

Montana Fish & Wildlife Commission

The Nature Conservancy Recreation Management Area Biennial Rule Public Use Special Regulations

BIENNIAL RULE

Montana Department of Fish, Wildlife and Parks (“FWP”) and the Montana Fish & Wildlife Commission adopts the following rules and regulations to govern recreational use within The Nature Conservancy (hereafter “TNC”) Recreation Management Area throughout Region 2 for the purpose of gaining hunting access and recreational privileges on private land, to prevent vehicular damage to soils and vegetation, and to avoid excessive disturbance to native wildlife including threatened and endangered species. This Rule covers lands owned in fee by TNC only in Region 2, and includes all Montana Checkerboard, LLC lands, for which TNC is the sole manager.

This Rule is effective from 8/25/2021 to 8/25/2023.

The designated area of The Nature Conservancy Recreation Management Area is depicted in Figure 1 below:

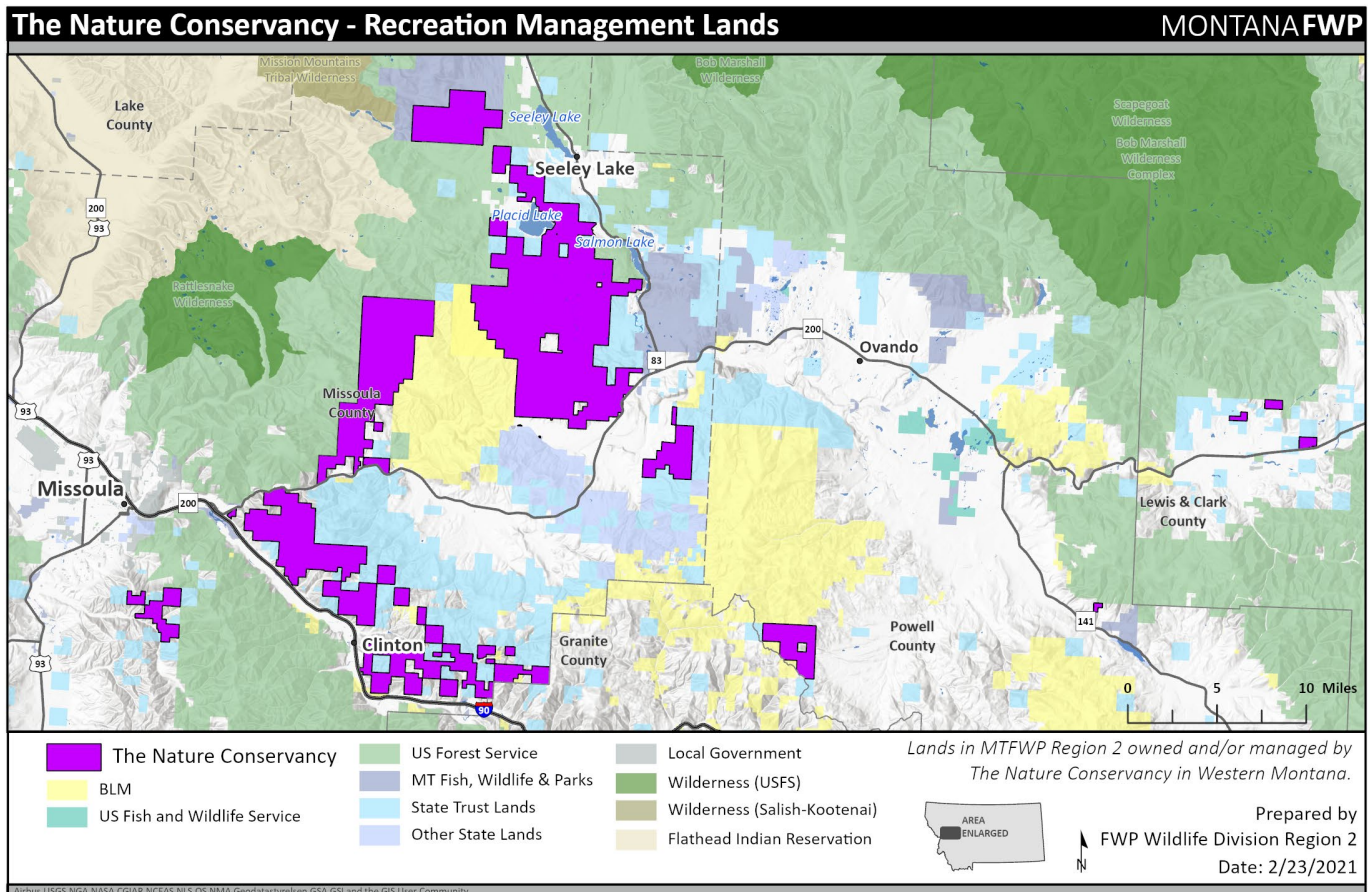


Figure 1. The Nature Conservancy Recreation Management Area Map.

Because the public enjoyment of the recreational facilities of these lands necessitates rules, regulations and enforcement, the provisions of 87-1-303 MCA shall apply. It is therefore ordered that it shall be unlawful for any person to:

1. Drive any motorized wheeled-vehicle including electric bicycles in the above-described area except on designated open roads or areas posted open to motorized use. Off-road motorized vehicle use is prohibited. Landowners and/or their designee in the course of administrative work, and federal, state, and county officials in the course of their official duties will be exempt from these vehicular restrictions.
2. Drive any motorized wheeled-vehicle behind any gate, earthen barrier, barricade, or signs. Any earthen barrier is considered a "closure" to all wheeled-motorized vehicles. Road restrictions apply behind unmarked gates, even if vandalized or open.
3. Park any vehicle in such a manner as to obstruct traffic or block any gate. Administrative, contractor or emergency traffic may need to pass through locked gates at any time.
4. Operate a snowmobile in the above-described area between April 2 and November 30. Snowmobile use is allowed seasonally from December 1 through April 1 in most areas. Snowmobiles are permitted to go beyond an earthen barrier or gate; however, snowmobilers are requested to remain on groomed or signed snowmobile routes, or forest road systems. Certain areas may be posted closed to snowmobile use year-round.
5. Trespass, hunt, or discharge a firearm within TNC's posted safety zones. Recreational shooting and discharge of firearms is prohibited on TNC lands where posted as closed to recreational shooting. However, in recreational-shooting closure areas, hunting of game and non-game animals is allowed in accordance with Montana Fish, Wildlife and Parks rules and regulations.
6. Trespass, hunt, camp, or discharge a firearm within designated closed areas. This includes temporary, permanent, and posted closures on TNC lands. Area closures may be in effect for specific or for all uses, and be for the purposes of resource protection, restoration projects, fire restrictions, wildlife habitat, wildlife security, seasonal trail closures and/or other reasons.
7. Hunt, transport hunters or retrieve game behind a closed road with personal, administrative or commercial vehicles. A TNC *Special Use Permit* is required for any exceptions.
8. Conduct any commercial activity, including commercial firewood gathering, without a TNC *Special Use Permit*.
9. Conduct commercial outfitting or guiding of hunters or fisherman in the above-described area.
10. Set traps or snares on TNC lands, except under a *Special Use Permit*.
11. Leave a campsite unattended for more than three consecutive days. Camping on TNC lands is allowed but is limited to 16 consecutive days. Camping beyond 16 days requires relocation to new site at least five miles from the original site. A TNC *Special Use Permit* is required for any exceptions or special use camping.
12. Leave a campfire unattended. Campfires must be attended at all times. Cutting of dead/down firewood for personal use while camping on TNC lands is allowed, a TNC *Firewood Cutting Permit* is not required for this limited use.
13. To minimize conflicts with bears, human, pet, and livestock food, garbage and all other attractants shall be acceptably stored at all times in accordance with the Montana Fish, Wildlife and Parks' Wildlife Management Food/Attractant Order.
14. The use of certified weed-seed-free livestock hay, forage and bedding is required for all domestic animal use on TNC lands.
15. Cut or remove firewood without a TNC *Firewood Cutting Permit*. Permitted personal-use firewood gathering of dead or down wood is allowed from June 1 – December 31. Personal firewood gathering must not exceed five cords per permit. Commercial firewood gathering is not permitted except under a *Special Use Permit*.
16. Use any exploding targets, fireworks or explosives on TNC lands.
17. Leave any garbage or litter. All trash must be packed out and the area left clean.

STATEMENT OF LEGAL AUTHORITY FOR THE RULE

Section 87-1-303, MCA, gives the Fish & Wildlife Commission authority to adopt and enforce rules governing uses of lands that it operates under agreement with or in conjunction with a private owner.

This rule was adopted by the Fish and Wildlife Commission on June 24, 2021.

Lesley Robinson, Chair
Montana Fish & Wildlife Commission