

POLITICS

Mont.'s red shift brings backlog of wildlife bills

Kylie Mohr, E&E News reporter • Published: Tuesday, March 23, 2021



Legislation being considered in Montana aims to reduce the gray wolf population and change how the animals are hunted. Tracy Brooks/Fish and Wildlife Service/Flickr

A slew of wildlife bills making their way through the Montana Legislature are sparking pushback from environmentalists, former public officials, tribes and sportsmen who are concerned the legislation could decimate some species' populations and complicate the restoration of others.

Opponents say the bills mark a paradigm shift in the science-based approach to wildlife management that Montana is known for.

"The scale of attacks is really unprecedented," said Bonnie Rice, senior representative of the Sierra Club's Greater Yellowstone/Northern Rockies campaign.

[H.B. 224](#), passed Friday by the Legislature, will allow wolf snares for the first time in Montana. [H.B. 468](#), which is scheduled for a Senate committee hearing today, would allow hound hunting of black bears — a practice that hasn't existed in the state for a century.

The plethora of legislation comes as Montana's politics have shifted from its traditional purple to deep red.

The election of Gov. Greg Gianforte in November marks Montana's first Republican governor in 16 years. Republicans also control the state House and Senate.

Opponents say they were expecting some of these bills, many of which have been introduced before but were vetoed by past Democratic Govs. Steve Bullock and Brian Schweitzer, to make an appearance. But what's remarkable, they say, is the sheer number that did.

"In the span of a couple of months, the Legislature is reversing decades of investment in recovering grizzly bears and wolves and bison," said Erin Edge, senior representative of the Defenders of Wildlife's Rockies and Plains program. "The cumulative effect of all of these bills is bad for wildlife, and it's bad for Montana."

Three former commissioners from the Montana Fish & Wildlife Commission and 16 retired Montana Department of Fish, Wildlife & Parks (FWP) employees sent a [letter](#) to the Legislature last week voicing strong opposition to seven bills. The letter highlights their collective 1,561 years of experience and argues that detailed wildlife policy shouldn't be made by the Legislature.

"A lot of the bills are based on innuendoes, rumors and basic ignorance about wildlife and the complexities of natural systems," said Chris Servheen, former grizzly bear recovery coordinator for the U.S. Fish and Wildlife Service. "It's really sad to see the Legislature getting into these kinds of details with no knowledge about what they're doing."

Wolves

Bills making their way toward the governor's desk could drastically reduce Montana's wolf population and change the ways the animals are hunted.

State Rep. Paul Fielder (R) of Thompson Falls who sponsored two wolf bills, said in a February hearing that the changes are necessary "as a wildlife management tool to protect deer, elk, moose and livestock."

S.B. 314, which advanced to the House floor last week, would require wolf hunting and trapping seasons to be established with the intent to reduce the population to the minimum FWS target that could trigger delisting. That's 15 breeding pairs and 150 wolves. There are about 850 wolves in the state currently.

The bill also allows multiple takes on a single license, the use of bait during trapping and hunting, and the use of spotlights during night hunting on private land.

"We fully recognize the need to manage wolves, including hunting and trapping, but there are certain ethical lines we won't cross," said Nick Gevock, the conservation director at the Montana Wildlife Federation. "We are clearly crossing those lines this session."

Wolves aren't the only animals that could be affected by other bills directed at reducing their populations.

The bill, which will allow snaring, has raised concerns that other wildlife and pet dogs could be injured or killed.

Critics are also worried that **H.B. 225**, which extends the wolf hunting season earlier in the fall and later into the spring when bears are out of their dens, furthers the likelihood of incidental trapping. It passed on party lines Friday.

Controversy is also swirling around a bill that wildlife and conservation groups say would put a "bounty" on wolves.

S.B. 267, which also advanced to the House floor last week, would authorize private reimbursement for expenses incurred while trapping and hunting wolves. The Montana FWP testified that while it's illegal to pay directly for a dead animal, it's legal to pay for "effort."

Grizzly and black bears

Legislation is also on the table that would change who is in charge of grizzly bear relocations and what animals can be moved where.

Proponents of the legislation are worried about grizzly bears moving into more populated areas and getting into conflicts with humans and livestock.

S.B. 337, awaiting a vote on the House floor, has major implications for achieving connectivity between grizzly bear populations, a key component of the species' eventual removal from the endangered species list. Four of the six federal recovery zones are at least partially in Montana.

"Montana really holds the key to grizzly bear recovery in the Lower 48," the Sierra Club's Rice said.

It proposes prohibiting Montana FWP from relocating conflict grizzly bears captured outside federal recovery zones and would limit FWP relocations in the zones to places already approved. A bear getting into an attractant like a dumpster would qualify as a "conflict."

The Montana Stockgrowers Association, Montana Wool Growers Association and Montana Farm Bureau Federation have testified in support and say they don't want to move "problem bears" from one place to another. Quentin Kujala, FWP's chief of staff, has said the agency supports the bill.

Critics say taking management authority away from Montana FWP and transferring it to FWS is problematic. Relocating bears requires having personnel, training and equipment in the right place at the right time.

"It's not like some other agency can pick up the ball and do that," Servheen said.

He estimated that roughly a third of bears in the Yellowstone and Northern Continental Divide Ecosystem recovery zones go in and out of the lines drawn on a map. Servheen said that if the bill becomes law, more grizzlies will die.

"Your problem is a bear sitting in an aluminum tube, and it's 90 degrees out, and no one is there to move the bear," he said.

Another bill would change the circumstances under which someone could legally shoot a grizzly. It's currently legal to kill grizzlies in self-defense or defense of other people, and a state law says people can kill a grizzly if it is in the act of killing livestock.

S.B. 98, also awaiting a House floor vote, would make killing a grizzly that is "threatening to kill a person or livestock" a viable defense. But how to define "threatening" is unclear.

Bison

Two additional bills could complicate bison restoration efforts in Montana, which have historic cultural significance for Native American tribes, and give new wildlife management powers to county commissions.

H.B. 302, which was sent to a Senate committee last week, would require county commission approval of bison restoration projects.

County commissions are already involved in the Montana FWP comment process for proposed restoration efforts. This bill expanding their authority could set a precedent for local control over other wildlife policy.

Sponsor Rep. Joshua Kassmier (R) of Fort Benton has testified that the bill wouldn't apply to tribes. Yet tribal nation leaders and lawyers say the bill would make it harder to get bison for their restoration efforts.

"We don't see in writing that it's not going to impact us," Majel Russell, legal counsel for the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, [told](#) Montana Public Radio.

Russell and Fort Peck Chairman Floyd Azure were not available for comment.

Tribes also fear [H.B. 318](#), which is currently awaiting a Senate vote. They say it could also stunt bison restoration projects by changing the definition of domestic bison to include animals that have ever been subjected to a per capita fee.

Arnell Abold, the executive director of the InterTribal Buffalo Council, testified earlier in March that if a tribe introduced one of these bison into a tribal herd, it would have to pay a fee to the state. Tribal members are already exempted from the fee and are requesting the legislation make that clear.

"Because Native American tribes are sovereign, domestic dependent nations, they are not subject to state taxation on tribal lands," Abold said.

Taken in concert, opponents say the wildlife laws targeting wolves, bears and bison threaten Montana's unique biodiversity, tourism industry, fair chase hunting history and decades of conservation work.

"We're going back to the dark ages of predator management," wildlife biologist Servheen said. "That's management based on hatred and vindictiveness."

Twitter: [@thatsMohrlikeit](#) | Email: kmohr@eenews.net

The essential news for energy & environment professionals

© Politico, LLC [Privacy Policy](#) [Terms of Service](#) [Do not sell my info](#) [Notice to California Residents](#) [Site Map](#) [Contact Us](#)
