

FWP releases plan to manage one of Montana's most iconic and controversial game species

Elk counts have increased 42% since the state adopted its current Elk Management Plan. A new draft plan, now out for public comment, seeks to balance the state's biological, ecological and social carrying capacities for the species.

by [Amanda Eggert](#) 07.27.2023

A century ago, when Warren Harding was in the White House and the United States was just becoming accustomed to Prohibition, an estimated 8,000 elk lived in Montana — fewer than half what hunters now harvest in a bad year. In the late 1800s and early 1900s, unregulated hunting had diminished elk distribution in western Montana and all but decimated the species east of the Continental Divide. Then, to the relief of many wildlife advocates, policymakers and fledgling conservation groups intervened. Hunting regulations, game reserves and interventions to bolster struggling populations with elk from Yellowstone National Park and Wyoming's National Elk Refuge stemmed the ungulates' downward slide.

By 2005, when the current Montana Elk Management plan was adopted, the state's elk population had expanded its range and grown to almost 100,000, an order of magnitude increase relative to 1922 estimates. That upward trajectory has generally continued: During a 2022 survey, Montana Fish, Wildlife and Parks biologists counted more than 141,000 elk across the state.

The smart, predator-savvy animals are now at the heart of a different debate as wildlife managers attempt to balance the state’s swelling elk population with adequate hunting opportunities for resident and nonresident hunters and the concerns of landowners who are losing livestock forage, crops and fences to elk. A series of sticky concerns — largely related to where elk congregate and which levers wildlife managers can pull to move them around — are nested underneath those larger issues. FWP is tasked with hitting its elk population targets without causing too much heartache for public hunters concerned about crowded and often fruitless hunts, outfitters seeking to bring more certainty to a business model heavily dependent on license drawings, and ranchers who often unwittingly shoulder much of the burden of supporting a public wildlife resource.

Navigating those issues has proven to be a politically sensitive prospect, as indicated in [a new elk management plan that FWP released on June 30](#), which includes mention of “biological carrying capacity,” “ecological carrying capacity” and “social carrying capacity” — the latter defined as “social tolerance for animals on the landscape.”

In addition to its high-level overview of management challenges and objectives, both statewide and within each of Montana’s 136 hunting districts, the new plan includes an up-to-date snapshot of the various hunting seasons and access programs FWP employs, such as shoulder seasons, which were introduced in their current iteration in 2015.

The new plan is designed to guide recommendations that FWP will pass on to the Fish and Wildlife Commission, the governor-appointed body that draws on state law and public input to establish quotas and set hunting season dates every two years. Through July 31, FWP is [accepting comments on the plan](#), which was informed by a series of statewide scoping meetings hosted by FWP over the past year.

POPULATION MATH AND HUNTING PRESSURE

Former FWP biologist Criag Jourdonnais likes to joke that anyone who can finish out a career in wildlife management in Montana “could probably be a politician anywhere else,” given the sensitive ground they tread, which has implications for Montanans’ pocketbooks, recreational and family heritage, and freezers. Three decades in game management have shown Jourdonnais just how much of a biologist’s work actually revolves around people rather than animals, he said.

“It’s a lot of social interaction and social conflict you end up dealing with. In some cases, you’re dealing with peoples’ livelihoods,” said Jourdonnais, who now chairs the Ravalli County Fish and Wildlife Association’s Big Game Committee and coordinates big game hunting and research programs for MPG Ranch, a conservation- and research-oriented ranch in the valley. “Things can get pretty emotional.”

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FORMER MONTANA FWP BIOLOGIST CRIAG JOURDONNAIS

One of the controversial pieces of the 2005 plan, sometimes referred to by the page — pg. 55 — on which it appeared, gave game managers the authority to exclude certain elk herds from its management equation, which biologists use as a baseline when setting annual harvest quotas. The thinking goes like this: If an elk herd spends the majority of its time on private property, safe from hunters’ arrows and bullets, FWP isn’t able to apply its primary management tool — hunting — to that herd. Pg. 55 allows FWP game managers to adjust annual hunting quotas downward in districts where large numbers of elk sequester themselves on inaccessible private land.

Jourdonnais deployed the pg. 55 provision when he was working for FWP in the Bitterroot Valley, a post he held from 2008 to 2012.

“Page 55 was really instrumental in allowing us to manage elk more effectively in areas where we had fairly large numbers of elk that were just off-limits to the public,” he said.

That tool is not included in the new plan, at least not explicitly. That’s a shame, Jourdonnais said, because it’s helped the state prevent an overharvest of the elk that *don’t* hunker down on private land during the hunting season. In the future, he said, game managers will have to be more creative to address the complications that arise from large numbers of elk seeking refuge on publicly inaccessible land.

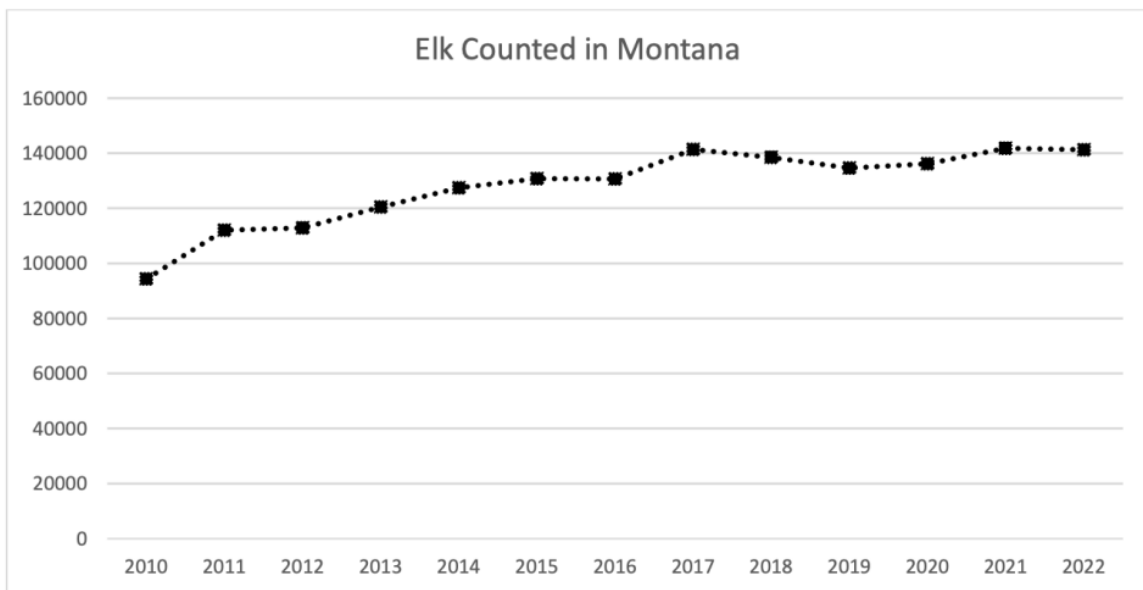


Figure 1. Number of elk counted on aerial survey in Montana, 2010–2022.

Montana’s elk population is growing. In 2021, FWP counted a record 141,785 elk across the state. FWP Deer and Elk Coordinator Lindsey Parsons said part of that growth is attributable to their resilience. “They’re really tough critters,” she said. Credit: Montana FWP

More than any other game animal, elk are perceptive of predation risk, Jourdonnais said. They have a knack for figuring out where hunters are and how long they’ll be there. Jourdonnais said wildlife managers need to be thoughtful and flexible when it comes to administering tags and

adjusting season dates as means of applying hunting pressure, which can influence harvest rates and spur elk to move considerable distances in search of safety, and to sit tight once they've found it. Often that's on private land, where they may or may not be welcome.

Jourdonnais said FWP needs to “take a serious look” at alleviating hunting pressure on public land by limiting licenses, but allowing licensed hunters to harvest a greater number of elk.

“We don't want to pour more hunters onto the landscape. What we need is more opportunity for each hunter,” he said, acknowledging that limiting licenses might be an unpopular prospect in Montana, where resident hunters have long been able to purchase archery and rifle licenses over the counter — no drawing required. But Jourdonnais said the strategy could help even out elk distribution between private and public land and improve public hunters' odds of filling their tags. It's not a prospect that's contemplated in the plan, but Jourdonnais said it's at least worth exploring. According to a 2014 FWP study, just 14% of public land hunters successfully killed an elk, as compared to 54% of hunters who paid a fee for hunting access to private land.

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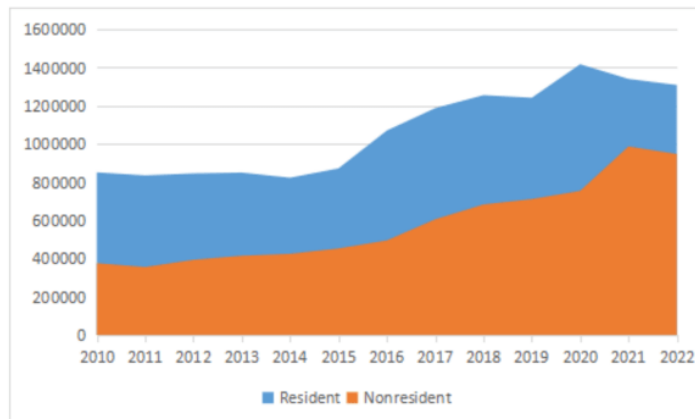
Kevin Farron, Backcountry Hunters and Anglers' regional policy manager for Montana and the Dakotas, shares Jourdonnais' concern about hunter crowding diminishing hunt quality, but argues that the solution lies in habitat management and limits on nonresident hunting. In Farron's estimation, limiting motorized use and managing vegetation to create forage and security habitat will help improve hunt quality, which is generally understood to mean the opportunity to see an animal and have a reasonable chance of bringing it home.

“If there was better habitat on public lands — better forage, better cover for elk — then there would be way more opportunity for elk hunters on public lands,” Farron said.

Farron, who is offering comment on the new plan, said he'd also like the state to consider capping nonresident permits for game species that are currently unlimited. He argues that elk don't know what you're hunting for — they'll clear out of an area regardless of whether the hunter in their midst has an elk tag, a black bear tag or an upland bird tag. He'd therefore like FWP to set a cap on the number of licenses it issues for game animals, upland birds and migratory birds. It's [an approach BHA developed](#) this spring with [Sen. Pat Flowers, D-Belgrade](#), but it didn't find favor in the Capitol due in part to concern about repercussions for FWP's license-funded coffers. It also isn't contemplated, at least explicitly, in the new elk management plan, but Farron said the strategy is "low-hanging fruit" to prevent an overabundance of hunters from pushing elk off public land.

Total License Sales 2010-2022

- Resident: +457,647
- Nonresident: +571,366
- Overall: +1,029,013



Although both resident and noresident hunting licenses for all game species have increased in the past 20 years, there has been more growth in licenses purchased by out-of-state hunters. Resident hunters like Kevin Farron, with Backcountry Hunters and Anglers, would like FWP to cap nonresident licenses to decrease overall hunting pressure on public land. Credit: Montana FWP

Farron said he's also troubled by one paragraph in the plan that would allow FWP to do away with limited-entry hunting districts if a district is "chronically and significantly" over its population objective for three or more consecutive years without a shift in trajectory. In that situation, the department could open the unit to hunters pursuing bull elk with a valid general tag.

Farron said he's worried that approach would encourage private landowners to "hoard a public resource" (i.e., bull elk) in order to sell more outfitted private hunts, which fetch several thousand dollars apiece — and [garner the department millions of dollars of revenue](#) annually. Under the current system, nonresident elk licenses are capped, though out-of-state hunters can purchase preference points to improve their odds of obtaining a license.

Farron said shifting from a drawing to an unlimited system in over-objective units "may be incentivizing the wrong behavior." More specifically, Farron said he's worried such a strategy would diminish hunt quality and exacerbate elk distribution issues. An area with a reputation for trophy bull elk could quickly become swamped with public hunters flooding into trailheads and block management programs, and further drive elk onto inaccessible parcels, Farron said.

For other stakeholders, like Charles Denowh with the United Property Owners of Montana, that provision in the new plan is a "small step in the right direction," but Denowh said it won't be enough to alleviate the concerns of landowners who are losing tens or hundreds of thousands of dollars due to elk.

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“That would probably have an impact on a district that’s 150% over objective or 200% over objective, but in these districts where we’re 800% or 1,000% over objective — that’s not something we’re going to shoot our way out of,” Denowh said.

In April 2022, [UPOM sued FWP and the Fish and Wildlife Commission over elk management](#), arguing that the agency’s management strategy harms UPOM members’ financial interests and runs counter to [a law the Montana Legislature passed in 2003](#) directing the state to manage elk to keep them “at or below the sustainable population.” Asked if nixing limited-entry hunting districts in chronically over-objective units addresses the claims UPOM has made in state court, Denowh said it doesn’t go far enough, and described the plan as generally dismissive of landowner concerns. He said the plan includes an “extremely brief

mention” of kill permits for the lethal removal of animals deemed problematic, which he’d like to see explored further. (A [work plan](#) the state adopted in 2021 describes kill permits as a tool to decrease the likelihood of elk transmitting brucellosis to livestock that should be employed only after non-lethal tools have been tried.) Denowh said he’d also like to see elk relocation seriously considered, and more funding made available for game damage assistance, complete with a streamlined application process.

Denowh also takes issue with the elk population objectives contemplated in the plan. Montana is now “grossly over sustainable population objectives,” he said. In Denowh’s view, the state has responded by “moving the goalposts” by raising its objectives rather than taking more aggressive action to drive elk numbers down. (The statewide objective in the 2005 plan was about 86,000 elk. If you total up each hunting district, the new plan’s objective covers a much broader range, extending from 100,000 at the low end to 159,000 at the high end.)

Montana Outfitters and Guides Association Executive Director Mac Minard said the current system has proven both ineffective at helping game managers reach population targets and punitive toward landowners who aren’t interested in opening their property to public hunters. He said he supports the new plan’s proposal to expand hunting in chronically over-objective units because “the system we’ve currently got in place isn’t working.”

Minard argued that there should be more discussion in the plan of expanding hunting pressure on private land and dialing it down on public land.

“How about this idea of ramping up effort on private land and ramping down effort on public land to provide better public hunting experiences?” he said. “That is completely ass-backwards from what was happening for 16 years under the Bullock and Schweitzer administrations, [which were] consistently punitive toward landowners

that weren't allowing public access. The end result was we lost acres open to public hunting on private land.”

The number of acres enrolled in Block Management, an FWP program that modestly compensates landowners who open their properties to the hunting public, has declined over the past two decades. This spring the Montana Legislature passed [a bill increasing the program's payment cap](#) in hopes of reversing that trend and sustaining the program, which is widely considered to be the state's premier strategy for enabling public access to private land.

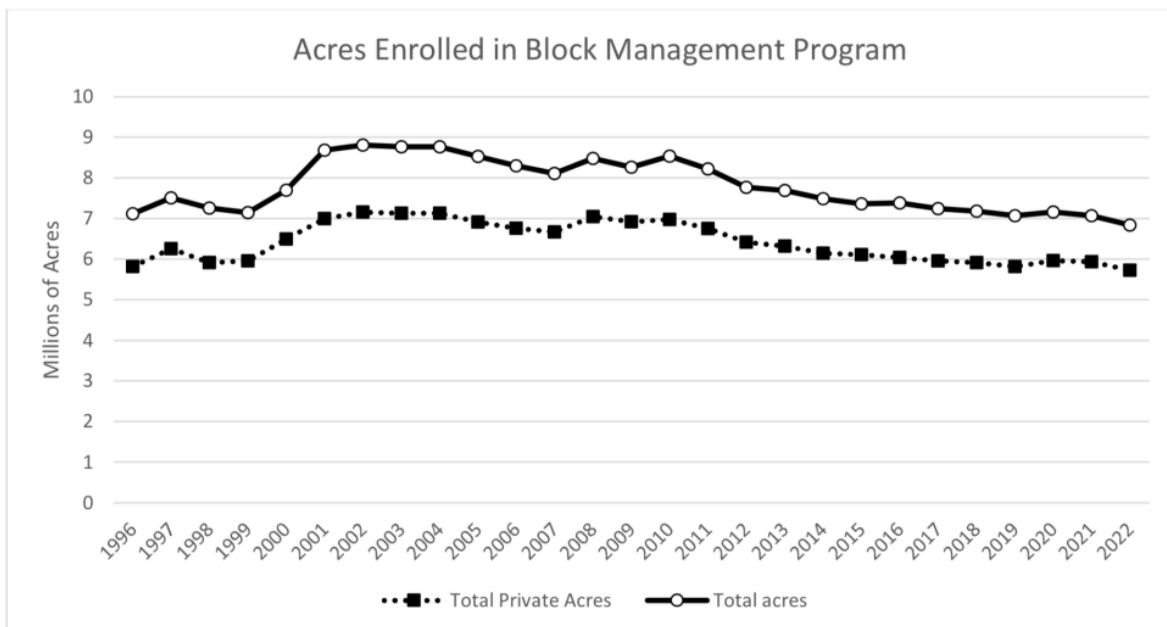


Figure 9. Total private acres enrolled in FWP's Block Management Program 1996–2022.

There are fewer acres enrolled in Block Management than two decades ago, a trend that FWP officials hope to reverse by making more funding available to participating landowners. Credit: Montana FWP

Rejiggering allocations so there are more tags available to hunters pursuing elk on private land might result in fewer public hunters receiving tags, but those who do would have a better shot at filling their freezers and a better overall hunting experience, Minard said, adding

that he's often wondered why there's so much fighting among different groups given current elk levels.

"We're sitting here with record abundance and we're sitting here to figure out how some people can hunt and other people can't," he said. "It doesn't really make a hell of a lot of sense."

In 2021, seeking outside-the-box solutions for the overabundance issue, former FWP Director Henry "Hank" Worsch brought [a proposal before the Fish and Wildlife Commission](#) to expand private hunting and limit public hunting in eight units that were significantly over objective. Worsch ended up withdrawing the proposal after it generated what he described as a "firestorm" of comment from public hunters. Many of those commenters argued that such a management approach would move the state toward effectively privatizing wildlife, something Montana's executive and legislative branches have historically resisted. (Some of that resistance can likely be attributed to the state's Constitution, which protects Montanans' "opportunity to harvest wild fish and wild game" so long as private property rights and other private rights are not infringed.)

ON FLEXIBILITY AND COMPLEXITY

Though there are points of disagreement between stakeholder groups including BHA and the Montana Outfitters and Guides Association, Minard and Farron are in agreement that the new plan isn't particularly detailed. Farron said the plan is vague and not particularly prescriptive; Minard said there is a "tremendous amount of uncertainty" in the plan because it's unclear which of the dozens of potential strategies outlined in the plan FWP would employ to address specific conditions.

Minard said he'd like to see more detail about how the department proposes to address hunter crowding, or which areas would be considered for a limited-entry hunting district, which is typically used to produce trophy bull elk.

“If elk in a defined management area are over objective, what [is] the sequence of things we’re going to do to bring it back down to objective?” Minard asked. “If an elk population is in stable condition, what is our standard prescription of regulation there? If an elk population is in decline, what [is] the sequence of things we’re going to do, easiest to worst, to recover that population? All of that is absent from this current draft.”

The primary author of the plan said that lack of prescriptive details is designed to give FWP discretion to tailor its approach in a dynamic and complex system. Plan author and FWP Deer and Elk Coordinator Lindsey Parsons likens elk management to working a marionette.

“You pull one string and you don’t know what else it might affect,” she said. “Not everybody has the foresight to see it coming, including us sometimes.”

Parsons said that though the plan isn’t particularly prescriptive, the department is trying to be more transparent and explicit about the tradeoffs inherent in the decisions it’s faced with. Parsons also noted that the plan is designed to be updated every five years and overhauled or replaced in 15. (The 2005 plan hasn’t been updated since its adoption.)

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LINDSEY PARSONS, FWP’S DEER AND ELK COORDINATOR

After the department wades through public comment, FWP will have the opportunity to make changes to the plan. FWP Director Dustin Temple will issue a decision notice on the [Elk Management Plan Environmental Assessment](#), which catalogs specific differences between the 2005 plan and the 2023 draft plan and [is also open for public comment](#). The goal, Parsons said, is to have an adopted plan and environmental assessment in place when the commission initiates the 2024-2025 season-setting

process this fall. She emphasized that the plan will help inform the recommendations the department forwards to the commission, but that the commission is not required to adopt the plan or the department's season-setting recommendations.

Jourdonnais, the former FWP Bitterroot game biologist who's now working in the private sector for MPG Ranch, said bringing elk populations back from their early 1900s freefall took concerted cooperation between different interest groups, and he'd like to see that same spirit applied to the current challenge.

"That's the theme we have to try to recapture to get it done again, only now it's not so much a preservation situation," he said. "Now it's a management situation."

Commenters can offer feedback on the plan and the goals outlined for specific hunting districts through July 31 at <https://fwp.mt.gov/aboutfwp/public-comment-opportunities/draft-elk-plan>.