

**Private Land/Public Wildlife Council
Meeting Summary
Jorgenson's Inn & Suites, Helena
July 31, 2012**

Council Members Present: Jack Billingsley; Chris King; Mike Penfold; Kathy Hadley; Joe Cohenour; FWP Commissioner Bob Ream; **Absent:** Alex Nixon

FWP staff in attendance for some or all of the meeting included: Alan Charles, Council staff support; Ken McDonald, Wildlife Bureau Chief; Jim Kropp, Chief of Enforcement; Hank Worsech, Chief of Licensing; Sue Daly, Finance Division Administrator; Mike Volesky, Deputy Director;

Tuesday, July 31, 8:30 a.m. – 4:30 p.m.

I. Council Administrative Work Session

Council members approved the agenda, and agreed to operate using the system of consensus (attachment #1) and Council member “Code of Conduct” ground rules (attachment #2) adopted by the previous Council. Kathy Hadley agreed to serve as Council Chairperson.

II. Information Updates

- a) FWP Revenue Update: Sue Daly provided the Council with information comparing license sales and related revenue generation during the years before passage of Initiative 161 and since passage of I 161, noting the impacts also associated with a statute enacted through passage of HB 607 in the 2011 legislative session that affect sales and revenue earmarks associated with sale of nonresident deer and elk licenses under certain conditions;

- b) Hunting Access Program Status: Alan Charles updated the Council on the status Block Management contract enrollments, noting that while finalized numbers are not available, it appears that approximately 1265 landowners have enrolled nearly 8 million acres for the 2012 hunting season. Also discussed was information gathered in previous years about why landowners may choose to enroll in the program and why they are sometimes not re-enrolled. Later in the day, Alan also provided information about a new access pilot program being launched in 2012 called “Open Fields for Game Bird Hunters,” funded through federal Farm Bill dollars awarded to states through grants. The program will offer landowners payment per acre per year for enrolling up to 160 acres of Conservation Reserve Program land in exchange for allowing walk-in hunting for game birds in the fall and agreeing to not hay or graze this land during the term of the contract. Initial data indicates that about 60 landowners will enroll nearly 20,000 acres (including additional “access” acres in addition to the maximum 160 CRP acres upon which payment is based) in long-term contracts ranging from 5 – 10 years, beginning with the 2012 season.

- c) FWP Comprehensive Hunting Access Plan – Alan Charles explained that a committee of FWP staff has been working over the past seven months to develop a draft of a comprehensive hunting access plan that will identify measurable objectives and proposed strategies to help achieve those objectives that can be used to help guide the agency’s hunting access efforts into the future. While there is not yet a draft product available for initial review, the timeline calls for one or possibly two additional meetings to take place, with a draft plan potentially available by late October or November. The plan will be offered to the FWP Commission for endorsement, providing an opportunity for the public to comment on the draft plan through the Commission process.

III. Home to Hunt License Work Session

Council members were informed that the “Home to Hunt License”, created during the 2009 legislative session based upon PL/PW Council recommendations and codified in MCA 87-2-526, is due to sunset March 1, 2014, meaning that the license provisions expire unless some action is taken to either extend or remove the sunset. License sales have dropped dramatically over the past three years of license sales, due to creation of a new, somewhat similar license in the 2011 legislative session that sells for a much lower price and has no restrictions similar to those attached to the Home to Hunt license. Also contributing to the lower sales is the availability in 2012 of general nonresident deer and elk combination licenses across the counter due to various causes. Over the past three years, the combined sales of Home to Hunt licenses have generated approximately \$500,000 for the account ear-marked for FWP to use to secure access to public lands, with about \$100,000 of that money having been expended on various public land access projects. Council members were provided with a list of past and current *Access Public Lands* projects.

Hank Worsch used a chart to explain and compare the provisions of the “Home to Hunt License” with the new and somewhat similar “Native Montana Nonresident License, (codified in MCA 87-2-514).” Without committing to taking any specific action, Council members used this work session to engage in a discussion about what options might exist regarding possible actions, to include:

- a) do nothing and let the sunset expire for the Home to Hunt License;
- b) attempt to amend the Home to Hunt statute to make it more attractive and either extend or remove the sunset provision;
- c) let the Home to Hunt sunset expire and attempt to amend the Native Montana Resident License statute to incorporate essential provisions of the Home to Hunt License and address any other relevant issues.

To help capture the results of the discussion, the Council created an “in-between strawdog” of what they felt might be the important provisions of whatever license might emerge in the future. This was only a preliminary discussion, with no commitment by the Council to take any sort of action, but rather a way to develop some ideas that could be looked at and considered after this meeting. The results of this discussion are captured in Attachment #3.

IV. Hunter-Landowner Stewardship Project Work Session.

Alan Charles provided the Council with an update on this project, noting that approximately 2400 people had completed at least some portion of the program, with

approximately 1100 people completing the course. Alan also noted the graduates included people of all ages, and that some landowners were requiring completion of the course as a condition for access.

Using a powerpoint presentation (Attachment #4), Alan discussed the preliminary results of a voluntary survey imbedded in the project that depicted the comments of 485 people who chose to complete the survey. While the final results of the survey are not yet compiled, the presentation explained the 5 questions asked, and depicted some examples of the kinds of answers respondents had provided.

Council members discussed their own personal experiences and opinions of the project, and discussed different ideas for possible enhancements. As an action item, the Council requested that Alan prepare a possible draft recommendation for Council review that would contain the following components:

- a) Ideas for promotion of the project, including using social media;
- b) Ideas discussed as possible enhancements to the project;

Also discussed was whether or not a landowner enrolled in the Block Management Program could require completion of the course as a condition for gaining access to the owner's BMA, with a request that Alan obtain a legal opinion from FWP legal staff regarding the issue.

Council members also discussed a proposal to allow someone who completed the course to receive a Supertag chance free of charge, with Hank Worsech noting that such a recommendation would require a change in statute. Council members wanted to capture the idea as a possible proposal to be considered in the future.

Kathy Hadley suggested that consideration be given as to how landowners enrolled in the Block Management Program might be able to support and promote the program, in addition to the signs already provided upon request. She suggested that perhaps BMP cooperators could provide cards or brochures at sign-in boxes and when they issue permission slips

IV. Access Issues Roundtable Discussion/Work Session

- Joe Cohenour described the efforts of the FWP Brucellosis Working Group, of which he is a member, with a focus on the conclusions that indicate problematic wildlife concentrations are a major problem, with landowners neighboring lands where problematic wildlife concentrations occur incurring the greatest risks. Joe noted that this is a further endorsement of the work done previously by the PL/PW Council as to the importance of trying to find ways to resolve problematic wildlife concentrations;
- Bob Ream shared with Council members some of the work being done by a group of citizens regarding the FWP Permit to Hunt from a Vehicle (PTHV) eligibility statutes, noting the rapid rise in the number of these permits being issued under the current criteria, and some of the problems associated with that large number of permittees. Also noted was recent FWP Commission action which removed the opportunity for anyone with a PTHV to harvest a cow elk without a permit in some districts;
- Chris King mentioned that a landowner in his area was dissatisfied that he was unable to draw an elk permit through landowner preference and subsequently was unable to hunt cow elk on his own land;

- Kathy Hadley raised the question as to whether or not the Council might want to attempt to resolve some of the access program funding issues that have resulted from the passage of HB 607 (previously discussed by Sue Daly in the morning information session), noting that such effort might range from making recommendations to the FWP Director to use his or her discretionary powers to direct general license dollars where needed, up to the potential for recommendations requesting legislation to make specific statutory changes;
- Also discussed was the need for good data to identify and evaluate how hunting access on private land is being managed, and how much access exists for public lands, with Alan noting that a portion of the comprehensive hunting access plan will be devoted to identifying gaps in data, needs for certain data, and potential methods for collecting data. In a side note, Alan noted that there were efforts underway to potentially change the ARMs and statutes regarding Montana Board of Outfitters requirements for compiling and maintaining some of this data, and since some of the current statutes and ARMs were a direct result of previous efforts by PL/PW to ensure such data was available, Alan would provide Council members with information pertinent to their charge as it might become available;
- Bob Ream noted that a proposed piece of legislation for the 2012 session, LC600, would separate parks and recreation out from under the charge of what would then become Fish and Wildlife Commission, offering those remarks simply as information for the Council;

V. Public Comment Session

In attendance for some or all of the meeting were Mac Minard, Executive Director of Montana Outfitters and Guides Association; Jean Johnson, Paul Ellis, Shelby DeMars, and George Bettas, and Executive Director of the FWP Foundation. All of these individuals, with the exception of Shelby DeMars, offered comments to the Council, either by invitation of the chairperson or during the public comment period,

VII. Next Meeting: No next meeting date was scheduled. Instead, Council members discussed the possibility of convening by conference call or video-conference as needed over the new few months, with the idea that a formal meeting might be held in December.

Council adjourned.