



March 5, 2018

Custer Gallatin National Forest
Attn: Forest Plan Revision Team
P.O. Box 130 (10 E Babcock)
Bozeman, MT 59771
cgplanrevision@fs.fed.us

**Re: Comments of the Center for Biological Diversity regarding the
Custer-Gallatin National Forest Draft Plan's List of Species of
Conservation Concern**

The Center for Biological Diversity ("Center") submits the following comments on the notice of proposed action to revise the Custer-Gallatin Forest Plan. The Center is a non-profit conservation organization dedicated to the protection of native species and their habitats through science, policy and environmental law. The Center has more 1.6 million members and supporters dedicated to the protection and restoration of endangered species and wild places. The Center has worked for many years to protect imperiled plants and wildlife, including grizzly bears.

On January 3, 2018, the Custer-Gallatin National Forest announced its proposed action to revise the Custer-Gallatin Forest Plan, and specifically requested comments on the Draft Plan's list of species of conservation concern. The Center was surprised to see grizzly bears absent from this list. We now submit these comments to request that the Custer-Gallatin National Forest adds grizzly bears to its list of species of conservation concern.

On June 30, 2017, the Fish and Wildlife Service issued a rule removing federal protections from grizzly bears in the Greater Yellowstone Ecosystem ("GYE") and removing them from the list of protected species under the Endangered Species

Act (“ESA”). 82 Fed. Reg. 30,502 (June 30, 2017). In the final delisting rule, the U.S. Fish and Wildlife Service clearly stated that “the USFS will consider the GYE grizzly bear as a potential species of conservation concern during any plan revision within the range of the GYE grizzly bear as required by FSH 1909.12 Cho. 10, 12.52(d)(2)(B), which requires consideration for any species that was removed from the Federal lists of endangered and threatened species within the past 5 years.” 82 Fed. Reg. at 30,525.

Similarly, the 2016 Conservation Strategy for the Grizzly Bear in the Greater Yellowstone Ecosystem, which directs the management of grizzly bears in the GYE post-delisting, states as follows:

The Forest Service will consider the GYE grizzly bear as a potential species of conservation concern during any plan revision within the range of the GYE grizzly bear as required by Forest Service Handbook 1909.12 Ch. 10, 12.52(d)(2)(b). This paragraph requires consideration of species that were removed within the past 5 years from the Federal list of threatened or endangered species.

Conservation Strategy at 115. The Regional Foresters for the Northern Region, Rocky Mountain Region, and the Intermountain Region, signed the associated Memorandum of Understanding Detailing Agency Agreement to Implement this Conservation Strategy on December 14, 2016. *Id.* at 13-14. The Custer-Gallatin National Forest lies within the Northern Region (Region 1).

Despite these directives, it does not appear that the CGNF considered adding grizzly bears to the list of species of conservation concern. Grizzly bears should be added to the list of species of conservation concern because the Custer-Gallatin National Forest includes important habitat for grizzly bears that is necessary for potential connectivity to other grizzly bear populations and for the ongoing recovery of the species. See, e.g., AMEC Foster Wheeler, Scientific Peer Review for Greater Yellowstone Grizzly Bears (June 9, 2016) at p. 12 (peer reviewer asserting that “[d]esignation of grizzly bears as a species of conservation concern . . . on Forest Service lands is an important component of ongoing management to ensure that grizzlies remain a management priority.”).

Grizzly bears need large swaths of wild lands that are free from human intrusion, including wilderness lands, roadless lands, and lands free from grazing, timber removal, and motorized vehicle use. It is important that grizzly bears are listed as a species of conservation concern and that there are stringent measures in place to protect grizzly bears and their habitat in the Custer-Gallatin National Forest.

For these reasons, we urge the Custer-Gallatin National Forest to add grizzly bears to the list of species of conservation concern.

Sincerely,



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