

Legislative forecast gloomy for hunting opportunity, property damage mitigation efforts

By Chuck Denowh

This year's legislature has taken a few important steps toward addressing some of the emerging issues in fish and game management, but overall they're not keeping pace with the biggest problems we face.

Diminishing hunting opportunity on public land is placing an increasing burden on Montana's private landowners, over 80% of whom allow public access. An increasingly-aggressive attitude toward landowners by a radical minority of sportsmen has deteriorated landowner-sportsmen relations to all-time lows. Finally, swelling game populations have increased damage on land and are making management more difficult.

One important hunting-opportunity measure, SB 162, failed on a narrow vote in the Senate. It would have prevented the FWP Commission from arbitrarily limiting big-game hunting permits by stipulating that limits can only be made for biological-management reasons. The Commission has reduced permits in some areas with over-objective populations for reasons other than biological management, which has reduced hunting opportunity and exacerbated game damage.

A separate measure, SB 163, would have required FWP to conduct an economic impact statement for proposals that significantly reduce hunting or fishing opportunity. The thinking was if an economic impact could be shown for a proposal (i.e. the amount of hunter dollars lost) there would be fewer arbitrary hunting or fishing restrictions. SB 163 failed in committee.

Last year two initiatives were introduced aimed at eliminating a landowner's right to control access to property, but failed to gain even a fraction of the signatures necessary to qualify for the November ballot. At the time, the hunting public and landowners joined together to denounce the initiatives as extreme. We expected those wrongheaded notions to be put to rest for good, but the thinking behind the initiatives found its way into HB 314, which would have allowed FWP to declare certain private property open to unlimited public access. That measure was quickly tabled in committee on a near-unanimous vote.

But the damage was done by merely introducing HB 314. Every time extreme proposals threaten to eliminate property rights, the rift between sportsmen and property owners widens. The more frustrated landowners become, the less access we have.

Finally, increasing big-game populations are presenting escalating game-damage impacts for landowners. Elk numbers have increased from 55,000 to nearly 150,000 in the past 30 years, and deer and antelope populations are at all-time highs. There's no doubt wildlife bring a lot of value to Montana, but those increasing numbers yield increasing impacts. The MSU Extension Service credits landowners as a large part of the reason we have improved wildlife numbers, however they also note that wildlife consume about \$25 million worth of

forage on private land annually. With big-game populations over objective limits in many parts of the state, it's apparent current management practices are inadequate.

Despite the gloomy overall outlook at the legislature, there are a few bright spots. SB 31 would require one of the five FWP Commission appointees be a landowner with experience in sportsmen relations and habitat management. SB 164 would implement a "Good Neighbor Policy" on any land purchased by FWP and increase maintenance funding for all FWP property. SB 164 should solve the problems with weeds and inadequate maintenance for roads and fences that have frustrated sportsmen and neighboring landowners.

With the exception of those few bright spots, the most important bills that would have improved hunting opportunity and reduced impacts on landowners are dead. And the damage has already been done to landowner-sportsmen relations by that radical minority of sportsmen who persist in bringing adversarial legislation. For those sportsmen and landowners looking for improvements from this legislature, be prepared for another two years of status quo.

Chuck Denowh is the public policy director for the United Property Owners of Montana, a coalition of landowners, sportsmen, and businesses dedicated to preserving traditional hunting and agriculture in Montana.

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