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June 18, 2016

Montana Fish, Wildlife and Parks (FWP)

Wildlife Division

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Re: 2016 Wolf Hunt Season Quota, Greater Yellowstone Ecosystem Grizzly Bear Hunting Regulation Framework and Grizzly Bear Tri-State Memorandum of Agreement (MOA)

Please accept these comments on behalf of the Greater Yellowstone Coalition (GYC). GYC has over 40,000 supporters, both in Montana and nationally, that have a continued interest in the management of wolves and grizzly bears in Montana. GYC's mission is to work with people to protect the lands, waters and wildlife of the GYE, now and for future generations.

GYC members and supporters value the opportunity to view wolves in their natural environment on both National Park Service and adjoining lands in the state of Montana. Wolf watching contributes to the region's economy through tourism revenue generated by the thousands of visitors that come to Yellowstone to view wolves. Maintaining sustainable populations of wolves is crucial to the integrity of the Greater Yellowstone Ecosystem (GYE) and wolves were the last missing carnivore until the successful reintroduction efforts in Yellowstone and central Idaho. The ecological and economic value of wolves should not be overlooked in state management.

Similarly, GYC Coalition has a 30+ year organizational history of work on grizzly bear conservation and management in the GYE. We have a strong interest in grizzly bear delisting and future management in the GYE. Our members and staff relish the opportunity to view grizzly bears and to experience the wild

places that grizzly bears represent. Living and recreating in grizzly bear country requires an awareness of your surroundings, it requires changing human behavior and it heightens your senses and experiences in a unique way that is difficult to describe. Grizzly bears are simply different than other wildlife and require respect and humility.

GYC has not opposed sound state management of wolves or science-based wolf hunts. However, biologically wolves and grizzly bears are very different. Grizzly bears are a conservation reliant species that is slow reproducing and GYE bears remain isolated from any other population. Wolves being much more resilient with high reproductive and dispersal capacity, bring many more social concerns in areas adjacent to National Parks. Both species are iconic to Greater Yellowstone and draw millions of visitors here every year. Montana needs to think about all Montanans, not just hunters, and consider the value of wildlife to all of the public and how that contributes to the quality of life for us and visitors to the state.

Below are comments on each element of the proposed Commission actions for your considerations.

2016 Wolf Hunting Seasons- Quotas

We support the current harvest quota of 2 wolves for WMUs 313/316 and thank the FWP Commissioners for voting against the recently proposed quota increase in WMU 313. While we appreciate FWP's goal of balancing the interests of elk hunters with those of tourism and research in 313/316, FWP's proposed quota increase in WMU 313 does not reflect the importance of tourism and research in this limited area. Increasing the wolf quota from 2 to 6 wolves is unlikely to have any population-level effect on either the wolf or elk population. The area is directly adjacent to a source population of wolves, the WMU boundary is significantly smaller than the northern Yellowstone Elk Herd boundary, and the difference between two and the proposed six wolves will have an insignificant impact on Department objectives to stabilize wolf numbers and increase elk numbers. It *could* however, impact the tourism industry, and continue to drive a wedge between hunting and non-hunting interests who want to support FWP economically and politically.

The importance of tourism directly related to wolf watching cannot be understated. A stable population of wolves in the GYE contributes over $35 million annually to the economy of local communities from wildlife-watching (Duffield, et al. 2006). This year the park will be visited by well over 4 million people, perhaps significantly more due to the Centennial year, many of whom come here to see Yellowstone wolves. A recent study found that wolf sightings in Yellowstone National Park (YNP) increased by 45% following years with no wolf harvest, while sightings in Denali NP were more than twice as likely during a period with a harvest buffer zone than in years without (Borg et al. 2016). The killing of Yellowstone Park collared wolves in 2012 diminished the economic benefits and aesthetic values of wolves in this area beyond park boundaries and drew heightened public scrutiny regarding impacts to the local economy, fair-chase principles, and loss of valuable research and data. The long-term scientific research conducted

in YNP contributes valuable knowledge and scientific understanding of predator-prey interactions in the ecosystem.

Maintaining subunits with lowered quotas is critical for reducing the impacts of hunting on wolves that live primarily within Park Service boundaries and have a disproportionately high value for non-consumptive uses in these areas (i.e. tourism and research). FWP's proposal received significant social opposition because of the value of wolf related tourism in these gateway communities and maintaining that support should be a primary objective for wolf management in these two WMUs – acknowledging the importance of wolves beyond providing hunting opportunity. While there are ample wolf hunting opportunities throughout the state, the purpose of these subunits is to have a lower quota to preserve the non-hunting values of wolves in this very limited area. These values should be the stated objective for these hunting units, rather than developing a numerical population objective that creates annual controversy.

While we believe wolf management should not be based on a population objective in WMU 313, we do have concerns regarding how wolf numbers are estimated in this WMU and ask FWP to consider new methodologies that better reflect consistent wolf use by resident packs. Specifically, we recommend that either: 1). Only resident packs that consistently use the area be counted towards the population estimate or; 2). Counts from resident packs receive more weight towards the population estimate than dispersal or Park wolves making the occasional foray in to these areas.

The issue of wolf management in these subunits is not a scientific argument but one of competing values and we appreciate the difficult job FWP has in balancing the conflicting demands of Montana's stakeholders. As the group dedicated to protecting the GYE, with staff working throughout the ecosystem, we want to see state management succeed, but we also believe that FWP needs to consider additional stakeholders. Southwest Montana's landscape is crucial for the conservation of wolves inside of YNP and wolf watching here greatly contributes to the region's economy. We ask the Department to expand the values considered when FWP establishes objectives for wolf management and maintain the current harvest quota of 2 wolves for WMUs 313 and 316.

<u>2016 Greater Yellowstone Ecosystem Grizzly Bear Hunting Regulation Framework - Proposed</u>

To be clear GYC opposes sport hunting of grizzly bears. We also realize that hunting is the most manageable threat that bears face. In 2015 alone, 61 bears were killed from various human conflicts in the GYE without hunting, while under the protections of the Endangered Species Act (ESA). Montana isn't required to propose hunting season regulations at this time as has been reported – the US Fish and Wildlife Service isn't asking for it, nor is the wider public. It's premature for the state to be proposing these regulations and is drawing unnecessary criticism and attention to important decisions on grizzly bear recovery and delisting. We don't believe hunting will reduce conflicts on a large scale or provide for

“social tolerance” as has been promoted (Chapron et al. 2015). Studies on gray wolves post delisting have similarly not supported the theory that social tolerance increases with hunting (Treves et al. 2013). Also, the creation of hunting seasons is not likely to reduce conflicts between grizzly bears and people, as this theory has been rebuffed for black bears (Obhard et al., 2014). No current science supports the need for hunting grizzly bears as a biologically necessary tool to manage the population, like may be seen in ungulate species that may have detrimental impacts to their habitat.

Before FWP adopts regulations for hunting it should instead complete a planning process that provides for a single, unified plan for grizzly bear management form Montana that provides both detailed strategy and benchmarks for connectivity between the Greater Yellowstone population and bear populations in northwest Montana. This plan should restore language to its grizzly bear management plans that describes geographies that may not be suitable for the hunting of grizzly bears, such as linkage zones or areas of core grizzly bear habitat adjacent to Yellowstone National Park.

Similarly, before introducing hunting, Montana should focus on reducing conflicts and maintaining a stable population. In 2015, there were 61 known grizzly bear mortalities without hunting introduced, primarily caused by human conflicts. This mortality exceeded thresholds for independent females with cubs. The proposed mortality thresholds for all demographic classes will arbitrarily reduce bear populations further and still awaits independent peer-review. We expect a continued commitment from Montana to reduce conflicts between people and bears before we discuss a hunting season on bears.

Spatially, the proposed hunting regulation has serious flaws. We ask the Department to modify elements of the hunting boundaries drawn and consider the use of subunits with no hunting quotas. Hunting should not be allowed in proposed Grizzly Bear Management Unit (GBMU) 300 and 301, or portions of 302 and 303 to facilitate connectivity with the Northern Continental Divide Ecosystem population of grizzly bears. Subunits should be used to minimize hunting impacts in areas adjacent to Yellowstone National Park or within the Primary Conservation Area (PCA). These areas are excellent locations for managing for wildlife watching opportunities rather than hunting opportunities and have minimal conflicts. “The PCA will be a secure area for grizzly bears, with populations and habitat conditions maintained to ensure a recovered population is maintained for the foreseeable future and to allow bears to expand outside the PCA” (USFWS Draft Conservation Strategy, pg. 3). The addition of hunting mortality is simply not compatible with ensuring that this area will continue to be secure habitat for grizzly bears into the future.

We have concerns with the allocation of discretionary mortality, which as proposed would combine male and female allowable discretionary mortality. Instead, since female mortality is intended to be discouraged but may be incidental, the harvest regulations should only consider allowable male discretionary mortality for the purposes of regulated hunting. Similarly the Department should consider subquotas for females for the respective Grizzly Bear Management Unit rather than solely male mortality

quotas. The proposed “Recovery Criterion 2” specifies occupancy of female bears with cubs in grizzly bear management units. The Department should seriously consider closing any GBMU if any female grizzly has been taken through hunting to avoid risking this recovery criteria.

There are portions of the regulation that we are supportive of maintaining if and when grizzly bear hunting is allowed. Prohibiting the killing of any bear with another bear at its side is a practical solution to prevent the killing of females. Requiring all edible portions of meat to be removed like other game animals and prohibiting the use of bait and dogs is true to Montana’s hunting values. The 12-hour reporting period is appropriate for dealing with the once-in-a-lifetime license and is easy to accommodate by hunters today with proper preparations. Drawing GBMU’s across the boundary of the Demographic Monitoring Area (DMA) and maintaining discretionary quotas regardless of where bears are killed within that boundary is an additional safeguard to avoid exceeding mortality. In addition, Montana should consider a mandatory educational session for grizzly bear hunters and require grizzly bear hunters to carry bear spray.

Finally, we ask the FWP Commission to require a 5-year moratorium on the hunting of grizzly bears. Rather than feed the narrative that states are rushing to hunt bears as soon as they are removed from the ESA, we ask Montana to lead and delay the onset of hunting which would allow for an open dialogue on the future of recovery and grizzly bear distribution in Montana and avoid the distraction hunting creates in the proposed delisting process.

<u>2016 Grizzly Bear Tri-State Memorandum of Agreement (MOA) – Proposed</u>

We are very concerned that the proposed mortality thresholds and management thresholds in the Tri-State MOA are based upon an ideology that would allow FWP to regulate the GYE area grizzly population for a managed post-delisting decline. We hoped to see a common-sense plan that shored up the steady, stable bear numbers we’ve seen over the past 10 years. If you look at the numbers, a disturbing picture emerges: Grizzly bear numbers stair-stepping downwards, intentionally shrinking today’s bear numbers. This would be a failure of the $40 million, 40-year recovery process. These plans are unlikely to be cheered by most Montanans, never mind the wider American public. We ask that FWP and the Commission to take a step back and look at the broader recovery of bears in western Montana and ensure that a stable, thriving population remains on the landscape into the future.

We’re concerned that the thresholds proposed within the MOA are too high to prevent the population from falling. Grizzly bear numbers would likely always be controlled below 674 limiting growth of the population and possible range expansion that would allow for connectivity. The state and USFWS have stated numerous times and in numerous places that the goal is to maintain a stable grizzly bear population. If so, it seems logical that all discretionary mortality would cease if the population falls below 674, rather than at 600 as proposed. The Department also must consider that the population estimate is a point estimate and

the lower bounds of a 90% confidence interval could easily fall below the 600 criteria for allowing discretionary mortality. We would like to see a scientific explanation of the proposed total mortality thresholds for different population estimates. What will be the cumulative impacts of mortality rates of 9-10% for females or 20-22% for males if the population is above 675 or 747, respectively? Our concern is these arbitrary thresholds allow the population to decline and reducing mortality to ≤7.6 will not correct a decline allowing the population to continue downward even after reducing mortality. There must be some scientific justification for these mortality limits and the models used to derive these thresholds must undergo thorough peer review before being adopted by the states. These mortality thresholds also have not been finalized or endorsed by the USFWS.

The proposed MOA is inconsistent in population and mortality management when compared the proposed delisting rule and various management documents. This inconsistency appears to intentionally allow the states to manage for a post-delisting population decline of the grizzly bear. This intent is contrary to the ESA and the years of conservation effort and financial investments that were required to bring this species back from the brink of extinction. All of the state documents, delisting rule and conservation strategy must be consistent in describing post-delisting management of mortality. These restrictions on mortality management must continue as regulatory mechanisms in perpetuity, an important tenet of the conservation strategy.

The MOA is also missing the National Park Service, a critical federal partner who also manages grizzly bears within the ecosystem. By not including discretionary mortality for the parks or withdrawing the population that lives within Yellowstone and Grand Teton National Park from calculations to determine hunting quotas, hunting mortality will disproportionately occur along park boundaries and decrease populations outside of National Parks. When you look at the historical accounts of hunting and bear management this is exactly what was occurring before bears were listed as threatened under the ESA.

We ask the FWP Commission to ask these hard questions of the Department and course correct these contradictions in grizzly bear management before delisting proceeds any further and is met with certain scrutiny and potentially legal challenges.

Conclusions

On behalf of the Greater Yellowstone Coalition, I appreciate the opportunity to submit these comments on the 2016 wolf hunting quotas, the proposed GYE grizzly bear hunting regulation framework and the proposed grizzly bear tri-state MOA.

We support maintaining the 2015/2016 wolf season quotas of two for WMU”s 313/316 and ask FWP to in the future consider refining their counting methodology and management objectives in these areas adjacent to Yellowstone that are critical to the economies of gateway communities.

We urge FWP to take a step back and consider the broader recovery of grizzly bears in Montana, rather than rush to institute sport hunts. Any decision on a grizzly bear hunting season should be made within the framework of the state's grizzly bear management plan rather than a draft grizzly bear hunting regulations that could be adapted on an annual basis or through political will, rather than having the states direction firmly stated within the management plan framework. We have serious concerns with the post-delisting framework the MOA provides and question its intentions. It is critical that all elements of the states plans, conservation strategy, recovery criteria, and delisting rule are identical and provide for enforceable post-delisting mortality management.

Thank you for your consideration of these comments and we are happy to answer any questions from the Department or work on improving the content of these proposals.

Respectfully,





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