



Some called it a miracle, others considered the new incentive program to increase public access on private lands a foreseeable next step in maintaining Montana's hunting heritage. Signed into law by Governor Marc Racicot in 1995, House Bill 195 is the legal foundation for establishing the Hunting Enhancement Program (HEP). With this progressive law, Montanans explicitly acknowledge the importance of private lands

in providing wildlife habitat and wildlife-related recreation by compensating landowners for granting public access. This program is funded by fees generated from the sale of special hunting licenses.

House Bill 195 grew out of recommendations made by the Private Land/Public Wildlife Advisory Council, which comprised hunters, landowners, outfitters, and legislators. The Council was established to advise the Governor on possible solutions for resolving conflict among hunters, outfitters, and landowners over the future of hunting on private lands. At issue is the decline of public opportunities to hunt on private lands, while commercialization of hunting on private lands, often by outfitters, is on the rise. This conflict is clearly related to the unwillingness of

some hunters to pay for the opportunity to hunt on private lands.

Under House Bill 195, a landowner enrolled in HEP may receive up to \$8,000 from Montana Department of Fish, Wildlife and Parks (FWP) in compensation for granting public access during the hunting season. This financial benefit is designed to offset potential impacts associated with public access. These include, but are not limited to, ranch maintenance, conservation efforts, weed control, fire protection, liability insurance, roads, fences, parking area maintenance, and time spent dealing with hunters. Enrollment in the program is voluntary, and a landowner may enroll in HEP for up to five years at a time. The agreement

between the landowner and FWP may include certain restrictions or rules that govern vehicle use or off-road access, number of hunters per day, duration of the use season, etc. During times of the year not covered by the agreement, landowners may admit public users at their discretion. HEP is administered as part of the Block Management Program, which is designed to assist landowners in managing hunters on private lands.

Who can participate in HEP? Even though HEP is primarily intended to recognize landowners who traditionally have allowed public hunting without compensation, or who are already enrolled in Block Management, the program is also aimed at opening previously closed private lands for public hunting. Any private landowner is eligible to participate in the program for as long as outfitting or other commercial hunting does not restrict public opportunity for hunting. Priority for enrollment is given to those landowners who have game species available in huntable numbers.

HEP is founded on the notion that those landowners who place the least restrictions on public access should receive the greatest compensation. Actual compensation is computed based on a number of factors including the number of hunter days provided, the type of hunting (upland game bird, big game, etc.), and the amount of access provided to previously isolated state/federal lands. Besides a base payment of \$500 to each landowner enrolled in the program, a minimum of \$6 is paid for each hunter day provided. Additional compensation is available to those who grant access for an entire hunting season or who impose no restrictions on the legal taking of species and gender for which a hunting season has been set by the FWP Commission. These additional payments are added to the daily hunter payment and can amount to a maximum of \$4. Also, in situations where additional access to isolated state or federal lands is granted, a compensation rate of 50% of the daily hunter payment may apply, or \$3. In total, a landowner may receive up to \$13 per hunter day in addition to the base fee of \$500.

Payments to landowners are made following the close of the season and the submission of hunter use documents to

FWP. Acceptable methods of documentation include permission slips and daily use rosters. For landowners who want FWP personnel to manage hunters and monitor hunting activities on the property, a value for this service will be deducted from the total compensation for which the landowner is eligible.

Who is paying the bill to compensate landowners? Under this new provision, HEP funds are acquired from the sale of non-resident hunting licenses. The FWP Commission sets market-based fees for non-resident combination licenses for deer and elk which are compatible with fees charged in neighboring states. These outfitter-sponsored licenses ensure that an outfitter can book a client on a hunt, with a guaranteed license. Approximately 5,500 elk and 2,300 deer licenses are sold each year at the going market rate. The amount of money available for HEP from these variable-priced licenses will vary from year to year according to the demand by non-residents to hunt in Montana and their willingness to purchase these more expensive, but guaranteed licenses. For the 1996 hunting season, the sale of these licenses is expected to generate roughly 1.5 million dollars. Approximately half of this money will be spent to compensate landowners already enrolled in Block Management, while the remainder will go toward the enrollment of approximately 200 new landowners into HEP.

HEP has the potential to resolve conflicts among landowners, hunters, and outfitters over hunting on private lands. To ensure the success of this innovative program in the legacy of wildlife conservation and hunter management in the state, Governor Marc Racicot will appoint a citizen committee to monitor progress in program implementation. This committee will have equal representation of landowners, outfitters, and hunters from across the state.

Hunters interested in hunting on private lands can obtain a list of landowners enrolled in Block Management from FWP regional offices. This list includes information on the location of an area, type of hunting, use restrictions, dates of availability and other useful information. Access to these areas is allocated on a first come, first served basis.

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