



TOM DICKSON

WORKING FOR WILDLIFE This 15,000-acre conservation easement on the Sieben Ranch, near Helena, provides productive forage for cattle while protecting and enhancing deer and elk habitat.

Off to a Great Start

Since it began in 1987, Habitat Montana has helped ranching families statewide while protecting and enhancing more than 200,000 acres of wildlife habitat **BY TOM DICKSON**

THE BREWER RANCH, IN southeastern Montana's Powder River County, is proof that conservation-based land-use practices can restore both forage and wildlife. In the 1980s, the 40,000-acre spread was leased and grazed continuously throughout spring, summer, and fall. As a result, woody species such as wild roses nearly disappeared, and many acres were infested with cheat grass, an invasive exotic.

Then in 1994, The Page-Whitham Land and Livestock Company signed an agreement with Montana Fish, Wildlife & Parks that put nearly 18,000 acres of the ranch into a conservation easement. As part of the agreement, the ranch began a rest-rotation livestock grazing system, in which cattle are moved periodically so that grasses in rested areas can flourish.

And they did. Over time, native perennials such as western wheatgrass, which some

years grew knee high, pushed out the exotic plants. And wild roses and other shrub species sprung up around stock reservoirs.

Cattle weights increased from the additional forage, and wildlife populations flourished in the abundant habitat.

"The ranch manager at the time told me that when he first came on to the Brewer Ranch, he found sharp-tailed grouse only along the Powder River," says Steve Knapp, who for years was the FWP wildlife biologist in Broadus. "But after beginning the rest-rotation grazing, he saw sharptails spread across the entire property."

As wildlife numbers increased, so did hunter use, which climbed from 182 days afield on the property in 1988 to nearly 600 in 2002. The antelope harvest during that time grew from 14 to 50, and the mule deer harvest increased from 36 to 52.

"The Brewer Ranch is a great example of

what conservation easements can do—for the land, for wildlife, for the landowner, and for the hunter," says Knapp, now chief of FWP's Wildlife Habitat Bureau.

Conservation easements are the core of Habitat Montana, a program established to protect and enhance wildlife habitat across the state while also supporting conservation-minded ranchers and other landowners. The program was established after hunting and conservation groups urged the legislature to create a funding source that FWP could use to protect critical habitat. In 1987, the legislature passed a bill (HB 526) that set aside roughly \$3 million per year in hunting license revenue to preserve and enhance important wildlife lands. The legislature directed FWP to spend the money primarily on conservation easements.

The program arrived just in time. Over the past several decades, Montana has seen enormous land-use change. Analysis by the federal Natural Resources Conservation Service show that the amount of developed land in Montana has increased roughly 25 percent over the past 20 years. And according to a study by American Farmlands Trust, a national nonprofit organization working to protect high-quality agricultural land, Montana has more prime rangeland at risk of low-density residential development—5 million acres—than any other Rocky Mountain state.

Habitat Montana helps protect prime wildlife land, and it improves habitat by encouraging wildlife friendly land-use practices. Landowners who enter into conservation agreements agree to use rest-rotational grazing, protect sagebrush grasslands from burning and herbicides, and conduct timber harvest in ways that sustain forest health.

Since its inception, Habitat Montana has helped 30 ranch families conserve more than 200,000 acres of wildlife habitat with no tax dollars spent or property taxes lost. Supported by a broad range of Montana organizations and interests, the program provides landowners with a way to retain control over their property while also helping the wildlife that live there.

"We didn't do this for our benefit," says Lloyd Maher, who, with his wife, Sandra, sold FWP a conservation easement on 880 acres in fast-developing Gallatin County,

next to the Bridger Mountains. "We did it for the mule deer, so they'd have some open space, something that wouldn't be developed."

Conservation easements are voluntary legal agreements made with willing sellers in which FWP typically pays a landowner 40 to 45 percent of the value of the property. In return, the landowner agrees to keep the land in traditional agricultural use, employ agricultural practices that benefit wildlife, and forgo major development opportunities. In addition, most easements provide public access for hunting.

Landowners still own the property and can sell or pass it on to heirs. But the title carries the agreed-upon terms of the easement, which are negotiated to remain with the land "in perpetuity," or forever.

According to Stan Meyer, of Great Falls, some ranchers see easements as a way to perpetuate their rights as landowners. "I've had them tell me, 'If my neighbor can decide to subdivide, I can decide not to subdivide,'" says Meyer, who co-chairs the Coalition for Reauthorization of Habitat Montana with Paul Sihler, a conservationist in Helena. "They point out that subdivision is in perpetuity, too, that once broken into smaller pieces, subdivided ranches will never again become an economic unit."

One big benefit of conservation easements is that they can help preserve family ranches. Many landowners use easement payments to keep their ranch running or improve their operation.

"We worked with FWP on a conservation easement to conserve wildlife habitat and reduce our debt load," says Donna



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—LLOYD MAHER, BELGRADE



MONTANA FWP

Lloyd and Sandra Maher sold FWP an easement in fast-developing Gallatin County, adjacent to the Bridgers.

Hirsch, who, with her husband, Les, sold a conservation easement near Miles City that sustains more than 10 miles of rich riparian habitat along the Tongue River. "As a result, we were able to purchase additional ranchland. To us, it just made good business sense."

While Habitat Montana is helping conservation-minded ranch families, it simultaneously benefits wildlife habitat. FWP wildlife biologists across the state identify habitats that are either rare, highly productive, or threatened by development. They then work with landowners who have expressed interest in selling an easement on lands containing these critical habitats.


Once a price is negotiated, FWP drafts an environmental assessment and a management plan that are distributed for public comment. After public hearings, the FWP Commission decides whether to buy the easement. All easements costing more than \$100,000 or involving more than 100 acres must be approved by the State Board of Land Commissioners, composed of the governor, attorney general, secretary of state, superintendent of public

instruction, and state auditor.

One of the myths surrounding conservation easements is that they take land off the tax rolls. Not true, says Meyer. "Montana law ensures that conservation easements may not be reclassified with lower assessed values that would reduce property taxes," he explains.

Another misconception is that Habitat Montana, while helping Montana's wildlife and ranchers, is using tax dollars needed for education, health care, and other state needs. "That's not true either," Meyer says. "Hunters pay for this program with an earmarked portion of their license fees. There's no loss of tax revenue and no cost to taxpayers."

Meyer notes that the authorizing legislation for Habitat Montana sunsets in 2006. If lawmakers don't reauthorize the program in the 2005 legislative session, he says, Habitat Montana will no longer exist.

Between now and then, the retired advertising executive will continue beating the bushes for support. "So far, we've got an incredible number of citizens and groups supporting reauthorization," he says. "And no wonder. Habitat Montana is helping maintain family-owned ranches. It's protecting wildlife habitat. And it's providing hunting access. These are some of Montana's most cherished traditions, and people want to see them continue." 

Critical Acquisitions

As directed by the state legislature, FWP mainly uses Habitat Montana dollars to buy conservation easements.



MONTANA FWP

Ninepipe WMA.

But FWP has also used the funds to purchase critical habitat outright, as allowed by law. For instance, more than 650 acres of wildlife-rich wetlands were added to the Ninepipe Wildlife Management Area, in the Mission Valley. The department also bought 120 acres on Missoula's Mount Jumbo as part of a larger effort to maintain winter elk habitat and open space. And in the Yellowstone Valley, the Dome Mountain WMA was nearly doubled in size to help accommodate resident elk as well as elk leaving Yellowstone Park during severe winters.

Tom Dickson is editor of Montana Outdoors.