

**From:** Daniel Thompson  
**To:** [Fortin-Noreus, Jennifer](#)  
**Cc:** [Jodi Bush](#)  
**Subject:** Re: question  
**Date:** Thursday, December 15, 2016 10:07:48 AM

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OK thanks, that's easy enough.

DT

On Thu, Dec 15, 2016 at 10:04 AM, Fortin-Noreus, Jennifer <[jennifer.fortin-noreus@mso.umt.edu](mailto:jennifer.fortin-noreus@mso.umt.edu)> wrote:

This comment is from the public . It is referring to the five regulatory elements, as the Service put forth in the proposed rule, that the states needed to implement into regulation before a final rule to ensure adequate regulatory mechanisms under Factor D. Those five regulatory elements are:

- Suspend all discretionary mortality inside the DMA, except if required for human safety, if the model-averaged Chao2 population estimate falls below 600 (Tri-State MOA: Section IV(2)(c)(i), Section IV(2)(a)(i); Chapter 67 of WY Game and Commission Regulations: Section 4(c); Idaho Fish and Game Commission Proclamation: Section 2).
- Suspend grizzly bear hunting inside the DMA if total mortality limits for any sex/age class (per Tables 2 and 4) are met at any time during the year (Tri-State MOA: Section IV(2)(c), Section IV(4)(a), Section IV(6); Chapter 67 of WY Game and Commission Regulations: Section 4(d); Idaho Fish and Game Commission Proclamation: Section 5).
- Prohibit hunting of females accompanied by young and young accompanied by females (Tri-State MOA: Section IV(4)(b); MT State Hunting Regulations p. 4 and 7; Chapter 67 of WY Game and Commission Regulations: Section 4(e); Idaho Fish and Game Commission Proclamation: Section 4).
- In a given year, discretionary mortality will only be allowed if non-discretionary mortality does not meet or exceed allowable total mortality limits for that year (Tri-State MOA: Section IV(2)(c), Section IV(4)(a), Section IV(6); Chapter 67 of WY Game and Commission Regulations: Section 4(d), Section 4(k); Idaho Fish and Game Commission Proclamation: Section 5).
- Any mortality that exceeds allowable total mortality limits in any year will be subtracted from that age/sex class allowable total mortality limits for the following year (Tri-State MOA: Section IV(2)(c); Chapter 67 of WY Game and Commission Regulations: Section 4(g), Section 4(k), and Section 4(l); Idaho Fish and Game Commission Proclamation: Section 6).

Please let me know if you have any other questions. Thank you for assisting with the responses.

Jennifer

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From: Daniel Thompson [[daniel.thompson@wyo.gov](mailto:daniel.thompson@wyo.gov)]  
Sent: Thursday, December 15, 2016 8:41 AM  
To: Fortin-Noreus, Jennifer; Jodi Bush  
Subject: question

(7) that Wyoming's regulations did not contain all five of the regulatory elements we deemed requisite for adequacy in our proposed rule

This was within the WY comments to address. Am I reading this correct in that this is a comment from the FWS to WGFD??? The rule addresses the 5 factor analysis

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