

**Private Land/Public Wildlife Council
Meeting Summary
For Benton, Montana
April 20-21, 2010**

Council Members Present: Land Tawney, Chair; Dick Iversen; Brett Todd; Rick Miller; Jack Billingsley; Wagner Harmon; Chris King; Representative Jeff Welborn; Mike Penfold; Jack Rich; Lindsay Seidensticker; FWP Commissioner Ron Moody; **Absent:** Senator Steve Gallus; Kathy Hadley; Joe Cohenour

FWP staff in attendance to assist committees in their work sessions were Jim Kropp, Chief of Enforcement, Quentin Kujala, Wildlife Management Section Chief, Hank Worschech, Chief of Licensing, and Alan Charles, Coordinator of Landowner/Sportsman Relations. Also in attendance was Brian Kahn, facilitator for the Council meeting.

Tuesday, April 20, 8:00 a.m. – 5:00 p.m.

I. Council Chair – Welcome/ Finalize Agenda

II. Committee Work Sessions

Since the absent members were all members of the Landowner Program Review Committee, the two members of that committee who were present agreed to meet in a joint committee meeting with the Funding for Access Programs Committee, during which issues of interest to both committees were discussed. The Management of Concentrated Wildlife Committee met in a separate work session. The committees then reported back to the full Council during the afternoon meeting, with committees meeting again in separate committee work sessions the following morning. The results of the committee work sessions are captured at the end of this meeting summary.

III. Trapline Reports

Council members reported on issues identified since the last meeting. Included in these comments were the following:

- *Some of the regulation changes adopted in Region 3 to try to address wildlife concentrations are supported locally, even though some out-of-region people may oppose them;*
- *Some landowners choose not to participate in Block Management because they want to be neighborly and accommodate local outfitters, but outfitters cannot operate on BMAs;*
- *Some landowners and sportsmen are concerned about what may happen when CRP contracts are not renewed;*
- *During an I161 conservation roundtable discussion, many non-hunters in the group didn't understand the problem or issues the initiative attempts to address;*
- *OHV/4wheeled vehicles are causing an increasing amount of resource damage and pressure on hunting access and hunter conflicts;*
- *One person who grew up in Melstone and who hunts in that area voiced frustration that every year he sees the same group of 3-4 nonresident outfitted hunters leave with big bull elk, while he never even gets a chance to hunt in that area, causing him to support I161 because he feels the current situation is simply not fair;*
- *Several landowners indicated they appreciated the recent increase in hunter day payments;*

- *Many people voiced support for the Hunter/Landowner Stewardship Project, considering it a good first step; some felt it should go farther and more in depth;*
- *Landowners and hunters voiced concerns about brucellosis and wolves;*
- *Some people feel credit should be given to Block Management for opening thousands of acres of state and federal land;*
- *Poor hunter behavior was voiced by several landowners as reasons for considering withdrawing from Block Management or closing off current access;*
- *Landowner not in Block Management imposed walk-in only rules and saw reduction in hunter behavior problems;*
- *Maps need to be more accurate, including BLM and state lands as well as BMA maps;*
- *More western Montana hunters seem to be hunting in eastern Montana;*
- *Quality of hunting on some BMAs and some public land parcels might be improved if there is some sort of rotational rest area or sanctuary created to hold game in the general area;*
- *Some people have a broad definition of “access.” For example, in the western part of the state, some people perceive roads closed to vehicular travel as reduced access;*
- *Some landowners don’t want to have to deal with the public, don’t want to have their name on a list;*
- *Some hunters think the positive image of the Montana hunter needs to be promoted;*
- *People have mixed feelings about the early youth opening day for deer, and for the antlerless elk license created this year by the FWP Commission;*
- *The BLM Resource Advisory Committee in Lewistown has formed a Bison Working Group in response to the Department of Interior’s Bison Management Plan;*
- *The archery elk permits and related FWP Commission proposals continue to generate discussion among interest groups;*
- *Sportsmen and landowners have indicated interest in ranch appreciation workdays;*

IV. Information Updates

- a) Alan Charles – FWP Coordinator of Landowner/Sportsman Relations – updated Council on status of Landowner-Hunter Stewardship Project, Open Fields Farm Bill status, BMA map pilot project for 2010, BMA rotational rest days, BMA program survey status, FWP budget projections, and public land access efforts;
- b) Hank Worsech – FWP Chief of Licensing – updated Council members on the sales of variable-priced outfitter-sponsored licenses and Come Home to Hunt licenses;
- c) Montana Board of Outfitters – Executive Director Trudy Phippen briefed Council members on status of MBO compilation of outfitter land use data, updates to the MBO database, and discussed with the Council her efforts as new executive director to ensure integrity and accuracy of data reported;

V. Public Comment Period

No members of the public wished to make public comments.

VI. Committee Reports

- a) Management of Concentrated Wildlife Committee – discussed multiple aspects of this complex issue, including potential definitions of the problem, and possible structures to encourage and support community-generated solutions designed on a case-by-case basis. When initial drafts are complete, the Committee will circulate them to the full Council for

evaluation/discussion, and modification. Additionally, the Committee requests FWP assistance in developing a fact sheet documenting to the extent possible the scale, scope, and other aspects of the problem.

- b) Joint Meeting of the Access Program Funding Committee and the Landowner Programs Committee (staff note: *For the purposes of this meeting summary, I will report the roundtable discussion results from the initial part of this joint committee meeting, but then report the actual work results under separate committee reports that follow, as those results and work efforts remain assigned to the separate committees. AC*)

Roundtable Discussion: The following issues were identified for potential work:

- There is a need to promote the positive image of Montana sportsmen;
- There is a need for incentives to promote positive hunter behavior, and penalties to discourage negative hunter behavior;
- There is a need to explore ways to encourage good stewardship – meaning good stewardship of habitat and good stewardship of hunting heritage; while current program provides benefits to offset impacts associated with public hunting, there may need to be some type of stewardship credits developed or better combinations of habitat/access programs;
- Current program cap of @12,000 sometimes means cooperators don't qualify for full 5% additional weed incentive payment;
- FWP sponsorship licenses – all categories – issues need to be addressed;
- FWP deer combination license split off from the B10 deer/elk combination licenses and reissued as deer licenses – issues need to be addressed;
- Funding for access programs – while current funding appears to be adequate to funding existing program, program enhancements may require new funding;
- FWP intends to apply for federal funds under the Open Fields Farm Bill program, possibly to fund a CRP access walk-in program which combined FWP access/habitat program efforts;

- c) Landowner Program Committee: The main focus of this discussion was on the various types of Sponsorship Licenses and some of the problems or issues identified with them. These license types include a) Landowner-Sponsored Deer Combination License; b) Outfitter-Sponsored Deer/Elk and Deer Combination Licenses; c) Come Home to Hunt Family Member-Sponsored License; and d) Youth Elk/Deer Combination License;

1. All these licenses have restrictions or conditions for their use;
2. All have dual responsibilities for both the sponsor and sponsored hunter;

Landowner-Sponsored Deer Combination Licenses:

- Landowner may sponsor up to 15 hunters;
- Landowner may not charge a fee to sponsor a hunter;
- Landowner may charge trespass fees or other fees for providing access;
- Hunter must conduct all deer hunting only on sponsoring landowner's deeded land;

Problems:

- Hunters often cited for hunting off landowner's deeded land;

- Licenses sometimes used in unlicensed outfitting activities that extend beyond landowner's deeded land;
- Currently there is no statutory authority to revoke a landowner's ability to sponsor hunters, even if sponsored hunters or landowner violate laws;
- Some landowners sponsor same hunter, resulting in blocking up of land contrary to intent of law creating the license;

Questions to consider:

- Is limit of 15 sponsored hunters the appropriate number?
- Should there be a tool developed to revoke privilege of sponsoring hunters?
- Should multiple landowners be allowed to sponsor same hunter?

Outfitter-Sponsored Deer/Elk and Deer Combination Licenses:

- Outfitter may sponsored unlimited number of hunters;
- Hunters must be accompanied by outfitter;

Problems:

- No definition in ARM for "accompany"; (also needed for Come Home to Hunt license);
- Licenses sent to outfitter – outfitter sometimes "gives" licenses to landowner and doesn't provide required outfitting services;
- Currently, there is no way to revoke an outfitter's privilege to sponsor hunters, other than if the Montana Board of Outfitters revokes an outfitter's license;

Summary of Sponsored-License Discussion:

- 1) It appears current statutes adequately address the following:
 - Opportunity to utilize sponsorship programs;
 - Responsibilities to utilize sponsorship programs;
- 2) It appears current statutes DO NOT adequately address the following:
 - Accountability/revocation of privilege to utilize sponsorship programs;

Another issue was identified as relevant to this committee's work, as well perhaps also relevant to the Access Program Funding committee's work, and that was the statutes outlining what is referred to as the HB 454 program, which allow for issuance of an elk permit to a landowner who enters into a contractual elk hunting public access agreement. There was a suggestion that this program and statutes may need modification to accomplish some of the potential program enhancements being discussed by the Council committees.

Also considered relevant to this committee's work was a suggestion to explore options for a differential scale of hunter management impact fees, reflecting differences in the amount of potential impacts incurred by landowners who select different types of hunter management services or systems, i.e. Type I versus Type II BMAs.

- d) Program/Funding Enhancement Committee (*new name adopted in committee work session*): The main efforts of this discussion focused on ideas which might involve enhancement to existing access programs or development of new program that would result in some way to **acknowledge, promote, and reward role-model behavior displayed by Montana hunters,**

landowners, and outfitters who through their actions by working together help preserve Montana’s hunting heritage and traditions.

Program goals could include:

- No loss of existing access, but rather increase in “new” access;
- Focus on areas in need of wildlife management, possibly areas of concentrated wildlife;
- Explore tools that resonate with landowner not currently in Block Management and not currently engaged in leasing for exclusive access;

Ideas:

- Landowner and FWP regional staff determine pathway for access;
- Could create opportunities for shared access among outfitted hunters, landowner-sponsored hunters, and public hunters who pay no fee;

Issues to recognize:

- There seems to be general support for sportsman’s license dollars to be used as incentive to encourage access and habitat on private land;
- There are major concerns associated with using hunting licenses as a “medium of exchange” or “means of consideration”;
- Might need to clearly separate the concept of “access admission tickets” from the use of licenses;

Assignments: Topics related to this discussion were identified and assigned to committee members for further development (committee members’ initials appears after assigned topic):

- Split-off combination deer licenses – possibly restricted to use on land where shared access occurs; BT/DI
- Ranch hunt coordinator – middleman – options include FWP seasonal staff or non-FWP staff person; BT/DI
- Stewardship incentives JR/DI
 - CRP access/habitat
 - Enhancement beyond impact fees
 - Layer or coordination with other existing programs (Open Fields \$ possibly?)
- Tax incentive/credit/benefit (similar to a reverse PILT) JW
- Resident funding/ownership of program RM/BT
 - Option – increase HAEF
 - Option – create independent fee/pool/account
- Explore ways to acknowledge, promote, and reward role-model behavior displayed by Montana hunters, landowners, and outfitters who through their actions by working together help preserve Montana’s hunting heritage and traditions JR/RM

VII. Next Meeting: The next PL/PW Council meeting will be held June 16-17, 2010, at a location yet to be determined.

Council adjourned.