

Feds lagging in required grizzly review, nonprofit alleges

December 19, 2019 at 5:00 am | By KIANNA GARDNER Daily Inter Lake

Grizzly bear delisting will likely take years, land and bear managers say, despite the species growing numbers in Northwest Montana.

A nonprofit organization known for its work in protecting endangered species claims the U.S. Fish and Wildlife Service is about four years overdue on a five-year status review of grizzlies in the Lower 48.

As part of the federal Endangered Species Act, species placed on the endangered list are to receive a status review by the U.S. Fish and Wildlife Service every five years — an in-depth assessment to determine whether a species' status has changed since the time of its listing or last status review and whether it should be classified differently or delisted.

But according to one crux in an ongoing lawsuit brought against U.S. Fish and Wildlife Service by the Center for Biological Diversity, the agency is lagging about four years behind on its status review of grizzlies, with the more recent review being performed in 2011.

As part of a settlement reached in early December, the U.S. Fish and Wildlife Service agreed to have a five-year status complete by March 31, 2021. According to court documents, "FWS shall complete and post on the Environmental Conservation Online System website a status review of all grizzly bear populations listed under the Endangered Species Act at the time of its review."

According to Jennifer Strickland, public affairs specialist for U.S. Fish and Wildlife, once the agency publishes a notice of intent to initiate the review, any member of the public will have the opportunity to submit any new information on grizzly bears in the lower 48 states that has become available since the last review was completed in 2011."

As for the delay in the review of grizzlies in the Lower 48, Strickland said there are a number of factors that have come into play.

"There are many competing priorities in our grizzly bear recovery program, and we have finite staff and time availability. Over the past nine years, we have been focusing on ensuring those limited resources support the most pressing on-the-ground conservation issues associated with grizzly bear conservation and management," Strickland said via email.

In another prong of the ongoing lawsuit filed June 27 in U.S. District Court in Missoula, the Center for Biological Diversity claims Fish and Wildlife has failed to update its Recovery Plan for grizzlies in the lower 48 region — a document and guideline for recovery created more than 25 years ago.

In 1975, Fish and Wildlife listed the grizzly bear as a "threatened" species in the lower 48 states under the Endangered Species Act. Then, in accordance with the act, the agency approved a grizzly bear recovery plan in 1982 that was revised in 1993 to "delineate reasonable actions that are believed to be required to recover and/or protect" the grizzly bear.

But according to the lawsuit, in Fish and Wildlife's 2011 five-year review for the grizzlies, the agency "found that the 1993 Recovery Plan was no longer based upon the best available science and needed to be updated."

According to the litigation, the Fish and Wildlife Service specifically had noted the agency "must evaluate other areas of the grizzly's historic range in the lower 48 states to determine their habitat suitability for grizzly bear recovery."

Today, after multiple supplements to the 1993 Recovery Plan, the document calls for the recovery of grizzlies in six identified recovery areas, including the Northern Continental Divide, the Cabinet-Yaak and the Greater Yellowstone ecosystems. The systems are generally limited to the northern Rockies in Montana, Idaho and Wyoming.

But the bear's "historic range" noted in the litigation used to be much more widespread. The lawsuit emphasizes how, prior to European settlement, scientists estimate that approximately 50,000 grizzly bears may have occupied the western United States between Canada and Mexico.

According to the lawsuit, Fish and Wildlife's five-year review in 2011 noted "Colorado, New Mexico, Arizona, Utah, California, Nevada, Oregon, and southern Washington (mountain ranges in the western U.S.)" should be evaluated to determine habitat suitability for grizzly bear recovery. However, "the Service has not undertaken such an evaluation of other areas in the grizzly bear's historic range."

Strickland said she is unable to speak on matters of pending litigation and therefore, could not comment on the lawsuit's request for an update of the 1993 Recovery Plan.