

SB 380 House Committee Testimony

*For the
Fish, Wildlife, and Parks Committee*

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Purpose

Create an opportunity to increase access to public land currently blocked by private land and restore an affordable hunting license for US citizens desiring to hunt in Congressionally Designated National Wildernesses

Premise

Montana sportsmen as well as visitors to the state are often not able to access federal or state public land due to the surrounding private land that they must cross to gain access. Without a **meaningful pool** of funds to incentivize private landowners, access is unlikely to be achieved. Simultaneously this bill will create a new affordable license for hunting in wilderness as a means to entice the return of nonresidents that no longer consider Montana a state that welcomes them to hunt public land.

Parties Represented

The Professional Wilderness Outfitters Association (PWOA) in the responsible party for this bill.

Salient Facts

1. Throughout the state, there are many quality public land tracts (Federal USFS or BLM as well as DNRC) that are entirely blocked by private land. Hunters who prefer to hunt public land simply can't gain access to the public land since it requires permission by the private landowner. The public has targeted private landowners and their cooperation is at an all time low. This bill creates incentives to encourage private landowners to allow easement access.
2. Over the last 8 years the PLPW agreed on very little with the exception of the creation of the "Come Home to Hunt" program. In that legislation, they created the pool for public land access recognizing through their committee work how important this issue is for all citizens. Unfortunately the funds generated by Coming Home to Hunt amount to very little, now in particular, due to other previous Montana resident license programs. It is believed that this bill will create a reasonable war chest to approach the issue meaningfully.
3. Bluntly put, it is time to THINK BIG! Up to now land access has been done incrementally, if we want to it to work, we need a meaningful war chest so we can make it worth the while of the landowner to allow access.

4. Congressionally designated wilderness is a national interest property. These unique lands were set aside for the enjoyment of all Americans – residents and nonresidents alike. Wilderness access for hunting is perhaps one of the most traditional and important aspects of our country's hunting heritage. For this reason, Montana needs to embrace the importance of making our country's congressionally designated wilderness areas located in Montana accessible and affordable to all Americans.
5. Essentially, legislation will create a new category of nonresident combination elk/deer license. Holders of these licenses can only use them in congressionally designated wilderness areas in the state of Montana and in full compliance with all other regulations and seasons in effect as established by FWP:
 1. Absaroka-Beartooth Wilderness
 2. Anaconda Pintler Wilderness
 3. Bob Marshall Wilderness
 4. Cabinet Mountains Wilderness
 5. Gates of the Mountains Wilderness
 6. Great Bear Wilderness
 7. Lee Metcalf Wilderness
 8. Medicine Lake Wilderness
 9. Mission Mountains Wilderness
 10. Rattlesnake Wilderness
 11. Red Rock Lakes Wilderness
 12. Scapegoat Wilderness
 13. Selway-Bitterroot Wilderness
 14. UL Bend Wilderness
 15. Welcome Creek Wilderness

It is worthy to note that outfitters only operate in 6 of the 13 wildernesses

6. 1,200 in 2014 and 1,500 in 2015 such licenses will be available on a first-come, first-served basis beginning January 15 of each year. Applications of unsuccessful applicants will be diverted to the general draw for B10 licenses valid anywhere in the state.
7. The current price of the B10 as offered through the drawing is too high for access to wilderness and contains the uncertainty that a nonresident may not get drawn for a license in the future. In fact in the fiscal note, it is predicted that Montana will return to a drawing in 2014. The price of these special-use licenses are more in line with neighboring states, and reflect a desire on the part of Montana to have these special class of hunters return.
 1. The price of licenses for wilderness hunts was a problem under OSL as well as new rules from I-161
 2. Under new rules, this year including preference point and convenience fee a big game combo license is \$1,036. Due to statutory mandatory increases and the corresponding convenience fee impact, it will be ~\$1,179 for 2014, and of course will continue to increase at the Urban COLA.

3. The fact of the matter is that the current B10 is just too expensive to draw people to a wilderness hunt, it appears for years now that anything in excess of \$1,000 is the breaking point
8. Many are concerned why create more licenses when we can't sell the ones we have. The plain truth is we have been losing these unique nonresidents even prior to I-161, which was just the crowning blow. This new license will bring them back.
 1. Undersell in the last year is more so attributable to the following: Montana is suffering from a myriad of image issues and mix messages to nonresidents, simply put they don't feel welcome here; permit mishandling of archery permits has drove off more than 2,000 applicants; the winter kill/blue tongue of eastside deer has people waiting for herd restoration, and; perceived lack of game due to wolf issues. These are all temporary, and if you believe that this is a new day with a new Administration, Director, and Commission, then it is likely we will fix the issues and quickly lead the department back to strong sales.
 2. Current license sale declines are not a product of the economy, as other states as well as private land outfitting are returning to pre-recession numbers. However Wilderness Outfitters continue to suffer economically. In a poll in the last two weeks of 18 Bob Marshall Outfitters, only 2 outfitters have reported restored client numbers, all the remaining indicate their bookings are down, whereas the remaining outfitters throughout the state are seeing substantial gains in bookings.
9. Some of expressed that the wildlife can withstand more hunters in some of the wilderness:
 1. If nonresidents select an outfitter, outfitters are still restricted as they have always been by the priority use issued by the USFS. There can be no more use than has been historically authorized, and current outfitter fall use is estimated to be nearly 70% below historic high in early 1980s
 2. The Commission can limit hunting in any area as they have always done, through permits.
 3. Resource protection is done via permits not license sales
10. These licenses are not permits, but have the same status as B10 and B11 licenses with the additional restriction of use only in a congressionally designated wilderness in Montana.
11. The licenses represent additions to the total number of licenses available to nonresidents and are not to be allocated from either of the existing B10 or B11 pools of licenses available for nonresidents.
 1. Historically, most of the elk hunting in Montana occurred in the western half of the state. Non-resident license numbers established 35 years ago were utilized primarily in the western portion of the state, many in wilderness areas.

2. With the expansion of the elk herds in Eastern Montana and with no change in the number of non-residents allowed to participate, wilderness hunting opportunity is now underutilized.
 3. Unique licenses restricted to wilderness use only will appeal to a very limited number of nonresident hunters.
12. Preserves a means to attract and consistently serve nonresidents who wish to hire the services of a professional wilderness outfitter, thereby creating opportunities to retain tourism dollars and jobs in remote areas surrounding wilderness throughout Montana. Further helps to preserve an important segment of Montana's hunting heritage, the professional wilderness outfitter, a group that was an unintended victim of the negative impacts of the passage of I-161 as stated so even by the proponents of the initiative.
 13. This measure will also benefit rural Montana economies, and nonresidents who seek to hunt these unique public lands. In deed, the Coalition to Protect the Rocky Mountain Front recently published an economic impact study performed by Headwaters Economics in 2012 that stated (excerpted), "Looking at hunting ... on only U.S. Forest Service lands in Montana, ... these activities generated \$383 million in retail sales and 8,851 jobs."

Conclusion

The PWOA genuinely is looking for a Win-Win. We have earnestly tried to come up with a solution to what we believe we have heard is the number one issue facing Montana Sportsmen, access to public lands. We also have created relief to an industry at risk in attempt to preserve a time honor tradition - backcountry outfitting. Montana and nonresident hunters need better access to public land. This bill generates revenue to create a fund to incentivize private landowners to allow access to public land while also providing all citizens affordable access to their national wilderness.

Operating Outfitters by Wilderness

Outfitter Name	Business Name
Absaroka-Beartooth Wilderness	
Cameron Mayo	Absaroka-Beartooth Outfitters
Tim Bowers	Bear Paw Outfitters
Scott Sallee	Black Mountain Outfitters
Matt Robison	Stillwater Outfitters
Ronnie L. Wright	Beartooth Plateau Outfitters
Sandy Sallee	Slough Creek Outfitters
Scott Sallee	Black Otter Guide Service
Lee Hart	Broken Hart Ranch
Jim Kylap	Dome Mountain Ranch
Jack Davis	Flying Diamond Guide Service
Victor Jackson	Skyline Guest Ranch & Guide Service
Warren Johnson	Hell's A-Roarin Outfitters
Edwin Johnson	Montana Guide Service
Anaconda Pintler Wilderness	
Vaughn Esper	Esper's Under Wild Skies
Code Hensen	Royal Tine Outfitters
Bob Zikan	East Fork Outfitters
Pat Foster	Wild Skies Outfitting
Bob McNeill	Diamond Hitch Outfitters
Bob Hogue	Big M Outfitters
Lance Stanchfield	Lamarche Creek Outfitters
Bob Marshall Wilderness (Includes Scapegoat Wilderness & Great Bear Wilderness)	
Sally Haas	A Lazy H Outfitter *
Bob Frisk	B & D Outfitters
Mike Smith	Bartlett Creek Outfitters
Dick Click	Benchmark Wilderness Ranch
Mark Moss	Big Salmon Outfitters *
Virgil Burns	Bob Marshall Wilderness Ranch *
Harry T. Workman	Buckhorn Ranch Outfitters
Rex Griffin	Cabin Creek Outfitters
Mick Cheff	Cheff Guest Ranch *
Dusty Crary	Crary Outfitting *
Lisa Lee	Diamond R Guest Ranch
Neil Eustance	Eustance Pack & Tack Outfitters
Travis Barker	Ford Creek Guest Ranch *
Greg Nelson	Great Bear Outfitters *
Ernie Barker	JJJ Wilderness Ranch *
Wade Durham	ICR Outfitters *

Dick Klick
Brett Todd
Tucker Mills
William McDounough
Rob Bowe
Rocky Heckman
Justin Capps
Jack Rich
Mark Moss
Bill Plante
Chuck Blixrud
Shawn Little
Pat Clanton
Pat Clanton
Josh Carlbom
Patrick Tabor
Cameron Lee
Rich Adkins
Tom Parker

Cabinet Mountains Wilderness

Jerry Carr
Cody Carr
Brent Fitchett
Tin Linehen
Tim Eshes
Len Howells
Eric Weare
Shane Carr

Lee Metcalf Wilderness

Tim Beardsley
Tim Beardsly
Dave Warwood
Mel Montgomery
Jake Grimm
Tom Heintz
Kurt Puckett
Storrs Bishop
Jeff and Shylea Wingard
Terry and Angie Search

Selway-Bitterroot Wilderness

Scott Fillingham
Dusty Brodhagen
Tom Henderson

K Bar L *
K Lazy 3 Outfitters *
Mills Wilderness Adventures of MT *
McDonough Outfitters
Montana Backcountry Outfitters *
Montana Safaris *
Paws Up Outfitters
Rich Ranch Outfitting & Guest Ranch *
Salmon Forks Outfitters *
Scapegoat Wilderness Outfitters *
Seven Lazy P Guest Ranch *
Snowy Springs Outfitters *
Southfork Outfitters *
Spotted Bear Ranch *
Sun Canyon Lodge & Outfitting *
Swan Mountain Outfitters *
Wilderness Lodge & Skyline Outfitters *
Wilderness Outfitters *
WTR Outfitters *

Cabinet Mountain Outfitters
Cody Carr Adventures
Elk Creek Outfitting
Linehan Outfitting Co
Montana High Country Outfitters
Silver Bow Outfitters *
Weare's Outfitting
West Slope Outfitters and Guest Ranch

Adventures Outfitting
Beardsley Outfitting
Bridger Outfitters
Covered Wagon Outfitters
Jake's Horses, Inc
Medicine Lake Outfitters
Sage Peak Outfitters
Willow Ranch Outfitters
Wolfpack Outfitters
Yellowstone Mountain Guides

Accurate Outfitters
Bear Creek Outfitters
Bitterroot Outfitters

Scott Boulanger

Bob Zikan

James Mitchell

Remi Warren

The Iacono

Bobby Jo Robinson

**Gates of the Mountains, Medicine Lake, Mission Mountains, Rattlesnake, Red Rock
Lakes, UL Bend and Welcome Creek Wildernesses**

No commercial outfitters

Circle KBL Outfitters

East Fork Outfitters

Montana Hunting & Fishing Adventures

Montana Out West Outfitters

Selway-Wilderness Outfitters

Thunder Bow Outfitters