



MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

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Meeting Date: June 24, 2021

Agenda Item: 2021 Contractual Public Elk Hunting Access Agreements (HB 454 Agreements)

Action Needed: Proposed

Time Needed on Agenda for this Presentation: 10 minutes

Background: Several bills in the 2021 legislative session amended MCA 87-2-513 that address HB 454 agreements with landowners including SB116, HB 119 and HB637. A summary of those changes include that the department may issue an either-sex or antlerless elk permit, license or a combination, in exchange for allowing three successful elk permit holders (one third of which may be selected by landowner), as well as additional public hunters to lands enrolled in a contractual public elk hunting access agreement for wildlife management. Agreements require approval by the commission.

Under these contracts, the landowner works with the department to define areas open to public elk hunting, the number of elk hunting days that will be allowed on the property, and other factors that the department and landowner consider necessary for elk management on the landowner's property.

Two agreements are being considered for 2021: the Robert Lee Ranch and the John Swanz Ranch. The Lee agreement specifies a single 411-20 either-sex permit for the owner, family member or an authorized full-time employee, whereas the Swanz agreement specifies two 411-20 either-sex permits for the owner, family member or an authorized full-time employee. The Lee agreement was first exercised in 2015 and the Swanz agreement was first exercised in 2002. Each has been reapplied annually since those dates based upon continued positive post-hunt evaluations. Both agreements include a provision by which the landowners will select one third of the participants (one for Lee and two for Swanz), and the department will notify two thirds of the public 411-20 permit holders selected (two for Lee and four for Swanz) of the access opportunity. Public hunters are offered the opportunity to hunt on the enrolled property but may also hunt anywhere else the permit is valid. If any of the public hunters declines the opportunity to hunt on the ranch properties, it will be offered to the next randomly selected permit holder.

Public Involvement Process and Results: Both existing agreements have received favorable public review in prior years. Additionally, the post-hunt evaluations have reasonably supportive feedback from all identified hunters and the landowner. This meeting opens the department's public comment period for these agreements, and comment will be taken until 5 p.m. on July 26, 2021.

Alternatives and Analysis: The department has had a favorable history with these participants.

Agency Rationale and Recommendation: The department supports accepting additional public comment on these agreements.

Proposed Motion:

I move that the commission vote to accept for public comment the 454 agreements with the John Swanz and Robert Lee ranches.