

# **Lolo National Forest Communication Plan for the Relocation of Grizzly Bears**

September 22, 2022

Grizzly Bears are listed as a Threatened Species under the Endangered Species Act. A special rule (50 CFR 17.40) allows state, tribal, and federal agencies to manage (e.g., relocate, euthanize, haze) grizzly bears in accordance with the Interagency Grizzly Bear Guidelines (1986). This document outlines the roles and responsibilities, contacts, and release sites for relocation of grizzly bears between the U.S. Forest Service (USFS) and U.S. Fish and Wildlife Service (USFWS).

Objectives of the communication plan are to:

1. Provide for management and recovery of grizzly bears within the Lolo National Forest in areas where grizzly bears “may be present” in Montana in accordance with the Grizzly Bear Special Rule (50 CFR 17.40), the Endangered Species Act and the Grizzly Bear Recovery Plan,
2. Outline the process for the USFS and USFWS regarding Grizzly Bear release sites,
3. Provide for human safety when relocating bears, and
4. Minimize future potential for human-grizzly conflicts.

## **Roles and Responsibilities**

A new Montana law (Senate Bill 337), signed in 2021, limits MFWP involvement in grizzly bear relocations outside of recovery zones. Beginning in 2022, the USFWS will establish a field presence to relocate grizzly bears as documented in an MOA between the USFWS and Montana Fish, Wildlife & Parks (MFWP) (appendix A).

The USFWS, in collaboration with MFWP, Tribes, and Wildlife Services will determine appropriate management actions for conflict bears. When the decision has been made that the USFWS will relocate a grizzly bear, the USFWS will contact the USFS to request permission to relocate and discuss potential release sites. To ensure a trapped bear is released as soon as possible, it is important that USFS contacts are available to reach a decision as quickly as possible.

## **Bear Handling and Relocation Procedures**

Bears relocated onto the Lolo National Forest will normally be handled by MFWP or USFWS according to their MOA (appendix A) and occasionally by Tribal personnel. These relocation sites are intended for use for captures outside of recovery zones. Individuals will not be moved to a different ecosystem (i.e., augmentation in the Cabinet Mountains) or new areas (i.e., reintroduction).

In order to address general public safety and the safety of on-site personnel, operational procedures developed by the MFWP/USFWS for bear releases will be adhered to. Emphasis should be given to the following guidelines:

1. The minimum required number of people and vehicles will be on site at the time of release.
2. All persons on site at the time of the release will be in a secure position.
3. The District Ranger or Forest Supervisor (or designated acting) may choose to temporarily restrict public use of an area for public safety, through the appropriate Forest Service process.
4. If a bear is released in close proximity (less than 1 mile) to another adjacent land management agency's land, the appropriate adjacent land management agency personnel will be notified by USFWS.
5. For relocations onto the National Forest lands, the District Ranger, designated "Acting", or the Supervisor's office (as described above) will be contacted so that a suitable release site can be mutually agreed upon considering both human safety and the well-being of the bear.
6. District Rangers or designated acting may propose a different release site other than those within this document for safety reasons, especially if human use at the previously-identified release site is high due to a special uses event or other reasons.

Follow-up monitoring information (bear location and movement pattern) will be provided by MFWP/USFWS if soon after release the bear is discovered to frequent sites where human safety may be of concern. This includes Forest Service campgrounds, administrative sites, and heavily used trails. This information will be provided as available to the District Wildlife Biologist, who will distribute this information to the affected Districts, Forest Wildlife Biologist, and adjacent landowners as appropriate.

## **Communication Plan**

The USFWS Grizzly Bear Recovery Program Staff (Recovery Coordinator, Conflict Coordinator, or Bear Specialists) will first contact the District Ranger and Wildlife Biologist at the district where a bear is proposed for release or their "Acting". If neither can be reached, personnel at the Supervisor's Office will be contacted and they will contact District Staff to discuss potential release sites. If a site near District or Forest boundaries (less than 1 mile) is under consideration, personnel from both areas will be included

The District Ranger should attempt to notify employees of a planned release immediately after a location has been identified with the USFWS. This entails ensuring:

- Communication with their district's Staff to discuss work locations and any safety concerns,
- Contacting the Forest Safety Officer (including the adjacent forest if nearby).
- Notification of other Forest Service personnel as needed (e.g., Forest Supervisor, Staff Officers, and Forest Wildlife Biologist).

## **Updates**

This agreement will be updated as needed to reflect changes to contacts and/or changes to release site locations or information. This agreement should be revisited each year between the USFWS and USFS to review the year's relocations and update any process needs.

Signed: \_\_\_\_\_  
Carolyn Upton, Supervisor, Lolo National Forest

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
Hilary Cooley, Grizzly Bear Recovery Coordinator, USFWS

Date: \_\_\_\_\_

## Contacts

### Other contacts involved in grizzly bear relocations on the Bitterroot, Beaverhead- Deerlodge, Helena-Lewis and Clark, and Lolo National Forests

Contact	Position	Email	Phone
Hilary Cooley	Grizzly Bear Recovery Coordinator	<a href="mailto:hilary_cooley@fws.gov">hilary_cooley@fws.gov</a>	c: (b) (6), o: 406-293-4903
Benjamin Jimenez	Grizzly Bear Conflict Coordinator	<a href="mailto:Benjamin_jimenez@fws.gov">Benjamin_jimenez@fws.gov</a>	c: 406-214-0497
Rory Trimbo	Grizzly Bear Specialist, Kalispell	<a href="mailto:rory_trimbo@fws.gov">rory_trimbo@fws.gov</a>	c: 406-833-0344
Amber Kornak	Grizzly Bear Specialist, Helena	<a href="mailto:Amber_kornak@fws.gov">Amber_kornak@fws.gov</a>	c: 406-214-0785
Morgan Vance	Grizzly Bear Specialist, Roamer	<a href="mailto:morgan_vance@fws.gov">morgan_vance@fws.gov</a>	c: 406-833-0325
Becca Lyon	Grizzly Bear Specialist, Wyoming	<a href="mailto:Rebecca_lyon@fws.gov">Rebecca_lyon@fws.gov</a>	c: 406-833-0329
Erik Wenum	Wildlife Management Specialist, Flathead	<a href="mailto:erik.wenum@mt.gov">erik.wenum@mt.gov</a>	c: 406-250-0062
Justine Vallieres	Wildlife Management Specialist, Flathead	<a href="mailto:Justine.Vallieres@mt.gov">Justine.Vallieres@mt.gov</a>	c: 406-250-1265
Kim Annis	Wildlife Management Specialist, Libby	<a href="mailto:KAnnis@mt.gov">KAnnis@mt.gov</a>	c: 406-291-1320, o: 406-293-4162 x 207
Jamie Jonkel	Wildlife Management Specialist, Missoula	<a href="mailto:jaionkel@mt.gov">jaionkel@mt.gov</a>	c:, o: 406-542-5508
Chad White	Wildlife Management Specialist, Choteau	<a href="mailto:Charles.White@mt.gov">Charles.White@mt.gov</a>	c: (b) (6), o: 406-788-4755
Wesley Sarmento	Wildlife Management Specialist, Conrad	<a href="mailto:Wesley.Sarmento@mt.gov">Wesley.Sarmento@mt.gov</a>	c: 406-450-1097
Jeremiah Smith	Wildlife Management Specialist, Livingston	<a href="mailto:jfsmith@mt.gov">jfsmith@mt.gov</a>	c: (b) (6)
Kylie Kembel	Wildlife Management Specialist, Red Lodge	<a href="mailto:Kylie.Kembel@mt.gov">Kylie.Kembel@mt.gov</a>	406-850-1131
Bruce Montgomery	Wildlife Management Specialist, Bitterroot	<a href="mailto:Bruce.montgomery@mt.gov">Bruce.montgomery@mt.gov</a>	406-422-6184
Eli Hampson	Wildlife Management Specialist, Missoula	<a href="mailto:eli.hampson@mt.gov">eli.hampson@mt.gov</a>	406-210-3213
Brad Balis	Wildlife Management Specialist, Anaconda	<a href="mailto:Brad.balis@mt.gov">Brad.balis@mt.gov</a>	406-465-9343

Office	Contact	Position	Email	Phone number
Supervisor's Office	Carolyn Upton	Forest Supervisor	Carolyn.upton@usda.gov	P: 406-329-3797 C: (b) (6)
Supervisor's Office	Bryson Bell	Forest Wildlife Biologist	Chad.bell@usda.gov	C: (b) (6)
Plains/Thompson Falls District	Dave Wroblewski	District Ranger	david.wroblewski@usda.gov	p: 406-826-4308 c: (b) (6)
Plains/Thompson Falls Ranger District	Derrick Olinger	Zone Wildlife Biologist	derrick.olinger@usda.gov	P: 406-826-4321
Seeley Lake Ranger District	Quinn Carver	District Ranger	charles.carver@usda.gov	C: (b) (6) P: 406-677-3905
Seeley Lake Ranger District	Scott Tomson	Zone Wildlife Biologist	scott.tomson@usda.gov	p: 406-677-3925
Ninemile Ranger District	Chris Gauger	District Ranger	christopher.gauger@usda.gov	p: 406-626-5408 c: (b) (6)
Ninemile Ranger District	Scott Tomson	Zone Wildlife Biologist	scott.tomson@usda.gov	p: 406-677-3925
Missoula Ranger District	Crystal Stonesifer	District Ranger	crystal.s.stonesifer@usda.gov	p: 406-329-3948 c: (b) (6)
Missoula Ranger District	Scott Tomson	Zone Wildlife Biologist	scott.tomson@usda.gov	p: 406-677-3925

**Table 1. 2022 Active Management Grizzly Bear Release Sites.** All are on USFS land and all are accessed via roads.

Lolo MF				
Name	Township Range Section	District and Forest *	Concerns and Constraints	Zone
Four Lakes	T.22N, R.28W, Se. 20	FS-LNF Plains/TF		CY RZ
Liver Peak	T.22N, R.28W, Se. 20	FS-LNF Plains/TF		CY RZ
Crescent Lake	T.25N, R.28W, Sec. 20	FS-LNF Plains/TF		CYRZ

West Fork Crow A	T.20N, R.31W, Sec. 20	FS-LNF Plains/TF	Need to coordinate with Idaho	Outlying
West Fork Crow B	T.20N, R.31W, Sec. 20	FS-LNF Plains/TF	Need to coordinate with Idaho	Outlying
CC Divide	T.23N, R.28W, Sec. 20	FS-LNF Plains/TF		CY RZ
Ninemile Divide area	T.17N, R.25W, Sec. 20	FS-LNF Plains/TF		DCA
Siegel Pass, Ninemile Creek	T.17N, R.24W, Sec. 20	FS-LNF Ninemile		DCA
Soldier Creek, Ninemile Creek	T.17N, R.24W, Sec. 20	FS-LNF Ninemile		DCA
McCormick Peak	T. 17N, R.23W, Sec. 20	FS-LNF Ninemile		DCA
Cinnabar Point, Sapphire Range	T. 9N, R.17W, Sec. 20	FS-LNF Missoula		Outlying
Point 118, Lolo Creek	T.11N, R.23W, Sec. 20	FS-LNF Missoula	Need to coordinate with Idaho	Outlying
Shoofly Meadows	T.11N, R.23W, Sec. 20	FS-LNF Missoula		NCDE-Zone 1
Sheep Mountain	T.11N, R.23W, Sec. 20	FS-LNF Missoula		NCDE-Zone 1
Wisherd Ridge	T.11N, R.23W, Sec. 20	FS-LNF Missoula		Outlying

## Appendix A: MOA between MFWP and USFWS regarding grizzly bear management in relation to Montana SB337



### Memorandum of Agreement between Montana Fish, Wildlife & Parks and U.S. Fish & Wildlife Service regarding



### Grizzly Bear Management in Relation to Montana Senate Bill 337

Senate Bill 337, Section 1.(3)(b) *The department may respond to a grizzly bear listed under the federal Endangered Species Act (ESA), 25 16 U.S.C. 1531, et seq., that is causing conflict outside of a federal recovery zone. If the bear is to be relocated, the department may not relocate the bear.*

**Purpose.** The purpose of this Memorandum of Agreement (MOA) is to document the agency response process for Montana Fish, Wildlife & Parks (MTFWP), the U.S. Fish & Wildlife Service (FWS) and Wildlife Services (WS), including agency roles and coordination, for grizzly bears causing conflict outside of a federal recovery zone in light of Senate Bill 337 which will become effective date on March 1, 2022.

For purposes of this MOA, grizzly bear conflicts are defined as: incidents in which bears either do or attempt to: injure or kill people; damage property; kill or injure lawfully present livestock or poultry; damage beehives; obtain reasonably secured anthropogenic foods and other attractants; or damage agricultural crops.

This MOA relies on the collaborative relationship that already exists between MTFWP, FWS and WS. All efforts to manage grizzly bear conflicts will be conducted in collaboration with the FWS Grizzly Bear Recovery Program (GBRP) Coordinator and will be consistent with the conditions of the agency's 4(d) authorization letter (under 50 CFR § 1740) to MTFWP.

MTFWP and FWS agree that when managing grizzly bears in conflict:

- 1) For grizzly bears causing conflicts inside a federal recovery zone:
  - a) MTFWP and WS will handle all aspects of the response, including trapping, processing, and carrying out the agreed upon management action, including removal and relocation to Montana Fish and Wildlife Commission-approved release sites. WS will respond to livestock conflicts according to the Memorandum of Understanding between MTFWP and WS.
- 2) For grizzly bears causing conflicts outside a federal recovery zone:
  - a) MTFWP and/or WS (livestock) will respond to conflicts. MTFWP and WS will recommend management approach to FWS. If FWS approves trapping, MTFWP or WS will set traps. Traps will not be set until and unless approved by FWS.
  - b) When a bear is trapped, MTFWP and/or WS (livestock) will process (tranquilize, mark, collar, collect biological data) bear. Processing the bear is needed to confirm sex, conflict history, and whether bear is the target bear. This information will inform a management decision.
  - c) If the bear is determined to be in conflict:
    - i) If, after consultation with USFWS, a decision is made to remove the bear, MTFWP or WS will carry out the removal.



- ii) If, after consultation with FWS, a decision is made to relocate the bear, MTFWP or WS will place bear in trap for transport and hold the bear in a secure location as close to the capture site as possible. FWS will take possession of the bear within 6 hours and will relocate, unless otherwise explicitly agreed upon by agencies (bears are often held overnight to allow full recovery prior to relocating). MTFWP and WS agrees to ensure health and safety of bear until USFWS can take possession, including moving bear to protected area if/when needed due to exposure. FWS will notify MTFWP of the location where they relocated a bear within 12 hours of release.
- d) If the bear is determined to NOT be in conflict (incidental catch), MTFWP will maintain possession of bear and will relocate bear to an agreed upon Fish and Wildlife Commission-approved site or release on site.

#### **Potential Scenarios**

-conducted in collaboration with the FWS GBRP Coordinator and consistent with the conditions of the agency's 4(d) authorization letter (under 50 CFR § 1740) to MTFWP.

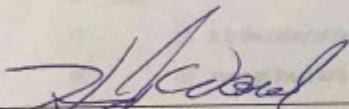
- 1) Livestock depredation near Augusta (outside recovery zone)  
WS responds and sets traps. Grizzly bear is trapped. WS and/or MTFWP processes bear.
  - a. If there is no information to confirm this bear is the target bear (or if it is known that this is not the target bear) and decision is made to relocate bear, MTFWP will relocate bear.
  - b. If bear is target bear and decision is made to remove bear, MTFWP or WS will remove bear.
  - c. If bear is target bear and decision is made to relocate bear, FWS will relocate bear.
- 2) Chicken conflict near Whitefish (outside recovery zone).  
MTFWP responds and sets traps. Grizzly bear is trapped. MTFWP processes bear.
  - a. If bear is non-target bear and decision is made to relocate bear, MTFWP will relocate bear.
  - b. If bear is target bear and decision is made to remove bear due to conflict history, MTFWP will remove bear.
  - c. If bear is target bear and decision is made to relocate bear, FWS will relocate bear.
- 3) Site conflict outside Condon (inside recovery zone).  
MTFWP responds and sets traps. Grizzly bear is trapped. MTFWP processes bear.
  - a. If bear is non-target bear and decision is made to relocate bear, MTFWP will relocate bear.
  - b. If bear is target bear and decision is made to remove bear due to conflict history, MTFWP will remove bear.
  - c. If bear is target bear and decision is made to relocate bear, MTFWP will relocate bear.



- 4) Dead cow being fed on by grizzly bears is reported (outside recovery zone).  
Upon investigation, four bears are identified. It is unknown, which, if any, were involved in a depredation. Feeding on dead livestock is not a conflict, however WS sets traps because of recent depredations in the area.
- a. If bear(s) are captured and there is no information to determine whether these bears were involved in previous depredations, MTFWP may relocate.
  - b. If bear(s) are captured and there is information to suggest the bears were not involved in a depredation, MTFWP may relocate.
  - c. If bear(s) are captured and there is information to suggest the bears were involved in killing this cow or in recent depredations in the area, and the decision is made to relocate bear, FWS will relocate.

**Effective Dates:** This MOA is effective upon signature by both parties through October 31, 2023 and may be renewed annually.

**Signatures**

  
\_\_\_\_\_  
Hank Worsch, Director  
Montana Fish, Wildlife and Parks

12/5/21  
Date

  
\_\_\_\_\_  
Hilary Cooley, Grizzly Bear Recovery Coordinator  
U.S. Fish and Wildlife Service

12/13/21  
Date

Attachment: SB 337

## SENATE BILL NO. 337

INTRODUCED BY M. LANG

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO RELOCATION OF GRIZZLY BEARS; REVISING RULEMAKING AUTHORITY; AMENDING SECTION 87-5-301, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 87-5-301, MCA, is amended to read:

"87-5-301. Grizzly bear -- findings -- policy. (1) The legislature finds that:

(a) grizzly bears are a recovered population and thrive under responsive cooperative management

(b) 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; and

(b) subject to the provisions of subsection (3), use proactive management to control grizzly bear distribution and prevent conflicts, including trapping and lethal measures.

(3) (a) Except as provided in subsection (3)(b), the department may not relocate a grizzly bear listed under the federal Endangered Species Act, 16 U.S.C. 1531, et seq., except to a release site previously approved by the commission for relocation of grizzly bears.

(b) The department may respond to a grizzly bear listed under the federal Endangered Species Act, 16 U.S.C. 1531, et seq., that is causing conflict outside of a federal recovery zone. If the bear is to be relocated, the department may not relocate the bear."

*Legislative  
Services  
Division*

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Authorized Print Version -- SB 337