From:	Serena Baker
To:	Matt Hogan; Michael Thabault; Marjorie Nelson; Seth Willey; Fortin-Noreus, Jennifer; Anna Munoz; Roger Root; Wayne Kasworm
Subject:	RECAP: Listen now! MTFWC ready to discuss grizzly bear delisting
Date:	Wednesday, May 11, 2016 6:32:55 PM

Hello Team,

Bottom Line Up Front: Tomorrow, the Commission votes on the MOA. Scheduled at 11:45 am: http://fwp.mt.gov/doingBusiness/insideFwp/commission/meetings/agenda.html?meetingId=37482114 (link also includes links to documents)

If you weren't able to listen today to the Montana Fish and Wildlife Commission meeting, here is a rundown. Sorry, it's probably more than you wanted. ☺ I did not include talking points that we agree upon. It was interesting for me to listen, and was mostly pleased at their conservative approach. They have high praise for the Service in dealing with problem bears:

Speakers:
Ken (sorry, didn't give last name)
Kevin Fry, Wildlife Management Specialist (involved with IGBC)

Notes: (PowerPoint slides provided by IGBC Study Team)

Harvest/Mortality:

- Lots of misconceptions regarding hunting
- Any hunting would be "extremely conservative"
- We're talking a very small number of bears available for hunting, and some years there won't be any.
- I can't emphasize enough, we have back-ups upon back-ups, upon back-ups. We are not declaring war on grizzly bears.
- Recommendation that at 674 grizzly bears, we slow down any hunting
- Our management specialists will have full discretion if they get called to a problem bear. They aren't going to not take an action because we're trying to save it for hunting. That is not our intent.
- If there are no females available for mortality, then there is no hunting.
- Montana plans to apply the discretionary mortality limits to the boundary of the Distinct Population Segment because it is easier for them to describe the highways as boundaries than the Demographic Monitoring Area, even though technically, discretionary mortality would not be counted outside the DMA. They will count mortality outside the DMA against the limit.
- In January, the three States will get together and negotiate on the percentage of mortality each State gets.
- If the States can't agree, then you default to the proportion of ecosystem in your State.
- Commissioner: If Montana doesn't want to use their percentage of discretionary mortality one year, then they can keep the other States from using it either.
- Media has hammered us saying the Commission just can't wait to get your hands on the

bears.

- We're taking a very conservative stance. It's not open up the season and offer unlimited licenses. If we only have 5 bears to hunt, we would only issue 5 licenses.
- There was criticism, particularly from the National Park, that like wolves, you're going to take the whole pack. So, we have decided to spread out any harvest across all bear management units.
- Season dates: early Spring and late Fall. Starting March 15-April 20. Based on when male bears come out of the dens, and go back in. At that time, the earlier in the season, none of the females are out. By April 20 80% of males are out, 50% of females are out, and only 30% of females with cubs.
- Harvest would depend on population numbers from the previous year, so we'd have to get mortality calculated by year end.
- That same license would be able to hunt either Spring or Fall, as long as it was still open.
- Fall season would start about the second week in November.
- Females are the drivers, so we would try to protect
- We would probably meet to set quotas in January or February, or sooner, but we have to wait for the end of the year mortality numbers.
- There used to be a Spring hunting season for NCDE, and they were pretty efficient at just taking male bears.
- The main point we're trying to emphasize is conservative, conservative, conservative.
- 12 hour reporting requirement if you take a bear, 24 hour closure, and mandating an orientation class.
- Instead of no taking of female with cubs, we say no taking of bears accompanied by other bears, so there isn't any confusion of trying to determine if a 2-year-old cub is an adult bear.
- Using hunting for problem bears would be an option in limited instances, but we will not use hunting if there is unfair chase, i.e., bears at a dumpster.
- Commissioner: Could we be more conservative, or would the Commission have the flexibility to be more liberal? Yes. Places you could be more liberal would be outside the DMA, like Red Lodge. On an annual basis, you could adjust the number of bears from bear management units. The main sideboards are those mortality limits.

Connectivity:

- Connectivity corridor between the NCDE and GYE, MTFWP will allow bears to be in that area as long as they are tolerated, meaning no human conflicts.
- Hot button issue
- Montana feels that it is a state management decision and have incorporated it into their plan
- We are all in agreement we would like to see connectivity between the ecosystems, as long as there isn't conflict, we just don't think it should be a requirement in a federal rule.
- Our concern is potential political backlash if we designate connectivity corridors as a "no hunting zone."
- Part of the reason we didn't want to designate a "no hunting zone" is we may want to use hunting in the connectivity corridor for problem bears.
- We aren't going to propose hunting of bears where there are only a handful of bears anyway

- The science supports that Yellowstone is genetically viable, and if it is a stand-alone population, then why do you need connectivity?
- Federal government doesn't really have authority to require connectivity.
- The biggest population growth of grizzly bears is outside the recovery zone.
- The other piece is the balancing. Bears move into new areas and people aren't used to them.
- Connectivity: there's a big education as bears move. Take bird feeders. Most people don't know those attract bears, so there would need to be a huge outreach.

Problem bears:

- For problem bears, the USFWS can't be as responsive as we can be. We check with USFWS to approve our course of action, so they have the final say.
- We've always operated under the assumption that if we have a problem bear, we're going to go ahead and deal with it. Human safety is the key. If that puts us over the mortality limit, then we'll just have to deal with it.
- Historically, USFWS has been really supportive of our decisions with problem bears. If you've removed a bear, and it comes back, and human safety is a concern, I'd be talking to the USFWS.
- Commissioner: Sometimes, we can't catch problem bears. They move pretty rapidly. In my time, I've never known a bear that has been moved more than twice. This is what we're seeing is the younger bears are moving outside the recovery zone because there isn't enough food for them in the recovery zone.
- Our bear managers have had really good luck in Region 1 and Region 2 working with the USFWS in taking out those problems bears, so my perception is there is a good working relationship.
- From my experience, USFWS never tried to trump us. If I gave them all the facts about a problem bear, they never told us to leave it on the landscape.

Timing:

- Best case scenario would be a rule by the end of 2016, more likely, it will be after a new administration, which would delay rulemaking for 6 months, so realistically, we'd be looking at a 2018 delisting.

Other:

- Some believe delisting the Yellowstone population would "delist" grizzlies in the entire State of Montana
- U.S. Fish and Wildlife Service is trying to show that between the state plans, the CS, and Recovery Plan, there are adequate regulatory mechanisms.
- The signers to the Conservation Strategy have a proven track record, we went ahead and implemented the Strategy in 2007, even though the bears were put back on the list.
- Main change is change in demographics based on the new recovery numbers and the mortality limits.
- I saw something in the news yesterday that USFWS had 5,000 comments, I can't imagine they will get less than 100,000 comments on this.
- Land management agencies have said they want to be included in the conversation, even

though they have no management authority over the bears. But, we have said we will include them in the annual review, so if there is an area they are having problems with bears, we could move hunting there.

- Commissioner: Remember the USFWS will have a 5-year monitoring period to see how we're doing.

Tomorrow, the Commission will take public comment, and will discuss:

- Hunting season framework
- Tri-state MOA (ID, MT, WY)
    - Will vote to approve and sign the MOA
    - Will then put plan out for a 30-day public comment period.
    - Hope to come back to you in June and finalized in July.
    - Feels this takes away some of MTFWC's discretionary authority by setting mortality limits
    - MOA shows that the States of Idaho, Montana, and Wyoming agree to mortality limits and how they will manage post-delisting.
    - Commissioner: MOA is very important so all three states are on the same page. We didn't have that in the wolf delisting, and it delayed things.
    - Wyoming Commission approved the MOA today.
    - IDGF plan to review their plan next month
    - One of the really positive outcomes is all three states are on the same page, even though it's taken us another year of negotiation.
    - The three States have worked together really collaboratively, and cordially, so unless there is a change in management, I don't see any issues.
    - Commissioner: Have all three states agreed to these discretionary mortality levels? Ken: Yes.
    - Commissioner: Does the Conservation Strategy reference the MOA? Ken: Yes, the MOA is an appendix to the Conservation Strategy.
    - Three states feel the post-delisting framework in the proposed rule is over-reaching the ESA, but we didn't want to slow the process down, so we agreed to move forward.
    - What the MOA does is lay out if there was a season, the framework. It does not authorize a hunting season.
    - We're pretty proud of the work we've done on the MOA.
    - We made it clear to the USFWS that this is an annual event. That's why we think the MOA is the real driver because we won't go over that threshold.

Other Ecosystems:

NCDE:

- We're at a standstill with the USFWS. It is being held up by the process, so hopefully we can get that process going again.
- Let's get through Yellowstone.
- Forest Service is going to implement grizzly bear amendments into their Forest Plans, which will take about a year.

- We're talking about a similar set up
- There are different habitat standards between NCDE and GYE.
- Our guess is, any delisting efforts would be a year out
- We'll have to coordinate closely with the two tribes
- This is a listed population, so the ultimate decision is with the USFWS

Cabinet-Yaak:

- Less than 50 bears, so less than half of where we need to be
- We've been moving one or two bears every year from NCDE to Cabinet-Yaak, and we plan to continue doing that.
- If you move a bear between ecosystems, it would cost you against the mortality limit. But we still think it's the thing to do.
- Probably 10 years out on delisting.

Bitterroot:

- No known bears.
- If a translocation goes through they would be considered an experimental population.
- Because of wolves, there is no support for translocation and reintroduction of the bear from Idaho Game & Fish.
- It would probably have to be a natural migration.

North Cascades:

- No bears.
- Still working on plan to reintroduce bears.

Happy to answer questions, as I'm able. Thanks,
Serena

From: Serena Baker [mailto:serena_baker@fws.gov]
Sent: Wednesday, May 11, 2016 4:13 PM
To: Matt Hogan; Michael Thabault (michael_thabault@fws.gov); Marjorie Nelson; Seth Willey; jennifer.fortin-noreus; Anna Munoz; Roger Root
Subject: Listen now! MTFWC ready to discuss grizzly bear delisting

Hello Team,

The Montana Fish and Wildlife Commission is ready to discuss their agenda item, "Grizzly Bear Delisting" now. Click here to listen: http://fwp.mt.gov/doingBusiness/insideFwp/commission/liveMontanaWildAudio.html. Just a heads up, only the speaker's audio is provided, so you cannot hear questions posed by the Commissioners.

Thanks!

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