

Grizzly Bear
Management Plan for Southwestern Montana
2013

DRAFT ENVIRONMENTAL IMPACT STATEMENT
EXECUTIVE SUMMARY

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INTRODUCTION AND BACKGROUND

Montana Fish, Wildlife & Parks (FWP) developed the original grizzly bear management plan and programmatic environmental impact statement for grizzly bear management in southwest Montana in 2002. The management plan and Environmental Impact Statement (EIS) was effective for a ten year period (2002-2012). Since development of that EIS, numerous policies and Montana Codes have been adopted, altered, or removed relative to grizzly management and the *Final Conservation Strategy for the Grizzly Bear in the Greater Yellowstone Area* has been published (CS, 2007). This EIS document works from the standards and commitments within the strategy providing state specific information or guidance where appropriate. Guidance within this state plan does not differ from the standards and guidance provided within the Conservation Strategy.

FWP has statewide goals for most wildlife resources. This plan specifically deals with the goals for managing grizzly bear resources in southwestern Montana. These goals are:

1. To protect, perpetuate, enhance, and regulate the wise use of wildlife resources for public benefit now and in the future.
2. To manage for a recovered grizzly bear population in southwestern Montana and to allow for grizzly populations in areas that are biologically suitable and socially acceptable. This should allow FWP to achieve and maintain population levels that support managing the bear as a game animal along with other species of native wildlife. These efforts will provide some regulated hunting when and where appropriate while maintaining a recovered population under the required demographic criteria for grizzly bears in the GYE.
3. To provide the people of Montana and visitors with optimum outdoor recreational opportunities emphasizing the tangible and intangible values of wildlife, and the natural and cultural resources in a manner that:
 - a. Is consistent with the capabilities and requirements of the resources,
 - b. Recognizes present and future human needs and desires, and,
 - c. Ensures maintenance and enhancement of the quality of the environment.

In the 2002 EIS, the Governors' Roundtable produced a recommendation to allow grizzly bears to inhabit areas that are "biologically suitable and socially acceptable." This plan deals directly with that portion of Montana known as the Greater Yellowstone Area (GYA) and adjacent lands in southwestern Montana and includes our management programs within the Primary

Conservation Area. For the purpose of this plan, the GYA is defined very broadly for southwestern Montana to include lands that may be accessed by grizzly bears in the near future.

Grizzly bears currently occupy or have been documented in suitable habitats in the seven southwestern and south-central Montana counties adjacent to or near Yellowstone National Park (Carbon, Stillwater, Sweet Grass, Park, Gallatin, Madison, and Beaverhead Counties). The proposed action of this document is to create and adapt a management plan for this entire area even though not all portions of these counties are suitable grizzly bear habitat. As grizzly distribution is expanding in Montana from the Northern Continental Divide Ecosystem as well as the Yellowstone Ecosystem, the counties adjacent to but outside of the seven county Yellowstone area fall under management programs described by the Grizzly Bear Management Plan for Western Montana (2006). The success of these programs rests on coordinating and cooperating with all affected counties, surrounding states and federal agencies. FWP will continue to work with these entities so that the needs of the public and bear population as a whole are met.

The success of recovery efforts in this southwest Montana area is evident in the estimates of bear numbers, increasing from approximately 230 in the late 1960s to a minimum of 700 bears today. This has set the stage for delisting of the population segment and a return of this population to state and national parks management.

ALTERNATIVES IDENTIFIED AND CONSIDERED

Alternative I. FWP's preferred alternative for managing grizzly bears in southern MT is to manage grizzlies in a manner that allows for a sustainable, adequately distributed population that is secure and stable enough to meet the provisions of the GYA CS (2007) and remain out of federal Endangered Species Act (ESA) protections. This approach is summarized in the approval of this proposed 2013 Grizzly Bear Management Plan for Southwest Montana.

FWP's current approach of management and that implemented since publication of the 2002 EIS has been sufficient to maintain grizzly populations while also maintaining social tolerance for grizzlies. FWP recognizes the dynamic nature of wildlife populations, ecosystems and human populations and acknowledges the need for equally dynamic and adaptive management strategies that keep the original goals in mind.

FWP's preferred approach maintains proactive programs to minimize and prevent human-grizzly conflict and responsive programs that adequately address conflicts when they do arise. It is critical for the maintenance of social acceptance of bears on the landscape that management of human-grizzly conflicts remains a priority for FWP. It is also critical to monitor bear numbers and habitats to ensure CS criteria are being met and adequate suitable habitat is available.

Alternative II. A "No Action" alternative is not a viable option as FWP is mandated to manage wildlife and failure to do so by FWP would likely result in the maintenance of a 'threatened' ESA classification for the species within the state. FWP wildlife management works most effectively under approved state plans. Failure to continue active management would contradict the following statute:

87-5-301 (1b) Grizzly bear conservation is best served under state management and the local, state, tribal, and federal partnerships that fostered recovery; and (c) successful conflict management is key to maintaining public support for conservation of the grizzly bear.

(2) It is the policy of the state to: (a) manage the grizzly bear as a species in need of management to avoid conflicts with humans and livestock.

A 'no action' alternative would be deemed by the USFWS as a lack of adequate regulatory mechanisms to maintain grizzly bears in Montana. A failure to delist grizzlies because of this would remove local management authority ability, the ultimate goal of implementing the ESA and recovering species. ESA listing status removes options for regulated take, results in conservative action to resolve conflict situations, and gives broad authority to those who do not live, work and recreate in Montana.

The cost of a 'no action' alternative could prove burdensome and costly on those who *do* live and work in Montana. Recreation opportunity in grizzly habitat could be more limited under this alternative to ensure the public's safety and the conservative approach to conflict bear removal would likely result in more livestock or property loss. In addition, the 'no action' alternative would more often force FWP to act with more costly, responsive methods, rather than using proactive approaches to conflict management.

Over time it is believed that the 'no action' alternative would erode support for grizzlies in an increasingly larger geographic area limiting the ability of grizzlies to naturally disperse and potentially link to other ecosystems.

ISSUES IDENTIFIED AND PREFERRED MANAGEMENT METHODS

Population Monitoring

Preferred methods to monitor grizzly populations:

- Estimate grizzly densities using the best available data from research, distribution changes, DNA samples, and more.
- Cooperatively monitor unduplicated females with cubs within the original PCA and outside.
- Monitor bear mortalities including timing and causes and gather survivorship data in cooperation with the IGBST.
- Use verified sightings, DNA samples, photographs and tracks to document changes in bear distribution.
- Conduct research in cooperation with the IGBST to obtain more detailed population information.
- Coordinate monitoring with other states, YNP and the IGBST. Present information collected within the CMA as part of annual reporting for Montana population and within annual IGBST reports.
- Use population demographics, in combination with habitat conditions, frequency of human/bear conflicts, social tolerance, and research findings, to guide population management decisions.

Habitat/Habitat Monitoring/Human Use of Bear Habitat

Preferred management approaches to provide suitable and adequate habitat:

- Cooperate with other members of the IGBST in a coordinated effort to collect and analyze habitat data.
- Work with land management agencies to monitor habitat changes in a manner consistent with the overall approach to habitat monitoring for other managed species.
- Identify and monitor whitebark pine, moth aggregation sites, and other key foods such as ungulate population levels.
- Continue to use statewide habitat programs to conserve key wildlife habitats in southwestern Montana.
- Recommend that land-management agencies manage for an open-road density of one mile or less per square mile of habitat consistent with FWP's statewide Elk Management Plan guidelines.
- Support the maintenance of existing inventoried roadless areas and work with local groups and land managers to identify areas where roads could be reclaimed.
- Work with the Department of Transportation (DOT) to address wildlife crossing needs on their projects.
- Monitor coal bed methane activities, and other oil and gas projects, and address grizzly bear needs in permitting processes as necessary and when appropriate.
- Monitor mining activities, timber harvest and public lands livestock grazing and address grizzly bear needs in permitting processes as necessary and when appropriate.
- Continue to work with local communities and developers to limit negative impacts of new development on grizzly bears.
- Work with local community groups to identify and promote habitat characteristics that benefit bears such as maintaining core areas.
- Review all new trail proposals or adjustments to trails on FWP lands through the MEPA process. Negative impacts to grizzly bears will be avoided while designing new trails or trail use restrictions.
- Review and comment on federal trail projects when appropriate.
- Evaluate winter use programs to ensure they avoid impacting grizzly bears during denning periods, including den entrance and emergence when appropriate.
- Consider grant applications for the state trails program only after MEPA or NEPA process has been completed to include consideration of grizzly bear habitat needs as appropriate (this will be managed by Montana State Parks, a division of FWP).
- Increase resource stewardship within grizzly bear habitat through recreationists education and regulations compliance.
- Monitor changes to habitat or bear behavior suspected to be climate change related and mitigate when possible. For example, education campaigns could be implemented to warn hunters that later denning dates due to warmer autumns mean bears are active later than in the past.

Future Distribution

Preferred management approaches to manage future grizzly distribution:

- Continue to monitor grizzly bear expansion from historically occupied areas along with changes in population numbers.

- Continue to address human-grizzly conflicts in areas outside the core recovery area in a manner that considers overall grizzly conservation as well as human safety and social tolerance.
- Continue to work with Idaho, Wyoming, and the IGBC to address the issue of linkage between grizzly recovery areas and follow the goal set forth in the IGBC work plan to promote linkage between the GYA and the NCDE grizzly populations.
- Implement habitat programs that provide for wildlife needs to include working with the DOT to address issues of wildlife movement across roads (especially Interstates 90 and 15; and Highways 287, 191, 89, and 20).

Human Safety

Preferred management approaches to manage grizzlies in the interest of human safety:

- Lethally remove bears displaying predatory behavior that kill/injure/attack people.
- Consider lethal removal for bears that kill/injure/attack people in a surprise encounter situation on a case by case basis.
- Consider lethal removal for bears displaying bold, aggressive behavior resulting in a threat to human safety on a case by case basis.
- Focus efforts on programs to educate people about safety measure to prevent conflicts with grizzlies. FWP will provide annual information in poor natural food years alerting the public of the increased potential for conflicts.
- Continue to provide information on safety in bear country in the big game hunting regulations, during hunters education courses, through mailings to license holders, and on trailhead informational signs.
- Continue to be actively involved with expansion and enforcement of food-storage ordinances including food storage orders on FWP Wildlife Management Areas.
- Continue to work with county governments on requirements of bear-proof garbage containers for homeowners in bear country. (More information about nuisance bear management and education/outreach efforts are included in later sections.)

Livestock Conflicts

Preferred management approaches to manage livestock conflicts:

- APHIS's Wildlife Services will continue to be the lead agency dealing with livestock depredation through a Memorandum of Understanding (MOU) with FWP (Appendix A). However, depredations will be jointly investigated and grizzly bear captures and removals will be jointly conducted.
- Focus on preventive programs to minimize livestock conflicts with priority toward those areas with a history of conflict or those areas currently occupied by bears.
- Work with beekeepers to assist with electric fences for all apiaries accessible to bears. Re-evaluate and modify as necessary the guidelines for bear depredation to beehives (Appendix B).
- Cooperatively respond to conflicts within 48 hours with at least initial contact by telephone or in person if possible. Response is typically within 12 hours of reported conflict. FWP and Wildlife Services cooperatively respond to conflicts.

Property Damage

Preferred management approaches to manage property damage by grizzlies:

- Focus on preventive measures, including securing attractants, and improving overall sanitation; the agency's bear management specialist works on these issues on public and private lands.
- Seek secure, long term funding to continue the grizzly bear management specialist position currently stationed in Region 3 and seek additional funding to add a management specialist position in R5
- Respond to conflicts as soon as feasible by phone or in person if possible.

Nuisance Grizzly Bear Management

Preferred management approaches to manage nuisance grizzly bears:

- Promote cost-sharing programs that focus on preventative work. Encourage interest groups to work together with FWP to minimize problems and increase tolerance for bears.
- Quickly respond to and resolve bear/human conflict situations when possible.
- Minimize the number of bears removed from the population.
- Consider the potential impacts of any nuisance bear response action to the overall health of the GYA grizzly population.
- Respond to nuisance grizzlies in similar fashion to the protocols described within the CS nuisance bear guidelines.

Hunting of Grizzly Bears

Preferred management approaches relative to sport harvest of grizzly bears:

- Incorporate regulated harvest after de-listing as part of Montana's long-term conservation program.
- Design a hunting program that is justified and open to public review, similar to the processes used for all other managed species in Montana, and coordinated with surrounding states to ensure mortalities from all causes are within the sustainable population mortality limits.
- Give additional consideration to the female segment of the population in any proposed hunting program. For example, the killing of females accompanied by young will be prohibited.
- Utilize any hunt as part of overall species management and as a way to garner additional public support and ownership for long-term persistence of the grizzly population in Montana.
- Encourage all hunters and recreationists to carry bear spray in bear habitat.

Enforcement

Preferred approaches for grizzly conservation through enforcement authority:

- Enforce statute that limits intentional feeding of both black and grizzly bears (MCA 87-6-216).
- Investigate and prosecute violations of Montana law relative to the protection of grizzly bears (MCA 87-5-301, 87-5-302).
- Assist federal agencies as requested to enforce federal regulations (i.e., CFRs).

Education and Outreach

Preferred Approaches for Continuing Education and Public Outreach:

- Include hunter education class lessons that cover safety while hunting in bear country.

- Continue to expand efforts to assist hunters with identification of black versus grizzly bears through publications and mandatory training and testing for individuals interested in hunting black bears.
- Implement ways to target education efforts towards “new” and current Montana residents regarding human/bear conflicts and human safety while in bear country.
- Continue to work with the Board of Outfitters to ensure outfitters have adequate knowledge of appropriate practices for operating in bear country and encourage outfitters to provide trainings to clients and to provide clients with bear spray and the knowledge of how to use it.
- Work with private organizations, wildlife advocacy groups and other interested parties to promote ‘living in bear country’ messages including safety tips for recreating in bear habitat and the utility and proper use of bear spray.
- Integrate education and public outreach with enforcement of food and garbage storage rules.
- Use education and outreach to minimize human activities that can lead to human/bear conflicts.
- Work with local planning entities to address the needs of grizzly bears in new developments and new residential areas, and provide continued support to existing communities to reduce bear conflicts.

Costs and Funding

The grizzly bear is a species of national interest. The USFWS, through congressional appropriations has funded FWP and other managing agencies for the initial implementation of the Conservation Strategy with funding to bridge the time period between federal funding under listed status and state funding after delisting. This FWS bridge funding was to allow the state time to get internal state funding (or some other funding source) in place to fund Montana’s responsibilities to implement the Conservation Strategy. As this FWS bridge funding was not intended to cover the state responsibilities under the Conservation Strategy in the long-term, a funding mechanism to support Montana’s responsibilities for Yellowstone grizzly bear management is necessary. Such stable funding ensures all state and federal agencies have the ability to effectively manage this species under the direction of the Conservation Strategy once it is recovered and delisted.