

Regulatory Mechanisms Related to Grizzly Bear Management in Idaho

2007-2016 Conservation Strategy for the Grizzly Bear in the Greater Yellowstone Area:

Idaho has the authority and the necessary State laws to limit human-caused mortality. By signing the ~~2007~~2016 Conservation Strategy, Idaho demonstrated that we are committed to implementing the features of the Strategy within state discretion and authority. The Strategy provides adequate assurance that Idaho and other participating agencies will implement the agreement, which is sufficient to meet the reasonableness required for regulatory mechanisms.

Idaho Code (Statute):

- IC 36-103. WILDLIFE PROPERTY OF STATE -- PRESERVATION –This code establishes the wildlife policy of the state as which shall be preserved, protected, perpetuated, and managed. It shall be only captured or taken at such times or places, under such conditions, or by such means, or in such manner, as will preserve, protect, and perpetuate such wildlife, and provide for the citizens of this state and, as by law permitted to others, continued supplies of such wildlife for hunting, fishing and trapping.
- IC 36-104. GENERAL POWERS AND DUTIES OF THE COMMISSION-this code provides authority to the IFG Commission to establish hunting seasons (general or controlled), areas open to hunting, hunting season closures, etc..., for the taking of wildlife in Idaho.
- IC 36-106. DIRECTOR OF DEPARTMENT OF FISH AND GAME-this code identifies the duties and powers of the Director including: (A) The director shall have the power, at any time ... any species of wildlife of the state of Idaho shall be threatened with excessive shooting, trapping, or angling or otherwise, to close any open season or to reduce the bag limit or possession limit for such species for such time as he may designate; 36-106.6 (B) In order to protect property from damage by wildlife, including bear and turkey, the fish and game commission may delegate to the director or his designee the authority to declare an open season upon that particular species of wildlife to reduce its population. The director or his designee shall make an order embodying his findings in respect to when, under what circumstances, in which localities, by what means, and in what amounts, numbers and sex the wildlife subject to the hunt may be taken. In the event an emergency is declared to exist such open season shall become effective forthwith upon written order of the director or his designee; in all other cases upon publication and posting as provided in section [36-105](#), Idaho Code.
- IC 36-409. GAME TAGS—PERMITS—FEES—PENALTY-this code describes who is eligible for game tags (including tags for grizzly bears) and how game tags will be used in accordance with the laws of this state and rules promulgated by the Idaho Fish and Game Commission.

Idaho Administrative Rules:

- The Idaho Fish and Game Commission is authorized under Sections 36-104(b) and 36-1101(a), Idaho Code, to adopt rules concerning the taking of big game animals.
- IC 36-201. Fish and game commission is authorized to classify wildlife.
- Grizzly bear is classified as a big game animal. (IDAPA 13.01.06.100.01(e))

- Additional Rules will be approved by the IFG Commission to help administer the regulated take of grizzly bears consistent with the 2002 Idaho Yellowstone Ecosystem Grizzly Bear Management Plan and the Tri-State MOU.

Idaho Yellowstone Ecosystem Grizzly Bear Management Plan:

The Idaho Yellowstone Ecosystem Grizzly Bear Management Plan (Idaho Plan) was approved by the Idaho Legislature in 2002. The Plan provides general guidance for harvest management, and recognizes the IFG Commission has ultimately authority for establishment of take seasons and methods of take for game animals.

Idaho is a participant in the 2007^[cs1] Conservation Strategy and has agreed to carry out provisions in the Strategy including the 2002 Idaho Plan^[cs2] (appended to the Strategy).

Harvest management direction from the 2002 Idaho Plan includes:

- o Annual mortality targets will be established by IDFG in conjunction with other states and the Interagency Grizzly Bear Study Team. ^[cs3]
- o A hunting quota will be determined by IDFG.
- o Establishment of grizzly bear hunting seasons will be conducted using the same process, including public meetings, as for other game species.
- o Every effort should be made to focus the harvest on male bears in areas where it is desirable to have a stable or increasing population.
- o The number of grizzly bears to be removed from the area managed under the Conservation Strategy must be consistent with the established goals.
- o Hunting mortality must be coordinated among IDFG and other state agencies that are signatory to the Conservation Strategy
- o A mechanism for allocation of bear quotas among the states must be negotiated among wildlife agencies in Idaho, Montana, and Wyoming.
- o It will be illegal for a hunter to take a grizzly bear using bait and/or hounds.
- o Harvest may be suspended in years of excessive mortality from sources of mortality other than hunting.
- o A 24-hour reporting requirement is necessary for anyone who harvests a grizzly bear to allow season closure when limits are met or exceeded.
- o Early closure of hunting seasons when the allowable female quota has been harvested (a hard trigger).
- o In addition, the IDFG Director may enforce emergency season closures at his/her discretion....”
- o Implement a mandatory check requirement similar to that required for mountain lions and black bears.
- o The following tools will be considered ^[cs4] for grizzly bear hunting to protect the female segment of the population:

- ✓ Females with young may not be harvested. Neither may cubs or young accompanying a female be harvested.
- ✓ Early closure of hunting seasons when the allowable female quota has been harvested.
- ✓ The IDFG Director may enforce emergency season closures at his/her discretion.
- ✓ Early timing of the spring hunt. Boars typically emerge from the den earlier than sows and sows with cubs.
- ✓ All hunters licensed to take grizzly bears must complete an informational grizzly bear ecology and management course focused on harvest regulations, safety, proper identification, and ethics related to hunting grizzly bears.
- ✓ Promotion of the use of hunting methods intended to allow the hunter a better opportunity to determine sex.

Tri-State MOU

- IC 36-104(b)9 The IFG Commission can enter into cooperative agreements with state and federal agencies, municipalities, corporations, organized groups of landowners, associations, and individuals for the development of wildlife rearing, propagating, management, protection and demonstration projects.
- The Idaho Fish and Game Commission will enter into a Memorandum of Understanding (MOU) with the Wyoming Game and Fish Commission and the Montana Fish, Wildlife and Parks Commission detailing the framework states will use to determine discretionary mortality within the DMA and the process to allocate the discretionary mortality among the three states on an annual basis.
- The IFG Commission shall establish standards and requirements for discretionary mortality in accordance with demographic recovery criteria mortality thresholds as outlined in the three state MOU and the Conservation Strategy (Three State MOU, Conservation Strategy)