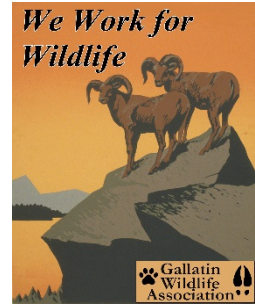


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August 11, 2020

To Governor Bullock and Montana Grizzly Bear Advisory Council:

Re: Future of Grizzly Bears in Montana

Dear Governor Bullock and Montana Grizzly Bear Advisory Council:

The Gallatin Wildlife Association (GWA) would like to thank each individual council member and the council itself for the time and effort all have chosen to provide the state of Montana in discussing the future management of grizzly bears. GWA has participated in the public commenting process multiple times in both written and oral form prior to these comments and would like these comments to be considered as an addendum to those. We take this opportunity to comment on what is known as the Consolidated Draft Recommendations as presented on the Governor's Grizzly Bear Advisory Council (GBAC) website dated July 28, 2020.

GWA is a nonprofit volunteer wildlife conservation organization representing hunters, anglers and other wildlife advocates in Southwest Montana and elsewhere. Our mission is to protect habitat and conserve fish and wildlife. GWA supports sustainable management of fish and wildlife populations through fair chase public hunting and fishing opportunities that will ensure these traditions are passed on for future generations to enjoy.

**Preamble:**

We find wording in the 3<sup>rd</sup> paragraph to be misleading. We do not believe that there are "core habitats" that "support connectivity" in Montana. We suggest that confusing "core

habitats” (recovery areas that presumably already have persisting bear populations?) with “connecting habitat” is misleading in that needed connecting habitat, especially between the Greater Yellowstone Ecosystem (GYE) and occupied bear habitat to the north, has not been occupied nor effective for genetic connectivity of populations. We believe that identifying potential connecting habitat will be a most important requirement for persistence of GYE grizzly bears. Thus, connecting habitat should not be presented in this confusing way in this opening section.

The first sentence in the 4<sup>th</sup> paragraph is one sided and needs balance. The negative effects of grizzly bear expansion upon “emerging livelihoods” in Montana are cited. Another sentence should note that growing human populations and expanding human infrastructures will continue to fragment and isolate bear populations and are expected to increase bear mortality. Such balance would provide a more complete introduction to the problem being addressed by the Council.

### **Guiding Principles:**

One goal GWA has had from the beginning is for the GBAC to provide thoughtful consideration to and the implementation of mechanisms for successful connectivity among the six (6) existing northwestern ecosystems in the lower United States having populations of grizzly bears.<sup>1</sup> Four (4) of these six ecosystems either border or exist in the state of Montana, making Montana critical to the success of the species existence, especially of those bears in the large but very isolated GYE.

The Vision as presented by the GBAC establishes fifteen Guiding Principles, a set of goals and rationale for the Councils existence. Connectivity is incorporated into one of those Guiding Principles. Guiding Principle 13 specifically states the following:

*“Connectivity is important to the long term sustainability, persistence, and resiliency of grizzly bears. Connectivity areas will exist in diverse social and environmental settings. Not all of these settings are conducive to permanent habitation, but should be managed to promote genetic and demographic connectivity in biologically suitable and acceptable habitat, being mindful that biologically suitable does not always mean appropriate.”*

This statement recognizes that connectivity needs to be considered in the long-term management plan for the grizzly bear. What we might change in that statement, is to substitute the word “critical” for “important”. We feel connectivity cannot be given just lip service, but needs to be included in word and deed. Guiding Principle 12 feeds into that concept of connectivity and is exactly what is needed to secure those lanes for corridor development. For it says:

*“The Council recognizes the importance of large tracts of remote secure habitat. Sustaining and improving habitat security, managing road densities, and identifying and protecting natural food resources and other needs will contribute to long term survival and resiliency of grizzly bears.”*

We applaud Principle 12 for being contained within the Vision of the GBAC. We suggest that the first sentence conclude with “including in needed connectivity areas”. Principle 12 should also be made a recommendation. We need substance for the cause of connectivity other than just a vision. It needs to become a reality and this guiding principle, if implemented, is one way for that to happen.

However, GWA has great concern over Guiding Principle 9, for it states the following:

*“The council supports and understands that as expansion of grizzly bears occurs East of the Rocky Mountain Front and North of Interstate 90, that do not contribute to connectivity of recovery zones, dictates special attention, management and allocation of resources and those areas needs to be clearly articulated in MTFWP management plans.”*

We are not certain what to make of this language. Clarification is necessary. This statement seems to make the assumption that connectivity routes and habitats which exist east of the Rocky Mountain Front and north of Interstate 90 are not considered important or worthy to the overall connectivity for the bear. If this assumption is correct, GWA strongly disagrees. If this assumption is correct, it is contrary to the science as we know it. GWA has long been a wildlife advocacy organization in support of connectivity among several recognized, scientific corridors northward of the Gallatin and Absaroka Front. This statement in the proposed principals either needs to be corrected or restated to allow for the recognition of grizzly bear corridors to the north and east of the

Continental Divide such as those of the Gallatin and Absaroka/Beartooth Front, and the Bridger Range and the Big Belt Mountains.

In addition, recommendation 18 of Section 1, under the partition entitled “Grizzly Bear Distribution, Relocation, and Connectivity” states the following:

*“Allow natural movement to new areas between all four identified recovery zones in Montana.”*

Recommendation 18 implies, but avoids saying, that natural movements may or should not be allowed in areas that are outside of recovery zones - but not designated as connectivity areas. Again, clarity regarding connectivity areas and their management, and other areas not within recovery zones or connectivity areas, is very much needed.

This statement alone may contradict the assumption of Guiding Principle 9. Both texts are in “red” which apparently means “those principles have yet to be discussed or decided upon”. We question and disapprove of the phrasing of Guiding Principle 9 as we understand it, but wholly support Recommendation 18 of Section 1. Connectivity and corridor protection, whether it be through management of bears or procurement of existing or new habitat must be contained as a guiding principle and as a recommendation.

GWA also wants to recognize Guiding Principles 7 and 8 stated here.

*7. The effects of climate change should be considered when making decisions about grizzly bears.*

*8. The best available science should inform decisions in all aspects of grizzly bear management and conservation.*

We want to applaud the recognition and inclusion of these two principles as they should provide a just result for the bear. Science needs to guide the management of the bear and with that acceptance, the acknowledgement of climate change should help bring the realization of a changing world to that effort. There needs to be an adherence to both.

Lastly, the Guiding Principles fail to mention anything about the number of bears needed to provide a genetically adequate, connected population. Avoidance of this issue is a serious oversight. There is discussion of the issue in grizzly bear, conservation genetics and conservation biology literature.

### **Section 1:**

Section 1 contains 30 recommendations subdivided over three (3) categories, which the document describes, as topics reached during deliberations. Even though, as previously stated, those in red have “yet to be discussed or decided upon”. GWA is not quite sure how to take this discrepancy, if indeed there is one. Recommendations 1-13 relate to Education and Outreach, recommendation 14-17 relate to Conflict Prevention and recommendations 18-30 relate to Grizzly Bear Distribution, Relocation and Connectivity. GWA appreciates those recommendations listed under the categories of Education and Outreach and Conflict Prevention. There needs to be a renewed interest and perseverance in both so the public (in state and out) can have the understanding and knowledge of bear behavior and ecology. Mankind needs to know how to co-exist with this iconic species.

### **Recommendation 16:**

Two of the recommendations that GWA specifically wants to bring attention to at this time is found in Section 1, recommendation 16 entitled Public and State Land. Here recommendation 16, i, 4 states:

*“Recreation use on our public lands is rapidly increasing. Montana Fish, Wildlife and Parks (MFWP) should coordinate with public land managers to develop plans to address the impacts from recreational use and prevent conflicts between grizzly bears and people on the landscape. This should include a mix of actionable items (i.e. temporary trail closures, special use permits) and consistent and comprehensive outreach and education.”*

We appreciate that GGBAC acknowledges that recreation and grizzly bear activity has the potential of conflict. The Custer Gallatin National Forest needs to recognize this fact in their 2020 Final Plan. Land-management and wildlife management agencies should realize that it is not wise to place conflicting activities on the same landscape (i.e. more intense recreation activities in grizzly bear habitat). Grizzly bears and other species

require space and solitude in their natural habitat for protection. The Council should incorporate this language and acknowledgement into the final product.

The second recommendation worth mentioning is found in recommendation 16, i, 6b, as this pertains to grazing allotments. For it states:

*“On public land grazing allotments, which could be used to identify where and why conflict between grizzly bears and other large predators and livestock are occurring. This information could be used to more effectively allocate resources and implement tools and techniques that minimize conflicts.”*

There needs to be an acknowledgement that grazing activities can impose a severe hardship to bears in grizzly bear habitat. Grazing allotments within the Primary Conservation Area must be allowed to terminate upon the allotments expiration date and not be renewed. Unfortunately, grazing allotments have taken a toll on grizzly bears in several ways over time. Through the refusal or delinquency of carcass removal, human/grizzly bear conflicts, habitat fragmentation, and more, grazing has just led to an increase of grizzly bear mortality. We suggest a recommendation stating that opportunities to diminish livestock grazing in recovery zones and connectivity areas be sought.

**Recommendation 21:**

*21. “Relevant agencies should work with pertinent States and Provinces, landowners, agricultural producers, and communities to create plans to establish new suitable relocation areas inside and between recovery areas which further the conservation, connection, and recovery of grizzly bears in Montana.”*

This recommendation seems to relate to Guiding Principle 12. Its application is critical and necessary. This has been the missing link in many plans orchestrated by land-management agencies. GWA sees this at the heart of connectivity taking root. This element is in red meaning there is no consensus (from our understanding) but we suggest that this must be implemented and become a part of any overall plan. We assume that one of the relevant agencies would be MFWP?

**Recommendation 22:**

*22. “If bears are captured outside recovery zones, bear specialists should have the flexibility to move bears to an appropriate established relocation site.”*

We have a couple of questions about the vagueness of this recommendation. Does such flexibility not now exist? More importantly, what is meant by “appropriate” and by “established”? How would relocation sites be established? What standards would be used to establish relocation sites? What does oversight and follow up in this scenario look like or has it been thought through? Vague terminology perpetuates the existing vague terminology, and usually provides no progress

**Recommendations 23:**

*23. “Any new and existing agreements regarding population augmentation should be evaluated on a regular basis.”*

One issue that has not been discussed in this report is the subject of populations. More on that below. But we think population management should be part of any oversight. Surely this effort would have oversight and periodic review and we would assume that would be done by MFWP. Who would be making that decision as to whether or not population augmentation is warranted?

**Recommendation 25:**

*25. “Encourage continued federal protections of WSAs and IRAs to maintain habitat security for grizzly bears.”*

This recommendation is in “RED”, but we ask why? This should be a given without any debate. We see this recommendation like a few others relating to Guiding Principle 12 and we feel it is supported by it, so why is it in question? It is what is needed to make connectivity work.

**Recommendation 26:**

Recommendation is longer in text and all of it won’t be repeated here but the premise.

*26. Work with Montana Department of Transportation and Federal Railroad Administration to reduce transportation mortalities, facilitate movement and enhance public safety:*

This recommendation recognizes the obvious need to reduce mortality and aid connectivity across society's most dangerous forms of infrastructure for wildlife, highways and railroads. GWA is a member of Montanans for Safe Wildlife Passage in order to facilitate that function. This recommendation is critical to the cause of establishing corridors and is very much needed. This recommendation facilitates GWA's mission in two arenas and therefore very much supported by this organization.

**Recommendations 27-29:**

*27. "To inform its grizzly management plan, the Council recommends that FWP and all relevant agencies clearly define the landscapes in between the four recovery zones in Montana that are important for connectivity and the long term sustainability of the grizzly bear, as well as those areas that are not a priority to grizzly bear connectivity.*

This recommendation basically puts in place what has been inferred throughout this document. This would be a huge step forward in the process of establishing connectivity and would be the most important accomplishment of the Council.

*28. If the expansion of grizzly bears does not contribute to connectivity of recovery zones, it dictates special attention, management, and allocation of resources, and those areas need to be clearly articulated in MTFWP management plans. OR The council recognizes that as expansion occurs outside of the four identified recovery zones located in Montana and landscapes in-between, Montana Fish, Wildlife and Parks will have to balance expansion with the need to prioritize resources.*

This ambiguous pair of recommendations (28, 29) must be clarified. Recommendation 28 implies that FWP should wait some undefined number of additional years to see if bears will establish needed connectivity among recovery areas, especially with the Greater Yellowstone area. This is already the position of two FWP grizzly bear management plans, and connectivity has not occurred. Without specifying a time limit, the recommendation accomplishes nothing. Recommendation 29 presumes that connectivity will occur, without active management, which is very uncertain. Stating that FWP will have to contend with competing resources adds nothing to the current status of bear management.

We contend that active management has been justified as necessary to establish permanent populations of bears within connectivity areas and that, for recovery and long-



term persistence of bears, they must be given a high priority in land management within recovery zones and identified connectivity areas.

*29. FWP should, in consultation with relevant entities, identify areas that are not “critical to the long-term vitality” of grizzly bears and prioritize relocation or removal of management bears in these areas.”*

In recommendation 29, since we favor the long-term persistence of grizzly bears in Montana, we suggest the word “prioritize” be replaced with “authorize. We also suggest the word “management” is not necessary. Both recommendations 28 and 29 need clarification. What does the implementation of these two recommendations look like if implemented as they now read?

We’re stating our hesitancy while still admitting that MFWP has a significant role to play; should they do so wisely and responsibly. They are the agency that will oversee the overall management of the grizzly. And they should do so by using the best available science and working with other wildlife NGOs and scientists to design and determine best corridor placement.

It would make sense that MFWP analyze and document suitable habitat and try to enact current guiding principle 12. There needs to be a common sense approach by MFWP and other wildlife management agencies as to where grizzlies can successfully move across the landscape. This is obviously not going to be near or in areas of human population. Consequently, the opposite is also true. Man should not develop settlements, attractions or infrastructure in critical grizzly bear habitat. We do not believe that manufactured zones or manmade management boundaries should determine the connectivity options of the grizzly bear.

## **Section 2: Hunting**

Section 2 leaves open the possibility of hunting for it states, they did not reach consensus. Hunting should not be allowed in recovery areas or in designated connection areas, at least until the bears have fully recovered to genetically adequate numbers.

Recommendations of geneticists are that at least several thousand bears are necessary for long-term persistence of genetically adequate populations.

According to an article in the Missoulian newspaper<sup>2</sup> entitled “*What is killing Montana’s grizzly bears? Humans and bullets, biologists say*”, there was this quote dated December 18, 2019.

*“The IGBC finally undertook the analysis after last year’s spike in grizzly bear deaths in both the Greater Yellowstone and the Northern Continental Divide ecosystems. Last year, U.S. Fish and Wildlife Service grizzly bear coordinator Hillary Cooley told the committee that conflict with humans is the main cause of grizzly bear mortality, accounting for 85% of known deaths in the GYE and 91% in the NCDE.”*

The mortality of grizzly bears is an obvious reason as to why these iconic bears have a hard time reaching connectivity, but why should we make it worse by allowing hunting? The question, as the article discusses, is why is there such a high rate of mortality? The answer to that question is multifold. Increased population growth into the wildland-urban interface causes an increase in those grizzly bear/human conflicts. But whether those deaths be from accidental shootings, vehicle/animal collisions, or the killing of bears from domestic animal conflicts or man/animal conflicts, the result is the same; the mortality is taking an important toll in preventing grizzlies from reaching their full potential of habitat recolonization. Habitat fragmentation or the loss thereof, or the loss of food supply whether that be from climate change or other reasons are all driving the bear into searching for new areas of suitable habitat. Hunting would only decimate that population, not enhance it.

In addition to this article, there also is this scientific defense for not hunting grizzly bears at this time. We would like to second the article found in the Missoulian and the research it was based on. In the August 4<sup>th</sup> edition of the Missoulian, there was a guest column by Dr. Adrian Treves and Dr. John Laundré<sup>3</sup> entitled “*Science does not support the claims about grizzly hunting, lethal removal*”. In the opening paragraph, they suggest that the Council should follow their own advice by using the best available science in their management decisions. In that next paragraph, they say this.

*“A close look at what that science actually shows about coexistence with native carnivores reveals insufficient support for the notion that hunting seasons and lethal removal will reduce grizzly bear-livestock conflict or improve tolerance of grizzlies’ presence on the landscape. To the contrary, the science suggests that killing carnivores can make these problems worse.”*

### **The Bears Population:**

We found it interesting that nowhere did we see in the Council’s report any reference to the population of grizzly bears. We realize of course this doesn’t necessarily mean the subject did not emerge during in-house deliberations. We have no way of knowing that. But we mention this here because population size is directly related to ensure the diversity, and adaptiveness of the genome and resilience of the population. This is the goal is it not, to maintain genetic diversity for the species?

GWA recommends that the GGBAC study the Compendium of Expert Statements<sup>4</sup> published in October of 2019. In there, Dr. Fred Allendorf makes this statement as it relates to the Northern Continental Divide Ecosystem (NCDE).

*“The NCDE Subcommittee 2018 has a population management goal of maintaining a 90% chance of not falling below 800 grizzly bears. This goal is not adequate for maintaining a genetically-diverse and demographically secure grizzly bear population. Allendorf and Ryman (2002) found as many as 5,000 grizzly bears may be needed in a single population for viability.”*

We, of course, are nowhere near those kinds of numbers, which makes us wonder what are the population goals the Council perceives for the state, if any? As estimated currently, the population of grizzly bears in the Greater Yellowstone Ecosystem (GYE) is approximately 700 and the NCDE is 800. This does get to the heart of the matter. Without doing more than what is recommended, is that going to be enough? Dr. Allendorf says no, not in the long run. For he says:

*“Moreover, repeated simulations of grizzly bear populations have shown a low probability of going extinct within 100 years, but also show extinction probability rising sharply after 100 years, with many populations going extinct within 200-300 years (Shaffer and Samson 1985).”*

This is obviously not in our lifetime, but it will be in our future generations. And isn't this what responsible governments are supposed to do; plan today for a better tomorrow?

Dr. Lee Metzgar<sup>5</sup> also states in that same Compendium of Expert Statements the following fact.

*“I wish to address the nature of a “recovered” grizzly bear population in the contiguous U.S. 48 states. It is long overdue for the U.S. Fish and Wildlife Service, Montana Fish Wildlife and Parks and other state and federal agencies to recognize the well-documented, scientific reality that any truly recovered grizzly bear population will include thousands of individuals.”*

We have our work cut out for us.

### **In Summation:**

As we said above, we would like these comments to be considered in addition to those already submitted. For more specifics on our rationale on hunting and other issues, we would refer you to our previous written comments dated May 7, 2020 and our oral comments provided to the Council on July 23, 2020. GWA's position all along has been to see implementation of actions and policies that will actually produce the results desired. This will not be accomplished unless there is an entity that will possess the desire, authority and public support to see it through. The GGBAC appears to be on the right track through the establishment of their guiding principles and recommendations to help protect the future of grizzly bears.

But there needs to be some adjustments made. MFWP needs to adhere to the goals and requirements of this document, but there also needs to be some systematic re-evaluation over time. As conditions and science warrants, changes need to be made. The grizzly bear is not a traditional species; it is an iconic species, one that deserves special protection and one that has spiritual meaning to Native and non-Native residents alike.

We fear that MFWP will resort to the traditional management practice of managing a species by specific management zones, a practice which interrupts the consistency

necessary. There is something to be said of managing a species based upon their own habitability, within the totality of their own ecosystem.

We would like to reiterate our position that connectivity must include those areas east of the Rocky Mountain Front and north of I-90 (specifically referring to the Gallatin and Absaroka-Beartooth Front, the Bridger Range and the Big Belts. The science models currently suggest this corridor has viability and importance.

Finally, we have said all along the problem with grizzly bears is not the bear, but of our understanding and management of the bear. It is a problem multifold, of our own making. Habitat fragmentation, climate change, loss of food supply and encroachment of man into their home causing man-made/animal conflicts have taken their toll on the grizzly bear. This document seems to address these specific concerns largely by trying to expand efforts to control conflicts. However, the future of the bear will depend upon establishing populations in connectivity areas and achieving a genetically adequate number of connected bears. This must be the main focus of the Council, or it will fail to restore and maintain grizzly bears in Montana.

Here we are responding to draft recommendations that have not been edited and are far from final, having many parts for which the Council has not reached a consensus. We request there be another round of public comment on a more complete and more nearly final version of the recommendations. This is why it is important to provide clear, precise and focused recommendations.

We thank the Governor and the Council for providing the opportunity for public comment. We will be watching to see how this process unfolds. As the Executive Order states, the Advisory Council is not a regulatory body, its recommendations are advisory only. This is one way that MFWP can regain trust of the Montana citizenry, by fulfilling the science and conservation recommendations of the Governor's Grizzly Bear Advisory Council.

Sincerely,



Clinton Nagel, President  
Gallatin Wildlife Association

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1. Interagency Grizzly Bear Committee, <http://igbconline.org/>
2. Lundquist, Laura, “*What is killing Montana’s grizzly bears? Humans and bullets, biologists say*”, Missoulian, December 18, 2019.  
<https://missoulacurrent.com/outdoors/2019/12/grizzly-bear-deaths-4/>
3. Treves, Adrian Phd, Laundre, John, “*Science does not support the claims about grizzly hunting, lethal removal*”, The Missoulian, Aug. 4, 2020.
4. Allendorf, Fred W., Phd, et al, *The Status of the Grizzly Bear and Conservation of Biological Diversity in the Northern Rocky Mountains: A Compendium of Expert Statements*. October 2019.
5. Metzgar, Lee H., Phd, et al, *The Status of the Grizzly Bear and Conservation of Biological Diversity in the Northern Rocky Mountains: A Compendium of Expert Statements*. October 2019.