

**MEMO TO FILE**

*Walter* 11/19/12

**From:** Shawn Sartorius, Fish and Wildlife Biologist

**Date:** November 19, 2012

**Subject:** Review of Montana Fish, Wildlife and Parks 2012-2013 Wolf Hunting Regulations

As stated in our 2009 delisting rule, we will initiate a status review and analysis of threats to determine whether delisting is warranted if a change in State law or management objectives significantly increases the threat to the wolf population. On August 24, 2011, we conducted such an "on-the-spot" review for Idaho to determine whether a full status review was warranted in light of: (1) Idaho Fish and Game Commission's decision to suspend their 2008-2012 wolf management plan and (2) finalization of Idaho's wolf hunting regulations for the 2011-2012 season. We conducted an evaluation of the changes in Idaho and not Montana that year because only Idaho decided to authorize no quotas in large portions of the State and no overall State-wide quota. This review determined that the changes did not represent a significant threat to the Idaho wolf population, thus a full status review was not initiated (Cooley 2011).

On July 12, 2011, the Montana Fish, Wildlife and Parks (MTFWP) Commission approved wolf hunting and trapping regulations for the 2012-2013 season. These regulations do not impose quotas over large portions of the state and do not include a State-wide quota. The state of Montana presents information to demonstrate that despite the lack of these quotas, mortality from hunting and trapping during the 2012-2013 season is not likely to reduce the wolf population below the level that would lead to the need for a full status review. This Memo represents the first "on-the-spot" assessment in light of the MTFWP Commission's new regulations for the 2012-2013 wolf hunting and trapping season (Montana Fish, Wildlife, and Parks 2012). The new regulations (see attachments) include several changes:

- The 2012 wolf season includes several adjustments to the 2011 Wolf Management Units (WMUs). The regulations incorporate all of the Bitterroot into WMU 250 and removes that portion from WMU 210. The regulations also remove that portion of old WMU 210 that is east of the Continental Divide (the Big Hole/Tendoy) and defines that area as new WMU 330. Finally, Deer/Elk HDs 280 and 316 have become separate WMUs 280 and 316, with those areas removed as subunits within WMUs 290 and 390.
- The regulations replace posted quotas in most WMU's with a statewide general season. The exceptions include retaining quotas in WMU 110 (quota = 2) and WMU 316 (quota = 3). Mandatory harvest reporting would remain.
- MTFWP is authorized to initiate season closures at any time. Closures may be implemented if MTFWP deems monitored harvest levels excessive in any area. Reported harvest shall be assessed in light of species biology and objectives. Any such closure



would necessarily include an appropriate timeline and public notice and that may include press releases and posted signs.

- The general season closing date is extended from December 31 to February 28. Hunter orange would not be required to hunt wolves after November 25, 2012.
- A trapping season is authorized along with mandatory trapper education. The trapping season would run from December 15 to February 28.
- The mandatory reporting period is changed to 24 hours. Hunters in backcountry areas would be allowed to report a kill within 24 hours of reaching a trailhead (similar to black bear reporting requirements). However, the trailhead provision would not apply in WMU 316, to minimize the chance of exceeding the quota. Successful hunters in WMU 316 would be required to report wolf harvests within 24 hours of harvesting a wolf.
- The bag limit is one wolf per hunter/trapper in any combination of hunting or trapping harvest (see next bullets below). The bag limit is three wolves per person during the 2012/2013 season. One wolf could be taken by means of hunting, with a valid wolf license. Trapping is also authorized, with a valid trapping license, if a person has completed mandatory wolf trapping orientation. Persons can take a combination of up to one wolf via hunting and two wolves via trapping, OR three wolves via trapping (maximum harvest of three wolves per person).
- Electronic calling for taking wolves must be consistent with relevant statute (see next bullet below).
- If relevant statutes are adjusted during any part of the 2012-13 wolf season relative to bag limit, electronic calling and waste of game, FWP would increase bag limits at that time to three wolves per hunter/trapper in any combination of hunting and/or trapping harvest. Similarly, electronic calling for taking wolves would be authorized at that time if consistent with relevant statute.
- Hunter/trapper retrieval of harvested wolf parts must be consistent with relevant statute.

In our 2009 delisting rule (74 FR 15123) we outlined three pathways by which wolf monitoring data from Montana would indicate the need for a Service-led status review for the NRM DPS: (1) If the wolf population falls below the minimum NRM wolf population recovery level of 10 breeding pairs of wolves and 100 wolves in Montana at the end of the year; (2) if the wolf population segment in Montana falls below 15 breeding pairs or 150 wolves at the end of the year for 3 consecutive years; or (3) if a change in State law or management objectives would significantly increase the threat to the wolf population. The changes in regulations outlined above are expected to increase wolf mortality from hunting and trapping above the mortality that occurred from these activities in the 2011-2012 season. For the 2012-2013 management seasons, MTFWP selected a management goal of 425 wolves at season-end for their portion of the NRM wolf population. This goal represents a reduction from the estimated 653 wolves (130 packs, and 39 confirmed breeding pairs) at the end of 2011. MTFWP estimates that such a reduction is



possible if hunting and trapping significantly increase wolf harvest above what occurred in 2011-2012 season and if management removals (due to livestock conflicts) are high. This level of population reduction would provide a buffer of 275 wolves above what could trigger a Service-led status review and possible re-listing of NRM wolves. In addition, MTFWP has implemented several procedural steps to prevent excessive harvest of wolves if harvest is unexpectedly high in any particular geographic area or State-wide:

1. Mandatory reporting of successful harvest within 24 hours (formerly 12 hours) so MTFWP can closely monitor hunter success and harvest levels at an appropriate geographic scale while addressing backcountry logistics. In backcountry areas, excluding HD 316, hunters would be required to report wolf harvest within 24 hours of reaching the trailhead.
2. Harvest monitoring by WMU (includes deer/elk HD within those WMUs).
3. MTFWP is authorized to initiate season closures at any time. Closures would be implemented if MTFWP deems harvest levels excessive in any area. This evaluation would include tolerance for a modeled 60% harvest rate, pace of harvest, time remaining in the season and harvest in adjacent areas. The primary scale for this evaluation would be at the recovery area level.
4. Mandatory pelt/skull inspection within 10 days.
5. Definite season-ending closure date.
6. Baits, scents and dogs may not be used to hunt wolves. Electronic calls may not be used unless authorized by legislation.
7. Adopt season structure annually to better adapt and respond. This proposed season structure is for the 2012 wolf season. Any proposed season for 2013 will be developed, proposed, publicly reviewed and adopted after the 2012 season has concluded.

Other elements proposed include:

1. A hunting season beginning with the start of the general archery season and running through February 28, 2013.
2. The trapping season would run from December 15 through February 28 in all WMU's.
3. The wolf archery season would be concurrent with the elk archery season in each WMU or subunit.
4. The wolf rifle season would begin concurrently with the beginning of the rifle elk season in each WMU. This includes the on September 15 start for rifle seasons in backcountry areas of including WMUs 150, 280 and 316. The regular rifle season would begin on October 15. The rifle season would close in all WMU's not later than February 28, 2013.
5. Licenses proposed to remain over-the-counter general sale to residents and nonresidents.
6. Any licensed hunter or trapper may take only one wolf by hunting with a wolf license or up to three wolves by trapping with a trapping license. If allowed by adjusted legislation, a licensed hunter or trapper could take up to three wolves in any combination of hunting or trapping.

Next we address the significant changes adopted by the MTFWP Commission for the 2012-2013 season specifically and their expected significance to wolf conservation in the Northern Rocky Mountains.



Wolf quota changes – Wolf quotas were removed for the 2012-2013 season State-wide and for most of the WMUs. This change was made due to harvest being generally lower than State objectives in 2011 and anticipation that harvest would remain lower than or near objectives in 2012-2013. Also, wolf home ranges and dispersal abilities make management at larger geographic scales both expedient and biologically feasible. Significantly, quotas were retained in WMU 110 and 316, adjacent to Glacier and Yellowstone National Parks respectively, due to concern about excessive harvest near these protected populations. These quota changes are expected to increase harvest at the State-wide level while maintaining the ability of MTFWP to react to incoming harvest data by closing WMUs as appropriate to avoid exceeding harvest limits of 60 percent of the population at the recovery area scale. We expect the quota changes to increase harvest, but to ensure that populations in Montana remain well above levels that would trigger a Service-led status review.

Wolf Management Unit boundary changes – MTFWP has changed the boundaries of several WMUs to facilitate management. These changes may allow for increased harvest over the 2011-2012 season; however, we expect any increase caused by this change to be modest and not significant to conservation of the DPS.

Season closure authority – MTFWP is authorized to close the wolf season at any time, either by WMU or State-wide. This provision would facilitate wolf conservation by providing a mechanism to prevent excessive harvest above the 60% harvest objective.

Trapping – The addition of wolf trapping as a method of harvest has the potential to significantly increase wolf harvest in Montana. MTFWP estimates that it may increase harvest by as much as one third over hunting alone. The reporting requirements associated with wolf harvest will provide MTFWP with real-time information on which to base decisions regarding WMU closures. MTFWP has committed to an objective of a 60% harvest rate. This commitment to limiting harvest to 60% of the population by recovery area, combined with a real-time monitoring strategy gives MTFWP the tools to prevent over-harvest should trapping turn out to be unexpectedly effective in Montana.

Season length – The general season is extended to February 28. This change, when combined with the other regulation changes, may result in a modest increase in wolf harvest. The 2011-2012 season was extended by MTFWP in attempt to increase harvest to reach objectives in that year. The change for the 2012-2013 season would continue that policy. The monitoring and season closure criteria that MTFWP have in place would protect the wolf population should harvest be unexpectedly high as a result of this change.

Bag limit changes – Per hunter bag limits have been changed from one wolf per year per hunter to up to three wolves per year (1 by hunting, 2 by trapping). This change is expected to result in a modest increase in wolf harvest. Most hunters and trappers were unable to harvest more than one wolf in a season in Idaho. It is expected that few will harvest multiple wolves in Montana. The monitoring and season closure criteria that MTFWP have in place would protect the wolf population should harvest be unexpectedly high as a result of this change.

Mandatory reporting timing – For the 2012-2013 season, wolf harvest reporting is required within 24 hours of harvest or 24 hours after reaching a trailhead. This requirement is changed from a 12 hour reporting requirement for the 2011-2012 season. This season is not expected to increase wolf harvest, however it is possible that harvest over-run of objectives are more likely to occur due to the increased time allowed for reporting. Given the rate of wolf harvest in previous years, we believe that any over-run would be modest and not significant to the conservation of the wolf population. In addition, during the season, MTFWP monitors harvest rate to proactively implement closures to avoid over-harvest.

Electronic calling – Electronic calling would be authorized if State law is changed to allow use of electronic calls. This change would be expected to increase wolf harvest modestly. Most hunters harvest wolves incidentally to pursuit of other game. It is expected that relatively few hunters would invest in the equipment and effort necessary to harvest wolves using electronic calling. The monitoring and season closure criteria that MTFWP have in place would protect the wolf population should harvest be unexpectedly high as a result of this change.

In summary, the changes adopted by the MTFWP commission for the 2012-2013 management season are sufficient to satisfy the requirements of the Montana Wolf Management Plan and the post-delisting requirements outlined in our 2009 delisting rule (74 FR 15123). MTFWP intends to increase wolf harvest in order to reduce the State-wide wolf population while ensuring that the wolf population remains viable and well-distributed across suitable habitat. Given Montana's estimated minimum current wolf population of 653 wolves and 39 confirmed breeding pairs, the maximum level of harvest proposed by FWP in 2012-2013, after accounting for wolf mortality due to livestock conflict management, would result in a minimum retained wolf population of 485 wolves. This number is well above the recovery level of 150 and would result in more than 15 breeding pairs in the following year. These management changes do not represent a significant threat to the Montana wolf population or the NRM wolf DPS, nor should the changes trigger a Service-led wolf status review.