

DATE: **January 15, 2024**

TO: **Montana Fish and Wildlife Commissioners**

RE: **Black Bear Season and Regulations Proposal for 2024 and 2025**

Dear Madam Chair and Commissioners:

Representing thousands of Montanans, Footloose Montana requests that you take to heart the responsibility of protecting black bears for all Montanans and proceed with restraint on black bear spring hunting. Black bears are important to the health of ecosystems; they survive mainly on plants and contribute to diversity by spreading seeds and nutrients throughout the forest.

**Killing black bears does not increase elk populations.** If the reason for excessive, wanton killing of black bears is to produce more elk, a 2002-2006 study conducted by FWP and the University of Montana, [Cause-Specific Mortality of Rocky Mountain Elk Calves in Westcentral Montana](#), notes that predation is often compensatory and not additive. This means that poor nutrition predisposed young to predation. The elk calves were already suffering from malnutrition. It's reasonable to assume they likely would have not reached maturity. The study also recommended "to investigate mortalities promptly and to assess the nutritional condition of individuals killed". Have you conducted such investigations?

**There is no updated study of black bear habitat and population on which to base hunting seasons.**

Why is there an extension of the black bear spring hunting season being proposed before your study of black bear habitat? Apparently, this study is needed to update old estimates from 2011 of the black bear population in Montana, and to counteract the uncertainties in your current estimation of population trends through the use of age-and-sex metrics, data gathered from hunters. As your own Molly Parks noted, before this study is completed, "There may be a lag if we're seeing a population decline or increase. In other words, currently, you do not know how many black bears there are, and you want to increase their slaughter anyway."

Human development and overhunting/poaching threaten the black bears' future. Yet inexplicably, there is no quota for black bears. Montana is overhunting black bears by extending the season and now allowing hunting with hounds.

**Extending the spring black bear seasons will impact grizzly bears.** The high rate of hunters misidentifying grizzly bears as black bears has resulted in numerous unnecessary deaths of grizzly bears. The already excessive harvest of black bears puts grizzly bears at risk of being killed and cubs orphaned. However, extending the black bear season by two weeks increases the risk of mistaken identified shootings, which are commonly not always reported.

The Ninemile has been and continues to be occupied by grizzly bears since at least 2001 and has had numerous confirmed observations of females with cubs, verified by FWP. Further, the area is a designated Demographic Connectivity Area. The Northern Continental Divide Ecosystem (NCDE) Conservation Strategy identifies the Ninemile DCA as important for occupancy by female grizzly bears and an area that will support eventual dispersal to the Cabinet-Yaak and Bitterroot ecosystems when the NCDE grizzly population expands. The Commission's changes would allow the hunting of black bears with

hounds in this area and put grizzly bears at risk, particularly females and cubs. Allowing hound hunting in this area will, at a minimum, result in the harassment of grizzly bears. Most likely, however, hound hunting will inhibit dispersal and connectivity between the NCDE, Cabinet-Yaak, and Bitterroot ecosystems and thus prevent the recovery of this threatened species.

#### Hound Hunting – Description of closed area

Page 4 in the 2023 Black Bear Hunting Regulations

[Download](#)

Reason for change: To reflect changes in the occupied grizzly bear habitat.

• Hound hunting and training is prohibited in occupied grizzly bear habitat in BMUs 100, 101, 103, 104, 110, 120, 121, 122, 123, 130, 140, 141, 150, 170, that portion of 200 in Missoula County ~~that includes the Ninemile watershed north of I-90,~~ that those portions of 216 in Missoula County and east of the Granite/Ravalli county line and in Ravalli County north of township 9N 18W, 9N 19W, and 9N 20W, that portion of 240 in Missoula County and Ravalli County north of township 9N 20W, 9N 21W, and 9N 22W, 280, 290, 300 west of I-15, 301 west of I-15 and HWY 69, 309, 317, 341, 400 north and west of I-15/Hwy 87 between Helena and Fort Benton, west of Hwy 223 between Fort Benton and Hwy 2 at Chester, south of Hwy 2 between Chester and I-15 at Shelby, and west of I-15 between Shelby and the Canadian border, 510 West of Hwy 310, 520.

#### **Commissioner Tabor and his family directly profit from this proposal**

There is a blatant conflict-of-interest problem with commissioners who profit from their decisions. Specifically, Pat Tabor's family runs Swan Mountain Outfitters, which offers spring bear hunts. Specifically, they offer four five-day trips to hunt and kill black bears in the spring, each trip at \$4,200, which amounts to a total of \$16,800. The BMUs proposed for extension are in Swan Mountain Outfitter's permit area. Passing this proposal is self-dealing and profiteering through the commercialization of Montana's wildlife.

**We request that you deny extending the spring black bear season in Region 1 BMUs 140, 141, 150, 170 to April 15-June 15.**

#### **The Hound Training Season has no legitimate purpose and should be ended altogether.**

It allows hounds to chase, tree and kill black bears from May 26-June 15. This amounts to nothing more than willful mutilation and deadly harassment of bears for recreation. This 'training' is simply an extension of hound hunting bears at their most vulnerable time. All kinds of wildlife with newborns are at risk when hounds tear up the forest from April 15 through June 15, terrorizing and attacking any wild animals they come upon. The carnage is a consequence of laziness being condoned by the state. It is an abandonment of reason altogether that diminishes Montana's hunting ethics; it's simply reckless destruction no civilized society condones and gives Montana's wildlife management a black eye.

#### **Spring Bear Hunts Should End**

**Spring bear hunts threaten public safety, dogs, and grizzlies.** Most hunters condemn bear hounding and baiting as unsportsmanlike and unethical. These frivolous hunts occur when the general public gets outside to watch wildlife, hike, and fish after a long winter. People do not expect hunters and hunting hounds in the spring, which puts the public and their dogs in unnecessary danger. Using packs of radio-collared dogs to pursue a bear until the exhausted, terrified animal climbs a tree or fights the hounds

means that the hound dogs are often injured or even killed. Bears, including grizzlies, emerge hungry and weak from their dens in the spring. Hound dogs do not distinguish grizzlies from black bears, which is why hound hunting in the Ninemile watershed is illegal.

### **Spring bear hunts kill an unknown number of cubs.**

In the spring it is impossible to know from a distance if a bear is a female and has cubs. The eventuality of a female bear with cubs being killed is high. Because it is illegal to kill bears with cubs, it stands to reason that most hunters do not report cubs. Black bear cubs are dependent on their mothers for at least 1.5 years after birth. If reported, cubs orphaned and left to starve to death, or killed, are not recorded. It's well past time for all wildlife killed in Montana to be recorded. Otherwise, there is no baseline knowledge to inform management, especially needed now with accelerating habitat loss from multiple factors and an overall decline in the populations of many species. The number of bears and cubs killed by poachers is not considered. Spring bear hunting is a glaring example of lack of management at best, and willful mismanagement at worst.

### **Spring bear hunts defy the North American Model of Wildlife Conservation (NAM).**

A U.S. Fish and Wildlife Service statement claims the NAM's purpose is wildlife for everyone. ["The North American Model of Wildlife Conservation has seven basic tenets that support the notion that wildlife is a public trust, an American birthright, and that wildlife species need to be managed in a way that their populations will be sustained forever."](#)

However, all spring bear hunts are solely for the dishonorable pleasure of bear and hound hunters with no regard for sustaining the black bear population and are particularly inhumane and destructive. They defy the North American Model of Wildlife Conservation. FWP is pledged to uphold these tenets:

- a) Wildlife Should Only be Killed for a Legitimate Purpose: Individuals may legally kill certain wild animals under strict guidelines for food and fur, self-defense, and property protection. Laws prohibit the casual killing of wildlife merely for antlers, horns or feathers or the wanton waste of game meat.
- b) Scientific Management of Wildlife: The best science available will be used as a base for informed decision-making in wildlife management.

### **Black bears are classified as game animals and should be hunted in the fall only.**

As Commissioners, you have a responsibility to uphold the public trust, and for proper management of publicly owned wildlife. Spring bear hunts undermine both these mandates. Added to the fall bear hunt, spring bear hunts make almost six months of bear killing per year. Montana is not a game farm and cannot sustain this extended, unsupportable killing.

Please work to limit and end this activity for the good of wildlife and of the public. Black bears are classified as game animals. Like other game animals, they should be hunted in the fall. The legislature does not require spring bear hunts.

We request that you please consider enacting reasonable hunting season times and lengths.

Sincerely,

Jessica Karjala  
Executive Director  
Footloose Montana  
P.O. Box 8884  
Missoula, MT 59807

Constance J Poten  
President of the Board of Directors  
Footloose Montana  
P.O. Box 8884  
Missoula, MT 59807

Kristine M. Akland  
Senior Attorney  
Center for Biological Diversity  
P.O. Box 7274  
Missoula, MT 59807