

# *A Montana & Helena Hunters and Anglers Association*

## *TIMELINE <sup>1</sup>*

### **MONTANA WHEN IT WAS NEW**

*15,000 – 8,000 years ago: Nomadic hunters stalk ice age mammals with spears.*

*8,000 – 1,500 years ago: Hunter-gatherers respond to changes in climate, animals and vegetation and use atlatls with smaller points.*

*1,500 – 300 years ago: Native Americans use bows and arrows. Buffalo jumps and corrals become common and specialized.*

### **MONTANA: A WILDLIFE PARADISE - LOST**

*1664: King Charles of England made a land grant to his brother James that was basically the North American Colonies. The grant, to one person, included: “... marshes, waters, lakes, fishings, hawkings, huntings, and fowlings.” The royalty of the day was endowing North America with the European model of wildlife ownership and management.*

*1700s: Native people adopt use of horses and firearms, begin trading hides and pemmican with Europeans.*

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<sup>1</sup> Great Falls Tribune, August 3, 2016, in italics <https://www.greatfallstribune.com/story/life/my-montana/2016/08/04/montana-hunting-history-highlighted-new-exhibit/88056650/> with added segments by Jim Posewitz.

Economics begin dictating or defining our relationship with a pre-European wildlife abundance that was described as “... *an aggregation of wildlife, ... that for number and variety exceeded anything the eye of man had ever looked upon.*”

*1864: A U.S. Supreme Court Decision (Martin v Waddel) charted a new course in our human relationship with fish and wildlife in the “New World.”*

Exactly two centuries after the king of England endowed his brother James with ownership of North America’s fish, wildlife and water, a New Jersey oyster fisherman clashed with a landowner who traced his property title under the oyster beds to the 1664 land grant. The U.S. Court however ruled that, “*When the revolution took place, the people became themselves sovereign, ...*” In short, the privileges of royalty vanished and the king’s deer became the people’s game to be managed by the states as a public trust.

*1860s & early 70s: The Montana territorial legislature passes the first fish and wildlife protection laws.*

Legislation introduced by James and Granville Stuart in 1864, restricted taking of fish to a hook and line; and in 1872, establish the first closed season on big game. The legislation included “*mountain buffalo*” but at the time, Montana lacked the law enforcement infrastructure to realize either objective.

*1876: Our fledgling nation celebrated its first Centennial year with lots of fireworks on the eastern coast. There were a number of events in Montana that had fireworks of their own.*

Buffalo hide market peaked with 80,000 hides shipped down the Missouri River from Fort Benton alone. Eight years later, those shipments fell to --- zero!

Colonel George A. Custer and the U.S. 7<sup>th</sup> Cavalry bite the dust in the Battle of Little Bighorn that year. Marcus Dailey took his first mining claim in Butte, Montana. Conservationist to be, Theodore Roosevelt, became a member of the freshman class at Harvard.

## **THE BIRTH OF MONTANA'S ROD AND GUN CLUB MOVEMENT**

In 1877, the Stuarts formed the Helena Rifle Club to address the continuing demise of wildlife and promote the sporting code. Deer Lodge formed a club in 1880, Bozeman and Butte did likewise in 1883. These are early examples of the people of a democracy taking action when their elected representatives failed to meet their expectation.

*1880s: The tragedy of Montana's wildlife resources nears the bottom and domestic cattle are claiming the grasslands.*

In 1883, a 24 year-old New York State legislator with a passion to be a buffalo hunter, kills one of the last wild buffalo on Little Cannonball Creek in eastern Montana. The young hunter was Theodore Roosevelt and he was on the cusp of a conservation epiphany that would change America.

In an article published in 1885, it is noted that a ranchman that made a journey of 1,000 miles across northern Montana and noted that during that entire trip he was: “... *never out of sight of a dead buffalo and never in sight of a live one.*” We were the bone-yard of North America.

One of Charlie Russell’s fellow open-range cowboys was Teddy Blue Abbott. One day, while working domestic cattle within sight of decaying buffalo carcasses and skeletons north of Great Falls, Teddy Blue remarked to Charlie: “*God, I wish I’d been a Sioux Indian a hundred years ago.*” To which Charlie replied: “*Ted, there’s a pair of us. They’ve been living in heaven for a thousand years, and we took it away from ‘em for forty dollars a month.*”

## **A CONSERVATION ETHIC EMERGES**

*“No sight is more common on the plains than that of a bleached buffalo skull; and their countless numbers attest the abundance of the animal at a time not so very long past...”*

**1887- 1889:** Ten years after James and Granville Stuart formed the Helena Rifle Club, to promote restoration of wildlife, *George Bird Grinnell, Theodore Roosevelt and Gifford Pinchot help form the Boone and Crockett Club at the national level to promote the sporting code and begin a focus on wildlife restoration and conservation.*

One of the club's major early achievements was getting legislation through Congress to allow presidents to set aside unclaimed federal land for forest conservation and wildlife restoration. It was called "the creative act."

**1889:** After Montana achieved statehood, the effort to launch meaningful wildlife conservation continued. Sportsmen's clubs from Great Falls, Helena, Deer Lodge, and Butte unite in 1893 in an effort to achieve meaningful protection of the state's vanishing wildlife. It was still 43 years prior to formation of the National and Montana Wildlife Federations.

**1890s:** *Montana State Legislature establishes Board of Fish and Game Commissioners. Commissioners create the Fish and Game Department and require hunting and fishing licenses.*

**1900s:** *Elk transported to various Montana locations from Yellowstone National Park to rebuild herds. Much of eastern Montana bans deer hunting due to low deer populations.*

Theodore Roosevelt is elected president and carries America's fledgling conservation ethic to the White House. While there, the Boone and Crockett Club's "creative act" of the late 1880s is now in the hands of one of its creators. TR, as president, sets aside around 230 million acres for forest protection and wildlife restoration. The mold for today's Montana's public land estate was cast in the process.

**1920s:** Fish and Game Department acquires 33 game preserves and sanctuaries in the 1920.

## **MONTANA HUNTERS AND ANGLERS SHOULDER THE LOAD**

***1930s: The National and Montana Wildlife Federations are founded.***

Franklin D. Roosevelt is elected president and continues to pursue the conservation ethic planted by Theodore Roosevelt. FDR convenes the first North American Wildlife Conference to address wildlife restoration in 1936. The National and Montana Wildlife Federation form as a result.

***1937: Congress passes Federal Aid in Wildlife Restoration Act, taxing fire arms and ammunition to fund wildlife management.***

***1940s - 1950s: Fish and Game transplants elk, deer, antelope, bighorn sheep and mountain goats. First moose and bighorn sheep hunting season in Management Areas and Bob Marshall Wilderness.***

Congress remains active in the conservation agenda passing the Dingell-Johnson Act in 1951, taxing fishing equipment to support restoration and conservation of America's sport fishing resource.

## **EARTH DAY AND THE CONSERVATION RENAISSANCE 1960 – 1975**

***1963 – 1965: Montana legislature passes the first stream channel protection in the nation – seven years before we observe the first “Earth Day.” The bill prevented sub-divisions of state government from physically altering***

*meandering stream channels to accommodate road construction and other projects. The first law was written as a temporary measure but made permanent in 1965.*

**1964:** *President Lyndon Johnson signs the Wilderness Act. Sen. Lee Metcalf, hunters and anglers, lead preservation efforts in Montana. Montana Fish Wildlife and Parks develops hunting safety and access programs.*

The mid **1960s** through the mid **1970s** was a period of major change in Montana environmental law. 1963 saw Montana pass the first physical stream channel protection law in the nation. It would be another seven years before the nation as a whole celebrated the first “*Earth Day*” and the environmental awakening that came with it.

## **HELENA HUNTERS AND ANGLERS – BORN AGAIN**

**1969-1970s:** The legislative actions taken from 1969 through the 1970s changed restoration/conservation significantly. In the process: the Anaconda Company was denied a permit needed for an open-pit mine at the head of the Blackfoot River; water quality laws were upgraded; mine permitting and reclamation laws improved; water allocation laws began recognizing fish; a new state constitution was adopted and included “... *the right to a clean and healthful environment.*”

While the above transformation was occurring, the world of non-government organizations focused on environmental protection, expanded and

flourished. The hunter organization launched by James and Granville Stuart in 1877 had vanished into history. Local outdoor sports enthusiasts came and went through the Prickly Pear Sportsman's Association (PPSA) in East Helena.

**1997- 1998:** A group of Canyon Ferry cabin site leasees approached PPSA requesting their support for acquisition of lots they leased from the Bureau of Reclamation. Montana hunters and anglers had consistently opposed any sale of public lands. In this case the leadership of PPSA offered to support the sale, provided that the assets be put in a trust with the trust's earnings dedicated to habitat acquisition, access, and improvement in the Missouri River watershed upstream from Holter Dam.

Setting up the trust required Congressional action and Senator Max Baucus introduced legislation to create the Canyon Ferry Wildlife Habitat Trust fund (the name would later be changed to Montana Fish and Wildlife Conservation Trust). Initially Senator Conrad Burns supported the effort. When the Bill got to the House of Representatives, Congressman Rick Hill tried to divert the money into dredging boat harbors at the south end of Canyon Ferry to stimulate Townsend business. Burns then defected to Hill's side and a public struggle followed with Max Baucus eventually saving the original idea. The battle however, split the PPSA.

**2001:** As a result of the PPSA split, the more environmentally oriented members who had a hand in creating the Montana Fish and Wildlife Conservation Trust, created the **Helena Hunters and Anglers Association (HHAA)** –

nearly a century and a quarter after the Stuart brothers took a similar action in Helena in 1877. HHAA members were a part of the Montana Fish and Wildlife Conservation Trust's citizen advisory board for fifteen years from its inception.

The Montana Fish & Wildlife Conservation Trust was ultimately established by the U.S. Congress in 1998<sup>2</sup>, funded by proceeds from the sale of cabin sites on Canyon Ferry Reservoir that had previously been leased from the Federal government.

The purpose of the trust is to provide a permanent source of funding through grants for the acquisition of publicly accessible land in Montana in order to:

- Restore and conserve fisheries habitat, including riparian habitat,
- Restore and conserve wildlife habitat,
- Enhance public hunting, fishing and recreational opportunities, and
- Improve public access to public lands.

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<sup>2</sup> <http://www.mtconservationtrust.org/>

[Abstract of each accomplishment here under Advocacy (go through Minutes), but expand the story of each of the following in OUR IMPACT – Past Accomplishments]

## **HELENA HUNTERS AND ANGLERS ASSOCIATION**

### **ADVOCACY**

**2004:** *80 percent of Montana voters pass a constitutional amendment stating, “The opportunity to harvest wild fish and wild game animals is a heritage that shall forever be preserved to the individual citizens of the state and does not create a right to trespass on private property or diminution of other private rights.”*

The **Montana Right to Wild Game Hunting and Fishing Amendment**, also known as **C-41**, was on the November 2, 2004 ballot in Montana as a legislatively referred constitutional amendment, where it was **approved**. The measure added a provision to the Montana Constitution that recognized and preserved the opportunity of Montana citizens to harvest wild fish and wild game animals.<sup>3</sup>

**2006:** HHAA staged a March 4 Roadless event on March 4, 2004.

“Our predecessors of the hunt set aside a wild land estate that nurtured America’s wildlife back from the brink of the dark abyss of oblivion. We marched today to express our concern for these last roadless wild lands. Doing so was our ethical responsibility as hunters. Hunter-philosopher and the ‘Father of Game Management,’ Aldo Leopold told us: *All ethics so far evolved rest upon a single premise: that the individual is a member of a community of interdependent parts.... The land ethic simply enlarges the*

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<sup>3</sup> [https://ballotpedia.org/Montana\\_Right\\_to\\_Wild\\_Game\\_Hunting\\_and\\_Fishing,\\_C-41\\_\(2004\)](https://ballotpedia.org/Montana_Right_to_Wild_Game_Hunting_and_Fishing,_C-41_(2004))

*boundaries of the community to include soils, waters, plants, and animals, or collectively: the land. We marched for the land. We marched so justice might be done for the wild treasures currently in our custody.”*



**2008:** Authored a resolution passed by Lewis and Clark County Commission *To Protect and Promote the Conservation of Wildlife Habitat and Corridors along the Continental Divide.*

**2010:** Linkage corridor along the Continental Divide for wildlife movement was maintained through a successful legal challenge to the Montana Army National Guard and Helena-Lewis and Clark National Forest project intending to construct a military biathlon course at MacDonald Pass.



**2020:** Lazyman Inventoried Roadless Area was preserved when the Tenmile-South Helena Vegetation Project by the Helena-Lewis and Clark National Forest

that would have constructed miles of road for logging operations was successfully legally challenged.

**2021:** Intervened on behalf of the Helena-Lewis and Clark National Forest to defend the Divide Travel Plan.

**2022:** Modification of Montana hunting season structures to thwart the public trust wildlife management were challenged by HHAA and several other hunting groups through intervention on behalf of Montana Fish, Wildlife and Parks against the United Property Owners of Montana who assert that wildlife management should be handled at the legislative level rather than through the Montana Fish and Wildlife Commission.

**2022:** Helena-Lewis and Clark National Forest's Forest Plan was legally challenged because it eliminated *all* standards for wildlife, instead moving to aspirational objectives.



**2022:** Illegal trails being constructed on national forest lands was brought to the attention of the Helena-Lewis and Clark National Forest through an Official Public Complaint with a request for prosecution of those involved, remuneration to cover costs, and reclamation of the landscape involved.