

December 12, 2022

Submitting via <https://parkplanning.nps.gov/NCEGrizzly>

Frank Lands, Regional Director
Department of Interior Regions 8, 9, 10 & 12
National Park Service

Nanette Seto, Acting Regional Director
Pacific Region
U.S. Fish and Wildlife Service

**Re: Scoping Comment on Notice of Intent to Prepare North Cascades
Ecosystem Grizzly Bear Restoration Plan/Environmental Impact Statement
in the State of Washington – PPWONRADE2, PMP00EI05.YP0000**

Dear Mr. Lands and Ms. Seto:

Friends of Animals (“FoA”) submits this scoping comment in response to the National Park Service (NPS) and the U.S. Fish and Wildlife Service’s (FWS, collectively as the “Federal Agencies”) joint notice of intent to prepare a North Cascades Ecosystem (NCE) Grizzly Bear Restoration Plan and accompanying Environmental Impact Statement (“EIS”) for the North Cascades region of Washington State.

FoA is an international animal rights organization incorporated in the state of New York since 1957. FoA has nearly 200,000 members worldwide. FoA and its members seek to free animals from cruelty and exploitation around the world, and to promote a respectful view of non-human, free-living and domestic animals. FoA’s activities include educating its members on current threats to many species’ abilities to live in ecosystems free from human manipulation, exploitation, and abuse; and monitoring federal agency actions to ensure that laws enacted to protect the environment and wildlife are properly implemented and enforced.

FACTUAL BACKGROUND

For thousands of years, “[g]rizzly bears roamed across the North Cascades . . . as an essential part of the ecosystem, distributing native plant seeds and keeping other wildlife populations in balance.”¹ As with many wildlife species, the Grizzly Bears of the North Cascades were on the unfortunate end of interactions with humans, hunted nearly to extinction during the 20th century with critical habitat lost to logging, expansion, and

¹ National Park Service, U.S. Fish & Wildlife Service to evaluate options for restoring grizzly bears to the North Cascades, <https://www.nps.gov/noca/learn/news/national-park-service-u-s-fish-wildlife-service-to-evaluate-options-for-restoring-grizzly-bears-to-the-north-cascades> (Last updated: November 10, 2022).

the ranching industry. Despite once thriving in the North Cascades, there have been no confirmed Grizzly Bear sightings since 1996.²

Due to the declining populations, Grizzly Bears were listed as “threatened” under the Endangered Species Act in 1975 (for the lower 48 states) and as “endangered” in Washington in 1980. In 2004, a Grizzly Bear recovery plan was completed for the British Columbia portion of the NCE to reestablish the population of Grizzly Bears in the region. However, the Washington State portion of the NCE is without a restoration plan, as the EIS process commenced in 2014 was terminated in 2020.³

On November 14, 2022, the Federal Agencies published notice in the Federal Register of their intent to jointly prepare a North Cascades Ecosystem Grizzly Bear Restoration Plan (the “Plan”) and associated Environmental Impact Statement (EIS) in the North Cascades region of Washington State.⁴ The purpose of the Plan and EIS is to explore restoration of Grizzly Bear populations following their virtual extinction from the region.⁵ The goal is to restore the biodiversity of the NCE and support the recovery of Grizzly Bear populations so that the species may be removed from the Federal List of Endangered and Threatened Wildlife.⁶

The Federal Agencies plan to explore multiple preliminary alternatives to restore the NCE biodiversity.⁷ Each “action alternative” has as a goal “to restore a self-sustaining population through the capture and release of grizzly bears into the NCE.”⁸ Each preliminary alternative will have in common certain elements, including: public education and outreach; guidelines for managing conflict; habitat management; and improved sanitation on public lands.⁹

The Federal Agencies will be considering proposed action in which three to seven Grizzly Bears per year, for a period of five to ten years, will be captured from the British Columbia region and released into the Washington portion. This includes an adaptive management phase after the population reaches 25 bears, in which additional bears will be released into the NCE to account for bear mortality, population trends, and for genetic diversity and reproductive success. The Federal Agencies will also consider designating Grizzly Bears as an “experimental population” under section 10(j) of the Endangered Species Act to promote flexibility in managing the reestablished population.¹⁰

² *Id.*

³ FAQs/Background, <https://www.nps.gov/noca/upload/NCE-Grizzly-Bear-EIS-FAQs-20221115.pdf> (last updated November 15, 2022).

⁴ National Park Service and U.S. Fish and Wildlife Service, *Notice of Intent to Prepare North Cascades Ecosystem Grizzly Bear Restoration Plan/Environmental Impact Statement*, Washington, 87 Fed. Reg. 68190 (November 14, 2022).

⁵ 87 Fed. Reg. 68191.

⁶ 87 Fed. Reg. 68191.

⁷ 87 Fed. Reg. 68191.

⁸ 87 Fed. Reg. 68191.

⁹ 87 Fed. Reg. 68191.

¹⁰ 87 Fed. Reg. 68192.

DISCUSSION

FoA strongly supports the restoration of Grizzly Bear populations to the U.S. portion of the NCE, as well as the related efforts by the Federal Agencies to promote a sustainable population into the future. It is well established that Grizzly Bears are a keystone species and vital to a healthy and thriving ecosystem. FOA encourages the Federal Agencies to take a hard look at the positive effects reintroduction of Grizzly Bears will have on the NCE, as well as the positive socioeconomic benefit, and explore alternatives that are most favorable to the Grizzly Bears and the NCE, with these issues considered as primary over the concerns of hunters, ranchers, and private landowners.

A. The Positive Effects Grizzly Bear Reintroduction will have on Wildlife in the NCE Must be in the Scope of the EIS and the Restoration Plan.

Grizzly Bears were present in the NCE for thousands of years, a vital keystone species playing a critical role in a thriving ecosystem, before suffering significant population loss in the 19th and 20th centuries. Development, logging, hunting, and human activity severely impacted the Grizzly Bear and its habitat as human populations spread into the areas in which Grizzly Bears formerly thrived. As a result of hunting, logging and population and development expansion, Grizzly Bears became virtually extinct in the U.S. portion of the North Cascades Ecosystem.¹¹

It is well established that, as a keystone species, Grizzly Bears provided a positive impact and played a critical role in a thriving NCE before removal from the ecosystem. Removal from the ecosystem damages the delicate and critical balance of the ecosystem. Reintroduction of Grizzly Bears will only benefit the NCE by returning the ecosystem to a condition more closely similar to the thriving ecosystem that existed for thousands of years, before human intervention proved grave to yet another keystone species.

The Federal Agencies acknowledge the critical importance Grizzly Bears play in a thriving NCE and must explore alternatives that return Grizzly Bears to their natural place within the ecosystem. As a predator, Grizzly Bears play a role in managing the populations of the species upon which they prey, maintaining a healthy balance of wildlife within the NCE. However, 90% of a Grizzly Bear's diet consists of vegetable and insect matter.¹² The impact on existing wildlife populations, while positive for management of population levels, would not be detrimental or beyond what the ecosystem can bear.

Grizzly Bears also spread seeds through their eating and traveling patterns and help aerate the soil while rooting for sustenance, thereby playing a critical role in the ecological health of the NCE plant life. Spreading seeds and assisting in health plant ecology assists not only the Grizzly Bear population, but also the wildlife that relies on that plant life. In completing the EIS and developing a Restoration Plan, FOA encourages the Federal Agencies to consider as most important alternatives that maximize the

¹¹ 87 Fed. Reg. 68191.

¹² FAQs/Background at 4 and 5.

benefit Grizzly Bears will play in improving the ecological diversity necessary for a thriving ecosystem.

B. The Positive Effects Grizzly Bear Reintroduction will have on the Human Environment Must be in the Scope of the EIS and the Restoration Plan.

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.¹³ Hiking, camping and boating are just a few of the many recreational activities people pursue in the region.¹⁴ 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.

Recreational activities should be permitted only to the extent the activities do not adversely affect the wildlife in the NCE or will not increase the possibility of human-wildlife conflict. The areas in which the Grizzly Bears will be reintroduced are also currently inhabited by black bears and other species, and “[l]earning how to recreate in black bear country goes a very long way to learning how to recreate where there are Grizzly Bears.”¹⁵ Regardless, the scope of the EIS and the Restoration Plan should include measures to educate the public on how to enjoy outdoor activities in areas where interaction with bears may occur and measures to enforce responsible human behavior. Grizzly Bears generally seek to avoid interaction with humans. However, people should still be required to carry bear spray, and groups should be limited in size through a permit system. The EIS and Restoration Plan should also address educating people on how to act to minimize interactions with Grizzly Bears and how to respond if encountering a Grizzly Bear. Importantly, while people are encouraged to enjoy recreational activities in and around the NCE, the scope of the EIS and the Restoration Plan should also include severe restrictions on hunting and encourage people to use non-lethal means to manage and respond to interactions with Grizzly Bears.

The Federal Agencies should also include in the scope of the EIS and the Restoration Plan the cultural and socioeconomic effect which will result from reintroduction. Grizzly Bears thrived for thousands of years in the region and are of great importance in the history and culture of Indigenous communities in and around the NCE. The Federal Agencies should consider in the scope of the EIS and Restoration Plan the important cultural role Grizzly Bear’s play.

¹³ 87 Fed. Reg. 68192.

¹⁴ National Park Service Information Sheet, <https://www.nps.gov/noca/index.htm>.

¹⁵ FAQs/Background at 7.

The Federal Agencies should also consider the positive impacts Grizzly Bears will have on the economy of communities in the vicinity of the NCE. A thriving Grizzly Bear population and NCE will draw people from around the United States, as well as internationally, for the opportunity to see a thriving ecosystem with a strong Grizzly Bear population. An increase in people traveling to the region to view the wildlife and participate in other recreational activities will, inevitably, benefit the economy of the local communities in the region, as well as the economy of the State of Washington. This positive impact should be considered by the Federal Agencies within the scope of the EIS and Restoration Plan.

C. The Minimal Effects of Reintroduction on Livestock Grazing Must be Evaluated in Scope of the EIS and the Restoration Plan.

In the Notice, the Federal Agencies state that they are considering the effects that Grizzly Bear reintroduction will have on the human environment.¹⁶ It is expected that various ranching and farming interests in the region will oppose the reintroduction of Grizzly Bears because of the speculative threat that Grizzly Bears will harass livestock, threaten humans, consume orchard products, and possibly create competition for those who feel humans should be the apex predator instead of Grizzly Bears. However, this is not a new issue, as ranchers and farmers face these same concerns from other species in the same region, and from other Grizzly Bears in other ecosystems, such as Yellowstone. The possibility of livestock depredation is also minimal, with the Federal Agencies noting that a U.S. Department of Interior formula indicates that there could be three livestock deaths per year when the Grizzly Bear population reaches 200 bears in 60 to 100 years.¹⁷

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 cannisters, and non-lethal methods of managing and deescalating interactions between humans, domestic animals (including livestock), and Grizzly Bears. 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.

To minimize the purported negative effect Grizzly Bear restoration may have on livestock in the relatively tiny portion of the NCE, FoA urges the Federal Agencies to evaluate what has taken place in similar situations in similar environments to minimize and avoid conflict. Efforts such as electric fences and education regarding non-lethal methods of managing interactions in the event they occur are paramount and must be considered in the scope of the EIS and Restoration Plan.

¹⁶ 87 Fed. Reg. 68191.

¹⁷ FAQs/Background at 5.

CONCLUSION

FoA urges the Federal Agencies to include within the scope of the Restoration Plan and the EIS the positive effects reintroduction of Grizzly Bears will have on wildlife populations and habitats in the NCE. FoA strongly supports the reintroduction of this vital species that is necessary to a thriving NCE and encourages the Federal Agencies to include within the scope of the EIS and Restoration Plan consideration of the positive impacts that will result to biodiversity of the NCE. FoA encourages the Federal Agencies to consider alternatives that identify and promote these positive impacts, which are of far greater magnitude than the threat to farming and ranching interests and the ability to engage in recreation opportunities.

Thank you for the opportunity to comment, and please contact me if you have any questions or concerns.

Sincerely,

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