

Recommendation 6: FWP should expand the options within the *existing* statutory authority of MCA 87-2-513 (*Landowner Elk Permit for Access Program – formerly referred to as HB 454 Program*) to allow issuance of either-sex or antlerless elk permit(s) to a landowner who offers free public hunting through a contractual public elk hunting access agreement.

1. Permits may be issued in multiples of 5, with ratios that could include a 1:2 ratio for either-sex (ES) permits between landowner and public, with remainder of permits issued under this authority being antlerless (A) permits for the public. This would maintain statutory cap of no more than 20% of total permits issued under MCA 87-2-513 being issued to landowner, landowner's family member, or ranch employee.

EXAMPLE: an agreement might allow for the following MCA 87-2-513 permits:

- 1 ES permit to landowner, 2 ES permits to public + 2 A permits to public
(OR)
 - 2 ES permits to landowner, 4 ES permits to public + 4 A permits to public
(OR)
 - 3 ES permits to landowner, 6 ES permits to public + 6 A permits to public
2. In addition to the MCA 87-2-513 permits issued in the examples cited above, the number of additional antlerless opportunities provided to hunters with permits (or licenses) valid for the entire hunting district will depend upon the specific circumstances of the agreement, including such factors as elk herd objective levels, size of land enrolled, etc.
 3. The intent of expanding this program is to increase landowner participation and access for hunters during the regular hunting seasons (bow and general), while still allowing flexibility for potential participation in early or late management seasons or damage hunts, IF statutory and ARM public hunting access eligibility criteria is met.
 4. Landowners and hunters participating in the program are encouraged to complete the Hunter-Landowner Stewardship Project course before applying.
 5. This effort should be considered a pilot effort that would last for four years.
 6. FWP is encouraged to accept landowners into this program only if the landowner has not already been issued an elk permit through landowner preference.

Rationale

The rationale for the recommendation is to create more incentive for more landowners to participate in this program, to create more access opportunities for sportsmen and to offer additional tools for managing elk. This program was created in law in 2003, but has had only one landowner per year participate in the program.

Background

MCA 87-2-513 provides authority for FWP to issue either-sex or antlerless elk permit(s) to a landowner who enters into contractual public elk hunting access agreement under the following provisions:

- Permits are nontransferable and may not be sold;
- Permits may only be used on landowner's property that is opened to public access through a contractual agreement;
- No more than 20% of the permits issued may go to the landowner, landowner's family member, or full-time ranch employee;
- Through the contractual public elk hunting access agreement, the landowner must allow free public elk hunting throughout the regular hunting season;
- The contractual public elk hunting access agreement must also include public hunting by hunters using permits (or B licenses) valid for the hunting district;
- The contractual public elk hunting access agreement developed by the department and the landowner defines the areas that will be open to public elk hunting, the number of public elk hunting day that will be allowed on the property, and other factors that the department and the landowner consider necessary for the proper management of elk on the landowner's property.
- The department may prioritize distribution of permits according to the areas the department determines are most in need of management.