



THE DEVIL EXPER

SUSTAINING PUBLIC HUNTING ON PRIVATE LANDS THROUGH COOPERATION AND INNOVATION

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MONTANA IS endowed with a diversity of habitats and an abundance of wildlife. With the recent recolonization of wolves and grizzly bears into historically occupied habitats, the species assemblage of the frontier days is now recovered and the era of restoration, with some exceptions, is coming to a close. We now face the challenge of maintaining the abundance and richness of wildlife in a landscape that is increasingly subject to pressures of social and economic change. These pressures are strongest on private lands.

Private lands harbor an ecological wealth of wildlife, productive soils, diverse habitats, open space - resources of great aesthetic and economic importance. Private lands played an essential role in the remarkable recovery of game species in this century. These lands are still instrumental in modern conservation and management of wildlife in Montana. Furthermore, private lands provide the cornerstone of wildlife-related recreation in the state, especially hunting.

The future of Montana's hunting heritage is intricately tied to private lands as more than 60 percent of the state's land base is privately-owned. Historically, hunters and landowners maintained a strong, mutually beneficial relationship. While the landowner granted access, the hunter kept wildlife in check with habitat conditions, land use, and landowner

tolerance. Throughout this century, this relationship was relatively easy to maintain as fewer people inhabited the state, wildlife populations were at lower densities, and the motivation for hunting was primarily one of sustenance. However, the winds of change have begun to blow in the Big Sky state. Given the current abundance and diversity of wildlife, one might believe that hunters are better off now than a few decades ago when wildlife species were less widespread and common. While it is true that many game species, particularly elk, are at new record highs, opportunities for wildlife-related recreation on private lands are rapidly diminishing.

Montana's diary of hunting history has received many entries over the last 100 years. At the turn of the century, hunting almost ceased to exist due to a shortage of game. Under intensive pressure from unregulated market hunting, many game species were reduced to remnants of their once great abundance. A passion for hunting and a vision for a future rich with wildlife inspired conservation-minded hunters from all walks of life to bring a halt to the precipitous decline of game species. In the decades that followed, the combination of enforced game laws, game preserves, and science-based management led to the recovery of game species to new historic heights. The foundation for success was the transfer of wildlife into a public trust to be

S KITCHEN RIENCE

managed by state wildlife agencies. In Montana, hunting has been the fabric that has woven hunters and landowners into a powerful force, working together to restore landscapes that are now rich with wildlife.

However, today - in Montana and throughout the west - relations between hunters and landowners are often strained. It is not uncommon for a hunter to encounter a blaze-orange "no trespassing" sign on private lands previously open to the public. However, fewer personal and positive interactions between hunters and landowners are only part of the predicament. In some cases, the problem lies in irresponsible behavior by hunters who leave gates open, drive off roads, and litter properties. These manners have contributed to the animosity; landowners typically incur the costs in time and materials that result from public hunting, including maintaining roads and parking areas, controlling weeds, and dealing with wayward hunters. Many landowners are expressing frustration with the lack of recognition they receive for their contribution of providing public access. In addition, landowners are discouraged by the limited effectiveness of hunting to control growth of antelope, deer, and elk herds on their lands. As herd size increases, particularly with respect to elk, complaints of game damage also increase. State wildlife agencies are limited in their ability to effec-

tively address game damage. Public hunting is ultimately the only method that is effective in alleviating game damage, either through herd reduction or displacement.

Exasperated, landowners are pursuing alternatives to public hunting to deal with the lack of public recognition and with abundant wildlife on their lands. In some cases, large family-owned ranches are sold for their wildlife rather than agricultural value. Often, these new non-traditional landowners have

Another commonly pursued alternative by landowners is to keep possession of the ranch but turning it into a hunting preserve. Many savvy landowners opt for regulated fee hunting by an outfitter who both controls access and generates revenue for the landowner by marketing wildlife. These lands carry with them exclusive privileges for those who are willing and able to pay market-based price for access to wildlife. The financial incentive to manage private lands as hunting

WORKING CATTLE RANCHES ARE A CRITICAL HABITAT COMPONENT FOR A VARIETY OF WILDLIFE IN THE DEVIL'S KITCHEN AREA. A CONSERVATION CHALLENGE FOR THE FUTURE IS TO KEEP THESE AGRICULTURAL OPERATIONS INTACT BY PREVENTING URBAN SUBDIVISION.



little interest and low tolerance for public hunting. With the mind-set of preserving a piece of paradise - a piece of the last western frontier - prospective landowners seek large tracts of unspoiled Montana with the intent of closing it to all public access. Once acquired, these lands often end up as wildlife preserves.

preserves is extremely high as many hunters seek the exclusivity of private lands with less competition, higher success, and generally easier hunting conditions than on public lands. Even though revenue generated from a hunting preserve helps raise tolerance levels for wildlife, neither the alternative of the wild



ranchers are marketing access to wildlife to survive economically, this is true for only a few landowners. The majority of Montana's ranchers seem to market access because of a lack of alternatives to make wildlife and public access pay for itself, at least partially. The costs and inconveniences to ranchers for managing hunters can be quite

life preserve nor the hunting preserve resolves the long-term problem of fairly distributing the costs and benefits of wildlife on private lands among interested parties.

toward the European style of hunting where only those of means can afford to hunt.

There is growing fear among hunters and other conservationists that the trend toward marketing wildlife will eventually lead to privatization and commercialization of all wildlife on large tracts of privately-owned ground in Montana. The fear is that the hunter with only modest income will be effectively excluded from private lands and, as a consequence, will give up the treasured family tradition of hunting. As this trend grows, the democracy of the American hunting opportunity may evolve more

THE DEVIL'S KITCHEN MANAGEMENT TEAM

THE 5 GOALS ESTABLISHED BY THE GROUP WERE AS FOLLOWS:

- 1) TO INCREASE HARVEST IN THE AREA TO MANAGE THE SIZE OF THE ELK HERD.
- 2) TO SECURE PUBLIC ACCESS TO HUNT ELK, INCLUDING BULLS.
- 3) TO REDUCE THE BURDEN ON LANDOWNERS FOR MANAGING HUNTERS.
- 4) TO IMPROVE AGE DIVERSITY AMONG BULL ELK.
- 5) TO MAINTAIN EXISTING OUTFITTING OPERATIONS ON PRIVATE LAND.

high, especially for larger ranches. Permission slips need to be written, land boundaries and parking areas posted, and harvest quotas set. These tasks can easily translate into a full time job for the five weeks of general big game hunting. There is little reason for hunters to assume that the rancher should absorb these costs as part of operating a ranch. If hunters want to dissuade marketing of wildlife for exclusive access, incentive programs for public access and habitat may be necessary.

In seeking integrative solutions to current challenges we must understand what is at stake. Although its often touted that

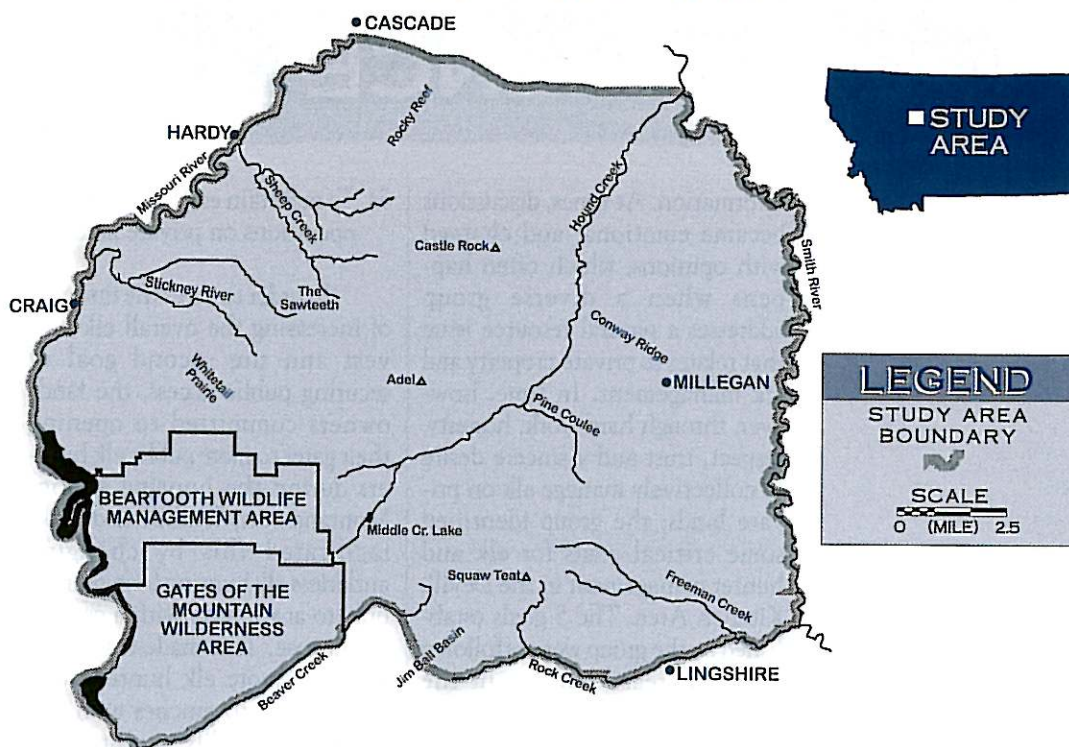
There are some ground breaking efforts taking place in

ELK THAT WINTER ON THE BEARTOOTH WILDLIFE MANAGEMENT AREA TYPICALLY SUMMER ON ADJACENT PRIVATE LANDS TO THE EAST.



Montana to tackle this problem head on. One such effort is occurring in north-central Montana, near a place so rugged and wild that this area is often referred to as "The Devil's Kitchen." Here, landowners and hunters are working together to resolve the conflict over the allocation of costs and benefits of wildlife and recreation on private lands. The Devil's Kitchen Management Team is a collaborative effort among diverse interests dedicated to finding a more optimal and fair solution for integrating private and public interests in wildlife. Key participants include landowners, hunters, outfitters, Montana Fish, Wildlife and Parks, and the Montana Land Reliance.

THE DEVIL'S KITCHEN AREA



THE DEVIL'S KITCHEN

The Devil's Kitchen Management Team takes its name from a rugged mountainous canyon located in the northern Big Belt mountains. The Devil's Kitchen area is a wildlife-rich complex of private and publicly owned lands, including large working cattle and sheep ranches, the Gates of the Mountains wilderness area, and the state-owned Beartooth Wildlife Management Area. Together, these lands comprise some of the most productive elk habitat in Montana. What makes this country so productive for elk is the availability of grasslands, which are interspersed with rugged topography and cover.

The elk herd in the entire Devil's Kitchen area has grown from approximately 500 in the early 1970's to approximately 2,300 observed on the winter ranges today. Approximately two thirds of the elk herd that winters on the Beartooth Wildlife Management Area spend the remainder of the year on private lands. It is important to note that the state of Montana purchased the 33,000 acre Beartooth Ranch in the early 1970s to provide for elk winter

range and hunter opportunity. The subsequent increase in overall elk numbers observed in the Devil's Kitchen area was in part due to management goals of increasing elk on this newly acquired wildlife management area by allowing the harvest of bull elk only.

During the mid 1980s, landowners in the area were becoming increasingly concerned over both the increase in elk numbers and the ability to harvest elk on their own ranches. Until 1991, antlerless elk were available to hunters by special permit only while bull elk were available to any hunter with a valid elk license. This scenario had ramifications that were two-fold. First, landowners did not have too much flexibility to open their land to antlerless elk hunters when the elk were present because they had to rely on computer-drawn permit holders, many of which resided in other parts of the state. Second, the fact that bull elk in this relatively open country could be harvested by any hunter with a valid license resulted in low numbers of bulls surviving past 1.5 years of age. One landowner in the area even announced that it would be

desirable to observe just a few bull elk that die of old age! Fears over increasing numbers of antlerless elk on private ranches and a lack of age diversity among the bull segment of the elk herds were the two primary reasons that the landowners in this area, along with state and federal agencies, sportsmen, the Montana Land Reliance and a few other interested parties came together at the table and formed the Devil's Kitchen Management Team. The important point to note is that this group had its roots in a landowner initiated effort and a desire to cooperate with other parties interested in elk management.

To tackle the elk management problem in the area, the group met in a local church, 3 or 4 times per year, to collectively identify the concerns of all parties involved and to develop some goals that would later manifest themselves as hunting regulations for their area. The discussions were facilitated, and in some cases moderated, by the Montana Land Reliance. Many hours were spent pouring over aerial elk surveys and maps, elk harvest data, elk biology information and compiling individual ranch access and hunter

THE DEVIL'S KITCHEN EXPERIENCE

information. At times, discussions became emotional and charged with opinions, which often happens when a diverse group addresses a natural resource issue that relates to private property and elk management. In time, however, through hard work, honesty, respect, trust and a sincere desire to collectively manage elk on private lands, the group identified some critical goals for elk and hunter management in the Devil's Kitchen Area. The 5 goals established by the group were as follows:

- 1) To increase harvest in the area to manage the size of the elk herd.
- 2) To secure public access to hunt elk, including bulls.
- 3) To reduce the burden on landowners for managing hunters.
- 4) To improve age diversity among bull elk.

- 5) To maintain existing outfitting operations on private land.

In order to meet the first goal of increasing the overall elk harvest and the second goal of securing public access, the landowners committed to opening their gates to more public elk hunters during the hunting season. Montana Fish, Wildlife and Parks facilitated this by changing antlerless elk hunting from permit-only to any hunter with a general elk license. This made it possible to direct more elk hunters with short notice to ranches with elk. Sportsmen readily accepted the challenge to harvest more antlerless elk.

The third goal of reducing the burden of the hunting season on the landowners was accomplished in two ways. First, many landowners

opted for participation in the state sponsored "Block Management Program." This program allows landowners to receive direct compensation from the state for impacts on their property caused by public hunters such as road damage or the spread of weeds. Payments to landowners were based on a "days of hunter use" basis. Second, some landowners opted for an actual Block Management patrol on the property, who was responsible for reserving hunts, managing hunters, and communicating with the landowner.

Age diversity in the bull segment of the elk herd was a concern, and subsequently a goal shared by all participants. It was not uncommon to observe only young bulls during winter aerial surveys in the Devil's Kitchen area prior to 1992. To accomplish this goal, the group agreed to have the first 2 weeks of the hunting season open to either-sex elk hunting with a general license. This allowed landowners and outfitters to have some flexibility in granting access for hunting bull elk. The last three

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weeks were open to bull elk hunting by a special permit only. The landowners and outfitters conceded the ability to hunt bull elk on their own land during the last three weeks of the season unless they drew one of the special permits issued for the area (currently 50 permits are offered annually). Permits were issued by the state according to a random drawing open to all hunters. To address a "fairness" issue the landowners also committed to voluntarily limit their harvest of bulls during the first two weeks. The sportsmen in the group supported this season structure because participating landowners committed to public access for hunting bull elk on their ranches for the last three weeks of the season. The trade-off was clear: In order to maintain the first two weeks of either-sex elk hunting without a special permit, the landowners conceded to providing public access for either-sex elk hunting, by special permit, during the last three weeks of the season.

Keeping the local outfitters in business was also one of the

groups goals. To address this, local outfitters were invited to the table to participate in the decision-making process. Outfitters stated that it would be difficult for them to be restricted to two weeks of bull elk hunting only compared to the previous five weeks. They did, however, recognize that the group's

proposed season structure would produce older bulls throughout the Devil's Kitchen area. However, when it came time to bring the group's package to the public, most of the outfitters were still on board. In 1993, the Montana Fish, Wildlife and Parks Commission approved a recommendation by

AGE DIVERSITY AMONG THE BULL ELK HAS INCREASED AS A RESULT OF THE DEVIL'S KITCHEN MANAGEMENT TEAM EFFORT. THE ELK PICTURED WERE OBSERVED DURING WINTER ELK SURVEYS ON PRIVATE LANDS ADJACENT TO THE BEARTOOTH WILDLIFE MANAGEMENT AREA THIS YEAR.



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THE DEVIL'S KITCHEN EXPERIENCE

the Department's wildlife division that was the result of the Devil's Kitchen Management Team collaborative decision-making process. The team's hard work has been rewarded. From 1993-96, on average 1,365 sportsmen hunted

annually since 1993. Overall, antlerless elk harvest has increased by 30-40% since the mid 1980s. At the same time, overall bull harvest has decreased by 30-40%. The harvest of bulls that does take place in this area is shared among landowners, outfitters, and public hunters. Surveys conducted after the hunting season revealed that 95% of the either-sex permit holders had no difficulties gaining access to hunt bulls in the Devil's Kitchen area. Landowners not only welcomed them to their respective ranches but also provided hunting information.

The number of brow-tined bulls observed during aerial surveys on winter range has increased sharply. Again, prior to the team's effort it was uncommon to observe older bulls during surveys. To the delight of many hunters and landowners, harvested bulls are now reaching 4.5 years of age! The uncontrollable variable is weather. In years with early onset of winter, harvest tends to be greater than in mild seasons, even with liberal public access.

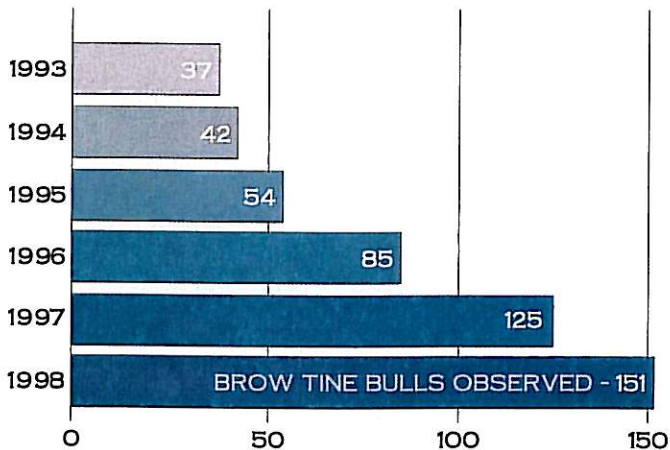
Like most collaborative processes, there has been criticism. There are those who say that the state has given up the ability to set the hunting season regulations and to manage wildlife. We could not

disagree more. This process has given the state more ability to actually manage elk in the area through increased communication and cooperation among landowners and hunters. Other critics point out that this process caters to the landowner. In this part of the Devil's Kitchen area, the ownership is almost completely private. Most public lands in the area are not accessible to hunters because of limited legal access. By proposing a more flexible season package, it provides the landowner with some incentive to allow public access as well as to tolerate the productive elk herd on their land.

The success of the Devil's Kitchen Management Team has been formally recognized by the Montana Fish, Wildlife and Parks Commission. The team has been given a formal voice in local elk management. However, this arrangement is contingent upon the team's continuing cooperation of all parties involved. This solution is unique in the annals of Montana's conservation history; where private landowners and sportsmen have been sitting at the same table participating in the hunting season setting process together.

BROW TINE BULLS

THE NUMBER OF BROW TINE BULL ELK OBSERVED DURING POST-HUNTING SEASON AERIAL SURVEYS IN THE BEARTOOTH MANAGEMENT AREA



elk on private lands for an annual average of 5,543 days. Hunter numbers were similar to years past. However, the major difference was that now the majority of hunters were hunting antlerless elk. On average, 482 elk have been taken by sportsmen on private lands an-

JIM WILLIAMS (RIGHT) IS A LOCAL WILDLIFE BIOLOGIST FOR THE DEVIL'S KITCHEN AREA AND **THOMAS BAUMEISTER (LEFT)** IS A B&C FELLOW THAT WORKED IN THE DEVIL'S KITCHEN AREA LAST FALL.



LOOKING AHEAD

Each autumn, hunters pay tribute to the unparalleled accomplishment of wildlife restoration and the democracy of the hunt in North America by heading afield, complying with game laws, and employing a personal ethic of fair chase. These experiences keep Montana's legendary hunting heritage alive. Yet, the opportunities for public hunting on private lands intensifies, the force that brought about remarkable wildlife restoration in this century is fading and putting the future of wildlife into the hands of the modern marketplace. The challenge in wildlife conservation today is to restore the mutually beneficial relationship between hunters and landowners. This entails establish

ing a more fair distribution of the costs and benefits of supporting wildlife on private lands that allows landowners to maintain their lifestyle, secures a place for wildlife on private lands, provides for the opportunity of wildlife-related recreation, precludes foreclosure on future generations, and avoids the negative effects associated with exclusive marketing of wildlife.

It is the role of hunters as conservationists to work together along with land and wildlife agencies to discourage privatization and commercialization of wildlife by seeking innovative and viable solutions for landowners that will safeguard wildlife habitat and public access to private lands. Approaches of integrating private and public interests at the grassroots level such as that of the Devil's Kitchen Management Team blaze the trail into the future. Here, cooperation among diverse interests is achieved by granting landowners the opportunity to participate in the decision making process and by providing limited opportunities to capitalize on a public resource through favorable season structures, while ensuring an abundant and diverse elk herd. Hunters come away from the process with increased and secured hunting opportunities on private lands and an elevated role in the management of a local wildlife resource.

The foundation of our land or conservation ethic today can be found in the values, philosophy, and history of wildlife conservation and the hunting heritage in North America. The history of the American experience of restoring wildlife from the brink of extinction at the turn of the century and of putting its future into the hands of the American people is the foundation of the democratic system of wildlife management. Hunters and landowners alike are challenged to rediscover and understand this shared history of the North American hunting heritage and its implications for managing and conserving wildlife on private lands for future generations to come. ▲▲▲



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