



Montana Wildlife Federation

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Nimrod's Trace

Habitat Without Access is Habitat Eventually Doomed

by Ron Moody

Montana prides itself as "the last best place" – referring, of course, to the natural wonders of land, waters, wildlife and vaulting sky that still rise here above the gray asphalt grind of modern 'civilization.'

Montana history, however, reveals the Treasure State also to be a place where 'last stands' have marked dramatic turning points in American life.

It was here that George Armstrong Custer and Sitting Bull became protagonists in an American tragedy. And Chief Joseph found Montana just 40 miles too wide to bring his valiant Nez Perce away from capture by the white man's army.

Thus, in the 19th Century, Montana became the stage for the closing acts of frontier America. More than coincidentally, in the 20th Century, the state would become center stage the for opening acts of the American Conservation movement as millions of acres of the state was preserved in public ownership by Theodore Roosevelt's creation of forest reserves and wildlife refuges.

Today, the 21st Century, it appears Montana again will be center stage for what may be the closing scenes of that same conservation movement - if the wrong writers are allowed to write the script.

The field of conflict is too broad and complex to be entirely described in this small essay. But it all comes down to the question of whether American hunters and anglers will continue to share a legacy born on the frontier – our democratic hunting tradition of open access to public wildlife in public places. Or, like the Nez Perce and the Sioux before, will local, grassroots Americans finally surrender their public wildlife to the siege of "Golden Rulers" who claim to own America because they can afford to buy it.

Regardless of what you were taught in High School Civics, an economic power elite has dominated the United States ever since the Pilgrims organized Plymouth Colony. So far, however, a counter-valiant force of populist, grassroots culture has always exerted the pushback to prevent this country from devolving into a simple feudal oligarchy occupied by serfs and masters.

Beyond doubt, the most shocking revelation that struck me, years ago, when I first engaged the politics of hunting and conservation was that I found myself, a local guy who simply liked to hunt and fish, directly grappling with the big league power players of American life – not the bush league recreation supporters I expected to join in what I thought was a side stage of public affairs.

The hunter and angler, it turns out, has from the beginning been the hockey puck, and occasionally the hockey stick, that marks the contact point of struggle between private and public power in America. (To learn the history of this read: *Hunting and the American Imagination* by Daniel Justin Herman and *The Hunter's Game* by Louis S. Warren.)

The drama unfolding in Montana today is simply the newest acts of an old play.

Wealthy people began manipulating lawmakers and buying and renting hunting lands and waters to gain exclusive access as far back as the 1830's, according to Herman. The whole idea, of course, was to emulate the European status symbol of hunting and angling as an elite privilege. Unlike their European models, however, wealthy urban Americans had to create new laws to get rid of those pesky local public hunters – a process detailed by Warren. Today, outside the Rocky Mountain West, public hunters and anglers have been pushed back to being crowded onto limited remaining public habitats – or forced to pay the price of the owner class.

The remnant of public hunting culture still exists in every state, but only on the reservations allotted to it by private power.

Out West, however, the Roosevelt legacy of large public spaces continues to nurture a vigorous public hunting culture. In Montana that culture has enjoyed that rarest of hunting assets – effective political leadership. No place has public power pushed back so strongly against economic power has here under the Big Sky.

Lately, however, it seems uncertain whether public hunters and anglers can hold out in their last stand against the privatization of American wildlife. For the Golden Rulers are in full attack as they attempt to do to Montana public hunters and anglers with dollars the same thing the U.S. Cavalry once did to Montana Indians with rifles.

Center stage in the scene now being played out is the Montana Stream Access law – a jewel of the public access rights movement. In brief, the law allows the public to recreate on Montana streams within the stream's high water mark. The privateers counterattack this law by claiming the right to block public access at the public intersection of public roads and streams.

Remember that effective leadership I mentioned? Such is provided by the Montana Wildlife Federation (MWF) and the Public Lands/Waters Access Association (PLAAI). MWF led negotiations to develop a mutually beneficial new law to set fair terms for public access at bridge crossings – that bill faces an uncertain fate in the state legislature at the time of this writing.

PLAAI has led the charge for public hunters and anglers by filing lawsuits to force county governments to uphold the stream access law. Rich, non-resident landowners have countered by stringing razor wire between property corners and bridge abutments.

Those reservations for public hunters and anglers are beginning to look more like concentration camps all the time.

The Achilles heel of the public hunter and angler, however, is their emotional aversion to facing their real enemy. As a result the public conservation movement historically has been divided and weakened by the concentration of the hunters' money within one set of organizations while their political leadership is segregated in other groups.

This results in what dollar power hunters and anglers do possess being directed at 'habitat conservation,' which requires no conflict with angry enemies. The leadership groups meanwhile starve for funds.

Because it promotes this fatal division, the mantra that 'habitat is everything' fails to serve the discrete interest of the public hunter and angler while it serves very well the interest of golden rulers.

An enduring theme of my essays is that conservation of wild life and wild places is impossible without a human constituency. Without access to wild resources, the public portion of our successful human constituency will wither – leaving only the Golden Rulers to enjoy the fruits.

For the wealthy people who dominate most habitat groups to tell grassroots sportspeople to forego access for the sake of habitat is like the wolf inviting the sheep to discuss the dinner menu.

Perversely, the eventual outcome will be destruction of the habitat once conserved, because habitat protected only by dollars is totally vulnerable to predation by the bigger dollars of development.

Habitat without access is habitat doomed. Lacking the passion of self-interested but conservationist users, the habitat inevitably will fall to the fangs of "highest and best use."

Anybody but a rich man can see that.

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