



# MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

THE **OUTSIDE** IS IN US ALL.

**Meeting Date:** Feb. 16, 2024

**Agenda Item:** 2024 and 2025 Upland Game Bird and Turkey Hunting Regulations, Season Structures, and Hunting District Boundaries

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 15 Minutes

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**Background:** Season structures and hunting district boundaries are adopted biennially by the commission for most game species. The proposed changes to upland game bird, turkey, and migratory bird seasons are described in the attached upland game bird, turkey, and migratory bird season summary and presented in detail for commission action within the regulation mockup. Sage-grouse harvest regulations are informed by the Sage-Grouse Adaptive Harvest Management Plan. Per that plan, the department will recommend a closure to hunting if the population counts in a harvest management zone (HMZ) are  $\geq 45$  percent below long-term average for three consecutive years. Counts were below that threshold in 2022 and 2023 in HMZ 3 (southeast MT – see map at end of this document). If they fall below that threshold following spring 2024 lek counts, the department recommends that HMZ 3 should be closed to hunting. The commission is considering all regulations and descriptions of boundaries for the 2024 and 2025 upland game bird, turkey, and migratory bird seasons, whether a change is proposed or not. All other regulations and descriptions of boundaries will remain unchanged unless addressed by the commission.

**Public Involvement Process and Results:** Public input was solicited through 34 public meetings during June and July 2023 where concepts for biennial season setting were discussed. Public comment was solicited for a four-week period following the Dec. 14, 2023, commission meeting. Seven hybrid virtual meetings were held (one in each region) between Oct. 30 and Nov. 10, 2023, to answer questions about proposals. Written public comments received during the comment period will be posted online and provided to commissioners at least two weeks prior to the February commission meeting.

**Alternatives and Analysis:** The department presented concepts for discussion for each species during June and July. Based on public feedback and legal analysis, the department refined the concepts and developed proposals for commission action.

Alternative A: The commission may approve the department's recommendation as presented.

Alternative B: The commission may amend the department's recommendation on any aspect of season structure, quota, or hunting district or on aspects of the regulations that are not proposed for change.

**Agency Recommendation and Rationale:** The department recommends the commission approve the proposed 2024 and 2025 hunting regulations and district boundaries as presented by the department and as detailed in the attached mockup. The department also requests the commission approve closing HMZ 3 to sage-grouse hunting if the 2024 lek counts for that HMZ are  $\geq 45$  percent below long-term average. Any aspect unchanged from 2023 season will remain in effect for 2024 and 2025, except where affected by routine calendar rotations.

**Proposed Motion:** I move the Fish and Wildlife Commission approve: 1) changes identified in the upland game bird, turkey, and migratory bird regulation mockup to include opportunities, season dates, quotas, and quota ranges as presented by the department; 2) closing HMZ 3 to sage-grouse hunting if 2024 lek counts are  $\geq 45$  percent below long-term average, and 3) all other upland game bird, turkey, and migratory bird regulations contained in the 2023 regulations, except for those affected by regular calendar rotations, unless addressed in

some other proposal to be adopted for the 2024 and 2025 upland game bird, turkey, and migratory bird hunting seasons and districts.

**Alternative Motion:** I move the Fish and Wildlife Commission amend: 1) changes identified in the upland game bird, turkey, and migratory bird regulation mockup to include opportunities, season dates, quotas, and quota ranges as presented by the department as follows (Insert changes here); 2) closing HMZ 3 to sage-grouse hunting if 2024 lek counts are  $\geq 45$  percent below long-term average, and 3) accept all other upland game bird, turkey, and migratory bird regulations contained in the 2023 regulations, except for those affected by regular calendar rotations, unless addressed in some other proposal to be adopted for the 2024 and 2025 upland game bird, turkey, and migratory bird hunting seasons and districts.

## Season dates

Season 2024	Date conventions
Sage-grouse	9/1 – 9/30
Sharp-tailed grouse	9/1 – 1/1
Mountain grouse	9/1 – 1/1
Partridge	9/1 – 1/1 (except for portion of Carbon County, where it is 9/1–1/10)
Pheasant	10/12 – 1/1 (Saturday of Columbus Day weekend to 1/1)
Youth Pheasant/ Youth Waterfowl	9/21 – 9/22 (weekend before start of general waterfowl)
Turkey spring	4/15 – 5/31
Turkey fall	9/1 – 1/1

Season 2025	Date conventions
Sage-grouse	9/1 – 9/30
Sharp-tailed grouse	9/1 – 1/1
Mountain grouse	9/1 – 1/1
Partridge	9/1 – 1/1 (except for portion of Carbon County, where it is 9/1–1/10)
Pheasant	10/11 – 1/1 (Saturday of Columbus Day weekend to 1/1)
Youth Pheasant/ Youth Waterfowl	9/27 – 9/28 (weekend before start of general waterfowl)
Turkey spring	4/15 – 5/31
Turkey fall	9/1 – 1/1

## Summary of proposed changes for turkey

Increase the number of 199-01 beardless turkey licenses from one to four per person.

### Specific changes

#### Falconry license requirements

Page 8 of the 2023 Upland Game Bird Regulations

Reason for change: Eliminate confusion about multiple valid licenses and bag and possession limits.

Falconry hours: One-half hour before sunrise to one-half hour after sunset *of the hunting season*. Year-round sunrise/sunset tables are available on the FWP website. ~~A 2023 Upland Game Bird License is valid for falconry until March 31, 2024. Falconers hunting in the month of March 2024 must have purchased their 2023 Upland Game Bird License no later than Feb. 29, 2024. A current valid Upland Game Bird License is required to hunt with falconry.~~

### Hunting district boundary changes

#### Add Descriptions of Regions to Hunting District Legal Descriptions

Not currently in descriptions.

Reason for change: Region boundaries are used for turkey, trapping, and wolf hunting descriptions, but descriptions are lacking in some documents and appear in others. This provides an opportunity to consolidate.

Region 1 – Those portions of Flathead, Lake, Lincoln, Lewis and Clark, Mineral, Missoula, Powell and Sanders counties within the following described boundary: Beginning at a point where the Continental Divide intersects with the Glacier National Park boundary at Marias Pass, then westerly and northerly along the Glacier National Park boundary to the Canadian line, then westerly along said line to the Montana-Idaho border, then southerly along said border to its junction with the Sanders-Mineral County line, then easterly along said county line to Trail 404 near Combest Peak, then east on Trail 404 to Miller Creek Loop Road, then along Miller Creek and Forest Road 7593 to Patrick’s Knob, then southerly on Trail 1714 to Montana Route 135, then easterly along said route to Trail 242, then southerly along said trail to Clark Fork-Ninemile Divide, then easterly along said divide and Sanders County line to the Flathead Indian Reservation, then southeasterly and northeasterly along said Reservation boundary to the Swan-Clearwater Divide, then easterly and northerly along said divide to the Blackfoot-Flathead Divide at Wolverine Peak, then south, east and north along said divide to the Continental Divide at Triple Divide Mountain, then northerly along said divide to the Glacier National Park boundary at Marias Pass, the point of beginning.

Region 2 – Those portions of Deer Lodge, Granite, Lewis and Clark, Mineral, Missoula, Powell, Ravalli and Silver Bow Counties lying within the following described boundary: Beginning at Lookout Pass on the Montana-Idaho border, then in an easterly direction along the Mineral County-Sanders County line to U.S. Forest Service Trail 404 near Combest Peak, then east on said trail to Miller Creek Loop Forest Service Road, then east along said road to its junction with U.S. Forest Service Trail 415, then south and east on said trail to its junction with U.S. Forest Service Trail 1714, then south on said trail to the Clark Fork River at the Cascade Campground, then south along Forest Service Trail 242 to the Ninemile-Seigel Creek Divide, then easterly along said divide to the Flathead Indian Reservation, then southeasterly and northeasterly along said reservation boundary to the Swan-Clearwater Divide, then easterly and northerly along said divide to the Blackfoot-Flathead Divide, then southerly, easterly and northerly along said divide to the Continental Divide at Triple Divide Mountain, then southeasterly along said divide to Interstate 15, then in a southerly direction along said interstate to its junction with Interstate 90 at Butte, then west and north along said interstate to its junction with State Route 1, northwesterly along said highway to State Route 274 (Mill Creek Road), then southerly along said route to the Continental Divide, then southwestwesterly along said divide to the Montana-Idaho border, then westerly and northerly along said border to Lookout Pass, the point of beginning.

Region 3 – Those portions of Beaverhead, Broadwater, Deer Lodge, Gallatin, Jefferson, Lewis and Clark, Madison, Meagher, Park, Silver Bow and Sweet Grass Counties lying within the following described boundary: Beginning at Mt. Tiny on the Continental Divide, then southwestwesterly along said divide to the Montana-Idaho border, then southerly and easterly along said border to the Yellowstone National Park boundary, then northerly and easterly along said boundary to the Stillwater-Yellowstone River Divide, then northwestwesterly along said divide to Columbine Pass and the Boulder River-Yellowstone River divide, then westerly and northerly along said divide to Elephant Head Mountain, then north down Mission Creek to the Yellowstone River, then east down the south bank of said river to the mouth of Duck Creek, then northwestwesterly along the west bank of said creek to the West Fork of Duck Creek then northwestwesterly along the west bank of said creek to the Shields-Yellowstone River Divide (Crazy Mountain Divide), then northerly and westerly along said divide to the Shields-Musselshell River Divide, then westerly along said divide to the Smith-Shields River Divide and the head of the Middle Fork of Sixteen Mile Creek, then westerly down the south bank of said creek to the Meagher-Gallatin County line, then west along said line to the Broadwater-Meagher county line, then northwestwesterly along said line to the Broadwater-Lewis and Clark-Meagher County line, then northwestwesterly along the Lewis and Clark – Meagher County line until its intersection with USFS Rd #4143, then westerly along said road to the Beaver Creek Road (USFS Road #138), then northwestwesterly along said road to the National Forest-private land boundary in the southwest quarter of section 23, then west, north and west along the National Forest and Gates of the Mountain Wilderness boundary to the posted Beartooth WMA boundary fence near Humps cabin, then southwestwesterly along the Willow Creek-Elkhorn Creek Divide, then southwestwesterly along said divide to Willow Mountain, then along the Meriwether Canyon-Willow Creek divide, then southwestwesterly down the Meriwether Canyon-Mann Gulch Divide to the mouth of Meriwether Canyon on the east side of the Missouri River, then northerly up Holter Lake and the east shore of the Missouri River to Interstate-15, then southerly along said interstate to the junction with US Highway 287,

then south on said highway to the bridge over Lyons Creek, then up said creek and the North Fork of Lyons Creek to the Continental Divide, then southeasterly along said divide to Interstate 15, then in a southerly direction along said interstate to its junction with Interstate 90 at Butte, then westerly and northerly along said interstate to its junction with State Route 1, then northwesterly along said highway to State Route 274 (Mill Creek Road), then southerly along said route to the Continental Divide, then southwestward along said divide to Mt. Tiny, the point of beginning. Trail Creek Beaver Management Area – Joseph Creek from Chief Joseph Pass to the confluence with Trail Creek and Trail Creek downstream of this confluence to the National Forest boundary. Upper Madison Beaver Management Area – Those portions of Gallatin and Madison counties that include all of the Madison River drainage upstream from the Earthquake Lake Dam described as follows: Beginning at the outlet of Earthquake Lake Dam on the Madison River, then northerly to US Highway 287, then northeasterly to the intersection of Rock Creek, then up said creek to the Beaverhead-Gallatin National Forest boundary, then northerly on said boundary to the Madison River-Gallatin River divide, then easterly along said divide to the western boundary of Yellowstone National Park, then south along said boundary to the Montana-Idaho state line northerly and westerly to its intersection with Highway 87, then along highway 287 to the Madison River, easterly along said river to the outlet of Earthquake Lake Dam, the point of beginning.

Region 4 – Those portions of Cascade, Chouteau, Fergus, Glacier, Hill, Judith Basin, Lewis and Clark, Liberty, Meagher, Petroleum, Pondera, Teton and Toole counties lying within the following described boundary: Beginning at a point where the eastern boundary of Glacier National Park intersects the United States-Canada Boundary, then east along said boundary to the Liberty-Hill County line, then south on said line to the Marias River, then southerly along the east bank of said river to the Missouri River, then easterly along the south bank of said river to the Fort Peck Reservoir, then easterly and southerly along the south edge of said reservoir to the Musselshell River, then southerly along the west bank of said river to State Route 200, then west along said route to Winnett, then southwestward on the Winnett to Roundup Road (FAS 244) to its junction with US Highway 87, then north on said highway approximately 4 miles to Flat Willow Creek, then westerly up said creek to the South Fork of Flat Willow Creek, then westerly up said creek to the Red Hill Road, then south along said road to the Snowy Mountain Divide, then westerly along said divide to the head of Meadow Creek, then westerly down said creek to US Highway 191, then south on said highway to the Wheatland- Judith Basin county line, then westerly on said line and subsequently continuing westerly along the Meagher-Judith Basin County line to its junction with the Spring Creek-Whitetail Creek Road (Forest Service Road #274), then south on this road to US Highway 12, then southeasterly on said highway to its junction with Route 294, then southwestward on said route to its junction with US Highway 89, then southerly along said highway to Sixteen-Mile Creek (near Ringling), then southwestward along north bank of said creek to the Meagher-Gallatin County line, then west along said line to the Broadwater-Meagher county line, then northwesterly along said line to the Broadwater-Lewis and Clark – Meagher County line, then northwesterly along the Lewis and Clark – Meagher County line until its intersection with USFS Rd #4143, then westerly along said road to the Beaver Creek Road (USFS Road #138), then northwesterly along said road to the National Forest/private land boundary in the southwest quarter of section 23, then west, north and west along the National Forest and Gates of the Mountain Wilderness boundary to the posted Beartooth WMA boundary fence near Hump Cabin, then southwestward along the Willow Creek-Elkhorn Creek-Porcupine Creek divide, then southwestward along said divide to Willow Mountain, then along the Meriwether Canyon-Willow Creek divide, then southwestward down the Meriwether Canyon-Mann Gulch divide to the mouth of Meriwether Canyon on the east side of the Missouri River, then northerly up Holter Lake and the east shore of the Missouri River to Interstate 15, then southerly along said interstate to the junction with US Highway 287, then south on said highway to the bridge over Lyons Creek, then up said creek and the North Fork of Lyons Creek to the Continental Divide, then northerly along said divide to the Glacier National Park boundary, then easterly and northerly along said boundary to the United States-Canada boundary, the point of beginning.

Region 5 – Those portions of Big Horn, Carbon, Fergus, Golden Valley, Meagher, Musselshell, Park, Petroleum, Stillwater, Sweet Grass, Treasure, Wheatland and Yellowstone counties lying within the following described boundaries: Beginning at Wolverine Peak where the Stillwater-Yellowstone River Divide meets with the Yellowstone National Park boundary, then northwesterly along said divide to Columbine Pass and the Boulder River-Yellowstone River Divide, then westerly and northerly along said divide to Elephant Head Mountain, then north down Mission Creek to the Yellowstone River, then east down the south bank of said river to the mouth of

Duck Creek, then northwesterly along the west bank of said creek to the West Fork of Duck Creek, then northwesterly along the west bank of said creek to the Shields-Yellowstone River Divide (Crazy Mountain Divide), then northerly and westerly along said divide to the Shields-Musselshell River Divide, then westerly along said divide to the Smith-Shields River Divide and the head of the Middle Fork of Sixteen Mile Creek, then westerly down the south bank of said creek to Sixteen Mile Creek, then northwesterly along the south bank of said creek to US Highway 89, then north on said highway to its junction with Route 294, then northeasterly on said route to its junction with US Highway 12, then northwesterly on said highway to its junction with the Spring Creek-Whitetail Creek Road (Forest Service Road #274), then north on said road to the Meagher-Judith Basin county line, then easterly along said line and subsequently continuing easterly along the Wheatland-Judith Basin county line to its junction with US Highway 191, then northerly on said highway to its junction with Meadow Creek near Garniel, then northeasterly along said creek to the Snowy Mountain Divide, then easterly along said divide to its intersection with the Red Hill Road, then north along said road to South Fork Flatwillow Creek, then easterly along said creek to Flatwillow Creek, then easterly along said creek to US Highway 87, then southerly along said highway to Route 244, then northerly along said route to Winnett, then east along US Highway 200 to the Musselshell River, then south along the east bank of said river to the Melstone-Custer Road bridge, then south along the Melstone-Custer Road to Interstate 94 near Custer, then east along said interstate to State Route 47, then south along said route to Interstate 90 at Hardin, then south along said interstate to the Montana-Wyoming state line, then westerly along said line to the Yellowstone National Park Boundary, then northerly and westerly along said boundary to the Stillwater-Yellowstone River divide at Wolverine Peak, the point of beginning. Special Regulations in Regions 1, 2 and portions of 3, 4 & 5 – Those portions of Regions 1, 2, 3, 4 and 5 within the following described boundary: From the Montana-Idaho state line at the Canada border then east along said border to the Glacier National Park boundary and south and east along said boundary to Marias Pass then easterly along US Highway 2 to its intersection with US Highway 89 in Browning and then southeasterly along said highway to its intersection with US Highway 287 at Choteau and then southerly along said highway to its intersection with Interstate 90 near Three Forks and then easterly along said interstate to its intersection with State Route 78 at Columbus and then southerly along said route to its intersection with US Highway 212 at Red Lodge and then southerly along said route to the Montana-Wyoming state line and then along said state line to the Yellowstone National Park boundary and then west and south along that boundary to the Montana-Idaho state line and then westerly and northerly along said state line to the US-Canada border, the point of beginning.

Region 6 – Those portions of Blaine, Chouteau, Daniels, Garfield, Hill, McCone, Phillips, Richland, Roosevelt, Sheridan and Valley counties lying within the following described boundary: Beginning at a point where State Route 233 joins the Canadian Line (near the port of Willow Creek), then west along said border to the Hill-Liberty county line, then south along said line to the Marias River, then southerly along the east bank of said river to the Missouri River, then easterly along the south bank of said river to the Fort Peck Powerhouse, then southerly along the east shore of Fort Peck Reservoir to Big Dry Creek, then south along said creek to State Route 200, then east and northeast along said route to the North Dakota border, then north along said border to the Canadian border, then west along said border to State Route 233, the point of beginning. Portion of Region 6 for Swift Fox Season – Those portions of Blaine, Hill, Phillips, and Valley counties lying within the following described boundary: Beginning at a point where State Route 233 joins the Canadian Line (near the port of Willow Creek), then west along said border to the Hill-Liberty county line, then south along said line to US Highway 2, then east along said Highway to Nashua, then northerly along Porcupine Creek to the West Fork of Porcupine Creek, then northerly along said creek until the north boundary of the Fort Peck Indian Reservation, then easterly along said boundary until MT Highway 24, then northerly along said Highway to the Canadian border, then westerly along said border to the port of Willow Creek, the point of beginning.

Region 7 – Those portions of Bighorn, Carter, Custer, Dawson, Fallon, Garfield, McCone, Musselshell, Powder River, Prairie, Richland, Rosebud, Treasure, Yellowstone and Wibaux Counties lying within the following described boundary: Beginning at the junction of State Route 47 and Interstate 94, then west along said interstate to the intersection with the Melstone-Custer Road near Custer, then north along said road to Melstone, then east along US Highway 12 to the Musselshell River bridge, then north along the east bank of the Musselshell River to the Missouri River, then east and northeast down said river to the Fort Peck Powerhouse, then southerly along the east shore of Fort Peck Reservoir to Big Dry Creek, then south up said creek to Little Dry Creek, then east along

State Route 200 to the Montana-North Dakota state line, then south to the Montana-Wyoming state line, then west along said state line to Interstate 90, then north along said interstate to State Route 47, then north along said state route to Interstate 94, the point of beginning.

Remove descriptions of valid areas following Regional License description within turkey section of Upland Game Bird Hunting Regulations

Page 7 in the 2023 Upland Game Bird Hunting Regulations.

Reason for change: Change hunting district boundaries from definitions that are described by county and reference Regions to consistently define open areas.

Region 5 Turkey License

~~Valid in Wheatland, Sweet Grass, Stillwater, Carbon, Golden Valley, Musselshell, Yellowstone, and Bighorn counties.~~

Region 7 Turkey License

~~Valid in that portion of Garfield County south and west of Fort Peck Reservoir, west of Big Dry Creek and south of HWY 200, Rosebud County, Treasure County, Prairie County, Custer County, Powder River County, that portion of Richland County south of HWY 200, that portion of Dawson County south of HWY 200, that portion of McCone County south of HWY 200, Wibaux County, Fallon County, and Carter County.~~

Sage-grouse Habitat Management Zones

## Sage Grouse Management Zones

