



# MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

THE **OUTSIDE** IS IN US ALL.

**Meeting Date:** August 25, 2022

**Agenda Item:** Amendments to ARM 12.9.1403 Grizzly Bear Demographic Objective for the Northern Continental Divide Ecosystem

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 15 Minutes

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**Background:** In 2018, the Fish and Wildlife Commission passed a regulatory mechanism for grizzly bear management in the event the Northern Continental Divide Ecosystem (NCDE) grizzly bear population was delisted, and management authority transferred to the State of Montana. The administrative rule, entitled Grizzly Bear Demographic Objectives for the Northern Continental Divide Ecosystem, intended to provide for management objectives that would ensure the continued recovered status of grizzly bear upon delisting. The rule commits to the standards outlined in the NCDE Conservation Strategy for presence of female grizzly bears in the NCDE, managing mortalities, and committing to monitoring connectivity. See ARM 12.9.1403, attached with proposed edits. The intent of the proposed amendment is to clarify that hunting mortalities and translocations out of the ecosystem would count against the mortality thresholds.

To maintain recovered status, commitments in 12.9.1403 would remain in place after delisting. Delisting would allow the commission to authorize hunting in a manner consistent with management objectives described in 12.9.1403. To ensure the grizzly bear would remain in recovered status with state management, the regulatory mechanisms are most effective if they indicate how the state will manage, including how hunting mortalities will be counted against mortality thresholds, and when hunting would no longer be allowed. In this context, the department is proposing amendments that maintain the substance of the current ARM language while confirming that hunting and loss of bears to translocation of grizzly bears out of the NCDE have been and will continue to be managed sources of mortality measured and considered among other mortalities in 12.9.1403.

The commission previously proposed and adopted amendments to ARM 12.9.1403; however, due to a procedural filing error after the April 19, 2022, meeting, the amendments must be repropoed for final commission action at the Aug. 25 meeting.

**Public Involvement Process and Results:** The proposed rule amendments will be posted on July 8, 2022. Public comment will be taken, including a public hearing, until Aug. 5, 2022. All public comments will be provided to the commission for their consideration and posted on the website no later than Aug. 11.

**Agency Recommendation and Rationale:** The department recommends the commission adopt the proposed amendments to ARM 12.9.1403, as they represent the same proposed language presented to and adopted by the commission at their April 19<sup>th</sup> meeting.

**Proposed Motion:** I move the Fish and Wildlife Commission adopt the proposed amendments to ARM 12.9.1403.