

**PUNISHED MEAT HUNTER**  
Landowners & Business by F.W.P.

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EXHIBIT 1  
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HB Joint Approps SUB  
Natural Resources and  
Transportation

Mr. Chairman and members of the committee ,I'm Brian McCullough  
I've purchased Montana big hunting licenses consecutively for 50 years as of 2012 hunting season.

My hunting experiences has included many rewarding hunts through out the state east and west, north and south. Many of my hunts were outside the 5 week hunting season especially for antlerless elk.

As of 2006 FWP made a dramatic change in their wild life management.. The policy was

1. generally limit rifle hunting to the regular 5 week rifle season that always ended the weekend following Thanksgiving.
2. Updated the administrative rules for regulating/allowing hunting on private land. Where the landowner charged a fee during the regular season. The rule change basically does not allow hunting on private land outside the 5 week rifle season if the landowner did not allow the general public unrestricted hunting consistent with the general hunting regulations. Most of these private landowners outfit there land for fee hunting to resident and non resident hunters

The Regional Managers have embraced this policy since 2006 along with the Wildlife Division.

BUT

Lets not forget, outfitting their private land is a legal activity by Montana businessman who are working to make a living. Outside of the regular 5 week season many of them would allow and even welcome the general public to come onto their property to hunt anterless deer and elk where the populations were in excess of management objective and/or were causing property damage.

NOTE. This limit to the 5 week rifle season is irregardless of whether the wildlife populations in the hunting district was over the wildlife management objectives determined by FWP biologists.

Since 2006 and for 6 years this Division has chosen generally endorse the punishing of the following groups of Montanans with this policy of limited hunting.

1. Unsuccessful Montana and Non resident deer and elk hunters who for the previous 30 plus years had harvested deer and elk on hunts authorized by FWP were nolonger authorized to hunt on private land where the once were welcomed.
2. Landowners whether outfitted or not and even some who allowed the general public to hunt on their land as provided by the general hunting regulations were generally not allowed to have hunts outside of the regular 5 week season. These landowners are now having to experience greater crop and property damage on an every increasing basis which increases their cost of business and decreases the crop and cattle production which is how they make a living.
3. Local businesses suffer loss of hunter business during the hunts outside the 5 week regular hunting season in the amount of \$60 +/-day for each resident hunter day and \$300+/-day for each non resident hunter day.  
These businesses include but are not limited to convenient stores, grocery stores, wildlife meat processors, restaurants, bars, motels, hotels, sporting goods stores, clothing stores.

In addition to these groups being punished, FWP's own biologists have lost one of their tools to help bring wildlife populations down to their management objective.

**Regional manager case 1**

In a meeting on the two year hunting regulations in 2011, I asked one of the regional managers when they were going to go back to allowing the hunts outside of the 5 week season for outfitted private land. He said he would sacrifice that late hunting opportunity and that tool for the biologists so he could maintain the leverage on landowners.

**Regional manager case 2**

I meet with a major landowner who allows the general public to hunt on his land with no restriction but the problem is that the elk are not on his property until after the season is over. He wanted to have the public come in a week after the general season. He does not outfit. He understood from field staff that it was a go. At the regulation meeting he saw in print that instead of having the late one week hunt, that region management had overturned the staff and printed the draft regulations with just a higher antlerless permit quota. No one from FWP had discussed this change in position with the land owner.

**Regional manager case 3**

In another case of landowners, a regional manager was working with landowners who outfitted their land but also allowed people they knew to hunt antlerless elk for no fee on their lands. The regional manager wanted them to open their land to strangers as well. The regional manager told the landowners that the landowners controlled the access and FWP controlled the permits. So if you don't do what FWP wants he would have FWP limit the area to antlerless elk only. Obviously this would shut down the landowners' outfitting business. FWP calls this working with the landowner.

Because the Fish and Wildlife Administration endorses this punishment to these 3 groups of Montanan's, I am requesting this committee to limit the next biennium's appropriation to 2012 budget level for this Division.

In addition I am requesting the Committee to add language to their budget that prevents this division from having any budget amendments during the next biennium and prevent any program transfers of budgets or FTEs to/or from this division.

**REASON:** It is time for this division to experience the cut back of cash flow they have punished these 3 groups of Montana with for the last 6 years.

FWP's reaction will probably include but not be limited to:

This will cause a lack of funding that will hurt many of our programs that have nothing to do with hunting.

Our staff don't like the hunts outside of the 5 week rifle season

We can not afford to reinstate these hunts outside the 5 week season because that will require more funding.

The general public feels they have the given right to hunt on private land. Therefore, the landowners should be punished into submission to allow them to have 5 week unrestricted hunting as allowed by FWP regulations.

My Response:

When the Fish and Wildlife Administration Division moved to this policy in 2006 they did not come to the 2007 legislature and request their budget cut because of savings as a result of generally limiting hunting to a 5 week season so no reason to give them more budget now. The Division will just have to manage to the funds they have just as the rest of us have had to do during the last 6 years because of their punishment.

FWP staff who don't like the hunts outside of the 5 week season can either change and support it or they can quit and go work somewhere else. Get used to it, its your job!

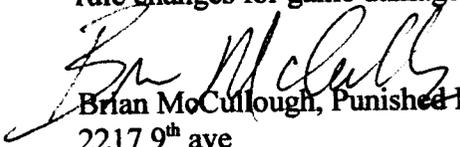
The outspoken general public MUST be told by FWP that the Montanan's who are working to make a living from the properties and businesses they own have a LEGAL right to pursue their business to make a living from their investment even though the wildlife is owned by the citizens of Montana. The landowners are feeding the the wildlife up to 365 days a year AND are taking the business risk year and year out. THE LANDOWNERS NEED TO MAKE A LIVING FROM THEIR LAND, SUPERCEDES THE GENRAL PUBLIC'S RIGHT TO HUNT ON PRIVATE LANDS IF THE LANDOWNER CHOOSES TO OUT FIT HIS LAND DURING THE 5 WEEK RIFLE SEASON.

Come back in 2015 when you have quit punishing us and demonstrated that you have changed your policies.

PS.

I do not trust you to make any changes without these budget restrictions being put into place because of your division's attitude over the last 6 years.

Secondly your ignoring my testimony in Butte in 2006 when you had the hearing on the administrative rule changes for game damage.

  
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12/20/2012  
SOURCE - FWP

(TABLE 2) ELK USE DAYS AND EXPENDITURES BY REGION (2011)

	R1	R2	R3	R4	R5	R6	R7
Resident Days	156,669	198,425	278,361	101,196	40,961	16,113	17,254
Resident Expenditures	\$13.3M	\$16.9M	\$23.7M	\$8.6M	\$3.5M	\$1.4M	\$1.5M
<del>Non-Resident Days</del>	<del>13,855</del>	<del>16,386</del>	<del>51,522</del>	<del>20,183</del>	<del>6,195</del>	<del>2,074</del>	<del>3,164</del>
<del>Non-Resident Expenditures</del>	<del>\$5.5 M</del>	<del>\$6.5M</del>	<del>\$20.6M</del>	<del>\$8.1M</del>	<del>\$2.5M</del>	<del>\$829,000</del>	<del>\$1.3M</del>
PER DAY	396.97	396.68	399.83	401.33	403.56	399.71	410.88

\$ day

\$ day

(TABLE 3) DEER USE DAYS AND EXPENDITURES BY REGION (2011)

	R1	R2	R3	R4	R5	R6	R7
Resident Days	222,886	179,571	190,583	142,855	88,666	58,768	70,621
Resident Expenditures	\$14.7M	\$11.8M	\$12.6M	\$9.4M	\$5.8M	\$3.9M	\$4.7M
<del>Non-Resident Days</del>	<del>15,320</del>	<del>10,448</del>	<del>33,502</del>	<del>28,022</del>	<del>12,342</del>	<del>17,871</del>	<del>39,023</del>
<del>Non-Resident Expenditures</del>	<del>\$2.8M</del>	<del>\$1.9M</del>	<del>\$6.1M</del>	<del>\$5.1M</del>	<del>\$2.3M</del>	<del>\$3.3M</del>	<del>\$7.1M</del>
PER DAY	182.77	181.86	182.08	182.00	186.36	187.66	181.95

\$ day

\$ day

(TABLE 4) ANTELOPE USE DAYS AND EXPENDITURES BY REGION (2011)

	R1	R2	R3	R4	R5	R6	R7
Resident Days	NA	182	17,240	13,388	13,728	5,733	12,270
Resident Expenditures	NA	\$11,216	\$1.1M	\$825,036	\$845,988	\$353,296	\$756,139
Non-Resident Days	NA	4	933	987	1,716	889	10,133
Non-Resident Expenditures	NA	\$926.50	\$216,106	\$228,614	\$397,469	\$205,915	\$2.3M

(TABLE 5) UPLAND GAME BIRD USE DAYS AND EXPENDITURES BY REGION (2011)

	R1	R2	R3	R4	R5	R6	R7
Resident Days	51,196	28,668	25,542	61,545	19,395	37,157	20,196
Resident Expenditures	\$3.3M	\$1.9M	\$1.7M	\$4M	\$1.3M	\$2.4M	\$1.3M
Non-Resident Days	2,656	1,473	3,118	14,513	5,461	24,380	10,133
Non-Resident Expenditures	\$1M	\$569,611	\$1.2M	\$5.6M	\$2.1M	\$9.4M	\$3.9M