline of the approaches that are scoped under this process, and of the approach that may eventually be agreed upon will allow for continual assessment of recovery progress, will closely monitor any potential conflicts, and will enable the practice of adaptive management to address any anticipated or unanticipated concerns that may arise. Please be sure to include cautious, measured timelines and approaches in the final scoping documents. We do acknowledge that as the population of grizzlies in the Cascades grows, the potential for grizzly bear - human interactions will grow as well. Conflicts will likely need to be addressed, and we request the continuing opportunity to weigh in on the best ways address such challenges. Clearly, the safety of tribal members and the general public is paramount; however, we know that it is possible to live in this region with places for grizzly bears and for humans, because the Tribe has done exactly that for millennia prior to the arrival of Europeans. As the grizzly bear restoration plan is implemented, we request continued consultation regarding grizzly bear dispersal both within and outside the North Cascades Ecosystem. This way, the Tribe can be sure to communicate with and provide information to Tribal members who may be exercising their rights in areas where grizzly bears may be present. Thank you for the opportunity to comment on the Notice of Intent To Prepare North Cascades Ecosystem Grizzly Bear Restoration Plan/Environmental Impact Statement, Washington. We look forward to further discussion with our federal partners regarding the details of the plan as it is further developed and implemented.

CONCERN STATEMENT: One commenter stated it is presumptuous to think the grizzly bears are culturally significant to the Native American Indigenous Tribes or the First Nations.

Representative Quote: The idea that the introduction of grizzly bears into the NCE will somehow repatriate Native American tribes with a part of their culture that was destroyed at the hands of white intruders makes several assumptions. Firstly, it assumes that the grizzly was a part of the culture of inland tribes. Where is the evidence substantiating this claim? Secondly, it assumes that it was white men who are responsible for the bears' purported disappearance. Where is the evidence substantiating this claim? Thirdly, it assumes that grizzly bears were regarded as a blessing by the Native American people. To be sure, contending with bears was a part of Native American lifestyle. But to assert that grizzly bears were undoubtedly a blessing in Native American culture is a gross assumption and potentially mocks the intelligence of the Native American people. Since when is a bear hide a fur? Why would we assume that native Americans, obtaining better weapons, wouldn't also work to eliminate a malicious and dangerous population of bears? As stated, where is the evidence substantiating your unbalanced and perhaps racist claims?

Table 19. IT1800 - Impact Topic: Long-term Management of Resources or Land/Resource Productivity

CONCERN STATEMENT: Commenters expressed concerns about the biodiversity and ecosystem in the NCE as a result of human interference. One commenter requested the EIS address ecosystem services and potential benefits for humans by restoring grizzly bears. One commenter requested more information on the costs and benefits to the ecosystem and local area if no action were taken on this project.

Representative Quote: Impacts to Humans from Increasing Biodiversity and Restoring Whole Ecosystems The Plan/EIS should address the ecosystem services and benefits to humans from returning grizzly bears to NCE landscape. Because proactive grizzly bear reintroduction will require a long-term commitment and investment by the public, it is important that the agencies communicate the significance of maintaining and increasing biodiversity for the nation's future health and wellbeing when asking the public to continue to invest in large-scale conservation and preservation initiatives like grizzly bear recovery. Natural processes sustain us, and grizzly

<p>bear recovery plays a direct role in our own future. Habitat that supports grizzly bear also supports human needs such as 1) clean water, 2) carbon storing forests, 3) future scientific discoveries from preserved biodiversity within grizzly bear habitat, including grizzlies themselves, and 4) quality landscapes to enjoy and recreate within for human mental and physical health. Defenders therefore requests that this EIS systematically present the research that has occurred within recent years that relates the importance of whole and functioning local and global ecosystems to human health.</p>
<p>Representative Quote: Many of the opposing comments were about the risk and appropriateness of intervening in nature, and I think there's an important opportunity to study and clarify for people the extent to which the ecosystem has already experienced human intervention. I think the “shifting baseline” phenomenon is relevant here, because many people opposed to this action see translocating grizzly bears as greater human intervention than the ongoing lack of them due to past intervention (hunting). I think there's a lot of attention given to the potential costs and benefits of a change from the status quo, but we need to better understand the costs (or benefits, I suppose) to the ecosystem as well as local culture (e.g., peoples' morale, lived experiences, relationships with nature, feelings of moral responsibility, etc.) of the status quo and if no action is taken again. Taking no action is an action, and if this is the outcome in this round, what would we all missing out on? How would no action further affect this dynamic ecosystem and culture?</p>
<p>CONCERN STATEMENT: Commenters expressed concern about the viability of grizzly bear restoration due to the threatened ecosystem in the NCE. One commenter noted the NCE needs to be reevaluated to determine long-term resource productivity for the grizzly bears prior to any restoration efforts, stating the ecological well-being of the area does not provide enough food resources for wildlife, particularly since controlled burns have been suppressed.</p>
<p>Representative Quote: also feel strongly that the North Cascades needs to be re-evaluated from a fire ecology perspective. I have done some replication work, using the 1930s Osborne Panoramas north of Stevens Pass and at Slate Peak. I see that the area of meadow and shrubland has shrunk over the past eighty to ninety years. Not only have most lightning caused fires been suppressed over the past eighty years, there has been no replacement for indigenous burning, which historically promoted huckleberry production, and various bulbs including Erythroniums. There is a wide-spread mis-assumption that since the high Cascades is in a cool wet zone, that these ecosystems have not departed from historic condition. It is not the case. There is simply less food produced now for many animals. The fact that mountain goats have never recovered from over-hunting I postulate is due in large part to fire suppression. I have examined 1930s photos from the Lake Chelan area, and see much shrubland and meadow land on north aspects that has now been treed over, making less forage available for goats and grizzlies.</p>
<p>Representative Quote: I support the proposal of reintroducing an “experimental” population of Grizzly bears, constituting 100 individuals, into the North Cascades Ecosystem, which is ideal, due to its remoteness and natural character, and large enough to accommodate these bears, who are in dire need of more critical habitat, in order to ensure the species viability, as well as the health of the North Cascades ecosystem itself. My biggest concern, however, is how much accommodation will be afforded grizzlies by the Forest Service who manages the forests, that constitute 76% of this ecosystem, as I am aware of other places, where this agency seems more of an impediment to the protection of this and other species, than of actual benefit. There are many co-existence effort currently being made in the Northern Rockies which, although in their infancy, are very promising and could readily be adapted to North Cascades. Given the climate and ecological crises we face today, I believe this effort is needed, on the path to ameliorate some of these issues, critical to the survival and health of life on earth, overall.</p>

Table 20. IT1900 - Impact Topic: Impacts to Grizzly Bears

<p>CONCERN STATEMENT: Commenters expressed concern about impacts of the plan, specifically translocation, on source grizzly populations and genetic linkages among grizzly populations. Commenters stated that the plan should include measures to ensure population connectivity. Commenters also expressed concern that</p>
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designation of an experimental population would reduce the level of protection that the species currently receives under the ESA.
Representative Quote: Capturing and relocating the bears may not be the best practice as their populations haven't yet stabilised in their current habitats. The Grizzlies must remain on the endangered list until their populations are sustainable in their home habitats. Too many humans like to kill them and will look for opportunities if they are not protected. Please research and develop a natural recovery program for the Grizzlies in coordination with US and Canadian wildlife authorities that will allow cross-border movement and protection of these magnificent beings. Please ensure that the new program does not violate the Wilderness act.
Representative Quote: The Plan and EIS must use sources with an abundance of bears so that removing some will not harm the viability of the source populations. The EIS should address and take into account what is known about the effects of translocation on grizzly bear behavior - for example the tendency to roam widely in search of suitable habitat or mates.
Representative Quote: If this project is to move forward, the USFWS must find a source population that is outside the lower 48 states. The NCDE cannot serve as a source population due to its threatened status and the host of inadequate regulatory mechanisms that are keeping the population threatened. Political statements that the NCDE population is recovered are just that: happy political talk that is not based on the best available scientific information. It is not biologically ethical to remove reproductive age female grizzly bears from this population for an experiment that may not work or could be terminated for financial or political reasons. Any bear removed from the NCDE would be considered a mortality that counts towards mortality caps. The Greater Yellowstone is a different habitat and ecosystem from the North Cascades and the Cabinet-Yaak and Selkirk populations are far too low to remove female grizzly bears for an experiment. Wells Gary Provincial Park may be a source if British Columbia will spare them. However, a recent augmentation plan within BC was shut down after the first grizzly bear to be mechanically translocated died in transit.
Representative Quote: Genetic isolation of the four existing grizzly bear populations is setting the species up for extinction in the conterminous 48 states. All populations of grizzly bears are essential to recovery. The greatest impediment to grizzly bear recovery in the 48 conterminous states is the genetic isolation of remaining recovering populations. Genetic augmentation should not be a substitute for habitat connectivity and natural emigration. Both long term survival in each of the designated Grizzly Bear Recovery Zones and the overall recovery of grizzly bears in the conterminous 48 states is dependent on interconnecting core habitat designated in recovery zones. Reintroducing and recovering an additional isolated population of grizzly bears in the North Cascades will likely not meet the goal of species recovery and removal of Federal ESA protections. Current isolated populations, and the newly established NCE population, of grizzly bears must be linked.
Representative Quote: No grizzly bear should be translocated from an area where it is protected as a threatened species under the Endangered Species Act to an area where those protections are compromised. There are far too few places remaining in the lower 48 states with secure core habitat for grizzly bears. These limited suitable areas have been designated and managed as grizzly bear recovery zones. Maintaining isolated populations with limited genetic resources is not an action, "Supporting the recovery of the grizzly bear to the point where it can be removed from the Federal List of Endangered and Threatened Wildlife."
Representative Quote: The 10(j) rule will inhibit population connectivity and remove protections outside of recovery zones. An integral part of the goal of reintroduction is to implement measures within the authority of the NPS and USFWS to minimize human-caused grizzly bear mortalities. Reintroducing grizzly bears under the 10(j) rule decreases protections and will increase the likelihood of human caused mortality. The 10(j) rule only provides ESA protections on National Park Service and National Wildlife Refuge lands. Protections for grizzly bears outside of the NCE GBRZ are lost under the 10(j) designation.
Representative Quote: The goal is a recovered and interconnected population of grizzly bears, therefore the NCE population cannot be managed as a discrete population. First, this assumes explorer bears will not be immigrating and emigrating into and out of the NCE Recovery Zone and secondly, this movement is and should be the goal of the program; overall recover of grizzly bears as one interconnected and interbreeding population and support the recovery of the grizzly bear population to a sustainable level that allows it, as one population, to

be removed from the Federal List of Endangered and Threatened Wildlife. Reintroduction under the 10(j) rule, essentially claims that this new wild population of grizzly bears is not essential to the continued existence of the species and will fail to provide for the population's genetic health, will actively imperil the long-term viability of grizzly bear in the wild by inhibiting population connectivity by impeding dispersal, and providing inadequate protection for genetically valuable grizzly bears.

Representative Quote: Wildlands Network advocates for wildlife's ability to move across connected landscapes. Consequently, we recommend that the agencies consider potential barriers to grizzly bears, like fencing, and means to ensure safe passage for grizzly bears moving throughout this landscape while developing the EIS. Several roadways and railways bisect the NCE and have the potential to affect grizzly bears through disruption, in terms of avoidance due to disturbance from traffic, or attraction, in the case of providing a relatively convenient and unobstructed means of travel (i.e., railway lines). Unfortunately, roads and railways can increase mortality risk due to collisions, and roads alone can affect grizzly bears through the increased potential for poaching and as a precursor for future development and habitat removal. Therefore, we encourage the agencies to consider connectivity issues, and ways and means to mitigate them within the NCE. We also encourage the agencies to examine means to encourage connectivity and migration outside the United States portion of the NCE into the Canadian portion of the NCE in British Columbia. Close collaboration with our Canadian colleagues is essential to this effort. The need for this effort is succinctly explained in the FAQ document: "Habitat and population connectivity between the nearest populations in British Columbia and the U.S. portion of North Cascades Ecosystem is increasingly fragmented and grizzly bears face as many, or more, challenges immediately north of the U.S. border as they do to the south. Recovering a sustainable population will likely require active restoration in the U.S. portion of the ecosystem as well as strong cooperative efforts to sustain connectivity with viable grizzly populations in Canada." Habitat connectivity between the habitat of Canadian bears and any future NCE bears is critical due to population and distance dynamics and the eventual need for genetic dispersal for the long-term survival of an NCE population. In terms of population, even if the NCE achieves its desired maximum goal of grizzly bears - presently set at 200 - that number alone may not be sufficient to hold a "minimum effective population" to ensure genetic diversity. In terms of distance, once introduced, the NCE will be genetically isolated from other grizzly populations as it is unlikely that those bears will be able to have an opportunity to breed with the nearest population of grizzlies in the United States located in the Selkirk Recovery Zone, hundreds of miles away. Consequently, the ability of NCE grizzly bears to migrate to and from a breeding population in Canada is more likely than migration to another U.S. population, and cross-border coordination will be essential for the genetic health of the NCE population. Finally, two additional factors underscoring the critical nature of connectivity - both within the NCE and outside the NCE into Canada - are the unpredictability of the future climate and the potential for changes to the NCE habitat. Within the proposed 60-100-year timeframe proposed by the Notice, the climate of the NCE may dramatically change and grizzly bears may need to disperse to more favorable habitats. That habitat may be to the north, in Canada. A need for relatively quick movement also may be relevant in the near term due to fire or other natural events. Simply put, the ability of grizzly bears to move safely and effectively across connected landscapes will likely result in better genetic health and an overall increase of grizzly abundance. Thus, the agencies should examine this issue and ways to ensure habitat connectivity while developing the EIS.

Representative Quote: Future planning also must include for when this species is removed from the ESA. In other states, including many in the western United States, once a species is delisted, it is "open season" and plans for eradication are quickly back on the table. As the EIS evaluates the interplay between grizzly bears and wolf recovery, it must take for example the plight of wolves in Idaho, Montana, and Wyoming now that they are no longer protected under the ESA. Hunters in these states can indiscriminately kill or trap as many wolves as they like year-round on private land and even on surrounding areas to our National Parks.
<https://www.nytimes.com/2022/01/17/opinion/wolves-endangered-yellowstone.html>)

CONCERN STATEMENT: Commenters stated that translocation; recapture operations; and the use of tranquilizers, foot snares, and global positioning system collars can place a high level of stress on grizzly bears and affect their overall health and survival.

Representative Quote: Limit (better yet for the bears, ban) physical interference with grizzlies: Chasing with vehicles, darting, drawing blood, collaring and other manipulations stresses bears and can even kill them.
Representative Quote: D. Develop humane protocols for capturing and releasing grizzly bears on the NCE. Significant animal welfare concerns are at stake Please see Exhibit "A" attached hereto. Based upon the substantial scientific literature, we know that using baited foot snares and cage culverts can result in injuries to grizzly bears and non-target species. Biologists have found that using invasive capture techniques can cause severe injury, trauma and even death to bears as well as to non-target species. Bears, especially young ones, suffer immensely when captured in snares as they struggle vigorously to escape. Injuries include broken limbs, broken teeth, dislocated shoulders, hemorrhages, claw removals, tendon or ligament lacerations, fractures, joint dislocations, amputation of digits and/or limbs, physiological stress and or pain, dehydration, and exposure to the elements. Therefore, because this is a considerable topic, we have included an annotated bibliography of studies on translocation-related topics that is attached hereto and incorporated herein as Exhibit "A."
Representative Quote: Please consider the lives which will be impacted by the allowance of vehicles and the stress of relocation for the wildlife need our protection from outside influences.
Representative Quote: Heavy-handed management would not only be detrimental to Wilderness, but to bears as well, as they would be subjected to initial capture, handling, and helicopter flight, and attendant stress from such activities. Some may be injured or even die as a result. They would likely be collared, drugged, subject to samples taken, and handled for many years. And if that weren't enough, the proposed plan ignores the literature describing the effects of helicopters on wildlife, including grizzlies.
CONCERN STATEMENT: One commenter suggested that grizzly bear hunting should be allowed once a target population threshold is achieved.
Representative Quote: As part of the plan, establish a pathway for grizzly bears to be eventually legally hunted. I assume this would be a reasonable population target that, once reached, a small number of special tags would be available to hunt grizzly bears. The idea that Washington state hunters could eventually hunt grizzly bears would go a long way in building the trust of rural communities, since many members would be thrilled at the idea of a grizzly bear hunt. But this plan needs to be clear and agencies need to stick to the plan - otherwise trust will be broken and support will decline.
CONCERN STATEMENT: Commenters noted that the EIS should incorporate additional studies and quantitative analysis, including the use of spatial modeling, to evaluate the likelihood of successful grizzly bear restoration in the NCE. Commenters suggested that the following factors be considered: habitat types, vegetation community composition, current habitat conditions and future conditions under climate change scenarios, fire regime, diet and food resource availability, and genetic suitability of source populations. One commenter requested additional information be provided on how climate change has affected grizzly bear meat consumption habits.
Representative Quote: Use predictive spatial models and show the results that reintroducing grizzly bears will have any real success of becoming persistent in the NCE. Washington has between 4-19 times the human population density compared to areas where grizzly bears are thriving.
Representative Quote: Grizzly Bear Habitat & Adjacent Lands - How will grizzly bears and their habitat be managed? How will core habitat evaluation be handled in the North Cascades Ecosystem? The baseline for core habitat in Mount Baker-Snoqualmie National Forest was established in the 1990s. Will the EIS re-establish the baseline for core habitat and trail and road usage inventories? How will lands outside of the grizzly core area be affected by grizzly bear management?

Representative Quote: While the previous DEIS identified the impacts to livestock grazing as relatively low, there are some factors that should be considered that may increase the impacts of livestock grazing on grizzly bears. During the presentations and in the FAQs document, it was stated that while grizzly bears are omnivorous, their diet consists of “about 90% vegetable and insect matter.” However, it is important to consider how this might change as the climate changes. In the Greater Yellowstone Ecosystem, grizzly bears have increased their meat consumption substantially since the mid-2000s (e.g., Orozco & Miles 2013, Middleton et al. 2013, Schwartz et al. 2014, Ebinger et al. 2016). This is due in large part to the loss of whitebark pine seeds, a historically important food source for grizzly bears. The increase in meat consumption has resulted in an increase in livestock depredations as well as conflicts with big game hunters. A thorough assessment of trends in food sources in the NCE is necessary to understand the potential for conflict with livestock.

Representative Quote: I was unable to find any information about the relocation of GB's being used to restore populations. It appears that the proposed GB restoration for the North Cascades Ecosystem (NCE), which recommends relocating GB's from other GB ecosystems, has never been tried anywhere else before. Consequently, the potential success of this GB relocation technique as a method to restore populations has never been evaluated. For public agencies (federal, state, Canadian, etc.) to spend significant time, resources, and funding this, so far, unproven technique, combined with the high risk of injury and death to GB's which are an ESA listed "Threatened" species, during capturing (trapping, anesthetizing, transporting, etc.) and relocation (via helicopter and other methods), seems like an unwise use of public funds.

Representative Quote: . It is important to give balanced transparent information about any successes or failures when and where any other attempts have been made to import or reintroduce grizzly bears into ecosystems where they are not already present. If there has been bear mortality, has there been a need to continually replace the lost bears? We understand that male grizzlies may be responsible for the mortality of cubs and that mother bears migrate away from the males. Is this something considered in looking at migration patterns?

Representative Quote: The Jan. 2017 Draft states that there have been "no confirmed Grizzly Bear observations in the U.S. portion of the NCE since 1996, although a few bear occurrences have been verified in the Canadian portion of the NCE during the same period." If there is suitable habitat within the NCE, why have GB's not reestablished a population by now? The Jan. 2017 Draft indicated that GB's would be captured from multiple source areas that have healthy populations that must be ecologically similar to the NCE. Three source GB populations were identified and included: 1) Northern Continental Divide Ecosystem in northwestern Montana, 2) adjacent GB habitat in British Columbia, Canada, and 3) GB habitat on south-central interior British Columbia. Have genetic studies been conducted on these proposed source populations to determine similarities between these populations before relocating any of these GB's?

Representative Quote: The Jan. 2017 Draft describes a habitat study (Agee et al. 1989) that compared historical GB sightings to land cover types to determine which land cover types bears prefer. The results showed that GB sightings were positively correlated with whitebark pine, subalpine larch and subalpine cover types, inferring that these are the preferred habitat types of GB's. It also noted that whitebark pine is not a common habitat type throughout the NCE and may not be as important for GB's in this ecosystem as it is in others where it is more prevalent. How well adapted would the relocated GB's, from the proposed source areas, be to new habitat conditions in the NCE? These other ecosystems could be more different from areas in the NCE where bears could be relocated. How successful would these relocated GB's be in a new ecosystem, which may have different food resources (plant and animal) than they were adapted to, and how viable and self-sustaining would these population be?

Representative Quote: The North Cascades were under a mile of ice 10,000 years ago. As that ice retreats, and still is as evidenced by glacier retreat, this region is undergoing meaningful changes of climate, water supply, vegetation and food resource for animals. Agencies are speaking of “climate Change' and how it affects the Ecosystem of the North Cascades. Generally, we are speaking of rising temperatures in what I read. Scoping should include how Grizzlies are projected to adapt into “climate change” changes, such as increasing great fires, drought, and shortage of water supply. How will the agencies involved scope this large factor? Why are we considering importation of Grizzlies at a time when food supply and water are slowly decreasing dues to climate change? A responsible EIS will address these questions as to the timing of importation of Grizzlies, in the face of a changing environment where their food supply is diminishing. Is it a justified action, given that the agencies are

on the other hand convincing the public how we will all be affected by the changes? Is it fair to bears to move them into areas more and more vulnerable to great wildfires due to drought and climate change?
Representative Quote: The Plan and EIS must include a detailed plan to reconnect other grizzly habitats to the NCE, maintaining diversity of the grizzly gene pool in the NCE. -The Plan and EIS must include an adaptive management approach to deal with the projected as well as unforeseen effects of climate change on alpine meadows and other habitats on which grizzlies depend as primary food sources in different
Representative Quote: Evaluate the adjustment response of and potential genetic inhibitors to behavioral adaptation of donor stock animals to the following: 1. the longer annual photo-period (relocation from a more northerly latitude to below the 49th parallel). 2. Interannual temporal variability in localized seasonal meteorologic conditions (i.e. onset of snow pack accumulation) in the North Cascades versus their former more northerly home range. 3. differences in relative forage (plant and animal) diversity/abundance between the North Cascades recovery area and the former home territory of the bear donor stock. 4. differences in relative nutritional sourcing/benefit in the North Cascades and former home range(s), i. e. plants and animals in their diet on former home range that are not available in the North Cascades or have less nutritional value. 5. response to road density on lands adjacent to North Cascades release zones, if animals decide to stray (depart from) their intended new home range(s). 6. overarching questions to be clarified are: Will transplanted animals perform as desired or planned? What is the likelihood they will deviate from planned responses, complicating management and causing unintended impacts that will increase project costs, become a public safety problem and require imposition of significant and far-reaching closure of public lands now open for a variety of legal and valued activities.
Representative Quote: Identify what haplotype of grizzly bear was endemic to the North Cascades (there is at least one scientific study on this information). With this information, identify populations with a similar haplotype. -Given A. and B., what plans will reintroduction/augmentation attempt to match historical populations with the reintroduced populations of grizzly bears? What justification is provided for variance from historical populations, and what risks are there for creating a different ecosystem going forward?
Representative Quote: As climate change affects the distribution and species of vegetation and wildlife in the Cascades, the amount and quality of habitat suitable for grizzlies may change. The North Cascades Grizzly Bear Ecosystem Evaluation published in 1991, after extensive field investigation, found that the ecosystem could sustain a viable population of grizzly bears, but we have to wonder if that will continue to be the case without active management of prime grizzly foraging habitat. Will alpine meadows, for example, be lost to encroachment by woody plants with loss of forage important in the grizzly's diet? Will it be possible to construe the restrictions and protections that go along with wilderness designation in such a way as to allow, if necessary, extensive and aggressive efforts to retain meadow habitat? Ninety-three percent of the national park complex comprises the Stephen Mather Wilderness, and many US Forest Service-managed acres in the ecosystem are also designated wilderness. Please address these issues and considerations in the EIS.
Representative Quote: The importance of berries in the diet of black bears in the North Cascades Ecosystem is well understood. If berries would be similarly important in sustaining grizzlies, a fire management policy that whenever possible, and more frequently than seems to be the case now, allows lightning-caused fires to burn would probably enhance the extent of this important vegetation. We request that the EIS take a close look at fire management throughout the North Cascades Ecosystem in relation to grizzlies and at how climate change will affect this relationship and what actions can be taken to ensure the North Cascades can sustain a viable population of grizzly bears.
Representative Quote: Before going any farther with the discussion of bringing in Grizzly Bears to the NCES, the agencies must delve into studying the current status of wildlife in this ecosystem, and whether there is adequate food for even a few Grizzly bears, particularly on the eastern slopes of the Cascades. At present, the mule deer population is not thriving. There is a massive decline in their population. There is a habitat saturation of predators including the increasing numbers of wolves and cougars in the area.
Representative Quote: (1) Is the species or population under threat? (2) Have threatening factors been removed/controlled, or absent in release area? (3) Are translocations the best tool to mitigate conservation conflicts? (4) Are risks for the target species acceptable? (5) Are risks for other species or the ecosystem acceptable? (6) Are the possible effects of the translocation acceptable to local people? (7) Does the project maximize the likelihood of establishing a viable population? (8) Does the project include clear goals and

monitoring? (9) Do enough economic and human resources exist? (10) Do scientific, governmental, and stakeholder groups support the translocation? The previous DEIS addressed most criteria well, and the forthcoming EIS can build on that work. Criteria (2) and (7) were not fully addressed in the previous DEIS, and they should be addressed carefully in the forthcoming EIS. In particular, criterion (7) requires a population viability analysis (PVA). A well-conducted PVA would provide information about all alternatives, their efficacy, and likely results.

Representative Quote: What is the current status of suitability of lands? In the models used in the previous scoping the baseline for habitat was an 80s inventory of forest conditions, much of the area in the Darrington and Concrete area that is defined as suitable includes areas that were clearcut in the 1970s and 80s. Due to lack of timber harvests, few of these lands have the same plant diversity, much of them are in tight stands lacking biodiversity especially ground dwelling plants. Furthermore, high alpine areas have been in decline and meadows are reduced. A recent analysis of current plant diversity and ecosystems should be utilized for the basis of decisions.

CONCERN STATEMENT: Commenters expressed concern about lethal take of restored grizzlies associated with the designation of an experimental population under section 10(j). Commenters stated support for non-lethal take using a wide range of methods in the event of bear-human or bear-livestock interactions.

Representative Quote: Non-lethal methods of preventing conflicts between livestock and grizzly bears.

Representative Quote: Human safety and coexistence with grizzly bears and how other grizzly bear recovery areas have worked with these issues and programs that educate the public. If rules are developed for lethal removal, they should only be considered where there is a demonstrated threat to human safety and only after non-lethal removal options and utilization of conflict prevention measures have been exhausted. We should not default to lethal take quickly. Landowners should not be authorized to kill grizzly bears.

Representative Quote: Additionally, we wish to stress that as proposed, healthy, non-conflict bears will be taken from the wild and their native ecosystems from other populations - - likely the NCDE grizzly bear population - - for this reintroduction effort in the NCE. As such, every effort must be made by the FWS to ensure that these healthy, non-conflict bears will be protected to the greatest extent in regard to any allowable take under an ESA section 10(j) rule. In other words, the FWS must not set these relocated bears up for failure and mortality, through weak sideboards in a section 10(j) rule.

Representative Quote: FoA also urges the Federal Agencies to consider how ranchers and private landowners will use an “experimental population” designation under section 10(j) of the Endangered Species Act and ensure “more flexible” management methods will not lead to fatal means of “management.” Instead, non-lethal means for avoiding and deescalating the rarely occurring interactions should be required whenever possible.

Representative Quote: In other grizzly bear populations that are trying to recover in the United States, human-caused mortality is the greatest mortality threat. Thus, the agencies should do everything possible to limit human-caused mortalities in the NCE. This may include requiring livestock owners to utilize non-lethal methods to reduce conflicts, requiring residents and visitors to practice strict food storage methods and implementing other methods to reduce attractants (such as garbage, pet food, bird feeders, compost, etc.), requiring hunters, residents, visitors, and livestock owners to carry bear spray when venturing into grizzly bear habitat, and educating residents and visitors on being bear aware. Nonlethal tools may include but not be limited to fencing, fladry, range riders, guard dogs, immediate removal of carcasses and other attractants, and scare tools and tactics. Moreover, the agencies should consider prohibiting black bear hunting in grizzly bear habitat to limit the chances of mistaken identity kills. In the event of any conflicts, including bears being drawn to residences as a result of attractants such as garbage, bears causing property damage, bears that depredate on livestock, or bears that injure or kill a human as defensive behavior but do not receive a food reward, relocation should always be implemented before lethal removal is considered. Additionally, steps should be taken to remove attractants or to implement nonlethal measures so that the chance of repeated conflicts is lessened.

Representative Quote: B. Consider the conservation impacts of any allowable take under a 10(j) rule. Because grizzly bears are a conservation-reliant species, they need to be cared for into perpetuity or face extinction. Maintaining strong protection against human-caused mortality is necessary so that they can actually function in the family units they require for social stability, which aids in recruitment of future generations.¹ This means that the individuals are not continually killed by poachers, government agents, livestock producers, or, as in Alaska, by trophy hunters. Should NPS and the FWS proceed with an alternative that includes development of a 10(j) rule, HSUS and HSLF strongly object to expanding allowable take beyond the exceptions in the existing 4(d) rule. 50 C.F.R. § 17.40(b). The Notice of Intent does not specify what types of otherwise illegal take a possible 100) rule would allow. Such take exceptions could range from the unobjectionable (e.g., allowance of non-lethal capture for monitoring purposes) to the highly problematic. For instance, the issuance of permits to private landowners to kill depredating bears could potentially undermine the reintroduction effort by creating a Section 9 exception that swallows the baseline prohibition on take. The FWS's experience with the reintroduction of Mexican wolves- which continue to face unacceptably high levels of human-caused mortality, threatening the population's long-term viability- is illustrative, and underscores the perils of carving exceptions to Section 9. Because of the conservation-reliant nature of grizzly bears, allowing any additional human-caused mortality could threaten the survival of the experimental population and contravene the conservation purpose of the ESA. Accordingly, NPS and the FWS must carefully assess the impact of any take allowed under a new 10(j) rule.

CONCERN STATEMENT: Commenters indicated that the EIS should use the best available data, including the latest and best models, to evaluate the carrying capacity of proposed grizzly bear restoration areas. Commenters also stated that managers should use these data to inform regulatory decision-making and adaptive management to maximize the potential for recovery success.

Representative Quote: The agencies must use the best available data to determine how many grizzly bears the ecosystem can support and propose actions to reach those identified population goals. As noted in the 1997 Supplement, this will include “an intensive research and monitoring effort to determine grizzly bear population size and distribution, habitat use, and home ranges in the NCE.” This should not be a one-time effort but an ongoing monitoring process to determine the impacts to the grizzly bear population during augmentation. In developing recovery goals, the agencies must use the best available science to determine recovery goals that will truly support a viable, self-sustaining grizzly bear population without the need of future human assistance. The agencies must bear in mind the slow reproductive capabilities of grizzly bears and how this impacts population growth, as well as the potential for human-induced mortality (known and unknown) across the ecosystem. Furthermore, given the current lack of connectivity with other grizzly bear populations, the agencies must determine how to deal with any future genetic depression that may arise. In order to decrease the potential for genetic depression, areas between the North Cascades ecosystem and the Selkirk Mountains and British Columbia Coast Range should be evaluated for management as necessary connectivity corridors to support dispersal of grizzly bears. And at this early stage, the agencies should make suggestions as to what adequate regulatory mechanisms should be put in place to ensure recovery goals, once met, are maintained.

Representative Quote: The EIS should also consider whether the timelines and population metrics offered in the Proposed Action are sufficient to recover grizzlies in the NCE and across their range. The NPS and FWS must use the best available science to decide on a course of action. We renew our concerns, raised during the last NEPA process, that the NPS and FWS will rely on questionable studies and assumptions to determine the NCE's carrying capacity for grizzlies, and use this number as a cap. We also have concerns that the rate of reintroduction will leave the NCE grizzly population small and at risk of local extinction for decades to come, and deprive the NCE of the ecological benefits of a healthy bear population. The EIS must take into account the best available science on these and other considerations.

Representative Quote: The 2017 DEIS relied upon a carrying capacity model to assert that “the most plausible carrying capacity for the U.S. portion of the NCE is approximately 280 bears.” We encourage the agencies to evaluate more recent science in the updated process and give themselves the ability through adaptive management to change this figure should additional information become available. The Lyons model, while potentially the most current available science analyzing carrying capacity in the NCE, has some limitations. Due

to the lack of data on various issues—including, for example, the volume of traffic on roads in the NCE, grizzly home range data for the NCE, and the lack of quantifiable information on the relationship between survivorship and habitat quality—it is clear that there are many variables that should be assessed in the future before any final carrying capacity level is determined. Due to the lack of data of numerous variables in the NCE, the authors in Lyons et al. (2016) had to make assumptions and adjustments to run its model. For example, the authors admit that “to reduce the complexity of the model, we used a female-only, single-sex model structure.” However, a single-sex scenario is not realistic, and thus this simplification may have skewed the accuracy of the results. Additionally, while the authors appropriately considered the import of how roads may impact carrying capacity, the authors assumed that all currently open roads will remain open into the future. But land managers have the option to close roads to benefit wildlife, especially when threatened and endangered species are at issue. Should roads currently open be closed and re-vegetated in the future, it follows that the carrying capacity for grizzly bears in the NCE is likely to increase. The authors also were not able to model road influences based on traffic volumes, because the data was not available for the entire ecosystem, but one would generally assume that traffic volumes in this relatively remote area is likely quite low. Additionally, while bear home ranges often overlap, it is not clear whether the authors considered this fact, or ran the home ranges as exclusive of one another. Moreover, it is important to note that Lyons et al. (2016) did not definitively conclude that the carrying capacity for grizzly bears in the NCE was 280 bears. Rather, the authors concluded a range of 83-402 females, or 215 to 758 total bears. 280 bears is just their estimate based on mid-range scenarios when manipulating multiple variables. Thus, the agencies should not rely upon Lyons et al. (2016) to assert that the carrying capacity of the NCE is 280 bears. In any event, if the agencies determine the capacity is 280 bears or some other number in the future, we urge the agencies to consider this number a minimum necessary to create a sustainable population in the NCE, not a cap above which bears will be lethally removed from the population or parameters to keep bears alive will decrease.

CONCERN STATEMENT: Commenters noted that the EIS should include additional information about the current and historical diet of grizzly bears in the NCE. Commenters also stated that the EIS should consider seasonal food resource availability when evaluating the likelihood of successful restoration. One commenter stated that restored bears should be selected only from source populations that are adapted to a non-fish diet.

Representative Quote: While the previous DEIS identified the impacts to livestock grazing as relatively low, there are some factors that should be considered that may increase the impacts of livestock grazing on grizzly bears. During the presentations and in the FAQs document, it was stated that while grizzly bears are omnivorous, their diet consists of “about 90% vegetable and insect matter.” However, it is important to consider how this might change as the climate changes. In the Greater Yellowstone Ecosystem, grizzly bears have increased their meat consumption substantially since the mid-2000s (e.g., Orozco & Miles 2013, Middleton et al. 2013, Schwartz et al. 2014, Ebinger et al. 2016). This is due in large part to the loss of whitebark pine seeds, a historically important food source for grizzly bears. The increase in meat consumption has resulted in an increase in livestock depredations as well as conflicts with big game hunters. A thorough assessment of trends in food sources in the NCE is necessary to understand the potential for conflict with livestock.

Representative Quote: What is the abundance of food, specifically protein sources? Previous studies identified available food sources. However, in reading through these, I noticed a gap in abundance/availability. There can be a needle (food) in a haystack (the ecosystem). Introduced grizzly bears will suffer without sufficient protein.

Representative Quote: Identify what was the diet of historic populations of grizzly bears in the NC. Specifically, what % of annual growth of the grizzly bears was dependent on salmon? (The WSU Bear Center has previous research). This question is not asking what % of their diet, but what % the bears actual growth is dependent on Marine Derived Nutrients. With this information, identify comparable grizzly bear populations have a similar diet.

Representative Quote: If the sources of food are very limited in the fall, (ie. No huckleberries, etc) at what elevation do Grizzly bears they hibernate? Do you believe it to be true that Grizzlies come out of hibernation between March-May?

Representative Quote: In the autumn of the year there are black bears “fishing” for the land locked salmon that run up the Stehekin river. This is where the human and bear populations are in close proximity. The salmon don't run into the backcountry which requires the bears to come into populated areas. Since the fish in most of the high country lakes have been poisoned out, would the Grizzly bears come into the areas when the spawning fish would be running? Do grizzly bears travel great distances to find food? There are high mountain meadows that can provide food, but rarely before June depending on the melt off. What will the bears be eating when they are first out of hibernation? Will they be traveling to lower elevations and open meadows? In the Stehekin drainage, the earliest “meadow” with fresh growth to melt out would be the field at Stehekin Valley Ranch. In the Ranch Field in early spring we see many black bears grazing for weeks while there is still snow in the high country. Would it be reasonable to assume that the imported Grizzly bears would travel to that areas of the Stehekin valley?

Representative Quote: -The Plan and EIS must mandate use of source populations which are adapted to a non-fish diet, esp. for those released on the east side of the Cascade crest.

CONCERN STATEMENT: Commenters indicated that the EIS should consider probable sources of mortality of restored grizzly bears, specifically poaching, and discuss the impacts of mortality on restoration success.

Representative Quote: Page 3, Question #10. What are the main risk factors for bears and what are the impacts of those factors? Our best assessment of risk factors can be interpreted from the North Cascades black bear research project (2013-current) where 250 bears have been GPS collared to date. On the west slope of the North Cascades 49% of mortalities were hunter kills, 16% were conflict kills. 11 % were poached, 11 % were wounding loss, 7% were vehicle collisions, and 7% from natural causes (these are not annual rates but the sum of all mortalities in the study). On the east slope of the North Cascades. 59% were hunter kills, 21 % were natural causes, 8% were from wounding loss, 8% were conflict kills. and 5% were vehicle collisions (these are not annual rates but he sum of all mortalities in the study). Of the 11 bears that died of natural causes, 10 of them were yearlings which either died of starvation, predation (adult male bear or cougar), or unknown natural causes. Black bear population dynamics are driven by survival and reproduction rates, as well as immigration (animals coming into the area) and emigration (animals leaving the area), and all these factors can be impacted by both natural and human factors. For example, a berry crop failure can increase human-caused mortality as bears may move closer to people in search of food and decrease reproduction rates for adult females through lower body condition. Understanding these population dynamics and how management actions may affect them is essential to maintaining a viable population and establishing sustainable harvest rates. Question #19. How many bears are shot at or wounded but not recovered? Page 6, Questions # 19 and #20 We don't have a way to effectively measure this factor. However, through on-going research, we would estimate poaching and wounding loss together at 20% of total mortalities documented. (This is not an annual rate but the sum of all mortalities in the study). Question #20. How much poaching_ occurs? There are 284 violations, from 116 incidents, over the last five years (2016-2020). The higher value for the violations is caused by individuals receiving one or more violation types and counts for each incident. Data provided by our Law Enforcement program is shmvn in the table below. Also, the high number of violations in 2017 is a single incident that resulted in 4 7 violations which is over half of all 2017 violations (total n = 81). WDFW Police 2016-2020 Black Bear Violations and Incidents 2016 2017 2018 2019 2020. Totals Incident Reports 21 15 22 14 34 106. Violations 53 81 72 24 50 280 Spring (Jan-June). Incidents 2 5 11 47 29. Fall (July - Dec), Incidents 19 10 11 10 27 77 * Four violations unassigned an IRF/date.

CONCERN STATEMENT: Commenters indicated that the EIS should be revised to include additional information about the current grizzly bear population in the NCE.

Representative Quote: Elucidate what scientifically valid methodology(ies) has/have been used to obtain field census data to inform the current brown bear population estimate for the North Cascades ecosystem. This should

include details regarding: temporal and spatial sampling format(s) in field phase(s), mode(s) of detection (direct or indirect), analysis of data, modeling framework(s) and replicative effort elements.
Representative Quote: Restate presumptions, findings and assessment conclusions contained in the 2017 EIS regarding presumed factors constraining (limiting) an increase (resurgence) of the indigenous North Cascades brown bear population. D) Cover conclusions on why the existing remnant population has not responded to the elimination or substantial reduction of major non-natural mortality (such as recreational hunting, predator control (poisoning, trapping), traffic accidents & quantitative reduction of forage base).
Representative Quote: Has the NPS and USFWS done a study to access if there is a "native" population already in that area? If so where is the study - timeline, considerations and results?
CONCERN STATEMENT: Commenters noted that the population goal under the proposed action does not align with grizzly bear recovery criteria. Commenters also expressed concern that a restored grizzly population in the NCE would be genetically isolated.
Representative Quote: In addition, the proposed action for a 10(j) population of 200 grizzly bears in the next 60-100 years does not appear structured to achieve demographic criteria that USFWS has used to determine resilience or short-term genetic fitness for isolated populations [Endnote 2]. Because the populated Okanagan and Spokane Valleys are unsuitable habitat, grizzly bears in the North Cascades would be isolated from grizzly bears further east in the lower-48.
Representative Quote: No grizzly bear should be translocated from an area where it is protected as a threatened species under the Endangered Species Act to an area where those protections are compromised. There are far too few places remaining in the lower 48 states with secure core habitat for grizzly bears. These limited suitable areas have been designated and managed as grizzly bear recovery zones. Maintaining isolated populations with limited genetic resources is not an action, "Supporting the recovery of the grizzly bear to the point where it can be removed from the Federal List of Endangered and Threatened Wildlife."
CONCERN STATEMENT: One commenter stated the EIS should be revised to include additional discussion of grizzly bear behavior, specifically innate versus learned behaviors.
Representative Quote: Discuss thoroughly the distinction between innately triggered versus learned behaviors. What portion of the brown bear repertoire of behaviors is 'innate' instinctive exhibited without parental presence as opposed to 'learned' or adopted actions stemming from repeated parent/offspring interaction and over many multiple generations.
CONCERN STATEMENT: Commenters indicated that the EIS should analyze potential impacts to grizzly bears at the North American population level. Commenters also questioned whether the proposed restored grizzly population in the NCE would constitute a distinct population segment. One commenter stated that the EIS should evaluate ecosystem-level impacts of grizzly bear restoration, including potential interactions with other species.
Representative Quote: 1. The EIS needs to address how grizzly's in their entirety, i.e. in North America, are surviving\thriving and how the classification of grizzly's, or any species for that matter, needs to be assessed on its entire population and not by a "state" or "regional" designation, or based on other environmental factors such as grizzly's are needed to spread seeds etc. 2. The adverse effects on the "New Current" balance of the ecosystem with the desired number of grizzly bears as well as the eco benefit of bringing grizzly's into the National Park with footnotes supporting both arguments. 3. The impact wolves are having on the ecosystem not only with the spread of their feces with seeds, but also on their demand on game, whether wild or domesticated, and how this

will interact with a grizzly population . 4. Why the black bear has survived and thrived after being trapped and hunted verses the grizzly bears, which it has not survived. Though the black bear and grizzly bear are cousins they certainly are not friends as there are documented cases of grizzly's eating black bears, not black bears eating grizzly bears. Please describe the adverse effects grizzlies will have on the black bears in the National Parks, especially after the grizzly's reach the desired population and beyond. 5. Discuss "how" climate change will open up additional grizzly habitat in N. Canada and Alaska and its potential effects on grizzlies population growth.

Representative Quote: The IUCN classifies the Cascades, Washington, and British Columbia subpopulation as critically endangered (CR) within its approximately 15,000 km² area.⁸ This information, specific to the North Cascades Ecosystem (NCE) in Washington and British Columbia, was the only information attributed to IUCN by the Services, and it was not included in the printed materials presented during the scoping period by the Services. A single map depicting the ecosystem was included during the online public scoping meetings. There was no mention of COSEWIC during the scoping meetings whatsoever. Omission of the ICUN and COSEWIC data and selective presentation of information by agency biological activists can mislead the public and scientific community into believing the threats to U. Arctos are broader than is exhibited by actual science. Because the IUCN and COSEWIC data are part of a broader continental and global context, the full suite of data for U. Arctos must be presented as part of the scoping and EIS process.

Representative Quote: The FWS has a duty to recover grizzly bears, listed in the lower-48, across their range, not just in the NCE recovery zone. The FWS cannot recover the species on a piecemeal basis by designating and delisting smaller distinct population segments. See *Def. of Wildlife v. U.S. Fish & Wildlife Serv.*, 584 F. Supp. 3d 812, 824 (N.D. Cal. 2022) (invalidating wolf delisting on similar grounds, and collecting cases). Accordingly the NPS and FWS should consider in the EIS how its efforts to recover grizzlies in the NCE will affect the recovery of the species across its range, not just in the NCE.

Representative Quote: The NCE would be the only grizzly bear population managed under the 10(j) rule and sets an unwarranted precedent for future reintroductions. When the grizzly bear was listed as threatened under the Endangered Species Act in 1975, populations were not listed as discrete entities, the grizzly bear was listed as, "the Grizzly Bear of the 48 Coterminous States." The grizzly bear population in the conterminous 48 states should remain one population and be managed as such with a focus on protecting core habitat and migration corridors.

Representative Quote: It is unclear what DPS warranting ESA protection the proposed 10(j) North Cascades population is designed to aid in recovery. The ESA, 50 CFR regulations, and the USFWS' Distinct Population Segment Policy refer to a "population" and "DPS" as a common spatial arrangement that interbreeds when mature. There is no indication that a reintroduced separate population of 200 grizzly bears in the North Cascades would constitute a DPS in combination with other grizzly bears in the lower-48.

CONCERN STATEMENT: Commenters requested that the EIS provide additional detail about how the proposed action would maximize welfare and survival of translocated grizzly bears and minimize impacts to source populations. Commenters also requested that the EIS explain the management differences between ESA-listed non-experimental and section 10(j) experimental population designations. Commenters stated that the EIS should describe lessons learned from previous grizzly bear restoration efforts.

Representative Quote: Wildlife impacts. EPA recommends the DEIS describe how the project would maximize welfare and survival of translocated grizzly bears and would minimize impacts to source populations and other wildlife population in the area, particularly those with ongoing recovery efforts. We recommend that the DEIS identify the management differences between ESA-listed non-experimental and 10(j) experimental population designations, as well as the impacts to other ESA-listed species' restoration that may have been experienced due to 10(j) designation. While the proposed re-introduction activities do not directly affect transportation infrastructure, we encourage the DEIS to analyze opportunities to improve ecological connectivity, which would contribute to the safety of human travelers by preventing wildlife-vehicle collisions, to the success of grizzly bear re-introduction, and to the restoration and maintenance of biodiversity in the North Cascades Ecosystem.

<p>Additionally, it would be helpful for the DEIS to describe any lessons learned from previous efforts under USFWS's Grizzly Bear Recovery Program.</p>
<p>Representative Quote: The 2017 DEIS may have already included some detailed reference to past similar GB relocations and their current status and relative success. If it did not, the new DEIS would greatly benefit by such information. Even if no such earlier relocations have occurred (which seems unlikely) I would still support this proposed actions since someone needs to be first to attempt it. A principal concern would be possible mortality of the relocated GBs if either they could not thrive and/or due to predation by humans. The proposed incremental introduction in the sole current Action Alternative may or may not be able to adequately to address this. A additional Action Alternative, such as the 'possible' experimental reintroduction alluded to in the scoping letter would seem to be an appropriate and needed additional Action Alternative.</p>
<p>CONCERN STATEMENT: One commenter indicated that grizzly bear survival and recovery would require effective law enforcement and active management. Another commenter noted that a cross-agency management plan would be essential for long-term success.</p>
<p>Representative Quote: Their survival will always need effective law enforcement and management.</p>
<p>Representative Quote: s was determined during the previous reintroduction EIS process, translocating grizzly bears to the NCE is essential for the continued survival of grizzly bears in the NCE. The NCE is uniquely positioned as one of the largest contiguous blocks of public lands in the lower 48. This creates an excellent opportunity to reintroduce grizzly bears into a secure area, enhancing the likelihood of long-term survival. However, it is important to consider possible impacts to the grizzly population at this early stage of planning to ensure that the core habitat remains secure, and that eventually the grizzly population can expand beyond the core without a substantial increase in conflict. These considerations are numerous and require a multi-agency effort to ensure adequate safeguards are in place to prepare for the return of a grizzly bear population. The North Cascades National Park makes up approximately 10 percent of the NCE and has fewer roads and no livestock grazing among other things that reduce conflict potential resulting in grizzly bear mortality. This means that the National Forests that make up 76 percent of the NCE will have a larger role in reducing potential mortality factors for grizzly bears in the NCE. A cross-agency management plan will be essential for long-term success of NCE grizzlies.</p>
<p>CONCERN STATEMENT: Commenters stated that the proposed action is necessary to prevent the permanent loss of grizzly bears from the NCE.</p>
<p>Representative Quote: The National Park Service (NPS) and US Fish and Wildlife Service (USFWS) have an obligation to restore this federally listed species in the few places where that is possible. Failure to act would result in the permanent loss of grizzly bears from the park during our lifetime. Alternatively, the successful restoration will contribute to the overall health and wellbeing of the species across multiple landscapes.</p>
<p>Representative Quote: Grizzly bears won't recover on their own because the North Cascades is isolated from larger, more well-connected grizzly bear populations in the U.S. and Canada. In the decades since the grizzly was protected by the Endangered Species Act, grizzlies have not recovered in the North Cascades.</p>
<p>Representative Quote: They have a right to be here. They have lived in the North Cascades for over 20,000 years. They belong there. Grizzly bears were there possibly before any humans and have an inherent right to live in the North Cascades. They deserve a place in the wild for generations to come. - They may disappear completely without our help. It is estimated that less than 10 grizzlies remain in the North Cascades. They need our help to restore a healthy and functioning population. They need recovery action. The North Cascades grizzly bears are considered the most at-risk bear population in the U.S. today. Grizzly bears are at a high risk of extinction, or going locally extinct. The situation is dire. The population is isolated. They probably will go away with no help. They need our help to survive.</p>

Representative Quote: Grizzlies are part of the natural ecosystem here. As the climate continues to change and human populations grow, they will be impacted more and more throughout their range. Let's be part of the moment where we give them a chance at establishing a small healthy population.

CONCERN STATEMENT: One commenter indicated that the EIS should determine whether there are regulatory mechanisms in place in Canada and the United States that would allow grizzly bear recovery.

Representative Quote: As such, the fate of North Cascades population is based upon habitat protections, connectivity, and grizzly protection in British Columbia. The fact that bears are not being detected now in the North Cascades, but were apparently expanding their range in the past couple of decades, suggests that their populations are in trouble in Canada. The Draft EIS needs to determine whether there are regulatory mechanisms in place in both Canada and the US that would allow recovery and if not, then augmentation should not be pursued until adequate regulatory protections are in place. Second, the Draft EIS should address whether there is connectivity to other populations in Canada as no other US population or recovery area is close enough to be considered connected.

CONCERN STATEMENT: Commenters expressed concern about grizzly bears dispersing outside the park, specifically onto private land or into populated areas.

Representative Quote: It should be noted by managers and I'm sure that they've already included this ,the North Cascades mountain ecosystem goes all the way down to Snoqualmie pass which is in King county. King county has a remnant grizzly population living on suitable habitat, there are two grizzlies in the woodland Park zoo that are being well cared for and fed. This is obviously suitable habitat or the fish and wildlife service would not be calling Concrete and other populated areas grizzly bear recovery areas. King county and Snohomish county have multiple suitable habitats in the form of lowland River bottom including salmon runs. Skykomish Rivers, Snoqualmie River ,White River ,Green River ,Duwamish river, how about the whole cedar River watershed . Yeah , there are a number of river systems that I haven't named, but all these river systems are preferred by grizzlies as habitat. What is really great about the Snoqualmie area is that has got a huge populations of elk.. Certainly elk would be a good food source for grizzlies in the spring when they come out of hibernation and in the fall when they need fat for hibernation. There are multiple herds and very large numbers and they go all the way down to the White River and include Mount Rainier national Park which has been decimated by their population .They have denuded the Alpine and subAlpine Meadows on the east side of the park. These elk are non-native species introduced by fish and wildlife managers and another wonderful side effect of their management. They were then transported to the Skagit valley and they now live on the bottom land and in the farms of the Skagit valley not in the mountains or Forest. If you do not believe me about the large elk herds near Snoqualmie pass go on the PCT south from Snoqualmie pass and you will find that it is an elk trail for 50 miles and it intersects multiple, hundreds ,of elk trails. According to the fish and wildlife service King county certainly qualifies for restoration and their management. That way the elk population can be brought in more reasonable proportion to suitable habitat and we can even have grizzlies in Mount Rainier national Park. I'm sure that the grizzlies could be accommodated in all the parks in Seattle, certainly Green lake would be a good place. That way all the people that really want grizzly bears in Washington wouldn't have to travel all the way up to the Skagit valley in Concrete to see them. And there is the added food source of domestic dogs and cats for the grizzlies as well. We know that the US fish and wildlife service has trained introduced wolf populations to use domestic cats and dogs as their primary food source in the Gila wilderness in New Mexico, in Montana, Idaho, and Washington. Why not in Seattle. But considering that the fish and wildlife service has done all of the experiments that show that collared grizzlies travel 300 miles in a summer,. They have to know that if they plant grizzly bears in the North Cascades national Park, Snoqualmie pass is easily 300 MI from wherever they plant that population. So this must be their intent in the first place to bring grizzly bears to King county. Since we know that they do not manage elk or grizzly populations or wolves we have to conclude that that is their intent.

Representative Quote: Thus this is not simply an illegal attempt to recover grizzly bears in the North Cascades Park but an attempt to then increase grizzly bears where they don't exist in areas outside of the park. Because this option also gives the managers the right to restrict use and control people and bears on private, public, tribal and park property outside of the park. This proposal talks about the North Cascades ecosystem and that the North Cascades ecosystem is not complete because it lacks grizzlies and it has suitable habitat. It is clear that you're thinking about a lot more than the North Cascades national Park ,you're thinking about the larger ECOSYSTEM and have designated large areas for grizzly bear recovery including Concrete. Nowhere is that habitat detailed or defined and the lack of spring forage especially is a defining characteristic . Suitable habitat in spring forge is in areas that have trails ,have houses well populated with people , and two national scenic trails with lots of through hikers. In our bottomland the salmon no longer exist which supported some of the bear population. Move over native Americans every single last salmon is going to be given to these grizzlies. So much for salmon recovery. Another wildlife Management failed project . This plan does not talk about grizzly bear population management at all and only talks about trying to get more grizzlies. The Skagit valley is really tired of wildlife managers · screwing up their projects. They're tired of the elk spending their lives in their residential gardens and Fields instead of up in the forest ,of causing accidents ,ruining airplanes ,hanging out at the airports and the elementary school playfields. Oh I forgot, your plan is to forbid concrete residents from having gardens and fruit trees to lure the grizzlies into their realm. Is this an adjunct of having a good food source for grizzlies hanging out at the airport, in concrete and at the playfields of kids. You have already declared Concrete part of the grizzly bear recovery area. No residential area should be part of your recovery plan ,in fact you don't plan to manage grizzlies. You've never managed grizzlies or elk or wolves. You only see people as the problem.

Representative Quote: If grizzlies are relocated to the North Cascades. and if they survive. they will obviously find and use areas that provide adequate food. It is important that the EIS describe and map where these areas are mostly likely to be. Will these be mostly with the national park. in Wilderness Areas. on national forest lands, and/or on private land? It is important to show where "key habitats" will be and where expected habitats will be. and whether these are on national forest and private lands, and where will these overlap with livestock grazing. local communities. key recreational areas. Is there an expectation, that if successful. grizzlies will go further south? I support this IF WA State shows that it can live with bears. WA State is constructing a few wildlife corridors across the major E-W freeway over the Cascades Mountains. Hopefully there will be far more of these in the future. Vehicles kill many of our wildlife species yearly. We can hope more animals move through the Cascades from the Columbia River to the Canadian border and beyond in the future. I really support having grizzlies throughout this system of mountains IF and when our state is ready.

Table 21. IT2000 - Impact Topic: Other/New Impact Topics

CONCERN STATEMENT: Commenters requested that the EIS analyze habitat suitability in the NCE and how climate change may impact resources for grizzly bears. A commenter asked for the EIS to describe the potential impacts of a future delisting of grizzly bears from the ESA. Commenters specifically asked that the EIS to analyze the impacts of the plan on fire and forest management.

Representative Quote: Adaptive management and monitoring. EPA recommends the DEIS describe a monitoring and adaptive management plan for grizzly bear recovery to evaluate effectiveness. We recommend including an analysis of climate change impacts in the monitoring strategy that discusses how the project will evaluate project success and how it would adapt treatment methods or other management actions to address changes in environmental conditions. It would be helpful to explain in the DEIS the habitat suitability of different areas of the ecosystem and how anticipated change in climate will impact resources for grizzly bears. Additionally, describe the potential effects of future ESA de-listing of grizzly bears.

Representative Quote: The importance of berries in the diet of black bears in the North Cascades Ecosystem is well understood. If berries would be similarly important in sustaining grizzlies, a fire management policy that whenever possible, and more frequently than seems to be the case now, allows lightning-caused fires to burn would probably enhance the extent of this important vegetation. We request that the EIS take a close look at fire management throughout the North Cascades Ecosystem in relation to grizzlies and at how climate change will

affect this relationship and what actions can be taken to ensure the North Cascades can sustain a viable population of grizzly bears.

Representative Quote: Healthy forests are critical to the vitality of the grizzly bear species. BRC believes beneficial forest management practices need to be used with the forests. Vegetation projects will help aid in these goals. One wildfire could cause the entire species to go extinct. We support the National Park Service in properly managing the forests to prevent wildfires that could cause harm to the species. However, many conservation groups actively litigate forest projects that help mitigate wildfire risk. These same conservation groups are the ones who want to enact greater restrictions in order to protect the grizzly bear and its critical habitat. One of the best things that can be done to protect this species and prevent extinction is to actively manage forests to prevent wildfires.

Table 22. ON1000 - Other NEPA Issues: General Comments

CONCERN STATEMENT: One commenter asked to prioritize restoration of grizzly bears to the Central Idaho Wildlands over restoration to the NCE because there is already a plan that was developed in the 1990s to restore grizzly bears to the Central Idaho Wildlands, and the area is the largest contiguous roadless landscape in the contiguous United States.

Representative Quote: While I am not opposed to reintroduction of the grizzly bear to the North Cascades, I strongly believe that it should take a back seat to an active and immediate reintroduction of the grizzly to the Central Idaho Wildlands, the largest contiguous roadless landscape in the lower 48 states. There is a developed plan already in place for the Central Idaho Wildlands that was developed in the 1990s that is just sitting on a shelf right now somewhere in the USDI files. A reestablished population of grizzly in central Idaho linking with the Yellowstone Ecosystem and the Northern Continental Ecosystem is essential to a true recovery of the grizzly bear in the lower 48 states. Once that Interior northern US rockies population is truly recovered then we can move on the North Cascades bear reintroduction. I appreciate this opportunity to comment.

CONCERN STATEMENT: Commenters requested that the EIS to build on the 2017 EIS and consider the public involvement responses from the previous public engagement efforts.

Representative Quote: Fortunately, Grizzly restoration has worked in other parts of the country and will work here too. Please act quickly and lean on the existing mountain of information your agencies have compiled to inform your final decision. The 2017 EIS outlined multiple viable strategies that were massively popular. Please reconsider all the past public support and the time-tested strategies that will strike a balance to meet the mutual goals of grizzly bear recovery and people.

Representative Quote: Please consider the extensive information that the agency has already developed and received over the past years on the need for the reintroduction, including public comments (for example, more than 127,000 public comments - majority supportive of recovery - were submitted on a draft EIS early 2017) in favor of various viable strategies to help recover the grizzly bear.

Representative Quote: 6. I was pleased to see that the comments from the earlier effort will be incorporated into this effort. Are there any other portions of the earlier document that can be "salvaged?" Are there other listed species reintroduction environmental documents that this effort can tier to?

CONCERN STATEMENT: A commenter requested maps of potential release areas and recreational sites in the NCE.

<p>Representative Quote: Potential Release Areas and Recreational Sites in the North Cascades Ecosystem - Please include maps.</p>
<p>CONCERN STATEMENT: One commenter was concerned that the no-action alternative includes provisions that would require actions, such as “educational programs to provide information about grizzly bears and grizzly bear recovery to the public.” The commenter requested that the no-action alternative include only existing management.</p>
<p>Representative Quote: The no-action alternative, as written, is not “no action” as it contains the language that is an action “educational programs to provide information about grizzly bears and grizzly bear recovery to the public”. A well crafted no-action would include language that stops the pursuit of any action, including on-going discussions, that seek to reintroduce grizzly bears into the area. Alternative A (No Action) Under the no action alternative existing management practices would be followed, and no new management actions would be implemented beyond those available at the outset of the grizzly bear restoration planning process. Management actions would be focused on improved sanitation, poaching control, motorized access management, outreach, and educational programs to provide information about grizzly bears and grizzly bear recovery to the public, and research and monitoring to determine grizzly bear presence, distribution, habitat, and home ranges.</p>
<p>CONCERN STATEMENT: A commenter indicated they were confused by the numerous documents provided about the recovery plan. They were glad to have all of the information but asked for better organization by date and purpose.</p>
<p>Representative Quote: #1. How to use the many documents that were provided on this issue is confusing. Trying to figure out the dates on the various available documents and whether information in these documents is relevant for the current proposal is confusing. During scoping, should I assume that some of this information will become part of the new proposal? I am glad that so many documents were provided. Having this background information is great. If these documents were organized and described by their dates and how they might be used when thinking about the new proposal, these might be more helpful.</p>
<p>CONCERN STATEMENT: Commenters requested scientific evidence that grizzly bears would help restore balance to the NCE. They also asked for any interagency issues to be resolved during the scoping and EIS process and for the USFWS to respond to delisting petitions in Idaho, Montana, and Wyoming. One commenter said that other, more urgent environmental problems should be prioritized over grizzly bear restoration.</p>
<p>Representative Quote: I read in the recent local newspaper and online that Federal agencies are starting the process of studying the reintroduction of grizzlies into the northern cascades. On the face of it this seems to be a very bad time to be thinking of doing this especially with all the other environmental concerns that should be taking the majority of the federal and states efforts. However, statements made by managers of these agencies involved with the Northern Cascades are very troubling as outlined below: "This is a first step toward bringing balance back to the ecosystem and restoring a piece of the Pacific Northwest's natural and cultural heritage," North Cascades Superintendent Don Striker said in a news release. In the same new article Jason Ransom, wildlife program at North Cascades National Park, said "restoring grizzlies would enhance biodiversity and could make the ecosystem more resilient to future changes." As a scientist these statements makes no sense to me. First the statement that the ecosystem is out of balance needs to be proved and the cause determined. Is it out of balance for example because of climate change, reintroduction of wolves, invasive weeds and/or ect, ect.? But let's assume that this statement is true "the ecosystem is out of balance" and we know the cause. How does that lead to introducing as the "first step" to repair the balance with an apex predator? If the environment can be thought of as a pyramid with the base supporting the elements above how does starting at the top of the pyramid</p>

bring balance to the parts below? Is the grizzly god and can fix all the ills? - this needs to be proven! For a valid non-emotional study that concentrates on the ecosystem I submit that the following needs to be done: - A peer reviewed and made available to the public a model, preferably quantitative of the ecosystem, that includes all the major elements as it exists currently. The model needs to be able to show what a balanced ecosystem looks like and as it appears today. Then perturb the model with the introduction of the grizzly this can then be followed by other permutations to prove "resilient to future changes". o Metrics for the major elements need to be established o Thresholds for success of the elements need to be established My intuition is that the reintroduction of the grizzly is not to re-balance the ecosystem, a scientific argument, but to address more cultural and ethical arguments. Please prove the claims with a valid scientific approach and results. Cultural and ethical arguments are then a matter of policy and politics with the people having a voice. The people that are most affected by the reintroduction of grizzlies to the Northern Cascades need to have a disproportionate voice on the outcome.

Representative Quote: The scoping announcement comes at a time when the U.S. Fish and Wildlife Service (USFWS) has been silent on key issues concerning areas currently occupied by grizzly bears. USFWS has not responded to any of the grizzly bear delisting petitions submitted by the Governors of Idaho, Montana, and Wyoming. The time for 12-month findings for these petitions is close at hand, and the USFWS never made 90-day findings. Nor has USFWS been able to tell us how, or even if, it is completing the court-required "remnant analysis" to proceed with designating and delisting distinct population segments such as the Greater Yellowstone Ecosystem from within the lower-48 listed entity. As described in Idaho's pending petition to delist grizzly bears, a combination of court decisions and administrative determination have tied delisting procedures in knots. The USFWS has not identified a clear path to delisting recovered and robust grizzly populations in the lower-48 states. It is unwise at best, and at worst counter to continued grizzly bear conservation in occupied areas, to proceed with a 10(j) designation to restore an isolated population of 200 bears in the absence of a functioning legal framework for delisting robust populations in the Rocky Mountains. The 1975 listing of grizzly bears in the conterminous (lower-48) does not meet the current ESA definition of "species," because it is not a taxonomic species, taxonomic subspecies, or distinct population segment [Endnote 1]. The 1975 listed entity does not define a discrete population that interbreeds when mature and that is significant to the taxonomic subspecies under USFWS' 1996 DPS Policy. It has become clear that the framework that might have applied to grizzly bear listing and delisting under the ESA in 1975 does not exist today. The 1993 Recovery Plan for "lower-48" grizzly bears identified a phased delisting strategy (i.e., delisting recovery areas identified in the 1993 Plan as each achieved recovery criteria and then delisting the remainder of the listed entity). Recent court decisions, however, have rejected this framework. If a delisting does not encompass the entire lower-48 listed entity, case law indicates it must qualify as a distinct population segment. In addition, the appellate court decision remanding the 2017 rule designating and delisting the Greater Yellowstone Ecosystem prevents the USFWS from delisting a DPS from within the lower-48 listed without analyzing the remainder to ensure it is a protectable entity that is not an "orphan unto the law."

Representative Quote: The NEPA CEQ Regulations require all Federal interagency issues and conflicts to be resolved during the scoping and EIS process. Federal Data Quality Act and Peer Review - The Services have issued the proposal to reintroduce grizzlies into the NCE without citing any new science that justifies this action. The current proposal was initiated even after previous attempts were terminated only two years ago. The principal new science and data introduced since that termination are found in the state petitions to delist U. arctos and that information supports delisting of U. arctos, not a complex regulatory introduction program. The Data Quality Act (DQA)29 requires that information disseminated by federal agencies incorporate four components: quality, objectivity, utility, and integrity. With respect to the quality of information for decision-making, the Office of Management and Budget (OMB)30 specifically requires: 29 Section 515(a) US Treasury and General Government Appropriations Act of 2001, Pub.L. 106-554 30 70 FR 2664, Notice of Policy Statement, Endangered and Threatened Wildlife and Plants: Notice of Interagency Cooperative Policy for Peer Review in Endangered Species Act Activities, July 1, 1994. "The more important the information, the higher the quality standards to which it should be held, for example, in those situations involving 'influential scientific, financial, or statistical information:' "Quality" is an encompassing term compromising utility, objectivity, and integrity. The guidelines sometimes referred to these four statutory terms, collectively, as "quality." "Utility" refers to the usefulness of the information to its intended users, including the public. "Objectivity" includes whether disseminated information is being presented in an accurate, clear, complete, and unbiased manner. It also involves a focus on ensuring that the information be accurate, reliable, and unbiased. "Integrity" refers to the security of information — protection of the information from unauthorized access or revision — to ensure that

the information is not compromised through corruption or falsification. “Influential” when used in the phrase “influential scientific, financial, or statistical information”, means that the agency can reasonably determine that dissemination of the information will have a clear and substantial impact on important public policies or important private sector decisions. “Reproducibility” means that the information is capable of being substantially reproduced, subject to an acceptable degree of imprecision. Recent reports from the House Natural Resource Committee indicate that the FWS scientific peer review process under some administrations is selective, clannish, and biased.³¹ The Information Quality Guidelines policy from FWS itself define influential information to be that which will have or does have a clear and substantial impact on important public policy or private sector decisions, and thus, a decision or action to be taken by the Director” of the FWS.³² In the current action the Services are seeking to reintroduce U. arctos which would have clear and substantial impact on public policy and private sector decision-making.

CONCERN STATEMENT: One commenter indicated that they had filed a lawsuit challenging the termination of the grizzly bear restoration process pursuant to NEPA, the ESA, and the Administrative Procedure Act. The commenter stated they filed for the case to be dismissed now that grizzly bear restoration has been reinitiated.

Representative Quote: In December 2020, the Center for Biological Diversity filed a lawsuit challenging the termination of the grizzly bear restoration process in the NCE. Center for Biological Diversity v. Haaland, No. 1:20-cv-03697-RJL (Dec. 16, 2020). The lawsuit explicitly challenged the decision pursuant to NEPA, the ESA and the Administrative Procedure Act. The lawsuit alleged that the termination of the program violated the procedural requirements under NEPA, ESA's mandatory duty to conserve listed species and a failure to implement a Grizzly Bear Recovery Plan, among other violations. Pursuant to the re-initiation of this process the parties have filed a joint stipulation of dismissal in the case.

Table 23. PN1000 - Purpose and Need: Planning Process and Policy

CONCERN STATEMENT: A commenter asked for the EIS to use exact numbers and avoid approximation of target populations if they implement the proposed action to create a more transparent system of checks and balances.

Representative Quote: The fact that the proposed action uses inexact numbers is disingenuous. The use of the word “approximately” leaves an open-ended connotation for the agency to exceed without proper checks and balances. After the 25 bear population is reached, the adaptive management would be imposed

CONCERN STATEMENT: A commenter asserted that restoring more grizzly bears to the NCE would violate NPS policies on species restoration. These policies require that, “The species does not, based on an effective management plan, pose a serious threat to the safety of people in parks, park resources, or persons or property within or outside park boundaries.” They also asserted that resources used for the EIS should be allocated to more urgent environmental issues to align with the NPS financial sustainability policies.

Representative Quote: 3) The introduction of more grizzlies moved to the North Cascades is in opposition to: NPS Management Policies 2006 - 4.4.2.2 Restoration of Native Plant and Animal Species "The Service will strive to restore extirpated native plant and animal species to parks whenever all of the following criteria are met: "The species does not, based on an effective management plan, pose a serious threat to the safety of people in parks, park resources, or persons or property within or outside park boundaries.” 4) As an organization, we believe resources for this project could be allocated for much more important, pressing environmental issues. In alignment with your management policy: NPS Management Policies 2006 - 1.9.5.1. Financial Sustainability "The

Park Service will strive to be an effective and efficient steward of appropriated and non-appropriated funds and services."
CONCERN STATEMENT: Commenters asserted that the restoration of grizzly bears would be in violation of NPS management policies because of the potential threat to human safety in the park.
<p>Representative Quote: introduction of U arctos in violation of NPS policy at Section 4.4.2.2 of the 2006 Management Policies 2006 Manual: "The Service [NPS] will serve to restore extirpated native plant and animal species to parks whenever tilt of the following criteria are met: 2) The species does not, based on an effective management plan, pose a serious threat to the safety of people in parks, park resources, or persons or property within or outside of park boundaries." 5 Similarly, Section 1.9.1.46 of the 2006 NPS Management Policies manual emphasizes that human life must not be compromised, rendering analysis in the final NCE/EIS a necessity: "The safety and health of employees, contractors, volunteers, and the public are core Service values. In making decisions on matters concerning employee safety and health, NPS managers must exercise good judgment and discretion and, above all, keep in mind that the safeguarding of human life must not be compromised " In the NCE/EIS proposal, the agencies purport that the scope of Washington State prohibition⁷ on grizzly introductions pertain only the Washington Department of Fish and Wildlife, and not federal agencies. The attached statutory and policy analysis handily refutes this narrow and incorrect interpretation of the Washington law, demonstrating that the legislative intent applies to federal, state, and local governments alike. We appreciate your incorporating our Scoping Alternatives in the Scoping process and EIS as required by the NEPA and implementing CBQ regulations. Similarly, we appreciate the agency's efforts at performing the "Evaluation of Risk and Avoidance of Unanticipated Takings Analysis" impact survey to lands and inholdings that we have identified in the NCE. The takings analysis is required to be incorporated in EIS and NEPA process by Executive Order 12630 and other law. Attachment D contains a detailed list of private inholdings, their ownership and parcel number and coordinates to facilitate that process.</p>
<p>Representative Quote: With the North Cascades National Park (NCNP) near its geographic center, the proposal to import U. arctos individuals to the NCE would violate Section 1.9.1.4 of the NPS Management Policies 2006 which mandate the safeguarding of human life: "The safety and health of employees, contractors, volunteers, and the public are core Service values. In making decisions on matters concerning employee safety and health, NPS managers must exercise good judgment and discretion and, above all, keep in mind that the safeguarding of human life must not be compromised."</p>
<p>Representative Quote: The proposed species restoration project also would violate NPS Management Policies 2006⁴ Section 1.4.7.1 which covers unacceptable impacts. Both science and history demonstrate that is reasonably foreseeable to anticipate that a U. arctos individual may attack, injure, or even kill a park unit visitor, employee, or contractor. Section 1.4.7.1 states: "Park managers must not allow uses that would cause unacceptable impacts ... for the purposes of these policies, unacceptable impacts are impacts that, individually or cumulatively would ... create an unsafe or unhealthful environment for visitors or employees..." The proposed introduction of imported U. arctos individuals also would violate NPS Management Policies 2006, Section 4.4.2.2, which covers the restoration of native plant and animal species only when all of five criteria have been met. In this Policy we are mindful that "the safeguarding of human life must not be compromised" when we find that the proposed restoration actions fail to meet the second criterion: "The species does not, based on an effective management plan, pose a serious threat to the safety of people in parks, park resources, or persons or property within or outside park boundaries." As noted, that there have been at least five fatal U. arctos attacks on humans in NPS-managed park units since 2010. We have not included those people who have lost their lives to U. arctos attacks outside park boundaries that are near NPS park units. Section 4.4.2.2 may also be read to extend the NPS prohibition against restoring populations of U. arctos to adjacent private lands or impacted properties managed by federal, state, or local government entities.</p>
<p>Representative Quote: The premise that the NPS has standing to be a lead agency in the introduction of grizzly bears to the NCE is questionable. Historically, the NPS was the agency responsible and better known for helping the public access and enjoy the wild heritage of this country through "the preservation, from injury or spoliation, of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural</p>

condition." (NPS Website, Origin of the National Park Idea, March 10, 2016) How does the introduction of grizzly bears support this responsibility and increase the "benefit and enjoyment of the people"? (same reference) Make noise. Wear bells. Whistle. Carry bear spray. Travel in groups. Put an electric fence around your camp. Do not camp while you are menstruating. Is that how the great wilderness should be explored and experienced?

Table 24. PN1100 - Purpose and Need: ESA

CONCERN STATEMENT: Commenters were concerned that the restoration of grizzly bears to the NCE would weaken their protections under the ESA. Commenters were particularly concerned about fewer protections for grizzly bears by designating them as an "experimental population" under section 10(j). Some commenters were also worried that the restoration plan would violate the Wilderness Act.

Representative Quote: The National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS) have re-started their plan to translocate grizzly bears into the North Cascades Ecosystem (NCE) in Washington. While a new population of grizzlies in the North Cascades would restore this magnificent species to that ecosystem, the agencies' initial plan is misguided many ways. The initial plan would most likely degrade Wilderness in the North Cascades, weaken the grizzly population in the Northern Continental Divide Ecosystem (NCDE) around Glacier National Park, and strip the individual grizzlies of their current protections under the Endangered Species Act. Our ecosystems are already fragile and I don't think your plans are the right solution.

Representative Quote: The proposed action includes a problematic proposal to designate the reintroduced grizzly bears in the NCE as an "experimental population" under section 10(j) of the U.S. Endangered Species Act (ESA). Under this designation, the bears (at least any captured in the U.S.) would lose their current protections under the Endangered Species Act (ESA) and could be shot, re-captured, or killed in the North Cascades.

Representative Quote: Oppose the capture of grizzlies from the Northern Continental Divide Ecosystem. The federal agencies plan to kidnap bears from either British Columbia or the Northern Continental Divide Ecosystem (NCDE) around Glacier National Park to move to the North Cascades. But grizzlies have still not recovered in the NCDE, and there are no "extra" bears there to move to Washington. Such a plan would weaken the NCDE grizzly population and diminish the likelihood of developing the needed population linkages between the NCDE grizzlies and those elsewhere, such as in Yellowstone. Oppose an "experimental population" designation. The agencies must create and analyze an alternative that does not rely on the so-called "experimental" population designation. Under such a designation, individual bears from the NCDE—which are currently protected under the Endangered Species Act—would be taken from their home range and transported to Washington state, where they would lose their protections under the ESA.

Representative Quote: It is imperative that an alternative must be created that does not rely on the so-called "experimental" population designation. Under such a designation, individual bears from the NCDE—which are currently protected under the Endangered Species Act—would be taken from their home range and transported to Washington state, where they would lose their protections under the ESA. An alternative must be developed that doesn't violate the Wilderness Act. The agencies must not pursue alternatives that would violate the Wilderness Act and would entail heavy-handed, stressful management of bears. Should the NPS choose to translocate bears, the agency should first consider limiting translocation to sites outside of Wilderness. If the NPS decides to translocate within Wilderness, it must comply with the Wilderness Act: no helicopters, no motorized equipment, and no invasive monitoring must be that doesn't violate the Wilderness Act. The agencies must not pursue alternatives that would violate the Wilderness Act and would entail heavy-handed, stressful management of bears. Should the NPS choose to translocate bears, the agency should first consider limiting translocation to sites outside of Wilderness. If the NPS decides to translocate within Wilderness, it must comply with the Wilderness Act: no helicopters, no motorized equipment, and no invasive monitoring. Please enact and implement a plan that will protect the bears, the biodiversity, and the lands that these bear populations reside in. Thank you.

Representative Quote: Capturing and relocating the bears may not be the best practice as their populations haven't yet stabilised in their current habitats. The Grizzlies must remain on the endangered list until their populations are sustainable in their home habitats. Too many humans like to kill them and will look for

opportunities if they are not protected. Please research and develop a natural recovery program for the Grizzlies in coordination with US and Canadian wildlife authorities that will allow cross-border movement and protection of these magnificent beings. Please ensure that the new program does not violate the Wilderness act.
Representative Quote: The restoration of grizzly bear populations in the northern Cascades is an admirable goal, but the present plan to do so is ill-considered and violates the spirit of wilderness preservation. Facilitating a natural repopulation requires patience, but it can be done and would not involve the intrusive presence of helicopters in ongoing monitoring in what should be kept wilderness. Perhaps most important, it would not involve removing the Endangered Species status of the “experimental” bear population. Successful repopulation must include protection of the bears from hunting. The heavy-handed approach of the present plan is not in keeping with sustainable ecosystem health.
CONCERN STATEMENT: Commenters were in favor of the restoration because of the species listing under the ESA. Commenters said that restoring grizzly bears to the NCE is an important part of upholding the ESA.
Representative Quote: We have a legal obligation to restore them. They are considered a 'threatened' species under the Endangered Species Act and the North Cascades Ecosystem is 1 of the 6 Grizzly Bear Recovery Zones designated by the U.S. Fish and Wildlife Service. These are wild areas where there is abundant quality habitat to support viable grizzly populations as part of a national strategy to recover grizzly bears in the lower 48 states. Grizzly bear recovery here is an important part of national efforts to restore endangered animals where suitable habitat still exists.
Representative Quote: We fully support recovery efforts to re-establish a grizzly bear population in the North Cascades Ecosystem (NCE). The restoration of grizzly bears in the NCE is a key element of the national strategy for grizzly bear recovery, as part of the broader grizzly bear entity that was listed in 1975 under the Endangered Species Act (ESA). The federal government must undertake and complete all aspects of this national recovery plan in order to meet its legal obligations for grizzly bear recovery. This overdue and critical effort on the part of the National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS) is a step in the right direction in restoring grizzly bears to their rightful place in the NCE.
Representative Quote: The FWS has a duty to recover grizzly bears, listed in the lower-48, across their range, not just in the NCE recovery zone. The FWS cannot recover the species on a piecemeal basis by designating and delisting smaller distinct population segments. See <i>Defs. of Wildlife v. U.S. Fish & Wildlife Serv.</i> , 584 F. Supp. 3d 812, 824 (N.D. Cal. 2022) (invalidating wolf delisting on similar grounds, and collecting cases). Accordingly the NPS and FWS should consider in the EIS how its efforts to recover grizzlies in the NCE will affect the recovery of the species across its range, not just in the NCE.
Representative Quote: Since their listing under the Endangered Species Act (ESA) in 1975, we have seen grizzly bear populations grow and begin to expand into historic habitat in the Greater Yellowstone, Cabinet Yaak, Selkirk, and Northern Continental Divide Ecosystems, yet they remain functionally extinct in the NCE (USFWS 2021). Until such time that the NCE contains a viable, self-sustaining and distributed grizzly bear population, the agencies will not have met the requirements for delisting a species under Section 4(1)(a) of the ESA.
CONCERN STATEMENT: Commenters said that the USFWS should consider delisting grizzly bears given the petitions from Montana, Wyoming, and Idaho. A commenter said grizzly bears are not at risk of extinction so they should not be restored in the NCE. A commenter said that the section 10(j) designation would only add complexity to the recovery effort and would divert resources from other grizzly bear populations. A commenter requested a legal framework and criteria for delisting grizzly bears. One commenter noted the previous draft EIS was focused on the impacts of the primary phase of restoration but did not provide the likely impacts that would occur during the secondary phase where grizzly bears may disperse to ecosystems outside the NCE.

Representative Quote: The Department of the Interior (DOI) has received petitions from the States of Montana, Wyoming, and Idaho that call for the delisting of U. arctos. Two of the delisting petitions are for specific ecosystems, and the third calls for delisting throughout the entire Lower 48 United States. According to congressional testimony by previous FWS Director Aurelia Skipwith, both U. arctos and Canis lupus (wolf) are functionally recovered, need to be delisted, and scarce governmental resources should be reallocated to recovery of species that are genuinely imperiled.⁹ A Services-assisted introduction of imported U. arctos individuals into the NCE may well establish a subpopulation of U. arctos, but that effort would not meaningfully contribute to the overall recovery of a species that is in no danger of extinction throughout a significant portion of its range. Establishment and long-term active support of a non-essential experimental 10(j) population of U. arctos in the NCE would, however, further imperil such species as the Lesser prairie-chicken, the Northern long-eared bat, or similarly situated endangered species who might need scarce resources more than does U. arctos.

Representative Quote: The ESA does not provide a rational basis for the introduction of U. arctos into the NCE when the conditions for recovery of the species have already been met. If a species is stable throughout a significant portion of its range, agencies have no rational basis under the ESA to seek introduction of any species into a region where it was extirpated.²⁴ Endangered Species are defined in the ESA as: The term "endangered species" means any species which is in danger of extinction throughout all or a significant portion of its range other than a species of the Class Insecta determined by the Secretary to constitute a pest whose protection under the provisions of this Act would present an overwhelming and overriding risk to man. Threatened Species are defined in the ESA as: The term "threatened species" means any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. The clearly defined and qualified terminology of the ESA demonstrate the need for delisting of U. arctos ²⁵ across the lower 48 United States to be greater than pursuit of a Section 10(j) experimental population within a localized, extirpated region such as the NCE. Currently, Wyoming and Montana have stable and growing U. arctos populations; the current NCE proposal raises questions as to why FWS and NPS are again pursuing an introduction of U. arctos at the expense of reviewing three delisting petitions that have been before the agency for up to a year. The potential loss of human life, livestock depredation, and increased regulatory costs to local governments are exacerbated when U. arctos is listed as "threatened" under the ESA. States like Montana, which has a long history of the presence of U. arctos, have tools to manage U. arctos issues but are inhibited in doing so by listing under the ESA. States that do not have a U. arctos presence would face even greater economic impacts in the event of a ESA Section 10(j) experimental introduction of U. arctos. As the Montana ²³ Ibid.

Representative Quote: The Department of the Interior (DOI) has received petitions from Montana, Idaho and Wyoming calling for the delisting the the Grizzly Bear. These petitions call for delisting in the lower 48 because it is not a species under the ESA. Have any decisions been made on these petitions?

Representative Quote: Based on our review, the 10(j) proposed action for restoration of grizzly bears in the North Cascades would only add complexity to a situation that does not need it. To authorize the release of an experimental population under 10(j), USFWS must determine that the release would further conservation and recovery of a listed species (recognizing that the 1975 listed entity does not meet the current definition of "species"). USFWS has not adequately explained how use of 10(j) rulemaking to translocate bears to the North Cascades for an isolated population of 200 bears over the next 60-100 years promotes recovery of any specific distinct population segment warranting ESA protection. Nor has USFWS adequately explained how the 10(j) proposed action will make delisting robust, recovered populations elsewhere in the lower-48 states any easier. Grizzly bears have increased in number and expanded in area. Populations have recovered from an ESA perspective. Without the ability to delist recovered and robust populations, we risk loss of social tolerance and conservation commitment when the management flexibility that was promised with bear population growth fails to materialize.

Representative Quote: Until there is a clear path to delisting recovered populations, we cannot support actions that appear to only make that path more difficult. Creating an additional small, isolated population that cannot meet USFWS criteria for resilience or short-term genetic fitness appears to divert from recovery achievements in currently occupied areas rather than promoting them. A 10(j) population effort also diverts ESA resources away from grizzly bears in currently occupied areas and supplants other ESA priorities (for species other than grizzly bears) that have a better prospect of meeting ESA requirements. As long as there isn't a clear path to delisting for currently occupied areas and recovered populations, it is only sensible to avoid making the current ESA quagmire

larger and more complicated with a 10(j) rulemaking. Instead, it's reasonable for us to prioritize and focus resources on occupied grizzly bear recovery areas.

Representative Quote: A priority for the State of Montana is de listing of the recovered Greater Yellowstone (GYE) and Northern Continental Divide (NCDE) grizzly bear population segments. Montana is concerned that USFWS resources and capacity to work on response to petitions to delist these two populations and work on proposed de listing rules may be diverted to the North Cascades Restoration Plan/EIS effort to the detriment of delisting efforts for recovered populations. We strongly encourage the USFWS to make delisting the GYE and NCDE their highest priority and not divert resources away from that to the NCE. Delisting recovered populations in the GYE and NCDE will demonstrate to Washington and its citizens that the ESA works which should reduce opposition to the North Cascades recovery efforts. Upon delisting of recovered grizzly bear populations in the GYE and NCDE, Montana would, if requested by the USFWS and the State of Washington, work with these partners to describe and initiate capture efforts targeting delisted NCDE grizzly bears for relocation to the North Cascades. Montana would not support removal of grizzly bears from the NCDE demographic monitoring area (DMA) if that removal results in exceeding agreed upon mortality thresholds or has any impact on de listing of the NCDE population segment.

Representative Quote: The International Union for the Conservation of Nature (IUCN) recently determined that U. arctos is a species of least concern. There are estimated to be more than 200,000 individual bears throughout the species' estimated 2,400,000 km² occupied range, of which about 110,000 are mature individuals. The IUCN concludes that the current population trend of U. arctos is stable.⁶ There are approximately 58,000 U. arctos individuals living in one interconnected continental population across most of Alaska, Yukon, and British Columbia as well as portions of the Northwest Territory, Nunavut, and Alberta. There are also several populations that are naturally isolated and others that are isolated due to human settlement, other developments, and excessive human-caused mortality. Some of those populations are in the lower 48 United States. ⁴ National Park Service. Management Policies 2006. ISBN 0-16-076874-8 ⁵ 6 The IUCN Red List of Threatened Species: Ursus Arctos — Assessment dated February 2, 2016, published 2017. ² McLellan, B.N., Proctor, M.F., Huber, D. & Michel, S. Red List of Threatened Species 2017: e.T41688A121229971. [http://dx.doi.org/10.2305/IUCN.UK.2017-2017.Ursus arctos \(amended version of 2017 assessment\).en](http://dx.doi.org/10.2305/IUCN.UK.2017-2017.Ursus%20arctos%20(amended%20version%20of%202017%20assessment).en). The IUCN ³.RLTS.T41688A121229971.en. The Committee on the Status of Endangered Wildlife in Canada (COSEWIC) completed a status assessment for U. arctos in May 2012, estimating the species' population in Canada at about 26,000 individuals, of whom approximately 10,000 are fully mature.⁷ The IUCN classifies the Cascades, Washington, and British Columbia subpopulation as critically endangered (CR) within its approximately 15,000 km² area.⁸ This information, specific to the North Cascades Ecosystem (NCE) in Washington and British Columbia, was the only information attributed to IUCN by the Services, and it was not included in the printed materials presented during the scoping period by the Services. A single map depicting the ecosystem was included during the online public scoping meetings. There was no mention of COSEWIC during the scoping meetings whatsoever. Omission of the ICUN and COSEWIC data and selective presentation of information by agency biological activists can mislead the public and scientific community into believing the threats to U. Arctos are broader than is exhibited by actual science. Because the IUCN and COSEWIC data are part of a broader continental and global context, the full suite of data for U. Arctos must be presented as part of the scoping and EIS process. State Delisting Petitions - The Department of the Interior (DOI) has received petitions from the States of Montana, Wyoming, and Idaho that call for the delisting of U. arctos. Two of the delisting petitions are for specific ecosystems, and the third calls for delisting throughout the entire Lower 48 United States. According to congressional testimony by previous FWS Director Aurelia Skipwith, both U. arctos and Canis lupus (wolf) are functionally recovered, need to be delisted, and scarce governmental resources should be reallocated to recovery of species that are genuinely imperiled.⁹ A Services-assisted introduction of imported U. arctos individuals into the NCE may well establish a subpopulation of U. arctos, but that effort would not meaningfully contribute to the overall recovery of a species that is in no danger of extinction throughout a significant portion of its range. Establishment and long-term active support of a non-essential experimental 10(j) population of U. arctos in the NCE would, however, further imperil such species as the Lesser prairie-chicken, the Northern long-eared bat, or similarly situated endangered species who might need scarce resources more than does U. arctos.

Representative Quote: On December 17, 2021, the Governor of Montana issued a formal petition pursuant to 50 C.F.R. § 424.14(c) and (d) to FWS to delist the distinct population segment (DPS) of U. arctos within the Northern Continental Divide Ecosystem (NCDE). On March 17, 2022 Montana Senator Daines and Congressman

Rosendale issued a joint letter to the USFWS stating: “It has come to our attention that the 90-day statutory timeframe for the agency to respond to the petition elapsed today. We urge you to respond both expeditiously and favorably to the Governor’s petition.”¹⁴ On January 10, 2022 the State of Wyoming issued a similar petition to delist *U. arctos* within the Greater Yellowstone Ecosystem (GYE). On March 9, 2022, the State of Idaho — after reviewing the delisting petitions of Montana and Wyoming — issued its own delisting petition, calling for FWS to delist *U. arctos* across the Lower 48 United States: “The framework that applied to grizzly bear listing under the ESA in 1975 no longer exists. The 1993 Recovery Plan for “lower-48” grizzly bear identified a phased delisting strategy (i.e., delisting recovery areas identified in the 1993 Plan as each achieved recovery criteria and then delisting the remainder of the listed entity). Recent court decisions, however, have rejected this framework.” And, [13 termination-notice-grizzly-bear-restoration-eis-july-2020_0.pdf \(doi.gov\)](#) ¹⁴ [fws_-_ncde_grizzly_petition_final_2022.03.17.pdf \(house.gov\)](#) “The Trump Administration is committed to being a good neighbor, and the people who live and work in north central Washington have made their voices clear that they do not want grizzly bears reintroduced into the North Cascades. Grizzly bears are not in danger of extinction, and Interior will continue to build on its conservation successes managing healthy grizzly bear populations across their existing range.” “Absent viable delisting alternatives, the only way to cut through the hopeless tangle caused by the errors of the 1975 “lower 48” grizzly bear listing is to confront those errors head-on. Idaho therefore petitions for delisting of the “lower-48” listed entity because it is not a “species” under the ESA.” ⁵ On November 17, 2022, the Idaho Congressional Delegation issued a letter¹⁵ to Martha Williams of FWS: “We write regarding the March 9, 2022, petition submitted by the State of Idaho to delist the grizzly bear in the lower forty-eight States under the Endangered Species Act (ESA). We urge your agency to respond in a timely manner to this petition.” And, On November 14, 2022, three days before the Idaho Delegation issued the above letter, DOI issued a Notice of Intent (NOI) to prepare a North Cascades Ecosystem Grizzly Bear Restoration Plan/Environmental Impact Statement.¹⁶ With no preliminary notice¹⁷ from NPS or FWS to Washington county governments, DOI issued the current NOI providing only a 30-day scoping period. The affected Farm Bureaus and local governments presumed that the termination of the first EIS would preclude federal agencies from reinitiating a costly, unnecessary, and controversial proposal in the short term.¹⁸ This is especially true in light of the three State delisting petitions for which FWS has exceeded the statutory response window.

Representative Quote: This Major Federal Action will have indefinite cumulative effects throughout the region of influence (ROI) and eventually, as demonstrated in Montana, outside the ROI. The former DEIS was focused on the “unlikely” impacts of the primary phase of introduction and does not provide due diligence to the likely impacts that would occur during the secondary phase where *U. arctos* individuals disperse to ecosystems outside the NCE. ³¹ Under the Microscope. An examination of the questionable science and lack of peer review in Endangered species listing decisions. Majority Staff Report. U.S. House of Representatives Committee on Natural Resources. December 15, 2014. ³² U.S. Fish and Wildlife Service, Information Quality Guidelines and Peer Review. ¹¹

Table 25. PN1200 - Purpose and Need: RCW 77.12.035

CONCERN STATEMENT: Commenters stated that the grizzly bear restoration plan would violate Washington State law (RCW 77.12.035). Commenters argued that although the NCE is under joint state and federal authority, it is still subject to Washington State’s laws that prohibit the translocation and introduction of grizzly bears into the state.

Representative Quote: Additionally, the NPS holds only a minor part of the greater ecosystem alleged to have been occupied by grizzly bears, the North Cascades National Park (NCNP). As the NCNP is held under Proprietary Jurisdiction rather than Exclusive or Concurrent Jurisdiction, and as the state of Washington has current legislation prohibiting the introduction of grizzly bears into the state, to claim the NPS as a lead agency is inappropriate, egotistical, and grossly overestimates their role in the entire issue. (RCW 77.12.037) Furthermore it grossly underestimates the area and the range that the imported grizzlies will end up in.

Representative Quote: Washington State Law: In 1995, Washington lawmakers mandated by law that grizzly bears “shall not be transplanted or introduced into the state.” Please specifically address, how the NCNP and U.S F&W services justify continued action that would seem to contradict WA State law? RCW 77.12.035 “Protection

of grizzly bears—Limitation on transplantation or introduction—Negotiations with federal and state agencies.” “The commission shall protect grizzly bears and develop management programs on publicly owned lands that will encourage the natural regeneration of grizzly bears in areas with suitable habitat. Grizzly bears shall not be transplanted or introduced into the state. Only grizzly bears that are native to Washington State may be utilized by the department for management programs. The department is directed to fully participate in all discussions and negotiations with federal and state agencies relating to grizzly bear management and shall fully communicate, support, and implement the policies of this section.” Have the NPS and FWS fully participated in all discussions and negotiations with federal and state agencies relating to grizzly bear management concerning the importation of grizzlies into the North Cascades? If so, please provide specific documentation of these discussions and negotiations. If not, why not?

Representative Quote: The Revised Code of Washington (RCW 77.12.035) unambiguously prohibits transplantation or introduction of grizzly bears into the State, including Federal initiatives:19 “The commission shall protect grizzly bears and develop management programs on publicly owned lands that will encourage the natural regeneration of grizzly bears in areas with suitable habitat. Grizzly bears shall not be transplanted or introduced into the State. Only grizzly bears that are native to Washington State may be utilized by the department for management programs. The department is directed to fully participate in all discussions and negotiations with federal and State agencies relating to grizzly bear management and shall fully communicate, support, and implement the policies of this section.”20 15 Idaho Delegation Urges Fish and Wildlife Service to Review Idaho Petition to Delist Grizzly Bear / Press Releases / Congressman Russ Fulcher (house.gov) 16 Federal Register / Vol. 87, No. 218 / Monday, November 14, 2022 / Notices 17 40 CFR §1506.6; Okanogan County Code 18.04.080, 18.04.070, 18.04.060 18 California v. Bernhardt, 472 F.Supp.3d 573 “While the Executive branch holds the power to issue executive orders, an agency cannot flip-flop regulations on the whims of each new administration.” 19 Okanogan County Code 18.04.050(F) Federal and State agency actions proposed or taken - “Shall, in absence of a direct constitutional conflict (United States and Washington State Constitutions), coordinate with Okanogan County so as to comply with federal and State statutes and regulations, and county laws, policies and plans, including the comprehensive plan” 20 Wash. Rev. Code 77.12.035 Protection of grizzly bears-Limitation on transplantation or introduction-Negotiations with federal and State agencies (Revised Code of Washington, 2022 Edition). 6 “The ESA requires that the U.S. Fish and Wildlife Service (USFWS) decide within 90 days whether or not a filed petition contains evidence that delisting is warranted. Unfortunately, this timeline has not been maintained with Idaho's petition and has exacerbated serious issues currently experienced in Idaho's bear country. It also calls into question the agency's ability to make and publish findings within 12 months after receiving such a petition as required under the ESA.” In their FAQs/Background document the Services purport that Washington State law applies only to the Washington Department of Fish and Wildlife (WDFW), and does not restrict federal grizzly bear recovery efforts in Washington. The Services also contend that WDFW's interests would be represented in the final environmental analysis because the statute directs WDFW to “... fully participate in all discussions and negotiations relating to grizzly bear management ...” A plain rendering of the Washington statute and its context demonstrates that the Services' interpretation of RCW 77.12.035 is incorrect. This should be investigated under the NEPA regulations from the Council on Environmental Quality (CEQ), and DOI policy.21 In proposing to violate Washington State Law the Services also neglect the 10th Amendment's reservations principal of the United States Constitution,22 which states: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

Representative Quote: In September 2018 the Washington Attorney General issued an Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property. The context of that Memorandum addresses the police power of States: “State governments have the authority and responsibility to protect the public health, safety, and welfare. This authority is an inherent attribute of State governmental sovereignty and is shared with local governments in Washington under the State constitution ...” “... Substantive due process is the constitutional doctrine that legislation must be fair and reasonable in content and designed so that it furthers a legitimate governmental objective. The doctrine of substantive due process is based on the recognition that the social compact upon which our government is founded provides protections beyond those that are expressly Stated in the U.S. Constitution against the flagrant abuse of government power. Calder v Bull, 3 U.S. 386 (1798).”47 Federal land use statutes48 also reinforce the principle that the police power is reserved to the States. Title 7 of the Federal Land Policy and Management Act (FLPMA)49 at 43 U.S.C. 1701, note(g)(6) states that “Nothing in this Act shall be construed as

limiting or restricting the power and authority of the United States or - (6) as a limitation upon any State criminal statute or upon the police power of the respective States, or as derogating the authority of a local police officer in the performance of his duties ... on the national resource lands.”⁵⁰ Inholdings within the North Cascade Ecosystem - While there are few permanent human habitations within the North Cascades National Park (NCNP) itself, there are significant State and Federal lands within and immediately adjacent to the NCE area. These include: • • • • • 47 WA Office of Attorney Administrative Actions The NPS-managed Ross Lake National Recreation Area; The NPS-managed Lake Chelan National Recreation Area; The Mount Baker National Forest and its inholdings; The Okanogan National Forest and its inholdings; The Methow Valley from north of Mazama, WA to Pateros, WA; The Okanogan Basin; and, Numerous towns and cities along Washington SR-20 westward from the NCNP boundary at Portage, WA. General - Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or to Avoid Unconstitutional Takings of Private Property. (September 2018). 48 43 U.S.C. §§ 315n. 49 43 U.S.C. 1701note(g)(6). 50 NFIB et. al. v. Sebelius 567 U.S. 519 (2012) “The independent power of the States also serves as a check on the power of the Federal Government: ‘By denying any one government complete jurisdiction over all the concerns of public life, federalism protects the liberty of the individual from arbitrary power.’”

Table 26. PN7100 - Purpose and Need: Purpose and Need for Taking Action

CONCERN STATEMENT: Commenters worried about restoring grizzly bears to the area, noting that human population and recreation have increased during the time since they were extirpated and that there may not be adequate suitable habitat. Some commenters indicated that grizzly bears would have naturally repopulated the area already if the habitat were suitable. Commenters said that human-bear conflicts are more likely now and would not benefit grizzly bears or humans. Commenters asserted that the restoration would benefit neither humans nor grizzly bears and would lead to attacks on humans and subsequent killing or relocation of the grizzly bears. Commenters questioned the motives behind the restoration, asked for more specific goals for the recovery plan, and worried about relocating grizzly bears from their established habitat to a new region. One commenter mentioned that current and future conditions in the NCE due to climate change would make the area inhospitable to a thriving grizzly bear population.

Representative Quote: I believe that if this area were able to provide what Grizzly bears need to survive and thrive, the bears would already be here.

Representative Quote: I oppose your plan to reintroduce Grizzly Bears to the North Cascades. While grizzlies may have been present in the past, the current conditions and reasonably foreseeable future conditions of the North Cascades are far different than what was present during the bears existence. As noted in the article from the Grizzly Bear Foundation - <https://grizzlybearfoundation.com/blogs/news/forest-fires-climate-change-and-grizzlies>, climate change has and will continue to cause adverse effects to the habitats required to support a healthy grizzly bear population. Therefore, it is imprudent and irresponsible to suggest that any attempt to restore grizzly bears into the North Cascade ecosystem would be successful.

Representative Quote: I am full of enthusiasm for grizzly bears, and would welcome them to the North Cascades, but I'm not convinced the grizzlies actually want to be there. Extensive areas of the North Cascades ecosystem have remained largely free of human interference throughout history. And for the last 50+ years, a good portion of those areas have been designated wilderness and (within the National Park) off-limits to hunting. We know that grizzlies have visited these areas, and perhaps a few of them stuck around awhile... and yet, while grizzlies in the Northern Rockies thrived and multiplied over the past 50 years, grizzlies in the North Cascades dwindled. I believe bears are quite adept at seeking out and finding habitat that suits their needs. So, when I see that grizzlies have repeatedly checked out the North Cascades but chose not to populate the area (in spite of the vast wilderness and the fact that no one was shooting at them), I have to conclude that this just isn't where they want to be. I would venture a guess that the dense, jungly forests have something to do with it. The Northern Rockies are full of comparatively open forests and grassy meadows; the North Cascades are full of Devil's Club and Vine Alder. There are meadows in the North Cascades in the Alpine zone, but those meadows are buried in snow 9 or 10 months of the year. It's true that the easternmost portions of the region contain more open forest and grassland, but generally this occurs as the wilderness gives way to human activity: ranching, vacation

communities, etc. Relocating grizzlies from someplace else seems tremendously disruptive, and perhaps cruel: to the grizzlies themselves who will suddenly be faced with survival in a completely unfamiliar habitat, and to the wildlife who will suddenly find themselves in the presence of a huge, powerful, extremely confused, and justifiably furious creature. The repeated helicopter flights involved in a relocation effort would be severely disruptive to the wilderness ecosystem. I have looked at every source of information I can find, in search of evidence that the North Cascades are ideal grizzly habitat. I have found none. I have tremendous respect for conservation biologists, but in this matter I have found their assertions weak, vague, and unsupported. This seems to me like magical thinking, and I fear the consequences for the grizzlies would be anything but magical. Therefore, I support the no-action alternative.

Representative Quote: The fact that the proposed action uses inexact numbers is disingenuous. The use of the word “approximately” leaves an open-ended connotation for the agency to exceed without proper checks and balances. After the 25 bear population is reached, the adaptive management would be imposed

Representative Quote: I don't find a cogent argument for reintroduction. “They used to be here, and returning them will make it more like it was” is too vague to be useful. To be convinced, I would like to know exactly what changes are to be attempted to the ecosystem by the reintroduction. Reintroduction is just one of many potential shocks to the current ecosystem. Climate change is another that is all but certain to preclude return to the system that was at the same geo coordinates. Grizzlies eat other species that are endangered. What value system will be applied to pick the pressures on those species versus grizzlies? I'd rather spend tax dollars on climate resilience than on making the woods great again via grizzlies. I live in the Methow and hike and ski in the surroundings. Covid brought hordes to the local national forests and parks. I don't see those numbers subsiding even though covid is seemingly easing. Grizzly reintroduction is sure to do two things. One is to reduce human visits and the other is to create encounters that cause injuries and death to humans. The first one might be good, but the second is definitely not. When someone makes a proposal, I like to see goals made explicit. Exactly what are the goals of reintroduction, and- -much more importantly- -how will success, or more likely failure, be recognized? Why should I want this to happen if you can't tell me?

Representative Quote: This is neither recovery nor management. There is no resident grizzlies in the North Cascades NP, and management strategies to use 10 is a nonessential and non existent population in order to "restrict use of private, tribal, and park property a public property" fits right in with all the mismanagement USF&W does here in the Skagit Valley. Non resident de-populated from property damage trees, gardens, fence, and airplanes, common at Concrete Airport & Concrete play fields! Since Concrete is part of the grizzly bear recovery area, this must be the suitable habitat that is supposed to be so abundant in the NCNP. I have climbed in the NCNP doing 10 day traverses since 1972- I have never seen this abundant suitable habitat- game and people do not exist except on trails and river bottom areas. This is not Yellowstone- NCNP is rock-alpine areas are spotty to rare- more lowland habitat is peopled and (?) salmon & is most E & W of the NCNP. Grizzlies were never abundant in the NCNP- & there is no grizzlies now. These documents read like propaganda- terms like suitable habitat, abundant, decimated by trapping and hunting are never deprived of not actually supported by real evidence. This is not a scientific document.

Representative Quote: I challenge the agencies to bring forth scientific, founded facts that Grizzly Bears lived and thrived in the North Cascades Ecosystem in the past, as stated in the scoping document. A generic sweep is given to the public that they once “lived” here before they were wiped out by the fur trade and hunters. “Once lived here” is a false statement. A responsible EIS will include not just mere ambivalent sightings at a distance and myths and stories, but scientific evidence linking Grizzly Bears DIRECTLY and SPECIFICALLY in the North Cascades Ecosystem, and that will include whether that is the farthest north near Canada, or south near Lake Chelan, or in the Marblemount area. A responsible statement produces facts and evidence as any high school student knows. These agencies continue to state that the North Cascades Ecosystem was home to Grizzlies, without real evidence. An EIS will list scientific evidence that this was their habitat, and not just a “portion” as stated in the scoping document. A portion can mean one paw in a corner up to 100's of square miles.

Representative Quote: The presence of settlers in the North Cascades region is quite new in light of our country's history. Trapping and hunting in the North Cascades of Grizzly Bears? Trappers and Hunters even as recently as 170 years ago had no decent routes, trails or means to egress and ingress into and out of the North Cascades steep mountains. Not even a railroad was able to be navigated. The statement that the bears were “hunted and trapped” out of this ecosystem is highly unlikely. Hunters and trappers could not transport their hides

with any kind of efficiency or profit til the steamboats arrived or routes were built. Even when they were, there is no evidence of abundant hunting of Grizzly Bear to the point of “extinction” in the area. False statements such as Grizzly Bears being hunted and trapped and killed is a divisive statement to warrant emotion towards the Grizzly Bears to gain support for the “mission” of their return. Yes, in the SURROUNDING regions north and east of the Cascades, unmanaged hunting and trapping is documented where the abundance of bears existed. It is a broad stretch to state that Grizzly Bears inhabited the North Cascades based on hunting and trapping accusations that have no basis.

Table 27. PN8000 - Purpose and Need: Objectives In Taking Action

CONCERN STATEMENT: One commenter asked that fiscal responsibility, a culture of grizzly bear stewardship, care for bears during translocation, and inclusive public engagement be added to the objectives of the plan.

Representative Quote: I suggest considering if fiscal responsibility and minimizing agency and partner costs, care for the safety and well-being of translocated bears, supporting the development of a culture of grizzly bear stewardship, and inclusive public engagement could be explicitly added to the objectives. I also think the issues to be considered should include something about the convictions people have appropriate relationships and responsibilities to nature.