Timothy M. Bechtold

BECHTOLD LAW FIRM, PLLC

PO Box 7051

Missoula, MT 59807

406-721-1435

tim@bechtoldlaw.net

Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA MISSOULA DIVISION

FLATHEAD-LOLO-BITTERROOT CITIZEN TASK FORCE and WILDEARTH GUARDIANS,	CV 23-101-M-DWM
Plaintiffs,))
VS.))
STATE OF MONTANA, LESLEY ROBINSON, and GREG GIANFORTE,)) }
Defendants.	}

Pursuant to 28 U.S.C. § 1746, I, Diane K. Boyd, declare as follows:

- 1. I am more than 18 years of age and competent to make this Declaration.
- 2. I am a retired wildlife biologist.
- 3. I received a B.S. in Wildlife Management from the University of Minnesota in 1977, an M.S. in Wildlife Biology from the University of Montana in 1982 and a PhD in Fish and Wildlife Biology from the University of Montana in 1997.

- 4. I have been a professional wolf biologist for forty-five years and have conducted field research, published numerous peer-reviewed scientific papers and have been employed by the University of Montana, U.S. Fish and Wildlife Service, and Montana Department of Fish, Wildlife and Parks. My professional responsibilities included trapping and radio-collaring wolves to learn about wolf ecology, recolonization dispersal, habitat use, prey selection, behavior, morphology, genetic relationships, and the social dimensions of wolf-human conflict resolution.
- 5. During the course of my work as a wolf researcher, I have personal knowledge of harm to grizzly bears caused by traps.
- 6. In the early 1990s I caught a grizzly bear in a leghold trap set for wolves in Glacier National Park. It was tranquilized and released unharmed.
- 7. I also have personal knowledge of other grizzly bears caught in traps, including one female grizzly bear that was killed by a large male grizzly while the female was restrained in a leghold trap in Glacier National Park.
- 8. In 2019 I assembled a spread sheet based on information provided to me by bear managers at a bear management meeting which documents 15 incidents of grizzly bears being caught in wolf and coyote traps in Montana between 1988-2018. These are:
- 9. 1988. South Fork Milk River, Browning. Two-year-old female grizzly bear caught in wolf trap.
- 10. 1995. Dutch Creek, Glacier National Park. Adult female grizzly bear, Newhouse 14 Wolf Trap. Drag.
- 11. 1994-5, Spring. Glacier National Park. Adult female grizzly bear. Newhouse 14 Wolf Trap. Drag. This grizzly bear was killed by a male grizzly bear while caught.
- 12. 1998. Glen Lake, Adult male grizzly bear. Presumed wolf trap.
- 13. 2010. Edna Creek/Fortine Creek. Cub of year female grizzly bear. Coyote Trap #3. Staked.

- 14. 2007. Reeder Creek/Tom Miner Basin. Male grizzly bear. Wolf trap. Drag.
- 15. 2012. Pistol Creek, Flathead Indian Reservation. Adult male grizzly bear. Wolf Trap. Two anchors.
- 16. 2012. Bear Creek, Cameron, MT. Grizzly bear. Wolf trap. Drag.
- 17. 2012. Kleinschmidt Flat. Grizzly bear. Wolf trap. Drag.
- 18. 2013. Thirsty Lake. Yearling male grizzly bear. Coyote trap. Staked.
- 19. 2013. Birch Creek. Cub of the year female grizzly bear. Coyote trap, Bridger coil spring. Staked.
- 20. 2013. South Fork Dupuyer Creek. Subadult male grizzly bear. Wolf trap, MB coil spring.
- 21. 2015. Swan. Cub of the year female grizzly bear. Drag.
- 22. 2014. Sunday Creek. Grizzly bear. Presumed wolf trap.
- 23. 2018. Lion Creek. Yearling female grizzly bear. Coyote trap anchored to a tree.
- 24. It is my professional opinion based on my experience that grizzly bears are vulnerable to being attracted to and being caught in traps set for wolves and coyotes.
- 25. Based on my training and experience, the current wolf and furbearer trapping regulations approved by the Montana Fish and Wildlife Commission on August 17, 2023, will likely result in increased incidences of accidental capture and harm to grizzly bears because these regulations increase the likelihood of traps being set in areas occupied by non-denning grizzly bears.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 5th day of September, 2023.

Diane K. Boyd