

Montana's Hunting Seasons: Changes to Preserve Opportunity



A proposal from hunters, outfitters, and landowners.

Introduction:

Montana's mule deer population has dropped by over 100,000 deer in the past decade. Threats to recovery ranging from noxious weeds and disease to hunting season structure have caused a self-funded group of outfitters, landowners, and hunters to band together to find common ground to save what's left of the mule deer in Montana, as well as address other, intermixed issues that create less-than-ideal outcomes for hunting seasons.

Given the recent influx of people, increased hunter mobility and significant growth in hunting pressure over the last decade, this group believes that changes to hunting season structure are needed to maintain opportunity, increase hunter success and reduce landowner fatigue during the now 6-month long big game season.

Goals:

The goals of this proposal are:

- 1.) Lower hunting pressure for mule deer
- 2.) Reduce hunter crowding
- 3.) Increase deer populations.
- 4.) Maintain commission authority for season setting.
- 5.) Maintain agency and commission authority for disease management.
- 6.) Maintain maximum opportunity for resident and non-resident hunters.
- 7.) Increase effectiveness of elk hunters.
- 8.) Promote elk distribution on public land
- 9.) Increase harvest of elk on private land
- 10.) Improve hunter-landowner-outfitter relations

Justification for Change: Montana remains one of the last states where you can hunt mule deer in the rut with a rifle on a general license, and one of the last states that allows for hunter mobility across the entirety of the state. Montana's general season lasts for five consecutive weeks. This open-ended approach to deer hunting in Montana creates liberal opportunity as well as significant challenges. Those challenges include but are not limited to:

- Hunter pressure and animal distribution
- Increased hunter mobility and increased technological abilities to harvest game
- The growth of personal GPS devices
- Increased ability of UTV's/ATVs to get into places they previously haven't

FWP data from early in the 2000's¹, along with data out of Utah ^[1] clearly shows that hunter pressure is a driving force relative to animal distribution during hunting seasons. While the issue of changing seasons may be politically tricky, the ensuing outcomes from intransigence are making wildlife management even more complex, complicated, and conflict-oriented than if the agency had changed hunter distribution 20 years ago when first presented with their own data that suggests the same things that newer studies elsewhere have proven.

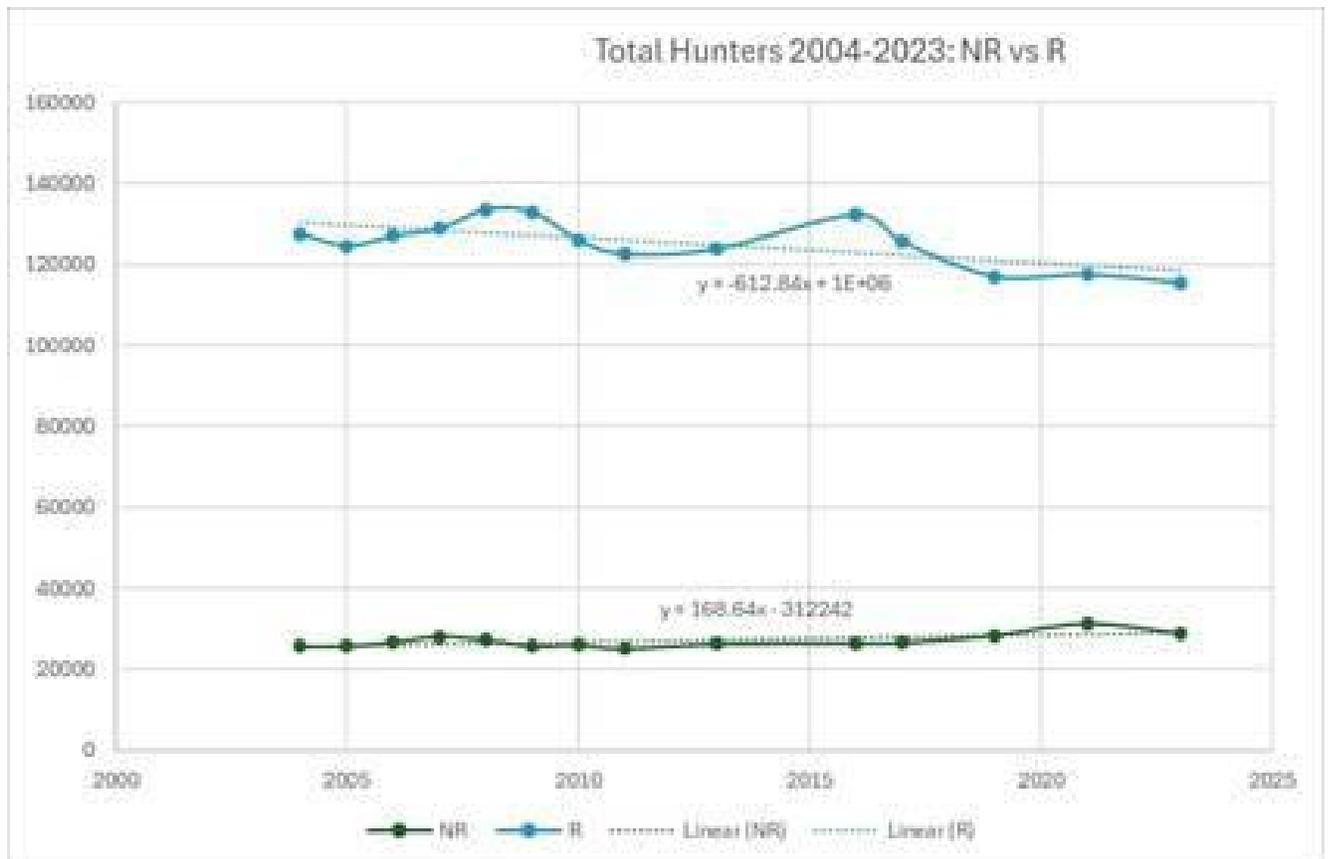
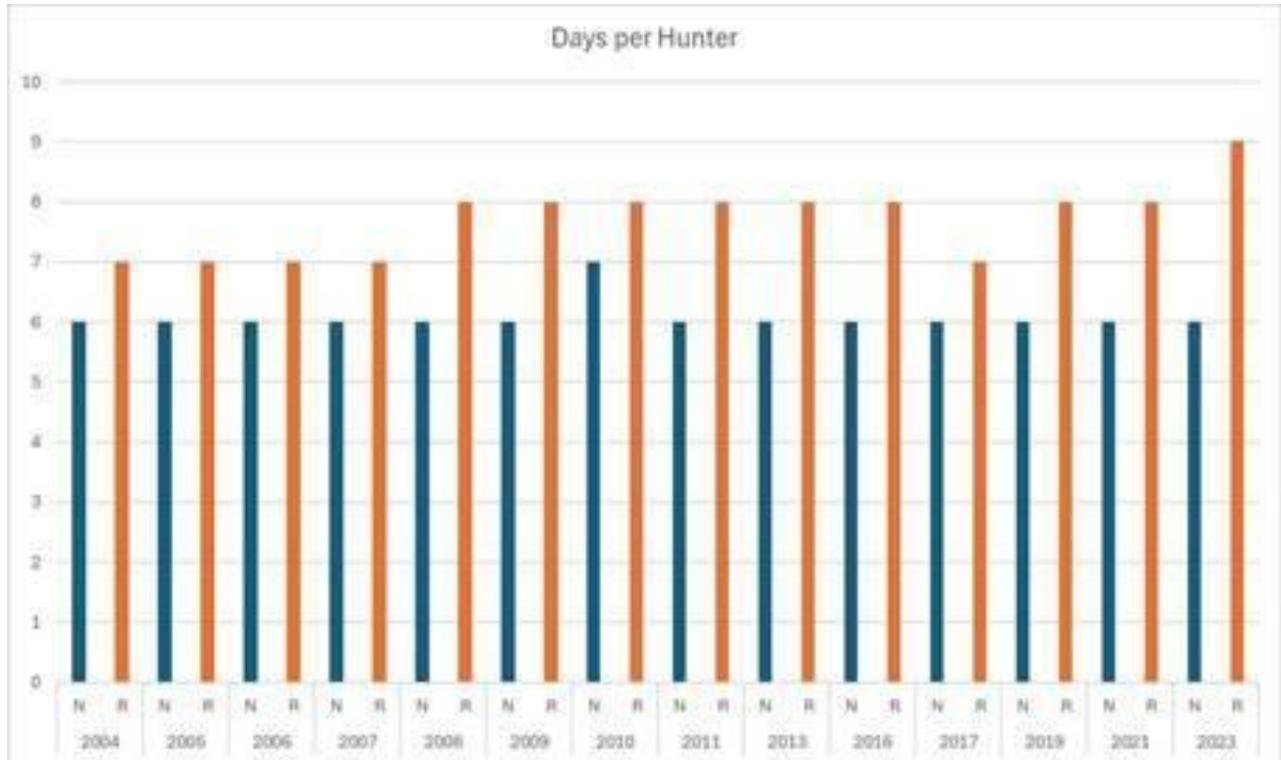
Additive to this is the increased use of shoulder seasons for elk by FWP which are not producing results in a global fashion, although some shoulder seasons have been successful. When shoulder seasons started in 2015, Montana estimated that there were approximately 133,726 ^[2] elk within the borders of the state. The 2023 estimate is now 143,310^[3]. To us, this signifies an issue where a well-intentioned hunt has created a diminishing return without adding to the well-being of elk, landowners, or hunters, while further exacerbating the issue of elk selecting properties that are safe from hunters due to the consistent hunter pressure for 6 months.

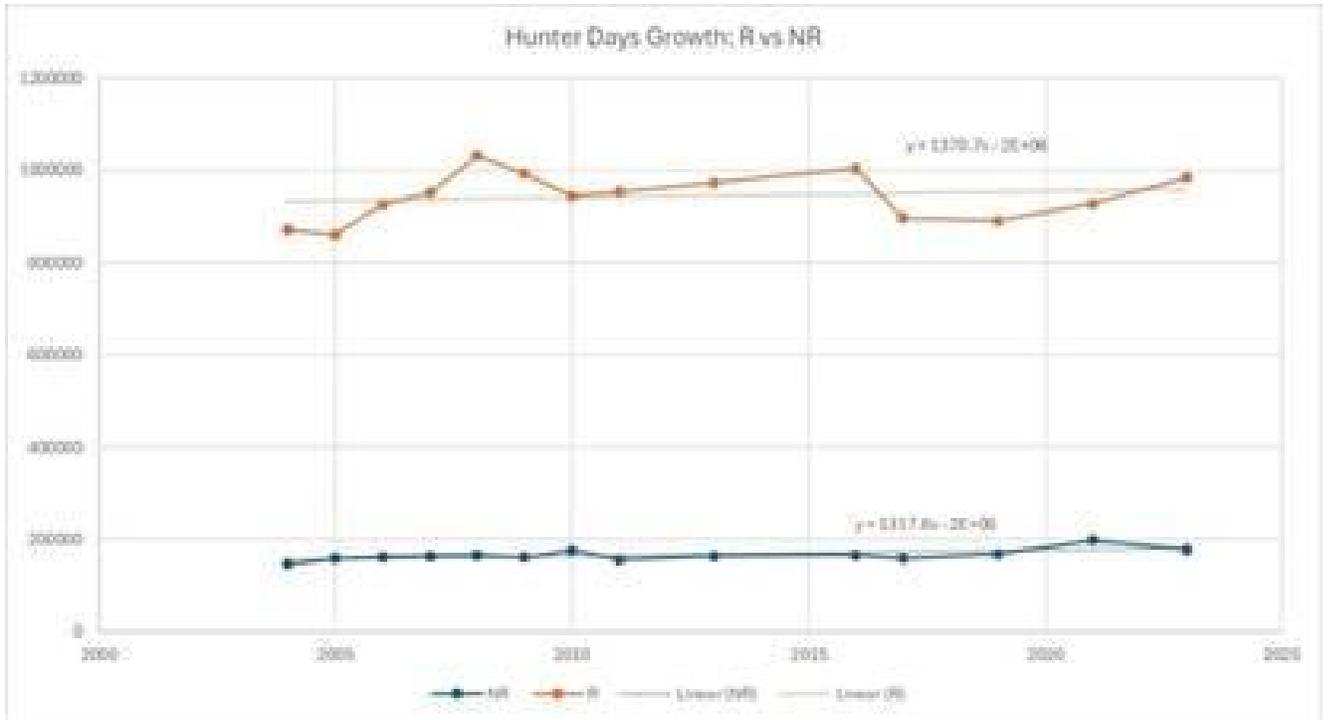
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<https://www.emwh.org/pdf/elk/Effects%20of%20Hunter%20Access%20and%20Habitat%20Security%20on%20Elk%20Habitat.pdf>

Hunter Pressure is growing despite fewer resident hunters in the field:

Based on the agency's data, resident hunters have increased their time in the field to recreate the impact of another 18,000 licensed hunters, or almost double the current allocation for Non-residents who have a Big Game Combination License. This increase in hunter pressure has also been despite a decrease in overall resident hunter numbers.





Imbalances in Harvest:

Resident hunters are also concerned about the imbalance in harvest in regions 6 and 7. Recent data has highlighted the outsized harvest⁵ from non-resident hunters in this area. The other issue of antlerless harvest imbalance has largely been dealt ^[4]with prior to this proposal: antlerless over-harvest by non-residents. However welcome these changes are, they only partially deal with the issue within a small scope of time and do not reflect a significant change in department approach to issue of either hunter pressure on public land, respecting the resident's right to harvest animals ahead of nonresidents, or resource availability. Therefore, the group has included provisions relative to antlerless harvest of mule deer on public land versus private to help address the issue of over-allocation of the resource on a broader scale while still providing for ample opportunity for antlerless harvest on public land.

All Regions: Base Structure

- **Archery:** August 25th - October 5th
- **Heritage Muzzleloader Season:** Current dates (second Saturday in December for 9 days)
- **General Rifle Season Elk:**
 - **Early Cow:** October 15-24 (Private land only)
 - **General Rifle:** October 25- November 30
 - **Post Season:** Shoulder Seasons will stay where the agency and landowners believe they are effective in keeping elk numbers within objective range and have high approval of landowners and hunters.
- **General Season Deer:**
 - **Early Deer Season:** October 8- November 5
 - **Late Deer Season:** October 25- November 30
 - **Mule Deer:** October 8- November 5
 - **Whitetail:** October 25- November 30
 - **Youth:** Either deer species November 27-30

Deer seasons: For general deer season, hunters must choose between the Early or Late season upon purchasing a license. The Early season coincides with Mule Deer season, and the Late season coincides with whitetail and elk season. The deer seasons overlap for 12 days, during which time hunters are able to hunt both species of deer.

Limited Entry & Units with Truncated Seasons: Given the tight regulations relative to limited entry and reduced timeline seasons (4-week general rifle, etc.), the group suggests not changing rifle dates while adhering to the new 6-week archery season. Early season backcountry rifle hunts will be left unchanged.

Disease Management: This proposal maintains the agency & commission's ability to manage for disease. With Chronic Wasting Disease, Hemorrhagic fever, brucellosis, and other diseases, the agencies' ability to act swiftly and decisively must be maintained. This proposal does not touch any authority in the disease management space and should be viewed as a change to the general hunting season structure only.

Antlerless Deer: In general, permitted harvest on public land to reduce hunter pressure, with a liberal harvest opportunity on private land (including block management & other private lands enrolled in access programs).

Antlerless Elk: Like antlerless deer, permits should be the primary method of licensing for public land, with lower numbers as to decrease hunter pressure on public lands while increasing opportunity on private lands.

Youth hunters would continue to use their general tag for either species in any general unit on dates that coincide with the Thanksgiving Holiday.

Legislative Priorities

The group identified some key areas that needed legislation to achieve other goals aligned with the season restructuring:

1.) Remove language from the Muzzleloader Heritage Hunt statute to allow for Commission flexibility in setting season dates. The group wanted to keep the statutory language that gives the commission the authority to have a muzzleloader hunt, as the opportunity is popular and sustainable, given the proposed change.

2.) Given FWP's revenue picture and the need to maintain solid conservation funding, our suggestion on licensing is to institute another working group like HB 140 from 2015. The Department of Fish, Wildlife and Parks has done yeoman's work in stewarding a fiscally conservative and prudent budget over the years, but the current fiduciary timeline indicates that the agency will be seeking another discussion relative to revenue in the 2027 session. Therefore, we do not support bills that will undermine the funding for the agency, conservation programs, access programs or the ability of FWP staff to do their work properly.

3.) Improve retention for FWP biologists and wardens through better pay and creative use of the budget. MT is in competition with every other western state when it comes to recruiting new biologists and wardens. Pay is low, with little to no stipend for living in remote communities, or cities with high costs of living. Working on how FWP field staff are compensated is a complicated task, so looking at incentives and perks of employment are the most likely approach that could work given the short-term largess of FWP's ending fund balance, and the need to not overspend ahead of projected economic downturns. Engaging in discussions relative to the state pay plan can also be difficult, but necessary to ensure competitive wages.

4.) Mandatory reporting: The group has advocated for mandatory reporting to be phased in to FWP's harvest data collection efforts. While the agency still believes that their phone surveys are statistically valid, the overwhelming sentiment from the public is that these surveys are not functioning in the modern era. Furthermore, with the increase in software and the increase in the number of states moving to a mandatory reporting requirement, the group believes that FWP should begin to implement Mandatory Reporting as a bridge to eliminate the phone

surveys and rely on better data sets. The group wishes to pursue legislation that mandates the change given the reluctance of the agency to make this move.

Conclusion:

While developing this proposal, participants were quick to realize that the impact that changes to one species will have a cascading effect on others that are hunted in this time frame. Similarly, the elk situation also impacts the mule deer population as hunters will oftentimes shoot the first available animal they see, rather than dedicate the time to a specific hunt. While this opportunity is well loved, it is now a detriment to two species in need of management: Elk and mule deer. Furthermore, the group recognized that any limitation on mule deer will have a negative effect on whitetail, unless hunters are forced to think about their deer hunting for a year, and what they'd like to achieve with their time in the field.

The majority of feedback offered to the group focused around six key areas:

- 1.) A desire to move to limited entry for mule deer and eliminate over-the-counter opportunities.
- 2.) Only focus efforts on Region 6 & 7.
- 3.) Focus only on Mule Deer.
- 4.) Small changes on the periphery to maintain rut hunting availability for Mule Deer.
- 5.) Maintain 6 weeks of archery season.
- 6.) Maintain the start of the general elk season to include the last full week of October.

The group has continued to receive feedback during the winter, and has made changes to the structure based on that input. The primary changes in this version are to create some overlap between deer hunting and restore the 6 week archery timeframe. The group has deleted the portion that forced people to choose their region, based on Department of Fish, Wildlife and Parks data which indicated, and was supported within comments the group received, that non-resident hunters are primarily driving the pressure issues in Region 6 & 7, The collective feeling was that forcing people to choose a region would increase crowding in some regions. This also will encourage residents to hunt both species, regardless of which choice is made regarding mule deer or whitetail in the same districts in which they hunt elk,

further reducing resident hunter crowding while also maintaining hunter mobility across the state for those who travel more to hunt.

To contact the group, please send comments to mt-cso@outlook.com.

Group Members:

Region 1: Gerald Martin, Trout Creek/Belgrade

Region 2: Robert Wood, Hamilton

Region 3: Sean Clancy, Helena

Region 4: Jess Wagner, Lewistown

Region 5: Chris Gasner, Billings

Region 6: Justin Schaaf, Glasgow

Region 7: Art Hayes III, Birney

Eric Albus: Milk River Outfitters, Hinsdale

Rod Paschke: Sizzlin' S Outfitters, Jordan

Facilitators:

Rob Arnaud: Executive Director, Montana Conservation Society

Ben Lamb: Policy Director, Montana Conservation Society

[1]

<https://news.byu.edu/intellect/state-funded-byu-study-finds-elk-are-too-smart-for-their-own-good-and-the-good-of-the->

[state#:~:text=Research%20from%20BYU%20wildlife%20sciences,right%20back%20to%20public%20lands](https://news.byu.edu/intellect/state-funded-byu-study-finds-elk-are-too-smart-for-their-own-good-and-the-good-of-the-state#:~:text=Research%20from%20BYU%20wildlife%20sciences,right%20back%20to%20public%20lands).

[2] <https://myfwp.mt.gov/getRepositoryFile?objectID=69200>

[3] <https://fwp.mt.gov/binaries/content/assets/fwp/conservation/elk/2023-montana-elk-counts.pdf>

[4] <https://www.montanaoutdoor.com/2024/03/fwp-news-mule-deer-hunting-changes/>

<https://www.gohunt.com/browse/news-and-updates/hunting-news/montana-severely-cuts-mule-deer-licenses-this-season>