

FWP proposal to be amended: Black Bear Regulations

Commissioner: Brian Cebull

Date Received by Commission:

Proposed Amendment: I move the Fish and Wildlife Commission adopt the following amendment to the proposed 2024 and 2025 Black Bear Regulations:

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 carcass. Also require that each hunter submit 2 molars instead of 1.

Requested by FWP: No

Rationale and Background: A standard spring season statewide closing date of June 15 will simplify regulations, provide accommodation for variable spring weather events, and afford sustainable hunting opportunities.

Since black bear harvests are managed based on BMU/HD quotas a standardized closing date of June 15 would only remain if the quota was unfilled. Conversely the closure of BMU/HDs on June 1, when quotas are yet to be filled, is an unnecessary loss of otherwise sustainable hunting opportunity.

There are many examples but several that most poignantly illustrate the issue:

HD 393, HD 690, and HD 680, all have a June 1st closure for black bear.

- HD 393 is next to Bridger Bowl Ski Area. There are a lot of bears in that area, but access is usually a nightmare in May due to late winter and heavy snowpack. To the east is US Forest Service and it is very popular with public land hunters during the big game season. However, this same country sees little black bear hunting in the spring due to the inaccessibility imposed by a June 1 closing. As a result, black bear quotas are not filled, hunting opportunities are lost, and black bear density remains high.
- Region 5 is a mountainous area with a normally deep snowpack that prevents access for bear hunters, forcing all the activity on the lower lands. Significantly more opportunity, in both time and area, could be had with a June 15 closure.

The Commission approved the pilot in Region 1 during the 2022-23 season setting process to allow hunters to extract and submit their own tooth samples instead of having to present the carcass and head to the department. Based on the success of the pilot, this practice should be expanded statewide. As recommended by Region 1, hunters should be required to submit 2 premolar teeth instead of one to ensure good quality samples. Also, hunters who intend to mail extracted tooth samples should be educated on how to package them so they are not lost or damaged in the mail.

Department response:

The department would recommend that if the bear season is extended to June 15 statewide, any bear management unit that currently has a quota or subquota would retain it, Bear Management Unit 580 would adopt a female bear quota of 11 in the fall and 12 in the spring, and any bear management unit that does not have a quota would be closed at any point after May 31 if the spring harvest comprised

≥37% female bears. All bear management units that already extend to June 15 would remain unchanged. With these adjustments, the department does not anticipate any adverse effects from the proposed amendment.

Regarding mandatory tooth submission in lieu of mandatory physical inspections, the department would prefer a second year of data to determine the adequacy of the pilot program for bear data collection before expanding the efforts to other regions. If this amendment is adopted, the department would recommend that physical inspections remain mandatory in Regions 5, 6, and 7 due to the small number of bears harvested in those regions. The department would also recommend any regions where hunters are no longer required to present their harvested bear retain the requirement to report their harvest within 48 hours through the harvest reporting phone line as currently required in the pilot project area.

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Commissioner: Brian Cebull

Date Received by Commission:

Proposed Amendment: I move the Fish and Wildlife Commission adopt the following amendment to the proposed 2024 and 2025 Black Bear Regulations:

1. BMU 520: Set spring season to May 1 – June 15.

Requested by FWP: No

Rationale and Background: BMU 520 lies along the northern and eastern face of the Beartooth Mountains. BMU 520 has a female harvest quota for the Spring of 12 sows which is typically filled very early in the season. By adjusting the start date of the season from April 15 to May 1, this will allow the season to stay open incrementally longer and, hopefully, allow hunters to access more back country male bears that are unreachable due to snow in the early season. 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.

Department response:

The department does not anticipate any adverse biological effects as a result of this amendment.

FWP proposal to be amended: Elk Regulations

Commissioner: Brian Cebull

Date Received by Commission:

Proposed Amendment: I move the Fish and Wildlife Commission adopt the following amendments to the proposed 2024 and 2025 Elk Regulations:

1. Modify quota range on LPT 555-00 from 15-50 to 15-100 (Page 111 of draft regulations)
2. Add LPT 005-00 Elk B License to HD 555. Not valid on National Forest lands. (Page 111 of draft regulations)

Requested by FWP: No

Rationale and Background: The June 2021 Robertson Draw fire dramatically changed the east face of the Beartooth Mountains with nearly 100% of the conifer and sage brush cover destroyed in the affected area. The grass cover that replaced the sage and conifers has begun to draw large herds of elk, some of which are likely from Wyoming, to the area. During the regular rifle season in 2023, Department staff noted large herds of elk congregated in HD555 totaling between 600-800 head. The updated Elk Management plan requires low densities of elk in HD555 to manage for the prevalence of brucellosis, which has been detected in the Wyoming elk herd immediately south of HD555, and for CWD. The Plan also calls for maintaining an elk population of between 150-200 head, so the area is currently well over objective. HD555 is predominantly public land with good access, so elk hunting opportunities for the public are good.

The proposed Amendments above will help the Department address the overpopulation of elk in HD555 thru both Elk B licenses, with the quota set by the Department, as well as adding the other-the-counter cow licenses which will extend the cow harvest efforts into the shoulder season.

Department response:

The department does not anticipate any negative biological effects as a result of this amendment.

FWP proposal to be amended: Elk Regulations

Commissioner: Brian Cebull

Date Received by Commission:

Proposed Amendment: I move the Fish and Wildlife Commission adopt the following amendments to the proposed 2024 and 2025 Elk Regulations:

1. Modify LPT 502-20 and make it valid only in HD 502. Set quota at 5 either-sex tags. (Page 108 of draft regulations)
2. Create LPT 555-20 which is valid only in HD 555. Set quota at 25 either-sex tags. (Page 111 of draft regulations)

Requested by FWP: No

Rationale and Background: HD 555, the East Beartooth Face and the west Pryors, was combined with HD 502 in the 2022-23 season setting process under LPT 502-20 due to the interchange of bull elk between the 2 HD's with 30 either-sex permits available. Prior to 2022-23, these HD's were separate with 25 either-sex tags in HD 555 (was part of HD 525) and 5 in HD 502. According to the updated elk management plan draft, only 11% of the land in HD 502 is public, with nearly all of the elk occurring on private land in the southern half of the HD. The addition of HD 555, which is 69% public land, to LPT 502-20 has created additional pressure on landowners in HD 502 plus added harvest pressure on a HD that is currently at the low end of population objectives. Given that HD 555 appears to be well over population objectives due to the Robertson Draw fire, it does not make sense to have these 2 HD's combined in the LPT. These amendments effectively return the 2 HD's to the separate either sex quotas they were at prior to the 2022-23 process.

Department response:

The department does not anticipate any adverse biological effects as a result of this amendment.

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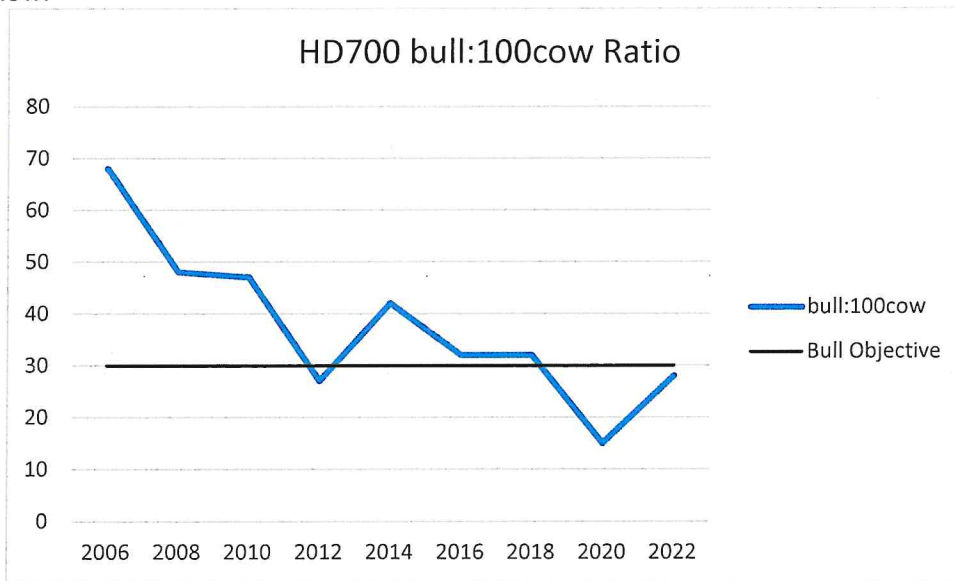
Date Received by Commission:

Proposed Amendment: I move the Fish and Wildlife Commission adopt the following amendment to the proposed 2024 and 2025 Elk Regulations:

1. LPT 700-20: Increase either-sex elk quota from 200 to 250
2. LPT 700-21: Increase either-sex elk quota from 660 to 800

Requested by FWP: No

Rationale and Background: On April 4, 2023, Region 7 announced they were reducing the Commission approved rifle quota for HD 700-20 from 250 to 200 (-50) and reducing the archery quota for the HD 700-21 from 800 to 660 (-140). Together these actions removed a total of 190 either-sex permits. The justification provided by staff for the reduction was low bull to cow ratios citing the information in Figure 1 below:



“Figure 1. The bull per 100 cow ratios from 2006 – 2022, with the bull management objective of 30 bulls per 100 cows. The bull ratio has dipped below the bull management objective and from 2020 – 2022 has remained below the management objective.”

The change was unwarranted for the following reasons:

- The deviation from the stated objective (2% in 2022) was small and improving. When the precision of the overall estimation procedure is accounted for it is questionable if these estimates are in fact sufficiently different to warrant any action.
- There are two ways to attain bull cow ratios, one is to protect bulls and the other is to reduce cows. In HD 700, where elk numbers are increasing and beyond objective it makes sense to consider the latter strategy, however that option was not offered.
- The removal of 168 resident hunters and 19 nonresidents for a total of 187 hunters not only takes away sustainable public hunting opportunities, but has also cost rural communities, dependent on

hunter-oriented tourism, an estimated \$220,000 in tourism dollars this year alone from local businesses in the 700 Hunting District.

Department response:

The department does not anticipate any adverse biological effects as a result of this amendment. Bull to cow ratios will be assessed during 2024 spring surveys and recommendations to address population goals may be recommended by the department to the commission in future season setting proposals.