APPENDIX AA.

MONTANA FISH, WILDLIFE & PARKS GRIZZLY BEAR MANAGEMENT PLAN FOR WESTERN MONTANA DRAFT PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT OCTOBER 3, 2006

Summary of Public Comments and FWP Response

The Grizzly Bear Management Plan for Western Montana Draft Programmatic Environmental Impact Statement was released for public comment for 90 days beginning June 3, 2006. Additionally, Montana Fish, Wildlife & Parks solicited public comment through a series of formal public hearings held during September 2006 in Great Falls, Kalispell, Missoula, Choteau, Eureka, Hamilton, Helena, Libby, Lincoln, Seeley Lake, and Thompson Falls. Oral comments were received and recorded at these hearings.

One hundred sixty-eight people attended the public hearings, and 34 offered oral testimony. Written comments were received from approximately 114 people, 103 of who were Montana residents.

Comments were used to improve the final plan.

Major comments and issues, together with our responses, are as follows:

Values: People commented on the value of maintaining a viable grizzly bear population in western Montana and on their own personal values associated with this species. People in Montana, as well as people nationally and internationally, view this species as very important and associate many differing personal values with it. Comments stated that the grizzly bear is a symbol of wildness, wilderness, the balance of nature, one of God's creatures, a valuable game species, or environmentalist meddling. As suggested in the array of comments, people also value the grizzly bear for its role in ecosystem function.

FWP recognizes these personal and ecological values associated with this species. Montana's program will provide for a secure grizzly population and allow people to pursue their individual values, whatever they may be. The constraint on these pursuits is that collectively they should support the long-term conservation and maintenance of a healthy grizzly population.

This plan, by addressing the needs of those who live, work, and recreate in this area, should allow the bear to expand into those areas that are biologically suitable and socially acceptable. This will result in grizzly bears expanding their ecological presence into additional habitats in western Montana.

More Protection: Comments were received that the bear should be "protected" to a higher degree. It is also apparent that people who don't live in close proximity to grizzly bears are generally happy to have them left alone or "unmanaged". Yet because the concerns of those who live with grizzlies must be addressed to build support for the bear, as well as for population expansion, an active management program as described in this plan will be required.

There are, and will continue to be, places in this area where management is minimal (wilderness areas, national parks), but our experience indicates there are areas where active ongoing management will be required to provide for occupancy by bears.

Habitat Issues: Many comments were related to habitat management and the needs of grizzly bears. Some people felt stronger habitat programs need to be developed both within and outside the Recovery Zones. The plan recognizes that habitat management constraints are more detailed within the Recovery Zone by the U.S. Fish and Wildlife Service. However, there are specific recommendations for areas outside the Recovery zones, and it is FWP's intent to continue to refine necessary programs as grizzly bears expand. FWP's knowledge of grizzly bear needs will increase as we better understand the needs of those living with grizzlies. Together these will allow Montana to build upon successful programs.

Moreover, this plan should assist FWP in reaching its goal to further restore the grizzly bear as a valuable wildlife resource and re-establish them as part of ongoing wildlife management programs in Montana. While FWP feels the habitat needs of the bear must be addressed, it is also important to address these in the context of the communities and processes in place in western Montana. There are certainly significant issues affecting bears, and other wildlife habitats within and outside the Recovery Zones. Increases in residential development and human population growth will add to these challenges. However, there are also large areas of currently unoccupied habitat, or habitat occupied at low levels, where FWP hopes to promote bear occupancy; such an approach will provide additional long-term security of the bear population.

Clearly, a key aspect of our State Plan is to find ways to integrate bears into currently unoccupied habitat without radically displacing or disrupting traditional human uses. We believe this approach will build tolerance, or additional support, for the grizzly bear, and in doing so allow for a successfully recovered bear population in Montana. This will be possible in spite of potential site-specific problems. In other words, FWP is aware of the threats that exist to currently occupied habitats, and FWP intends to monitor and respond to those threats as indicated in the plan. FWP also recognizes the opportunities that are, and will be, achieved with bears occupying currently unoccupied areas. FWP also believes conservative approaches applied in the Recovery Zones will allow bears to continue to utilize and survive in those areas in the foreseeable future.

Some comments suggest that FWP needs to have the ability to change and/or obtain authority over federal programs/projects on federal lands. FWP does not anticipate such authority will be given to Montana. FWP will continue to work with established processes to ensure the needs of bears and other wildlife are met through federal forest plan revisions, NEPA, and other federal processes. FWP will also continue to encourage public involvement in these processes.

Finally, there were suggestions that FWP identify certain "triggers" for response to potential habitat changes. Such specifics are not feasible due to the nature of the species (an opportunistic omnivore), and the many variables that affect, or potentially affect, grizzly bear habitat. FWP will monitor the bear population and habitat as indicated in the plan and respond, where possible, to ensure the survival of the bear similar to the way in which FWP responds to problems that affect all other wildlife species they are responsible for managing.

In conclusion, FWP will work with other agencies, interests, and private landowners to ensure grizzly bear habitat needs are addressed both within and outside the Recovery Zones. In fact, this is already ongoing in many areas in western Montana with regard to Forest Plan revisions, county planning, subdivision review, and individual work with ranchers and local groups.

Roads: Comments requested that the current criteria for road density inside the Recovery Zones be applied outside and/or made more restrictive, or that the elk-road standards outside were inadequate to

meet the needs of bears. Concern was also expressed by some that road issues would be addressed in such a way as to "lock" people out of the forest.

The major federal landowners (U.S. Forest Service and BLM) are currently reviewing and adjusting their travel plans for western Montana. These agencies are working with local and other interests to modify those plans. FWP supports, and participates in, these efforts. In addition, the plan recommends generally following our elk standards outside the Recovery Zone. These standards often recommend one mile of road or less per square mile of land. FWP believes that the standard will allow us to meet the needs of the bear outside the Recovery Zone. There are some areas where this standard may be too high, and access will need to be modified, and others where more flexibility can be promoted. This will vary depending on habitat type and conflicts with people or property. Utilizing the adaptive management approach outlined in this plan, FWP expects to be able to respond as it gains knowledge and experience in these newly occupied areas.

There was concern expressed for off-road vehicle related issues. These issues are currently being addressed through the forest planning processes. FWP will work with those agencies to ensure that adequate monitoring programs are developed both within and outside the Recovery Zones and enforcement programs are also implemented (if we are given authority). Clearly, the advances in ORV technology have created the need for better management programs to address this issue. We intend to work with various interests including the local groups identified in the plan to address these issues.

Delisting: There were comments received either in support of, or opposition to delisting the grizzly bear in this area of the state. The issue of delisting is not addressed in this plan because this is a separate federal process overseen by the USFWS. FWP developed this plan to address how our bear management program would operate currently, and for the next 10 years, hopefully leading to eventual recovery and possible delisting. USFWS will have to address many other issues in addition to this plan in any proposal to delist the population. The delisting process is an open public process, and there will be opportunities for public input should a change in status be proposed.

Genetic Concerns: Comments indicated that some people were concerned about the genetic status of the populations due to potential isolation from other grizzly bear populations. The current science around this issue is the subject of some debate. As discussed in the Conservation Strategy in the Yellowstone area, current information indicates that a population of 400 or more individuals would be necessary to minimize possible genetic problems with a population. FWP will work with other states, provinces, and agencies to maintain a minimum of more than 500 bears in the NCDE. Current total population estimates are already above this level. We will also work with Canada to reduce the potential for isolation as a result of activities affecting the portion of the population north of the Montana border. While the objective for the Cabinet/Yaak is 90-125 bears, we are working to establish connections between this area and the NCDE; in fact this is beginning to occur. These connections will reduce the isolation of this portion of the population in the long term. Also, because this plan seeks to provide for expansion and potential linkage of the populations in Western Montana to others in the long term, the genetic concerns could greatly diminish in the future.

Comments Suggested Removing Grazing Allotments from Occupied Grizzly Bear Habitat on Public Lands: As bears continue to expand well beyond the Recovery Zone, they will encounter livestock on federal grazing allotments. It is counter productive to efforts designed to increase tolerance for bear expansion to consider eliminating the livestock industry in areas of expanded bear occupancy. A more productive approach to nurturing tolerance for expanded bear occupancy is to work with individual

producers to develop specific management practices that allow for coexistence. If livestock operations are specifically targeted for elimination in areas where bears exist or are expanding into, Montana will meet a zone of no tolerance that will translate directly into artificially limiting future bear expansion. FWP believes programs that implement management techniques such as guard dogs, sanitation, etc., in combination with removing livestock-killing bears as directed by the established guidelines will be a more productive approach in building tolerance for expanded bear distribution. However, in situations where it is mutually agreeable to the producer and FWP, FWP will also work toward allotment retirement, relocation, or buyout where it is determined to be necessary for maintenance of a healthy grizzly bear population. These three options will only be pursued under mutual agreement between FWP and the producers or other interests.

Comments Were Received on the Issue of Linkages and Corridors: Typically western Montana mountain ranges are linked by intermountain valleys that are primarily in private ownership. Land use on the private lands is dominated by agriculture (both ranching and farming), and subdivisions. These private lands provide significant and high quality winter and year round habitat for deer, elk and other wildlife. They also provide high quality riparian and wetland habitat as well as key upland habitat for a wide variety of native nongame species found in Montana. Although these same habitats are important in providing connections between primarily federally owned mountain ranges for bears, their greatest value lies in the habitat they provide for many other wildlife species. Our habitat programs are designed to conserve these habitats and in so doing preserve connectivity between mountain ranges for bears. Montana has an aggressive lands program for securing important habitat; we do so through private lands acquisition and/or conservation easements. This program, by statute, requires our habitat dollars to be spent across the state. In western Montana, these habitats so vital to maintaining ecological connectivity for wildlife – including bears - are purchased with "Habitat Montana" dollars and other funds (such as mitigation dollars).

We will also continue to work with private non-profit land trusts in their effort to secure easements from a variety of landowners occupying these important habitats.

Montana FWP will place an emphasis on conserving private lands adjacent to highway corridors that have been identified as key wildlife crossing areas. FWP's emphasis with the Montana Department of Transportation will continue to influence the use of highway mitigation dollars to secure adjacent private lands from additional development. Secondary emphasis will continue to be placed on "engineered structures" that facilitate wildlife crossings. During site-specific highway reconstruction projects FWP will support fence and highway structure placements that facilitate wildlife movement.

Coordination Between Canada, Idaho, and Montana: Reviewers recommended that all aspects of the bear management program be coordinated between Canada, Idaho and Montana and/or federal agencies in Western Montana. FWP intends to continue the existing coordination that is occurring under the IGBC as well as coordinate with British Columbia and Alberta on an annual basis. Topics will include status of current programs, habitat issues, mortalities, conflicts, etc. Obviously, programs in these areas are intertwined and many aspects of the management plan cannot be implemented without participating in cooperative programs.

Results of all coordinated monitoring of habitat, population, conflicts, etc., will be reported annually and made available to the public. In addition, any meeting will be open to the public as specified in Montana statutes.

Population Status/Estimation: FWP received comments questioning the status of the population in the NCDE and Cabinet/Yaak. Some noted significant increases and others noted population declines. The current status of the populations is discussed in the plan. The best available data indicates a population increasing in both numbers and distribution at the present time in the NCDE. However, these estimates and trends will be refined in the future with the DNA project and ongoing trend monitoring. The population in the Cabinet/Yaak is currently small, and this makes accurate estimation more difficult. Population estimation is, and always will be, an area of controversy in grizzly bear management. The plan uses a variety of widely accepted approaches used in other areas, with other species, and with grizzlies in other parts of the world. The plan recognizes that using a variety of information from many sources is the best approach to ensure reasonable estimates. Any estimates used, for example the DNA estimate (in early 2007) will be explained in full and will be open to public scrutiny and discussion.

Hunting: Comments were received that supported hunting as a part of the management program opposed hunting or a hunt, and suggested that any possibility of hunting be delayed until some future date. FWP recognizes that many people hold strong personal convictions on the issue of hunting this species. Those who support a hunt view the bears as a valuable wildlife species and game animal. Those who oppose hunting also view bears as a valuable wildlife species, but feel it is inappropriate to hunt bears, predators, or wildlife in general. Many who suggested that any hunt be delayed until a future date felt that this population needed to be more secure in both numbers and distribution before any hunt was proposed.

It is important that the public understand this plan only recommends that hunting be a part of the long-term management program. It does not recommend a hunt at this time. If a hunt were to be proposed, it would be through the public processes discussed in the plan. The rationale for a hunt would be open to public scrutiny. As discussed in the plan, FWP believes the option of using hunting as a future management tool is important. Hunting has been successfully used as a management tool for many species in Montana. In addition, Montana consistently has one of the highest levels of participation in hunting of any state in the nation. This constituency has also demonstrated significant long-term support for grizzly bears and their habitat. Some responders also pointed out that a hunt could help build the political support needed to create statutory changes and/or to obtain funding to maintain ongoing expansion of the bear population.

There were suggestions specific to how to conduct a hunt and how to sell licenses. These will be more appropriately discussed if and when a specific hunt is proposed.

FWP recognizes the need for ongoing education to reduce the potential for mistaken identification mortality and for enforcement to minimize any illegal take. All mortality factors would be evaluated when considering a hunt.

It should also be noted that there are portions of western Montana that will never be hunted both within and outside the Recovery Zone (national park lands etc). However, in order to promote a broader recovery and expanded local support, FWP prefers this management option in some situations. This approach has proven its success with other wildlife species including other large predator species in Montana.

Expansion of Food Storage Orders in Bear Habitat: Some people commented favorably on this aspect of the plan while others were opposed. People also recommended that FWP actively pursue expansion of food storage regulations to all bear habitats (both black and grizzly) in Montana. In addition, there was

support for having FWP assist with enforcing those regulations. These types of regulations can be controversial if developed and implemented without active local involvement and responsiveness to local concerns. This is an area where the local work groups identified in the plan could actively participate and build support. We recognize that in order to implement these food storage guidelines, we will have to work with other state and federal agencies and through their processes as well.

Implementation Schedule: Some comments recommend a clearly defined implementation schedule. This is somewhat problematic because the plan is intended to describe a management program for a population of grizzly bears in western Montana, including currently unoccupied habitat, and a portion of the area that could be delisted at some future time. In addition, parts of the plan are already implemented while others may or may not be implemented until the population's federal status changes. The chart below provides a general outline of these program elements.

Program Element	Ongoing	Expansion Areas and/or Post Delisting
Human safety programs	X	Χ
Inform and educate	An information and education plan will be developed and implemented	Х
Food storage enforcement/ Implementation	FWP is currently seeking the necessary authority and funding	Х
Aversive conditioning	X	Χ
Management Control	X	Χ
Hunting		When and where appropriate
Habitat/Habitat Monitoring		
Within Recovery Zone	X	Χ
Outside Recovery Zone	X	Χ
	Some, with more planned as bear	More monitoring as
	population expands	population expands
Habitat Guidelines	Needs to be developed through a	
Within Recovery Zone	conservation strategy or similar document	Χ
Outside Recovery Zone		Χ
Population Monitoring	Coordinated by the Science Team	Coordinated by the
		Science Team
Trails Monitoring	Current efforts are to intensify this program	Χ
Livestock conflict management	Identify preventative approaches staff and	Χ
	funding by 2008	
Property Damage	X	X
Research	X	With more emphasis outside
		Recovery Zone
Information and education	X	X
Funding	There is a clear need to identify additional	Will seek additional federal
	funding opportunities	and other funding to assist
		with implementation and post
		delisting monitoring
Local involvement	X	Expanded local involvement
		as bear population increases

X = indicates program element applies in this situation.

Public Information/Education: There was widespread support for these efforts as described in the plan, and FWP will continue to implement them and look at new partnerships and programs to make this aspect of the program even more effective.

Funding: Some commented that FWP would need to secure much more funding to implement this plan. FWP agrees and has adjusted the funding section accordingly. It was also suggested that the department refuse federal dollars, however, in order to successfully implement this program it will be necessary to utilize a combination of funding sources. Federal dollars through the Pitman-Robinson and Dingell-Johnson Acts have assisted with wildlife and fisheries programs in Montana without undue federal influence

Specific Targets: Comments indicate some people want more specificity and certain targets that will precipitate certain management responses. FWP would petition to relist the species if the population in the NCDE were to fall below 500 bears. In addition, mortality management would become more conservative than recommended if the population fell below 400 individuals (the level necessary to address genetic concerns). Generally, however, bear populations, like all other wildlife, change in response to many environmental factors. FWP will use ongoing information to adapt programs. These programs will be more conservative if populations drop and more flexible at higher levels. As always, any changes in management will be open to public review.

FWP acknowledges that the plan contains a lack of specificity on some issues. Reasons for this are that grizzly bear management programs, and other programs that potentially affect bears, are continually being adjusted as we gain new information and experience. In addition, as bears reoccupy habitats FWP will learn how bears use different food sources, adjust movement patterns, or create possible conflicts. FWP will need to adjust programs accordingly. Also, some aspects of management need to remain flexible. The narrative provided in the plan provides a picture of FWP's intent in these cases. FWP will continue to follow a comprehensive, collaborative process in the future to add specificity on things such as population monitoring, trend, mortality management, and more as the plan is implemented.

Value of Grizzly Bears to the Tourism Industry: Reviewers expressed the view that grizzly bears are very important to Montana's tourism industry. Grizzly bears are used in Montana advertising and promotions which results in many visitors arriving with the hopes of viewing a bear. We recognize the grizzly bear's value to tourism, and the plan should allow these benefits to continue and even expand by providing for a healthy bear population.

Nuisance Bears/Reporting Damage: There was a concern expressed by some that some of the definitions and/or approaches to dealing with these issues were too vague or left open to too much interpretation. It is very difficult to anticipate every potential type of conflict that could occur. The review of FWP's current approaches to grizzly-bear related problems in Montana indicates conflicts are very conservatively addressed. FWP makes every effort to avoid unnecessarily removing bears from the population. The plan recommends that these types of approaches continue. However, with expanding numbers and distribution of bears, some animals will have to be removed when conflicts develop.

Concern over SB163: We received comment that suggested that Senate Bill 163 (SB 163) would require the elimination of grizzly bears by the state. This is not the case. The statute and the legislative record of the bill indicate it is intended to deal with <u>individual</u> animals that prey on livestock including bees. These animals would be subject to control as specified in the plan. The USFWS and Interior Department Solicitor's Office reviewed this language and found it adequate for long-term management of the species.

The Department is also implementing preventative measures, especially for bee yards, which should further reduce possible losses of bears due to conflicts with bee yards.

Grizzly Bears in Other Ecosystems: Some responders discussed the status of grizzly bears in other ecosystems or recommended programs outside western Montana. Other documents and processes cover programs in these areas.

Keep People Out of Bear Habitat: There were suggestions that FWP work to keep people out of bear habitats. This is not possible and, in fact, bears are expanding their distribution into previously unoccupied areas. Trying to remove people as grizzlies expand is unworkable and would limit future expansion of the population. A program to manage both people and bears is a more productive approach to long-term conservation. This is the only course of action that can be implemented effectively.

Feed the Bears: It was suggested that FWP consider feeding bears during bad food years and in response to declines in natural foods. FWP believes this is unworkable at the ecosystem scale. While we do consider programs such as redistribution of livestock carcasses to minimize conflicts while still allowing bear use of this food source, we do not see large-scale feeding as workable or desirable. A better approach is to promote an increased distribution of bears. In doing so, the bear population can access a variety of areas and food sources and thereby accommodates environmental change.

FWP Should be Responsible for Grizzly Bear/Livestock Conflict Management – Not Wildlife Services: Some people stated that they would prefer FWP to handle livestock/bear conflicts. They felt that federal Wildlife Services failed to emphasize non-lethal or preventative control programs. Because Wildlife Services is often the first agency called on to address a bear-livestock conflict, FWP will continue to involve Wildlife Services. FWP is not abandoning a cooperative approach at this time. FWP believes Widlife Services help addressing livestock conflicts is essential to building tolerance for bears and other predators by livestock operators. The two agencies have a current cooperative agreement and both agencies expect the cooperation to continue. FWP's will work to ensure that the activities of Wildlife Services do not jeopardize the grizzly population or ongoing recovery efforts. As Montana gains additional experience with ongoing implementing of the plan, we should expect better prevention and non-lethal management of conflicts. FWP will continue to work with Wildlife Services in these efforts. In the future, should the grizzly bear population recover, we anticipate conflicts will be handled in a similar manner as black bear and mountain lions are currently.

Wildlife Over Livestock or Commercial Use on Public Lands: Some say the public wildlife should always take precedence over livestock on public lands in western Montana. Wildlife, however, needs private lands as well as public lands to survive. A cooperative program that blends the needs of wildlife with those of private landowners through ongoing management is described in the plan as a more productive approach.

Impacts of Snowmobiles: It was suggested that FWP address the potential impacts of snowmobiles on grizzlies. Advances in snowmobile technology have changed the potential for impacts to bears. Newer machines are able to access areas today that were not possible a decade ago. Thus, there is some potential for snowmobiles to directly affect individual bears through disturbance. At the current time, there is little data available, however, the plan allows FWP and others to monitor the situation. FWP will address the needs of the bear if future information indicates that such action is warranted.

Human Safety and Nuisance Guidelines: There was some concern that any bear damaging property would be killed or removed, or that the guidelines are too open to interpretation and too many bears would be removed. A review of our current approaches to these situations shows this is not the case in practice. Each incident is evaluated based on the particular circumstances and guidelines are conservatively applied. The proposed plan continues this approach.

ORV Monitoring: It was suggested that the plan monitor ORV impacts outside the Recovery Zone as well as within. Language was added to the plan to reflect this change.

Purchase Corridors: It was suggested FWP purchase corridors between ecosystems. FWP doesn't have sufficient resources to purchase all of these areas. A cooperative program with agencies, private non-profit land trusts, and private landowners is more effective. For additional response, see the section on "linkage".

Area Closures: Some comments indicated support for area closures to protect bears and also expressed concerns that any such closures be temporary. With active management as proposed, FWP does not feel that permanent closure of areas to people will be necessary. There may be times and/or places where seasonal closures are appropriate (for example, FWP closes elk winter ranges during certain months) or area closures may be necessary due to concerns over human safety (a bear is feeding on a carcass next to an active trail). Any closures will be site specific.

Response Time to Conflicts: People suggested that 12 hours may be too long to respond to some conflicts, and others state that a response within 12 hours was unworkable in some cases. FWP acknowledges both concerns and recognizes that both situations can occur. The most rapid response possible is always in the best interest of the management program and is the goal of the plan.

Relocation of Problem Bears: It was requested that the plan provide information where problem bears would be relocated. Because these decisions require information such as age/sex of the bear, current land uses, and understanding human activities, etc., this type of detail is not possible in the plan.

Funding: It was requested the FWP document all funding and have in place all commitments for ongoing funding needs. This is not possible because FWP and others operate on annual budget cycles sensitive to changing needs and priorities. A review of past funding indicates that the types of programs recommended in the plan receive funding support. FWP encourages those interested in these programs to pursue additional funding opportunities with their state and/or federal representatives.

Local Control: Some responders suggested that local control is an excuse to do "bad things" to habitat and bears. This is not the intent of this plan. FWP acknowledges national interest in the species by working towards a recovered bear population. At the regional or local level, we also recognize the importance of meeting the needs of those people living and working in these areas. The plan provides for this by encouraging local residents to become active participants in all phases of plan development, implementation, and evaluation.

Damage to Beehives: There was broad support for re-evaluating the guidelines for damage to beehives as recommended in the plan. Responders questioned labeling bees as livestock and wanted the policy on bears/beehives revisited. The department proposes to accomplish this during the timeframe of this plan. To change the status of bees would take legislative action. We plan on working with those maintaining bees to see that all hives in areas accessible to bears are protected by electric fences.

Females with Cubs Monitoring: It was stated that the use of this monitoring parameter was inappropriate. Current and ongoing research demonstrates that there is value in using this parameter. However, it should be noted that our program does not rely on it solely but will use a wide variety of information and data sources in program implementation and evaluation.

Definition of Socially Acceptable: As developed, the plan provides for bear expansion into areas that are biologically suitable and socially acceptable. Some people wanted additional definition for which areas are socially acceptable. There are some areas where the presence of grizzly bears is unacceptable due to risks to people and/or bears (urban areas). However, in many areas of western Montana the presence of the bear is acceptable if appropriate educational, conflict management and outreach programs are in place. This is the intent and direction of this plan.

Opposition to "Planting Bears": The plan provides for relocations of bears within the ecosystem for management purposes and for potential future relocations if projected distribution increases do not occur. It also provides for live removal and relocation of bears to other ecosystems or states if such opportunities become available. No relocations to increase distribution or to other ecosystems or states will occur without completing the appropriate public processes and extensive local involvement.

Risks/Liability From Bears: There was a question raised on who is liable if a bear mauls or kills a person or for any damage done by bears. Grizzly bears inhabit western Montana. As such, the risks associated with them already exist in many areas. It is FWP's intent that the programs recommended keep any risks at manageable levels. If and when court cases are pursued as a result of conflicts with bears, the liability, if any, will be determined by the courts.

Need Fewer Bears in Montana Because There are People Here and Their Needs are Increasing: Based on current information as presented in the plan, Montana can expect numbers of both people and bears to continue to increase into the foreseeable future. This makes a management program necessary in assuring coexistence.

Forest Plan Revisions: Comments indicated that some people want FWP to have more input into revisions of the Forest Plans in Western Montana. There was also concern over the new forest planning rules and what they could mean for grizzly bear habitat and conservation. The department is actively involved as these revisions move forward. In addition, we are supporting the development of a conservation strategy (similar to that prepared for southwestern Montana and the Yellowstone area) or a similar document, which will identify the agency commitment and programs necessary for long-term maintenance of a recovered grizzly bear population. We also recognize that some of these commitments both inside and out of existing recovery zones will be developed and adopted under other processes and agency authorities.

National Recovery: Some responders suggest we need to develop a national plan for recovery in other states, which historically held grizzly bear populations. While the department supports recovery in other portions of the species historic range and are committed to utilizing surplus animals from Montana to support their programs if they are developed, developing such programs is outside the scope of this plan for the State of Montana.

Enforcement: Comments were received that requested additional enforcement and/or fines for illegal killing of grizzlies, for people who create problems with inappropriate behavior (failing to follow food storage guidelines, etc.). They also suggested these fines could be used to support bear management.

FWP will explore this possibility in the future. Some people also suggested that additional penalties such as loss of hunting, fishing and trapping privileges be mandatory. As indicated in the plan, the department will evaluate higher fines and penalties and also seek authority to enforce food storage orders and travel rules through the appropriate changes in statutes (federal/state). It is also acknowledged that additional funding and staff will ultimately be required and the funding discussion has been modified to reflect this.

Wolf Management: Some commentors spoke to the issue of wolf management. This topic is beyond the scope of this plan. For information on the wolf program, see the department's web site at www.fwp.mt.gov.

Huckleberries: Comments were received that expressed concern over the possible effects of huckleberry picking (especially commercial picking) on the availability of grizzly bear foods and possible disturbance at these food sites from human activity. It was also suggested that FWP obtain authority over commercial picking of huckleberries. This is outside of our department's statutory responsibilities and would be better addressed to the Forest Service and other land managers. It should be noted that there are no data to date to indicate that human pickers are having population level effects. Certainly, it is the responsibility of all pickers to be knowledgeable on how to behave in grizzly and black bear country and avoid conflicts with bears.

Recovery Levels: We received comments on what recovery levels were necessary, statements that there were sufficient bears already, and questions on population levels recommended in the plan. Original recovery criteria were presented in the Grizzly Bear Recovery Plan in 1982; these criteria were revised in 1993. Criteria in that plan (numbers of females with cubs) have proven problematic due to problems with sightability in western Montana. Revised recovery criteria will have to be developed and we anticipate working with the U.S.F.W.S. through that process. The results of the DNA population estimate should assist with discussions on those criteria and necessary population levels. However, the Cabinet-Yaak and Bitterroot areas have clearly not met current recovery objectives. Based on a review of grizzly bear data and information from other grizzly populations, FWP believes that western Montana can support a fully recovered population and this plan should assist in those efforts. In addition, the density of bears at recovery in the Cabinet-Yaak is low for such a productive habitat.

Leave Bears Alone: Comments were received that requested we just leave bears alone. While there are places where active management will be minimal, there are also places where active management as outlined in this plan will be required for bears and humans to coexist and allow for ongoing expansion of the population.

Risks to Human Safety: Comments were received that expressed concern over the risks of grizzly bears to human safety. These risks are discussed in the plan, and the programs recommended should minimize the risks of injury or death from contact with this species. It should be noted that the risks of bears injuring or killing people, while very real, are also very rare. Many sources of information are available on how to minimize risks including information in this plan and books by Tim Rubbert, Steve Herrero (see literature cited), among others.

No Clear-cutting, Mining, Motorized or Mechanical Use for Public Access on National Forests: Some people commented wanting to restrict these and other types of activities on public lands. While these activities have the potential to impact grizzly bears if conducted inappropriately, and the department will

seek to input grizzly bear needs in the processes authorizing or managing their activities, whether or not to permit them is beyond the scope of this plan.

Sharing Experiences: As noted in the plan, observations of and encounters with bears are stories people tell and retell. Some took the opportunity to comment on the plan and tell their own "bear stories" both positive and negative.

Inform the Public on Bear Management Activities: Responders wanted the department to inform the public on our programs and activities, whether bear research or management. The plan accommodates this. In addition, some wanted notice of where bears have been translocated or are being trapped. The department posts signs in areas being actively trapped and tries to conduct all activities to minimize risks to people and bears. However, bears are incredibly mobile, covering relatively large distances in short time periods. As a consequence in western Montana, it is better to assume you could potentially encounter a grizzly in most areas.

Forest Management: Comments were received that stressed both the negative and positive impacts of forest management on grizzly bears. While most decisions on forest management are made by other agencies and private interests, the department attempts to influence these projects through the appropriate channels to maximize the positive aspects of forest management and minimize the negative impacts on grizzly bears.

Seasonal Road/Access Closures versus "Blanket" Closures: Comments were received that advocated utilizing seasonal closures vs. a "blanket" approach to accommodate grizzlies but also human use. In addition, we received comments that our information on the effects of roads on grizzlies was flawed because we only had information from morning time periods during which the weather conditions where calm enough to fly and relocate radioed bears. There is some validity to that criticism, however new technologies (e.g. GPS and satellite collars) will give us a much better picture of how human activities affect bears in the future. As this understanding builds, we should be able to better mesh the needs of bears with human needs and desires. Utilizing the adaptive management approach outlined, this could help us change as this information becomes available and this in turn should build support for ongoing expansion of the bear population.

Additional Bear Management Specialist and Enforcement in the Cabinet-Yaak Area: We received comments requesting additional programs (bear management and enforcement) to support recovery in this area; the plan and funding sections have been modified to accommodate this request. The department envisions funding for additional enforcement staff directed at managing illegal bear mortalities as well as new bear management specialist positions in the Cabinets and Yaak areas if funding can be secured. Some requested that these be in place prior to accelerating recovery in this area. While we intend to implement these programs as soon as is feasible, we also believe we have staff in place to begin the process of accelerating recovery at this time. If problems develop that cannot be addressed without the additional staff, we will evaluate this approach and adjust the program accordingly.

More Specifics in Plan: Responders wanted more specifics, yet the plan cannot cover all aspects in detail (some said the plan was already too long). The plan gives the desired agency direction for the future with enough clarity and detail to allow the public to evaluate if in fact the program is working in the desired direction.

Improving the Black Bear ID Test and also Working With Other Hunters: The department was requested to consider improving the black bear/grizzly bear ID test as well as work with other hunters. The department is currently evaluating possible changes to the program including annual retests, testing required in person at department offices, and other possibilities. FWP will continue to refine and update this program as well as our work on educating other hunters on avoiding conflicts with bears (see education section).

Recovery in the Bitterroots: People indicated opposition to a reintroduction and/or recovery in the Bitterroot as well as support by some for a more aggressive recovery/reintroduction program. While FWP and many in the public support recovery of this area and many people opposed to a reintroduction weren't opposed to recovery, it is not possible to proceed with a more aggressive program at this time and have the hope of public support and success. Therefore, the plan doesn't recommend a reintroduction at this time. The vast majority of this recovery lies within the state of Idaho and until they support a more aggressive recovery effort, progress will be limited. It should be noted that this area has potential to significantly improve the status of grizzly bears in the lower 48 states as well as in the other ecosystems in Montana where recovery is ongoing. In addition, it would provide better connections between these populations. However, at this time we feel our energies are best spent preparing for recovery at some point in the future by addressing those issues we know will have to be addressed (sanitation, access, safety, etc.)

Augmentation of the Cabinet-Yaak: The public commented both in support of, and in opposition to, accelerated recovery through augmentation of this area. Those opposed felt that more needed to be done to improve the habitat for grizzlies and more aggressive management to minimize mortality of bears. Some arguing against augmentation felt that there were already more bears in the area than the agencies realized. Based on the tenuous recovery to date in this area and the fact that the best information available still indicates a low population level, FWP believes accelerated recovery is appropriate. We also recognized the need to improve habitat conditions and have been using other programs to acquire/manage habitats in this area. The plan also recognizes additional programs are needed to minimize mortalities in the area. It is important to note that even if the recovery objective is achieved, it will still be a low-density population; as connections are strengthened between the Cabinet-Yaak, the NCDE and other populations, the chances of long-term persistence are greatly increased.

Economic Impacts: Comments were received that the bear has a very positive economic impact in Montana and others felt the impacts were negative. FWP acknowledges that grizzly bears can have negative impacts on individual landowners and livestock and property. The plan is intended to reduce and minimize those impacts. There are those who felt that the grizzly bear has had a significant negative impact on the economy of Montana. However when looking at the rapid growth of the human population as well as escalating property values in western Montana, overall negative impacts are not apparent. Many people have indicated that they have relocated to Montana because of the abundant wildlife including grizzlies.

Distinct Population Segments: Some wanted the NCDE, Cabinet-Yaak and Selkirks to be considered one population while others wished for them to remain separate populations. Because of ongoing expansion in grizzly bear distribution in western Montana, distinct population boundaries are increasingly becoming blurred. Successful implementation of this plan should cause those distinctions to become less apparent over time as linkages between populations are established. The department feels this is desirable for the long-term survival of the grizzly in Montana. However, this does create the need

to reassess how we approach recovery in these areas and the department will work with the USFWS to review the appropriate DPS's based on the best available information.

Tribal Perspectives: People wanted the department to acknowledge tribal values and perspectives. The department appreciates the strong tribal connections to the grizzly bear in their lives and cultures. In order to maintain the positive aspects of their relationships, the tribes have implemented bear management programs on their lands and the department intends to work cooperatively with the tribes on those programs.

Trends in Hunting in Cabinet-Yaak Area: FWP determines trends in hunting through annual surveys. In addition, Montana has one of the highest hunting participation levels of any state. Trends in any one area are variable depending on game populations, weather events and so forth. For hunting district specific information, we suggest contacting the department at www.fwp.mt.gov.

Close Black Bear Hunting in the Yaak: Some recommended closing black bear hunting in the Yaak or making all hunting permit only and requiring additional education for bear hunters in this area. As previously stated, we are reviewing our bear ID program and the department also annually evaluates all hunting programs and adjusts them as necessary. Eliminating black bear hunting over a large area could however lower public support for grizzlies in that area as well as reduce opportunities for expansion of grizzlies into new areas. If problems cannot be addressed in other ways, the department does close seasons and this option is available should it become necessary.

Bears in Residential Areas: Some commented that the department was trying to force bears into residential areas. This is not the case nor intent of the plan. However, people do occupy many areas across the landscape and so do bears; we will work as indicated in the plan to minimize conflicts when and where they come together.

Handling Bears: Responders questioned what impacts handling bears has on their well being whether captured for augmentation, translocation or relocation. FWP recognizes that any time you handle wildlife there are risks to the animals as well as those handling them. We continually strive to be as up to date as possible in our handling techniques and protocols so that any wild animal is handled as humanely and safely as possible. In addition, we try to minimize the risks to human handlers.

Grizzly Bears not an Endangered Species: It was stated that grizzly bears are not an endangered species. They are currently listed as threatened in the lower 48 states due to significant range reductions in the past.

Grizzlies as a Plains Animal: Some questioned why we were trying to recover grizzly bears in the mountains, as they were a "plains" animal. In fact, grizzlies were found on the plains (especially along riparian areas), however they were also found in mountainous areas. Because the plains were a more open environment, bears were more easily eliminated in those areas but populations did persist in the mountains of Montana.

Move Grizzlies to Canada or Alaska: Comments were received that indicated grizzlies should be moved to Canada or Alaska because there are too many people in the lower 48. There are numerous people in Canada and Alaska and the grizzly (brown) bear is also found in those areas. We feel Montana can support a healthy grizzly population and accommodate human needs provided we continue to implement programs such as those outlined in this plan.

People who Increase Grizzly Bear Populations Should be Morally and Legally Responsible for Their Actions: FWP is charged by statute with the responsibility to recover and manage the grizzly bear in Montana.

Human-caused Mortality: People requested that FWP do more to address human-caused mortality especially because of several years of higher than average mortalities. The programs outlined in the plan should help us address this issue through education, enforcement, prevention programs, etc. However, mortality levels can vary greatly on an annual basis and that should be understood. We will however continue to try and minimize unmanaged mortality in western Montana in order to further recovery.

Bears Killing People: Comments were received requesting the department remove language that bears killing people be removed if they can be reasonably identified. Bears attacking people and killing them are very rare events. Hopefully, the programs recommended in this plan will reduce the risks even further. However, if someone is killed, the resulting public concern over that animal can lessen support for bears in general. FWP recognizes that other managers (notably National Parks) may take a different approach. We believe the few bears removed due to this situation will not affect the long-term survival prospects of the population and will provide for public support of many other bears who never interact with humans in a negative fashion.

Survey of Public Attitudes: People requested that the department conduct a thorough survey of public attitudes on grizzly bears. FWP recognizes such information can be useful and has reviewed studies from other areas and/or other species. We also rely on our department's experiences with past grizzly bear management, and successes with other species, to determine the direction of programs that build public support. While such surveys may be conducted in the future, no specific survey is recommended for this plan.

Change the Status of the Cabinet-Yaak Area to Endangered under the ESA: This determination is the responsibility of the U.S.F.W.S. and will probably be addressed during the analysis for appropriate DPS's in western Montana.

Excessive Mortality in the NCDE: Responders questioned how we can move forward with existing programs in the NCDE when currently allowable mortality quotas are being exceeded on an annual basis. These quotas were established based on counts of females with cubs, which have proved unworkable due to sightability problems in western Montana. Results from the DNA population estimate should allow for greater understanding of true mortality levels, however the department remains committed to minimizing unmanaged mortalities.

Impacts of Snowmobiles on Denning and Newly Emerged Bears: Comments requested that the plan identify specific criteria to deal with this issue. We have included seasonal use guidelines on pg 48, however population level impacts are not known from these activities so monitoring is the appropriate approach at this time. In addition, we are planning additional enforcement if authority is provided to ensure those that follow appropriate rules are not negatively impacted by the few that don't.

Compensation for Losses to Grizzly Bears: Currently Defenders of Wildlife, a private conservation group, offers compensation for livestock losses to grizzly bears and FWP supports their efforts to ensure individual operators are not unduly impacted. However, in the long-term as the plan states, we hope the population achieves recovered status and grizzlies can be managed with the same flexibility afforded to livestock operators as are currently available for black bears and mountain lions.

Work with Realtors to Provide Information to Those Buying Homes/Property in Grizzly Country: FWP will work to incorporate information for realtors with the ongoing education programs recommended in the plan.

Move Problem Bears to Wilderness Not Zoos or Research Facilities: FWP does relocate bears to remote areas as part of conflict resolution following IGBC guidelines. There are times and animals whose behaviors make them unsuitable for relocation and these animals are sent to zoos, research facilities or euthanized. FWP is always trying to improve our response to conflict situations to minimize the need to move or euthanize bears.

Mandatory Bear Resistant Containers with Heavy Penalties for Non-Compliance: FWP hopes to continue to work with local groups to address the sanitation issues. Preferably people in bear areas will voluntarily comply and support these efforts. When this fails, mandatory measures with enforcement may be necessary.

Research: There were requests that FWP utilize only non-invasive DNA sampling to study bears. While we support this approach, it will not address other issues such as the trend monitoring or response of bears to human activities. Therefore, some bears will have to be handled and fitted with telemetry collars for the foreseeable future.

Occupancy: People suggested the occupancy map in the plan was inaccurate and showed areas which weren't occupied consistently by bears. The maps were prepared utilizing the best available biological information and the knowledge and expertise of area wildlife staff. If anything, grizzly bears are already occupying lands beyond those shown, and we expect this trend to continue.

Alternatives Presented/Preferred Selected: The public expressed some concern that the alternatives did not cover a sufficient range of approaches and that the preferred alternatives were not consistent with public input. FWP believes the alternatives do represent a range of reasonable possibilities for future program direction. The MEPA statutes do not require every possible alternative to be addressed. In addition, it is our belief that the preferred approaches do reflect public preferences for future direction consistent with FWP statutory responsibilities.

Global Climate Change and Grizzly Bears: There were requests that we address the possible effects of global climate change on grizzlies and their food resources. Grizzly bears are opportunistic omnivores and were adapted from Arctic environments to desert areas in the southwest. As such, this species may be a poor candidate for determining the effects of global climate change. The population and habitat monitoring in this plan should allow us to detect problems should they occur.

Augmentation of Cabinet-Yaak: Some members of the public felt augmentation was not necessary because grizzly sightings are already increasing (especially if you consider credible sightings from members of the public) linkage between the Cabinet-Yaak and NCDE has been established and augmentation and management activities have resulted in bear mortalities. FWP believes that while there is some evidence of increased bear sightings and the connections between the Cabinet-Yaak and NCDE are becoming more firmly established, this area still has a relatively small and vulnerable bear population. We believe that the accelerated recovery preferred alternative will allow for a broader recovery and we intend to conduct the program in a way that minimizes bear loses as much as possible.

Federal Funding: Some commented that the federal government provide funding for all or various parts of the program especially a conservation strategy. Others felt that by taking any federal funds we are giving them control over our programs. During the course of the plan, the department anticipates funding will continue to be a combination of dollars from a wide variety of state, federal, private, and tribal sources.

Alternatives: Some people wanted a wider variety of additional alternatives. FWP feels that the range of alternatives presented reasonable choices for future direction. Montana statutes do not require that every alternative be considered. For example, some suggested an alternative that would require grizzly bears to be eliminated. This is inconsistent with our statutory responsibilities at both state and federal levels.

State Plan Premature: Comments suggested the plan is inappropriate until DNA study results are known. FWP believes that it is important to review overall program direction in western Montana at this time because of increasing numbers and distribution of bears in some areas. Our program is not tied to a specific number of bears, and DNA population estimation work has only occurred in a portion of western Montana. Obviously, if the results of the DNA study indicate a healthy population in the NCDE, it creates opportunities for ongoing recovery elsewhere and future flexibility in that area.

State Position on Mines in Western Montana: Some people wanted FWP to take a position against the possible mines in western Montana, especially the Cabinet/Yaak area. This is outside of the scope of the plan; however, FWP intends to see that concerns for grizzly bears are identified and addressed and also mitigated where possible. Also, we believe that a wider distribution and recovery of bears will help long-term population survival as mines tend to be more of a site-specific impact.

Habitat Conservation Plan (HCP) Funding: There was a question concerning HCP funding and how much the Department has received.

Montana has received \$13,873,331 in HCP funding for habitat conservation in western Montana. \$9,286,331 was for the Thompson/Fisher project. That project was primarily for big game habitat and public recreation. Thompson/Fisher had a small portion of the total acres in the grizzly bear recovery area (about 3 sections) but provides the full 142,000 acres to contribute toward linkage between the NCDE and CY. Much of the Thompson River valley was occupied habitat in the past.

The remaining \$4,587,000 in HCP funding was spent to help secure the Bull River WMA and Vista conservation easement (1,904 acres). That project, and the funding to support it, focused on grizzly bear and bull trout habitat. The functional value of this property for grizzly bears has recently been documented with data from a radioed female grizzly that used this property to cross the Bull River valley on her exploration from the West Cabinets to the Cabinets and back again.

There were also questions on other wildlife habitat acquisitions and easements. Most of the projects are to benefit a wide array of wildlife and as such are beyond the scope of the plan. Readers are encouraged to contact the Department at the address in the front of this Plan for detailed information on those projects.

Implementation Team: Responders indicated a desire for FWP to establish a statewide implementation team to be engaged in ongoing grizzly bear recovery efforts. FWP will investigate the possibility of establishing such a group at the statewide level in addition to working with local groups as indicated in this Plan. Representatives of the citizen's advisory committees established in each region could possibly

be a part of such a group. A statewide group could also assist with ongoing efforts at communication and education with a broader public.

Question State Response to High Levels of Logging in 1965-1988: FWP has and will continue to incorporate our concerns for wildlife including grizzlies into these kinds of projects. However, we also recognize not all lands will be managed solely for bears. FWP will work to ensure that any activities or land management actions do not jeopardize the survival of this species.

Opposition to Allowing Members of the Public to Take Conflict Bears: This option would not be available until some future date if the grizzly bear were delisted. It is, however, one more tool that could be appropriate under limited circumstances (if targeting an individual animal) in situations where agency efforts are unsuccessful.

Citizen Management Approach for Recovery in the Bitterroot: People requested we acknowledge this alternative for recovery in this area. This alternative was a creative attempt to move recovery in this area forward by engaging interest groups and the citizens of Idaho and Montana. Unfortunately, after this approach was adopted by the USFWS, progress was halted. FWP's preferred alterative will provide a solid base for recovery in the Bitterroot if this or some other approach for recovery is ultimately selected.

County Commissioner Comments: A group of county commissioners requested more commitment and involvement by FWP to address the issues of grizzly bear habitat loss and human-caused mortality. FWP should be able to increase our efforts as requested when implementing this plan. By doing this, we should also be able to assist with identifying important habitats on private lands and work with the various counties to ensure a sustainable relationship between people and wildlife.

Dogs and Grizzly Bears: People questioned the effectiveness of dogs at addressing grizzly bear conflicts. Dogs are used to protect livestock and as part of aversive conditioning and bear/human conflict management. While not successful in every situation (no one approach is), they are one more effective tool for successful grizzly bear management programs.

Effects on Private Land/Private Landowners: Responders indicated concern over potential impacts of grizzly bear management programs on private land and landowners. FWP intends to work in cooperation with private interest as indicated in many points of the plan to meet their needs while successfully recovering grizzlies.

Defense of Human Life: Comments were received that questioned what right people had to defend themselves from grizzly bears. Current law and this plan both allow people the right to defend their life or the life of another from attack by a grizzly bear. People wondered if there would be an investigation if this situation occurred. FWP and other agencies will investigate any grizzly kills that occur in defense of human life for the following reasons: some people claim defense of life when in fact there was no imminent threat as a way to avoid responsibility for their actions. Also, in cases of legitimate defense of life, FWP wishes to learn how future situations could possibly be avoided by reviewing in detail the situation that led to a defense of life mortality.

Contacts if People Have a Problem With Grizzly Bears: There was a question who to contact if someone had a conflict with a grizzly bear. People should contact their local game warden or biologist or their regional office of FWP. Names and addresses are available at www.fwp.mt.gov.

FWP Should Adjust Tax Structure: Comments were received that FWP should change tax structures which cause urban areas to subsidize development of rural areas. This is beyond the scope of this plan and is more appropriately a citizen responsibility working with their government representatives.

Declining Bear Population in the Swan: Questions were asked about the status of grizzly bears in the Swan area. Research indicated this portion of the population was declining. It should be noted, however, that the confidence intervals around the decline were wide and the 95% confidence interval included a positive or stable population trend. While FWP is concerned about possible declines in this area, and the plan has programs to address these (additional enforcement, grizzly bear management specialist, etc.), this area is only a small portion of the NCDE population, and current indications are the ecosystem population is growing in other portions. Our management program is based on the entire population and ecosystem while working as stated to address local problem areas.

APPENDIX A

GRIZZLY BEAR POLICY ARM 12.9.103

MCA 12.9.103 GRIZZLY BEAR POLICY (1) Whereas, the Montana Fish and Game Commission has management authority for the grizzly bear, a resident wildlife species, and is dedicated to the preservation of grizzly bear populations within the state of Montana; and

Whereas the secure habitat for the grizzly has been greatly reduced as a result of the human development and population growth from 1850 through 1950 in the bear's traditional range in all western states; and

Whereas, a significant portion of the remaining grizzly bear habitat and population is located in Montana and these Montana populations occur in wildlands such as wilderness, primitive areas, de facto wilderness areas, national forests, national parks, Indian reservations, and seasonally, on adjacent private lands.

Now, therefore, in order to promote the preservation of the grizzly bear in its native habitat, the commission establishes the following policy guidelines for the Montana Department of Fish, Wildlife and Parks action when dealing with grizzly bear.

- (a) Habitat. The department shall work to perpetuate and manage grizzly bear in suitable habitats of this state for the welfare of the bear and the enjoyment of the people of Montana and the nation. In performing this work the department should consider the following:
 - (i) the commission has the responsibility for the welfare of the grizzly and advocates the protection of the bear's habitat;
 - (ii) management of Montana's wildlands, including the grizzly bear habitat, is predominately, but not exclusively, a responsibility of various federal agencies and private landowners;
 - (iii) land use decisions made by these agencies and individuals affect grizzly bear habitat, thus cooperative programs with these agencies and individuals are essential to the management of this species;
 - (iv) preservation of wildlands is critical to the protection of this species and the commission advocates wildland preservation in occupied grizzly bear habitat; and

- (v) while some logging may not be detrimental to grizzly habitat, each logging sale in areas inhabited by grizzly bear should be carefully reviewed and evaluated.
- (b) Research. It is recognized by the commission that research on the habitat requirements and population characteristics of the grizzly bear is essential for the welfare of the species. Departmental research programs and proposals directed at defining those habitat requirements are encouraged and supported.
- (c) Hunting and recreational use. The commission recognizes its responsibility to consider and provide for recreational opportunities as part of a grizzly bear management program. These opportunities shall include sport hunting, recreational experiences, aesthetics of natural ecosystems, and other uses consistent with the overall welfare of the species.
 - (i) the department should consider the variability of values between individuals, groups, organizations, and agencies when management programs for various grizzly bear populations are developed.
 - (ii) sport hunting is considered the most desirable method of balancing grizzly bear numbers with their available habitat, minimizing depredations against private property within or adjacent to grizzly bear habitat, and minimizing grizzly bear attacks on humans.
- (d) Depredations. Contacts between grizzly bear and humans, or property of humans, require delicate handling and careful consideration. When these contacts reach the stage for definite action, the following actions should be carried out:
 - (i) grizzly bear, in the process of threatening or endangering human life, shall be captured or dispatched immediately.
 - (ii) where no immediate threat to human life exists, individual bear encounters with humans shall be evaluated on a case-by-case basis and when the attack is abnormal or apparently unprovoked, the individual bear involved shall be captured or dispatched.
 - (iii) when the attack is normal (e.g. a female defending her cubs, any bear defending its food, or any bear defending itself) but the situation leads itself to no reasonable possibility of leaving the bear in place, then the bear should be removed.
 - (iv) grizzly bear committing depredations that do not directly endanger human life but that are causing property losses shall be evaluated on an individual case basis.

- (v) where removal is determined to be the best resolution to the problem, depredating or nuisance bear shall be trapped, and if determined to be suitable for transplanting, shall be marked and released in suitable habitat previously approved with appropriate land management agencies.
- (vi) reasonable efforts shall be made to inform the public of the transplant program, fully explaining the reasons for the capturing and locations of the release area.
- (vii) upon request by an authorized scientific investigative agency or public zoological institution, a captured bear may be given to that agency or institution, for appropriate nonrelease research purposes. A reasonable charge may be required to cover costs of handling.
- (e) Depredating grizzly bear that are not suitable for release or research because of old age, acquired behavior, disease, or crippling, shall be killed and sent to the department's research facilities for investigation. The public shall be fully informed when these actions are taken and the reasons for these actions shall be fully explained.
- (f) Coordination. The department shall consult with appropriate federal agencies and comply with applicable federal rules and regulations in implementation of this policy. (History: Sec. 87-1-301 MCA, IMP, 87-1-201, 87-1-301 MCA; Eff. 12/31/72; AMD, 1977 MAR p. 257, Eff. 8/26/77.)