

The Short Life and Unnecessary Death of Grizzly 760

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INTRODUCTION

Like so many, Wyoming Wildlife Advocates is saddened by the killing of one of Grand Teton National Park's most charismatic and beloved grizzly bears, Grizzly 760.

On October 10th, 760 was captured and relocated from Jackson Hole to the Mormon Creek/Five Mile Meadows area near the east entrance of Yellowstone National Park.

Just two and a half weeks later, on October 27th, the Wyoming Game and Fish Department captured and euthanized 760 near the sparse rural community of Clark, about 43 miles away from where he was relocated and 100 miles from the only home he had ever known.

A series of questionable decisions led 760 inexorably to his death.

- We believe the decision to relocate 760 from his familiar habitat was erroneous. Prior to his relocation, this bear was described by wildlife management officials as non-threatening and non-aggressive.
- We believe that the decision to relocate a sub-adult bear like 760 to an area with the densest population of grizzlies in the entire Greater Yellowstone Ecosystem was negligent, possibly malicious, and led inevitably to his unnecessary death just weeks later.
- We believe the decision to euthanize 760 was unjustified. Authorities have not made the case, and, according to their own accounts, they have ignored their regulatory guidelines in making their decisions.

Given the decisions made by the WGFD and others, it is clear 760's chances of survival were minimized, not maximized, contradicting WGFD policy and public statements.

It is our conclusion that the responsible parties were well aware of the slim chance of success when relocating 760 to fully occupied habitat.

BACKGROUND

760 was from the third generation of Grand Teton National Park's "roadside bear" family that descends from Grizzly 399. Grizzly 399 is almost certainly the most photographed wild bear in history and deserves the phrases often used of her...legendary and iconic.

399's daughter 610 followed, literally, in her mother's footsteps, and when 760 was born to 610 in 2011, 760 was raised in the family tradition; along the roads and in the backcountry around the central core of the Park, often visible and always gentle and well-behaved.

This roadside behavior is theorized to be a risk management strategy utilized by a mother bear to keep her cubs from being attacked by male bears that often kill cubs to put the female into estrus so the male can impregnate her and propagate his own bloodline. Those male bears tend to avoid roads and are rarely seen, thus creating a safety zone for a mother grizzly to raise her cubs.

A side effect of roadside behavior, especially in a national park, is that a bear becomes habituated to humans. 760 was a favorite of tourists and photographers alike, and drew crowds whenever he appeared roadside.

A distinction must be made between *habituation* and *conditioning*.

Conditioning occurs when a bear receives a food reward and is considered a death knell for a bear; "a fed bear is a dead bear." Once a bear experiences human food, it will seek it out with its amazing sense of smell, and will likely become aggressive in its pursuit of it. Bears are all about smell and food, especially during hyperphagia, which is a bear's fall festival of gluttony when it attempts to bulk up in preparation for surviving the long winter hibernation.

Habituation, on the other hand, implies a certain comfort with people. Humans aren't a food source; they are just another creature in the environment. While careless word usage often interchanges the two words, habituation reflects a neutral, non-aggressive attitude towards humans, while food conditioning does not.

Remember this distinction as you read the following pages as it pertains deeply to the eventual fate of 760.

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Since the announcement of 760's euthanization, there has been a lot of speculation, some rumors, some grief, and plenty of questions.

After hours of interviews, days of research, and a trip to Clark, Cody, and the surrounding areas, we conclude that the WGF D public comments about this incident are substantially correct, although they could certainly have been more transparent and forthcoming. At worst, they engaged in the sort of after-the-fact spin that we've come to expect when an issue unexpectedly blows up in a government agency's face.

But that doesn't absolve them, and potentially others, of responsibility in an incident that could have, and should have, played out much differently.

Officials made judgments that appear unsound, expedient, callous, and not in compliance with their own regulatory guidelines.

TIMELINE

Here, according to our research, is how events unfolded:

During the summer and fall of 2014, grizzlies 399 and 610 were not often seen, but 760, showing the energy of youth, bounded about the park and was seen as far north as the Snake River bridge near Flagg Ranch, east to Buffalo Valley and along Moose-Wilson Road at the southern edge of the park.

In mid September Moose-Wilson Road was closed for a number of days while 760 browsed the berry patches, a favorite source of food prior to winter hibernation. From there, he moved south beyond the park boundary.

On October 8, a man walking his dog in the Aspens subdivision had an encounter with 760, ending up in a “closer situation than he would have liked with the bear.” WGFD officials have told us that the bear approached the man and his dog but did not charge or exhibit threatening behavior.

Then 760 “loitered” for several days “bouncing around on both sides of (Highway) 390” and apparently he was seen from the road on occasion.

On October 10, WGFD authorities trapped 760 on ranch land behind the Aspens subdivision. He likely was feeding on the abundant berries and apparently also found a small carcass or the remains of a larger one.

Concerned for public safety, bear managers moved 760 to an area near the north fork of the Shoshone River five miles east of the east entrance of Yellowstone National Park, an area already teeming with grizzlies known as Mormon Creek or Five Mile Meadows.

According to GPS data, which WGFD officials in Cody showed to us, 760 wandered around the release site for several days, and then made a beeline up Grinnell Creek into the high country of the Absaroka Mountains. After a short time, he crossed a high pass into the watershed of the Clark’s Fork of the Yellowstone River, which flows directly to the unincorporated town of Clark, and was 760’s avenue of approach to Clark. It is possible that 760 was driven from the high country by larger, territorial bears.

Then, according to the GPS data, 760 milled around the Clark’s Fork river bottom and surrounding fields for several days before coming across a small deer carcass hanging in a tree. Attracted by this unsecured and low-hanging treat, 760 did what any bear would do: he broke the rope, claimed the carcass, dragged it off a ways, and started eating it.

The hunter saw this from his residence, got in his pickup truck and attempted to force 760 off the carcass. Unsuccessful at forcing the bear off, he called in WGFD which, once 760 had satisfied his immediate hunger and moved off to bed down, then placed a leg snare near the remains of the carcass and left to await developments.

When 760 returned to finish off the carcass, the snare captured him. Upon WGFD’s return, he was tranquilized, loaded in a truck and returned to the WGFD facility in Cody overnight.

Meanwhile, WGFD contacted Christopher Servheen, Grizzly Bear Recovery Coordinator of the U.S. Fish and Wildlife Service, who must sign off on euthanizations of grizzlies. Authorization came on Oct 27, and 760 was euthanized by lethal injection.

DISCUSSION

Throughout our research, two comments were made repeatedly, and they form the basis for much of our criticism of WGFD.

First, we heard from National Park Service biologists, bear managers and WGFD officials, commenting in the various newspaper articles, that this bear had no “strikes” against it, had shown no aggressive behavior, had committed no infractions or property damage, and had received no food rewards.

By all accounts, this was a model bear, habituated to humans (remember, that’s a *neutral* attitude towards humans) and thoroughly non-aggressive. The worst thing officials have said about 760 was that “he was too comfortable around people.”

Second, we heard from biologists, newspaper reporters and, confirmed from WGFD’s own website, that the area to which 760 was relocated had the densest population of grizzlies in the entire Greater Yellowstone Ecosystem. Several people also mentioned that it was “big grizzly” country.

Furthermore, a WGFD official told us that numerous bears had been relocated to the same area, an approved relocation area they’ve used since at least 1986. In 2013, during one series of observation flights over the Grizzly Bear Observation Units adjacent to the relocation site, 66 grizzly bears were seen. That’s a lot of bears, and yet they continued to introduce more relocated grizzlies into the area.

From a WGFD statement quoted in the Jackson Hole News and Guide:

“The decision to relocate and the selection of a relocation site is made *taking into consideration the age, sex and type of conflict the bear was involved in*. Since grizzly bears are listed as ‘threatened’ under the Endangered Species Act, consultation with the U.S. Fish and

Wildlife Service and the appropriate land management agency is also made to minimize the chances of future conflicts and *maximize the survival potential of the relocated grizzlies*' (emphasis added)

To the contrary, it sounds like the decisions made in 760's case were made with absolutely zero "consideration of the age, sex and type of conflict the bear was involved in." Furthermore the choice of relocation site would seem to *minimize* 760's "survival potential."

There are other aspects that disturb us about this case.

The guidelines for nuisance bear management operate on a loose "three strikes, you're out" scheme. Certain behaviors are strikes, while certain other behaviors are considered normal and acceptable bear behavior. Until a bear receives "strikes" it cannot be categorized as a nuisance bear, and thus is not eligible for "lethal removal."

It wasn't until a public backlash emerged against WGFD's killing of 760 that incidents that were originally characterized as being acceptable bear behavior were re-characterized as strikes. Until then, no single word made it into the public record even hinting that 760 had any "strikes" and that "lethal removal" of 760 might be required.

For example, let's examine the low hanging deer carcass in Clark that apparently triggered 760's euthanization.

Agency guidelines specifically state that it is a strike against a bear if it is able to obtain "secured" food rewards. The low-hanging deer carcass was not a secured food reward; essentially, it was bait.

The carcass was low enough for 760 to reach, and 760 was able to break or chew through the rope the deer was hanging from. When the hunter attempted to move the bear off the carcass by driving at it with his pickup truck, the bear guarded its food.

WGFD officials stated that 760 had gotten a food reward, and that he was displaying food-guarding behavior.

Of course, he was, and that is normal bear behavior. It seems the offenses committed were by the humans, and not by the bear — allowing unsecured food and approaching a bear on a food source.

The guidelines clearly state that gaining access to unsecured food sources like the hanging deer and guarding a food source are not considered offenses that justify killing. They are considered acceptable and normal bear behavior.

Similarly, the presence of 760 in or near the Aspens subdivision did not constitute an offense. They could not give him a strike, since he exhibited none of the behavior that the guidelines consider nuisance bear behavior.

According to the Interagency Grizzly Bear Committee's written guidelines for relocating or killing a potentially troublesome bear, proximity to people in a subdivision is not considered one of the three offenses (or strikes) that warrant killing a grizzly.

“It does not count as an offense when determining the disposition of the bear, should it be recaptured in a future control action,” the guidelines state.

Clearly, when a bear “loiters” near a residential area, something must be done. WGFD decided against aversive conditioning techniques such as cracker shells, loud noises and lights, etc., reasoning that an unpredictable and frightened animal could take off in an unanticipated direction, such as straight back into the subdivision. So what to do with this bear?

That brings us back to the question of relocation. WGFD was probably justified in deciding to relocate 760 from the Aspens. Grizzlies don't belong in residential areas. But where to relocate 760? Why not back into his familiar GTNP habitat, especially since it was fall foraging season when bears need to put on weight to survive winter hibernation? Or into an area with a lower density of bears than where 760 was to be relocated? This was not done.

Why, then, would WGFD relocate a young bear into the densest population of grizzlies in the entire ecosystem where there was little likelihood he would survive?

And finally, it is known that GTNP was “consulted” after 760 was trapped in the Aspens, but why? 760 was outside the park, so why would WGFD consult with them? Was WGFD “consulting” on whether GTNP would accept 760 back into the park? Did GTNP refuse to accept 760?

CONCLUSION

There is no doubt that 760 was a habituated bear, but not a food conditioned bear. The WGFD’s apparent attempt to construe the unsecured deer incident as a food reward, property damage and/or aggression is disingenuous. If there were other food rewards, WGFD has not revealed them. The guidelines seem clear that habituation, in and of itself, is not a justification for lethal removal of a bear from the population. Nor is proximity to a subdivision adequate justification. Absent any evidence of food rewards, property damage, or aggression we can see no justifiable reason why this bear was killed. The circumstances in Clark cried out for aversive conditioning, not removal.

We are shocked at the callousness that led to a bear being euthanized by the WGFD with the flimsiest of justifications. We would be doubly shocked by the callousness of GTNP officials if it was their decision that led to 760 being shipped to a wholly unfamiliar and predictably dangerous environment in what appears to be little more than a thinly veiled death sentence for a beloved grizzly bear.

In either case, the public must know the details of the decision-making process that led to the death of Grizzly 760. There must be transparency and an official investigation into whether WGFD followed the rules and regulations put in place for its operations. Additionally, as the agency officially in charge of threatened and endangered species, there must be questions asked as to whether the U.S. FWS oversight of WGFD was faithfully executed, and whether they lived up to their mission to "conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people."

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When all is said and done, 760 was killed because he was “too comfortable with people” and people were not too comfortable with him. That is tragic

because, with the possible exception of 399, there never was a better or gentler grizzly bear ambassador to the human race than 760.

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There are many questions that need to be asked and answered!

1. Why did WGF D not follow written guidelines for relocating or killing a protected species? Why then did U.S. FWS approve of the killing of 760? Was there an official finding that 760 was, according to the guidelines, a nuisance bear? Where is the evidence and documentation for this finding?
2. Why were no aversive conditioning techniques attempted, either in the Aspens incident but especially later in Clark? Aversive options include cracker shells, air horns, bear spray, rubber bullets, or trained bear dogs all of which may condition a bear to remove itself from an area.
3. Why was 760 not relocated to a more suitable, remote area once captured in Clark, when according to the guidelines he had no offenses against him?
4. After it was clear there would be a public outcry against the killing of 760, officials tried to paint a more negative picture by re-characterizing 760's behavior, so the answers to the following are critical:
 - A. WGF D officials implied that 760 caused property damage, but have failed to specify. What property did 760 damage?
 - B. WGF D officials implied that 760 was exhibiting aggression. What aggressions did he exhibit? Was he behaving like a normal bear guarding food? Did he ever bluff charge anybody? Did he ever injure anyone?
 - C. WGF D officials implied that 760 received food rewards. Were those food rewards from "reasonably secured" situations, as defined on pg. 54 of a 1986 document titled "Interagency Grizzly Bear Guidelines"

5. Why are bears from Jackson Hole being relocated to the Cody area while at the same time bears from Cody are being relocated to Jackson Hole.
6. Was 760 moved to an area outside GTNP for political and public relations reasons — to avoid another hunter-caused grizzly bear death this fall in GTNP?
7. Did the park and other officials conspire to “lethally remove” this bear from the population because it was expedient to orchestrate 760’s death outside the park and avoid a public relations nightmare and issues with the Endangered Species Act?
8. Does GTNP bear some responsibility for 760's ultimate fate? It is known that when 760 was captured near the Aspens, WGFD “consulted” with Grand Teton National Park. Did GTNP refuse to accept 760 for relocation? Is there evidence or documentation concerning this official “consultation?”
9. In the Interagency Grizzly Bear Study Team report “Yellowstone Grizzly Bear Investigations 2013,” it is noted that after being trapped in Lizard Creek Campground and relocated to Boone Creek in Caribou Targhee National Forest, 760 returned to GTNP within a week but “was not observed within a developed area again during 2013.” This seems to be a successful outcome, so why was he ever removed from Jackson Hole?
10. In 1986 guidelines document, Eagle Creek, which enters the North Fork of the Shoshone River within a few hundred yards of Mormon Creek/Five Mile Meadows (760’s relocation site), is identified as an approved relocation site. Since 1986, how many bears have been relocated to this same immediate area? We know of 7 bears relocated there in 2014 alone. How many bears relocated to this area survived? Why are so many bears being relocated to an area that has the densest population of bears in the entire Greater Yellowstone Ecosystem?
11. 760, like his ancestors, was a roadside bear. While it is crass to put a value on an animal like this, it is unquestionable that a roadside grizzly bear is capable of generating economic benefits for GTNP and the surrounding communities. A 2014 report in the Journal of Environmental Management quantifies the value of a predictably seen roadside bear like Grizzly 760 as a multi-million-dollar tourism asset. Was the economic value of 760 ever taken into account before destroying this valuable living resource?

12. Why doesn't WGF, the wildlife management agency in the state with, arguably, the most large carnivores in the lower 48 states, have a team of trained bear dogs? Bear dogs have proven effective in managing bears in residential situations in Reno and elsewhere. One contractor, Wind River Bear Institute, has worked its dog teams in Yosemite and Glacier national parks, northwest Montana, California and the North Cascades of Washington.

SOURCES

Newspaper articles from:

Jackson Hole News & Guide:

Oct 15 - Grizzly 760 relocated from near the Aspens -

<http://bit.ly/11bVym0>

Nov 1 - Griz 760 ventures north, gets killed -

<http://bit.ly/1zZN8NO>

Nov 5 - Wildlife lovers protest death of grizzly -

<http://bit.ly/1xrFhrj>

Nov 7 - 760 confirmed to have been member of famous griz family -

<http://bit.ly/1xCs6Bz>

Nov 8 - Clark griz relocated to Jackson Hole -

<http://bit.ly/1tRDuoj>

Powell Tribune:

Oct 9 - Grizzly bear captured -

<http://bit.ly/1GzqBZS>

Nov 10 - Grizzlies on the prowl in Clark -

<http://bitly.com/1x9X7PJ>

Agency Documents:

WGF's 2013 Grizzly Bear Job Completion Report - bit.ly/1zTIot7

IGBST Grizzly Bear Investigations 2013 - bit.ly/1tV6Fqu

Interagency Grizzly Bear Guidelines 1986 - <http://tinyurl.com/k4kxshy>

Interviews:

Dan Thompson, WGFD, Large Carnivore Supervisor

Luke Ellsbury, WGFD, Cody

Gib Mathers, Powell Tribune

Chuck Neal, retired biologist

Several residents of Clark, WY

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