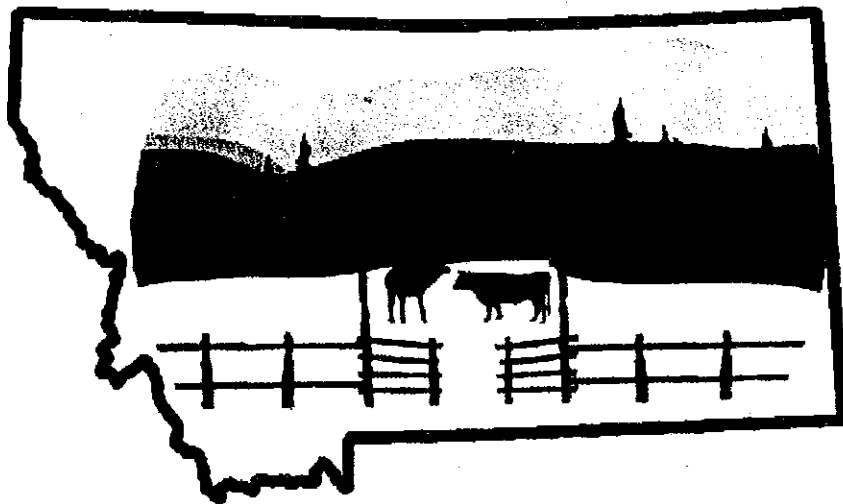


Private Land/Public Wildlife Advisory Council

Report and Recommendations



**Presented to
Governor Judy Martz
and the
57th Legislature**

January, 2001

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ACKNOWLEDGEMENTS

The members of the Private Land/Public Wildlife Advisory Council wish to acknowledge the valuable assistance provided by the many individuals and members of affected interest groups who have provided input over the past several months the Council sought to develop broad-based recommendations to address issues related to public wildlife and private land.

Without individuals taking time to attend Council meetings and provide written or oral comments, the Council's task of crafting recommendations to meet the needs of the public would have been much more difficult. We wish to thank all of those who were willing to offer ideas about how we might best proceed, and hope you will continue to assist us in our ongoing efforts to help maintain Montana's hunting heritage and traditions.

Report Prepared
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COUNCIL CHARGE/PURPOSE

In 1993, the PL/PW Council was established in statute to make recommendations to the Governor regarding issues related to private land and public wildlife. The Council's statutory charge is articulated in Montana Code Annotated (MCA) 87-1-269 (*Temporary*) as follows:

“Report Required - review committee. (1) The governor shall appoint a committee of persons interested in issues related to hunters, landowners, and outfitters, including but not limited to the hunting access enhancement program, landowner-hunter relations, outfitting industry issues, and other issues related to private lands and public wildlife. The committee must have broad representation of landowners, outfitters, and sportspersons. The department may provide administrative assistance as necessary to assist the review committee.

(2) The review committee shall report to the governor and to the 57th legislature regarding the success of various elements of the hunting access enhancement program, including a report of annual landowner participation, the number of acres annually enrolled in the program, hunter harvest success on enrolled lands, the number of qualified applicants who were denied enrollment because of a shortfall in funding, and an accounting of program expenditures, and make suggestions for funding, modification, or improvement needed to achieve the objectives of the program.

3) The director may appoint additional advisory committees that are considered necessary to assist in the implementation of the hunting access enhancement program and to advise the commission regarding the development of rules implementing the hunting access enhancement program. (*Terminates March 1, 2006 – sec. 6, Ch. 544, L. 1999.*”

In August, 1999, Governor Racicot appointed new Council members (some former members were re-appointed), re-affirming the Council's charge as follows:

- a) **preserving Montana's hunting heritage;**
- b) **providing public hunting access on private and isolated public land;**
- c) **reducing landowner impacts related to public hunting access;**
- d) **providing tangible incentives to landowners who allow public hunting;**
- e) **helping outfitters stabilize their industry and improve their image.**

During the time period August, 1999 through December, 2000, the Council met seven times at various locations throughout the state. Much of the Council's effort during those meetings was focused on trying to define terms of what constitutes “public hunting access,” evaluating what factors are currently influencing hunting access in Montana, and developing funding recommendations which provide funding for various hunting access programs.

ADVISORY COUNCIL'S FINAL RECOMMENDATIONS AND RATIONALE

Final Recommendation #1: Increase conservation license fees for resident hunters by \$2.00, and for nonresident hunters (excluding those purchasing variable-priced B-10 or B-11 licenses) by \$10.00, generating approximately \$1 million additional revenue.

Rationale: The original language of MCA 87-1-269 (statute providing for Council authorization and actions related to hunting access programs – enacted in 1995) contained the following provision: “...**If the review committee determines that expanding funding for programs for hunter management and hunting access enhancement is desirable, consideration must be given to providing the expanded funding through increases in resident hunting license fees.**” (NOTE: Statute amendments in 1999 removed this language.)

In evaluating the current hunting access enhancement programs, Council members determined that program expansion is needed to help disperse hunting pressure and accommodate landowners wishing to participate, that additional funding should come from hunters not currently contributing to hunting access programs, and that funding should be directed toward improving access in the following ways:

- 1) Some revenue should be directed toward improving access to public lands;**
 - Marking access points and, where appropriate, public land boundaries;
 - Establishing access corridors to isolated public lands;
 - Negotiating long-term access agreements for public land access;

- 2) Some revenue should be directed toward increasing size (acreage and number of cooperators) of current Block Management Program;**
 - Currently, more landowners want to enroll than funding can accommodate;
 - In 1999, approximately 300 landowners indicated interest in enrolling, but could not be enrolled; In 2000, approximately 100 of those landowners were enrolled;
 - Many BMAs experience too much hunting pressure; more BMAs (number and acreage) could better disperse hunting pressure;

- 3) Some revenue should be directed toward improving program management;**
 - Providing patrolling/hunter assistance services to more BMAs;
 - Improving BMA boundary markings;
 - Installing more permanent signs and information boards;

- 4) The current landowner incentives cap should be raised from \$8,000 to \$12,000;**
 - Of 1,004 cooperators in 2000, 52 qualify for maximum payment;
 - Of these, average hunter day use is 1,081 HD, average acreage is 23,887 acres;

- Areas large enough to provide high hunter use and adequate hunter opportunity are in high demand, and often provide critical wildlife management components;
 - Current statutes do not allow for exceptions to the \$8,000 cap when a landowner qualifying for maximum payment adds large portions of new land to the program;
- 5) Some revenue should be directed toward improving upland bird hunting access;**
- Program should emphasize improving bird hunting access where necessary;
 - Bird hunting access is in very high demand statewide;
 - New access laws have increased pressure for accessible bird hunting areas;
- 6) Some revenue should be used for increased program costs due to inflation;**
- Current Block Management incentives payments are based on 1996 schedules;
 - Program materials like signs, maps, permission books, etc. are subject to inflation;
 - Program popularity requires increased amounts of informational materials;

Final Recommendation #2: Nonresident waterfowl license fees should be increased.

Rationale: Current low cost of nonresident waterfowl license may be facilitating increasing nonresident competition with resident hunter for available waterfowl hunting opportunities, particularly on the Yellowstone and Bighorn river drainages.

Other Recommendations Considered, but NOT ADOPTED:

A) Establish an endowment fund within the FWP Foundation to advance and enhance permanent public access to Montana's public lands, water, and wildlife.

- Reason for not adopting: The Council did not have adequate time to fully develop this proposal into a draft recommendation that could be supported with consensus by all Council members.

B) Issue licenses or permits to landowners as incentives to encourage public hunting access.

- Reason for not adopting: While public comment solicited on a draft recommendation indicated significant support for various elements of the proposal, public comments also registered significant opposition and/or confusion. Council members decided that while the idea may have merit, more work needed to be done to better develop a recommendation that could be offered to the public.

**Public Comments Regarding
PL/PW Funding Proposals
(1998 – 2000)**

1998 – 1999: PL/PW circulated for public comment a proposal to provide for additional Block Management Funding to allow for about a one-third growth in the program, with three options for funding mechanisms presented for comment: a) increase resident/nonresident upland bird license fees; b) create a block management user stamp; c) increase resident/nonresident conservation license fees.

- 51 written responses were received; 44 people/groups supported additional funding;
- Groups supporting additional funding included Montana Wildlife Federation (MWF), Montana Stock Growers Association (MSGA), Montana Wool Growers Association (MWGA), Montana Outfitters and Guides Association (MOGA).
- Strong support was voiced for increasing upland bird license fees, mixed with suggestions for capping nonresident hunter numbers and increasing nonresident waterfowl license fees. PL/PW introduced legislation that contained a provision to increase resident/nonresident upland bird license fees to generate more hunting access program funding – amendments removed the resident upland bird license fee increase provision, but provided for a \$55 increase in nonresident upland bird license fees, earmarked for hunting access programs.
- Public comments indicated stronger support for increasing conservation license fees than for creating a block management user stamp, with strong opposition to the concept of the user stamp coming from individual sportsmen and organized sportsman’s organizations, including MWF. Reasons cited for opposing a user stamp included landowners’ citing reluctance to being put in an enforcement position (“you can’t hunt my land if you don’t have your block management stamp), sportsmen’s dislike of having to deal with “yet another stamp - like the state lands recreational use license,” lack of support for creating a separate group of users – elitists – holders of BMA stamps and to some extent establishing a fee hunting situation, difficulty of enforcement – especially where no sign-in is required.

2000: During a March, 2000 meeting in which Council members evaluated program needs related to expansion, of 15 resident hunters who made public comment, 12 spoke either as individuals or representatives of sportsmen’s organization and voiced strong support for resident hunters helping fund the enhanced hunter access programs.

Given previous support for a proposal to increase resident/nonresident conservation license fees to provide more funding for hunting access programs, PL/PW circulated a draft recommendation in July, 2000, proposing that resident hunters pay an addition \$4.00, and nonresident hunters pay an additional \$15, for conservation licenses, with additional revenue directed toward expanding hunter access programs.

- 37 organizations and individuals provided written comment. 27 of those comments supported the PL/PW draft recommendation.
- While the PL/PW proposal developed in July, 2000 was aimed at generating approximately \$2 million to meet program needs, the Council reduced the recommended conservation license fee increases to \$2.00 for resident hunters and \$10.00 for nonresident hunters, based upon an estimated \$1 million new revenue for 2002 resulting from FWP Commission-action increases to variable-priced nonresident big game combination license fees.

HISTORICAL BACKGROUND – PL/PW COUNCIL

In 1993, in response to House Joint Resolution (HJR) 24, Governor Racicot appointed, by Executive Order, eighteen citizens to a council called the Private Land/Public Wildlife Advisory Council. Contained within that Executive Order was the following problem statement:

The long-term viability of Montana's wildlife resource and hunting heritage is threatened. Landowner/outfitter/sportsperson relations have become increasingly strained over the past several years. Landowners feel victimized, helpless to control increasing game populations and they feel their contributions to wildlife habitat are overlooked. Sportspersons are concerned about diminishing access to private and public land for hunting opportunities. They view this as a threat to the long-term viability of wildlife management and Montana's hunting heritage. Outfitters are interested in stabilizing their industry and improving their image.

The Governor's Statement of Purposes for the Council included the following:

- 1) ACHIEVING OPTIMUM HUNTER ACCESS;**
- 2) PROTECTING WILDLIFE HABITAT;**
- 3) MINIMIZING IMPACTS ON AND INCONVENIENCES TO LANDOWNERS;**
- 4) ENCOURAGING THE CONTINUANCE OF A VIABLE HUNTING OUTFITTING INDUSTRY;**
- 5) PROVIDING ADDITIONAL TANGIBLE BENEFITS TO LANDOWNERS WHO ALLOW HUNTER ACCESS.**

In December, 1995 the Private Land/Public Wildlife Advisory Council presented a package of recommendations to Governor Racicot that resulted in the introduction of House Bill (HB) 195, a bill authorizing Fish, Wildlife, & Parks (FWP) to develop an enhanced Block Management Hunting Access Program along with various other recommendations related to hunting access and outfitter industry issues. Another piece of legislation, HB 196, was introduced by the Board of Outfitters in support of the Council's efforts to control expansion within the outfitting industry. Both HB 195 and HB 196 passed in the 54th Legislature, and the various programs and legislative mandates were implemented.

In 1996, in accordance with MCA 87-1-269, Governor Racicot appointed fourteen citizens to a "new" Private Land/Public Wildlife (PL/PW) Advisory Council. As part of that group's effort to meet its charge of reviewing and reporting on the hunting access program and related issues, a number of reports have been filed, including *"Summary of Landowner/Hunter Evaluations-1996," "Outfitter Evaluation of House Bill 195 Programs - 1998,"* and annual reports filed to the Governor in 1996 - 1999.

During the summer and fall of 1998, the PL/PW Advisory Council drafted and circulated for public comment a number of recommendations related to the hunting access program and outfitting industry issues. The Council's final recommendations were offered to the 56th Legislature in the form of two bills, SB 334 which involved outfitting industry issues, and SB 338 which involved hunting access program issues. Both bills passed, although most of the Council's recommendations for additional funding for Block Management were stricken from the final version of SB 338.

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ENHANCED HUNTER ACCESS PROGRAM REPORT

Following is a detailed program report explaining:

- **Program Implementation**
- **Program Mission, Goals, and Enrollment Process**
- **Program Evaluation**

**PROGRAM IMPLEMENTATION
THROUGH JULY 2000**

PROGRAMS FOR HUNTER MANAGEMENT AND HUNTER ACCESS

- < The department may establish a voluntary hunter management program to provide tangible benefits to private landowners enrolled in the block management program who grant access to their land for public hunting.
- < Participation is voluntary and based on agreements between the landowner and FWP.
- < Recreational liability protection (as described in 70-1-201 MCA) is extended to cooperators participating in the program.
- < Private landowners who provide public hunting on their property eligible for up to \$8000; benefits.
- < Benefits will be provided to offset impacts associated with public hunting access including but not limited to general ranch maintenance, conservation efforts, weed control, fire protection, liability insurance, and road/parking-area maintenance.
- < All enrolled resident landowners may receive a non-transferable resident Sportsman's license.
- < Nonresident landowners enrolled in the program may elect to receive a non-transferable nonresident Big Game Combination License in lieu of compensation. Licenses granted in this program will not affect the quota of 11,500 nonresident Big Game Combination Licenses.

SUMMARY - BLOCK MANAGEMENT - 1996 - 2000

YEAR	TOTAL COOPERATORS	TOTAL ACRES	TOTAL INCENTIVE PAYMENTS	TOTAL HUNTERS	TOTAL HUNTER DAYS	TOTAL RESIDENT COMPLIMENTARY LICENSES	TOTAL NONRESIDENT LICENSES IN LIEU OF COMPENSATION
1996	883	7,131,119	\$2,756,792	130,225	345,833	444	9
1997	937	7,545,606	\$2,572,335	168,657	364,090	771	10
1998	916	7,259,606	\$2,539,283	138,729	297,440	768	8
1999	930	7,147,023	\$2,542,750	145,249	299,395	782	12

**PROGRAM IMPLEMENTATION
THROUGH JULY 2000**

1999 Block Management Program - Season Averages

- a) average number of acres per BMA..... 6,780
- b) average number of hunters per BMA..... 154
- c) average number of hunter days per BMA..... 263
- d) average landowner contract payment.....\$2,702
- e) average statewide use - resident/nonresident.. 80% res./20% nonres.

Regional comparison - Resident/Nonresident

Region	Resident	Nonresident	Total hunter days
1	90%	10%	53,065
2	92%	8%	25,751
3	92%	8%	36,826
4	85%	15%	40,341
5	88%	12%	27,440
6	71%	29%	34,618
7	62%	38%	81,354
TOTAL	80%	20%	299,395

FUNDING THE PROGRAMS

- < Revenues generated by the sale of variable-priced hunting licenses set aside for clients of licensed outfitters are used to fund the expanded hunting-access programs.
- < Prices are set at market rates to ensure an average annual sale of 5500 Big Game Combination Licenses and 2300 Deer Combination Licenses. The annual average sale is calculated over a 5-year period.
- < The FWP Commission sets the variable rate annually based on a citizen advisory group's input.
- < Effective 2000 license year, nonresident upland bird license fee increased to \$110, with \$55 directed toward enhanced hunter access programs.

SUMMARY - VARIABLE PRICED LICENSE SALES

Year	Big Game Combination – B10 Total Sold/Actual Price	5 - year average (Target)	Deer Combination – B11 Total Sold/Actual Price	5-year average (Target)
1996	5500 @ \$835 (83 refunded)	5500	3,114 @ \$515 (31 refunded)	2300
1997	5500 @ \$835 (120 refunded)	5500	2,395 @ \$675 (28 refunded)	2300
1998	5500 @ \$835 (128 refunded) *	5500	1,994 @ \$735 (22 refunded)	2300
1999	5500 @ \$835* (95 refunded)	5500	2,143 @ \$745 (31 refunded)	2300

LICENSING CHANGES

- ▶ HB 195 reduced the number Big Game Combination Licenses set aside for outfitter clients from 5,600 to 5,500 licenses.
- ▶ HB 195 increased the number of Deer Combination Licenses set aside for outfitter clients from 2,000 to 2,300 licenses.
- ▶ HB 195 limited the number of nonresident deer hunters a landowner could sponsor for acquiring landowner-sponsored licenses:
 - a) Through 1999, a landowner is limited to 20 landowner sponsor certificates in any license year.
 - b) After 1999, a landowner is limited to 10 landowner sponsor certificates in any license year.
- ▶ SB 338 (effective March 1, 2000) – limits landowner to 15 landowner sponsor certificates in any license year, with every landowner sponsoring one hunter before any sponsors two, every landowner sponsoring two hunters before any sponsors more, with remaining sponsor certificates awarded by random drawing.

MORATORIUM ON NUMBER OF OUTFITTERS

- ▶ HB 195 required the Board of Outfitters to establish and regulate a moratorium on the issuance of outfitter licenses for land-based hunting activities, specifying that the number of land-based hunting outfitters may not exceed the number in existence on April 14, 1995.
- ▶ SB 338 (effective March 1, 2000) – established limit of 543 total land-based hunting outfitters under moratorium extended until March 1, 2006.

According to statistics provided by the Montana Board of Outfitters:

- 1) Effective April 14, 1995 - the number of outfitters in existence was **577**. (Note: This number includes outfitters in both active and non-active status, as well as candidates pending approval with applications completed prior to April 15, 1995.)
- 2) Effective January 1, 2001 - the number of land-based hunting outfitters in existence is **509** (this number includes both active and inactive licensed outfitters), with **6 applicants** scheduled for testing.

BLOCK MANAGEMENT PROGRAM

HUNTER HARVEST INFORMATION

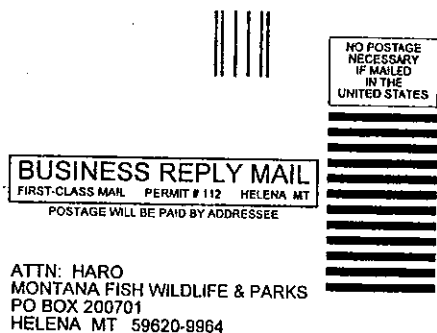
While hunter harvest data is generally not collected for specific, individual Block Management Areas (BMAs), a variety of data collection techniques are used to assess hunter harvest on lands enrolled in the Block Management Program. Listed below are some examples of some of these techniques. Also listed are references to other portions of this report which contain harvest information.

Hunter Surveys:

Example: Region 1 (Northeast Montana) – calculates the success rate for individual hunting districts, and subsequently calculates the success rates for regional Block Management Areas based upon the ratio of BMA land within a district to overall land contained within that same district. For the 1999 hunting season, harvest estimates indicate that at least 1,944 white-tailed and mule deer, 515 elk, and 85 bear were harvested on Region 1 BMAs.

Post-Paid Permission Cards:

Example: Some BMAs utilize a post-paid card which grants permission to hunt the BMA for the entire season, with return of the card identifying amount of time spent hunting the BMA and harvest success. Typical return rates range from 20% - 40%, providing for rough estimates of harvest and BMA use (typically, these type of contract payments are based on several years' average use, and further accounted for by periodic patroller reports of BMA use. Shown below is an example of a card used for a Region 3 (southwest Montana) BMA:



This card is part of the permission requirements on the STEINGRUBER BMA and will help both the landowners and the FWP measure the use occurring on this BMA. When you are done hunting for the season on the STEINGRUBER BMA please indicate the total number of days you hunted on this BMA and indicate your name. Return this card to Fish, Wildlife & Parks no later than January 1, 2001.



Thank You for your cooperation.

Name _____	#Days hunted _____
Name _____	#Days hunted _____
Name _____	#Days hunted _____
Name _____	#Days hunted _____
What species did you hunt? _____	
What species did you harvest? _____ (sex, # of points)	



BMA Technician/Patroller Reports:

Example: Some BMAs have BMA technicians assigned to that specific BMA. One of the technician's duties is to interview hunters and record information. An example of a patroller's report for the 1999 hunting season, from a Region 4 (north-central Montana) BMA, follows: "During the period _____, I interviewed 291 hunters, consisting of 89% adult males, 5% adult females, and 7% juveniles high school age or younger. I recorded harvest of 14 mule deer, 13 white-tailed deer, and 6 elk during this period. I recorded only harvested big game, and made no record of upland birds or waterfowl harvested on this BMA."

Hunter Check Stations:

Example: In Region 5 (south-central Montana), harvest information gathered at biological game check stations is recorded by landowner and land status. This information is used to develop and evaluate management strategies for regional hunting districts. An example of the kind of data produced during the 1999 hunting season appears below:

Antelope habitat in HD 513
25% BMA
75% private with limited accessible public land

Block Management Harvest	Other Lands Harvest
24% of the antelope bucks	29% of the antelope bucks
<u>31%</u> of the antelope doe/fawns	<u>16%</u> of the antelope doe/fawns
55% of the total antelope harvest	45% of the total antelope harvest

Antelope Hunting District 513

Block Management Harvest	Other Lands Harvest
60% of antelope bucks = 1.5 years old	40% of the antelope bucks = 1.5 years old
40% of antelope bucks > 1.5 years old	60% of antelope bucks > 1.5 years old
75% of antelope fawns, both sexes*	25% antelope fawns, both sexes*
65% antelope does, all ages	35% antelope does, all ages

*Small sample size – total of 4 animals

Daily Sign-In Coupons:

Example: On many BMAs, hunters sign themselves in daily, using a two-part coupon. One portion is deposited in a sign-in box, the other is carried by the hunter as proof of permission. After the hunt, the hunter may annotate harvest information on his portion and deposit it as he leaves, providing a record of game seen, game harvested, and hunter satisfaction. For more complete program data compiled from these cards, see subsequent section entitled "1999 Season Hunter Harvest/Comment Cards." Listed below is an example of data collected from a Region 6 (northeast Montana) BMA:

- From 12 Malta area BMAs, 3,340 daily permission coupons were issued.
- Of these, 851 (26%) were returned with annotated data.
- Of the 851 hunters who returned cards, 604 (71%) observed game.
- Of the 851 hunters who returned cards, 215 (25%) bagged game.
- Of the 851 hunters who returned cards, 695 (82%) rated BMA experience "Satisfactory."

Note: This information was compiled for each specific BMA which utilized daily sign-in coupons, providing a "hunters' report card" of BMA experiences.

Hunter Comment Cards: While information collected on these cards was similar to that collected on the daily sign-in coupons, return rates were much lower, due to postage being required and limited quantities being distributed. However, nearly 300 Hunter Comment Cards

were returned during the 1999 hunting season, providing BMA-specific information related to hunter observation and harvest of game, and hunter satisfaction of BMA experience. For more complete information regarding this evaluation tool, see subsequent section containing examples of Hunter Comment Cards and summary of season data.

Program Surveys: Since 1996, two program surveys have been administered. One survey, administered to both hunters and landowners in 1997, asked several questions related to harvest (see subsequent section entitled "Summary of the 1996 Landowner & Hunter Evaluations). The second survey, administered to landowners in 1999, solicited information regarding BMA Cooperators' feelings about the Block Management Program as a way of managing game (see subsequent section entitled "Summary of the 1999 Block Management Cooperator Program Evaluation).

Post-Season Harvest Surveys: Following the 1997 hunting season, resident hunters were contacted, as part of the annual post-season harvest survey process, and solicited for information regarding their use of Block Management Areas during 1997. The following data was compiled from that survey effort:

Total Resident Hunters Surveyed:	6602
Total Hunted on Block Management:	1631 (25%)

Of those 1631 resident hunters who hunted on Block Management:

928 (56%) hunted deer;	58% of these hunters hunted 1-3 days on BMAs; 24% of these hunters hunted 4-6 days on BMAs; 12% of these hunters hunted 7-10 days on BMAs; 6% of these hunters hunted > 10 days on BMAs;
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237 (15%) hunted upland birds:	53% of these hunters hunted 1-3 days on BMAs; 28% of these hunters hunted 4-6 days on BMAs; 11% of these hunters hunted 7-10 days on BMAs; 8% of these hunters hunted >10 days on BMAs;
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537 (33%) hunted elk:	49% of these hunters hunted 1-3 days on BMAs; 21% of these hunters hunted 4-6days on BMAs; 18% of these hunters hunted 7-10 days on BMAs; 11% of these hunters hunted >10 days on BMAs;
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NUMBER OF LANDOWNERS IDENTIFIED AS POTENTIAL ENROLLEES WHO COULD NOT BE ENROLLED DUE TO FUNDING LIMITATIONS

In 1996, the first year of the enhanced block management program, more hunting occurred on BMAs than anticipated, and more landowners were enrolled in the program than funding could accommodate, resulting in budget shortfalls. Subsequent adjustments to the funding process were implemented beginning with the 1997 enrollment season, including:

- a) reducing the annual enrollment payments from \$500 per cooperator to \$250 per cooperator;
- b) modifying the contract payment system to base annual payments on previous year's use (or average of past three year's use, if available);
- c) implementing 3-day maximum limits on permission slip credit for hunter day use, and developing more accurate hunter use reporting systems.;
- d) implementing hunter use limits on many BMAs.

From 1997 – 1999, new cooperators could be enrolled only when contract dollars became available through attrition (due to a variety of reasons, including dissatisfaction with program, change in ownership, decision by FWP to not re-enroll cooperator, etc), or reduction in area hunter days (due to fluctuations in local game populations, available opportunities, or adjustments in BMA hunter management).

During this time period, potential new cooperators were identified through various means, including individuals contacting FWP formally and asking to be placed on a waiting list for future enrollment consideration, individuals contacting FWP field staff and discussing possible future enrollment in the program, and FWP identifying potential candidates in high-priority areas or offering high-priority hunting opportunities and making initial contacts to identify potential interest in future enrollment. For the 1999 hunting season BMA enrollment period, 286 potential landowner BMA cooperators could not be enrolled due to a lack of funding.

PROGRAM BUDGETS, EXPENDITURES, AND STAFF:

Beginning with the 1996 hunting season, as authorized under HB 195, the enhanced hunter management program is funded by the sale of variable-priced outfitter-sponsored big game combination licenses (B10 elk/deer; B11-deer). Also authorized under HB 195 was creation of 4.0 FTE (full-time employees) to help administer the program and provide hunter management/patroller duties (in many cases, 1.0 FTE translates into several temporary employees hired for specific periods during fall hunting seasons). Additionally, HB 195 provided for creation of five (5.0) FWP enforcement positions, with supportive operations budgets, to improve enforcement coverage throughout the state.

During the 1999 hunting season, the Block Management Program had 14.73 FTE authorized. This FTE translated into 5 full-time Grade 11 Regional Coordinators and 3 part-time Regional Coordinators, part-time administrative office staff in 2 regions, and 32 part-time BMA technicians/patrollers.

The chart below reflects annual program revenues, expenditures, and staff for the block management hunting season years 1996 -- 1999:

REVENUE	FY96	FY97	FY98	FY99	FY00
Variable-Priced License	\$3,026,821	\$2,962,241	\$2,866,010	\$2,988,852	\$3,834,089

* Due to unsynchronized cycles of license sales revenue generation and program activities, direct correlation between FY revenue and FY expenditures does not occur; FY 96 and 97 revenues funded Fall 96 program commitments, with balance carried forward to provide for final year program commitments under sunset provisions. (Current program sunsets March 1, 2006; license revenue from preceding years, up to and including FY 05, must fund program commitments for Fall 05 hunting season.)

** Varying levels of federal revenue used to balance accounts in FY96 - 00.

EXPENDITURES	Fall 96	Fall 97	Fall 98	Fall 99
Block Management FTE	10.13	12.83	12.03	14.73
Block Management Operations	\$702,261	\$786,188	\$654,475	\$701,064
Landowner Contracts	\$2,797,895	\$2,571,381	\$2,554,737	\$2,553,864
Total BMP Expenditures	\$3,500,156	\$3,357,569	\$3,209,212	\$3,254,928
Enforcement FTE	2	5	5	5
Enforcement Operations	\$215,134	\$231,022	\$242,350	\$260,031
Total Expenditures	\$3,715,290	\$3,588,591	\$3,451,562	\$3,515,959

Explanation of Block Management Program Operations Expenditures: While Personal Services and Benefits expenditures related to funding program FTE are self-explanatory, it may be useful to explain what other sorts of activities are funded under program operations budgets. Program staff FTE identified as BMA technicians are generally provided to patrol specific Block Management Areas upon the request of the BMA Cooperator, with the cost of that service generally deducted from the Cooperators BMA contract payment. Program operations budgets also pay for program materials such as signs, sign-in boxes, rosters, permission slips, maps, and tabloids. For the 1999 hunting season, over 80,000 maps, 25,000 regional BMA tabloids, 15,000 BMA signs, and 1,000 permission slip/coupon books were printed and distributed, with required postage costs also funded through operations budgets. Additionally, installation costs of gates, sign-in boxes, permanent signs, and information boards include building materials as well as program staff time required to build and install these materials.

NOTE: SB 338 (effective March 1, 2000) established additional Block Management Program funding through increased nonresident upland bird license fees, with \$55 per license in new revenue directed toward enhanced hunter management programs. The fiscal note for this bill projected potential new revenue of \$522,000, with 4.0 new program FTE also authorized. For the 2000 hunting season, \$450,000 in new revenue was allocated for the 2000 Block Management hunting season, with approximately 2/3 allocated for program growth (approximately 130 new cooperators were enrolled) and 1/3 for improved program management (new BMA technician/patroller services, improved program materials such as more permanent signs, program brochure, better signage, etc.)

BLOCK MANAGEMENT PROGRAM
Mission, Goals, Enrollment Criteria & Process

Mission Statement

Block Management is a cooperative, adaptable program designed to maintain Montana's hunting heritage and traditions by providing landowners with tangible benefits to encourage public hunting access to private land, promote partnerships between landowners, hunters, and FWP, and help manage wildlife resources and the impacts of public hunting.

Goals

WILDLIFE MANAGEMENT

- 1) Program supports state & regional wildlife program objectives.
- 2) Program supports other FWP wildlife programs.

HUNTER OPPORTUNITY

- 1) Program maintains current opportunities and expands new opportunities.
- 2) Hunter pressure is managed at levels satisfactory to landowners and hunters.

LANDOWNER RELATIONS

- 1) Program recognizes landowner contributions to maintaining wildlife resource.
- 2) Program establishes long-term positive relationships with landowners/hunters/FWP.

ADMINISTRATIVE ACCOUNTABILITY

- 1) Program is fiscally responsible and accountable.
- 2) Program maintains a measurable, acceptable level of satisfaction among participants.
- 3) Ongoing structured program review maintains program adaptability.

PARTICIPANT EDUCATION/OWNERSHIP

- 1) Program fosters ownership among program participants.
- 2) Program fosters responsible hunter behavior.
- 3) Program increases hunter respect for private property and landowner concerns.

ENROLLMENT CRITERIA

WILDLIFE MANAGEMENT

- < Located in high-priority resource and habitat area as defined by management objectives.
- < History of game damage problems.
- < Opportunity to link with other FWP wildlife programs.

HUNTER OPPORTUNITY

- < Size - acreage, type and quality of habitat, number of potential hunters/hunter days.
- < Public demand for type of hunting opportunities provided.
- < Diversity of hunting opportunities/species available.
- < Opportunity to gain access to inaccessible public land.
- < Hunter success rate.
- < Location/proximity to other block management areas (may be + or -).
- < Opportunity to provide unique hunting opportunity.
- < Proximity to urban area.
- < Lack of BMA restrictions on hunters (species, gender, other).
- < Amount of legally-accessible public land nearby.

LANDOWNER RELATIONS

- < History in block management program.
- < History of public access.
- < Opportunity to link with other block management areas.
- < Threat of losing public access to commercial hunting activities.
- < Presence of outfitting on block management area.
- < Opportunity to link with other agencies' programs.
- < Potential to enter into a long-term commitment.

ADMINISTRATIVE ACCOUNTABILITY

- < Landowner's adherence to program requirements.
- < Degree of accuracy in reporting hunter use.
- < Cost in contract dollars.
- < Cost in FWP resources (including personnel).

PARTICIPANT EDUCATION/OWNERSHIP

- < Opportunity to develop BMA as cooperative effort between groups of landowners or landowners and hunters.
- < Opportunity to utilize BMA as a pilot for something new (wildlife management effort, hunter management system, etc.)

Regional Enrollment Process

- 1) Each region will develop an inter-divisional committee to make enrollment decision recommendations.
- 2) Regional staff will select criteria of highest priority for that region.
- 3) Existing cooperators in each region will be evaluated on a YES/NO basis to determine whether or not they will be automatically re-enrolled. Cooperators who receive a YES ranking will automatically receive first priority for re-enrollment. Cooperators who receive a NO ranking will be ranked equally against a new enrollment candidates.
- 4) All new enrollment candidates, and existing cooperators who receive a NO designation for automatic re-enrollment, will be ranked numerically according to criteria chosen by the region, resulting in a total "score" for each candidate.
- 5) Regional enrollment decisions will be made using these "scores" to prioritize candidates.
- 6) All ranking will be fully documented.
- 7) If several candidates receive equivalent ranking scores, documentation will be provided to explain the rationale used to make the enrollment decision.



BLOCK MANAGEMENT

Following are summaries and examples of various program evaluation tools, including:

- **1999 Legislative Audit Division Report – Conclusion;**
- **Highlights of 1996 Landowner & Hunter Evaluations;**
- **Highlights of 1996 BMA Cooperator Program Evaluations;**
- **Summary and Examples of 1999 Hunter comment Cards;**
- **Block Management Working Group – Interim Report;**

Legislative Audit Division

State of Montana



Report to the Legislature

December 1999

Performance Audit

Block Management Program

Department of Fish, Wildlife and Parks

This performance audit contains 14 recommendations for improvement of the Block Management Program. Recommendations include:

- ▶ Developing goals and objectives to measure program success or outcomes.
- ▶ Coordinating with other programs addressing access.
- ▶ Re-evaluating the base payment system used to compensate landowners enrolled in the Block Management Program.

Direct comments/inquiries to:
Legislative Audit Division
Room 135, State Capitol
PO Box 201705
Helena MT 59620-1705

97P-10

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Chapter VI - Conclusion

Introduction

Block Management was formally created in 1985, although the program existed in some regions since the 1970s. The program was started in response to landowners' concerns about the number of hunters, damage to their land, and the time it took the landowner to deal with hunters. In 1995 the legislature created the enhanced Block Management Program in response to concerns expressed by landowners, hunters, and outfitters during the 1993 Legislative Session. The enhanced program was designed to reduce conflicts between landowners and hunters by providing tangible benefits to landowners who allowed free public hunting. Compensation was the primary tangible benefit provided landowners.

Some Additional Land was Opened to Public Hunting

One of the goals of the enhanced program was to open more private land for free public hunting. We found over one-third of the landowners enrolled in the program in 1996 were already participating in block management, some since 1975. Many of the regional staff acknowledged the enhanced program caused land that was open to public hunting to remain open. A few staff thought the program opened some land that had limited or no public hunting prior to the enhanced program.

Our survey results of landowners in the program showed the goal of opening land to free public hunting was accomplished to a certain extent. Of the 175 respondents to our survey of 307 landowners in the program, 113 indicated their land was open to public hunting when they enrolled in the program. Survey results show a total of 242,939 acres were opened up to general public hunting that were closed or had limited hunting prior to enrollment.

Program Tangible Benefits

Funding for landowner compensation is derived from market-based outfitter-sponsored non-resident deer and elk combination licenses. Because funding is limited to one source, and the tangible benefits provided are money and one sportsman license, the program has not grown since 1996. Most regions have a waiting list of landowners who are interested in enrolling in the program. Based on survey results and conversations with field staff, some landowners would be willing to enroll in the program and not receive compensation. Instead they would like to receive various hunting

Chapter VI - Conclusion

licenses/tags/permits, gates, fences, or weed control. It appears, if the department provided benefits other than compensation more land could be enrolled in the program.

Another alternative to expand the program is to develop an additional funding source. We surveyed a sample of hunters to determine if they would be willing to pay for the Block Management Program. We sent 294 surveys and received 122 responses. Seventy-one said they hunted on a BMA in 1998. Forty-seven of the seventy-one indicated they would be willing to pay for the program if the money is used to enroll more land into the program. Another 20 of the 71 indicated they would not be willing to pay. Four did not answer the question. An additional 42 hunters said they were aware of the program but did not hunt on a BMA in 1998. Twenty-four of the forty-two said they would be willing to pay for the program and nine said they would not be willing to pay for the program. Nine did not answer the question. Nine hunters said they had not heard of the program; six would pay for it and three said they would not pay for the program. Generally it appears hunters would be willing to contribute some amount to enroll more land in the Block Management Program.

Conclusion

Overall, it appears the enhanced Block Management Program opened some previously closed land to free public hunting. In this regard it is meeting one of its goals. If alternative forms of compensation to landowners are created, it appears more land could be enrolled in the program. If hunters contributed to the program, additional land could also be enrolled.

Highlights from the 1996 Landowner/Hunter Evaluations

Explanation: Two separate surveys were conducted following the 1996 hunting season. The Landowner Evaluation polled landowners enrolled in the 1996 Block Management Program. The Hunter Evaluation polled hunters who hunted one or more Block Management Areas (BMAs) in 1996. Of a total 881 surveys sent to landowners, 647 (73%) completed surveys were returned. Of a total 1250 surveys sent to hunters who had used BMAs in 1996, 782 (62%) completed surveys were returned.

LANDOWNER EVALUATION

- *** 80% of landowners surveyed were satisfied with Block Management Program
- *** 94% of 1996 cooperators said they'd like to continue participating in the program
- *** 74% of surveyed landowners said Block Management was important as a way of managing HUNTERS on the farm or ranch
- *** 70% of surveyed landowners said Block Management was important as a way of managing GAME numbers on the farm or ranch
- *** Over 75% of surveyed landowners were satisfied with the various payments offered under the incentives portion of the program
- *** 96% of surveyed landowners said the majority of hunters abided by the ranch rules
- *** 62% of surveyed landowners felt that the Block Management Program had improved their relationships with hunters

HUNTER EVALUATION

- *** 77% of hunters were satisfied with hunting opportunities on BMAs
- *** 94% of hunters felt BMA rules were reasonable
- *** 72% of hunters found the game animals they expected to see on BMAs hunted
- *** Over 67% of hunters were successful in taking game on a BMA
- *** 89% of surveyed hunters were satisfied with obtaining permission by person-to-person contact with the landowner
- *** 87% of surveyed hunters felt BMA landowners were helpful
- *** Over 68% of hunters felt Block Management improved landowner/sportsman relations

Highlights of the 1999 BMA Cooperator Program Evaluations

Explanation: A survey containing 18 questions was sent to 916 cooperators on January 1, 1999, with a return deadline of January 25. A total of 534 completed surveys were returned, for a response rate of 58%.

SURVEY HIGHLIGHTS

- *** 79% of landowners surveyed were satisfied with the Block Management Program;
- *** 68% of landowners surveyed indicated Block Management was important as a way of managing HUNTER NUMBERS on the farm or ranch;
- *** 65% of landowners surveyed indicated Block Management was important as a way of managing GAME on the farm or ranch;
- *** 72% of landowner surveyed indicated that (*disregarding any relationship to the computation of incentives payment amount*) the number of hunters using the BMA in 1998 was about right;
- *** 68% of landowners surveyed indicated that they were satisfied with how the Block Management Program works to manage HUNTING ACTIVITIES;
- *** 77% of landowners surveyed indicated that they were satisfied with the hunter management system currently used on their BMA; nearly 65% of landowners surveyed indicated use of a system where the landowner administered hunter permission;
- *** 67% of landowners surveyed indicated they felt that Block Management had improved hunter behavior on their lands;
- *** 22% of landowners surveyed felt that Block Management had improved their relationships with neighboring landowners, while 9% felt the program had damaged their relationships with neighboring landowners;
- *** 83% of landowners surveyed planned to re-enroll in Block Management, while 15% were unsure at the time of the survey;
- *** 46% of surveyed landowners indicated they were interested in providing special hunting opportunities for either youths, seniors, or hunters with disabilities;

BLOCK MANAGEMENT AREA
BLOCK MANAGEMENT
Harvest Report/Comment Card

Please complete and return a card after each BMA hunt. Cards may be mailed to the address on the reverse side, or delivered to any FWP Regional Office. THANKS!

BMA Name/Number Hull Ranch #28 Date 18-1906

1. Did you observe the game species being hunted? yes / no
 2. Did you bag any game species? yes / no

3. Game taken: (Species/sex) _____

4. Please rate your hunting experience? Satisfactory / Unsatisfactory

COMMENTS: Excellent! Deer & antelope all over the place! Pretty spooky, but no problem finding animals. Great folks, too!

Information used to evaluate Block Management Areas (BMAs)

BLOCK MANAGEMENT AREA
BLOCK MANAGEMENT
Harvest Report/Comment Card

Please complete and return a card after each BMA hunt. Cards may be mailed to the address on the reverse side, or delivered to any FWP Regional Office. THANKS!

BMA Name/Number Case Ranch Date 11-22 to 11-26

1. Did you observe the game species being hunted? yes / no
 2. Did you bag any game species? yes / no

3. Game taken: (Species/sex) _____

4. Please rate your hunting experience? Satisfactory / Unsatisfactory

COMMENTS: No elk tracks were seen in the area, not even old ones. I always saw tracks in the past.

Information used to evaluate Block Management Areas (BMAs)

BLOCK MANAGEMENT AREA
BLOCK MANAGEMENT
Harvest Report/Comment Card

Please complete and return a card after each BMA hunt. Cards may be mailed to the address on the reverse side, or delivered to any FWP Regional Office. THANKS!

BMA Name/Number Hull Ranch #28 Date 18-1906

1. Did you observe the game species being hunted? yes / no
 2. Did you bag any game species? yes / no

3. Game taken: (Species/sex) _____

4. Please rate your hunting experience? Satisfactory / Unsatisfactory

COMMENTS: Excellent! Deer & antelope all over the place! Pretty spooky, but no problem finding animals. Great folks, too!

Information used to evaluate Block Management Areas (BMAs)

BLOCK MANAGEMENT AREA
BLOCK MANAGEMENT
Harvest Report/Comment Card

Please complete and return a card after each BMA hunt. Cards may be mailed to the address on the reverse side, or delivered to any FWP Regional Office. THANKS!

BMA Name/Number 67 Date 11-3

Fish, Wildlife & Parks Region #: 1 2 3 4 5 6 7 (Circle one)

1. Did you observe the game species being hunted? yes / no
 2. Did you bag any game species? yes / no

3. Game taken: (Species/sex) _____

4. Please rate your hunting experience? Satisfactory / Unsatisfactory

COMMENTS: _____

Information used to evaluate Block Management Areas (BMAs)

7670
RETAIN THIS PORTION
 BMA NAME DIVERS TO VERIFY PERMISSION
 DATE 11/2/06 TO HUNT THIS BMA.

Upon Completion of hunt, please deposit completed coupon in raster box. This will help us evaluate the BMA.

1. Did you observe the game species being hunted? Yes / No
 2. Did you bag any game species being hunted? Yes / No

Game Taken: Whitetail Buck and doe

3. Please rate your hunting experience? Satisfactory / Unsatisfactory

Other comments: Good program - My first use of it.

Summary of 1999 Hunter Comment Cards/Daily Sign-In Coupons

A total of 3,989 hunter comment cards (BMA specific) were received during the 1999 hunting season. These cards were voluntarily returned, and solicited answers to 3 specific questions:

- 1) Did you observe the game species being hunted? yes/no
- 2) Did you bag any game species? yes/no
 Game taken _____
- 3) How would you rate your hunting experience? pleasant/unpleasant

Hunter comment cards were included in every regional tabloid distributed to hunters. Hunter comment card information was also incorporated into daily sign-in coupons used extensively in Region 6 (northeast Montana) where hunters administered their own permission (these constitute the majority of cards returned in 1999). In addition to the nearly 4,000 BMA specific comment cards received in 1999, over 100 general comment cards (without yielding specific harvest or hunter satisfaction data) were received.

Listed below is a summary of the BMA-specific hunter comment cards for 1999:

Region	# cards returned	% hunters observing game	% hunters bagging game	% hunters rating BMA hunt "pleasant"
1	0			
2	45	69%	27%	93%
3	13	93%	54%	100%
4	34	85%	62%	90%
5	38	86%	57%	85%
6	3,738	73%	25%	83%
7	131	96%	74%	90%

BLOCK MANAGEMENT WORKING GROUP (BMWG)

GROUP CHARGE/PURPOSE

SB 338 (effective March 1, 2000) authorized the FWP Director to “appoint additional advisory committees that are considered necessary to assist in the implementation of the hunting access enhancement program and to advise the commission regarding the development of rules implementing the hunting access enhancement program.”

In July, 1999, FWP Director Pat Graham appointed the Block Management Working Group (BMWG), consisting of 4 hunters, 4 landowners, 4 FWP staff members, and an FWP Commissioner, and gave them the following charge: “Review the current Block Management Program and make recommendations to the FWP Director regarding possible improvements.” The BMWG is charged with making recommendations to the FWP Director regarding the day-to-day implementation aspects of the program, including the administrative rules (ARMs) and department policies and guidelines used to implement the program. Recommendations requiring statutory changes may be forwarded by the FWP Director to the PL/PW Council for consideration and possible action.

During the period July 8, 1999 – September 15, 2000, the BMWG met 6 times at various locations throughout the state. On April 20, 2000, the BMWG submitted Interim Report #1, offering 3 Final Recommendations and 7 Topics of Discussion under further study. Listed below is a synopsis of Interim Report #1:

BMWG Final Recommendation #1) FWP should negotiate BMA contracts using a fixed payment system based on a desired level of uses developed cooperatively by the landowner and FWP staff. *(FWP accepted recommendation, incorporated into 2000 BMA enrollment period, negotiated approximately 15% of contracts on fixed payments).*

BMWG Final Recommendation #2) FWP should explore ways to encourage the enrollment of Aggregate BMAs and Access Corridor BMAs by using a variety of payment options. *(FWP accepted recommendation, enrolled several new Aggregate BMAs and Access Corridor BMAs for 2000 hunting season, continues to experiment).*

BMWG Final Recommendation #3) FWP should develop a BMA bid process that enables landowners to offer BMA enrollment bid proposals based on what they have to offer and what incentives they want. *(FWP accepted recommendation, but was unable to adequately develop an administrative process to accommodate this idea in time for the 2000 enrollment period; program staff continues to study this proposal for possible implementation).*

Other BMWG suggestions for program improvement that were implemented for the 2000 hunting season include:

- a) development of a program brochure called "Block Management Basics";
- b) development of standardized "types" of BMAs that identify BMAs where hunters administer their own permission (Type I BMAs) and BMAs where someone other than the hunter administers permission (Type II BMAs);
- c) standardization of terms used to describe Block Management Program activities, staff, and rules;
- d) implementation of new BMA map identification in regional tabloids, and standardization in the way information is presented in the tabloids, and information and materials are distributed to the public;
- e) implementation of postage-paid hunter comment cards;
- f) examination of policies regarding the relationship between private land enrolled in Block Management and adjacent legally-accessible public lands;

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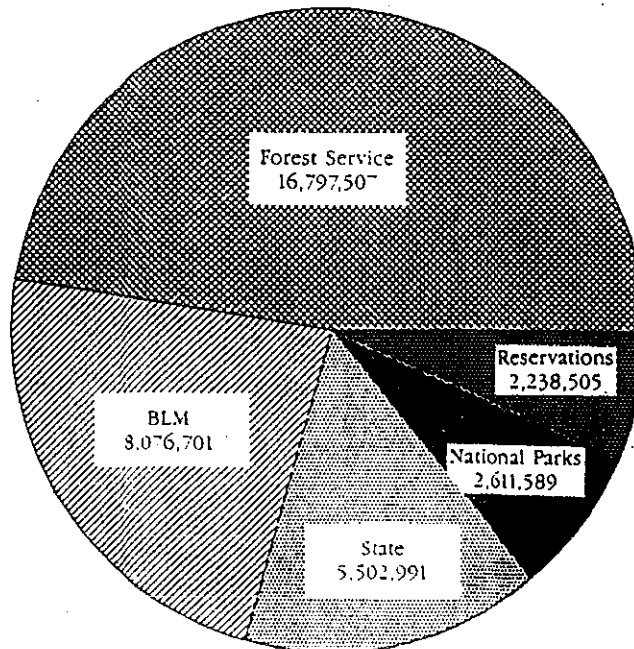
APPENDIX

Montana Land Ownership & Management

	Acres	% of Total	% of Public Access
Montana	93 million		
• Ownership			
Farmland (1997)	58.6 million	63 %	
National Forests	16.8 million	18 %	
Bureau of Land Management	8 million	8.6%	
State School Trust Lands	5.2 million	5.6%	
National Wildlife Refuges	1.2 million	1.3%	
• Special Management			
FWP Block Management Areas	7.3 million	7.8%	100 %
Farmland in Conservation Reserve and Wetland Reserve programs (1997)	2.6 million	2.7%	
FWP Wildlife Management Areas	349,000	.04 %	100 %

Figure 1
The Public Lands in Montana

Total Montana Area:
93,271,040 acres



Source: Montana Agricultural Statistics 1989

Chronological Development of FWP Hunting Access Programs

- 1965 Legislation adopted requiring big game hunters to obtain landowner permission before hunting on private property;
- 1985 Block Management Hunter Access Program adopted as a formal FWP hunter access program; prior to that time, all FWP regions have developed access agreements with private landowners to promote public access, generally providing for travel management, walk-in areas, signs, and permission slip booklets;
- 1985 Stream Access Law adopted, providing public access to navigable streams up to high water marks; also adopted are posting requirements (Orange Paint) for private land to limit recreational use;
- 1991 Legally-accessible state school trust lands opened to licensed hunters and anglers who purchase a \$5.00 recreational use license (HB 778);
- 1993 Recreational use activities on legally-accessible state school trust lands expanded, further defined; Contentious legislative session leads to passage of House Joint Resolution (HJR) 24, asking Governor Racicot to appoint Private Land/Public Wildlife Council;
- 1993 Block Management Program ARM rules revised, define process for enrolling legally-accessible state school trust lands in a BMA;
- 1994 HB195 (submitted by PL/PW Council) adopted, provides for enhanced Block Management Program, with landowner incentives cap of \$8,000, reduced liability for cooperators, funded by a market-based, variable-priced outfitter sponsor license (in 1995, about 450 landowners enroll about 5 million acres);
- NOTE: Statutes enacting HB 195 state: **MCA 87-1-268. "...If the review committee (PL/PW Council) determines that expanding funding for hunter management and hunting access enhancement is desirable, consideration must be given to providing the expanding funding through increases in resident hunting license fees."**
- 1995 Enhanced Block Management Program has 883 landowners enrolling over 7.5 million acres in 1996;
- 1999 Legislation adopted requiring all hunters to obtain landowner permission before hunting on private property; also adopted is legislation earmarking \$55 increase to nonresident bird license for enhancing hunter access;
- 2000 FWP initiates *Access Montana*, a hunting access program focused on enhancing hunting access to public lands;
- 2000 Block Management Program has 1004 landowners enrolling nearly 8 million acres, providing more than 85,000 hunters with over 250,000 hunters days of recreation;

HUNTER ACCESS LAW – 1999 LEGISLATION

SB 171, enacted by the 56th Legislature, changed the law pertaining to hunting access on private property. Prior to passage of SB 171, hunters were required to obtain permission from the landowner, lessee, or their agent prior to hunting big game animals on private property.

Upon passage of SB 171, effective July 1, 1999, MCA 87-3-304 was amended to read: **“Landowner’s permission required for hunting – penalty.** (1) Every resident and nonresident must have obtained permission of the landowner, the lessee, or their agents before taking or attempting to take nongame wildlife or predatory animals or hunting on private property.

(2) Except for hunting big game animals on private property, a person who violates this section shall, upon conviction for a first offense, be fined an amount not to exceed \$25.”

Also contained within SB 171 was language directing Fish, Wildlife, & Parks (FWP) to work with other state and federal land management agencies to address potential problems associated with property boundary conflicts. This language was codified in **MCA 87-3-308. “Development of maps identifying land ownership boundaries.** In recognition of potential problems associated with identifying property boundaries in the field when seeking permission for hunting, the department shall work cooperatively with all state and federal land management agencies, state and local organizations representing hunters, state and local landowner organizations, and other interested persons to develop accurate land ownership maps that identify land ownership boundaries in the state.

In response, FWP initiated *Access Montana*, a program focused on public hunting access on public lands, managed by a Public Land Access Coordinator. Program synopsis available on following page.



ACCESS MONTANA - PROGRAM SYNOPSIS

Mission Statement: *Access Montana* coordinates FWP agency activities related to legal public hunting access on public lands, particularly those activities that involve obtaining legal public access and encourage the marking of public lands boundaries, mapping, and dissemination of information about public hunting access on public lands. *Access Montana* relies upon a cooperative, inter-agency approach for the resolution of landowner/sportsman conflicts over public land access.

Goal 1

Coordinate efforts to identify public lands where legal public hunting access currently exists.

Strategy 1: Work with local FWP staff, sportsmen, landowners, and other land management agency staff to identify areas with a history of private/public land use conflict, then develop and implement effective ways to mark area public land boundaries, and minimize landowner/sportsman conflicts.

Strategy 2: Develop directories of land ownership maps, public land access rules, and interagency access information for public dissemination. This effort will help sportsman to identify legally accessible public lands and help to control trespass on adjacent private land.

Strategy 3: Assist in the development of an effective computerized database that the public can use to identify land ownership and legal accessibility.

Goal 2

Coordinate FWP efforts to obtain legal public hunting access to public lands where such access does not currently exist or is threatened due to turnover in landownership.

Strategy 1: Work with local FWP staff, sportsmen, landowners, and other land management agency staff to identify and prioritize those areas where legal public hunting access to public lands is needed, or where historic access may be lost as a result of changes in land ownership.

Strategy 2: Coordinate efforts both internally and externally to generate, develop, and implement ideas and methods focused on reducing conflicts and encouraging cooperation to obtain access in areas identified as having high-priority public land hunting access needs.

Strategy 3: Participate in State and federal agency planning and decision-making processes to represent FWP public land hunting access interests in such issues as disposition of Canyon Ferry Land Trust, public land trades and consolidations, recreational travel planning, etc.

