

2020 Amended Biological Assessment  
to the 2012 Forest Plan Supplemental Biological Assessment  
on the Effects of Livestock Grazing in the Yellowstone Analysis Area  
of the Beaverhead-Deerlodge National Forest  
on the Threatened Grizzly Bear (*Ursus arctos horribilis*)

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## Introduction and Consultation History

This amended biological assessment documents the evaluation of effects of permitted livestock grazing and associated activities on the Threatened Grizzly Bear within livestock grazing allotments in the Yellowstone Analysis Area of the Beaverhead-Deerlodge National Forest (BDNF).

The need for an amendment and reinitiation of formal consultation is the result of the BDNF exceeding its incidental take for livestock related management removal of grizzly bears in the Yellowstone Analysis Area during the season of 2019.

That incidental take was determined in a 2010 Biological Opinion (File: M19 Beaverhead-Deerlodge National Forest October 4, 2010 (Revised Forest Plan)).

Consultation history for the revised forest plan began in 2008. The Forest Service initiated formal consultation on the effects of the Revised Forest Plan in 2008 during a time when the Yellowstone Grizzly Bear DPS was delisted. A revised biological assessment on the effects of the proposed action on grizzly bears when relisted was submitted in 2010 and applied to the Yellowstone Distinct Population Segment (DPS) portion of the BDNF. At the time, this is where grizzly bears were known to be present. The Yellowstone DPS portion of the BDNF encompasses the Madison, Gravelly and Tobacco Root landscapes in their entirety and the Highland Mountains. All areas are south and east of interstate highways 90 and 15. The take statement for grizzly bears at that time was anticipated at no more than 2 for the life of the Revised Forest Plan (considered 10-15 years) related to permitted grazing or associated activities authorized under the Revised Forest Plan that are reasonably believed to have contributed to the injury or death of a grizzly bear.

A Supplemental Biological Assessment was completed in 2012 to explain and document grizzly bear presence on the north end of the Forest, outside of the Yellowstone DPS. These grizzly bears were associated with the Northern Continental Divide Ecosystem (NCDE). A new analysis area was considered in this 2012 supplement titled the West and North Analysis Area (WNAA). The Yellowstone Analysis area stayed the same as in the 2010 biological assessment, the incidental take statement also remained the same and these items were incorporated by reference. A Biological Opinion was received in 2013 (06E11000-2012-F-0352 Revised Forest Plan).

This 2020 amendment amends the analysis on effects to grizzly bears from livestock management and associated activities in the Yellowstone Analysis Area. This 2020 biological assessment supersedes the previous BA's for this analysis area (original 2008, revised 2010 and supplemental 2012) prepared for the effects from livestock grazing in the Yellowstone Analysis area and will be used to tier to for future BA's prepared for livestock grazing.

As provided in 50 CFR 402.16, reinitiation of formal consultation is required where discretionary federal agency involvement or control over the action has been maintained (or is authorized by law) and if: (1) the amount or extent of incidental is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending reinitiation.

## Description of the Proposed Action

### Action Area

The Yellowstone action area is the Yellowstone Grizzly Bear Distinct Population Segment (DPS) area, bounded by I-15 on the west, northwards to its junction with I-90. Interstate 90 forms the northern boundary of the Yellowstone grizzly bear DPS (Figure 1). The four Forest Service land areas within the DPS are the Gravelly Landscape (474,610 acres), the Madison Landscape (127,132 acres), the Tobacco Root Landscape (187,523 acres) and the Highland Mountains (108,261 acres). National Forest System lands within the DPS total 897,526 acres, or approximately 27 percent of the BDNF. The Madison Landscape includes portions of the Taylor-Hillgard unit of the Lee Metcalf Wilderness. The Taylor-Hillgard unit is included in the Grizzly Bear Recovery Zone (USFWS 1993).

A substantial portion of the action area occurs within habitat biologically suitable for grizzly bears identified by the U.S. Fish and Wildlife Service, a very similar area identified as the Demographic Monitoring Area (DMA), with minor boundary modifications (Figure 1).

### Continued Livestock Grazing

The proposed action specifies the permitting of livestock grazing on the Forest contingent on the continued implementation of measures that provide for protection and conservation of the grizzly bear.

There are no significant changes to the allotments analyzed in the proposed action from the 2010 or the 2012 Biological Assessment (BA). The most notable change is clarification of range management activities that are critical and required to manage livestock in these allotments such as salting and infrastructure maintenance (fences, corrals, rider cabins/buildings, water developments etc.).

### General Description of Beaverhead-Deerlodge National Forest Grazing Allotments – Yellowstone AA

There are 64 active livestock grazing allotments in the Yellowstone Action area (Table 1). Of the total, 8 of these allotments have domestic sheep grazing (7 sheep/horse and 1 cattle/sheep/horse). Sheep grazing on these allotments generally occurs from July to October. Grazing in cattle/horse allotments occurs generally from June to October annually. It appears that rangelands in most allotments have stable to upward vegetation trends.

*Table 1: Number of Allotments and Type of Livestock within the Yellowstone Action Area 2020*

| <b>Livestock Type</b> | <b>Total Number of Allotments</b> | <b>Number in DMA*</b> | <b>Number in Recovery Zone</b> |
|-----------------------|-----------------------------------|-----------------------|--------------------------------|
| Bison                 | 1                                 | 0                     | 0                              |
| Cattle/Horse          | 51                                | 27                    | 3                              |
| Cattle/Sheep/Horse    | 1                                 | 1                     | 0                              |
| Sheep/Horse           | 7                                 | 5                     | 0                              |
| Vacant                | 4                                 | 1                     | 0                              |
| <b>Totals</b>         | <b>64</b>                         | <b>34</b>             | <b>3</b>                       |

\*DMA Demographic Monitoring Area

## Required Grizzly Bear Conservation Measures

The following conservation measures and recommendations relative to livestock grazing are designed to minimize grizzly bear/livestock and grizzly bear/human conflicts, reducing the overall incidence of adverse effects on grizzly bear. Conservation measures from the 2010 BA (included in the 2012 BA as an appendix) that are still appropriate and effective were brought forward into this BA along with the inclusion of additional measures that have been ongoing in the action area but not previously stated.

1. All livestock depredation is reported to USDA Wildlife Services, MT Fish Wildlife and Parks Bear Management and the Forest Service.
2. Livestock depredations will be investigated and managed by Montana Fish Wildlife and Parks or its authorized agent (USDA Wildlife Services, see explanation below) following Interagency Nuisance Bear Guidelines (U.S. Fish and Wildlife Service et al. 1986, pp. 51-70).
3. Forest-wide Food Storage Order is required for all operations.
4. All dead livestock deemed to be a human health or safety hazard following distances in the Forest-wide Food Storage Order will be moved when the area is deemed safe for entry. When it is not reasonable or necessary to move dead livestock, permittees will promptly report carcass locations to the Forest Service and the Forest Service will work with the permittee to jointly determine the appropriate action.
5. Herders and riders will continue to watch livestock closely for sick, injured or stray animals.
6. The Forest Service will continue to provide information to livestock grazing permittees and their employees about conservation of grizzly bears, the potential occurrence of grizzly bears on grazing allotments, the risks of working in bear country, the need for heightened awareness of bears, appropriate personal safety measures, and proper behavior in bear country
7. Permittees and the Forest Service will continue to work in cooperation with Montana Fish Wildlife and Parks, USDA Wildlife Services and the Interagency Grizzly Bear Study Team to identify and collect information related to the habitat use, survival, reproduction, and depredation tendencies of grizzly bears inhabiting livestock grazing allotments in the action area.
8. Permittees and the Forest Service will continue to identify and implement opportunities that reduce the potential for grizzly bear conflicts. Permittees may be provided opportunity to change/move pastures to avoid conflict with large carnivores.
9. It is recommended that all permittees and their representatives (herders, riders, or other employees) carry bear spray while working within allotments. Spray canisters should be holstered or otherwise carried so that they are available for use in the event of encounters with bears. Storing spray canisters in back packs, saddle bags, and vehicles are acceptable methods of storage during non-working time periods
10. During the annual operating instruction meetings with permittees - discussion with permittees will include the possible risks of running livestock and working in grizzly bear country, regulations concerning the taking of grizzly bears, and employee training on grizzly bear awareness and procedures. BDNF staff can provide training information as requested by the permittee.
  - a. Employee training will include
    - i. the status of the grizzly bear,
    - ii. grizzly bear behavior,

- iii. human behavior in bear country to minimize conflicts,
- iv. Food Storage order requirements - including carcass handling and disposal
- v. Encounter procedures and use of bear spray,
- vi. Bear activity reporting, including encounters, livestock deaths and actions taken relative to disposal/removal, suspected depredation by grizzly bears and existing or potential bear conflict situations
- vii. Management of cow/sheep camps, facilities and corral areas

Montana Fish, Wildlife and Parks (MFWP) has a statewide legal memorandum of understanding (MOU) with USDA/APHIS – Wildlife Services (WS) that makes WS the lead investigators on wildlife-caused livestock depredations and predator control. For livestock producers incurring depredation losses due to grizzly bears, WS field specialists must verify the loss as a confirmed or probable depredation for the producer to be reimbursed for the livestock loss by the state Livestock Loss Board. In consultation with MFWP and the U.S. Fish and Wildlife Service (USFWS), WS may attempt capture or removal of an offending bear(s). If WS captures a grizzly bear, MFWP and USFWS determine the fate of the bear and MFWP conducts those management actions.

## Status of the Species

### Distribution and Occupancy of the Yellowstone Ecosystem

The action area is partially within habitat biologically suitable and socially acceptable for grizzly bears identified by the U.S. Fish and Wildlife Service identified as the Demographic Monitoring Area (Figure 1). This area is identified as occupied habitat and a portion is within the Recovery Zone identified for the Yellowstone grizzly bear (U.S. Fish and Wildlife Service 1993). Grizzly bear distribution continues to expand north out of the Gravelly and Greenhorns Mountains. A portion of the Lee Metcalf Wilderness is within the Grizzly Bear Recovery Zone. There are 7 allotments within the boundaries of the Recovery Zone. There has been no increase of allotments within the Recovery Zone.

### Population Size and Trend

The Interagency Grizzly Bear Study Team annually monitors unduplicated counts of females with cubs of the year within the Greater Yellowstone Ecosystem; calculates a total population estimate for the entire ecosystem based on the model-averaged estimate of females with cubs-of-the-year, monitors the distribution of females within each bear management unit within the Recovery Zone, and monitors sources of mortality.

The protocols and recovery criteria were updated in the 2017 Supplement to the Grizzly Bear Recovery Plan (U.S. Fish and Wildlife Service 2017). The update designating a Demographic Monitoring Area (DMA) is most notable:

*3. Designate a Demographic Monitoring Area (DMA) (Figure 1) within which all demographic criteria are assessed. This means the Interagency Grizzly Bear Study Team would no longer count mortalities of bears against sustainable mortality limits in areas outside the Demographic Monitoring Area. Conversely, in this approach bears observed outside this DMA it would not count toward estimates of population size.*

These demographic criteria apply to the area defined as the “Demographic Monitoring Area”. The project area lies within the Demographic Monitoring Area (DMA) within occupied habitat and portions

are within the Recovery Zone. The DMA is similar to the biologically suitable area designated by the USFWS with minor adjustments.

### **Estimated Population 2019 GYE**

In 2019, the model averaged Chao2 estimate was 66 females with cubs within the DMA from which the IGBST derived a total population estimate of 737. These estimates are slightly higher than those of previous years.

Referencing the total population estimate of 737 against the 2016 Conservation Strategy total mortality thresholds for independent-age (2 years or older) females, independent-age males and dependent young are 9, 20 and 9% respectively. Long term mortality rates are below these thresholds. The mean mortality rate (total mortality/total population size) for the period of 2002-2019 was 6.9% for independent females and 10% for independent males. These data indicate the population status within the DMA remains stable to increasing (van Manen, F. T. and M. A. Haroldson. 2020).

### **Grizzly Bear Mortalities 2019 Greater Yellowstone Ecosystem**

The IGBST documented 45 known and probable mortalities during 2019 with 5 of the 45 still under investigation. Of the 45 known and probable mortalities in 2019, 37 were attributed to human causes. Ten (27%) of the 37 human-caused losses were hunting related including 2 mistaken identities and 8 losses from reported self-defense kills. Fifteen (40.5%) were related to livestock depredations and seven (18.9%) were related to anthropogenic site conflicts. Other human-caused losses included 4 mortalities from vehicle strikes and one capture related mortality (Haroldson, M. A and K. L. Frey. 2020).

### **Human-Grizzly Conflicts in 2019 in Montana**

The following is a summary of the human-grizzly conflicts in Montana during 2019 (Frey, K. L. and J. Smith. 2020), with focus on the livestock portion of the report.

*During 2019, there were a total of 10 known or probable human-caused grizzly bear mortalities. The main causes were self-defense, depredations and illegal/mistaken ID.*

*Livestock depredations accounted for 5 of the 6 management grizzly bear captures. The 5-year average is 6 management captures per year. With greater geographic distribution and increased bear densities, livestock (cattle) depredations are increasing on public and private land inside and outside the DMA in Montana. Depending on geographic area, all age classes of cattle are depredated upon and depredation rates fluctuate annually.*

*There were 49 confirmed or probable depredations investigated by USDA Wildlife Services (WS), assisted by Montana Fish, Wildlife and Parks (MFWP) personnel. There were 53 cattle depredations assisted with the 49 conflicts sites. Most depredations occurred in MFWP Region 5 near Red Lodge, Montana. These depredations were all on private land and occurred outside the DMA.*

*There were 21 cattle depredations in the western portion of MFWP Region 3, mainly on public lands inside the DMA, and 6 depredations in the eastern portion of Region 3 on public and private land within the DMA.*

*Property loss associated with conflicts caused by grizzly bears was lower during 2019. Property loss includes other livestock (poultry, sheep, swine, and dogs). An event occurred in MFWP Region 3 that a*

*presumed bear(s) caused loss (probably depredation) to 5 sheep and 2 guard dogs. This occurred on the BDNF in the Gravelly Mountains.*

Table 2: Human-grizzly bear conflicts in Montana portion of the Greater Yellowstone Ecosystem, 2019 (Frey K. L and J. Smith. 2020).

| Conflict Type                            | Number of Conflicts               |
|--|-----------------------------------|
| Encounter Situations                     | 18 (5 human injuries)             |
| Livestock – Cattle                       | 49 (53 cattle killed or injured)  |
| Livestock – Sheep                        | 1 (5 sheep and 2 dogs killed)     |
| Livestock – Poultry                      | 6                                 |
| Property Loss                            | 1                                 |
| Anthropogenic foods                      | 8                                 |
| Anthropogenic foods with property damage | 0                                 |
| Near developed site -safety concerns     | 25                                |
| Management Removal                       | 3 (2 adult males, 1 adult female) |
| Total                                    | 111                               |

## Environmental Baseline

The environmental baseline for BA includes the existing grizzly bear habitat conditions and conflict situation within the action area since the time of initial consultation of this project (Forest Plan Consultation 2010 and Supplement in 2012), relationship to threats to the species and grizzly bear management direction in the existing BDNF Revised Forest Plan and best available science. The 2017 updates to the 1993 Recovery Plan and the Conservation Strategy are determined to be best available science regarding grizzly bear management.

### Status of Grizzly Bear in the Yellowstone Action Area of the BDNF

Grizzly bear numbers and distribution have consistently increased in the action area since the consultation on the Forest Plan in 2010 and the supplement in 2012. The grizzly bear distribution map was last updated in and showed the occupied line including the northern end of the Gravelly Landscape. The Tobacco Roots and the Highlands are still not considered within current grizzly bear distribution, however, there have been reported observations outside the distribution line, mostly to the west.

The most notable change during this time can be shown with the distribution of the unduplicated females with cubs of the year (COY) that is conducted annually by the IGBST. The data below is summarized from the maps in IGBST annual reports from 2010 to 2019. These females with COY are verified unique females with cubs of the year. It is not meant to represent all the females with cubs of the year in the action area but is used in population estimate. This number is valuable to use in the status of the grizzly bear in the action area as it is a consistent number that shows unique females spatially on the landscape and it is standardized by the IGBST.

Beginning in 2010, 2 unduplicated (meaning unique) females with cubs of the year were documented in the BDNF portions of the action area that overlap BDNF lands (Haroldson, M. A. 2011). One was documented in the Madison landscape but also showed movement into the Gravelly Landscape. Another was in the southern Gravelly Landscape.

In 2011 and 2012, one female with cubs was recorded in the Madison Landscape just outside of the Recovery Zone line and within the DMA (Haroldson, M. A 2012 and van Manen F. T and M. A. Haroldson 2013). In 2013, two were documented. One female was in the southern end of the Madison Landscape but showed movement between the Madison and Gravelly Landscapes. The other female was in the north end of the Madison Landscape both inside and outside of the Recovery Zone. Both unique females were in the DMA (van Manen F.T. et al. 2014). In 2014, only one was documented in the north end of the Madison Landscape (van Manen F.T. et al. 2015). In 2015, there were 2 documented females with cubs of the year. One was recorded in the Madison landscape and one in the Southern Gravelly Landscape (van Manen F.T. et al. 2016).

Beginning in 2017 there were 3 documented unduplicated females with cubs of the year. These observations also increased in distribution with 2 documented in the Gravelly Landscape, one inside the DMA in the north end of the Gravelly Landscape and one outside of the DMA in the southern end of the Gravelly Landscape. The third female was within the Madison Landscape within the DMA.

In 2019, the IGBST documented 5 unique females with cubs of the year in the action area. Two were outside of the DMA in the Gravelly Landscape portion of the action area. There were also 3 unique females with cubs of the year documented in the Madison Landscape within the DMA and one of those within the recovery zone (Haroldson et al. 2020).

In the past 10 years (2010-2019) the numbers of detected unique females with cubs of the year in the action area that utilize the livestock allotments has increase from 2 to 5 (a 150% increase).

#### Grizzly-Livestock Conflicts within the Action Area

All grizzly bear conflicts are documented annually in the IGBST reports and are also submitted annually to the USFWS by the BDNF as required monitoring for our Forest Plan BO.

The Grizzly Bear Reporting Requirements (Updated per the May 28, 2013 Biological Opinion) include specific requirements related to livestock conflicts:

3. An up to date record of grizzly bear-human conflict and or management removal of a grizzly bear resulting from improper storage of food or attractants or livestock depredation

Grizzly bear-livestock conflicts increased noticeably between 2016 and 2017 in the action area with 4 conflicts recorded in both 2015 and 2016 to 19 conflicts in 2017 and then 30 conflicts in 2018 (Table 3). There were 20 conflicts reported in 2019. The increase from 2016 to 2017 was 375% and the increase from 2017 to 2018 was 57%. Conflicts then decreased 33% from 2018 to 2019. Zero conflicts were recorded for the years 2010 and 2014.

Each conflict generally has one depredation associated with it (one calf or cow for example) however a few incidents in 2017, 2018 and 2019 had multiple depredations associated with one conflict record. This causes the number of recorded livestock losses to be slightly higher than the conflict number in certain years. Sheep conflicts unlike cattle conflicts generally consist of multiple sheep losses in a single conflict record. The 2019 conflict associated with sheep grazing was deemed a probable depredation. The event was recorded that a 'presumed bear' caused the loss of 5 sheep and 2 guard dogs.

The data below (Table 3) is summarized from the annual reports the BDNF submits to the USFWS from data received directly from MFWP Bear Management.

Table 3: Livestock-grizzly bear conflicts in the Action Area 2010-2020

| Year   | Cattle Conflicts | Sheep Conflicts           | Management Removals | Mortalities Self Defense – Riders/Herders | Livestock Related Mortalities Under Investigation |
|--------|------------------|---------------------------|---------------------|---|---|
| 2010   | 0                | 0                         | 0                   | 0   | 0   |
| 2011   | 2                | 0                         | 0                   | 0   | 0   |
| 2012   | 3                | 0                         | 0                   | 0   | 0   |
| 2013   | 0                | 1 (4 sheep)               | 0                   | 1 – sheep allotment                       | 0   |
| 2014   | 0                | 0                         | 0                   | 0   | 0   |
| 2015   | 4                | 0                         | 1                   | 0   | 0   |
| 2016   | 4                | 0                         | 0                   | 0   | 0   |
| 2017** | 19               | 0                         | 1                   | 1 – cattle allotment                      | 0   |
| 2018   | 30               | 0                         | 1 (probable)        | 1 – deemed possible cattle allotment      | 0   |
| 2019   | 19               | 1 (5 sheep, 2 guard dogs) | 1                   | 0   | 0   |
| 2020*  | *6               | *1 (6 sheep)              | *0                  | *0  | 2   |
| Total  | 68               | 3                         | 4                   | 3   | 2   |

\*2020 conflict data was incomplete at time of report however two mortalities are under investigation. Personal communication between K. Frey MFWP and K. Glazier USDA WS

\*\* 2017 the grizzly bear was delisted

During 2020 to date, 2 known/confirmed grizzly mortalities have occurred on BDNF associated with livestock grazing and they are under investigative review by USFWS. Conflicts have not been compiled this year so the official totals are unavailable but there have been both sheep and cattle conflicts in the action area in allotments that have had previous conflicts.

Other livestock management grizzly bear mortalities occurred in 2015, 2016, 2018, 2019. In 2018, one was deemed a probable mortality. There have also been 3 self-defense related grizzly bear mortalities in the action area from riders or herders during surprise encounters (2013 and 2017). The 2017 mortalities occurred when the bear was delisted.

## Effects of the Action

### Direct and Indirect Effects

Both the 2010 and 2012 BA did a thorough job of disclosing effects of livestock grazing on the grizzly bear. Those effects are still pertinent to this analysis. The main update to this analysis is the increased level of effects related to increased grizzly bear distribution and bear densities.

Depending on geographic area, all age classes of cattle and sheep are depredated upon and depredation rates fluctuate annually. With greater geographic distribution and increased bear densities, livestock depredations are increasing on public and private land inside and outside the DMA in Montana, especially within the Gravelly landscape of the action area. The southern end of the Gravelly Landscape continues to be the main area with clusters of livestock depredations by grizzly bears. Depredations are beginning to be documented further north each year down the Ruby Valley and close to the Greenhorn

Mountains in the Gravelly Landscape. It is assumed that as bear densities continue to increase and bear distribution continues to spread, conflicts will also increase and be documented in new areas.

The Tobacco Root and Highland Landscapes within the action area are yet to have a confirmed grizzly bear livestock depredation. It is also uncommon for the allotments in the Madison landscape to have confirmed grizzly bear livestock conflicts.

There is no change in effects from continued livestock grazing on secure habitat definitions as defined by open motorized road and trail densities as it does not add or remove any currently open motorized roads. There is no change to the number of livestock allotments inside the recovery zone from the 1998 baseline. Grizzly bear/livestock conflicts are likely to continue as a result of this activity and are a direct impact to the grizzly bear through management removals of individuals who prey on livestock.

Mortalities also result in defense of life situations when riders/herders encounter bears during their management duties (fence maintenance, riding, checking livestock, etc.)

Conservation measures required in permits addressing livestock carcass management can reduce the likelihood of a human-grizzly bear conflict at the carcass site. Conflicts may result in the relocation of problem bears inside or outside of the action area or result in direct mortality of individuals. As bears continue to increase in density and distribution in Montana, relocation of grizzly bears is less common than removal.

Information and education requirements with permittees will also contribute to reducing circumstances that could cause a human-grizzly conflict with increased training on how to work in bear country. Annual meetings with permittees and cooperating agencies (MFWP and WS) also increase understanding of bear use and activity throughout the action area which contributes towards grizzly bear conservation.

### Cumulative Effects

Cumulative effects as defined by the Endangered Species Act are those effects of future State or private activities, not involving Federal activities that are reasonably certain to occur within the action area of the Federal action (50 CFR 402.02). There are no new future state or private activities that would contribute additional substantial negative cumulative effects to the grizzly bear that haven't been identified in the previous biological assessments or the Grizzly Bear Conservation Strategy and the 2006 Grizzly Bear Forest Plan Amendments (USDA FS 2006) that is amended to the Forest Plan. Highways, unsecured attractants, livestock grazing, agriculture, hunting related and mistaken identify mortalities are all ongoing state and private activities that impact the grizzly bear. Overall, the GYE grizzly bear population has continued to increase in number and distribution throughout the years even in the presence of these factors.

### Determination of Effects and Rationale

Livestock grazing in areas occupied by grizzly bears has been identified as a risk factor that will likely affect individual bears and may affect grizzly bear populations. Grizzly bear populations have expanded and are expected to continue to expand throughout the Beaverhead-Deerlodge National Forest. It is likely that several grizzly bears will be affected by grazing activities and the potential adverse effects can be minimized through adherence to the terms and conditions and design features.

Nevertheless, in light of exceeding the Incidental Take of 2 grizzly bears, the high potential for grizzly bear/livestock interactions to continue, depredation, and the resulting control actions as well as the high

potential for grizzly bear/human conflicts relative to activities associated with grazing in grizzly habitat (cow camps, carcass removal, surprise encounters, etc.), it is the conclusion and determination that this action (continued livestock grazing), “**may affect, is likely to adversely affect**” individual grizzly bears. As a result of this determination and exceeding incidental take, reinitiation of formal consultation is necessary.

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