



# **DRAFT ELK HUNTING ACCESS AGREEMENT PROGRAM OPERATING PROCEDURES**

February 2, 2024

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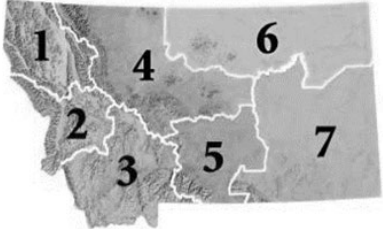
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## **Statutes and Rules Governing the Elk Hunting Access (EHA) Agreement Program**

<b>Statute No.</b>	<b>Title</b>
<a href="#"><b>87-2-513</b></a>	Either-sex or antlerless elk license or permit for landowner who offers free public elk hunting -- terms, conditions, and issuance. (Effective March 1, 2024).

*Note: As of February 2024, the of the amendment of ARM 12.9.901 and 12.9.908; the repeal of ARM 12.9.902, 12.9.905, and 12.9.911; pertaining to rules associated with contractual elk hunting access agreements are currently being considered by the Fish and Wildlife Commission. Proposed rule changes can be viewed here: <https://fwp.mt.gov/aboutfwp/commission/october-2023-meeting>*

### **TIMELINE FOR 2024 ELK HUNTING ACCESS AGREEMENT PROGRAM**

February 23: Finalize 2024 program guidelines, application, roles/responsibilities, fact sheets, and survey/data collection for 2023 season.

March 15: Develop press release with Communication/Education Division and ensure website is updated, application is posted, information sheet is posted, etc.

April 1-May 1: Applications open; press release goes out; staff work with landowners to submit complete applications. Staff begin drafting Master List and EHA Agreements as they are submitted.

April 5: EHA June FWC Coversheet, Draft 2023 Evaluation Report submitted by POR for June meeting.

April 12: Pre-commission for June meeting.

April 15: Email blast to unsuccessful elk landowner preference applications regarding EHA opportunity.

April 25: June EHA topic proposal listed on FWP website with initial 2023 EHA evaluation report and cover sheet.

May 1: Last day for landowners to submit complete applications.

May 17: Deadline for agreements to be assembled by staff and submitted to legal for review.

May 23: Public comment deadline for department proposals and sent to commission.

May 30: External pre-commission meeting.

June 4: Deadline for master list and application packets to be posted and provided to commission.

June 15: Coordinate and develop public hunter sign-up by property via myFWP.

June 20: Commission considers applications/agreements for approval.

June 28: Licensing provides POR successful elk permit and elk B Licenses lists for landowner selections to POR staff – agreements are mailed to landowners.

July 1 – July 15: Public hunter online sign-up opens.

July 18: Licensing provides POR public sign-up lists for FWP selected public hunters by property.

July 19: Signed agreements due back from landowners and signed by the Director.

July 19 – August 10: POR staff coordinate with EHA landowners to identify the landowner selected public hunters (if applicable). POR staff work with successful public hunter sign-up to coordinate opportunity for FWP selected public hunters.

August 15: FWP licensing bureau allocates landowner permits/licenses to landowners (or designees).

December 2: POR and human dimensions staff send public hunter and landowner surveys to program participants.

December 23: Human dimensions staff send reminder emails for non-respondents.

### **2024 Internal Procedures for Elk Hunting Access (EHA) Agreements**

#### **Application Timeline, Targeted Marketing and Landowner Eligibility**

1. Landowners/landowner designees must hold the required prerequisite licenses (base hunting, bow/arrow (if applicable), conservation) and voluntarily apply to participate in the Elk Hunting Access Agreement (EHA) program from April 1 through May 1.
  - a. If the landowner is not the one receiving the permit/license through this program, they may apply without purchasing pre-requisite licenses. However, the eligible landowner designees must have purchased the pre-requisites at the time of application.
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. To be considered, applications must be complete and must be 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 can provide guidance to 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](mailto:LndSportRelations@mt.gov)

#### *Targeted Marketing*

5. 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.

A list will be developed by licensing from the search and provided to Communication and Education Division staff with emails for unsuccessful elk landowner preference applicants.

6. Communication and Education Division staff will develop and send a targeted email identifying that landowners may still be able to hunt their lands if willing to allow public hunting access through the elk hunting access agreement program. The targeted email message will be similar the message below:

*Eligibility*



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.

- a 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](mailto:LndSportRelations@mt.gov).

Thank you,

Greg Lemon

Communication and Education Division

7. For a license or permit to be issued under this program landowner must meet the minimum eligibility requirements outlined in 87-2-513, MCA.

Landowners must:

- a. 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. have entered into an elk hunting access agreement with the department that allows public access for free public elk hunting on the enrolled property throughout the regular (general rifle) hunting season; and
  - c. not charge a fee or authorize a person to charge a fee for hunting access on the landowner's property.
8. For purposes of this program, landowners are required to provide free public access during the regular hunting season.
- a. Regular hunting season means the general (rifle) season established by the commission for hunting elk with firearms.
  - b. Archery, muzzleloader or shoulder season opportunity provided by a landowner is optional, but there must be free public access granted during the general (rifle) season.
  - c. If a landowner/designee is seeking an either-sex permit valid only during the archery season (typically a XXX-21), they must also allow at least one of the department selected public hunters the opportunity to utilize the equivalent license/permit opportunity as well as offer selected public hunters the opportunity to hunt elk during the general (rifle) season.
9. Landowners enrolled in Block Management (BMA) may also apply to participate in the EHA program and are eligible to receive permit(s)/license(s) or a combination thereof through this program.
- a. BMA cooperators may allow additional access over and above their Block Management enrolled lands 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 Block Management agreement.

### **Required Application Information**

1. A landowner/landowner representative wishing to make an application must hold the required prerequisite licenses (base hunting, (bow/arrow-if applicable) and conservation license) and 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 private land acres leased for agricultural purposes;
  - d. evidence, such as a copy of the lease or permit, 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. an acknowledgement by the landowner if they desire to select up to one-third of the public hunters required;
- j. contact information for public hunters to gain permission;
- k. sex of elk allowed to be hunted by landowner and/or landowner designee(s);
- l. sex of elk allowed to be hunted by landowner selected public hunter(s);
- m. 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);
- n. identification of the willingness of the landowner to allow, in either the regular(general) hunting season or a shoulder hunting season, additional cow harvest by public hunters in addition to the number of public hunters required;
- o. 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;
- p. legible map that clearly identifies the private land area open through the agreement to public hunting of elk;
- q. required ownership documentation to prove ownership (e.g., copy of the deed, property tax bill, contract to purchase);
- r. signatory authority documentation (if applicable) and;
- s. agreement by the landowner to complete and submit a post-season satisfaction and harvest survey.

### **Regional Review and Recommendation**

1. Regional access managers will coordinate with the Helena program manager to ensure the application has been successfully submitted and that the landowner applicant and/or designees hold the required pre-requisite licenses to qualify for the program.
2. Regional access managers will coordinate with their supervisors, enforcement, and wildlife staff (to include the local biologist) to develop and provide a regional recommendation to the program manager on the merits of the application.
3. The review will consider the ability to accommodate successful public hunting and negative impacts to the elk population.
4. For those properties less than 640 acres, regional access managers must also complete and return the EHA Evaluation Form (Appendix B) for each property proposed, if recommended to the program manager.
5. For landowners seeking re-enrollment, regional access managers and the program manager will review the public hunter and landowner feedback from the surveys compiled from the previous year's enrollment. Feedback will be noted on a column of the master list.



- a. If it is determined that re-enrollment is not warranted, the program manager will confirm with the Parks and Outdoor Recreation Division Administrator that the recommendation from the department to the commission should be to not approve based on feedback provided in the previous hunting seasons.

### **Landowner Negotiation and Appeal**

1. Should the regional review result in a difference of opinion between regional staff and the landowner, staff will work with the landowner to better understand the opportunity and may seek feedback from the program manager.
  - a. Regional access managers 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 during the archery season, but a landowner wishes to allow public access during the general rifle season.
2. If a landowner disagrees with the regional review and the recommendation not to approve their application, the landowner may appeal directly to the commission at the meeting where EHA recommendations are heard.

### **Master List and Draft Agreements**

1. After a recommendation is developed by regional staff, the program manager will evaluate the regional recommendation and prepare a master list (Appendix C) of applications that incorporates a summary of the specifics of the application and a final recommendation from the department to the commission.
  - a. The program manager will work with the POR Division Administrator if further clarification is needed from the Director, Chief of Staff, and/or Chief of Conservation Policy.
2. Regional access staff and the program manager will draft EHA agreements (Appendix D) for each property using the template provided by the FWP Legal Unit.
3. A public elk hunting access agreement must:
  - a. identify the times and dates the access is available;
  - b. methods for obtaining landowner permission;
  - c. area use rules which address travel methods, game retrieval, etc.;
  - d. describe the process or methodology the landowner may use to select up to one-third of the public hunters (if applicable);
  - e. 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.

- f. reserve the right of the landowner to deny access to the landowner's property by a selected 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;
  - g. indicate landowners are required to submit a landowner satisfaction survey and submit the landowner/designated hunter harvest data upon completion of the general season.
4. The agreement will include an accompanying legible map that displays the areas open for public access with identified boundaries. The map will be provided to public hunters who are selected for the access opportunities through this program.
5. Draft agreements will be submitted by the program manager to the legal unit for their review and approval. Legal will work with the program manager to review and modify and approve the draft agreements.
6. After the agreement is legal approved, the program manager will coordinate with regional access managers to ensure landowner applicants have an opportunity to review the final draft agreement prior to being posted for public viewing. Regional access staff will report any landowner concerns or identified issues to the program manager.
7. After the agreement is landowner approved, the program manager will compile the documents into one folder and provide the folder to the legal unit staff for redaction. The application, agreement, and other associated information will be redacted to prepare for public posting and provided to Communication and Education Division staff.
8. Communication and Education Division staff will create hyper-links to the redacted folders of packets and post program information no later than two weeks prior to the commission meeting for which applications are considered. All applications that are deemed to be insufficient or incomplete will also be documented by the program manager on the master list with a recommendation to not approve.

### **Commission Process and Consideration**

1. The hunting access program manager, the access bureau chief, and division administrator will prepare the commission coversheet and work with the commission coordinator to post in accordance with commission process and timelines for the June commission meeting.
2. Once the master list has been finalized, the program manager will work with the commission coordinator to ensure commissioners and the public have access to the proposals for the current year. Proposals will be posted no later than two weeks prior to the commission meeting.
3. The department will recommend to the commission that permits/licenses issued to landowners (or their designee) in limited permit/license areas 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. 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).

4. Hunting districts with limited permits/licenses and where the number of applications exceeds 10 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).
5. Hunting districts with general elk licenses, over the counter elk B licenses, or limited quotas and where the number of applications is less than 10 percent, the commission may decide to approve all applications and award all permits/licenses to applicants.
6. EHA application proposals for the current year will only have public comment taken in-person (or via Zoom) 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.
7. Regional access staff, the program manager, and access bureau chief will be available to support the POR Division Administrator when presenting the applications to the commission (if available).
8. 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.

### **Landowner Signatures**

1. For agreements that are commission-approved, regional access staff will obtain landowner signature on the final agreements and will return the landowner signed agreements to the program manager for the Director's signature.
2. If agreements are commission-denied, 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 designees authorized through this program, will not be provided until an agreement has been signed by the landowner and FWP.
5. The program manager will notify the licensing bureau once the agreement has been signed so they can award landowner/designee licenses.

### **Public Hunter Sign-Up**

1. Licensing bureau staff will load myFWP with the correct commission approved public hunting opportunities (either-sex/antlerless) by property. The program manager will coordinate with licensing to ensure all the properties listed for public sign-up are correct in myFWP.
2. The program manager will coordinate with Communication and Education Division staff on developing a press release (general license/OTC elk B opportunities) and targeted email (limited permit/elk B license opportunities) to inform public hunters about public sign-up opportunities.
3. Public hunters must hold the required permits/licenses at the time of sign-up.
4. Public hunters who were successful in the original either-sex permit or elk B license drawings may sign up for all districts and opportunities they currently hold licenses for (either-sex permits/elk B licenses) from July 1- July 15.
  - a. Public hunters can sign up for more than one opportunity, but only will be selected for one either-sex permit opportunity.
  - b. Public hunters may be selected for one either-sex opportunity and one elk B opportunity if they hold the required permits/licenses.
5. EHA properties which only require a general elk license/unlimited elk B license may have interested public hunters sign up online from July 1-July 15.

### **Public Hunter Randomization**

1. Once the sign-up period closes, licensing bureau staff will randomize the public hunter sign-up lists and provide the program manager with a list of public hunters for each license/permit type by property, including general elk and unlimited elk B opportunities. Licensing staff will verify that public hunters hold the required permit/license types required.
  - a. Public hunter contact information including random draw order, name, ALS, phone, email, and mailing address will be provided to the program manager.

### **Public Hunter Selection**

1. The program manager will develop an EHA Tracking List excel file in the Microsoft Teams- EHA Team- that features the landowner, the landowner designees (if applicable), the license/permit opportunities available for landowner selected public hunters (if applicable), and license/permit opportunities for FWP selected public hunters.
2. Public hunters will be selected for access opportunities in the order they were identified through a random draw of all hunters who signed up for the opportunities.
3. Regional access staff, the program manager, and licensing bureau staff will complete the columns as hunter selections are approved and will fill the fields "green" once communication has been finalized, public hunters have accepted, or licenses have been issued to landowners.
4. Regional access staff will note the attempts to contact public hunters and attempts to contact landowners. They will complete the fields in the spreadsheet and will coordinate with the 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 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 ALS, phone, email, and mailing address will be provided.
2. The program manager will provide regional access staff the list of successful public hunters by district and license permit type for each of their respective agreements.
3. Regional access staff will provide the public hunter lists which consist of the name, city, state, and zip to those landowners who desire to select up-to one-third of the public hunters (if applicable).
4. Landowner selected public hunters must be identified and selected by the landowner by a date set by the department., Landowners will have 5 business days to make their landowner-selected public hunter selections (if applicable).
5. If a landowner fails to select or respond with their landowner-selected 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 department selected public hunters.
6. Once public hunters have been selected by landowners, regional access staff will notify the public hunters via email that they have been selected to hunt a given property and how to obtain permission and property/ranch rules (Appendix F). Regional access staff will not seek acceptance or denial of the opportunity by landowner selected public hunters.

### **FWP Selected Public Hunters**

1. The program manager will obtain from licensing a list of successful public hunters by property and license/permit type who signed up online and were deemed to possess the required permit/license for each of the respective agreements. The program manager will then provide the lists to regional access staff by property.
2. Regional access staff will select the public hunters who meet the requirements to participate and contact the public hunter with an email requesting the public hunter to accept or decline the opportunity (Appendix G).
  - 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.
3. Regional access staff will contact each of the FWP selected public hunters via email who have been selected to determine their willingness to accept the opportunity provided by the agreement. Public hunters will be given 3 business days to respond to the email request to participate in the EHA opportunity.

4. If public hunters do not respond in the required timeframe, regional access staff will select the next public hunter in the order for which they were randomly drawn. If public hunters decline the opportunity, they will be removed from the list of potential public hunters.
5. If department selected public hunters agree to the opportunity, the agreement terms, public hunter contact information, and map will be provided to them (Appendix H).
6. For those opportunities with limited either-sex permit/elk B license where no eligible public hunters remain on the EHA online public sign-up list, the program manager will work with licensing to secure the original draw lists for public hunters who successfully drew in the original limited elk permit or elk B license draws. Regional access staff will offer the public hunters the opportunity participate in an EHA in the order which they were drawn in the original draw(s).

### **Public Hunter Responsibility**

1. It is the sole responsibility of public hunters to contact the landowner/ranch manager to obtain permission in accordance with the terms of the agreements.
2. If public hunters are unable to reach the landowner/ranch contacts to gain permission, public hunters should note their attempts to gain permission and complete their post-season evaluation of their experience. Public hunters may also contact regional access staff for guidance.

### **Complete Hunter Lists to Enforcement and Landowners**

1. Regional access staff will provide the names of all public hunters (department and landowner selected) by property to the landowners/ranch contact (Appendix I) once the public hunter slots have been filled.
2. Regional access staff will provide the names of all public hunters for all agreements (department and landowner selected) by property to respective enforcement captains prior to the agreement start date.

### **Annual Program Report**

1. The program manager, in collaboration with the human dimensions unit, will work to develop a survey for participating landowners. Surveys will evaluate landowner satisfaction, landowner/designee elk harvest success, and public hunter harvest and satisfaction.
2. Surveys will be sent by direct mail by the human dimensions unit one week after the close of the general rifle season with a postage-paid return envelope to landowners, landowner designees (if applicable) and public hunters. Surveys that are returned will be entered and compiled by the human dimensions unit.
3. A minimum of two follow up emails will be sent by the human dimensions unit to landowner and public hunter non-respondents three weeks after the direct mail effort.
4. If no response is provided by a participating landowner regarding satisfaction and/or harvest, regional access staff will call the participating landowner. Per the landowner application and

agreement, participation in the program depends on landowner compliance with the survey requirements.

5. If no response is provided by a participating public hunter regarding satisfaction and/or harvest, regional staff will make one phone call attempt to obtain a survey response from the participating public hunters. Regional administrative staff may assist with calling public hunters to obtain feedback as time allows.
6. The results from all surveys will be sorted, analyzed, and reported by each property enrolled in the program by the human dimensions unit.
7. The program manager will utilize the data provided by the human dimensions unit 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), and 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 program manager and other staff to inform a department recommendation for issuance of future licenses/permits should landowners re-apply. Per 87-2-513(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.

Appendix A. 2023 Elk Hunting Access Agreement Application



THE **OUTSIDE** IS IN US ALL.

**2023 ELK HUNTING ACCESS (EHA) AGREEMENT APPLICATION**

**RETURN TO: FWP LICENSING – PO BOX 200701 HELENA MT 59620-0701**

Please mail or submit this form to the addresses above via the State of Montana file transfer system and including any additional required documentation. Documents submitted electronically must be scanned and submitted as a PDF.

**All information below is required and must be submitted  
BY 5:00 PM ON MAY 15, 2023.**

Completing this form does not guarantee your application will be approved by the Fish and Wildlife Commission. Eligibility requirements are listed in Part D.

PART A: DESCRIPTION OF PROPERTY AND PUBLIC HUNTER OPPORTUNITY

- 1) NAME** in which the land is recorded (i.e. ranch name, corporate/partnership name, or individual on the deed): \_\_\_\_\_
- 2) LANDOWNER CONTACT INFORMATION (FOR DEPARTMENT USE ONLY)**
  - a. **NAME:** \_\_\_\_\_
  - b. **MAILING ADDRESS:** \_\_\_\_\_
  - c. **PHONE NUMBER:** \_\_\_\_\_
  - d. **EMAIL:** \_\_\_\_\_
- 3) COUNTY:** \_\_\_\_\_
- 4) TOWNSHIP, RANGE, SECTION:** \_\_\_\_\_
- 5) HUNTING DISTRICT(S):** \_\_\_\_\_
- 6) NUMBER OF ACRES TO BE ENROLLED:** \_\_\_\_\_
- 7) MAXIMUM NUMBER OF HUNTING DAYS FOR EACH PUBLIC HUNTER** (if applicable): # \_\_\_\_\_ DAYS
- 8) NUMBER OF DAYS ADVANCE NOTICE REQUIRED FOR PUBLIC HUNTERS** (if applicable): # \_\_\_\_\_ DAYS
- 9) HUNTING SEASON(S) PUBLIC HUNTERS WILL BE ALLOWED ACCESS:**
  - a. **GENERAL RIFLE (REQUIRED)**
  - b. **ARCHERY**
  - c. **MUZZLELOADER**
  - d. **ELK SHOULDER SEASON (if applicable)**





- 10) PLEASE DESCRIBE ANY HUNTER MANAGEMENT PRACTICES OR REQUIREMENTS FOR PUBLIC HUNTERS UNDER THE TERMS OF THE PROPOSED AGREEMENT.**
- a. CHECK-IN WITH LANDOWNER OR REPRESENTATIVE UPON ARRIVAL
  - b. LANDOWNER OR LO REPRESENTATIVE ACCOMPANIMENT REQUIRED WHILE HUNTING
  - c. WALK-IN HUNTING ONLY
  - d. MOTORIZED GAME RETRIEVAL ALLOWED
  - e. NO OFFROAD DRIVING
  - f. NO DRIVING ON MUDDY ROADS
  - g. OTHER  \_\_\_\_\_
- 11) PUBLIC HUNTER RANCH CONTACT SECTION *This is the person who will coordinate public hunting access. (If identical to landowner contact information above or if the property is going to be managed by the Block Management Program check this box  and skip to #12).***
- a. PUBLIC HUNTER CONTACT NAME: \_\_\_\_\_
  - b. MAILING ADDRESS: \_\_\_\_\_
  - c. PHONE NUMBER: \_\_\_\_\_
  - d. EMAIL: \_\_\_\_\_
- 12) DOES THE LANDOWNER/APPLICANT WISH TO SELECT UP TO ONE-THIRD OF THE PUBLIC HUNTERS REQUIRED FOR THESE AGREEMENTS?**
- a. Choose one: (YES  / NO  skip to #15 next page).
- 13) PLEASE SELECT THE CRITERIA THE LANDOWNER/APPLICANT WILL USE TO SELECT UP TO ONE-THIRD OF THE PUBLIC HUNTERS FROM A LIST PROVIDED BY FWP.**
- a. LOCAL RESIDENTS
  - b. VETERANS
  - c. FIRST TIME HUNTERS
  - d. OTHER \_\_\_\_\_
- 14) SEX OF ELK ALLOWED TO BE HUNTED BY LANDOWNER SELECTED PUBLIC HUNTER(S) ON THE ENROLLED PROPERTY (In accordance with regulations):**
- a. BULL
  - b. COW
  - c. BOTH



**15) SEX OF ELK ALLOWED TO BE HUNTED BY DEPARTMENT SELECTED PUBLIC HUNTERS ON THE ENROLLED PROPERTY (In accordance with regulations):**

- a. BULL
- b. COW
- c. BOTH

**16) DOES THE LANDOWNER/APPLICANT ANTICIPATE ALLOWING ADDITIONAL PUBLIC ELK HUNTING ACCESS ABOVE THE MINIMUM REQUIRED THROUGH THIS PROGRAM?**

- a. YES
- b. NO
- c. UNCERTAIN AT THIS TIME OF APPLICATION

**PART B: LANDOWNER LICENSE INFORMATION**

LIST BELOW THE LANDOWNER AND/OR ELIGIBLE LANDOWNER DESIGNEE(S) BELOW WHO WISH TO RECEIVE AN APPLICABLE ELK LICENSE AND/OR PERMIT. ELIGIBLE DESIGNEES MAY ALSO BE IMMEDIATE FAMILY MEMBERS OR FULL-TIME EMPLOYEES.

**TOTAL NUMBER OF ELK LICENSE AND/OR PERMITS IN EXCHANGE FOR FREE PUBLIC ACCESS UNDER THESE AGREEMENTS REQUESTED BY THE LANDOWNER AND/OR LANDOWNER DESIGNEE: # \_\_\_\_\_**

IF MORE THAN TWO INDIVIDUALS WISH TO RECEIVE A LANDOWNER LICENSE/PERMIT THROUGH THIS PROGRAM PLEASE INCLUDE ADDITIONAL COPIES OF THIS PAGE.

- 1) NAME: \_\_\_\_\_
- 2) DATE OF BIRTH (MM/DD/YYYY) & ALS#: \_\_\_\_\_
- 3) MAILING ADDRESS: \_\_\_\_\_
- 4) RELATIONSHIP TO LANDOWNER:
  - a. SELF
  - b. IMMEDIATE FAMILY MEMBER
  - c. FULL-TIME EMPLOYEE
- 5) EMAIL ADDRESS: \_\_\_\_\_
- 6) LICENSE AND PERMIT TYPE REQUESTED (IF APPLICABLE):
  - a. (LICENSE) GENERAL ELK LICENSE \_\_\_\_\_
  - b. (PERMIT) \_\_\_\_\_



- 1) **NAME:** \_\_\_\_\_
- 2) **DATE OF BIRTH (MM/DD/YYYY) & ALS#:** \_\_\_\_\_
- 3) **MAILING ADDRESS:** \_\_\_\_\_
- 4) **RELATIONSHIP TO LANDOWNER:**
  - a. SELF
  - b. IMMEDIATE FAMILY MEMBER
  - c. FULL-TIME EMPLOYEE
- 5) **EMAIL ADDRESS:** \_\_\_\_\_
- 6) **LICENSE AND PERMIT TYPE REQUESTED (IF APPLICABLE):**
  - a. (LICENSE)    GENERAL ELK LICENSE
  - b. (PERMIT)

**PART C: REQUIRED ADDITIONAL INFORMATION**

**ALL APPLICATIONS FOR EHA AGREEMENTS MUST INCLUDE:**

- **Copy of the property deed, property tax bill, or contract to purchase. If this information does not match Montana Cadastral, your application will be rejected.**
- **Signatory authority documentation.** If the land in which you are proposing for this agreement 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.)
- **One map showing the area available public hunting access opportunity for the landowner (or designee) and public hunters provided access through this program.**

**PART D: INFORMATION FOR FREE PUBLIC HUNTING ACCESS APPLICATIONS**

- To be eligible, you must 1) own occupied elk habitat that the department determines large enough to accommodate successful public hunting and 2) provide



a free access opportunity for the public hunters identified in the terms of this proposed agreement.

- This access shall take place during authorized hunting season(s) for the applicable licenses/permits possessed by the public hunters. This does not preclude the landowner from implementing hunter management practices such as limiting the number of hunters at any given time.
- Public hunters must be provided identical land access during their hunt as the landowner or landowner's designee has during their hunt; e.g. a landowner may not "reserve" a section of the enrolled property for themselves.
- A designee may be an immediate family member or an authorized full-time employee of the landowner. An immediate family member is defined as an individual who is related within the second degree of kinship by blood or marriage to the landowner. The second degree of kinship includes a mother, father, brother, sister, son, daughter, spouse, grandparent, grandchild, brother-in-law, sister-in-law, son-in-law, daughter-in-law, father-in-law, mother-in-law, stepfather, stepmother, stepbrother, stepsister, stepson, and stepdaughter.
- The landowner reserves the right in writing to deny access 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.
- For every landowner or landowner designee that is issued a license and/or permit, three public hunters already holding a license/permit identified in the terms of the agreement will be selected for free access opportunities on the property.
- FWP will pick, at minimum, two of the three public hunters. Depending on the hunting district regulations and the terms of the agreement, these hunters will be chosen at random from a list of successful elk permit holders, Elk B License holders, or from a public sign-up list.
- The landowner may select up to one-third of the public hunters from a list of qualifying individuals provided to the landowner by FWP. If the landowner does not wish to select a public hunter, FWP will select instead.
- Licenses and/or permits issued as a result of this program are valid only on the private property identified in this application. They are nontransferable and may not be sold or bartered.
- The landowner may not charge the public hunters selected through this program a fee for hunting access on land identified in this application.



- If you are interested in donating your issued license to a disabled veteran, please review the DONATE LICENSE PROGRAMS section and Donation of Hunting License to Military Veterans application at: <https://fwp.mt.gov/hunt/licensingbasics>
- For additional EHA agreement program information see: <https://fwp.mt.gov/hunt/landownerprograms/public-elk-access-agreements>

**PART E: FUTURE REPORTING REQUIREMENTS AND LANDOWNER SIGNATURE**

- If the application is approved by the commission, I agree to submit a list (with legible contact information in a format required by the department) for all additional public hunters offered an opportunity to hunt, under this agreement by MARCH 1 of the next license year. This list is for additional public hunters allowed to hunt over the minimum required by this program.
- I attest that the information provided in this application packet is true to the best of my knowledge and belief.
- **COMPLETING AN END OF SEASON LANDOWNER/DESIGNEE HARVEST SURVEY AND LANDOWNER SATISFACTION SURVEY IS REQUIRED TO BE ELIGIBLE FOR THIS PROGRAM IN FUTURE YEARS. PLEASE SPECIFY WHICH ADDRESS FWP SHOULD SEND THE LANDOWNER SURVEYS TO.**
  - LANDOWNER ADDRESS
  - PUBLIC HUNTER CONTACT/RANCH CONTACT ADDRESS

**SIGNATURE OF LANDOWNER OR LANDOWNER’S AUTHORIZED REPRESENTATIVE:**

**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**PRINTED NAME OF LANDOWNER OR LANDOWNER’S AUTHORIZED REPRESENTATIVE:**

**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**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 shot 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 brown-tine bull elk unless the hunter has a PTHV. FWP selected 103-00 elk B license	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 cooperator 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 ranch.	N	NR	Y	Y	
		Radley Ranch			LO selected hunter (380-20 either sex); 2 FWP	LO selects local resident; FWP						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		Y - 3x3 bull harvested by landowner/designee; no harvest by selected public hunters; Public hunters gave positive feedback on					Y

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## Appendix D. 2024 Draft Agreement

### 2024 xxNAME OF LANDOWNER/RANCH HERExx

#### Elk Hunting Access (EHA) Agreement

---

Under the provisions of 87-2-513 MCA, the Department of Fish, Wildlife and Parks (“Department”) is authorized to issue the following license(s) and permit(s) pursuant to this xxNAME OF LANDOWNER/RANCH HERExx (“Ranch”) Elk Hunting Access (EHA) Agreement (“Agreement”):

One (1) xxTYPEExx elk license/permit to the landowner or lawful designee, for use only on land enrolled in this Agreement.

Additionally:

(One) xxTYPEExx elk license/permit holder will be selected by the Landowner

(Two) xxTYPEExx elk license/permit holders will be randomly selected by FWP from a list of successful permit/license holders and will have access, by permission as set forth herein to hunt xxTYPEExx elk on land enrolled in this Agreement. These licenses/permits are valid in hunting district XX. FWP will be responsible for managing the hunter selection process and coordinating the selected hunters with the Landowner for scheduling purposes.

#### **Terms of the Public Elk Hunting Access Agreement include:**

1. Approximately XX total acres of private land and xx total acres of private agricultural leased land in Hunting District XX will be enrolled, pursuant to the map attached hereto as Exhibit A.
2. Enrolled property will be open to free public elk hunting with any legal weapon, from October XX-November XX as set forth herein.
3. Access shall be coordinated with XXX (“Landowner/Ranch Manager”), who can be contacted at XXX-XXX-XXXX or via email at xxxxxx@xxxxxx.com.
4. Terms of access include:
  - A. The above-described public hunters selected for access under this agreement must contact the Landowner/Ranch Manager at least (X) days in advance to schedule their hunts in accordance with the notice requirements provided by FWP. The maximum number of days any one public hunter may hunt this property is (X) days.
  - B. The Ranch Manager will inform the public hunters when they contact the Ranch Manager of the rules and requirements governing the access. This includes but is not limited to:
    - i. Signing written permission slip or FWP hunter-sign in roster to provide public hunter contact information for later FWP evaluation of program.
    - ii. Abiding by all state and federal hunting statutes, regulations, and rules.
    - iii. Following all Ranch 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.
    - v. Maintaining proper vigilance aimed at preventing damage to the Ranch, and to promptly report any damage that may occur on the Ranch to the Ranch Manager.



- vi. Ensuring all Ranch gates are left as originally found.
  - vii. Using best efforts to prevent fires and keep the Ranch free of litter at all times.
  - viii. How harvested game may be retrieved.
  - ix. 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 Ranch.
  - D. The Ranch is not responsible for contacting any hunter to report the presence or absence of elk.
  - E. Landowners will be offered one week to select their public hunters (if applicable). Landowner selected public hunters must be selected by the landowner by a date set by the department, but no later than one week after landowners have been offered the opportunity to make their selections. If a landowner fails to select or respond to a request for their selections, the department will consider the landowner's silence as authorization to fill the landowner selected public hunter(s) slots with department public hunter selected slots.
  - F. The Landowner/Ranch Manager may terminate a hunter's access rights under this agreement for failure to abide by these requirements. The hunter may be dismissed from the Ranch immediately on such occurrence; the Landowner/Ranch Manager should notify FWP of the dismissal as soon as practical.
  - G. Satisfaction data will be acquired through FWP surveys of the Landowner associated with this Agreement. Completion of the Landowner satisfaction and harvest survey is required for the Landowner to be eligible to participate in any future elk hunting access agreement. FWP will also survey the public hunters that were provided access to hunt on the Landowner's property.

By signing below, the Landowner agrees to submit a comprehensive public hunter list (with legible contact information in a format required by FWP) for all additional public hunters in excess of the three required public hunters that were offered an opportunity to hunt under this Agreement no later than March 1 of the next license year (if applicable).

\_\_\_\_\_  
 Dustin Temple, Department Director

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 XXXX, 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 xxxx@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



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**Appendix J. Landowner satisfaction survey.**

**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?

NO .....If 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.**

