



# MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

THE **OUTSIDE** IS IN US ALL.

**Meeting Date:** April 19, 2022

**Action Needed:** Final

**Agenda Item:** Peregrine Falcon Falconry Take

**Time Needed on Agenda for this Presentation:** 10 minutes

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## **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, 2018-19, and 2020-21 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, three, and one peregrine(s), respectively, of the 10 allowed per biennium. Three additional birds were taken by non-residents across the last five bienniums. 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 USFWS completes an EA that will allow for a decision on normalization or opening of take across the falcon's range. The analysis has been delayed but will hopefully occur during the 2022-23 biennium.

## **Public Involvement Process & Results:**

The department received eight comments on this proposal; two letters were in support and six were against the proposed peregrine take. Three of the comments opposing take objected to the sport of falconry and three were opposed to take due to the sensitive status of the species. The department remains committed to monitoring the status of peregrine falcons and is not recommending any changes in the proposed take.

## **Alternatives & Analysis:**

Peregrine populations in Montana appear stable to increasing. Although the level of take has been low in recent years, reducing the present quota has the potential to limit opportunity for take.

## **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 2022-23 biennium,
- authorize non-resident take of one nestling or fledged peregrine through a 2022-23 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,
- impose no restriction on take from eastern Montana,
- prohibit take from eight nests that offer high-value wildlife viewing opportunity (see list),

- prohibit the sale, barter or exchange of birds from the wild,
- require each falconer who takes a young peregrine from the wild 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.

**Proposed Motion:**

I move the commission approve the take of up to 10 peregrine falcons for falconry purposes by residents and one peregrine falcon for falconry purposes by nonresidents during the 2022-23 take period, as well as other recommendations as described above.