

Montana Fish Wildlife & Parks
Public Comment
Proposed Peregrine Falcon Take

From: [Nancy Ostlie](#)
To: [FWP Wildlife](#)
Subject: [EXTERNAL] Mountain lion and peregrine falcon take
Date: Thursday, February 10, 2022 7:14:02 AM

As a citizen of Montana, entitled to the benefits of a clean and healthful environment guaranteed by the Montana Constitution, I register my objection to any hunting of either mountain lions, an apex predator that we need to control chronic wasting disease in ungulates, or peregrine falcons, which are no doubt threatened like most other native birds by the ongoing Sixth Mass Extinction.

At some point in the near future, the effects of drought and climate warming will stress all wildlife populations to an extent we can't know. My view is that the 'right' to harvest 'game' and other animals in Montana needs to be reviewed in view of the latest science that could help us understand the likely demise of wildlife populations. I recall that the governor and director of FWP have said the agency will no longer do any new science, that we have 'done' science enough already, but that is an inexcusable position to take.

Sincerely,
Nancy Ostlie
Bozeman MT

From: [Clint Nagel](#)
To: [FWP Wildlife](#)
Subject: [EXTERNAL] GWA comments on Proposed Change to Mountain Lion Hunting and Peregrine Falcon Take
Date: Wednesday, March 16, 2022 4:20:44 PM
Attachments: [20220315.GWA comments on mountain lion hunting regs.docx](#)

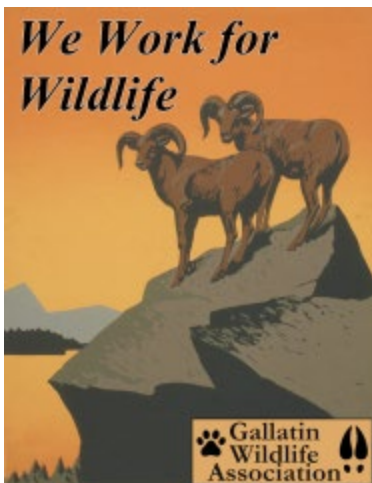
Dear Fish and Wildlife Commissioners and Director of Fish, Wildlife and Parks:

Below in the attached are comments from our organization representing our membership. Please accept them as part of the official record.

Thank you,

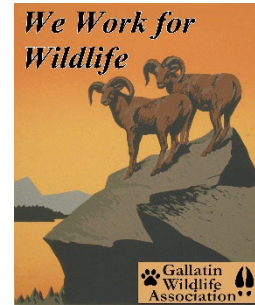
Sincerely,

Clinton Nagel, President
Gallatin Wildlife Association



**GALLATIN WILDLIFE
ASSOCIATION**

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March 15, 2022

Montana Fish and Wildlife Commission
1420 East Sixth Avenue
P.O. Box 200701
Helena, MT 59620-0701

Dear Fish and Wildlife Commissioners:

The Gallatin Wildlife Association received a letter dated February 8, 2022 from Montana Fish, Wildlife and Parks (MFWP) soliciting comments on two proposed changes to hunting regulations. These changes to current regulations pertain to the harvesting of mountain lions and peregrine falcon. It is based upon that solicitation, that our organization wishes to respond. We would like to briefly state, a few words about our organization.

Gallatin Wildlife Association (GWA) is a local, all volunteer wildlife conservation organization dedicated to the preservation and restoration of wildlife, fisheries, habitat and migration corridors in southwest Montana and the Greater Yellowstone Ecosystem, using science-based decision making. We are a nonprofit 501 (c) (3) organization founded in 1976. GWA recognizes the intense pressures on our wildlife from habitat loss and climate change, and we advocate for science-based management of public lands for diverse public values, including but not limited to hunting and angling.

Our organization must say at the outset, that we don't know what precipitated this initiative to increase the take of mountain lions. An article in the Helena Independent Record by Tom Kuglin states this.

"The new proposal comes from Commissioner Pat Tabor of Whitefish, who works as an outfitter and said the commission has an obligation to provide opportunity for all."

"There can't be just one set of winners and a whole set of losers," he said.

"Under permit-only in Region 1, not all lions available to hunters with permits are killed, he noted as an chance to allow more general license opportunity."

The first thing that comes to mind is the fact that there is a Fish and Wildlife Commissioner sitting on the state-wide commission who has a business as an outfitter. Mr. Tabor is the founder and owner of Swan Mountain Outfitters of northwest Montana. We wonder how is this not considered a "conflict of interest"? We have an outfitter who

sits on the statewide commission making decisions in favor of outfitters. Under what system is this considered transparent and just? Mr. Tabor not only voted on this resolution, but it was his idea if all news accounts are accurate. If this is not true, then the public has a right to know the rationale behind the change.

Our second concern is the lack of scientific reasoning behind this change? What is the justification? According to the news article and others like it, the rationale is to make sure that everyone comes away as a winner. So, the rationale is: we need to make all hunters happy no matter if it is harmful to the overall population of a certain species. Or perhaps in this case, that argument is stronger to make because we are discussing the harvesting of predators. Is this the argument?

GWA is not anti-hunting, but want all applicable state, federal, and tribal agencies to follow and enforce the North American Model of Wildlife Conservation as part of an overall scientific-based management tool. We definitely don't see that here. According to the letter we received, this proposal allows the special limited licensee to hunt throughout the season without limits to quota or harvest at the same time as an unlimited licensees can hunt until a quota is reached. In addition, the special limited hunter can take up to 30% of the harvest. GWA can't help but reach a conclusion that this places an undue amount of pressure on the population. There definitely seems to be a contrary and vindictive sentiment toward predators in this state and this action is just another example of it.

That brings us up to the question, how many mountain lions are prevalent in the state? The answer is: GWA does not believe the state really knows. MFWP estimate the number to be near or perhaps slightly over 5,000. Yet others, including the Mountain Lion Foundation, claim the number to be between 2,100 and 3,258 according to their web page. This sounds all too familiar. Whether it be State House and Senate members or the Fish and Wildlife Commission, there seems to be a rush to change regulations mid-stream before the science and the reality on the ground is truly known.

Before we leave the subject of mountain lions, GWA would like to state for your consideration, the totality of months whereby the mountain lion is under pressure from hunting is eight (8) months. It has been said that this long hunting season places mother lions at risk of being killed themselves with their cubs being orphaned, leaving them to die from either natural or unnatural causes as a result. There just doesn't seem to be a harvesting program that is designed around the biological or ecological rationale. All regulations seem to be directed at making the harvesting of wildlife easier, more efficient, and in today's changes, more financially advantageous.

Concerning the peregrine falcon, GWA will leave our comment resting on a statement in the letter we received. It states the following:

FWP has been urged by the USFWS not to alter the current quota system until USFWS completes an EA that will allow for a decision on normalization or opening of take across the falcon's range. The analysis has been delayed but will hopefully occur during the 2022-23 biennium.

According to the letter, the amount of take of peregrine falcon has been relatively low. We have no reasons to doubt the veracity of that fact. We concur that the MFWP should wait till more information from USFWS is available before regulations are changed.

Conclusion:

GWA doesn't think there is a justification to alter hunting regulations for either species, mountain lions or peregrine falcon at this time. The indication to do so is not based upon scientific reasoning, if it is, it is not presented before the public. But the desire to change hunting regulations seems to be based upon an individual choice of one commissioner. It is time to fulfill these positions with personnel who don't have a financial incentive for the decisions they make. It is time to fulfill these positions with people who take the positions seriously and act accordingly to fulfill the mission of the agency and preserve the trust for all Montanans.

We urge the Montana Fish and Wildlife Commission to use a greater sense of reflection, study and thought to these proposals. We urge you to listen to the biologists, the scientists and other wildlife managers. We believe there is too much personal desire, politics, and outside influence into these proposals. We need to return science back into the equation.

Sincerely,

A handwritten signature in cursive script that reads "Clinton Nagel".

Clinton Nagel, President
Gallatin Wildlife Association

From: [Len Kopec](#)
To: [FWP Wildlife](#)
Subject: [EXTERNAL] peregrine regulations
Date: Saturday, February 12, 2022 5:48:10 PM

The Montana FWP lists the peregrine as a species of concern rated at S3.

S3	Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.
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Because it is potentially at risk, why allow any take? I don't know how many falconers there are in Montana, and I understand that it is a traditional and demanding sport. However, because of the vulnerability of peregrines and the unknown effects of near-future climate change on their habitats, I ask that you consider not allowing any peregrines to be taken from the nests.

Respectfully,

Len Kopec
Augusta