

Grizzly Bear Recovery Policy and Its Consequences

G. Sidney Silliman

California State Polytechnic University, Pomona

The Interagency Grizzly Bear Committee, its member agencies, and the Grizzly Bear Recovery Coordinator have implemented a range of programs to recover the grizzly bear population in the lower-48 states since the bear was listed in 1975 as a threatened species under the Endangered Species Act. The recovery targets set by the Grizzly Bear Recovery Plan for the Yellowstone population have been met. The long-term survival of the grizzly bear in the conterminous states, however, is still threatened because the grizzly is restricted to only five isolated areas of its ancestral range. As an alternative to current policy, the grizzly bear should be returned to the remaining wild habitat in the Rocky Mountains and the North Cascades.

Introduction

There is a high probability today that most any visitor to Yellowstone National Park, with a bit of luck and some patience, might observe a grizzly bear. Visitors watching over the Antelope Creek drainage early in the morning or before sunset on a spring day are especially likely to find a grizzly bear or even a sow and her cubs searching for food in the meadows. On the other hand, visitors to the Plateau area of Targhee National Forest immediately west of Yellowstone National Park are much less likely to see a grizzly; in fact, even a seasoned wildlife manager would be hard pressed to find a grizzly bear in the Plateau region.

The differing probabilities between the areas reflect more than the element of chance that is part of wildlife observation. In 1983, Yellowstone Park officials, out of a growing commitment to limiting grizzly bear mortalities, established bear management areas where human use would be restricted and bears protected. Antelope Creek is one of those management areas. Richard Knight, head of the Interagency Grizzly Bear Study Team from its creation in the early 1970s until 1997, maintains that

that was the most successful thing we've ever done, that closure. Now it's a place people can go and see bears, and it wasn't that way before the park closed it (Varley 1998, 5).

The backcountry closures are one of many actions taken by the National Park Service to conserve the grizzly bear population in Yellowstone, and management plans are oriented to keeping bear mortality down. Park dumps and the garbage dump in nearby Cooke City, which habituated grizzlies to feed on human sources of food and often led to human-bear conflicts, were progressively closed. Scientific research on grizzlies and their habitat has increased understanding of not only the bear and its needs, but of ways to reduce human impact on the grizzly. As a consequence, in Yellowstone, the decline in the grizzly bear population evident in the 1960s and 1970s has been reversed.

In contrast, the Plateau Bear Management Unit of Targhee National Forest, which was stripped of 70 percent of its vegetation (mostly through logging and, to a lesser extent, through forest fires) between 1981 and 1992 and which is crisscrossed with 1,000 miles of new logging roads

has one of the poorest records for bear production within the core bear protection zone as specified by the *Grizzly Bear Recovery Plan*.... The Forest Service

wanted it exempted from the requirement of having to sustain perpetual year-round bear occupation (Wilkinson 1998, 81).

As a result of failing to protect this habitat, there are no residential grizzlies in the Plateau portion of Targhee National Forest (Willcox & Ellenberger 2000, 7).

The two areas aptly symbolize the status of the grizzly bear in the lower-48 states after more than twenty-five years of government action to protect and conserve the grizzly bear under the Endangered Species Act. Although recovery targets for the Yellowstone bear population set by the Grizzly Bear Recovery Plan have been met, implementation of grizzly bear recovery policy since 1975 has effectively restricted the grizzly bear to only five isolated areas of its ancestral range in the conterminous 48 states, with the result that the long-term survival of the grizzly bear is still threatened.

The ESA Framework

Before the European settlement of the American West, as many as 100,000 grizzly bears roamed freely from the Great Plains to the California coast and south into Texas and Mexico. However, by the 1920s, the grizzly bear was extinct in over 95 percent of its ancestral range in the conterminous United States; the last of the California grizzly bears were gone by 1922. In the 1970s, there were fewer than 1,000 bears confined to less than two percent of the grizzly's original range. Only the Yellowstone, Northern Continental Divide, Selkirk Mountains, Cabinet-Yaak, and North Cascades ecosystems contained small and isolated populations. Almost universally the cause of the grizzly bear population decline and the near extinction of the bear has been direct human-caused mortality and associated habitat usurpation by human beings (Mattson & Craighead 1994, 102). Humans have been the primary agent of grizzly bear deaths for over one hundred years. Logging, road building, mining, and development have so reduced grizzly bear habitat that grizzlies today survive only in extensive wilderness areas.

The Endangered Species Act (ESA) of 1973 sets the direction of federal policy relative to the surviving grizzly bear populations. Section 2(b) of states:

The purposes of this Act are to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved [and] to provide a program for the conservation of such endangered species and threatened species.

Reflecting the national priority to protect endangered and threatened species from extinction, the grizzly bear was listed by the U.S. Fish and Wildlife Service (USFWS) as a "threatened" species in 1975, thereby accorded the legal protections of the ESA. A grizzly bear recovery plan, as mandated by Section 4(f) of the Endangered Species Act, was prepared in 1982. A revised Grizzly Bear Recovery Plan was later developed by the USFWS in 1993. The goal in both plans "is to identify actions necessary for the conservation and recovery of the grizzly bear" (1982, 1 and 1993, 15). After a "recovered" population has been established, the grizzly bear might be removed from threatened status in the lower-48 states.

Coordination of grizzly bear recovery efforts was at first exercised by the Interagency Grizzly Bear Steering Committee, a group of research administrators and mid-level managers instituted in the same year that the grizzly bear was listed under the ESA. Among its tasks was providing general review and direction for the Interagency Grizzly Bear Study Team research program (Mattson & Craighead 1994, 105). Since 1983, all grizzly bear recovery efforts in the lower forty-eight states have been coordinated by the Interagency Grizzly Bear Committee

(IGBC) established under a memorandum of agreement between the Department of the Interior and the Department of Agriculture. The Committee's mission is "to ensure recovery of viable grizzly bear populations and their habitats...through interagency coordination of policy, planning, management, and research" (IGBC 1986). Its particular responsibilities are to implement the Grizzly Bear Recovery Plan, direct the research activities of the Research Subcommittee, make joint recommendations to Federal agency heads and Governors, and review for decision actions proposed by IGBC subcommittees.

As originally constituted, the IGBC included regional representatives from the United States Forest Service, the National Park Service, the USFWS, and one representative each from the wildlife departments of Idaho, Montana, and Wyoming. Representatives involved with research and bear management in the State of Washington were invited to participate in the committee. Subsequently, the Bureau of Land Management and the British Columbia Wildlife Branch were subsequently added as official members. Much of the work of the IGBC is carried out through subcommittees, agency groupings responsible for recovery efforts in the various ecosystems capable of supporting grizzly bear populations as well as through the Research Subcommittee and the Information and Education Subcommittee.

The Grizzly Bear Recovery Coordinator, a position technically within the Fish and Wildlife Service but connected to every agency involved in grizzly conservation, is the national official directly responsible for implementing grizzly bear recovery policy. The Recovery Coordinator serves as advisor to the IGBC, yet lacks the power to force State or Federal agencies to fulfill their obligations under the Endangered Species Act, the recovery plan, and related management rules. "Central authority is not his. He must beg and wheedle and persuade" (McNamee 1997, 193).

Policy Implementation

To implement federal policy to conserve the grizzly bear, the IGBC, its member agencies, and the Recovery Coordinator have pursued a range of activities since 1983. Principal among these are the development of a recovery plan and management guidelines for implementation of the plan, the protection of grizzly bear habitat on federal lands, programs to minimize human/grizzly bear encounters, direct protection of the bear through law enforcement, augmentation of grizzly bear populations, and the education of the public and government officials about the needs of the grizzly bear and the work of the IGBC.

The single most important administrative document for realizing the ESA goals is the Grizzly Bear Recovery Plan. Originally completed under the direction of Don Brown as Grizzly Bear Recovery Plan leader and revised a decade later by Christopher Servheen, Recovery Coordinator since 1982, the Grizzly Bear Recovery Plan neither mandates specific actions or programs nor allocates resources on public lands. Rather, the Plan outlines steps that will facilitate the recovery of the species and, in practice, sets only broad conservation targets and provides technical information to public land managers. Implementation rests with the Federal and State management agencies in areas where the species occurs, and appropriate portions of the Recovery plan are to be incorporated into such agency-decision documents as National Forest, National Park, and State management plans. Any actions these agencies undertake must be compatible with the goals set forth in the Recovery Plan (Primm 1996, 1029).

A second key document for grizzly bear conservation is the *Interagency Grizzly Bear Management Guidelines*. Developed initially through interagency cooperation in the Yellowstone area to detail the procedural means to grizzly recovery, the Guidelines were adopted in 1986 by the IGBC for application throughout grizzly bear ecosystems in Idaho, Montana, Washington, and Wyoming on National Forest, Bureau of Land Management, and National Park lands.

Integral to the document is the concept of “management situations” by which land use priorities are stratified according to grizzly population and habitat conditions. Management Situation 1, for instance, designates an area that contains grizzly population centers and habitat components needed for the survival and recovery of the species. Grizzly-human conflict minimization will receive the highest priority in Situation 1 areas, and management decisions “will favor the needs of the grizzly bear when grizzly habitat and other land use values compete” (U.S. Forest Service 1986, 3).

Protection of grizzly bear habitat is a central component of recovery policy and government agencies have accomplished much in this regard. The Endangered Species Act requirement in Section 7 for USFWS consultation and oversight of federal projects that might affect endangered species has directly increased the protection of grizzly bear habitat. Through consultation, recreational facilities were removed from the Fishing Bridge area, an important grizzly bear habitat in Yellowstone National Park, and some roads in national forests have been closed to secure grizzly bear territory (Willcox & Ellenberger 2000, 24). Nearly 20 percent of Yellowstone’s backcountry, as noted above, has been closed to human use, specifically to provide secure habitat for grizzlies (McNamee 1997, 194). Trout spawning streams in Yellowstone National Park and areas like McDonald Peak on the Flathead Indian Reservation are regulated so as to reduce human activities and human/bear conflicts during the seasons of high-bear use. As part of a larger land exchange under the Gallatin Range Consolidation and Protection Act signed by President Clinton in October 1993, the Forest Service gained control of 7,100 new acres of grizzly bear habitat within Scapegoat Wilderness in Lolo National Forest through an exchange with Big Sky Lumber Company (IGBC 1993, 8).

To reduce grizzly bear/human encounters, which often result in the death of a bear, the IGBC is active in encouraging communities in grizzly bear country to clean up garbage sources attractive to bears and to install bear-proof garbage containers. Bears habituated to human sources of food are more likely to find themselves in conflict with humans, and to be killed as a consequence. Thus federal agencies work with both local communities and county commissioners to address garbage problems. IGBC member agencies have sought to install bear proof refuse dumpsters in West Yellowstone and to either bear proof or relocate the West Glacier refuse facility. In 1989, an IGBC Task Force completed a “Bear-Resistant Containers Design and Structural Standards Inspection and Testing Methodology” handbook to help minimize human/grizzly bear encounters through proper storage of food and other attractants in grizzly areas (IGBC 1991). “Since domestic sheep are irresistible to bears, [and] grizzlies often find themselves within range of herders’ guns” (Willcox & Ellenberger 2000, 24), the National Forest service reduced sheep grazing in essential grizzly bear habitat in the Yellowstone Ecosystem.

Because direct human-caused mortality is one of the two primary explanations for the decline of the grizzly bear population in the conterminous states, government officials at the state and national levels have acted to limit the killing of grizzly bears. A moratorium was placed on all grizzly bear hunting in the areas around Yellowstone National Park in the mid-1970s (Schullery 1992, 165). The Grizzly Bear Recovery Coordinator arranged for an extensive population survey in the Northern Continental Divide Ecosystem, where Montana’s twenty-five grizzly limit for its hunting season was “based on not much more than guesswork,” and convinced Wyoming officials to implement changes in its black bear hunting regulations because the changes clearly aided the grizzly bear (McNamee 1997, 193-194). Law enforcement patrols were developed by IGBC agencies to decrease bear/human conflicts in the backcountry and prevent the illegal killing of grizzly bears. In its first year of operation, the IGBC Chairman requested the support of the four U.S. attorneys in Idaho, Montana, Washington, and Wyoming in the Interagency Grizzly Bear Committee’s efforts to prosecute grizzly bear offenders (IGBC 1983, 7). The State of Montana passed legislation in July 1991

making the sale of grizzly parts a felony and providing funds for undercover officers to enforce the law.

In the Cabinet-Yaak Ecosystem, the grizzly bear population is far below the levels necessary for viability. Thus the goal of the Grizzly Bear Recovery Plan for this ecosystem is zero human-caused mortalities. In addition, recovery managers have acted to augment the existing population. In July 1990, a sub-adult female was trapped in British Columbia and released in Cabinet Mountains, the first grizzly bear ever moved to augment a population (IGBC 1990). A second sub-adult female from British Columbia was released into the Cabinet Mountains in 1992.

The Information and Education Subcommittee is at the forefront of IGBC efforts to educate the public on the status of the grizzly bear, what the bear needs to survive, and how to avoid confrontations in bear country. The Subcommittee has cooperated in or produced portable exhibits, videos, television documentaries, and educational guides for elementary school teachers. Tens of thousands of "Bear Us In Mind" brochures and "Be Bear Aware" coloring books have been printed and distributed. IGBC produces and distributes *Grizzly Tracks*, an annual report to government entities and the public on the work of the Interagency Grizzly Bear Committee. Its member representatives and advisors travel to Washington, D.C. each year to brief congressional staff, key legislative committees, individual members of Congress, and national conservation organizations on the status of grizzly bears and the activities of the Committee.

The Impact of Recovery Policy

It is easier to cite the actions of the Interagency Grizzly Bear Committee and the Grizzly Bear Recovery Coordinator than to assess the consequences of those actions for the grizzly bear. Indeed, there is considerable debate over the current status of the grizzly bear and over the impact of recovery policy on grizzly bear populations. However, one of the goals of public policy studies is to draw conclusions regarding the consequences of government action relative to significant policy issues.

The 1993 Grizzly Bear Recovery Plan addresses seven areas in the conterminous 48 states where grizzly bears were known or thought to have been present in 1975 and specifies that the ultimate objective is to establish "recovered populations in each of the ecosystems where habitat is available to sustain a grizzly bear population" (1993, 15). Thus it is not unreasonable to assess the impact of the recovery program against this objective. As stated previously, although recovery targets for the Yellowstone bear population have been met, implementation of grizzly bear recovery policy since 1975 has effectively restricted the grizzly bear to only five isolated areas of its ancestral range in the conterminous 48 states, with the result that the long-term survival of the grizzly bear is still threatened.

The Yellowstone Ecosystem is a primary focus of grizzly bear recovery efforts under the Endangered Species Act, and there is strong evidence that bear recovery in that ecosystem is a success. According to data from the IGBC, the Yellowstone grizzly population meets the "recovery criteria" established in the Recovery Plan (1993): fifteen females with cubs of the year over a running six-year average, sixteen of eighteen Bear Management Units occupied by females with young, and known human-caused mortalities not to exceed 4 percent of the population estimate (with no more than 30 percent of this mortality being females). In 2000, thirty-seven females with seventy-two cubs of the year were counted in the Yellowstone area. This was the fifth year in a row in which over thirty unduplicated females with cubs were identified, and the count raised the six-year average to thirty-one. As the year 2000 closed, in at least two of the last six years, all eighteen of the bear management units within the

ecosystem had been occupied by females with young. Total known human-caused grizzly bear mortalities were three in 1998 and six in 1999, with only one female killed in each year. Both the total human-caused mortality and the number of female mortalities for the two years were below the allowable levels set by the recovery plan.

The government’s success in meeting the recovery criteria for the Yellowstone ecosystem is especially notable because the recovery program reversed a downward trend in the Yellowstone grizzly bear population. As reported to the IGBC in 1983: “Analysis of all existing population data for the years 1959 through 1980 indicates a statistically significant decline in the grizzly bear population” (IGBC 1983). In 1982, Ro Wauer, Chairman of the Interagency Grizzly Bear Steering Committee, announced that the most recent population estimate for the Greater Yellowstone region had dropped to 196 individual bears, “including as few as 30 adult females.” Wauer quotes L.L. Eberhardt, an authority on grizzly bear population trends, in his memo:

The presently available evidence indicates that the Yellowstone grizzly population most likely cannot sustain its present level unless adult female survival rates improve (Wauer 1982).

The minimum population estimate for the Yellowstone area for 1980 was 183 to 207 bears. Yet, in 2000, the Yellowstone grizzly bear population was estimated to be between 400 and 600 bears (USFWS 2000). Today, there may be as many as one hundred females in the ecosystem.

Nevertheless, the consequences of the government’s recovery program for the grizzly bear as a whole are less positive in that the grizzly is effectively restricted to only five regions of its ancestral range, and three of the existing populations are probably not viable over the long-term. As reported by USFWS, the grizzly bear population in the lower 48 States is estimated to be approximately 800 to 1,100 bears distributed in the following ecosystems (USFWS 2000):

Yellowstone	400 to 600 bears
Northern Continental Divide	300 to 400 bears
Selkirk Mountains	45 to 50 bears
Cabinet-Yaak	30 to 40 bears
North Cascades	5 to 30 bears
Selway-Bitterroot	none
San Juan Mountains	none

The current distribution of the grizzly bear is not surprising given that the Recovery Plans recognize a relatively limited number of ecosystems as suitable for grizzly bear conservation. The original Plan addressed only six geographical areas and sought to recover only three populations in three ecosystems (1982, 1), while the revised Recovery Plan recognized seven ecosystems with the “potential to provide adequate space and habitat to maintain the grizzly bear as a viable and self-sustaining species” (1993, 33).

In the San Juan Mountains, the absence of bears is ultimately a function of the extirpation of the bear well before the grizzly was listed under the ESA. Yet the San Juans have received little attention as a recovery area. The 1982 Recovery Plan recognized that the Yellowstone, Northern Continental Divide, Cabinet-Yaak, Selkirk Mountains, the Selway-Bitterroot, and North Cascades Grizzly Bear Ecosystems “appear to have adequate space and suitable habitat to offer the potential for securing and restoring” the grizzly as a “viable self-sustaining member of each ecosystem,” but notes that “the status of the grizzly bear in the San Juan

National Forest in Colorado is still in doubt” (1982, 1 and 10). Though recognized as one of seven grizzly bear ecosystems because bears were known to have existed there in the recent past (a female grizzly was shot there in 1979), the 1993 Recovery Plan merely reserves the San Juans Ecosystem “for further evaluation as an additional recovery area” (1993, 11).

In contrast, the Selway-Bitterroot Ecosystem is central to the long-range vision of recovering the grizzly bear. After more than six years of planning and collaboration with local groups, USFWS announced in November 2000 that it had decided to release a minimum of twenty-five grizzly bears over a period of five years, beginning in 2002, into a “recovery area” comprised of the Selway-Bitterroot and the Frank Church River of No Return Wilderness areas. Offering prime habitat for grizzly bear recovery as it is the largest expanse of continuous federal lands in the lower-48 states, the Selway-Bitterroot Ecosystem could easily support upwards of 300 bears. Reintroducing a grizzly bear population to the ecosystem would provide a critical link between the Canadian and Yellowstone ecosystems to maintain the genetic diversity of the Yellowstone bear population. Nevertheless Secretary of Interior Gale Norton aborted the recovery plan with her June 2001 announcement that the scheduled reintroduction into the Bitterroot Mountains would be abandoned. Secretary Norton allowed Idaho Governor Dirk Kempthorne, a Republican who opposes the reintroduction plan, to veto a broadly-supported initiative that had been forged by diverse stakeholders.

Even though remnant populations in three of the ecosystems listed above are of concern to the Interagency Grizzly Bear Committee, delays in the ESA listing process have forestalled action to conserve those populations. Despite a 1991 determination by USFWS that the population of the North Cascades warranted listing as endangered, “workload on other species...has delayed the Service from proposing endangered’ status” for this population (USFWS 2000). A 1993 determination of the appropriateness of the action notwithstanding, a listing of the Cabinet-Yaak population as endangered was precluded by higher priority species (USFWS 2000). In spite of a 1999 determination that Selkirk-Cabinet-Yaak grizzly bears populations should be combined as one “distinct population segment” and that this combined population warranted listing as endangered, the bears “are currently precluded from reclassification due to higher priority listing actions for species needing more immediate protection” (USFWS 2000). Not only are the populations in the three ecosystems not recovered, they are endangered.

The larger point is that the grizzly bear population in the conterminous States remains threatened with extinction because the relatively small number of bears are restricted to relatively few places.

Summary

How long a species survives depends, first, on how much of its habitat is saved. How long a species survives also depends on its abundance and growth rate because chance events play a role in determining a species fate.

Wide-spread, abundant species with high population growth rates run little risk of chance extinction. But restrict a species’ range, or reduce its abundance or growth rate and the odds of chance extinction go up (Shaffer 1992, 3).

The tragedy is that the national grizzly bear conservation policy reflected in the Grizzly Bear Recovery Plan is to maintain habitat for only about 1200 bears in no more than seven (but more likely six) isolated populations. While determining the minimum viable population for grizzly bears (or any other species) is a challenge, a population of grizzlies below the range of several thousand individuals is at greater risk of extinction than a population above that

boundary (Soule 1987, 175-177). Furthermore, gaps in the distribution of a species, as with isolated populations of grizzly bears, increase the vulnerability of the species. Even if fully implemented, the long-term effect of the Recovery Plan is to leave the bear at risk of extinction.

As an alternative to current policy, the grizzly bear should be returned to the wild habitat that remains in the Rocky Mountains and the North Cascades. There are many more pieces of former grizzly range in northern and central Idaho, northwestern Montana, and northeastern Washington that could support viable bear populations—including and most importantly the Selway-Bitterroot Wilderness area—without threatening human use. Grizzly bears should then be managed for large total numbers and links among the populations should be established to reduce their isolation. This is not a call to return the grizzly bear to the full extent of its ancestral domain as that would be wildly idealistic, but only to provide sufficient habitat so that the grizzly bear population in the 48-States might maintain itself without demographic or genetic manipulation over the foreseeable future.

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