



ELK HUNTING ACCESS AGREEMENT PROGRAM OPERATING PROCEDURES

2024
Revised 6/3/2024

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Program Overview



MONTANA FISH, WILDLIFE & PARKS

Elk Hunting Access Agreements | landowner elk permit/license for free public hunting access

Overview

Montana Fish, Wildlife & Parks' Elk Hunting Access Agreement (EHA) program seeks to improve elk management by providing landowners or eligible designees with an elk license/permit or combination of the two in exchange for allowing free public hunting access.

Program at a Glance

If a landowner is willing to provide free public elk hunting access on the landowner's property (or private land leased by the landowner for agricultural purposes), the department may issue, at no cost to a landowner or the landowner's designee an either-sex or antlerless elk B license, permit, or combination of the two as required in that hunting district. The permits/licenses issued under this program are only valid on the landowner's property or on private property leased by the landowner for agricultural purposes and open to public access. The landowner designee may be an employee who works full time for the landowner as part of an active farm or ranch operation or an immediate family member who is a spouse, parent, grandparent child, grandchild, sibling, niece or nephew by blood, marriage, or legal adoption.

Who is Eligible

To be eligible for the Elk Hunting Access Agreement program, private landowners, must:

- own at least 640 acres of occupied elk habitat, except that smaller acreages are eligible if the department determines that site conditions exist to accommodate successful public hunting;
- enter into an access agreement that allows for free public elk hunting on the landowner's property throughout the regular (general rifle) season; and
- not charge a fee or authorize a person to charge a fee for hunting access on the landowner's property.

Landowner Liability

Landowners enrolled in the Elk Hunting Access Agreement program are provided liability protection under state law through 70-16-302, Montana Code Annotated (MCA) as long as no fees for access/trespass are charged.

For more information: Contact your local FWP office or contact the FWP Parks and Outdoor Recreation Headquarters Office at 406-444-3750, LndSportRelations@mt.gov

Landowner Benefits

Landowners or designees are provided a free general elk and/or either-sex elk permit (if applicable) or an antlerless elk B license in exchange for allowing a minimum of three public hunters free elk hunting access on enrolled lands. Landowners may choose to select up to one-third of the required public hunters with FWP selecting the remaining public hunters.

At least one of the department selected public hunters must hold the equivalent license, permit, or combination of the two that is issued to the landowner or the landowner's designee. Landowners may apply for multiple licenses/permits through this program in accordance with requirements for public hunter access.

Agreement Details

The elk hunting access agreement will be between a private landowner, or their representative and FWP on a year-to-year basis. The licenses authorized under this program are approved by the Fish and Wildlife Commission (FWC).

The agreement defines the areas that will be open to public elk hunting; the number of public elk hunting days that will be allowed; and other factors that the department and the landowner consider necessary for the management of elk on the landowner's property. The agreement reserves the right of the landowner to deny access to the landowner's property by a public hunter for cause.

Landowners/designees must also agree to complete a post-season harvest and satisfaction survey.

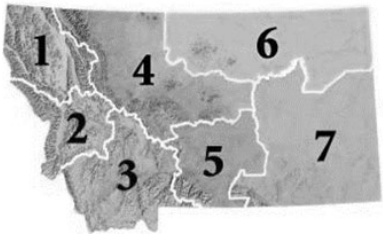
How to Discuss a Potential Elk Hunting Access Agreement

Landowners should contact their local Fish, Wildlife & Parks Biologist, Warden or Regional Access Manager to discuss options and qualifications for the program.

Applications are open from early April-May 1 and presented to the Fish and Wildlife Commission at its June meeting.



Hunting Access Program Staff

<p>Access and Landowner Relations Bureau Chief Stephanie Brown 406-594-7012</p>	<p>Hunting Access Program Manager Jason Kool 406-444-2505</p>
<p>Region 1- Access Manager Macy Dugan (Kalispell) 406-291-4821</p>	<p>Region 2- Access Manager Vacant</p> <p>Region 2- Resource Specialist Kara Clarke 406-317-3041</p>
<p>Region 3- Access Manager Cheyanne Parker (Bozeman) 406-577-7867</p> <p>Region 3- Resource Specialist Gerard Ligotti</p>	<p>Region 4- Access Manager Evan Rodgers (Great Falls) 406-454-5877</p> <p>Region 4- Resource Specialist Emma Link</p> <p>Region 4- Administrative Assistant Vacant 406-454-5862</p>
<p>Region 5- Access Manager Trenton Heisel (Billings) 406-247-2959</p> <p>Region 5- Resource Specialist Zachary Menegat</p>	<p>Region 6- Access Manager Katie Iverson (Glasgow) 406-808-7073</p> <p>Region 6- Resource Specialist Christopher Valverde (Glasgow)</p> <p>Region 6 Resource Specialist Tim Roth (Havre) 406-265-6177</p>
<p>Region 7- Access Manager Travis Muscha (Miles City) 406-234-0929</p> <p>Region 7- Resource Specialist Annika Bollesen 406-594-9932</p> <p>Region 7- Administrative Assistant Bea Sturtz 406-234-0930</p>	

Statute Governing the Elk Hunting Access Agreement (EHA) Program

87-2-513 (Effective March 1, 2024). Either-sex or antlerless elk license or permit for landowner who offers free public elk hunting -- terms, conditions, and issuance. (1) (a) The department may issue, at no cost to a landowner who provides free public elk hunting on the landowner's property and pursuant to this section, an either-sex or antlerless elk license, permit, or combination of the two as required in that hunting district for the landowner or the landowner's designee to hunt on the landowner's property or on private property leased by the landowner for agricultural purposes.

(b) A designee may be an immediate family member or an authorized full-time employee of the landowner who is eligible for licensure under Title 87, chapter 2.

(2) To be eligible for a license or permit pursuant to this section, a landowner:

(a) must own at least 640 acres of occupied elk habitat, except that smaller acreages are eligible if the department determines that site conditions exist to accommodate successful public hunting;

(b) must have entered into a contractual public elk hunting access agreement with the department in accordance with subsection (7) that allows public access for free public elk hunting on the landowner's property throughout the regular hunting season; and

(c) may not charge a fee or authorize a person to charge a fee for hunting access on the landowner's property.

(3) (a) For every three members of the public allowed to hunt under the contractual public elk hunting access agreement, the department may issue one license, permit, or combination of the two pursuant to subsection (1). The department may limit the total number of licenses and permits issued under this section.

(b) At least one of the public hunters must hold the equivalent license, permit, or combination of the two that is issued to the landowner or the landowner's designee. The department, in consultation with the landowner, shall select the hunters pursuant to subsection (7)(b).

(4) A license or permit issued pursuant to this section:

(a) is nontransferable and may not be sold or bartered; and

(b) may only be used for hunting conducted on property that is opened to public access pursuant to this section.

(5) The department may prioritize distribution of licenses or permits under subsection (1) according to the areas the department determines are most in need of management.

(6) If the department determines that a landowner or landowner's designee has not abided by the restrictions and conditions of a license or permit issued pursuant to this section, that landowner or landowner's designee is not eligible to receive another license or permit pursuant to this section during any subsequent license year.

(7) (a) A contractual public elk hunting access agreement must define the areas that will be open to public elk hunting, the number of public elk hunting days that will be allowed on the property, and other

factors that the department and the landowner consider necessary for the proper management of elk on the landowner's property. The agreement must include a process or methodology the landowner may use to select up to one-third of the public hunters required by subsection (3) and must reserve the right of the landowner to deny access to the landowner's property by a public hunter selected pursuant to subsection (7)(b) for cause, including but not limited to intoxication, violation of landowner conditions for use of the property, or previous misconduct on a landowner's property.

(b) Except for public hunters selected by the landowner pursuant to subsection (7)(a), the department shall select public hunters eligible to hunt on the landowner's property through a random drawing of holders of existing licenses or permits in that hunting district.

(8) (a) Licenses, permits, or combinations of the two issued under this section must be for wildlife management purposes and approved by the commission pursuant to its powers under **87-1-301**.

(b) The commission shall prioritize approval of an application for a license, permit, or combination of the two based on the willingness of the landowner to allow, in either the regular hunting season or a shoulder hunting season, additional cow harvest by public hunters in addition to the number of public hunters required in subsection (3).

(9) For the purposes of this section, the following definitions apply:

(a) "Employee" means a person who works full time for the landowner as part of an active farm or ranch operation enrolled in the program.

(b) "Immediate family member" means a spouse, parent, grandparent, child, grandchild, sibling, niece, or nephew by blood, marriage, or legal adoption.

History: En. Sec. 1, Ch. 519, L. 2001; amd. Sec. 10, Ch. 553, L. 2003; amd. Sec. 1, Ch. 37, L. 2019; amd. Sec. 11, Ch. 63, L. 2019; amd. Sec. 2, Ch. 94, L. 2021; amd. Sec. 4, Ch. 486, L. 2021; amd. Sec. 8, Ch. 552, L. 2021; amd. Sec. 1, Ch. 730, L. 2023.

Administrative Rules Governing the Elk Hunting Access Agreement (EHA) Program

Rule No.	Title	Effective Date
<u>12.9.901</u>	Definitions	3/9/2024
<u>12.9.908</u>	Process for commission consideration of permits	3/9/2024

Elk Hunting Access Agreement (EHA) Program Timeline

Mid-February	Start phone calls to survey landowner/designee and public hunter non-respondents from prior season
Mid-March	EHA non-respondent survey calls completed
Early April	EHA applications open publicly and available on website
Early April	FWC EHA coversheet due and final EHA report due for June FWC meeting

May 1	EHA application deadline
Mid-May	EHA agreement drafted and sent to landowners for initial review
Early June	EHA applications, maps, master list, redacted agreements and prior year report posted to FWP website for June FWC meeting
June	EHA application review and decision at FWC meeting
Late June	EHA properties uploaded in to myFWP for interested public hunter sign-up
Early July	Signed EHA agreements due back from landowners to be signed by the Director
July 1	Public hunter online sign-up through myFWP for interested public hunters for EHA opportunities
July 15	Deadline for EHA opportunity online public hunter sign-up through myFWP
Late July	Licensing provides access program staff successful sign-up lists for hunters holding the licenses to start EHA match making
Late July	Regional access staff start coordinating with landowners to select their EHA public hunters (if applicable) by email.
3 weeks prior to start	Landowners must have selected EHA public hunters or Dept will fill the slot with another public hunter.
Mid-August	Department starts making EHA public hunter selections and notifying public hunters requesting hunter confirmation by email
2 weeks prior to start	Deadline for FWP selected public hunters for EHA agreements. All landowner selected and FWP selected public hunters sent rules, contact information for participating landowners.
Late August	Licensing issues and allocates all EHA landowner/designee permits/licenses
Early December	EHA landowner/designee/public hunter email link to survey monkey for evaluation
Mid- December	EHA survey mailed direct mail for non-respondents
January 2	EHA survey reminder emails sent to non-respondents

2024 Standard Operating Procedures for Elk Hunting Access (EHA) Agreement Program

Application Timeline, Targeted Marketing and Landowner Eligibility

Application Timeline

1. Landowners/landowner designees must voluntarily apply to participate in the Elk Hunting Access (EHA) Agreement program from early April through May 1.
2. For the purposes of this program, eligible designees may be an employee or immediate family member.
 - a) "Employee" means a person who works full time for the landowner as part of an active farm or ranch operation enrolled in the program.
 - b) "Immediate family member" means a spouse, parent, grandparent, child, grandchild, sibling, niece, or nephew by blood, marriage, or legal adoption.
3. For applications to be considered, they must be complete and received by the Parks and Outdoor Recreation Division Headquarters Office or any FWP Regional Office by May 1 at 5 p.m.
 - a) Incomplete applications or those submitted after the deadline are not eligible for consideration. FWP staff may assist landowner applicants prior to the deadline to ensure all application requirements are met.
4. Due to the personally identifiable information (PII) contained in the application, landowner applicants must mail or send the application and required documents to the address above or electronically utilizing the State of Montana File Transfer Service to: LndSportRelations@mt.gov

Targeted Marketing

1. Once the regular elk permit drawing has taken place (mid-April), the FWP licensing bureau will search the landowner preference elk applications to identify landowners (or designees) who applied with elk landowner preference but were unsuccessful in the regular elk permit drawing. The search will yield a list and the licensing bureau will provide that list to Communication and Education Division (CommEd) staff. Once received, CommEd staff will develop and send a targeted email to contact unsuccessful elk landowner preference applicants to notify them of the EHA Agreement program opportunity (Appendix A). The targeted email message will be similar the message shown right:



THE **OUTSIDE** IS IN US ALL.

Dear Elk Hunter,

Our records indicate you applied for an elk permit this year using landowner preference and were unsuccessful. We are emailing to make sure you are aware of the opportunities to still hunt your land this fall available through the Elk Hunting Access (EHA) agreement program.

In short, these EHA agreements give a landowner (or their designee) the opportunity for a license and/or permit in exchange for granting free public access to a minimum of three public hunters. Through this program, landowners can pick one of the three public hunters from the successful list with FWP selecting the other two. The licenses and/or permits issued under this program can be designated by the applying landowner to family members and fulltime employees. One difference from the regular draw is that the permits/licenses issued to the landowner (or designee) through this program are valid only on the landowner's private land.

The application period for these agreements runs through **May 15**. The agreements will be reviewed by FWP staff and then the Montana Fish and Wildlife Commission at its June 8 meeting.

For more information and to find the application form, please see our website at: <https://fwp.mt.gov/hunt/landownerprograms/public-elk-access-agreements>

If you have any questions, please contact your local FWP office or contact the FWP Parks and Outdoor Recreation Division, 406-444-3750, LndSportRelations@mt.gov.

Thank you,

Greg Lemon
Communication and Education Division

Landowner Eligibility

1. For a license or permit to be issued under this program a landowner must meet the minimum eligibility requirements outlined in § 87-2-513, MCA. Those eligibility requirements are as follows:
 - a) The landowner must own at least 640 acres of occupied elk habitat, except that smaller acreages are eligible if the department determines that site conditions exist to accommodate successful public hunting;
 - b) The landowner must have entered into an EHA agreement with the department that allows public access for free public elk hunting on the enrolled property throughout the regular hunting season (general rifle); and
 - c) The landowner cannot charge a fee or authorize a person to charge a fee for hunting access on the landowner's property.
2. Landowners enrolled in a Block Management Area (BMA) agreement may also apply to participate in the EHA program and are eligible to receive permit(s)/license(s) or combination of the two through this program.
 - a) BMA cooperators may allow additional access over and above their Block Management enrolled lands to hunters in the EHA program but are not required to provide more access than what is already being provided through their Block Management agreement.
 - b) Public hunter permission requirements for EHA may also only be granted in accordance with their BMA agreement.

Required Application Information

1. A landowner/landowner representative wishing to make an application must apply on the form provided by the Department (Appendix A).
2. For an application to be considered complete, it must include:
 - a) the name in which the land is recorded (i.e., ranch name, corporate/partnership name or individual deed);
 - b) the landowner/landowner representative contact information (including mailing address, phone and email);
 - c) number of private acres to be enrolled to include those private land acres leased for agricultural purposes;
 - d) evidence, such as a copy of the lease, as to whether the private land to be accessed is land that is leased by the landowner for agricultural purposes (if applicable);
 - e) maximum and minimum days allowed for landowner and department selected public hunters on the property;
 - f) minimum number of days advance permission notice required by public hunters;
 - g) dates/seasons for which the public may be allowed access;

- h) any other factors related to elk management on the landowners property;
- i) a process or methodology the landowner may use to select up to one-third of the public hunters required;
- j) landowner/landowner representative contact information for public hunters to gain permission;
- k) completion of all fields for the landowner/landowner designee licensee information on Page 4 of the application;
- l) sex of elk allowed to be hunted by landowner and/or landowner designee(s);
- m) sex of elk allowed to be hunted by landowner selected public hunter(s);
- n) sex of elk allowed to be hunted by department selected public hunters (at least one department selected public hunter must have an equivalent license opportunity as the landowner or landowner designee);
- o) identification of the willingness of the landowner to allow, in either the regular hunting season or a shoulder hunting season, additional cow harvest by public hunters in addition to the number of public hunters required;
- p) list of total number of licenses/permits or combination of the two (by district) requested for the landowner or qualifying landowner designees such as an employee or immediate family member;
- q) legible map that clearly identifies the private land area open through the agreement to public hunting of elk;
- r) required ownership documentation to prove ownership such as copy of the deed, property tax bill or contract to purchase;
- s) signatory authority documentation (if applicable) and;
- t) agreement by the landowner to complete and submit a post-season satisfaction and harvest survey.

Regional Review and Recommendation

1. Regional access staff will coordinate with the Helena hunting access program manager to ensure the application has been successfully submitted.
2. Regional access staff will coordinate with the regional supervisor, enforcement, and wildlife staff (to include the local biologist) to develop and submit a regional recommendation to the hunting access program manager on the merits of the application. The recommendation will be captured in the master list (Appendix C) presented to the commission and public in advance of the June commission meeting.
3. The regional review will consider the ability to accommodate successful public hunting and any impact to the elk population.
4. For those properties less than 640 acres, regional access staff must also complete and return the Elk Hunting Access Agreement (EHA) Program Regional Site Conditions Evaluation Form

(Appendix B). The form must be submitted when the regional recommendation is provided to the hunting access program manager in Helena.

5. For landowners seeking re-enrollment, regional access staff and the hunting access program manager will review the previous year's public hunter and landowner feedback compiled from the harvest and satisfaction surveys. Feedback will be noted on a column of the master list (Appendix C).
 - a) If it is determined that re-enrollment is not warranted (based upon feedback from the previous hunting season), the program manager will confirm with the Parks and Outdoor Recreation Division Administrator or other Director's office staff. If the Division Administrator or Director's Office staff concur, the recommendation to the commission will be a denial of re-enrollment.

Landowner Negotiation and Appeal

1. Should the regional review and recommendation result in a difference of opinion between regional staff and the landowner, regional staff will work with the landowner to better understand the opportunity and may seek feedback from the hunting access program manager.
 - a) Regional access, wildlife and/or enforcement staff may work with the landowner to alter the application depending upon elk availability and access or wildlife management goals.
 - i. Example: Elk harvest opportunity suggests public hunters be allowed to hunt all bulls (either-sex) due to high bull to cow ratio, but a landowner applies with public access only for antlerless elk opportunity.
2. If a landowner disagrees with the regional review and recommendation of their application, the landowner may appeal the department recommendation displayed on the master list directly to the commission at the June meeting. The Commission's decision regarding an appeal is final.

Master List and Draft Agreements

1. After a recommendation is developed by regional staff, the hunting access program manager will evaluate the regional recommendation and prepare a master list (Appendix C) of applications that incorporate a summary of the specifics of the application and a final recommendation from the department to the commission.
 - a) The hunting access program manager may seek further clarification or direction on the final department recommendation from the Director, Division Administrator and/or Chief of Conservation Policy.
2. After the recommendation and associated documentation has been submitted to the hunting access program manager, the FWP legal unit will draft an EHA agreement for each property using the information provided in the application and on the template approved by the FWP Legal Unit (Appendix D).
3. An EHA agreement must define the areas that will be open to public elk hunting, the number of public elk hunting days that will be allowed on the property, and other factors that the department and the landowner consider necessary for the proper management of elk on the

landowner's property. The agreement must include a process or methodology the landowner may use to select up to one-third of the public hunters required and must reserve the right of the landowner to deny access to the landowner's property by a public hunter selected for cause, including but not limited to intoxication, violation of landowner conditions for use of the property, or previous misconduct on a landowner's property.

4. Each elk hunting access agreement and accompanying map must:
 - a) identify the area open to public elk hunting, including:
 - i. specific land area with identified boundaries;
 - ii. times and dates area is open;
 - iii. methods for obtaining landowner permission;
 - iv. area use rules which address travel methods, game retrieval, etc.;
 - v. indicate a process or methodology the landowner may use to select up to one-third of the public hunters (if applicable);
 - b) indicate the number and distribution of public hunting days that will be allowed on property for the following categories:
 - i. department selected public hunters with permits/licenses valid for the hunting district;
 - ii. landowner selected public hunters with permits/licenses valid for the hunting district (if applicable); and
 - iii. landowner/designees with permits/licenses issued through participation in the program.
 - c) methods for collecting evaluation data including hunter use data; elk harvest data and hunter/landowner/department satisfaction data; and
 - d) indicate landowners are required to submit a landowner satisfaction survey and submit the landowner/designated hunter harvest survey upon completion of the general season and no later than late February of the following year.
5. The hunting access program manager will coordinate with regional access staff to ensure landowner applicants have an opportunity to review the draft agreement prior to being posted for public viewing. Regional access staff will report any landowner concerns or identified issues to the hunting access program manager.
6. Once the agreement is landowner approved, the hunting access program manager will compile all of the associated documents into one folder (i.e., application, map, draft agreement).
7. Legal staff will redact information related to the application and the draft agreement and return provide the redacted documents to CommEd staff to generate links in the master list pointing to each applicant's folder of materials to be posted on the website.

8. CommEd staff post EHA program information no later than two weeks prior to the June commission meeting for which applications are considered. All applications that are incomplete will also be documented by the hunting access program manager on the master list.

Commission Process and Consideration

1. The Parks and Outdoor Recreation Division staff will prepare the commission proposal and information sheet and work with the commission coordinator to post the previous year's program report, master list, and proposal and information sheet no later than two weeks in advance of the June commission meeting. The master list will feature each applicant and will be linked to the applicant's redacted application, redacted draft agreement, map, and evaluation form (Appendix B) for each applicant (if necessary). All applications that were submitted by the May 1 deadline will be presented to the commission.
2. The department will make a recommendation to the commission that permits/licenses issued to landowners (or their designee) in limited permit/license areas do not exceed ten percent (10%) above the commission approved quota established by the season-setting process.
 - a) If ten percent (10%) of the quota is not a whole number, the department will round down when determining how many permits/licenses should be available through the EHA program.
 - i. Example: Quota in a limited district is 85 either-sex permits. An additional 8 permits would be available through the EHA program (valid on the landowner's enrolled private land or leased private land for agricultural purposes only).
3. Hunting districts with limited permits/licenses and where the number of applications exceeds ten percent (10%) of the total quota, the Commission shall prioritize approval of an application for a license, permit, or combination of the two based on the willingness of the landowner to allow, in either the regular hunting season or a shoulder hunting season, additional cow harvest by public hunters in addition to the number of public hunters required (§ 87-2-513(8)(b), MCA).
4. Hunting districts with general elk licenses, over the counter elk B licenses and limited permit/license quotas where the number of applications is less than 10 percent, the commission may decide to approve all applications and award all permits/licenses to landowner applicants.
5. EHA application proposals for the current year will only have public comment taken at the June commission meeting. The Commission reserves the right to approve or deny any and all applications and the issuance of permits and or licenses, or both, under this program. If necessary, the commission shall prioritize approval of an application in accordance with § 87-2-513(8)(b), MCA.
6. Regional staff and Helena staff will be available to support the division administrator in the presentation of the applications to the commission and answer any questions related to the programs previous year's annual report.
7. Once the commission has decided on the issuance of the permits/licenses under this program, regional access staff will coordinate with landowner applicants and inform them of the commission decision. If the number of landowner/designee permits/licenses requested exceeds

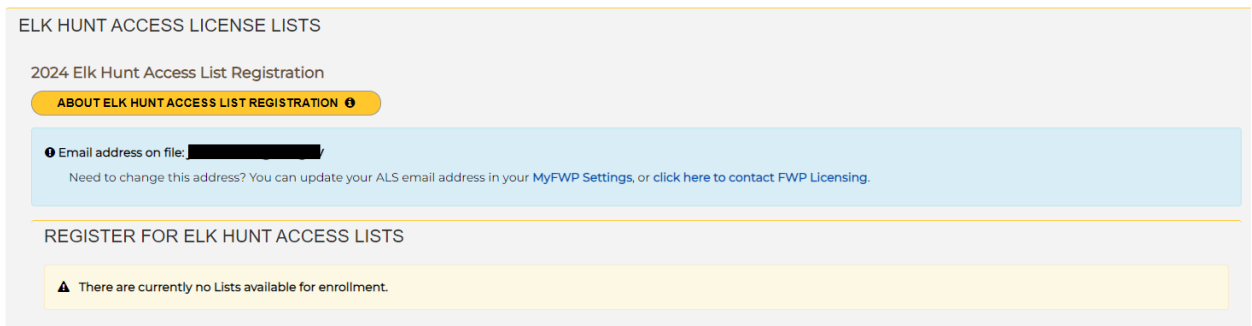
the number available through the department recommendation, the licensing bureau will run a random draw to equitably award the permit/licenses available in a given district.

Landowner Signatures

1. For agreements that are commission-approved, regional access staff will obtain landowner signature on the final EHA agreements and will return the landowner signed EHA agreements to the hunting access program manager for a department Director signature.
2. If agreements are commission-denied or the landowner is unsuccessful in a post-commission random draw (if applicable), regional access staff will inform the landowner applicant of the commission decision and provide feedback to the landowner on the reasons for denial (Appendix E).
3. Once the Director has signed the agreements, a copy of the completed agreement will be mailed or emailed to the regional access manager and landowner applicant.
4. Licenses for landowners or landowner designees, authorized through this program, will not be provided until the EHA agreement has been signed by the landowner and the department.
5. The hunting access program manager will notify the licensing bureau once the EHA agreement has been signed by the landowner and Director. The licensing bureau will then award the landowner/landowner designee licenses/permits or combination of the two as well as any prerequisite licenses including the bow/arrow license (if applicable).

Public Hunter Sign-Up

1. Licensing bureau staff will load myFWP with the correct commission approved EHA public hunting opportunities (either-sex/antlerless) by property. The hunting access program manager will coordinate with licensing to ensure all the properties and associated license/permit types listed for public sign-up are correct in myFWP.
2. Public hunters can sign up online through myFWP from July 1-July 15 for all EHA opportunities which require a general elk license/unlimited (over the counter) elk B license and/or either-sex permit and/or limited elk B license. Sign-up for all public hunters will only occur online through myFWP shown below:



3. Licensing bureau staff will provide CommEd and the hunting access program manager with the list of successful either-sex permit/elk B license holders by hunting district from the original either-sex elk permit (April 1) and elk B license (June 1) drawings in districts where EHA opportunities are located. CommEd will develop and send a targeted email message inviting

successful permit/elk B license holders to sign-up online for EHA opportunities online through myFWP.

4. The hunting access program manager will coordinate with CommEd staff on developing a press release for EHA opportunities which offer general license and/or over the counter and unlimited elk B license opportunities. CommEd will develop and send an email message to inform interested public hunters about public sign-up for participating EHA opportunities online through myFWP from July 1-July 15. There are no in-person or over the phone sign-up capabilities. All sign-up for all public hunters must be done online through myFWP.
5. In districts with limited quotas/permits and/or limited elk B licenses, public hunters must hold the required permits/licenses at the time of sign-up, or they will not be selected. In general elk license or over the counter/unlimited elk B license areas, hunters must hold the required license once they are notified by a landowner or department staff and the public hunter accepts the opportunity.
6. Public hunters may sign up for all districts and EHA opportunities they currently or can hold licenses for (either-sex permits/elk B licenses/general elk license/OTC elk B license).
 - a) Public hunters can sign up for more than one opportunity, but will only be selected for one (1) either-sex permit opportunity.
 - b) Public hunters may be selected for one either-sex opportunity and one elk B or antlerless opportunity if they hold (or purchase) the required permits/licenses.

Public Hunter Randomization

1. Once the public-hunter online sign-up period closes, licensing bureau staff will randomize the public hunter sign-up lists and provide the hunting access program manager with a list of eligible public hunters for each license/permit type by EHA opportunity, including general elk and over the counter/unlimited elk B license opportunities.
2. For districts with limited either-sex permit/elk B license quotas, licensing will randomize the public hunter sign up list and verify the public hunters possess the required permit/license types required. No additional limited either-sex permits/elk B licenses are awarded to public hunters through this program.
 - a) Public hunter contact information including random draw order, name, ALS, phone, email, license/permit type and mailing address will be provided to the hunting access program manager.

Public Hunter Selection

1. The hunting access program manager will develop an EHA tracking list file that features the landowner/agreement name, number of days advance notice, identifies if archery opportunity is allowed, lists the number of days allowed for public hunters, hunting district, the landowner and/or landowner license designee(s), department selected licensee, licensee ALS, mailing address, licensee email address, the license/permit opportunities available for landowner selected public hunters (if applicable) and license/permit opportunities for FWP selected public hunters and whether the licenses have been issued.

2. Public hunters will be selected for access opportunities through a series of random drawings run by licensing. Drawings will contain all hunters who signed up for EHA opportunities by property and corresponding license/permit type.
 - a) Public hunters will only be contacted via email and allowed access to only one EHA property for either-sex elk and/or one EHA property for antlerless elk by district (if available).
 - b) Public hunters must possess the required license/permit types required for limited quota/license districts to be eligible. No additional limited either-sex permits/elk B licenses are awarded to public hunters through this program.
 - i. The department will make public hunter selections for each property and corresponding license/permit type based on eligibility (must possess the required license/permit) and the order in which they were randomly drawn.
 - ii. Sign-up lists will be drawn one property and corresponding license/permit type at a time. If a public hunter has already been selected for one either-sex permit opportunity and/or one antlerless elk opportunity due to random draw order, they will no longer be eligible for any EHA opportunities of the same license/permit type which are subsequently drawn.
 - iii. If the number of eligible public hunters who've signed up online is not enough to complete the public hunter slots, the department will use the original elk permit (April 1 deadline)/elk b (June 1 deadline) drawing order to offer the opportunities to hunt EHA properties to public hunters.
 - c) Public hunters with general elk or unlimited/over the counter antlerless elk B licenses will only be contacted via email and only selected for one EHA access opportunity in the random draw order they were identified and selected from the online sign-up.
3. Regional access staff, the hunting access program manager, and licensing bureau staff will complete the columns in the tracking file as hunter selections are approved and will fill the fields "green" once communication has been finalized, public hunters have accepted the opportunity, and licenses have been issued to landowners/landowner designees.
4. Regional staff will be responsible for coordinating with landowners, landowner designees, and public hunters. Regional staff will note the attempts to contact affected individuals, will complete the fields in the tracking spreadsheet, and will coordinate with the hunting access program manager as needed with any issues.

Landowner Selected Public Hunters

1. For those properties in which landowners reserve the right to select up to one-third of the public hunters, the licensing bureau will provide the hunting access program manager a list of hunters who were successful in the original April 1 either-sex permit or June 1 elk B license drawings by district and license permit type.
 - a) Public hunter contact information including name, mailing address, ALS, phone, email will be provided.

2. The hunting access program manager will provide regional access staff the list of eligible public hunters by district and license permit type for each of their respective EHA agreements.
3. Regional access staff will email the public hunter list which consists of the name, city, state, and zip code to those landowners who agree to use the methodology outlined in the application, and desire to select up-to one-third of the public hunters in accordance with § 87-2-513(3)(a), MCA. The only form of communication through this program for landowners to select up to one-third of their public hunters will be via email.
4. Landowner selected public hunters must be selected by the landowner and provided to the regional access manager no later than three weeks prior to the start date of the agreement.
5. If a landowner fails to select or respond with their public hunter selections in the required timeframe, the department will consider the landowner's silence as authorization to fill the required landowner selected public hunter(s) slots with additional department selected public hunters.
6. Once public hunters have been selected by landowners, regional access staff will notify the public hunters that they've been selected to hunt a given property via email. The email will indicate they've been selected, how to obtain permission, property/ranch rules, and instructions on how to accept the opportunity.
7. If a landowner selected public hunter declines the opportunity, the department will fill the landowner selected public hunter slot with a department selected public hunter (Appendix F).

FWP Selected Public Hunters

1. The hunting access program manager will provide regional access staff the list of eligible public hunters by district and license permit type for each of their respective agreements. Regional access staff will contact each of the potential department selected public hunters via email to determine their willingness to accept the access opportunity offered by the EHA agreement (Appendix G). Public hunters must respond and accept within 72 hours from the time the original email invitation to participate in the EHA opportunity was sent by department staff.
 - a) At least one of the department selected public hunters must hold the equivalent license, permit, or combination of the two that is issued to the landowner or the landowner's designee.
2. If the department selected public hunter does not respond in the required 72-hour timeframe, regional access staff will proceed to offer the opportunity to the next public hunter in the order for which they were randomly drawn. If the department selected public hunter declines the opportunity, they will be removed from the list of potential public hunters.
3. If department selected public hunter accepts the opportunity (within the 72-hour timeframe), the department will send the hunter an email confirmation of their acceptance (Appendix H). Email confirmation will include the agreement terms, landowner public hunter contact information, and a map of the land enrolled in the EHA program.
4. For those opportunities with limited either-sex permit/elk B license where no eligible public hunters remain on the EHA public sign-up list, the hunting access program manager will work with licensing bureau staff to secure the original draw lists for public hunters who successfully

drew in the original limited elk permit (April 1), or elk B (June 1) license draws. Regional access staff will offer the public hunters the opportunity participate in the EHA program in the order they were drawn in the original draw(s). Department staff will repeat steps 1-3 with the regular draw lists.

Public Hunter Responsibility

1. It is the sole responsibility of public hunters to maintain a valid email address and to contact the landowner/landowner representative to obtain permission in accordance with the terms of the agreement.
2. If public hunters are unable to reach the landowner/landowner representative to gain permission or the landowner/landowner representative is unresponsive to the public hunter's request for access, public hunters should document their attempts to gain permission and provide that information when they complete the post-season evaluation of their EHA experience. Public hunters may also contact regional access staff for guidance.

Complete Hunter Lists to Enforcement and Landowners

1. Once the public hunter and landowner/designee licensee tracking file has been completed, the hunting access program manager will remove the public hunter's personally identifiable information and provide the names of all eligible public hunters (department and landowner selected) by property to the respective landowner/landowner representative prior to the start of the agreement (Appendix I).
2. The hunting access program manager will provide the names and contact information for all participating landowners and public hunters (department and landowner selected) by property to enforcement captains prior to the start of the agreement.

Annual Program Report

1. The hunting access program manager in collaboration with the human dimensions work unit will collaborate and develop a survey for participating landowners, landowner designees, and public hunters. Surveys will evaluate landowner satisfaction, landowner/designee elk harvest success, and public hunter harvest and satisfaction.
2. The hunting access program manager will work with CommEd staff to develop an online survey. An email will be sent by the hunting access program manager to participating landowners, landowner designees, and public hunters to complete the online survey. The survey will be open for three weeks with one email reminder after two weeks of the survey being open.
3. The human dimensions unit will send paper surveys one week after the close of the online survey. The paper survey will be provided via regular mail with a postage-paid return envelope. Surveys that are returned will be entered and compiled by the human dimensions unit.
4. The human dimensions unit will send a minimum of two follow up emails to non-responding landowners, landowner designees, and public hunters. Emails will be sent within three weeks after the direct mail effort.

5. If no response is provided regarding satisfaction and/or harvest, regional access, wildlife and/or enforcement staff will make at least two phone call attempts to obtain a survey response from the participating landowner(s), landowner designees and/or public hunters.
 - a) Per the landowner application and agreement, participation in the program in subsequent years depends on landowner compliance with the survey requirements.
6. The human dimensions unit will sort, analyze, and provide program results to the hunting access program manager.
7. The hunting access program manager will utilize the data to develop an annual report for the commission's consideration and public review. At a minimum the report will provide information on:
 - a) landowner satisfaction with the program and public hunters (Appendix J);
 - b) landowner/designee harvest information (sex/size), overall success rate (Appendix K);
 - c) total number of public hunters selected by the landowner, harvest information (sex/size) of elk killed by public hunters selected by FWP, overall satisfaction (Appendix L); and
 - d) total number of public hunters selected by FWP, harvest information (sex/size) of elk killed by public hunters selected by FWP, overall satisfaction (Appendix L).
8. Results from surveys will be utilized by the department to inform an official department recommendation for issuance of future licenses/permits should landowners re-apply for the program in subsequent years.
 - a) Per § 87-2-513(6), MCA, if the department determines that a landowner or landowner's designee has not abided by the restrictions and conditions of a license or permit issued pursuant to this section, that landowner or landowner's designee is not eligible to receive another license or permit pursuant to this section during any subsequent license year.

Appendix A. 2024 Elk Hunting Access Agreement Application



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2024 ELK HUNTING ACCESS (EHA) AGREEMENT PROGRAM APPLICATION

RETURN TO: FWP PARKS AND OUTDOOR RECREATION
ELK HUNTING ACCESS PROGRAM
PO BOX 200701 HELENA MT 59620-0701

Please mail this application and required documentation to the address above or submit via the State of Montana File Transfer Service using email to: Indsportrelations@mt.gov. Applications may also be mailed to your local FWP Regional office c/o Regional Access Program Manager.

All information below is required and must be received FWP no later than 5:00 PM on MAY 1, 2024.

Completion of this form does not guarantee application will be approved by the Montana Fish and Wildlife Commission.

PART A: DESCRIPTION OF PROPERTY

- 1) PROPERTY NAME in which the land is recorded (i.e. ranch name, corporate/partnership name, or individual on the deed): _____
- 2) LANDOWNER OF RECORD OR LANDOWNER AUTHORIZED REPRESENTATIVE CONTACT INFORMATION:
 - a) NAME: _____
 - b) MAILING ADDRESS: _____
 - c) PHONE: _____
 - d) EMAIL: _____
- 3) TOWNSHIP, RANGE, SECTION(S) OF PRIVATE LAND TO BE ENROLLED AND OPEN TO PUBLIC HUNTING (include a legible map to be provided to public hunters): _____
- 4) HUNTING DISTRICT(S) OF LANDS TO BE ENROLLED: _____
- 5) TOTAL NUMBER OF LANDOWNER DEEDED PRIVATE LAND ACRES TO BE ENROLLED: _____
- 6) TOTAL NUMBER OF PRIVATE LAND ACRES LEASED FOR AGRICULTURAL PURPOSES TO BE ENROLLED (if applicable) _____ Landowners may enroll private land private land leased for agricultural purposes.

Applicants must provide a copy of the lease agreement with this application. Applicants must also verify the landowner offering leased lands to be enrolled is willing to allow public access on the leased lands for free public elk hunting access. Is the landowner offering leased lands willing to allow free public elk hunting access? (check one): YES NO



For private lands leased for agricultural purposes please provide the following (if applicable):
Name of landowner of leased lands: _____
Landowner of leased lands phone: _____



PART B: DESCRIPTION OF PUBLIC HUNTING OPPORTUNITY

- 1) **MAXIMUM NUMBER OF DAYS FOR EACH PUBLIC HUNTER** (if applicable): _____ **DAYS** (Leave blank if you do not wish to limit the total number of days a public hunter has access).
- 2) **ADVANCE NOTICE REQUIREMENT FOR PUBLIC HUNTERS** (if applicable): _____ **DAYS** (Leave blank if you do not want public hunters to reach out to you in advance of obtaining access/hunting).
- 3) **HUNTING SEASON(S) PUBLIC HUNTERS WILL BE ALLOWED ACCESS** (For every permit/license issued a landowner/designee, at least one of the FWP selected public hunters must hold the equivalent license, permit, or combination of the two that is issued to the landowner/designee through this program).

Check all seasons public hunters will be allowed access:

- a) **GENERAL RIFLE SEASON (REQUIRED)**
 - b) **ARCHERY SEASON**
 - c) **MUZZLELOADER HERITAGE SEASON**
 - d) **LATE ELK SHOULDER SEASON** (if applicable)
 - e) **EARLY ELK SHOULDER SEASON** (starting 8/15- if applicable)
- 4) **PLEASE SELECT ANY RULES OR REQUIREMENTS FOR PUBLIC HUNTERS UNDER THE TERMS OF THE PROPOSED AGREEMENT** (use an additional page if necessary):
- a) **CHECK-IN WITH LANDOWNER OR REPRESENTATIVE UPON ARRIVAL**
 - b) **ACCOMPANIMENT REQUIRED WHILE HUNTING**
 - c) **WALK-IN HUNTING ONLY**
 - d) **MOTORIZED GAME RETRIEVAL ALLOWED**
 - e) **OTHER** (please list):

- 5) **LANDOWNER/REPRESENTATIVE CONTACT SECTION:** This is the person who the public hunters will contact to coordinate public hunting access. (If identical to landowner contact information page 1 or if the property is going to be managed by the Block Management Program check this box and skip to #6). Landowners are responsible if representative/contact listed does not respond or coordinate access with willing public hunters in accordance with the terms of the agreement.

- a) **REPRESENTATIVE/CONTACT NAME:** _____
- b) **MAILING ADDRESS:** _____
- c) **PHONE NUMBER:** _____
- d) **EMAIL:** _____



6) DOES THE LANDOWNER WISH TO SELECT UP TO ONE-THIRD OF THE PUBLIC HUNTERS REQUIRED FOR THE AGREEMENT? Choose one: YES NO skip to #8.

LANDOWNERS WILL BE **EMAILED** AND PROVIDED A LIST OF ELIGIBLE PUBLIC HUNTER CANDIDATES FOR THE LANDOWNER TO MAKE THEIR LANDOWNER-SELECTED PUBLIC HUNTER SELECTIONS.

If a landowner elects to select up to one-third of the public hunters eligible to hunt lands enrolled, the landowner must make their selections known to FWP no later than three-weeks prior to the agreement start date (i.e., the first hunting season the landowner/designee license is valid). If a landowner fails to make their public hunter selections in the required timeframe, landowner public hunter selections will be forfeited and FWP will fill the spots with FWP selected public hunters.

DOES THE LANDOWNER ACKNOWLEDGE THIS METHODOLOGY? Check one: YES / NO go back to #6 above or describe a different process or methodology the landowner will use to select up to one-third of the public hunters. Timeline of selections provided to FWP no later than three-weeks prior to agreement start date applies. Attach additional pages if necessary.

7) SEX OF ELK ALLOWED TO BE HUNTED BY LANDOWNER SELECTED PUBLIC HUNTER(S) ON LANDS ENROLLED:

- a) EITHER-SEX ELK
- b) ANTLERLESS ONLY ELK
- c) COMBINATION OF EITHER-SEX & ANTLERLESS Describe: _____

8) SEX OF ELK ALLOWED TO BE HUNTED BY FWP SELECTED PUBLIC HUNTERS ON LANDS ENROLLED: (At least one of the FWP selected public hunters must hold the equivalent license, permit, or combination of the two that is issued to the landowner or the landowner's designee.)

- a) EITHER-SEX ELK
- b) ANTLERLESS ONLY ELK
- c) COMBINATION OF EITHER-SEX & ANTLERLESS Describe: _____

PART C: LANDOWNER/LANDOWNER DESIGNEE LICENSEE INFORMATION

Use the page that follows (Page 4) to complete the landowner and/or eligible designee information for those who wish to receive a license/permit through this program. Use additional pages as needed.

FWP may issue, at no cost to a landowner who provides free public elk hunting on the landowner's property, an either-sex or antlerless elk license, permit, or combination of the two as required in that hunting district for the landowner or the landowner's designee to hunt on the landowner's property or on private property leased by the landowner for agricultural purposes. Qualifying designees include immediate family members or employees.

"Employee" means a person who works full time for the landowner as part of an active farm or ranch operation enrolled in the program. "Immediate family member" means a spouse, parent, grandparent, child, grandchild, sibling, niece, or nephew by blood, marriage, or legal adoption.



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LANDOWNER/LANDOWNER DESIGNEE LICENSEE INFORMATION

Each person (landowner/landowner designee) wishing to receive a license, permit or combination of the two must fill out the form below. If there's more than one license/permit to be requested through this program, please provide copies of this page for each person. Incomplete forms will not be processed.

For every permit/license issued to a landowner or landowner's designee, at least one of the FWP selected public hunters must hold the equivalent license, permit, or combination of the two that is issued to the landowner or the landowner's designee.

ELK LICENSES AND PERMITS ISSUED THROUGH THIS PROGRAM ARE ONLY VALID ON THE PROPERTY ENROLLED IN THIS PROGRAM AND OPEN TO PUBLIC ACCESS.

1) RELATIONSHIP TO LANDOWNER:

- a) SELF
- b) IMMEDIATE FAMILY MEMBER
- c) FULL-TIME EMPLOYEE

2) SEASONS LANDOWNER/DESIGNEE WILL USE PERMITS/LICENSES ISSUED THROUGH THIS PROGRAM

(check all that apply): Archery Season General Rifle Season Muzzleloader Heritage Season
 Late Elk Shoulder Season (if applicable) Early Elk Shoulder Season (starting 8/15- if applicable)

3) LICENSE/PERMIT TYPE (if applicable) REQUESTED: License _____ Permit _____

4) LANDOWNER LICENSE/LANDOWNER DESIGNEE APPLICANT INFORMATION

DATE OF BIRTH	MM	DD	YYYY	ALS	DATE OF BIRTH IS MANDATORY FOR ALL APPLICATIONS. Your ALS number is a 1 to 3 digit number that follows your date of birth. If you do not have an ALS number you will be assigned a lifetime ALS number the first time you apply for a hunting or fishing license.						
NAME				JR., SR., ETC.		HOME PHONE		WORK PHONE			
FIRST MI LAST				CITY		STATE		ZIP CODE			
PHYSICAL ADDRESS				CITY		STATE		ZIP CODE			
SAME AS MAILING <input type="checkbox"/>				CITY		STATE		ZIP CODE			
EMAIL ADDRESS – You must provide a valid email address to receive your license information. You will not be contacted in any other format.											
<input type="checkbox"/> Female <input type="checkbox"/> Male		Feet Inches HEIGHT		WEIGHT		BLACK GRAY BLUE GREEN BROWN HAZEL Eye Color (Circle One)		BALD BROWN BLACK GRAY BLOND RED Hair Color (Circle One)		<input type="checkbox"/> USA <input type="checkbox"/> OTHER (Please list Country)	
Last 4 digits of SOCIAL SECURITY #		HUNTER EDUCATION REQUIREMENT Any hunter who is born after January 1, 1985 must submit with all hunting license applications a copy of their certificate verifying that he/she has completed a course in hunter education from any state or province. MCA 87-2-105						DEPARTMENT USE ONLY			
SIGNATURE OF APPLICANT REQUIRED I am the applicant or have their permission to submit this on their behalf. All statements on this form are true & correct. I understand that if I subscribe to any false statement in this application I am in violation of MCA 87-6-302					FWP receives requests for mailing lists. Do you want your name included on lists provided to requestors? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO NOTE: Even if you choose NO, under state law FWP is required to allow those who wish to compile their own mailing list access to department records, including name, address, gender, residency, and whether you were successful.						
STATEMENT OF RESIDENCY (MT RESIDENTS ONLY):											
If I am claiming Montana residency, I hereby declare that I have been a legal resident of the State of Montana for at least 180 consecutive days: _____ YEARS, _____ MONTHS, immediately prior to making application for this license or that I qualify for the 30 day military exemption (MCA 87-2-102). I declare all statements on this form to be true and correct and that by signing I hereby agree to the use of the information on this form for the purpose of verifying residency according to Sec. 87-2-102.											
X _____					Date: _____						



PART D: REQUIRED ADDITIONAL APPLICATION INFORMATION, FUTURE REPORTING REQUIREMENTS AND LANDOWNER SIGNATURE

TO BE CONSIDERED COMPLETE, ALL APPLICATIONS MUST ALSO INCLUDE:

- 1) One legible map showing the area available public hunting access opportunity for the landowner (or designee) and public hunters. **This map will be provided to public hunters selected by FWP and landowner and must be legible.**
- 2) Signatory authority documentation (if applicable). If the land in which you are proposing for this application is listed as a corporation, sole proprietorship, limited liability company, partnership, limited partnership, limited liability partnership, trust or an association, you MUST provide documentation that you have the legal authority to make this decision on behalf of the business. (i.e. articles of incorporation, partnership agreement, certificate of trust, etc.).
- 3) Copy of lease agreement for private lands leased for agricultural purposes to be enrolled in the program (if applicable).
- 4) Ownership documentation (e.g., copy of the property deed, property tax bill, or contract to purchase). If you were approved for an EHA in 2023 and there have been no changes to land ownership under your previous EHA application since 2023 (such as sale/transfer, changes to the recorded name of the land, changes to acreage, etc.), you may not need to submit supporting ownership documents for your 2024 EHA application. If you wish to use the same EHA ownership/supporting documentation from 2023, please review the following questions:

- a) Did you participate in the EHA program in 2023? YES NO → Documentation (4) required
- b) Are you applying for the same landowner/designee opportunities that you applied for in 2023? YES NO

If this application is approved by the commission, you MUST complete an end of season landowner satisfaction and harvest survey to be considered for enrollment in subsequent years.

I attest that the information provided in this application packet is true to the best of my knowledge and belief.

SIGNATURE OF LANDOWNER OR LANDOWNER’S AUTHORIZED REPRESENTATIVE:

Name: _____ Date: _____

PRINTED NAME OF LANDOWNER OR LANDOWNER’S AUTHORIZED REPRESENTATIVE:

Name: _____ Date: _____



PART E: ELK HUNTING ACCESS AGREEMENT PROGRAM INFORMATION

- 1) FWP may issue, at no cost to a landowner who provides free public elk hunting on the landowner's property and pursuant to this section, an either-sex or antlerless elk license, permit, or combination of the two as required in that hunting district for the landowner or the landowner's designee to hunt on the landowner's property or on private property leased by the landowner for agricultural purposes.
- 2) To be eligible for a license or permit through this program, a landowner:
 - a) must own at least 640 acres of occupied elk habitat, except that smaller acreages are eligible if FWP determines that site conditions exist to accommodate successful public hunting;
 - b) must have entered into a contractual public elk hunting access agreement with FWP in that allows public access for free public elk hunting on the landowner's property throughout the regular hunting season; and
 - c) may not charge a fee or authorize a person to charge a fee for hunting access on the landowner's property.
- 3) For every three members of the public allowed to hunt under the elk hunting access agreement, FWP may issue one license, permit, or combination of the two. FWP may limit the total number of licenses and permits issued under this program.
- 4) At least one of the [FWP selected] public hunters must hold the equivalent license, permit, or combination of the two that is issued to the landowner or the landowner's designee. FWP, in consultation with the landowner, shall select the hunters.
- 5) A license or permit issued pursuant to this program:
 - a) is nontransferable and may not be sold or bartered; and
 - b) may only be used for hunting conducted on property that is opened to public access.
- 6) FWP may prioritize distribution of licenses or permits under program according to the areas FWP determines are most in need of management.
- 7) If FWP determines that a landowner or landowner's designee has not abided by the restrictions and conditions of a license or permit issued pursuant to this section, that landowner or landowner's designee is not eligible to receive another license or permit pursuant to this section during any subsequent license year.
- 8) An elk hunting access agreement must define the areas that will be open to public elk hunting, the number of public elk hunting days that will be allowed on the property, and other factors that FWP and the landowner consider necessary for the proper management of elk on the landowner's property. The agreement must include a process or methodology the landowner may use to select up to one-third of the public hunters required and reserves the right of the landowner to deny access to the landowner's property by a public hunter selected for cause, including but not limited to intoxication, violation of landowner conditions for use of the property, or previous misconduct on a landowner's property.



PART E: ELK HUNTING ACCESS AGREEMENT PROGRAM INFORMATION (continued)

- 9) Except for public hunters selected by the landowner, FWP shall select public hunters eligible to hunt on the landowner's property through a random drawing of holders of existing licenses or permits in that hunting district.
- 10) Licenses, permits, or combinations of the two issued under this program must be for wildlife management purposes and approved by the commission pursuant to its powers under 87-1-301.
- 11) The commission shall prioritize approval of an application for a license, permit, or combination of the two based on the willingness of the landowner to allow, in either the regular hunting season or a shoulder hunting season, additional cow harvest by public hunters in addition to the number of public hunters required.
- 12) Landowners interested in donating their issued license to a disabled veteran, must be first issued the license/permit or combination of the two and then are able to donate the license through the DONATE LICENSE PROGRAMS section and Donation of Hunting License to Military Veterans application at: <https://fwp.mt.gov/hunt/licensingbasics>

Appendix B. Evaluation Form for Site Conditions for Properties Less than 640 acres



MONTANA FISH, WILDLIFE & PARKS

Elk Hunting Access Agreement (EHA) Program Regional Site Conditions Evaluation Form

Instructions: Access managers will utilize regional feedback to evaluate any applications for enrollment for lands less than 640 acres. Scores and comments provided by supervisors, enforcement and wildlife staff (to include the local biologist) will be used to determine which properties may be enrolled based on site conditions to accommodate successful public hunting as determined by the Department.

87-2-513, MCA (2) To be eligible for a license or permit pursuant to this section, a landowner: (a) must own at least 640 acres of occupied elk habitat, except that smaller acreages are eligible if the department determines that site conditions exist to accommodate successful public hunting;

Landowner/Ranch Name: _____

Location (county/nearest city or town): _____ **Hunting District** _____

Total private land acreage (including leased acres) being offered: _____

Please describe the potential for the EHA to positively impact wildlife management goals should an application be approved. For example, this could be gaining access to private land where an elk herd resides or helping to improve elk management by gaining access to private and landlocked public lands for public hunters.

Comments:

Please describe the site conditions that exist to accommodate successful public hunting if the EHA were to be approved.

Comments:

Appendix C. Screen View of Master List from 2023

Application Number	Hunting District	Legal Entity/Applicant Name	Landowner (LO) Requested License/Permit Valid ONLY on LO Private Land	Total Number of Landowner License LPT Requested	Required 3 Public Hunters Opportunity	Process to Select Public Hunters	Maximum Days Per Hunter	Regional Notification? (Y/N)	Negative Impact to Elk Resource? (Y/N)	Department Determined Ability to Accommodate Successful Public Hunting in General Season? (Y/N)	Additional Public Hunting Opportunity? (Y/N)	Notes/Regional Feedback:	Total Acres Enrolled	2022 EHA Participant/Harvest Results/Public Hunter Feedback	2022 Block Management Participant	Landowner/ Designated License Recipient Residency	Department Recommendation to Approve or Move to Drawing, as applicable (Y/N)	Agreement Returned and Signed by DO?	
1	103	SPP Montana Wolf Prairie Ranch	General Elk License	2	LO selected public hunters may use general elk license to harvest brow-tine bull elk unless the hunter has a PTHFV, FWP	LO select resident or first-time hunters; FWP will select 4 public hunters from 103-00 Elk B license successful list	10	Y	N	Y	Y	The proposed agreement is a popular hunting destination among the general public. The area is part of the larger Lost Trail and Island Lake Complex, an area that has traditionally accounted for a significant proportion of elk harvest in HD 103. This proposal will cause some enforcement challenges, as this area has historically been open via the Block Management Area Program.	14,482	N		Y - Landowner is Block cooperater but no longer for this property.	2-NR	Y	Y
2	201	Clark Fork Cattle Co.	General Elk License	1	All hunters will use the 201-00 antlerless elk. Cannot harvest cow on general license in HD201	LO has identified a public hunter who is a veteran from general license holders or 201-01 OTC Elk B license list; FWP will select 2 hunters from 201-00 successful list	NA	Y	N	Y	Uncertain at time of application	Landowner already has identified their selected hunter. This EHA has potential to provide a successful public hunting opportunity.	620	Y - 4x5 bull harvested by landowner/designee; one antlerless elk harvested by a public hunter; Public hunters gave positive feedback on ranch manager interactions. Another reported there were no elk on the property but said the manager kept hunters updated on sightings. One hunter commented on being allowed to only hunt a small portion of the	N	NR	Y	Y	
3	380	Radley Ranch Legacy LLC (O'Connell)	380-20	1	LO selected hunter (380-20 either sex); 2 FWP selected public hunters 380-00 antlerless only	LO selects local resident; FWP selects 2 from successful 380-00	14	Y	N	Y	Y	Hunters must give advance notice to landowner so one hunter at a time is on property to improve success and experience for hunters. Non-motorized with motorized retrieval with LO permission. The property will typically have elk throughout the archery and rifle season.	640	Y - 3x3 bull harvested by landowner/designee; no harvest by selected public hunters; Public hunters gave positive feedback on interactions with the landowner. One public hunter reported seeing elk head in the	N	R	Y	Y	

Appendix D. 2024 Agreement Template



MONTANA FISH, WILDLIFE & PARKS

ELK HUNTING ACCESS AGREEMENT

Part A. DESCRIPTION OF PROPERTY

This is an agreement ("Agreement") made on _____, 2024, between Montana Fish, Wildlife, & Parks ("Department") and _____ ("Landowner") of lands being enrolled in the Elk Hunting Access (EHA) Agreement Program under the provisions of § 87-2-513, MCA.

Landowner Name: _____

Mailing Address: _____

Phone: _____ **Email:** _____

Physical Address (if different from mailing):

Deeded Private Land Acreage Enrolled: TOTAL _____

Private Land Acres Not Owned by Landowner/Ranch but Leased for Agricultural Purposes (if applicable): TOTAL _____

Name of Individual Leasing Lands to Applicant (if applicable): _____

Contact Information for Individual Leasing Lands to Applicant (if applicable):

Phone: _____ **Email:** _____

Hunting District(s) of Lands Enrolled: _____

Appendix A. Maps depicting the exact EHA boundaries and lands open to participating Landowner/Landowner designees and public hunters provided by Landowner at time of application.

Appendix B. If lands enrolled are less than 640 acres, the Regional EHA Evaluation Form.

Department Staff Contact: _____

Part B. DESCRIPTION OF PUBLIC HUNTING OPPORTUNITY

1. Maximum days for each public hunter?

Choose one: Yes No If Yes: Number of Days _____

2. Are public hunters required to provide advance notice prior to seeking hunting access?

Choose one: Yes No If Yes: Number of Days _____

3. Which hunting seasons are public hunters allowed access? (For at least one public hunter (per license/permit), this must be the same as when the landowner/designee license is valid and is considered the Agreement start date).

General Rifle (**required**) Archery Muzzleloader

- Late Elk Shoulder Season Early Elk Shoulder Season (starting 8/15- if applicable)

Please describe if it's a combination of seasons for public hunters:

4. Requirements for public hunters under the terms of this Agreement: (Choose all that apply)

- check-in upon arrival accompaniment required while hunting
 walk-in only motorized retrieval
 Other rules (describe):

5. Public Hunter Landowner/Representative Contact Information: This is the person the public hunters will contact to coordinate public hunting access. (If identical to Landowner contact information (Part A), or if the property is going to be managed by the Landowner's Block Management Program permission system, check this box).

Note: Landowner is responsible if the Landowner's representative, listed below, does not respond or coordinate access with willing public hunters in accordance with the terms of the Agreement.

Representative Contact Name: _____

Phone Number: _____

Email: _____

6. Does the Landowner wish to select up to one-third of the public hunters for this Agreement?

Choose one: Yes No

If landowner elects to select up to one-third of the public hunters eligible to hunt lands enrolled, Landowner must make their selections known to FWP no later than three-weeks prior to the Agreement start date (i.e., the first hunting season the Landowner/designee license will be used by Landowner/designee). If Landowner fails to make their public hunter selections in the required timeframe, Landowner public hunter selections will be forfeited and FWP will fill the spots with FWP selected public hunters.

If landowner does not agree to the above process/methodology, please describe another process/methodology to make public hunter selections. Timeline of selections provided to FWP no later than three-weeks prior to Agreement start date applies. (Please supplement the Agreement with a separate document outlining the process/methodology if you require more room than below).

7. SEX OF ELK ALLOWED TO BE HUNTED BY LANDOWNER SELECTED PUBLIC HUNTER(S) ON LANDS ENROLLED (if applicable):

- EITHER-SEX ELK
 ANTLERLESS ONLY ELK

COMBINATION OF EITHER-SEX & ANTLERLESS Describe: _____

8. SEX OF ELK ALLOWED TO BE HUNTED BY DEPARTMENT SELECTED PUBLIC HUNTERS ON LANDS ENROLLED: (For every permit/license or combination issued to a Landowner/designee, at least one of the Department selected public hunters must hold the equivalent license, permit, or combination of the two that is issued to the Landowner or the Landowner's designee.)

- EITHER-SEX ELK
- ANTLERLESS ONLY ELK
- COMBINATION OF EITHER-SEX & ANTLERLESS Describe: _____

PART C: LANDOWNER/LANDOWNER DESIGNEE AND PUBLIC HUNTER LICENSE/PERMIT INFORMATION

By entering into this Agreement, Landowner agrees to provide free public elk hunting on the Landowner's property or private property leased by the Landowner for agricultural purposes. In return, the Department may issue, at no cost to Landowner and/or Landowner's designee, an elk license (including elk B), permit or combination of the two, whichever is required in that hunting district.

Pursuant to § 87-2-513(1)(b), MCA, a designee may be an immediate family member or an authorized full-time employee of the Landowner who is eligible for licensure under Title 87, chapter 2. An "employee" means a person who works full-time for the Landowner as part of an active farm or ranch operation enrolled in the program. See § 87-2-513(9)(a), MCA. An "immediate family member" means a spouse, parent, grandparent, child, grandchild, sibling, niece, or nephew by blood, marriage, or legal adoption. See § 87-2-513(9)(b), MCA.

For every three members of the public allowed to hunt under this Agreement, the Department may issue one license, permit, or combination of the two to a Landowner and/or Landowner's designee. For every permit/license issued to a Landowner or Landowner's designee, at least one of the Department selected public hunters must hold the equivalent license, permit, or combination of the two that is issued to the Landowner or the Landowner's designee. The Department may limit the total number of licenses and permits issued through this program.

This Agreement authorizes the issuance of the following license(s) and permit(s) as represented by the decision of the Fish and Wildlife Commission:

_____ general elk license/either-sex elk permit to the Landowner or Landowner's designee, for use only on land enrolled in this Agreement. This permit/license is to be used by the Landowner or Landowner's designee during the following seasons (check all that apply):

- Archery General Rifle Muzzleloader Late Elk Shoulder Season
- Early Elk Shoulder Season (starting 8/15- if applicable)

_____ elk B license to the Landowner or Landowner's designee, for use only on land enrolled in this Agreement. This permit/license is to be used by the Landowner or Landowner's designee during the following seasons (check all that apply):

- Archery General Rifle Muzzleloader Late Elk Shoulder Season
- Early Elk Shoulder Season (starting 8/15- if applicable)

Additionally:

_____ public hunters who possess (LPT) elk license/permit will be selected by the Landowner to hunt _____ on lands enrolled in accordance with the terms of this Agreement.

_____ public hunters who possess (LPT) elk license/permit will be randomly selected by FWP from a list of eligible public hunters and will have access, by permission as set forth herein, to hunt _____ elk on lands enrolled in accordance with the terms of this Agreement, except that at least one public hunter selected by the Department must hold the equivalent license, permit, or combination of the two that is issued to Landowner or Landowner's designee.

PART D. TERMS OF THE ELK HUNTING ACCESS AGREEMENT

By signing below, Landowner or Landowner's representative understands and agrees to the following terms of the Agreement:

1. The Agreement start date is the first hunting season the landowner/designee will utilize the license(s)/permit(s) awarded through this program. The end date of the Agreement will be February 15 annually or earlier based on season opportunities and willingness of landowner to allow public access.
2. Landowner owns at least 640 acres of occupied elk habitat and agrees that he/she may not charge a fee or authorize a person to charge a fee for hunting access on enrolled property. If Landowner owns acreage below the 640 acres required, Landowner understands the Department must determine that site conditions exist to accommodate successful public hunting and that he/she may not charge a fee or authorize a person to charge a fee for hunting access on his/her enrolled property.
3. At least one public hunter selected by the Department must hold the equivalent license, permit, or combination of the two that is issued to Landowner or Landowner's designee. Landowner also agrees that the Department, in consultation with the Landowner, shall select the hunters.
4. A license or permit issued pursuant to this Agreement:
 - a. is nontransferable and may not be sold or bartered; and
 - b. may only be used for hunting conducted on property that is opened to public access pursuant to this Agreement.
5. The Department may prioritize distribution of licenses or permits, for this program, to the areas the Department determines are most in need of management.
6. If the Department determines that Landowner or Landowner's designee has not abided by the restrictions and conditions of a license or permit issued pursuant to this Agreement, that Landowner or Landowner's designee is not eligible to receive another license or permit pursuant to this section during any subsequent license year.
7. The public hunters (Part C) selected for access under this Agreement must contact the Landowner or Landowner's representative to schedule their hunts in accordance with the notice requirements (Part B).
8. When public hunters contact the Landowner or Landowner's representative, he/she will inform the public hunters of the rules and requirements governing access. This includes, but is not

limited to:

- a. Signing written permission slips or Department hunter-sign in rosters to provide public hunter contact information for the Department's evaluation of the program;
 - b. Abiding by all state and federal hunting statutes, regulations, and rules;
 - c. Following all Landowner rules, which will be provided in advance of the hunt. These may include reasonable hunter management restrictions, such as a limitation on the total number of days a public hunter may access the property;
 - d. Maintaining proper safety procedures regarding firearms and/or archery equipment;
 - e. Maintaining proper vigilance aimed at preventing property damage to the Landowner, and to promptly report any property damage that may occur to the Landowner or the Landowner representative;
 - f. Ensuring all gates are left as originally found;
 - g. Using best efforts to prevent fires and keep the Landowners property free of litter at all times;
 - h. How harvested game may be retrieved; and
 - i. How wounded animals may be pursued.
9. If a public hunter wounds an elk and is unable to harvest and retrieve it, that hunter is not allowed to shoot at another elk on the Landowner's property without permission of the Landowner or Landowner's representative. Hunters must notify the Landowner or Landowner's representative prior to pursuing any wounded elk.
 10. The Landowner or Landowner's representative is not responsible for contacting any hunter to report the presence or absence of elk.
 11. The Landowner or Landowner's representative reserves the right to deny access to the lands enrolled, for cause, including, but not limited to: intoxication, violation of rules, or previous misconduct on lands enrolled. Willful violation of Agreement regulations which set the terms of entrance on a landowner's property can be grounds for termination of privileges on an EHA property and a misdemeanor citation under §87-6-415(1), MCA - Hunting Without Landowner Permission.
 12. A hunter's access rights may be terminated under this Agreement for failure to abide by the requirements of this Agreement. The hunter may be dismissed from the Landowners property immediately on such occurrence; the Landowner or Landowner's representative should notify the Department of the dismissal as soon as practicable.
 13. If Landowner elects to select up to one-third of the public hunters eligible to hunt lands enrolled, Landowner must make their selections known to FWP no later than three-weeks prior to the Agreement start date (i.e., the first hunting season the Landowner/designee will utilize the license). If Landowner fails to make their public hunter selections in the required timeframe, Landowner public hunter selections will be forfeited and FWP will fill the spots with FWP selected public hunters.
 14. Participation in the EHA agreement program qualifies a landowner for livestock loss compensation should any livestock be injured or killed as a direct result of public hunting which occurred on the enrolled lands. Compensation for livestock loss will be made if it has been reported by the Landowner to the Department of Livestock immediately upon discovery of loss, a FWP Livestock Loss report is filed by the investigating Livestock Inspector within 14 days, and FWP review verifies the circumstances and loss. Any claims paid will be at market value at the time of the loss up to a maximum of \$5,000.

15. Enrollment in the EHA agreement program may be terminated by FWP or Landowner if the terms of the Agreement are violated. Any such notice must be in writing. The Agreement may be canceled, and Landowner's property withdrawn from the program at any time due to circumstances beyond the control of Landowner or the Department, such as death, illness, natural disaster, or acts of nature. Landowner shall notify the Department immediately upon discovery of any occurrence which would affect the ability to fulfill the provisions of this Agreement. In the event of cancellation or termination of the Agreement, Landowner or Landowner's designee will forfeit any licenses/permits issued resulting from participation in the EHA agreement program.
16. Lands enrolled in the EHA agreement program may be temporarily closed by Landowner or Landowner's representative in conjunction with the Department due to weather, fire danger, or other conditions or circumstances that would place public safety or resources in jeopardy.
17. Through participation in the EHA agreement program, Landowner agrees to permit FWP personnel on the property for the purposes of establishing and monitoring hunter use, enforcing fish and wildlife laws, and maintaining contact with the Landowner or Landowner's representative to respond to any needs, issues, or problems which develop over the course of the length of the Agreement. By permitting Department personnel on the property, Landowner is not relinquishing any rights or control over property under his/her ownership or responsibility.
18. Landowner, through participation in the EHA agreement program, is covered by the state recreational liability statute (§ 70-16-302, MCA) which provides a liability shield to landowners who allow recreation on their property without charge or other consideration.
19. Satisfaction data will be acquired through FWP surveys of the Landowner associated with this EHA agreement. Completion of the Landowner satisfaction survey and Landowner/designee harvest survey by February 21, 2025, is required for Landowner to be eligible to participate in a subsequent elk hunting access agreement. The Department will also survey the public hunters that were provided access to hunt on Landowners property.

Dustin Temple, Director

Date

Landowner or Landowner Representative

Date

Appendix E. Landowner Denial Letter

FWP.MT.GOV



THE **OUTSIDE** IS IN US ALL.

FWP – Parks and Outdoor Recreation Division
P.O. Box 200701
Helena, MT 59620
(406) 444-3750
May 5, 2023

Re: Elk Hunting Access Application

Name
Address

Dear <name>,

Thank you for your application for the Elk Hunting Access Agreement program.

Unfortunately, it has been decided that your application will not proceed to the next step of Fish and Wildlife Commission review. Per Montana Code Annotated 87-2-513(2), the land being offered for enrollment must be large enough, in the department's determination, to accommodate successful public hunting.

While we appreciate your willingness to apply, Regional staff suggested that the acres being offered (25) are not sufficient or large enough to allow public elk hunting under the statutory requirements of this program. Additionally, concerns were expressed if public hunters wound elk that they will not be able to easily be recovered due to the acreage limitations.

Please reach out with any questions to me at the number above.

Sincerely,

Jason Kool
FWP Parks and Outdoor Recreation
Hunting Access Program Manager

Appendix F. Public Hunter Email for Landowner Selected Public Hunters.

Hello,

You were selected by the landowner to participate in an access opportunity to hunt either-sex elk on the XXXX Property in Hunting District 690. This opportunity is made possible through the FWP elk hunting access agreement program. Please work with the Landowner listed below to arrange your access.

This is an additional access opportunity for selected hunters and does not otherwise affect your 690-20 either-sex license/permit privileges or where you may harvest elk if you're unable to hunt the enrolled property.

If your plans change and/or you are unable to utilize this opportunity to hunt lands enrolled, please notify us as soon as possible so that we may arrange an alternate public hunter.

It's important to note that these opportunities are provided to you because of participating private landowners and you as the hunter are responsible for obtaining your permission in accordance with the terms of the Elk Hunting Access Agreement between Montana Fish, Wildlife & Parks and XXXXXX as defined below.

Terms of the Elk Hunting Access Agreement include:

1. Approximately 2,000 total acres of private land in Hunting District 690 are enrolled, pursuant to the map attached.
2. Enrolled property will be open to free public elk hunting with any legal weapon, from October 21- November 26.
3. Access shall be coordinated with XXXXX ("Landowner"), who can be contacted at 406-XXX-XXXX.
4. Terms of access include:
 - a. The above-described public hunters selected for access under this agreement must contact the Landowner Contact to schedule their hunts in accordance with the notice requirements provided by FWP. All public hunters must make a reservation at least five (5) days advance notice to the Landowner.
 - b. When the public hunters contact the Landowner, he/she will inform the public hunters of the rules and requirements governing the access. This includes but is not limited to:
 - i. Signing written permission slips or FWP hunter-sign in rosters to provide public hunter contact information for FWP's evaluation of program;
 - ii. Abiding by all state and federal hunting statutes, regulations, and rules;
 - iii. Following all Landowner rules, which will be provided in advance of the hunt. These may include reasonable hunter management restrictions including a limitation on the total number of days a public hunter may access the property;
 - iv. Maintaining proper safety procedures regarding firearms and/or archery equipment;
 - v. Maintaining proper vigilance aimed at preventing property damage to the Landowner, and to promptly report any property damage that may occur to the Landowner Contact;

- vi. Ensuring all gates are left as originally found;
 - vii. Using best efforts to prevent fires and keep the Landowner's property free of litter at all times;
 - viii. How harvested game may be retrieved;
 - ix. Walk-in only restrictions with Motorized game retrieval with permission of Landowner Contact is allowed;
 - x. Check-in with landowner upon arrival;
 - xi. No off-road driving and no driving on muddy roads; and
 - xii. How wounded animals may be pursued;
- c. If a hunter wounds an elk and is unable to harvest and retrieve it, they are not allowed to shoot at another elk on the Landowner's property. Hunters must notify the Landowner prior to pursuing any wounded elk.
 - d. The Landowner is not responsible for contacting any hunter to report the presence or absence of elk.
- 6. The Landowner may terminate a hunter's access rights under this Agreement for failure to abide by these requirements. The hunter may be dismissed from the Landowner's property immediately on such occurrence; the Landowner should notify FWP of the dismissal as soon as practicable.
 - 7. Satisfaction data will be acquired through FWP surveys of the Landowner associated with this Agreement. Completion of the Landowner satisfaction survey and harvest survey is required for the Landowner to be eligible to participate in a future EHA Agreement.
 - 8. FWP will also survey the public hunters that were provided access to hunt on the Landowner's property at the end of the season.

Please let me know if you have any questions.

Thank you,

Jason Kool

Hunting Access Program Manager

Montana Fish, Wildlife & Parks

Parks and Outdoor Recreation Division

1420 E 6th Ave

Helena, MT 59620

O: (406) 444-2505 | C: (406) 459-5027



Appendix G. Example Email Sent to FWP Selected Public Hunters to Accept or Decline Opportunity

Hello XXXXXX,

You were successful in an online sign up for elk hunting access agreements for the 004-00 elk B license and been selected to participate in an access opportunity to hunt antlerless elk on the XXXXXXXX in HD 412.

This opportunity is made possible through the FWP elk hunting access agreement program where a landowner is granted one permit/license or combination of the two for allowing a minimum of 3 public hunters.

If you would like to accept this opportunity to hunt antlerless elk on these lands, please reply to this email and let me know by end of business Thursday, September 28. If you accept, you will be required to purchase or hold the over-the-counter 004-00 elk B and we will provide you with the property rules/terms, reservation contact information, and the map(s) of the accessible area. A brief post-season email survey is also required at the end of the season should you accept.

Thank you,

Jason Kool

Hunting Access Program Manager

Montana Fish, Wildlife & Parks

Parks and Outdoor Recreation Division

1420 E 6th Ave

Helena, MT 59620

O: (406) 444-2505 | C: (406) 459-5027



Appendix H. Example Email Confirmation for the FWP Selected Public Hunters.

Hello XXXXX,

You agreed to participate in an access opportunity to hunt either-sex elk on the XXXXX property in Hunting District 705. This opportunity is made possible through the FWP elk hunting access agreement program. Please work with the Landowner or Ranch Manager listed below to arrange your access.

This is an additional access opportunity for selected hunters and does not otherwise affect your 799-20 either-sex elk permit/license privileges or where you may harvest elk if you're unable to hunt the enrolled property.

If your plans change and/or you are unable to utilize this opportunity to hunt lands enrolled, please notify us as soon as possible so that we may arrange an alternate public hunter.

It's important to note that these opportunities are provided to you because of participating private landowners and you as the hunter are responsible for obtaining your permission in accordance with the terms of the Elk Hunting Access Agreement between Montana Fish, Wildlife & Parks and XXXXX as defined below.

Terms of the Elk Hunting Access Agreement include:

1. Approximately 1,175 total acres of private land in Hunting District 705 are enrolled, pursuant to the map attached in this email.
2. Enrolled property will be open to free public elk hunting with any legal weapon, from October 21- November 26.
3. Access shall be coordinated with XXXXX ("Landowner"), who can be contacted at 406-XXX-XXXX or xxx@xxxxxxx.com .
4. Terms of access include:
 - a. The above-described public hunters selected for access under this agreement must contact the Landowner to schedule their hunts in accordance with the notice requirements provided by FWP. All public hunters must make a reservation at least one (1) day advance notice to the Landowner. The maximum number of hunting days for each public hunter five (5) days.
 - b. When the public hunters contact the Landowner, he/she will inform the public hunters of the rules and requirements governing the access. This includes but is not limited to:
 - i. Signing written permission slips or FWP hunter-sign in rosters to provide public hunter contact information for FWP's evaluation of program;
 - ii. Abiding by all state and federal hunting statutes, regulations, and rules;
 - iii. Following all Landowner rules, which will be provided in advance of the hunt. These may include reasonable hunter management restrictions including a limitation on the total number of days a public hunter may access the property;
 - iv. Maintaining proper safety procedures regarding firearms and/or archery equipment;
 - v. Maintaining proper vigilance aimed at preventing property damage to the Landowner, and to promptly report any property damage that may occur to the Landowner;

- vi. Ensuring all gates are left as originally found;
 - vii. Using best efforts to prevent fires and keep the Landowner's property free of litter at all times;
 - viii. How harvested game may be retrieved;
 - iv. How wounded animals may be pursued;
 - x. Walk-in only restrictions; No off-road driving and no driving on muddy roads; motorized retrieval is allowed; and
 - xi. Hunters must check-in with Landowner upon arrival.
- c. If a hunter wounds an elk and is unable to harvest and retrieve it, they are not allowed to shoot at another elk on the Landowner's property. Hunters must notify the Landowner prior to pursuing any wounded elk.
- d. The Landowner is not responsible for contacting any hunter to report the presence or absence of elk.
6. The Landowner may terminate a hunter's access rights under this Agreement for failure to abide by these requirements. The hunter may be dismissed from the Landowner's property immediately on such occurrence; the Landowner should notify FWP of the dismissal as soon as practicable.
7. Satisfaction data will be acquired through FWP surveys of the Landowner associated with this Agreement. Completion of the Landowner satisfaction survey and harvest survey is required for the Landowner to be eligible to participate in a future EHA Agreement.
8. FWP will also survey the public hunters that were provided access to hunt on the Landowner's property at the end of the season.

Please let me know if you have any questions.

Thank you,

Jason Kool

Hunting Access Program Manager

Montana Fish, Wildlife & Parks

Parks and Outdoor Recreation Division

1420 E 6th Ave

Helena, MT 59620

O: (406) 444-2505 | C: (406) 459-5027

Appendix I. Landowner Confirmation of all Selected Public Hunters Notified of the Opportunity to Hunt Enrolled Lands

Hello XXXX,

Thank you for your participation in the FWP Elk Hunting Access Agreement Program. Attached is the final copy of your agreement and the list of confirmed public hunters selected for the XXXXXXXXXX Ranch EHA agreement. Let me know if you need others.

Thank you,

Jason Kool
Hunting Access Program Manager
Montana Fish, Wildlife & Parks
Parks and Outdoor Recreation Division
1420 E 6th Ave
Helena, MT 59620
O: (406) 444-2505 | C: (406) 459-5027



Appendix J. Landowner Satisfaction Survey

Elk Hunting Access (EHA) Program Landowner Evaluation Survey

«Contract Contact Name»
«Agreement Address»
«City», «State» «Zip Code»

Dear «Contract Contact Name»

Your help is needed!

Montana Fish, Wildlife & Parks (FWP) is surveying landowners enrolled in the Elk Hunting Access (EHA) Agreement Program regarding their experiences and satisfaction with this program in 2023. Your responses to this survey are required to help evaluate program success.

Please complete the enclosed survey and return it as soon as possible using the pre-paid, self-addressed envelope provided. Your participation is required and is considered very important. It should take no more than five to ten minutes to complete the enclosed questionnaire.

If you have any questions, please contact the FWP Parks and Outdoor Recreation Division at 406-444-3750 or fwpprk@mt.gov.

Thank you in advance for your help.

Sincerely,

Hope Stockwell
Parks and Outdoor Recreation Division Administrator
Montana Fish, Wildlife & Parks

Landowner Evaluation Survey

At the end of the general rifle season, please have the owner or manager of the ranch complete this survey.

- 1. As part of enrollment in the "454" Program, landowners may also offer additional public elk hunting access beyond the minimum three required. How many additional hunters, if any, did you provide free access to hunt elk on your lands between September 3 (e.g., the start of the archery season) and November 27 (e.g., the end of the general rifle season)?

_____ (number of additional elk hunters provided free access) check here [] if none

- 2. On a scale from 1 (very dissatisfied) to 5 (very satisfied), how satisfied were you with the behavior of the people who hunted elk on your lands via the "454" Program this past season? (**Circle ONLY one number below**)

(very dissatisfied) 1 2 3 4 5 (very satisfied)

- 3. Overall, on a scale from 1 (very dissatisfied) to 5 (very satisfied), how satisfied were you with the experience you had being enrolled in the "454" Program this past season? (**circle ONLY one number below**)

(very dissatisfied) 1 2 3 4 5 (very satisfied)

Comments: _____

- 4. Are you interested in being enrolled in the Elk Hunting Access "454" Program in the future?

[] NO
[] Unsure
[] YES

- 5. What suggestions do you have about how to improve the Elk Hunting Access "454" Program?

THANK YOU FOR YOUR HELP!

Please return your completed survey using the enclosed postage paid envelope.

Appendix K. Landowner/Designee Harvest Survey

Harvest Survey for: **«Name»**

You've have been identified as the landowner or a landowner designated hunter for **«Ranch» Ranch** which was enrolled in the Elk Hunting Access (EHA) Program in 2023. The following survey questions ask about your experience hunting elk on this ranch between the start of the archery season to the end of the general rifle season, as allowed by the terms of the landowner's agreement. **Please know that completion of this survey is required for landowner eligibility in the EHA Program in future years.**

1. About how many total DAYS did you hunt elk on this ranch between September 2 (e.g., the start of the archery season) and November 26 (e.g., the end of the general rifle season), as allowed by the terms of the landowner's agreement? _____ (days)

2. Did you harvest an elk on this ranch during this timeframe?
[] NO..... **You are done completing this survey.**
[] YES

3. What was the elk you harvested on this ranch? (check ONLY one)
[] Calf
[] Antlerless elk
[] Spike bull
[] Branch antlered bull....If checked, how many points were on each side? Side 1: _____ Side 2: _____

4. Did you harvest this elk during the archery season or during the general rifle season? (check ONLY one)
[] Archery season (September 2 – October 15)
[] General rifle season (October 21 – November 26)

THANK YOU FOR YOUR HELP!

Please return your completed survey using the enclosed postage paid envelope.

Appendix L. Public Hunter Satisfaction/Harvest Survey

Elk Hunting Access (EHA) Program Hunter Survey (2023)

«Name»
«Address»
«City», «State» «Zip»

Dear «Name»

Your help is needed!

Montana Fish, Wildlife & Parks (FWP) is surveying hunters who gained access to hunt elk on private land via a landowner's enrollment in the Elk Hunting Access (EHA) Agreement program. Your responses to this survey as a selected public hunter are required to help evaluate program success.

Please complete the enclosed survey and return it as soon as possible using the pre-paid, self-addressed envelope provided. Your participation is required and is considered very important...even if you did NOT hunt elk and/or did NOT harvest an elk on the EHA enrolled property for which you were selected this season. It should take no more than five minutes to complete the enclosed questionnaire.

Your responses to the survey will remain confidential. If you have any questions, please contact the FWP Parks and Outdoor Recreation Division at 406-444-3750 or fwpprk@mt.gov.

Thank you in advance for your help.

Sincerely,

Hope Stockwell
Parks and Outdoor Recreation Division Administrator
Montana Fish, Wildlife & Parks

P.S. This survey focuses on your elk hunting on private property via the EHA program. In the future, you may still be called by the FWP Hunter Harvest Survey Program at the end of the elk hunting season in Montana to provide additional elk hunting effort and harvest data.

You've have been identified as a selected public hunter for «Ranch» Ranch which was enrolled in the Elk Hunting Access (EHA) Program in 2023. The following survey questions ask about your elk hunting experience on this ranch as part of this program.

1. On a scale from 1 (very difficult) to 5 (very easy), how difficult or easy was it for you to get in contact with the landowner (or ranch manager) to plan elk hunting trips to this ranch? (circle ONLY one number below)

(very difficult) 1 2 3 4 5 (very easy)

Check here if you did NOT attempt to contact the ranch

2. Did you hunt elk on this ranch between September 2 (e.g., the start of the archery season) and November 26 (e.g., the end of the general rifle season), as allowed by the terms of the landowner's agreement?

NOIf no, why not? (check ALL that apply below)

YES

Couldn't get in contact with the ranch

Illness, injury, health issue

Family or work related issue

Poor weather conditions

Heard or was told there were no elk on the ranch

Hunted and/or harvested an elk at another location

Didn't think it was worth the time to hunt elk there

Other, please specify: _____

Go To Question 10 When Done

3. About how many total DAYS did you hunt elk on this ranch between September 2 (e.g., the start of the archery season) and November 26 (e.g., the end of the general rifle season), as allowed by the terms of the landowner's agreement? _____ (days)

4. Did you see any elk while hunting elk on this ranch during this timeframe? NO YES

5. Did you harvest an elk on this ranch during this timeframe?

NO.....Go to Question 9

YES

6. What license did you use to harvest this elk?

General elk hunting license

Special elk hunting permit

Elk B license

7. What was the elk you harvested on this ranch?

Calf

Antlerless elk

Spike bull

Branch antlered bull....If checked, how many points were on each side? side 1: _____ side 2: _____

8. Did you harvest this elk during the archery season or during the general rifle season? (check ONLY one)

Archery season (September 2 – October 15)

General rifle season (October 21 – November 26)

(OVER)

9. Overall, on a scale from 1 (very dissatisfied) to 5 (very satisfied), how satisfied were you with the elk hunting experience you had on this ranch via the EHA program? (circle ONLY one number below)

(very dissatisfied) 1 2 3 4 5 (very satisfied)

Comments: _____

10. On a scale from 1 (very unlikely) to 5 (very likely), what is the likelihood of you hunting elk on this ranch during the elk shoulder season this year, as allowed by the terms of the landowner's agreement? (circle ONLY one number below)

(very unlikely) 1 2 3 4 5 (very likely)

11. Would you want to be a participating or selected elk hunter again for this ranch if it is enrolled in the EHA Program in the future?

- NO
- Unsure
- YES

12. What suggestion do you have about how to improve the EHA Program?

THANK YOU FOR YOUR HELP!

Please return your completed survey using the enclosed postage paid envelope.