

SPECIAL
REPORT

WHO GETS A SHOT?

The ongoing struggle to allocate archery hunting opportunities for trophy elk in the Missouri River Breaks region

BY SCOTT MCMILLION

Along the south side of the Missouri River, where vast Montana prairies fall apart and become the Missouri River Breaks, nonresident hunters had a banner year in 2005. A total of 534 of them showed up in Hunting District 410, and they dropped 111 elk—27 with rifles and 84 with bows.

By 2011, only 181 nonresidents hunted in the same district. They bagged just 39 elk—9 with rifles and 30 with bows. Similar patterns surfaced in hunting districts in and around the Missouri River Breaks, a place famed for trophy elk.

What changed during those six years? The rules established by the Montana Fish, Wildlife & Parks Commission.

For years, all nonresident hunters who drew a general elk tag in Montana could then buy a permit that let them hunt elk with a bow in a large part of the Breaks. The same was true for resident bowhunters wishing to hunt the area, known for its large-antlered elk. For such an opportunity to hunt trophy bulls almost anywhere else in the United States, bowhunters have to get lucky in a lottery, sometimes waiting for years. And elsewhere across Montana,



UNFAIR ALLOCATION? A trophy bull elk moves across a Missouri Breaks grassland at dusk. Until 2008, bowhunters from across the United States had unlimited opportunity to hunt bulls like this—without lotteries or special permits required in other trophy elk areas of Montana and other western states. Rifle hunters, restricted to just a handful of bull permits in the Breaks, argued that the allocation was unfair.

BULL ELK BY DONALD M. JONES

nonresidents are usually restricted to just 10 percent of the limited, coveted permits for trophy elk hunting.

Word spread, of course. Archers from across Montana and around the country flocked to the Breaks, a region that remains one of Montana's emptiest for most of the year. In midsummer or winter, you could spend days without seeing anybody. But in bow season during September and October, things started to get downright crowded for some hunters, mostly Montana residents. They started complaining.

Even more than it does for rifle hunters, crowding causes problems for archers. Bowhunters must invest considerable time and skill stalking a bull or calling it within range, usually 40 yards or less. Obviously, unexpected company can foul the hunt. Archers need to spread out, and that became increasingly hard to do.

Steve Schindler, of Glasgow, has been hunting the Breaks since 1969. In the relatively open country of the Breaks, he explains, archers often begin a hunt by spotting prey from a considerable distance, then applying a stalk. "But there might be somebody a mile away looking at the same elk," he says. "It got to be a foot race situation and just kinda fouled things up for everybody. It was to the point where something had to be done."

According to Quentin Kujala, a Wildlife Bureau official for Montana Fish, Wildlife & Parks, increased archery hunter numbers caused ripple effects that splashed beyond conflicts over individual animals. Growing hunting pressure on public land pushed elk onto private property. That made the animals off-limits for many archers. It also made them harder to reach during the general rifle season, when, unlike the archery season, tags were limited.

That caused concerns about fairness: Rifle hunters complained that archers, whose numbers were uncapped, had first and best access to elk. For instance, in 2007 FWP provided a total of 75 bull permits for resident and nonresident rifle hunters in Hunting District 410. That same year it gave out 1,200 either-sex archery permits for that area. "It was like that throughout most of the Breaks," says Kujala. "You had extremely limited permits for rifle hunters and virtually unlimited permits for archery. It simply was not an equitable allocation."

Another issue of contention was the growing number of landowners leasing their property for exclusive access. Because many hunters don't know the terrain, or they want and can afford exclusive hunting opportunities, private property owners in the Breaks area had an incentive to lease hunting rights to outfitters or individuals (both resident

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and nonresident) as long as tags were plentiful. Landowners began closing their gates to nonpaying hunters. That in turn concentrated those hunters on public land, where they collectively pushed elk onto adjacent private property.

"It was a classic American conundrum," says Randy Newberg, a Bozeman resident with long experience bowhunting in the Breaks. "The elk herds are a public resource held in trust for the public, but they live on private land."

It's not like there weren't enough elk. Based on what the habitat supports and ranchers will tolerate, the populations in all hunting districts in and around the Breaks were above objectives set by FWP. The agency wanted to trim the size of herds as a way to lessen depredation on some ranches. That's usually done by issuing additional tags for hunters to harvest more cow elk. But with elk concentrating on private lands where public access was restricted, that management tool lost its effectiveness.

PROBLEM SOLVING

In 2008, attempting to solve at least some of these problems, the FWP Commission limited the number of archery tags in the Breaks and roughly two dozen hunting districts elsewhere in central and eastern Montana. It made the decision after considering more than 2,000 public comments and listening to testimony at meetings around the state.

"The idea was that anywhere we limit rifle permits for bull elk, we should also limit archery permits," says Ken McDonald, chief of the FWP Wildlife Bureau. "And not just in the Breaks. The commission also limited archery permits in 22 other districts, in large part to be proactive in preventing the type of problems we were seeing in the Breaks."



TOO MUCH OF A GOOD THING As the popularity of the Breaks' archery hunt grew, so did complaints by residents of overcrowded conditions and hunters pushing elk off public land onto private property.



DIFFERENT LANDOWNER ATTITUDES Another issue in the Breaks region is that some ranchers suffer depredation on their property from elk, which can damage fences and eat forage meant for livestock. To bring numbers down, FWP generally increases the cow elk harvest by public hunters. But as Breaks elk were pushed onto private land that allowed no public hunting, that management tool became increasingly less effective.

The new regulations ended the days of virtually guaranteed permits in an area filled with trophy bulls. The rules are also why the number of nonresident hunters has fallen so sharply. Nowadays, out-of-state archers must go through two drawings to hunt elk with a bow in the Breaks: The first lottery is to obtain a general elk license, which lets them hunt in the state. The second is to receive an archery permit in the Breaks. Since 2008, nonresidents have been limited to up to 10 percent of the number of total archery permits.

"It had a positive impact right away," says Schindler, who is vice president of the Montana Bowhunters Association. "Limiting the permits definitely made things better in the Breaks for the resident hunter."

That's despite the fact that residents, too, must now apply for an archery permit in the Breaks (though, under state statutes, they enjoy much better odds than nonresidents).

Though landowners can still lease exclu-

sive hunting opportunities, the new rules don't sit well with those who were earning money from the large number of nonresident elk hunters previously flocking to the region. "It's been a real hardship for outfitters up in the Breaks," says Mac Minard, executive director of the Montana Outfitters and Guides Association.

Others are feeling the pain as well. Each fall since 2008, roughly 500 fewer nonresident bowhunters have visited the Breaks region to buy gas, meals, motel rooms, and other travel and hunting expenses. Though many of those elk hunters went elsewhere in Montana, taking their wallets with them to places like Ennis or Augusta, the new archery rules were definitely a blow to some landowners and merchants in north-central Montana, where earning a living doesn't come easy even in the best of times.

As for crowding, Minard says out-of-staters seem far less concerned about bumping into other hunters, whether they hire an

outfitter or stalk elk on their own on public land. He says he knows of many nonresidents who want to hunt the Breaks but have been unable to draw a license or permit.

Opponents of the new rules also point out that just because landowners now have a smaller customer base for private leasing doesn't guarantee they will open their property to public access.

Jack Billingsley, who ranches and outfits west of Glasgow on the north side of the Missouri, says limiting nonresident tags has cut substantially into his business. "We used to hire six employees" to work the hunting season, he says of his family's operation. "Now it's just us."

While many hunters decry the leasing of hunting rights, Billingsley says it can play an important role in rural economics. In some cases, a young rancher may need the extra income to make payments on land he's buying from his parents or others. An outfitter who can't ensure clients an elk tag is likely



NOT BIG ENOUGH Though the Missouri River Breaks cover several thousand square miles of open country, the combination of increased hunter numbers and decreased access to private land puts the squeeze on many hunters. The FWP Commission must weigh the often-conflicting concerns of resident and nonresident bow and rifle hunters, landowners, and outfitters as it tries to find the fairest way to allocate elk hunting opportunities.

to stop leasing land, which can be a setback to ranchers counting on lease payments in their long-term financial plans. Outfitting got his family through the lean drought years of the 1980s, Billingsley adds.

MAINTAINING QUALITY

After the 2008 rules were established, the Breaks became regulated like similar trophy elk areas around Montana and other states. “Nowhere else in the country,” can nonresidents get a guaranteed tag in an area managed for trophy bulls, says Newberg, who hunts throughout the West. Like everybody else, he often has to wait years to draw a tag. Yet those restrictions are why the Breaks remains a high-quality place to hunt, he adds. “You don’t maintain that quality with unlimited tags. No other state does,” says Newberg.

The decision to restrict bull elk archery tags where rifle tags were already limited

Scott McMillion, of Livingston, is a freelance writer and senior editor of Montana Quarterly.

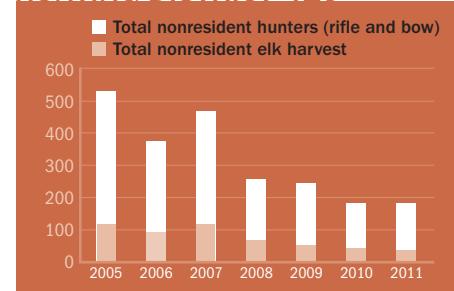
came after a long debate. And it left a bitter taste on a number of palates. Supported by business interests, the 2011 Montana legislature tried to overturn the FWP Commission’s decision. Some legislators and landowners accused FWP of using the 2008 rules to force people to open private property to the public. A bill to restore archery permits to 2007 levels passed the House of Representatives but died in the Senate on its third reading.

As an outfitter, Billingsley served on a working group of hunters, landowners, and others appointed by FWP in 2011 to review the Breaks controversy and recommend archery hunting regulations. The group submitted to the FWP Commission a plan that would, among other recommendations, remove limits on nonresident archery tags used only on private land in exchange for landowners allowing more harvest of female elk on the same property during both the archery and rifle seasons. Billingsley says he saw that as a way to meet the needs of landowners, nonresidents, local businesses,

and local hunters looking to shoot a cow elk to fill the freezer.

Though the FWP Commission didn’t adopt the unlimited nonresident archery permit recommendation, it agreed to increase the number of bull permits. As the working group had suggested, the idea was that landowners would in turn open their property to nonpaying hunters to harvest cow elk. The additional bull permits were meant to increase the customer base for landowners who lease and also benefit hunters on public land,

HUNTING DISTRICT 410



LEFT TO RIGHT: RANDY BEACHAM; LANCE SORENSON

while the increased cow elk harvest would help bring populations in those hunting districts down to tolerable levels for ranchers concerned about elk depredation.

Such reductions are essential, say FWP officials, who note that elk numbers have grown above management objectives in 21 of the 30 affected hunting districts since hunter numbers were restricted. McDonald says his staff will work with Breaks-area landowners and outfitters to monitor the bull elk permit incentive effort. “If we don’t see more cow elk being harvested, we’ll assume that public access to private land has not improved for cow elk hunters, as was the

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intent,” McDonald says. “If that happens, the commission has indicated it might have to cut back on bull permits in the Breaks and other related hunting districts.”

STILL A SUCCESS STORY

There were no elk just a few decades ago in the Breaks, and it took a lot of work to bring them back. Private landowners helped. Billingsley says it rankles him that, after landowners assisted with elk reintroductions, it’s now harder for some of those same people to reap the benefits.

Newberg says he understands that position, but points out that things change frequently in wildlife management. “All of us in Montana, both residents and nonresidents, have been spoiled in terms of opportunity,” he says. “But there’s no way the resource [the elk] or the trustees [FWP] owe anybody a living.”

If harvest numbers are any indication, Montana hunters benefitted from the FWP

rules even if local economies in the Breaks took a financial hit. Since 2008 the total number of bulls killed in the Breaks region has declined, but success rates for resident hunters have climbed. In HD 410, for instance, residents killed 59 percent of the bulls harvested in 2005. In 2011, they killed 83 percent.

The return of a thriving elk herd to Montana’s prairies remains an incredible success story in American conservation. The challenge no longer is restoring elk to the prairie but rather deciding the fairest way to slice that pie—who gets to hunt, and where.

No longer does almost everybody get a chance to hunt the Breaks every year. Some folks, resident and nonresident alike, will have to wait. But those who draw a permit have a good opportunity of killing a trophy bull, a smaller chance of another hunter ruining a long stalk, and lesser odds of finding another party at a favorite campsite.

In a perfect world, everybody would win. It’s not a perfect world. 🐃

AT THE END OF THE DAY The Missouri Breaks region still produces world-class trophy elk hunting opportunities, though not as many as before. For those who draw a permit, the odds of killing a bull are better than ever.

