

Testimony on HB 323 – sponsored by Rep. Cuffe

Submitted by Jim Brown

On behalf of the Montana Wool Growers Association

- Mr. Chairman, on behalf of Montana's sheep industry, I rise in strong support of HB 323.
- In keeping with the theme of today at the legislature, which is to take the legislature back to 1913,
- 100 years ago, the Montana Wool Growers Association, which was founded in 1883, and is Montana's oldest agriculture organization, was run by great sheep men like Charles Bair.
- At the apex of his agriculture operation, Mr. Bair was one of the largest sheep ranchers in the United States.
- It is estimated that in the year 1910, Mr. Bair owned about 300,000 head of sheep in Montana.
- Mr. Bair and his family left quite a legacy in Montana, including the Alberta Bair theatre in Billings.
- What is interesting about Mr. Bair's sheep numbers of 300,000 is that in Montana there are only an estimated 230,000 sheep in the entire state at this moment.
- Why is that, well, it can be explained in part by the inability of today's wool growers to utilize methods for predator control, such as traps, poisons, and, frankly, to kill large predators that are found to be depredating on livestock.
- One of those large predators that is increasing in population is the grizzly bear.

- The grizzly bear was put under federal protection in the late 1970s, and there has not been a grizzly bear hunt in Montana since 1979.
- At present, the grizzly bear population in Montana is in full recovery, with grizzly bear populations growing at a 3% per year clip.
- The recovery of the grizzly bear is a true conservation success story, and one we can all celebrate.
- However, the reality is that a growing grizzly bear population has consequences in terms of the need for greater management of the species.
- It also has consequences for livestock producers, which are seeing the number of livestock being killed by grizzly bears increasing as the grizzly bear population grows.
- Obviously, unlike 1910, killing grizzly bears that depredate on livestock is not the answer to this problem.
- Rather, the management answer lies with providing ranchers and farmers with the tools they need to prevent grizzly-livestock conflicts in the first instance, and reimbursing livestock producers for the losses they experience as the result of grizzly kills.
- And that's what this bill does – allows the Montana Livestock Loss Board, which is currently authorized to pay out for wolf depredations, to pay out on confirmed or probable grizzly bear kills.
- At present, livestock producers are not compensated by either the federal government or the state of Montana for losses that result from a grizzly bear kill.

- Many of you may recall that in June of last year a single female grizzly killed more than 70 sheep in north central Montana during a two-week period
- These kills occurred at three separate ranches, all located well distant of the front.
- The ranchers who suffered these kills experienced significant uncompensated financial losses.
- As Montanans we can all celebrate the success of grizzly bear population recovery efforts.
- But, at the same time, as legislators we have to recognize that with the growth of the grizzly bear population and the expanding range of this animal, the state is going to have to take a more active role in managing the species.
- Our focus needs to move from recovery efforts to management efforts.
- And, that is what this bill is about today –
- Proper management of the grizzly bear population, while ensuring that livestock producers who are on the forefront of wildlife management policies do not disproportionately bear the financial cost of grizzly bear recovery efforts.
- This committee will recall from discussions we had during the 2011 legislative session, that the State of Montana has allocated money to compensate livestock producers for losses experienced caused by Montana's exploding gray wolf population.
- The state of Montana pays out claims for confirmed wolf kills.
- The policy reason behind this was (1) to ensure great public acceptance of the species, and (2) to recognize that with the

growth of a predator population, Montana's top economic generator would inevitably suffer damage

- **At present, due to a bill passed by the legislature in 2011, the livestock loss board receives general fund monies to pay out on wolf kill claims.**
- **This bill merely authorizes the livestock loss board to pay out on grizzly bear claims, in addition to wolf kill claims.**
- **So, that begs the inevitable question – how much are we looking at in terms of paying out on grizzly bear kill claims?**
- **Statistics provided by wildlife services show that grizzly bear losses in Montana amounted to roughly \$69, 131 in 2012.**
- **As indicated, payments on these claims would come from the existing money allocated for wolf kills. Thus, by passing this bill, there is going to be little impact financially on the state.**
- **In sum, this bill represents good public policy**
- **It recognizes that Montana is supportive of grizzly bear recovery efforts and is supportive of sound grizzly bear management policies.**
- **At the same time, by passing this bill, the legislature will recognize the reality that with the growth in Montana's grizzly bear population, the State of Montana will have to step up to mitigate the damage done to livestock producers by another large predator species.**
- **If enacted, the bill will benefit the grizzly bear as a species, it will benefit livestock producers, who are the people that makeup the number 1 economic generator in Montana, and it will help speed the legal efforts to delist the grizzly from the endangered**

**species list, an action that will allow the State of Montana to
once again assume management responsibility for the species**

- **I urge a do-pass on HB 323, and I am happy to answer questions.**

Excerpt from Montana Grizzly Bear Management Plan for Western Montana.

Submitted by Jim Brown

Montana Wool Growers

In support of HB 323

Livestock Conflicts

Livestock operations that maintain large blocks of open rangeland can provide many benefits to the longterm

conservation of grizzly bears, not the least of which is the maintenance of open space and habitats that support a wide variety of wildlife, including grizzlies. At the same time, livestock operators can suffer losses from bear depredation. These losses tend to be directed at sheep and young cattle. In addition, honeybees are classified as livestock in Montana, and bears can damage apiaries. Our ability to deal with such issues will, in large part, determine the overall success of our grizzly management efforts.

Correspondingly, FWP's preferred approaches to managing livestock conflict in western Montana include:

- ☐ Management efforts will be directed at depredating animals.
- ☐ Wildlife Services (WS) will be the lead agency dealing with livestock depredation (see MOU Appendices D and E) and as recovery and eventual delisting occurs, we will seek to provide them with additional flexibility and ability to make day-to-day management decisions regarding resolving livestock conflicts.
- ☐ FWP will respond to conflicts in cooperation with WS. Ultimately, with successful recovery and delisting, WS will be the appropriate agency to handle livestock conflicts and will report their activities annually, as already occurs with black bears and other predators.
- ☐ FWP, in cooperation with WS and other agencies, will focus on preventive programs aimed at minimizing livestock conflict with priority toward those areas with a history of conflict or currently occupied by bears.

- ☒ FWP will review and adjust the guidelines for dealing with damage to beehives (Appendix E).
- ☒ FWP will work with beekeepers to provide electric fences for all apiaries accessible to bears, and FWP will re-evaluate the guidelines for bear depredation to beehives and modify if needed.
- ☒ FWP will encourage private programs and funding for compensation of livestock loss.
- ☒ FWP will review the carcass redistribution program and make changes if indicated by that review.
- ☒ FWP will work with the livestock industry to evaluate the possibility of an insurance program for predator losses.

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☒ Currently sheep and/or goats are being used for weed control. FWP will work with operators to ensure conflicts with bears are minimal through the use of herders, electric fences, dogs, or other tools as appropriate. There may be places where these programs may be inappropriate due to conflicts with bears, and FWP will recommend the use of “non-livestock” approaches to weed control in those areas.

Although livestock and bears share many landscapes in Montana, conflicts with livestock result in few bear mortalities. Currently, WS handles issues of livestock depredation, and FWP anticipates this will continue. FWP envisions the establishment of proactive collaborative working agreements with WS that focus future programs and efforts on conflict prevention where possible.

The agency envisions programs where landowners can contact FWP’s grizzly bear management specialists for assistance with assessments of risks from bears and possible preventative approaches to minimize those risks. FWP will work to provide landowners, livestock growers and beekeepers with the appropriate tools (e.g. electric fencing, aversive conditioning, guard dogs) to minimize conflicts. In addition, FWP will work with federal and tribal authorities, NGOs and beekeepers to identify sources of funding to develop programs that provide private livestock operations with additional benefits (such as priority for easements or access to other FWP programs) if they implement preventive approaches and maintain opportunities for wildlife, including bears, on their private lands and their public-land

allotments. Working with other agencies and interests, the possibility of transferring grazing leases from areas of high conflicts to other areas with willing landowners/operators is another option. In this way, the program and its benefits are focused on operators who make an effort to address concerns and issues

that result from the presence of grizzlies.

As a long-term goal FWP will also seek to enclose all bee yards in areas accessible to bears with electric fencing. Electric fencing is very effective at deterring both black and grizzly bears, and use of this technique can significantly reduce problems and the need to remove bears. FWP will work with the livestock industry to identify sources of funding to accomplish this. The Natural Resources Conservation Service recently implemented a new grant program to fund electric fencing in the Blackfoot Valley. They also established a standardized all-species electric fence design for fencing projects. Additional efforts will be made to identify possible funding that could be used to support staff whose sole responsibility would be to develop/implement preventative programs. These personnel should also be available to any livestock operation when requested to assess potential depredation risks and identify possible solutions prior to any depredations.

Devices to protect apiaries, corralled livestock, chicken and turkey coops, and stored feeds may be provided by FWP to property owners for protection of agricultural products. Protective supplies include electric fencing, bear resistant containers, audible and visual deterrent devices, and aversive conditioning

devices. FWP may form partnerships with WS, livestock operators, NGOs and land management agencies to promote livestock management techniques that reduce bear depredations. For example, some

people request that dead livestock be removed from grizzly bear areas and there are programs available to do this in parts of western Montana. While there may be times this is appropriate, there are cases within the State where livestock that died due to poisonous plants, lightning, or other causes can provide food for bears in areas away from potential conflict sites. Recognizing this, FWP has a program to redistribute livestock carcasses on the Rocky Mountain Front and the Blackfoot Valley so they remain

available to bears but in areas that minimize the potential for conflict. Assisting livestock operators, and removing carcasses from areas around buildings or calving/lambing areas can minimize potential conflicts with bears. These types of programs will be evaluated for use within the other portions of

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western Montana and to ensure they are functioning as desired. Conflict management will emphasize long-term, non-lethal solutions, but relocating or removing offending animals will be necessary to resolve

some problems. FWP will continue to promote the development of new techniques and devices that can be used to protect agricultural products from bear damage.

At the present time, private conservation groups in Montana assist in developing preventative approaches, and FWP will cooperate with them to address this issue. Defenders of Wildlife has already cost shared the purchase of electric fence to protect sheep and bee yards through their Proactive Carnivore Conservation Fund. The National Wildlife Federation has a program to retire public land grazing allotments in areas with high conflict between livestock and wildlife from willing sellers; to date over 300,000 acres in the Yellowstone area have been retired by the Federation and other cooperators. Such cost share or cooperative programs will be a component of any long-term solutions to these issues.

In any discussion of livestock damage, an issue that is frequently raised concerns offering compensation to livestock operators for their losses to bears. While FWP encourages private groups (notably Defenders

of Wildlife through the Bailey Wildlife Foundation Proactive Carnivore Conservation Fund) to continue compensating operators, the agency prefers to take the approach of providing management flexibility to landowners as a long-term solution to preventing livestock conflicts and depredation. Providing operators the opportunity to develop proactive problem solving plans to respond to potential conflicts before they develop can build support for the long-term program of increasing bear numbers and distribution. Moreover, compensation relies on verification that may not be easily accomplished in Montana's multi-predator environment. It also requires assessment of value, which can vary greatly

between individual animals (for example, not every cow has the same value), and it requires ongoing funding sources. Fundamentally, however, it deals with a problem after it has occurred.

If Montana can implement a program that affords landowners management flexibility within reason to prevent livestock-grizzly conflicts and with some constraints (similar to black bears and mountain lions), FWP believes it will build broader public support. Groups interested in conservation of the bear will, however, need assurances that such flexibility will not jeopardize long-term survival or ongoing recovery prospects.

Property Damage

Bears can, and will on occasion, damage personal property other than livestock. For example, they may enter buildings, chew on snowmobile seats or tear down fruit trees. In fact, bears are highly attracted to almost any potential food source. Processed human food, gardens, garbage, livestock and pet feeds, livestock carcasses, and septic treatment systems are particularly attractive to bears near camps and residential areas, and are often the cause of human-bear conflicts. FWP's objective is to minimize, to the extent possible, property damage caused by grizzly bears.

☐ FWP will focus on preventive measures, including management aimed at elimination of attractants, and better sanitation measures; the agency's bear management specialists will work on these issues on both public and private lands.

☐ FWP will seek funding to continue the grizzly bear management specialist positions currently stationed in Missoula, Kalispell, and Choteau. The IGBC has also recognized the need to create additional positions in the Cabinet-Yaak and