

**Private Land/Public Wildlife Council  
Meeting Summary  
Big Timber, Montana  
June 16-17, 2010**

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

FWP staff in attendance: Quentin Kujala, Wildlife Management Bureau; Alan Charles, Coordinator of Landowner/Sportsman Relations. Also in attendance was Brian Kahn, facilitator;

**Wednesday, 8:00 a.m. – 5:00 p.m.**

**I. Council Chair – Welcome/ Finalize Agenda**

**II. Committee Work Sessions**

Council members spent the morning of June 16<sup>th</sup>, and half the morning of June 17<sup>th</sup>, working in committee work sessions, continuing to prioritize topics, develop draft concepts, and refine discussion papers. The three committees are: 1) Problematic Wildlife Concentration Committee; 2) Landowner Programs Committee; 3) Program/Funding Enhancement Committee. Brief synopses of committee reports appear at the end of this summary.

**III. Trapline Reports**

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

- *A landowner who was considering enrolling land in Block Management also had a neighboring landowner who is an outfitter who wanted to occasionally bring clients onto his neighbor's land. Because Block Management rules "prevent" or otherwise discourage outfitting, and because the landowner wanted to be neighborly and accommodate his outfitter friend, he chose not to enroll in Block Management;*
- *The American Prairie Foundation activities in NE MT have some landowners concerned;*
- *A Block Management cooperator in NE MT was recently contacted by a sportsman's group wanting to lease the property for members;*
- *FWP's recent scoping meetings about potential introduction of wild, free-roaming bison, coupled with American Prairie Foundations efforts to move forward in creating a large bison range, have raised some eyebrows in NE MT;*
- *There seems to be more and more abuse and impact associated with motorized and OHV vehicle use; more and more vehicles, and more and more problems;*
- *MWF has indicated it may bring propose legislation again this session aimed at concentrated wildlife issues, but the organization is also apparently watching with interest to see what PL/PW may bring forward to address this issue;*
- *Efforts are ongoing in the Bitterroot – Mitchell Slough area to try to provide for some level of public duck hunting access;*
- *The 2010 special youth deer hunting season has prompted some favorable responses;*
- *Some of the FWP citizen's advisory committees may not know about PL/PW;*

- *Some landowners are concerned about the CMR management plan review and how current livestock grazing levels may be affected;*
- *Hunters in the Beartooth and Pryor mountain ranges are concerned about motorized access to public lands, and whether or not that kind of access is displacing game onto private land; some also feel BLM and USFS are not adequately considering impacts to wildlife in development of their travel plans;*
- *Wolves have dominated many trapline discussions, with related concerns including diminished numbers of game animals, displaced hunters, and effects on access;*
- *Initial reactions to some of the “Shared Access” ideas have ranged from skepticism and cynicism to real enthusiasm;*
- *The concept of landowner appreciation dinners, like those conducted in Region 3, have prompted very positive responses;*
- *Some landowners in the Deer Lodge area voiced positive responses to the increased hunter day payment and the landowner dinners;*
- *Questions and concerns have been voiced regarding the Spotted Dog Ranch acquisition, and whether or not that is a place where the Governor and/or FWP plan to put bison;*

#### **IV. Information Updates**

Alan Charles updated Council on status of outfitter-sponsored nonresident license sales and sales of the newly-created Home-to-Hunt nonresident licenses. Information was also provided to the Council regarding proposed language FWP might use to explain the requirement that a Home-to-Hunt license-holder be “accompanied” by a family member while hunting. Also mentioned were four Public Land Right-of-Way Access Easement projects that FWP has initiated. Alan provided a brief summary of the results of the 2010 Block Management Hunter and Landowner surveys, and said he’d provide members with a copy of the finalized research summary when it becomes available.

#### **V. Panel Discussion – Elk Management in the Crazy Mountains**

A panel of four people, including Justin Paugh, FWP field biologist stationed in Big Timber, Arnie Grosfield, owner/operator of Swamp Creek Angus Ranch, Brian Dickerson, manager of two area ranches, and Errol Galt, owner/operator of the 71 Ranch, discussed some of the challenges and opportunities associated with managing elk in the Crazy Mountains area and more general issues related to private property rights and responsibilities, public access, and game management. Council members directed numerous questions to panel members and gained input on some of the draft ideas and concepts being considered by Council committees.

#### **V. Public Comment Period**

One member of the public offered comments, thanking area landowners for allowing public hunting access, and thanking Council members and panel members for their efforts to address these important issues.

#### **VI. Committee Reports**

- a) Problematic Wildlife Concentration Committee – after working in committee work sessions to refine a draft discussion paper, the committee presented the draft paper to the full Council

for input and subsequent approval by the Council. After considerable discussion and refinement of the draft discussion paper, the Council agreed to move forward with having members solicit further input on the draft discussion paper prior to next meeting. Chairman Tawney requested that Council members be provided with a clean copy of the draft discussion paper, reflecting all changes adopted during the June 17<sup>th</sup> meeting, as soon as possible after the meeting so that they could solicit input from trapline contacts. Appearing below are talking points and a definition relevant to this topic:

## **COLLABORATIVE SOLUTIONS FOR PROBLEMATIC WILDLIFE CONCENTRATIONS**

### **Summary:**

- **Problematic Wildlife Concentration (PWC) poses significant risks to private property rights, landowners and neighbors, the health of domestic and wild herds, our Montana hunting heritage and legally-mandated game management objectives.**
- **At present, any person can initiate a PWC complaint and Fish, Wildlife and Parks Commission may modify license/permit/season structures, including either-sex, bull/buck/cow/doe tags, etc.**
- **Additionally, there is potential for lawsuits or “one-sided” legislation.**
- **The PLPW thinks there is a better solution, and has developed this proposal for collaborative discussion among key interests, leading to a carefully considered action plan to deal with this important issue.**

### **Our proposal is based on recognition that**

- **Important private and public interests are involved;**
- **Collaborative, community-based solutions should be given priority;**
- **Responsible representatives of key interests—agriculture, landowner, outfitter, sportsmen –must be at the table;**
- **Any directed remedial action should have understanding and support of all interests;**

**Our proposal includes a 6-year “sunset”; the process would terminate unless renewed with support of the key interests.**

### **Definition:**

For the purposes of this proposal, “Problematic Wildlife Concentration” (PWC) is defined as the intentional or unintentional concentration of big game animals where game management by hunting has not been able to be effectively utilized, resulting in negative impacts to neighboring area and landowners, failure to achieve legally-mandated Fish, Wildlife and Parks management objectives, and/or risk to domestic and wild herd health.

- b) Landowner Programs Committee – after spending time in committee work sessions further defining committee goals and priorities, the committee reported to the Council that their workplan called for a first-priority focus on the following three FWP landowner programs: 1) Block Management – initial discussions included looking at the current cap of \$12,000 and reviewing whether or not there may need to be additional incentives or expansion of available options; 2) Landowner Sponsor License program – initial discussions included

reviewing and gaining more information about some of the concerns related to this program that were identified at the previous meeting; and 3) HB454 “Landowner elk permit in exchange for a public elk hunting contract” program – initial discussions included whether or not this program in its current format is even viable, given the limitation of issuing only a permit when often a license is required, either as a prerequisite of obtaining a permit, or when no permits are offered in a particular hunting district. The committee also reported that the committee goal was to review FWP incentive programs to determine whether or not the committee has recommendations for improvement, and as part of that process the committee would attempt to:

- a. Define the goals of the programs;
- b. Identify costs and benefits (to whom);
- c. Determine whether or not the programs may need fine-tuning, looking at potential for duplication among programs and/or opportunities for consolidation;
- d. Recognize differences between access and habitat programs;
- e. Identify potential beneficiaries of programs;
- f. Determine whether or not the programs seem to work;

Second in priority for the committee are the Game Damage Program, FWP Predator Control funding, Landowner/Wildlife Resource Program, and Habitat Montana; Third in priority are Montana Wildlife Legacy Program, Future Fisheries Program, landowner trapping options, Livestock Loss Reimbursement Program, Private Land Fishing Access Program, and Upland Bird Program (committee noted that currently there is a legislatively-mandated oversight committee working with this program).

- c) Program/Funding Enhancement Committee – after working in committee work sessions focused on expansion of 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**, committee reported to the Council on ideas for defining Shared Resource Access Areas, possible ways to utilize nonresident deer licenses split off from the B10 deer/elk general and outfitter-sponsored licenses, and general concepts for how landowners, hunters, and FWP might be able to cooperate in establishing and managing Shared Resource Area projects that could yield successful wildlife management and shared access to public wildlife resources by outfitted hunters, landowner-sponsored hunters, and non-outfitted, non-sponsored hunters.

**VII. Assignments:** Members were asked to discuss results of committee reports with trapline contacts in the interim and report the results of those conversations at the next meeting.

**VIII. Next Meeting:** The next PL/PW Council meeting will be held August 3-4, at a location yet to be determined.

Council adjourned.