

GRIZZLY BEAR

Management Plan for Southwestern Montana

2002-2012

FINAL PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT EXECUTIVE SUMMARY

Prepared by:



Montana Fish,
Wildlife & Parks

With Input From The
Montana Grizzly Bear Working Group
and other interested parties

October 2002

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EXECUTIVE SUMMARY OF THE FINAL EIS ON MANAGEMENT OF GRIZZLY BEARS IN SOUTHWESTERN MONTANA

HISTORY OF PROPOSAL

In keeping with the general management goals of Montana Fish, Wildlife & Parks (FWP), the management of Montana's grizzly bears (*Ursus arctos*) in southwestern Montana was reviewed beginning in 2000. Concerns raised both in the department and by the general public were used to shape the objectives for the program review. Because major changes in numbers and distribution of grizzlies in the area is occurring, an environmental impact statement (EIS) has been completed in compliance with the Montana Environmental Policy Act (MEPA).

Preceded by press releases, scoping sessions were held in September and October 2001. After analysis of public input, a draft EIS (DEIS) describing a preferred approach and alternatives considered for grizzlies in southwestern Montana was issued in April 2002 for further public review and input. Following analysis of public input on the DEIS, a final EIS was issued in November 2002.

MEPA PROCESS

Montana Fish, Wildlife & Parks (FWP) developed this plan and programmatic environmental impact statement (PEIS) through a series of meetings with affected agencies, governments, interested persons, and groups. FWP initiated the scoping processes with discussion of potential issues and alternatives with biologists, wardens, and representatives from Idaho and Wyoming during the summer of 2000. Following those preliminary efforts, FWP held a series of 13 public scoping meetings in southwestern Montana during September and October 2000 (Livingston, Bozeman, Missoula, Big Sky, Big Timber, Dillon, Ennis, Butte, West Yellowstone, Billings, Columbus, Gardiner, and Red Lodge). FWP solicited written comments throughout the Fall of 2000 through news releases, press interviews, and personal contacts. During these meetings, FWP sought to identify issues likely to involve significant impacts and those issues not likely to involve significant impacts, as well as to identify possible alternatives for grizzly bear management. To further develop issues and ideas for possible alternatives, FWP held a meeting in Bozeman consisting of the Governors' Roundtable members, and other invited interest groups and individuals, on December 4-5, 2000. FWP invited the participation of those individuals and groups that had expressed interest in additional participation as well as other affected agencies. Following this meeting, a draft management plan was produced and resubmitted to a broader group of interested parties including those who attended the December meeting. An additional facilitated meeting was held in Bozeman April 30-May 1, 2001 to review and discuss approaches presented in the preliminary draft plan with the purpose of fine tuning a draft. A meeting was held on October 22, 2001, to further review the draft plan for release and formal public hearings. All of the meetings were open to the public. A draft plan was released for public comment April 5, 2002. Formal public hearings were conducted through the same area of southwestern Montana as previous scoping sessions (13 total). Public

comment was also accepted in writing for 90 days through July 5, 2002. All comments were used to assist in preparing the final plan. A summary of comments and FWP response to them is included in this document.

Montana Fish, Wildlife & Parks (FWP) Goals For The Grizzly Bear

FWP has statewide goals for wildlife resources. This plan more specifically deals with grizzly bear resources in southwestern Montana. These goals are:

1. To provide the people of Montana and visitors with optimum outdoor recreational opportunities emphasizing the tangible and intangible values of wildlife and natural and cultural resources of aesthetic, scenic, historic, scientific, and archaeological significance in a manner that:
 - a. Is consistent with the capabilities and requirements of the resources
 - b. Recognizes present and future human needs and desires, and
 - c. Ensures maintenance and enhancement of the quality of the environment
2. Wildlife Program Goal -- To protect, perpetuate, enhance, and regulate the wise use of wildlife resources for public benefit now and in the future.
3. Grizzly Bear Management Goal -- To manage for a recovered grizzly bear population in southwestern Montana and to provide for a continuing expansion of that population into areas that are biologically suitable and socially acceptable. This should allow FWP to achieve and maintain population levels that support managing the bear as a game animal along with other species of native wildlife and provide some regulated hunting when and where appropriate.

These goals will be achieved by addressing the following issues identified early in the planning process: human safety, habitat, population monitoring, future distribution, trails programs, livestock conflicts, property damage, nuisance guidelines, hunting, enforcement concerns, education, and funding. The success of grizzly bear management in Montana will be contingent upon FWP's ability to address these issues in a way that builds social support for grizzlies.

Purpose and Need

The need for this plan was precipitated by changes in bear management in the Yellowstone Ecosystem during the 1980-90s, resulting in increasing numbers and expanding distribution of grizzly bears in this area. Current approaches to land management, wildlife management, and recreation within the Primary Conservation Area (PCA, Fig. 1) appear to be providing the conditions needed to establish a population of bears outside the PCA. It is FWP's objective to maintain existing renewable resource management and recreational use where possible and to develop a process where FWP, working with local publics, can respond to demonstrated problems with appropriate management changes. By maintaining existing uses, which allows people to continue their lifestyles, economies, and feelings of well being, this approach builds support and increases tolerance for an expanding grizzly bear population.

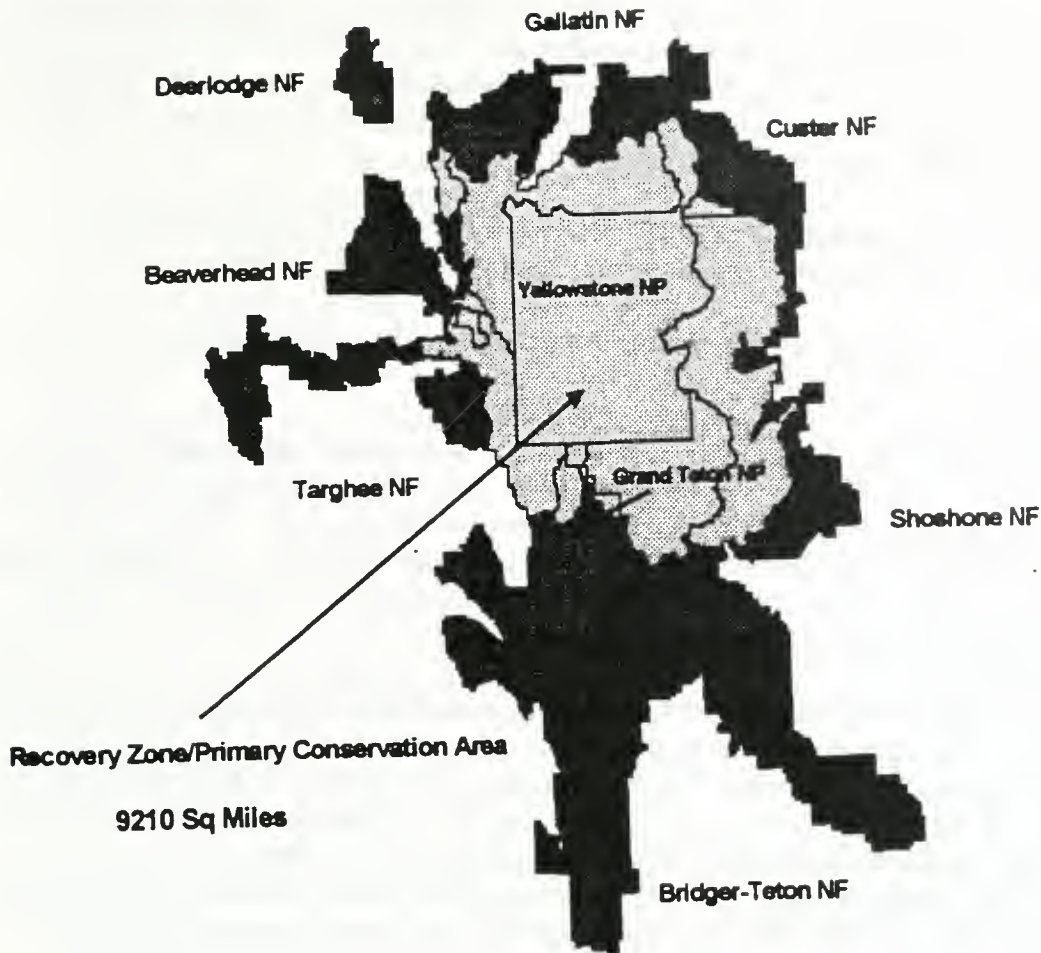


Figure 1. Location of the recovery zone/primary conservation area within Greater Yellowstone Ecosystem.

DESCRIPTION OF GRIZZLY BEAR MANAGEMENT AREA FOR SOUTHWESTERN MONTANA

Grizzly bears currently -- or could in the near future -- occupy suitable habitats in the seven southwestern and south-central Montana counties adjacent to or near Yellowstone National Park (Carbon, Stillwater, Sweet Grass, Park, Gallatin, Madison, and Beaverhead Counties). The proposed action of this document is to create and adapt a management plan for this area. The plan briefly describes the geographic and human environment of this seven-county area with respect to general description, size, human population, land ownership, special management areas, agricultural interests, and recreation. Not all portions of these counties are suitable grizzly bear habitat. However, some of the above attributes of these counties may affect the distribution and survival of grizzly bears. Given enough time and adequate management programs, grizzly bear distribution may extend beyond this seven-county area. For purposes of this plan, expansion in grizzly bear distribution during the next 10 years is most likely to occur within this seven-county

area. It is anticipated that the programs outlined in this plan would apply should grizzlies extend their distribution beyond these counties sooner than anticipated. In addition, the success of our program rests on coordinating and cooperating with the surrounding states and federal agencies. We will continue to work with them so that the needs of the bear population as a whole are met.

ISSUES OF CONCERN ADDRESSED IN THE EIS AND SUMMARY OF THE PREFERRED APPROACHES AND ALTERNATIVES CONSIDERED

The following section presents the issues identified from the scoping process, and follow-up meetings, described earlier.

FWP considered a "No Action" alternative beyond continuing existing programs and approaches to grizzly bear management, but a No Action alternative was rejected because the bear population will continue to expand under existing programs. Failure to modify the program would result in unnecessary conflicts and elevated risks to grizzly bears and to the people of Montana and its visitors, and would reduce the opportunity for future bear population increases.

Before discussing the different issues and alternatives this plan addresses, it is important to keep the following overall perspectives in mind.

- Public support and tolerance for grizzlies is the key to their long-term recovery and re-occupancy of suitable habitats, and this support is contingent on local involvement and active local participation in plan development and implementation.
- All of the biological and social issues are interrelated, and no one part of the plan can function effectively without the others. For example, people intentionally feeding bears create enforcement problems, unnecessary bear mortalities, risk to human safety, property damage, and more.
- This plan does not presuppose habitat problems exist with bear reoccupancy, but instead approaches the issues with the perspective of making sure local people are involved and given sufficient tools to respond to management changes as need arises.
- The key to a broader recovery lies in bears utilizing lands that are not managed solely for them but in which their needs are adequately considered along with other uses. The plan also recognizes the pivotal role private-landowner support will play in a broader recovery.
- Preventative measures are much better than simply responding to problems; however, a great deal is unknown about how bears will utilize some of the available habitats.
- The plan must respond as changes occur and be open to public scrutiny and input.

Human Safety

Grizzly bears are large, powerful animals and, on rare occasions, can threaten human safety and life. To be successful in grizzly bear management, threats to human safety must be minimized to the extent possible. Threats to human safety, however, cannot be eliminated totally.

The preferred approach includes the following:

- Bears that kill people will be removed from the population.
- Bears displaying unacceptable aggression, or that are considered to be a threat to human safety, will be removed from the population as quickly as possible.
- The major emphasis of the program will be on educating people about safety measures and preventing conflicts with people. An early warning system will be developed for use in years when natural foods may be limited and when the potential for conflicts are higher than normal.
- Information on safety in bear country will be provided in all big game hunting regulations.
- FWP will seek statewide expansion and enforcement of food storage ordinances.
- FWP will work with county governments to require bear-proof garbage containers for homeowners in bear country.

Habitat/Habitat Monitoring/Management of Human Use of Bear Habitat

This FEIS recommends coordinated monitoring of major grizzly bear food sources and consulting with land management agencies on issues related to grizzly bear habitat protection, disturbance, and mitigation. The preferred approach to this issue includes:

- FWP will continue to cooperate in a coordinated effort to collect and analyze habitat data.
- FWP will work with land management agencies to monitor habitat changes in a manner consistent with its overall approaches for all other managed species.
- FWP will continue to use statewide habitat programs to conserve key wildlife habitats in southwestern Montana.
- FWP will identify and monitor whitebark pine, moth aggregation sites if identified, and other key foods such as ungulate population levels.
- FWP will recommend that land-management agencies manage for an open-road density of one mile or less per square mile of habitat consistent with FWP's statewide Elk Management Plan guidelines.
- FWP will support keeping existing inventoried roadless areas in a roadless state and work with local groups and land managers to identify areas where roads could be reclaimed.
- FWP will work with the Department of Transportation to address wildlife crossing needs on their projects.
- FWP will monitor coal bed methane activities, and other oil and gas projects, and address grizzly bear needs in these permitting processes.
- FWP will work with local groups to identify and promote habitat characteristics that benefit bears such as maintaining core areas or working with county planners in important habitat areas.

An alternative considered was to expand the current higher level of habitat restrictions and programs in place in the PCA to bear-occupied areas outside the PCA. It is FWP's judgment that this approach would not generate social acceptance for the bear and its

further recovery. Incorporating the grizzly as another component of FWP's ongoing programs for all wildlife is a more productive approach. In addition, the approach outlined in this plan does allow FWP to modify the program, if necessary, and adapt the program in the future as more is learned.

FWP recognizes that habitat changes in the PCA (loss of whitebark pine, etc.) could result in increased importance of habitats outside and will respond to those changes if they occur.

Population Monitoring

Grizzly bears are a species that present challenges in population monitoring. To meet these challenges, the preferred approach includes:

- FWP will estimate densities using the best available data from research, distribution changes, DNA samples, and more.
- FWP will monitor unduplicated females with cubs.
- FWP will monitor mortality including timing and causes and gather survivorship data.
- FWP will use verified sightings to document changes in bear distribution.
- FWP will conduct research in cooperation with other entities to obtain more detailed population information where needed.
- Monitoring will be coordinated with other states as part of a cooperative effort and presented in annual reports.
- Population trend, in combination with habitat conditions, demographics, human/bear conflicts, social tolerance, and research findings, will be FWP's guide to decisions regarding population management.

As an alternative, FWP has considered the collection of population data in a manner that would provide statistically precise population estimates. For a slowly reproducing species like grizzly bears in which even a maximum lambda will always be close to 1.0 (meaning the populations don't fluctuate greatly on an annual basis), it will seldom be possible to have a 95% confidence interval that does not overlap 1.0. However, in FWP's judgment, using the weight of evidence collected in different ways and multiple sources is a more practical and meaningful approach for assessing population trend. Population trend will be FWP's guide to management decisions.

Future Distribution

Grizzly bear distribution in this area is increasing.

- FWP expects grizzly bear distribution to continue to increase.
- FWP will address linkage by providing opportunities for bears to naturally reoccupy suitable, but unoccupied habitat, and will continue to work with Idaho, Wyoming, and the Interagency Grizzly Bear Committee to address this issue.

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- Areas of potential focus to address problems with movement of bears are the Madison and Paradise valleys, Gallatin Canyon, Bozeman Pass, Centennial Valley/Range west to Monida Pass, Upper Madison/Raynold's Pass area.

An alternative considered was limiting grizzly bear distribution to just the PCA. However, in FWP's judgment this approach is logistically impossible and biologically undesirable. In order to maintain resiliency in the population to changes in habitat, tolerance levels and other factors, bears need to be allowed to occupy a broader landscape. Also, bears cannot be confined to the PCA because there are no barriers to contain them, and it is impossible to know the location of every animal all the time.

Trails

Trails have the potential to impact bears through disturbance and increased human access. The preferred approach includes:

- FWP will gather information on trail use.
- All FWP trails projects will be reviewed by area biologists and grizzly bear concerns addressed.
- Federal trails programs are currently being adjusted, and FWP is participating in and supporting those efforts.
- Adjustments to trail access and uses should be developed through local citizen involvement using the best available science.
- FWP will evaluate snowmobile programs to ensure they avoid impacting grizzly bears during denning periods, including den entrance and emergence.

An alternative considered was to deal with bear specific trail restrictions prior to reoccupancy. However, in our judgment, this approach would result in unnecessarily impacting user groups without clear evidence of a problem. FWP's efforts on this issue are intended to build higher levels of social acceptance across user groups while still providing the necessary mechanisms to respond should problems occur.

Livestock Conflicts

Grizzly bear can occasionally cause significant losses of livestock. To address these situations, the preferred approach includes:

- Wildlife Services will continue to be the lead agency dealing with livestock depredation.
- FWP focus will be on preventive programs to minimize livestock conflicts with priority toward those areas with a history of conflict or currently occupied by bears.
- FWP will work with beekeepers to provide electric fences for all apiaries accessible to bears, and FWP will re-evaluate the guidelines for bear depredation to beehives and modify if needed.
- FWP will encourage private funding for compensation of livestock loss.

- FWP will respond to conflicts within 12 hours with at least an initial contact by telephone or in person if possible and in cooperation with Wildlife Services.

An alternative suggested and considered was to force livestock operators to absorb losses that occurred on public lands no matter what the cost. However, in FWP's judgment, this approach fails to recognize the significant contribution of private lands, which provide important bear conservation benefits. In fact, in many portions of the GYE these same private lands are critical to the survival of the bear and to accommodating an expanded distribution of the population. If a permittee could not manage depredation risks on public lands, the converse is allowing them to eliminate risks (meaning bears) on their private lands. This either/or approach is not a productive solution to these problems. Additionally, this approach actually significantly conflicts with the FWP objective of building public support necessary for expansion and long-term survival of bear populations.

Property Damage

Bears can and will on occasion damage personal property other than livestock. They can enter buildings, chew on snowmobile seats, tear down fruit trees, and so on. Bears are highly attracted to almost any potential food source. Processed human food, gardens, garbage, livestock and pet feeds, livestock carcasses, and septic treatment systems are particularly attractive to bears near camps and residential areas, and are often the cause of human-bear conflicts. The preferred approach to address these issues is:

- FWP will focus on preventive measures, including the elimination of attractants, and better sanitation measures; the agency's bear management specialist will work on these issues on public and private lands.
- FWP will seek funding to continue the grizzly bear management specialist position currently stationed in Bozeman and evaluate the need for an additional position stationed in Region 5.
- FWP will respond to conflicts within 12 hours by phone or in person if possible.
- FWP will summarize efforts annually.

An alternative considered was to keep bears and people apart. However, in FWP's judgment, this approach will fail because bear distribution and densities would have to be so low that it would preclude the objective of maintaining a healthy bear population.

Nuisance Guidelines

Conflicts are currently increasing as the bear population continues to increase in numbers and distribution although they can vary greatly on an annual basis. Considering how many people live, work, and recreate in southwestern Montana, it is important to note there have been minimal conflicts overall. However, nuisance or "problem" bears that are not managed successfully may threaten the entire grizzly bear program. To address this need, the following are part of the preferred approach:

- FWP will focus immediate action in areas already occupied by grizzly bears, i.e., Absaroka/Beartooth, Gallatin, Madison, and Gravelly Mountain ranges.
- FWP will attempt to minimize the number of bears removed from the population. This will also be the case even if this population is delisted.
- Develop a cost-sharing program to do preventative work, thus encouraging a variety of interest groups to work together with FWP to minimize problems and increase tolerance for bears.
- FWP will review and adjust the guidelines for dealing with damage to beehives.
- FWP will consider the actions and potential impacts of programs in Wyoming and Idaho when determining our response.

An alternative we considered was to provide unfettered flexibility to livestock operators and property owners to deal with conflict situations. However, in FWP's judgment, this approach will fail to provide the necessary assurances for long-term conservation. No other FWP programs for a managed species allows for flexibility without constraints.

Hunting

Regulated hunting as a management tool for grizzly bears has a long successful history in Montana. Regulated hunting allows FWP to select against unwary bears or bears that associate and habituate to people.

Regulated harvest of wildlife is one of the major tools that allows the recovery and maintenance of predators and prey populations in Montana and elsewhere. Persons who participate in that harvest are pivotal to recovery of prey and the predators that depend on it. In addition, regulated harvest of predators builds tolerance by those most negatively impacted by their presence. It is therefore intended that regulated harvest of grizzly bears will be a part of Montana's program and commitment to grizzlies, when and where appropriate. By managing grizzly bears as a game species they are provided recognition as a valuable wildlife species, protected from illegal harvest, afforded population monitoring and research, and all of the other benefits managed species receive.

To implement this, our preferred approach includes:

- Regulated harvest will be a part of Montana's long-term conservation program.
- Any hunting program will be justified and open to public review, similar to the processes used for all other managed species in Montana, and coordinated with surrounding states to avoid excessive mortality.
- The female segment of the population will be given additional protections in any proposed hunting program. For example, the killing of females accompanied by young will be prohibited.
- The purpose for a hunt will be to manage "for the species," and garnering additional public support and ownership to ensure its long-term survival and reoccupancy of habitats.
- FWP will encourage hunters and other recreationists to carry pepper spray in bear habitat.

- If opportunities should arise to expand recovery, FWP is committed to utilize all or a portion of any harvestable surplus by live removal and relocation of bears to other areas within or outside Montana.

Enforcement

To implement the preferred approaches, the following will be addressed:

- FWP will seek authority in cooperation with federal agencies to enforce food storage regulations on federal lands.
- FWP will implement statutory authority to address intentional feeding of both black and grizzly bears to eliminate the problem.
- FWP will seek additional funding and authority to enforce travel management plans, including off-road vehicle use.

An alternative FWP considered was to not seek additional authority either through MOUs and statutes to expand state enforcement authority in dealing with preventive measures relating to human/bear conflicts. However, FWP enforcement personnel are in the most effective position to address these problems.

Education/Public Outreach

Management strategies are unlikely to succeed without useful, state-of-the-art public information and education programs. A partnership information and education approach involving FWP, as well as other agencies, local communities, and private interests, can result in minimizing human/bear tragedies as well as develop a stronger sense of agreement among Montana residents about the state's goals and management programs related to the bear. The preferred approach to this issue includes:

- FWP will include lessons on human safety while hunting in bear habitat in each hunter education class.
- FWP will continue to expand its efforts to assist hunters with identification of black versus grizzly bears. In 2002, FWP began mandatory training for people interested in hunting black bears.
- FWP will develop ways to target education efforts towards "new" Montana residents regarding human/bear issues as well as long-term residents.
- FWP will encourage the Board of Outfitters to require all outfitters and guides operating in bear habitat to be certified in human/bear safety.
- FWP will continue to work with private organizations and interest groups, as well as the media, to include safety tips on recreating in bear habitat including proper use of pepper spray.
- Education and public outreach will be integrated with enforcement on sanitation, etc., to effectively minimize human activities that can lead to human/bear safety issues.
- FWP will work with local planning entities to address the needs of grizzly bears in new developments and new residential areas.

An alternative FWP considered was to not expand these efforts. However, in our judgment, expanded efforts are essential to the objective to allow for expanded bear distribution and long-term survival of the species. It was also suggested that the mandatory bear ID test for black bear hunters be modified to require "in person" testing and that recertification be required. Because this is a new program, it will be monitored to determine its success at reducing mistaken identity mortalities. If adjustments such as those suggested or others become necessary, they may be implemented in the future.

Future Research

Research is an ongoing process, and FWP's program is formatted so knowledge of the species and their needs are always improving.

Costs and Funding

As grizzly numbers and the area occupied increase, management costs will also rise. Certain management data will need to be collected to assess population status and to manage nuisance activities. Total costs are difficult to determine at this point in time, especially considering that expansion may not be limited in the near future. The preferred approach includes:

- The majority of funding for these programs will be borne by the sportspersons of Montana through license fees as well as federal Pittman-Robertson funds from excise taxes on firearms and ammunition currently in place.
- FWP will seek significant additional federal funding for the five-year post-delisting monitoring period and develop an MOU with federal agencies to contribute funding support and involvement with habitat and population monitoring.
- FWP will explore avenues to allow tourists to participate in program funding.
- FWP will continue to work to find ways for national interests in this species to be reflected in long-term funding commitments, i.e., a national endowment, Congressional act, or other vehicles.
- While cost of the program will initially increase over current levels, these costs should stabilize or even decrease over time as the species is managed as one component of our overall wildlife program.
- FWP will explore development of a grizzly bear specialty license plate as an additional source of funding.

An alternative FWP considered was that this program be solely contingent on increases in federal funding. However, our experience indicates that a solid state-funding base is key to long-term success.

Expanded Local Involvement

This issue is key to the long-term success of the program. To meet this need, the preferred approach includes:

- FWP will conduct town meetings in southwestern Montana explaining the programs and cultivating local interests.
- FWP will explore opportunities to form local work groups in Big Sky, Red Lodge, Ennis, Dillon, Alder/Virginia City, Emigrant/Gardiner, Bozeman, and Livingston. Additional groups may be formed as needed or existing groups with interests in these issues could be identified and contacted.
- These local groups will not only react to problems after they happen. It is FWP's hope they will anticipate conflicts, prepare for them, and try to prevent them. The goal of adaptive management will be promoted by regular monitoring and making policy changes when needed with the input of local residents and other interests.

Secondary and Cumulative Impacts

Successful implementation of the program will have some secondary and cumulative impacts on other programs and some individuals.

Implementing the habitat measures, and the preventative management programs, will undoubtedly benefit other species of wildlife in Montana, especially black bears. Black bear issues parallel those surrounding grizzlies, and the programs recommended should assist FWP with their management as well. Also, when habitats are managed in a way that allows occupancy and expansion of the grizzly bear population, many other species benefit. For example, areas where road accesses are adequately managed benefit elk and other species as well as bears. There will also be economic benefits to Montana from an expanded bear population. Many people travel to, and relocate to, Montana because of the state's diverse and abundant wildlife resources. In addition, the value of many properties in Montana are enhanced by the presence of wildlife and the opportunities for associated recreation and potential harvests.

There is the potential that population levels of black bears could be somewhat reduced due to the presence of grizzly bears in currently unoccupied habitats. Based on the current status of black bears in and adjacent to areas currently occupied by grizzlies in Montana, impacts are not anticipated to be significant.

Other agencies that manage lands in southwestern Montana could see increased costs due to expanded food storage rules, habitat management changes, and so on. Most of these changes are already occurring in the areas that could be occupied by grizzly bears in the near term, and the public has clearly indicated support for these efforts. Also, because grizzly bears have always had and will always have a high public profile, public pressure could result in FWP and other agencies reprioritizing programs to focus more effort on grizzly bear management. It is FWP's hope that by managing grizzlies as one more component of our wildlife programs such reprioritization would have minimal affect on other programs.

While there are many benefits to expanded grizzly bear populations, there is no denying that there will be impacts to livestock producers and property owners due to conflicts with grizzly bears as the population expands. Implementing the programs recommended

in this document will minimize those impacts through prevention, where possible, and adequate management if conflicts occur. Implementing the road density standards as recommended is already occurring for elk management and is allowing for some expansion in the bear population. Future adjustments may be necessary. However, many of these issues are currently being addressed to meet other resource needs (erosion control, water quality, etc.), and those changes are not related to bear concerns.

Irreversible/Irretrievable Resource Commitment

The programs recommended in this document should not result in any irreversible/irretrievable commitment of resources with few exceptions. If expansion of bears proves untenable in some areas, FWP has demonstrated the ability to remove bears. Likewise, habitat programs, access management, and so on can all be reversed or revised if needed. The level of recommended mortality will not result in any irreversible commitment of the grizzly bear resource and should allow it to flourish. Because these levels of removal can be regulated or eliminated on an annual basis, or even short time basis (should data indicate that to be prudent), the management program poses no threat to the species, and should benefit it.

Conversely, because the grizzly bear and other Montana wildlife serve as a major component of our quality of life in Montana and this is attracting new residents and an expanding human population, the state is seeing some irretrievable commitment of resources. Subdivisions, energy development, and other "land development" programs are slowly but steadily altering grizzly habitat. While Montana officials can moderate this loss to a degree by allowing the bear population to expand into currently unoccupied habitats and by managing occupied habitats to meet their needs, we as a people will ultimately have to forego some things to allow grizzlies to survive at viable levels. These issues will be decided by the citizens of Montana and the nation through the appropriate political and social processes.

Finally, grizzly bears are large and potentially dangerous animals. By their presence, they pose some risk to the human inhabitants of the state and to visitors. Current information shows that this risk is very real, but at a surprisingly low level. When one considers all of the people and activities that currently occur in grizzly habitat, and how few injuries or deaths happen, it demonstrates this low level of risk. In addition, the programs outlined in this plan should allow for management and further minimization of the risks of living with grizzlies.

No environment is totally risk free for people. Through education, understanding, and science-based wildlife management, we the people of Montana and this nation can minimize the risks of injury and/or death from grizzlies.

Summary of Public Comments

The Grizzly Bear Management Plan for Southwestern Montana Draft Programmatic Environmental Impact Statement was released for public comment on April 5, 2002.

Montana Fish, Wildlife & Parks solicited public comment through a series of formal public hearings held during May and June in Bozeman, Missoula, Big Sky, Ennis, Dillon, Big Timber, Columbus, Red Lodge, Billings, Gardiner, Livingston, West Yellowstone, and Butte. Oral comments were received and recorded at these hearings. In addition, written comment was accepted for 90 days through July 5, 2002.

One hundred seventy-one people attended the public hearings, and 32 offered oral testimony. Written comments were received from approximately 7300 people, 846 of whom were Montana residents. FWP also received three petitions with approximately 100 signatures. Some of the signatures were from kindergarten classes, and it was difficult to tell how many individuals signed.

Comments were used to improve the final plan.

Major comments and issues and our response are as follows:

Values: Many people commented on the value of maintaining a viable grizzly bear population in southwest Montana and on their own personal values associated with this species. People in Montana as well as people nationally and internationally view this species as very important and associate many differing personal values with it. Comments stated that the grizzly bear is a symbol of freedom, the United States, strength, serenity, fear, motherhood, peace, power, courage, wildness, wilderness, the West, the balance of nature, diversity, a sacred animal, one of God's creatures, a valuable game species, environmentalist meddling, and many more as varied as the individuals commenting.

As suggested in the wide array of comments, people also value the grizzly bear for its role in the ecosystem. This plan, by addressing the needs of those who live, work, and recreate in this area, should allow the bear to expand into those areas that are biologically suitable and socially acceptable. This will result in grizzly bears expanding their ecological role into additional habitats in southwestern Montana.

FWP recognizes these personal and ecological values associated with this species. Montana's program will provide for a secure grizzly population and allow people to pursue their individual values, whatever they may be. The constraint on these pursuits is that collectively they should support the long-term conservation and maintenance of a healthy grizzly population.

Perceptions: Comments received were based on the perception that the grizzly bear population in southwestern Montana was declining. As the current data shows, this is not the case. Because of this perception, however, some felt that the bear should be "protected" to a higher degree. It is also apparent that people who don't live in close proximity to grizzly bears are generally happy to have them left alone or "unmanaged". Yet because the concerns of those who live with grizzlies must be addressed to build support for the bear, as well as for its population expansion, an active management program as described in this plan will be required.

There are and will continue to be places in this area where management is at a minimum (wilderness areas, national parks), but our experience indicates there are areas where active ongoing management will be required to provide for occupancy by bears.

Early Warning System for Bad Food Years: People suggested that FWP implement an early warning system for years when natural food supplies are low and the potential for bear conflicts grow higher. While it is not always possible to predict how bears will respond to changing environmental conditions, we agree that such a system is important to implement when there is reasonable expectation that such conditions could exist. Language was added to the Human Safety Section to reflect such an approach.

Habitat Issue: Many comments were related to habitat management and the needs of grizzly bears. Some people felt stronger habitat programs needed to be developed both within and outside the Primary Conservation Area (PCA). The plan recognizes that habitat management constraints are more detailed within the PCA as defined in the Conservation Strategy developed in cooperation with the U.S. Fish and Wildlife Service. However, there are specific recommendations for areas outside the PCA, and it is FWP's intent to continue to refine necessary programs as grizzly bears expand. Hopefully, FWP's knowledge of grizzly bear needs will increase as understanding of the needs of those living with grizzlies grows. Together these should allow Montana to build a successful program. This plan should assist FWP in reaching its goal to further restore the grizzly bear as a valuable wildlife resource and re-establish them as part of ongoing wildlife management programs in Montana. While FWP feels the needs of the bear must be addressed, it is also important to address the grizzly bear's needs in the context of the communities and processes in place in southwestern Montana. There are certainly significant issues affecting bears and other wildlife habitats both within and outside the PCA. Ongoing increases in development and human populations will add to these challenges. However, there are also large areas of currently unoccupied habitat or habitat occupied at low levels, where FWP hopes to promote occupancy, as indicated in the plan that will provide additional long-term security of the bear population. Clearly, a linchpin of our State Plan is to find ways to integrate bears into the currently unoccupied habitat without radically displacing or disrupting traditional human uses. We believe this approach will build tolerance or even support for the grizzly bear, and provide for a healthy bear population in Montana. This will be possible in spite of some site-specific problems. In other words, FWP is aware of the threats that exist to currently occupied habitats, and FWP intends to monitor and respond to those threats as indicated in the plan. FWP also recognizes the opportunities that are, and will be, achieved with bears occupying currently unoccupied areas. FWP also believes the conservative approaches applied in the PCA will allow bears to continue to utilize and survive in that area into the foreseeable future.

Some comments suggested that FWP needs to have some ability to change and/or obtain authority over federal programs/projects on federal lands. FWP does not anticipate such authority will be given to Montana. FWP will continue to work with established processes to input the needs of the bears and other wildlife through federal forest plan

revisions, NEPA, and other federal processes. FWP will continue to encourage public involvement in these processes.

Finally, there were suggestions that FWP identify certain "triggers" for response to potential habitat changes. In FWP's judgment, such specifics are not possible due to the nature of the bear (an opportunistic omnivore), and the many variables that affect, or potentially affect, its habitat. FWP will monitor the population and habitat as indicated in the plan and respond, where possible, to ensure the survival of the bear as it responds to problems that affect all other wildlife species it manages.

In conclusion, FWP will work with other agencies, interests, and private landowners to ensure grizzly bear habitat needs are addressed both within and outside the PCA. In fact, this is already ongoing in many areas in southwestern Montana with regard to Forest Plan revisions, county planning, subdivision review, and individual work with ranchers and ranchland groups.

Roads: Comments requested that the criteria for road density inside the PCA be applied outside or that the elk-road standards outside were inadequate to meet the needs of bears. Concern was also expressed by some that road issues would be addressed in such a way as to "lock" people out of the forest.

The major federal landowners (U.S. Forest Service and BLM) are currently reviewing and adjusting their travel plans for southwestern Montana. These agencies are working with local and other interests to modify travel plans. FWP supports these efforts. In addition, the plan recommends following our elk standards outside the PCA. These standards recommend one mile of road or less per square mile of land. FWP felt at this time that the standard will allow us to meet the needs of the bear outside the PCA. There are some areas where this standard may be too high, and access will need to be modified, and others where more flexibility can be promoted. This will vary depending on habitat type, conflicts with people or property, etc. Utilizing the adaptive management approach outlined in this plan, FWP expects to be able to respond as it gains knowledge and experience in these newly occupied areas.

There was also a lot of concern over off-road vehicle issues. These issues are also currently being addressed through the forest planning process and others. FWP will work with those agencies to ensure that adequate monitoring programs are developed, both within and outside the PCA, and enforcement programs are also implemented. Clearly the advances in ORV technology have created the need for better management programs to address this issue. We intend to work with various interests including the local groups identified in the plan to address these issues.

Delisting: There were comments received either in support or opposition to delisting the grizzly bear in this area from the Federal Endangered Species Act. The issue of delisting is not addressed in this plan because the listing or delisting of species is a separate federal process overseen by the U.S. Fish and Wildlife Service. FWP developed this plan to address how our bear management program would look should the species be delisted in

this area. USFWS will have to address many other issues in addition to this plan in any proposal to delist this population. The delisting process is an open public process, and there will be opportunities for public input should a change in status be prepared.

Genetic Concerns: Comments indicated that some people were concerned about the genetic status of the population due to its isolation from other grizzly bear populations. There was concern this population is or could suffer from potential in-breeding. The current science around this issue is the subject of some debate. Current information indicates that a population of 400 or more individuals would be necessary to minimize possible genetic problems with this population. FWP will work with other states and agencies to maintain a minimum of more than 400 bears in the greater Yellowstone area. Current total population estimates are already above this level. Also, because this plan seeks to provide for expansion and potential linkage of this population to others in the long term, the genetic concerns could greatly diminish in the future. FWP will monitor the genetic status of the population with the Interagency Grizzly Bear Study Team (IGBST) so that a timely response could be implemented should it become necessary.

Remove Sheep Allotments or other Livestock from Occupied Grizzly Bear Habitat: The conservation strategy that covers the PCA specifically addresses phasing out sheep allotments as opportunities arise. However, as bears have and will continue to expand well beyond the PCA, they will encounter additional sheep allotments. It is counter productive to efforts of building tolerance for bear expansion, to single out the sheep industry for elimination in areas of expanded bear occupancy. A more productive approach to nurturing tolerance for expanded bear occupancy is to work with individual producers to develop specific management practices that allow for coexistence. If woolgrowers are specifically targeted for elimination in areas bears are expanding into, Montana will meet a zone of no tolerance which will translate directly into artificially limiting future bear expansion. FWP feels programs that implement management techniques such as guard dogs, sanitation, etc., in combination with removing livestock-killing bears, will be a more productive approach in building tolerance for expanded bear distribution. However, in situations where it is mutually agreeable by the producer and FWP, FWP will also work toward allotment retirement, relocation, or buyout where it is determined to be necessary for maintenance of a healthy grizzly bear population. These three options will only be pursued under mutual agreement between FWP and the producers or other interests.

Linkages/Corridor: Typically, southwestern and west central Montana mountain ranges are linked by relatively large intermountain valleys that are primarily in private ownership. Land use on the private lands is dominated by agriculture (both ranching and farming). These private lands provide significant and high quality winter and year round habitat for a large proportion of southwest and west central deer, elk, and antelope populations. They also provide high quality riparian and wetland habitat as well as key upland habitat for a wide variety of native nongame species found in Montana. Although these same habitats are important in providing connections between primarily federally owned mountain ranges for bears, their greatest value lies in the habitat they provide for many other wildlife species. In short, our habitat programs are designed to conserve

these habitats and in so doing preserve connectivity for bears between mountain ranges. Of all the western states, only Montana has an aggressive lands program, which includes acquiring via purchase, conservation easements on private lands determined to be important habitat that is seriously threatened. This program, by statute, requires our habitat dollars to be spent across the state. In southwestern and west central Montana, all of "Habitat Montana" dollars are spent conserving intermountain foothill habitat, which is vital in conserving habitat for wildlife -- including bears -- and in maintaining connectivity between mountain ranges.

We will continue to work with private non-profit land trusts in their effort to secure easements, primarily donated easements, from landowners occupying these intermountain valleys.

Montana FWP will continue to place an emphasis on conserving private lands adjacent to highway corridors that have been identified as key wildlife crossing areas. FWP's emphasis with the Montana Department of Transportation will continue to influence the use of highway mitigation dollars to secure adjacent private lands from additional development. Secondary emphasis will continue to be placed on "engineered structures" that facilitate wildlife crossings. However, during site-specific highway reconstruction projects FWP will support fence and highway structure placements that facilitate wildlife movement.

Coordination Between Wyoming, Idaho, and Montana: Reviewers recommended that all aspects of the management program be coordinated between the three states and/or federal agencies in the greater Yellowstone area. FWP intends to continue the existing coordination that is occurring under the IGBC under a newly formed committee if the grizzly bear were to be delisted. Obviously, programs in the states are intertwined and many aspects of the management plan cannot be implemented without participating in the appropriate federal processes.

Results of all coordinated monitoring of habitat, population, conflicts, etc., will be reported annually and made available to the public. In addition, any meeting will be open to the public as specified in Montana's statutes.

Population status/estimation: FWP received comments questioning the status of the population. Some noted significant increases and others noted population declines. The current status of the population is discussed in the plan. The best available data indicates a population increasing in both numbers and distribution at the present time. This creates some misunderstanding among those who believe the population is in decline and therefore seek additional "protections," while others who note grizzly bear increases seek more management flexibility. Population estimation is, and always will be, an area of controversy in grizzly bear management. The plan uses a variety of widely accepted approaches used in other areas, with other species, and with grizzlies in other parts of the world. The plan recognizes that using a variety of information from many sources is the best approach to ensure reasonable estimates. Any estimates used will be explained in full and will be open to public scrutiny and discussion.

Public Information/Education: There was widespread support for these efforts as described in the plan, and FWP will continue to implement them and look at new partnerships and programs to make this aspect of the program even more effective.

Hunting: Comments were received that supported hunting as part of the management program, opposed hunting or a hunt, and suggested that any possibility of hunting be delayed until some future date. FWP recognizes that many people hold strong personal values on either side of the issue of hunting this species. Those who support a hunt view the bears as a valuable wildlife species and game animal. Those who oppose hunting also view bears as a valuable wildlife species, but feel it is inappropriate to hunt predators or wildlife in general. Many who suggested that any hunt be delayed until a future date felt that this population needed to be more secure in both numbers and distribution before any hunt was proposed.

It is important that the public understand this plan only recommends that hunting be a part of the long-term management program. It does not recommend a hunt at this time. If a hunt were to be proposed, it would be through the processes discussed in the plan. The rationale for a hunt would be justified and open to public scrutiny. As discussed in the plan, FWP believes the option of using hunting, as a management tool in the future is important. Hunting has been successfully used as a management tool for many species in Montana (including grizzlies) and for grizzlies in other areas. In addition, Montana consistently has one of the highest levels of participation in hunting of any state in the nation. This constituency has also demonstrated significant long-term support for grizzly bears and their habitat. Some commentors also pointed out that a hunt could help build the political support needed to create statutory changes and/or to obtain funding to maintain ongoing expansion of the bear population.

There were suggestions specific to how to conduct a hunt (spring or fall), and how to sell licenses. These will be more appropriately discussed if and when a specific hunt is proposed.

FWP recognizes a need for ongoing education to reduce the potential for mistaken identification mortality and for enforcement to minimize any illegal mortalities. Any mortality due to a hunt would be considered in total mortality management programs and coordinated with Idaho and Wyoming.

Finally, there was a recommendation that all black bear hunting be closed in grizzly bear areas. FWP believes this approach would eliminate or alienate a group of people who support bear programs and would limit opportunities for future expansion of the grizzly bear population.

Some opposed to any hunt stated that females with cubs would be killed, that there will be bear baiting, and that there will be various other abuses. These types of situations are illegal and will be enforced with existing and any future statutory authority. It also should be noted that there are portions of southwestern Montana that will never be hunted both within and outside the PCA. However, to promote a broader recovery and

expanded local support FWP will need to have this management tool option in some situations and over time. This approach has proven its success with other wildlife species including other large predatory species in Montana.

Some of those opposed to hunting also indicated that they feel the FWP Commissioners are biased, and are reluctant to work with them on their issues. The FWP Commission has been granted authority to establish hunting seasons by the State Legislature. The procedures utilized provide for public comment and scrutiny before decisions are made.

Expansion of Food Storage Orders in Bear Habitat: Many people commented favorably on this aspect of the plan. Most recommended that FWP actively pursue expansion of food storage regulations to all bear habitats (both black and grizzly) in Montana. In addition, there was widespread support for having FWP assist with enforcing those regulations. These types of regulations can be controversial if developed and implemented without active local involvement and responsiveness to local concerns. This is an area where the local work groups identified in the plan could actively participate and build support. We recognize that in order to implement these food storage guidelines, we will have to work with other state and federal agencies and through their processes as well.

Implementation Schedule: Some comments recommend a clearly defined implementation schedule. This is somewhat problematic because the plan is intended to describe a management program for a post-delisted population of grizzly bears in southwestern Montana. No one knows, however, if or when delisting will occur. In addition, some parts of the plan are already implemented while others may or may not be implemented regardless of the population's federal status. The chart below provides a general outline of some of these.

	Ongoing	Post Delisting
Human Safety Programs	X	X
Inform and educate	An information and education plan will be developed by 2003	
Food storage Enforcement/Implementation	FWP is currently seeking the necessary authority and funding	X
Aversive conditioning	X	X
Management Control	X	X
Hunting		When and where appropriate
Habitat/Habitat Monitoring		
Within PCA	X	X
Outside PCA	X	X
	Some, with more planned as bear population expands	More monitoring as population expands
Habitat Guidelines		
Within PCA	Being implemented through forest plan revisions (by 2005)	X
Outside	Being implemented through forest plan revisions (by 2005)	X
Population Monitoring	Coordinated by IGBST	Coordinated by IGBST for a minimum of 5 years
Trails Monitoring	Current efforts are to intensify this program -- will be part of forest plan revisions (2005)	X
Livestock conflict management	Identify preventative approaches staff and funding by 2005	X
Property Damage	New staff in Red Lodge if funding can be found	X
Research	X	With more emphasis outside PCA
Information and education	X	X
Funding	There is a clear need to identify additional funding opportunities	Will seek additional Federal funding to assist with mandated post-delist monitoring for 5 years minimum
Local Involvement	X	Expanded local involvement as bear population increases

Funding: Some commented that FWP would need to secure funding to replace Sec. 6 funding (from the Endangered Species Act) that would be lost if the bear was delisted. Sec. 6 funding for bear management in southwestern Montana has been minor in terms of the overall program cost (Sec. 6 is generally less than \$20,000 while the current program costs \$243,000 per year). While all funding is important, FWP anticipates and will actively pursue other opportunities from other programs to make up these dollars (such as what was proposed in the Conservation and Reinvestment Act).

Specific targets: Comments indicate some people want more specificity and certain targets which will precipitate certain management responses. FWP would petition to relist the species if the population were to fall below 300 bears within the Greater Yellowstone Area. In addition, mortality management would become more conservative than recommended if the population fell below 400 individuals (the level necessary to address genetic concerns). Generally, however, bear populations, like all other wildlife, change in response to many environmental factors. FWP will use ongoing information to adapt programs. These programs will be more conservative if populations drop and more flexible at higher levels. As always, any changes in management will be open to public review.

FWP acknowledges that the plan contains a lack of specificity on some issues. Reasons for this are that grizzly bear management programs, and other programs, which potentially affect bears, are continually being adjusted as we gain new information and experience. In addition, as bears reoccupy habitats FWP will have to learn about how the bears use different food sources, adjust movement patterns, create conflicts, and more. FWP will need to adjust programs accordingly. Also, some aspects of management need to remain flexible. The narrative provided in the plan provides a picture of FWP's intent in these cases. FWP will continue to follow a comprehensive, collaborative process in the future to add specificity on things such as population monitoring, trend, mortality management, and more as the plan is implemented.

Value of Grizzly Bears to the Tourism Industry: Commentors expressed the view that grizzly bears are very important to Montana's tourism industry. Grizzly bears are used in Montana advertising and promotions which results in many visitors arriving with the hopes of viewing a bear. We recognize they grizzly bear's value to tourism, and the plan should allow these benefits to continue and even expand by providing for a healthy bear population.

Nuisance Bears/Reporting Damage: There was a concern expressed by some that some of the definitions and/or approaches to dealing with these issues were too vague or left open to too much interpretation. It is very difficult to anticipate every potential type of conflict that could occur. A review of FWP's current approaches to grizzly-bear related problems in Montana indicates conflicts are very conservatively addressed. FWP makes every effort to avoid unnecessarily removing bears from the population. The plan recommends that these types of approaches continue. However, with expanding numbers and distribution of bears, some animals will have to be removed when conflicts develop.

Other Issues Raised:

Concern over SB163: We received comment that suggested that Senate Bill 163 (SB163) would require the elimination of grizzly bears by the state. This is not the case. The statute and the legislative record of the bill indicate it is intended to deal with individual animals that prey on livestock. These animals would be subject to control as specified in the plan. The USFWS and Interior Department Solicitor's Office reviewed this language and found it adequate for long-term management of the species.

Game Status Animal: There is opposition to having the grizzly bear's status changed to a "game species". The grizzly bear is currently listed as a game species in Montana. This would not change based on the program developed.

Grizzly Bears in Other Ecosystems: Some commentators discussed the status of grizzly bears in other ecosystems or recommended programs outside southwestern Montana. Other documents and processes cover programs in these areas.

Keep People Out of Bear Habitat: There were suggestions that FWP work to keep people out of bear habitats. This is not possible and, in fact, bears are expanding their distribution into previously unoccupied areas. Trying to remove people as grizzlies expand is unworkable and would limit future expansion of the population. A program to manage both people and bears is a more productive approach to long-term conservation. This is the only implementable course of action.

Feed the Bears: It was suggested that FWP consider feeding bears during bad food years and in response to declines in natural foods. FWP believes this is unworkable at the ecosystem scale. While we do consider programs such as redistribution of livestock carcasses to minimize conflicts while still allowing bear use of this food source, we do not see large-scale feeding as workable or desirable. A better approach is to promote an increased distribution of bears to access a variety of areas and habitats to accommodate environmental change.

FWP Should be Responsible for Grizzly Bear/Livestock Conflict Management -- Not Wildlife Services: Some people stated that they would prefer FWP to handle livestock/bear conflicts. They felt that federal Wildlife Services failed to emphasize non-lethal or preventative control programs. Because Wildlife Services is often the first agency called on to address a bear-livestock conflict, FWP will continue to involve Wildlife Services. The two agencies have a current cooperative agreement and both agencies expect the cooperation to continue. Hopefully, as Montana gains more experience with the ongoing implementation of the plan, we will come to expect better prevention and non-lethal management of conflicts. FWP will continue to work with Wildlife Services in these efforts.

Wildlife Over Livestock or Commercial Use on Public Lands: Some say that public wildlife should always take precedence over livestock or commercial use on public lands in southwestern Montana. Wildlife, however, needs private lands as well as public lands

to survive. A cooperative program that blends the needs of wildlife with those of private landowners through ongoing management is described in the plan as a more productive approach.

Impacts of Snowmobiles: Commentors suggested that FWP address the impacts or potential impacts of snowmobiles on grizzlies. There is some potential for snowmobiles to directly affect bears through disturbance at some times. It was suggested that snowmobiles might also indirectly affect bears by redistributing ungulates, which could lead to less carrion available for bears.

There is no question that advances in snowmobile technology have changed the potential for impacts to bears. Newer machines are able to access areas today that were not possible a decade ago.

There is very little data available on these issues. The plan allows FWP and others to monitor the situation. FWP will address the needs of the bear if future information indicates that such action is warranted.

Mandatory Pepper Spray Use: It was suggested that FWP mandate the carrying of pepper spray. While the plan as proposed supports the carrying of pepper spray and use information and education to encourage its use, we do not feel mandatory rules are necessary at this time. FWP expects to establish criteria, in conjunction with the USFWS by December 31, 2002, which will be used to determine when a recommendation for mandatory use of pepper spray will be made to the FWP Commission.

Human Safety and Nuisance Guidelines: There was some concern that any bear damaging property would be killed or removed, or that the guidelines are too open to interpretation and too many bears would be removed. A review of our current approaches to these situations shows this is not the case in practice. Each incident is evaluated based on the particular circumstances and guidelines are conservatively applied. The proposed plan continues this approach.

ORV Monitoring: It was suggested that the plan monitor ORV impacts outside the PCA as well as within. Language was added to the plan to reflect this change.

Purchase Corridors: It was suggested FWP purchase corridors between ecosystems. FWP doesn't have sufficient resources to purchase all of these areas. A cooperative program with agencies, private non-profit land trusts, and private landowners is more effective. For additional response, see the section on "linkage".

Bus Tours: It was suggested that FWP promote bus tours in Yellowstone instead of personal vehicles to cut down on noise and/or pollution. This issue is outside the scope of this plan, and authority for this rests with the National Park Service.

Protection of Female Bears: It was suggested that the plan provide additional protections for female grizzly bears. The plan does so in terms of nuisance guidelines

and mortality quotas which are structured to provide additional protection for female bears.

Area Closures: Some comments indicated support for area closures to protect bears and also expressed concerns that any such closures be temporary. With active management as proposed, FWP does not feel that permanent closure of areas to people will be necessary. There may be times and/or places where seasonal closures are appropriate (for example, FWP closes elk winter ranges during certain months) or a closure may be necessary due to concerns over human safety (a bear is feeding on a carcass next to an active trail). Any closures will be site specific.

Response Time to Conflicts: People suggested that 12 hours may be too long to respond to some conflicts, and others stated that a response within 12 hours was unworkable in some cases. FWP acknowledges both concerns and recognizes that both situations can occur. The most rapid response possible is always in the best interest of the management program and is the goal of the plan.

Relocation of Problem Bears: It was requested that the plan provide information on where problem bears would be relocated. Because these decisions require information such as age/sex of the bear, current land uses, and understanding human activities, etc. this type of detail is not possible in the plan.

Coal Bed Methane: FWP acknowledges that this type of land management can affect grizzly bears. FWP will seek to have the needs of the bear placed and considered in every appropriate planning and permitting process as outlined in the management plan.

Funding: It was requested that FWP document all funding and have in place all commitments for ongoing funding needs. This is not possible because FWP and others operate on annual budget cycles sensitive to changing needs and priorities. A review of past funding indicates that the types of programs recommended in the plan receive funding support. Some commentators suggested using a gas tax, or a portion of the bed tax, to allow Americans to help support these efforts. FWP encourages those interested in these programs to pursue additional funding opportunities with their state and/or federal representatives.

Local Control: Local control is viewed by some as an excuse to do "bad things" to habitat and bears. This is not the intent of this plan. While FWP has acknowledged the national interest in the species and feels it provides long-term security of the population to meet that need, those living and working in these areas need to be active participants in all phases of plan development, implementation, and evaluation for it to be a success.

Damage to Bee Hives: There was support for re-evaluating the guidelines for damage to beehives as recommend in the plan.

Females with Cubs Monitoring: It was stated that the use of this monitoring parameter was inappropriate. Current and ongoing research demonstrates that there is value in

using this parameter. However, it should be noted that our program does not rely on it solely but will use a wide variety of information and data sources in program implementation and evaluation.

Definition of Socially Acceptable: The plan as developed provides for bear expansion into areas that are biologically suitable and socially acceptable. Some commentors wanted additional definition for this. There are some areas where the presence of grizzly bears is unacceptable due to risks to people and/or bears (urban areas). However, in many areas of southwestern Montana the presence of the bear is acceptable if appropriate programs are in place. That is the intent and direction of this plan.

Opposition to "planting bears": The plan provides for relocations of bears within the ecosystem for management purposes and for potential future relocations if projected distribution increases do not occur. It also provides for live removal and relocation of bears to other ecosystems or states if such opportunities become available. No relocations to increase distribution or to other ecosystems or states will occur without completing the appropriate public processes and extensive local involvement.

Risks/Liability from Bears: There was a question raised on who is liable if a bear mauls or kills a person or for any damage done by bears. Grizzly bears inhabit southwestern Montana. As such, the risks associated with them already exist. It is FWP's intent that the programs recommended will keep any risks at manageable levels. If and when court cases are pursued as a result of conflicts with bears the liability, if any, will be determined by the courts.

Hunting Endangers Lives of Humans as Well as Bears: People who would knowingly choose to hunt grizzlies assume those risks voluntarily. For other people in the field, FWP has many programs -- such as its hunter safety classes -- to minimize risks to other humans through understanding and awareness education. Hunting as conducted in Montana is a safe activity, and FWP continues its years of work to make it more so.

Need Fewer Bears in Montana Because There are People Here and Their Needs are Increasing: Based on current information as presented in the plan, Montana can expect numbers of both people and bears to continue to increase into the foreseeable future. This makes a management program necessary in assuring coexistence.

FWP DECISION

Montana Fish, Wildlife & Parks hereby issues a decision to adopt the Preferred Alternative. This decision includes a commitment to making certain budgeting and management decisions, to develop and implement new program initiatives, and to seek necessary approval of other agencies.

This decision meets with FWP's grizzly bear management objective to maintain grizzly bear populations that are compatible with the public's outdoor recreational desires while minimizing human-bear conflicts and livestock depredation. The decision also meets with the objectives set forth in the FEIS to set appropriate grizzly bear management objectives for Montana's biologically suitable and socially acceptable habitats; improve FWP's ability to monitor grizzly bear populations and determine their status, composition and trend; improve regulation of the annual harvest should this occur; improve public understanding of grizzly bear biology, habitat requirements and management; and to develop policies and proactive program to deal with human-bear confrontations and livestock depredation.

The ultimate benefit of the decision is the long-term perpetuation of viable, healthy grizzly bear populations that can provide aesthetic and recreational benefits to Montanans and visitors to our state.

Concurred in by FWP Commission by action at its November 14, 2002, meeting.

 12/16/02
M. Jeff Hagenet _____ Date
Director

