

Name	City	State	Please comment on the 2014 Amendment to Brucellosis Work Plan in Paradise Valley as proposed:
Gayleen Malone	Pray	MT	<p>Amendments to the Brucellosis Work Plan in the Paradise Valley - Proposed The wildlife sub-committee of the Upper Yellowstone Watershed group has been hosting local deliberations on proposed modifications to the current 2014 annual work plan for Elk Management options in Areas with Brucellosis. The existing work plan describes management options available to potentially adjust local elk distribution in an effort to reduce commingling with livestock and the associated brucellosis transmission risk. The local meetings have been open to any interested party with FWP assisting and Montana State University Extension (Park County) providing facilitation and other meeting logistics. If approved by the Commission, modifications generated by these Paradise Valley discussions would be available for use in 2014. The modifications include additional private land fencing efforts to separate elk and livestock and later dates for lethal removals of elk on private land. The current end date for lethal removal is April 30. Specific language from the local discussions is below. Recommendation 1—Reinstate the May 1-May15 dates (for lethal removal of elk) to the local work plan. The May1-15 window is a critical time period for prevention of commingling and disease transmission in Paradise Valley. Some form of lethal removal may be necessary to prevent commingling/disease transmission during this time period. Livestock producers who desire to prevent elk from commingling with cattle on private property and DNRC lands must have tools available. When hazing becomes ineffective, forms of lethal removal should include both the EMRs and kill permits. 2 Recommendation 2---These recommendations are meant to be applied on private property as described in a plan developed by the property owner(s) and/or their designee(s) in conjunction with Montana Fish, Wildlife & Parks. A. Use large-scale fencing in suitable areas for creation of corridors to allow elk movement, but prevent comingling and disease transmission in pastures used by cattle during the risk period, and B. The unwritten definition of 'small-scale' should be increased to include pastures where cattle are present during the risk period, and C. Montana Fish, Wildlife & Parks should include fence modification (e.g., MSU Extension MontGuide 2014) as a method of fencing appropriate to minimize brucellosis transmission in the Paradise Valley DSA and should be responsible for the cost of materials, as in the existing game damage process.</p>

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Rick Gibson	Livingston	MT	<p>FWP Commission Members, The following comments address the proposed amendments to the Brucellosis Work Plan in the Paradise Valley. I support the wording of recommendation 1 to “reinstate the 5-1 thru 5-15 dates for lethal removal of elk to the local work plan”. This option would only be used to prevent comingling in areas where tools such as hazing have been proven to be ineffective. I support the use of this option as a last resort when other options have failed to maintain “special and temporal separation of elk and cattle”. I understand the reluctance of hunting constituency groups to be involved in lethal removal beyond the existing February deadline; however I can name hunters who would gladly participate in an EMR any time. A possible solution would be to allow the landowner, their agent, or FWP warden or hazer to fill the removal permit. Donation of harvested animals to food bank may be one possible solution. Fencing recommendation #2. I support the use of fencing to control elk movement and prevent comingling from January 15th to June 15th. This has been used with some success by the state of Idaho in their DSA region. I disagree with defining fencing projects as large scale or small scale. Any fence project will need to be very site specific and may have more functionality if several property owners cooperated, rather than focusing on fencing single property’s. As member of the Brucellosis in elk working group, I made the prediction that within 2 and half to 3 years there would be another case of brucellosis appear in cattle that would be attributed to Elk. Sadly this proved to be correct. When this happens the financial burden and damage to a producer’s ability to market their animals can be insurmountable. The ranching community is forced to rely on a vaccine that is not very effective at preventing the infection, thus we are forced to rely on keeping the elk and cattle separate. Fencing and hunting/EMR/kill permits are all tools that were part of the Brucellosis in elk working group’s discussions and were tools recommended for use to the commission to keep elk and cattle separated. If no changes are made in elk management in the Paradise Valley another producer will have a case of brucellosis in their cattle. It has happened on a regular interval since the first infection. I recommend your support of these Amendments. Thank You Rick Gibson</p>
Jessica E. Anderson	Emigrant	MT	<p>I am writing to express my support of the Elk Brucellosis Local Working Group’s recommended amendments to the current 2014 work plan for Elk Management Guidelines in Areas with Brucellosis, specific to the Paradise Valley. Our ranch is located in the Tom Miner Basin at the southern end of the Paradise Valley and adjacent to Yellowstone National Park. With our history of livestock production spanning a surplus 50 years, I am passionate about the issues facing agriculture on both a comprehensive and localized level. Montana’s, and specifically Paradise Valley’s livestock industry continues to struggle with the challenges arising from brucellosis infected wildlife endemic to the Greater Yellowstone Area. Therefore, I feel both of the recommended amendments to the current 2014 work plan will serve to enhance the reduction of disease transmission through augmenting the prevention of commingling circumstances. Furthermore, I feel the implementation of the presented tools is essential to effectively address the current risks of disease transmission. If you should have any questions regarding my position or the related support of the Elk Brucellosis Working Group’s recommended amendments, please feel free to contact me at 406-600-0440 or jeac76@gmail.com. Sincerely, Jessica E. Anderson</p>

Name	City	State	Please comment on the 2014 Amendment to Brucellosis Work Plan in Paradise Valley as proposed:
Park Conservation District	Livingston	MT	<p>I am writing on behalf of the Park Conservation District, in regard to the Elk Brucellosis Local Working Group's recommended amendments to the current 2014 work plan for Elk Management Guidelines in Areas with Brucellosis, specific to the Paradise Valley. We present this letter in support of both recommendations developed by the Elk Brucellosis Local Working Group, of which your agency is currently seeking public review and comment. Like all conservation districts, the Park CD, developed in 1949, is a subdivision of state government that primarily serves to administer the Natural Streambed and Land Preservation Act (310). The Park CD is one of 58 conservation districts in Montana and also serves to provide education and assistance to local citizens to conserve soil, water, forests, wildlife and other natural resources. Furthermore, the Park CD has encouraged and supported the formation of two watershed groups within Park County, the Upper Yellowstone Watershed Basin (UYWB) and the Shields Valley Watershed Group (SVWG), where previously there were no other functioning stakeholder groups. These groups are a collection of local stakeholders that support and foster conservation and harvest practices with sustainable and beneficial use of natural resources. Given the relatively consistent component of public comment being the advocacy for the development of Local Working Groups, the UYWB voted to cultivate a Local Working Group, specific to issues of Elk Brucellosis in the Paradise Valley. Since its formation, the group has hosted a number of local deliberations, which were open to all interested parties. The meetings have been held in collaboration with the Montana FWP and MSU Park County Extension. Montana's, and specifically Paradise Valley's livestock industry continues to struggle with the challenges arising from brucellosis infected wildlife endemic to the Greater Yellowstone Area. Therefore, we feel both of the recommended amendments to the current 2014 work plan will serve to enhance the reduction of disease transmission through augmenting the prevention of co-mingling circumstances. Furthermore, we feel the implication of the presented tools is essential to effectively address the current risks of disease transmission. If you should have any questions regarding the position of the Park Conservation District or the related support of the Elk Brucellosis Working Group's recommended amendments, please feel free to contact me at 406-222-2899 ext. 111 or jessica.anderson@mt.nacdnet.net. Sincerely, Jessica Anderson Park Conservation District, District Administrator</p>

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Park County Rod and Gun Club	Livingston	MT	<p>To whom it may concern: The Park Co. Rod and Gun Club, a family oriented sportsmen’s organization with approximately 1,400 members stands in opposition to both Recommendation 1 and Recommendation and 2 for the following reasons:</p> <p>Recommendation 1 •From the perspective of the sportsmen and women, the local working group was at all times controlled by Livestock interests with the help of Park Co. Commissioners and Montana State University Extension Service.</p> <p>•Reinstatement of the May 1-May15 lethal removal dates is too close to natural elk calving time period and therefore should not be an option available to landowners. •According the recommendation 1, hazing and lethal removal is allowed on publicly owned DNRC lands in the DSA. Although livestock interests lease these lands they do not own them. Wildlife should always be welcome on public property. •Kill Permits should be removed as an option on lands where adequate public hunting is not allowed. Recommendation 2 •Large scale fencing is an option; however landowners should be burdened with 100% of the costs if they are not enrolled in a Block Management hunting program. •The definition of ‘small-scale’ is sufficient and should not be changed to include pastures where cattle are present during the risk period.</p> <p>•During the working group process, MSU Extension personal proved to be extremely biased in favor of livestock interests. In light of this, we at the Park Co. Rod and Gun Club are skeptical of the validity of the MSU Extension Fence Modification MontGuide as written and would suggest that it not be used in any formal way as any form of reference during any future working group meetings. Best regards, The Park Co. Rod and Gun Club Board of Directors</p>
Representative Alan Redfield	Livingston	MT	<p>Dear Commissioners, I attended all the Upper Yellowstone Watershed Elk Brucellosis working group meetings this winter. The group worked hard to include any member of the public by moving the meeting site 25 miles away from our normal meeting place in Livingston so it would be easier for them to attend. This was during many ranchers calving time and they attended anyway regardless of inconvenience or venue. We noticed the meeting in the paper in time for all to be informed in time to plan to attend the meetings. The local rod and gun club and the Gallatin Wildlife group both had members in attendance. There were also other concerned citizens that said they were representing the elk in attendance, so when these same people claim that the public didn't have a chance to participate they were just trying to sink the whole project. I feel that we should reinstate the May1 - May 15 dates to the local plan. This window is a crittical time period for prevention of commingling and disease transmission in the Paradise Valley. Some form of lethal removal may be necessary to prevent the commingling/disease transmission during this time period. Livestock producers who want to prevent commingling on private and DNRC lands must have tools available when hazing becomes ineffective. These tools should include both EMRs and kill permits. The fencing recommendation is meant to be applied on private property as described in a plan developed by the property owner and/or their designees in conjunction with the MFWP. These plans are to allow suitable areas for corridors to allow eld movement but prevent commingling during the risk period. I would hope that this proposal would be a priority since this area has been the source of 3 of the latest infections. The committe did an admirable job of trying to come up with some ideas that are a compromise between livestock producers and the other folks I mentioned . The activists want everything exactly how they want it and are not willing to give a little to gain a lot. The working group came up with realistic options and I would hope that the commission would recognize that attempt.</p>

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Mark N Potter	Polson	MT	<p>Mr Hagener I do not support the Livestock Association's management plan for cattle ranchers in the Paradise Valley. Their attempt to force FWP to manage the disease carrying elk in this area is absurd. Cattle are the source of the problem and asking FWP to build fences on private land to control the elk with fees derived from hunters is an asinine suggestion. Until a better vaccine comes along for cattle the livestock in this area should be managed differently than the rest of the state. Don't ship these cattle across State lines and the industry is protected. Let the Livestock Association figure a way to compensate this small group of ranchers for any loses if necessary. A penny / pound of all beef sold in the State would probably cover their loses. I hunt game and do not eat beef. I am reminded every hunting season why range cattle should not be allowed to trample though mountain meadows, seeps and creek bottoms and overgraze on grasses vital for wintering elk populations. The livestock abuse continues on public land and the livestock industry should be compensating the public for proper fencing and management of these fragile wet areas that are vital for survival and proper distribution of wildlife on these lands. FWP has no business fencing private lands with hunters money and elk should not be vaccinated for cattle diseases.</p>
Bradley Shultz	Livingston	MT	<p>I am commenting on the amendment to the Brucellosis work plan. I do not think using our hunters dollars to build fences on private ranches is the most efficient way to reduce the risk of of elk and cattle interactions. Fences are extremely expensive and FWP is already running out of money. The ranchers in this area need to fence out other cattle so why don't they fence out wildlife on there own dime. This state is a fence out state! Let alone the there fact that they will be able to open and close the gates at there discretion. Seems a bit unfair to the elk and the sportsman to me. For example I own property that borders the Kinkie ranch in six mile creek. The Kinkie ranch is a big advocate of this amendment. That ranch does not allow any sort of public hunting but they are standing there with there hand out for FWP money. Why on earth give money to a ranch that will not allow the public to hunt on that property. This idea of killing elk in the third trimester is adsurd. This will open the doors to potential lawsuits from all sorts of wildlife advocates. Hunters and Anti- hunters alike. Please vote against this amendment. Thank you for your time.</p>
Marty Zaluski	Helena	MT	<p>Regarding the proposed amendments to the brucellosis work plan in the Paradise Valley, the Montana Department of Livestock/Montana Board of Livestock (BOL) respectfully submits support for both Recommendation 1 and Recommendation 2. Extending the deadline for the lethal removal of elk later into the season is necessary when hazing becomes ineffective. Likewise, wildlife-proof fencing in specifically targeted and small areas of Montana where the risk of Brucella transmission from wildlife to livestock is significantly elevated, gives producers an additional "tool" to help with spatial separation. Montana Fish, Wildlife & Parks should be responsible for the cost of materials, as in the existing game damage process, but public hunting access should not be tied to these small scale interventions where high risk of transmission exists. Sincerely, Dr. Marty Zaluski</p>
Bobby Sutton	Sheridan	MT	<p>I ask the FWP to do everyting possible to supprt hunters. It seems FWP is taking orders from MT DOL. I think the situation has more to do with competition for grass than brucellosis. Please limit the # of elk to be harvest after Feb. 15th and have this option to be an absolute last resort. Thank you</p>
Ann Hallowell	Livingston	MT	<p>I agree with the change to a later date for elk control and for fencing as a control option.</p>

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Elizabeth Madden	Livingston	MT	<p>Thank you for the opportunity to comment. First off, I did not feel the working group had very good representation by sportspeople, and I am worried that the agricultural community is pushing their interests beyond what is good for our state trust wildlife. Fencing in particular is insidious to wildlife and may cause untold further problems to species beyond but including the elk. Please require that every attention to creating wildlife-friendly fencing be made to allow safe passage for species like pronghorn. I also do not like the fact that elk will be restricted from some DNRC lands (Mill Creek area), as I understand it. Also, if we are going to use FWP (sportspeople's) money for the fencing control of our trust wildlife, then the recipients of the fencing should be required to allow public hunting access during the state seasons. Thank you again for your work on resolving this issue.</p>
Les Castren	Butte	MT	<p>Park Counties Brucellosis Committee recommendations is nothing more than the taking over of wildlife management by the county. It is disappointing to see FWP pay their game and not step in and standup for wildlife and sportsman. There were bills introduced in the last Legislature to have counties take over wildlife management and to have the livestock industry take over FWP. They were both defeated thanks to sportsman. This will do both. Controlling wildlife with six to eight foot high fences is ridiculous and also against state and federal law. Wildlife are part of the landscape. Keeping wildlife from using public lands, wither leased of not is absurd: maybe its time to keep cattle off these lands, and then to make sportsmen pay for the fencing is ridiculous. Hunting Elk into May just before calving time, and in areas where elk numbers are below management objectives is not sound biology. I believe if this is passed FWP, the state and Park county will be and should be sued. Let's go to court and see who owns Montana's wildlife and the management of it, the citizen's of Montana or the livestock industry. Thanks you, Les Castren</p>

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Upper Yellowstone Watershed Basin	Emigrant	MT	<p>To Whom It May Concern: I am writing on behalf of the membership of the Upper Yellowstone Watershed Basin (UYWB), in regard to the Elk Brucellosis Local Working Group's recommended amendments to the current 2014 work plan for Elk Management Guidelines in Areas with Brucellosis, specific to the Paradise Valley. We present this letter in support of both recommendations developed by the Elk Brucellosis Local Working Group, of which your agency is currently seeking public review and comment. The Upper Yellowstone Watershed Basin is a collection of people who appreciate, or support, or participate in agricultural endeavors on any scale. We believe that agriculture involvement, as it is lived out by diverse individuals and operations, can and must be enhanced, preserved, and valued now and for posterity. We advocate safeguarding our agriculture environment by protecting, improving, developing, harvesting, and efficiently using land, water, timber, and rangeland. Given the relatively consistent component of public comment being the advocacy for the development of Local Working Groups, the UYWB voted to cultivate a Local Working Group, specific to issues of Elk Brucellosis in the Paradise Valley. Since its formation, the group has hosted a number of local deliberations, which were open to all interested parties. The meetings have been held in collaboration with the Montana FWP and MSU Park County Extension. Montana's, and specifically Paradise Valley's livestock industry continues to struggle with the challenges arising from brucellosis infected wildlife endemic to the Greater Yellowstone Area. Therefore, we feel both of the recommended amendments to the current 2014 work plan will serve to enhance the reduction of disease transmission through augmenting the prevention of commingling circumstances. Furthermore, we feel the implementation of the presented tools is essential to effectively address the current risks of disease transmission. If you should have any questions regarding the position of UYWB or the related support of the Elk Brucellosis Working Group's recommended amendments, please feel free to contact me at 406-222-2899 ext. 111 or jessica.anderson@mt.nacdn.net. Sincerely, Jessica Anderson Upper Yellowstone Watershed Basin, Watershed Coordinator</p>
Dwayne C. Garner	Missoula	MT	<p>Why is the wildlife of MT, especially elk, always a bad thing. Due to the legislator taking control of elk numbers with their 10 year elk management plan, elk in most areas are way below the carrying capacity. Montana wildlife have brucellosis because of domestic livestock not the other way around. I am not in favor of the FWP doing anything other than putting fences around hay stacks. I think all cattle grazing should be eliminated from public ground and strict travel restrictions should be enacted to make public land more desirable for the elk. The Yellowstone herd used to give up to 30% of Montana's elk harvest and that is a lot of full freezers for its people and a huge economic benefit to the area. What happened to the "open range law" that I believe is state law. I have to fence cattle out. Now the shoe is on the other foot and the public loses again. With cattle prices at an all time high they should have to vaccinate their cows. This problem will never go away unless all wildlife in the area is eliminated, public lands included or the people of MT buy the ranches. I say the state of Montana should start saving its money and end all this. For the bottom line that Montana receives from these few ranches it isn't worth the trouble to keep up this fight.</p>

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Jessica Wilcox	Livingston	MT	<p>I would like to comment against the proposed amendments to the Elk Brucellosis Work Plan. I do not agree that it is the responsibility of the tax payer to pay for cattle ranchers fencing on their private property for their financial gain related not only to their livestock business but what also seems like a potential "game preserve" opportunity as well. My assumption is that if the ranchers are allowed to control gate opening/closure on their property, wouldn't this allow for control of elk populations not only during risk for commingling/transmission, but also during the hunting the season when they would profit from having the elk on their property. I'm sure they see the feasibility to charge hunters for hunting access when it's profitable for them? Also, I understand that cow elk could be in the last trimester of pregnancy up to May 15th. It was my understanding that we were trying to bring the elk population back up, why on earth would we allow hunting when these elk are about to give birth? Has there been a reported case of cattle in Park county contracting brucellosis from elk transmission this year? How large is the financial risk? Couldn't it be construed that cattle ranchers in Park County take on this "risk" when they decide to raise cattle in an area where elk also live? I don't see this as the responsibility of the tax payer to pay for addition fencing, nor do I agree in extending the lethal elk removal on private cattle ranchers property. It simply does not seem ethical to me nor does it seem fair.</p>

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Helena Hunters & Anglers Assoc	Helena	MT	<p>Helena Hunters & Anglers Association 219 Vawter Street, Helena, MT 59601 March 19, 2014 Montana Fish, Wildlife, and Parks Commission 1420 East Sixth Avenue P.O. Box 200701 Helena, MT 59620-0701 Montana Fish, Wildlife, and Parks Commission, Thank you for the opportunity to comment on the proposed recommendations to the Brucellosis Work Plan in the Paradise Valley. Please seriously consider our comments as you deliberate the historical perspective of elk on our Montana landscape. The Helena Hunters & Anglers Association (HHAA) is dedicated to protecting and restoring fish and wildlife to all suitable habitats, and to conserving all natural resources as a public trust, vital to our general welfare. HHAA promotes the highest standards of ethical conduct and sportsmanship, and promotes outdoor hunting and fishing opportunity for all citizens to share equally. Given our mission, we have serious concerns about the draconian regulations being proposed to lethally keep elk from their historic range using both lethal means and vast impediments to natural elk movements - all subsidized by hunters. In addition, we are concerned that a full analysis of the situation has not been presented, including brucellosis transmission from other cattle, or other means. We are concerned that elk population monitoring and trends in the Yellowstone area are not being transparently reported. How recently have in-depth elk population data been gathered? What are the cow:calf ratios, recruitment numbers, and trend data revealing about the elk population? And yet killing of elk is proposed right up to the point of parturition. These proposals seek to extend lethal removal of elk until May 15th- well into the third trimester of pregnancy - just before birthing. Lethal removal during this time period paints a brutal picture of hunters and crosses ethical boundaries. The proposal further talks of using "large-scale fencing in suitable areas for creation of corridors to allow elk movement, but prevent comingling and disease transmission in pastures used by cattle during the risk period." While this sentence seems innocent at first glance, this fencing can create serious barriers to wildlife movement as well as being used to keep wildlife in. Using funds generated by hunters for high-fencing is a misuse of these funds and seems to hint at privatization of our wildlife resources. In addition to these ethical concerns we feel that the proposed actions are contradictory to the 2004 Elk Management Plan. The 2004 Elk Management Plan states: Title 87 -1-301 (J) FWP Commissioners requirements shall comply with, adopt policies that comply with, and ensure the department implements in each region the provisions of state wildlife management plans adopted following an environmental review conducted pursuant to Title 75, chapter 1, parts 1 through 3. As far as we can tell, no environmental review has been conducted on these proposals. Furthermore, the proposed actions use hunters dollars (FWP assistance) which seems to violate Montana Code Annotated. MCA 87-1-225 states: "public hunter access during the general season is required for any land owner receiving FWP assistance for stack fencing, hazing, damage hunts or kill permits."</p>

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			<p>The proposals make no mention of hunter access which could help alleviate the problem if allowed. ARM 12.9.804 also states: damage hunts may only occur between August 15 and February 15th due to the gestation period of the elk. While Elk Brucellosis Management allows for lethal removals/dispersal hunts and kill permits to April 30th, this plan calls for lethal removal and dispersal hunts even beyond that - until May 15th. The elk calving period is widely known to begin about May 15 with a peak in calf production about June 1. Even the earlier brucellosis plans violate specified dates in ARM 12.9.804. This process was supposed to foster a variety of viewpoints and collaborative effort. However, these proposals have been conducted largely with a livestock producer agenda, and very little to no conservationist involvement, and no FWP oversight. In light apparent legal transgressions, violations of FWP's own policies, and misuse of FWP funds, we recommend that the proposals to lethally remove elk and construct fencing be rejected. Sincerely, Stan Frasier, President Helena Hunters & Anglers Association</p>

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Druska Kinkie	Pray	MT	<p>March 18, 2014 Dear Commissioners, In the fall of 2013 the Upper Yellowstone Watershed created a committee and agreed to host the local conversation regarding the Elk Management in Areas with Brucellosis 2014 Work Plan for the Paradise Valley Designated Surveillance Area. As Chairperson of that committee our goal was implementation of the 2014 Work Plan with an eye to our vision which was to prevent commingling of elk and cattle in Paradise Valley. We had three meetings which were consistently well attended. The local representation included livestock producers and members of the Livingston Rod and Gun Club. During the course of the meetings we discussed the tools outlined in the FWP 2014 work plan. Tools from this work plan were used in the 2013 critical abortive time period of Jan 15-June 15, so we had first-hand knowledge of how, when, and where these tools were utilized. We also discussed process, both for implementing the tools of the existing plan, and submitting any recommendations specific to the Paradise Valley that would affect the plan. Those people attending the meetings were asked to think not only about the tools outlined in the 2014 work plan, but also to go a step farther and think of tools not yet identified or available to producers. We wanted to make sure the work plan for the Paradise Valley was as comprehensive as possible. From these discussions the local group developed two recommendations. The intent of these recommendations was to enhance the FWP work plan, make sure the tools available were the best they could be, and make sure the identified tools covered the commingling situations that occur in Paradise Valley. Although total agreement amongst the attendees was not reached, there was a clear majority in favor of the recommendations. The two dissenting votes were from Bozeman and not involved in the livestock industry. The first recommendation was to extend the time frame for lethal removal. The group used the reference to "DNRC lands" within recommendation one simply to stay consistent with the wording in the existing FWP 2014 plan. The 2014 draft plan included the first two weeks in May. Those two weeks were available for use in the 2013 plan implementation. In the final adoption of the 2014 work plan, livestock producers lost those two weeks of opportunity to prevent commingling. The local group identified the first two weeks in May as a critical time period in which transmission could occur. The group felt that sometimes hazing can become ineffective in these two weeks and that livestock producers needed some form of lethal removal available to them in the first two weeks of May. The second recommendation of large scale fencing was identified and developed by the group as a tool not yet created; and, a tool that should be tried as yet one more mitigation measure to prevent commingling. From the February 13th commission meeting it became clear that the commission and others offering public comment were uncomfortable with the lack of detail. The group discussion that occurred surrounding large scale fencing determined that identifying a specific acreage, for example, 300 acres, would create the problem of what do we do if the area is 302 acres? It is critical for everyone in this discussion to understand that none of these tools are used the same way in every commingling situation.</p>

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			<p>One size does not fit all. So, the group chose not to identify a size. The type of fence is another part of large scale fencing that would need to be determined. There are many kinds of fencing designs. Which fence style works in each situation would take some research on the part of the landowner and FWP personnel on the ground. However, the Paradise Valley area is not short on resources (MSU, local extension agent) for investigating the best fence type to use. Fencing costs are also widely variable. So, the group chose not to be specific on the dollars involved. As I commented to the commission on the 13th, I believe that there are multiple agencies that may have brucellosis mitigation dollars available for some sort of cost share situation. The intent of large scale fencing is not to prohibit the movement of elk, but to encourage the elk to take a different route thus eliminating commingling in these specific situations. There is a belief among some public commenters that the risk of a brucellosis transmission from elk to cattle is so low that it should not be an issue. People also believe that the livestock community has done nothing to help themselves. We currently employ small scale fencing to make haystacks and other elk attractants inaccessible. Dr. Liska pointed out in his public comment on the 13th that producers do vaccinate, however, the efficacy of the vaccine is low—roughly 60-70 %. That leaves a number of animals unprotected. I also agree that the possibility of a transmission is low. But I would point out that if you are the producer with the positive cow—it is devastating. Although APHIS no longer requires depopulation, the quarantine protocols for ‘testing out’ are onerous. These protocols create a huge amount of stress for both the producer and the cattle, increase the labor requirements, add costs of feeding due to extended needs for hay, plus cause economic hardship.</p>
Arthur Burns	Livingston	MT	<p>The enhanced tools for use by producers in Paradise Valley requested by the Upper Yellowstone Watershed Basin Brucellosis Working Group seem to me to be entirely reasonable. If extending by a couple of weeks the period from which action can be taken to insure cattle/elk separation, especially in the peak risk period of late April to mid-March, will reduce the risk of another brucellosis positive in Paradise Valley then you, the FWP Commission, should allow it. The fencing request is, in my opinion, a no-braier. Physically keep elk away from unvaccinated calves, especially at ground zero, on Elbow Creek/Mill Creek. It would not take a huge investment to assure spacial separation in these few calving lots and winter pastures. Please approve.</p>

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steve kelly, MEDC &AWR	bozeman	MT	<p>March 17, 2014 Montana Fish and Game Commission and Jeff Hagener, Director, Montana Fish, Wildlife & Parks, 1420 East Sixth Avenue, P.O. Box 200701 Helena, MT 59620-0701 Dear MTFWP Director, Deputy Director and Commission Members: Please accept the following supplemental public comments on behalf of the Alliance for the Wild Rockies and Montana Ecosystems Defense Council relating to the proposed Amendments to the Brucellosis Work Plan in the Paradise Valley (Work Plan). These comments supplement comments we submitted February 11, 2011. FYI, we requested and never received acknowledgement of receipt of our original comments (attached). We, more than ever, believe that the Work Plan is the cause of significant adverse environmental impacts to Montana wildlife and wildlife habitat. Proposed Recommendation #1 and #2 will significantly increase those environmental impacts, in violation of state and federal statutes and regulations. If we are in error, please disclose any and all specific direction contained in the Montana Code Annotated authorizing MTFWP to manage elk for purposes of reducing or preventing the transmission of brucellosis between elk and livestock. Elk populations are below objective in some of the areas being considered. Spring kills will only contribute to further declines. Management of viable elk populations are based on habitat acreage, not brucellosis management. See: 87-1-323, MCA. I suppose the State of Montana could continue to blame wolves and kill more of them too. Please disclose the legal authority to pay for wildlife-restrictive (6-8 feet high) fencing with sportsmen's dollars. High fencing will limit elk migration and roaming on the landscape. Enclosures make elk and other big game more vulnerable to exclusive taking by private landowners, lease-outfitters and land-lease hunts on their ranch land. Why is MTFWP subsidizing the dangerous precedent that goes against existing statute and regulation designed explicitly to prevent the general hunting public from being locked out? This should never be approved. Please disclose the legal authority for the proposed actions that exclude public participation and public hunter access during the general season. Please disclose the legal authority to force sportsmen to subsidize the private, pasture fencing. Please disclose that the actual risk of brucellosis transmission from elk to cattle is infinitesimally small (estimated at 0.00024%). We strongly object to any action that turns MTFWP into another livestock management agency, and object equally to managing Montana's wildlife as livestock. This proposal represents a radical departure from science-based wildlife management. Privatization of wildlife is diametrically opposite to the purposes and general practice of the Public Trust Doctrine and North American Model of Wildlife Conservation. In order to maintain or increase elk numbers, the last thing you should do is extend kill permits beyond the date when elk start dropping calves. It is not responsible, and just plain stupid. In addition, there are elk declines in these areas to begin with. Expanding the use of lethal "tools" will only add to that decline.</p>

Name	City	State	Please comment on the 2014 Amendment to Brucellosis Work Plan in Paradise Valley as proposed:
			<p>Do not extend the February 15th cutoff kill date for political purposes. That date was not selected arbitrarily, it was founded upon sound biological principles and longstanding ethical hunting practices. Elk and buffalo are the primary wildlife species targeted, however, direct, indirect and cumulative impacts will ripple through non-targeted suites of species, including species listed and protected by the provisions of the Endangered Species Act (ESA). MTFWP has no "take permit" for grizzly bear, lynx or wolverine, species that may be present in the area. We repeat our demand that Commissioners conduct the required Environmental Assessment (EA). MCA 87 -1-301 (J), MCA; 87-1-323. Please note: The current Statewide Elk Management Plan (2004) is seriously outdated, and fails to comply with MEPA, MAPA and best available science. Review should take the form of an EIS. We urge you to reject the Park County Elk Brucellosis Working Group's proposed modifications (Recommendation #1 and #2). Sincerely, Steve Kelly, Director Montana Ecosystems Defense Council, Inc. P.O. Box 4641, Bozeman, Montana 59772 406.586.4421; and for Michael Garrity, Exec. Director Alliance for the Wild Rockies P.O. Box 505 Helena, Montana 59624 406-459-5936</p>
Bert Otis	Emigrant	MT	<p>Dear Fish Wildlife & Parks Commission, I feel that landowners that don't allow access during the regular season shouldn't get any special hunts, fencing, herding or any other assistance period. Bert Otis PO Box 60 Emigrant, MT 59027 otisranch@wispwest.net</p>
David Noell	Laurel,	MT	<p>I can not support extending the lethal removal dates. In fact so long as ranches do not allow some level of hunting or access to forest service lands, the elk should not be harassed in any way. Brucellosis was originally transmitted from cattle to elk. Perhaps the ranchers should have to pay for any and all expenses keeping elk and cattle from co-mingling.</p>

Name	City	State	Please comment on the 2014 Amendment to Brucellosis Work Plan in Paradise Valley as proposed:
Anthony Smith	Helena	MT	<p>I would like to express my complete disapproval of the proposed brucellosis management guidelines put forward by the wildlife sub-committee of the Upper Yellowstone Watershed Group that have been recommended for approval by the commission. These proposals leave too much room for interpretation, cater to a special group of landowners, and use sportsmen's dollars in a completely unacceptable way. These proposals hint at high fencing to keep elk away from cattle but which could also be used to keep elk in. It's no secret that outfitted land is a big money-maker and having your own State condoned, funded, and fenced preserve could have appeal to some people. Montana hunters should not have to foot the bill for rancher's fences - especially in areas that have no benefit for sportsmen- and the high fences mentioned seem to point more towards ranching for wildlife rather than disease control. Furthermore, using sportsmen's dollars for the vaccination, testing, or slaughter of elk is completely inappropriate and a misuse of these dollars that you hold in trust. The proposal to hunt cow elk after the third trimester of pregnancy is also unethical and paints a gruesome picture of hunters as a whole. As a hunter and lifelong Montana resident, I wholly support keeping ranchers on the landscape but I cannot support using sportsmen's dollars to subsidize high fences, the vaccination of wildlife, and the myriad of other problems that these proposals are bound to cause. Further research into brucellosis prevention in livestock is needed but completely eliminating brucellosis in wildlife is not a feasible option at this time and probably never will be. These proposals seem to have no scientific grounding as well as crossing many moral, ethical, and societal bounds. If approved they will be a betrayal of the public trust, a move towards the privatization of the public's wildlife, and a slap in the face to every person who pays for a hunting license in this state. Please reject these proposals as a whole.</p>
jordan	billings	MT	<p>In short, the brucellosis "scare" is nothing but a shame pushed by the dept of livestock and certain politicians. Show me true hard scientific data that suggests a link between cattle and elk/bison. Perhaps the cattle barrions should not be allowed grazing rights on public land. If they are so concerned, why are so many of them off limits to hunting unless I pay thousands of dollars. Serious conflicts of interest and a huge waste of money, my money that I spend to preserve a hunting heritage. This is bullshit.</p>
Joe Evans	Monticello	MS	<p>The plans I read about could become quite costly year after year. Has anyone considered a combination of wolf sound replications along with life sized mounted wolves or maybe even wolf decoys (life size cut outs)? Would be relatively cheap to replicate wolf sounds through a speaker system along with decoys. With some ingenuity this could possibly be a far more cost saving plan to separate elk/cattle over this critical time frame. Also this area needs to save all the elk it can to help some type of elk recovery from all the predation they go through now with more predators on the scene.</p>
Justin Duffy	Livingston	MT	<p>I urge the commission to scrap this entire proposal. Fencing should be an overhead of cattle ranching. Our FWP does not have the money to be throwing at private industry. They want elk when it is beneficial to them and want them gone when it doesn't work for them. I also worry about these fences being used to the advantage of outfitters who would lease these properties or the few select individuals granted permission to hunt on these properties. As for lethal force being used on elk in their third trimester, it is ridiculous. We don't have elk to "burn". Brucellosis is a cattle problem not an elk problem. I dont want my elk used as an expendable resource to help cattle ranchers cut their losses. Thank you Justin Duffy</p>

Name	City	State	Please comment on the 2014 Amendment to Brucellosis Work Plan in Paradise Valley as proposed:
CARLA MURNION	JORDAN	MT	I SUPPORT RECOMMENDATION # 1. [for lethal removal of elk]
J.R. Young	Los Gatos	CA	When are elk (and all wildlife) going to get a break? Why is there a continued assault on the Northern Herd, this time in the name of special interest? I thought Montana was a state full of self reliant individuals who could take care of their own, but instead are coming to FWP hat in hand asking for new fences to be built with funds from licenses? This is absurd, my license dollars should be funding science and quality habitat, not the continued hazing and slaughter for the benefit of ranchers that moved into the elks wintering range. I'm happy to come to Montana every year and spend my money on a quality license for a quality experience. I hope that my money will continue to fund that quality experience, great science and preserving habitat for all wild species. Regards, J.R. Young
Dean Blomquist	Ryegate	MT	I do not appreciate spending hunter generated dollars to help landowners manage elk on their private property unless they regularly allow reasonable hunting access during the regular hunting seasons. I also do not agree with the statement that Mt FWP should be responsible for the cost of fencing projects. This is also a Department of Livestock issue. I would rather see more regular game damage hunts where the public can participate.

Name	City	State	Please comment on the 2014 Amendment to Brucellosis Work Plan in Paradise Valley as proposed:
Rocky Mountain Elk Foundation	Missoula	MT	<p>The Rocky Mountain Elk Foundation (RMEF) maintains that the issue of elk management in areas with Brucellosis must be addressed in a cooperative manner with active input from state and federal wildlife managers, rancher, and other affected stakeholders. For more than a decade the RMEF has been engaged in this complex issue that covers multiple states and interests. RMEF actively participates in state agency planning and program efforts directed at Brucellosis management and containment. RMEF is aware of the increased incidence of Brucellosis exposure in wild elk herds of the Greater Yellowstone Ecosystem and the increasing importance Brucellosis policy has on elk and other wildlife. In 2008, RMEF hosted a Brucellosis symposium in Billings, Montana. It brought together state wildlife agency representatives from Wyoming, Montana, and Idaho, as well as state veterinarians, sportsmen, livestock owners, and other stakeholders in an effort to generate solutions. Discussions resulted in no consensus due to the divisive nature of this topic and the complex implications of possible management policies. Brucellosis is not detrimental to elk populations as it is not “population-limiting,” yet it imposes significant operating costs on agricultural producers in the endemic area. RMEF, in the past and today, advocates for policies that preserve traditional ranching operations and the benefits that come with keeping working ranches on the landscape. RMEF seeks to work with ranchers, state agencies, and other partners by supporting research and other mitigation actions to reduce Brucellosis transmission in livestock. RMEF would like to see state and federal agencies, elected officials, livestock owners, and other stakeholders work together to address this complex issue. RMEF is committed to helping with that effort. More specifically:</p> <ul style="list-style-type: none"> • RMEF calls for research that could lead to livestock vaccines with increased effectiveness • RMEF does not believe it is possible to eradicate brucellosis in wildlife • RMEF does not believe it is feasible or practical to vaccinate free-ranging wildlife • RMEF does not support hunting cow elk during the third trimester, which begins on or about February 15 • RMEF supports the efforts of state and federal agencies to enhance elk habitat on public lands, including wildlife management areas, to provide better forage for elk off of private lands • RMEF does not support the testing and slaughter of elk as a means of managing Brucellosis • RMEF supports cooperative approaches to keeping elk and livestock separate; however, we have concerns about the use of game proof fencing that could cut off natural elk migration corridors <p>RMEF is interested in helping solve this wildlife conservation issue and would particularly like to see much greater emphasis on the development of an effective livestock vaccine. Thank you for the opportunity to comment.</p>
Bryce Harman	Cut Bank	MT	<p>I find it absurd that MT Fish, Wildlife and Parks (i.e. MT hunters/tax payers) should have to pay one sent for fencing on private property. If these ranchers want protected elk and buffalo off their land they should have to put up fences to keep them out. Montana land owners have to put up fences to keep rancher's cattle off our land. This has very little to do with Brucellosis and almost everything to do with animals grazing on their land.</p>
Sean McCoy	Missoula	MT	<p>I absolutely appose this amendment. Big fences really does nothing to help the problem other then creating a false sense of security for the cattle owner. Who, it is my understanding, does not want to pay for this fence to keep their cattle "safe." It is the same piss poor management ideas that are used against the Bison to once again protect cows from Brucellosis. Make the Elk FWP's priority to manage, and let the cattle ranchers deal with their cattle.</p>

Name	City	State	Please comment on the 2014 Amendment to Brucellosis Work Plan in Paradise Valley as proposed:
Gordon Schofield	Missoula	MT	<p>Dear FWP Wildlife Bureau Staff: I believe the proposed "Amendment to Brucellosis Work Plan in Paradise Valley" is ill-conceived for several reasons. A little background: I have been a life-long hunter and outdoor sportsman. Before retiring ~4 yrs. ago, I worked for the US Forest Service for 38 yrs, 16 of which were on the Gallatin Nat'l Forest in Livingston, Big Timber, Gardiner and Bozeman. As a Lands specialist, one of my duties was to assist in the federal acquisition of over 30,000 acres of private land in southern Paradise Valley, a major purpose of which was to help provide secure winter range for a portion of the Northern Yellowstone Elk Herd. Many of the ranchers in that area were also hunting outfitters who held special-use permits to use Nat'l Forest land. (I assume this may still be the case.) For years, these rancher/outfitters opposed virtually any agency proposal that they believed would interfere with 1) their cattle ranching operation, and/or 2) their ability to provide outfitted hunts for elk, deer and other species. (One rancher even claimed it was his "exclusive right" to access federal land for this purpose.) Now, with beef prices higher than they have ever been, the ranchers want to keep the elk away from their cattle, using lethal means if necessary, to prevent the spread of brucellosis. And, they want the installation of miles of wildlife exclosure fencing, also to be paid for by hunting license fees (or perhaps other sources of public revenue). This proposed boondoggle flies in the face of common sense, as well as historic and current science-based wildlife management. The chance of cattle becoming infected with brucellosis from elk is miniscule. (One scientist puts the risk at 0.00024 percent.) And, I don't believe there has ever been a single documented case of cattle being infected by elk. The Forest Service, other agencies and private landowners have spent countless thousands of dollars rolling-up and removing miles of old unnecessary boundaryline and pasture fencing in order to better allow the natural migration paths of wintering elk and other wildlife. Now, the ranchers want us to pay to reinstall fencing for them - ludicrous! It's time to put a stop to this nonsensical proposal, and for FWP (and all of us) to tell the southern Paradise Valley ranchers that we will not subsidize their cattle operations, nor the destruction of public wildlife to help alleviate their unwarranted fears regarding brucellosis transmission from elk. The ranchers can certainly fence their ownership at their own expense, if they believe it is justified. (But, I'm betting they wouldn't do it.) Thank you for the opportunity to comment.</p>
Ed Peretti	Butte	MT	<p>I am against any form of fencing that prohibits the free movement of wildlife through the landscape. As of yet there has been no proof of transmission of brucellosis from elk to cattle on open range? I do not want my sports men's dollars wasted on fences</p>
derek williams	clancy	MT	<p>As someone who has hunted on public ground in the Paradise Valley for years I am quite familiar with the many large (often corporate) ranches which without exception do not allow public access for hunting. If they wish to keep elk away from their cows (don't forget it was the cows which arrived with Brucellosis) please do not spend a single public cent on this!</p>
Drew Smith	Lolo	MT	<p>I do not agree with the proposed amendments to the Brucellosis Work Plan in the Paradise Valley. If ranchers want fencing let them pay for it instead of using hunter license fees for this purpose. Also, I feel it is inappropriate to allow ranchers to haze or kill elk in order to reduce the possibility of transmitting brucellosis to their cattle. Licensed hunters should be given the opportunity to kill or redistribute offending elk through hunting pressure.</p>

Name	City	State	Please comment on the 2014 Amendment to Brucellosis Work Plan in Paradise Valley as proposed:
Mike Morrow	Dillon	MT	<p>1. I do not support the proposal to kill wild elk to prevent transmission of brucellosis to domestic cattle, especially during elk calving season. If lethal means must be permitted, I only support them on private properties that maintain enrollment in block management or allow reasonable public hunting opportunities for elk on their property during regular elk hunting seasons. 2. In the spirit of continued positive land owner relationships across the state, I support the use of taxpayer money to assist ranchers to build fences on private land to prevent commingling of elk and cattle during the brucellosis transmission period. I only support this on privately owned lands that maintain enrollment in block management or allow reasonable public hunting opportunities for elk on their property during regular elk hunting seasons. On federally and state owned lands, I only support the absence of private cattle grazing during transmission windows.</p>
Wesley Sarmiento	Victor	MT	<p>Kill permits should be distributed to the public - in a fair lottery. Elk belong to the public and thus killing of elk should reflect this. Fencing costs to reduce co-mingling of cattle and elk should not be entirely the burden of MTFWP. Free range laws suggest it is the landowners responsibility to fence animals out. It is not FWP's business to provide landowners with building materials to help profit landowners. However, brucellosis is a burden on ranchers - so a cost-share of fencing between landowner and FWP would be more logical.</p>
David Nolt	Butte	MT	<p>Yet again the public finds itself on its heels as ranchers try to further corrupt wildlife management in Montana, and yet again I remain baffled as to why the Montana FWP allows this dialogue to be controlled by these private interests. I strongly support agriculture in Montana, but I write to strongly oppose any plan that would use sportsman and/or taxpayer money to build more wildlife fences and give landowners kill permits for elk. Why is FWP even entertaining this? And why is there not even a discussion about increased public hunting opportunities? We are told the wolves are killing all the elk and at the same time we are told that there are too many elk. So which is it? What is the elk population objective here? Are these proposals based on science or politics? This proposal is in clear conflict with the North American Wildlife Conservation Model, and at a time when FWP should be focusing on improving habitat and hunter access we continue to slide down the slippery slope toward wildlife privatization. Please do not allow these ridiculous proposals. Thank you for your time.</p>
John Ruebusch	Livingston	MT	<p>I don't think livestock owners should be able to use EMRs , kill permits, or haze elk on any DNRC lands. I also feel that if a livestock owner wants to fence ANY part of their property, they should be the ONLY ones paying for it.</p>
William Ritts	Dillon	MT	<p>I am opposed to Recommendation I. I just don't understand how killing Elk while they are calving is more successful than hazing elk while they are calving. Maybe there is some sound scientific research that suggests otherwise. And I think the rancher should do the hazing. I support the concept in Recommendation II, but I don't like that Montana hunters are being asked to fund it. It should be the responsibility of the rancher to protect their investment. I realize hunters have a interest in the success of ranching in the state. I want ranchers to be successful. I would much rather see a ranch than a housing development. And this is especially pertinent in the Paradise Valley. I guess if I knew the cost was limited and the amount of overall fencing was limited, I might support this recommendation. I just don't want to be subsidizing every industry that runs into an issue that increases their operating cost. And I guess this will mean that Bison will be free to roam.</p>

Name	City	State	Please comment on the 2014 Amendment to Brucellosis Work Plan in Paradise Valley as proposed:
blaine brengle	missoula	MT	Don't use hunters money for rancher fences !!and NO elk shooting in MAY! The cow bought in brucellosis,sick of the rancher thing all together !!
Bruce Nelson	Dillon,	MT	Bad idea on so many different levels. Why don't we just dissolve FWP and give wildlife management over, exclusivly, to DOL ? An extremist cabal in the Mt. legislature that would like nothing better !
John Kloote	Potomac	MT	Do not us any State money or allow any type of fencing to go on in the Paradise Valley. Elk fence would have to be 8 feet high, a lay down type, would stop natural migrations of all species, due to the wolf reintroduction the elk have no choice but to seek out new calving grounds if they want to even have a chance at calf survival. The wolves are so far out of control the state should put this money into a trap/poison program instead of fences that will have no effect on Brucellosis which was brought in by the cattle men in the first place. These few folks simple don't wish to pay the expense to have their cattle checked prior to sale, are putting pressure on an already exhausted resource since a lot of people are hunting in Colorado or not hunting at all anymore in MT.. The cattle men assoc. have a strong lobby but are few in numbers compared to the MT hunters and Montana should not be strong armed by any group or politicians, let's do a study and see if there is one single thing that can be done to stop the spread of this disease , which so far, has not been proven and is a waste of already dwindling tax payer and hunter dollars, don't fence period, use the biologists we are paying for to make an unbiased opinion which is what we pay them for, science based decisions period , thankyou for allowing me and several other concerned hunters to voice our united opinion.
jim darr	livingston	MT	Ranches that do not allow free public hunting should not receive 1 penny's worth of our tax dollar's help. They all complain about the elk until hunting season when their clients or wealthy friends pony up big money to kill our bulls. And allowing a little cow hunting here and there don't cut it. All or nothing.

Name	City	State	Please comment on the 2014 Amendment to Brucellosis Work Plan in Paradise Valley as proposed:
John D. and Darlene L. Grove	Stevensville	MT	<p>February 18, 2014 Fish Wildlife and Parks Wildlife Bureau PO Box 200701 Helena, MT 59621-0701 Re: Proposal to use license fee funds to fence out elk from private lands. As a family of hunters who pay their fees, we object to the use of those fees to subsidize the operation of one segment of Montanan's business community. The continuing efforts of the Montana Game Commission and the Director of the Montana Department of Fish, Wildlife and Parks (MDFWP) to privatize one of Montana's most important publicly owned resources has gone on far to long. I'm speaking of (1) the continuing killing of wild bison when they leave the boundaries of Yellowstone National Park, and (2) the proposal to use our hunter licensing fees to fence our wild elk out of cattle rancher's private property. The "herd" law (speaks to the responsibility of the property owner to fence livestock off their ground if they don't want them.) apparently doesn't apply to cattle ranchers as it does to all other citizens. (3) The Montana Game Commission members and the Director of the MDFWP lack statutory authority to haze, harass or kill our publicly owned wild elk simply because there may be a threat of transmitting diseases to domestic livestock. Hunting licensing fees should not be used to fence or harass wildlife from private property, that is the responsibility of the property owner. It is time for the Governor of the State of Montana to replace the MDFWP Director and to scrutinize the balance of members on the Commission. It seems the Commission is heavily weighted in favor of desires of the ranching industry. They are only one facet of our society that has an interest in the future of the wild animals of our state. Respectfully, John and Darlene Grove PO Box 77 February 18, 2014 Fish Wildlife and Parks Wildlife Bureau PO Box 200701 Helena, MT 59621-0701 Re: Proposal to use license fee funds to fence out elk from private lands. As a family of hunters who pay their fees, we object to the use of those fees to subsidize the operation of one segment of Montanan's business community. The continuing efforts of the Montana Game Commission and the Director of the Montana Department of Fish, Wildlife and Parks (MDFWP) to privatize one of Montana's most important publicly owned resources has gone on far to long. I'm speaking of (1) the continuing killing of wild bison when they leave the boundaries of Yellowstone National Park, and (2) the proposal to use our hunter licensing fees to fence our wild elk out of cattle rancher's private property. The "herd" law (speaks to the responsibility of the property owner to fence livestock off their ground if they don't want them.) apparently doesn't apply to cattle ranchers as it does to all other citizens. (3) The Montana Game Commission members and the Director of the MDFWP lack statutory authority to haze, harass or kill our publicly owned wild elk simply because there may be a threat of transmitting diseases to domestic livestock. Hunting licensing fees should not be used to fence or harass wildlife from private property, that is the responsibility of the property owner. It is time for the Governor of the State of Montana to replace the MDFWP Director and to scrutinize the balance of members on the Commission. It seems the Commission is heavily weighted in favor of desires of the ranching industry. They are only one facet of our society that has an interest in the future of the wild animals of our state. Respectfully, John and Darlene Grove PO Box 77 Stevensville, MT 59870 CC: Governor Steve Bullock Director of the Department of Fish, Wildlife and Parks</p>

March 13, 2014
Anaconda Sportsman Club
#2 Cherry Street
Anaconda, Montana 59711

We would like to comment on the Brucellosis work plan:

The Anaconda Sportsman's Club has always been for a wildlife friendly fencing. Permanent fencing has not been the answer to the problem. There are other ways to handle the situation. More practical ways of doing this would be like hazing etc. Wildlife fencing has been our major concern for years. In the past, contractors got the job of fencing on the highways. When they violated wildlife friendly fencing, they had to do the job over as it violated the law.

This is one of the reasons we are against eight foot high fences.

We have worked with the local rancher and he explained that calving in the fall is best.

He explained that fall calving is best economically.

Please consider our comments.



Lorry Thomas - President
Anaconda Sportsman's Club
#2 Cherry Street
Anaconda, Montana 59711
Phone: 406-563-7992

"Local Common Sense Conservation"



5242 Highway 89 South
Livingston, MT 59047

Telephone 406-222-2899x111
Fax 406-222-8538

March 17, 2014

Montana Fish, Wildlife & Parks
Wildlife Division
P.O. Box 200701
Helena, MT 59620-0701

RE: Letter of Support – Proposed Amendments to Brucellosis Work Plan in the Paradise Valley

To Whom It May Concern:

I am writing on behalf of the Park Conservation District, in regard to the Elk Brucellosis Local Working Group's recommended amendments to the current 2014 work plan for Elk Management Guidelines in Areas with Brucellosis, specific to the Paradise Valley. We present this letter in support of both recommendations developed by the Elk Brucellosis Local Working Group, of which your agency is currently seeking public review and comment.

Given the relatively consistent component of public comment being the advocacy for the development of Local Working Groups, the UYWB voted to cultivate a Local Working Group, specific to issues of Elk Brucellosis in the Paradise Valley. Since its formation, the group has hosted a number of local deliberations, which were open to all interested parties. The meetings have been held in collaboration with the Montana FWP and MSU Park County Extension.

Montana's, and specifically Paradise Valley's livestock industry continues to struggle with the challenges arising from brucellosis infected wildlife endemic to the Greater Yellowstone Area. Therefore, we feel both of the recommended amendments to the current 2014 work plan will serve to enhance the reduction of disease transmission through augmenting the prevention of commingling circumstances. Furthermore, we feel the implementation of the presented tools is essential to effectively address the current risks of disease transmission.

If you should have any questions regarding the position of the Park Conservation District or the related support of the Elk Brucellosis Working Group's recommended amendments, please feel free to contact me at 406-222-2899 ext. 111 or jessica.anderson@mt.nacdnet.net.

Sincerely,

Jessica Anderson
Park Conservation District, *District Administrator*
jessica.anderson@mt.nacdnet.net

"Local Common Sense Conservation"



5242 Highway 89 South
Livingston, MT 59047

Telephone 406-222-2899x111
Fax 406-222-8538

March 17, 2014

Montana Fish, Wildlife & Parks
Wildlife Division
P.O. Box 200701
Helena, MT 59620-0701

RE: Letter of Support – Proposed Amendments to Brucellosis Work Plan in the Paradise Valley

To Whom It May Concern:

I am writing on behalf of the membership of the Upper Yellowstone Watershed Basin (UYWB), in regard to the Elk Brucellosis Local Working Group's recommended amendments to the current 2014 work plan for Elk Management Guidelines in Areas with Brucellosis, specific to the Paradise Valley. We present this letter in support of both recommendations developed by the Elk Brucellosis Local Working Group, of which your agency is currently seeking public review and comment.

The Upper Yellowstone Watershed Basin is a collection of people who appreciate, or support, or participate in agricultural endeavors on any scale. We believe that agriculture involvement, as it is lived out by diverse individuals and operations, can and must be enhanced, preserved, and valued now and for posterity. We advocate safeguarding our agriculture environment by protecting, improving, developing, harvesting, and efficiently using land, water, timber, and rangeland.

Given the relatively consistent component of public comment being the advocacy for the development of Local Working Groups, the UYWB voted to cultivate a Local Working Group, specific to issues of Elk Brucellosis in the Paradise Valley. Since its formation, the group has hosted a number of local deliberations, which were open to all interested parties. The meetings have been held in collaboration with the Montana FWP and MSU Park County Extension.

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If you should have any questions regarding the position of UYWB or the related support of the Elk Brucellosis Working Group's recommended amendments, please feel free to contact me at 406-222-2899 ext. 111 or jessica.anderson@mt.nacdnet.net.

Sincerely,

Jessica Anderson
Upper Yellowstone Watershed Basin, *Watershed Coordinator*
jessica.anderson@mt.nacdnet.net



Skyline Sportsmen's Association, Inc.

Box 173

Butte, Montana 59703

March 20, 2014

Dear Sirs:

Our group appreciates the opportunity to comment on the Brucellosis Work Plan.

First and foremost, there has been "no proof - positive" incident of Brucellosis transmission between free-roaming elk and cattle. Some articles and veterinarians state that there is 0.00024 % chance of transmission. (Please note addendum). Our group is more than willing to help, but not without proof.

Permanent fencing is NOT an option in this plan - it's far too expensive to install and even more expensive to monitor and maintain. If temporary electric fencing and hazing has been working reasonably well, this is much more practical and economical.

Also, permanent fencing as this plan proposes, could be in violation of two Montana Supreme Court decisions, which give wildlife priority over all other uses. (This information was provided to us by F.W.& P. former Legal Chief, Bob Lane). This type of fencing would also violate the Unlawful Enclosures Act of 1885. There are many examples of this Federal Act being upheld in neighboring states that challenged the federal law. The most important of which was the Red Rim Case in Wyoming. In that case the Grizzly Ranch owner built a 20 plus mile fence on his private property which stopped the fall migration of antelope and other wildlife. Hundreds of antelope perished. The case was heard in the district court and the Wyoming Supreme Court. It was appealed to the U.S. Supreme Court where it was upheld under the 1885 Unlawful Enclosures Act.

Also, an eight foot high fence would violate the wildlife friendly fencing rule just adopted and published by F.W.& P. There just is no legal or scientific reasoning behind this proposal for wildlife unfriendly fencing.

In fact a similar proposal was introduced into the last session of the legislature which would have allowed counties to manage wildlife. The bill never passed or was vetoed by the governor.

(continued)



Skyline Sportsmen's Association, Inc.

Box 173

Butte, Montana 59703

(continued from page 1)

Our group is adamantly opposed to lethal removal of elk up through May 15th. The fetuses of elk calves are fully developed by that time and lethal removal means the killing of two elk, not just one. The February date should be retained for any lethal removals. Remember, there is a F.W.& P. administrative rule that states that reasonable public hunting must be allowed before any game damage considerations could be put in place.

One proposal that stock growers in that area should consider, if they have flexibility in their cattle operation, is fall calving. There are a couple of examples where large ranches in our area have switched to fall calving entirely. Also some ranchers have part of their cows calve in the spring and some in the fall. One large operation with a herd of over 1500 head has switched entirely to fall calving and found it very economical. With winters like this last one, it certainly makes some sense.

If cattle prices were more stable, it would make more sense to switch to fall calving so any threat of brucellosis could be avoided.

Your consideration of our comments would be greatly appreciated.

Sincerely,

Les Castren

President

Skyline Sportsmen's Association, Inc.



Sep 2012

Volume 5, Issue 3

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CALENDAR OF EVENTS:

- Veterinary Deputy Accreditation Seminar October 4
Young Ag Leadership Conference October 5-7
Northern International Livestock Exposition (NILE) October 16-20
Montana Wool Growers Convention December 1-2
Montana Stockgrowers Meeting and Trade Show December 13-15
MVMA Winter meeting January 25-26

State Veterinarian Notes

I'll start this issue with a couple of announcements relating to the trichomoniasis program. First, the official color for trich tags as of September 1st is orange. Second, based on your feedback, as well as a recent study that showed minimal reduction in sensitivity from pooled samples, the lab can pool most trichomoniasis samples at the veterinarian's request.

The options for electronic documentation of animal testing and transport continue to expand. A recent addition is a PDF form (eCVI) developed by Colorado and Kansas that can be filled out and emailed to the state of destination. This is already used by several dozen veterinarians in Colorado and Kansas and has been well received.

West Nile Virus (WNV) made its unwelcome return this summer with six equine cases. Hot dry weather such as we experienced in 2007, also prompted concerns over blue-tongue (BTV). While Epizootic Hemorrhagic Disease (EHD) has been documented in a number of states, including Nebraska and Illinois, we've had very limited EHD (in wildlife) and no BTV documented in Montana as of late September (knock on wood).

Also in this newsletter is a column on Johne's disease based on a recent journal article from the Veterinary Clinics of North America-Food Animal Practice. I've tried to

capture the main points of this issue including transmission, management, and treatment. Of particular note are recommendations for management of purebred/seedstock herds.

As you may know, the inhumane practice of soring horses continues in some Tennessee Walking Horse circles. By establishing minimum penalties for violators under the Horse Protection Act, the USDA has recently taken a more forceful approach with horse associations that seemed to turn a blind eye to this practice.

Also, please see the staff column. We're using the space in this issue to highlight Dr. Abbey Canon who recently joined the department of public health (DHHS) for a two-year assignment from the National Public Health Service. Dr. Canon will work on strengthening communication between public and animal health.

Please see the brucellosis column for a summary of our recent brucellosis program audit. The review was conducted to allow Montana to continue state management of our brucellosis program and maintain Brucellosis Class Free status which allows the majority of Montana cattle to ship interstate with no brucellosis testing restrictions.

Brucellosis Program Audit

In mid-September, a group state and federal animal health officials conducted an audit of Montana's brucellosis program. In addition to USDA staff, the review team included members from the livestock agencies of the three Greater Yellowstone Area states, as well as the state veterinarian of Washington. The team focused on livestock testing, wildlife surveillance, and traceability of livestock using identification and brands.

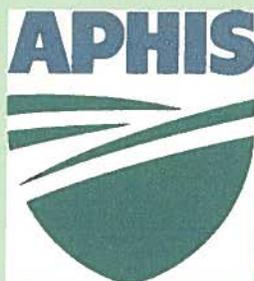
While the final report is not yet complete, the exit interview contained several recommendations, some of which include: 1) Conduct more public outreach to inform and educate cattle producers throughout the state of the brucellosis surveillance program. 2) Increase the number of herd plans for herds that utilize the DSA year-round or seasonally. 3) For the three GYA states, standardize how surveillance is conducted for seasonal herds. 4) Ensure that cattle being shipped directly to slaughter from ranch of origin be tested for brucellosis because of the decreasing national brucellosis slaughter surveillance program (MCI). 5) Resume the use of late elk hunts as a method to redistribute elk to reduce conflict with livestock at key times of the year. We look forward to reviewing these recommendations.

The review team also made several comments. Of particular note were: 1) The multi-year elk capture and surveillance project provides valuable data. 2) MDOL has been responsive to new wildlife surveillance information by adjusting the DSA boundary in a timely manner. 3) Recently deployed brands software at livestock markets allows electronic tracking of sold cattle and rapid identification of cattle requiring brucellosis testing. 4) Application of risk assessment and herd plans is tailored to individual operations. 5) Cattle that utilize the DSA seasonally, even during the low risk period, conduct cull cow surveillance. 5) High rate of testing of test eligible cattle in the DSA. (Based on MDOL's calculations, Montana will find brucellosis with 99% confidence if it exists at a rate of 0.005% prevalence within the DSA.)

Many, many thanks to Montana's producers, veterinarians, and our FWP and USDA partners that are critical to the successful review. Also, much credit goes to our Dr. Eric Liska and Amy Patterson for their diligent work on the program. ☐ mz



Photo credit: Matt Gouras



Horse Protection Act

Soring is an abusive practice used to accentuate a horse's gait, accomplished by irritating or blistering a horse's forelegs through the application of chemicals or mechanical irritants, or inhumane hoof trimming or pressure-shoeing techniques.

The Horse Protection Act (HPA) is a Federal law that prohibits horses subjected to the practice from participating in shows, sales, exhibitions, or auctions. The HPA also prohibits drivers from transporting sored horses to or from any of these events. USDA-APHIS-Animal Care (APHIS) enforces the HPA and works with the horse industry to protect against such abuse and ensure that only sound and healthy horses participate in shows.

Responsibility for preventing sored horses from being exhibited, shown, or sold rests with the managers of these events and with horse owners, trainers, riders, and sellers. Event managers, however, have the primary legal responsibility to exclude or disqualify sored horses at their shows, sales, auctions, or exhibitions.

APHIS established the Designated Qualified Person (DQP) program to facilitate HPA enforcement. DQPs are veterinarians, farriers, horse trainers, or other knowledgeable horsemen who have been formally trained and licensed by USDA-certified horse industry organizations or associations. DQPs are hired by the managers of a show or sale to ensure that sored horses are not allowed in the ring. DQPs inspect every Tennessee walking horse and racking horse before they may be shown, exhibited, or sold.

Sored horses often have tissue damage including swelling, pain, abrasions, or oozing of blood or serum. Inspectors also measure for proper shoeing conformations and look for training devices that are too heavy or improperly applied. Heavy, rigid devices banging on the pastern during repeated workouts can cause soring. In addition to a physical exam, thermography and chemical testing can also be used to identify sored horses.

For more information, please visit: www.aphis.usda.gov/animal_welfare/hp ☐

By Tom Linfield, DVM (USDA-APHIS-VS)

Geary, Laura

From: Furthmyre, Coleen on behalf of FWP Commission
Sent: Tuesday, February 11, 2014 3:57 PM
To: Geary, Laura
Subject: FW: Public comments for Feb. 13, 2014 FWP Commission meeting
Attachments: 2014 comments Montana Fish and Game Commission.doc

For your files ☺

From: botanicafineart [<mailto:botanica@botanicafineart.com>]
Sent: Tuesday, February 11, 2014 3:13 PM
To: FWP Commission; Hagener, Jeff; Volesky, Mike; Gwolfe207@bresnan.net; dan@sweetwatertravel.com; rstuker@mtintouch.net; lwetsit@fpcc.edu; mtourtlotte@gmail.com
Cc: Michael Garrity; Kathryn QannaYahu; troutcheeks@gmail.com; tawilk@aol.com
Subject: Public comments for Feb. 13, 2014 FWP Commission meeting

Dear Director and Commissioners:

Please accept the attached public comments on behalf of the Alliance for the Wild Rockies and Montana Ecosystems Defense Council relating to "modifications" to the 2014 Montana Elk/Brucellosis Management "Work Plan" Program being considered at the February 13, 2014 Commission meeting.

Please confirm receipt via this email address. Thank you.

- Steve Kelly, Bozeman

February, 11, 2014

Montana Fish and Game Commission and Jeff Hagener, Director

Montana Fish, Wildlife & Parks, 1420 East Sixth Avenue, P.O. Box 200701

Helena, MT 59620-0701

Dear MTFWP Director, Deputy Director and Commission Members:

Please accept the following public comments on behalf of the Alliance for the Wild Rockies and Montana Ecosystems Defense Council relating to the proposed expansion of Montana Department of Fish Wildlife and Parks' (FWP) lethal "tools" for "Elk Management in Areas with Brucellosis"/ (Paradise Valley) rancher "modifications." If approved, the new, expanded program will have significant adverse environmental impacts on Montana wildlife and wildlife habitat.

Elk and buffalo are the primary wildlife species targeted, however, direct, indirect and cumulative impacts will ripple through non-targeted suites of species, including species listed and protected by the provisions of the Endangered Species Act (ESA).

The issue of brucellosis in the multi-state, Greater Yellowstone Ecosystem should not be misused to privatize Montana public wildlife and further degrade wildlife habitat on private and public lands.

We strongly urge the Commission to conduct an environmental review in the form of an Environmental Impact Statement (EIS) **before** finalizing any decision to expand FWP's authority to employ lethal tools directed at elk and buffalo populations within APHIS's Greater Yellowstone Ecosystem (GYE) Designated Surveillance Area (DSA). Emphasis added.

Please disclose the specific reasons why FWP is implementing federal program goals and objectives designed by APHIS-USDA to eradicate brucellosis in the United States. Please disclose how APHIS's brucellosis eradication program squares with FWP's mission, vision, goals and objectives.

It seems fairly obvious that FWP and the Commission are poised to "rubber stamp" new, lethal, program goals and objectives originally outlined in A Concept Paper For A New Direction For the Bovine Brucellosis Program. APHIS VS (veterinary services), 2009. We are not aware of any environmental review of APHIS's "new direction" previously conducted at the federal level.

Please disclose how it is that APHIS, in cooperation with Montana Department of Livestock (DOL), are able to pressure Montana's state wildlife agency to totally abandon its mission, and turn to indiscriminately killing Montana's elk and bison under the

unscientific theory and ineffective methods outlined in APHIS's national brucellosis eradication program.

"Eradication depends on finding the last remaining brucellosis-reactor animal, the last remaining brucellosis-affected herd, and eliminating the disease from wildlife reservoirs. All potential risks for exposure and transmission of brucellosis from infected wildlife populations must be mitigated and eliminated as well. Currently, the last known reservoir of disease is the wildlife populations in the GYA. A new direction is needed that will allow VS and States to apply limited resources effectively and efficiently to this unique disease risk." APHIS VA, 2009, pg. 2.

"Eradicating brucellosis in the GYA remains the long-term goal, with the short-term goals of disease management and prevention. Resources and cooperation from all partners are needed to achieve these goals." *Id*, p. 12

"Elimination of brucellosis in wildlife should not be the burden of livestock stakeholders; it should be the responsibility of wildlife agencies." *Id*, p. 13.

Please disclose in great detail all known methods employed by APHIS to force state agencies within the GYE to "cooperate" and/or "partner," or else. Or else what, economic blackmail? We do not believe Montana can show any rational, independent utility in pursuing APHIS's brucellosis eradication objectives. The Montana and the Fish and Wildlife Commission should reject APHIS's outrageous terms and conditions out of hand.

This is not the first time APHIS has misled states in the GYE in pursuit of its obsession with brucellosis eradication nationwide and in the Greater Yellowstone Ecosystem. Thousands of Yellowstone buffalo and millions of federal tax-payer dollars have been wasted on the erroneous presumption that the wild buffalo were responsible for brucellosis transmission to livestock.

Now, APHIS and state agencies are aware that the elk genotype, not buffalo, represents an infinitesimally small transmission risk threat to livestock. Please disclose what the actual risk of brucellosis transmission is from elk to livestock in a proper risk assessment, which includes best scientific and statistical estimations of possible consequences and probability.

Please disclose the following in an EIS:

What is the estimated environmental impact of APHIS's brucellosis eradication program in the various wildlife populations of the Greater Yellowstone Ecosystem?

What is the estimated impact to wildlife habitat?

What is the actual transmission risk to livestock from brucellosis exposed wild bison from the Yellowstone National Park?

What is the actual transmission risk to livestock from brucellosis exposed wild elk from the Yellowstone National Park?

What genetic differences between buffalo and elk influence the risk of transmission to livestock?

What is the actual transmission risk to humans from brucellosis-exposed wildlife?

Please acknowledge that the best available science estimates the transmission risk from wild YNP bison to cattle is 0.0-0.3%, while elk represent 99.7%-100% of the risk. However, the 99.7%-100% risk that elk pose represents only a 0.00024% chance that any one Montana cattle will become infected from elk. Moreover, not all brucellosis infections in cattle have been transmitted by elk. Please disclose what percent of cattle infections were caused by vaccine blooms.

Reducing or preventing the 0.00024% chance that a Montana livestock may contract brucellosis from elk is obviously not the real agenda.

Introducing miles and miles of tall fences that prohibit migration and movement by elk, grizzly and black bear, deer, moose, pronghorn and many other wildlife species is privatization of commonwealth, pure and simple. It is totally inappropriate and unacceptable to rob sportsmen's dollars to subsidize game ranching in the GYE.

Why are these modifications being supported by Helena FWP for adoption before conducting any environmental review? It appears that politics has neutralized the science.

Please disclose and define what current legal basis exists for "Elk management Removal."

Please disclose and define the current legal basis for not utilizing the "Hunt Roster."

Please disclose and define how – and for whom – using "local hunters" only would "result in the creation of additional hunting opportunities for future hunting seasons."

Please disclose the original source, and the scientific basis, for the maximum number of (250) Elk Management Removals in the DSA.

We object to hazing, fencing and shooting Montana's wildlife on public and private lands, including all deeded and leased property with a conservation easement issued to enhance and protect winter range. Again, we urge the Commission to conduct a thorough environmental review, in the form of an EIS, of the Park County Elk Brucellosis Working Group's proposed modifications to the 2014 Elk Work Plan before taking final agency action.

Sincerely,

Steve Kelly, Director

Montana Ecosystems Defense Council, Inc.

P.O. Box 4641, Bozeman, Montana 59772

406.586.4421; and for

Michael Garrity, Exec. Director

Alliance for the Wild Rockies

P.O. Box 505

Helena, Montana 59624

406-459-5936

Notes... Feb 14/14

Dear Sir -

I want to express my
displeasure with the

proposed new license
order to kill elk to
protect ourselves.

If there was a hard fact that
elk carry brucella there
might be some leeway. But
just that there might be a
"partial" is not good enough.
The new clause "let that animal"
is their way out.

No more subsidies for them
and killing of the elk as they
move food to the river.

Notes...

There is no authority for
ELSP to kill elk just
because someone fears
a threat with that party.
I don't want any license
fee and in this manner.

Sincerely,

D. C. Davis 1181



ROCKY MOUNTAIN ELK FOUNDATION

Wildlife

RECEIVED

FEB 23 2014

FISH, WILDLIFE & PARKS
DIRECTOR'S OFFICE

February 26, 2014

Dan Vermillion, Chairman
Montana Fish & Wildlife Commission
PO Box 668
Livingston, MT 59047

Re: RMEF Comments Related to Elk Management in Areas with Brucellosis
2014 Work Plan – Local Modifications

Dear Chairman Vermillion,

The Rocky Mountain Elk Foundation (RMEF) maintains that the issue of elk management in areas with Brucellosis must be addressed in a cooperative manner with active input from state and federal wildlife managers, rancher, and other affected stakeholders.

For more than a decade the RMEF has been engaged in this complex issue that covers multiple states and interests. RMEF actively participates in state agency planning and program efforts directed at Brucellosis management and containment. RMEF is aware of the increased incidence of Brucellosis exposure in wild elk herds of the Greater Yellowstone Ecosystem and the increasing importance Brucellosis policy has on elk and other wildlife.

In 2008, RMEF hosted a Brucellosis symposium in Billings, Montana. It brought together state wildlife agency representatives from Wyoming, Montana, and Idaho, as well as state veterinarians, sportsmen, livestock owners, and other stakeholders in an effort to generate solutions. Discussions resulted in no consensus due to the divisive nature of this topic and the complex implications of possible management policies.

Brucellosis is not detrimental to elk populations as it is not “population-limiting,” yet it imposes significant operating costs on agricultural producers in the endemic area. RMEF, in the past and today, advocates for policies that preserve traditional ranching operations and the benefits that come with keeping working ranches on the landscape.

RMEF seeks to work with ranchers, state agencies, and other partners by supporting research and other mitigation actions to reduce Brucellosis transmission in livestock. RMEF would like to see state and federal agencies, elected officials, livestock owners, and other stakeholders work together to address this complex issue. RMEF is committed to helping with that effort.



More specifically:

- RMEF calls for research that could lead to livestock vaccines with increased effectiveness
- RMEF does not believe it is possible to eradicate brucellosis in wildlife
- RMEF does not believe it is feasible or practical to vaccinate free-ranging wildlife
- RMEF does not support hunting cow elk during the third trimester, which begins on or about February 15
- RMEF supports the efforts of state and federal agencies to enhance elk habitat on public lands, including wildlife management areas, to provide better forage for elk off of private lands
- RMEF does not support the testing and slaughter of elk as a means of managing Brucellosis
- RMEF supports cooperative approaches to keeping elk and livestock separate; however, we have concerns about the use of game proof fencing that could cut off natural elk migration corridors

RMEF is interested in helping solve this wildlife conservation issue and would particularly like to see much greater emphasis on the development of an effective livestock vaccine. Thank you for the opportunity to comment.

Sincerely,

M. David Allen
RMEF President / CEO

cc: Montana Governor Steve Bullock
Montana Fish & Wildlife Commissioners

February 14, 2014

FWP-Wildlife Bureau
Attn: Public Comment
P.O Box 200701
Helena, MT 59620-0701

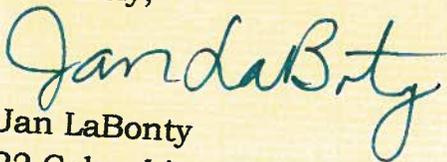
To Whom This Does Concern:

I am strongly opposed to the use of any public funds (i.e., taxes) to construct fences around cattle ranches to keep out the elk. I don't even support the practice of cattle being allowed to graze on public lands, (substantially subsidized by rock-bottom AUM rates) but if elk wander onto private land I can sympathize. I live in the Rattlesnake area of Missoula and am in a constant struggle with the deer who want to treat my yard like a buffet. My neighbors and I have fenced our perimeters to keep deer out; it is kind of successful. But at no time have we asked for public funds to do so or asked that deer be shot. We aren't businessmen or women but those who are (people who have greenhouses and tree farms nearby) share our same struggles without asking taxpayers to help.

Cattle ranchers are independent men and women who probably prefer a free-market system of doing business with as little regulation as possible, low taxes, and no government interference. How ironic that they now turn to the very government they lament to ask for money, a handout if you will, to make their enterprises more lucrative. There is risk to any business venture and grazing cattle near the wilderness has its own problems, surely landowners recognize this. And 'surgically removing' animals?? Just say 'shoot.'

In Western Montana, people are trying to kill every wolf because they eat the elk and now in the southern part of the state another group of people wants to get rid of the elk because they could potentially harm cattle. At some point we have to realize that the natural beauty and wildlife in our state matters, too.

Sincerely,



Jan LaBonty
22 Columbine CT
Missoula, MT 59802

Craig T. Davis
1045 Fletcher Lane
Steensville, Montana
5987

2/18/14

FWP -

No damage elk hunts
and no state fencing
in the Paradise Valley
north of Gardiner.

Sincerely,
Craig T. Davis

RECEIVED

MAR 03 2014

FISH, WILDLIFE & PARKS
DIRECTOR'S OFFICE

Montana Sportsmen ALLIANCE

Voice of Reason on Montana Fish and Wildlife Issues

MSA POSITION STATEMENT ON BRUCELLOSIS AND THE PARK COUNTY WORKING GROUP RECOMMENDATIONS

TO THE FWP COMMISSIONER DAN VERMILLION:

The Montana Sportsmen Alliance ADAMANTLY OPPOSES the current recommendations contained within "The Elk Management in Areas with Brucellosis Local working Group for the Paradise Valley".

First, there needs to be an understanding of the various problems involved in the transmission of brucellosis from wildlife to cattle and then we must identify long term and short term solutions.

The long term, permanent solution is to develop a truly effective vaccine for cattle against Brucellosis. There is one major problem in developing such a vaccine. Currently "brucella abortus" is considered a potential bio-terrorist agent which therefore only allows for limited research. If brucella abortus could be taken off this list, then research could begin to find a new vaccine that is more effective than the RB 51 vaccine currently used to protect cattle from the disease. The vaccine will take time and money to develop. This is the only acceptable long term solution to this issue unless APHIS could be convinced to change their definition of "brucellosis free status" to recognize that there are inherent risks in livestock production and to accept the current .0024% risk of transmission between elk and cattle.

There are two major problems in controlling brucellosis in wildlife, harboring of elk on private ranches where large groups of elk congregate which increases the possibility of transmission of brucellosis between elk. The second is the continuation of the "feed lot" program in Wyoming that again congregates large numbers of elk in close proximity with each other thus greatly increasing the risk of transmission of brucellosis.

www.montanaspportsmenalliance.com

www.pac.montanaspportsmenalliance.com

P.O. Box 1324 | Hamilton, Montana 59840

Montana Sportsmen ALLIANCE

Voice of Reason on Montana Fish and Wildlife Issues

Lacking a long term solution, we are left with developing short term solutions of minimal effectiveness to deal with the problem. Until we can develop an effective vaccine, the best short term solution, and only acceptable solution, is to minimize the co-mingling of cattle, bison and elk during the critical transmission periods. The potential for transmission of brucellosis between elk and cattle by FWP standards occurs between Jan. 15th-June 15 of each year.

We support management seasons driven by an objective designed to disperse elk. Lethal removal of elk via capture, test, and slaughter is not acceptable for the Paradise Valley or for any other part of the state. Any extension of the currently approved Commission Plan hunting dates of April 30th for elk hunting is totally unacceptable. Hunters killing cow elk with nearly fully developed fetuses not only will give the State of Montana a black eye but will severely damage the image of hunting/hunters across the nation.

We support hazing driven by an objective designed to disperse elk away from point sources of co-mingling.

With the exception of HD 313, we may support a very limited number of kill permits in chronic places of co-mingling up to the April 30 date. Chronic being defined as if all else has failed (hazing, fencing) and it is after April 15. Limited number being defined by 1 to 3 in combination with hazing, with multiple days between kill events.

The decline of the elk herds in southern Paradise Valley has been well documented and those herds cannot take any additional harvest. The late season cow hunts in 313 have been totally eliminated in an attempt to help bring back that herd.

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Montana Sportsmen ALLIANCE

Voice of Reason on Montana Fish and Wildlife Issues

While the northern portion of the Paradise Valley, units 314 and 317, are doing better and the regulations have been liberalized for 2014, any further increased harvest is not acceptable. The 2014 regulations for the north half of 314 will allow the taking of either brow-tined bull and antlerless elk on the general tag. There will also be a small number of elk "B" tags available.

We support the use of fencing as provided in the Commission approved plan. That plan directs fencing efforts to small areas, most envisioned as stack yards to remove food attractants for elk. Because of the likely scale and difficulty in limiting scale (area covered), high cost, maintenance headaches and unintended consequences resulting from high fencing, we do not support high fencing to be used on the landscape for large areas of exclusion. (Calving areas and feed lines can potentially be quite large).

An additional means of working towards separation is that in site specific problematic areas an assessment as to positioning of those activities (calving and feeding) be conducted to evaluate options to lessen risk.

We support FWP in providing on the ground support only to landowners that qualify under current game damage rules. We urge the FWP and adjacent landowners to work with those that are harboring elk to use the general season hunting tool to work towards minimizing or eliminating an unhealthy (for livestock and elk) concentration of elk, a root problem to managing risk.

Funding for acceptable fencing projects, as defined in the Commission approved plan, could come from many sources. A shared cost program with the Federal Government, NRCS, Montana Dept. of Livestock, Montana Dept. of FWP and the landowner would provide for a vested interest by all the affected parties. To ask the FWP to be the sole source of funding is totally unacceptable.

www.montanasportsmenalliance.com

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P.O. Box 1324 | Hamilton, Montana 59840

Montana Sportsmen ALLIANCE

Voice of Reason on Montana Fish and Wildlife Issues

MONTANA SPORTSMEN ALLIANCE LEADERSHIP GROUP

Vito Quatraro-Bozeman

Joe Perry-Conrad

John Borgreen-Great Falls

Sam Milodragovich-Butte

Robert Wood-Hamilton

JW Westman-Park City

Cc: Governor Steve Bullock; FWP Director Jeff Hagener

Feb. 28, 2014

www.montanasportsmenalliance.com

www.pac.montanasportsmenalliance.com

P.O. Box 1324 | Hamilton, Montana 59840



PARK COUNTY COMMISSIONERS

414 E. Callender, Livingston, MT 59047 • Ph. 406-222-4106, Fax 406-222-4160
www.parkcounty.org • Email: commissioners@parkcounty.org

March 4, 2014

Jeff Hagener, FWP Director
P.O. Box 200701
Helena, MT 59620-0701

RECEIVED

MAR 06 2014

**FISH, WILDLIFE & PARKS
DIRECTOR'S OFFICE**

Dear Mr. Hagener

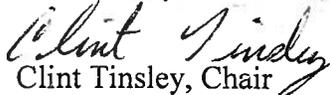
At the suggestion of the FWP Commission, interested parties from Park County impacted by the Elk Brucellosis work plan met on at least three events to review the state plan. The group put forward two recommendations to the Commission. The Park County Commission voted to support the recommendations and hereby request that the FWP Commission honor those requests.

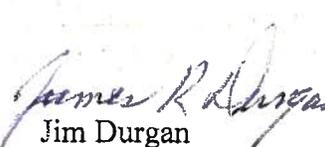
Recommendation 1--Reinstate the May 1-May15 dates to the local work plan. The May1-15 window is a critical time period for prevention of commingling and disease transmission in Paradise Valley. Some form of lethal removal may be necessary to prevent commingling/disease transmission during this time period. Livestock producers who desire to prevent elk from commingling with cattle on private property and DNRC lands must have tools available. When hazing becomes ineffective, forms of lethal removal should include both the EMRs and kill permits.

Recommendation 2---These recommendations are meant to be applied on private property as described in a plan developed by the property owner(s) and/or their designee(s) in conjunction with Montana Fish, Wildlife & Parks.

- A. Use large scale fencing in suitable areas for creation of corridors to allow elk movement, but prevent comingling and disease transmission in pastures used by cattle during the risk period, and
- B. The unwritten definition of 'small-scale' should be increased to include pastures where cattle are present during the risk period, and
- C. Montana Fish, Wildlife & Parks should include fence modification as a method of fencing appropriate to minimize brucellosis transmission in the Paradise Valley DSA and should be responsible for the cost of materials, as in the existing game damage process.

Thank You
Park County Commissioners,


Clint Tinsley, Chair


Jim Durgan


Marty Malone

19 Feb 2014

Dear Sir,

You're got to be kidding, you & Libette use hunter license fees to pay to fence elk off of ranches in the Paradise Valley. These are the very same ranches that refuse to participate in the Block Management Program and allow hunters access to their ranches. At the same time, many of these ranches earn big money by having outfitters bring out of state fat wallets in to kill elk which are supposedly the property of all Montanans.

Two years ago I had a tag to hunt cow elk in the Paradise Valley and when I drove down there I couldn't find a ranch which would allow me to hunt. They won't allow the public on their ranches yet they want to have us pay to put up fences when the elk are a bother to them. And the Fish and Game is going along with this! I am so angry at the proposal and the folks who are supposedly acting on the behalf of the people of Montana.

Sincerely

Paul Lynne
1141 S. 4th St W.
Missoula, MT
59801
543-7339

February 14, 2014

FWP – Wildlife Bureau, Attention: Public Comment

P>O> Box 2000701, Helena, Montana 59629-0701

Dear FWP,

This letter is in response to your request for public comment in regards to the Paradise Valley ranchers and elk, and really, to the issue of cattle on public lands in Montana, especially around Yellowstone National Park. As a tax payer, I would like cattle removed from public lands and national forests in the state of Montana. Cattle have infected our wildlife with disease, have ruined watersheds and meadows with the method of their grazing and water use. The cattle industry should be taxed to pay for the removal of brucellosis from our native bison herds and elk. Also, no fencing should be allowed as the Paradise Valley is a highly sensitive and important area for our wildlife; why are the ranchers allowed to be in there anyway? Instead of money being used to pay for fencing for a "black-hole" industry as cattle are and the money would be better used buying up the ranches and turning them into wildlife buffer zones and migration pathways. We don't need cattle in our river bottomlands, especially not in the Yellowstone region.

Over the history of this country, the cattle industry has decimated our wildlife, our grasslands, and our watersheds. From an economic standpoint, bison are the better option for meat, for living in our environment, and for the low cost of their maintenance and feed. They drink less water and provide snow removal for other species. No one comes to Montana to see cows, to hunt cows, or to take pictures of cows. They do come to see our bison, our elk, and all of our other native species. Keep the cows on the feedlots and not on our public lands.

Susan Keady Jones
3477 Trails End Rd.
Missoula, MT. 59803

Susan Keady Jones
406/320-0401

Feb 19, 2014

Dear TW + Parks Wildlife Bureau

Get rid of those "ranchers" in the Paradise Valley. Get them on their way - out of here

They are trying to use the "elk" as a buffer to those lousy animals - get rid of ALL of "themselves" - get the ranchers out of the valley.

Shoot the bastards.

Thank you -

John G. ...

891 ...

... ..



Montana Sportsmen ALLIANCE

Voice of Reason on Montana Fish and Wildlife Issues

THE MONTANA SPORTSMEN ALLIANCE SUPPORTS THE ACQUISITION OF 320 ACRES TO THE BLACKLEAF WMA:

This is very important winter range for elk and deer as well as grizzly habitat. Additions like these are a rare chance to add important habitat to an existing WMA which is fully accessible by the public.

MSA LEADERSHIP

Vito Quatraro-Bozeman	580-1130
Joe Perry-Brady	627-2369
John Borgreen-Great Falls	453-4273
Sam Milodragovich-Butte	490-2224
Robert Wood-Hamilton	531-5043
JW Westman-Laurel	633-2415

www.montanasporsmenalliance.com

www.pac.montanasporsmenalliance.com

P.O. Box 1324 | Hamilton, Montana 59840

Geary, Laura

From: Maury Murnion~933-557-0487 [crmurnion@midrivers.com]
Sent: Wednesday, March 05, 2014 9:47 AM
To: FWP Wildlife
Subject: public comment on Paradise Valley Brucellosis work plan

I support Recommendation # 1, [FOR LETHAL REMOVAL OF ELK]

Geary, Laura

From: Furthmyre, Coleen on behalf of FWP Commission
Sent: Monday, March 03, 2014 8:37 AM
To: FWP Wildlife
Subject: FW: Public Comment : Fencing out wildlife

-----Original Message-----

From: Steve Clevidence [<mailto:sclevidence@gmail.com>]
Sent: Saturday, March 01, 2014 9:35 AM
To: FWP Commission
Subject: Public Comment : Fencing out wildlife

Gentlemen,

I am personally opposed to MFWP funding livestock fencing to keep Elk and other wildlife off private land and away from Livestock. I do not believe that is a responsibility of the Department, nor that sportsman monies should be designated for that. If Livestock producers want to keep Elk off their land, then it is their own responsibility to fence their personal property. If FWP pays for the fencing of a few, I feel that many others throughout the state will expect the same courtesy and FWP will be obligated to fund all fencing projects. As a rancher, conservationist and outdoorsman , I feel FWP can little afford to finance these projects for the livestock industry.

Thank you,
Steve Clevidence
153 Garnet Dr.
Victor, Mt. 59870
406-642-3890

Geary, Laura

From: Furthmyre, Coleen on behalf of FWP Commission
Sent: Wednesday, February 26, 2014 3:45 PM
To: FWP Wildlife
Subject: FW: RMEF Comments Related to Elk Management in Areas with Brucellosis
Attachments: RMEF Comments Brucellosis MTFWP 02-26-2014 FINAL.pdf

From: Toni O'Hara [<mailto:tohara@RMEF.ORG>]
Sent: Wednesday, February 26, 2014 3:15 PM
To: FWP Commission
Subject: RMEF Comments Related to Elk Management in Areas with Brucellosis

Dear Commissioners,

Attached please find the Rocky Mountain Elk Foundation's comments related to elk management in areas with brucellosis and the 2014 work plan.

Thank you,



Toni O'Hara | Lands & Conservation Assistant

Rocky Mountain Elk Foundation
406-523-0264 phone | 406-523-4581 fax
tohara@rmef.org | www.rmef.org

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ROCKY MOUNTAIN ELK FOUNDATION

February 26, 2014

Dan Vermillion, Chairman
Montana Fish & Wildlife Commission
PO Box 668
Livingston, MT 59047

Re: RMEF Comments Related to Elk Management in Areas with Brucellosis
2014 Work Plan – Local Modifications

Dear Chairman Vermillion,

The Rocky Mountain Elk Foundation (RMEF) maintains that the issue of elk management in areas with Brucellosis must be addressed in a cooperative manner with active input from state and federal wildlife managers, rancher, and other affected stakeholders.

For more than a decade the RMEF has been engaged in this complex issue that covers multiple states and interests. RMEF actively participates in state agency planning and program efforts directed at Brucellosis management and containment. RMEF is aware of the increased incidence of Brucellosis exposure in wild elk herds of the Greater Yellowstone Ecosystem and the increasing importance Brucellosis policy has on elk and other wildlife.

In 2008, RMEF hosted a Brucellosis symposium in Billings, Montana. It brought together state wildlife agency representatives from Wyoming, Montana, and Idaho, as well as state veterinarians, sportsmen, livestock owners, and other stakeholders in an effort to generate solutions. Discussions resulted in no consensus due to the divisive nature of this topic and the complex implications of possible management policies.

Brucellosis is not detrimental to elk populations as it is not “population-limiting,” yet it imposes significant operating costs on agricultural producers in the endemic area. RMEF, in the past and today, advocates for policies that preserve traditional ranching operations and the benefits that come with keeping working ranches on the landscape.

RMEF seeks to work with ranchers, state agencies, and other partners by supporting research and other mitigation actions to reduce Brucellosis transmission in livestock. RMEF would like to see state and federal agencies, elected officials, livestock owners, and other stakeholders work together to address this complex issue. RMEF is committed to helping with that effort.



ROCKY MOUNTAIN ELK FOUNDATION

More specifically:

- RMEF calls for research that could lead to livestock vaccines with increased effectiveness
- RMEF does not believe it is possible to eradicate brucellosis in wildlife
- RMEF does not believe it is feasible or practical to vaccinate free-ranging wildlife
- RMEF does not support hunting cow elk during the third trimester, which begins on or about February 15
- RMEF supports the efforts of state and federal agencies to enhance elk habitat on public lands, including wildlife management areas, to provide better forage for elk off of private lands
- RMEF does not support the testing and slaughter of elk as a means of managing Brucellosis
- RMEF supports cooperative approaches to keeping elk and livestock separate; however, we have concerns about the use of game proof fencing that could cut off natural elk migration corridors

RMEF is interested in helping solve this wildlife conservation issue and would particularly like to see much greater emphasis on the development of an effective livestock vaccine. Thank you for the opportunity to comment.

Sincerely,

M. David Allen
RMEF President / CEO

cc: Montana Governor Steve Bullock
Montana Fish & Wildlife Commissioners

Geary, Laura

From: Furthmyre, Coleen on behalf of FWP Commission
Sent: Tuesday, February 18, 2014 8:58 AM
To: FWP Wildlife
Subject: FW: Paradise Vally Elk

From: John P Simmons [<mailto:jmsimmons@nemont.net>]
Sent: Saturday, February 15, 2014 11:00 AM
To: FWP Commission
Subject: Paradise Vally Elk

Montana FWP Commission

Concerning the Paradise valley. My feelings are we, (man) should not be killing or harassing elk in April or May. Even March is late, the wolves lions and bears do enough of that. Those original ranchers have lived with the elk for years, and the ones, new and old, who are ranching for wildlife are no doubt providing them feed before and during hunting seasons. I have seen this near Nye and Cameron. Then when hunting season is over they want them off.

I noticed that Eric Liska, one of the Veterinarians for the Department of Livestock stated that the ranchers could vaccinate for Brucellosis, he also stated maybe that Department of Livestock could be a possible source of fencing costs.

The sad thing here is that I am sure many of the ranchers the would vaccinate their animals if someone else would pay; meaning our Montana Fish a Wild life department.

I feel the Department of Livestock should be responsible for all the Brucellosis problems that disease was introduced here by the cattle from Europe.

Our wild life wouldn't have the disease if the importers had been more careful importing their livestock..

I read a few years ago that ranchers near the southern U. S. boarder don't worry about the Brucellosis in their herds, they feel it's a natural occurrence.

Take care
John Simmons
2805 Hwy 78
Absarokee, Mt.
59001



This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

Geary, Laura

From: Furthmyre, Coleen on behalf of FWP General
Sent: Tuesday, February 18, 2014 8:38 AM
To: FWP Wildlife
Subject: FW: Montana Fisheries and Wildlife Considers Fencing and Killing Elk to Please Cattle Ranchers to Reduce Brucellosis

-----Original Message-----

From: Joan Cornett [<mailto:jecornett@bellsouth.net>]
Sent: Monday, February 17, 2014 12:08 PM
To: FWP General
Subject: Montana Fisheries and Wildlife Considers Fencing and Killing Elk to Please Cattle Ranchers to Reduce Brucellosis

Just Lovely. We know who is running the country now. Cattle, sheep and pig ranchers and trophy hunters and trappers who get to use public lands and do whatever they want and not coexist with wildlife or vaccinate their own cattle or any other animal and are allowed to kill off prey, predators and any desire to visit Montana since all that will be left will be millions of livestock and trophy hunters and no wildlife. Just great. Idaho seems to have the same mindset. Too bad for the next generation of kids and thereafter. They better get used to overgrazed lands with millions of livestock and no other wildlife.

Geary, Laura

From: Furthmyre, Coleen on behalf of FWP Commission
Sent: Friday, February 14, 2014 8:59 AM
To: FWP Wildlife
Subject: FW: Paradise Valley Elk/Brucecellosis

Categories: Red Category

From: Lian, Bret [<mailto:bret.lian@umconnect.umt.edu>]
Sent: Friday, February 14, 2014 8:01 AM
To: FWP Commission
Subject: Paradise Valley Elk/Brucecellosis

Commission,

My name is Bret Lian and I live at 122 Wild Rose Jefferson City, Montana. In the Helena IR this morning I have read about the tentative direction FWP is heading in regards to the Paradise Valley Elk/Ranchers issues.

Extending the killing of cow elk till May is an absolutely terrible idea. Not only does it defy the North American Model, not only is it unethical, but it will give anti-hunters incredible ammo when photos of a fully developed elk calf are included in the gut pile. Not only that, but the increased pressure on elk in the spring could very likely increase the amount of abortive events due to stress, which is where brucecellosis transmission occurs, albeit at such a miniscule rate I am wondering who is doing who a favor in supporting this hysteria.

Lastly, NO sportsman's dollars should go to creating fences in the Paradise. You would be essentially subsidizing ranching. And where would it stop? The ranchers knew damn well that elk were in the Paradise all the way back to when the ranching began, and hazing and building their own fences are perfectly acceptable ways of dealing with Elk. But our dollars for their benefit? What are sportsman getting out of this? All most all of these rancher's with elk problems are not enrolled in block management. Hunting is how we manage wildlife in this state, not fences. They made their own beds.

A serious look needs to be taken as to who is on the committee coming up with these ideas. FWP has to communicate and compromise with ranchers sure, but this seems wholly driven by the rancher's agenda with no thought to sportsman.

Thank you,

Bret Lian

Geary, Laura

From: Furthmyre, Coleen on behalf of FWP Commission
Sent: Friday, February 14, 2014 8:59 AM
To: FWP Wildlife
Subject: FW: park county elk

From: Charles Murtagh [<mailto:charlesmurtagh@gmail.com>]
Sent: Thursday, February 13, 2014 10:16 AM
To: FWP Commission
Subject: park county elk

The proposals that the Park County elk group has proposed should not be adopted. Anti - hunting and anti-wildlife The livestock folks want everything their way and want us hunters to foot the bill. Nonsense. Reject this silly notion and look out for the elk and the hunter. charles murtagh, bozeman

Geary, Laura

From: Furthmyre, Coleen on behalf of FWP Commission
Sent: Friday, February 14, 2014 8:59 AM
To: FWP Wildlife
Subject: FW: Elk Brucellosis - Park County Working Group

From: Ryan Smith [<mailto:ryanwaynesmith@hotmail.com>]
Sent: Thursday, February 13, 2014 10:02 AM
To: FWP Commission
Subject: Elk Brucellosis - Park County Working Group

Hello!

My name is Ryan Smith and I have lived in Bozeman, MT since 1998. I have hunted elk in the Paradise Valley since moving to MT and do not want to see the senseless slaughter of these animals. This message is to address the recommendations provided by the Park County Elk Brucellosis "Working Group". Please do NOT accept the proposals for High Fencing and Killing Cow Elk into the month of May. I ask the commission to base its decisions on sound science and not allow Montana's elk to be slaughtered on the grounds of political might.

Thank you,

Ryan Smith

TIMBERCRAFT
Ryan W. Smith
(406) 600-1894

Geary, Laura

From: Furthmyre, Coleen on behalf of FWP Commission
Sent: Friday, March 14, 2014 8:52 AM
To: FWP Wildlife
Subject: FW: Paradise Valley Working Group Brucellosis Recommendations
Attachments: Paradise Valley brucellosis concerns.docx

-----Original Message-----

From: Kenneth Hamlin [<mailto:knphamlin@bresnan.net>]
Sent: Thursday, March 13, 2014 1:07 PM
To: FWP Commission
Cc: Kujala, Quentin; Burt, Howard; Flowers, Pat; Loveless, Karen
Subject: Paradise Valley Working Group Brucellosis Recommendations

FWP Commissioners,

Attached are my comments regarding the Recommendations for changes to the 2014 Work Plan by the Paradise Valley Elk Management in Areas with Brucellosis Local Working Group.

Thank You for your consideration of the comments.

Sincerely,

Ken Hamlin

My name is Ken Hamlin and I am a member of the Statewide Elk Management in Areas with Brucellosis Working Group. I have some general and specific concerns with the recent proposals/modifications to the 2014 work plan by the Paradise Valley local working group that “go above and beyond the Elk Management in Areas with Brucellosis 2014 Work Plan”. Some of the problems I see are with the 2 specific proposals by the working group, some are with the process, and some are intertwined.

In all of the following discussion, please keep in mind 2 of the 3 Fundamental Objectives of the Statewide Working Group:

Fundamental Objective 1: **Minimize** transmission from elk to livestock. (**NOT eliminate risk.**)

Fundamental Objective 2: **Maximize** cost effectiveness.

More education about brucellosis and the known facts about its transmission risk are necessary at the start of local working group discussions. The Statewide Committee members all learned much over the course of 2 years. The Statewide group discussed the necessity of this education and agreed upon it, but unfortunately we did not produce specific recommendations. Perhaps the Statewide Committee and FWP should produce this material. New information is continuing to be produced: some as recently as a week ago (e.g. Cross et al. 2014 - “Annual timing of elk abortions and potential brucellosis risk” – Montana Chapter of the Wildlife Society Annual meeting, Bozeman, MT, March 6, 2014).

Paradise Valley Working Group Recommendation 1: Reinstate the May 1 – May 15 dates (lethal removal) to the local work plan.

- It will not be the “end of the world” should Recommendation 1 be adopted. However, there is general public distaste for any removals after 15 February and even more objections to removals during the 2 weeks prior to the initiation of natural births. Is the potential “benefit” in **real** reduction of risk worth the “cost”?
- 90-95% of abortions of seropositive elk took place in Wyoming prior to 1 May (Cross et al. 2014).
- Special logistical and time consuming precautions are necessary to prevent a lethal removal during this period from becoming equivalent to an abortion “event”.
- By the time we get to 1 May, given our current knowledge of seropositive rates, portions of seropositive females that abort and are infectious, timing of abortions, and small fractions that are late migrants, very few female elk may pose a **risk** of infecting livestock at this time. Also, commingling does not equal transmission/infection. At that point, a

domestic cow/bison actually has to contact the fetus/birth products of these few elk and ingest sufficient infectious bacteria to become infected (could become seropositive, however, triggering regulatory actions). Granted, the risk is not zero.

- Given a study in the upper Madison that indicated late spring migrant elk also tended to be early fall migrants where “refuge” situations occurred, fall hunting may be the best or most palatable (to the general public) long-term method to address reducing the portion of elk remaining on low elevation private lands during late abortion or calving periods.

Paradise Valley Working Group Recommendation 2: A. Use large scale fencing (pastures)/ create corridors, etc. B. increase definition of “small-scale” to include pastures. C. include fence modifications.

- I absolutely oppose the larger scale landscape level fencing proposed here that is far beyond the bounds of the Statewide Committees intentions (see Frequently asked questions # 2 – Statewide proposed Recommendations). My opposition is from the cost-effectiveness relative to risk level standpoint and from the ecological and aesthetic standpoint. Further, I believe this proposal, if enacted, could engender massive Statewide and Nationwide attention and opposition with negative consequences far exceeding any small reduction in risk achieved.
- Pasture level fence modifications in specific locations could be areas for further discussion, but would require much more specific information and probably an EA / MEPA evaluation if there is State or Federal involvement.

Process: Although I was aware that a local working group would be formed for this area, I was not made aware that meetings were taking place and that the Commission had received recommendations for modifications to the 2014 Work plan until an individual from outside Montana contacted me. Therefore, I am constructing most of what follows post-hoc, from questioning individuals who were there for one or two of the meetings. This has it’s own shortcomings.

- It appears that the working group was not as diverse as would be desired, which will reduce public acceptance of recommendations that are “outside the box”.
- An **Independent** mediator/facilitator may have been useful.
- An educational presentation and update (or more comprehensive one) early in the process is advisable. FWP cannot take a “hands-off” approach to this education in fear of being accused of trying to influence the process. I believe the Statewide Committee considers this education as necessary to the local working groups as it was to us.
- Were habitat manipulation options discussed?

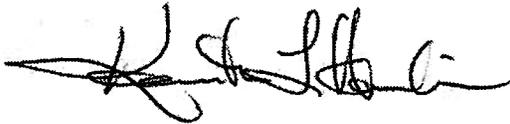
- Although outside the authority of actions by FWP and the Commission, did someone independent of FWP (rancher, DOL, facilitator, etc.) present to the group management options by the private landowners that are much more certain in their effectiveness of reducing risk of transmission than are the elk management options. These options may be unacceptable to the landowners, but everyone should at least be aware of them and their greater efficacy.

I think I have rambled on enough for you to determine my opinions on the Paradise Valley Working Group recommendations. Hopefully, some of my questions / suggestions will help with further meetings of this group. I believe that local working groups forming in other areas with the active participation of some Statewide Working Group members may also (hopefully) serve as templates of effectiveness.

Thank you for your consideration of my comments.

Sincerely,

Kenneth L. Hamlin

A handwritten signature in black ink, appearing to read 'K. Hamlin', with a stylized flourish at the end.

2814 Secor Ave.
Bozeman, MT 59715
(406) 586-0388

cc: Quentin Kujala, Pat Flowers, Howard Burt, Karen Loveless.

Geary, Laura

From: Furthmyre, Coleen on behalf of FWP Commission
Sent: Monday, March 17, 2014 8:25 AM
To: FWP Wildlife
Subject: FW: Elk Brucellosis plan

From: Pat Simmons [<mailto:psimmons100@gmail.com>]
Sent: Sunday, March 16, 2014 5:52 PM
To: FWP Commission
Subject: Elk Brucellosis plan

Please remember that Fish, Wildlife & Parks are managing wildlife on behalf of the hunters, fishers and citizens of Montana – not for the Department of Livestock, nor the agriculture producers in this State. Why is a rancher the chair of the working group for elk? How are hunters and non-ag citizens being represented? Why aren't the professional biologist employees of FWP stating clearly to all that the "brucellosis scare tactics" are that. There isn't any proof that any cow has been affected by an elk, just like there is none for bison, and the chances are extremely slim. The ranchers need to vaccinate their animals against brucellosis, just like they do for every other possible cattle disease, at their cost. FWP needs to stand up for the hunters and citizens and tell people the truth and stop giving into the lies and scare tactics being spread around. This is so embarrassing to be a citizen in this State where the people that should be telling the facts and acting strong, but are allowing people to denigrate and kill bison and now they are after elk. Tourism is the number two industry in this State and FWP's budget is paid for by the hunters, fishers, citizens, hunting and fishing equipment excise taxes, not by the ranchers of this State. Stop allowing the stealing of FWP money and thus setting a precedent. Fencing and killing elk in addition to already outrageous treatment of bison is a travesty.

Pat Simmons
1123 Woodland Drive
Bozeman, MT 59718

psimmons100@gmail.com

Geary, Laura

From: steve kelly [troutcheeks@gmail.com]
Sent: Monday, March 17, 2014 11:19 AM
To: FWP Wildlife
Cc: Michael Garrity; Kathryn QannaYahu
Subject: MEDC and AWR public comments re: proposed brucellosis work plan amendments
Attachments: 2014 comments Montana Fish and Game Commission.doc

March 17, 2014

Montana Fish and Game Commission and Jeff Hagener, Director, Montana Fish, Wildlife & Parks,
1420 East Sixth Avenue, P.O. Box 200701
Helena, MT 59620-0701

Dear MTFWP Director, Deputy Director and Commission Members:

Please accept the following supplemental public comments on behalf of the Alliance for the Wild Rockies and Montana Ecosystems Defense Council relating to the proposed Amendments to the Brucellosis Work Plan in the Paradise Valley (Work Plan).

These comments supplement comments we submitted February 11, 2011. FYI, we requested and never received acknowledgement of receipt of our original comments (attached).

We, more than ever, believe that the Work Plan is the cause of significant adverse environmental impacts to Montana wildlife and wildlife habitat. Proposed Recommendation #1 and #2 will significantly increase those environmental impacts, in violation of state and federal statutes and regulations.

If we are in error, please disclose any and all specific direction contained in the Montana Code Annotated authorizing MTFWP to manage elk for purposes of reducing or preventing the transmission of brucellosis between elk and livestock.

Elk populations are below objective in some of the areas being considered. Spring kills will only contribute to further declines. Management of viable elk populations are based on habitat acreage, not brucellosis management. See: 87-1-323, MCA. I suppose the State of Montana could continue to blame wolves and kill more of them too.

Please disclose the legal authority to pay for wildlife-restrictive (6-8 feet high) fencing with sportsmen's dollars. High fencing will limit elk migration and roaming on the landscape. Enclosures make elk and other big game more vulnerable to exclusive taking by private landowners, lease-outfitters and land-lease hunts on their ranch land. Why is MTFWP subsidizing the dangerous precedent that goes against existing statute and regulation designed explicitly to prevent the general hunting public from being locked out? This should never be approved.

Please disclose the legal authority for the proposed actions that exclude public participation and public hunter access during the general season.

Please disclose the legal authority to force sportsmen to subsidize the private, pasture fencing.

Please disclose that the actual risk of brucellosis transmission from elk to cattle is infinitesimally small (estimated at 0.00024%).

We strongly object to any action that turns MTFWP into another livestock management agency, and object equally to managing Montana's wildlife as livestock. This proposal represents a radical departure from science-based wildlife management. Privatization of wildlife is diametrically opposite to the purposes and general practice of the Public Trust Doctrine and North American Model of Wildlife Conservation.

In order to maintain or increase elk numbers, the last thing you should do is extend kill permits beyond the date when elk start dropping calves. It is not responsible, and just plain stupid. In addition, there are elk declines in these areas to begin with. Expanding the use of lethal "tools" will only add to that decline. Do not extend the February 15th cutoff kill date for political purposes. That date was not selected arbitrarily, it was founded upon sound biological principles and longstanding ethical hunting practices.

Elk and buffalo are the primary wildlife species targeted, however, direct, indirect and cumulative impacts will ripple through non-targeted suites of species, including species listed and protected by the provisions of the Endangered Species Act (ESA). MTFWP has no "take permit" for grizzly bear, lynx or wolverine, species that may be present in the area.

We repeat our demand that Commissioners conduct the required Environmental Assessment (EA). MCA 87 -1-301 (J), MCA; 87-1-323. Please note: The current Statewide Elk Management Plan (2004) is seriously outdated, and fails to comply with MEPA, MAPA and best available science. Review should take the form of an EIS.

We urge you to reject the Park County Elk Brucellosis Working Group's proposed modifications (Recommendation #1 and #2).

Sincerely,

Steve Kelly, Director
Montana Ecosystems Defense Council, Inc.
Box 4641, Bozeman, Montana 59772
and for

P.O.
406.586.4421;

Michael Garrity, Exec. Director
AlliancefortheWildRockies
O. Box 505

P.
Helena,

February, 11, 2014

Montana Fish and Game Commission and Jeff Hagener, Director

Montana Fish, Wildlife & Parks, 1420 East Sixth Avenue, P.O. Box 200701

Helena, MT 59620-0701

Dear MTFWP Director, Deputy Director and Commission Members:

Please accept the following public comments on behalf of the Alliance for the Wild Rockies and Montana Ecosystems Defense Council relating to the proposed expansion of Montana Department of Fish Wildlife and Parks' (FWP) lethal "tools" for "Elk Management in Areas with Brucellosis"/ (Paradise Valley) rancher "modifications." If approved, the new, expanded program will have significant adverse environmental impacts on Montana wildlife and wildlife habitat.

Elk and buffalo are the primary wildlife species targeted, however, direct, indirect and cumulative impacts will ripple through non-targeted suites of species, including species listed and protected by the provisions of the Endangered Species Act (ESA).

The issue of brucellosis in the multi-state, Greater Yellowstone Ecosystem should not be misused to privatize Montana public wildlife and further degrade wildlife habitat on private and public lands.

We strongly urge the Commission to conduct an environmental review in the form of an Environmental Impact Statement (EIS) **before** finalizing any decision to expand FWP's authority to employ lethal tools directed at elk and buffalo populations within APHIS's Greater Yellowstone Ecosystem (GYE) Designated Surveillance Area (DSA). Emphasis added.

Please disclose the specific reasons why FWP is implementing federal program goals and objectives designed by APHIS-USDA to eradicate brucellosis in the United States. Please disclose how APHIS's brucellosis eradication program squares with FWP's mission, vision, goals and objectives.

It seems fairly obvious that FWP and the Commission are poised to "rubber stamp" new, lethal, program goals and objectives originally outlined in A Concept Paper For A New Direction For the Bovine Brucellosis Program. APHIS VS (veterinary services), 2009. We are not aware of any environmental review of APHIS's "new direction" previously conducted at the federal level.

Please disclose how it is that APHIS, in cooperation with Montana Department of Livestock (DOL), are able to pressure Montana's state wildlife agency to totally abandon its mission, and turn to indiscriminately killing Montana's elk and bison under the

unscientific theory and ineffective methods outlined in APHIS's national brucellosis eradication program.

"Eradication depends on finding the last remaining brucellosis-reactor animal, the last remaining brucellosis-affected herd, and eliminating the disease from wildlife reservoirs. All potential risks for exposure and transmission of brucellosis from infected wildlife populations must be mitigated and eliminated as well. Currently, the last known reservoir of disease is the wildlife populations in the GYA. A new direction is needed that will allow VS and States to apply limited resources effectively and efficiently to this unique disease risk." APHIS VA, 2009, pg. 2.

"Eradicating brucellosis in the GYA remains the long-term goal, with the short-term goals of disease management and prevention. Resources and cooperation from all partners are needed to achieve these goals."
Id, p. 12

"Elimination of brucellosis in wildlife should not be the burden of livestock stakeholders; it should be the responsibility of wildlife agencies." *Id*, p. 13.

Please disclose in great detail all known methods employed by APHIS to force state agencies within the GYE to "cooperate" and/or "partner," or else. Or else what, economic blackmail? We do not believe Montana can show any rational, independent utility in pursuing APHIS's brucellosis eradication objectives. The Montana and the Fish and Wildlife Commission should reject APHIS's outrageous terms and conditions out of hand.

This is not the first time APHIS has misled states in the GYE in pursuit of its obsession with brucellosis eradication nationwide and in the Greater Yellowstone Ecosystem. Thousands of Yellowstone buffalo and millions of federal tax-payer dollars have been wasted on the erroneous presumption that the wild buffalo were responsible for brucellosis transmission to livestock.

Now, APHIS and state agencies are aware that the elk genotype, not buffalo, represents an infinitesimally small transmission risk threat to livestock. Please disclose what the actual risk of brucellosis transmission is from elk to livestock in a proper risk assessment, which includes best scientific and statistical estimations of possible consequences and probability.

Please disclose the following in an EIS:

What is the estimated environmental impact of APHIS's brucellosis eradication program in the various wildlife populations of the Greater Yellowstone Ecosystem?

What is the estimated impact to wildlife habitat?

What is the actual transmission risk to livestock from brucellosis exposed wild bison from the Yellowstone National Park?

What is the actual transmission risk to livestock from brucellosis exposed wild elk from the Yellowstone National Park?

What genetic differences between buffalo and elk influence the risk of transmission to livestock?

What is the actual transmission risk to humans from brucellosis-exposed wildlife?

Please acknowledge that the best available science estimates the transmission risk from wild YNP bison to cattle is 0.0-0.3%, while elk represent 99.7%-100% of the risk. However, the 99.7%-100% risk that elk pose represents only a 0.00024% chance that any one Montana cattle will become infected from elk. Moreover, not all brucellosis infections in cattle have been transmitted by elk. Please disclose what percent of cattle infections were caused by vaccine blooms.

Reducing or preventing the 0.00024% chance that a Montana livestock may contract brucellosis from elk is obviously not the real agenda.

Introducing miles and miles of tall fences that prohibit migration and movement by elk, grizzly and black bear, deer, moose, pronghorn and many other wildlife species is privatization of commonwealth, pure and simple. It is totally inappropriate and unacceptable to rob sportsmen's dollars to subsidize game ranching in the GYE.

Why are these modifications being supported by Helena FWP for adoption before conducting any environmental review? It appears that politics has neutralized the science.

Please disclose and define what current legal basis exists for "Elk management Removal."

Please disclose and define the current legal basis for not utilizing the "Hunt Roster."

Please disclose and define how – and for whom – using "local hunters" only would "result in the creation of additional hunting opportunities for future hunting seasons."

Please disclose the original source, and the scientific basis, for the maximum number of (250) Elk Management Removals in the DSA.

We object to hazing, fencing and shooting Montana's wildlife on public and private lands, including all deeded and leased property with a conservation easement issued to enhance and protect winter range. Again, we urge the Commission to conduct a thorough environmental review, in the form of an EIS, of the Park County Elk Brucellosis Working Group's proposed modifications to the 2014 Elk Work Plan before taking final agency action.

Sincerely,

Steve Kelly, Director

Montana Ecosystems Defense Council, Inc.

P.O. Box 4641, Bozeman, Montana 59772

406.586.4421; and for

Michael Garrity, Exec. Director

Alliance for the Wild Rockies

P.O. Box 505

Helena, Montana 59624

406-459-5936

From: [Furthmyre, Coleen](#) on behalf of [FWP Commission](#)
To: [FWP Wildlife](#)
Subject: FW: Elk Management in Brucellosis areas
Date: Thursday, March 20, 2014 8:25:44 AM

-----Original Message-----

From: greg munther [mailto:[redacted@montana.gov](#)]
Sent: Wednesday, March 19, 2014 9:20 PM
To: FWP Commission
Subject: Elk Management in Brucellosis areas

Commissioners: Something doesnt smell right re proposed resolution of this issue.

If I have it right, the proposal will take a situation where elk, having originally contacted brucellosis from from livestock and having an extremely low incidence of transmission to cattle, will be shot until May 15 if they are in the vicinity of cattle. And sportsmen dollars will be spent on elk-proof fencing to restrict their contact with cattle.

So what is the responsibility of the livestock owner? The livestock industry which exposed elk to brucellosis? None? Why has the livestock industry been able to stay in business for 150 years with this same situation?

And then their cattle will be turned onto public land to intermingle with elk and take forage from big game at highly subsidized grazing rates?

I had thought that courts had ruled that wildlife occurrence on private land was part of the land, and public wildlife on private land was to be accepted as part of land ownership.

So next are we going to kill prairie dogs because they can carry plague Or declare war on coyotes because they can carry rabies? Or fence out public wildlife from private lands?

The apparent working group behavior also smells.

As a hunter, citizen of Montana and biologist I urge you to reject this proposal.

Greg Munther
[redacted]
Missoula, MT 59804

Life's journey is not to
arrive at the grave safely
in a well preserved body,
but rather to skid in sideways,
totally used up and worn out, shouting
'...man,what a ride!'
George Carlin

From: [Furthmire, Coleen](#) on behalf of [FWP Commission](#)
To: [FWP Wildlife](#)
Subject: FW: Elk Management in Areas with Brucellosis Paradise Valley Modifications public comment
Date: Wednesday, March 19, 2014 2:49:51 PM
Attachments: [mail_email_pic.png](#)

From: Kathryn QannaYahu kathryn@emwh.org
Sent: Wednesday, March 19, 2014 12:19 PM
To: FWP Commission
Subject: Elk Management in Areas with Brucellosis Paradise Valley Modifications public comment

Dear Commissioners, Having followed this program for over a year, as well as participated in all of these watershed elk brucellosis meetings, the following are my comments:

Montana values it's heritage and economy of the livestock industry. Likewise, Montana has a rich tradition of wildlife, upheld by the ruling of the **Supreme Court of Montana: State v. C. R. Rathbone decision**, "Montana is one of the few areas in the nation where wild game abounds. It is regarded as one of the greatest of the state's natural resources, as well as the chief attraction for visitors. Wild game existed here long before the coming of man. One who acquires property in Montana does so with notice and knowledge of the presence of wild game and presumably is cognizant of its natural habits. Wild game does not possess the power to distinguish between fructus naturales and fructus industriales, and cannot like domestic animals be controlled through an owner. Accordingly a property owner in this state must recognize the fact that there may be some injury to property or inconvenience from wild game for which there is no recourse."

The reality is that wild elk populations have become a naturalized reservoir for the livestock disease brucellosis with minimal mortality to the species. Brucellosis seroprevalence within the elk populations of Montana resides primarily within the southwestern portion of Montana, where seroprevalence varies up to 13% in some herds. Brucellosis seroprevalence measures antibodies to exposure, which can represent natural and acquired immunities, not necessarily an indicator of infection or infectious. The actual transmission of brucellosis from elk to cattle is very small (Mt DOL has stated 0.00024%), partially due to elk dams segregating themselves during birthing and meticulously cleaning the birth site. Predators and scavengers typically remove abortion events very quickly. Finally, *Brucella abortus* is primarily transmitted from ingestion or inhalation of infected birthing/abortive materials, not simply commingling; and not all cases of cattle infection in Montana, as well as the other GYA states have been from elk, some have been vaccine blooms or cattle sources. While there is a small risk of transmission, efforts can be made to reduce this risk without the focus on lethal objectives, which this watershed working group began with, also seeing to rewrite the Proposed Recommendations to achieve their objectives.

Eradication of brucellosis within the wildlife populations involves capturing all infected

wildlife (every elk, bison, deer and moose), testing them, slaughtering all animals that simply tested positive for antibodies to exposure. This eradication within our wildlife, could not be achieved in one year. It would require decades of slaughter and vigilance, billions of taxpayer dollars and untold manpower hours and resources, with no guarantee of success. And could not be achieved from one GYA state alone. Eradication and vaccination of brucellosis in wildlife is not socially, humanly, economically and scientifically supported.

Montana Code Annotated and Administrative Rules of Montana direct elk management in Montana, based on the 2004 Montana Statewide Elk Management Plan. Which is also the policy guide for the FWP Commissioners. Title 87 -1-301 (J) FWP Commissioners requirements shall comply with, adopt policies that comply with, and ensure the department implements in each region the provisions of state wildlife management plans adopted following an environmental review conducted pursuant to Title 75, chapter 1, parts 1 through 3. MCA 87-1-323 states, Management of viable elk populations is based on habitat acreage, not brucellosis management.

Since no Environmental Review was conducted prior to enacting the Proposed Resolutions, whose working group charter states, "Collaboratively identify a problem statement, fundamental objectives and potential management options relative to effective management of elk in areas where brucellosis has been identified and where there is concern about brucellosis transmission between livestock and elk," the FWP Commission should require that FWP conduct the necessary Environmental Review and cease the Elk Management in Areas With Brucellosis program.

Additionally, this elk brucellosis program operates outside of Montana Code Annotated Game Damage laws:

MCA 87-1-225 states public hunter access during the general season is required for any land owner receiving FWP assistance for stack fencing, hazing, damage hunts or kill permits. This program requires no public hunter access for any of these actions, public hunter access which could help to mitigate conflict between wildlife and landowner by pushing them off private land back to public lands through hunting.

ARM12.9.804 states damage hunts may only occur between August 15 and February 15th due to the gestation period of the elk. Elk Brucellosis Management allows for lethal removals/dispersal hunts and kill permits to April 30th and this Elk Management in Areas with Brucellosis 2014, Work Plan Modifications Paradise Valley seeks to extend it further to May 15th, just shortly before elk birthing (Recommendation 1).

ARM 12.9.802 states Kill Permits can only be issued to landowners who allow public hunting access. Assistance may be denied if a landowner refuses reasonable suggestions, actions or remedies offered by the department. The FWP Kill Permit Policy book states, "Except in extraordinary circumstances, and only by the approval of the Regional Supervisor, kill permits for elk, antelope and deer will not be issued between April 1 through July 31." This Elk Management in Areas of Brucellosis 2014 Work Plan extends that date to April 30th and the Paradise Valley modifications seeks to extend it further to May 15th.

The Elk Brucellosis Management utilized stack fencing assistance to ranchers, but without the required public hunter access during the general season. This Elk Management in Areas with Brucellosis 2014, Work Plan Modifications Paradise Valley seeks to modify the stack fencing (of food stores in Game Damage) language to include large scale, 6-8 foot high wildlife proof pasture fencing materials, paid for with FWP sportsmen's dollars (Recommendation 2). This proposed fencing could restrict many species of wildlife movement and natural wildlife corridors. Which in turn could open FWP up to litigation from other landowners and conservation groups.

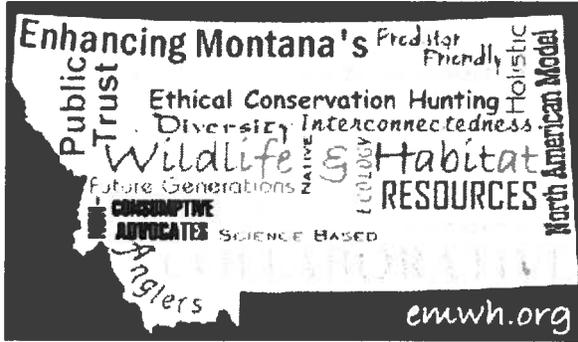
Finally, the FWP Commission approved Proposed Recommendations stated the local working groups were to represent a variety of stakeholders including Sportspersons, Wildlife enthusiasts, Landowners that were not producers, Livestock producers as well as any resource or land management agency. The Elk Management in Areas with Brucellosis 2014, Work Plan Modifications Paradise Valley stated the Paradise group included landowners and sporting/conservation interests. There were no landowners that were not producers, nor were there conservationists at all meetings. There were a handful of sportspersons that were not livestock producers at all meetings, overwhelmingly dominated by the livestock producers associated with the Upper Yellowstone Watershed Basin organization, who began the meetings with their agenda. These meetings were not administered by Fish, Wildlife and Parks. The chair, Druska Kinkie was appointed by their UYWB group, as stated in their own email, prior to the elk meetings beginning, with other stake holders not having any input in the matter. Where is the public accountability, transparency and multi-stakeholder process in this?

Based on the Montana Law regarding Fish, Wildlife and Parks, the Elk Management in Areas with Brucellosis 2014, Work Plan Modifications Paradise Valley Recommendations 1 & 2 should not be approved by the FWP Commission. In addition, per Montana Law, the FWP Commission should direct FWP to cease the Elk Management In Areas With Brucellosis program and direct them to conduct the required Environmental Review.

Thank you,
Kathryn QannaYahu

406-579-7745

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Montana
Wildlife

MAR 20 2014

FISH, WILDLIFE & PARKS
DIRECTOR'S OFFICE

Concerns over the proposed amendments to the 2014 Brucellosis work plan
in the Paradise Valley

Submitted by Mark R. Albrecht DVM – member of the Statewide elk
brucellosis working group.

I have previously presented written and oral concerns over the implementation of the “local working groups” as approved by the MT FWP Commission. These two recommendations from Park County, highlight my concern over the process as previously submitted. *“What is totally lacking from any action is the FWP doing the hard work of educating local working groups, and seeking long-term actions.”* These are in fact “boots on the ground” actions/recommendations, that let us look like we are doing something. Politically useful? Biologically useful – not very likely. Economically beneficial (your fundamental objective #3) – hardly.

I will allow you to decide the political usefulness of any actions. I will address the biological usefulness first. Biological usefulness would mean these actions would truly decrease transmission risk. I refer you to a previously submitted document attached here, and titled “brucellosis transmission risk”. Starting with the red box on the lower left we have an estimate of sero-positive elk – labeled 10%, and that would be a sizeable number. However as we progress to the right various factors, that remove risk, decrease the size of that box until on the lower right it is but a sliver. This represents the elk that could truly transmit brucellosis to cattle. Killing or fencing out any of the elk in the boxes to the left of that sliver labeled “cattle positive” would have NO biological benefit. So finding those few, selected elk and keeping them from aborting and then keeping cattle from contacting the infected fetus and after-birth is the only way to decrease the transmission. Really quite a large task, in fact the risk as reported to the State of Texas in written and oral testimony is; " Montana Stockgrowers Association Executive Vice President Errol Rice wrote, '... a small area of Montana in the Greater Yellowstone Area is affected by **rare** transfers of brucellosis from wildlife,' Montana State Veterinarian Dr. Marty Zaluski, testified concerning elk, the chance that any one Montana cow is brucellosis positive is **0.00024 percent**.(emphasis added)" Rare, 0.00024% that sliver is indeed very tiny.

It also means we could very easily increase risk by accident. 0.00024% is a very tiny number; what if the chance of a scavenger dispersing brucella infected material from an abortion event to nearby cattle was 1 in 100,000 or 0.001%. That is in fact, about 4 times more likely to happen than any

cow in Montana having brucellosis. Any action we take has to basically win the lottery to help decrease the transmission, but many actions could increase the risk. Add in our very incomplete understanding of the biology of ecosystems and disease and it should become very clear that any actions implemented, need to be carefully considered and outcomes need to be monitored closely.

From an economic standpoint, one might consider the cost of lowering the risk from 0.00024% to some lower number. We care and want to try to help livestock producers, but where and how much of sportsman dollars do we spend? What if we succeeded in lowering the risk to 0.00012% - basically cut it in half? What would that mean to any producer as far as management costs? There would still be a Designated Surveillance Area (DSA), meaning the testing requirements in effect now would still be in place, and hence the costs would still be similar if not the same. A large portion of those costs is paid for with tax dollars – the laboratory testing cost and the veterinary costs for instance. As of yet no evidence of a decreased market value for DSA cattle has been shown. There is a stigma and concern among neighbors but the evidence showing economic loss from brucella is lacking. So how many sportsman dollars should be spent and where? As stated above cutting the risk in half will not eliminate the DSA and hence the testing requirements. Using limited sportsmen funds to take actions that are questionable from a biological standpoint to fund actions that unless they completely eradicate the risk will not change livestock management, seems to be a potential waste of resources – we pay more and get the same results.

Recommendation 1—Reinstate the May 1-May15 dates (for lethal removal of elk) to the local work plan. The May1-15 window is a critical time period for prevention of commingling and disease transmission in Paradise Valley. Some form of lethal removal may be necessary to prevent commingling/disease transmission during this time period. Livestock producers who desire to prevent elk from commingling with cattle on private property and DNRC lands must have tools available. When hazing becomes ineffective, forms of lethal removal should include both the EMRs and kill permits.

Moving from April 30th to May 15th is really not the appropriate question. Is there any proof that hunting and kill permits after February 15 has decreased or is likely to decrease the risk of transmission (remember last

year hazing and after Feb 15th lethal actions did occur in Park County and yet a transmission event happened. Was this in spite of or because of those actions?)? Commingling (listed above) is not a direct risk; exposure to an aborted fetus and the after birth is how this disease is believed to be transmitted. Does hazing and hunting increase or decrease the risk of abortion? Can the increased stress increase the likelihood of abortion and hence a transmission event? Can the abortion materials be contained in a secure environment, preventing livestock exposure? If yes for how long does it need to be contained? FWP has used 81 days as the potential risk period in some presentations to the public, and while I know the research paper where this was taken from and the risk period in most cases is potentially much less, I would ask FWP to be consistent. If 81 days is what they feel is the risk period then cattle need to be kept away from any area of abortion, including significant space around a gut pile for up to 81 days to assure we are minimizing the risk of transmission. How far do they need to be kept away since scavengers disperse the materials? I have far more questions than answers, and hence do not understand the rush to use lethal removal, except from a political standpoint. Killing and hazing elk is doing something; it makes folks feel good and quite possibly increases the risk of transmission of brucellosis to livestock. Is this how we intend to manage this problem – with feel good actions?

Recommendation 2---These recommendations are meant to be applied on private property as described in a plan developed by the property owner(s) and/or their designee(s) in conjunction with Montana Fish, Wildlife & Parks.

A. Use large-scale fencing in suitable areas for creation of corridors to allow elk movement, but prevent comingling and disease transmission in pastures used by cattle during the risk period, and

B. The unwritten definition of 'small-scale' should be increased to include pastures where cattle are present during the risk period, and

C. Montana Fish, Wildlife & Parks should include fence modification (e.g., MSU Extension MontGuide 2014) as a method of fencing appropriate to minimize brucellosis transmission in the Paradise Valley DSA and should be responsible for the cost of materials, as in the existing game damage process.

How does this help? Is there evidence that this decreases overall risk and not just risk to one private landowner? It would seem that if you want elk

off your property then the private property owner has the option to fence them out – just as representative Alan Redfield did in Park County. Asking the public to pay and sportsmen in particular strikes me of socializing the costs of livestock production while privatizing the profits. Even if APHIS where to fund these projects I remain concerned over increased stress and the potential to change habits and actually move elk onto the neighbors. Changing elk habits could actually increase risk by putting elk into a new situation that creates an abortion event where but for the fencing it might never have occurred. If this abortion event leads to direct livestock exposure we just increased the transmission rate. It may help one private landowner at the expense of another, should sportsmen or taxpayers be involved? Who choses who gets the money and who is left out? What about free enterprise? If public dollars were to be used an EA would seem to be appropriate.

Now back to my opening statement: *“What is totally lacking from any action is the FWP doing the hard work of educating local working groups, and seeking long-term actions.”* Our statewide working group benefited greatly from multiple meetings, and from the educational aspect of those meetings. Many ideas and perspectives where changed during that course of time, our hope was for others to share in that process and use it in their local region. I never envisioned local working groups as anything but an educational process, so seeing them used as action planners is a bit of a shock.

This group was not lead by FWP but rather supported. It was not a group of diverse stakeholders (your second fundamental objective calls for this to be a diverse group). These are short-term *feel good, boots on the ground* actions with no evidence of expected biological or economic success. Until a long term, educational approach is undertaken these will be the types of recommendations that will continue to be presented to the Commission. USDA- APHIS has been trying to eradicate brucellosis since 1934 -80 years! It is sad that Ms Kinkie can be so naïve as to believe we will not be having this conversation in 5-10 years and having her state that to the Commission after 3 meetings means very little education occurred. I hoped that part of what FWP would do was to lead not to follow. The FWP fundamental objective to minimize transmission is a great opportunity to lead the dialog into a new area. Eradication just isn't going to happen and as one rancher near Dillon stated, “ this is just like weeds we're going to have to deal with it every year”. I do wish we had the magic cure – but we don't. These working groups rather than planning for one year really need to look long

term, and to look at habitat, season structure and access. They need to be asking the very questions I stated above before even bringing recommendations to the Commission. This group has assumed with no evidence that what they are proposing will work to minimize the risk of transmission, will be acceptable to all stakeholders and be cost effective. With a better more thought out format much better recommendations could have been brought forth. FWP is the agency tasked with managing elk, they would really benefit from leading the discussion and the education. Killing elk or fencing them out will not make brucellosis go away. A more effective livestock vaccine would help, changing the regulatory burden would help, changing the killing season to May 15th and paying for large scale fencing has as much chance of increasing transmission risk as it does of decreasing the risk of transmission. Learning from our mistakes or maybe thinking of it as adaptive management is vital to not repeating mistakes. I ask that an educational format and the use of neutral facilitators be part of ongoing local working group efforts to learn how to manage the risk of transmission rather than to use methods better suited to eradication at some lessor degree such that they have no net benefit and possibly make matter worse.

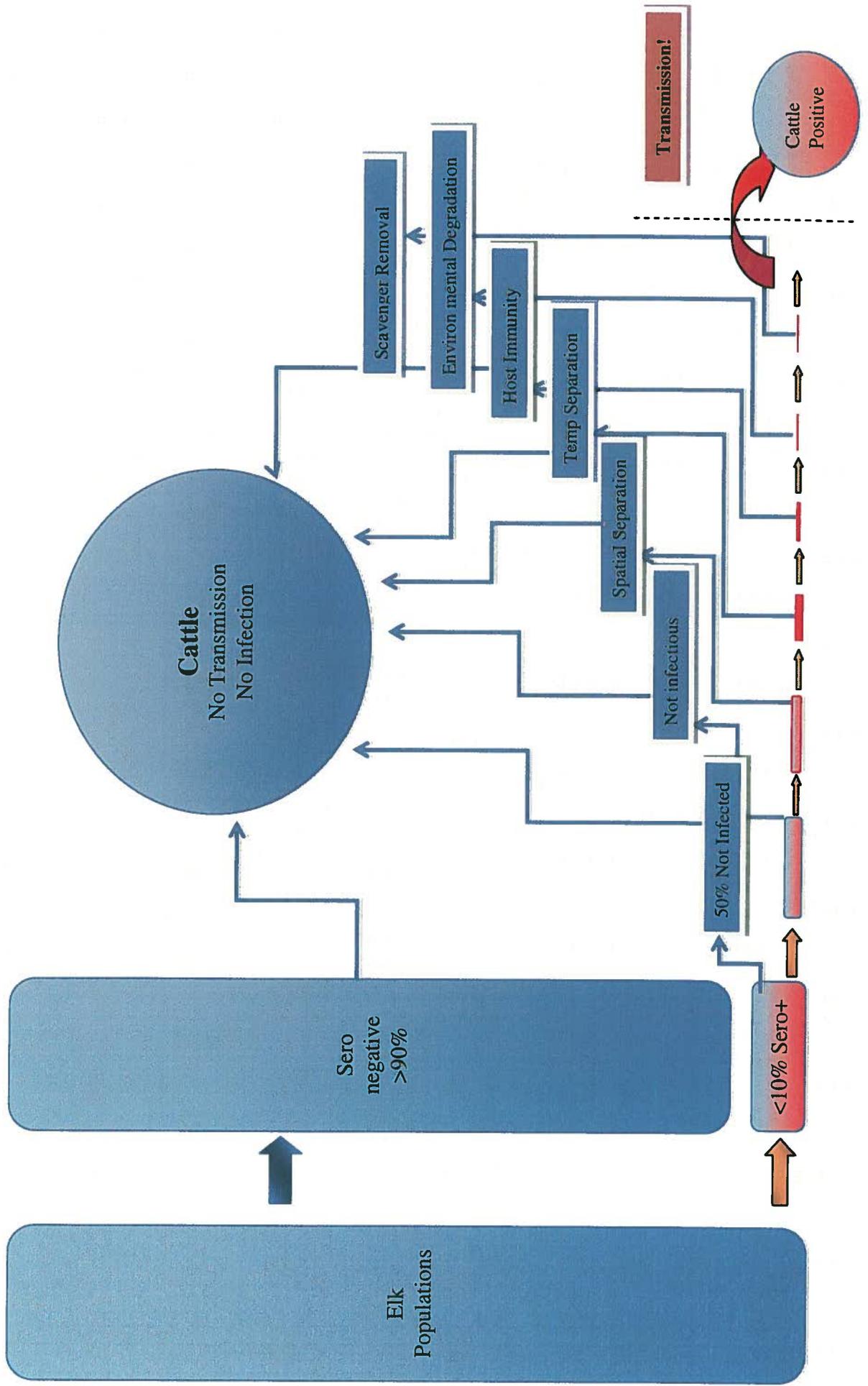
In summary;

- 1) Truly embrace and understand the concept of minimizing transmission and the fact that eradication is not easily possibly.
- 2) Get into a marathon race mentality – we will be doing this for a long while.
- 3) Encourage work towards all stakeholders participating in a process to find workable long-term solutions.
- 4) Do not waste money trying to look like you are doing something or anything.
- 5) Lead
- 6) Educate

Sincerely;
Mark R. Albrecht DVM
1635 Reeves Rd
Bozeman, MT 59718

Brucellosis transmission risk

Not all sero-positive elk are infective elk, and not all infected elk are able to transmit Brucellosis to cattle. The diagram below shows how the number of infected animals that might transmit the disease is a much smaller population than the sero-positive population. Therefore the most effective population of animals to manage is the smaller group that puts cattle at risk not the much larger sero-positive population.





The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

REPRESENTATIVE ALAN REDFIELD
HOUSE DISTRICT 61

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MAR 20 2014

FISH, WILDLIFE & PARKS
DIRECTOR'S OFFICE

COMMITTEES:
TAXATION
AGRICULTURE
HEALTH AND HUMAN SERVICES

March 15, 2014

Dear Commissioners,

I attended all the Upper Yellowstone Watershed Elk Brucellosis working group meetings this winter. The group worked hard to include any member of the public by moving the meeting site 25 miles away from our normal meeting place in Livingston. This was during many ranchers calving and we attended any way. We noticed the meeting in the paper in time for all to come. The local rod and gun club had members in attendance as well as the Gallatin Wildlife group. There were members of concerned citizens there that said they were representing the elk, so when these same people claim that the public didn't have a chance to participate they were just trying to sink the whole project.

I feel that we should reinstate the May 1-May 15 dates to the local plan. This window is a critical time period for prevention of commingling and disease transmission in the Paradise Valley. Some form of lethal removal may be necessary to prevent commingling /disease transmission during this time period. Livestock producers who want to prevent commingling on private and DNRC lands must have tools available when hazing becomes ineffective. These tools should include both EMRs and kill permits.

The fencing recommendation is meant to be applied on private property as described in a plan developed by the property owner and /or their designees in conjunction with the MFWP.

These plans are to allow suitable areas for corridors to allow elk movement but prevent comingling during the risk period.

I would hope that this proposal would be a priority since this area has been the source of 3 of the latest infections.

Thank you

A handwritten signature in black ink, appearing to read "Alan Redfield".

Representative Alan Redfield

Furthmyre, Coleen

From: Potter, Mark (mark.potter@flbs.umt.edu)
Sent: Friday, March 21, 2014 9:17 AM
To: FWP Commission
Subject: Paradise Valley elk management

Montana Fish and Game Commission;

I do not support the Livestock Association's management plan for cattle ranchers in the Paradise Valley. I strongly urge the Montana Fish, Wildlife and Parks not to adopt the proposed elk management changes that allow extending the period when killing or "lethal removal" of elk is allowed and expanded fencing to exclude elk. This attempt to force FWP to prevent elk from using their native range and natural migration corridors is detrimental to sustaining healthy elk populations. Extending the period of allowed elk killing, as proposed into elk calving season would further reduce elk numbers. Cattle are the source of the brucellosis problem. Building elk proof fences on private land to control elk with fees derived from hunters is contrary to the purpose of the fees to be used for wildlife research, management, and habitation protection. At a time when FWP is facing the prospect of budget deficits, it seems absurd to use funds generated by hunting licenses to kill elk and fence them out of their traditional habitats.

Until a better vaccine comes along for cattle, the livestock in this area should be managed differently than the rest of the state. Don't ship these cattle across state borders and the industry is protected. Let the Livestock Association figure out a way to compensate this small group of ranchers for any loses, if necessary. A penny per pound of all beef sold in the state would probably more than cover their loses. I hunt game and do not eat beef. I am reminded every hunting season why range cattle should not be allowed to trample though mountain meadows, seeps and creek bottoms and overgraze on grasses vital for wintering elk populations. The livestock abuse continues on public land and the livestock industry should be compensating the public for proper fencing and management of these fragile wet areas that are vital for survival and distribution of wildlife on these lands. FWP has no business fencing private lands with hunters money and elk should not be vaccinated for cattle diseases.

Thanks for your consideration,

Mark Potter
38020 Ponderilla Drive
Polson, MT 59860
406-883-1508
tule@montanasky.net

Furthmyre, Coleen

From: Kathryn QannaYahu [kathryn@emwh.org]
Sent: Friday, March 21, 2014 4:44 PM
Subject: Out of the Mouths of BOL & APHIS...

Out of the mouths of MT Board of Livestock & APHIS... the APHIS Brucellosis Eradication Agenda, to eradicate brucellosis in wildlife, is alive and well and in Montana!

The March 18, 2014 Board of Livestock Meeting in Helena with Audio File and Minutes

Discussed was the Bison EA Expanded Habitat, which the BOL had previously voted No Action on in January. But, seeing an opportunity to force the Yellowstone National Park to lethally reduce their bison population numbers to 3000, in exchange for expanded habitat for the lucky few that might survive, the DOL and FWP worked up a lethal population deal, that was presented to the BOL on March 18th, which NWF and other conservation/hunters were privy to late Feb. and early March.

In my opinion, the most important aspect of this meeting was when BOL John Scully grilled APHIS Veterinary Services, Dr. Tom Linfield about numerous documents which I researched this last spring and summer, compiled on the APHIS Brucellosis Eradication Agenda Page. Scully asked if they were still current and active, which Dr. Linfield replies that they are. These documents - Code of Federal Regulations, Interim Rule, APHIS Strategic Plan 2010-2015 and their Concept Paper 2009, all state the goals of APHIS to eradicate brucellosis, not just from livestock in the US, but also from all wildlife reservoirs, especially their target of the GYA. This is what is driving the MT DOL actions against the bison and now the elk, in MT. This APHIS strategy, through the Brucellosis Class Free Status, forced the State to agree to a Brucellosis Management Plan. This is how they got control of our Fish, Wildlife & Parks concerning elk, bison and the peripheral predator issues, forcing the "unholy marriage" of FWP and DOL. APHIS is the driver of this eradication bus in the 3 GYA states.

Also discussed was the Elk Brucellosis Working Group in Paradise Valley modifications and the Elk Surveillance study. More elk have tested positive for antibodies, so the DOL will be expanding the Designated Surveillance Area and with it APHIS/DOL control. Outlawing feral swine in Montana was also proposed.

We need to educate the public and governmental representatives on the realities of brucellosis in wildlife and the real minimal risk it poses to livestock. We also deserve our wildlife agency managed by scientific wildlife management, not special interest driven politics. Wild bison hunting should be removed from the DOL jurisdiction, restored to our wildlife agency - free from the APHIS/DOL grip. In addition, we need the political turf wars of conservation groups to take a good hard look at what they are doing. This battle should be about our wildlife and their habitat; not exploiting the wildlife plight for political connections, elite back room deals, job security, resume building or as fund raising cash cows.

These are Public Trust issues, very much needing an interjection of the "Public" back into them.

On another note, former FWP Commissioner, hunter conservationist with a "passion for wild things and wild places", Ron Moody, of Lewistown, MT has thrown his hat in the political ring. Ron has recently been involved in the Public Lands Petition to the BLM at Change.org. He is running for House of Representative District 29.

<http://www.bullmoosegazette.blogspot.com/2014/03/in-arena-but-what-difference-does-it.html>

Kathryn QannaYahu

406-579-7749

www.emwh.org



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MAR 24 2014

FISH, WILDLIFE & PARKS
DIRECTOR'S OFFICE

LAUREL ROD & GUN CLUB

COMMENTS ON PROPOSALS BY THE PARADISE VALLEY

ELK/BRUCELLOSIS RECOMMENDATIONS

Laurel Rod & Gun Club (LRGC) and our 400 family members, who have a strong belief and commitment to the Public Trust and the North American Model of Fish & Wildlife Conservation, wish to comment on the recommendations put forth by the Paradise Valley Working Group.

At this time LRGC opposes the two (2) proposed changes to the "Elk Management Guidelines in Areas with Brucellosis" that were prepared by the Paradise Valley Local Working Group.

LRGC has difficulty understanding how come FWP doesn't have an official "Brucellosis Policy" in place. Isn't it commonplace to have policies so programs can be implemented? We feel that before a program can go forward, a strong policy should be there guiding it, especially when expecting a working group to come up with solutions.

LRGC believes the most important part of the "why we comment" on any issue is to protect the "process" we hold as a tradition here in Montana. We protect the "process" at all cost

We feel that the "process" we hold so dear was partly missing from this effort as a result of FWP not having an official policy on this crucial issue. Strong policy could have provided the side boards to guide the process and provide the necessary tools regarding elk with the working group. LRGC feels the process is weakened again by the huge make-up of folks dedicated to livestock in this working group. It may seem the LRGC is beating up on FWP and perhaps to a certain degree we are; however, LRGC, just like our state group, the Montana Wildlife Federation would like to be in a position to support FWP and efforts that apply good science and "process" to help manage the risk of brucellosis transmission, along those lines this would entail changes within FWP. LRGC would really appreciate a bolder approach by FWP towards our wildlife. We don't want this elk/brucellosis issue to follow in the same footsteps of the Interagency Bison Management Plan, which does nothing more than minimize our public wildlife to domestic livestock.

A few points within the realm of the elk/brucellosis issue(s) LRGC believes in strongly:

- We always protect the "process", it's a critical, main component of the Model.
- We always retain the 5 WEEK SEASON, it has everything FWP needs to manage our public wildlife, it can be "Adaptively Managed" according to the science that benefits both wildlife and livestock. If a game damage situation presents itself we have statute that deals with that as well. Late season hunts, on the other hand are the beginning of the end of our opportunity and open the door wide open to large scale commercialization and/or privatization. We don't ever want to be in the position where we, the public hunters get only the crumbs after commercial/private interests get the main course. The 400 family members of LRGC do not want our 5 week season messed with-period.

- **Focus on HARBORING, which is one of the main culprits relating to this issue and many others, HARBORING literally “sucks” the wildlife off the public lands, it is un-natural and does a lot of harm to neighboring landowners as well as the public hunter’s opportunity.**
- **We often hear that the talk of HARBORING is nothing more than the public hunter trying to gain access to private lands, nothing could be further from the truth, nobody individually or collectively at LRGC has ever advocated for that. What we do advocate for however is when there is a harboring situation, especially in those areas within DSA there are solutions but all stakeholders, including private landholders and their neighbors must have “skin in the game” to collectively arrive at a real solution. If you want to be part of the solution you can’t be one of the problems.**
- **Eradication of brucellosis is impossible.**
- **Work towards development of a more effective cattle vaccine.**
- **No animal husbandry of our public wildlife, no capture, test & slaughter or vaccinating wildlife.**
- **No killing of elk after February 15.**
- **Work with the livestock groups, being sensitive to their needs without sacrificing our public wildlife.**
- **Begin the steps necessary (EG: Commission Resolution, Litigation) to force Wyoming to shut down its feed grounds, the disease pits that have contributed hugely to Montana’s share of this brucellosis problem. It is very rational to start the discussion of those Wyoming feed grounds beginning to spread Chronic Wasting Disease-what will that mean for Montana? If we can’t get it right with Brucellosis in regard to those Wyoming feed grounds what will be our reaction when Chronic Wasting Disease, which is in very close proximity or worse yet just not yet detected in those feed grounds is on the landscape? Brucellosis may be nothing more than the camel’s nose under the tent.**
- **Begin steps necessary to make changes on a Federal Level regarding the “Terrorism and Brucella-Abortus connection” and the research and development of a more effective livestock vaccine, large undertakings for sure but it must begin someplace and Montana has always been at the forefront on wildlife issues.**
- **Until all of the above mentioned items are addressed and worked neither the Montana wildlife enthusiasts nor the Montana livestock producers are winners.**
- **MONTANANS ARE GENERALLY GOOD NEIGHBORS, WE HELP OUT OUR NEIGHBORS.**
- **The Founders warned us about “Tyranny by the minority”.**

Thanks a bunch for allowing LRGC the opportunity to comment on this important issue.

Respectfully submitted for LRGC,

JW Westman

MONTANA WILDLIFE FEDERATION

www.montanawildlife.org



*Protecting
Montana's wildlife,
land, waters,
hunting and fishing
heritage since 1936*

March 19, 2014

Director Jeff Hagener
Montana Fish, Wildlife and Parks
1420 East Sixth Ave.
Helena, MT 59620

RE: Proposed Amendments to the Brucellosis Work Plan in the Paradise Valley

Dear Director Hagener,

Montana Wildlife Federation (MWF), Montana's oldest and largest hunter and angler-based conservation group, was founded in 1936 by conservationists, landowners, hunters and anglers. MWF is a 501(c) 3 nonprofit organization comprised of staff, more than 5000 members, and 20 affiliate clubs throughout the state who share a mission to protect and enhance Montana's public wildlife, lands, waters, and fair chase hunting and fishing heritage.

MWF opposes the two proposed recommended changes to the "Elk Management Guidelines in Areas with Brucellosis" that were prepared and submitted to the FWP Commission by the Paradise Valley Local Working Group for the reasons below:

- 1) From an overall process perspective, this effort to create and engage a "local working group" in adapting/modifying the Plan approved by the Commission in October 2013 has not functioned as expected. It failed to meet MWF's expectations with regard to balanced input and appropriate consideration thereof from the diverse publics, particularly sportsmen in the Paradise Valley. There were sportsmen present, but the discussion was dominated by landowners in the valley. The two products of the working group are examples of what we see as a total focus on livestock interests and total disregard for long term appropriate management of the public's wildlife and use of hunter/angler license dollars. We are very concerned that we are heading down an all-too-familiar path to "manage elk in the Designated Surveillance Area" by applying the same flawed philosophy and tools currently being used in the management of the Yellowstone National Park bison. We understand that some landowners are trying to hang onto what they have in the valley, but these proposals set bad precedents for the future of wildlife management that are unacceptable to

hunters and wildlife enthusiasts. These proposals also harm hunter/landowner relations, because the focus is on managing elk and not livestock.

- 2) During the entire process of trying to implement the Plan built by FWP, there has been little consideration of hunter's interests and their long-standing roles in the evolution of the North American Model of Wildlife Conservation. The apparent inattention to the opportunity to use existing tools, such as those in the statute and rules for game damage hunt qualifications, structure and participation, shows little regard for hunters' interests. Instead, recommendations by the working group give preference to livestock producer's interests and give them the prerogative to kill, not hunt, elk. Killing elk after Feb. 15 – and potentially as late as May 15 – is not hunting, as the new term indicates, just a removal and a clear violation of the pillars of the North American Model of Wildlife Conservation. This would allow cow elk to be shot right up to full term of their fetuses, as elk begin calving on May 15. The current plan, with or without the proposed changes, has little to do with traditional wildlife management and sportsmen with the exception of whose money is being spent. The proposal to build high fences funded by hunters' dollars to block off large areas sets a bad precedent. That money could be better spent to provide additional habitat for elk, especially for springtime habitat. This proposal is a travesty for hunters and the future of elk hunting in Montana.
- 3) MWF would very much like to be in a position to support FWP's efforts to apply good science to help "manage the risk of transmission of brucellosis from elk to livestock". However, this will entail changes within the approach taken that:
 - a. Recognizes that eradication of brucellosis in wildlife is an impossibility;
 - b. Advocates for development of a more effective vaccine against the bacteria, Brucella abortus, to be used on livestock. This should be a top priority for all public agencies, whether they're focused on livestock or wildlife. Vaccination of wildlife should fall off of the priority list and the "test and slaughter" of elk for the purpose of managing brucellosis should never occur under any circumstances;
 - c. Puts an appropriate focus and priority on enhancing wildlife habitat on public lands to reduce elk pressures on private lands when elk are interacting with livestock and the risks of disease transmission to cattle are the greatest;
 - d. Eliminates the killing of cow elk after Feb. 15 and adheres to current management and game damage hunt policies that are based on sound ethical principles;
 - e. Addresses the objectives of "managing the risk" of brucellosis transmission by bringing all interested parties together to have a serious discussion of the issue. Each party could assume its appropriate operational role and work toward the management of wildlife in ways and that are

acceptable to sportsmen and the larger public that is critically important to the future of our public wildlife resources.

Thank you very much for the opportunity to comment on this proposal. In summary, MWF believes that the proposed recommendations are ill advised and that the focus for resolving this problem should be on the management of livestock and not at the expense of Montana's elk and sportsmen. It sets a bad precedent of managing disease in livestock by focusing on our free-ranging, public wildlife. We believe FWP should assert its authority more vigorously in this complicated management scenario and that FWP should not go down the same "dead-end road" as with the Interagency Bison Management Plan (IBMP).

Sincerely,

Skip Kowalski

Board President

My name is Ken Hamlin and I am a member of the Statewide Elk Management in Areas with Brucellosis Working Group. I have some general and specific concerns with the recent proposals/modifications to the 2014 work plan by the Paradise Valley local working group that “go above and beyond the Elk Management in Areas with Brucellosis 2014 Work Plan”. Some of the problems I see are with the 2 specific proposals by the working group, some are with the process, and some are intertwined.

In all of the following discussion, please keep in mind 2 of the 3 Fundamental Objectives of the Statewide Working Group:

Fundamental Objective 1: **Minimize** transmission from elk to livestock. (**NOT eliminate risk.**)

Fundamental Objective 2: **Maximize** cost effectiveness.

More education about brucellosis and the known facts about its transmission risk are necessary at the start of local working group discussions. The Statewide Committee members all learned much over the course of 2 years. The Statewide group discussed the necessity of this education and agreed upon it, but unfortunately we did not produce specific recommendations. Perhaps the Statewide Committee and FWP should produce this material. New information is continuing to be produced: some as recently as a week ago (e.g. Cross et al. 2014 - “Annual timing of elk abortions and potential brucellosis risk” – Montana Chapter of the Wildlife Society Annual meeting, Bozeman, MT, March 6, 2014).

Paradise Valley Working Group Recommendation 1: Reinstate the May 1 – May 15 dates (lethal removal) to the local work plan.

- It will not be the “end of the world” should Recommendation 1 be adopted. However, there is general public distaste for any removals after 15 February and even more objections to removals during the 2 weeks prior to the initiation of natural births. Is the potential “benefit” in **real** reduction of risk worth the “cost”?
- 90-95% of abortions of seropositive elk took place in Wyoming prior to 1 May (Cross et al. 2014).
- Special logistical and time consuming precautions are necessary to prevent a lethal removal during this period from becoming equivalent to an abortion “event”.
- By the time we get to 1 May, given our current knowledge of seropositive rates, portions of seropositive females that abort and are infectious, timing of abortions, and small fractions that are late migrants, very few female elk may pose a **risk** of infecting livestock at this time. Also, commingling does not equal transmission/infection. At that point, a

domestic cow/bison actually has to contact the fetus/birth products of these few elk and ingest sufficient infectious bacteria to become infected (could become seropositive, however, triggering regulatory actions). Granted, the risk is not zero.

- Given a study in the upper Madison that indicated late spring migrant elk also tended to be early fall migrants where “refuge” situations occurred, fall hunting may be the best or most palatable (to the general public) long-term method to address reducing the portion of elk remaining on low elevation private lands during late abortion or calving periods.

Paradise Valley Working Group Recommendation 2: A. Use large scale fencing (pastures)/ create corridors, etc. B. increase definition of “small-scale” to include pastures. C. include fence modifications.

- I absolutely oppose the larger scale landscape level fencing proposed here that is far beyond the bounds of the Statewide Committees intentions (see Frequently asked questions # 2 – Statewide proposed Recommendations). My opposition is from the cost-effectiveness relative to risk level standpoint and from the ecological and aesthetic standpoint. Further, I believe this proposal, if enacted, could engender massive Statewide and Nationwide attention and opposition with negative consequences far exceeding any small reduction in risk achieved.
- Pasture level fence modifications in specific locations could be areas for further discussion, but would require much more specific information and probably an EA / MEPA evaluation if there is State or Federal involvement.

Process: Although I was aware that a local working group would be formed for this area, I was not made aware that meetings were taking place and that the Commission had received recommendations for modifications to the 2014 Work plan until an individual from outside Montana contacted me. Therefore, I am constructing most of what follows post-hoc, from questioning individuals who were there for one or two of the meetings. This has it’s own shortcomings.

- It appears that the working group was not as diverse as would be desired, which will reduce public acceptance of recommendations that are “outside the box”.
- An **Independent** mediator/facilitator may have been useful.
- An educational presentation and update (or more comprehensive one) early in the process is advisable. FWP cannot take a “hands-off” approach to this education in fear of being accused of trying to influence the process. I believe the Statewide Committee considers this education as necessary to the local working groups as it was to us.
- Were habitat manipulation options discussed?

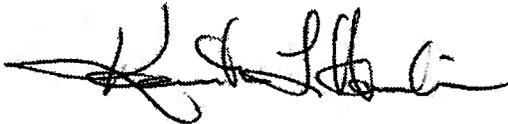
- Although outside the authority of actions by FWP and the Commission, did someone independent of FWP (rancher, DOL, facilitator, etc.) present to the group management options by the private landowners that are much more certain in their effectiveness of reducing risk of transmission than are the elk management options. These options may be unacceptable to the landowners, but everyone should at least be aware of them and their greater efficacy.

I think I have rambled on enough for you to determine my opinions on the Paradise Valley Working Group recommendations. Hopefully, some of my questions / suggestions will help with further meetings of this group. I believe that local working groups forming in other areas with the active participation of some Statewide Working Group members may also (hopefully) serve as templates of effectiveness.

Thank you for your consideration of my comments.

Sincerely,

Kenneth L. Hamlin



2814 Secor Ave

Bozeman, MT 59715

(406) 586-0388

cc: Quentin Kujala, Pat Flowers, Howard Burt, Karen Loveless.

Kujala, Quentin

From: Worsech, Hank
Sent: Wednesday, March 05, 2014 4:59 PM
To: McDonald, Ken; Kujala, Quentin
Cc: Furthmyre, Coleen
Subject: FW: Elk killing and fencing issue

I think this is more of a Wildlife issue.

Thanks,

Hank

From: Hayes, Merissa
Sent: Wednesday, March 05, 2014 4:56 PM
To: Worsech, Hank
Subject: FW: Elk killing and fencing issue

From: Furthmyre, Coleen **On Behalf Of** FWP General
Sent: Tuesday, March 04, 2014 8:33 AM
To: FWP License info
Subject: FW: Elk killing and fencing issue

From: Shane & Sharona Gilbert [mailto:gil55502@gmail.com]
Sent: Monday, March 03, 2014 4:14 PM
To: FWP General
Subject: RE: Elk killing and fencing issue

Thank you! Here are my comments:

I think it is about time FWP did something about the nuisance elk herds here in Montana. We have 50,000 elk over the objective for this state and elk seem to have a problem with disease more than previously thought. Culling the herds is probably necessary at this point since Montana will not allow natural predators to help keep numbers managed. Fencing is a good idea too. Will that be paid for with all the money that the hunting licenses bring in? I figure it should be since the hunters are the only ones who pay for all the wildlife management anyways.

From: FWP General [mailto:fwpgen@mt.gov]
Sent: Monday, March 03, 2014 11:37 AM
To: [mailto:gil55502@gmail.com]
Subject: RE: Elk killing and fencing issue

This address is fine and I will route your comments to the appropriate division.

Betty L. Warren

FWP - DO - P O Box 200701
Helena MT 59620-0701
406-444-9089



From: Shane & Sharona Gilbert [mailto:gil59602@gmail.com]
Sent: Saturday, March 01, 2014 7:11 AM
To: FWP General
Subject: Elk killing and fencing issue

Can we submit comments electronically? And if so to which address? Thanks!

Kujala, Quentin

From: Lou & Carol Goosey [mailto:goosey@wispwest.net]
Sent: Wednesday, February 12, 2014 12:10 PM
To: Kujala, Quentin
Subject: Elk Brucellosis Study Group

Quentin:

I am writing to voice my objections to having FWP (Montana Hunters) funding high fences to keep elk away from cattle owners' cattle. The Upper Yellowstone, Paradise Valley Study Group, meetings which I attended were dominated by cattle owners. The hunters and other few interested persons who attended felt that their input would not be even listened to. The elk problem in the Paradise Valley can be easily solved by hunter harvest. Most of the elk, during the hunting season, are either on private land or access is blocked by private land.

Louis B. Goosey,
Livingston. MT