

## **Summary of public comment on draft Montana Mountain Lion Monitoring and Management Strategy**

FWP presented the draft Strategy to the Fish and Wildlife Commission at their regular meeting on Oct. 17, 2018. The public comment period was originally set to be open from then to Jan. 11, 2019. The comment period was extended to Jan. 15 at the request of the Montana Outfitters and Guides Assn. whose annual meeting was on Jan. 12, at which Jay Kolbe presented the Strategy during a work session.

In total, FWP received 228 written comments by mail or through the online portal. Jay Kolbe held 12 public meetings across the state during the comment period where he presented the Strategy, answered questions, and received informal feedback.

Following is a summary of public comments FWP received, organized by comment type:

### **General support of the Strategy**

Forty-three commenters expressed support of the Strategy.

### **Opposition to mountain lion hunting**

Ninety-nine commenters expressed opposition to hunting mountain lions, “trophy” hunting, and/or the use of dogs to hunt or chase wildlife. Some of these commenters were concerned about the long-term viability of lion populations in Montana should hunting be allowed to continue. Most, but not all, of these comments were from residents of other states and were worded similarly.

### **Reduce mountain lion abundance**

Forty-four commenters asked that the Strategy direct FWP and the Commission to reduce lion numbers to benefit prey species, reduce agricultural loss, protect human safety, or for other reasons. The draft Strategy does not include specific population objectives, beyond general commitments to conserve the species across suitable statewide habitats. A process to work with the public to establish initial ecoregional lion population objectives will begin after the Commission decides whether to adopt or modify the final draft Strategy.

### **Comments regarding lion hunting regulations and season structure**

Thirty-five commenters expressed opinions regarding lion hunting regulations and/or season types. Although this topic was not the primary focus of the Monitoring and Management Strategy, the initial draft provided a history of how season types and harvest strategies have changed over time. In an attempt to simplify regulations, the initial draft contained a set of 3 Model Harvest Regulations which FWP staff believed would address the range of management needs across the state. The primary implication of the Model Harvest Regulations was that the “hybrid” season (common in Region 2) would no longer be available—the other 3 Model Regulations are currently in use.

Hunting season structure affects harvest rate and timing, harvest opportunity (both resident and non-resident), the outfitting industry, and other interests. Neither the preponderance of written comment nor comments offered at public meetings support the elimination the “hybrid” season by means of the Strategy. Because of comments supporting the current “hybrid” season type and public comment asking that decisions regarding season structure should not be included in this Strategy, the final draft eliminated the Model Harvest Regulations and references to them.

### **The effect of genotyping error and abundance extrapolation accuracy**

Two commenters (both affiliated with the same lion research program) expressed concern that the Strategy did not explicitly discuss the potential for genotyping errors to bias abundance estimates. This

is a known issue discussed in detail in the methods literature cited in the Strategy. FWP added an additional discussion of the issue, with references, in Appendix 2 of the final draft.

The same commenters questioned the accuracy of extrapolating lion densities from a sampling area across a broader area, noting that primary literature citations did not appear in the body of the draft. Jay Kolbe contacted the commenter directly to point out that a detailed discussion of the statistical method appeared in the draft's appendices (which the commenter hadn't reviewed), and the commenter appeared satisfied that his concern was addressed.

### **Various comments beyond the scope of the draft Strategy**

A number of other issues beyond the scope of the Strategy were brought forward including wolves, CWD, non-resident harvest opportunity, and the need for specific population objectives to appear in the Strategy.

### **Montana Outfitters and Guides Association**

MOGA submitted the most detailed and substantive comment on the initial draft. This comment was compiled by Mac Minard. Jay Kolbe spoke and corresponded directly with him to clarify technical issues and to address his concerns. Major issues raised in the MOGA comment letter are individually discussed below.

- **Clarify Commission authority**

The initial draft used common shorthand in the Conservation and Management Guidelines and other sections when it said "FWP will" in place of "FWP will recommend to the Fish and Wildlife Commission" ... MOGA read this conventional language to mean that The Dept. was asserting improper authority to make management decisions, especially regarding the allocation of resident and non-resident harvest opportunity. The final draft clarifies the Dept.'s and Commission's roles in the decision-making process.

- **Inadequate presentation of the several season types' "ability to meet harvest objectives"**

MOGA repeatedly criticized the Strategy for failing to display or discuss the fact that Special Lion Licenses have historically had a lower and more uncertain fill rate than simple quotas (where General Licenses were used to manage harvest). MOGA implied that unless all Special Licenses were filled, FWP failed to meet harvest objectives.

Jay Kolbe clarified to MOGA that the number of Special Licenses offered, or even a quota, is not the same as a harvest objective. Licenses and quotas are simply harvest limits. Where Special Lion licenses are used to manage harvest, biologists consider the anticipated fill rate in recommending the number of Licenses that should be offered in that LMU.

A table comparing Regions' annual harvest and harvest opportunity wouldn't be useful because 1) Regions haven't historically been explicit about harvest objectives in their season proposals and, 2) because several Regions employ a variety of season types in a single License Year. Summaries of each Region's season type and harvest opportunity is already presented in Chapter 9.

- **MOGA repeatedly criticized the Strategy for failing to consider statistical uncertainty and precision in SCR estimates and IPM outputs**

This is simply untrue. Although detailed discussions of statistical methods appear in appendices, the draft specifically accounts for estimation uncertainty throughout, including during SCR

analysis (Confidence Intervals, P. 98 Appendix 1, Proffitt 2015), within IPM model parameters (Standard Errors listed Appendix 2), and around the IPM estimates (Chapter 6, p. 54 – “By combining survival models with observed harvest data. the IPM estimates annual population size as well as a confidence interval around these estimates...”, Appendix 2). The final draft emphasizes that estimates will be presented as a range of values. MOGA now has a clearer understanding of the issue.

- **The Strategy proposes an incomplete application of Adaptive Harvest Management**  
MOGA states that AHM “requires management practices be implemented to test their effects (experimental management) on outcomes which are purposefully both positive and negative”, that the Commission will never adopt management actions intended to produce the “required” negative outcomes, and therefore, that we are not actually applying AHM but using it as a “buzz phrase”.

This is incorrect. The Strategy describes a complete application of the AHM process. Although AHM can be looked at as “experimental”, no application of AHM in natural resource management (as opposed to research) purposefully sets out to produce a detrimental result. AHM provides a method to evaluate results and change management if the results are not what is desired.

We will inevitably have both “positive and negative” outcomes of applied management prescriptions. This is why we make clear that decisions are provisional and that adjustments will be necessary over time.

- **MOGA strongly objected to any discussion of the allocation of harvest opportunity in the Strategy**  
MOGA asked that the “hybrid” season type be retained and that discussions of or recommendations regarding the allocation of harvest opportunity be removed from the final draft. The Model Harvest Regulations have been removed and the final draft clarifies that the Commission has sole authority to allocate harvest opportunity among resident and non-resident hunters.

Jay Kolbe responded directly, and in detail, to several other technical concerns expressed in their comment letter. Most arose from an incomplete understanding or reading of the initial draft. That correspondence was distributed to the MOGA Board and is available to the Commission if they share those technical concerns. MOGA stated that they are now largely comfortable with the Strategy unless discussions of the allocation of harvest opportunity appear in the final document.