
MT TWS Position Statement

Following the plenary session from the 2017 Annual Conference in Helena, MT, the MT TWS Board has drafted a chapter stated position regarding the Transfer of Federal Lands to the State of Montana. For questions and comments on this position please contact Mark Ruby at mttws.pastpres@gmail.com.

State Position on the Transfer of Federal Lands to the State of Montana

The transfer of federally-owned and -managed public lands to state ownership or management is likely to hinder science-based wildlife management efforts, reduce hunting, fishing, and outdoor recreation opportunities, and erode the North American Model of Wildlife Conservation. Further, existing federal lands management provides for larger scale, interstate management and firm regulatory direction for wildlife conservation beyond that which current exists at the state level. For these reasons and as detailed below, the Montana Chapter of The Wildlife Society is strongly opposed to the transfer of management authority and/or ownership of Montana’s federal lands to the state.

The North American Model of Wildlife Conservation is a successful wildlife management framework which is based upon several key principles including: wildlife resources are a public trust, wildlife are considered an international resource: science is the proper tool for the discharge of wildlife policy; and there is a democracy of hunting. The federal management of lands throughout the United States, particularly in Montana, directly supports several important pillars of the North American Model of Wildlife Conservation as a means for managing wildlife populations. Federal lands provide public access for hunters and are guided by regulatory policies such as the endangered species act and wildlife diversity and viability requirements not presently mirrored by state management. Ecosystems and habitat are connected beyond Montana’s state borders and federal lands management offer a larger perspective for transboundary wildlife and habitat management.

Approximately 29% of Montana’s 94.1 million acres are federally owned. These lands provide areas for hunting, fishing, grazing, outdoor recreation, and many other public uses and commodities, as well as the exercise of treaty-reserved rights by American Indian tribes. At present, Montana does not have a clear financial position to support the additional workload of this resource stewardship nor a large, diverse, and highly-trained workforce to cover management of these existing federal lands. Without this clear financial position, if management responsibilities shift to the states there will likely be a reduction in the quality and scale of management. As a result, states, including Montana, may explore a variety of cost-cutting and revenue-generating measures, including actions such as commercial leasing, redevelopment, or direct privatization of lands presently held in the national public trust. Without a clear financial position to manage federal lands, these potential strategies may come at the expense of public hunting and other recreational access opportunities and application of science based wildlife and habitat management.

For example, Montana state trust land managers have a fiduciary obligation to generate revenues for designated trust beneficiaries, most often common schools or other public institutions. In contrast, federal public

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lands are managed for a broader set of values in the national interest beyond maximizing revenues from land management. Congress recognizes other values in multiple use management on federal lands such as wildlife conservation and not “necessarily the combination of uses that will give the greatest dollar return or the greatest output” (16 USC 521). Federal land laws have an unmistakable emphasis on wildlife conservation and the protection of habitat. There are the dominant use laws governing the National Parks and Wildlife Refuges, along with the multiple use and wildlife diversity mandate given to the Forest Service and the array of legal tools available to the BLM. Federal land agencies have an obligation, not just the discretion, to conserve wildlife and its habitat. With few exceptions, states do not have the legislative framework or funding necessary to adequately conserve wildlife and its habitat on public lands, especially for non-game species (Nie 2016). As a result, federal lands are refuges of biodiversity and essential habitat for ESA listed and candidate species, and they will become even more important in the future because of development taking place on state and private lands (Stein et al. 2008).

Finally, the North American Model holds that wildlife are a national public trust. Ecosystems are not held to political borders. Montana contains over 250 species of migratory birds, includes two international flyways for migratory bird species, shares four grizzly bear recover ecosystems with other states, has numerous deer, bison, bighorn sheep, mountain goat, pronghorn and elk herds that migrate seasonally outside of Montana’s borders. As a public and national resource, conserving wildlife and its habitat requires a larger perspective that transcends state jurisdictions or borders and is an essential ingredient in sound scientific management.

There are many case-studies and existing partnerships illustrating successful partnership between Montana state and federal land managers. The Montana Chapter of The Wildlife Society emphasizes continued collaboration for more effective and efficient science-based management amongst federal and state agencies, county and local jurisdictions, American Indian tribes, private landowners and businesses, lessees of federal lands, non-governmental organizations, and other groups. The Montana Chapter recognizes that the professional and science driven leadership of the federal government is for the success of these collaborative efforts for wildlife conservation and management across multiple jurisdictional boundaries. The Montana Chapter encourages the importance of building partnerships, engaging state, local and tribal governments and more strategically approaching things like NEPA, federal lands planning, wildlife management, habitat conservation and endangered species recovery.

The position of the Montana Chapter of The Wildlife Society is to:

- Strongly oppose efforts to shift management authority over federal lands to the State of Montana, County or local jurisdictions, private corporations, or individuals. Land exchanges for trade of isolated parcels should remain subject to environmental review and public processes.
 - Strongly oppose any and all efforts to divest the American public and Montanans of their lands, now under federal management, for the benefit of the State of Montana, private corporations, or individuals.
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- Strongly state that all lands currently under federal management shall remain under federal management to maximize the benefits of these lands to wildlife, science, and society as a whole.
- Support federal and state funding at levels necessary for effective habitat and wildlife conservation.
- Support the continued development of collaborative wildlife conservation-related projects, including conservation based land exchanges, at the local, state, and regional levels to improve wildlife populations and habitats for the benefit and enjoyment of all citizens.
- Support the dissemination of information regarding the benefits of federal ownership and management of public lands to all United States citizens, regardless of their area of residence.
- Support the continued participation of local residents in land management process through the communication of science-based information, particularly in areas where federally-managed lands make up a large proportion of the landscape.
- Recognize that federal land management can and should be improved through careful consideration of the best available science, the proper allocation of necessary resources, openness and clarity of actions, and continued support for the North American Model of Wildlife Conservation.

Literature Cited

- Nie, M. 2016. Transferring Federal Lands to States: Unanswered Questions and Implications for Wildlife. Plenary Talk at the Montana Chapter and Northwest Section of the Wildlife Society Annual Meeting. March 8, 2017. Helena, MT.
- Stein, B.A., C. Scott, N. Benton. 2008. Federal Lands and Endangered Species: The Role of Military and Other Federal Lands in Sustaining Biodiversity. *BioScience*. 58 (4) pg. 339-347.
- 16 U.S. Code § 531 Multiple use” means: The management of all the various renewable surface resources of the national forests so that they are utilized in the combination that will best meet the needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; that some land will be used for less than all of the resources; and harmonious and coordinated management of the various resources, each with the other, without impairment of the productivity of the land, with consideration being given to the relative values of the various resources, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output
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