

Notice of Habitat Conservation Lease Proposal

Montana Department of Fish, Wildlife and Parks (FWP) is proposing a habitat conservation lease. Conservation leases are incentive-based, voluntary agreements offered by FWP to help conserve priority wildlife habitats on private lands while also supporting working agricultural lands and public hunting and recreation opportunity.

The basic intent of the Conservation Lease Program is to retain substantial blocks of high priority native or restored wildlife habitats while keeping working agricultural lands as working lands. There are five priority focal habitats that qualify for enrollment: sagebrush grasslands, mixed grasslands, intermountain grasslands, riparian/floodplain, and wetland-grassland complexes. The overarching goal of the Program is to enroll 500,000 acres over a 5-year timeframe.

Private landowners can enroll their land into a 30- or 40- year conservation lease in return for a one-time per-acre lease payment. Funding for the Program is generally derived from state hunting license fees and federal Pittman Robertson Wildlife Restoration funds.

For more information, please refer to the Habitat Conservation Lease Program web page:

<https://fwp.mt.gov/conservation/habitat/habitat-conservation/lease-program>

A programmatic environmental analysis ([PEA](#)) and supplemental environmental analysis ([SEA](#)) were completed by FWP at the start of the Habitat Conservation Lease Program. This Notice serves to 1) inform the public and adjacent landowners of a proposed habitat conservation lease, providing an opportunity for review and comment (as required by MCA 87-1-241) and 2) document if the programmatic environmental analysis is consistent with the circumstances of individual proposed conservation leases.

Proposed Lease Information:

Project Name: **Swede & Shirley Pfaffinger Habitat Conservation Lease**

Location of Property: Hysham, Treasure County and Rosebud County, Montana

Legal Description:

TOWNSHIP 6 NORTH, RANGE 37 EAST, M.P.M, IN TREASURE COUNTY, MONTANA

Section 1: Lots 1, 2, 3 and 4

TOWNSHIP 7 NORTH, RANGE 37 EAST, M.P.M, IN TREASURE COUNTY, MONTANA

Section 4: SW $\frac{1}{4}$

Section 8: E $\frac{1}{2}$

Section 22: All

Section 23: All

Section 24: N $\frac{1}{2}$ S $\frac{1}{2}$ also shown of record as Section 24: All

Section 25: All

Section 26: S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ also shown of record as Section 26: All

Section 27: S $\frac{1}{2}$, N $\frac{1}{2}$, also shown of record as Section 27: All

Section 32: Lots 1 and 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

- Section 33: All also shown of record as Section 33: Lots 1, 2, 3, 4, N½S½, N½
Section 34: All also shown of record as Section 34: Lots 1, 2, 3, 4, N½S½, N½
Section 35: Lots 1, 2, 3 and 4, N½, N½S½ also shown of record as Section 35: All

TOWNSHIP 7 NORTH, RANGE 38, M.P.M., IN ROSEBUD COUNTY, MONTANA

Section 17: All EXCEPTING therefrom the following 2 tracts of land:

Tract 1: A parcel of land located in the SW¼SW¼ of Section 17, Township 7 North, Range 38 East, M.P.M., Rosebud County, Montana, more particularly described as follows:

Beginning at the southwest corner of said Section 17; thence along the west line of said Section 17 North 02° 05' 27" West, a distance of 400.00 feet; thence North 88° 19' 00" East, a distance of 700.00 feet; thence South 02° 05' 27" East, a distance of 400.00 feet; thence along the South line of said Section 17, South 88° 19' 00" West, a distance of 700.00 feet to the point of beginning.

Deed Reference: Quit Claim Deed recorded April 8, 1999, in Book 92 of Deeds, Page 52, under Document #85714.

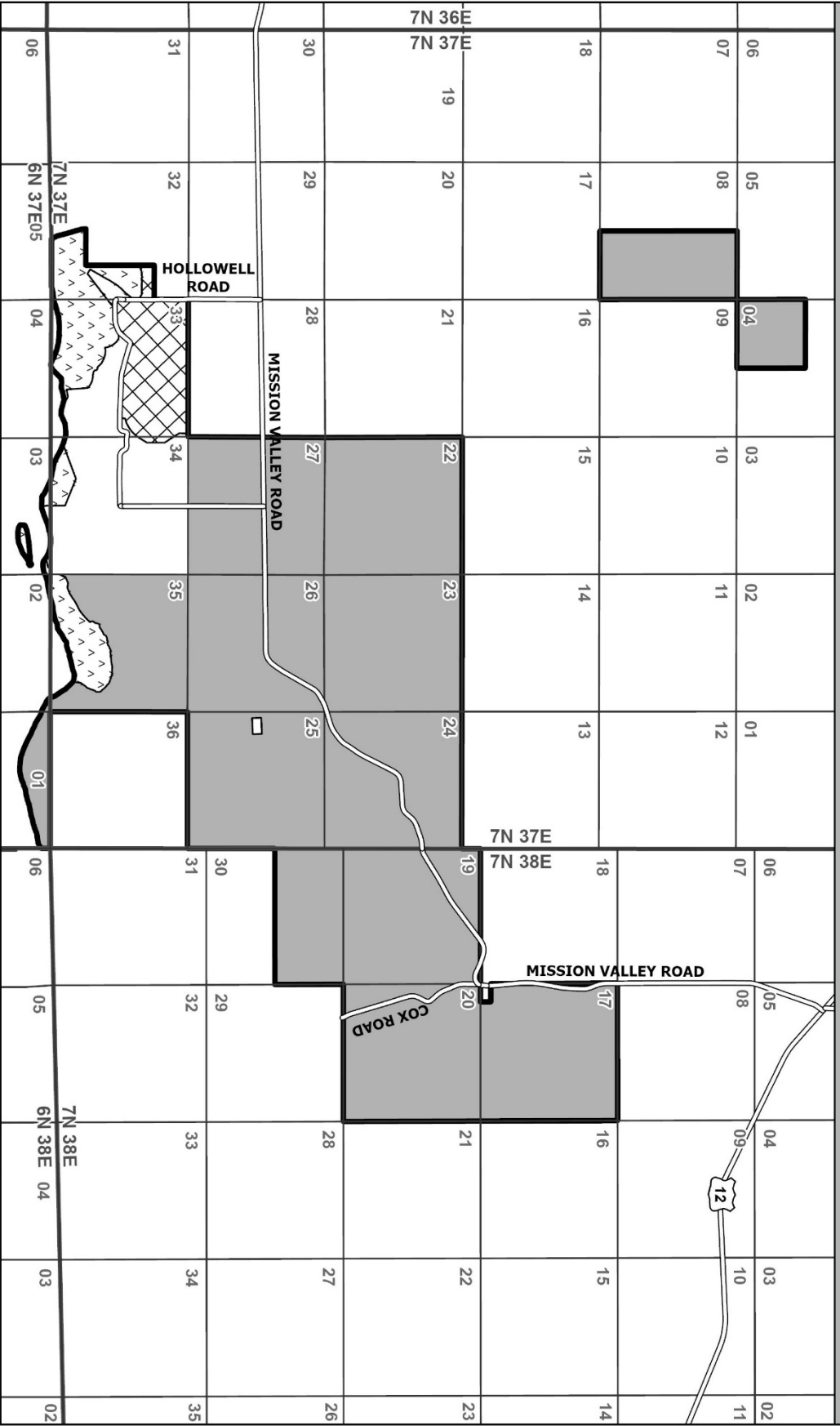
also shown of record as:

That part of Section 17, Township 7 North, Range 38, of the Principal Montana Meridian, in Rosebud County, Montana, described as "Fixed Technical Site", of Certificate of Survey No. 48726 on file in the office of the Clerk and Recorder of said County, by Declaration of Taking recorded April 11, 1985, in Book 33 of Miscellaneous, Page 695, under Document #48726.

Tract 2: Less Road

- Section 19: All Fractional also shown of record as Section 19: Lots 1, 2, 3, 4, E½W½, E½
Section 20: All Less Road
Section 30: N½ Fractional also shown of record as Section 30: Lots 1, 2, NE¼, E½NW¼

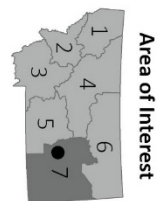
Less and excepting therefrom the excluded areas shown on the following map.



- Township & Range
- Sections
- Roads
- River/Stream
- Pfaffinger Boundary
- Rangeland
- Cropland
- Major River Floodplain/Riparian
- Excluded

Lease data and rivers from Montana Fish, Wildlife & Parks; Helena, MT. Land ownership, public lands, and TNS data from Montana State Library. Roads from MDT.

Map Produced by Amber Feddes
 Montana Fish, Wildlife & Parks
 Region 7 Wildlife
 4/8/2024



Duration of Lease: 40 years

Total Acres Proposed To be Enrolled: 7,915

Total Acres of Priority Habitat: 6,432

Public Access details:

As part of this Habitat Conservation Lease, Swede and Shirley Pfaffinger agree to allow 260 recreation days to the public each year. At least 95 of those recreation days will be for hunting from September 1- January 1. Swede and Shirley may also choose to offer the 165 remaining recreation days for hunting during that time.

This property is enrolled as the Pfaffinger Ranch Type 2 Block Management Area and public access for hunting will continue in this same manner. If access is offered outside of the hunting season, or if the property is withdrawn from Block Management, a contact name and phone number will be provided for the public to obtain permission for access.

Public comment period details:

Duration of Public Comment Period: The public comment period begins on the date of publication on the FWP website. Written or e-mailed comments will be accepted through the last day of the public comment period, as listed below:

Date Listed: April 8, 2024

Length of Public Comment Period: 30 days

Public Comment Period Begins: April 8, 2024

Public Comment Period Ends: May 7, 2024

Comments must be addressed to the FWP contact, as listed below.

Where to submit Comments on the Proposed lease:

Name: Amber Feddes

Email: amber.feddes@mt.gov

Mailing Address:

Montana Fish, Wildlife & Parks

ATTN: Pfaffinger Habitat Lease

PO Box 1630

Miles City, MT 59301

Public Meeting Date: April 18, 2024, 6:00pm

Public Meeting Location:

Montana Fish, Wildlife & Parks Region 7 Headquarters

352 Interstate 94 Business Loop

Miles City, MT 59301

Virtual Link: <https://mt-gov.zoom.us/j/83227840394?pwd=VEpoRnNLanE0UklvdGRDNTBvTUR3QT09>

Checklist pertaining proposed habitat conservation lease:

Checklist	Yes	No*
Conservation lease is being made available to adjacent landowners for review and comment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The habitat conservation lease meets the requirement of at least 50% Priority Habitat?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landowner agrees to meet Conservation Requirements listed in PEA and as laid out in the standard lease agreement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Landowner agrees to provide at least the minimum Public Access Requirement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Physical Environment impacts of this proposed habitat conservation lease, including to wildlife habitats and associated ecological functions for soil, water, and air are consistent with conclusions analyzed in the PEA (pages 18-20)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Human Environment impacts of this proposed habitat conservation lease, including to land uses, profitability, community, and public service are consistent with conclusions analyzed in the PEA (pages 20-23)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Impacts and anticipated benefits of this proposed habitat conservation lease are consistent with the Narrative Evaluation and Comment in the PEA (page 24).	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*For any of the above criteria, if “No” was selected, provide explanation and additional information: