

## Wickman, Erik

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**From:** George Corn <gcornmt@gmail.com>  
**Sent:** Sunday, November 12, 2023 9:58 PM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] comments on grizzly bear ARMS: needed provisions

Sent from [Mail \[go.microsoft.com\]](mailto:go.microsoft.com) for Windows

1/ NEW RULE V (ARM 12.9.1408) GRIZZLY BEAR MORTALITIES THAT APPLY TO THE QUOTA AND TO THE MORTALITY THRESHOLD – the rule should clarify that ALL grizzlies taken under the SB 295 framework apply to the quota, regardless of location (inside or outside of the demographic monitoring area or DMA). There is important bear habitat located outside of the DMA - including scientifically-identified linkage zones and migratory corridors between ecosystems – that is critically important to long-term, statewide bear conservation, connectivity and recovery.

2/ NEW RULE VII (ARM 12.4.1410) ALLOWABLE LETHAL MANAGEMENT OF GRIZZLY BEARS – this rule needs to clarify two issues, 1) that the requirement for non-lethal measures to be taken prior to issuance of a “take permit” also applies to private land, and 2) in subsection (c) add language that states that the use of non-lethal measures is documented or verified on site by the Department’s bear management specialist and that the type and use of non-lethal measures be recorded in writing before issuing the permit.

3/ New Rule VII ( ARM 12.4.1310) ALLOWABLE LETHAL MANAGEMENT OF GRIZZLY BEARS-This section should not be applied to public lands. Permits issued under SB 295 should apply to a livestock owner’s private land only.



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[\[avast.com\]](http://www.avast.com)

**Wickman, Erik**

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**From:** Michael Mason <masonjm15@icloud.com>  
**Sent:** Saturday, November 18, 2023 10:23 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Do not delist grizzly bears

Please keep MT grizzly bears listed as endangered. If not, they will be further endangered by governors of the like Gianforte, who fosters big game hunting by out of state trophy hunters. Save our environment and habitats.  
Sent from my iPhone

## Wickman, Erik

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**From:** step <nuarbnehpets@gmail.com>  
**Sent:** Monday, November 20, 2023 8:46 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] griz delisting comments

Please accept these comments for the short sighted state management plan if grizzly bears are partially delisted by the federal government.

Grizzly bears should not be delisted until they are recovered throughout their historic range.

Doing partial delisting will only slow or halt the recovery of the grizzly in their historic range. Piecemeal delisting will not protect the griz in connectivity corridors that are mandatory for long term survival.

Delisting lands around Yellowstone and Glacier national parks is shortsighted until connectivity corridors are in place, viable and strongly protected. This includes no road building and human management that harms recovery.

Human population in the Flathead valley and around Yellowstone National Park is exploding and this reduces the ability of griz to migrate between the two national parks. The highways are more and more crowded, hindering genetic flow.

The Bitterroot Range should have griz, but due to unsuitable habitat corridors this prime habitat is seldom used by griz. The growth around Missoula and the Bitterroot Valley inhibits genetic flow.

Even though there are no towns between the Whitefish Range and the Yak, griz do not survive moving between these ranges, mostly due to logging roads.

The DNRC and USFS must halt logging road building and the continued industrialization of these necessary lands for griz migration corridors to function. The corridors must be identified and respected. The language for management must be clear and restrictive. If these agencies keep up their past actions, the griz will be doomed.

Montana must be looked at as a griz genetic seed base. All griz need to be protected until griz reach full recovery throughout their historic range. Griz live in 2-3% of their historic range. This is not enough for stable populations to survive in the long term. Climate change has already killed off whitebark pine trees—a major food source for griz. What other stresses will climate change do to other food sources and habitat?

Grazing and griz.

Griz are limited on where they can live, prosper and survive. Grazing on public lands must take this into account. If there are issues that are reoccurring with griz, those grazing allotments must be retired. It is absurd to think that commercial activities on public lands superseded endangered species protections. This twisted behavior must change. This also must be accepted by the USFS. reduce roads in griz core habitat and in connectivity corridors. If there are bottlenecks for griz migration, management must change. You want to delist- have strong policies in place to guarantee the survival of this iconic species.

It is absurd for the state to start a hunting season. This will only increase take and poaching. The state could not be trusted with a hunting season of griz before. Montana had to be sued to stop the griz hunt many years after listing under the ESA. Just say no to this short sighted hunting plan.

Government trappers must not be used to kill "problem" bears. There are only problem people.

Follow the ESA and delist once griz are recovered throughout their historic range. People must learn to live with this amazing species. The state and feds could do a much better job to help in griz delisting, instead of continuing to reduce and trash habitat.

Thanks for your time. Please do the right thing for the griz and protect them more than you do now. Your plan has too many items that will get the bear relisted.....

Stephen Braun

Po box 5614

Whitefish, mt 59937

Sent from [Mail \[go.microsoft.com\]](mailto:go.microsoft.com) for Windows

**Wickman, Erik**

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**From:** Daniel Braby <DBRABY0608@msn.com>  
**Sent:** Sunday, November 19, 2023 1:26 PM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Grizzly bear act

As a hunter and land owner in Montana, I strongly encourage the delisting of the grizzly bear, particularly those that are having encounters with domestic animals. Looking at the statistics, I feel the bear has recovered nicely, and can be managed by the state.

Sincerely,

Danielle Braby, MD  
Sent from my iPhone

## Wickman, Erik

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**From:** Sally Lydon <slydon@3riversdbs.net>  
**Sent:** Sunday, November 19, 2023 11:23 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Grizzly bear amendment

I am in favor of an amendment that is very specific and requires documentation of non lethal methods in place and activated BEFORE any grizzly is euthanized on public land.

Public is not private. Livestock is private. Grizzlies are wildlife and their habitat must be protected and prioritized on public lands to minimize interfacing with livestock and humans.

FWP are stewards of our wildlife and habitat.

Cooperation, commitment and education are in order to make humans respect and understand the limits needed to ensure the perseverance of a species we have been blessed with in Montana. The existence of livestock is a given in our world. Grizzlies not so.

Thank you for your time and attention to this issue.

Sincerely,

Sally Lydon

770 Spring Creek Road

Sand Coulee, MT 59472

Sent from my iPad

**Wickman, Erik**

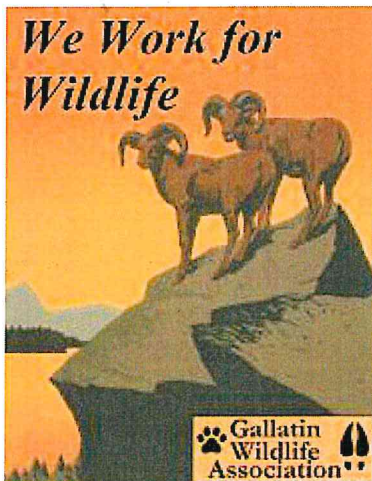
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**From:** Clint Nagel <clint\_nagel@yahoo.com>  
**Sent:** Sunday, November 19, 2023 6:05 PM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] "Grizzly Bear ARM"  
**Attachments:** 20231119.Grizzly Bear ARM.docx

Dear Montana Fish and Wildlife Commission:

Please accept the following comments by the Gallatin Wildlife Association. Comments are in the attached document below. We urge the commission to utilize more advanced public outreach in the future. This timeframe to comment was inadequate to say the least.

Clinton Nagel, President  
Gallatin Wildlife Association



## Wickman, Erik

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**From:** Erin Edge <EEDGE@defenders.org>  
**Sent:** Monday, November 13, 2023 3:19 PM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] ATTN: Grizzly Bear ARM  
**Attachments:** DOW to Montana FWP Griz ARM 11.13.2023.pdf

Please accept these comments on the draft Montana grizzly bear ARM.  
Thank you for the opportunity to comment.



**Erin Edge (She/Her)**

*Senior Representative, Rockies and Plains*

**[DEFENDERS OF WILDLIFE \[defenders.org\]](https://defenders.org)**

P.O. Box 1858, Missoula, MT 59806

TEL: 406.728.9436

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[\[instagram.com\]](https://instagram.com) | [Medium \[medium.com\]](https://medium.com)

[\[defenders.org\]](https://defenders.org)



**Wickman, Erik**

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**From:** Mary <mbprice406@gmail.com>  
**Sent:** Monday, November 20, 2023 10:25 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] ATTN: Grizzly Bear ARM  
**Attachments:** M Price comments on New Rules pertaining to grizzly bears 11192023.pdf

Attached please find written comment re: Grizzly Bear ARM.

Best Regards,

Mary Price

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## Wickman, Erik

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**From:** Deborah Hines <deborah.a.h@hotmail.com>  
**Sent:** Monday, November 20, 2023 12:56 PM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Bill 295

Montana Fish Wildlife and Parks,

I am writing regarding the rule making for Senate Bill 295 regarding grizzly bear management and control.

The bill is simply another excuse to kill grizzlies, before they are even delisted. It shows Montana's bias against our state animal, a creature that is finally making some progress toward recovery.

Allowing killing of grizzlies just because someone thinks they are a threat is leaving these spectacular animals - which belong to everyone, not just the government and the ranchers - open to pointless killing.

I am fully opposed to killing grizzly bears on public land just because they might be viewed as threatening to livestock. Grazing livestock on public land is a privilege, not a right.

Grizzly bears are protected by law under the Endangered Species Act. If and when they are delisted they will face all sorts of threats like hunting and trapping and more manipulation by the states. Please don't add yet another source of mortality. Already this year 50 grizzlies have died in the Greater Yellowstone ecosystem and at least 42 in the Northern Continental Divide.

Ranchers should have to prove they have done everything they possibly can to protect their livestock before they are given a permit to kill a grizzly. It is not hard to document such actions with cameras in everyone's pockets. Ranchers have to face risks like any other business.

Please do not allow any further killing of grizzly bears on public lands.

Deborah Hines  
2707 Highland  
Bozeman, MT  
Sent from my iPhone

## Wickman, Erik

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**From:** Christopher Servheen <servheenc@mtwf.org>  
**Sent:** Monday, November 13, 2023 12:14 PM  
**To:** FWP Wildlife  
**Cc:** Temple, Dustin  
**Subject:** [EXTERNAL] Comments on amendments to grizzly bear ARM  
**Attachments:** MWF comments Nov 12 2023 on ARM on Grizzly Bears.pdf

To FWP and the Commission:

Attached please find the comments of the Montana Wildlife Federation concerning the proposed amendments to the grizzly bear ARM.

Thank you for the opportunity to comment.

Sincerely,  
Chris Servheen

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Christopher Servheen, Ph.D.

IUCN Bear Specialist Group - Co-chair, North American Bears Expert

Team <https://www.globalbearconservation.org> [[globalbearconservation.org](https://www.globalbearconservation.org)]

President and Board Chair, Montana Wildlife Federation <https://montanawildlife.org/>

[\[montanawildlife.org\]](https://montanawildlife.org/)

<https://montanawildlife.org/about-us/where-we-stand-2/> [[montanawildlife.org](https://montanawildlife.org/)]

[chrisservheen@gmail.com](mailto:chrisservheen@gmail.com)

406-240-6506

he/him/his

## Wickman, Erik

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**From:** Jess <jabusser@yahoo.com>  
**Sent:** Friday, November 17, 2023 4:25 PM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Grizzly Bear ARM

I wanted to voice my support of further grizzly bear management in Montana, to include lethal measures on public and private lands. This species has overtaken Western Montana and greatly affected my outdoor recreation efforts over the last several years.

Thank you,  
Jessica Curry  
(406) 407-3169  
jabusser@yahoo.com  
84 Deemer Creek Rd.  
Plains, MT 59859

[Sent from Yahoo Mail for iPhone \[mail.onelink.me\]](mailto:jabusser@yahoo.com)

## Wickman, Erik

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**From:** Phil Knight <pknight@q.com>  
**Sent:** Monday, November 20, 2023 11:34 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Grizzly Bear ARM

Hello Montana Fish Wildlife and Parks, I am writing regarding the rule making for Senate Bill 295 regarding grizzly bear management and control.

You are putting a deadly cart before the horse. Setting up another reason to kill grizzlies, before they are even delisted, shows Montana's bias against our state animal, a creature that is finally making some progress toward recovery. Now you want to set that recovery back to square 1.

Allowing killing of grizzlies just because someone thinks they are a threat is leaving these spectacular animals - which belong to everyone, not just the government and the ranchers - open to pointless killing.

I am fully opposed to killing grizzly bears on public land just because they might be viewed as threatening to livestock. Grazing livestock on public land is a privilege, not a right. Public lands ranchers already enjoy subsidies in the form of very low AUM rates, improvements installed by the state and federal government, predator control by Wildlife Services, and many other benefits. They do not have the right to indiscriminately kill grizzlies or other animals.

Grizzly bears are protected by law under the Endangered Species Act. If and when they are delisted they will face all sorts of threats like hunting and trapping and more manipulation by the states. Please don't add yet another source of mortality. Already this year 50 grizzlies have died in the Greater Yellowstone ecosystem and at least 42 in the Northern Continental Divide. Grizzlies already face a gauntlet of dying by roadkill, getting hit by trains, getting shot by hunters because they are a threat or mistaken for a black bear, getting trapped or snared in wolf traps, getting killed by poachers, being killed for preying on livestock, etc.

Ranchers should have to prove they have done everything they possibly can to protect their livestock before they are given a permit to kill a grizzly. It is not hard to document such actions with cameras in everyone's pockets.

Ranchers have to face risks like any other business. Most livestock deaths are unrelated to grizzly bears.

Please do not allow any further killing of grizzly bears on public lands.

Phil Knight  
205 North 24th Ave.  
Bozeman MT 59718

## Wickman, Erik

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**From:** dgoldman@endangered.org  
**Sent:** Friday, November 17, 2023 9:39 AM  
**To:** FWP Wildlife  
**Cc:** FWP Commission  
**Subject:** [EXTERNAL] grizzly bear ARM

Additional Comment:

To add to my testimony today at the hearing, I would like to remind the Commission that the Department bear specialists use a very specific protocol when they lethally remove a bear to protect themselves and the public—tools like culvert traps that livestock owners do not have. They ensure, whenever possible, that a bear is safely in a trap before killing it, so that 1) they can ascertain that they have the “right” bear, 2) so they do not have a situation where a wounded bear is running around the landscape posing a potential public safety hazard.

Under SB 295, it is more than likely that a livestock owner will merely WOUND a bear, which will run off and potentially create a public safety issue on lands where hikers, hunters, anglers and other recreationists may be present. This is another reason to limit SB295 to private land only.

Thank you.

Derek Goldman  
National Field Director and Northern Rockies Sr. Field Rep.  
**Endangered Species Coalition**  
Missoula, MT – the traditional homeland of the Salish people

*In 2023 we are commemorating the 50<sup>th</sup> anniversary of the Endangered Species Act—50 years of protecting fish, plants and wildlife on the brink of extinction. Learn more and join in! [www.esa50.org](http://www.esa50.org) [\[esa50.org\]](https://esa50.org)*

## Wickman, Erik

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**From:** Gloria Phillip <gloria.phillip@mso.umt.edu>  
**Sent:** Friday, November 17, 2023 10:29 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Grizzly Bear ARM

Commissioners Montana Fish & Wildlife,

Please do not allow Montana grizzly bears to be killed on public lands! They are threatened. Non-lethal methods and science should reign for the continuance of the grizzly bear species. I do believe that private landowners do have the right to kill grizzlies threatening their livestock on their own private land, but this should not be the case on public lands! I do not believe ranchers should have priority in public lands at the expense of everyone else in Montana and the grizzlies, who are our state animal.

Please amend the draft rules permitting livestock owners to kill grizzly bears, and to limit such authority to the livestock owner's private land only.

SB 295 created authority for ranchers to kill grizzly bears "threatening" livestock even, but—unlike a similar permit system for wolves—this bill failed to protect grizzlies on public land from being killed.

While I understand why a rancher might need this authority in their own pasture, public lands are where grizzlies make their home and their living. Public lands are normally managed for multiple uses, including hunting, fish and other recreation—not to prioritize livestock grazing. FWP doesn't allow this for any other species it manages.

At a time when we have made real progress on grizzly bear conservation in some parts of Montana, this extreme measure threatens to set us back. Please amend the grizzly rule and reassure the public that the State of Montana will be a responsible steward of our treasured state animal, the grizzly bear.

Thank you.

Gloria Phillip  
gloria.phillip@mso.umt.edu

605 Benton Ave  
Missoula, Montana 59801



## Wickman, Erik

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**From:** vj <h2oshed1@hotmail.com>  
**Sent:** Monday, November 20, 2023 2:55 PM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Grizzly Bear ARM

I oppose allowing grizzly bears to be shot on public land.

When livestock producers choose to lease public land, they should accept that public land has other purposes than just livestock production.

Public land is important wildlife habitat and is particularly important habitat for Threatened and Endangered species, like the grizzly bear.

Public land is also used for recreation, and a wounded bear could be a threat to recreationists.

Hence I urge Mt FWP not to allow shooting of grizzlies on public land, except to save a human life.

Vicki Watson, Missoula

## Wickman, Erik

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**From:** Bert Lindler <blindler@montana.com>  
**Sent:** Sunday, November 19, 2023 10:18 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Grizzly Bear ARM--Public Comment

Dear FWP Official,

Please amend the Grizzly Bear administrative rule (under consideration to comply with SB 295) so that the rule applies **only to private lands**.

Under the amendment I request, livestock owners would not automatically be authorized to kill a grizzly that was attacking or threatening livestock on public lands.

Public lands should be managed in such a way that cattle grazing and grizzly bears can coexist. Ranchers who hold grazing permits on public land should not be automatically allowed to kill grizzly bears that are merely "threatening" livestock (the Grizzly Bear ARM lacks a clear definition of "threatening").

Thanks for considering my comments.

Sincerely,

Bert Lindler

Missoula, MT

**Wickman, Erik**

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**From:** Randy Setter <randysetter325@yahoo.com>  
**Sent:** Saturday, November 18, 2023 8:50 PM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] GRIZZLY BEAR ARM . I do not believe ranchers should be allowed to shoot grizzly bears on public land. Period!!!!

[Sent from Yahoo Mail for iPhone \[mail.onelink.me\]](mailto:mail.onelink.me)

## Wickman, Erik

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**From:** Karli Johnson <karlij@mfbf.org>  
**Sent:** Monday, November 20, 2023 4:11 PM  
**To:** FWP Wildlife  
**Cc:** Scott Kulbeck; Nicole Rolf  
**Subject:** [EXTERNAL] Grizzly Bear ARM Comment  
**Attachments:** MFBF SB295 Grizzly Bear ARM Comment.pdf

Please find attached comment from Montana Farm Bureau Federation. Thank you!



**Karli Johnson**

*State Governmental Affairs Coordinator*

*Northwest Regional Manager*

**Montana Farm Bureau Federation**

C: 406-868-1233 W: [mfbf.org](http://mfbf.org) [[mfbf.org](http://mfbf.org)]

## Wickman, Erik

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**From:** Rosie Costain <[rcostain@peopleandcarnivores.org](mailto:rcostain@peopleandcarnivores.org)>  
**Sent:** Wednesday, November 15, 2023 9:29 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Grizzly Bear ARM  
**Attachments:** GB ARM Comments\_November 2023\_PeopleandCarnivores.pdf

Hello,

Attached are comments from People and Carnivores on the adoption of new rules I through XIII and the amendment of ARM 12.9.1401 pertaining to grizzly bears.

Thank you for the opportunity to comment, and please let us know if we can answer any questions about our comments or our work.

Best,  
Rosie Costain

Rosie Costain  
Program and Communications Coordinator  
[People and Carnivores \[peopleandcarnivores.org\]](https://peopleandcarnivores.org)  
[rcostain@peopleandcarnivores.org](mailto:rcostain@peopleandcarnivores.org)

## Wickman, Erik

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**From:** Xavier Rolet <xavier@laverriere.com>  
**Sent:** Friday, November 10, 2023 9:41 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Grizzly Bear ARM, Montana Fish, Wildlife and Parks

Dear Montana Fish Wildlife & P Commissioners,

I am a Montana farmer and rancher from Beaverhead County. Thank you for the opportunity to comment on the draft administrative rule regarding grizzly bear management. I would recommend moving forward with the addition of the amendment made at the commission meeting in August. We are trespassers on public lands. Whilst the protection of human life justifies the use of lethal weapons, that of cattle doesn't.

The amendment removes a degree of clarity for producers like me and creates strenuous patchwork management to work within. Many of us today utilize preventative measures and will continue to. Many of the preventative measures are not viable options on public lands. The original rule was written with this in mind which I appreciated. Additionally, the rule lacks clarity on what qualifies as a preventative measure and leaves it up to the sole discretion of the Department to determine if efforts made were sufficient to justify a take. Take "increased human presence" for example, if someone has a grazing allotment and employs a shepherd to stay with the sheep would that be an increase in human presence or viewed as normal practice? This amendment leaves it at the department's sole discretion to determine if a rancher has acted outside the rule's scope.

Overall, this amendment leaves ranchers like me in a dangerous place. Incentivizing us to take preventative actions, such as hazing, with a grizzly bear that is acting aggressive or risking criminal charges. Not prioritizing human safety is bad for the public and the grizzly bear. Farmers and ranchers are not looking to start recklessly eliminating bears, whether they are on public or private land. Making it more difficult to manage bears depending on their location will have no benefit to the species but will definitely be harmful to humans and their livestock. Please consider moving the rule forward without the amendment, prioritizing my safety and livestock's safety even on public land.

Thank you for your consideration.

Sincerely,

Xavier Rolet  
41600 S Valley Rd  
Lima, MT 59739  
xavier@laverriere.com

## Wickman, Erik

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**From:** Pat Mackinder <pjm4041@gmail.com>  
**Sent:** Monday, November 20, 2023 11:13 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] grizzly

Sorry, hope I am not too late for the comment period. If we are unfortunate and have the bears delisted please do not allow hunting to take place. Bears have a high mortality rate through accidents with hunters and automobiles. Give them a chance .

## Wickman, Erik

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**From:** Georgia Baker <georgiabaker88@gmail.com>  
**Sent:** Friday, November 17, 2023 5:57 PM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] PLEASE DO NOT DELIST THE GYE OR ANY OTHER Surviving Grizzlies Bears

Dear Sir/Madame:

My name is Georgia Baker and I deeply oppose removing Federal Protections on this iconic species. Because the grizzly is a self-regulating and keystone species, there is ABSOLUTELY no reason to remove protections. This species has paid with many ancestral lives when early settlers banished them from the Great Plains. It is time humans take a new approach called CO-EXISTANCE! We have learned so much about how best to live with this amazing great bear, and I believe that we, The People, can and must, adopt new co-existence strategies. Please give co-existence a chance, this species deserves our respect and love 🧡

Thank you for protecting this awe-inspiring animal from hunting practices once again!

Thank you 🧡

Sincerely,  
Georgia Baker

**Georgia Baker ArtWorks, LLC**  
Big Sky, Montana  
406-599-5272



**Wickman, Erik**

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**From:** brent morrow <hilemann@yahoo.com>  
**Sent:** Friday, November 17, 2023 10:51 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Protecting Grizzly Bear populations

Do NOT allow ranchers to kill Grizzly Bears. If ranchers are allowed to kill Bears, it will be abused!!!

Trap and transplant problem Bears to new areas trying to restore populations. Many states and other areas of Mt can support expanded Grizzly populations. The gene pool is too small to support rancher killings or hunting. Too many Bears are already being killed on the highways, railroads, and are being poached.

Thanks,

Brent Morrow, MS, MPA  
Swan Valley, MT

## Wickman, Erik

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**From:** Rich Harris <untamuk@hotmail.com>  
**Sent:** Wednesday, October 25, 2023 9:22 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] RE: Grizzly Bear ARM

Thanks for confirming. I cc'd to Ken, as you probably saw.

Rich

**From:** Benson, Pam <Pam.Benson@mt.gov> **On Behalf Of** FWP Wildlife  
**Sent:** Wednesday, October 25, 2023 8:45 AM  
**To:** Rich Harris <untamuk@hotmail.com>  
**Subject:** RE: Grizzly Bear ARM

Good morning,  
Thank you for your comment. It has been received.

**Pam Benson**  
*Administrative Assistant*  
Wildlife Division  
Montana Fish, Wildlife & Parks

P.O. Box 200701  
Helena, MT 59620-0701  
Ph: (406) 444-2612  
[Montana FWP](#) | [Montana Outdoors Magazine](#) | [Montana WILD](#)



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[\[pinterest.com\]](https://www.pinterest.com)

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**From:** Rich Harris <untamuk@hotmail.com>  
**Sent:** Wednesday, October 25, 2023 6:47 AM  
**To:** FWP Wildlife <fwpwld@mt.gov>  
**Cc:** McDonald, Ken <kmcdonald@mt.gov>  
**Subject:** [EXTERNAL] Grizzly Bear ARM

Comments are attached in a Word file and also pasted below.

Thanks very much for considering them.

Dr. Richard B. Harris  
Senior Scientist

Montana Cooperative Wildlife Research Unit  
University of Montana  
Missoula, MT USA 59812  
[Richard.harris@umt.edu](mailto:Richard.harris@umt.edu)  
[Rharris@montana.com](mailto:Rharris@montana.com)  
(406) 214-7484

October 25, 2023

Montana Fish, Wildlife and Parks

Wildlife Division

ATTN: Grizzly Bear ARM

P.O. Box 200701

Helena, MT 59620-0701

I offer the following comments on proposed amendments to ARM 12.9.1401.

**1. New Rule III (ARM 12.9.1406, The quota and establishing and adjusting the quota)**

- a) Although MCA 87-5-301 (3)(c) uses the term “quota”, in the context of these proposed rule changes, that simple term is not sufficiently precise or explanatory. The public can easily be confused when interpreting what is a “quota” and what is a “threshold”. The Commission has an opportunity here to reduce potential confusion by augmenting the language in 87-5-301 (3) without in any way changing its meaning. I would suggest “livestock attack quota”, or something similar. I use “quota” in this comment, but place it in quotation marks.
- b) The text of the 1<sup>st</sup> paragraph of this new rule should also reiterate the language in 87-5-301 (3) that only grizzly bears that are “...attacking or killing livestock” can be taken under this new rule. Without that language, a reader unfamiliar with the text of 87-5-301 (3) could interpret the “quota” to refer to simply to a grizzly bear “taken by a livestock owner or other authorized person”, regardless of the circumstances.
- c) It appears to me that neither 87-5-301 (3) or (4) were clear regarding whether “quotas” were intended to apply within DMAs or to be independent of DMAs. Presumably, a motivation underlying 87-5-301 (3) was to allow livestock owners to kill a grizzly bear attacking livestock in areas far outside a DMA boundary without reference to mortality thresholds (which would apply only within the DMA). If that is the Commission’s interpretation and intent, it would benefit the public by clarifying it here. Similarly, the public would also benefit from the Commission adding clear language to the rule that any “quota” would have to be geographically limited to areas outside the DMA in any year in which the applicable mortality threshold were at risk of being exceeded.

**2. New Rule IV (Arm 12.9.1407, The mortality threshold)**

- a) This is really not new; it reiterates commitments previously made. Clarity would be enhanced by identifying that this rule conforms to Montana’s commitment to abide by the multijurisdictional grizzly bear conservation strategies.

**3. New Rule VI (Arm 12.9.1409, If a delisted grizzly bear population overlaps two or more states)**

- a) Same comment as above for New Rule IV.

**4. New Rule XII (Arm 12.9.1415, Genetic and population augmentation)**

- a) It is unclear to me why the actions envisioned under this rule would only occur “upon delisting”. Augmentation of the Cabinet subpopulation has been occurring for a number of years, and would presumably continue with or without delisting. Similarly, the multijurisdictional Protocol and

Conservations for Genetic Augmentation of Grizzly Bears in the Greater Yellowstone Ecosystem (Final, dated December 2022) makes no distinction between listed and delisted status.

- b) This new rule should also tier to the above–referenced Protocol and Conservations document, which has been adopted as part of the GYE Conservation Strategy, and also appears as an appendix in Montana’s draft statewide grizzly bear management plan. Human–assisted translocations for purposes of genetic augmentation can be a valuable tool, but involve complex biological, administrative, and social considerations. The Commission should not appear to be getting out ahead of the protocols and considerations that have previously been made by all the relevant agencies.

**5. New Rule XIII (date of effect and applicability).**

- a) This should be changed to rules I through XI, because rule XII should apply regardless of delisting (see previous comment).

Thank you very much for your careful consideration of these comments.

## Wickman, Erik

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**From:** Nancy Ostlie <nancyostlie@gmail.com>  
**Sent:** Saturday, November 18, 2023 9:15 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Re: Grizzly Bear rules comment

Please include this letter as input on the subject "Grizzly Bear ARM"

On Fri, Nov 17, 2023 at 12:17 PM Nancy Ostlie <[nancyostlie@gmail.com](mailto:nancyostlie@gmail.com)> wrote:

Dear Sirs:

In general, as a citizen of Montana and the United States, I believe that I have a right to enjoy successful populations of native wildlife on all federal lands. I do not concur that the State of Montana or any other has supremacy over wildlife populations. Especially in the case of predators, Mother Nature should be in charge of how many can succeed on the landscape. Managing ungulate populations should be the province of natural processes, not human intervention to manipulate balances of prey/predator. I have read much about the grizzly bear, and believe it should remain on the Endangered Species list until full recovery is achieved across many ecosystems. The State of Montana has demonstrated a callous disregard for the value of native predators on the landscape by the unethical rules that have been applied to the grey wolf.

With regard to "NEW RULE III (ARM 12.9.1406) THE QUOTA AND ESTABLISHING AND ADJUSTING THE QUOTA (1) For each delisted ecosystem, the commission will establish an annual quota for the number of delisted grizzly bears that may be taken by a livestock owner or other authorized person, whether permitted or not, pursuant to 87-5-301, MCA." Apparently a livestock owner may kill a bear without any permit. Clearly this is a major risk to successful populations of grizzlies persisting in the future. A permit should be required prior to any bear being killed. Further, in regard to NEW RULE VII (ARM 12.9.1410), it is unclear what the sequence of events would be where a livestock owner is allowed to kill a grizzly that he believes is "threatening" livestock. The requirements say "(a) when the department makes the determination that the grizzly bear is threatening livestock or poses a threat to humans; (b) when the department makes the determination that the grizzly bear was not purposefully or intentionally fed or baited; and (c) when the bear is threatening livestock on public land, and the livestock owner has demonstrated an effort to utilize non-lethal measures as determined by the department director or designee."

How does the agency determine that these conditions have been met **before** the bear is killed? In the moments between a livestock owner observing a bear near his animals, and the action to kill the bear, there is no opportunity for the agency to ensure these other requirements are met. The bear is killed, and these considerations must be made after the fact. Is the agency capable of making the assessment that every livestock owner out there has not fed or baited bears, has utilized non-lethal measures, etc. **before** the bear's death? Obviously not. The proposal begs the question, what process is there to ensure the killing of a bear perceived to be 'threatening' does not occur when these other conditions are not met?

On the point of translocating bears between the NCDE and the GYE, it seems unnecessary to capture and relocate grizzlies if the agency were to take more steps to allow bears to move freely outside DMAs. The bears will be better able to achieve population connectivity and genetic exchange if mortalities are reduced or eliminated in areas outside DMAs. The other rules should be adjusted to reduce mortalities.

To be specific, under "(7) Pursuant to 87-5-301(4)(b) and 87-6-106(4), MCA, the department has the discretion to lethally remove a grizzly bear. If a grizzly bear is lethally removed by department or wildlife services' staff, after conducting an on-site investigation, the grizzly bear does not count towards the quota." I question and oppose the exclusion of department or wildlife services' actions as not counting toward the quota. A dead bear is a dead bear, regardless of who took the action to eliminate a bear, and regardless of whether the bear is inside or outside a DMA. The only way for population connectivity to succeed is if bears are carefully protected between DMA zones.

I see a problem in the plan to report as part of NEW RULE XI (ARM 12.9.1414), "(d) description of mortality sources and potential for future population level impacts;" The agency has been resistant to estimating sources of population level impacts from climate change and habitat loss, for example when I have discussed bear behavior with Region 3 bear experts, I have heard that climate change is not a factor in spurring movements of bears, both black and grizzly, from existing habitat, to new areas with food resources. This view diminishes any confidence I have that the agency will recognize the ongoing 'Sixth Mass Extinction' which is causing species extinction at alarming rates. The agency should have to further detail its plans to report "potential future level impacts." In fact, a conversation with a state bear biologist in the past revealed that the biologist doubted that grizzly bears would 'ever' go extinct. Please use the latest best available science to inform your work.

Please revise your rules to strengthen protection of endangered grizzly bears.  
Thank you.

Nancy Ostlie  
263 Painted Hills Rd.  
Bozeman MT 59715  
406-539-5559

[nancyostlie@gmail.com](mailto:nancyostlie@gmail.com)

**Wickman, Erik**

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**From:** Mark Nicholson <mark@drnicholsonformat.com>  
**Sent:** Monday, November 20, 2023 9:10 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Regarding NEW RULE III (ARM 12.9.1406) THE QUOTA AND ESTABLISHING AND ADJUSTING THE QUOTA

Dear Commissioners:

This is in regard to the second paragraph under NEW RULE III (ARM 12.9.1406) THE QUOTA AND ESTABLISHING AND ADJUSTING THE QUOTA which reads

(2) Grizzly bears taken by the department, wildlife services, or an individual person in self-defense do not count towards the quota.

This would force the commission to disregard important information when setting and adjusting the annual quota. Every time a grizzly bear is killed, the grizzly bear population is reduced no matter who kills the bear.

Please remove this language.

Mark Nicholson  
27 Clark Ave  
Billings, MT 59101

## Wickman, Erik

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**From:** mtjwm52@icloud.com  
**Sent:** Saturday, November 18, 2023 8:30 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] grizzly bear management

To whom it may concern:

I wish to comment on the proposal to allow for ranchers who are running cattle on public lands to be able to kill grizzly bears if they deem them a threat. I am opposed to this for several reasons. The main being that many will deem just the presence of a grizzly on their lease area as a threat, therefore taking action against the bear. This is too subjective. My guess is that the majority of grizzlies that inhabit such areas never pose a threat to livestock. My other point is that many of these leases occur in or near prime grizzly habitat. That is a problem in itself. Again if the lease holder mistakenly deems the mere presence of a grizzly as a threat there will be many unnecessary mortalities to the bear thus being a negative force towards its long term recovery.

I ask that you not support the proposal to allow for the killing of grizzlies on public lands where leases are held by ranchers.

Sincerely,  
John Miller



## Wickman, Erik

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**From:** JEFFREY BOYLE <jeffreyboyle@aol.com>  
**Sent:** Monday, November 20, 2023 9:36 AM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Grizzly Bear Policy

I am writing to you, regarding our firsthand experience, living with grizzly bears. It is imperative that the state of Montana be able to control grizzly bears that endanger people in their own homes and on their own property.

We live on the boundary of Yellowstone National Park and forest service near Hebgen Lake. It is no longer safe to allow the children in our family to explore the outdoors in our area unattended. In the event that grizzly Bears are an immediate danger to the local residents, the Montana fish wildlife and parks needs to have the authority to remove those bears by any means necessary.

The recent events of the past summer show that there are times that non-lethal intervention into problem grizzly bears, is not effective. In some cases, grizzly bears, will not be deterred from attacking people because they have been conditioned to understand there is no lethal threat.

We love where we live and we love the wildlife. We enjoy living with the wildlife and we are happy to know that we have a grizzly bear population. We just need our state government to be able to handle the situation when it gets out of control as it did this past summer.

We do not want the elimination of grizzly bears. What we want is the common sense control of problem bears, especially when they are habitual. There is no doubt the Grizzly Bear population is increasing and will continue to increase for the foreseeable future. Claims of states pushing populations again below an endangered level are unfounded. It was the same argument that was used when Wolves were delisted. Has the wolf population declined? We want wolves, we want grizzly bears, we want common sense control options.

## Wickman, Erik

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**From:** Nancy Ostlie <nancyostlie@gmail.com>  
**Sent:** Friday, November 17, 2023 12:18 PM  
**To:** FWP Wildlife  
**Cc:** Clint Nagel  
**Subject:** [EXTERNAL] Grizzly Bear rules comment

Dear Sirs:

In general, as a citizen of Montana and the United States, I believe that I have a right to enjoy successful populations of native wildlife on all federal lands. I do not concur that the State of Montana or any other has supremacy over wildlife populations. Especially in the case of predators, Mother Nature should be in charge of how many can succeed on the landscape. Managing ungulate populations should be the province of natural processes, not human intervention to manipulate balances of prey/predator. I have read much about the grizzly bear, and believe it should remain on the Endangered Species list until full recovery is achieved across many ecosystems. The State of Montana has demonstrated a callous disregard for the value of native predators on the landscape by the unethical rules that have been applied to the grey wolf.

With regard to "NEW RULE III (ARM 12.9.1406) THE QUOTA AND ESTABLISHING AND ADJUSTING THE QUOTA (1) For each delisted ecosystem, the commission will establish an annual quota for the number of delisted grizzly bears that may be taken by a livestock owner or other authorized person, whether permitted or not, pursuant to 87-5-301, MCA." Apparently a livestock owner may kill a bear without any permit. Clearly this is a major risk to successful populations of grizzlies persisting in the future. A permit should be required prior to any bear being killed. Further, in regard to NEW RULE VII (ARM 12.9.1410), it is unclear what the sequence of events would be where a livestock owner is allowed to kill a grizzly that he believes is "threatening" livestock. The requirements say "(a) when the department makes the determination that the grizzly bear is threatening livestock or poses a threat to humans; (b) when the department makes the determination that the grizzly bear was not purposefully or intentionally fed or baited; and (c) when the bear is threatening livestock on public land, and the livestock owner has demonstrated an effort to utilize non-lethal measures as determined by the department director or designee."

How does the agency determine that these conditions have been met **before** the bear is killed? In the moments between a livestock owner observing a bear near his animals, and the action to kill the bear, there is no opportunity for the agency to ensure these other requirements are met. The bear is killed, and these considerations must be made after the fact. Is the agency capable of making the assessment that every livestock owner out there has not fed or baited bears, has utilized non-lethal measures, etc. **before** the bear's death? Obviously not. The proposal begs the question, what process is there to ensure the killing of a bear perceived to be 'threatening' does not occur when these other conditions are not met?

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To be specific, under "(7) Pursuant to 87-5-301(4)(b) and 87-6-106(4), MCA, the department has the discretion to lethally remove a grizzly bear. If a grizzly bear is lethally removed by department or wildlife services' staff, after conducting an on-site investigation, the grizzly bear does not count

towards the quota." I question and oppose the exclusion of department or wildlife services' actions as not counting toward the quota. A dead bear is a dead bear, regardless of who took the action to eliminate a bear, and regardless of whether the bear is inside or outside a DMA. The only way for population connectivity to succeed is if bears are carefully protected between DMA zones.

I see a problem in the plan to report as part of NEW RULE XI (ARM 12.9.1414), "(d) description of mortality sources and potential for future population level impacts;" The agency has been resistant to estimating sources of population level impacts from climate change and habitat loss, for example when I have discussed bear behavior with Region 3 bear experts, I have heard that climate change is not a factor in spurring movements of bears, both black and grizzly, from existing habitat, to new areas with food resources. This view diminishes any confidence I have that the agency will recognize the ongoing 'Sixth Mass Extinction' which is causing species extinction at alarming rates. The agency should have to further detail its plans to report "potential future level impacts." In fact, a conversation with a state bear biologist in the past revealed that the biologist doubted that grizzly bears would 'ever' go extinct. Please use the latest best available science to inform your work.

Please revise your rules to strengthen protection of endangered grizzly bears.  
Thank you.

Nancy Ostlie  
263 Painted Hills Rd.  
Bozeman MT 59715  
406-539-5559

[nancyostlie@gmail.com](mailto:nancyostlie@gmail.com)

## Wickman, Erik

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**From:** Eileen Watson <eenyb@montana.com>  
**Sent:** Monday, November 20, 2023 4:51 PM  
**To:** FWP Wildlife  
**Subject:** [EXTERNAL] Grizzly kill comment

Ranchers should **absolutely NOT be able to shoot grizzlies on OUR public lands** even if they have a grazing lease.

How do they actually define “threatening,”? We should be helping the wildlife as climate change & human development & destruction

is making their existence on this fragile planet even more precarious .

As Jiminy Cricket would say, “Always Let Your Conscience Be Your Guide”!

For the Critters,  
Eileen B Watson