



MONTANA FISH AND WILDLIFE COMMISSION

AGENDA ITEM COVER SHEET

THE **OUTSIDE** IS IN US ALL.

Meeting Date: June 25, 2020

Agenda Item: 2020 Contractual Public Elk Hunting Access Agreements (HB 454 Agreements)

Division: Wildlife **Action Needed:** Informational **Time Needed on Agenda:** 10 minutes

Background

Under the provisions of 87-2-513 MCA, the department may issue an either-sex or antlerless elk permit, license or a combination thereof, in exchange for allowing four successful elk permit holders, as well as additional public hunters to lands enrolled in a contractual public elk hunting access agreement for the purposes of wildlife management.

House Bill 43 in the 2019 Legislature amended this statute so that these agreements no longer require commission approval, use the successful permit applicant list identified through a random drawing, and authorize the department to offer a landowner who enrolls a license in addition to the permit. The permit, license or combination thereof that is granted to the landowner is only valid on the lands enrolled in the agreement. Historically, the department issued additional elk permits to applicants who were unsuccessful in the drawing process after commission approval. Due to the amendments in the 2019 Legislature, the department will now randomly select hunters for access from the successful drawing list.

The department will draft agreements and solicit public comment. After the public comment period, the department will make recommendations to the director for final decision.

Under these contractual agreements, the landowner works with the department to define the areas open to public elk hunting, the number of elk hunting days that will be allowed on the property, and other factors that the department and landowner consider needed for elk management on the landowner's property.

Three agreements are being considered for 2020: the John Swanz Ranch, the Robert Lee Ranch, and the Moseman Ranch. The Swanz and Lee agreements specify a single 411-20 either-sex permit each for the respective owner or a family member or an authorized full-time employee, and the Moseman agreement specifies two either-sex permits. Landowner permits are valid only on their enrolled properties.

The Swanz agreement was first used in 2002 and the Lee agreement in 2015. Each has been reapplied annually since those dates based upon continued positive post-hunt evaluations. This is the first year for the Moseman agreement.

In turn, for each of the properties, the department will notify four public 411-20 permit holders for each landowner permit of the access opportunity. Public hunters are offered the opportunity to hunt on the enrolled property but may also hunt anywhere else the permit is valid. If any of the public hunters declines the opportunity to hunt on the ranch properties, it will be offered to the next randomly selected permit holder.

Public Involvement Process and Results

Both existing agreements have received public review in previous years. To date, these reviews have generated relatively few public comments. Additionally, the post-hunt evaluations have sought feedback from all identified hunters and the landowner. These evaluations confirm that agreement terms and reasonable expectations are generally being met. This meeting opens the department's public comment period for these agreements, and comment will be taken until 5 p.m. on July 27, 2020.