



# MONTANA FISH, WILDLIFE & PARKS

## Elk Hunting Access Agreements | landowner elk permit/license for free public hunting access

### Overview

Montana Fish, Wildlife & Parks' Elk Hunting Access Agreement (EHA) program seeks to improve elk management by providing landowners or eligible designees with an elk license/permit or combination of the two in exchange for allowing free public hunting access.

### Program at a Glance

If a landowner is willing to provide free public elk hunting access on the landowner's property (or private land leased by the landowner for agricultural purposes), the department may issue, at no cost to a landowner or the landowner's designee an either-sex or antlerless elk B license, permit, or combination of the two as required in that hunting district. The permits/licenses issued under this program are only valid on the landowner's property or on private property leased by the landowner for agricultural purposes and open to public access. The landowner designee may be an employee who works full time for the landowner as part of an active farm or ranch operation or an immediate family member who is a spouse, parent, grandparent child, grandchild, sibling, niece or nephew by blood, marriage, or legal adoption.

### Who is Eligible

To be eligible for the Elk Hunting Access Agreement program, private landowners, must:

- own at least 640 acres of occupied elk habitat, except that smaller acreages are eligible if the department determines that site conditions exist to accommodate successful public hunting;
- enter into an access agreement that allows for free public elk hunting on the landowner's property throughout the regular (general rifle) season; and
- not charge a fee or authorize a person to charge a fee for hunting access on the landowner's property.

### Landowner Liability

Landowners enrolled in the Elk Hunting Access Agreement program are provided liability protection under state law through 70-16-302, Montana Code Annotated (MCA) as long as no fees for access/trespass are charged.

### Landowner Benefits

Landowners or designees are provided a free general elk and/or either-sex elk permit (if applicable) or an antlerless elk B license in exchange for allowing a minimum of three public hunters free elk hunting access on enrolled lands. Landowners may choose to select up to one-third of the required public hunters with FWP selecting the remaining public hunters.

At least one of the department selected public hunters must hold the equivalent license, permit, or combination of the two that is issued to the landowner or the landowner's designee. Landowners may apply for multiple licenses/permits through this program in accordance with requirements for public hunter access.

### Agreement Details

The elk hunting access agreement will be between a private landowner, or their representative and FWP on a year-to-year basis. The licenses authorized under this program are approved by the Fish and Wildlife Commission (FWC).

The agreement defines the areas that will be open to public elk hunting; the number of public elk hunting days that will be allowed; and other factors that the department and the landowner consider necessary for the management of elk on the landowner's property. The agreement reserves the right of the landowner to deny access to the landowner's property by a public hunter for cause.

Landowners/designees must also agree to complete a post-season harvest and satisfaction survey.

### How to **Discuss a Potential Elk Hunting Access Agreement**

Landowners should contact their local Fish, Wildlife & Parks Biologist, Warden or Regional Access Manager to discuss options and qualifications for the program.

Applications are open from early April-May 1 and presented to the Fish and Wildlife Commission at its June meeting.



For more information: Contact your local FWP office or contact the FWP Parks and Outdoor Recreation Headquarters Office at 406-444-3750, [LndSportRelations@mt.gov](mailto:LndSportRelations@mt.gov)