

## **PROPOSAL: 2015 John Swanz Ranch Public Elk Hunting Access Agreement**

Under the provisions of 87-2-513 MCA, FWP requests that the Commission grant authority to the Department to issue the following either-sex elk permits for use only on land enrolled in the John Swanz Ranch Public Elk Hunting Access Agreement:

- a) One (1) 411-21 either-sex elk permit to John Swanz (or designated family member), landowner/cooperator.
- b) Four (4) 411-21 either-sex elk permits to hunters randomly selected from the list of unsuccessful applicants for 411-20 either-sex elk permits.

### **Terms of the John Swanz Public Elk Hunting Access Agreement include:**

1. Approximately 5700 total acres of private land will be enrolled, consisting of two separate ranch units - North Unit comprised of 3500 acres in Hunting District 411, and South Unit comprised of 2200 acres in Hunting District 511.
2. Enrolled property will be open to public elk hunting with firearms from October 24, 2015 through November 29, 2015.
3. Permission may be obtained by contacting one of the following: John Swanz 406-473-2201, Jason Swanz 406-473-2462 or Jamie Gilbert 406-374-2205. Jamie is John's son-in-law and lives on the north side. Jason lives next door to John on the south ranch.
4. Terms of access include:
  - a) The 4 hunters receiving 411-21 either-sex elk permits valid only on this enrolled land may hunt any day they call and request permission. John Swanz will try to monitor elk use, and if elk are present, will offer to assist any of these four hunters with harvesting an elk. It will be the hunter's responsibility to contact John to arrange for access. John will not be responsible for contacting any hunter to report the presence or absence of elk.
  - b) From 3-5 hunters per day, possessing a 411-20 either-sex elk permit, 411-00 antlerless elk license (north unit in HD 411 only), 004-00 antlerless elk license (north unit in HD 411 only), 005-00 antlerless elk license (south unit in HD 511 only) or general elk license, will be allowed to hunt for antlerless elk on enrolled land throughout the period covered by this agreement.
  - c) There are no restrictions on the number of days John or his designees can hunt his property.
5. Use restrictions include:
  - a) South Unit: Hunters will be required to walk from designated roads.
  - b) North Unit: Travel by vehicle on established roads will be allowed, unless weather or fire danger prohibits vehicular travel.
6. Hunter/landowner/Department satisfaction data will be acquired after the season through Department surveys of the landowner and hunters involved with this contractual Public Elk Hunting Access Agreement.

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Ken McDonald, Wildlife Division Administrator

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Date

# MEMORANDUM

**TO:** John Vore    **DATE:** March 16, 2015

**FROM:** Ashley Taylor and Ray Mulé *Ray Mulé*

**SUBJECT:** Swanz Hunting Access Agreement Assessment

John Swanz has had a hunting access agreement with FWP for the last thirteen years under the auspices of HB 454. In return for allowing access to elk hunters, John or a family member receives one 411-21 either-sex elk permit. FWP then issues four additional 411-21 either-sex elk permits by random drawing from among unsuccessful applicants for 411-20 either-sex elk permits; the permits are valid only on the Swanz property. Mr. Swanz allows holders of these permits to hunt either-sex elk throughout the general rifle season. Mr. Swanz also allows holders of 411-20 either-sex elk permits, general elk licenses, or any valid antlerless elk licenses to hunt antlerless elk on his property. There are usually numerous cows shot on the north unit of the property, and Mr. Swanz generally allows unrestricted public access for cows.

Since this hunting access agreement began in 2002, fifty-two 411-21 either-sex elk permits have been issued to 49 residents and 3 nonresidents. Twenty-eight hunters used those permits in the last thirteen years, 20 hunters did not use the permits and 4 hunters were unable to be contacted. Table 1 summarizes the 411-21 permit recipient survey completed every spring. In 2014 all four hunters used their permits but only one harvested an elk. In 2013, two hunters used their permits on the Swanz Ranch but did not harvest any elk. One hunter saw elk several times but wasn't able to connect with one. Similar to 2011, most permit recipients in 2012 reported that the elk did not come onto Swanz's property until very late. In 2010 all the hunters reported that deep snows greatly hampered their efforts to harvest an elk. In the thirteen years this permit has been in place two people have stated they did not receive the permit despite licensing having records that the permits were mailed.

Table 1. Summary of the 411-21 either-sex elk permit recipients survey, 2002-2014.

| <b>Survey Summary of Permit Recipients</b>                | <b>Number of Permits</b> |
|---|--------------------------|
| Successfully harvested elk                                | 7                        |
| Hunted and did not harvest an elk                         | 19                       |
| Not available when elk were on the property               | 3                        |
| Unable to use permit due to personal reasons              | 5                        |
| Harvested elk during archery season, unable to use permit | 2                        |
| Hunted other areas, did not use permit                    | 2                        |
| Elk did not come on to Swanz's property                   | 8                        |
| Did not get elk permit                                    | 2                        |
| No data available - unable to contact permit recipients   | 4                        |
| <b>Total Permits</b>                                      | <b>52</b>                |

Seven bull elk have been harvested on the Swanz's property using these permits including: 3-5x5 bulls, 3-6x6 bulls, and 1-7x7 bull. The survey of permit recipients indicates that 37 hunters would participate in this hunt again, 4 hunters would not participate again and 11 hunters did not provide information on future participation. Two hunters would not participate again because they didn't think this property was a good elk hunting location, one hunter isn't much of an elk hunter, and the other did not give a reason.

The John Swanz family's 411-21 either-sex elk permit use is summarized in Table 2. To date the Swanz family has harvested six bull elk using their 411-21 either-sex elk permits.

Table 2. Summary of Mr. Swanz family's 411-21 either-sex elk permit use, 2002-2014.

| <b>Year</b> | <b>Permit Holder</b>       | <b>Permit Use</b> |
|-------------|----------------------------|-------------------|
| 2002        | Jason Swanz (son)          | Bull elk          |
| 2003        | John Swanz                 | None              |
| 2004        | Jason Swanz (son)          | Bull elk          |
| 2005        | John Swanz                 | None              |
| 2006        | John Swanz                 | None              |
| 2007        | John Swanz                 | Bull elk          |
| 2008        | Jason Swanz (son)          | None              |
| 2009        | John Swanz                 | None              |
| 2010        | Jason Swanz (son)          | Bull elk          |
| 2011        | Jamie Gilbert (son-in-law) | None              |
| 2012        | Jamie Gilbert (son-in-law) | None              |
| 2013        | John Swanz                 | Bull elk          |
| 2014        | Jason Swanz                | Bull elk          |

John Swanz also has a hunting access corridor agreement with FWP that allows hunters to cross his property to access USFS land in the Snowies. Hunter use of this access corridor is summarized in Table 3.

Table 3. Hunter use summary of John Swanz's hunting access corridor agreement, 2002-2014.

| <b>Year</b>  | <b>Hunter Days</b> |
|--------------|--------------------|
| 2002         | 235                |
| 2003         | 71*                |
| 2004         | 160                |
| 2005         | 141                |
| 2006         | 146*               |
| 2007         | 193                |
| 2008         | 246                |
| 2009         | 150                |
| 2010         | 126**              |
| 2011         | 180                |
| 2012         | 217                |
| 2013         | 249                |
| 2014         | 211                |
| <b>Total</b> | <b>2,325</b>       |

\*Access was limited for a time due to fire danger

\*\*Deep snow prevented hunters from using this corridor for the majority of the season

I recommend renewal of this agreement for the 2015 hunting season.