Grizzly bear (Fish and Wildlife Service)

Grizzly bears in the Yellowstone region were removed from the ESA list in 2007 on the grounds that they had recovered to the point that they no longer needed protection. Now Doug Peacock argues in Environment 360 that Yellowstone’s bears should be returned to the ESA’s protected list. His piece highlights three key challenges for delisting decisions.

First, it can be difficult to predict the extent to which relaxing regulatory protections will result in increased human-caused mortality, deliberate or incidental. Peacock notes that 2008 saw record levels of grizzly mortality in the Yellowstone area. Even if population numbers are robust at the point of delisting, they can quickly fall if subsequent protections prove inadequate.

Second, it may be difficult to predict the effects of climate change. Peacock argues that the high grizzly mortality is related to loss of whitebark pine, a principal food source for the bears, to the invasive pine beetle, which is spreading with warmer winters, and that the 2007 delisting decision did not sufficiently consider threats to the pine.

Finally, those charged with implementing the ESA may become so invested in either their judgments about the species’ status or their need to demonstrate success that they fail to see or respond to problems. The ESA requires that delisted species be monitored for at least five years, so that they can be returned to the list if necessary. But Peacock asserts that the FWS team overseeing grizzly conservation is adamantly opposed to relisting. He attributes that to “pandering” to state agencies who in turn are pandering to local political opinion, but it may simply be that a team that two years ago decided the grizzly no longer needed protection is unlikely to be unbiased in determining whether it was wrong. His call for fresh leadership is a sensible one that should be routinely instituted with delisting — a new team ought to be responsible for post-delisting monitoring, or at least there ought to be strong periodic review by scientists free from personal investment in the delisting decision.