

FACT SHEET

GRIZZLY BEAR CRITICAL HABITAT

On July 28, 1975, the Grizzly Bear was listed as a Threatened species in the 48 conterminous States. This classification, arrived at after careful consideration of all available evidence, represented the U.S. Fish and Wildlife Service's determination that the bear is likely to become in danger of extinction within the foreseeable future over a significant portion of its range.

Following the listing of the Grizzly Bear as Threatened, the next step to be taken is protection of its habitat by determining critical habitat for the bear; that is, delineation of those areas of land which are essential to its survival and recovery. The attached map shows areas in Montana, Wyoming, Idaho, and Washington which are currently being considered for possible designation as critical habitat. These lands contain most or all of the Grizzly Bears now surviving in the lower 48 States.

The designation of critical habitat is provided for in Section 7 of the Endangered Species Act of 1973. This section, which applies only to Federal agencies, charges them with the responsibility to make sure that actions authorized, funded, or carried out by them do not: 1) jeopardize the continued existence of Endangered or Threatened species; or 2) result in destruction or adverse modification of their critical habitat. Section 7 does not apply to State or private actions not requiring Federal authorization or funding. It is important that critical habitat for the Grizzly be determined as soon as possible so that the many Federal agencies which manage lands or administer programs within the areas listed above will know exactly which lands are essential to the Grizzly. This will help them make sound land use decisions in carrying out their actions in the critical habitat areas consistent with the requirements of Section 7 and, more important, in ways compatible with the requirements of this Threatened species.

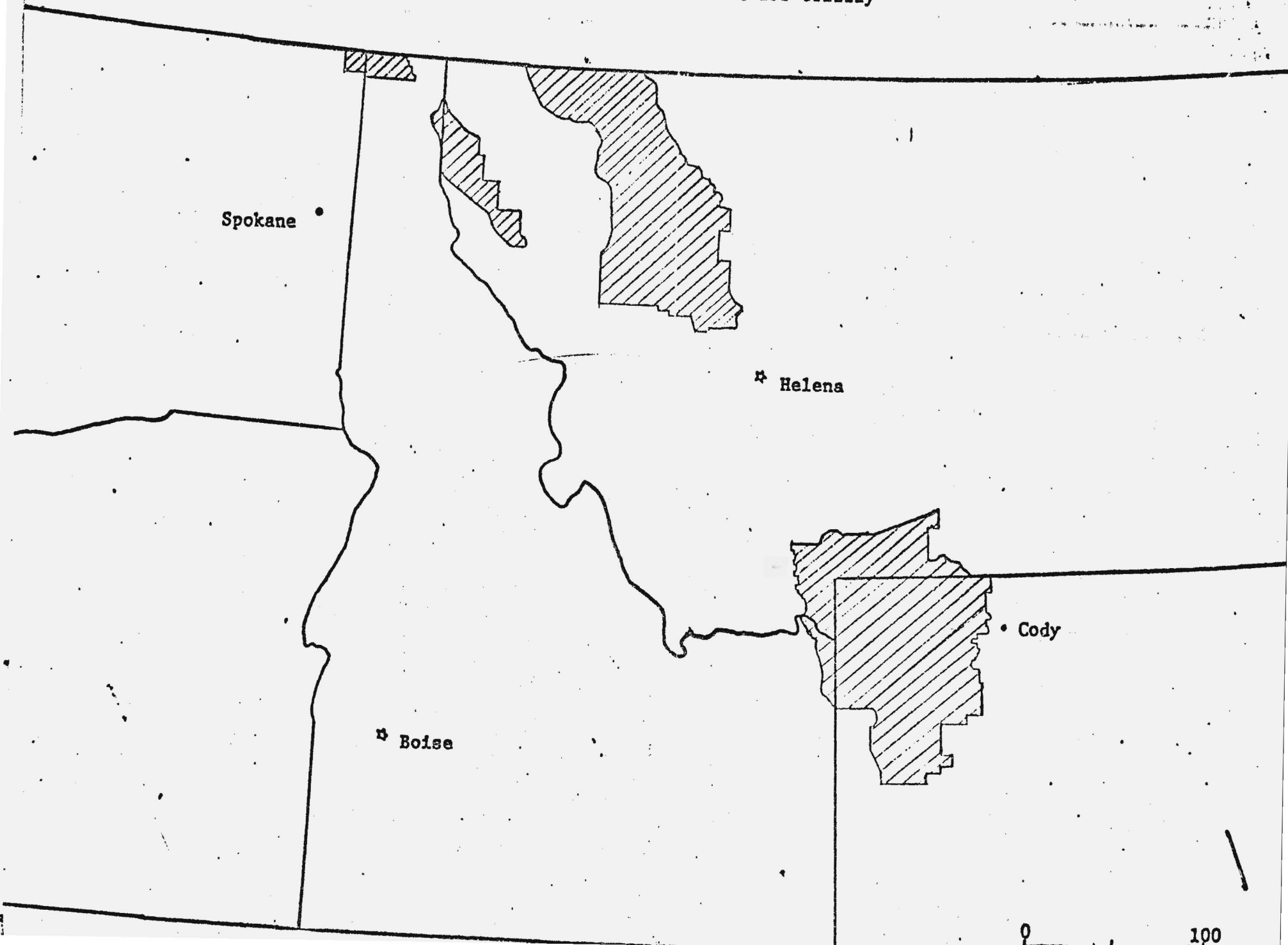
Many people have misunderstood the meaning of a critical habitat determination for the Grizzly, thinking that this will result in the creation of an inviolable sanctuary, wilderness area, or refuge. This is not the case. The determination, of and by itself, will not prohibit any particular kind of land use or activity in the area. The critical habitat determination for the Grizzly will contain no rules preventing certain actions or allowing others. Rather, it will simply recognize a biological fact-- the area of land, water, and airspace essential to the normal needs and survival of the bear. Within the boundaries of this area, each Federal agency will be required to consider its activities or programs in terms of the effect of those activities or programs on the Grizzly. There are many types of activities which could be carried out within the critical habitat which would not be expected to affect the species adversely. At this time, it

is impossible to predict what decisions particular Federal agencies will make regarding specific types of activities; these decisions will be made by the affected agencies, in consultation with the U.S. Fish and Wildlife Service, on a case by case or program by program basis as the situations arise.

The process of determining critical habitat for the Grizzly will begin with publication of a proposed rulemaking in the Federal Register, sometime in August or September, which will present the U.S. Fish and Wildlife Service's preliminary judgment as to which lands are essential to the normal needs and survival of the bear. Once this has been published, a comment period will begin during which all interested parties will be encouraged to submit information relevant to the proposal. Governors of the States involved will have 90 days in which to submit such comments, and private organizations and individuals will also have 90 days. In addition, public hearings will be held in appropriate locations within the States involved. Exact times and places will be announced in the Federal Register and in public news releases.

After review and careful consideration of the information received from the proposed rulemaking and the public hearings, and after appropriate changes are made, a final determination of critical habitat will be published in the Federal Register.

Planned Proposed Critical Habitat for Grizzly



Spokane

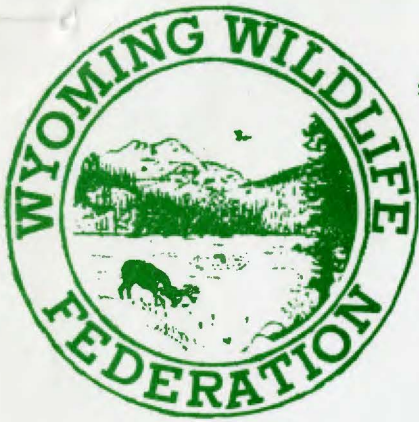
★ Helena

★ Boise

• Cody

0

100



STATEWIDE FEDERATION OF CONSERVATION CLUBS AFFILIATED WITH NATIONAL WILDLIFE FEDERATION

"BEST HUNTING AND FISHING POSSIBLE FOR THE MOST PEOPLE"

CONSERVATION PLEDGE

I GIVE MY PLEDGE AS AN AMERICAN TO SAVE AND FAITHFULLY TO DEFEND FROM WASTE
THE NATURAL RESOURCES OF MY COUNTRY—ITS SOIL AND MINERALS, ITS FORESTS,
WATERS, AND WILDLIFE

JOIN A CLUB

● JOIN A FEDERATION

1556 9th Street, Sp. #3
Rock Springs, WY 82901

January 13, 1977

Rod Doty
Wyoming Outfitters Assoc.
Jackson Hole Box 11
Moran, Wyoming 83013

Dear Rod:

Thank you so much for the note. Here is the information you requested. There were only two motions passed on the Grizzly Bear at the Evanston meeting.

The Wyoming Wildlife Federation will join with the Wyoming Game and Fish to take the grizzly bear off the threatened species list, and request that the hunting moratorium on the grizzly be extended for a period of four years.

The Wyoming Wildlife Federation recommends that an independent blue ribbon study team be initiated to study the grizzly and that this study team be made up of non-state and non-federal specialists to study the grizzlies numbers and habitat needs.

If we can be of futher assistance to you, please let us know.

Sincerely,

Lydia Borzea

Lydia Borzea, Secretary

*Hi Frank;
This motion when to
National Wildlife Fed after
National asked for our feelings.
You can keep the letter.
Lo-Long Rod*

*ignore -
not underlining*

GRIZZLY BEAR CRITICAL HABITAT HEARINGS

TESTIMONY OF DR. FRANK C. CRAIGHEAD, JR.

Dec. 14, 1976, St. Anthony, Idaho

educational

I am Dr. Frank C. Craighead, Jr., Senior Research Associate ~~at the~~ *N.S.R.C.* State University of New York at Albany and President of the Environmental Research Institute of Moose, Wyoming ~~an~~ *a research and* organization incorporated in 1955. My professional field is wildlife ecology and I have been engaged in research and management activities over a period of 40 years. I have with my brother, Dr. John J. Craighead, carried out ten years of very intensive field research on the grizzly bear in the Yellowstone ecosystem and I ~~xxx~~ have been engaged in studies of grizzlies not only in Wyoming, but in Montana and Alaska as well. At the Cody, Wyo. ~~xxxxxxx~~ Nov. 4, 1976 hearing on grizzly bear management I submitted written testimony addressed to Senator ~~xxx~~ Gale McGee along with ~~a~~ *letter* enclosure, ~~a letter~~ from former Park Service Ranger ~~Mr.~~ Mr. Harry Reynolds, Jr. I hope and expect that this will be a part of the written record of the series of hearings on grizzly bear management, ~~and grizzly bear habitat.~~ I now wish to further elaborate on this statement. *#* The Endangered Species Act of 1973 stated that the purposes of this act are to provide ^a means whereby the ecosystems ~~xx~~ upon which endangered species and threatened species depend may be conserved, to provide a program for the conservation of such endangered species and threatened species, and to take such steps as may be appropriate to achieve the purposes of the treaties and conventions set forth in subsection (a). ~~of this section.~~ On May 1975 the U.S. ~~Rxxx~~ Department of

Interior classified the grizzly bear as a threatened species. Section 7 of the Endangered species Act states that all federal agencies should insure that actions authorized, funded, or carried out by them do not jeopardize the continued existence of such endangered species and threatened species or result in the destruction or modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected states, to be critical. In other words, critical habitat must be evaluated and delineated. This mandate has brought about conflict^{over jurisdiction} and disagreement among state and federal agencies involved and it has engendered concern among outfitters, ~~and~~ dude ranchers^{and stockmen} whose livelihood depends on forest, park and wilderness lands^{and resources} that may be considered critical habitat. Activities in these areas could conceivably be curtailed by the US Fish and Wildlife Service, after consultation as appropriate with the affected states. The public concern over governmental interference and regulation is a very real one. ~~It~~^{is} is particularly ^{relevant} important in regard to how much ^{habitat} ~~land~~ will be ^{considered} ~~as~~ critical habitat. ^{Fully aware} ~~regardless~~ of these concerns I wish to make my statement based on my knowledge^{acquired from} years of work with the grizzly bear and my career as a biologist. I will confine my remarks now to the Yellowstone ecosystem.

The Yellowstone ^{grizzly bear} ecosystem has ^{been described} ~~delineated~~ in a technical paper, ¹⁹⁷⁴ ~~on~~ A Population Analysis of the Yellowstone Grizzly Bears, by John J. Craighead, Joel P. Varney and Frank C. Craighead, Jr. ~~defines~~ The boundaries of this area which roughly comprises 5 million acres. The boundaries are as follows: # Starting from the southwest corner of the boundary

^{are based on sight records, bear kills and on habitat and land use inventory.}
It is an area currently supporting grizzly bears.

make boundaries single space

case 7 NW
port

SW
authr

NE

NE

NE

SE

SE

At that time Yellowstone National Park was the hub of the grizzly population.

In the few years 1969-1972 we talked 151 known grizzly bear deaths in the ecosystem from all causes.

surrounding wilderness areas and that the grizzlies moved back and forth between Yellowstone and these peripheral wilderness areas. Our studies also revealed a very low reproductive rate for the grizzly, approximately one cub per adult female every two years. Our best estimate based on scientifically gathered data revealed approximately a 45% ^{percent} decline in size of the ~~grizzly~~ grizzly bear population by 1974.

← An interagency team that has been attempting to gather ~~data~~ demographic data on the grizzly bear in the Yellowstone ^{since our research was terminated and discontinued} ecosystem has come up with very little in the way of hard scientific ~~data~~ and the methodology ~~employed~~ ^{to gather information} is questionable as to its scientific authenticity. A June 1976 Interagency grizzly bear news letter states (and I quote): "Tabulation of flight data shows that only 36 grizzly bears were seen on observation flights during 1975 compared to 60 in 1973 and ~~125~~ 125 in 1974. Hours of air observation were 76, 150 and 180 for 1973, 1974, 1975 respectively." The interagency 1975 report also states: "Four sows with cubs and three sows with yearlings were observed."

According to the May 1976 Wyoming Game and Fish Department Grizzly Bear Program Report the low cub count and the poor trapping success. ^{adult and young} The very obvious reason ~~why~~ ^{there are less} there are considerably less grizzly bears than formerly was not considered. ^{Now are less grizzlies.} At any rate, all available data does indicate that grizzly bear numbers are low, perhaps still declining, and that the grizzly bear is ^{now} a Threatened Species in the Yellowstone ecosystem. Grizzly bears are being seen in greater numbers in localized areas of wilderness ^{surrounding Yellowstone Park.} an country. This is not ^{the} result of increased ~~bear~~ grizzly population but reflects the dispersion of grizzlies from

several trappers

"only four grizzlies and four black bears were captured after having captured traps set for 118 trap nights."

"There was a complete absence of cubs of the year class"

Though this remove them from possible "control" kills in Yellowstone National Park it also exposes them to increased mortality from poaching and other illegal killing.

concentration ^{site} ~~areas~~ in Yellowstone National Park to outlying areas where they are finding sources of fall food in the form of gut piles from killed elk. Each year these are ^{attracting and will continue to} ~~attracting~~ more and more grizzlies. # On a basis of my knowledge of the

grizzly bear in the Yellowstone ecosystem I ^{believe} ~~feel~~ that this

entire area of 5 million acres should be considered as

^{However poor Park Service management, not habitat, is the critical} ~~critical~~ ^{crucial} ~~habitat~~ ^{issue.} I feel very ~~strongly~~ strongly that all of

Yellowstone National Park with the exception of developed

areas should be included in the ^{a critical habitat} ~~critical habitat~~ category.

The surrounding wilderness areas now ^{recovering} ~~being~~ ^{use} ~~used~~ more by the

grizzly ~~more~~ than in the past should also be included for the

time being. Under the Wilderness Act it is stated that a

wilderness area is to be protected and managed so as to preserve

its natural conditions. In ~~xxx~~ other words, if the grizzlies

are threatened, both they and their habitat should be managed

in a way to give priority to the preservation of the grizzly

bear. ^{This could conceivably be done by the Forest Service working with the} ~~In~~ view of the fact that wilderness areas are already

set aside for the protection of wildlife and their habitat I

believe that it would be well ^{if} ~~to consider~~ that all wilderness recently

areas ~~now~~ occupied by grizzly bears ~~should~~ be considered

as critical habitat, and that other ^{non-wilderness} ~~areas~~ where grizzlies ^{exist or} ~~are~~

^{recently existing} ~~found~~ should be considered for further study. # I have given

you my ^{considered} ~~stated~~ opinion as a bear biologist. I would like to

conclude with a ^{word of concern.} ~~warning.~~ Section 7 of the Endangered Species

Act can conceivably give an ever-growing powerful bureaucracy

still more control and regulation over the lives and activities

of ^{our} ~~the~~ citizens. Both the ^{plight} ~~well-being~~ of the grizzly and the welfare

of our citizens are going to ~~be~~ have to be given careful

scrutiny and consideration in interpreting and carrying out the

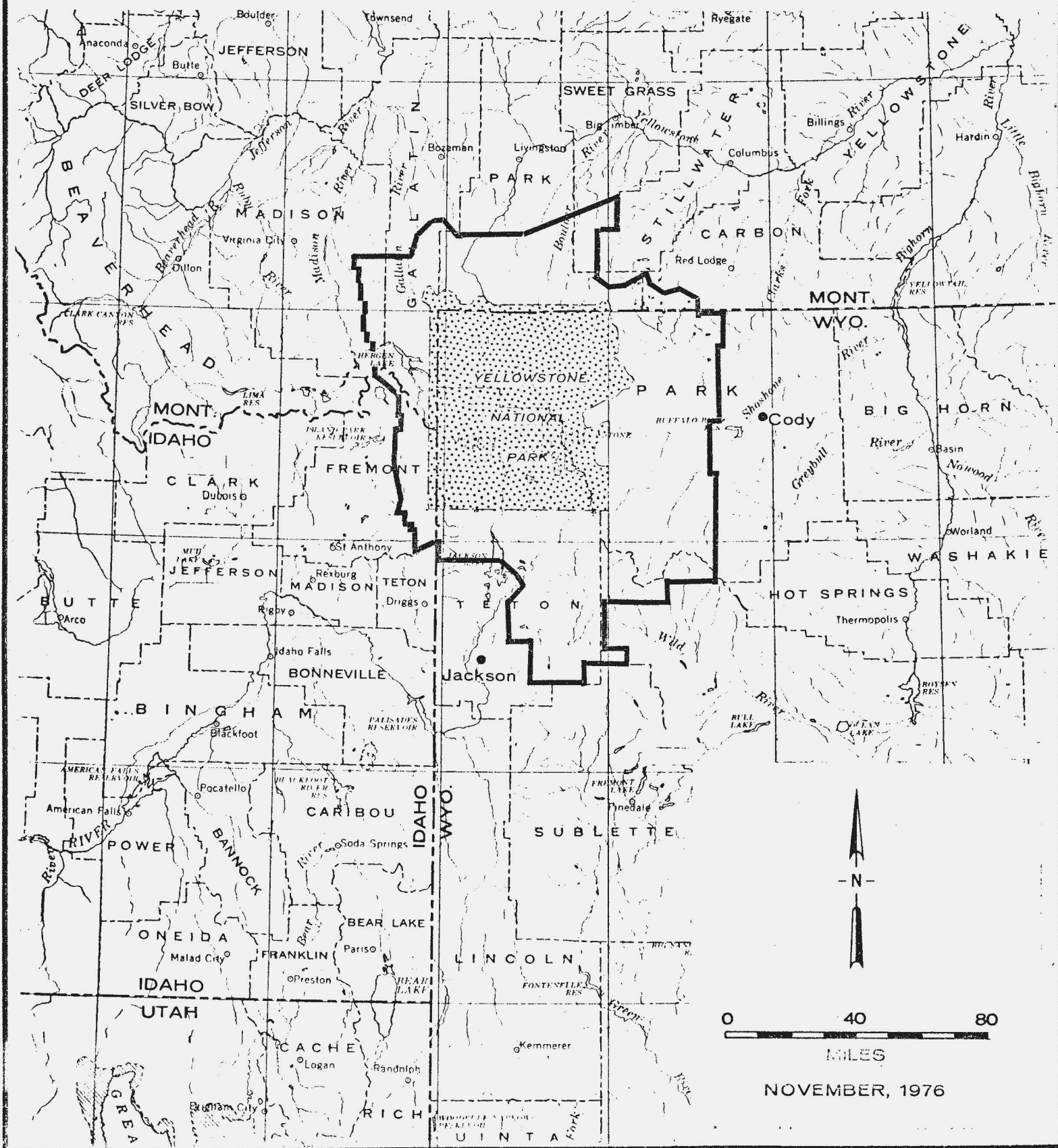
wilderness

State Game and Fish
Commission

authority that apparently is invested in Section 7 of this
Act.

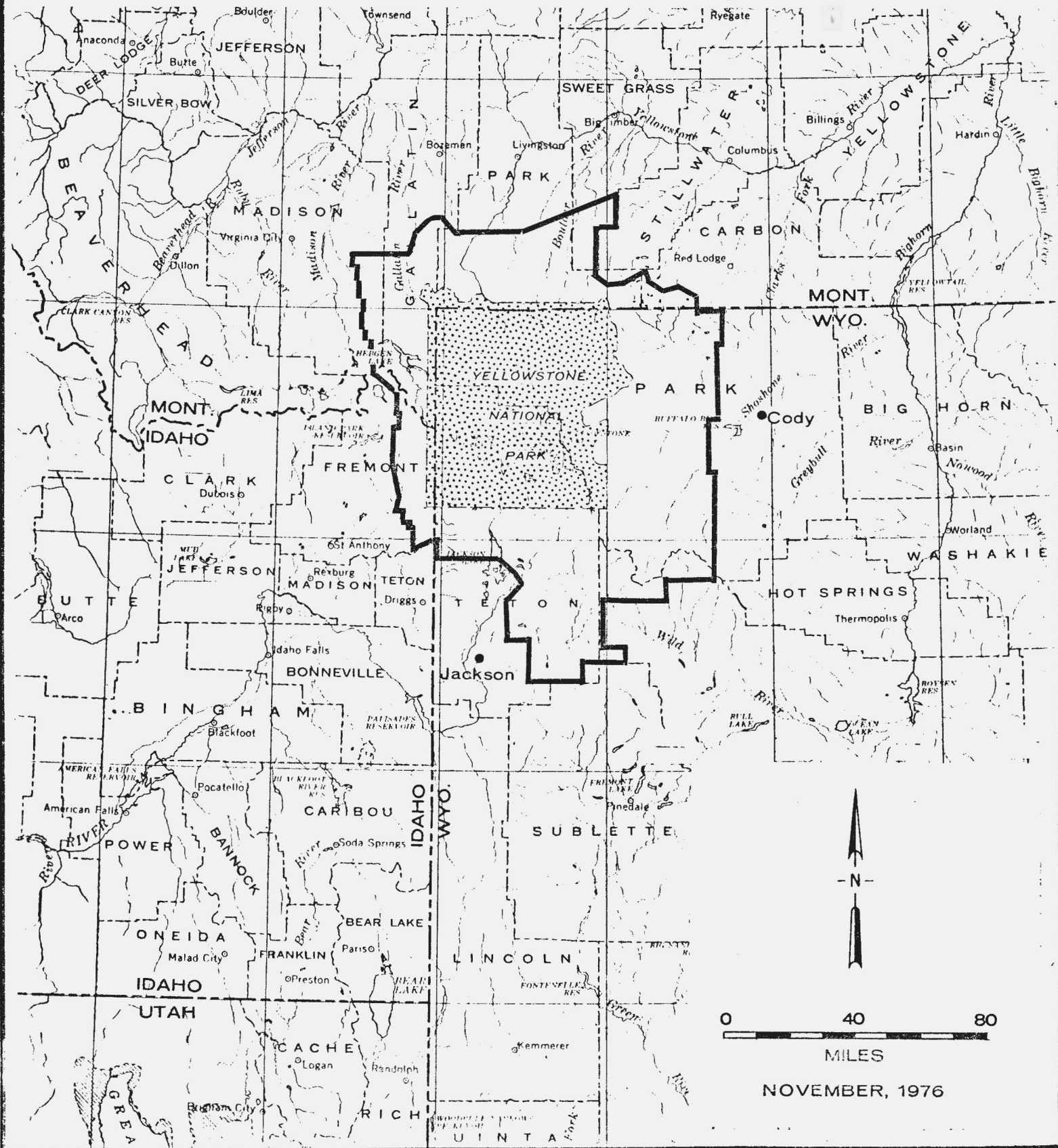
*It is going to take understanding, wisdom and
tolerance.*

UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
GRIZZLY BEAR CRITICAL HABITAT PROPOSAL
(YELLOWSTONE ECOSYSTEM)

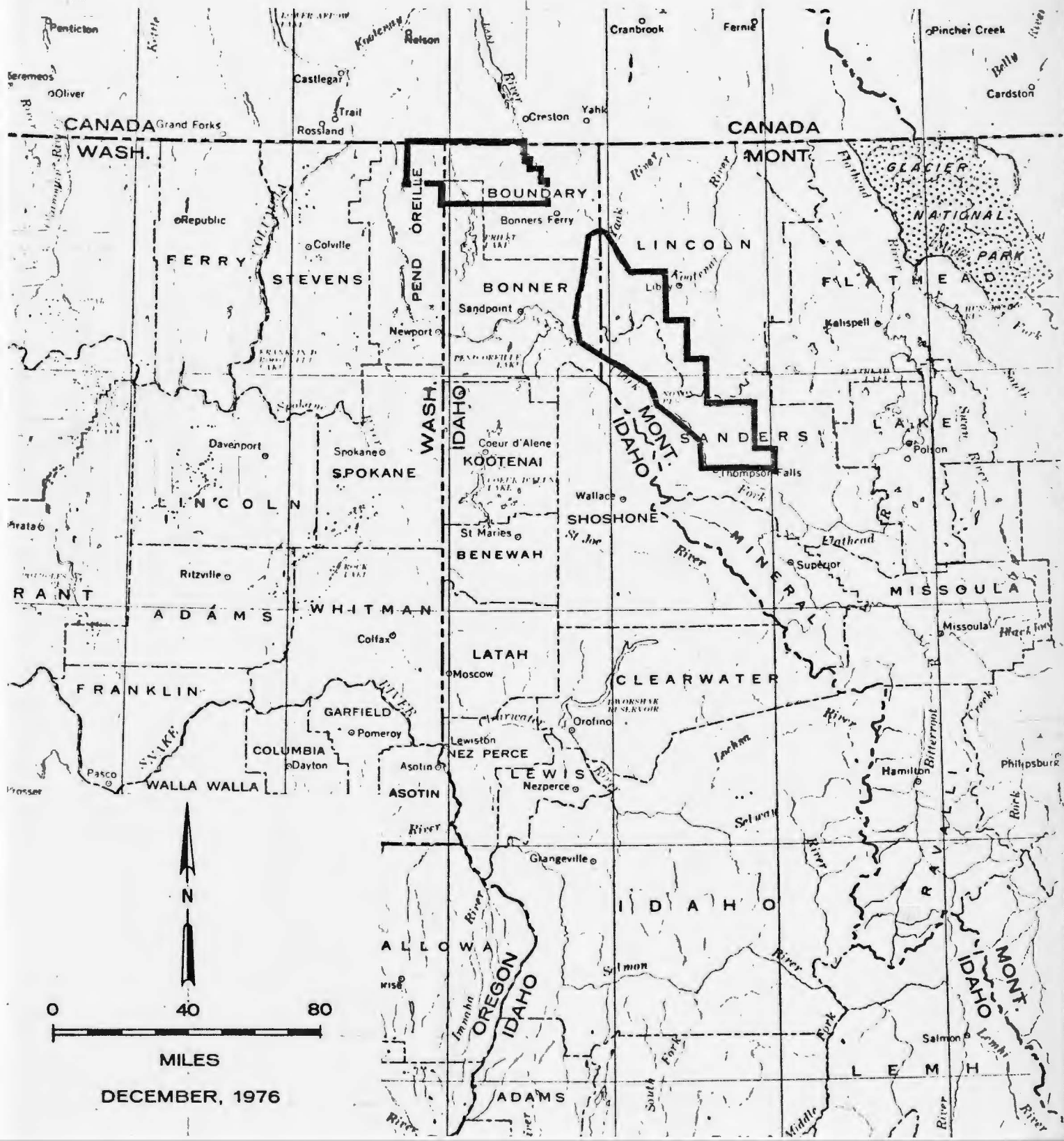


UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

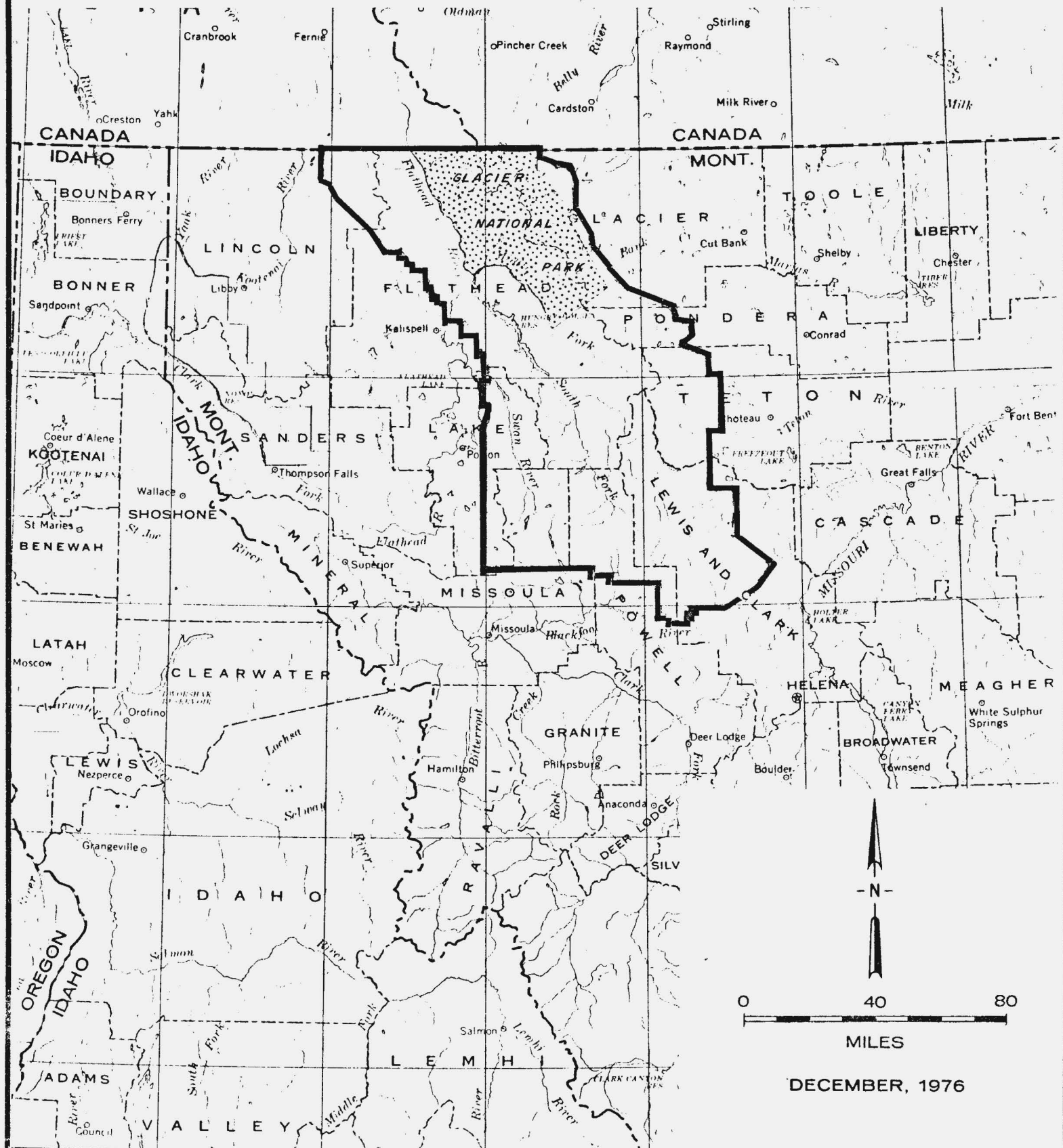
GRIZZLY BEAR CRITICAL HABITAT PROPOSAL (YELLOWSTONE ECOSYSTEM)



UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
GRIZZLY BEAR CRITICAL HABITAT PROPOSAL
(CABINET MOUNTAINS AREA)

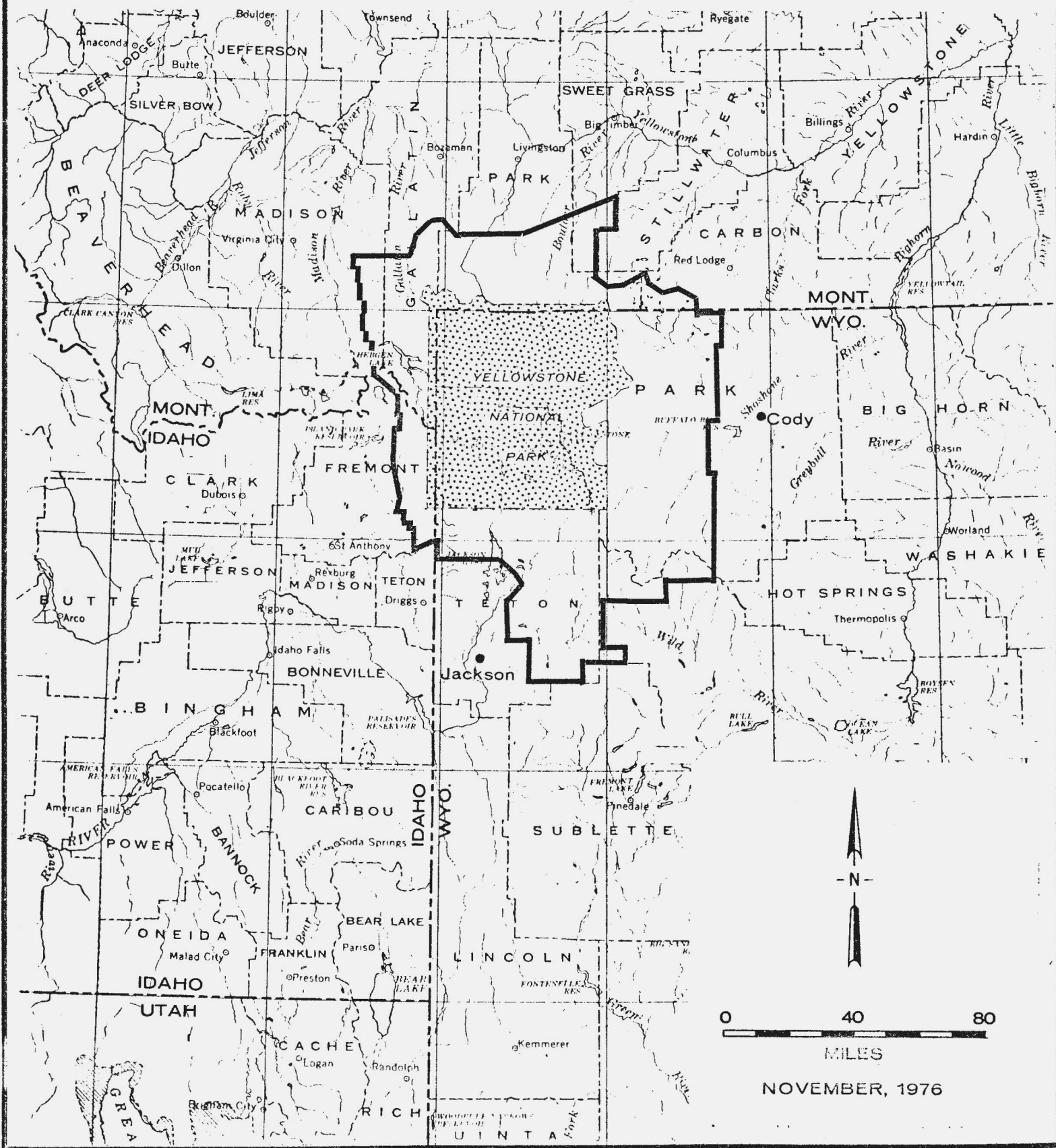


UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
GRIZZLY BEAR CRITICAL HABITAT PROPOSAL
(BOB MARSHALL ECOSYSTEM)



GRIZZLY BEAR CRITICAL HABITAT PROPOSAL

(YELLOWSTONE ECOSYSTEM)



issued a final rulemaking determining the Grizzly Bear in the 48 conterminous States of the United States to be a Threatened species, pursuant to the Act. This rulemaking stated that one of the major reasons for the Threatened status of this bear was the following factor given in Section 4(a) of the Act: "the present or threatened destruction, modification, or curtailment of its habitat or range."

Shortly after the Grizzly Bear in the 48 conterminous States was listed as Threatened, the Service began to assemble data that could be utilized as the basis for a proposed determination of Critical Habitat. On April 21-22, 1976, a major meeting on this subject was held in Missoula, Montana. Approximately 50 persons attended this meeting, including representatives of the Fish and Wildlife Service, National Park Service, Bureau of Land Management, Forest Service, private conservation organizations, universities, and the Idaho, Montana, and Washington Fish and Game Departments.

On the basis of the information presented at the meeting, and obtained from other sources, the Service is proposing that the areas delineated below be determined as Critical Habitat. These areas are described below State by State, but they actually merge to form four zones which are located in (1) the region where Wyoming, Montana, and Idaho come together, in Yellowstone National Park and adjacent areas, including parts of Custer, Shoshone, Teton, Beaverhead, and Gallatin National forests, and part of Grand Teton National Park; (2) northwestern Montana, in Glacier National Park, the Bob Marshall Wilderness Area, most of the Flathead National Forest, and adjacent areas, including parts of the Lewis and Clark, Helena, and Lolo National forests, and small parts of the Blackfoot and Flathead Indian reservations; (3) extreme northwestern Montana and northern Idaho, in the Cabinet Mountains, mostly in the Kootenai, Kaniksu, and Lolo National Forests; and (4) extreme northern Idaho and northeastern Washington, mostly in the Kaniksu National Forest.

These areas coincide approximately with the present regular distribution of the Grizzly Bear in the 48 conterminous States, and are the only remnants of the original range of the species which once covered a region approximately 50 times as great, from Canada to Mexico, and from the Great Plains to the Pacific. These areas contain the only significant Grizzly population south of Canada, and, insofar as is known, provide all biological, physical, and behavioral requirements of those populations. Among the important characteristics of these areas is their relative inaccessibility and lack of the kinds of human developments and activities that tend to result in conflicts between the bears and man. This degree of isolation and freedom from excessive human presence seems critical to the survival of the Grizzly. It is true that there are many natural or man-made sites scattered over these areas

that are seldom or never utilized by the Grizzly Bear. It would not be possible, however, to attempt to identify all of these sites and exclude them from the overall designation.

It is emphasized that the areas delineated below may not necessarily include all of the potential Critical Habitat of the Grizzly Bear in the 48 conterminous States, and modifications may be proposed in the near future. At the present, the Service and other governmental agencies are studying particular areas which have the potential of being determined as Critical Habitat for the Grizzly. These areas include:

(1) A block of the Kootenai National Forest at the extreme northwestern corner of Montana;

(2) Several relatively small segments of land adjoining or near the presently proposed Critical Habitat in northwestern Montana, including portions of the Blackfoot and Flathead Indian reservations, and portions of the Helena and Lolo National forests;

(3) A section of land along the Continental Divide in west-central Montana, at the junction of the Deerlodge, Bitterroot, and Beaverhead National forests;

(4) Several relatively small segments of land adjacent to the presently proposed Critical Habitat in the Yellowstone region, including portions of the Gallatin, Custer, and Shoshone National forests;

(5) A section of land in the Bridger and Shoshone National forests to the west of the Wind River Indian Reservation; and

(6) Parts of the Selway-Bitterroot area in east-central Idaho and western Montana.

EFFECTS OF THE RULEMAKING

The effects of this determination are involved primarily with Section 7 of the Act, which states:

The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act. All other Federal departments and agencies shall, in consultation with and with the assistance of the Secretary, utilize their authorities in furtherance of the purposes of this Act by carrying out programs for the conservation of endangered species and threatened species listed pursuant to section 4 of this Act and by taking such action necessary to insure that actions authorized, funded, or carried out by them do not jeopardize the continued existence of such endangered species and threatened species or result in the destruction or modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected States, to be critical.

An interpretation of the term Critical Habitat was published by the Fish and Wildlife Service and the National Marine Fisheries Service in the FEDERAL REGISTER of April 22, 1975 (40 FR 17764-17765). Some of the major points of that interpretation are: (1) Critical Habitat could be the entire habitat of a species, or any portion thereof, if any constituent element is necessary to the normal needs or survival of that species; (2) actions by a Federal agency affecting

Fish and Wildlife Service

[50 CFR Part 17]

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Proposed Determination of Critical Habitat for the Grizzly Bear

The Director, United States Fish and Wildlife Service (hereinafter, the Director and the Service, respectively) hereby issues a proposed rulemaking which would determine Critical Habitat for the Grizzly Bear (*Ursus arctos horribilis*) in the 48 conterminous States of the United States. This proposal is issued pursuant to Section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543, 87 Stat. 884; hereinafter the Act).

BACKGROUND

In the FEDERAL REGISTER of July 28, 1975, (40 FR 31734-31736) the Director

Critical Habitat of a species would not conform with Section 7 if such actions might be expected to result in a reduction in the numbers or distribution of that species of sufficient magnitude to place the species in further jeopardy, or restrict the potential and reasonable recovery of that species; and (3) there may be many kinds of actions which can be carried out within the Critical Habitat of a species which would not be expected to adversely affect that species.

This last point has not been well understood by some persons. There has been widespread and erroneous belief that a Critical Habitat designation is something akin to establishment of a wilderness area or wildlife refuge, and automatically closes an area to most human uses. Actually, a Critical Habitat designation applies only to Federal agencies, and is essentially an official notification to Federal agencies that Section 7 of the Act applies to their activities within that area.

A Critical Habitat designation must be based solely on biological factors. There may be questions of whether and how much habitat is critical, in accordance with the above interpretation, or how to best legally delineate this habitat, but any resultant designation must correspond with the best available biological data. It would not be in accordance with the law to involve other motives; for example, to enlarge a critical habitat delineation so as to cover additional habitat under section 7 provisions, or to reduce a delineation so that actions in the omitted area would not be subject to evaluation.

There may indeed be legitimate questions of whether, and to what extent, certain kinds of actions would adversely affect listed species. These questions, however, are not relevant to the biological basis of Critical Habitat delineations. Such questions should, and can more conveniently, be dealt with after Critical Habitat has been designated. In this respect, the Service in cooperation with other Federal agencies has drawn up a set of guidelines which, in part, establish a consultation and assistance process for helping to evaluate the possible effects of actions on Critical Habitat.

PUBLIC COMMENTS SOLICITED

The Director intends that the rules finally adopted be as accurate as possible in delineating the Critical Habitat of the Grizzly Bear. The Director therefore desires to obtain the comments and suggestions of the public, other concerned governmental agencies, the scientific community, or any other interested party on these proposed rules.

Final promulgation of Critical Habitat regulations will take into consideration the comments received by the Director. Such comments and any additional information received may lead the Director to adopt final regulations that differ from this proposal.

NOTICE OF PUBLIC HEARING

The Service is interested in obtaining as wide and comprehensive public par-

ticipation as possible on the delineation of Critical Habitat for the Grizzly Bear. Therefore, the Service hereby announces that public hearings will be held on this proposed rulemaking at the dates and locations set forth below.

Dates, locations, and contact person for public hearings

Date and time	Location	Contact
Nov. 8, 1976, 1 p.m. to 4 p.m., 7 p.m. to 9 p.m.	-----	John Davis, Region 6, U.S. Fish and Wildlife Service, P.O. Box 25466, Denver Federal Center, Denver, Colo. 80225. Phone (303) 234-4600. Do.
Nov. 10, 1976, 1 p.m. to 4 p.m., 7 p.m. to 9 p.m.	-----	Philip A. Lehenbauer, Region 1, U.S. Fish and Wildlife Service, P.O. Box 3737, Portland, Ore. 97208. Phone (503) 421-4041.
Nov. 12, 1976, 1 p.m. to 4 p.m., 7 p.m. to 9 p.m.	-----	Robert Jacobsen, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240. Phone (202) 343-5687.
Nov. 17, 1976, 9 a.m. to 4 p.m.	-----	

SUBMITTAL OF WRITTEN COMMENTS

In addition to oral or written comments presented in person at the public hearings, individuals may forward written comments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, PO Box 19183, Washington, D.C. 20036. All relevant comments received no later than February 9, 1977, will be considered and incorporated into the records of the hearings. The Service will attempt to acknowledge receipt of comments, but substantive responses to individual comments may not be provided. Comments received will be available for public inspection during normal business hours at the Service's Office in Suite 600, 1612 K Street, NW., Washington, D.C.

Dated: November 2, 1976.

LYNN A. GREENWALT,
Director,
Fish and Wildlife Service.

Accordingly, it is hereby proposed to amend 50 CFR Part 17 by determining that the following areas are Critical Habitat for the Grizzly Bear.

1. Amend Subpart F, 50 CFR Part 17, by adding the following new § 17.60b

Subpart F—Critical Habitat

Sec.

17.60b Grizzly Bear

Subpart F—Critical Habitat

§ 17.60b Grizzly Bear.

The following areas (exclusive of those man-made structures or settlements which are not necessary to the normal needs or survival of the species) are Critical Habitat for the Grizzly Bear (*Ursus arctos horribilis*) in the 48 conterminous States of the United States.

Montana. (i) An area of land, water, and airspace, with the following boundary (Principal Meridian): Beginning at the northeastern corner of Glacier National Park; then southerly along the eastern boundary of said park to State Highway 17; thence southeasterly along State Highway 17, U.S. Highway 89, and State Highway 49 to the town of East Glacier Park; thence southeasterly along the secondary road through Heart Butte and Bynum Reservoir to the east line of R7W; thence southerly along the east line of R7W to the south line of T24N;

Views and opinions of any person, presented either orally or in writing, are hereby solicited on this proposal. If there are questions concerning these public hearings, the appropriate person listed below under "contact" should be consulted.

thence westerly along the south line of T24N; to the west line of R7W; thence southerly along the west line of R7W to the south line of T21N; thence easterly along the south line of T21N to the east line of R7W; thence southerly along the east line of R7W to State Highway 434; thence southerly along State Highway 434 to State Highway 20; thence southerly along State Highway 20 to the south line of T15N; thence westerly along the south line of T15N to the boundary of the Helena National Forest; thence westerly along said boundary to the boundary of the Lolo National Forest; thence northwesterly along the south boundary of the Lolo National Forest to the south line of T17N; thence westerly along the south line of T17N to 114° W longitude; thence northerly along 114° W longitude to the north line of T22N; thence easterly along the north line of T22N to the western boundary of the Flathead National Forest; thence northerly along said boundary to the west line of R18W; thence northerly along the west line of R18W to the boundary of the Flathead National Forest; thence northwesterly along said boundary to the 8th Standard Parallel; thence westerly along said parallel to U.S. Highway 93; thence northwesterly along U.S. Highway 93 to the U.S.-Canada border; thence easterly along said border to the point of beginning.

(ii) An area of land, water, and airspace, with the following boundary (Principal Meridian): Beginning at the point where the Great Northern Railroad line intersects the Montana-Idaho border near the town of Yakt; thence easterly along said railroad line to the west line of R31W; thence southerly along the west line of R31W to the south line of T29N; thence easterly along the south line of T29N to the west line of R30W; thence southerly along the west line of R30W to the south line of T27N; thence easterly along the south line of T27N to the west line of R29W; then southerly along the west line of R29W to the south line of T25N; thence easterly along the south line of T25N to the west line of R27W; thence southerly along the west line of R27W to the north line of T22N; thence southeasterly along the boundary of the Lolo National Forest to the south line of T22N; thence westerly along the south line of T22N to the western boundary of the Lolo National Forest; thence northwesterly along said boundary to State Highway 200; thence northwesterly along State Highway 200 to the Montana-Idaho border; thence northerly along said border to the point of beginning.

(iii) An area of land, water, and airspace, with the following boundary (Principal Meridian): Beginning at the point common to the borders of Montana, Wyoming, and Idaho; thence northwesterly along the Montana-Idaho border to the western boundary

of the Gallatin National Forest; thence northerly along said boundary to the western boundary of the Beaverhead National Forest; thence northerly along the western boundary of the Beaverhead National Forest to the north line of T7S; thence easterly along the north line of T7S to U.S. Highway 191; thence northeasterly along U.S. Highway 191 to Swan Creek; thence easterly along Swan Creek to the headwaters of Swan Creek; thence southeasterly in a straight line to the southeast corner of T5S R6E; thence easterly in a straight line to Arrow Peak; thence northeasterly in a straight line to the northwest corner of T4S R15E; thence southerly along the Stillwater-Sweet Grass county line to the boundary between Gallatin and Custer National Forests; thence southeasterly along said Forest boundary to the Montana-Wyoming border; thence westerly and southerly along said border to the point of beginning.

Wyoming. An area of land, water, and airspace with the following boundary (6th Principal Meridian): Beginning at the northwestern corner of Wyoming; thence easterly along the Wyoming-Montana border to the eastern boundary of the Shoshone National Forest; thence southerly along said boundary to the point where said boundary intersects the 13th Guide Meridian in Sec. 36, T50N R105W; thence southerly along the 13th Guide Meridian to the 11th Standard Parallel North; thence westerly along said parallel to the west line of R106W; thence southerly along the west line of R106W to the south line of T44N; thence westerly along the south line of T44N to the west line of

R109W; thence southerly along the west line of R109W to the north line of T41N; thence easterly along the north line of T41N to the east line of R109W; thence southerly along the east line of R109W to the south line of T41N; thence westerly along the south line of T41N to the east line of R111W; thence southerly along the east line of R111W to the south line of T40N; thence westerly along the south line of T40N to the west line of R113W; thence northerly along the west line of R113W to the northwest corner of T40N R113W; thence northwesterly in a straight line to the southwest corner of T43N R114W; thence northerly along the west line of R114W to U.S. Highway 89; thence northerly along U.S. Highway 89 to the south line of T46N; thence westerly along the south line of T46N to the Wyoming-Idaho border; thence northerly along said border to the point of beginning.

Idaho. (1) An area of land, water and airspace, with the following boundary (Boise Meridian): Beginning at the point where State Highway 287 crosses the Idaho-Montana border; thence easterly along said border to the Idaho-Wyoming border; thence southerly along the Idaho-Wyoming border to Blitch Creek; thence westerly along said creek to the boundary of the Targhee National Forest; thence northwesterly along said boundary to the Union Pacific Railroad line; thence northerly along said line to State Highway 84; thence westerly along State Highway 84 to U.S. Highway 191; thence northerly along U.S. Highway 191 to State Highway 287; thence northwesterly along State Highway 287 to the point of beginning.

(11) An area of land, water and airspace with the following boundary (Boise Meridian): Beginning at the point where the western boundary of the Kootenai National Forest intersects the Great Northern Railroad line in T61N R3E; thence easterly along said railroad line to the Idaho-Montana border; thence southerly along said border to the western boundary of the Kootenai National Forest; thence northerly along said boundary to the point of beginning.

(111) An area of land, water, and airspace with the following boundary (Boise Meridian): Beginning at the point where the Idaho-Washington border intersects the U.S.-Canada border; thence easterly along the U.S.-Canada border to the eastern boundary of the Kaniksu National Forest in T65N R2W; thence southerly along said boundary to the south line of T63N; thence westerly along the south line of T63N to the Idaho-Washington border; thence northerly along said border to the point of beginning.

Washington. An area of land, water, and airspace with the following boundary (Willamette Meridian): beginning at the point where the west line of R44E intersects the U.S.-Canada border; thence easterly along said border to the Washington-Idaho border; thence southerly along the Washington-Idaho border to the south line of T39N; thence westerly along the south line of T39N to the west line of R44E; thence northerly along the west line of R44E to the point of beginning.

[FR Doc.76-32607 Filed 11-4-76;8:45 am]

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Proposed Determination of Critical Habitat for the Grizzly Bear; Corrections

In the FEDERAL REGISTER of November 5, 1976 (41 FR 48757-48759) on page 48758, in the table appearing in the second and third columns, the following changes should be made.

Dates, locations, and contact person for public hearings

Date and time	Location	Contact
Oct. 8, 1976, 1 p.m. to 7 p.m. to 9 p.m.	Cody, Wyo., Municipal Auditorium	John Davis, Region 6, U.S. FWS, P.O. Box 25456, Denver Federal Center, Denver, Colo. 80225. Phone: 303-234-4500.
Oct. 10, 1976, 1 p.m. to 7 p.m. to 9 p.m.	Missoula, Mont., University Center Ballroom, University of Montana.	Do.
Oct. 14, 1976, 1 p.m. to 7 p.m. to 9 p.m.	St. Anthony, Idaho, South Fremont High School Auditorium.	Philip A. Lebenbauer, Region 1, U.S. FWS, P.O. Box 2737, Portland, Ore. 97208. Phone: 503-429-4001.
Oct. 17, 1976, 9 a.m. to 1 p.m.	Washington, D.C., Department of the Interior, South Auditorium.	Robert Jacobson, Office of Endangered Species, U.S. FWS, Washington, D.C. 20240. Phone: 202-543-5087.

Dated: November 5, 1976.

GEORGE W. MILLAS,
Acting Director,
Fish and Wildlife Service.

[FR Doc.76-33068 Filed 11-10-76;8:45 am]

Testimony 10 December 1976 by

JOHN J. CRAIGHEAD, Ph.D., Wildlife Biologist,
USDI Fish & Wildlife Service;
Professor of Zoology and Forestry,
University of Montana

Critical Grizzly Bear Habitat Hearing

The Wilderness Act of 1964 declares that it is the policy of Congress to secure an enduring resource of wilderness and to preserve its wilderness character. This act gave protection to vast areas of grizzly bear habitat providing the security, space and isolation so essential for this wilderness species that can survive only under wilderness conditions. Thus, all wilderness now occupied or formerly occupied by grizzly bears is critical or essential habitat to the great bear and has been so decreed by Congress. Preservation of the wilderness can be equated with preservation of the grizzlies' environment. They are synonymous. Wilderness has already been tacitly if not specifically defined by Congress as critical habitat - habitat, that except under special provisions of the Wilderness Act, cannot be modified, altered or destroyed? Critical habitat has been described in the federal guidelines in terms of the vital needs of the species. It has not yet been scientifically defined for the grizzly; yet it is obvious that land, that for centuries has supported and still is supporting grizzly bears, must be habitat that meets all of their biological requirements even though we cannot yet scientifically describe all the ecological ramifications of the habitat. In time this can be done. We have made rapid progress using radiotracking, remote sensing technology and computer analysis. We have described and mapped major vegetation complexes and habitat types important to

grizzly bears, delineated bear use areas, activity centers and travel patterns. We ^{KNOW} ~~have~~ their denning needs, ^{food habits} space requirements and have acquired a large fund of information on behavior, reproductive biology and population dynamics. It all tells us that the grizzly needs isolation and space and that its habitat cannot be partitioned or segmented.

The Endangered Species Act of 1973, as you all know, prohibits federal agencies from jeopardizing a threatened or endangered species by disturbing or destroying critical habitat. This is a curb on federal authorized and funded actions carried out by federal agencies on the public domain. It does not dictate management practices to the states or to the federal land management agencies. But the potential to do so indirectly is there. But, how relevant or applicable is the Endangered Species Act and the federal ^{critical habitat} rule-making to wilderness, which by law is already protected from destructive federal actions except under very special provisions? I suggest that in de-
~~limiting~~ ^{lineating} critical habitat, we must logically classify as critical all land in wilderness status that currently supports viable grizzly bear populations. This is habitat essential to the bear, it was essential or critical when the Wilderness Act was passed and it is even more critical now. All such wilderness should be designated as critical habitat. Also, wilderness no longer supporting viable grizzly bear populations, yet having

the habitat potential to do so, is critical.

The most severe habitat problems associated with the grizzly bear are occurring in occupied habitat not classified as wilderness; and, therefore, subject to land-use conflicts and land-use modifications. Some land in this category has been defined as critical habitat by the Endangered Species Section of the U.S. Fish and Wildlife Service. It is extremely important that before any final delineation of these non-wilderness areas is made, that they be intensively studied economically as well as ecologically; then the present tentative critical habitat boundaries² modified on the basis of such studies. This seems to be the intent of Section 7 of the Act. But there appears to be widespread misunderstanding on this point. Many individuals, groups and agencies believe the broad critical habitat delineation made by the U.S. Fish and Wildlife Service may be final. It would be helpful to minimize these fears and to allay the jurisdictional concerns and conflicts both real and imagined. To accomplish this during the period of study and of final evaluation and delineation of critical habitat within the 13 million acre Fish and Wildlife Service proposal, I suggest:

- 1) Immediate or "instant" designation of all occupied wilderness or potential wilderness habitat (formerly occupied by grizzlies) as critical habitat. This can be accomplished through an administrative directive.

2) Designate as study areas all non-wilderness delineated as critical in the Fish and Wildlife Service's initial proposal of 13 million acres. Land areas falling in this category could be sub-divided as de-facto wilderness and as intensive land-use areas, and these yet further sub-divided by habitat and land-use or by the extent of present modification or destruction of habitat. These non-wilderness land units would then be added to the "instant" critical habitat only when further study clearly showed that such areas were essential grizzly bear habitat. Decisions for some areas could be rapid, others will require more time.

I would further suggest one exception to this general procedure. I think it is now possible to accurately define and delineate on a map, critical habitat for the Yellowstone Ecosystem, drawing boundaries to encompass both wilderness and non-wilderness land units. This is the only grizzly bear habitat that to date has been precisely defined by solid quantitative population, movement and habitat data. It took 16 years to delineate this with modern scientific methods. No doubt it can be further perfected with additional data but for the present, we should use what we have. To do so would lend credibility to the Fish and Wildlife Service's public assurance^A that the present proposed boundaries for critical habitat will be modified

INSERT
A

INSE 14

This was accomplished between 1959 and 1974 utilizing death records, sightings and movements of 287 marked or recognizable grizzly bears, ~~and~~ ²³ individual ^{natural} movements, 144 and 199 induced and conveyance movements were recorded. Hundreds of radio locations or fixes and thousands of man days of radio-tracking showed the movement patterns, travel corridors, home and ~~sectional~~ ^{dispersal} ranges, activity centers and dispersal patterns. 267 death records were plotted on habitat maps; 97 of these were of marked animals. Evaluation of these data and the habitat provided the scientific basis for delineating the critical habitat of the Yellowstone ecosystem.

as scientific evidence becomes available. In the Yellowstone area it is already available.

The boundaries can be described as follows: Starting from the SW corner of the boundary west of the Targhee National Forest at Grain elevator, Idaho, NW to a point SW of Island Park; then North to the most westerly extension of Hebgen Lake near Rock Creek; then NE to a point at Beaver Creek, Montana, west of highway 191; NE across highway 191 to a point at the intersection of Park and Sweet Grass counties just NE of Fourmile Guard Station then preceding SE across the Custer National Forest to a point by the Beartooth Plateau north of Lonesome Mountain; the SE to the most eastern point south of Dead Indian Creek, and North of Trout Peak, Wyoming; then South to a point at East Fork Creek east of Shoshone Plateau in the Teton National Forest; preceding SW to a point near Continental Divide at Bliss Creek; West to a point at the east end of Jackson Lake near Jackson Lake Dam in Grand Teton National Forest, the west to point of origin at Grain elevator. This is approximately 5 million acres. The three million acres of Yellowstone Park must be considered especially critical since it serves as a population center for the entire ecosystem which includes both wilderness and de-facto wilderness.

I have briefly expressed some thoughts on the subject of grizzly bear habitat. Delineation of habitat as critical, places restrictions on the agencies managing the habitat and indirectly on state agencies managing the species. It may place restrictions on the private sector as well. This has created some highly emotional reactions. It is a complex biological, social, and jurisdictional problem. It won't be solved by emotionalism; but, it can be solved by application of our present knowledge, jurisdictional restraint, ^{additional} ~~basic~~ research and public understanding *and a primary commitment to the survival of the bear.*

cisely defined by solid quantitative population, movement and habitat data.

We should not let overemphasis on habitat act as a smoke screen to obscure the real problem which is management of bear populations. The grizzly bear has a low reproductive rate; and, therefore, high man-caused mortalities can threaten a population. This has recently occurred in both the Yellowstone and Selway Bitterroot ecosystems. It is my recommendation that the grizzly bear be kept on the threatened list until state and federal biologists have adequate solid scientific evidence that the Yellowstone and the Northwest Montana populations are on the increase. They don't have such evidence now. A sustained yield kill is not scientific evidence. Unfortunately, research by the managing agencies has lagged. It has been piecemeal and ^{the} ~~then~~ data ~~does~~ not support taking the grizzly off the threatened list. This is a premature conclusion that has been advocated. The population of grizzly bears in Northwest Montana could be declining, yet neither present knowledge nor current research methods would alert us to the danger until the bear populations are in real trouble.

Now let ~~me~~ ^{us} briefly summarize why the grizzly bear must remain on the threatened species list and why we must assure it adequate wilderness habitat and more objective research.

First, the population status of the grizzly bear in the Yellowstone ecosystem is either still declining or unknown.

Second, the bears status in the Bob Marshall ecosystem extending from Scapegoat to the Canadian border is also unknown. In the Selway Bitterroot ecosystem a viable population no longer exists.

Third, the grizzly bear is vulnerable due to its aggressive nature, which frequently puts it in conflict with man and with his livestock. The grizzly is easily attracted to bait, making the great bear highly vulnerable to illegal hunting or to control measures. Illegal kills are very difficult to confirm and document. Only a portion of these are annually recorded using present methods. Thus, annual man-caused mortality is generally higher than recorded, making accurate population estimates based entirely on kill records, highly questionable.

Fourth, the recovery potential of a grizzly bear population is low because of the bears low reproductive rate, the vulnerability of the bear to man and the lack of known biological compensating mechanisms to offset these factors. Grizzly bear populations don't readily make a comeback.

Fifth, being very large animals, that are omnivorous as well as carnivorous, they have high energy requirements.

They roam over vast terrain, sometimes as much as 500 to 1000 square miles in seeking food. They need wilderness ecosystems to survive and thus threats to our large wilderness ecosystems are threats to the bear. You can't segment the habitat.