

**From:** [Bush, Jodi](#)  
**To:** [Brian Nesvik](#)  
**Subject:** Re: Assistance requested  
**Date:** Tuesday, August 02, 2016 11:47:47 AM

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thank you. JB

Jodi L. Bush  
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On Tue, Aug 2, 2016 at 11:37 AM, Brian Nesvik <[brian.nesvik@wyo.gov](mailto:brian.nesvik@wyo.gov)> wrote:  
It's correct for Wyoming's portion

On Tue, Aug 2, 2016 at 11:34 AM, Bush, Jodi <[jodi\\_bush@fws.gov](mailto:jodi_bush@fws.gov)> wrote:  
Folks. The Service will be publishing a FR notice later this month to make available the Peer Review and notify the public that the State Mgmt plans are available. We attempt to characterize these plans in our FR with the language below. Can you review and make sure we aren't saying anything inaccurate? Feel free to provide edits or revisions. Thanks for your help. JB

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### **Highlights of Recently Released State Grizzly Bear Management Regulations**

Montana, Wyoming, and Idaho each used a different regulatory method to enact their state rules governing human-caused grizzly bear mortality.

MTFWP. Montana's Fish and Wildlife Commission adopted hunting regulations that outline the structure of a grizzly bear hunting season on July 13, 2016 (CITE MT REGS). Before adopting these regulations, Montana released the draft regulations for public comment and review. Montana's Fish and Wildlife Commission also approved the Tri-State MOA (CITE MOA). Montana has indicated that by adopting the Tri-State MOA in the same manner as its regulations, through a public process, the provisions of the Tri-State MOA, as they apply to Montana Fish, Wildlife, and Parks, are equal to a regulatory, non-voluntary mechanism. The binding authority is through the adoption of the Tri-State MOA as a regulation through passage by the Fish and Wildlife Commission. This notice and the Service Assessment below assume the Tri-State MOA is regulatory, as indicated by the State. We are accepting public comments on this issue.

WYG&F. On July 8, 2016, Wyoming Game and Fish Commission approved a regulatory framework that "provides for the management of grizzly bears in Wyoming to ensure a recovered population" (Chapter 67). The Wyoming Game and Fish Commission invited

the public to participate in the process of developing these regulations with a public comment period. Once the Governor of Wyoming approves and signs these regulations, they will be incorporated into Chapter 67 of the Wyoming Game and Fish Commission's regulations. This notice and the Service Assessment below assume that the Governor of Wyoming will sign the version of the regulations that was approved by the Wyoming Game and Fish Commission.

IDF&G. Idaho's Fish and Game Commission issued a proclamation relating to the limit of the take of grizzly bears in the GYE on DATE. Idaho Code Section 36-105 gives the Idaho Fish and Game Commission the authority to use proclamations, which "have full force and effect as law," as a means of "setting any season or limit on numbers, size, sex or species of wildlife classified by the commission as game animals" (Idaho Code Section 36-105). Since grizzly bears are classified as game animals in IDAPA 13.01.06.100.01e, the Idaho Fish and Game Commission may use a proclamation to establish binding rules limiting the hunting of grizzly bears (Idaho Administrative Code 13.01.06.100.01e).

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