

## Wickman, Erik

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**From:** Garrett Titus <garrett@mtwf.org>  
**Sent:** Wednesday, January 31, 2024 2:41 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Commission's Two Upland Bird Amendments

Dear Commissioners,

I am writing to you on behalf of the Big Sky Upland Bird Association, Montana Wildlife Federation, Montana Sportsmen Alliance, Ravalli County Fish and Wildlife Association, Helena Hunters & Anglers, Laurel Rod & Gun Club, Montana Association of Conservation Districts, Daniels County Conservation District, Flathead Wildlife Inc. and Hellgate Hunters & Anglers.

We would like to offer our perspective on the proposed amendments regarding bird dog training and the commencement dates for nonresident seasons. It is important to emphasize our backing of the department and Commissioner Chair Robinson's proactive efforts in attempting to address pertinent issues.

Regarding the adjustment of nonresident season dates to September 15, as previously expressed in our initial feedback, we remain in agreement with this proposal. However, we believe there exists alternative wording to achieve the same objective. Furthermore, following thorough consideration of public input during two scoping meetings, it has become apparent that there is a consensus regarding the necessity for a one-week postponement on pheasant season for nonresidents on publicly accessible lands.

Specifically, we recommend the following be adopted for the amendment:

- Open Sharp-tailed Grouse, Sage Grouse and Partridge hunting seasons for Non-Residents from September 15 through January 1 as recommended by the amendment proposed by Commissioner Chair Robinson.
- Open Sharp-tailed Grouse, Sage Grouse and Partridge hunting seasons for Residents from September 1 through January 1.
- Open the Ring-necked Pheasant hunting season the Saturday of Columbus Day weekend for residents and Non-Residents, but restrict Non-Resident hunters to private lands (excluding Block Management Areas, Open Fields, and Upland Game Bird Enhancement projects) for the first week of the season. Open public lands and publicly accessible private lands as noted above to Non-Resident pheasant hunting on the following Saturday.

Regarding the proposed shift in the commencement of nonresident dog training, we are not in favor of the amendment. We maintain the stance that this amendment does not effectively address the persistent concerns raised by local communities. Instead, it appears to merely postpone the onset of pressure experienced, transitioning from August 15 to September 1st.

Furthermore, aligning the dog training date with the previously mentioned amendment would coincide with the opening of the upland season for residents. This alignment may potentially give rise to conflicts between hunting parties and perpetuate the existing issue.

We believe that there is a better response to the problem rather than delaying the nonresident bird dog starting date to September 1st. We believe that the following should be adopted into the amendment:

- Prohibit Non-Resident dog training activities on wild & captive reared birds on public lands or publicly accessible private lands (including Block Management Areas, Open Fields and Upland Game Bird Enhancement Projects).
- Continue to authorize Resident dog training activities on wild birds on public lands from August 1 to August 31.

We believe these changes would provide relief to landowners and lessees of public lands during the summer period, reduce conflict between dog training activities and hunters, reduce hunter crowding and associated conflicts that are occurring while maintaining hunter opportunity and associated economic benefits, and reduce pressure on upland game bird populations.

We appreciate your consideration of these recommendations and look forward to working with you to continue to improve Montana's upland game bird hunting for future generations.

--

**Garrett Titus**

Conservation Policy Specialist  
Montana Wildlife Federation



[garrett@mtwf.org](mailto:garrett@mtwf.org)

[www.montanawildlife.org](http://www.montanawildlife.org) [[montanawildlife.org](http://montanawildlife.org)]

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## Wickman, Erik

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**From:** Paul Dinkins <pauldinkins.mt@gmail.com>  
**Sent:** Wednesday, January 31, 2024 2:00 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Re: upland game bird season setting comments

In addition to my previous comments, I think it may also be time to start thinking about capping nonresident bird hunting license sales like we do for other species. The resource is just as susceptible to excessive hunting pressure as our big game species, and is an increasingly popular focus of nonresident hunters. Perhaps a cap of 10,000 nonres licenses would be a good place to start.

Thanks,  
Paul Dinkins  
Bozeman  
406-697-7408

On Wed, Jan 31, 2024 at 1:52 PM Paul Dinkins <pauldinkins.mt@gmail.com> wrote:

I support delaying both the nonresident upland and pheasant opener by a week or more after the resident openers like other popular bird hunting states do.

I support NOT allowing nonresident dog training on public land or BMAs prior to the opening of the nonresident upland hunting season.

I support restricting nonresident bird hunting license for Two 5 or 7 day periods with the ability to purchase subsequent licences during the same season. This works well in North and South Dakota. I'm a Montana resident, but buy multiple bird licenses in both states. It only affects the most avid bird hunters and may help limit the excesses of some nonresident hunters and dog trainers who stay in Montana for weeks on end during the bird seasons and pound our public land birds into the dirt. It may also increase revenue from license sales.

The daily Hungarian Partridge limit is 3 in North Dakota, 5 in South Dakota, and 8 in Montana. The limit in Montana is too high. Partridge are covey birds and coveys tend to stay in the same general area. Once identified, a less scrupulous hunter can essentially overharvest birds from a covey and reduce the covey's ability to sustain itself and hunter opportunity for others. I have seen this happening with large groups of out of state hunters running multiple dogs on public land day after day. They can really wipe out coveys in short order.

I think tags for Sage Grouse like we use for turkeys would help with management of this species.

I think the commision should consider the effects out of state hunting dogs have on invasive species spread. I don't know what the answer is, but I suspect it's a significant problem.

Thank you,  
Paul Dinkins  
406-697-7408

## Wickman, Erik

---

**From:** Paul Dinkins <pauldinkins.mt@gmail.com>  
**Sent:** Wednesday, January 31, 2024 1:52 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] upland game bird season setting comments

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I support NOT allowing nonresident dog training on public land or BMAs prior to the opening of the nonresident upland hunting season.

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Thank you,  
Paul Dinkins  
406-697-7408

## Wickman, Erik

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**From:** Brandon Boedecker <brandonboedecker@gmail.com>  
**Sent:** Wednesday, January 31, 2024 1:13 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Changing opener for non resident bird hunting.

I would like to start by thanking all the commissioners for taking the time to read this. My name is Brandon Boedecker. I am a fifth generation Montanan and have been a guide and outfitter in the state for 30 years focusing on fly fishing and wild upland bird hunting.

The Amendment to stop non residents from hunting upland birds in Montana for the first 15 days would have a crippling effect on my Business. It would cancel 25 percent of my business. Even though the season goes until Jan 1... we close our lodge down in early November due to weather and tougher hunting conditions. My business provides great jobs for guides, cooks, lodge staff etc. In addition to the jobs we provide we also are a big contributor to Judith Basin County... from grocery stores to restaurants, bars, hardware stores etc. We have also always prided ourselves on having great relationships with landowners throughout central Montana. I am really hoping you consider other alternatives besides total closure for 15 days for non residents.

I will be at the hearing to testify. I am already booked for the first 15 days of September and am hoping other ideas will replace this amendment.

Thank you for your time.

Brandon Boedecker- Owner  
Pro Outfitters  
Cell\* 406-439-4343  
Office\* 406-442-5489  
Brandon@prooutfitters.com

## Wickman, Erik

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**From:** Cliff Plourde <crplourde@live.com>  
**Sent:** Wednesday, January 31, 2024 9:12 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Proposed Season Date Changes for Non-Resident Upland Bird Hunting  
**Attachments:** Upland Bird Non Resident Date Change Response to the Commission Draft 013024-01.docx

Dear Chair Robinson and Members of the Commission,

I am writing to voice my concern and opposition to the proposed date changes for Upland Bird Non-Resident Starting Date Change. I have been hunting in Montana in Region 6 since 2012. Most of my Upland hunting has been during pheasant season. This past year (2023) was the first time I was able to make it out for opening week of the Montana upland season at the beginning of September. I can certainly understand why folks want to limit and keep this special time of hunting all to themselves. The hunting and overall experience was truly exceptional. But it seems quite tribal to impose a restriction on out of state hunters. Is there a true rational for making this change? Are there statistics and other data to warrant this type of change or action? And where does it end, will you start to limit out of state skiers soon too? Is there a special interest group that is attempting to create a private hunting preserve in the State? Will the Commission reduce the cost of a non-resident hunting license to adjust for this shorter season? Based on recent data on the health of the Upland Bird populations as referenced in the Scobey presentation earlier this month, it does not appear that hunting pressure is a factor nor is it a contributing factor to warrant a season date change. The issue or problem no doubt is more perception (more out of state plates) than an adverse impact or effect on the resources. Although 15 days may not seem like much, what is the potential economic and fiscal impact on tourism and the local businesses that count on out-of-state visitors to boost their income and revenue? Has the potential impact on businesses that rely on this seasonal trade been studied or taken into consideration? As anyone who gets the privilege to visit and or live in your wonderful State, it is a true treasure and one of the greatest places on Earth. And last I checked it is one of the 50 *United States*. As someone who comes from the Live Free or Die State, I find this proposed action an affront to many of the values that our two states share.

I strongly implore you to keep the existing hunting seasons in place for both resident and non-resident hunters alike. If you feel because of domestic concerns and local politics that you must make some accommodations, I urge you to only amend the public land access portion and not the dates as offered in Chair Robinson's Amendment.

Thank you for your consideration.

Respectively Submitted,  
Cliff Plourde  
New Boston, NH 03070

## Wickman, Erik

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**From:** Curtis Arlian <olazyy@outlook.com>  
**Sent:** Wednesday, January 31, 2024 6:48 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Upland Game Bird

As a Montana landowner, I urge the commission to set Upland game bird for resident hunters Sept. 1 and non-resident Sept. 15. Thank you.  
Sent from my iPhone

## Wickman, Erik

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**From:** Curtis Arlian <olazyy@outlook.com>  
**Sent:** Wednesday, January 31, 2024 6:41 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Bird Dog Training

I urge the commission to start bird dog training for residents Sept 1 and nonresidents Sept.15. Thank you Sent from my iPhone



## Wickman, Erik

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**From:** Dean Hardi <dhardi@msn.com>  
**Sent:** Tuesday, January 30, 2024 11:00 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Response to Chair-Robinson Amendment to the proposed Upland Bird Non-Resident Start Date Change

Name: Dean Hardi  
Town: Victor MT

I strongly agree that there has been huge non-res increases in hunters, and more noticeably non-res breeders/trainers in Montana, particularly NE MT. I read all of the responses back on the original proposal. Some of the MT outfitters and restaurant/businesses have a point on reduction of business. Notably though, there are also local businesses and landowners who are just as strongly in favor of delaying non-res access.

Something REALLY NEEDS TO BE DONE, and because of it, if this is the only options on the table, I'd support the proposed amendment to restrict the non-resident start date to Public Land access on 15-Sept, and still allow non-res hunting on private land 1 Sept., largely because SOMETHING NEEDS TO BE DONE.

However, if the commission is interested in a more stepwise approach to reeling this issue back in, without upsetting the local economies, I recommend:

1. Restrict non-res dog training on all State, Block Management, and Open Fields lands. (Maybe BLM as well if you have jurisdiction). Don't even allow it on Sept 1. (I think this is one of the biggest recent changes that is driving angst).
2. Implement a 7 day limit on non-res licenses, with a second 7 non-consecutive renewal.
3. If you do the above, then keep the start date for res/non-res at 1-Sept.

Try this for one or two years and see if this reels it back in. If the above doesn't achieve desired results, then shift out the non-res start on public land.

The reasoning above is that this would still bring in out of staters, and keep the guides and businesses going, but would reel back the explosion of trainer/breeders that have overrun the landscape, and the long-term hunters abuses of possession limits! It could also spread out the hunters more evenly over the season.

The challenge is how does the FWP warden distinguish between an out of state hunter, and an out of state trainer/breeder...other than the number of dogs in the truck? Maybe restrict them to 2 dogs per licensed hunter?

I'd also increase the license fees on both res and non-res if that enables enrollment of more Upland Bird Project and Open Fields lands. More habitat is needed desperately.

## Wickman, Erik

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**From:** Dale Martin <haydenvalley55@gmail.com>  
**Sent:** Tuesday, January 30, 2024 9:14 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Proposed black bear amendment-Cebull

Dear Sirs,

I have hunted Montana black bears for almost 50 years. I am against the proposal to close the spring season on June 15 statewide. I have not seen any biological or other data that would support this new closure date in areas that are not currently closing on June 15. I get a little bit aggravated when changes are proposed without information to justify the change. If there is data to support this change, I would like to see it.

I am also against the proposed change to BMU 520 for the same reason. Where is the data supporting a May 1 to June 15 season? It is very rare that this BMU stays open for the entire current hunting dates of April 15 to May 31 due to the sow quota being met. All this proposal will possibly do is push more of the sow harvest into June.

Where is the biological data showing the necessity of a sow quota in BMU 580? Is this proposal a result of allowing the running of bears with hounds? Maybe instead of hunting our bears with hounds, we should go back to the way we used to hunt them.....

I also believe the 37% sow harvest in a BMU without a quota or sub-quota threshold is too high. Don't forget that sows are the producers responsible for sustaining a bear hunting season into the future. I believe there have been studies that show a harvest of lower than 37% of sows in the total harvest is desired to not adversely impact the population.

As for the premolar issue, I don't like that proposal either. If FWP continues to want teeth from a successful hunter, those teeth can be removed when the bear skin with the head is presented to the FWP office (including Region 1). Years ago a special tool for tooth removal was used. Requiring 2 teeth instead of 1 from a hunter who doesn't know how to properly remove a tooth without the special tool will more than likely result in 2 broken teeth instead of 1. When that happens, your opportunity to get an accurate age of the bear is lost.

Dale L. Martin  
[haydenvalley55@gmail.com](mailto:haydenvalley55@gmail.com)  
Billings, Montana

## Wickman, Erik

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**From:** Alycia Nathe <alycianathe@hotmail.com>  
**Sent:** Tuesday, January 30, 2024 7:19 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] NR Bird Dog Training Amendment  
**Attachments:** FWP NR Bird Training Amendment.rtf

Sent from [Mail \[go.microsoft.com\]](mailto:go.microsoft.com) for Windows

## Wickman, Erik

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**From:** pat howe <pathowe.mt@gmail.com>  
**Sent:** Tuesday, January 30, 2024 7:23 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Dog training Upland bird comments.

I support the proposal closing the area for sage grouse because it's based on science from the data collected.

I do not support opening the sharptail season for nonresidents starting on the 15th of September. There is no science behind the decision to do so. Over all hunter numbers in region 6 are near long term average. We already tried delaying the nonresident start date on pheasants a few years back and it was ended quickly. Knee jerk reactions seldom work and usually create more problems. It will hurt the economy. It takes opportunity away from people. You basically take away dove season for nonresidents by doing this. With the warm weather you would take away some great social activity that takes place when you get back from the hunting.

There is lots of low hanging fruit to pick first if you want to try to reduce hunter numbers. One is get rid of the 3 day upland bird license. There is a 3 day holiday in that 2 week period of sharptail season. There is a 3 day holiday that falls on opening weekend of pheasant season as well. Stop including the upland bird license in nonresident combo tags. If nothing else you will have better data doing this to make a decision on how to handle a problem if there is one. You could set a 14 day license time frame for non residents like other states with an opportunity to buy another 14 days. But usually hunters will go to other places to hunt if there is a crowding problem or bird numbers are low.

The dog training proposal makes absolutely no sense. You want to start nonresident hunters on sharptails Sept 15 who pay around \$120 to be in those same fields you will now allow trainers to be in, some on horseback, for \$10. I am not saying to raise the training license cost just that it makes no sense. Many early season sharptail hunters are there to train dogs on a hunting license. During hunting season they will shoot the birds properly handled (pointed) and ones the dogs flush on their own they will let fly off. The trainers will not be killing birds but they will be flushing them after being pointed or the dogs will flush them. Either way they will be out on the same land with hunters and agriculture at the same time so you will have three groups doing different activities on the same land creating even more chance of conflict. Because Daniels county is unique in it's amount of public land, there could be restrictions on the number of dogs that can be run off horseback in that area on public land or only on certain days of the week. Remember it was said in one of the legislative hearings they have not given out any permits for commercial training on state land in the Daniels county area. If it's going on, enforce that, it's already on the books. You could set quotas like the formula for nonresident big game hunters for nonresident trainers. But let's get some data first!

There is a problem up in Daniels county and it's what is an acceptable amount of use for dog training on public land there. It was with good faith dog trainers agreed to support the proposal put forth last year knowing full well it would not fix the problem and it could make it worse. We said that. We really had no choice so we did support it so we could get data to make better suggestions. Go back and look at the legislative hearings, this was said all along. But it was also asked by the trainers, what is the end result you are looking for other than an outright ban because there are solutions to getting the crowding down. I thought the commission did a very good job last year in what you came up with on the training issue so we could get data on just how many trainers, what is going on and where. Now these proposals come out with no data and before even having any kind of campaign to educate folks on specifics on how they should be acting in the field to be less intrusive for the folks living in the area. On top of that these proposals now bleed over into changing hunting seasons laws.

The survey for training license holders was sent out right after upland bird season closed the first week in January, yet the dog training season goes until March. That makes it impossible to get all the data so what was the actual purpose of all this? It all screams that there is an agenda here. I asked FWP for what they had on the survey and got my response on

January 25. They have the number of licenses sold to date, percentage of those that have responded and said, "The survey is still ongoing at this time. Therefore providing survey results is not possible right now". I totally agree. But laws are trying to be changed right now! There were 108 nonresident trainers that bought a license that is 8 more people than we have as representatives in the Montana legislature that sit in a room measured in square feet in a state with the 4th largest land mass. Region 6 alone has 700,000 acres of state land that is 1,093 square miles and right now we don't even know how many were training there, resident or nonresident.

I would also like to say last year I signed off on a letter of proposals. I do NOT support the proposals they and the others put forward in a letter this year other than the sage grouse issue. It's an easy sell to do quick fixes when you feel you are under attack I thought about some of those things for a couple days myself. However, I felt like George Bailey in the movie *It's A Wonderful Life* when George realized he was shaking Mr Potter's hand by the time I finished reading through the proposals. I will never support banning a citizen from using public land because they are in a certain demographic. That is what some are asking for because they don't even want them using captive birds to train with on public land. You don't need a license to train with captive birds. Again this seems agenda driven. Banning people from public land is a dangerous precedent. Who is next? resident trainers, hunters, trappers, agricultural use? There are many groups that would love to see that happen and are working every day to do so. Don't think it can't happen, did you ever think you would see a presidential candidate banned from running for office in a state? When the numbers come in from the survey then let's sit down and discuss some real solutions.

Thank you  
Pat Howe

## Wickman, Erik

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**From:** Alycia Nathe <alycianathe@hotmail.com>  
**Sent:** Tuesday, January 30, 2024 6:28 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Non Resident Bird Hunting Amendment - SUPPORT  
**Attachments:** FWP NR Season Amendment.rtf

Sent from [Mail \[go.microsoft.com\]](mailto:go.microsoft.com) for Windows

## Wickman, Erik

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**From:** Tony Jewett <tonyjewett1@gmail.com>  
**Sent:** Tuesday, January 30, 2024 2:53 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Upland Game Bird Management Comment

January 30, 2024

Dear Commissioners:

I write to submit my comments on the proposed new regulations governing Upland Game Bird hunting and management for the coming 2024-25 seasons. In doing so, I complement the Department and The Commission for recognizing that upland game bird hunting has become, like so many recreational and hunting activities in Montana, competitive and of dwindling quality and opportunity for many resident hunters who have long lived in our great state.

Of particular note in this changing hunt setting is the negative impact of non-resident bird hunters on the sport. Non-resident bird hunters are not only involved in expanding private land leasing activities (and in doing so undermining traditional relationships built over decades between resident hunters and private landowners), but have additionally put great pressure on our state and federal public land opportunities, as well as those private lands that remain open and accessible by permission.

I have hunted Montana's public and private lands for over 4 decades and I can personally attest to the accelerating deterioration of quality upland hunting that has occurred in the past 10 years. In places I have traditionally gone, I consistently run into frustrated landowners whose doors I have knocked on over time, closed private lands, and public lands hammered by non-resident bird hunters (many of whom are employing out-of-state outfitters with many dogs scouring the landscape).

Montana's upland bird landscape has quickly lost its 'Last Best Place' moniker among many, many resident bird hunters.

I would assert that the DFWP proposed regulation changes for Upland Bird are a positive start and a recognition of the problem we face in Montana. However, I would hope and request that the Commission would direct the Department to further strengthen these proposed regulations. Specifically, I request:

1) On Non-Resident Bird Dog Training: I would appreciate that the opening day for non-resident dog training activities run concurrently with the Opening Day for non-resident bird hunting, which in this case would be on September 15 - the new proposed date for non-resident upland hunting. The current proposal seeks a non-resident bird dog training start of September 1 (a change from August 15). In making this change, non-resident upland hunters would come into our state on September 15 for their beginning of both hunting and training purposes.

2) Non-Resident Upland Season Start: I thank the DFWP for proposing that the non-resident season begin 15 days (on September 15th) after the resident season (which begins on the traditional September 1st date).

3) Separate Opening of the Pheasant season for Non-Resident and Resident Hunters: I strongly urge the Commission to direct the Department to stagger the resident and non-resident season openers for pheasants. I would urge this action to set the opener for residents as October 12 and that for non-residents be October 19th. Unquestionably the quality and experience of the pheasant season - the most sought after of upland species - has been drastically impacted by non-resident competition at all levels, from private land leasing to public land competition. By staggering the resident /non-resident season openers, Montana's resident hunters - those of us who live here, pay taxes here and support our hunting conservation efforts every day all year, would gain a full week of opportunity without having to put up with the hordes of non-residents and out-of-state outfitters who have disrupted so much of our traditional, time-honored bird

## Wickman, Erik

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**From:** johnww@mtopticom.net  
**Sent:** Sunday, January 28, 2024 4:33 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] proposed 2024 Upland Game Bird Regulations

I am in favor of moving the upland bird season start date from September 1 to September 15 for non residents. These past few seasons I've noticed quite a bit of hunting pressure with some non residents running anywhere from 6 to 12 dogs. It seems that moving the start date up would not only reduce hunting pressure but also allow the birds to spread out a bit. Thanks John Weinacker



## Wickman, Erik

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**From:** 4speich@windstream.net  
**Sent:** Sunday, January 28, 2024 11:01 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Proposed Amendment 1 comments

Commission Chair Lesley Robinson:

I do not agree with moving the nonresident upland hunting start date from September 1 to September 15 in Montana. This is an inconvenience to many nonresident hunters who support Montana fish and game efforts through license sales and spending funds at local businesses. In the many hunts in the last 12 years that I have hunted upland birds in Montana as a nonresident, many residents have told me that they don't care to hunt Sharptails and Sage grouse - so they wouldn't necessarily care about the season opening date because they are not affected. For me and my hunting buddies, during some years it would limit our Montana hunts to 1 hunt per year instead of 2, which also limits the amount of money we spend locally in Montana communities. As an outdoor enthusiast and conservationist, I understand that there may be a need to move the season opener to protect younger broods of upland birds, etc if lower breeding populations trend the following springs due to hunting...then by all means, a season opener date move could be justified. However, a move of the opening date strictly due to political reasons which encompass discrimination against nonresident hunters is disheartening. The Labor Day weekend gives us an "extra" day of vacation that we get to use in Montana with that early opener. Thank you for giving us the opportunity to comment and enjoy the hunting opportunities in Montana.

Dennis Speichinger, PE

Mendon, MO 64660  
660-272-4135

**Wickman, Erik**

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**From:** Christopher D. <mkt@mkt.findmyoto.com>  
**Sent:** Sunday, January 28, 2024 5:05 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Isaiah 40:21-31: Who is God's equal? According to my dog, it's whoever feeds him

[Skip to content](#)

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# Isaiah 40:21-31: Who is God's equal? According to my dog, it's whoever feeds him. [mkt.findmyoto.com]

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Delivery Time: 26 minutes

**God calls stars by name, and I can't even remember the names of people I went to high school with.**

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## Welcome:

Dear brothers and sisters in Christ,

It is a joy to gather with you today as we come together to grow in our understanding of Christian discipleship and spiritual growth. Your presence here is a blessing, and I pray that our time together will be filled with the guidance of the Holy Spirit.

## Opening Prayer:

Let us bow our heads in prayer as we begin our journey into God's Word. Heavenly Father, we come before you with hearts full of gratitude for the opportunity to gather in your name. We humbly ask for your presence to fill this place and for your wisdom to illuminate our hearts and minds as we delve into the depths of your Word. Lord, open our hearts to receive your truth and grant us the strength to walk in the path of discipleship and spiritual growth. In Jesus' name, we pray. Amen.

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## Introduction to Scripture:

Today, we turn our attention to the book of Isaiah, chapter 40, verses 21 through 31. In this passage, the prophet Isaiah reminds us of the greatness and majesty of our God. He calls us to contemplate the Creator of the universe and to find our strength in Him alone. Isaiah's words serve as a reminder of God's sovereignty and our need to trust in Him, especially during challenging times. Let us now turn our hearts to Isaiah 40:21-31, as we seek God's guidance and understanding.

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## Isaiah 40:21-31 (NIV) Who is God's equal?

*21 Do you not know? Have you not heard? Has it not been told you from the beginning? Have you not understood since the earth was founded?*

*22 He sits enthroned above the circle of the earth, and its people are like grasshoppers. He stretches out the heavens like a canopy, and spreads them out like a tent to live in.*

*23 He brings princes to naught and reduces the rulers of this world to nothing.*

*24 No sooner are they planted, no sooner are they sown, no sooner do they take root in the ground, than he blows on them and they wither, and a whirlwind sweeps them away like chaff.*

*25 "To whom will you compare me? Or who is my equal?" says the Holy One.*

*26 Lift up your eyes and look to the heavens: Who created all these? He who brings out the starry host one by one and calls forth each of them by name. Because of his great power and mighty strength, not one of them is missing.*

*27 Why do you complain, Jacob? Why do you say, Israel, "My way is hidden from the Lord; my cause is disregarded by my God"?*

*28 Do you not know? Have you not heard? The Lord is the everlasting God, the Creator of the ends of the earth. He will not grow tired or weary, and his understanding no one can fathom.*

29 He gives strength to the weary and increases the power of the weak.

30 Even youths grow tired and weary, and young men stumble and fall;

31 but those who hope in the Lord will renew their strength. They will soar on wings like eagles; they will run and not grow weary, they will walk and not be faint.

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## End Free Content:

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## Bonus Closing Prayer

Heavenly Father, we come before you with hearts filled with gratitude for the wisdom and encouragement we have found in your Word today. As we leave this place, may your Spirit guide us in our journey of discipleship and spiritual growth. Help us to walk in humility, to trust in your sovereignty, and to hold onto the promise of renewed strength and hope. Lord, may our lives reflect the truth we have learned today, and may we be a light in this world, pointing others to your everlasting love and grace. We offer this prayer in the name of your Son, Jesus Christ. Amen.

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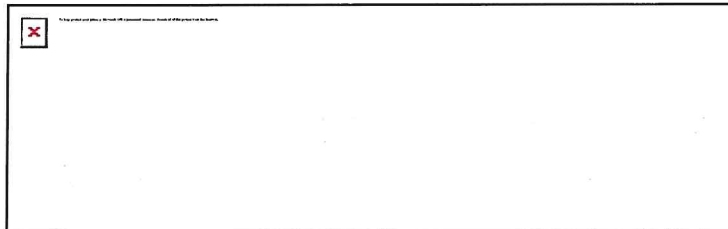
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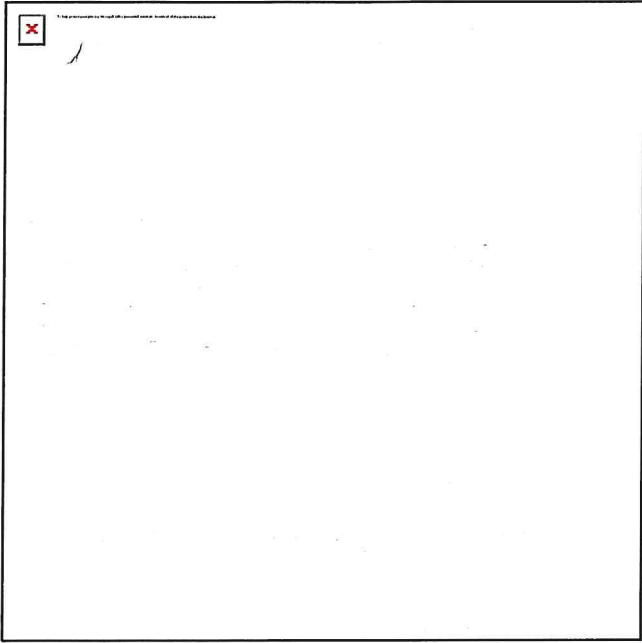
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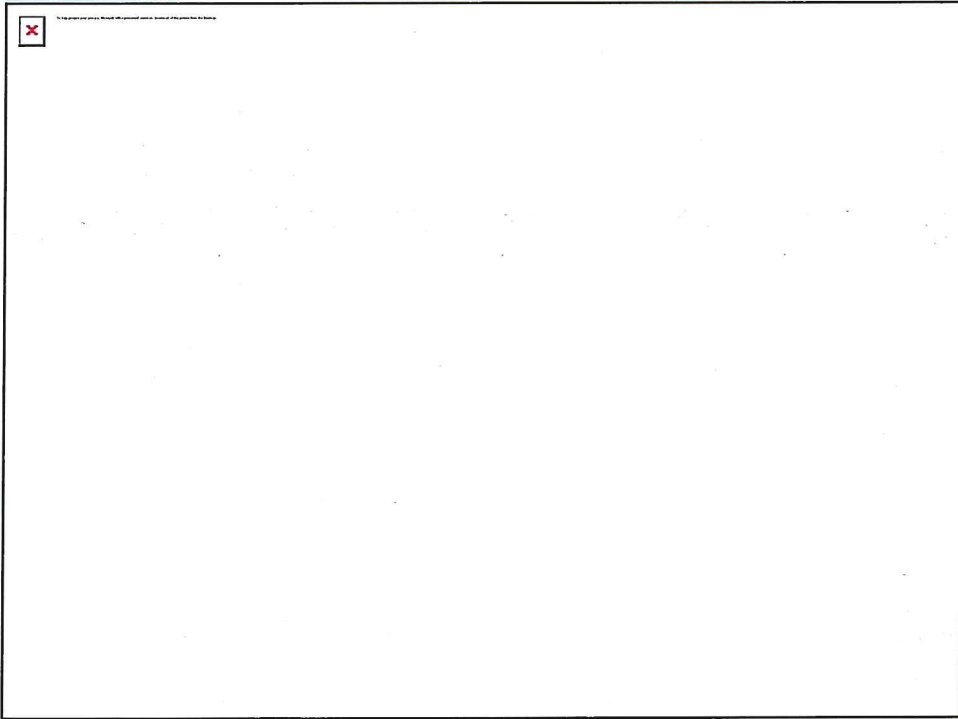


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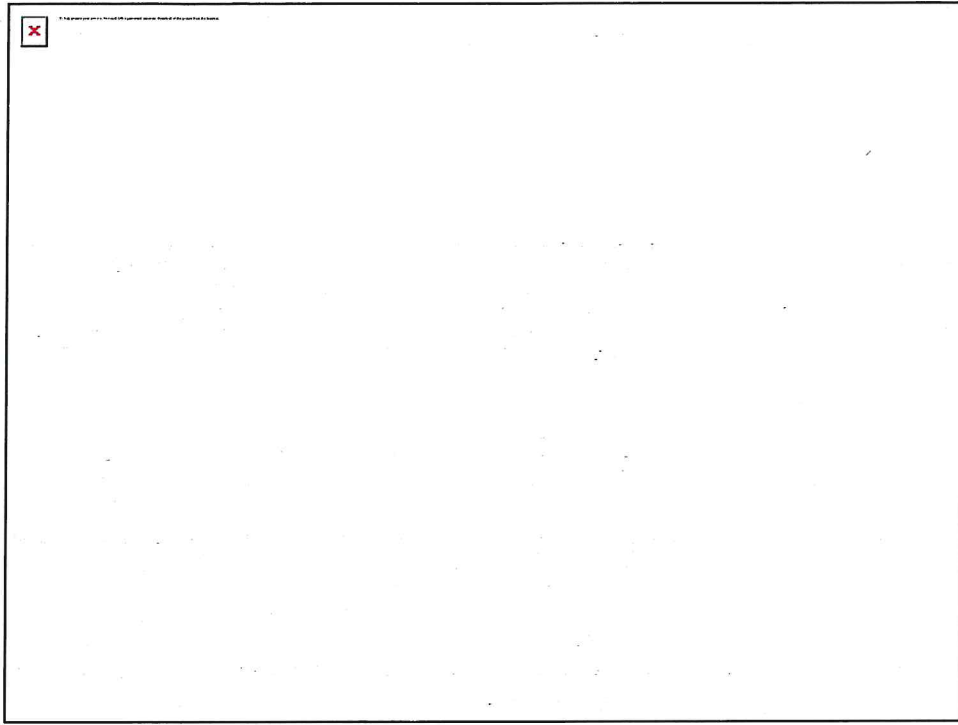


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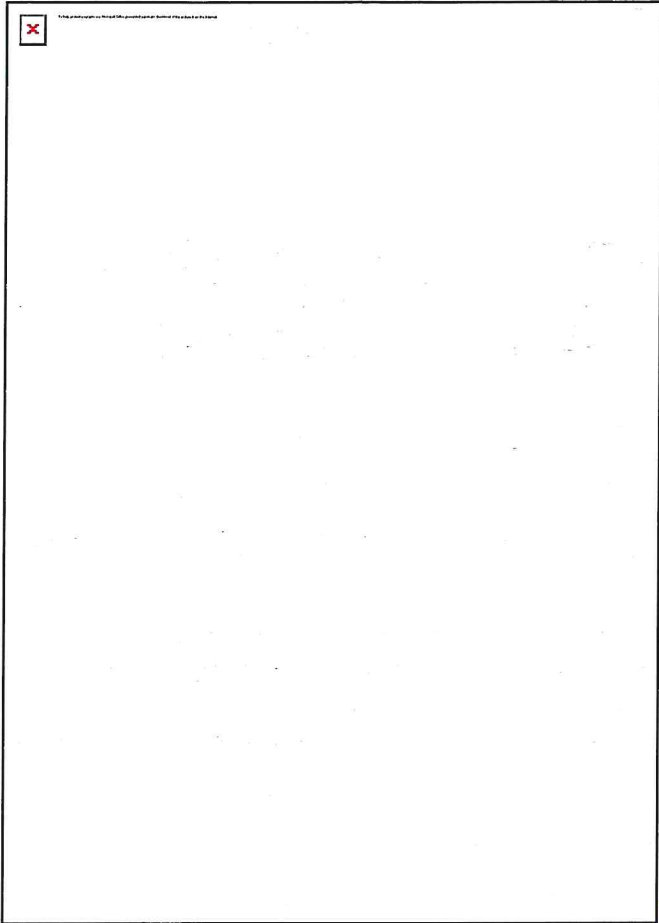
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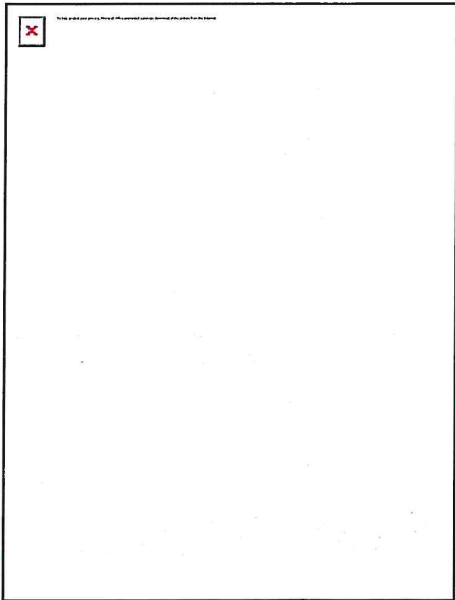
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## Wickman, Erik

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**From:** Steve Bert <sbertmsla@gmail.com>  
**Sent:** Saturday, January 27, 2024 8:06 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Black Bear Season Setting Comment

Hopefully, I am not late for input to your committee. After leaving Kansas & settling in Montana via the Air Force, have lived here over 50 years. Wildlife appreciation for residents & visitors is a great gift we need to treasure. Hunting & trapping needs to be much more limited—not expanded. And especially, when private interests and dollars reward individuals instead of the public. If the board has any representatives that have personal or private interest in this legislation, that is a violation or conflict of interest and they should recuse themselves.

We deserve & future generations deserve the priority of wildlife protection.

Thanks for your concern.

Steve Bert

Missoula

Sent from my iPhone

## Wickman, Erik

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**From:** mark fisher <fisher555@sbcglobal.net>  
**Sent:** Saturday, January 27, 2024 3:34 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] FWP proposal to be amended: Upland Bird Non-Resident Starting Date Change

Dear Commissioners,

Regarding the proposed amendment to adjust the starting date for nonresident upland bird hunters from September 1 to September 15 for certain species, including falconry, fall turkey, mountain grouse, partridge, sage grouse, and sharp-tailed grouse, I would like to express my concerns.

While I understand the intention behind this amendment, I believe it's important to thoroughly consider the potential impacts on both the resource and the hunting community.

Firstly, delaying the start date for nonresident hunters may alleviate some pressure on these upland bird populations. However, it's crucial to assess whether a two-week delay will effectively mitigate any perceived resource concerns. Additionally, this adjustment could potentially impact the local economies that rely on nonresident hunters, as well as the overall hunting experience for both residents and nonresidents.

Furthermore, before implementing such a change, it's imperative to gather comprehensive public input to ensure that all stakeholders have the opportunity to voice their perspectives and concerns. This input should include not only hunters but also wildlife experts, conservationists, and representatives from affected communities.

In conclusion, while I appreciate the effort to address the observed increase in nonresident hunting pressure, I urge the Commission to proceed with caution and conduct thorough research and consultation before making any amendments to the starting dates for upland bird hunting. It's essential to strike a balance that ensures the sustainability of our wildlife resources while also considering the interests of all stakeholders involved.

Thanks for taking my input.

Mark Fisher

## Wickman, Erik

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**From:** Buster Front <busterfront@gmail.com>  
**Sent:** Saturday, January 27, 2024 6:25 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Upland gamebird amendment comments

Dear FWP Commission:

I fully support FWP's proposal to delay the upland gamebird opener for non-residents (NR) until September 15. As a very avid resident upland bird hunter in Montana over the last 32 years, I have seen and experienced firsthand the frustration of dealing with increasing NR hunting pressure. The quality of bird hunting in MT has deteriorated as a result of this, and several of my hunting buddies no longer hunt birds because of these changes. This proposal is a start.

I also encourage you to do the same for the opener of pheasant season. I no longer hunt pheasants the first two to three weeks of the season because of the pressure, and it is mostly NR hunters. They are everywhere anymore! In fact, this past season I traveled up to the northeast corner of MT (Froid, Medicine Lake and Plentywood areas) on the second week of November thinking pressure might be light and I could have a good week working a young dog. No, there were hunters at pretty much every block management area, and very few of them were from Montana. It is beyond frustrating. It is the first time I started thinking that I might be done bird hunting.

Please consider giving the residents of Montana a week of quality hunting for the pheasant opener. South Dakota has a delayed opener for NR hunters and it sure does not seem to reduce NR hunting interest there. Some rural MT communities might be concerned about the loss of revenue, but I would love to prove to them that resident dollars are just as good as NR's.

And finally, implementing a delayed pheasant opener for NR very well might help with FWP's R3 efforts directed at increasing resident bird hunter participation. Certainly this would be far more valid than the governor's pet project of releasing featherless (thus flightless) and brainless jail birds at \$80 a pop. That is very expensive coyote, fox, and raptor food. But that's an issue for another day.

Thank you for your consideration.

Sincerely,  
Dave Yerk  
Choteau, MT

## Wickman, Erik

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**From:** Wendy Keefover (she/her) <wkeefover@humanesociety.org>  
**Sent:** Friday, January 26, 2024 3:25 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Proposed black bear regulation changes  
**Attachments:** HSUSetal-MT-BlackBearHuntingComments.pdf

Dear Montana Fish, Parks & Wildlife Commission:

Thank you for this opportunity to comment on the proposed black bear regulation changes. On behalf of several NGOs, we urge you to vote "no" on the staff's proposed regulations for the following reasons:

1. **FWP must permit only "fair chase" practices.** We urge the Commission to oppose the 2-week increase in bear springtime bear hounding. Hounding is not "fair chase" bear hunting. It puts grizzly bears into jeopardy, and subjects houndsmen and hounds to bear attack. It increases the possibility of orphaning bear cubs (of either bear species). It will increase grizzly bear poaching incidents. Hounds threaten non-target animals including winter-stressed ungulates with neonatal fawns and calves.
2. **We urge the Commission to oppose the inclusion of the Ninemile watershed as part of a new black bear hounding area because it is known grizzly bear country.**
3. **We urge the Commission to require that bear hunters bring bear carcasses to the FWP for inspection and tooth extraction to avoid grizzly bear poaching.** Without a bear carcass, and unless FWP conducts DNA analysis on each set of teeth, bear hunters could be poaching grizzly bears.

Please see our comments attached here for fuller explanations.

Thank you for your consideration.

Sincerely yours,

**Wendy Keefover**

Senior Strategist, Carnivore Protection - Wildlife Department  
[wkeefover@humanesociety.org](mailto:wkeefover@humanesociety.org)  
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## Wickman, Erik

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**From:** Tony Jewett <tonyjewett1@gmail.com>  
**Sent:** Tuesday, January 30, 2024 2:53 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Upland Game Bird Management Comment

January 30, 2024

Dear Commissioners:

I write to submit my comments on the proposed new regulations governing Upland Game Bird hunting and management for the coming 2024-25 seasons. In doing so, I complement the Department and The Commission for recognizing that upland game bird hunting has become, like so many recreational and hunting activities in Montana, competitive and of dwindling quality and opportunity for many resident hunters who have long lived in our great state.

Of particular note in this changing hunt setting is the negative impact of non-resident bird hunters on the sport. Non-resident bird hunters are not only involved in expanding private land leasing activities (and in doing so undermining traditional relationships built over decades between resident hunters and private landowners), but have additionally put great pressure on our state and federal public land opportunities, as well as those private lands that remain open and accessible by permission.

I have hunted Montana's public and private lands for over 4 decades and I can personally attest to the accelerating deterioration of quality upland hunting that has occurred in the past 10 years. In places I have traditionally gone, I consistently run into frustrated landowners whose doors I have knocked on over time, closed private lands, and public lands hammered by non-resident bird hunters (many of whom are employing out-of-state outfitters with many dogs scouring the landscape).

Montana's upland bird landscape has quickly lost its 'Last Best Place' moniker among many, many resident bird hunters.

I would assert that the DFWP proposed regulation changes for Upland Bird are a positive start and a recognition of the problem we face in Montana. However, I would hope and request that the Commission would direct the Department to further strengthen these proposed regulations. Specifically, I request:

1) On Non-Resident Bird Dog Training: I would appreciate that the opening day for non-resident dog training activities run concurrently with the Opening Day for non-resident bird hunting, which in this case would be on September 15 - the new proposed date for non-resident upland hunting. The current proposal seeks a non-resident bird dog training start of September 1 (a change from August 15). In making this change, non-resident upland hunters would come into our state on September 15 for their beginning of both hunting and training purposes.

2) Non-Resident Upland Season Start: I thank the DFWP for proposing that the non-resident season begin 15 days (on September 15th) after the resident season (which begins on the traditional September 1st date).

3) Separate Opening of the Pheasant season for Non-Resident and Resident Hunters: I strongly urge the Commission to direct the Department to stagger the resident and non-resident season openers for pheasants. I would urge this action to set the opener for residents as October 12 and that for non-residents be October 19th. Unquestionably the quality and experience of the pheasant season - the most sought after of upland species - has been drastically impacted by non-resident competition at all levels, from private land leasing to public land competition. By staggering the resident /non-resident season openers, Montana's resident hunters - those of us who live here, pay taxes here and support our hunting conservation efforts every day all year, would gain a full week of opportunity without having to put up with the hordes of non-residents and out-of-state outfitters who have disrupted so much of our traditional, time-honored bird

hunting activities in recent years - and negatively altered much of the character that those of us who live here have come to cherish about our sport.

Thank you for your efforts to address this important and significant area of hunting opportunity, one that is teetering on being forever changed without assertive steps by our game managers.

Sincerely,

Tony Jewett  
500 Diehl Drive  
Helena, Mt 59601  
(406)431-8408

**Tony Jewett**  
[tonyjewett1@gmail.com](mailto:tonyjewett1@gmail.com)



## Wickman, Erik

---

**From:** mdstirrup@gmail.com  
**Sent:** Tuesday, January 30, 2024 1:04 PM  
**To:** FWP Commission  
**Cc:** commissionerregion1@mtfwp.org; commissionerregion2@mtfwp.org;  
commissionerregion3@mtfwp.org; KC Walsh; commissionerregion5@mtfwp.org;  
commissionerregion6@mtfwp.org; commissionerregion7@mtfwp.org  
**Subject:** [EXTERNAL] Emailing: FWP Upland Bird Comment  
**Attachments:** FWP Upland Bird Comment.pdf

Please see my attached comment.

Maureen Davey  
51 LE Peterson Rd.  
Columbus, Montana 59019

## Wickman, Erik

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**From:** Jessica Karjala <jessica.karjala@footloosemontana.org>  
**Sent:** Tuesday, January 30, 2024 11:17 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Comment - Please use this one, thanks  
**Attachments:** Footloose Montana Comment on Black Bear Season and Regulations Proposal for 2024 and 2025.docx

Please see attached comment. Thanks.

---

### Jessica Karjala

Footloose Montana, Executive Director



4068809594

PO Box 8884

Montana 59807

<http://www.footloosemontana.org> [footloosemontana.org]

## Wickman, Erik

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**From:** Jessica Karjala <jessica.karjala@footloosemontana.org>  
**Sent:** Tuesday, January 30, 2024 11:17 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Comment

Please see attached comment from Footloose Montana. Thank you.

---

### Jessica Karjala

Footloose Montana, Executive Director



4068809594

PO Box 8884

Montana 59807

<http://www.footloosemontana.org> [footloosemontana.org]

## Wickman, Erik

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**From:** Tom France <thomasmfrance@gmail.com>  
**Sent:** Tuesday, January 30, 2024 9:13 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Upland bird and dog training amendments

Commissioners:

As a state legislator and Vice-Chairman of the House Fish and Wildlife Committee, I've been deeply involved in the dog training issues since constituents across Montana began voicing their concerns with the number of dog trainers and pointing dogs coming into the state to utilize public lands in August and September. Too many trainers and too many dogs are disrupting agricultural activities, diminishing quality hunting opportunities and undermining landowner support for public access programs in many areas of the state, but particularly in northeastern Montana.

Because of these problems, I strongly supported the Commission's decision last year to separately regulate resident and non-resident dog trainers and to only allow non-resident dog trainers on state lands after August 15 of each calendar year. While this was a very responsible decision by the Commission, it had the unfortunate effect of advertising dog training opportunities and, by all reports, increasing the number of trainers coming to Montana.

The Department has responded to this situation by proposing an amendment to the Commission to only allow non-resident dog trainers to use state lands beginning Sept. 1. I strongly support this proposal, but would urge the Commission to modify the amendment to simply state that non-resident dog training is only allowed on state land or publicly accessible private land (block management lands) concurrently with non-resident upland bird seasons.

From testimony we heard in the Legislature, and in discussions I have had with Montana landowners, hunters and local business leaders over the last year, I see virtually no benefits to Montana from allowing non-resident trainers to use state lands. The tensions between trainers, landowners and our rural communities comes almost exclusively from non-resident trainers. Montana dog trainers are not the problem.

For those non-resident trainers who want to come to Montana outside of the non-resident hunting season, the solution is obvious: contract with willing private landowners to use private lands. Focusing dog training on private lands will not only create an economic opportunity for those landowners willing to accommodate this land use, private landowners are in the best position to manage dog training so as to not damage or compromise their agricultural operations.

I would also like to voice my strong support for a proposal submitted by a coalition of landowners and Montana upland bird hunters to move the opening date of the non-resident bird season to September 15. This modification, coupled with the dog training amendment, will enhance landowner tolerance for both hunting and dog training, still provide ample opportunity for non-resident upland bird hunters, and give Montana hunters a small reprieve in having to compete with non-residents for hunting opportunity.

Montana's September 1 opening day has been in place for decades. Over the years, the hunting pressure in the early season has steadily increased, in part because other plains states open their hunting seasons later in September. I urge the Commission to conform Montana's non-resident opener to opening days in other states, which will take the target off Montana and better distribute non-resident hunting pressure across the range of upland birds.

For this same reason, I also support the proposal being made by landowners and sportsmen for a partial split in the pheasant opener. Providing a week for Montana hunters to enjoy opportunities on public and block management lands will bring Montana in line with North Dakota's pheasant hunting season and better distribute non-resident hunting pressure across the states providing non-resident hunting opportunities.

Thank you for the opportunity to comment on the proposed upland bird regulations.

Rep. Tom France  
HD 94

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**Wickman, Erik**

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**From:** Craig Wagner <craig.wagner60@gmail.com>  
**Sent:** Tuesday, January 30, 2024 8:38 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Cebull bear amendment

The proposed changes to the current bear regulations brings up some issues that I feel should be addressed.

First is the extended seasons for the island mountain ranges in Central Montana. These populations do not have a proposed quota along with extended seasons. There has already been an increase in pressure on these populations with the fairly recent hound hunting. Responsible management would likely have already included a quota with these last changes.

Not having a mandatory inspection of harvested animals adds a higher level of uncertainty of actual harvested bears.

The reason for extending the season becomes less appealing when you consider the higher number of bears that will be harvested that are excessively rubbed..

Thank you for the opportunity to comment on these proposed changes.

Craig Wagner  
Glendive, Mt

## Wickman, Erik

---

**From:** Taylor Todd <taylorjtodd@gmail.com>  
**Sent:** Tuesday, January 30, 2024 8:29 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Upland Game Bird Comment

Chair Robinson and FWP Commission members,

Thank you for taking the time to address upland bird hunting regulations regarding the season in Montana. I have been involved in bird dog training legislation and different working groups on these topics for a little over a year now. This is a complicated topic of which I have many concerns, but I know time is valuable so I will only address the most important aspect of the proposed and amended change to the regulations.

It is my understanding that the proposed amendment is to address the overcrowding of non-resident bird hunters in FWP's Region 6 during the early part of the season. I have never been to that part of the state to witness the issue first hand, nor do I completely understand the intricacies of the problem that is happening there. I do know, that as a professional hunting guide, my livelihood is at risk as I continue to see access decreased for dog training and upland bird hunting.

Nearly all of our clientele are from out of state and reducing their access for 15 days, from September 1<sup>st</sup> to the 15<sup>th</sup>, effectively shortens my guide season by 25% and reduces my annual income respectively. I live in Helena and guide non-resident bird hunters based out of Big Timber and Lewistown, some of which is on public land. These regions of the state do not show similar issues of what is being reported in Region 6 and therefore I find it difficult to support these changes as they are negatively impacting the livelihood of hard working Montana residents in the outfitting industry.

If it is necessary to curtail the non-resident bird hunting crowd, I would prefer the commission consider changing the amendment away from a date specific and land ownership based occlusion of bird hunters. It may be more effective to limit the amount of days non-residents can hunt upland birds, similar to SB388 that was proposed in the previous legislative session. This will avoid a situation where an already short and valuable period of the fall, where the economic value of non-resident hunting, supports the outfitting industry as well as other rural small business throughout the entire state of Montana, including those outside of Daniels and Sheridan counties.

As a professional guide and dog trainer I'd like to make myself available to the commission for any questions regarding the specifics of our profession and how it may relate to the solution the commission is seeking.

Thank you for your time,

Taylor Todd

406 438 6445

[taylorjtodd@gmail.com](mailto:taylorjtodd@gmail.com)

**Wickman, Erik**

---

**From:** Montana Chapter <montana@backcountryhunters.org>  
**Sent:** Monday, January 29, 2024 9:14 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Montana BHA comments on Vice Chair Cebull's black bear amendments  
**Attachments:** Montana BHA comments on Vice Chair Cebull's black bear amendments.pdf

Chair Robinson, Commissioners -

Please see the attached comments from Montana BHA in response to Vice Chair Cebull's black bear amendments.

We thank you for the opportunity to comment,

- Montana BHA



## Wickman, Erik

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**From:** Jess Wagner <jess\_wagner2@hotmail.com>  
**Sent:** Monday, January 29, 2024 4:15 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Cebull Bear Amendment  
**Attachments:** Black Bear Mortality Patterns in BMUs 411 420 520 and 580 1-2024 (1).docx; Region 4 black bear management recommendation 1-2024 (1).docx

Dear FWP Commission,

I am a bear hunter, and I am writing to you as I am concerned about some potential implications of the proposed spring black bear changes here in region 4. I am also including some documents (Region 4's recommendations and Black Bear Mortality Patterns in BMU's 411, 420, 520, and 580) that you might find valuable. What could be a good change in Region 1 could be a detrimental change here in our island mountain ranges in Region 4. The data in the documents makes a compelling case for leaving the spring bear hunting in region 4 as is, or at least implementing a quota if we are going to expand the season to June 15th.

The attached "Black Bear Mortality Patterns" document states that "Current harvest rates in the Snowies, Little Belts and Crazy Mountains are not sustainable. Even in The Beartooths, where a female harvest quota is in place, we have documented a declining population. Increased harvest, especially female harvest, will accelerate these declines. Black bears in the island mountain ranges of central Montana have one of the lowest reproductive rates of any large mammal in North America. Consequently, these populations are susceptible to over harvest and recovery from over harvest takes many years. For example, the bear population in BMU 520 was significantly over harvested in the mid-1980s and took 15 years to recover using very restrictive female harvest sub-quotas."

I will also add some of my own observations. Every spring, I put out 20+ trail cameras on National Forest lands in the island ranges in central Montana. I can tell you, based on the evidence on my trail cameras, that bear activity increases significantly in June. In fact, I get more pictures/videos of bears in June than I do the rest of the months combined. June is the breeding season when bears are moving around more and are much more visible to hunters. I have no doubt that allowing hunting until June 15<sup>th</sup> will have a significant impact on the bear harvest in region 4.

We just introduced hound hunting a few years ago and have already seen an increase in harvest as a result of that added opportunity. It is only going to gain in popularity. I feel that increasing the season length is too soon and we need more time to see the full extent to which hound hunting is going to impact spring bear harvest. It also doesn't make sense to increase harvest while getting rid of the mandatory inspection of harvested bears. Increasing harvest means that data collection would be even more important than ever. I have spoken with region 4 staff, and they have expressed that mandatory check-in is not a burden for the staff. We have already seen ballot initiatives that have led to bear hunting bans in other states. This is likely to happen here in Montana eventually. Although it may seem unlikely at this time, we have already had recent initiatives to ban trapping right here in Montana. Having reliable data to justify having a spring season will be really important in the event that a bear hunting ban initiative is ever introduced.

If we are going to extend spring bear hunting to June 15th, I would urge you to consider implementing a quota for the BMU's in Region 4. The quota could be based on the average yearly spring harvest over the last 10 or

more years. I feel it is important to go back at least 10 years since the attached document states that the current harvest levels are not sustainable. I would also recommend amending the proposal to retain the mandatory inspection of harvested bears. Thank you for taking the time to read my comments. Please feel free to reach out to me if you have any questions or would like to discuss this further.

Jess Wagner  
Lewistown, MT  
406-939-3458

## Wickman, Erik

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**From:** Chip Westerman <chipwesterman@gmail.com>  
**Sent:** Monday, January 29, 2024 2:22 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Comments re: Proposed Amendments

Hello,

I strongly support moving the nonresident opener from September 1 to the 15th. Further, I suggest moving the nonresident pheasant opener back fifteen days, as that tends to be a complete zoo (generally far worse than September 1) in areas that receive significant NR pressure, such as the NE corner of the state.

Regarding the bird dog training amendment, I like the idea of moving it back a great deal, but would be happier if the starting date was moved back to September 15th to match the NR hunting opener.

Best,  
Chip Westerman  
(Bozeman, MT)

## Wickman, Erik

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**From:** dave daveheine.com <dave@daveheine.com>  
**Sent:** Monday, January 29, 2024 11:38 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] birds seasons and Ca. Quail

Dear commission:

I think it is wonderful that you are addressing some of the issues that surround dog training and bird hunting in Montana. Because of the huge influx of nonresident bird hunters the quality experience has been going down for many bird hunting participants. As many elk hunters have said we need to figure a way to give residents priority over nonresidents. I believe the same holds true with bird hunters. Maybe more flexibility in licensing would keep people from purchasing a season-long license and overstaying their welcome. Would the possibility of a three day license that could be purchased in multiples be a good solution? I do not know but I'm glad you're visiting about this, thank you.

I believe it was in 2017 that California Quail were banned and treated like feral cats by the Fish Wildlife and Parks Commission. Possessing a live one was prohibited. Hunters in other states wondered why we did this, so do we. Texas is releasing some to see if they will fill a niche that the Bob whites can't seem to make work. Oregon, Washington and Idaho have thriving populations and love these birds. We think they make a wonderful bird for training dogs as they are hardier and fly better than Bob whites. They are not a threat to anything. They are a bird that does not that thrives in areas that other birds seem to struggle in. The people that we've been around whether it is in the Bitterroot Valley or in other states love this bird. My understanding that the commission just needs to approve a change to the status of this bird for the state and it can happen. Can somebody please do this.

We have observed much positive feedback for the rooster release program and the birds that have been released in the Flathead Valley. Thank you for giving hunters the opportunity to pursue birds in this area.

Thank you,  
Dave Heine MA ARA, Broker  
Accredited Rural Appraiser  
David J Heine & Associates LLC  
A Montana Licensed Broker  
240 First Avenue West  
Kalispell, MT 59901  
Phone: (406) 890-2117  
Fax: (406) 890-2119  
Cell:(406) 253-4991  
[www.daveheine.com](http://www.daveheine.com) [[daveheine.com](mailto:daveheine.com)]

## Wickman, Erik

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**From:** Casey Phelps <tenmilecreekoutfitters@gmail.com>  
**Sent:** Monday, January 29, 2024 11:35 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Public Comment opportunity for proposed change to Non-Resident upland season

Dear Commissioners,

Hello, My name is Casey Phelps and I am writing to oppose the proposal to change the upland game bird season dates for Non-residents. I am an upland bird Hunting outfitter and owner of Montana Bird Hunts. I operate in the Big Timber and Lewistown , and Augusta areas. Dennis Kavanagh started this business nearly 40 years ago. Many people and small businesses in rural Montana benefit from Non-residents hunting upland birds, and have relied on the income from this business for over 30 years.

Changing the season would cost me 30% of my revenue. It would also hurt other guides, hotels and restaurants, ranches and other local businesses that serve Non-resident hunters. Several ranches have mentioned to me that the revenue really helps with the recent increase in property taxes.

I disagree that the proposal will be a good solution to the perceived problem. I'm afraid that the fallout statewide will be a bigger problem than the solution for the issue. Outfitters that rely on both private and public leased lands stand to lose a lot of business.

Moving the season back 15 days will shorten the good weather window that upland outfitters throughout the state rely upon to serve clients. Due to inclement weather and Big Game season, I'm typically limited to about 2 months of the season, mainly September 1 through October 25. This proposal would be a devastating slice out of the window I have to do business.

I understand that there is an amendment limiting non-residents to only private ground for the first 15 days of September. This would greatly help ease the devastation of this proposal. However, I still believe that this is not a great solution. I think that there are better ways to limit overcrowding in small areas. Big Game does tag allocations. Other states limit the time frame that non-residents can hunt through licensing, for example South Dakota and North Dakota. I think that there is a lot of room for a good solution through this method.

In the areas where I hunt personally and professionally, I do not see a problem with crowds. In fact I see very few upland hunters until pheasants have opened. I don't understand why there needs to be a limit to the first 15 days of the season **statewide**.

This proposal will also shorten the 30 day sage grouse season to 15 days for non residents. I believe this will not benefit Sage Grouse conservation. Montana is one of the last states that

allows Sage grouse hunting. I believe this will be a further setback to the conservation and restoration of the species.

As I understand it, the problem with over crowding is specific to North Eastern Montana. I am sympathetic to this issue, however I don't understand why this will set precedence and change the policy for the rest of Montana (the 4<sup>th</sup> largest state).

I believe more time and discussion needs to be done in order to make a solution that doesn't adversely harm other parts of this state that are not part of the problem.

Thank you for your time and consideration.

Sincerely,  
Casey Phelps

## Wickman, Erik

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**From:** Dennis Kavanagh <dg1.kav@gmail.com>  
**Sent:** Monday, January 29, 2024 9:20 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] September 15 open date for nonresident bird hunters

Dear Commissioners,

As to moving the opening date to September 15 for nonresident bird hunters I am asking you to vote no.

I work as a bird hunting guide and outfitter. Mostly all of our clients are nonresidents (~100%). They are bringing outside income and spending it in Montana.

Money spent by nonresident bird hunters (guided and unguided) also help support businesses in small Montana communities and the people they employ. It also supports ranchers (through lease fees).

Ninety percent of the guided bird season takes place from September 1 through the first three weeks of October. You are looking at a 30% loss of income for all of these folks if September 15 becomes the opening date for nonresidents. The guides I work with can't take a 30% income cut. They have families to support.

If the reason for moving the date to September 15 is based on a social conflict, i.e., too many nonresident upland hunters, I propose that there is a better way to address the problem.

Keep the opening day upland bird season at September 1 for both residents and nonresidents. For public lands and block management lands allow nonresidents one 5-day license in September and one 5-day license in October with no restrictions on number of days beginning November 1. There should also be no restrictions on private land hunting for the entire season.

Thank you for your time and consideration addressing this matter.

Sincerely,

Dennis Kavanagh  
Outfitter license #271  
406-223-5923

Sent from my iPhone

## Wickman, Erik

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**From:** Shaw, Hewitt <HShaw@bakerlaw.com>  
**Sent:** Friday, January 26, 2024 9:15 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Comments on Chairperson Robinson's Amendment for Upland Bird Season for Nonresidents

January 26, 2024

Commissioners

I appreciate the opportunity to comment on the recently proposed amendments to the upland bird hunting season regulations.

While I am not a Montana resident, I feel I have a good sense of the Montana upland bird hunting environment and view this issue through the practical, if not technically legal, lens of a Montana resident.

I have hunted upland birds on the Montana prairies and grasslands for much of the bird season during each of the past 20 years, and I own a home in Montana. I have hunted on private and public land, with and without guides, in most of the well-known upland areas across the state, always behind my setters. I've gotten to know landowners and ranchers who have been gracious in sharing their resource with me and others, and Montana-based outfitters whose livelihoods depend on the already short bird season and who care deeply about and are responsible stewards of the habitat that is at the center of these outings.

Over my 20 years I have seen the bird numbers and their hunt-ability ebb and flow based on cover quality, weather during the hatching and early rearing season and prevalence of predators, but not based on training or hunting pressure or the number of boots or dogs in the field. That activity may move birds around, but it doesn't eliminate them. In any case, I enjoy my hunts equally from year-to-year without regard to how many birds are in the bag, and find my real enjoyment from hunting behind hard running dogs whose passion also doesn't depend on numbers but rather simply on being afield in good cover where the prospect, but not the certainty, of finding birds exists. I share that view with most other upland hunters, and eliminating a key part of the bird season will be disappointing to us all. In this day and age, we should be encouraging outdoor sporting enthusiasts and their families and upcoming generations to spend time in the fields, not limiting their access.

With that background, here are my concerns with your proposed amendments:

- It appears that the base concern is with dog training, but there does not appear to be objective fact-based research to support that dog training concern. These amendments, denying access to the bird fields by nonresidents in the pre- and early season, are extreme and should be taken only if supported by good data and should be moderated or more focused based on that research.
- The amendments don't distinguish between the impact of bird dog training and bird dog hunting. While I question whether training itself is a problem that needs addressed, it should be dealt with separately without impacting the actual bird hunting season.
- If after due study it is determined dog training is its own problem, that can be addressed better with license fees for training (with higher amounts for nonresidents like with hunting) and by imposing training limits on public land or private land sponsored by state or federal programs.



- More specifically to the preceding point, if dog training activities are considered disruptive to local residents, the Commission could impose restrictions on those training activities – e.g. limiting horseback and ATV usage, or a dog training license program that limits, perhaps by area or public land tract, but doesn't outright prohibit or delay, training. If the motive behind these amendments is to respond to local residents complaining about nuisances from dog training and hunting, and not based on habitat quality or bird numbers, the solutions should address those nuisances as suggested above rather than by outright banning training and hunting activities until later in the season.
- These amendments seriously interfere with the rights of private landowners and ranchers who take no financial governmental support from deciding the best and appropriate use of their land. Chairperson Robinson's amendment that would limit the applicability of a delayed upland hunting start date to "public land" is a helpful step in that direction. Consideration should be given to that same approach for dog training.
- The advance notice for these amendments is too short. Bird dog enthusiasts make their fall plans months in advance, so amendments announced with a very short comment period to be decided in the February preceding the fall season leave bird dog folks in the lurch for the upcoming season.
- These amendments will severely impact the financial viability of Montana-based bird hunting outfitting operations, in the case of 2024 where client deposits have been received and commitments to employees, landowners and ranchers and hospitality providers are in place.
- Extending the season at the back end is not a solution. The weather for upland bird hunting is September – October, and by November birds are bunched up in deeper cover and frankly, while the weather can be nasty, they can be easier to find and kill in large groups.
- Bird hunters and outfitters, both resident and nonresident, care deeply about the upland bird fields they enjoy, and are the best caretakers of that resource. Diminishing their reason to care about that resource is not good policy for the long run.
- Relatedly, landowners and ranchers who make their land available for upland hunting manage the cover for that activity, which benefits the broader area with large blocks of managed good cover in the area. Diminishing the incentive to landowners and ranchers to manage cover for upland hunting is also not good long-term policy.
- To summarize and emphasize the prior two points, year-in and year-out, for the long-term, cover well-managed for upland hunting is by far the most important factor for the quality of the hunting, and the folks who care about that cover – the hunters, the landowners and ranchers and the outfitters – should not be discouraged by limiting their access to or incentive to well-manage that cover.

I hope you find these comments constructive and helpful, and that you at least defer any changes to the upland bird season until the 2025 season with more study given to the issue, perhaps with a focus on the impact of pre-season dog training and ways to address that separate issue more specifically as mentioned above.

I would be happy to discuss this topic further with any of the Commissioners.

Respectfully

Hewitt Shaw

Bozeman, MT  
Hudson, OH

Cell: 216.496-1823  
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**Hewitt Shaw**  
Partner

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## Wickman, Erik

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**From:** Shaw, Hewitt <HShaw@bakerlaw.com>  
**Sent:** Friday, January 26, 2024 9:14 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Comments on Upland Hunting Season for Nonresidents

January 26, 2024

Commissioners

I appreciate the opportunity to comment on the recently proposed amendments to the upland bird hunting season regulations.

While I am not a Montana resident, I feel I have a good sense of the Montana upland bird hunting environment and view this issue through the practical, if not technically legal, lens of a Montana resident.

I have hunted upland birds on the Montana prairies and grasslands for much of the bird season during each of the past 20 years, and I own a home in Montana. I have hunted on private and public land, with and without guides, in most of the well-known upland areas across the state, always behind my setters. I've gotten to know landowners and ranchers who have been gracious in sharing their resource with me and others, and Montana-based outfitters whose livelihoods depend on the already short bird season and who care deeply about and are responsible stewards of the habitat that is at the center of these outings.

Over my 20 years I have seen the bird numbers and their hunt-ability ebb and flow based on cover quality, weather during the hatching and early rearing season and prevalence of predators, but not based on training or hunting pressure or the number of boots or dogs in the field. That activity may move birds around, but it doesn't eliminate them. In any case, I enjoy my hunts equally from year-to-year without regard to how many birds are in the bag, and find my real enjoyment from hunting behind hard running dogs whose passion also doesn't depend on numbers but rather simply on being afield in good cover where the prospect, but not the certainty, of finding birds exists. I share that view with most other upland hunters, and eliminating a key part of the bird season will be disappointing to us all. In this day and age, we should be encouraging outdoor sporting enthusiasts and their families and upcoming generations to spend time in the fields, not limiting their access.

With that background, here are my concerns with your proposed amendments:

- It appears that the base concern is with dog training, but there does not appear to be objective fact-based research to support that dog training concern. These amendments, denying access to the bird fields by nonresidents in the pre- and early season, are extreme and should be taken only if supported by good data and should be moderated or more focused based on that research.
- The amendments don't distinguish between the impact of bird dog training and bird dog hunting. While I question whether training itself is a problem that needs addressed, it should be dealt with separately without impacting the actual bird hunting season.
- If after due study it is determined dog training is its own problem, that can be addressed better with license fees for training (with higher amounts for nonresidents like with hunting) and by imposing training limits on public land or private land sponsored by state or federal programs.

- More specifically to the preceding point, if dog training activities are considered disruptive to local residents, the Commission could impose restrictions on those training activities – e.g. limiting horseback and ATV usage, or a dog training license program that limits, perhaps by area or public land tract, but doesn't outright prohibit or delay, training. If the motive behind these amendments is to respond to local residents complaining about nuisances from dog training and hunting, and not based on habitat quality or bird numbers, the solutions should address those nuisances as suggested above rather than by outright banning training and hunting activities until later in the season.
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- Bird hunters and outfitters, both resident and nonresident, care deeply about the upland bird fields they enjoy, and are the best caretakers of that resource. Diminishing their reason to care about that resource is not good policy for the long run.
- Relatedly, landowners and ranchers who make their land available for upland hunting manage the cover for that activity, which benefits the broader area with large blocks of managed good cover in the area. Diminishing the incentive to landowners and ranchers to manage cover for upland hunting is also not good long-term policy.
- To summarize and emphasize the prior two points, year-in and year-out, for the long-term, cover well-managed for upland hunting is by far the most important factor for the quality of the hunting, and the folks who care about that cover – the hunters, the landowners and ranchers and the outfitters – should not be discouraged by limiting their access to or incentive to well-manage that cover.

I hope you find these comments constructive and helpful, and that you at least defer any changes to the upland bird season until the 2025 season with more study given to the issue, perhaps with a focus on the impact of pre-season dog training and ways to address that separate issue more specifically as mentioned above.

I would be happy to discuss this topic further with any of the Commissioners.

Respectfully

Hewitt Shaw

Bozeman, MT  
Hudson, OH

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**Hewitt Shaw**  
Partner

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## Wickman, Erik

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**From:** Shaw, Hewitt <HShaw@bakerlaw.com>  
**Sent:** Friday, January 26, 2024 9:14 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Comments on Proposed Bird Dog Training Amendment

January 26, 2024

Commissioners

I appreciate the opportunity to comment on the recently proposed amendments to the upland bird hunting season regulations.

While I am not a Montana resident, I feel I have a good sense of the Montana upland bird hunting environment and view this issue through the practical, if not technically legal, lens of a Montana resident.

I have hunted upland birds on the Montana prairies and grasslands for much of the bird season during each of the past 20 years, and I own a home in Montana. I have hunted on private and public land, with and without guides, in most of the well-known upland areas across the state, always behind my setters. I've gotten to know landowners and ranchers who have been gracious in sharing their resource with me and others, and Montana-based outfitters whose livelihoods depend on the already short bird season and who care deeply about and are responsible stewards of the habitat that is at the center of these outings.

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I would be happy to discuss this topic further with any of the Commissioners.

Respectfully

Hewitt Shaw

Bozeman, MT  
Hudson, OH

Cell: 216.496-1823  
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**Hewitt Shaw**  
Partner

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**Wickman, Erik**

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**From:** tthier@interbel.net  
**Sent:** Thursday, January 25, 2024 9:00 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Montana Sportsmen Alliance (MSA) Comments on proposal to lengthen the spring b lack bear season.  
**Attachments:** B lack bear comments.docx

Please see attachment.

**Wickman, Erik**

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**From:** Tam <trodier@yahoo.com>  
**Sent:** Thursday, January 25, 2024 8:30 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Black Bear Regulation Changes - Comments

To Whom It May Concern:

After reading the proposed changes to the 2024 black bear regulations, I have the following suggestions that could be helpful prior to finalizing the changes:

1. Changing of the opening date from April 15th to May 1 is highly favorable because of adverse snow conditions sometimes do not allow access to hunting areas before April 15th. I think May 1st would be an excellent idea in the 500 districts.
2. One thing that would improve the proposed regulations would be to divide area 520 into two areas. As it stands now, the area runs from the Wyoming border along the eastern front of the Beartooth Mountains all the way to the east side of the Boulder River drainage. Splitting the area to go from the Wyoming border to the east side of East Rosebud River southeast to the Montana / Wyoming border. The other portion would run from East Rosebud on the west side to the east side of the Boulder River. Reason being that weather often makes the Boulder and the Deer Creeks area accessible earlier.

The other area from the Wyoming border north to the east side of Rosebud River does not allow access until later in the season. The problem with this is, the Deer Creeks and Boulder area are highly outfitted and therefore there are always more sows taken early in that area. This means the quota for sows is reached before the other area may even be hunted.

3. A huge concern of mine, as an avid bear hunter, is that changing what constitutes the legal shooting of a sow. The prior regulations stipulated that you could not kill a sow with a **cub at side**. The current regulations state that you cannot kill a **sow with a yearling at side**. Because sows do not kick cubs away until the second year, it would be beneficial to the survival of the cubs if they had another year to mature.

Sincerely,

Bill Rodier  
406.670.8827

## Wickman, Erik

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**From:** Bobbi Jo White <bobbiandtheboys@icloud.com>  
**Sent:** Thursday, January 25, 2024 12:06 PM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Extended bear season

Hello my name is Bobbi Jo White. My husband is Jamin White. We own the Diamond R Guest Ranch at Spotted Bear up the South Fork. Since the gate doesn't open until May 15 and very rarely can you drive up the west side much sooner than that we can not guarantee a hunt before May 15. Regardless we have to find a way up before the 15 to get things set up. With that being said we literally have a 2 weeks season. Thats not just for guided hunts. The general public cant make it up before may 15 either. Therefore the Southfork area had a surplus of black bears as they are only targeted for 2 weeks out of the entire year. Its also possible that within those weeks the hunting is horrible due to weather. We Vote to extend Please and Thank you! !!

~Bobbi Jo White ♦ R Ranch.  
Sent from my iPhone

## Wickman, Erik

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**From:** hafenbates91@gmail.com  
**Sent:** Thursday, January 25, 2024 10:42 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] Upland Game Season Ammendments

I am writing to comment on the proposed amendments to the 2024 upland bird season dates. The first shortens the season start for non-residents by two weeks from 9/1 to 9/15. I am curious as to why this amendment has been proposed without supporting rationale along with a very short notice for comment. I view this proposal as having a very negative impact on local businesses especially in small towns that are dependent on out of state hunters. Without a sound wildlife management biological basis there is no reason for this change. As to the second ammendment I would support the shorter season for dog training as it lessens possible disturbance impact for late hatch broods. Even though not stated, I presume this to be the rationale for this ammendment. Rick Hafenfeld, Sheridan, Montana. 406-842-7432

## Wickman, Erik

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**From:** Joe Harper <wildwapiti@live.com>  
**Sent:** Thursday, January 25, 2024 8:03 AM  
**To:** FWP Commission  
**Cc:** Joe Harper  
**Subject:** [EXTERNAL] Upland Game Bird 2024 Proposal

Thank you for taking a hard look at the impact non-resident dog trainers are having on upland game birds prior to the opening hunting seasons. My concerns are with the proposed change of the non-resident upland opening date to September 15. My brother, sister and I have owned the family farm and ranch in Eastern Montana for over 50 years. My brother still lives on and works the property. I live in Wyoming and hunt the property with Montana's Non-Resident Native license. The Commission's proposal, if enacted, will restrict me as a landowner and Montana property tax payer from hunting my land for the first 15 days of the upland bird hunting season. There is something not right with that. This would be an unintended consequence of trying to resolve what Montana residents perceive as an overcrowding of upland bird hunters.

I ask you to reconsider your impacts of this proposal on those of us that were invited back to hunt our home state, own Montana upland habitat, pay Montana taxes on that habitat, are directly adversely affected by this proposal. Thanks. Joe

Joe Harper  
81 Doc Bar Drive  
Cody, WY 82414  
307-578-7729

## Wickman, Erik

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**From:** schultz.jscpa@gmail.com  
**Sent:** Thursday, January 25, 2024 4:44 AM  
**To:** FWP Commission  
**Subject:** [EXTERNAL] FW: Amendments on Upland Game Bird regulations

Commission members,

As a lifetime resident of Montana, I have enjoyed our incredible opportunities to hunt, fish and recreate in the Big Sky Country. I feel FWP has done a great job with regulations -- adjusting to meet a continually changing wildlife population and the hunting/fishing/recreating pressure.

I have been concerned over the last several years with the pressure that out of state dog trainers have been putting on Montana bird populations. I have witnessed convoys of trainers with 10 or more dogs, training and hunting for multiple week periods before moving on. They most certainly damage bird populations. Although I assume there are local trainers doing the same thing, it has not been as apparent to me in the locations I recreate.

I own and hunt with an upland bird dog. I do believe all bird hunters, in state and out, should have the opportunity to hunt Montana birds. I struggle with how many dogs are too many, as well as how long is too long. I realize these groups often operate just inside regulations FWP currently has in place.

Residents of the great state of Montana should enjoy certain benefits from being citizens of the State, paying income and property taxes.

I am in favor of the proposed changes to upland regulations this year. I believe it is a step in the right direction. I fear that with each set of changes to regulations they will become more confusing and more difficult to manage, but we must move forward.

I appreciate your work on these complex issues, and your continued support of sportsman in Montana.

Sincerely,  
David J. Schultz  
81 Scarborough Ave  
Kalispell, MT 59901