

 **PEER**

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GRIZZLY SCIENCE

**Grizzly Bear Biology
in the Greater Yellowstone**

October 1997

In association with the
Government Accountability Project

About PEER

Public Employees for Environmental Responsibility (PEER) is an association of resource managers, scientists, biologists, law enforcement officials and other government professionals committed to upholding the public trust through responsible management of the nation's environment and natural resources.

PEER advocates sustainable management of public resources, promotes enforcement of environmental protection laws, and seeks to be a catalyst for supporting professional integrity and promoting environmental ethics in government agencies.

PEER provides public employees committed to ecologically responsible management with a credible voice for expressing their concerns.

PEER's objectives are to:

1. **Organize** a strong base of support among employees with local, state and federal resource management agencies;
2. **Inform** policymakers and the public about substantive issues of concern to PEER members;
3. **Defend** and strengthen the legal rights of public employees who speak out about issues of environmental management; and
4. **Monitor** land management and environmental protection agencies.

PEER recognizes the invaluable role that government employees play as defenders of the environment and stewards of our natural resources. PEER supports resource professionals who advocate environmental protection in a responsible, professional manner.

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About This Report

This PEER white paper documents the conflict between the practice of wildlife biology and the bureaucratic politics within public resource agencies of the Greater Yellowstone Ecosystem. The grizzly bear is not only a creature of legend but also a politically charged issue affecting virtually all public land management decisions within the region. This report details the intimidation and pressures inflicted by public resource agencies upon their own employees who work with or study the grizzly bear.

This white paper is a distillation of the experiences of more than a dozen federal and state resource agency biologists who are currently employed by or recently retired from the U.S. Forest Service, the U.S. Fish & Wildlife Service, the U.S. Park Service, the National Biological Survey, and the fish and game agencies of the States of Idaho, Montana and Wyoming. Their professional histories exhibit common experiences and pressures, in many cases so strikingly similar that the contents of personnel files of biologists from different agencies are virtually indistinguishable. This report is an attempt to tell their stories collectively.

The authors of this report remain anonymous to avoid further retaliation by their agencies. In some cases, the incidents summarized in this white paper are, or are about to be, the subject of litigation and the authors do not wish to cloud the issues raised by this report with their personnel cases.

This white paper was written to highlight the plight of the grizzly bear in one of its remaining isolated ranges in the lower 48 states. The authors hope that through this white paper the public can better understand and help address the bureaucratic dysfunction which leads to suppression of scientific information, falsification of agency reports and harassment of the wildlife biologists who are working to help ensure the survival of the species.

PEER is proud to serve conscientious public employees who produced this report and is honored to serve as their intermediary in its distribution.

Jeffrey Ruch
PEER Executive Director



I. Executive Summary

A drive by the U.S. Department of Interior to prematurely remove the protections of the Endangered Species Act from the Yellowstone grizzly bear population has sparked an internal war with its own scientists, marked by litigation, personnel actions, confiscation of data and gag orders forbidding scientists from sharing information with outsiders or even consulting the agency's own lawyers.

The political need to declare the Yellowstone grizzly a success has fostered an ethic that no documentation means no problems. The end result is a bedraggled, intimidated scientific core whose own professional habitat is as tattered and fragmented as that of the grizzly.

This PEER white paper traces the conflict between the practice of wildlife biology and the bureaucratic politics within public resource agencies of the Greater Yellowstone Ecosystem. *Grizzly Science* describes the intimidation inflicted by public resource agencies upon their own employees who work with or study the grizzly bear.

Grizzly Science is a distillation of the experiences of more than a dozen federal and state resource agency biologists who are currently employed by or recently retired from the U.S. Forest Service, the U.S. Fish & Wildlife Service, the U.S. Park Service, the National Biological Survey, and the fish and game agencies of the States of Idaho, Montana and Wyoming.

Their professional histories exhibit common experiences and conflicts, in many cases so strikingly similar that the contents of personnel files of biologists from different agencies are virtually indistinguishable.

The 28,000 square miles of the Greater Yellowstone represent only a tiny fragment of the historic range of the grizzly bear (*Ursus arctos horribilis*). The Yellowstone grizzlies are one of only five grizzly populations remaining in the lower 48 states. The Yellowstone grizzlies exist on a biological island that has been isolated from other grizzly populations for more than 50 years.

The remnant populations of grizzlies in the lower 48, totaling less than one thousand or about one percent of their pre-colonial population, were granted federal protection in 1975 when they were listed under the Endangered Species Act (ESA) as a threatened species.

The listing of the grizzly bear also imposed an affirmative legal obligation on the U.S. Fish & Wildlife Service (USFWS) to do more than merely avoid species extinction. The agency must take steps to bring the species back from the brink so that they may be removed from the protected classification of the ESA.

Pressures on grizzly habitat have continued to grow since 1975. Development is booming within 20 counties of the Greater Yellowstone ecosystem which if considered as one state would be the fastest growing state in the union. In the gateway valleys surrounding the Yellowstone Park, the regional real estate industry has transformed significant private pasture and agricultural lands into residential and commercial sprawl.

Besides continued logging and mining, federal lands, particularly the national parks, are setting new visitor records. There is an inexorable pressure for more and bigger campgrounds, more roads, both paved and unpaved, more recreational development and more summer homes.

One consequence of the human encroachment on grizzly habitat has been population loss and high rates of human-induced grizzly mortality. Approximately 90 percent of grizzly mortality is caused by humans. USFWS concedes that target mortality rates to ensure a healthy population have been exceeded.

Official Response Is To Declare Recovery

In December, 1993 the USFWS released its legally mandated recovery plan for the grizzly bear. The recovery plan was immediately criticized for failure to address continued habitat loss; setting minimum population levels too

low; accepting a maximum mortality rate that was too high; reliance on inaccurate population monitoring system; absence of a plan to link the isolated grizzly populations; failure to address lack of enforcement of conservation guidelines; lack of input from qualified grizzly bear researchers; and failure to incorporate current grizzly data.

Political pressure both within the agencies and upon the agencies was high. Internally, there was a strong desire to see the grizzly as an ESA success, like the bald eagle. As the ESA itself was under attack, some within the federal agencies argued that further resistance to delisting would endanger the Endangered Species Act itself.

Combat Biology—in The Trenches With Agency Grizzly Ologists

These federal and state agencies are charged with collecting biologically correct data and using this information to make sound grizzly management decisions. Biologists, botanists, hydrologists and other scientists (collectively labeled “ologists”) from these agencies are supposed to ignore internal and external pres-

sure in order to make objective scientific calls on proposed projects.

The essential problem agency scientists encounter is that their scientific findings conflict with the direction in which their agency’s own bureaucratic wind is blowing. When conflict occurs, the agency often puts pressure on the individual. Given the severe habitat pressures on the grizzly, virtually every project adds to the cumulative negative effects on this threatened species. Making that finding of adverse impact, however, often requires a professional “profile in courage.”

Grizzly Science illustrates the myriad of coercive tactics employed to keep the grizzly scientists in line, including data suppression, loss of research funds and the bar on collaboration with outside researchers. Within the resource agencies of the Greater Yellowstone, encouraging “team play” becomes a paramount value. As a result perceived troublemakers are transferred, removed from sensitive projects, denied promotions or awards and sexually harassed or belittled.

The white paper concludes with recommendations from agency field scientists for addressing grizzly management issues in a fair and constructive manner.

II. The Grizzly in the Greater Yellowstone Ecosystem



Introduction

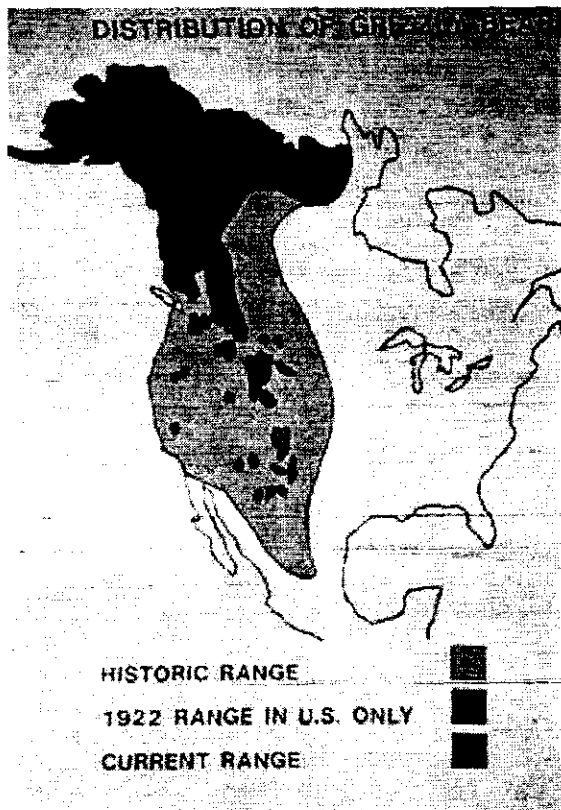
The Greater Yellowstone Ecosystem is divided among three states (Montana, Idaho and Wyoming) and contains more than 17 million acres. At its center is the 2.2 million acres of Yellowstone National Park, our nation's first national park. The Greater Yellowstone Ecosystem includes private lands but its main components are in the public domain, a largely federal preserve comprised of seven national forests and two national parks (Grand Teton and Yellowstone).

The 28,000 square miles of the Greater Yellowstone represent a fragment of the historic range of the grizzly bear (*Ursus arctos horribilis*). The Yellowstone grizzlies are one of only five remaining grizzly populations in the lower 48 states. The Yellowstone griz-

zlies exist on a biological island that has been isolated from other grizzly populations for more than 50 years.

From the time that grizzlies were first studied in North America (circa 1850) there has been a steady reduction of their range, *i.e.*, accessible habitat essential to meeting biological requirements. Urbanization, agriculture, hunting and other human intrusion has shrunk the home range for these bears which have a very limited ability to adjust to humans. Actually, it is the humans who do not adjust to the presence of the grizzly. Direct contact between grizzlies and people or their domestic animals usually results in humans killing the offending grizzly.

As a result of this interspecies incompatibility, today grizzlies occupy only two percent of their historic range.



RECEDING RANGE. Remaining grizzly range consists of vestigial biological islands.

Declared A Threatened Species

"Endangered species is any species in danger of extinction throughout all or a significant portion of its range. Threatened species is any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range." (16 U.S.C. 1532)

The remnant populations of grizzlies in the lower 48 states, totaling less than one thousand or about one percent of their pre-colonial population, were granted federal protection in 1975 when they were listed under the Endangered Species Act (ESA) as a threatened species. The listing as a threatened species required the Secretary of Interior to make a finding that the grizzly is likely to become in danger of extinction in the foreseeable future.

As a practical matter, the listing of grizzlies meant that the bears could no longer be indiscriminately killed and that even "incidental" or indirect taking of a bear

through a destruction of its habitat or other inimicable action was subject to federal review. The principal agency charged with enforcing the ESA is the U.S. Fish & Wildlife Service (USFWS), a branch of the Department of Interior.

The listing of the grizzly bear also imposed an affirmative legal obligation on USFWS to do more than merely avoid species extinction. The agency is required to take steps to bring the species back from the brink so that they may be removed from the protected classification of the ESA.

Recent Times

Pressures on grizzly habitat have intensified since 1975. Some of the more significant human intrusions on grizzly habitat include:

► **Development**—If considered as one state the 20 counties of the Greater Yellowstone ecosys-



PRIME HABITAT. The North Fork Valley riparian area pictured at the confluence of the North Fork of the Shoshone River, Elk Fork and Sweetwater Creeks. Elk Fork Campground is in the foreground.



SALMON FILET. Native populations of cutthroat salmon, a staple of the grizzly diet, are being threatened by introduced lake trout.

tem would be the fastest growing state in the union; In the gateway valleys surrounding the Yellowstone Park, the booming regional real estate industry has transformed significant private pasture and agricultural lands into residential and commercial development.

► **Timber**—In just the past five years more than 50 square miles of national forest land have been clearcut with dozens more sales on the drawing board. Thousands of miles of logging roads have been cut across the national forests with 900 new miles of logging roads in the planning stages. Further penetration into prime grizzly habitat has been facilitated by the recent passage of the “salvage rider” which legally cleared the path for logging operations in several sensitive, previously roadless, areas.

► **Mining**—Several large, industrial mines are being planned in the region. The most controversial project, the New World Mine—a cyanide leach gold mine on the Gallatin

National Forest just three miles from Yellowstone Park—may not be built since the Clinton Administration negotiated a pre-election buyout in late 1996.

► **Oil and Gas**—There have been extensive drilling and roading operations, particularly in the national forests. The petroleum industry is currently seeking permits covering 80,000 acres in the Greater Yellowstone Ecosystem.

► **Recreation**—Federal lands, particularly the national parks, are setting new visitor records. Inexorable pressure for more and bigger campgrounds, more roads (both paved and unpaved), more recreation trails, more summer homes and other development.

One consequence of the human pressures on grizzly habitat has been bear population loss and a continuation of high rates of human-induced grizzly mortality. There are only a small number of reproducing grizzly females in the Yellowstone and grizzlies are slow reproducers. Consequently, the grizzly will have a difficult time recovering from high mortality rates.

Approximately 90 percent of grizzly mortality is caused by humans.

► in 1994, there were 10-16 human caused deaths, the highest mortality in the 90's; but

► in 1995, there was even higher mortality, 17 killed including 7 females.

A little discussed but well known fact is many of these mortalities are management kills of “problem” bears. Currently, there are no long-term solutions for resolving the problems arising from grizzly bear contact with human visitors other than destruction of the animal.

USFWS concedes that target mortality rates to ensure a healthy grizzly population have been exceeded.

In addition, there is a new threat to the grizzly that cuts across the loss of habitat—loss of vital food sources. There has been a dramatic decline in the availability and abundance of

U.S. Fish & Wildlife Service

high quality food supplies for the grizzly. Two critical grizzly staples, in particular, are in decline:

- The regional crop of whitebark pine nut has been low, well below average, since 1990.
- Surveys of spawning cutthroat trout have shown significant decreases since 1991. Native stocks of the cutthroat are also being threatened by introduced lake trout.

As a result of reduced food stocks, grizzlies are led to have more human contacts as they forage for food.

Overall, the situation for the grizzly is bleak. Many researchers contend that the Yellowstone grizzly populations are at approximately the same level as when the bear was listed as a threatened species in 1975.

While there has been no substantial improvement in population over the past twenty years, there has been a dramatic decline in the quality and quantity of grizzly habitat. As one respected scientist commented, "In fact, grizzly bears are subject to threats more severe now than they were 20 years ago [when they were listed]."

III. The Political Ecosystem of the Grizzly



Yellowstone Vision Document Purge

In 1990, Lorraine Mintzmeyer, the Regional director for the Rocky Mountain Region of the National Park Service (NPS) completed work on a plan called the Yellowstone Vision Document. The Vision Document was one of the earliest efforts at ecosystem planning by the federal government. The vision behind the plan was a cooperative interagency commitment to preserve the wilderness character of the Yellowstone Basin. Ms. Mintzmeyer, a career NPS employee, had been the Rocky Mountain regional director for the previous 11 years.

In October of that year, Ms. Mintzmeyer was summoned by Republican appointees in the Department of Interior and told that the Vision Document would have to be completely rewritten, noting that Bush White House Chief of Staff John Sununu had been personally involved in the matter. Shortly thereafter Ms. Mintzmeyer received orders removing her as Regional Director and transferring her to a position within

Washington headquarters, a reassignment she refused by resigning from NPS. In September of 1991, Ms. Mintzmeyer testified before the U.S. House Civil Service Subcommittee concerning political interference in Yellowstone land use planning.

The Yellowstone Vision Document was completely scrapped and instead an 11 page "Frame-



YELLOWSTONE VISTA. Sweeping valleys and broad mountains are the building blocks for ecosystem planning.



POPULATION QUESTIONS. Official reliance upon only numbers of mothers with cubs leads to a calculated overstatement of population prospects.

work" was issued. The Framework, not surprisingly, set no policies governing public land use in or around Yellowstone.

At approximately the same time as Ms. Mintzmeyer's public career was ending, John Mumma the Regional Forester for the USFS Northern region (Montana and Idaho) was expressing concern within his agency about high timber harvest targets for his region. The forest supervisors within his region jointly wrote a letter (called "the Sunbird Letter," named after the conference site where the letter was delivered) to the Chief of the Forest Service protesting the timber targets as being so high as to force violation of ESA and other environmental laws.

When the Sunbird Letter went public, Mr. Mumma also received a directed reassignment removing him from the region for transfer back to Washington. Like Ms. Mintzmeyer, John Mumma resigned rather than accept the transfer. Mr. Mumma's resignation became effective the day before he testified with Ms. Mintzmeyer before the House Civil Service Subcommittee. Thus, the 1990's began with forced removals

of two key federal leaders in the Yellowstone region. This personnel purge sent a very clear bureaucratic message that employees who proposed public land use restrictions in the region did so at their own risk.

Official Response Is To Declare Recovery

Political pressure both within the agencies and upon the agencies was high. Internally, there was a strong desire to see the grizzly as an ESA success, like the bald eagle. As the ESA itself was under attack, some within the federal agencies argued that further resistance to delisting the grizzly would endanger the Endangered Species Act itself.

Externally, the calls for grizzly delisting came from industry, state governments and federal politicians. The Endangered Species Act listing for the grizzly had resulted in some very modest curbs on logging, drilling and development. The prospect of a recovery plan meant that these limitations could be lifted.

The statement of then-U.S. Senator Alan Simpson (R-WY) [*Billings Gazette*; 11/10/94] is typical of the attitude of local political leaders to the problems of grizzly bear management :

"They're out here galloping all over...Stick them back in [Yellowstone] Park and say, 'You are hereby recovered and you are no longer listed as an endangered or threatened species,' and move on."

In this politically charged atmosphere the USFWS formally released its legally mandated recovery plan, in draft form, for the grizzly bear in September of 1993. The plan had been reviewed by a multi-agency group with representatives from the U.S. Forest Service [USFS is an agency of the Department of Agriculture], the National Park Service, the National Biological Survey (now a part of the U.S. Geological Survey), USFWS and the three state wildlife agencies, called the Interagency Grizzly Bear Committee or IGBC. The IGBC developed guidelines to implement the recovery plan. In December 1994 the IGBC adopted the plan as a basis for proposing the delisting of the grizzly, a step which would remove legal protections of the ESA for remaining grizzly populations.

This recovery plan was immediately criticized for:

- failure to address continued habitat loss;
- setting minimum population levels too low;
- accepting a maximum mortality rate that was too high;
- reliance on an inaccurate population monitoring system;

- absence of a plan to link isolated grizzly populations;
- failure to address lack of enforcement of conservation guidelines;
- lack of input from qualified grizzly bear researchers and failure to incorporate current grizzly data.

One respected researcher, Dr. Mark Shaffer, commented that "this current draft plan remains so weak that it calls into question not just the future of the grizzly, but the meaning of recovery under the Endangered Species Act." Despite a call by 20 independent grizzly scientists or researchers for the withdrawal of the plan, the USFWS moved ahead.

Thirty-eight conservation groups joined suit to challenge the recovery plan as legally inadequate to meet the requirements of the ESA. This precedent-setting challenge to the adequacy of a governmentally approved recovery plan was successful. In 1996 the U.S. District Court threw out the plan as "arbitrary and capricious," an extremely difficult legal standard to prove. In essence, the court found that the F&WS did not have a reasonable basis for concluding that current policies would lead to recovery of the species.

USFWS appears to be in denial about the profound implications of the adverse court ruling, which it had unsuccessfully appealed. The agency has changed neither its policies or its senior personnel on grizzly bear management. In fact, the grizzly recovery plan is now being rewritten by the same managers who had developed the earlier draft.



HOW HEALTHY? Grizzly family congregates near a dump site.

IV. Combat Biology—in the Trenches With Agency Grizzly Ologists



The wildlife in the Yellowstone ecosystem is managed by three state game departments and by three federal agencies: the U. S. Fish & Wildlife Service (USFWS), the U.S. Forest Service (USFS) and the National Park Service (NPS). These agencies are charged with collecting biologically correct data and using this information to make sound grizzly management decisions.

Biologists, botanists, hydrologists and other scientists (collectively called “ologists” within an agency) from these public agencies are supposed to ignore internal and external pressure in order to make objective scientific calls on proposed projects. Ologists under constant pressure refer to themselves as combat ologists to signify the sort of intellectual and emotional trench warfare which results from the professional conflict.

Individual agency scientists must review projects for environmental compliance under various statutes:

➤ Determinations under the ESA as to whether a proposed project may have an adverse impact

upon a listed species; This initial review is called a Section 7 consultation and it is the strongest lever which the USFWS has to secure early compliance by other federal and state permitting agencies. Failure by the other agency to address ESA concerns may trigger a “jeopardy opinion” by USFWS.

➤ Environmental assessments of any federal projects under the National Environmental Policy Act (NEPA); This review affects all agencies, particularly the Forest Service, which tends to have more projects—timber sales, roads, etc., —in the region.

➤ Biological assessments for proposed timber sales, drilling or mining permits under several statutes, including the National Forest Management Act or other Organic Acts.

➤ Population estimates for various viability and long-term planning purposes.

Despite the seemingly uniform application of laws to public agencies, the reality is not char-



ASSESSING BIOLOGIC IMPACTS. Agency scientists must calculate the effect on wildlife of plans to cut over this burned forested meadow area.

acterized by uniform results. The political quilt of jurisdictions in Yellowstone leads to vastly different decisions affecting grizzlies depending upon which boundary the bear crosses. There is no such thing as comprehensive grizzly bear management in the Greater Yellowstone Ecosystem. The different agencies each attempt to manage within their respective borders, but that management is not consistent, even between districts on the same National Forest.

Grizzly bears, however, do not honor these jurisdictional lines and range all over the map. How these bears and their habitat are treated depends upon whose piece of property they happen to be on and not upon an overall management plan. For example, in some jurisdictions, bear/livestock predation problems are resolved first by trying to change the livestock usage. In other jurisdictions, even in some classified "wilderness" areas, the grizzly is relocated. After some recent sheep kills in which there was evidence of both black bear and grizzly bear activity, a grizzly sow and two cubs were relocated despite the lack of a proven connection. The sheep kills continued after the grizzly removal.

Relocation—a practice called "musical bears"—may seem like a benign management tool but it can traumatize the bear or worse. In another recent grizzly relocation to protect sheep (again without proof of predation but the bear was moved, in the words of one manager, "to see if this bear was doing the killing."), the newly released grizzly was almost shot because she had become enraged and attacked one of the transport vehicles.

Relocated bears suffer higher mortality rates than bears which have never been moved. The risk of death for grizzlies increases with each subsequent relocation.

The severe habitat pressures on the grizzly vary in intensity but are a constant throughout the ecosystem. Consequently, virtually every project adds to the cumulative negative effects on this threatened species. Moreover, the spider web of jurisdictional lines in the Greater Yellowstone Ecosystem discourages looking at cumulative affects across forest district lines or other boundaries.

The institutional incentives of the agencies themselves do not favor the grizzly. Most of the agencies manage their land to facilitate uses other than maintenance of grizzly habitat—for example, the Forest Service manages for timber production and other uses under a "multiple use" statutory mandate.

In vetoing or merely complicating projects on the basis of grizzly protection, the essential problem agency scientists encounter is that their scientific findings conflict with the direction in which their agency's own bureaucratic wind is blowing. When conflict occurs, the agency often puts pressure on the individual to change or mute the findings. Making that finding of adverse impact, however, often requires a professional "profile in courage."

The following vignettes are taken from days in the lives of Yellowstone combat ologists:

Data Suppression—No News Is Good News

"We need some damage control."

—National Park Service research team leader reacting to pessimistic grizzly population estimates

➤ In an effort to prevent discordant biological data from being presented for interagency review, one Park Service manager deleted data files from the office computer of a research biologist, erased all relevant data from diskettes and even removed field notes from office binders.

➤ In order to prevent further collection of data by a researcher not toeing the party grizzly line,



ROAD CONSTRUCTION SITE. Aerial view of confluence of North Fork of Shoshone River and Middle Creek taken before road expansion.

one common tactic is to severely restrict or prohibit altogether permission to conduct field research. Curtailment of this travel is tantamount to a gag order for a wildlife biologist.

➤ Similarly, restrictions on the ability of agency ologists to attend professional society meetings and even interagency gatherings of specialists is a means of controlling the flow of information.

➤ Collaboration between agency biologists and outside researchers threatens the agency's ability to control the flow of information. Consequently, collaboration is often actively discouraged. One manager went so far as to write an agency biologist that:

"I told you that I could not tell you not to collaborate with Dr. __, and I implied that it would be harmful to your career as a government scientist if you did."

➤ Even more directly, research can be stopped by simply cutting off research funding. Most agency scientists are ill-prepared to obtain outside funding for research without agency support.

➤ A surprisingly common practice, particularly among USFWS managers, is to make Section 7 decisions on projects before any biological review has been conducted. Man-

agers will justify this practice of leaping before you look on the grounds that the decision needs to be made now and cannot be deferred until data is in. Ologists who report these blatant acts of what is called "biostitution" do so at extreme professional peril.

➤ More directly, managers confronted by troubling environmental assessments simply rewrite conclusions and then ask the original author to sign this new contrary opinion as if it were their own. How an ologist reacts to this dilemma between

integrity and subordination usually determines the course of his or her professional career within that agency.

➤ There are also instances of agencies prohibiting their ologists from conferring with agency attorneys. It would gall managers to be confronted by in-house legal opinions to bolster controversial biologic determinations being made by conscientious scientists. In one recent case, the USFWS Regional Office told one biologist that she could not consult with the Interior Solicitor's office on grizzly bear questions.

"Team Play" And The Pressure To Conform

"Are you going to yell about every little dickey bird the way the last biologist did?"

—Question asked to new ologist by Forest Service District Ranger

Biologists are pressured by management to churn out opinions with no real scientific analysis in order to facilitate quick approval of projects without raising thorny Endangered Species Act issues:

➤ Onetacticreportedbyseveralologists,mainly but not exclusively in the Forest Service, is



SUBTLE IMPACTS. The inability to address the cumulative effects of many human intrusions upon grizzly habitat frustrates agency scientists.

called taking a "walk in the woods." A biologist who has issued an adverse opinion is driven out to or near the site with a large number of unsympathetic co-workers, for example, the district's entire timber management staff. There the recalcitrant biologist is brow beaten into being reasonable and softening the negative opinion.

➤ Another approach is to substitute majority rule for expertise in order to outvote the grizzly specialist. By adding certain biologist reviewers to an opinion, a manager can often dictate the outcome. As one Forest Service biologist stated:

"I'm a chameleon. I do what it takes to look good for the District Ranger. That's what it takes to get ahead in this outfit."

➤ USFWS, which is supposed to be a reviewing agency, enters into a client relationship with the agencies whose projects it is supposed to review. For example, one USFWS supervisor often reminds his staff that the Forest Service is USFWS's "customer" and that the staff should strive to "serve the customer."

➤ The flip side of this client relationship with

the other agencies is to make the environmental groups or anyone associated with those groups the enemy. To be accused of "being in bed with the environmentalists" is a way to dismiss the work of a scientist as well as to challenge his or her loyalty to the agency. Sometimes the direct charge of disloyalty is lodged as an accusation that an biologist is leaking information to environmental groups, particularly if those groups are actively challenging agency projects. Supervisors often attack the objectivity of their biologists, claiming that the scientist has "become an advocate for wildlife" rather than a representative of the agency.

Retaliation--"Kiss Your Career Goodbye"

"Grizzly bears, shmizzly bears."

—A Forest Service District Ranger explaining why an environmental assessment should be rewritten to give the green light on a timber sale.

In many instances, public agency scientists are threatened with or receive negative personnel

actions in direct connection with grizzly biological opinions:

➤ One biologist was instructed to issue a biological opinion acceptable to his Forest Supervisor or he would receive an unacceptable annual performance rating.

➤ Another biologist in conflict with her management on grizzly issues was ordered to see a psychologist.

➤ A senior USFWS biologist and recognized expert on grizzly biology was stripped of supervisory authority, removed from all grizzly projects, barred from attending conferences or inter-agency meetings on grizzly issues and ostracized by agency managers. This biologist filed legal actions which were settled with the agency under favorable but confidential terms.

➤ One Forest Service district biologist testified before Congress that she was repeatedly threatened with poor performance ratings if she did not revise biological opinions warning of adverse effects on the grizzly from proposed timber sales. She stated under oath that her management was "often going outside of [legal] standards to 'get the cut out.'" The Congressional subcommittee pressed the Chief of the Forest Service for an answer. Seven months later, then-Chief F. Dale Robertson wrote a four sentence letter saying, "the Forest Service isn't perfect [but] we shouldn't let up in our effort to become the kind of agency we say we want to be." The biologist transferred to another forest while her supervisor stayed in place.

➤ A typical management reaction is to seek transfer of perceived trouble makers. Failing that, the ologist is isolated by removing any sensitive projects from non-team players. An internal reassignment, such as placing a wildlife biologist directly under an aggressive timber manager, sometimes produces the desired reticence or frustration on behalf of the ologist.

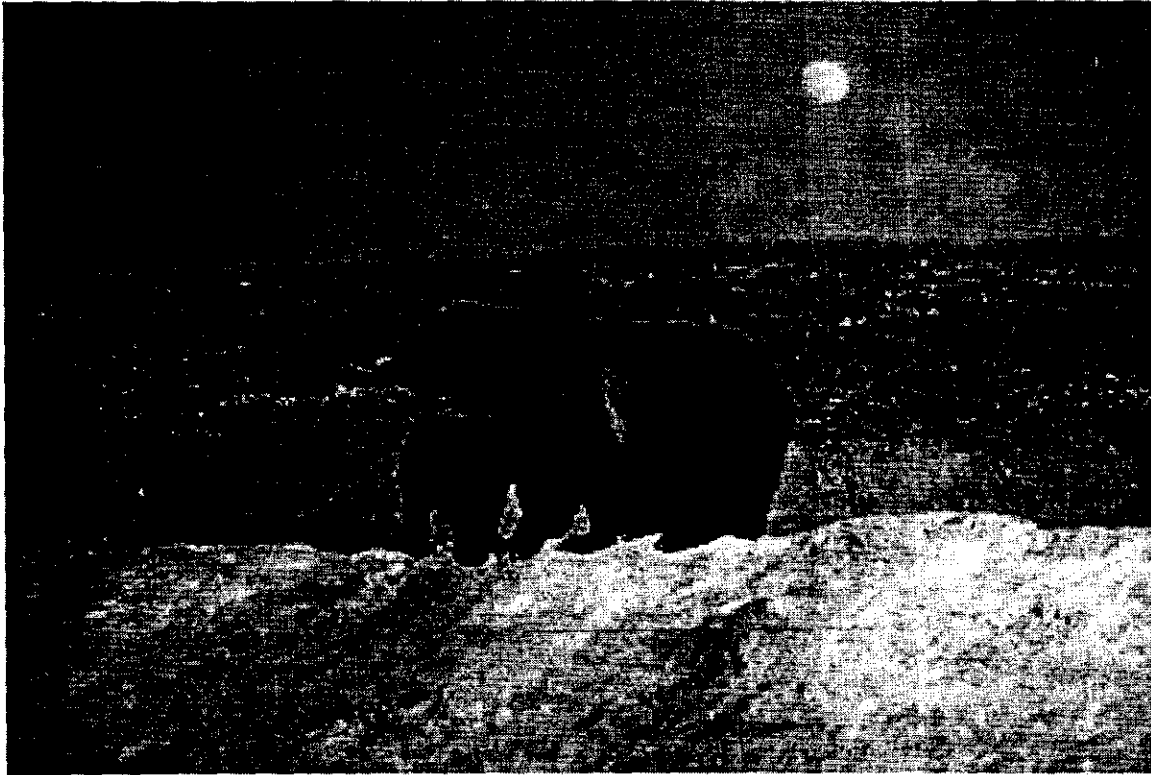
➤ In order to discredit outspoken ologists, managers can create career-ending performance problems. Most commonly, a manager will swamp the troublemaker with too many projects and then downgrade the ologist for failure to meet impossible deadlines. This style of bureaucratic trench warfare is called "death by a thousand paper cuts" because it requires no overt, dramatic adverse actions but the accumulation of scores of small inflictions.

➤ Many of the ologists in conflict are women, several who are new hires in male dominated field offices. For the females under attack, it is sometimes difficult to distinguish whether the discord is on account of gender or on account of grizzly politics. When a District Ranger says to a new female ologist, "I want to know one thing, when are you going to get married?" the message is clear that the Ranger wants the ologist out of the district but the motive for the question may be mixed. Several female ologists report being told by supervisors that women do not make good team players because they did not grow up playing team sports. For the female ologist raising grizzly habitat issues, both her gender and her work seem to preclude being invited onto the team.

➤ In resource agencies being trimmed under budgetary pressure, the opportunities for advancement are shrinking. Most of the agency scientists envision a career marked with advancement. For a supervisor to consistently deny promotions, recognition or reward to a young ologist is to condemn him or her to the lower rungs of the professional ladder.

Complicit, dysfunctional agency management creates or strongly contributes to the problems and tactics outlined above. No matter how outrageous the misconduct by managers, he (rarely a she) is never moved. The end result is a bedraggled, intimidated scientific core whose own professional habitat is as tattered and fragmented as that of the grizzly.

V. Tomorrow Will Not Be Another Day



The efforts of many wildlife and land managers in the Greater Yellowstone Ecosystem to declare the grizzly bear a recovered species is premature. As illustrated by the failure of the current official recovery plan, the recovery of the grizzly needs to be approached on the basis of a broad scientific consensus including agency managers, agency scientists and outside researchers as well as the affected public.

The recommendations within this chapter are not confined to the grizzly but because the grizzly is the political focal point, the need for these solutions is magnified when dealing with grizzly issues.

➤ A new agency dynamic is needed. The lack of consensus on the biology should mean you start over rather than pretend that dissent does not exist. This means applying a conservative approach towards recovery and delisting of the grizzly bear. The Grizzly Bear Recovery Plan for Yellowstone needs to be

readdressed, reanalyzed through more rigorous scientific review and academic participation and approached with more current concepts of minimum viable population analysis and conservation biology.

➤ There must be transparency within all of the state and federal agencies, i.e., shared and open data; clear and public biologic assumption and written legal guidelines. Only by opening a free flow of population and habitat data within the state and federal agencies and with outside researchers can scientific consensus be reached on effective recovery strategies.

➤ Implement more rigorous assessment and protection of grizzly bear habitat. High quality habitat, such as ungulate winter range, trout spawning streams, and whitebark pine communities should be identified and protected from further human modification. Other habitats that offer foraging opportunities, travel routes and security zones need to be assessed and protected accordingly.



WHITEBARK PINE THREAT. Spreading infestation of the whitebark pine moths is reducing the supply of pine nuts, another grizzly staple.

➤ Apply an aggressive approach towards reducing grizzly bear mortality. Only by analyzing the causes of bear mortalities can management strategies be devised to minimize them.

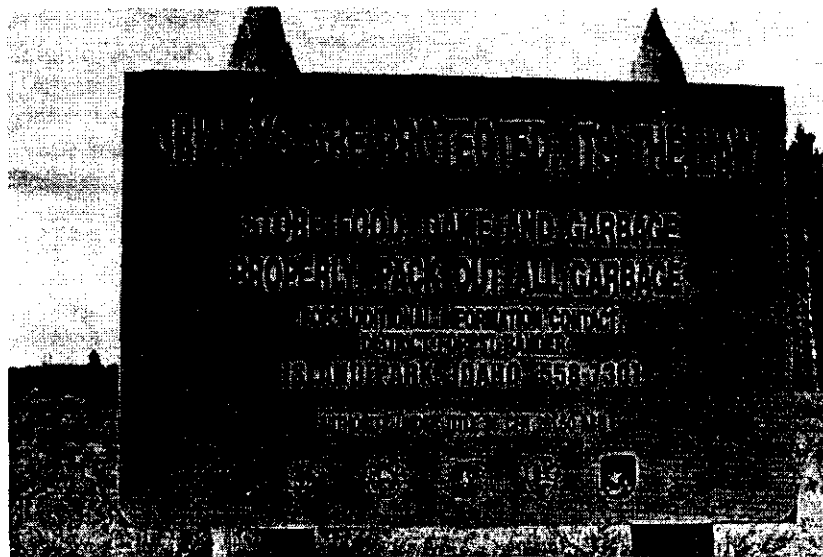
➤ A credible recovery strategy must ensure that cumulative impacts are analyzed as part of a coordinated interagency management of the ecosystem.

➤ Change the current Internal agency reward structure which punishes dissent. One arguably cannot change human nature but can change institutional incentives. Presently, agencies demand little accountability from managers for mistakes which adversely

affect resources. In essence, there is no penalty for excess on the part of public agency managers.

➤ Finally, there must be an effective system for filing and resolving professional grievances where the filer is not stigmatized as a "whistleblower."

These recommendations suggest a different posture rather than different policies. These simple changes militate toward an end to combat biology on behalf of the Yellowstone grizzly bear. The alternative is to merely replay the same battles over the deteriorating, shrinking habitat of one of America's legendary and most treasured creatures.



About the Government Accountability Project

The mission of the Government Accountability Project is to protect the public interest and promote government and corporate accountability by advocating occupational free speech, defending whistleblowers, and empowering citizen activists. Established in 1983, the Government Accountability Project is a nonprofit corporation.

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