



# MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

**Meeting Date:** April 23, 2020

**Agenda Item:** Peregrine Falcon Falconry Take

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 5 Minutes

**Background:** The U.S. Fish and Wildlife Service de-listed peregrine falcons, range-wide, in 1999 when there were fewer than 30 known occupied territories in Montana. Monitoring since that time has shown steady increases in the number of nesting pairs and the production of young, primarily in western Montana. More than 100 occupied territories have been observed annually since 2012 with an average production of more than two fledged birds per year/territory. Estimates of nest distribution and productivity are conservative, as a mandatory post-delisting monitoring period ended in 2015 and monitoring since that time has not kept up with population expansion into central and eastern Montana.

Previous take proposals have been based on the 2012 productivity estimate of 203 young fledged and the agreed take of not more than 5 percent of annual productivity described in FWP's 2007 Final Environmental Assessment (EA). In the 2012-13, 2014-15, 2016-17 and 2018-19 bienniums, take operated under a 10-bird quota for resident falconers with an additional permit for non-resident take. Resident take over these bienniums resulted in the take of six, three, four, and three peregrines, respectively, of the 10 allowed per biennium. Three additional birds were taken by non-residents. While this low level of take over the years demonstrates a small demand for wild born Montana peregrines, FWP has been urged by the USFWS not to alter the current quota system until take has been normalized across all western states. This normalization, or opening of take, will hopefully occur during the 2020-21 biennium resulting in the normalization of take in 2022.

## **Public Involvement Process & Results**

Twenty comments were received over a 30-day public comment period. One commenter asked a number of questions that inferred opposition to peregrine take. The comments of the Montana Falconers Association and many individual falconers support this proposal with expressed hope for normalizing take in the years to come. Region 2 FWP Parks personnel requested to add the aerie near Milltown State Park to the prohibited list.

## **Agency Recommendation & Rationale**

Based on findings in FWP's 2007 Final EA and the history of peregrine take in Montana, FWP proposes that the commission:

- authorize resident take of 10 nestling or fledged peregrines during the 2020-21 biennium.
- authorize non-resident take of one nestling or fledged peregrine through a 2020-21 permit.
- restrict take to the period of June 1 to Aug. 31.
- impose a two-year waiting period for any falconer successful in taking a peregrine.
- allow only general or master falconers to take peregrines.
- prohibit take from nine nests that offer high-value wildlife viewing opportunity.
- prohibit the sale, barter or exchange of birds from the wild.
- require each falconer who takes a young peregrine from the wild to report the take to FWP and the USFWS within five days of take of the bird. This step will provide FWP the ability to monitor the number of birds taken and any need for an emergency closure of the biennial season.

Remove the following rule for 2020-21 take:

- prohibit take from eastern Montana to encourage expansion of the breeding population.

## **Proposed Motion:**

I move the commission adopt FWP's proposal to authorize the take of up to 10 peregrine falcons for falconry purposes by residents and one peregrine falcon for falconry purposes by non-residents and authorize the addition of the aerie near Milltown State Park to the list of prohibited sites during the 2020-21 take period.