



## FISH & WILDLIFE NEWS

Hunter's this fall need to be aware of several new regulations and hunting opportunities approved by the 2009 Montana Legislature. FWP will be including many of the new regulations in the "What's New" section (page 2) of the 2009-2010 Hunting Regulations booklet.

MWF is providing this short list and an abbreviated description for some of the new laws; for full detail of a specific law, or a full list of new laws, please consult Montana FWP at Helena headquarters, (406) 444-2535.

- ◆ **HB172** – Allows FWP to issue a provisional Hunter Education Certificate to a mentally disabled person who cannot pass the written test. Anyone hunting with this certification must be accompanied and supervised by a parent or guardian. conditions of the license issued.
- ◆ **HB221** – Prior to reaching 12 years of age, minors who will reach 12 years of age by January 16 of a license year may hunt any game species after August 15 of that license year as long as the minor obtains the necessary license.
- ◆ **HB222** – A person whose privilege to hunt, fish, or trap has been revoked is not eligible to purchase any license until ALL terms of the court sentence in which the privilege was revoke, including making restitution, have been met or the person is in compliance with installment payments specified by the court and the department has received notification from the sentencing court to that effect.
- ◆ **HB223** – A person convicted of or who forfeits bond or bail for committing an act of criminal trespass involving property owned or administered by the Department of Fish, Wildlife and Parks or while hunting, fishing or trapping is subject to an additional penalty.
- ◆ **HB 383** – The department may issue a free resident or nonresident big game combination license, or a free resident or nonresident antelope license and wildlife conservation license, to a resident or nonresident youth under 18 years of age who has been diagnosed with a life threatening illness (The definition of a "life-threatening illness" is available by contacting FWP). The department may limit the number of licenses issued pursuant to this subsection to a total of 25 annually.
- ◆ **HB480** – Authorizing nonresident youth to hunt upland game birds and migratory birds at a reduced – discounted price (12 years of age or older and under 16 years of age may hunt upland game and migratory game birds during the open season with the purchase of a CLASS B-1 nonresident upland game bird license for a cost of \$35 vs. \$110). A Montana Wildlife Federation measure that will direct \$17 of the fee to be used by the department to encourage public access to private lands for hunting purposes, and \$7 of the fee must be used exclusively by the department to preserve and enhance upland game bird populations.
- ◆ **SB32** – Certification of a person as disabled for purposes of obtaining a permit to hunt from a vehicle may be endorsed by a licensed chiropractor in addition to certain medical care providers.
- ◆ **SB185** – Creates a nonresident college student combination big game license that can be used by nonresidents attending post-secondary institutions in Montana, or former Montana residents attending post-secondary institutions in another state.
- ◆ **SB188** - Allows a hunter with an antlerless elk permit to take any elk allowed by the general hunting regulations at any time the general regulations allow the taking of antlerless elk.

### Strategy for Rocky Mountain Bighorn Sheep

Montana Fish, Wildlife and Parks is completing a Draft Conservation Management Strategy Plan for Rocky Mountain Bighorn Sheep in preparation of presenting it to FWP Commissioners August 13. Following a preliminary-draft approval by the commission, the document will be available for public comment. Montana has never produced a comprehensive plan for bighorn sheep management even though Montana has successfully reestablished bighorn populations across the state.

The Conservation Strategy will draw together in one document the history of Rocky Mountain Bighorn Sheep in Montana from decline to recovery. It will also offer a narrative history of all existing herds, including past and current management and the challenges facing each of the populations. Protocols for monitoring herd health, tracking the status and condition of habitat, and

guidelines for trapping and transplanting bighorns will be developed or refined as a result of the Plan. The Conservation Strategy will offer the public an overall future direction for bighorn sheep management in Montana.

There are currently 49 populations of bighorns across Montana with 40 sustaining limited hunting in 38 bighorn sheep hunting districts. Officials estimate that 5,900 bighorn sheep inhabit Montana.

Some early issues of concern to wildlife managers include:

- ◆ occasional large-scale die-offs often associated with contact with domestic sheep or goats
- ◆ systematic long-term health monitoring
- ◆ genetic integrity of native populations
- ◆ establishing bighorn sheep populations to new areas
- ◆ loss of habitat and development impacts to some bighorn populations
- ◆ hunting and other recreational opportunities

The plan will be discussed at the Montana Wildlife Federation, August 14, 15, 16 Board Retreat at the FWP Beartooth Wildlife Management Area. For more information on this meeting contact MWF, 800-517-7256 or by emailing MWF Exec Director, Craig Sharpe, [csharpe@mtwf.org](mailto:csharpe@mtwf.org)

## **Judge Orders Five-state Bull-trout Habitat Analysis**

A federal judge in Portland, Ore., has ordered the U.S. Fish and Wildlife Service to re-analyze a critical habitat designation for bull trout throughout a five-state range that includes Montana.

The critical habitat tangle for bull trout stretches back to 2001, with courts finding previous designation efforts inadequate three times. The most recent designation was tainted in scandal, with revelations that former Deputy Secretary of Interior Julie MacDonald improperly interfered with the process by excluding waters that would have been designated critical habitat.

The Service has since admitted that the designation was not based on science, and in March, a request was filed with the court to reanalyze the rule over the next two years.

U.S. District Judge Robert Jones denied that request, agreeing with Alliance for the Wild Rockies and Friends of the Wild Swan that it would take too long.

"I agree with plaintiffs that Defendants' proposed schedule on remand builds too much delay into a process that should have been, and absent MacDonald's interference, could have been completed successfully in a timely manner, to the benefit of bull trout populations," Jones wrote.

He ordered the Service to complete a draft critical habitat designation by Dec. 31 and a final rule before Sept. 30, 2010. He also ordered the Service to submit progress reports every 60 days, starting Aug. 31, until the designation is complete.

"The delay in securing science-based habitat protection for bull trout is untenable," said Arlene Montgomery, program director for Friends of the Wild Swan. "This is the third time the agency has been ordered to complete a critical habitat designation, hopefully they will get it right and we can work towards recovery of this imperiled fish."

Bull trout were listed as threatened under the Endangered Species Act in 1998.

*By Jim Mann/Daily Inter Lake, [jmann@dailyinterlake.com](mailto:jmann@dailyinterlake.com)*

## **Wolf Licenses Go On Sale**

*Helena – July 8, 2009*, the Montana Fish, Wildlife & Parks Commission approved Montana's first regulated wolf hunting season quota at 75 wolves. Barring a court order halting the process as a result of a law suit, license sales are set to begin August 17.

Wolf hunting-season dates correspond to Montana's early back-country big game hunting season, which runs Sept. 15 through Nov. 29; and the big game rifle season set for Oct. 25 through Nov. 29. Hunting licenses will cost \$19 for residents and \$350 for nonresidents.

Commissioners approved the license fees and hunting quota to include three wolf management units. The approved quota for northwestern Montana is 41 animals, with a subquota of two in the North Fork of the Flathead River area; a quota of 22 was approved for western Montana; and a quota of 12 in southwestern Montana.

As MWF announced in Montana Wildlife (June/July), lawsuits were filed June 2 to restore endangered species listing for the gray wolf in both Montana and Idaho. Such a listing would prohibit hunting under state control. In Wyoming, another lawsuit filed by Wyoming Attorney General, Bruce Salzburg, asked a federal judge to allow state management through hunting.

Montana wildlife officials estimate that 497 wolves, in 84 verified packs, and 34 breeding pairs inhabited the state at the end of 2008.

Delisting allows Montana to manage wolves in a manner similar to how bears, mountain lions and other wildlife species are managed, guided completely by state management plans and laws.

To learn more about Montana's wolf population, visit FWP online at <http://fwp.mt.gov> and click "Montana Wolves."