



Wildlife Division  
PO Box 200701  
Helena, MT 59620-0701  
June 24, 2021

Dear Interested Person:

Montana Fish, Wildlife & Parks is requesting public review and comment on the following items. Supporting information on these items can be found on our website under "Public Comment Opportunities" at <https://fwp.mt.gov/hunt/public-comment-opportunities>.

#### **NONGAME CHECK-OFF WORKPLAN**

Under the provisions of 87-5-122, MCA, "the FWP Commission shall review and annually approve the nongame wildlife program's projects recommended for funding from the nongame wildlife tax check-off account. The Commission shall provide for public comment during the review and approval process." While final 2020 tax year donations are unknown at this time, the average received by FWP from the 2004-2018 tax years was \$30,000-\$40,000/year. FWP is proposing some combination of the following work in FY21 dependent on the final allocation:

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|-----------------|--|
| <b>\$30,000</b> | Inventory, monitoring, and conservation work on Montana Species of Concern and species in need of inventory as determined through a formal ranking process and to help minimize impacts of the Endangered Species Act listings to landowners, recreationists, and user groups. |
| <b>\$5,000</b>  | Wildlife viewing and outreach projects that encourage more Montanans to appreciate Montana wildlife.   |
| <b>\$5,000</b>  | Competitive graduate student stipend for nongame research.   |

#### **PHEASANT RELEASES**

Montana Fish, Wildlife & Parks has administered a pheasant release program since 1987, whereby landowners or pheasant producers raise and release pheasants for population enhancement and expanded public hunting opportunity. Private landowners seek cost reimbursement through the Upland Game Bird Enhancement Program (UGBEP). For fall 2021, FWP is proposing the purchase and release of pen-reared pheasants on private lands for population enhancement purposes, as well as state wildlife management areas for hunter recruitment purposes. These releases are intended to expand hunting opportunity on private lands and to be used as a young hunter recruitment tool during the youth weekend pheasant hunting season. The specific locations where pheasants will be released is still being determined, so FWP is seeking programmatic approval for pheasant releases in suitable locations.

#### **JORDAN URBAN WILDLIFE PLANS**

In 2003, the Montana Legislature authorized cities to create plans to control wildlife for public health and safety within city limits. These plans must be approved by the commission before implementation. The Town of Jordan, Montana, developed Deer and Turkey Management Action Plans, in cooperation with the department, to address concerns of its citizens about growing numbers of deer and turkeys within urban areas and an increased risk to human safety and

of property damage. The plans lay out goals, actions and a management process to implement the actions. The plans are patterned after plans already approved for the communities of Colstrip, Glendive and Ekalaka. Public hunting, restricted to archery, within the incorporated city limits is the primary tool employed to manage urban deer and turkey numbers. A process has been set up to 1) incorporate private open space property owners who voluntarily wish to participate in the deer and turkey management program and 2) involve public hunters in the deer and turkey management program.

### **2021 DEER & ELK MUZZLELOADER SEASON**

During the 2021 Legislative Session, House Bill 242 was adopted and signed into law that establishes a nine-day muzzleloader season for deer and elk that begins on the second Saturday following the end of the regular season. To address this new statute, the commission must consider options to establish a muzzleloader season for the upcoming fall season (2021). The department has prepared a recommended approach that any unused license-permit valid during the general season for hunting deer and elk in a specific hunting district would be valid during the muzzleloader season in accordance with the authorizations and restrictions associated with that license-permit. This approach would limit confusion and administrative burden.

### **2021 ELK SHOULDER SEASON**

The commission adopted "Final Elk Season Guidelines - Flexible season structure with performance-based shoulder seasons" on October 8, 2015. From that document: "A 'shoulder season' here is defined as: any firearm season printed in the hunting regulations that occurs outside the 5-week general firearm season between August 15 and February 15 in one or more hunting districts or portion(s) thereof. Examples might include B licenses or general seasons extended early or late or additional sets of B licenses or permits valid early or late. Shoulder seasons here do not include early backcountry hunts, primitive weapon hunts, game damage hunts, management seasons, or season extensions." The stated intent was to supplement existing antlerless elk harvest, not replace or reduce harvest during existing general archery or firearm seasons. Elk shoulder seasons provide the ability to harvest more antlerless elk, although the distribution of the harvest may not be consistent temporally.

Several hunting districts (HDs) currently remain above objective even with late shoulder seasons. The commission may consider extending shoulder seasons in HDs that have late seasons that currently end before Feb. 15, 2022, to increase antlerless harvest or alter elk distributions. Any extension could apply to all license-permit types valid in those HDs with associated restrictions (e.g., not valid on NF lands).

Currently, those elk HDs include: 262, 290, 298, 390, 391, 393, 411, 417, 502, 510, 511, 520, 530, 540, 560, 575, 580, and 590.

### **2021 WOLF SEASON**

Montana's wolf population is well established, and the department believes that the wolf population can support increased harvest without adverse biological effects. Consistent with direction from legislation adopted in the most recent session and the wolf management plan, the department has assembled several season options variously including the following tools:

- Increase bag limit and allow a person to take more than one wolf per license.
- Liberalize seasons in quota areas.
- Allow snaring on private lands during the trapping season and extend season dates. The following is also proposed in relation to the use of snares for wolves:
  - Must be equipped with a loop stop that will close to a loop no smaller than 2.5 inches in diameter (stop placed at no less than 8 inches from end of loop).
  - Must have a breakaway device rated at 1,000 lbs. or less installed on the loop end.
  - Must be placed such that the bottom of the snare loop is at least 18 inches above the surface.
  - Power-assisted (e.g., spring-loaded) snare locks are prohibited on wolf snares on public lands.
  - A relaxing snare lock is required on snares in lynx protection zones.

In addition, FWP proposes re-visits to the commission at certain harvest amounts and non-target captures, that all non-targets from traps and snares be reported, and that the wolf season be re-visited each year using the most recent wolf population data available.

### **2021 HUNTING ACCESS AGREEMENTS**

Several bills in the 2021 legislative session amended MCA 87-2-513 that address HB 454 agreements with landowners including SB116, HB 119 and HB637. A summary of those changes include that the department may issue an either-sex or antlerless elk permit, license or a combination, in exchange for allowing three successful elk permit holders (one third of which may be selected by landowner), as well as additional public hunters to lands enrolled in a contractual public elk hunting access agreement for wildlife management. Agreements require approval by the commission.

Under these contracts, the landowner works with the department to define areas open to public elk hunting, the number of elk hunting days that will be allowed on the property, and other factors that the department and landowner consider necessary for elk management on the landowner's property.

Two agreements are being considered for 2021: the Robert Lee Ranch and the John Swanz Ranch. The Lee agreement specifies a single 411-20 either-sex permit for the owner, family member or an authorized full-time employee, whereas the Swanz agreement specifies two 411-20 either-sex permits for the owner, family member or an authorized full-time employee. The Lee agreement was first exercised in 2015 and the Swanz agreement was first exercised in 2002. Each has been reapplied annually since those dates based upon continued positive post-hunt evaluations. Both agreements include a provision by which the landowners will select one-third of the participants (one for Lee and two for Swanz), and the department will notify two-thirds of the public 411-20 permit holders selected (two for Lee and four for Swanz) of the access opportunity. Public hunters are offered the opportunity to hunt on the enrolled property but may also hunt anywhere else the permit is valid. If any of the public hunters declines the opportunity to hunt on the ranch properties, it will be offered to the next randomly selected permit holder.

### **TO MAKE A COMMENT**

For further clarification or additional materials, please call the Wildlife Division office at 406-444-2612 or send an email to [fwpwld@mt.gov](mailto:fwpwld@mt.gov). Comments will be accepted online by using the link below, in writing sent to the address above, and by email to [fwpwld@mt.gov](mailto:fwpwld@mt.gov).

### **EMAIL CORRESPONDENCE**

If you would like to receive further public comment opportunities via email communications, please email [fwpwld@mt.gov](mailto:fwpwld@mt.gov) to be put on our mailing list.

### **COMMENT PERIOD DEADLINE & FINAL ADOPTION MEETING**

Comments on the proposed items will be accepted until **Monday, July 26, 2021, at 5 p.m.**, with final adoption at the **August 2021** commission meeting.

- ✓ <https://fwp.mt.gov/hunt/public-comment-opportunities>