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Private property rights threatened by FWP panel

By DEANNA ROBBINS

The Fish, Wildlife and Parks Commission recently elected to limit archery elk hunters in 31 hunting districts, primarily in Central and Eastern Montana. Keep in mind that archery elk hunting is a recreational sport; the harvest rate is generally accepted to be around 6 percent.

The FWP Commission is a five member board, appointed by the governor. Their powers are defined by the legislature, and in areas of game management have been very broad. This decision, however, has moved our big game license structure outside the arena of biological game management, and into that of social issues and private property rights.

There is no shortage of elk; over half of the 44 hunting districts with elk were considered above management goal last fall. Citing "anxiety" caused by increased leasing and purchasing of land for hunting opportunities, a FWP employee went so far as to say they had to find a way to "devalue" land in these elk-rich areas to stop this phenomenon.

FWP Commissioner Shane Colton called the sale of the Weaver Ranch in Fergus County a "catalyst" for the limits. The Weaver Ranch was a family-owned cattle and grain ranch north of Winnett. The property had been enrolled in the FWP block management program, but also was listed for sale for several years. When the property sold to a developer, it was taken out of the block management program.

End of story, for most of us. Not for the FWP. Apparently, when you sign up for their BMP you are never supposed to want out. I've known the Weaver family all of my life. I personally am happy for them that they were able to find the buyer who would give them the best price for their ranch, and regret the way their name has been used in this debate.

As for the new owner developing the property, there are certainly worse fates. The Big Open comes to mind for me. We are losing population; our schools are struggling to keep enough students to stay viable; our young people have to leave because there are no jobs and the family ranch cannot support them. I don't believe development is always a negative thing. Change, yes. For the worse; not necessarily. There is still a fraction of the people living in the area of the Weaver Ranch than there were in the homestead days, when my grandfather settled there and raised his family.

The present elk herd was introduced to these areas, and purposely grown to record levels by the FWP. It is largely the private landowner who has carried the burden and absorbed the costs of this expansion.

Although they have openly stated that this issue *is* about access, FWP denies that the limit on archery permits affects your private property rights. However, the end result of the quota on archery elk hunters is that the FWP will restrict who has the privilege to archery elk hunt, and it has nothing to do with biological game management. In limiting hunters in select areas of the state and not statewide, FWP *will* negatively affect the value of the land in those 31 districts.

In limiting non-residents from competing for leases or land purchases, it is FWP who will be influencing who can purchase or hunt that land. I believe this *is* an encroachment upon private property rights.
