

# **FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET**

**Meeting Date:** June 19, 2019

**Agenda Item:** 2019 HB 454/43 Agreements

**Division:** Wildlife

**Action Needed:** Informational

**Time Needed on Agenda for this Presentation:** 15 minutes

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## **Background**

Under the provisions of 87-2-513 MCA, FWP received the authority to issue either-sex or antlerless elk permits to landowners for management purposes. House Bill 43 in the 2019 Legislature changed the statute so that these agreements no longer require commission approval, which was a previous requirement, and that landowners may get a free elk license in addition to their permit if they choose. The permit is only valid on their property. If they choose a free license, it also is only valid on their property, but an elk license purchased separately is not subject to that restriction. Additionally, HB 43 specified that the public hunters granted access for hunting be selected from successful applicants for those permits. In the past, FWP issued permits to unsuccessful applicants. The access opportunity will be offered to randomly selected permit holders. Under the new procedure, FWP will draft agreements and put them out for public comment. After the public comment period, FWP will make recommendations to the FWP director for final decision.

Under these contractual agreements, the landowner must offer free public elk hunting, meet the various conditions of the statute, and enter a public elk hunting access agreement with FWP. The contract defines the areas open to public elk hunting, the number of elk hunting days that will be allowed on the property, and other factors that FWP and the landowner consider necessary for the proper management of elk on the landowner's property.

There are two agreements being considered for 2019: the John Swanz Ranch and the Robert Lee Ranch. Both agreements specify one 411-20 either-sex permit for the respective owner or a family member or an authorized full-time employee. 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.

In turn, for each of the properties, FWP will notify four public 411-20 permit holders 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 it will be offered to the next randomly selected permit holder.

## **Public Involvement Process & Results**

Both 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 FWP public comment period for these agreements, and comment will be taken until 5 p.m. on July 14, 2019.