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Montana Grizzly Bear Advisory Council
Comments on Draft Recommendations

Via Email: Dillon.Tabish@mt.gov

The Montana Governors Grizzly Bear Advisory Council (council) has a tough job and we appreciate their efforts to address some of the issues around grizzly bear management in Montana. With a desire to represent Mineral County on the council, one of the Mineral County Commissioners applied to serve on the council but did not receive an appointment by the Governor. While we were disappointed, we understand the limited space. Now, however, that has put us in a position with no choice but to air our concerns in the form of written comments. We have read with mixed feelings, the draft recommendations prepared by the council, and respectfully provide the following comments and recommendations.

Background

Ongoing and newly developing policies around the management of grizzly bears in Montana is extremely concerning to us. As grizzly bear populations continue to grow and their range continues to expand, so does the ever-increasing restrictive trail of paperwork and regulations that inevitably follows them continue to grow. The Governors Executive Order No. 9-2019, states that grizzly bears are feared and can affect people's livelihoods and safety. Evidenced by the increasing number of bear attacks, increasing grizzly populations are adversely affecting people's safety. While we have a healthy respect for the bears, **it is not the bears we fear, and it is not the bears that are adversely affecting our livelihood, it is the staggering amount of unnecessary, intrusive and counterproductive rules and regulations that follow them.**

Since grizzlies were listed under the Endangered Species Act (ESA) in 1975 and the Grizzly Bear Recovery Plan was adopted in 1982, and amended in 1993, and all hunting was stopped in the lower 48 states in 1991, grizzly bear populations have been on the rise and their ranges have been expanding. This increase in population and expansion of ranges has generally happened naturally with no additional regulation. Regulations around grizzly bear management have generally not been a proactive measure put in place to create the desired outcome, they have historically been a reaction to an activity or process that has already taken place or that is in the process of taking place, presumably to ensure the activity continues. **Grizzly bears are welcome outside of the original recovery zone boundaries and they are welcome to travel through and even live in the forests around our rural communities, so long as they come with no additional bureaucratic rules and regulations. Pretty simple, let them do what they are already doing naturally despite the lack of more regulations.**

At 93%, Mineral County has the largest number of acres of any County in Forest Service Region 1 tied up in National Forest System land. Therefore, we rely heavily on the resources provided by our National Forest for our economic stability with timber and recreation of the primary drivers. Working collaboratively with our local collaborative, the Mineral County Resource Coalition (MCRC), Idaho Forest Group (IFG), and our National Forests across Western Montana and North Eastern Idaho, we have successfully helped increase the pace and scale of timber production and recreational opportunities through integrated forest restoration projects. Witnessed by the large investments being made by several sawmills and logging contractors across Western Montana, the increased availability of timber and development of recreational opportunities has brought some renewed optimism to the forest products and recreation industries.

This optimism has begun to carry over into our local communities. School enrolments are beginning to rise, new investors are purchasing local businesses, new businesses are opening, the land is being developed and subdivided to accommodate housing needs, and existing subdivisions have sold out. These changes are essential to the continued growth and improvement of our local rural economies across western Montana and we are extremely sensitive to activities that threaten this renewed optimism. **Again, we can live with grizzlies and they are welcome so long as they do not bring new regulations that threaten our local economies and way of life.**

Grizzly bears are not new to our area or any of Western Montana for that matter. To the credit of the recovery effort, grizzly bear numbers are growing, and bears are expanding their range. Miraculously this expansion is happening naturally in many cases without any additional regulations.

In his Executive Order,l the Governor outlined his **PURPOSE** for creating the council and identified some specific **DUTIES** that he stated the council "shall" include in developing their recommendations. The **PURPOSE** and **DUTIES** are shown below for reference.

PURPOSE

The purpose of the Council is to develop recommendations for fundamental guidance and direction on key issues and challenges related to the conservation and management of grizzly bears in Montana, particularly those issues on which there is significant social disagreement.

DUTIES

1. The Council shall produce a Final Report with discrete, actionable recommendations that provides clear and meaningful guidance to the Governor's Office, FWP, the Fish and Wildlife Commission, and other entities with responsibility for grizzly bear management and conservation in Montana.
2. The Council shall recognize grizzly bear management objectives and existing intra-agency and interagency commitments already in place, including conservation strategies, monitoring protocols, commission policies, recovery plan criteria, and forest plans.
3. The Council Shall utilize a transparent process that maximizes engagement among people with diverse values and interests. The Council shall consider public input on its recommendations.
4. The Council's recommendations shall identity strategies that achieve the following broad, strategic objectives:
    a. Maintain and enhance human safety;
    b. Ensure a healthy and sustainable grizzly bear population:
    c. Improve timely and effective response to conflicts involving grizzly bears;
    d. Engage all partners in grizzly-related outreach and conflict prevention; and
    e. Improve intergovernmental, interagency, and tribal coordination.
5. The Council shall have the discretion to examine grizzly bear-related issues that it deems to be important, including at a minimum the following topics critical to its objectives:
    a. Grizzly bear distribution within Montana (including outside of established recovery zones);
    b. Connectivity between ecosystems;
    c. Conflict prevention;
    d. Response protocols to the grizzly conflict in different parts of the state;
    e. Transplant protocols;
    f. Role of hunting; and
    g. Resources for the long-term sustainability of grizzly bear conservation.

While we believe the council has satisfactorily addressed many of the issues identified in the purpose and duties outlined in the Executive Order, we also believe they have missed the mark on several key issues that we address in the following comments.

PURPOSE

The purpose emphasized the need for the council to address 'those issues on which there is significant social disagreement". We offer the following:

1. We watched over the course of a couple of meetings as the council tried unsuccessfully to address the definition of a fully recovered grizzly bear population. We missed the conclusion of that discussion but there is no definition included in the recommendations so we assume the council could not agree and chose to move on.

While we understand the potential controversial nature of this topic, we also believe the council avoided the very simple solution provided by the Governor in item number 2 of the duties. **We believe the council should step back and follow the Governors directive to use existing management objectives to answer this question.**

2. The council has included a long list of considerations supporting the role of hunting and long list of considerations opposing the role of hunting as well as a proposed majority's guidelines for hunting. **We hope the council will continue this discussion and come to a decision and final recommendation. We support the council's majority guidelines for proposed grizzly bear hunting.**

The Councils Vision

The council's vision is a short one sentence statement (shown below) that raises several concerns for us.
"We envision fully recovered grizzly populations in the four identified recovery zones located in Montana and landscapes in-between that accommodate grizzly bear presence and connectivity while maintaining the safety and quality of life of those that live, work, and play in Montana".

1. After a failed attempt to quantify or define what a "fully recovered grizzly bear population" meant to them, we are surprised to see the council made it the main theme of their vision statement anyway. Then, we were even more surprised as we read through the remainder of the document to find the phrase or the subject was never mentioned again, and no recommendations were made regarding grizzly bear populations.
2. Both the Grizzly Bear Recovery Plan and the Conservation Strategies state that recovery Zones are to be managed separately. A statement that lumps all four together is not consistent with existing management objectives. Additionally, only a very small percentage of the Bitterroot recovery zone is in Montana, the rest is in Idaho. The reason that area has had no effort put towards recovering grizzlies is that the state of Idaho has opposed the program including a lawsuit filed by the Governor. Most attempts to augment the grizzly population in the CYE have failed for unknown reasons. **With management objectives and existing intra-agency and interagency commitments already in place, and the huge difference that exists with management needs between each zone, we strongly oppose the reference that suggests all four recovery zones should be combined. Additionally, we strongly oppose any reference to recovered populations in the "landscapes in-between that accommodate grizzly bear presence and connectivity".**
3. **If the council is going to reference fully recovered populations, they should be prepared to quantify the number and understand how that number should be applied to stay consistent with existing management plans and objectives.**

The Vision goes on to say that they want to maintain the safety and quality of life of those that live, work, and play in Montana. While the council has made a lot of recommendations directed at maintaining public safety, there are no recommendations that would contribute to maintaining the quality of life of those that live, work, and play in Montana.

1. The council is asking for and recommending more burdens to be placed on our residence to deal with and avoid conflicts, non-lethal hazing, bear- resistant food and garbage storage, city and county planning, and subdivision recommendations, just to name a few.
2. Current regulations are already affecting our local economies with regulations and restrictions on open roads, delays in project development, purported grizzly impacts from recreational use, exhaustive repetitive consultation, and the council is suggesting more is needed.
3. **The council should look for opportunities to reduce regulation to help maintain the quality of life.**

When the recovery zones were established in 1993, the NCDE encompassed an area of approximately 5.7 million acres. Today, after several years of amendments, policy changes, new regulations, and boundary adjustments, that area has grown to a staggering 27 million acres. These along with other regulatory changes occurring on a more frequent basis continue to cause us a reason for concern when there is talk about the need for expanding the regulatory range of grizzly bears.

Grizzly Bear Recovery

The Council has provided very little information and no recommendations regarding grizzly populations. We believe this is a serious oversite on the council's part and believe it is important to provide some information for consideration.

In 2004 thousands of grizzly bear hair samples were gathered in and around the Northern Continental Divide Ecosystem (NCDE) and sent to a lab for scientific analysis. While population information was the primary goal of the study, other information was also gathered as a result of the four-year study.

1. The study provided scientific proof that as of 2004 the grizzly bear population in the NCDE was 765, more than twice the number previously estimated.
2. The study showed that grizzlies occupied a 2.6-million-acre range outside of the NCDE boundary.
3. It showed the genetic health of the grizzly population was good, with six distinct genetic subpopulations within the ecosystem.
4. This genetic diversity approaches levels seen in undisturbed populations in Canada and Alaska and there is no evidence that the population size was ever severely reduced or that its connection to Canadian populations has ever been broken.
5. Human development does build a barrier; however, it is not the roads as much as it is other development.
6. The grizzly bear population within the NCDE is strong and healthy and quite possibly was never endangered.

Calculations in the Conservation Strategy put the grizzly bear populations in the NCDE at 942 in 2011 with a calculated growth rate of 3.3% per year. Using that calculation, the grizzly bear population in the NCDE today is over 1200.

Over the years the number of grizzly bears required to be considered recovered in the NCDE and the GYE recovery zones has been increased at least twice, each time these population goals have been met and exceeded including the occupancy of females with dependent cubs. By all counts, current populations in these two recovery zones exceed current population goals.

In the Preamble, the council talks about the grizzly and how progress has been made with recovery and how additional conservation and management could offer the opportunity to make a goal of recovery a reality. **The fact is, the council should recognize grizzly bear management objectives and existing intra-agency and interagency commitments already in place, and acknowledge the fact that grizzly bears have already met and exceeded agency goals for recovered populations in the NCDE and GYE.**

In closing, we recognize the work the council has done to put the report together, and these comments are not meant to diminish that work. We simply believe things were missed that are important to our rural communities and believe it is our responsibility to bring to the attention of the council and the governor. Thank you for the opportunity to comment and we look forward to the final report.

Respectfully,

Mineral County Commissioners

Duane Simons

Duane Simons, Member

Laurie Johnston

Laurie Johnston, Member

Roman Zylawy

Roman Zylawy, Chairman