



PUBLIC SCOPING NOTICE
PROPOSED DEVELOPMENT OF A NEW MONTANA WOLF MANAGEMENT PLAN AND ASSOCIATED ENVIRONMENTAL IMPACT STATEMENT

March 22, 2023

PROPOSED ACTION

Notice of Intent to Develop a New Gray Wolf Management Plan, Prepare an Environmental Impact Statement (EIS) for the Proposed Action, and Conduct Scoping

INTRODUCTION

Montana Fish, Wildlife, & Parks (FWP) announces its intention to prepare an EIS and to conduct scoping on the proposed action to develop a new Montana Gray Wolf Conservation and Management Plan. FWP determined the proposed action constitutes a *major state action* with the potential to significantly affect the quality of the human environment; therefore, according to the requirements of the Montana Environmental Policy Act (§ 75-1-101, *et. seq*, MCA), and its implementing rules (ARM 12.2.429, *et. seq*), development of a detailed environmental review using the form and prescribed process of an EIS is required.

The EIS will be prepared in accordance with the applicable requirements of the Montana Environmental Policy Act (MEPA) and will address potential impacts to the human environment resulting from the proposed action and the range of reasonable alternatives considered to accomplish the objectives of the proposed action.

AUTHORITY

FWP has the authority under law (87-1-201, MCA) to protect, enhance and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future.

Before a proposed action may be approved, environmental review must be conducted to identify and consider potential impacts of the proposed action on the human environment affected by the proposed action. MEPA, and its implementing rules and regulations, require different levels of environmental review, depending on the proposed project, significance of potential impacts, and the review timeline.

BACKGROUND AND DESCRIPTION OF THE PROPOSED ACTION

In 2003, FWP developed the existing 2003 Wolf Management Plan (2003 Wolf Plan) and an associated EIS to analyze potential impacts to the human environment. The 2003 Wolf Plan and associated EIS are available for review on FWP's website at <https://fwp.mt.gov/conservation/wildlife-management/wolf>. At that time, wolves were federally listed under the Endangered Species Act (ESA) but were expanding in numbers and distribution and had met all the necessary criteria for delisting in the northern Rockies. As a requirement of delisting under the ESA, the U.S. Fish and Wildlife Service (USFWS), the state of Montana, along with Idaho and Wyoming, were required to develop conservation and management plans. The goal of each conservation and management plan was to assure that the gray wolf population would remain viable and to assure its persistence in the Northern Rockies. The EIS prepared for the 2003 Wolf Plan analyzed five alternatives that represented the public's values, opinions, and beliefs. The five alternatives were as follows:

Alternative 1: No Action

Alternative 2: Updated Council – *FWP's Preferred Alternative*

Alternative 3: Additional Wolf

Alternative 4: Minimum Wolf

Alternative 5: Contingency

Ultimately, Alternative 2 – Updated Council - was selected, contingent on federal delisting of the affected population segment. A summary of Alternative 2, which now constitutes the 2003 Wolf Plan, is available on the FWP website through the link provided above. The USFWS approved the 2003 Wolf Plan in 2004. Subsequently, the Northern Rockies population segment of gray wolves, which includes Montana's wolf population, was delisted in May 2011 and has been managed under state authority as a species in need of management since that time. Therefore, current gray wolf management in Montana is guided by Alternative 2, which was approved by the USFWS in 2004.

Alternative 2 set a benchmark of a minimum of 15 breeding pairs and established an incremental approach to wolf management that allows managers latitude to adjust wolf numbers and distribution and allows for a regulated harvest of wolves as a wildlife management tool.

Implementation of the 2003 Wolf Plan has been ongoing since delisting and includes the following elements:

- Monitoring population distribution and numbers;
- Implementation of hunting and trapping seasons;
- Conflict management including livestock depredation;
- Public outreach;
- Research;
- Refinement of population estimation tools.

In implementing the 2003 Wolf Plan, FWP has developed and refined tools to estimate the state's wolf population. One such tool was the recently adopted integrated patch occupancy model (iPOM). Based on the latest estimates described in the 2021 Annual Wolf Report, there were 1,144 wolves in 192 packs. The 2021 Annual Wolf Report is available for review at (<https://fwp.mt.gov/binaries/content/assets/fwp/conservation/wolf/final-draft-2021-wolf-report-7.28.pdf>). This latest estimate compares to the estimated population at the end of 2010 prior to delisting when there were an estimated 1,146 wolves in 162 packs.

Currently, wolves occupy 71,035 square miles in Montana. In contrast, wolves occupied 63,777 square miles at the end of 2010, but prior to their delisting. A wolf hunting season has occurred every year since

2011, and a trapping season has occurred every year since 2012. Wolf harvest has ranged from a low of 166, in 2011, to a high of 328, in 2020, with 273 being taken in 2021. The average take since 2012 when both hunting and trapping have been available is 256 wolves. Wolf distribution, numbers, harvest, and other metrics associated with wolf management have remained relatively stable since delisting and transition to state management.

PURPOSE AND NEED

The 2003 Wolf Plan and associated EIS were developed 20 years ago. Since then, new, and improved, research, management tools, and methods have been developed and incorporated into Montana's comprehensive gray wolf management strategy; however, they are not specifically described in the 2003 Wolf Plan. Governor Gianforte determined there is a need for a new Wolf Plan to provide the affected public with increased transparency in how the gray wolf is currently managed in Montana.

Under the proposed alternative, FWP will develop an updated Montana Gray Wolf Conservation and Management Plan (2023 Wolf Plan) that is contemporary and assures the continuance of sound science-based methodologies. More specifically, the 2023 Wolf Plan will accomplish the following:

- Articulate contemporary updates in wolf-related research;
- Describe new and available wolf management tools and methods employed by FWP;
- Provide FWP with the flexibility needed to incorporate new wolf management science and tools, as they become available;
- Improve transparency related to wolf management practices in Montana;
- Describe the public engagement process as new information related to evolving wolf management strategies in Montana becomes available.

ALTERNATIVES ANALYZED

Alternative 1. No Action

Under the No Action alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population in the analysis area would occur. The No Action alternative forms the baseline from which the potential impacts of the proposed Project can be measured.

Under the No Action alternative, FWP would continue to implement the 2003 Wolf Plan. The 2003 Wolf Plan was developed based on public input calling for FWP to seek common ground between wolf advocates, wolf hunters and trappers, and those most directly affected by wolf presence, as well as public desire for a balanced wolf management program that is consistent with current-day wildlife management practices and how FWP manages other species. The 2003 Wolf Plan describes a spectrum of management activities intended to maintain viable populations of wolves and their prey, resolve wolf-livestock conflicts, and assure human safety. The management philosophies and tools are intended to assure the long-term persistence of wolves in Montana by carefully balancing the complex biological, social, economic, and political aspects of wolf management.

The No Action alternative directs FWP to conserve and manage wolves to maintain a recovered population that will not require emergency re-listing of Montana's wolf population under the ESA. To avoid relisting, Montana will comply with federal regulations to manage wolves in a manner that will guarantee that the state maintains at least a minimum of 150 wolves and 15 breeding pairs. Under the No Action Alternative, FWP would continue to use an adaptive management approach that uses a threshold of 15 breeding pairs to trigger changes in wolf management.

The adaptive management framework provides FWP with the flexibility to adjust management contingent on wolf numbers, wolf distribution, public acceptance, prevailing landownership patterns, land uses, prey populations, and other considerations. This alternative identifies a spectrum of management tools including regulated hunting and trapping to maintain a viable wolf population and allow wolves to find their place on the landscape. However, legislation since 2003 has changed population and conflict management tools and their utility.

While the 2003 Wolf Plan was developed to provide flexibility in managing the wolf population present in Montana during the early 2000s, the wolf population has grown significantly since that time. For example, the original population monitoring metrics, techniques, and described response to livestock depredations are outdated and inefficient. Ultimately, the No Action Alternative does not incorporate current science, improved monitoring methods, changes in harvest management tools, or updated depredation response and, as such, does not meet the governor's stated objective of providing the affected public with an adequate level of transparency in how the gray wolf is managed in Montana.

Alternative 2. Adoption and Implementation of the 2023 Montana Gray Wolf Conservation and Management Plan (Proposed Action)

The 2023 Wolf Plan, which would be adopted under the Proposed Action, uses the foundation of the 2003 Wolf Plan but includes refinements to management strategies that reflect current science, such as updated methods for population monitoring and depredation response. The 2023 Wolf Plan would employ population management objectives that were initially adopted as part of the Montana Fish and Wildlife Commission's 2010 season setting process and most subsequent season-setting processes since 2010. These management objectives include the following:

- Maintain a viable and connected wolf population in Montana.
- Maintain authority for the State of Montana to manage wolves.
- Maintain positive and effective working relationships with all stakeholders
- Maintain sustainable hunter opportunity for wolves.
- Maintain sustainable hunter opportunity for ungulates.
- Increase broad public acceptance of sustainable harvest and hunter opportunity as part of wolf conservation.
- Enhance open and effective communication to better inform decisions
- Learn and improve as we go: incorporate new research and monitoring methods as they become available.

The 2023 Wolf Plan may also incorporate the following strategies to help ensure that the balance required for wolf management in Montana is recognized into the future:

- The 2023 Wolf Plan could include spatial differences in the level of wolf mortality to reach the specified population or other management objectives at the statewide scale. For example, wolf densities may expand or contract in areas based upon big game or livestock depredation concerns.
- Updated description of wolf related science since 2003: including updates of wolf human dimensions research; wolf economic impacts; wolf genetic connectivity; trophic cascades; sub-lethal wolf impacts on livestock weight gain; wolf impacts on ungulate abundance and ungulate disease spread; and other topics.
- Citizen working group/committees: Continued stakeholder input and review.

The Proposed Action would also maintain the population baseline derived from the federal recovery definition (see discussion above, Alternative 1) but would update the baseline metric used from 15 breeding pairs to the number of wolves and wolf packs needed to sustain 15 breeding pairs. This change would improve consistency with new population monitoring methods and outputs. These updates would ensure Montana's wolf management is contemporary and adaptable to changes in population size and population objectives.

Like the No Action alternative, the preferred alternative does not identify a maximum number of wolves "allowed" in Montana. While the equivalent of 15 breeding pairs will be used as a baseline to ensure Montana maintains management authority for wolves, FWP does not administratively declare an upper limit or maximum number of individuals of any wildlife species in the state in the sense of a "cap." Instead, FWP identifies population objectives that are based on landowner tolerance, habitat conditions, social factors, and biological considerations. Wildlife populations are then managed according to the objectives and current population status, using an array of management tools.

Under this alternative, populations will likely fluctuate because of changes in policy, advocacy, harvest seasons and their results, specific localized social issues, and ecological processes. FWP staff would use population modeling to provide decision-makers (FWP Director's Office, Fish and Wildlife Commission, Governor's Office, and legislators) with predictions about the possible outcomes of public harvest seasons and the effects they would have on wolf population sizes, to inform their decisions about overall population status and trends. However the wolf population might fluctuate, Montana would at all times manage wolves to keep them above recovery levels.

The 2023 Wolf Plan will describe the iPOM monitoring method and clearly identify that FWP will continue to use sound science-based methodologies in the monitoring and management of Montana's wolf population, incorporating new information and techniques as they become available. Accurate and timely information about any wildlife population is critical to make informed management decisions, but past methods for monitoring wolf population size and trend have been inaccurate, and minimum counts and breeding pairs have become increasingly difficult to document with an expanding wolf population in the state.

FWP proposes to continue using iPOM for population monitoring, especially when the wolf population is large. iPOM produces valid population estimates, but uncertainty resulting from the use of relatively coarse data inputs and compounding errors is a concern. Therefore, if the population were to decline to approximately 350 wolves, which is the number of wolves FWP and the USFWS currently deem necessary to sustain 15 breeding pairs, more intensive monitoring would be required to ensure the population remains healthy and is reproducing at an acceptable rate. This might necessitate a return to former monitoring strategies using minimum counts of wolves, packs, and breeding pairs based on intensive radio-collaring and monitoring of collared animals. Any need for more detailed, field-based minimum counts may require more funding and staff than it previously had. Anticipated additional funding and staffing needs will be identified in the 2023 Wolf Plan.

When the population estimate is well above the 350 wolves deemed necessary to sustain 15 breeding pairs, FWP would no longer document a minimum number of breeding pairs in Montana, but rather estimate, through a scientific process, the number of wolves needed to sustain 15 breeding pairs in the state. The current value of approximately 350 wolves needed to sustain 15 breeding pairs will continue to be evaluated for its ability to represent 15 breeding pairs under the 2023 Wolf Plan. Documenting breeding pairs may prove increasingly difficult, so FWP may seek a new recruitment metric to replace breeding pairs. Potential replacement metrics will be detailed within the 2023 Wolf Plan.

This alternative would also describe the current depredation prevention and response program. The 2003 Wolf Plan describes several strategies. The selected strategy from the 2003 Wolf Plan includes incremental removals and a less aggressive implementation of lethal removals that was implemented when the population was much smaller. Science and experience, as well as a larger wolf population, has led to quicker implementation of lethal removal of full packs or as many wolves as possible, which is now correlated with lower depredation levels and a lower overall number of lethal wolf removals. Additionally, the implementation of non-lethal depredation prevention techniques has expanded since the 2003 Wolf plan was written, and these techniques and their implementation would be described in the 2023 Wolf Plan.

IDENTIFICATION OF ISSUES

According to the requirements of ARM 12.2.436(4)(a), an EIS must include an evaluation of the direct, secondary, and cumulative impacts on the physical environment including, where appropriate: terrestrial and aquatic life and habitats; water quality, quantity, and distribution; geology; soil quality, stability, and moisture; vegetation cover, quantity and quality; aesthetics; air quality; unique, endangered, fragile, or limited environmental resources; historical and archaeological sites; and demands on environmental resources of land, water, air and energy.

An EIS must also evaluate direct, secondary, and cumulative impacts on the human population in the area affected by the proposed action including, where appropriate, social structures and mores; cultural uniqueness and diversity; access to and quality of recreational and wilderness activities; local and state tax base and tax revenues; agricultural or industrial production; human health; quantity and distribution of employment; distribution and density of population and housing; demands for government services; industrial and commercial activity; locally adopted environmental plans and goals; and other appropriate social and economic circumstances.

IMPORTANT DATES AND HOW TO PROVIDE COMMENT

FWP invites interested agencies, organizations, and members of the public to submit suggestions to assist in identifying potential significant environmental issues associated with the proposed action and in determining the appropriate scope of the EIS. More specifically, public input received during the scoping period will help FWP determine public interest, identify potential issues that would require further analysis, and may provide further insight for refining the proposal or developing and analyzing additional alternatives.

In addition to this scoping notice and associated opportunity for public input FWP plans to conduct two virtual public scoping meetings for this EIS. Public input will also be solicited and taken during the virtual public scoping meetings. The date and time for the scheduled virtual meetings are as follows:

- April 4, 2023, 6- 8 p.m.
- April 11, 2023, 6-8 p.m.

A link to participate in the scheduled public scoping meetings will be included on FWP's Gray Wolf Management website at <https://fwp.mt.gov/conservation/wildlife-management/wolf>, as soon as the link has been established but no later than one day in advance of the scheduled meeting date.

The 30-day public scoping period begins with the publication of this Scoping Notice and will continue

through Saturday, April 22, 2023. FWP will consider all applicable input provided during virtual public scoping meetings and all applicable input received or postmarked by Saturday, April 22, 2023, in defining the scope of the EIS.

Comments and suggestions on the content and scope of the EIS should be addressed to:

Attention: 2023 Montana Wolf Management Plan EIS
Montana Fish, Wildlife & Parks
Wildlife Division
1420 East Sixth Avenue
Helena, MT 59620

Or, via electronic mail at:
FWPWolfPlanEIS@mt.gov

If you have any questions regarding the proposed project, please email FWP Wildlife: FWPwld@mt.gov

Thanks for your time and consideration of this proposed action.

Sincerely,

Hank Worsech, Director
Montana Fish, Wildlife & Parks