

## SURVEY OF GUIDES AND OUTFITTERS ON PROPERTY CONTROLLED FOR HUNTING PURPOSES - RESULTS

At the September 2001 meeting of the Legislative Council's interim Judiciary B Committee, the committee asked for a survey of guides and outfitters to determine the amount of land controlled by guides and outfitters in this state. At the October 2001 meeting of the committee, the committee reviewed the survey and requested the survey be sent to the guides and outfitters. This survey was sent in mid-October 2001 with an enclosed self-addressed, stamped envelope. The Game and Fish Department provided 340 addresses of individuals who are licensed guides or outfitters. In mid-October, the Legislative Council sent the survey to the addresses, with an enclosed self-addressed, stamped envelope.

The survey asked for the name of the business, the acres controlled for hunting, and comments. The acres for controlled for hunting question asked for the county, the number of acres in that county, and the game hunted on those acres. A copy of the survey is attached as an appendix.

One hundred one responses were returned to the Legislative Council office. The responses include some duplicate surveys sent to the same address and some duplicate information provided by guides who work for larger guiding companies that also returned surveys.

The responses are sorted by the type of game hunted on each distinct portion of land by the guides and outfitters and the table headings reflect this organization. A summary of the comments is at the end of this memorandum. Attached as part of the appendix are typed comments received.

<b>BIG GAME HUNTING ON CERTAIN PROPERTY CONTROLLED BY GUIDES AND OUTFITTERS (Ranked by Most Property Controlled by County)</b>		
<b>Responses for Acres Owned in Each County</b>	<b>Total Acres</b>	<b>Rank for Group</b>
McKenzie - 6,500; 5,000 (lease); 4,200 + 600 (same company, different survey); 1,500 (own); 1,200 (own); 500; 500	20,000	1
Mountrail - 10,000; 4,300; 2,000	16,300	2
Billings - 8,580 (own); 1,000 (lease); 320	9,900	3
Bottineau - 5,000; 1,000; 680 (own); 600; 320 (lease)	7,600	4
Burleigh - 6,720; 40	6,760	5
Dunn - 6,500 (own)	6,500	6
McHenry - 4,000 (ranch purposes); 2,000 (for agriculture, hunting secondary; same company, different survey)	6,000	7
Williams - 4,000; 800	4,800	8
Eddy - 4,400	4,400	9
Golden Valley - 2,360 (own)	2,360	10
Dickey - 2,000 (own)	2,000	11
Pembina - 500	500	12
Bowman - 400 (own)	400	13, 14
Cavalier - 400	400	13, 14

<b>UPLAND GAME HUNTING ON CERTAIN PROPERTY CONTROLLED BY GUIDES AND OUTFITTERS (Ranked by Most Property Controlled by County)</b>		
<b>Responses for Acres Owned in Each County</b>	<b>Total Acres</b>	<b>Rank for Group</b>
Hettinger - 30,000; 1,500 approximately; 3,000; 1,200 (own)	35,700	1
Morton - 6,000; 640	6,640	2
Adams - 2,000 (own); 2,000 (lease); 160 (landowner)	4,160	3
Grant - 3,000 (landowner)	3,000	4
McKenzie - 2,500	2,500	5
Bowman - 960 (own); 1,000 (own)	1,960	6
Mountrail - 1,000; 640 (preserve)	1,640	7
Griggs - 1,000	1,000	8, 9
Slope - 1,000	1,000	8, 9
Stark - 320 (landowner)	320	10

<b>UPLAND GAME AND BIG GAME HUNTING ON CERTAIN PROPERTY CONTROLLED BY GUIDES AND OUTFITTERS (Ranked by Most Property Controlled by County)</b>		
<b>Responses for Acres Owned in Each County</b>	<b>Total Acres</b>	<b>Rank for Group</b>
Mercer - 7,000 (for agriculture, hunting secondary); 2,800 approximately	9,800	1
Adams - 4,000 approximately; 2,000	6,000	2
Sioux - 2,500	2,500	3
Grant - 1,500	1,500	4
Williams - 700; 320	1,020	5
Eddy - 878 (own)	878	6
Dickey - 140	140	7

<b>WATERFOWL HUNTING ON CERTAIN PROPERTY CONTROLLED BY GUIDES AND OUTFITTERS (Ranked by Most Property Controlled by County)</b>		
<b>Responses for Acres Owned in Each County</b>	<b>Total Acres</b>	<b>Rank for Group</b>
Towner - 65,000 approximately	65,000	1
Cavalier - 15,000 approximately	15,000	2
McLean - 6,000+ approximately; 600 (pay per hunter)	6,600	3
Benson - 3,000	3,000	4, 5
Rolette - 3,000	3,000	4, 5
Ramsey - 2,500	2,500	6
Mercer - 1,280	1,280	7
Bowman - 200 (own)	200	8

<b>WATERFOWL AND BIG GAME HUNTING ON CERTAIN PROPERTY BY GUIDES AND OUTFITTERS (Ranked by Most Property Controlled by County)</b>		
<b>Responses for Acres Owned in Each County</b>	<b>Total Acres</b>	<b>Rank for Group</b>
Eddy - 2,500 (lease); 2,000; 2,000 (same company, different survey)	6,500	1
Nelson - 5,600	5,600	2
Benson - 2,800 (owned and rented for farming); 960 (own)	3,760	3
Walsh - 1,840 (own for agricultural purposes)	1,840	4
Logan - 1,000	1,000	5
Ramsey - 800 (own for agricultural purposes)	800	6

<b>WATERFOWL AND UPLAND GAME HUNTING ON CERTAIN PROPERTY BY GUIDES AND OUTFITTERS (Ranked by Most Property Controlled by County)</b>		
<b>Responses for Acres Owned in Each County</b>	<b>Total acres</b>	<b>Rank for Group</b>
Stutsman - 7,000; 4,000 (own); 4,000 (own most)	15,000	1
Burke - 6,000	6,000	2
Kidder - 3,000 (own most); 2,000	5,000	3
Dickey - 3,300 approximately	3,300	4
Burleigh - 1,800; 560 (own)	2,360	5
Logan - 2,000	2,000	6, 7
Williams - 2,000 (own and rent for agricultural purposes)	2,000	6, 7
Mountrail - 1,600 (own)	1,600	8
Wells - 1,200	1,200	9

<b>WATERFOWL, UPLAND GAME, AND BIG GAME HUNTING ON CERTAIN PROPERTY BY GUIDES AND OUTFITTERS (Ranked by Most Property Controlled by County)</b>		
<b>Responses for Acres Owned in Each County</b>	<b>Total Acres</b>	<b>Rank for Group</b>
Sargent - 25,000+	25,000	1
LaMoure (and Dickey) - 10,000 (for agriculture, hunting secondary) (owned and leased)	10,000	2
McHenry - 5,810 (owned); 960 (hunting rights); 500 (permission)	7,270	3
Barnes - 5,000	5,000	4, 5
McKenzie - 5,000 approximately	5,000	4, 5
Benson - 4,000	4,000	6
Renville - 2,400	2,400	7
Dickey - 2,000 (for agriculture, secondary)	2,000	8
Mercer - 1,640 (lease)	1,640	9
Pierce - 1,200	1,200	10
Cavalier - 400 (own)	400	11

<b>UNKNOWN HUNTING ON CERTAIN PROPERTY BY GUIDES AND OUTFITTERS (Ranked by Most Property Controlled by County)</b>		
<b>Responses for Acres Owned in Each County</b>	<b>Total Acres</b>	<b>Rank for Group</b>
Walsh - 500	500	1

<b>TOTALS</b>		
<b>Type of Hunting by Guides and Outfitters</b>	<b>Total Acres</b>	<b>Rank for Group</b>
Waterfowl	96,580	1
Big game	87,920	2
Waterfowl, upland game, and big game	63,910	3
Upland game	57,920	4
Waterfowl and upland game	38,460	5
Upland and big game	21,838	6
Waterfowl and big game	19,500	7
Unknown	500	8
<b>Grand total</b>	<b>386,628</b>	

<b>ALL HUNTING ON CERTAIN PROPERTY BY GUIDES AND OUTFITTERS</b>		
<b>(Ranked by Most Property Controlled by County)</b>		
	<b>Total Acres</b>	<b>Rank for Group</b>
Towner - 65,000	65,000	1
Hettinger - 35,700	35,700	2
Mountrail - 1,600; 1,640; 16,300	19,540	3
McKenzie - 5,000; 13,580	18,580	4
Stutsman - 15,000	15,000	5
McHenry - 7,270; 6,000	13,270	6
Eddy - 4,400; 878; 6,500	11,778	7
Benson - 3,000; 3,760; 4,000	10,760	8
Adams - 4,160; 6,000	10,160	9
LaMoure - 10,000	10,000	10
Burleigh - 6,760; 2,360	9,120	11
Williams - 2,000; 1,020; 4,800	7,820	12
Bottineau - 7,600	7,600	13
Morton - 6,640	6,640	14
McLean - 6,600	6,600	15
Dunn - 6,500	6,500	16
Dickey - 200; 3,300; 140; 2,000	5,640	17
Barnes - 5,000	5,000	18, 19
Kidder - 5,000	5,000	18, 19
Mercer - 1,280; 2,500	3,780	20
Ramsey - 800; 2,500	3,300	21
Grant - 3,000	3,000	22, 23, 24
Logan - 1,000; 2,000	3,000	22, 23, 24
Rolette - 3,000	3,000	22, 23, 24
Sioux - 2,500	2,500	25
Renville - 2,400	2,400	26
Golden Valley - 2,360	2,360	27
Walsh - 1,840; 500	2,340	28
Bowman - 400; 1,960; 200	1,560	29
Pierce - 1,200	1,200	30, 31
Wells - 1,200	1,200	30, 31
Griggs - 1,000	1,000	32, 33
Slope - 1,000	1,000	32, 33
Cavalier - 400; 400	800	34
Pembina - 500	500	35
Stark - 320	320	36

## **COMMENTS**

There were six topic areas to which the comments related--land usage, waterfowl hunting, nonresident hunters, guides, resident hunters, and other.

### **Land Usage**

The most common comment relating to land usage was that the individual completing the survey was primarily a farmer and that the land used was for agricultural purposes. These comments included that guiding was done as a source of secondary income or as a means to provide compensation for depredation. The second most common comment was that the individual completing the survey did not own or lease land for hunting purposes. In addition, these types of comments sometimes included that most hunting was done on private land after asking permission or that the guide used public land. All other comments were that guides should be limited to land they own, limited in the number of acres the guide may lease, or prohibited from using public land. However, there were two comments that guides should be able to use more public land.

### **Waterfowl Hunting**

As the comments relate to waterfowl hunting, the most common comment was that the numbers of nonresident hunters should not be limited. However, the second most common comment was that there should be a limit on nonresident hunters. There were comments that if there is a limit on nonresident hunters, guides and outfitters should be guaranteed licenses. In addition, there were three other comments that may be construed as pro nonresident hunter. These comments were against a nonresident lottery, for the removal of hunting zones, and for increased bag and position limits.

### **Nonresident Hunters**

As the comments relate to nonresident hunters, apart from waterfowl hunting, the No. 1 overall comment in the survey was nonresident hunters are good for economic development and tourism. In addition, there were comments in favor of more nonresident deer licenses and for nonresident turkey licenses.

### **Guides**

As the comments relate to guides, the most common comment was that guides let nonclients hunt. Other comments included that there are too many guides and that out-of-state "outfitters" are the major source of controlling tracts of land.

### **Resident Hunters**

There were a few comments directed at resident hunters which all said the same thing--hunters can find access if they ask.

### **Other**

The final category of other included a couple of comments against a sales tax on guides and one unfavorable review of the survey form. There were other comments that were not included in this summary because they did not appear to be directly related to the study or were not conducive to summarization.

ATTACH: 1

## SURVEY OF LICENSED GUIDES: LAND PURCHASED FOR HUNTING PURPOSES

1. Under what name do you do business? If you do business under your own name, please place your name on the blank.

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2. On how many acres of land do you purchase, lease, own, or acquire for compensation by other arrangement access for hunting? Please indicate the number of acres by county and what is primarily hunted on those acres in that county by designating with one of the following labels: upland game, waterfowl, big game, or other species. If more than one label equally, or near equally, indicates what is hunted in that county, then place the appropriate labels in the blank. Approximations will provide adequate information if exact acreage is unknown. Please designate approximations with the contraction Appx.

County	Acres	Upland Game, Waterfowl, Big Game, or Other
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Please comment on any issues related to this survey.

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Please return by January 1, 2002.

JAN 03 2002

January 1, 2002

Dear committee,

As a landowner, avid hunter and part time guide for the last 2 years I feel that I can share a perspective from many sides of the issues facing those of us involved with upland game hunting in North Dakota. First, I would like to say that this is a wonderful problem to have. Through CRP and other habitat programs we now have a growing pheasant population both in numbers and area that is far beyond what any of us could have imagined 15 years ago. I first moved to Dickinson in 1983 there were very few birds in very few locations as there just wasn't much suitable habitat. Hunting in Stark County was useful mainly for fresh air and exercise. My friends and I would drive down to the Regent area but we didn't find much success there either. Early in the season there were birds to be found but only 1 or 2 here or there with a few select areas of prime habitat having more birds but nothing like what we have today. What we hunted with pleasure then would be ignored today due to "not enough birds"

The increase in habitat through CRP has made it possible to enjoy the wildlife populations we have today and our Game and Fish Dept. is to be commended for their efforts to maintain and increase habitat for the future.

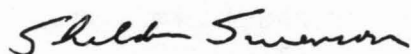
As a landowner I sympathize with busy ranchers and farmers who must post their land each year to regulate who is on their land and who may be leaving gates open and such. I only own about 1000 acres but it takes a lot of time to post even this relatively small amount of land. When I'm visiting in Florida I don't have the right to wander around on other peoples private property without permission. Why should anyone have that right in North Dakota? Just about every year I find people hunting on my land without permission. I have found 5 or 6 gut piles of poached deer in the last 10 years. I have found a pistol lying on the ground in 1 of my food plots. When I approached some hunters from Fargo last year hunting without permission they offered no apology and had the nerve to light up a cigarette while we talked about it. He was oblivious to the problem of severe drought and fire hazard and could easily have started a major grassland fire. Unfortunately it only takes a few bad apples to make it rough for everyone. I would like to encourage no trespass legislation to protect the rights of our hard working farmers and ranchers.

I seed 24 acres of food plots every year for wildlife and have planted many miles of trees and 4 rectangular wildlife plantings with help and advice from SCS. I am battling leafy spurge

and Canadian thistle like so many other landowners. This all takes a lot of time and effort and can be expensive. Landowners deserve more credit for the role they play in maintaining and enhancing our wildlife populations.

I started guiding part-time 2 years ago for the Cannonball Company because of my previous experience guiding friends and family and thought this would be a good experience. I have met a lot of nice people, established some rewarding friendships, and have had a chance to witness some of the best hunting in the world. The people coming in are spending money for car rentals, gas, food, lodging, as well as the guiding service and other incidentals. This must be a tremendous economic boost to southwest North Dakota. Even in Dickinson the streets, motels and restaurants show a lot of activity from out-of-town and out-of-state hunters. To seriously limit our out-of-state hunters would be a serious mistake. Where would Florida and Alaska be without out-of-state tourists, hunters and fisherman? Right now we have enough birds and habitat for everyone. I agree that we need to keep habitat available for our local people. Any local person who is serious about hunting has plenty of time and opportunity to scout around and find a farmer who is willing to let him on his land. Out-of-staters can try to do it on their own or they can pay for the convenience, quality, and experience provided by various guides and outfitters. Curt Welis' suggestion about raising the license fee for guides to 1,000 dollars is very disturbing. I and many others only guide part time for a limited number of days and could not afford to continue guiding with that type of fee.

As I drive around southwestern North Dakota. I see so much potential to make things even better in terms of habitat, food plots, etc. There are some natural areas that have all of the right ingredients but a lot of potential to be improved through the provision of food plots and winter cover. The Game and Fish Dept. is to be commended for their efforts along this line. We need to encourage our Federal government to maintain the CRP program or we will be back to where we were in the 70's and early 80's. Thank you for your time and consideration.



Sheldon Swenson

# Hide-A-Way Camp LLC

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October 23, 2001

North Dakota Legislative Council  
State Capitol  
600 East Boulevard  
Bismarck, North Dakota 58505-0360

Dear Mr. Dawson, Senators and Representatives,

My name is Ilene Hardmeyer. My husband Claude and I run a fee hunting camp for upland game birds.

I am amazed that we are even talking about restricting out of state hunters. The tourism department spends thousands of North Dakota dollars to get people into the state and now we are going to say no thanks to some of them. We should be putting up signs at our boarders saying Welcome, we appreciate your business.

We were farmers and as you know the farming economy is down so we choose to go with the hunting camp. There are no options for us here. We finally have something to get the out of state people to North Dakota and they come back in the summer because they like what North Dakota has to offer. We have residents from North Dakota who hunt with us as they feel it is safer to be here hunting than when nothing was posted and they had to take their chances that someone was over the hill hunting. We have always charged and pay sales tax to North Dakota for our total hunting fee. Not one out of state hunter has ever questioned paying the tax.

As you already know, our area depends on the hunters. This is the only way that most people in Mott and surrounding areas can stay in business.

If this goes into effect, there will be a definite backlash. Most of the area farmers have some form of pay hunting. Either exchange hunts, specials on grain or equipment or just friends. The farmers by not feeding the birds in the winter or leaving areas that provide cover for the pheasants can and will have a dramatic effect on the bird population.

Thanks for reading my letter and we hope that you will appreciate our view and the economy of our small towns.

Sincerely,



Ilene Hardmeyer