



UPLAND GAME BIRD
ENHANCEMENT PROGRAM

UPLAND GAME BIRD ENHANCEMENT PROGRAM

Summary of Public Comments on the Draft Revisions and the Department's Responses

April 18, 2024

Montana Fish, Wildlife and Parks (FWP) developed an updated strategic plan for the Upland Game Bird Enhancement Program (UGBEP) in collaboration with the UGBEP Citizen's Advisory Council (Council). This plan is intended to replace the original plan that was adopted by FWP in 2011. The revised plan builds on the original version by incorporating several updates that were added following the Council's recommendations. Proposed revisions include (1) increasing program capacity by collaborating with conservation partners state-wide, (2) expanding regional focus areas, and (3) prioritizing habitat enhancement and conservation of upland game bird (UGB) populations in Montana. The draft revised plan was released for public comment on November 1, 2023, for a period of sixty (60) days. In response, FWP received a total of forty-five (45) submissions, including three (3) from conservation organizations.

Public comments were directed at a mix of topics. Some addressed the draft revisions specifically, some focused on other aspects of the Strategic Plan, and some addressed topics outside the scope of the UGBEP, such as upland game bird hunting regulations, dog training regulations, and predator management. Though several comments did not pertain specifically to the proposed revisions, they are included in this summary. What follows is a thematic synopsis of the comments and the department's responses.

FWP and the Council appreciate the time commentors took to provide input on the Strategic Plan's draft revisions. We thank you for your continued interest and support of the program.

Public Comments: Proposed Revisions to the Strategic Plan:

1. Increasing program capacity by collaborating with conservation partners statewide.

- Region 3 needs a designated upland bird biologist.
- Recommendations that FWP hire Upland Game Bird Biologists for each of the 7 regions, create and hire for a position to focus on CRP enrollment/re-enrollment and sagebrush leases (Regions 3, 4, 5, 6, and 7).
- Commentor supports collaboratively working with federal and non-governmental partners to increase CRP enrollment.
- Commentors asked if there are examples of leveraging UGBEP monies with federal partners in Regions 1, 3, or 5.

Department response: The hiring of any additional staff needs the director's office approval and ultimately the legislature's approval and funding authority. Also worth noting, during the March 2024 Council meeting, the Council voted unanimously on a recommendation that the department explore ways to expand the program significantly as part of the 10-year strategy and to report back to Council at the 2024 fall meeting.

The program currently operates through collaboration with conservation partners statewide. This approach leverages partner resources to help establish projects beyond where department staff are stationed. This approach also reduces the amount of program funds directed toward staff resources, in place of on-the-ground projects.

To enhance upland game bird habitats and promote outreach, UGBEP has leveraged funding with the following partners:

- Region 1, since 2015: US Fish & Wildlife Service and Pheasants Forever (PF), Inc
- Region 2, since 2015: US Forest Service (USFS) and National Wild Turkey Federation (NWTF)
- Region 4, since 2008: Central Montana Chapter of Pheasants Forever and PF, Inc
- Region 5, since 2008: Bureau of Land Management (BLM) and PF, Inc
- Regions 4, 5, 6 (x2) 2015-2023: Four (4) PF Farm Bill Biologist positions
- Statewide, 2023 to current: PF Montana Team

Regarding CRP, FWP continues to reach out to current and prospective CRP enrollees annually, using targeted mailings across the state. These letters encourage participation in CRP-related options such as add-on payments or seed cost-share assistance. This too expands the geographic scope of the program.

UGBEP offers several options to incentivize CRP enrollments.

- Open Fields: Since 2012, FWP has been awarded federal grants to expand public access on private lands. This conservation-based incentive practice is geared to help landowners keep some land enrolled in CRP and to provide public game bird hunting opportunities.
- CRP seed cost-shares: UGBEP offers cost-share assistance for CRP seedings on private and State Trust Lands. This habitat enhancement cost-share has been available to agricultural producers since the early 1990s.
- CRP add-on lease payments: UGBEP offers CRP add-on lease payments to eligible cooperators with active CRP on private lands, including lands enrolled in Block Management, and State Trust Lands.

2. Expansion of Regional focus areas.

- No comments specific to this recommendation were received.

3. Prioritize habitat enhancement and conservation of upland game bird populations in Montana. Several comments were submitted that focused on pheasant releases, most of which are outside of the scope of the UGBEP Strategic Plan.

- Use more funds for pheasant habitat improvement and less on releases.
- Science-based studies show pen-raised pheasants do not survive long. Money is better spent on habitat.
- Reconsider any pheasant stocking using pen-raised birds. Concentrate on habitat improvements.
- Eliminate pen-raised pheasant releases.
- Eliminate all pheasant releases.
- Support habitat enhancement, pheasant releases are a waste of money.
- Decrease expenditures associated with pen-raised pheasant releases and reallocate to habitat priorities and funding staff dedicated to program delivery.
- One commentor was in favor of releasing pheasants and turkeys.
- Commentor supports pen-raised pheasant releases for population augmentation, when warranted.

Department response: Authorized by statute and guided by rule, UGBEP may cost-share pen-raised pheasant releases to augment wild pheasant populations. For clarification, the “Roosters for Recruitment,” a separate FWP pen-raised pheasant release program, promotes hunter recruitment and retention but is a different program and not part of the UGBEP.

3 (Cont’d). Prioritize habitat enhancement and conservation of upland game bird populations in Montana. Comments focus on habitat.

- More habitat is needed, more Open Fields projects could help with CRP loss; increase CRP enrollment.
- Increase priority on native game bird habitat enhancement.
- Need to emphasize more mountain grouse/ruffed grouse habitat enhancement activities.
- Continue partnering with landowners to improve habitat and increase public access opportunities.
- Emphasize the allocation of UGBEP funds to easements, Block Management, and other private lands.
- Work with federal and state agencies (BLM, USFS, and DNRC) to improve UGB habitat.
- There is untapped potential to enhance UGB habitat on State Trust lands and lands enrolled in Block Management.
- Commentor did not support removal of shelterbelt requirements.

Department response: The Council and FWP support seeking additional opportunities to conduct habitat enhancements on DNRC State Trust Lands, consistent with the DNRC/FWP UGBEP Memorandum of Understanding. Staff recognize that opportunities exist where there are suitable habitats and lessees that are supportive of accommodating or implementing projects. The number of projects on State Trust lands continues to grow over time. Block Management cooperators also remain a great fit for UGBEP to enhance habitat for UGB and other wildlife. Enhancing habitat for wild turkey and mountain grouse species continues to be a priority for UGBEP delivery, especially in western Montana.

The statute that prohibits shelterbelt installation within 400 feet of occupied buildings or outbuildings used by livestock remains in place. Neither FWP nor the Council have expressed intent to change this law.

Public Comments Pertaining the Strategic Plan and UGBEP Implementation in General:

- Commentor recommended updating information pertaining to the Region 2 sharp-tailed grouse reintroduction. Commentor would like to see more native bird relocation projects to be supported with UGBEP funds.
- Commentors noted that UGBEP has not contributed funding toward habitat enhancement activities associated with the sharp-tailed grouse reintroduction effort.
- Commentors recommend the following statement be deleted: “Subdivision and residential development are prevalent, especially in the Missoula and Bitterroot valleys, which has contributed to the apparent extirpation of an isolated native population of sharp-tailed grouse.” The commentor suggested other factors were contributing factors to sharp-tailed grouse declines.

Department response: We concur with the suggested edits and have adjusted the wording in both locations accordingly. UGBEP funding can only be expended on projects that are open to free upland game bird hunting. Currently, sharp-tailed grouse hunting west of the Continental Divide is closed.

-
- Commentors stated that Region 5 is conspicuously not targeted for enhanced program capacity.

Department response: Since 2008, UGBEP, BLM, and PF, Inc have partnered on habitat enhancement projects along the Yellowstone River corridor, providing enhanced habitat for wildlife and opportunities for game bird hunters. Region 5 has more than 26,000 acres enrolled in 30-year sagebrush leases, 7 Open Fields/Habitat Management Lease projects (2,500 access acres), and 4 aspen regeneration projects on USFS-managed lands. Since 2012, an average of 130 letters have been mailed out to Region 5’s landowners enrolled in CRP, inviting participation in either Open Fields or the CRP lease option. This includes a March 2024 mailing which may result in additional UGBEP projects in the region.

-
- Commentors stated that the draft plan does not identify any public land management plans or planning processes that FWP participates in for the enhancement of upland bird habitats or hunting opportunities.

Department response: FWP participates in land management planning processes to help ensure wildlife habitat topics are recognized and addressed where possible, including game birds. Although an important role, this work is beyond the scope of the UGBEP Strategic Plan.

-
- Commentor expressed disappointment in Region 2's Strategic Plan, suggesting it is "nonexistent". Commentor recommended Fish Creek State Park and WMA as opportunities to improve habitat.
 - A commentor recommended dusky grouse should be a management priority in Regions 1-3; gray partridge in Regions 2 and 3 through increased management efforts.

Department response: Since 2015, a partnership between UGBEP, NWTF, and USFS has supported a biologist working on foothill to mid-elevation forest projects on USFS lands to improve habitat for mountain grouse and wild turkeys. This has substantially expanded the UGBEP's habitat enhancement accomplishments both east and west of the Continental Divide. This partnership continues to be a priority for all involved. FWP concurs that mountain grouse habitats in Regions 1 through 3 provide considerable upland game bird hunting recreation, and these areas also offer considerable opportunity for continued habitat enhancement work.

As described in the Strategic Plan (page 23), gray partridge are considered a secondary priority for UGBEP expenditures. Gray partridge habitats do overlap with pheasants and prairie grouse and generally benefit from habitat enhancements directed toward these game birds.

-
- The Strategic Plan lacks quantitative controls to measure successes and failures.
 - The plan needs to set measurable objective goals for program delivery in each of FWP's regions.

Department response: The Strategic Plan (page 49) lays out metrics that the program will track and report on over time. It is correct that the Strategic Plan has not prescribed specific measurable objectives. The Plan instead supports annual regional work planning between program staff, the manager, habitat specialists (page 49), and the Council. Each year annual work plans are reviewed with the Council, as are accomplishment reports. Since 1987, the UGBEP has adjusted for a variety of changes that are difficult to anticipate such as CRP enrollments, farm bill funding for habitat and access, new configurations for NRCS program implementation, and changes in partner staffing capacities, as well as changes in agricultural technologies (e.g., regenerative agriculture, cover crops, stripper headers, virtual fence). The current approach, which anticipates opportunities over the upcoming year or more, gives the department the flexibility to adjust and take advantage of new or changed habitat enhancement and leveraged funding opportunities. The Council and the department will continue discussions to determine the appropriate quantitative methods for measuring success or failure. A notation will be added to the section "Council Recommendations for Future Consideration" to ensure continued discussions on this topic.

-
- Add clarification to program goal that states the program focus is habitat and population enhancement. Clarify that populations of species may decrease due to

predation. Add the word “wild” prior to the word “upland.”

- A commentor provided a comprehensive list of suggestions for the Strategic Plan, including to expand supplemental feeding to other counties, encourage alternative grazing systems in addition to rest-rotation, add a discussion on landowner compliance, general refinements, and areas needing clarification.

Department response: Council did not propose revisions to the UGBEP goal, which will remain as written since 2011. Some of these recommendations are more suited to details within the program’s User’s Manual, which is periodically updated as new techniques or cost share options are adopted or project processes change. Compliance monitoring for all UGBEP projects is scheduled out by project type in the UGBEP’s User’s Manual.

The department may only supplementally feed in Sheridan, Daniels, and Roosevelt counties when conditions are met (12.9.615 ARM).

-
- Commentors stated that thousands of acres of public lands and publicly accessible lands could be improved for all wildlife if grazing contracts and BMAs had a wildlife-friendly incentive tied to them. Commentors observe issues on publicly accessible grazing projects, including State, BLM, BMA, and USFS, and propose minimum requirements on publicly accessible lands.

Department response: Grazing management contracts funded by UGBEP include annual compliance reviews. Some of the comments appear to refer to general grazing management concerns on lands where UGBEP is not directly involved, and are therefore outside the scope of the Strategic Plan.

-
- The plan remains financially obscure in terms of program income, expenditures, and budget trends.
 - The Strategic Plan needs to include new initiatives proposed in future years, including partnerships with other agencies, NGOs or underperforming FWP regions.
 - Commentors stated that the draft plan lacks sufficient detail or organization to be understood.
 - Commentors stated the draft strategy fails to reveal what the program generates in income, what the program annually spends, and what results from the expenditures in terms of increased hunting opportunities and quality, increased acres of enhanced habitat, increased upland bird populations, or increased bird harvest by upland hunters.
 - Commentors stated there is no written statements or estimates of existing or desired UGBEP project accomplishments for annual hunter days on project, harvest or population trends of upland birds by species on project acres, hunter assessments of harvest opportunities on project acres.

Department response: As implied by the title, the Strategic Plan provides a common vision for how UGBEP is structured and is intended to be implemented (see Purpose of the Strategic Plan, page 2). As described earlier, FWP annually establishes and adjusts staff work plans to take

make operational adjustments in anticipation of new opportunities and funding sources, and to accommodate changing budgets. Regional and program staff provide annual operational planning and accomplishment reports, presented during spring and fall to the Council. All of these efforts are intended to tie from the Strategic Plan.

The UGBEP also provides a biennial report to the legislature that includes number of enrollments, affected acreages, budget details, and proposed initiatives, such as future partnerships and planned outreach for program delivery. The most recent legislative report may be found on the UGBEP's web page in the Upland Game Bird Resources section: <https://fwp.mt.gov/ugbep>. Budgets and enrolled acreages vary over time and quickly become outdated, and thus they are not included in the Strategic Plan.

-
- Commentors support contract terms prohibiting the use of UGBEP acres for commercial dog training.
 - Commentors stated they would like to see more emphasis given to those projects with the least burdensome access requirements.
 - Commentor recommended restricting target shooting on certain properties enrolled in UGBEP.
 - Commentor stated that some projects need better signage.

Department response: Per statute, UGBEP funds are prohibited for projects that host commercial operations (87-1-248), including commercial dog training. More than half of UGBEP projects are walk-in game bird hunting with no further permission needed. Many of the projects are on Block Management and on public land.

In the case of target shooting, that is up to the landowner. If there is a safety matter with target shooting, FWP recommends contacting local law enforcement.

The department appreciates public input on those project sites that need additional signage.

General comments on upland game bird management.

- Conduct predator management to address upland game bird populations.
- Learn how the Assiniboin/Sioux wildlife officials manage habitat for game birds.
- Commentor proposes that FWP identify the best and most needed areas to begin wild turkey translocation projects.

General comments on upland game bird regulations.

- Decline in number of birds is due to over-pressure. FWP needs to shorten the season length.
- FWP needs to limit non-resident upland game bird hunting; several solutions were presented in the comments.
- Suggestion to have a kill permit for sage-grouse late in the year for mounting when bird is in full plumage.

- No fall season for hen turkeys.
- Lower bag limit for gray partridge.
- Suggestion to legalize using a rifle to hunt grouse.
- Limit gray partridge and chukar daily limit.
- Close sage-grouse season in Region 3.
- Request for a public comment period to determine residents' value, by FWP region, when it comes to turkey hunting.
- Change prairie upland bird season start dates with suggestions outlined in comment.

General comments received.

- Commentor noted that Canyon Ferry WMA long-range plan has never been completed.
- Public lands should not be a dog trainer's work place with 20+ dogs.
- Concern over the increase of out-of-state dog trainers.
- Outlaw commercial dog training on public land and all publicly accessible private lands enrolled in FWP programs.
- Commentor has witnessed illegal activities such as a disregard of bag limits and trespassing.
- Commentor suggests that FWP conduct habitat studies on gray partridge.
- Sage-grouse: Commentor proposes that FWP divide the state into zones or regions similar to Wyoming and establish population benchmarks for each zone.
- Recommendation to abolish pheasant releases on state lands through HB637. Instead, put funding into habitat and access.
- Recommendation that FWP engage in the development of the next Farm Bill, specifically to encourage periodic disturbance of CRP to favor early successional habitat.
- Recommendation to work with the current administration in the development of an upland game bird stamp, similar to the duck stamp.

Department response: Thank you for providing additional comments related to upland game bird management and upland game bird regulations. FWP encourages the public to direct comments to the Fish & Wildlife Commission during season setting meetings. Please visit <https://fwp.mt.gov/aboutfwp/commission> for more information.