

# After grizzly's death, environmental groups to sue Fish and Game over Idaho bear baiting

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Several environmental activist groups on July 15 notified state officials and the Idaho Department of Fish and Game that they intend to file a lawsuit over the agency's allowance of bear baiting, which the groups

said put federally protected grizzly bears at risk and violate the Endangered Species Act.

The notice came a month after a hunter in North Idaho mistakenly shot and killed a grizzly bear at a legal bait site. In a news release last month, Fish and Game officials said the hunter had sent video to the agency to determine whether the bear was a [black bear](#) or a grizzly. Fish and Game said staff "misidentified the young bear as a black bear because it lacked some common features of a grizzly."

The groups—Western Watersheds Project, WildEarth Guardians, Wilderness Watch and Friends of the Clearwater—cited the incident in their intent to sue. In the document, the groups asked Fish and Game to stop allowing bear baiting in grizzly habitat. They said defendants in the suit, to be filed in 60 days, will include Gov. Brad Little, Fish and Game Director Jim Fredericks and members of the Fish and Game Commission.

Fish and Game did not immediately respond to a request for comment.

Idaho Fish and Game allows the use of bait—attractants like synthetic scents, nongame meat, baked goods and more—to hunt black bears in dozens of its 99 game management units. It notes in its big game rules that grizzlies may be present in more than a dozen of those units.

Hunters must purchase a permit and follow regulations to set up a bait site.

In their notice of intent to sue, the [environmental groups](#) said bear baiting is putting grizzlies at risk of being killed by hunters or creating human conflicts by becoming habituated to humans as a source of food. In the past several years, Fish and Game has killed several grizzly bears that it said became habituated to humans.

The environmental groups said that added risk is in direct conflict with Endangered Species Act protections. In the contiguous United States, [grizzly bears](#) are still classified as an at-risk species, and hunting them is illegal.

The groups said the case of mistaken identity in the June grizzly killing does not absolve Fish and Game of violating the federal act. As a third party, the groups said, the agency is responsible when grizzlies are killed under its rules and regulations.

"A hunter in Idaho, acting in accordance with Idaho laws and regulations recently killed a grizzly bear," the notice of intent said. "The fact that this individual did not intend to hunt and kill a grizzly bear is inconsequential."

Three of the four groups that filed the notice of intent to sue were also party to a lawsuit filed in 2021 to try to curb wolf trapping and snaring in parts of Idaho. The case, which they referenced in the notice of intent to sue, argued that grizzlies could be harmed by legal traps and snares set for wolves. Earlier this year, a [federal judge](#) curbed trapping and snaring in some parts of the state in response to the lawsuit.

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