

DEATH NOTICES

**Betty Roe**

Betty Roe passed away on March 21, 2024. Arrangements were made with Croxford Funeral Home.

**George DeMers**

MISSOULA—George DeMers, 60, of Missoula passed away on Saturday, March 16, 2024. For full obituary visit [www.gardencityfh.com](http://www.gardencityfh.com).

# Groups submit Bitterroot grizzly natural recovery alternative

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More than two dozen environmental groups have submitted an alternative plan for grizzly reintroduction in the Bitterroot as the U.S. Fish and Wildlife Service (USFWS) considers the impacts of bringing the threatened species back to the ecosystem.

Rather than using artificial human reintroduction of grizzly bears to the Bitterroot Ecosystem (BE), the alternative plan proposed by environmental groups and scientists calls for enhancing grizzly connectivity areas from northern ecosystems to the Bitterroot, developing habitat management standards, the formation of a scientific committee and conflict prevention measures for both livestock and humans.

The letter, submitted by WildEarth Guardians, noted that it is not a no-action alternative, with the creation of various habitat measures and passage structures meant to assist a growing number of grizzlies immigrating to the BE.

“This alternative is scientifically sound and takes a slow and steady approach to grizzly bear recovery in the Bitterroot Ecosystem,” President of the Flathead-Lolo-Bitterroot Citizen Task Force Patty Ames said. “Grizzly bears have already been verified and we do not believe that human-assisted reintroductions to the Bitterroot are necessary at this time. What is needed is protected connectivity areas, sanitation and education, highway passage structures, acceptance and reduced grizzly bear mortality. The bears will do the rest on their own.”

The Flathead-Lolo-Bitterroot Citizen Task Force was one of several environmental organizations to sign onto the letter. Others included Alliance for the Wild Rockies, the Center for Biological Diversity, the Endangered Species Coalition and Friends of the Bitterroot.

The BE is one of six recovery zones in the contiguous U.S. for grizzly bears. The area was identified as a recovery zone in 1993 for being large enough and of sufficient quality to provide grizzly habitat.

The USFWS initially created a plan to begin artificially reintroducing grizzlies into the BE in 2000, yet reintroduction never occurred. In March 2023, a federal district court judge found the agency unnecessarily delayed actions in implementing the plan and ordered it to supplement an Environmental Impact Statement or to issue new plans.

The USFWS decided to work on a new plan determining the best path forward for grizzly bear introduction. Planning documents are scheduled to be completed by October 2026.

The environmental groups noted that residents close to grizzly recovery zones are often more tolerant of natural recovery than bears being physically reintroduced to the area.

The comment follows Ravalli County Commissioners urging the USFWS to take a no-action alternative for grizzly bear reintroduction. The commissioners' letter said that manual reintroduction presents problems and risks to the community.

In Montana, grizzly bear populations are present in three ecosystems, including the Cabinet-Yaak in the state's northwestern cor-

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**President of the Flathead-Lolo-Bitterroot Citizen Task Force**

**Patty Ames**

ner, the Northern Continental Divide surrounding Glacier National Park and the Yellowstone Ecosystem surrounding Yellowstone National Park.

Past attempts at grizzly reintroduction have struggled, the groups stated. Artificial reintroduction wouldn't help the BE when grizzlies are already migrating there currently.

“An augmentation program in the Cabinet Mountains has largely been a failure,” the letter stated. “Several translocated bears returned to the NCDE (Northern Continental Divide Ecosystem) or were killed. Notably, of the 22 translocated bears, only three contributed genetically to the Cabinet Mountains population, and of these three, just one contributed 87% of documented offspring and there was just a 13% success rate per bear. A 13% success rate would not result in Bitterroot repopulation.”

Comment for the public scoping phase of the USFWS' grizzly management plan closed Monday. More than 1,200 comments were received in a two-month time period. Nearly all expressed opposition to artificial reintroduction.

Environmental groups said that recent studies show that residents are more accepting of grizzly bears moving on their own than being reintroduced by the government.

Grizzlies have been observed in increasing individual numbers in the BE, yet no established population of grizzly bears exists currently. A population is defined as having two or more breeding females or one female with two consecutive litters.

USFWS estimates that grizzly bear breeding could occur in the BE as soon as 15 years. That could be accelerated by efforts made by the USFWS in providing highway passage structures and designated connectivity areas, following the groups' proposed plan.

“Under this alternative, effective monitoring of natural immigration would occur for 15 years,” the letter stated. “If, after 15 years there is no verified evidence of resident breeding age females and/or reproduction, the U.S. Fish & Wildlife Service may consider human-assisted translocations.”

BUSINESS

# Proposed national lawsuit settlement could impact home buying in Montana

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If you're looking to buy a house sometime after mid-July, you might want to study up on some negotiation tactics.

If a proposal to settle various lawsuits against the National Association of Realtors (NAR) is approved by the courts, negotiation between buyers and buyers' agents for the price of services will become a part of the home-buying process. Realtors would like to underscore that the change is still just a proposal, subject to court approval. But Realtors across Montana are looking toward the future and what the settlement could mean for the industry.

“I'm 24 years in the business and this is clearly the single largest change to the way real estate works that I've ever seen,” said Brint Wahlberg, a Realtor in Missoula.

The class-action lawsuits — an original suit filed in 2019 led to “copycat” suits across the nation — allege that NAR and its affiliates withhold information about buyer broker compensation from buyers, which limits the ability of buyers to negotiate a more favorable price for services and leads to less competition between Realtors.

The new rules seek to introduce more competition into the market, to do what competition in a market is supposed to do: lower costs and improve quality.

While these new rules could ultimately lower the cost of brokers' services for homebuyers, the change could also lead to difficulties in paying for these services, because mortgage financing does not allow for compensation for an agent, according to Realtors.

“Where there's going to be a need for anything changed, it's going to be at the national level,” said Cindi Siggs, CEO of the Gallatin Association of Realtors, of changes to mortgage rules.

The settlement, if approved, would apply to the 1.5 million Realtors who are members of NAR — including 5,617 Realtors in Montana — and the buyers they serve. The settlement will also require buyer brokers to have written agreements with their buyers, though Montana is one of 13 states that already require this.

Jaymie Bowditch, a lawyer for the Montana Association of Realtors, said the changes will be discussed “extensively” at an upcoming MAR meeting in April.

“MAR will probably start trying to provide some information on some mechanisms by which we can now seek to structure compensation for buyer agents,” Bowditch said in a video posted to MAR's Facebook page.

Currently, the vast majority of buyer brokers are paid through a commission on the sale of the home — ostensibly by the seller, who sets a commission for the broker. This offer is listed on the multiple listing service (MLS), the platform through which Realtors list and view properties.

But the Department of Justice sees who is footing the bill a little differently. “Buyer broker fees, though nominally paid by the home's seller, are ulti-



AMY LYNN NELSON, BILLINGS GAZETTE

A “for sale” sign is posted in the yard of a single family home at 1802 Avenue E in Billings on Friday, Mar. 22.



SAMUEL WILSON, BOZEMAN CHRONICLE

A real estate sign is posted in front a duplex on Buckrake Avenue in Bozeman on March 4.

mately paid out of the funds from the purchase price of the house,” reads a press release.

NAR maintains that the fee paid to a buyer's agent has always been negotiable. But almost all MLS systems do not show buyers the commission offered to buyer brokers for different homes, according to the DOJ. Buyer brokers were even able to advertise their services as free before the practice was prohibited by NAR in 2021 in response to lawsuits.

“These rules also make home buyers both less likely and less able to negotiate a discount or rebate off the offered commission,” reads

a Q&A on the case by the DOJ.

Amber Parish, president of the Billings Association of Realtors, and Mike Lake, CEO of Big Sky MLS, said that within their organizations, buyers can always ask their buyer broker about the commission price.

But if the proposed settlement is approved, buyers will be taking a more active role in determining the price of buyer broker services. This new era will not only require negotiation on the part of buyers, as well as advocacy on the part of buyer brokers.

“If a buyer's agent can't explain their value, they're

going to have a hard time with these changes and maybe this industry isn't for them,” Wahlberg said. “If it washes out people that have a hard time adapting, I don't think that's a bad thing.”

The number of Realtors increased between February 2019 and February 2024, by 13.5% nationally and 26% in Montana.

“Like any industry, you see an ebb and flow when times get tough versus when times are easy,” Wahlberg said, noting that the Missoula Organization of Realtors shrunk from about 700 Realtors in 2007 to 500 by 2011.

Realtors warn that buyers who choose to forgo a Realtor could end up spending more money later, addressing problems that could have been alerted by a Realtor and negotiated with the seller.

“People need protection and guidance in a transaction,” Siggs said.

As for guidance for Realtors, the extent of NAR guidelines for state and local groups remains to be seen.

“As MAR, we have already had a couple of calls, including a Zoom, and we will be working through this, hopefully with some direction and assistance from NAR,” Bowditch said.

That said, he said that payment models will “absolutely not” be determined by NAR.

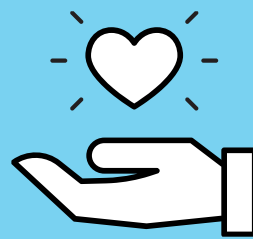
“NAR has not always been the best at being forthcoming about changes,” Parish said. “With legal issues, you kind of have to keep your mouth shut on those.”

Parish hopes to have more information on new requirements with sufficient time to train agents and appropriately update the MLS system before any changes go into effect.

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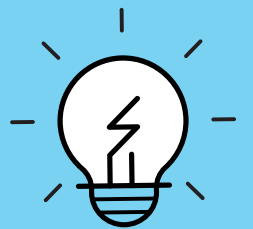


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