

MONTANA FISH, WILDLIFE & PARKS

PUBLIC COMMENTS:

MONTANA ELK MANAGEMENT PLAN GUIDING PRINCIPLES

1. Group member selection failed to include all interested Montana stakeholders. To further complicate but ensure the desired outcome, Montana Fish Wildlife & Parks desire no pro carnivore organization or non-consumptive representation was included. All the while, livestock producers, landowners, and consumptive individuals and organizations had several representatives as members. Thus ensuring the outcome of this Elk Management Initial Citizen group by no fault of their own failed to honor the original "Background " The citizen's group was to be diverse and independent yet represent multiple stakeholder perspectives." Montana Fish Wildlife and Parks have a long history of not representing the non-consumptive Montana community. This willing lack of participation is by design. The senior department leadership refuses to manage wolves and other large carnivores with the best available science or positive social tolerance. Regardless of wildlife belonging to all Montanans under the Public Trust Doctrine. Montana Fish Wildlife & Parks continually demonstrate they only represent and care about and Livestock producers, Outfitters, Hunters, and large landowners. It would be futile to request that this process restarts with a balanced selection of interested Montana stakeholders. The senior leadership at MtFWP is disingenuous at best. Respectfully submitted, Marc Cooke President Wolves of the Rockies Stevensville, Montana

Marc Cooke Stevensville, MT

2. Thank you for your consideration. In reading your Issue Statement and Guiding Principals, I don't see any mention of the needs of our large carnivores, like wolves, who are also considered iconic species that are part of Montana's cultural history. Wolves should be allowed to help manage elk populations. They do a better job than humans and only take what they need, unlike humans. And also, unlike humans, wolves will take the sick and weak elk, which will help maintain healthy elk herds. Humans don't do this. Most humans like to take the biggest and best so they can boast about their kills! Note I said "most", not all. Additionally, many in the hunting community already see wolves as competition so what will happen if elk population numbers are driven down by humans? Humans are currently complaining, without merit, that wolves are negatively affecting elk numbers, so now you'd like to have humans bring down elk numbers? Hunters will then complain any and every time wolves kill elk. Having said this, hunters are already complaining. Why don't you instead allow wolves to help manage elk numbers? Wolves are on this planet for a reason. How about we let them do what they were designed to do? AND, it doesn't look like your group has someone from the non-consumptive community. Thank you for reading and considering my comments.

Mica Costerousse Seeley Lake, MT

3. #1 Looks good- Public input and involve or the opportunity for the public to input and be involved is very important. #2 To maximize partnership with land management agencies like Forest Service and the BLM can be difficult at times - if FWP is having problems, say with the Forest Service, I would suggest you contact the Forest Service Regional Forester and/or the Forest Service Chief. The usually can convince others to cooperate. As to maximize hunter

access to elk - I think the use of modern technology like electric bicycles and drones should be prohibited. Farmers, ranches, and other private landowners need to allow hunters on their property when possible. There is always a few bad apples that will ruin it for everyone which will turn these people off. Also to curb this bad behavior by some hunters there needs to be stiffer fines and penalties levied on these disrespectful individuals; Not a mere slap on the wrist --to get their attention, it has to hurt financially and in hunting opportunities. #3 As long as there is elk, there is going to be these conflicts #4 I think the general rifle season needs to be a week or so longer. I don't agree with the current shoulder hunts, because I feel it puts stress on the elk. I totally do not agree with landowner tags or a certain number of tags being reserved to outfitters. Why should FWP subsidize the outfitting business in the State of Montana. They don't do it for the other business (large and small). The public already voted against this, but our current legislature decided to ignore the public comment and do what they wanted. I don't think these areas in the state where shoulder hunts are being held should be extended. Once the end of the season has come and gone, the Fish and Game Commission should not be allowed to extend it (Like they did this year). #5 I totally agree with this #6 This is a big and difficult issue to deal with in regards to elk and elk management. Two things that I feel will help with this are: (1) Increase the number of game wardens with FWP and establish more game check stations; and (2) Increase the size of the mandatory fines AND include the loss of hunting privileges for a certain period of time. You need to make it hurt financially and personally by losing the hunting privileges. Also include the loss of any game (elk) they may have gotten. Again a mere slap on the wrist is not going to do it. If the fines and loss of hunt privileges are severe enough, hunters will think about what they are doing or about to do more closely. Also I think outfitters should be fined if one of their booked clients breaks the law. Your strategic principles are excellent and should be done. P

Michael McVeigh Helena, MT

4. Continuation of my previous comments: In closing, first off, thank you Montana FWP for the opportunity to comment. You folks at FWP have a very difficult job to do and folks around the state are grateful for your hard work and dedication. I know there are things that are beyond your control when it comes to elk and elk management, it doesn't help when individuals in the legislature, in my opinion, undermine what you are trying to do. Sometimes I wonder, who they represent and how much is political payback Anyway, keep up the good work!

Michael McVeigh Helena, MT

5. Montana Department of Fish Wildlife & Parks Wildlife Division PO Box 200701 Helena, MT 59620 May 3, 2021 RE: Comment on Montana Elk Management Plan Guiding Principles To whom it may concern: There is ample evidence that the elk management by FWP in Montana is broken. For over a decade, elk populations have increased year after year far beyond the objective levels set by the Department of Fish Wildlife and Parks. FWP has allowed this problem to reach crisis proportions. The statewide objective for elk, which is mandated by state law, is 92,000. We're at nearly double that today. Establishing guiding principles is a reasonable first step in this process. However, the Guiding Principles document produced by FWP's hand-selected working group misses the mark. It lacks some of the most obvious principles and includes items that will result in increased conflict while not adding to effective

elk management. Elk must be managed to objective levels. The most important guiding principle for the next iteration of the Elk Management Plan is that elk must be managed to objective levels. What is the point of setting objectives if they are then ignored by game managers? Yet nowhere in the Guiding Principles document is this obvious principle mentioned. The Department is mandated to manage elk to objective levels, a mandate they've fell far short of meeting year after year. MCA 87-1-323 states: ". . .the commission shall determine the appropriate elk, deer, and antelope numbers that can be viably sustained. Once the sustainable population numbers are determined... the department shall implement, through existing wildlife management programs, necessary actions with the objective that (populations remain) at or below the sustainable population. The programs may include but are not limited to: (a) liberalized harvests; (b) game damage hunts; (c) landowner permits; or (d) animal relocation. (3) The department shall: (a) manage with the objective that populations of elk, deer, and antelope are at or below the sustainable population number by January 1, 2009." When that law was enacted, Montana's elk population was around 135,000. Today there are nearly 170,000. We are over objective in three quarters of management districts. FWP's past management decisions have resulted in clear violations of the directives enacted by the Legislature. The existing Elk Management Plan was designed to center around objective levels, as should the next iteration. The reason we have a crisis with elk populations today is that those objective levels have been ignored by FWP in their management decisions. The most important principle to guide the next Elk Management Plan should be to manage to objective levels. Elk Management should be designed to meet the needs of the primary stakeholders: Montana landowners. The Guiding Principles document has a recurring theme of minimizing landowners as stakeholders. This attitude is a large part of the reason why we have so many problems in elk management today—it leads to misaligned incentives as FWP has allowed outsized influence by some stakeholders. The term "stakeholder" is derived from gambling. It alludes to players in a game who are willing to risk their stake. But the size of each player's stake is not necessarily the same. Used in the context of the elk management plan, the working group identified the following stakeholders: hunters, landowners, wildlife enthusiasts, outfitters, and agricultural producers. We agree that these are, in general, the interest groups that have a stake in elk management. However, the nature of each group's stake in elk management varies widely. Landowners/agricultural producers by far have the largest stake—they have the most to lose if the populations are not appropriately managed. Elk consume about \$24 million worth of forage on private land each year. They also cause damage to crops and fences. Landowners face additional costs in managing hunters who access their property. An even greater potential cost for landowners comes in with the threat of disease carried by elk. The estimated cost of quarantining a herd of 400 breeding cattle infected by brucellosis is \$140,000. The emerging threat of chronic wasting disease has the potential of putting animal and human life at risk and rendering infected property unusable for livestock production (or hunting for that matter). Landowners/agricultural producers are the only stakeholder group that faces risk or stands to lose, relative to their starting position, based on the Department's elk management. All other stakeholder groups face no monetary or personal risk and can only gain from FWP's management decisions. Hunters, wildlife enthusiasts, and outfitters all benefit from large elk populations that exceed objective standards. However, they share virtually none of the costs. The question for each of these groups is by how much they gain from the Department's

management decisions and its continued failure to manage population based on the statutory population objectives. The answer is a lot. They benefit from more elk which are fed and live on land owned by private parties who suffer. This asymmetry—that landowners/agricultural producers bear costs and other stakeholders receive benefits—should be a fundamental guiding principle for the Elk Management Plan as it underscores exactly who has skin in the game. “Skin in the game” is another term derived from gambling, specifically horseracing. When we say someone has skin in the game, we are identifying that person as having something to lose. In this case landowners/agricultural producers are the only ones with skin in the game when it comes to elk management. It follows that policy decisions should be made to firstly meet the needs of those with skin in the game, and only after those needs are met should consideration be given to the secondary wants of those with little or no skin in the game. A significant part of the reason we have seen elk management fail so miserably over the years is that game managers were placing the wants of hunters and wildlife enthusiasts ahead of the needs of landowners. FWP has refused to respond to landowner concerns about property damage unless the landowner allows FWP to control access to their land, which further benefits hunters, wildlife enthusiasts, and outfitters while imposing costs on property owners. Private property rights are a fundamental concern to our members, and they are not willing to trade their rights in exchange for FWP agreeing to comply with its statutory requirements. The only way that elk management can be fixed is to reverse this situation and focus on those with skin in the game. The working group that produced the Guiding Principles document was doomed from the start. It was purposely designed to have a generally equal number of participants from each of the identified stakeholder groups. This approach ignores the asymmetry detailed above and dilutes the voice of those with skin in the game in favor of outsized influence by the groups who benefit from large numbers of elk. We recognize this is an unpopular position. There are those who would love to continue enjoying the free lunch that has been given to them. But we cannot fix elk management unless these facts are addressed. Allowing those without skin in the game to influence policy will only result in continued failure. FWP needs to abandon its practice of policy dictated by popularity contest. The relative magnitude of each stakeholder group’s skin in the game, and the asymmetry that some groups bear costs while others gain benefits are each fundamental principles that need to be incorporated into guidance for the next Elk Management Plan. Limited-draw permit areas should be eliminated or adopted statewide. We object to the inclusion of “(Maintenance of) limited-draw permit areas for hunting mature bulls” as a guiding principle. The data show that limiting hunter opportunity to achieve these limited draw permit areas is a major driver of over-objective populations. About one quarter of hunting districts have a limited draw. Of those, only one is at or below objective. Two thirds of those limited-permit draw districts are more than 2x the objective level. Of the eleven districts statewide that are more than 4x over the objective level, all are limited permit draw districts. This is inconsistent with the agency’s obligation under MCA 87-1-323 to take specific management actions such as “liberalized harvests” to keep populations at or below the objective levels. What justification is there to keep these limited-draw permit districts? They are loved by hunters who receive a great benefit of an enhanced hunting experience. But that benefit comes at an enormous cost to landowners who are overrun with elk. What sense does it make to be limiting hunting opportunity in the districts where populations are at their most unsustainable? By their very nature, limited-draw permit areas violate the law set forth in

MCA 87-1-323 as the Department has shown that to achieve trophy hunting areas they must grossly exceed population objectives. FWP's statutory purpose does not include the provision of trophy hunting. These limited-permit draw districts are unfair for the landowners and hunters who live within them. They're unfair for landowners because FWP has willingly determined to limit hunting opportunity and grow populations beyond objective levels—landowners pay the costs. They're unfair for hunters because they may fail to draw a permit and are sidelined from hunting bulls in their home area while they watch hunters from around the state travel in to enjoy the spoils. Most of the limited-draw permit areas are in Eastern Montana, few are in the West. FWP has purposely created an unfair dichotomy that benefits hunters in the more populous Western part of the state at the cost of those in the East. The limited-draw permit areas are also unfair economically. Those districts see fewer hunters than they otherwise might (especially the non-resident hunters who tend to spend more money) which hurts local businesses that depend on hunting tourism each fall. FWP has shown no compelling reason to treat some districts differently than others. Limited-draw permit areas are discriminatory and arbitrary. FWP's policy should be consistent across all districts—either eliminate limited-draw permit areas or adopt them for all districts uniformly. FWP has a statutory mandate to consider landowner concerns in setting objective levels. We object to the inclusion of Guiding Principle #1 related to how objective levels are set, specifically, "Maximize public input in setting elk objectives. Maximize local grassroot input." There are two statutory criteria relevant to objective levels. MCA 87-1-322 instructs FWP to "(determine) the total acreage that serves as habitat for elk, deer, and antelope." MCA 87-2-323 instructs the FWP Commission to set objective levels based on this habitat acreage, and to "consider the specific concerns of private landowners when determining sustainable numbers." In sum, FWP is statutorily bound by two criteria when setting objective levels: biological carrying capacity and landowner tolerance. Input from other stakeholders, who would presumably object to the concerns of private landowners, is not constructive. It would set up additional conflict and exacerbate the same types of poor policy prescriptions that have been shown to fail in the past. As this Guiding Principle would be in violation of the law and lead to unproductive outcomes, it should be removed from the document. Additional tools must be used by the Department to bring populations to objective levels. Guiding Principle #2 includes "Maintain hunting as a primary tool for elk population management." Hunting has been the primary tool for elk management under the existing Elk Management Plan, but has failed to meet objectives. Continuance of a failed plan is unacceptable—FWP must adopt additional tools in order to meet their statutory mandate to manage populations to sustainable levels. These tools should be specifically included in the Guiding Principles document, starting with the guidance the legislature provided in MCA 87-1-323, "(including) but not limited to liberalized harvests, game damage hunts, landowner permits, or animal relocation." These tools have not been fully utilized by FWP in the past, in direct violation of their statutory mandate. The new iteration of the Elk Management Plan would be well advised to include their inclusion from the start by being listed in the Guiding Principles document. Transferable landowner tags are the type of market-oriented, incentive-based, win-win solution that FWP should focus on. One positive aspect of the Guiding Principles document is the inclusion of "the potential for private sale of landowner tags." We support this solution as one tool that would greatly improve elk management, and highlight it here as standing out as a win-win solution that benefits landowners and other

stakeholders at the same time. These are the type of solutions that the next Elk Management Plan should focus on as they will reduce conflict, increase satisfaction with management, and ultimately result in populations being managed to reach objective levels. An obvious guiding principle that should be included in the document is that incentives matter. If the objective is to provide more hunting opportunity on private land, then FWP should provide the proper incentives to landowners to reach that objective. If the objective is to get hunters to kill more cow elk, then FWP should design policies that incentivize that behavior. Instead of using incentive-based approach, FWP, under its existing Elk Management Plan has focused on coercion. FWP seems to have been fighting a war of attrition—setting policies that have resulted in ever-expanding elk populations with hope that landowners would eventually relent and cede control of their property over to FWP’s game managers. The coercion-based approach has proven to fail. Montana landowners place a high value their property rights. Focusing on incentives allow game managers to design policies and programs that can benefit landowners and other stakeholders at the same time—win-win solutions. Incentives are fundamental to good policy, and deserve a primary position in the Guiding Principles document. Other states have successfully implemented transferable landowner tags as part of their elk management programs. Those states that utilized market-oriented, incentive-based management do not seem to have the same level of conflict we experience in Montana, nor the problems in maintaining sustainable, objective populations. The next Elk Management Plan would be advised to borrow from the successes of other states. In summary, the problems we have identified in this Guiding Principles document should be remedied before the process continues. Not addressing these deficiencies will only result in starting off down a path that increases conflict and fails to achieve improved elk management. Sincerely, CHARLES DENOWH United Property Owners of Montana Policy Director

Charles Denowh Helena, MT

6. I think the whole process should be thrown out. First of all the dates that were a requirement to be available were not followed and that prevented some people from applying. I watched some of the meetings and it seemed the outcome was predetermined. Reading the guiding principles it is more about people management than elk . Landowners were not fairly represented for the impact they deal with from elk. It fails to have much about reducing elk herds to objective numbers we currently have, only a discussion about where to set the numbers. If these are the guiding principles that are adopted then there will be no solution to the elk management in this state.

Mark Robbins Roy, MT

7. My comments are made on behalf of the Montana Outfitters and Guides Association (MOGA). We believe the Elk Management Guiding Principles are worthy of adoption and urge the Commission to do so. Then we can get on with the task at hand which is the crafting of a new elk management plan. Outfitters are an integral part of the solution as to the management of elk. MOGA is the only statewide association dedicated to the outfitting industry and we want to be at the table throughout the management plan process. Thank you for the opportunity to comment. Chuck Rein, President MOGA

Chuck Rein Big Timber, MT

8. The process of using a working group to hind behind is flawed. FWP chooses the working group, and time and again have shown to pick members who will facilitate their wishes. This is an elk management plan, yet very few landowners with elk were chosen. Landowners are the only ones who bear an actual cost from how the elk are managed. Everyone else is just a consumer. A resident's \$20 license and \$2 preference point are minimal compared to crops and fences damaged or destroyed. So FWP do your job and manage the wildlife for biologic health. Trying to offer social gimmes to sportsmen is a no-win situation. As you should have determined by now, it is never enough. A Pope & Young class bull used to satisfy most trophy hunters. You've created a monster where the expectations are greater each season. It is not right to burden my ranch and restrict my family from hunting there to satisfy the desires of trophy hunters. It appalls me that FWP has gone to that extreme. My solution? Go back to the 2005 Elk Management Plan and follow it for a few years. I can almost guarantee you will have more success managing elk and could very likely increase the willingness to allow some public access on private land.

Deanna Robbins Roy, MT

9. Beyond fair chase is no longer the guiding principle to hunting. It's all about the money. Show me the money. Shoulder hunting elk is the most disgraceful management technique ever taken on wildlife in the state of Montana. In addition, Outside my hometown of White Sulphur Springs there was a massacre of elk on opening day of 2021. So sad. I will not be hunting opening day this year. I will be out at Ringling with a drone, cameras, and spotting scopes. I will document it. I will send it to PETA and will post it on a forum on the internet. People will know. So so so sad. Go figure now what you all will come up with. Sad and pathetic. Do you all want me to copy and send your the letters I have written to PETA?
Benjamin

Benjamin Haugan White Sulphur Springs, MT

10. TRCP supports the development of the Elk Management Plan guiding principals. As the plan continues to develop we encourage the inclusion of elements of FWP's Terrestrial Wildlife Movement and Migration Strategy Document that was released in late 2020. Actions outlined in this document address the the inclusion of migration corridor conservation into FWP habitat programs and plan updates such as the elk management plan. Action number 4 from the Migration Strategy Document in included below for your review. This Strategy Document contains many elements that fit nicely within the Guiding Principals of the Elk Management Plan as written. Action 4: Incorporate wildlife movement and migration areas more explicitly in FWP habitat programs and plan updates to make resources available for conserving habitat and improving landscape permeability specific to wildlife movement and migration. FWP administers a variety of programs that support habitat conservation. Each program funds activities intended to achieve specific habitat objectives. These include but are not limited to Habitat Montana, Forest Legacy, Migratory Bird Wetland Program, Wildlife Habitat Improvement Program, Upland Game Bird Enhancement Program, Working Grasslands Initiative, and programmatic funding to manage habitats within Wildlife Management Areas (WMAs). A variety of projects result from these programs that directly and indirectly affect

wildlife movement and migration. Projects generally fall into three broad and overlapping categories: restoration/enhancement, conservation, and maintenance. For each of these, considerations for wildlife movement and migration will be more explicitly incorporated in project prioritization and funding allocation to make resources available for wildlife movement and migration. Thank you, Scott Laird

Scott Laird Lolo, MT

11. I am in support of this elk management plan, however I was hoping that it would have language in the that will take into account the number of elk that are resident to private land and un-hunttable. I know there is a way this could be done to come up with a percentage in a unit and remove those elk from the "objective number". This is the number one complaint I here from other elk hunters, I am sure you are away of this but something needs to be done about this. I would suggest something like this being added to the elk management plan guiding principles. Thank you Ryan Greenside.

Ryan Greenside Missoula, MT

12. - Never allow landowners to be given tags to sell. Do not privatize - If management objective numbers are continued to be a guiding principle, they need to be adjusted to capture the number of elk accessible to the public. ie. if a unit is way over objective but all or most of the elk are on private land, they shouldn't be counted and extended hunts should not occur. - Pressure needs to be put on landowners that do create these large refuge areas to disperse the elk or perhaps incorporate some sort of penalty on them. Taxes? - FWP gets the blame for areas being over current objectives but again, the landowners not allowing access or helping to disperse large groups are to blame. FWP cannot manage elk when they nor the public can't access them! - Use science, not opinions and personal agendas to manage - Maintain over the counter opportunities -

Fred Townsend, MT

13. I am happy to see that Guiding Principle #1 recognizes disagreement on how elk objectives are set. If you could point out 1 think that is wrong with elk management in Montana it is that our elk objectives are too low. There are over 2.5 million cattle in the state of Montana. The elk objective for the state is around approximately 150,000. To say we have too many elk in the state is ignorant. The war on elk in recent years has been disgusting. I understand that some ranchers have seen a significant increase in elk wintering on their property, solutions to that problem need to be implemented. But to say that killing all elk off public land is the solution is absurd. Something that needs to be considered is the economic value of elk in Montana if you consider that I spend a minimum of \$5,000 every year (tags, guns, fuel, lodging, gear, etc.) in Montana on hunting and there are many others out there like me. If you consider the success rate for elk hunters is less than 25% it is a reasonable leap to consider that hunters spend roughly \$20,000 for each elk successfully harvested which is way more valuable than cattle per animal. I acknowledge the number above are rough, but I am using it to portray that we need to put more value on our elk.

Ian Wargo Kalispell, MT

14. To whom it concerns: PETA has been contacted, and I will continue to keep them up to date on the block management unethical killing of elk in Meagher County. I will also be on site opening g day with video, drone, and camera to document this opening day. PETA will have actual, real footage which I hope will show a certain degree of negligence by the FWP officers. It's a sad deal and I will do my part. Sincerely Benjamin Haugan

Benjamin A. Haugan White Sulphur Springs. MT

15. In Region 2 Hunting district 202 we would to see some wildlife burns done in the trout creek ,trapper creek and trail lake and north fork of trout creek area's to improve feed and do more slashing in regrowth area's and the same for hunting district 200.

MICHAEL GULLETTE Superior, MT

16. I would like to comment regarding the guiding principal #4 , season length and structure. As a resident, I am aware of the economic impact that non resident hunting has on our state. As a Montana resident who has family that are NR's it is concerning that these family members must go thru an application process that only allows so many NR's to be chosen for either elk, deer or elk/deer combo tags. I would like to suggest to all that tax paying residents should be allowed to sponsor at least one family member, i.e. parent, child or sibling for a NR tag. Also, NR elk and deer tags should be divided between those NR's who want to archery hunt or rifle hunt during the general seasons. With the increasing demand for tags, both from NR's and residents, the state should implement this method in making a NR decide which season they wish to hunt. I believe the state of Montana and it's residents would benefit from this system.

David Wade Bradley GLASGOW, MT

17. Elk are tremendous resource for the state of Montana. Managing the public's lands better to attract and hold greater numbers of elk will be critical moving forward. Liberalizing licenses for private property and placing restrictions on public ground is one way to keep the public's elk on public property. Elk numbers are high as is demand for the elk. Archers harvest fewer numbers than rifle hunters. Removing a week of archery season and adding a week of rifle may help manage populations. Changing to "branch antler bull only" everywhere should force many to harvest cows vs. young bulls. Making bull elk license holders pick archery season or rifle season will limit traffic on public lands therefore enhancing the habitat for the elk.

Scott Hughes STANFORD, MT

18. We deal with the destruction associated with the elk everyday. We can have as many as 100 head of elk eating our crops, our pasture, and destroying our fences. We also deal with being in a DSA and bear the additional burden and cost of vaccinating all our cattle. If the elk are "owned" by FWP they should be responsible for the cost of the damages we are forced to bear. If our cattle destroyed their crops, pasture, and fences, we would be liable. We put up new fences at a considerable costs and the elk go back and forth tearing it down. They congregate in pastures we're saving for fall and help themselves to our crops. We allow hunting, are not compensated for it, but the minute hunting season starts they leave (tearing down fences) but return the minute the season ends. Instead of buying fishing access land, the FWP should use

that money to repair our fences and compensate the ranches for the damages (including the additional costs of Vaccinations) and provide additional elk hunting tags)

Gayle C Ott Reed Point , MT

19. Below is a more detailed lay out regarding the flaws in the current elk permit structure. Please make this a priority with your group. Please reach out to our commissioners and our governor. It is time for change! Thank you. Elk is the only species in MT that when someone is successful in drawing a special permit, while others are not drawn, that they are allowed to harvest an elk in a different general license area and their special permit then goes unused. Allowing someone to draw a special elk permit, while others do not, and then that permit going unused because they decide to shoot an elk somewhere else is not a fair system. Example: Why would you apply for a special elk permit in a specific district, be one of the few lucky ones to draw it, put that permit in your pocket and then go out elk hunting in a general district? And most concerning of all, then harvest an elk in this general district and proceed to throw your special permit in the garbage?! All while there are hundreds of other hunters who were unsuccessful in drawing that permit! Example: if an individual draws a special mule deer buck permit then they are obligated to hunt mule deer bucks in that specific district. They cannot shoot a mule deer buck in a general area with their general deer tag. Why is this allowed with elk? It undermines and handcuffs the biologists who are trying to manage the herds in these limited draw areas. If a hunter is successful in drawing a permit for a certain hunting district and then this hunter just harvests an elk in different general license area and doesn't even step foot in their special permit area, then what is the point of elk management? The current elk permit structure makes our FWP and the state of Montana look very foolish to others. No other state allows someone to draw a special limited elk permit (while others do not) and then proceed to just harvest an elk somewhere else. It makes no sense. I have spoken with several non residents that are astonished that this is legal in Montana. If the elk permit structure were changed to mandate that a successful applicant for a limited draw hunting area must hunt in that area it would benefit all sportsmen, landowners/ag producers, and the FWP. Sportsmen want consistent opportunities in the areas they like to hunt. If this said sportsmen is consistently unsuccessful in drawing a permit in the area they want to hunt, all the while each year their are others who draw this permit and don't even use it, is an absolute maddening situation for this sportsmen. Landowners/ag producers and the FWP who consistently advocate for elk management and controlling numbers would also benefit with this change. They would now be certain that successful permit holders in the areas that they are trying manage would actually be pursuing and harvesting elk in that area. The current elk permit structure is outdated and needs to be amended to catch up with the current times. It is time for change. Thank you, Matt Salvi

Matt Salvi Shepherd, MT

20. Elk is the only species in MT that when someone is successful in drawing a special permit (example 410-21 archery) that they can then legally choose to harvest an elk in a different general area and their special permit then goes unused. I have spoken with Hank Worshek, Brian Cebull, and Doug Grings several times about this and they all agree that is time to change the current elk permit structure. An example: it is not fair for a coveted breaks or elk horns tag to go

unused because that person decided to shoot an elk in a general district. While others who would love to have one of these permits do not draw one. Like all other species, when you draw a permit for a specific district you must be held accountable to hunt in that district. If I draw a special mule deer buck permit I cannot shoot a mule deer buck in a general area with my general deer tag. Why is this allowed with elk? One more example and solution: if someone draws a special archery permit (think 410-21) then he or she can only archery hunt during the archery season in that district. Then when the general season opens in late October that same person (if tag wasn't filled in archery season) can then now archery or rifle hunt in a general district. Bottom line, allowing someone to draw a special elk permit, while others do not, and then that permit going unused because they decide to shoot an elk somewhere else is not a fair system. It needs to be changed. It does not make any sense to have a limited draw only special elk permit area that when an individual is successful in drawing the permit can then legally go out and harvest an elk in a general license area and their draw only permit just goes unused. All the while there are hundreds of other people who did not draw that specific permit. Also, it handcuffs the biologists who are trying to manage the elk herds in specific districts. If successful applicants for a certain draw only district don't even use their permit in that district and choose to just harvest an elk hundreds of miles away in a general license area then what is that achieving for elk management? The current elk permit structure is flawed. It needs to be amended to reflect the current times that we are in. Please put this at the forefront of your agenda. I believe it is very important to maintain the integrity and fairness of our elk permit drawing process here in Montana. Thank you, Matt Salvi

Matt Salvi Shepherd, MT

21. Committee; Thank you for the opportunity to comment on the elk guidance plan. Under the section structured process " things that FWP should do " NO MATTER WHAT" Keep the legislature from involving itself in elk management; hand cuffing FWP programs. Also political appointees put on the FWP commission with no real interest in solving problems only for the interest of a few. Under ISSUSE STATEMENT last line second paragraph Same as above. Elk are a natural resource held in public trust Outfitting on private lands considers wildlife their PRIVATE PROPERTY FWP commissioner TABOR wants RANCHING FOR WILDLIFE. Disease concerns Who's responsible when elk on private, not being controlled spread disease to livestock when moving off these private lands.(1) POPULATION OBJECTIVES Area population objectives should only be elk numbers that are able to be controlled by FWP. (2e) ROLE Commercial Use Plays IN ELK Distribution Significant--but outfitters and ranchers using them as a CASH CROP don't want to help to solve problems. (5a&b) This is ranching for wildlife Why would these ranchers want to solve the problem AGAIN A CASH CROP!! Letting ranchers control elk numbers is helping destroy public habitat when large numbers of elk move off private to public lands damaging public habitat thus forcing elk back down on private. Public habitat is also used during growing periods by livestock helping to deplete public land habitat. If you want to help landowners use tax incentives to those helping to solve the problems THEY CREATED. GUIDING PRINCIPLES KEEP the legislature from managing elk NOT THEIR JOB FWP's KEEP wildlife a PUBLIC RESOURCE NOT A CASH CROP. HOW can a group with a guidance plan even attempt to solve any problems with a unrealistic wish list. With so many different parties

involved you will be lucky to get 1-3 of your wish list even seriously debated. Plan NEEDS to be steadfast and something you can look to NOT A WISH LIST.

LES CASTREN Butte, MT

22. This is terrible for the regular sportsman resident.

Steve Butte, MT

23. Please try and find a way to allows access to “locked” public land. We all own it and should be able to recreate on these lands, even if surrounded by private landowners.

Sam mothner Missoula, MT

24. Hello, The Guiding Principles present a high amount of issues that are unnecessary and will prove to create more issues than it would resolve. 1. The idea of getting rid of hunting seasons due to 'Climate Change' is absurd. The current hunting seasons are designed around ideal elk timelines. Archery during the rut, where you have the best chance to get close to bulls, and regular rifle season, where yearling calves can be separated from the cows, if the cow is killed. Extending these seasons has been tried, and has not worked effectively. So the answer to that is more random hunting times? And if 'Climate Change' who wants to shoot an elk in 80 degree weather in July and think they have any chance of getting a high yield of meat from the animal? 2. Elk numbers by district should reflect the number of elk actually available to public hunting and on publicly accessible lands. Hunting districts where elk have been made inaccessible due to high fences, etc. should be prorated to account for the number of days an elk is on publicly accessible land. For example, if an elk is on private, inaccessible land for 365 days, that has a count of 0 towards the elk population objective for that district. Producing tags for elk that are inaccessible will only lead towards more of the same issues the elk management plan supposedly wants to remedy. 3. For inaccessible elk, it should be assumed then that there are no issues from a crop damage standpoint. If wild game are an issue in causing crop damage, then hunting should be opened up on those lands. The current proposed plan incentivizes further reducing public access by allocating more tags to those shutting off public access, which further causes the issue of elk herding on inaccessible land. 4. CWD - any CWD outbreaks on inaccessible land where elk are basically forced to take haven in, should become the responsibility of those blocking out public hunters. Montana outlawed elk game farms long ago - this current plan seems to just create new elk game farms, just without that designation. And that is going to prove disastrous for wild game in our state.

Nate Thompson Ramsay, MT

25. The plan as I read it seemed appropriate and descriptive. Two items that recently have caught my attention are the impact of predation on elk (grizzly and wolf) and the motion by guides to restrict non-resident licenses percentages even further. The first may be difficult for the group to address but has an impact on the elk population none the less. I was in unit 321 the fall of 2020 and saw no elk calves while hearing plenty of wolves and seeing sufficient bear sign. The guide-sponsored initiative of lowering hunting availability to non-residents follows a trend that is pushing hunting opportunity (and therefore conversation funding and activity) to the wealthy. Working class people cannot afford landowner tags, leases and guide fees. Lowering the number

of non-resident conservationists by pricing the experience out of reach will not help maintain and grow the Montana elk population. I appreciate the time you give these comments and hope the subjects will become part of your dialogue. I know the group is engaged in an activity that may sometimes not reach compromise. I hope you can prevail. Thank you, Chad Bowser

chad bowser York, PA

26. Hello, I would like to comment on the Elk Management Plan Guiding Principles. Mainly I would like address the incident which occurred last October near White Sulphur Springs, where a large herd of elk was fired upon by approximately 100 hunters. I believe this is relevant to the guiding principles for issues of landownership, and working across varying land ownership scenarios(public/private). I know there was a lot of misinformation about this incident, but at the end of the day, I believe what occurred was totally disgraceful, sickening, and an abomination to ethical hunting and the concept of fair chase. I believe more stringent guidelines or laws should be put in place to avoid such scenarios in the future. I know several people were cited, but ultimately it was deemed "unethical", more than illegal. I think that should change. I think if it's just left up to ethics and people to police themselves the animals will suffer. I think there should be an examination of what could be done to prevent this from happening ever again. I think this should be prohibited and the elk should be allowed to disperse and the concept of shooting into a herd should more closely examined. I don't think that is lawful. I think shooting into a herd should be illegal, as should waiting and watching a grazing herd to move into a legal hunting area to then shoot them. I think that should be unlawful for people to congregate and wait on a large scale like what occurred. I would reiterate that it think it was an abomination and whatever measures need to be taken to change the laws to prevent such an occurrence ever again. I come from a family that has enjoyed hunting for generations. I also served on the FWP citizens advisory council in region 1 recently. I care very strongly about this issue. I am afraid such occurrences will only increase with the large numbers of people moving into Montana, who may not have strong hunting experience or ethics, and may have less discipline. I think the laws need to change in regard to this hunting or shooting into the herd issue for elk and to not allow people to gather in high numbers and watch and wait. It was truly disgraceful and I strongly urge more stringent wildlife laws to prevent anything like that from happening again. It should not be left subjectively up to ethics, it should be unlawful and illegal and managed as such. Thank you for your time and attention to this issue. -Jessie Walthers, Bigfork, MT

Jessie Walthers Bigfork, MT

27. There should be some recognition of purchases of critical winter range lands and hunter access points to public lands by the FWP. As Montana gains population and agriculture land is developed/ subdivided these areas are critical to the long term health of the ecosystem including ungulate populations.

Vance Drain Absarokee, MT

28. I think they did a great job with the guiding principles. In regards to setting/enforcing objectives - The existing EMP discusses how objectives are to be in relation to the elk available to hunters. FWP seems to claim "over objective" in many areas where the bulk of elk are on inaccessible

private land. They should make these expectations even more clear on the next revision of the EMP so FWP is not massacring any elk that dare step foot land accessible to the common hunter without a steep trespass or outfitter fee.

Brody Chapman Monticello, MN

29. The shoulder hunt kills pregnant cow elk which means you are killing 2 elk for every one you shoot .It is bad enough we have elk being slaughtered by wolves in yellowstone but you are allowing hunters to kill pregnant cows!! I have hunted in montana since 1983 and have been a land owner since 1991.Out of state licinses have continued to sky rocked. Do not find new ways to kill elk out of hunting season.

jack dusty rhodes jacksonville, FL

30. Everyone agree's there are too many Elk, many in the wrong places. Hire some sharpshooters and some skimmers, elderly hunters like myself are not Bull Elk Trophy hunters we would like to be able to have a Cow Elk for the meat. I think most of us would pay a reasonable price. Professional shooters were used in the past, to thin the northern herd, the press was there to monitor everything, the process was very organized, skimmers were good ones. I can not remember if that meat went to the Tribes or where. It might sound like a drastic measure to hunters that never heard of it being done. I think its worth discussion

Ronald Biglen Lewistown, MT

31. **From: Thomas Baumeister <trb.hunter@gmail.com >**
Sent: Wednesday, April 28, 2021 10:54 AM
To: FWP Wildlife <fwpwild@mt.gov>
Subject: [EXTERNAL] MT-BHA Comments on Elk Mgmt Plan Guiding Principles

On behalf of the Montana Chapter of Backcountry Hunters and Anglers, see attached our letter with comments on the Elk Management Plan Guiding Principles. Please acknowledge receipt.

Thanks for taking public comment on this important step to revise the elk management plan.

-thomas

Thomas Baumeister

406.431.4326



April 27, 2021

RE: Montana Chapter of Backcountry Hunters & Anglers Comments on the Montana Elk Management Plan Guiding Principles

Employees of FWP and Members of the Fish & Wildlife Commission:

We appreciate your commitment and leadership to revise the elk management plan. We represent the interests of the Montana Chapter of Backcountry Hunters & Anglers. Our 3,000 dues-paying members care deeply about elk and how they're managed.

For years, we've been actively involved with issues surrounding elk. Recently, our Chapter championed revising the elk management plan. We see ourselves as part of the solution and strive for fair and equitable - and ideally win-win - outcomes. We understand and hold firm to the notion of elk as a public trust resource. Here, we offer comments specific to the Montana Elk Management Plan Guiding Principles.

Specifically, we asked ourselves whether the guiding and strategic principles would provide us (assuming we had a seat at the table) with both the guidance and the sideboards to draft a comprehensive, responsive, sound, relevant and inclusive elk management plan. We answered as follows:

1. We believe the citizen group identified relevant issues that need to be addressed.
2. We believe the guiding principles address the issues.
3. We believe the guiding principles are relevant and reasonable.
4. We believe the guiding principles can inform the specific strategies and actions of the plan.

Along with our overall support, we'd like to express some caution regarding the following:



1. Additional issues and principles may surface during the planning process and may need to be addressed.
2. Further definitions are necessary to operationalize the specific wording of some principles such as maximize, minimize and incentivize in order to arrive at a fair and equitable distribution among stakeholders.
3. Care must be taken to avoid assigning preference to some over other principles; the value of these principles lies in their aggregate as they provide a way to sort out competing interests.

Furthermore, we appreciate FWP's commitment to use a collaborative, inclusive and transparent process to develop the specific strategies and actions of the elk plan. To that end, we appreciate the strategic principles as "things that FWP should do, no matter what." We'd like to offer suggestions based on a review of FWP's in-house publications including FWP's Vision and Guide, Who We Are and Where We're Going, and The Public Trust to improve on the 6 strategic principles offered (suggestions in caps):

1. Maximize collaborative opportunities for stakeholders to be involved in the decision-making process both in transparently formulating and implementing the Elk Management Plan
2. Maximize the integration of the best available peer-reviewed scientific data into the elk-management decision-making processes
3. Maximize coordination between predator- and elk-management plans
4. Maintain public-trust management of elk **BY THE STATE INCLUDING PREVENTING PRIVATIZATION**
5. **BALANCE AND WEIGH STAKEHOLDER NEEDS AND INTERESTS TO ALLOCATE THE PUBLIC TRUST FAIRLY AND EQUITABLY**



6. MAINTAIN PROFESSIONAL AND SCIENTIFIC INTEGRITY

7. Maintain FWP's primary role in the management of elk

8. Ensure regular review and update of management and population objectives

We would like to thank the Department and the Commission for their commitment to manage elk as a public trust resource on behalf of and for the people.

We stand ready to assist in whatever capacity necessary to help make the new elk management plan become a reality.

Sincerely,

John Sullivan, Board Chair, Missoula (406-360-4086)

Doug Krings, Central Montana Board Member, Lewistown, (406-350-0451)

Paul Kemper, Chapter R3/DEI Leader, Bozeman (814-490-3653)

Thomas Baumeister, Capital Leader, Helena (406-431-4326)

Montana Chapter of Backcountry Hunters & Anglers

montana@backcountryhunters.org



32. **From:** Raylee Honeycutt <raylee@mtbeef.org>
Sent: Monday, May 3, 2021 4:00 PM
To: FWP Wildlife <fwpwild@mt.gov>
Subject: [EXTERNAL] Comments: Elk Management Plan Guiding Principles

Please find attached comments for the Elk Management Guiding Principles.

Raylee Honeycutt | Director of Natural Resources
MONTANA STOCKGROWERS ASSOCIATION | MONTANA ASSOCIATION OF STATE GRAZING DISTRICTS | MONTANA
PUBLIC LANDS COUNCIL
o: 406.442.3420 | c: 406.799.4378 | mtbeef.org [mtbeef.org]



May 3, 2021

Montana Fish and Wildlife Commission
 Wildlife Division
 Box 200701
 Helena, MT 59620-0701

Re: Montana Elk Management Plan Guiding Principles

Montana Fish & Wildlife Commission:

On behalf of the Montana Stockgrowers Association (MSGA), the Montana Public Lands Council (MPLC), and the Montana Association of State Grazing Districts (MASGD), we appreciate this opportunity to provide comments regarding the proposed Elk Management Guiding Principles. Our organizations represent producers who manage livestock on private, state, and federal lands in Montana and have a significant and long-standing interest in elk management, due to their substantial impacts on ranching families. The increasing elk populations have had a great impact to producers, and it is encouraging to see your agency identifying guiding principles to address this issue.

Our organization was able to sit through portions of the citizen advisory working group meetings and would like to commend the group for the work that was done and the ability to come to a consensus. We appreciate the diverse nature of the group and the perspectives that were shared. We feel that the robust discussion allowed for viewpoints to come together on private land issues that may not have been considered in the past.

In the review of the guiding principles, we feel the principles accurately identify the high-level issues ranchers and private property owners face when trying to manage their ranching operations while dealing with the impacts of large elk populations. Priority areas for our organizations within the guiding principles include:

- Minimize transmission of brucellosis to livestock
- Minimizing impacts on agricultural production, private rangeland, and infrastructure
- Recognizing landowners for providing elk habitat
- Maximizing partnerships between private landowners, agencies, and FWP
- Maintaining hunting as a primary tool for elk populations
- Ensure regular reviews and update of management and population objectives
- Maximize coordination between predator and elk management plans

Minimizing transmission of brucellosis to livestock is a priority for our organization. The prevalence of brucellosis infected elk continues to significantly increase. Elk migrate to livestock feeding, calving and grazing areas for a variety of reasons, therefore increasing the risk of brucellosis from bison and elk to cattle. Bovine brucellosis has significant animal health, public health, and international trade consequences. Currently, there are 107,000 cattle in the Designated Surveillance Area (DSA) and roughly 88,000 brucellosis tests were conducted on cattle during FY19. The financial burden on livestock producers as well as the state’s DSA budget is significant. Our organizations support all efforts to eliminate the threat of brucellosis transmission to cattle. It is imperative Montana keeps its brucellosis-free certification.

We appreciate the acknowledgement of landowners’ contribution to providing habitat. Two-thirds of our state is private property and as a result provides a significant amount of elk habitat. Current areas where population are over objective result in habitat damage and economic hardship for landowners in the livestock industry. Efforts to control populations and meet objectives are critically important.

We firmly believe maintaining hunting as a primary tool for elk populations is important. Elk numbers are substantially increasing and in certain districts are over objective. The development and implementation of hunting seasons and harvest strategies including but not limited to extended shoulder seasons, liberalized cow tags, disbursement hunts and party hunting will result in targeted levels of elk harvest being achieved in each district. We do not support a blanket increase in objective levels.

MSGA, MPLC, and MASGD would like to thank the Fish and Wildlife Commission for your consideration of our comments. As next steps within the process move forward our organization and our members are ready to engage, serve, advise, and participate where opportunities are available. Since 1884, we have been dedicated to finding proactive solutions for Montana ranching communities and Montana's diverse wildlife and will continue to work to do so.

Sincerely,

A handwritten signature in black ink that reads "Raylee A. Honeycutt". The signature is written in a cursive, flowing style.

Raylee A. Honeycutt
Director of Natural Resources | Montana Stockgrowers Association
Executive Staff | Montana Public Lands Council
Executive Staff | Montana Association of State Grazing Districts



Protecting Montana's wildlife, land, waters, and hunting & fishing heritage for future generations.

May 5, 2021

Montana Fish and Wildlife Commission
1420 E. Sixth Ave.
Helena, MT 59624

RE: Principles for Montana's new statewide elk management plan

Dear Madame Chair and Members of the Fish and Wildlife Commission,

The Montana Wildlife Federation (MWF) is Montana's oldest, most active, and effective state-based wildlife conservation organization. We were formed in 1936 when hunters joined landowners to restore depleted wildlife in our great state, and we have for 85 years spoken up for Montanans and advocated in their best interests. It is in that spirit that we share these comments regarding the upcoming adoption of the Elk Management Plan Guiding Principles.

These Guiding Principles are critical to the successful implementation of a sound elk management plan. Developed collaboratively by a diverse set of citizens from across Montana, these principles will ensure the new elk management plan:

- Represents the diversity of Montanans who are impacted by elk management
- Considers all viewpoints and is collaborative in nature
- Ensures the new elk management plan is biologically and sociologically balanced
- Maximizes collaborative opportunities for stakeholders to be involved in the decision-making process both in transparently formulating and implementing the Elk Management Plan
- Maximizes the integration of the best available peer-reviewed scientific data into the elk management decision-making processes
- Maintains the public trust management of elk
- Maintains FWP's primary role in the management of elk
- Ensures regular review and update of management and population objectives

With these sideboards in place, we believe we can develop a plan that will manage our public wildlife for the good of all Montanans. We look forward to working with you to foster closer ties between all of those who care for Montana's wildlife.

Sincerely,

Marcus Strange
MWF Program and Partnership Director

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From: "Bradley Ridgway" <bradley-ridgway@sbcglobal.net>

To: "fwpwd@mt.gov" <fwpwd@mt.gov>

Sent: Wed, Apr 7, 2021 at 5:59 PM

Subject: Comment - Elk Management Plan / Damage Hunt

Re: "The primary intent of a damage hunt is to reduce crop and property damage by re-distributing game animals with only minimal harvest."

Comment:. As a landowner in the path of an annual migration of Elk to lower elevation hay fields in Paradise Valley I have observed the process for many years. The reality of these FWP approved hunts are in direct opposition to the stated intent of the policy. While hunters, with approval from the landowners and FWP, are taking out additional elk, the multitudes of Mule Deer eating on the same property in greater numbers and for longer periods, are summarily ignored. Has anyone looked at where the primary crop and so-called 'property damage' is really coming from? I have absolutely nothing against the fine people running these working ranches. I just think this FWP sanctioned policy of extra hunts is less than honest. Thank you for your work.