

Documents show shepherd shot grizzly bear

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After learning about the death of a grizzly bear in the Gravelly Mountains last summer, four environmental groups are asking why the shooter wasn't prosecuted.

After filing a Freedom of Information Act request with the U.S. Fish and Wildlife Service in September, environmental groups recently received documents verifying that an immigrant shepherd shot and killed an 8-year-old grizzly bear in August.

The bear, identified as Grizzly #677, was found on a Forest Service grazing allotment in the Hellroaring Creek area of the southern Gravelly Mountains, 35 miles west of West Yellowstone.

“Grizzly #667 was shot in a very remote roadless area on public land. That bear would still be alive if it wasn't for domestic sheep,” said Glenn Hockett of the Gallatin Wildlife Association.

The Gallatin Wildlife Association, the Cottonwood Environmental Law Center, WildEarth Guardians and Western Watersheds Project requested the documents.

John Meyer, Cottonwood Environmental Law Center attorney, said the groups learned of the incident after Hockett heard about it from locals while attending a Montana Fish, Wildlife & Parks meeting in Ennis.

Grizzly bears are still protected under the Endangered Species Act, so such killings are illegal.

The USFWS report found that the shepherd did illegally take a grizzly bear but took no legal action against the shepherd or herd owner.

FWP investigators collected part of the bear as evidence and interviewed the shepherd, who could not speak English, and the owner of the herd.

Prior to the killing, wardens with the U.S. Department of Agriculture Wildlife Services had warned the owner of increased grizzly-bear activity and asked him to move his sheep on multiple occasions.

The owner said such warnings were common, according to the documents.

On the night of Aug. 23, a grizzly killed three of the sheep.

Wildlife Service agents ordered the owner to move his sheep the next day. The sheep were moved a mile to the east.

That night, the shepherd shot the 8-year-old grizzly after it tangled with herding dogs, according to the documents.

The bear ran off, pursued by the dogs and the shepherd. The shepherd found the bear pawing and chewing at the bullet wound in its side and fired two more shots, killing it.

The owner learned of the incident and reported it to Wildlife Services that day.

The case was presented to the assistant U.S. attorney in Montana, who declined it for prosecution in December, according to the documents.

Meyer said the groups were waiting for related documents from the U.S. Department of Justice and the USDA, which may provide more information about the decision not to prosecute.

They'll decide whether they take additional legal action once they have all the information, Meyer said.

The same groups won a settlement in February that requires the USFWS to look at how domestic sheep, specifically those at the U.S. Sheep Experiment Station on the Montana-Idaho border, affect grizzly bear survival in southwest Montana.

In 2011, the USFWS had concluded that the station did not jeopardize grizzly bears in spite of numerous conflicts.

Then, a 4-year-old grizzly bear was shot and killed on sheep-station property in August 2012. Biologists found shotgun shells and the collar, which had been cut off, but no bear.

The USFWS assessment on the sheep station must be completed by June 1.

This new information may complicate that.

“This is the second bear in two years,” Meyer said. “This just shows the general theme that sheep and grizzly bears don't mix. It's a major concern as grizzlies expand out of the Yellowstone area.”

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