



Montana Fish, Wildlife & Parks

EXHIBIT 14
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HB 440

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2.20
Representative Debby Barrett
Montana House of Representatives
Capitol Station
Helena, MT 59620

Dear Rep. Barrett:

This is in response to your request for information regarding which of the assumptions made in the Montana Wolf Conservation and Management Plan Montana Fish, Wildlife & Parks (FWP) recently reviewed. The main assumptions in the plan that relate to issues in HB 440 are expected rate of growth in wolf numbers, expected rate of livestock losses and impacts on big game hunting.

Wolf Numbers:

In the plan, FWP assumed that future wolf population growth would be similar to the previous growth rate from 1986-2001, with a minimum increase of 11% per year and a maximum increase of 21.5% per year. The range depended, in part, on whether wolves were delisted and whether population management, including hunting and trapping, was implemented.

From 1995 to 2006, the statewide Montana wolf population has, in fact, averaged about 14% growth per year, within 11.0 - 21.5% range assumed in the plan. The estimated number of wolves in Montana at the end of 2006, about 300, is less than predicted for the Contingency Alternative (421-1167) and the Updated Council Alternative (328-657), even though public hunting and trapping have not been initiated. One of the factors controlling population growth is the level of removals related to livestock depredation; since 2000, a total of 201 wolves were lethally removed from the population.

Livestock Losses:

In the plan, FWP assumed the number of confirmed losses would be proportional to the size of the wolf population, consistent with the ratio of confirmed cattle or sheep lost / number of wolves in the Montana population from 1986-2001 (i.e., historical loss rates in Montana).

From 2001 - 2006, the average number of confirmed cattle lost to wolves was 24 per year, and the average number of confirmed sheep lost was 67 per year. That's at the low end of the range predicted in the plan for both the Updated Council and Contingency Alternative, given the population size. It is encouraging to me to see that confirmed losses, as well as population growth, are well below the maximum assumed in the plan, even though we have not implemented full management while wolves remain listed.

Big Game Changes:

In the plan, FWP assumed there would be no significant changes from long-term trends (1990-2001) in number of hunter days, number of hunters, and number of antlerless permits at the regional or statewide scale. The plan acknowledges that local impacts at the individual hunting unit level could be possible.

Harvest data for 2002 – 2005 (2006 data are not yet available) confirm there have been no significant changes in the specified trends. The number of antlerless elk permits issued has declined in the Upper Gallatin and Gardiner late hunts due to a combination of poor elk recruitment, survival, and declining population trends in a multi-predator environment. This decline is also consistent with the assumptions in the plan. At the same time, in other locations across southwestern Montana where elk populations are exposed to wolf predation, several hunting districts continue to exceed objectives and hunting regulations have been liberalized.

Based on our review, it appears the assumptions regarding population size, rate of livestock loss and impacts to big game hunting remain valid. If anything, the plan anticipated greater impacts than have occurred.

On a different note related to HB 440, I mentioned in my testimony that current statute already provides livestock owners authority to kill wolves that are attacking their animals. That statute, 87-3-130 MCA reads, in part, as follows:

87-3-130. Taking of wildlife to protect persons or livestock. (1) This chapter may not be construed to impose, by implication or otherwise, criminal liability for the taking of wildlife protected by this title if the wildlife is attacking, killing, or threatening to kill a person or livestock... In addition, a person may kill or attempt to kill a wolf or mountain lion that is in the act of attacking or killing a domestic dog. A person who, under this subsection, takes wildlife protected by this title shall, within 72 hours, notify the department and surrender or arrange to surrender the wildlife to the department.

This statutory language is even broader than that in the current federal 10(j) rule or proposed in the amendments to HB 440. No policy is needed, given this statutory direction.

FWP recognizes the significant effects resulting from wolf recovery in Montana. Beginning with our support for the Governor's Wolf Advisory Council, through development of the Wolf Conservation and Management Plan, working with a broad range of interests to help develop and seek funding for the Livestock Loss Reduction and Mitigation Program envisioned in HB 364, and, most importantly, putting wolf specialists out on the ground monitoring wolves and communicating with landowners and addressing their problems as quickly as possible, FWP has worked hard to address the concerns of all Montana's citizens. We intend to maintain that commitment, with or without HB 440.

Sincerely,



Christian A. Smith
Chief of Staff

c: House Fish, Wildlife & Parks Committee Members