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December 5, 2023

To: Montana Fish and Wildlife Commission

RE: Comments on proposed revision to the 2024 and 2025 black bear hunting regulations proposed by Commission Cebull

I write to you on behalf of the Montana Wildlife Federation. We are Montana's oldest and largest statewide conservation organization, founded in 1936 by dedicated hunters, anglers, conservationists, and landowners.

The Montana Wildlife Federation (MWF) wishes to comment on the proposed 2024 and 2025 Black Bear Hunting Regulations as proposed by Commission Cebull:

- 1. Set a statewide spring hunting season closure for black bear to June 15.*
- 2. Expand to statewide the Region 1 pilot that allowed hunters to submit extracted teeth instead of having to present a head and a carcass. Also require that hunters submit 2 "molars" instead of 1.*

MWF is opposed to extending the statewide black bear season to June 15 because it is: 1) unnecessary because there are already strong spring black bear harvests in Montana; 2) it will result in more female bears being harvested; and 3) extending the season to June 15 will produce bears with rubbed and shedding hides that are poor trophies and less desirable.

One of the rationales for this proposal is that snowpack prevents hunter access to areas where black bears are, however, black bears move to lower elevation areas with little or no snow upon den emergence because those areas are where vegetative foods green up first as snow melts. This means that the black bears naturally move to lower elevations in the spring where they are more accessible to hunters. Bears remain in these lower elevation areas until the snow melts in higher elevation areas and they gradually move to higher elevation areas as snowmelt proceeds. There are already many black bears available to hunters in the spring before June 1.

Extending the black bear season to mid-June will expose more female black bears to hunter harvest because males emerge from dens earlier than females and the longer the spring season, the more females will be harvested. The earlier the black bear season, the more likely that harvested bears will be males.

Importantly, black bears start to lose their winter coats and change to their summer coat in June. As this happens, they rub to remove their shedding winter hair. This means that extending the season to mid-June will mean that most bears taken will have hides in



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poor condition that are poor trophies. The earlier in the spring that a bear is harvested, the better the hide.

MWF also opposed extending the black bear season to June 15 in any areas with high grizzly densities. This includes all the BMUs in R-1, which has more grizzlies than any other region in Montana, and many other areas and BMUs in western Montana (see Figure 1).

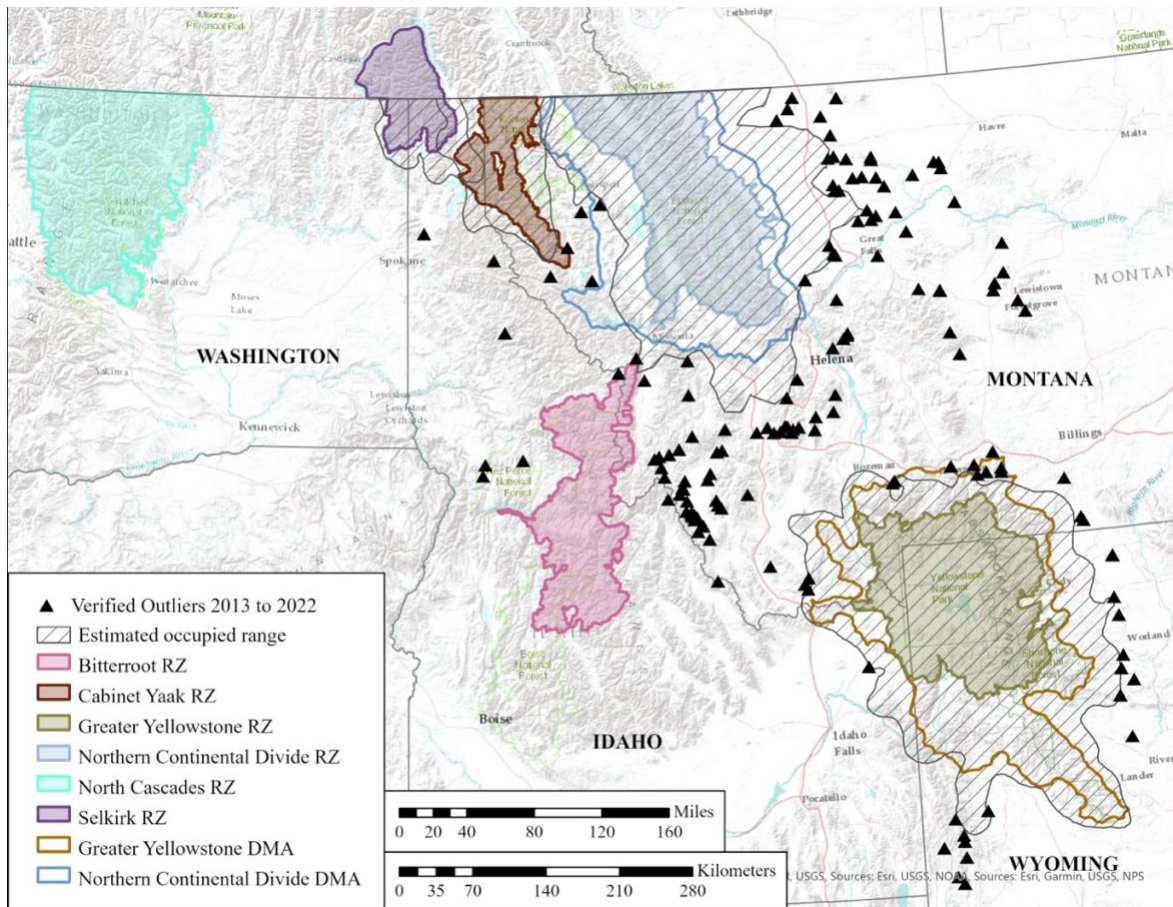


Figure 1. The distribution of verified grizzly bear sightings outside the “occupied range” mapped by FWP showing all verified outliers 2013 to 2022 using data from FWP, USGS, and FWS.¹ Note how many verified grizzly bears occur outside the “occupied range” mapped by FWP.

Placing black bear hunters in June into grizzly into areas where there are verified grizzly bears will increase the number of mistaken identification grizzly bear kills by black bear hunters. This increased risk of more dead grizzly bears is not worth it because the numbers of black bears legally harvested in the spring season prior to June 1 is already

¹ U.S. Fish and Wildlife Service. 2023. Draft Species Status Assessment for the Grizzly Bear (*Ursus arctos horribilis*) in the Lower 48 States. Missoula, Montana. 394 pp. (in review).



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high. Extending the season to June 15 in BMUs where there are documented grizzly bears and thereby increasing the probability of mistaken identity grizzly kills by black bear hunters would not demonstrate that the Commission is committed to assuring adequate mortality regulations for grizzly bears. The Commission's demonstration of careful management to avoid mistaken identification grizzly deaths by black bear hunters is one of the necessary requirements to achieve grizzly recovery and delisting.

While MWF supports the need to collect 2 premolar teeth from all harvested black bears to determine the age structure of the harvest, we do not support expanding the pilot program started in R-1 to no longer require that hunters present the skull and hide of all harvested bears to FWP officials after harvest. As has been commented on in public forums by FWP law enforcement personnel in the past, the presentation of the skull and hide can allow FWP officials to determine if the bear was a lactating female with cubs or not. Since it is illegal and unethical to shoot a mother bear with cubs, FWP can determine if each bear was harvested legally when the skull and hide are presented in person. In BMUs with fewer bears (Regions 2-7), it is all the more important to know if there are females with cubs taken illegally.

MWF strongly supports continuing the requirement in Regions 2-7 for all black bear hunters to present the skull and hide to FWP officials within 10 days of harvest. MWF recommends returning to the requirement to present the skull and hide in person in R-1.

Another amendment to the black bear hunting regulations presented by Commissioner Cebull was:

In BMU 520: set spring season to May 1 to June 15.

MWF is opposed to this amendment for two reasons: 1) delaying the opening to May 1 is counterproductive and unnecessary; and 2) extending the season to June 15 will result in more females harvested, thereby exceeding the female quota.

This amendment has several problems:

- Because male bears leave their dens prior to females, earlier seasons result in more males being harvested. By pushing back the opening date to May 1, this amendment will actually increase the number of females taken, thereby closing the season earlier.
- As stated earlier, one of the rationales for this proposal is that snowpack prevents hunter access to areas where black bears are, however, male and female black bears move to lower elevation areas with little or no snow upon den emergence because those areas are where vegetative foods green up first as snow melts. This means that that male black bears naturally move to lower elevations early in



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the spring where they are more accessible to hunters. Bears remain in these lower elevation areas until the snow melts in higher elevation areas and they gradually move to higher elevation as snowmelt proceeds. There are already many black bears available to hunters in the spring before June so there is no need to extend the season to June 15.

- The rationale for this amendment says: *“In addition, since sows are the key to maintaining a population, I’d recommend that the Department implement bear ID training for hunters to help them be able to identify sows to prevent the female harvest from closing the season so early.”* This statement has no biological credibility because there is no reliable way to sex a bear at a distance in the field, other than to identify an adult female when she is accompanied by young. Therefor there is no way to develop and provide *“bear ID training for hunters to identify sows to prevent female harvest from closing the season so early”*.

The result of this proposed amendment, if accepted, will be exactly opposite of the expressed intention of the Commissioner because it will increase the harvest of females and likely close the season even earlier than it closes now with an April 15 opening date.

Thank you for this opportunity to comment on the proposed changes to the black bear regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Servheen".

Christopher Servheen, Ph.D.
President and Board Chair