

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: **Denim Fogle Habitat Conservation Lease**

Location of Property: Jordan, Garfield County, Montana

Legal Description:

TOWNSHIP 19 NORTH, RANGE 38 EAST, M.P.M., IN GARFIELD COUNTY, MONTANA

Section 13: ALL
Section 14: ALL
Section 15: ALL
Section 22: N½; N½SW¼; SE¼SW¼; SE¼
Section 23: ALL
Section 24: ALL
Section 25: NW¼
Section 26: NE¼; E½NW¼; S½
Section 35: ALL

TOWNSHIP 19 NORTH, RANGE 39 EAST, M.P.M., IN GARFIELD COUNTY, MONTANA

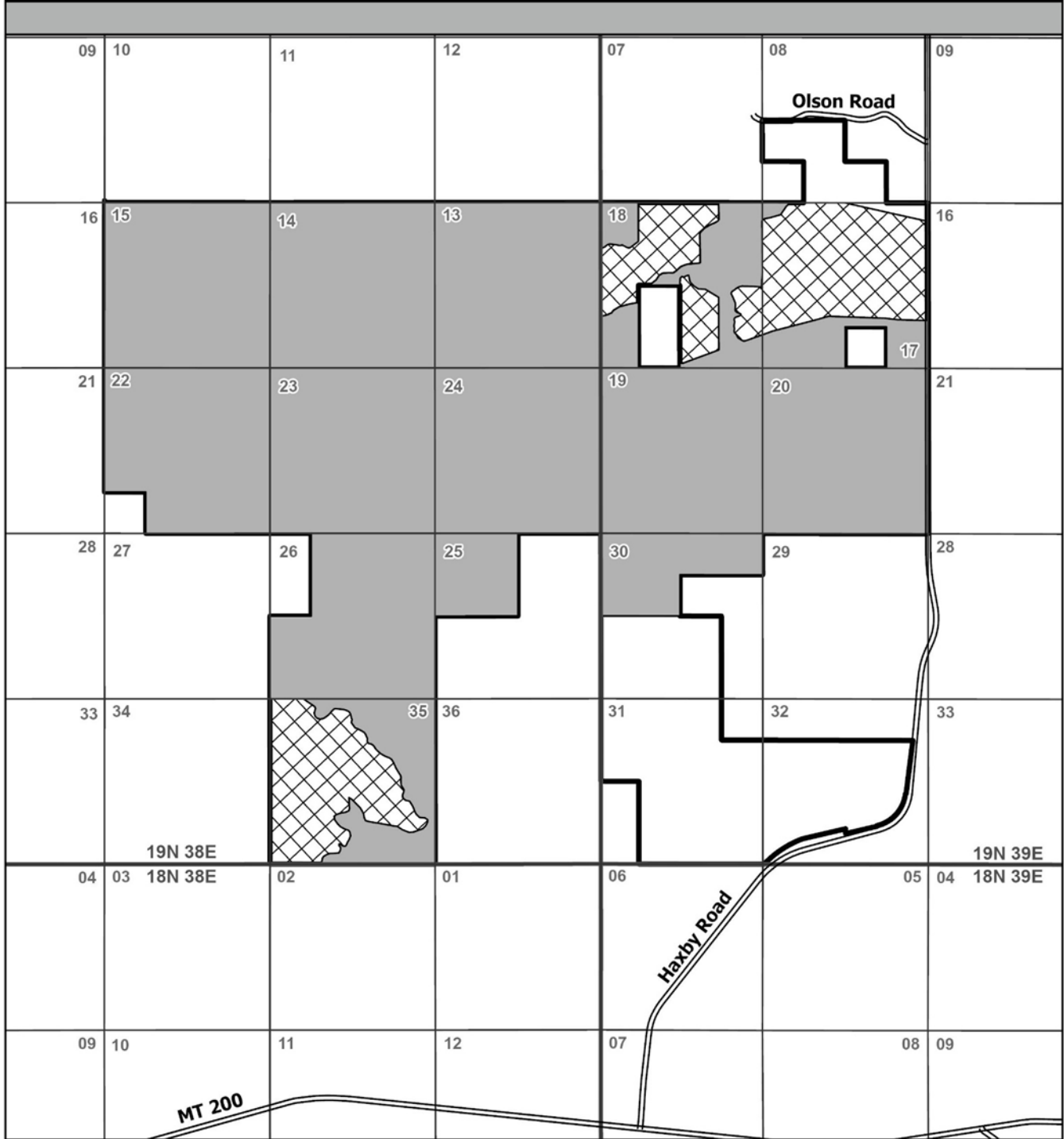
Section 8: N½SW¼; SE¼SW¼; SW¼SE¼

- Section 17: $N\frac{1}{2}$; $SW\frac{1}{4}$; $N\frac{1}{2}SE\frac{1}{4}$; $SE\frac{1}{4}SE\frac{1}{4}$ Less and Excepting Therefrom that portion lying within the right-of-way conveyed to the State of Montana
- Section 18: LOTS 1, 2, 3 & 4; $E\frac{1}{2}NW\frac{1}{4}$; $E\frac{1}{2}$
- Section 19: LOTS 1, 2, 3 & 4; $E\frac{1}{2}W\frac{1}{2}$; $E\frac{1}{2}$
- Section 20: ALL, Less and Excepting Therefrom that portion lying within the right-of-way conveyed to the State of Montana
- Section 30: LOTS 1, 2, 3 & 4; $E\frac{1}{2}W\frac{1}{2}$; $N\frac{1}{2}NE\frac{1}{4}$; $W\frac{1}{2}SE\frac{1}{4}$
- Section 31: LOTS 1 & 2; $E\frac{1}{2}NW\frac{1}{4}$; $NW\frac{1}{4}NE\frac{1}{4}$; $S\frac{1}{2}NE\frac{1}{4}$; $E\frac{1}{2}SW\frac{1}{4}$; $SE\frac{1}{4}$
- Section 32: TRACT A, being that portion of the $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$ of said Section 32 lying westerly of the right-of-way of Montana State Highway Federal Aid Project S 191(1). Said tract being created and described by Certificate of Survey No. 175, filed for record as Document No 188854, in the office of the County Clerk and Recorder in and for Garfield County, Montana.

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

Fogle Conservation Lease

MONTANA FWP

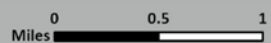


- Township & Range
- Property Boundary
- Sections
- Rangeland
- Cropland
- Excluded
- Roads

Map Produced by
Amber Feddes
Region 7
03/25/2024



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



Duration of Lease: 40 years

Total Acres Proposed To be Enrolled: 7,791

Total Acres of Priority Habitat: 6,495

Public Access details:

As part of this Habitat Conservation Lease, Denim Fogle agrees 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. Denim may also choose to offer the 165 remaining recreation days for hunting during that time. Denim will provide a contact name and phone number 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: Fogle Habitat Lease

PO Box 1630

Miles City, Montana 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:
None.