

The Elk NEXT DOOR

Why one person's prized (or profitable) elk can become another person's elk depredation problem **BY TOM DICKSON**

IT WAS THE BIGGEST ELK Jay Newell had ever shot. But there were no cheers, no pats on the back, only the sound of *swish, swish, swish* from pivot irrigators as the FWP wildlife biologist walked past the rows of corn over to the dead bull. The majestic animal, which Newell estimated at more than 1,000 pounds, had been killed not in an ordinary hunt but as part of a game damage control measure. It was 3 a.m.

Throughout that night in late August 2002, Newell and a hired contractor had driven around and around the irrigated fields, 25 miles east of Billings in the Yellowstone River valley. They chased elk away from rows of corn, beets, and alfalfa where the animals had been gorging for weeks. During the day, the elk bedded in the forested Pine Ridge hills to the south, then headed down to the lush, irrigated crop fields after dark.

FWP had tried scaring the elk with cracker shells, but the animals soon returned. Then the department hired a herder to drive the fields throughout the night, often accompanied by a game warden or other FWP staff member. Though that helped some, "it became obvious that removing the elk was the only option," Newell says.

The previous year landowner Steve Sian had tried, allowing dozens of local hunters onto his property. But the corn

was so tall, and most of the elk came out only at night, that only four animals were shot. Even more frustrating, says Newell, was that nearby ranches in the Pine Ridge hills allowed either no or very little public hunting. That created elk refuges, where the animals were safe during the hunting season,

only to head back to Sian's afterwards.

Finally, over a two-week period in late summer 2002, FWP was forced to use special elk kill permits to shoot a total of 15 elk on Sian's and a neighbor's property.

"At that point, we'd exhausted every other option," says Newell.

According to Sian, the FWP sharpshooters saved his financial skin. "I was losing about 15 percent of my crop each year," he says, estimating the loss at \$4,000 to \$8,000 annually. "If they hadn't taken out those elk, I don't know what I would have done."

The culling operation was conducted legally and as safely as possible, and the meat was donated to local food-sharing agencies, but not everyone was pleased by the elk removal effort. Adjacent landowners criticized the agency for killing the bulls, and local hunters complained they should have been given more shooting opportunities.

"It wasn't," says Newell, "what you'd call an ideal situation."

Killing elk with sharpshooters is not how FWP wants to manage elk. Ideally, the department uses public hunting to keep elk numbers down where necessary. Yet, as happened in the Pine Ridge area and increasingly in other parts of Montana, wildlife managers are forced to find new ways to control the large ungulates. As elk numbers have risen



MICHAEL H. FRANCIS

TROPHY OR TROUBLE? What hunters see as a prized big game animal, many ranchers see as a year-round eating machine.



KERRY T. NICKOU

EMBARRASSMENT OF RICHES “When it comes to managing elk, we’re moving from an era of restoration to an era of abundance,” says one senior FWP official. “For decades, we worked to bring elk back from the brink of extinction, and most people were pretty much on board with that. But now, with too many elk in some places, there’s no longer a unified vision of elk management. And we as a department aren’t prepared for that.”

beyond department goals in more than half the state’s elk management units, tolerance by many landowners for elk depredation is declining. Compounding the problem are landowners who restrict hunting access.

“When landowners don’t allow public hunting, or limit it to such an extent that we can’t get an adequate harvest,” says Pat Flowers, FWP southwestern region supervisor, “it becomes almost impossible to keep herds at acceptable levels.”

A MATTER OF PERSPECTIVE

One reason elk management has become so difficult is that Montanans disagree over the nature of the problem. Some landowners, happy to have abundant elk on their land—either for aesthetic reasons or so they can sell access to hunters—maintain there is no elk problem: The more, the merrier. But that’s not the case for nearby ranchers losing crops to what they maintain are too many elk. Meanwhile, hunters see the prob-

lem as not enough elk (especially bulls) and not enough hunting access. And many FWP officials maintain that the issue really isn’t so much about elk numbers and damage as it is about elk “distribution.”

What no one disputes is that all aspects of elk management are closely connected.

“It’s next to impossible for a rancher or an FWP biologist to make a decision regarding elk or public hunting access that doesn’t affect others,” says Chase Hibbard, a central Montana rancher and former state legislator. “For example, if one rancher outfits and only shoots bulls but not cows, then he could cause a growing winter elk population on surrounding ranches. What one party does affects others.”

That’s true on public land, too. Elk hunters and ranchers argue over allotments that allow private cattle to graze on national forests. Hunters contend that livestock eat grass and shrubs that elk need to survive. Ranchers say they have legal grazing con-

tracts and in some cases are even demanding that FWP decrease elk numbers in national forests so more forage is available for cattle.

Montana isn’t alone in its struggle to manage elk depredation. Conservation officials in other western states say elk issues are among the most time-consuming and contentious they face. In May, a New Mexico ranch manager enraged conservationists and elk hunters nationwide when he shot 20 elk that, he maintained, competed with the ranch’s cattle for grass.

The stakes of the elk damage issue in Montana are high. In recent years, legislators and others have put forth dozens of proposals to address elk-related problems. Among the most controversial are compensation programs that would cost FWP money it says would be better spent on reducing elk damage. Other proposals would give landowners elk permits they could then sell, which raises the divisive issue of increased private profit from public wildlife.

RESTORING THE HERD

For Joe Greaves, enough was enough. Elk were feeding on his wheat crop southeast of Townsend, in the Big Belt Mountain foothills, as they had been for several years. Poor harvests had been sinking the Broadwater County rancher deeper in debt, and the elk were the last straw. So he shot one and dressed it out; then, a few days later, he shot three more.

That was in 1937. The resulting trial, in which Greaves was acquitted of illegally shooting protected game animals, set the stage for state laws requiring FWP to help landowners suffering losses from big game. (Three years later, however, the Montana Supreme Court ruled that landowners must accept “some injury to property or inconvenience from wild game for which there is no recourse.”)

The elk vexing Greaves had been transplanted to the area as part of an ambitious conservation effort to restore elk numbers throughout the West. Before European settlement, elk roamed across much of what is today Montana. But by the early 1900s, unregulated market and subsistence hunting had reduced the population to just a few small, scattered herds along the Continental Divide and in the newly established Yellowstone National Park.

Montana began transplanting elk from the park in 1910, and by 1940 the state’s elk population was estimated at roughly 22,000. Since then, due to improved habitat, natural expansion, and regulated harvest, that number has grown to about 150,000 animals.

As the Greaves case shows, elk and ranchers have had an uneasy relationship for decades. Averaging 550 pounds each, mature elk will often feed on haystacks in winter, and in spring they can eat early season grasses needed by cattle. In summer and fall, many move into standing crops. Elk also knock down fences, allowing cattle to escape and causing time-consuming repairs.

But until recently, most elk damage problems had been adequately worked out among FWP wildlife managers, landowners, and hunters. Using public hunting, the department increases the antlerless (cow

LOCKED OUT Each year, more and more private land in Montana is closed to free public hunting. Landowners are either leasing their property to outfitters or groups of hunters, charging access fees, or simply shutting hunters out due to philosophical reasons or safety, privacy, or nuisance concerns.

Whatever the reason, the locked land then becomes an elk refuge, where the animals hide out until hunting season ends. Then those elk, their numbers undiminished, roam widely, eating haystacks set aside for horses and cattle, early season forage, and crops of alfalfa, soybeans, and corn later in the year.



JEFF HENRY/ROCHEJAUNE PICTURES

and calf) elk harvest where herds are too populous, thus reducing the number of reproducing animals. Conversely, when a herd gets too small, the department decreases the number of antlerless elk that hunters may shoot, thus allowing the herd to grow.

For years, this system worked to keep elk at tolerable levels. But then, in many parts of the state, it began to unravel.

HUNTERS CAN'T GET TO THE ELK

One factor leading to more elk damage complaints has been a recent string of mild winters. It takes snow to move elk from high-country summer range down to foothills and valley bottoms where hunters can get to the wary animals. Even though FWP has increased the number of antlerless permits in many areas, the weather hasn't cooperated to produce an increased harvest.

Another factor is the growing number of rural subdivisions. Closed to hunting, the new housing developments and ranchettes create elk refuges. They also fragment habitat. The problem is expected to worsen as ranchers succumb to lucrative offers from developers. John Crumley, a long-time Madison Valley rancher, says he's alarmed at how many of his neighbors have sold land to developers. “I look out at pasture my

family used to lease and think, ‘They wouldn't build there,’” he says, “and again and again I'm proven wrong.”

Many ranchers, and even FWP biologists and managers, say the department also shares responsibility for the growing elk controversies. “In much of Montana, we've been reluctant to knock down elk numbers,” says Ken Hamlin, a senior wildlife biologist at Bozeman. He explains that for decades, biologists have been restoring elk to areas the animals once inhabited. “We want to provide more elk for hunters, and we know the habitat can handle more, so that's what we've done,” Hamlin says. “Then, when we tried to reduce numbers, we got beaten up by hunting groups.”

But the biggest obstacle preventing FWP from more successfully managing elk, say Hamlin and other wildlife biologists, is the continual decline in free public hunting access to private land. More landowners are charging to hunt elk on their property, often to supplement declining ranch or farm profits. Fees range from \$150 for access to more than \$5,000 for an outfitted trophy bull hunt. Another reason is the growing number of what FWP calls “nontraditional” landowners (those who don't depend on farming or ranching income), who often oppose pub-

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lic hunting on their land for philosophical, nuisance, privacy, or safety reasons.

Says one large landowner who moved to Montana recently from the West Coast, "It's pretty easy to get disgusted by the trespass, illegal shooting, and other aspects of public hunting on your property."

To make matters more difficult, elk are notoriously difficult to manage even when hunters do have access to private property. The animals are prolific, elusive, intelligent, and durable. They also can roam for miles each day, across political and legal boundaries, making them tough for hunters and wildlife managers to find and control.

FAIR TO PAY?

If FWP can't keep elk numbers down to tolerable levels, say a small but growing number of ranchers, landowners should be compensated for their losses with cash or elk licenses they can sell to hunters and outfitters.

That wouldn't be legal, workable, or effective, argues FWP. The state supreme court has ruled twice that landowners must accept a certain amount of depredation. "And it's sometimes impossible to determine just how much damage is from elk or from other factors," says Graham Taylor, FWP regional wildlife manager at Great

Falls. Add to that the fact that compensation doesn't do anything to reduce elk numbers or damage.

Moreover, say sportsmen groups, selling licenses would allow a select few to benefit financially from the public's wildlife. That would result in fewer public hunting opportunities and, as a result, less public support for wildlife conservation.

"We want to see ranchers succeed economically," says Craig Sharpe, executive director of the Montana Wildlife Federation. "But cash payments and selling licenses aren't fair to the hunters who would foot the bill. There are more effective ways to deal with the problem."

In fact, say FWP officials, many elk damage problems are being handled quickly and effectively. Department wardens and biologists respond to every depredation complaint, meeting with landowners to identify the problems and discuss options for reducing damage. FWP employees use cracker

shells and propane cannons to scare elk, hire herders and fly helicopters to move the animals, provide materials for fencing haystacks, and give advice on erecting electric fences around fields.

Recently, FWP was authorized by the Montana legislature to spend more money on technical assistance—such as providing advice on crop storage, grazing systems, and fence design—to help landowners reduce elk depredation problems.

By state law, FWP depredation management assistance is only available to landowners who allow public hunting. That's because "wildlife is in the public trust," says Don Childress, head of FWP's Wildlife Division. "We try to maintain the tradition of public hunting so we don't end up like Texas, where everyone has to pay to hunt on private land."

Equally important is the fact that the most effective way to lessen crop and pasture damage is for public hunters to reduce the number of troublesome elk. That's why wildlife managers issue more hunting permits where elk numbers get too high. They also issue special antlerless (A7) permits so additional cow elk can be shot on private land where game damage is particularly severe.

Beginning this fall, for the first time in

“ We try to maintain the tradition of public hunting so we don't end up like Texas, where everyone has to pay to hunt on private land. ”

—DON CHILDRESS,
FWP Wildlife Division Administrator

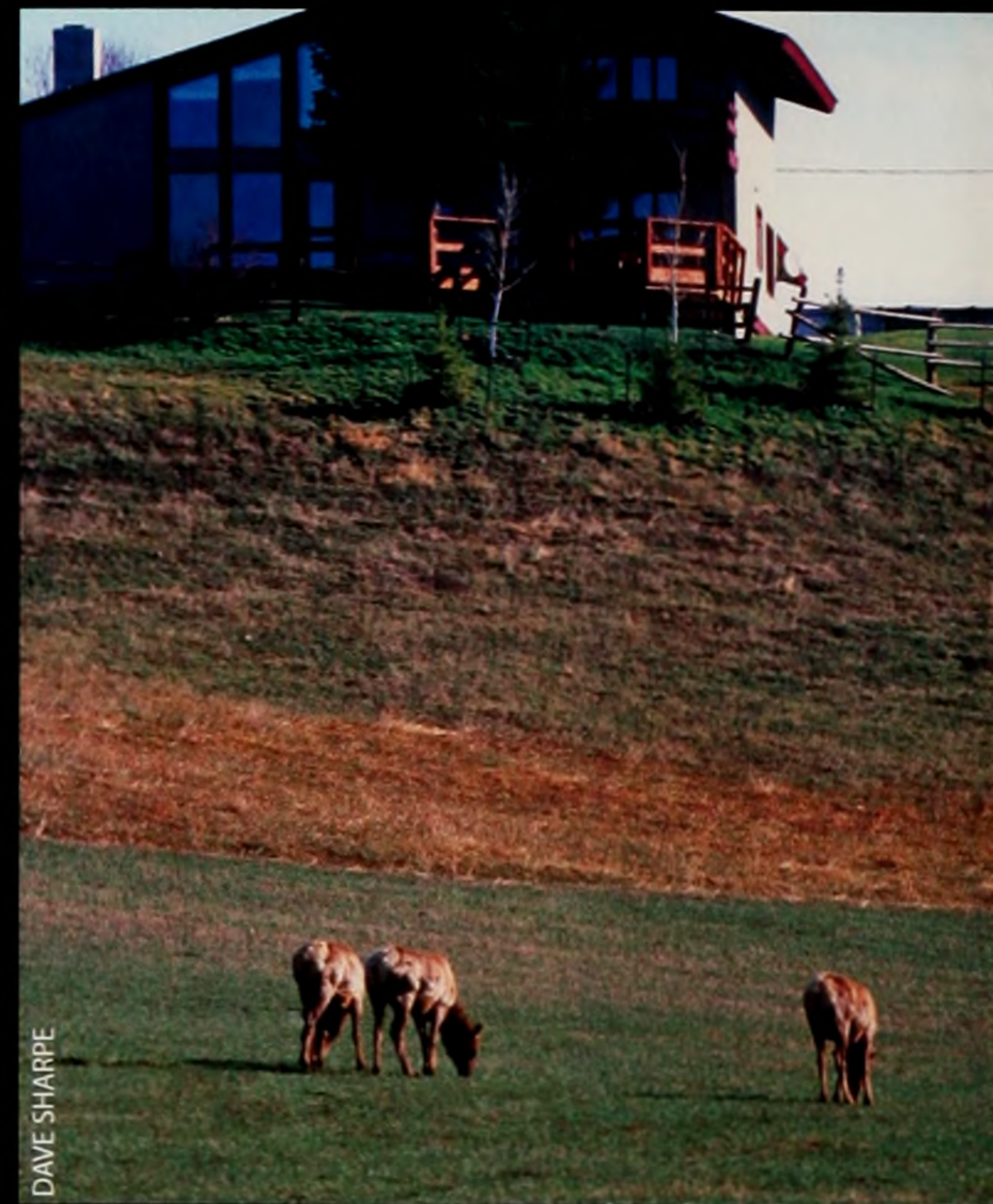
Montana, some hunters will be authorized to shoot a second antlerless elk. These new licenses (A9) will be used in hunting districts, mostly in the southwest, where elk population growth has been outpacing hunter harvest.

GROUPS THAT WORK

Despite these management efforts, elk numbers will continue to grow—and with them damage complaints—unless neighboring landowners can reach some agreement on how many elk are acceptable and how best to use public hunting to achieve those goals. That's happening in a few spots around the state, and often it's not the department but rather landowners who are taking the lead.



GARY LEPPART



DAVE SHARPE

POPULATION CONTROL Given good habitat and little hunting pressure, elk populations grow rapidly. That's been the case in more than half of Montana's elk management units, where mild winters and a lack of hunting access have combined to nudge elk populations higher than where FWP wants them. The wide-roaming animals then disperse to ranches, farms, and even subdivisions, increasing the number of damage complaints.

In 1996, seven Madison Valley ranchers got together to talk about the continual loss of local ranchlands to development, growing weed infestations, and other chronic problems. One that came up repeatedly was elk, which were causing headaches for some ranchers whose neighbors allowed no hunting. The Madison Valley Ranchlands Group, as the members called themselves, decided to invite all the area landowners and local FWP staff in to discuss the issue.

The group came up with a proposal, which the FWP Commission approved, to hire a coordinator who directs hunters to where landowners are seeing elk. "The working group deals with hunters so the landowners who don't want to don't have to," says Crumley, the group's president.

Meanwhile, 500 miles to the north, the Bear Paw Mountains Elk Working Group has been wrestling with a similar problem. Elk range across multiple land ownership boundaries, but hunters had been having trouble getting permission from multiple landowners. According to Shane Reno, FWP game warden at Havre, hunting success rates in the area had been just 8 to 16 percent, which meant elk numbers—and complaints—were growing.

The solution, agreed to by working group members, was to hire a hunt coordinator who links ranchers who spot elk on

their property with hunters who have permits for that district. During the past three seasons, the coordinator has helped hunting success rates climb to 40 percent, which has begun to bring elk numbers down to more tolerable levels for local ranchers.

FWP wildlife managers believe such local control and cooperation is the key to successful elk management in many trouble spots. They maintain that only when landowners, hunters, and department employees meet regularly, to discuss various attitudes toward elk and possible ways to meet everyone's needs, can problems be resolved fairly and effectively. The 2003 legislature agreed, authorizing the department to spend more money to facilitate additional working groups.

The department is also revising its 11-year-old statewide elk management plan to reflect changes in Montana's elk populations and public concerns about elk depredation and hunting access. According to

department officials, the revision aims to address the diverse and often conflicting public attitudes toward the animals.

"When we manage elk," says Kurt Alt, FWP southwestern region wildlife manager, "we struggle to balance the economic interests of landowners, the recreational interests

of hunters and others who like to see elk, and the ecological realities related to habitat, biology, population dynamics, and so on. All three parts of the equation have to work, or the management doesn't succeed."

Liken it to three legs of a tripod. If one is weak—say, if hunters believe that FWP is catering too

much to ranchers, or vice versa—the tripod topples.

Which is why FWP staff on the front lines of the elk issue say building trust with local ranchers is essential. "We in the department need to meet with landowners one on one," says Reno, who worked for years to build relationships with local citizens. "They need to know we are part of

“ The key has been getting informed consent from ranchers, sportsmen, and the agencies. That’s an unbeatable combination. ”

—GRAHAM TAYLOR,
FWP Regional Wildlife Manager



JEFF HENRY/ROCHE JAUNE PICTURES

NUMBERS GAME Killing bulls doesn't reduce most game damage problems. To keep numbers down, hunters must harvest more cow elk.

their community, that we want to work through their problems with them.”

That's easier said than done. Reno admits he's lucky to live in an area where ranchers get along with each other and are friends with many local hunters. Other efforts to start working groups have failed because one or more key landowners chose to not participate. What's more, the working group approach may not be right in many areas of the state.

“There's no simple, one-size-fits-all solution,” says Jeff Herbert, assistant FWP Wildlife Division administrator. “Elk management is incredibly complex, and so many factors—including weather, changing demographics, different attitudes by landowners toward elk—are simply beyond our control.”

That complexity notwithstanding, Montana's current elk management dilemma can be reduced to a simple equation: Throughout parts of Montana there are too many elk, eating pasture and haystacks. Throughout all of Montana (and the United States), there are people who want to hunt those elk.

Putting the two together shouldn't be difficult. But it will remain so until landowners, FWP, and hunters can agree on how Montana's elk should be managed—and to the benefit of whom. 🐃

Brewing Up Solutions in the Devil's Kitchen

When rancher and former legislator Chase Hibbard hears the story of FWP sharpshooters having to kill 15 elk in a cornfield east of Billings, he shakes his head and frowns. “That's what happens when landowners don't work together as a community,” he says.

Hibbard should know. He and his neighboring ranchers anticipated such a problem back in the late 1980s. Elk on the nearby Beartooth Wildlife Management Area were growing more numerous, from 300 head when it was purchased in 1971, to 1,500 in 1989. Many wintered on adjacent ranchlands.

“Sometimes in the fall we'd have 600 to 800 elk in our meadows,” says Hibbard, an owner of the Sieben Livestock ranch near Cascade.

After he and neighboring ranchers learned that FWP aimed to further increase the elk population, they decided to do something. They invited local hunters, other ranchers, and state and federal land managers together to find a way to balance growing elk numbers with landowner tolerance and hunter expectations.

“We wanted to establish a forum for exploring and resolving problems before they entered the arena of the legislature and FWP Commission hearings,” Hibbard says. “Those aren't the best places to solve local problems like the one we were facing.”

They named their group after a nearby BLM landmark, a rocky labyrinth of caves, tunnels, and passageways. “The Devil's Kitchen symbolized the complexity and inaccessibility of the problem we were dealing with,” Hibbard says.

What the Devil's Kitchen Working Group proposed to the FWP Commission was to limit the bull harvest (to increase the number of trophy bulls), liberalize the antlerless harvest (to reduce the overall elk herd size), increase the amount of public hunting on ranches, and have FWP help manage the hunting activity.

After some initial hesitation, the commission okayed the group's proposal in 1994.

Since then, says Graham Taylor, FWP regional wildlife manager at Great Falls, the number of older, bigger bulls has increased, the overall herd size has decreased, and elk damage complaints among group members are almost nonexistent.

“The key has been getting informed consent from all the interested parties—ranchers, sportsmen, and the agencies,” says Taylor, a member of the group since its inception. “That's an unbeatable combination.”



ERWIN & PEGGY BAUER

BIG BULL BENEFIT In addition to lowering overall herd size, the Devil's Kitchen Working Group's proposal has greatly increased the number of older bulls in the population. That required the consent of local hunters, who traditionally had been able to shoot the young spike and raghorn bulls that, when left to live a few more years, are now growing up to be trophies.