

DRAFT BLOCK
MANAGEMENT
PROGRAM
STANDARD
OPERATING
PROCEDURES

February 2, 2024



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Program Overview



MONTANA FISH, WILDLIFE & PARKS

Block Management | hunter management assistance for landowners



Overview

Montana Fish, Wildlife & Parks' Block Management Program provides hunter management assistance, an impact payment, weed management bonus and a complimentary license benefit to offset the impacts from allowing free public hunting access on private lands.

Program at a Glance

Landowners in cooperation with FWP decide when, where and how they want to manage hunters on their property in accordance with program guidelines for the benefit of wildlife management and the residents and non-resident hunters of Montana.

Who is Eligible

To be eligible for Block Management, landowners or their tenant must be willing to provide public hunting access on private lands under their control or provide access to public lands through an access corridor to public lands from September 1-January 1.

In accordance with program procedures, landowners may offer hunting access through Block Management to any commission established hunting season.

Agreement Details

Agreements will be between the private landowner or their representative and Fish, Wildlife and Parks. Agreement duration will initially be a minimum of one year with possibility of up to five years after the first five years of annual agreements.

Landowners in cooperation with FWP determines when, where, and how the public may access private land and landowners may restrict total numbers of hunters, as well as limit access during specific times and not allow hunting for specific wildlife species in accordance with program procedures.

Landowner Payment & License Benefits

Fish, Wildlife & Parks will provide hunter management assistance dependent upon need, property rules and program availability. FWP will also provide and post signs and develop property maps with associated rules for each property enrolled in collaboration with the landowner.

Landowners are eligible for an enrollment payment of \$1,000 and up to \$17 per hunter day with an agreement maximum of \$50,000 to offset impacts from allowing hunting access.

In addition, landowners are eligible for up to 5% of their contract total in a weed management bonus if they agree to use the funds for weed management activities on lands under their control. Landowners may also qualify for an aggregate incentive.

Resident landowners are offered a complimentary sportsman's license without bear or non-resident landowners are offered an elk/deer big game combination license which they may designate to a family member or employee.

Landowner Liability

Landowners enrolled in Block Management 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. Landowners are also possibly eligible for reimbursement through FWP's Livestock Loss Reimbursement Program.

How to Apply

Landowners interested in Block Management should contact their local Fish, Wildlife & Parks Regional Access Manager, FWP Biologist or FWP Warden to obtain an application and discuss landowner needs and desires.



Hunting Access Program Staff

Access and Landowner Relations Bureau Chief Stephanie Brown 406-594-7012	Hunting Access Program Manager Jason Kool 406-444-2505
Region 1- Access Manager Macy Dugan (Kalispell) O: 406-751-4555	Region 2- Access Manager Kendra McKlosky (Missoula) 406-529-2008 Region 2- Resource Specialist Kara Clarke 406-317-3041
Region 3- Access Manager Cheyanne Parker (Bozeman) 406-577-7867 Region 3- Resource Specialist Gerard Ligotti	Region 4- Access Manager Evan Rodgers (Great Falls) 406-454-5877 Region 4- Resource Specialist Emma Link Region 4- Administrative Assistant Krystal Phares 406-454-5862
Region 5- Access Manager Trenton Heisel (Billings) 406-247-2959 Region 5- Resource Specialist Zachary Menegat	Region 6- Access Manager Katie Iverson (Glasgow) 406-808-7098 Region 6- Resource Specialist Christopher Valverde Region 6 Resource Specialist Tim Roth (Havre) 406-265-6177
Region 7- Access Manager Travis Muscha (Miles City) 406-234-0929 Region 7 Resource Specialist Annika Bollesen 406-594-9932 Region 7 Administrative Assistant Bea Sturtz 406-234-0930	1 4 6 7 7 2 3 5 7

Statutes and Rules Governing the Block Management Program

The following statutes govern the Block Management Program:

<u>87-1-263</u>	Veterans' preference for reserving certain Block Management Areas on Veteran's Day
<u>87-1-264</u>	Expenditure of hunting access program funds on weed control
<u>87-1-265</u>	Hunting access programs: Block Management Program
<u>87-1-266</u>	License benefits for landowners enrolled in Block Management Programrulemaking
<u>87-1-301</u>	Powers of Commission

Note: As of February 2024, rule updates for 12.4.201-12.4.210 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

Rule No	Rule Title	Effective Date
12.4.201	Overview of Block Management Rules	6/24/1994
12.4.202	Administration of Block Management Program	4/26/1996
12.4.203	Definitions	4/26/1996
12.4.204	Criteria for participation	4/26/1996
12.4.205	Use of Block Management Areas	4/26/1996
12.4.206	Compensation to Cooperators	4/26/1996
12.4.207	Outfitting and Commercial Hunting Activity	4/26/1996
12.4.208	Information Disse	4/26/1996
12.4.209	Inclusion of State Lands in Block Management Areas	4/26/1996
12.4.210	Complaint Resolution	6/24/1994

2024 Block Management Annual Program Timeline

March	Block Management enrollment and re-enrollment begins for 2024-2025
March	Spring BMA (Block Management Area) maps/rules posted to FWP website.
March	Spring reservations begin for Block Management Areas (BMA).
July	Deadline for enrollment, both new and existing.
August	BMA access guide and maps available to public and in print at regional offices.
August	Deadline for all contracts with attachments due to Helena for approval.
August	BMA reservations begin.
Dec/Jan	BMA payments released to cooperators.

Landowner Application and Property Evaluation

- 1. Landowners interested in participating in the Block Management Program must apply on an application form (Appendix A) provided by the department. Application forms and program information for landowners will be available on the department website from April 1-June 1.
- 2. Applications must be submitted to any FWP regional office or the department's Parks and Outdoor Recreation Division (POR) headquarters by June 1 to be considered.
- 3. Regional staff will collaborate with landowners on their application to help them understand the options available and the flexibility provided through the program. Regional access staff, enforcement, or wildlife staff will also complete the property enrollment evaluation form to be utilized in the enrollment process for each complete application provided (Appendix B).

Enrollment Process

- 1. Each regional supervisor will appoint a Block Management enrollment committee that includes the regional access manager, wildlife manager, and enforcement captain.
- 2. The committee shall evaluate all potential properties presented for enrollment. The committee will consider staff capacity, and funding availability. A Block Management Area (BMA) may be established for any of the following reasons:
 - a) the land is a high-priority resource and habitat area as defined by statewide and regional management objectives;
 - b) a potential exists for a cooperative relationship between the department and private landowner or landowners for long-term management projects and programs;
 - c) establishment of the BMA will result in sustained or increased hunter opportunity, access, and hunter days on private lands;
 - d) implementation of the BMA will open access to inaccessible federal and state lands; or
 - e) implementation of a BMA will enhance regional management needs which may include but are not limited to:
 - i. history of wildlife damage;
 - ii. quality of hunting opportunities;
 - iii. condition of wildlife habitat; and
 - iv. availability of local hunting opportunities.
- 3. All new properties considered by the committee must include the following forms:
 - a) BMA property enrollment application form (Appendix A).
 - b) BMA property evaluation form (Appendix B).
- 4. Priority consideration for enrollment must be given for lands that are open to all species and gender of game birds and animals available in huntable numbers, with access provided by the cooperator concurrent with applicable fall hunting season dates.
- 5. Any restrictions on the gender or species available for hunting on the BMA, other than those established by the commission, bust be approved by the regional supervisor in

- writing, documenting any biological or management reasons for such restrictions before implementation on the BMA. a, must be approved by the regional supervisor in writing on the species/sex restriction form (Appendix C).
- 6. Species and gender restrictions, other than those established by the commission, may not be imposed on state or federal land.
- 7. Any restrictions on the available fall hunting season dates of September 1- January 1, other than those established by the commission, must be approved by the regional supervisor in writing on the season-length restriction form (Appendix C).
- 8. Tribal lands, including deeded private land within reservation boundaries, may not be considered for enrollment in Block Management unless a formal Cooperative Management Agreement has been legally adopted between the Fish and Wildlife Commission and the Tribal governing body.
- 9. If a landowner is proposing to enroll land they do not currently own, they must work with regional access staff to obtain a signature of approval from the landowner of record and complete the landowner designated representative form (Appendix D).
- 10. Once the enrollment committee has made a decision, regional access managers will note the decision on the enrollment decision report and will have the report signed by the regional supervisor (Appendix E). Regional access managers will provide the report to the program manager in Helena once finalized.

Re-enrollment Process

- 1. Each regional supervisor will appoint a Block Management re-enrollment committee that includes the regional access manager, wildlife manager, and enforcement captain.
- 2. The committee shall evaluate all properties presented for re-enrollment. Any contract that expires is considered for re-enrollment. Existing properties may be designated for automatic re-enrollment, ineligible for re-enrollment, or eligible for re-evaluation and equal consideration with new enrollment and other re-evaluated re-enrollment candidates.
- 3. The regional access manager shall provide a BMA property re-enrollment worksheet form (Appendix F) listing all cooperators with expiring contracts to the warden and biologist for completion.
- 4. Biologists and wardens will complete the form and evaluate properties for re-enrollment and provide the regional access manager with a recommendation to represent to the re-enrollment committee.
- 5. If the biologist, warden, and regional access manager agree that a cooperator should be automatically re-enrolled, no further action is required, and the decision is noted on the re-enrollment worksheet form for final approval by the regional supervisor (Appendix F).
- 6. If the biologist, warden, and regional access manager agree that a cooperator should not be re-enrolled or is in eligible for re-enrollment, no further action is required, and the decision is noted on the re-enrollment worksheet form for final approval by the regional supervisor (Appendix F).
- 7. If the biologist, warden, or regional access manager deem a property eligible for reevaluation, the property in question will be presented to the re-enrollment committee and will be re-considered with new enrollments and other re-enrollment candidates.
- 8. Once the re-enrollment committee has made a decision, access managers will note the decision on the re-enrollment worksheet form and will have the report signed by the

regional supervisor (Appendix F). Regional access managers will provide the report to the program manager in Helena once finalized.

General Agreement Process Overview

- 1. Once the enrollment and re-enrollment committees have finalized their decisions, regional access staff will draft the appropriate BMA type in the FWP internal BMA application. There are three different types of agreements:
 - a) Regular agreement: situations where landowner is allowing public access to more than 640 acres of private land and estimated hunter day use will exceed 50 hunter days.
 - i. The program minimum for enrollment is at least 50 hunter days. If total hunter days will be less than 50, landowners should consider a different access program such as a Regional Access Project.
 - b) Special Circumstance agreement: situations involving unique hunting opportunities or special management circumstances. In these situations, compensation may be negotiated on a case-by-case basis at a rate not to exceed limits set in 87-1-265, MCA.
 - i. Compensation amounts in these situations will require written approval of the regional supervisor; and for those cooperators who elect to receive monetary compensation under this rule, a method of measuring hunter use on the property must be used to document hunter days. This may include, but is not limited to permission slips, daily use rosters or other methods which will accurately reflect the hunter use of a cooperator's property. For those areas with unrestricted access where rosters or permission slips may not be practical, standard department hunter use accounting methods will be used to calculate hunter days.
 - Access Corridor agreement: situations that provide access corridors to isolated state or federal lands, with no enrollment of deeded land permitting public hunting access.
- 2. Agreements (Appendix G, reflects an example of the regular agreement) will be drafted by regional access staff and contain information which details:
 - a) area information: cooperator name, payee name (if different from cooperator), mailing address, and payment address information and total acreages included in the BMA boundary;
 - b) BMA rules: permission requirements, days/times for granting permission, walk-in only restrictions, motorized restrictions, parking area designations, limits of hunters/parties per day, huntable game on the BMA, species/gender, or seasonlength restrictions:
 - c) general benefit terms: agreement length, method for accounting hunting days, enrollment payment, impact payment calculations, aggregate incentive payment (if applicable) weed management payment, cooperator license benefit, landowner signature;
 - d) duties, responsibilities, and conditions for the department and cooperator; and
 - e) general conditions.

Cooperator Compensation Details

- 1. When drafting a cooperator agreement, regional access staff will ensure to document the compensation available to cooperators. Cooperators in the program may receive various forms of compensation for their participation including, but not limited to, the following:
 - a) department oversight and supervision of hunting on a BMA including the development and implementation of a hunter reservation system administered by the department when practical;
 - b) supplying of permission books or other materials which document hunter use, signs or hunting-season related supplies; and
 - c) monetary compensation to offset potential impacts associated with allowing public hunting access.
- 2. When drafting a cooperator agreement, regional access staff will ensure to document the payment compensation available to cooperators based on hunter day impacts. Specifically, the monetary cooperator compensation schedule is as follows:
 - a) enrollment payment valued at \$1,000 per contract for enrolling in the program;
 - b) aggregate incentive valued at \$1,000 per contract (if applicable);
 - i. an aggregate BMA is defined as an area including more than one landowner within a single BMA boundary utilizing the same permission-system;
 - ii. every contract that a landowner has is eligible for the aggregate incentive and cooperators are eligible for multiples of the aggregate incentive (e.g., two aggregate contracts, equals two aggregate incentives);
 - c) basic impact payment valued at \$10.20 per hunter day;
 - d) species/gender impact payment valued at \$3.40 per hunter day if no restrictions are placed on the hunting of deer, elk, antelope, upland birds (including sage grouse), and waterfowl;
 - i. to be able to offer additional species, a cooperator must allow hunting for the same species (if legally allowed) from September 1 through January 1, known as the base hunting period (e.g., cooperators may offer spring turkey if they offer fall turkey hunting);
 - exceptions to the species/gender restrictions include moose, sheep, goat, wolf, mountain lion, bear, and turkey; cooperators will continue to receive the species/gender impact payment bonus if they do not allow hunting for these species;
 - iii. coyote hunting, prairie dog shooting, and other species not established through the commission hunting seasons are not eligible for compensation;
 - iv. cooperators will only qualify for a shoulder season hunter impact payment if hunting for both sexes of elk is allowed during the entire archery and general elk season;
 - v. sage grouse is included with all upland birds; a cooperator who chooses to restrict hunting for sage grouse, is not eligible to receive the portion of the species/gender impact payment.

- e) season-length impact payment valued at \$3.40 per hunter day if no restrictions are placed on public hunting from September 1- January 1;
 - hunter days for game damage hunts, management hunts, supplemental game damage hunts, CWD hunts, or other disease management hunts that occur outside the contract dates will not be counted for landowner impact payment compensation;
 - ii. cooperators may be compensated for hunting impacts during the entire length of the elk shoulder season August 15 February 15 provided the season is incorporated into the contract dates;
 - iii. exceptions to the season-length restriction include;
 - temporarily closure by the cooperator in conjunction with the department due to weather, fire danger, or other conditions or circumstances which would place public safety or resources in jeopardy;
 - ranch/farm operations;
 - rest days are allowed with following criteria:
 - a. no hunting allowed by anyone (to receive this bonus)
 - b. no more than two rest days per week (to receive this bonus)
 - c. no weekends
- f) up to 5% additional weed management incentive if the cooperator agrees to use funds for weed management on enrolled lands.
 - cooperators who reach the maximum contract impact payment of \$50,000 will also be eligible to receive an additional weed incentive payment of up to 5%;
 - ii. cooperators who request only a weed payment, i.e., no impact payment, the payment shall be \$2500.00 or negotiated at a lessor value.
- 3. Regional access staff will utilize a four-year rolling average for determining total cooperator hunter days.
 - a) Example: Cooperator receives a payment in December 2023 for the estimated impacts (new contracts) in the fall of 2023 or the four-year rolling average of hunter impacts from previous years documented actual use.
 - b) If a cooperator offers hunting during the spring seasons, those hunter day impacts are pre-paid in the December/January payment and spring hunter day impacts should be included in the overall impact numbers for the fall 2023 contract.
- 4. Regional access staff will calculate a BMAs first-year hunter day estimate by comparing the new BMA to existing BMAs using the following criteria:
 - a) the same or similar hunting district;
 - b) the same or similar size: and
 - c) the same or similar hunting opportunity.

- 5. A new BMA can be entered into a multi-year contract after the fourth-year contract is completed. A multi-year contract length will be a minimum of two years and not more than five years. Cooperators may enroll in or contract to participate in the Block Management program for up to five years at a time. However, this will be contingent on the annual availability of funds to operate the BMA.
- 6. For cooperators enrolled in an aggregate BMA, regional access managers will manually calculate a 20% value of the entire BMA hunter days. Each cooperator in the BMA will receive the additional 20% of the total BMA hunter days from the entire aggregate added to their respective portion of the BMA hunter days. Portions for each individual landowner will be agreed upon by the landowners enrolled in the BMA and distributed as follows:
 - a) total number of BMA hunter days divided by percentage of private land ownership in the BMA; or
 - b) total number of BMA hunter days divided equally by the total number of landowners.
 - c) cooperators may decide to only receive the number of documented hunter days on their respective properties; they will not receive the 20% aggregate bonus.
 - d) if acres are added to an existing aggregate BMA, the percentage of total acres is not recalculated for the original aggregate cooperators.
- 7. All landowners designated as tenants in common (excluding husband/spouse) must agree to enroll interest/land in the program. LLCs, corporations, and associations may bind the interest/land if the person signing the contract is an approved agent. They may each be eligible for a license and payment as well.
 - a) One contract with a designated representative form is an option.
 - b) Aggregate bonus: an aggregate bonus of 20% hunter day will not be offered for those tenants in common where they are a stand-alone BMA. This does not affect the aggregate incentive (\$2,000) and should be added to an aggregate BMA contract for each of the tenants in common.
- 8. Landowners must also sign and provide the appropriate accounting paperwork (W9, electronic funds transfer form (EFT) and license application for the landowner or designee receiving the complimentary license benefit (Appendix I).
- 9. Block Management agreements must be signed by the landowner, regional supervisor, and public land management agency, if applicable.

Cooperator License Benefit Details

- 1. When signing a cooperator agreement, regional access staff will ensure that cooperators complete the license application to be provided the cooperator resident and nonresident license benefits (Appendix I).
- 2. Complimentary licenses will be issued for the license year following the contract enrollment year (i.e., landowner enrolls land this year and complimentary license issued the following year). No license refunds will be issued.
 - a) A ranch manager or other legal designated representative may be the cooperator who signs the contract and who even receives the compensation, but the license benefit may only be offered to a cooperator who is landowner of record.
 - b) When dealing with a corporate ownership, any member of the corporation's Board of Directors qualifies as landowner of record if the corporation is listed as landowner of record and the Board of Directors is acting on behalf of the corporation.

Subsequently, a member of the Board of the Directors may be eligible either to receive a license or to designate an immediate family member or employee to receive the license.

- 3. Complimentary immediate family member licenses may only be issued to individuals qualifying for this benefit under the definition in 87-1-266 (3b) MCA, which states "...immediate family member means a parent, grandparent, child, or grandchild of the cooperator by blood or marriage, a spouse, a legally adopted child, a sibling of the cooperator or spouse, or a niece or nephew." These licenses will be issued for the license year following the contract enrollment year (i.e., landowner enrolls land this year and immediate family member license issued the following year).
- 4. Complimentary employee licenses may only be issued to individuals qualifying for this benefit under the definition in 87-1-266 (3c) MCA, which states "For purposes of this subsection, the term 'employee' means a person who works full time and year-round for the landowner as part of an active farm or ranch operation." These licenses will be issued for the license year following the contract enrollment year (i.e., landowner enrolls land this year and employee license issued the following year).

Block Management Mapping

- 1. As part of the contracting process, regional access managers will produce a georeferenced pdf map with associated rules in ESRI ArcMap Pro showing exact BMA boundaries with lines snapped to Montana Cadastral. All BMA maps will appear on the FWP Hunt Planner and be linked to the FWP BMA website. For program mapping consistency, the following definitions apply:
 - a) safety zone: reflects do not enter, no hunting, no shooting area, or no trespassing. This aligns with on the ground signage.
 - b) no shooting area: reflects the public may enter, but not shoot or hunt in area behind sign.
 - c) not in BMA: reflects private land that is not enrolled in the BMA despite being within the boundary of the BMA (e.g., could be due to a different landowner or area that is restricted by cooperator).
- 2. Landowners must initial the map/rules that the property and rules depicted to be enrolled is accurate.
 - a) Note: when private property is enrolled into Block Management, the owner identifies conditions under which the public may use that private land. It is a landowner's right to determine how, who, and for what the public uses the landowner's property. A landowner can legally limit the access to his/her property by requiring that it be used for recreational use rather than access to adjacent public land.
 - b) Private land does not become de facto public land, nor does the landowner relinquish any property rights by enrolling land in the program. In many cases, an owner of private land with adjacent public land willingly grants permission for hunters to use the enrolled private land to gain access to adjacent public land, making that land "legally accessible." However, that grant is not automatic and may be withheld by the landowner, rendering the adjacent state or federal land not legally accessible across that landowner's land.

- If necessary, access managers will meet with the corresponding public land agencies for any potential agreements that contain public lands within the boundary of the BMA before providing the agreement to the landowner.
 - a) Any potential agreements/maps that contain public lands require the signature of the appropriate public land agency supervisor acknowledging awareness of the state or federal land appearing within the defined boundary of the BMA.
 - b) If legally accessible state land is to be formally enrolled in the BMA, and thus made not legally accessible during the fall hunting season through a BMA, the formal enrollment of state lands process outlined in ARM 36.25.163-36.25.167 must be followed.
- 4. Once the map has been finalized, regional access staff will work with Helena geographic data services (GDS) staff to ensure the access guide insert maps and corresponding maps follow the mapping processes provided by GDS.

Special Accommodations

- Landowners reserve the right to determine whether they wish to provide special
 accommodations to hunters with disabilities. If an enrolled landowner does wish to provide
 special accommodations to hunters with disabilities, it is up to that landowner to determine
 what those special accommodations might be, and under what circumstances they may be
 employed.
 - a) At the landowner's request, the BMA agreement may include details regarding accommodations for hunters with disabilities and the BMA map and BMA Access Guide entry may reflect those details as well.
- 2. Landowners who enroll land in the Block Management Program and take reservations, reserve the right to provide preference to hunters who have served in the armed forces on Veterans' Day (November 11).
- 3. A reservation by a veteran to use a BMA, must be made at least one week in advance of Veterans' Day and in accordance with the existing reservation system for that area.
 - a) At the landowner's request, the BMA may include details regarding accommodations for hunters who are veterans, and the BMA map and BMA Access Guide entry may reflect those details as well.

Agreement Processing and Helena Approval

- 1. Once the agreement and associated documentation are signed and returned by the landowner, the regional access staff will move the agreement to "pending Helena review" status in the FWP internal BMA application.
- 2. Regional access staff will then compile a coversheet that describes the information contained and develop a packet of contracts and associated documents to be sent via interoffice mail to the access program in Helena.
- 3. Once received by the access program in Helena, access administrative staff will review the packet to verify the documents match the coversheet provided and begin processing the agreements.
- 4. To process the agreements, Helena administrative support staff will:
 - a) validate the acreage, the payment information, and licensee information provided on the agreement;

- b) validate the financial information provided is complete and provide to claims any financial information (e.g., W9, EFT) for address updates, changes, or creation of a new vendor/supplier ID;
 - if a new vendor/supplier ID is needed, claims staff will provide the necessary information and paperwork to the Department of Administration and report back the vendor/supplier ID for data entry in the FWP internal BMA application;
- c) provide the license application to front desk or licensing staff if any edits need to be made or to create a new ALX profile for the license recipients;
- 5. Once the agreement packet has been processed manually, administrative access support will change the status in the FWP internal BMA application to "Helena Accepted Status".
- 6. Once the status has been changed in the FWP internal BMA application, administrative staff will stamp, date, and initial the agreement and file appropriately in the Helena POR office with the color-corresponding folder organized by region, cooperator name, and BMA name.
- 7. The program manager will assist with any issues that arise through the process and provide support to access and/or administrative staff.
- 8. Payments will be made upon the completion of the agreement year by the department accounting staff based on cooperator preference for December or January.

Hunter Documentation and Calculation Methods

- 1. Regional access staff are responsible for documenting and accumulating hunter days on a BMA. The daily sign-in coupon (daily or season long) and carbon-copy permission slip or combination of these methods are the preferred methods for the program.
- 2. All sign-in boxes in all regions will contain maps and necessary materials and be built in accordance with program standards. If the box is serviced by a Hunting Access Technician (HAT), it shall be the HAT's responsibility to ensure the necessary materials are provided in the box. It is the program preference that HAT's service most or all boxes to provide consistency across the state.
- 3. Other methods for documenting hunter use are acceptable as agreed upon by the cooperator and the department regional access manager and as long as hunter day use is documented and reported as a part of the hunter day calculation on all agreements.
 - a. If the method for counting hunter day use is FWP patrol, unoccupied vehicles will be counted as 2.5 hunters per vehicle. Occupied vehicles will be counted using the actual number of hunters present.
- 4. Cooperators must submit permission slips, rosters, etc. to regional offices within 30 days of the BMA contract ending date to be counted in the hunter day figure establishing a cooperator's payment the following year.
- 5. Permission slips will be credited for compensation with no more than three hunter days per hunter unless additional actual use is documented in some way, or the number of hunter days can be confirmed by other means.
- 6. To qualify as hunter-use or hunter day documentation, permission slips, and other hunter use documents must contain at a minimum: the hunter's name, vehicle information, and hunter signature. Additional hunters in a hunting party (listed on one permission slip) only need their name and signature or mailing address.

- 7. Immediate family member hunting activities will not count toward hunter use compensation credit on the family BMA. For the purposes of the Block Management program, "immediate family member" is defined as a parent, grandparent, child, or grandchild of the cooperator and spouse. Immediate family member definition also includes legally adopted children and the cooperators and spouse's siblings (brother/sister) and their children.
- 8. Public hunting for a legal species requiring a license and/or permit and managed through a commission established hunting season is the only activity for which a cooperator may receive compensation under the Block Management program. To qualify as a "hunter," or to be counted as a "hunter day," licensed hunting during a legal hunting season must be the primary reason for gaining access to the BMA.
 - a. MCA 87-6-101 (14) "Hunt" means to pursue, shoot, wound, kill, chase, lure, possess, or capture or the act of a person possessing a weapon, as defined in 45-2-101, or using a dog or a bird of prey for the purpose of shooting, wounding, killing, possessing, or capturing wildlife protected by the laws of this state in any location that wildlife may inhabit, whether or not the wildlife is then or subsequently taken. The term includes an attempt to take by any means, including but not limited to pursuing, shooting, wounding, killing, chasing, luring, possessing, or capturing."
- 9. For the purposes of hunter use documentation, persons scouting, looking for game, or assisting in the retrieval of game qualify as being engaged in the act of hunting.
- 10. Any access that occurs where hunting is a secondary activity to the primary purpose for gaining access to the property cannot be counted as a hunter day and credited for compensation.
- 11. Falconers and trappers and those who desire to use the BMA outside of the contract dates must contact the landowner for permission. Falconry is an acceptable means of take and the landowner may allow hunting with falcons on BMA through the commission established hunting season.

Block Management Program Public Information Distribution

- 1. The department will provide the public with information pertaining to hunting access opportunities on private land. All digital materials with BMA information will appear on the FWP Hunt Planner and be linked to the BMA website at fwp.mt.gov/bma prior to the start of the fall hunting season.
- 2. Information concerning specific BMAs will be available at regional offices in the region that the BMA operates and be made available to the public upon request, either in person, by mail, telephone, or email.
- 3. Each region will have available to the public on or before August 15 of each year:
 - a) copies of the statewide Block Management access guide (tabloid);
 - b) a list of BMAs in that region for the current year.
- 4. Block Management information on specific areas available to the public will consist of the following:
 - a) map of BMA showing location and clearly identifying the boundaries of the BMA and the date it was produced;
 - b) hunting opportunities available;

- c) use restrictions of the area;
- d) method of gaining access;
- e) dates BMA is in effect;
- f) telephone number of regional office for information; and
- g) indication of the location of any state lands in the BMA and notification of the requirement to possess a state lands recreational use license to hunt state lands administered by DNRC.

Use of Block Management Areas

- 1. Use restrictions for each BMA shall be established by negotiation between department personnel and the cooperator. Restrictions may include but may not be limited to:
 - a. restrictions on vehicle use or off-road travel for access or downed game retrieval;
 - b. number of hunters or hunting parties utilizing a BMA per day;
 - c. times and places at which permission slips or other instructions are provided on-site to the public; and
 - d. duration of the use season.
 - e. When lands under the authority of federal agencies are proposed for inclusion in a BMA, the managing federal agency must approve the inclusion.
- 2. On BMAs which restrict hunter numbers, a cooperator may allow additional hunters at his or her discretion.
- 3. The cooperator and the department reserve the right to deny access to a BMA for cause, including, but not limited to intoxication, violation of BMA rules, or previous misconduct on a BMA. Willful violation of BMA regulations on private property which set the terms for entrance on a cooperator's property can be grounds for terminating privileges on a BMA and a misdemeanor citation.
- 4. The cooperator may also temporarily close the BMA in conjunction with the department due to weather, fire danger, or other conditions or circumstances which would place public safety or resources in jeopardy.
- 5. BMAs which impose daily hunter number limits will allow free, equitable opportunities for access to all hunters requesting use of the BMA based on a daily hunter number capacity agreed upon by the cooperator and the department.
 - a. The allocation of this hunter capacity will be on a first come, first served basis. If hunting demand for a certain BMA is greater than supply, similar hunting opportunities may be offered on other days on the BMA or on other BMAs. On BMAs where hunter demand regularly exceeds available opportunity, the department, where practical, or the cooperator, with department approval, will develop equitable methods of allocation such as reservations or drawings.
- 6. Reservations for hunting opportunities on BMAs which restrict hunter numbers may not be accepted by cooperators or department personnel operating a BMA on behalf of a cooperator before August 22, preceding the opening of a use season.
- 7. On BMAs which restrict hunter numbers or require reservations, a hunter cannot reserve permission on more than one BMA per day.

- 8. During periods when a BMA is not in operation and commission-established hunting seasons are in effect, access to private land is at the discretion of the landowner. These periods will be noted on enrollment forms as well as in information distributed to the public.
- During such non-Block Management periods, accessible federal and state lands will remain open to the public for recreation under rules and regulations adopted by the appropriate land management agency.
- 10. Hunter days that occur when a BMA is not in operation and does not provide access to the public will not be counted towards any compensation given the landowner to offset potential impacts of public hunting on the property.

Block Management Complaint Process

1. Complaints filed by hunters must follow the complaint processes outlined by ARM 12.4.210.

Hunter Termination of Privileges Use on BMA

- 1. Whenever a hunter has privileges terminated for use of a BMA(s) notice of termination will be provided to the hunter through written notification that explains reason or rationale for termination and the term for which the termination is in place.
- 2. A copy of the notice, accompanied by all relevant attachments, should be provided to the regional supervisor, regional enforcement captain, and hunting access program manager
- 3. This letter of notice does not preclude any other formal charges brought by the landowner or department.

Outfitting on Block Management

- 1. Outfitting may not take place on a BMA unless public recreation and hunting opportunities are not unreasonably restricted, and the cooperator and regional supervisor approve the activity.
- 2. An <u>Outfitting Approval Form</u> must be attached to the enrollment/re-enrollment agreement prior to regional supervisor approving enrollment (Appendix J)
- 3. Regional access managers will ensure that a cooperator with outfitting approved on a BMA is provided with an Outfitter Report Form and informed that it is the cooperator's responsibility to ensure that a completed Outfitter Report Form is delivered to the regional FWP headquarters office within 30 days of the contract ending date.
- 4. At a minimum, the outfitting activities report must explain:
 - a) total number of days outfitted hunting occurred;
 - b) total number of outfitted hunters who hunted;
 - c) total number of outfitted hunter days that occurred; and
 - d) total number of game animals, by species and gender, harvested by outfitted hunters.
- 5. A cooperator, who is also a licensed outfitter, is not eligible to receive Block Management compensation for any activities conducted by their own hunting clients.

- 6. If a cooperator receives compensation from an outfitter or clients, the Cooperator is not entitled to a basic hunter day impact payment for the days associated with that use.
- 7. Commercial filming of hunting activity is not consistent with the intent of free public hunting access on private lands and is not allowed without express consent from the cooperator.
- 8. When areas offering similar opportunities are considered for enrollment, preference may be given to those areas not engaged in commercial hunting activities.

BMA Fire Closure Action Plan

- 1. If BMAs are closed or restricted due to high fire danger, regional access managers will maintain BMA Fire Closure List at regional office, and the FWP website as well as at sign-in boxes, providing information to the public regarding the specific BMA closures.
- 2. If BMAs are closed or restricted due to high fire danger, regional access managers will post a copy of the regional BMA Fire Closure List on the Block Management website regional page as soon as possible, beginning August 10. This will be monitored and updated daily, or as needed, by saving the new regional report PDF over the existing PDF posted in the repository.
- 3. Helena POR staff in the Access/Landowner Relations Bureau will help coordinate any necessary press releases to inform the public about the potential for regional BMA closures, but information regarding specific BMA closures or restrictions will be disseminated only at the regional level to ensure accuracy.

Appendix A: Enrollment Application



2023 BLOCK MANAGEMENT PROGRAM LANDOWNER APPLICATION

	ANDOWNER NAME				
R	ANCH/BMA NAME			LOCATIO	N
Al	DDRESS				
LA	ANDOWNER PHONE NU	MBERS: HOME	E	CELL	-
EI	MAIL:				
	TION I: What species and species and species and species and species and species are species.	•		Il hunting seasons? ; M (marginal); NA (not	available)
	ELK	MULE DEER _	WHITETAIL DE	ERANTELOPE _	WATERFOWL
			JSE SHARPTAI	L GROUSE MOUNT	TAIN GROUSE
		MOOSE	BIG HORN SHEE	P MOUNTAIN G	DAT
	_	WOLF	BEAR MOL	JNTAIN LION TUR	KEY
ece	ssary to provide for th	e primary hunte	er opportunity offere	land composition, and led? (Please mark all that	
1.	TOTAL PRIVATE ACRE				
	Please provide Towns	hip	Range	Section	for a starting point
	Or the landowner na	me of record fo	und on the Montana	Cadastral	
	Is there legal public re	oad access to th	nis property? YES	NO	
2.	List the road name or	give a descripti	on of any locations th	nat hunters could gain le	gal access to your propert
2.	List the road hame of				

3.	What are the primary types of habitat contained within the property? (please check all that apply):			
	AGRICULTURE CROPLAND GRASSLAND SAGEBRUSH GRASSLAND			
	CONIFEROURS FOREST BROADLEAF FOREST RIPARIAN CRP			
	WATER TYPE OTHER			
4.	What are the primary types of land contained with this property? (please check all that apply):			
	RIVER BOTTOMLAND RIVER BREAKS MOUNTAINS			
	MOUNTAIN FOOTHILLS PRAIRIE GRASSLAND PASTURES			
	IRRIGATED CROPLAND (CROPS GROWN)			
	DRYLAND CROPLAND (CROPS GROWN)			
	OTHER (EXPLAIN)			
SECT	ON III: Hunter use information and proposed methods of hunter management for this property.			
1.	How has hunting been conducted on this property over the past three (3) years?			
	PUBLIC HUNTING ALLOWED BY PERMISSION			
	HUNTING RESTRICTED TO FAMILY AND FRIENDS			
	HUNTING ALLOWED FOR HUNTERS WHO PAID FEES			
	HUNTING LEASED TO LICENSED OUTFITTER			
	NO HUNTING ALLOWED			
	OTHER (explain):			
2.	If property is enrolled in Block Management, how will hunters obtain permission?			
	LANDOWNER ISSUES PERMISSION SLIP			
	HUNTER ADMINISTERS PERMISSION (Sign-in Boxes)			
	NO PERMISSION REQUIRED			
	OTHER (explain):			

	MA agreements can be tailored to meet the specific /hich of the following standard BMA rules might app		
П	LIMITS ON THE NUMBER OF INTERS/PARTIES PER DAY		TIMES DESIGNATED FOR GRANTING PERMISSION
			PARKING AREAS DESIGNATED
	RESERVATIONS TAKEN		
	HER RULES:		
_	DTORIZED VEHICLES ALLOWED:	_	
	PASSENGER VEHICLES		SNOWMOBILES:
	OHV, ATV, SIDES BY SIDES		☐ Established trails only
	E-BIKES		☐ Off-road travel permitted
	ALL MOTORIZED VEHICLES ALLOWED		
М	OTORIZED VEHICLE ACCESS USE:		
	Walk-in hunting from designated parking areas and access trails. No off-road travel permitted.		Walk-in hunting from designated parking areas and access trails. Game Retrieval on designated access trails during dry conditions only. Park at sign-in box when
	Walk-in hunting from designated parking areas and access trails.		wet/muddy. No off-road travel permitted.
	Game Retrieval on designated access trails during dry conditions only. No off-road		Motorized vehicles allowed on established trials. No off-road travel permitted.
	travel permitted.		Motorized vehicles allowed on established
	No driving on roads that are wet and/or muddy.		trials during dry conditions only. Park at sign-in box when wet/muddy. No off-road travel permitted.
GA	TES:		-
	Close all gates.		Gates are to remain closed unless pinned
	Leave gates as you found them.		back by the landowner.
CA	MPING:		-
	No camping allowed. Camping allowed at designated areas.		Camping allowed at designated areas. No open flame fires allowed.
FIF	RES:		
	No smoking outside of vehicles. Fires are not allowed at any time. No open flame fires are allowed.		Fires permitted in fire rings at designated camping areas. Fire restriction guidelines should be followed.

	но	HORSES:	
		retrieval. □ Horses are prohibited for hunting and game	Horses allowed for game retrieval only. Horses need to be fed weed free hay 72 hours before accessing BMA and during the use of the BMA.
		COYOTE SHOOTING: Coyote hunting, prairie dog shooting, the commission hunting seasons are not eligible for comper	
		☐ No coyote shooting allowed.	
		☐ Coyote shooting allowed no permission needed.	
		☐ Coyote shooting allowed during granted BMA hunting pe	ermission from sign-in box.
		☐ Coyote shooting allowed during granted BMA hunting pe	rmission from landowner.
		☐ Coyote shooting allowed only from landowner permissio	n. Please, call
1.	H tl (i - V	Has a request for game damage assistance been approved three (3) years? YES NO (if yes, please explain) Will enrollment of this property provide access to adjacer little or no public access in this local area? YES NO (if yes, please explain)	d by FWP for this property within the past
3.		Will enrollment of this property add acreage to an existing (if yes, please explain)	•
4.		Will enrollment of this property provide a special opportu (if yes, please explain)	•
	_		

5.	Is there any restriction proposed which would restrict the sex or species of any legal game which is available on the property? YES NO
	(if yes, please explain)
6.	Is there any restriction proposed which would restrict the length of season during which hunting may occur within the season dates set by the FWP Commission for any species (periodic rest days do not qualify as length of season restrictions)? YES NO
	(if yes, please explain)
7.	Is there any proposal to allow outfitting to occur on property offered for enrollment? YES NO (if yes, please explain)
8.	Briefly explain your reasons and expectations for offering property for enrollment in Block Management:

Interested landowners should contact their local biologist, warden, or access program manager to discuss options for the program. Applications are accepted until JUNE 1.

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

Applications may be sent to FWP Block Management, 1420 E 6th Ave, Helena, MT, 59620

Appendix B: Enrollment Evaluation

2020 ENROLL EVAL

Region _____ BMA Property New Enrollment and Re-Evaluation Form



Instructions: Please evaluate all <u>new properties</u> offered for enrollment AND any <u>existing</u> BMA properties which have been designated for re-evaluation. Scores and comments

		K MANA A FISH, WILD		
Landowner Name:	ublic			
BMA/Ranch Name:				
	offered for (circle one): new enrollment / re-evaluation.			
•	unities available on this property are primarily for (circle all that apply): ELK M/NWTRFWL BEAR OTHER:	NT DEER	ANT	•
Primary criteria to		Low	Med	High
	public demand in the hunting district or general area for the type of hunter with this property? If necessary, explain:	1	2	3
	WP need for the type of hunter opportunity offered with this property, as it relate nent objectives or regional access strategies? If necessary, explain:	s	2	3
	rty rank in terms of size, land composition, and habitat type/quality necessary to nunter opportunity offered with this property? <i>If necessary, explain:</i>	1	2	3
	for high levels of hunter satisfaction, based on opportunity offered, proposed and proposed methods of hunter management? <i>If necessary, explain:</i>	1	2	3
Additive Criteria		NO		YES
Can enrollment of this explain:	is property potentially address an existing game damage problem? If necessary,	0		1
Will enrollment providexplain:	de access to adjacent public land with limited/no public access? If necessary,	0		1
Will enrollment provid explain:	de access to private land previously closed to free public access? If necessary,	0		1
Will enrollment of this	s property add acreage to an existing BMA? If necessary, explain:	Ö		<u></u>
Will enrollment provid	de special opportunity that is in high demand? If necessary, explain:	0		1
Will property be enro necessary, explain:	lled without any restriction on season length or sex/species of game? If	0		1
	TOTAL SCOR	E		
1. Where does this p	oroperty rank in terms of enrollment priority (circle one)? Low Med High	1		
	l budget and enrollment process, is this property assigned a sequential number ority, it ranks?িNo / Yes #	(optional) t	o iden	tify
Regional Block Mana	agement Enrollment Committee Chairperson Da	te		

Appendix C: Restriction Form: Species/Gender and/or Length of Season

	Region
	Cooperator
OCK MANAGEMENT	BMA Name
OCK MANAGEMENT ITANA FISH, WILDLIFE & PARKS	
BLOCK MANAGEMEN	T AREA RESTRICTION FORM
<u>SPE</u>	CIES/GENDER
	ctions other than those established by the s Commission <u>may not be imposed</u> on
waterfowl IS present during the gen	telope, deer, elk, upland birds (including sage grouse), and/or neral archery, antelope, general rifle, upland bird season or e Cooperator wishes to restrict hunting of this
	under BMA rules. Cooperator IS NOT entitled to receive the bonus Exceptions include: moose, sheep, goat, wolf, mountain lion, bear, or heritage season and turkey.
<u>LENG</u>	TH OF SEASON
Commission-established hunting seasons are in	peration and the Montana Fish, Wildlife and Parks effect, access to private land is at the discretion of the lly accessible federal and state lands will remain available to e land management agency.
1. BMA is closed for the following	ng dates that occur during 1 September to 1 January:
	vestock management, season exceptions, or qualifying rest a restriction under BMA rules. Cooperator IS entitled to Season Impact Payment.
2. BMA is closed for the following	ng dates that occur during 1 September to 1 January.

This closure **DOES** constitute a restriction under BMA rules. Cooperator **IS NOT** entitled to

(DATE)

REGIONAL SUPERVISOR

MONTANA FISH, WILDLIFE & PARKS Rev. 2021

receive Length of Season Impact Payment.

25

Appendix D: Landowner Designed Representative Form



Landowner Printed Name

or Name of Corporate Officer and Title

Block Management

Landowner Designated Representative



1 01111	DI OCU MANACEN
Region	BLOCK MANAGEN MONTANA FISH, WILDLIFE 8
BMA NAME	
FEE OWNER OF RECORD	
Instructions: Use this form when a fee title landowner would like to designate another in with a real property interest to enroll fee title private property into the Block Management property interest is defined as a lease, or other agreement for the lawful control of the owas a management agreement or contract for deed.	t Program. A real
A designated owner representative with a real property interest may be an employee, far an individual/organization who acknowledges they have been designated by the fee title authority to enter into an Agreement and utilize the lands described in it for the purposes Management Program.	holder as having
ONLY THE LANDOWNER OF RECORD MAY SELECT TO RECEIVE OR DESIGNATE RECEIVE THE COMPLIMENTARY LICENSE FOR ENROLLMENT IN BLOCK MANAGE 87-1-266).	
SECTION I. OWNER DESIGNATED REPRESENTATIVE	
Name/Organization:	
Mailing Address:	
Signature:	
Cadastral Fee Title Name and Land Description (include map):	
SECTION II. LANDOWNER AUTHORIZATION	
By signing this document, the person/entity listed above is authorized to act on redesignated representative and enroll lands described above into the Montana Figures Block Management Program.	
In no way do I surrender or convey any ownership to the individual/entity listed a reserve the right to withdraw my property from the Block Management Program a	
Payment for enrollment of land into the Block Management Program should be sidesignated representative listed above (check one) Yes No	sent to the

Landowner or Corporate Officer Signature

Date

Appendix E: Enrollment Decision Report

2020 ENROLL DEC RPT

gion _____Block Management Program ENROLLMENT Decision Report

documented as appropriate by the Regional Block Management Program Enrollment Committee. Enrollment candidates will and ranked according to the PRIMARY game species/hunting opportunity offered, or by any other method identified and cooperator whose property was designated by the committee for re-evaluation and equal ranking against other new and re-evaluated properties offering similar opportunities. Properties being evaluated for enrollment consideration may be grouped **Instructions:** This form is to be used to document recommendations made by the Block Management Program Enrollment Committee and approved by the Regional Supervisor regarding enrollment of NEW cooperators and any EXISTING



be designated as being "Low, Medium, or High" priority for enrollment, with any further identification by number ranking being optional, depending upon the process approved by the Regional Supervisor for making final enrollment decisions. A completed, signed ENROLLMENT Evaluation Form for each enrollment candidate must be attached to this ENROLLMENT Decision Report.

Meeting Date:

Committee Member Names:

Approved by Cooperator/BMA Name Regional Supervisor ĦGH MEDIUM Priority MOT Priority # (optional) Date COMMENTS

Appendix F: Re-enrollment Worksheet Form

2020 RE-ENROLL WKSHT

Region ______ BMA Property RE-ENROLLMENT Worksheet

explain why, referring to specific criteria. The Regional Block Management Enrollment Committee will consider similar opportunities. If you recommend NOT re-enrolling the property, or having the property re-evaluated, you must whether a contract for re-enrollment is offered to the Cooperator. recommendations and make the final recommendations to the Regional Supervisor, who will approve decisions as to enrolled; b) not re-enrolled; or c) re-evaluated and ranked equally with other new and re-evaluated properties offering below, please provide your recommendations regarding whether these BMA properties should be: a) automatically re-Instructions: The BMA properties listed below have contracts due for renewal. Using the Evaluation Criteria listed



enrolled, not re-enrolled or re-evaluated. Using the following criteria, please indicate if the BMA Properties listed in the table below should be automatically re-

- Is the size, land type, and habitat (type/quality/composition) similar to what was offered when property was enrolled?
- Is hunter opportunity similar to or better than what it was when property was enrolled?

Ņ

- Do hunter use trends, hunter comments, or other factors indicate high levels of satisfaction with this BMA?
- Has landowner adhered to program or contract terms?
- Do all other indicators support automatic re-enrollment?

Do regional management objectives or access strategies support automatic re-enrollment?

Person(s) completing form:			Cooperator/BMA Property Name
			YES Automatically RE-ENROLL
			*NO Do not RE-ENROLL *requires explanation
Date:			RE-EVALUATE* rank equally with other new and re-evaluated properties *requires explanation
			EXPLANATION For any "NO" or "RE-EVALUATE" answers, please explain your rationale.

Appendix G: Block Management Agreement



Region	Hunting District
BMA Name	
Is this an aggregate BMA?	Yes/ No

BLOCK MANAGEMENT AGREEMENT

I. AREA INFORMATION

This is an agreement made on legal designated representative of la	nds being enr	rolled in the Block M	anagement Program ((Cooperator).	
Cooperator's Name					
Payee's Name (use only if name is not the			SSN o	or TIN ID#	
					ID# for business)
Mailing Address				Phone	
Check Address (if different from mails	ng)				
Acreage: TOTAL	; Private	DNRC	BLM	USFS	; Other
Attach map showing exact BMA bo ARM 36.25.164(3). Please attach Sup					
Department Contact					
(P	lease Print)				
		II. BMA	RULES		
1. Is written permission required? Ye	s N	0			
2. Are reservations taken? Yes.	No <u></u> If yo	es, When			
3. Are times designated for granting po	ermission? Yo	esNo If Ye	es, what are they?		
4. Is this a walk-in only area? Yes	_No	5. Are pa	arking areas designate	ed? Yes N	lo
6. Is the number of hunters/parties per	r day limited?	Yes No	(No. Hunters/Day	_or No. Parties/Day)
7. Huntable Game on BMA: Elk De	er <u>-M/</u> WT An	ntelope Turkey Upla	and Gamebirds Wat	erfowl Other	
*8. Are there any available legal game	species/gend	ler which may NOT b	be hunted?	— Yes — No	0
If yes, list species/gender wh	ich may not b	e hunted.			
*9. Is the BMA closed during any leg If yes, list closure dates				Yes	No
* NOTE: Any restrictions cited in #8 or #9 re	quire written app	proval of the Regional Sup-	ervisor. Signed BMA Rest	rictions Form must accor	mpany this document.
10. Is outfitting permitted on this BM License# and the Cooperator and Regional Supervise	(NOTE: Outfitt	ting may only take place or	a BMA if public recreation		ties are not restricted
Other rules:					

Rev:2024 1

III. Terms of Agreement

Through this agreement, the Department and the Cooperator will provide the public with equal opportunity hunting, free of charge, on a Block Management Area (BMA) established on the Cooperator's property. Access will be granted under conditions mutually agreed upon by the Cooperator and the Department. Information on those conditions and methods of gaining access will be available through the Department's regional headquarters and/or the Cooperator on the BMA site. Hunters will not be required to purchase any services as a condition of access on any BMA.

1. The term for this agreement	is	, 20	through	, 20	·
2. Hunter days will be accounted Permission Slip (Hunter use reco		ter FV	VP Patrol Other of contract unless FW	P measures hunter use.)	
b) Impact Payment: (\$\frac{+}{Basic Impact}} \times \text{No} c) Aggregate Incentive P	+ \$) Species or No Season ender Restriction layement (if applicable)	X (Hunter	Days) =	+\$	
Enrollmen	nt Payment + Impact Pa	yment + Aş	gregate Payment	(if applicable) = $\$$ $\frac{\text{Cann}}{\text{Cann}}$	ot exceed \$50,000
4. Hunter Management Service	es			. (Deduction) - \$	
				SUBTOTAL: \$	
5. Weed Management Payme Yes No Coop activities on lands under t	erator agrees to use the				
		NIIAL C	ONTRACT PA	YMENT = \$	
(Pay	ment issued upon completion of				ed incentive \$52,50
a) Yes No Cooperate b) Yes No Cooperate ("Immediate family member" m spouse, a legally adopted child, works full-time and year-round f containing affidavit signed by	eans parent, grandparen a sibling of the cooperato or the landowner as part	family ment, child, or g	nber or employee randchild of the co or a niece or neph	operator related by bloo new. "Employee" is defin	ned as a person
Name of perso	on designated to receive the	ne license:			
In signing this agreement, the pand Conditions (consisting of 4 incorporated in and are part of	pages), and Part B - Go	eneral Tern ding on the	ns of the Agreemen parties.		•
(Cooperator)	(Date)	BY:	(Regional Superviso	or)	(Date)
		State	Land Management Agen	cv (If applicable)	(Date)
ck attachments included:				**	` '
BMA Map BMA Restriction Form: Regional S Outfitting Approval Consent Form State Lands Inclusion Decision Do	: Regional Supervisor and C	ooperator	eral Land Management	Agency (If applicable)	(Date)

PART A: DUTIES, RESPONSIBILITIES, AND CONDITIONS

. Cooperator's Duties:
The Cooperator agrees to perform the following identified duties (check appropriate duties):
a) Issue department-supplied permission slips
b) Issue maps of the BMA
c) Provide sign installation at established access points
d) Direct hunters to areas
e) Retrieve downed game to minimize vehicle travel in area
f) Respond to hunter inquiries
g) Collect biological information
h)
2. Department Responsibilities:
The Department agrees to provide the following services or materials (check appropriate entries):
The Department agrees to provide the following services or materials (check appropriate entries): a) ☐ Provide permission slips, sign-in rosters, roster boxes (please circle supplied items)
a) Provide permission slips, sign-in rosters, roster boxes (please circle supplied items)
 a) ☐ Provide permission slips, sign-in rosters, roster boxes (please circle supplied items) b) ☐ Provide maps/list of ranch rules
 a) ☐ Provide permission slips, sign-in rosters, roster boxes (please circle supplied items) b) ☐ Provide maps/list of ranch rules c) ☐ Provide signs to cooperator
 a) ☐ Provide permission slips, sign-in rosters, roster boxes (please circle supplied items) b) ☐ Provide maps/list of ranch rules c) ☐ Provide signs to cooperator d) ☐ Issue permission slips e) ☐ Issue maps of the BMA
 a) ☐ Provide permission slips, sign-in rosters, roster boxes (please circle supplied items) b) ☐ Provide maps/list of ranch rules c) ☐ Provide signs to cooperator d) ☐ Issue permission slips
 a) Provide permission slips, sign-in rosters, roster boxes (please circle supplied items) b) Provide maps/list of ranch rules c) Provide signs to cooperator d) Issue permission slips e) Issue maps of the BMA f) Provide sign installation at established access points
 a) Provide permission slips, sign-in rosters, roster boxes (please circle supplied items) b) Provide maps/list of ranch rules c) Provide signs to cooperator d) Issue permission slips e) Issue maps of the BMA f) Provide sign installation at established access points g) Direct hunters to areas
 a) Provide permission slips, sign-in rosters, roster boxes (please circle supplied items) b) Provide maps/list of ranch rules c) Provide signs to cooperator d) Issue permission slips e) Issue maps of the BMA f) Provide sign installation at established access points g) Direct hunters to areas h) Retrieve downed game to minimize vehicle travel in area
 a) Provide permission slips, sign-in rosters, roster boxes (please circle supplied items) b) Provide maps/list of ranch rules c) Provide signs to cooperator d) Issue permission slips e) Issue maps of the BMA f) Provide sign installation at established access points g) Direct hunters to areas h) Retrieve downed game to minimize vehicle travel in area i) Respond to hunter inquiries

3. Compensation:

A Cooperator enrolled in the Block Management Program may receive compensation for services provided either in full, or, if Department personnel are utilized to manage hunting on the BMA, in an amount reduced by the amount necessary to reimburse the Department for those services. Hunter use figures for the current season will be based upon past hunter use data, if available, or otherwise reflected as an estimate developed jointly between the Cooperator and Department staff.

Hunter days are determined by the number of permission slips issued by the Cooperator or through the use of a mutually agreed-upon system of documenting hunter use on a BMA. Permission slips will be credited with a MAXIMUM of 3 days per hunter, unless greater use is documented through some other means, such as a daily sign-in roster or daily log. Any pattern of use that exceeds the regional average of hunter days per hunt will be subjected to a post-season audit, with results being incorporated into the re-enrollment process. Immediate members of the Cooperator's family are not eligible to be credited with hunter days on the Cooperator's BMA.

Payments:

- A. <u>Enrollment Payment</u> unless otherwise specified, available to any Cooperator who enrolls land in the program, paid annually for enrollment or renewal. This payment is part of the total compensation paid at the end of the contract period, in an amount determined annually by the Department.
- B. <u>Basic Impact Payment</u> unless otherwise specified, available to any Cooperator, computed at an amount per hunter day set annually by the Department.

- C. <u>Length of Season Impact Payment</u> unless otherwise specified, available, in addition to other impact payments, to any enrollee who places no restrictions on the legal fall seasons from September 1- January 1. Payment computed at an amount per hunter day, with the amount set at one-third of the Basic Impact Payment rate set annually by the Department. Temporary restrictions established for livestock management or safety considerations shall not disqualify an enrollee from eligibility under this section.
- D. <u>Species/Gender Impact Payment</u> unless otherwise specified, available, in addition to other impact payments, to any enrollee who places no restrictions on the species/gender of deer, elk, waterfowl, antelope and upland birds (incl. sage grouse). Payment computed at an amount per hunter day, with the amount set at one-third of the Basic Impact Payment rate set annually by the Department.
- E. <u>Aggregate Incentive Payment-</u> a policy decision was made in 2021 to further incentivize aggregate BMAs. Landowners who enroll their land in an aggregate BMA will receive an additional \$1,000 incentive for the 2024 contract year.
- F. Access Corridor Payment unless otherwise specified, available to Cooperators who provide access corridors to isolated state/federal lands, with no enrollment of deeded land with public hunting access. Payment computed at an amount per hunter day, with the amount set at one-half of the Basic Impact Payment rate set annually by the Department, and, if no restrictions are placed on the legal fall seasons (1 September -1 January) one-half of the Length of Season Impact Payment rate set annually by the Department. No restrictions may be placed on the gender or species of animals legally hunted on public lands for which the corridor provides access.
- G. <u>Special Circumstances/Exceptions</u> In situations involving unique hunting opportunities or special management circumstances, compensation may be negotiated on a case-by-case basis at a rate not to exceed the limits set in MCA 87-1-265.

4. Complimentary License

Only one license may be issued per landowner of record cooperator. Cooperator may select license benefit from either Section A or Section B below, but not from both. A license issued under this section will be valid for the license year following the year of the Block Management annual agreement.

- A. Cooperator Elects to Receive Complimentary License As a benefit of enrolling land in the Block Management Program, a resident landowner who is owner of record may receive a AAA combination sportsman's license without charge, or a nonresident landowner who is owner of record may receive a big game combination license and prerequisites without charge. The license may not be transferred by gift or sale.
- B. Cooperator Designates Immediate Family Member or Employee to Receive Complimentary License

 As a benefit of enrolling land in the Block Management Program, a resident or nonresident landowner may designate an immediate family member to receive a AAA resident sportsman's license and prerequisites without charge if the family member or employee is a resident, or a Class B-10 big game combination license without charge if the family member or employee is a nonresident. For the purposes of this section, "immediate family member" means a parent, grandparent, child, or grandchild of the cooperator related by blood or marriage, a spouse, a legally adopted child, a sibling of the cooperator or spouse, or a niece or nephew, and "employee" is defined as a person who works full time and year-round for the landowner as part of an active farm or ranch operation. An immediate family member or employee who is designated to receive a license pursuant to this section must be eligible for licensure under current Montana law and may not transfer the license by gift or sale.

5. Livestock Loss Insurance

Participation in the Block Management Program qualifies a Cooperator for livestock loss compensation should any livestock be injured or killed as a direct result of public hunting which occurred on the Cooperator's Block Management Area. Compensation for livestock loss will be made if it has been reported by the Cooperator 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 Department 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.

6. Termination and Default

Enrollment in the block management program may be terminated by the department or the cooperator if the terms of the contract or enrollment form are violated; or, by the department or the cooperator within 30 days following the end of the hunting season. DNRC may withdraw state lands from inclusion in a BMA under ARM 26.3.199C. Any such notice must be in writing. A contract or enrollment may be canceled and a cooperator's property withdrawn from the program at any time due to circumstances beyond the control of the cooperator or the department, such as death, illness, natural disaster, or acts of nature

7. Inability to Fulfill Contract

The Cooperator or Cooperator's legal designated representative shall notify the Department immediately upon discovery of any occurrence which would affect the ability of the Cooperator to fulfill the provisions of this agreement. The agreement may be canceled and a Cooperator's participation in the Block Management Program withdrawn at any time due to circumstances beyond the control of the Cooperator or the Department, such as death, illness, natural disaster, or acts of nature.

8. Reservations/Hunter Number Restrictions

If the BMA requires written permission or advance reservations for access, reservations will not be accepted by the Cooperator or the Department before September 1 preceding the opening of a use season. On BMA's which restrict hunter numbers, the Cooperator may allow additional hunters at his/her discretion, however, a hunter cannot reserve permission on more than one BMA per day.

9. Right to Deny Access

The Cooperator or the Department reserve the right to deny access to the BMA for cause including, but not limited to: intoxication, violation of BMA rules, or previous misconduct on a BMA. Willful violation of BMA regulations which set the terms of entrance on a Cooperator's property can be grounds for termination of privileges on a BMA and a misdemeanor citation under 87-6-415(1) - Hunting Without Landowner Permission.

10. Temporary Closure

The BMA may be temporarily closed by the Cooperator in conjunction with the Department due to weather, fire danger, or other conditions or circumstances which would place public safety or resources in jeopardy.

11. Access Demands Exceed Supply

In the event that hunting demand for the BMA is greater than supply, similar opportunities may be offered on other days on the BMA. If hunter demand regularly exceeds available opportunity, the Department, where practical, or the Cooperator, with Department approval, may develop equitable methods of allocation such as telephone reservations or drawings.

12. Access to BMA

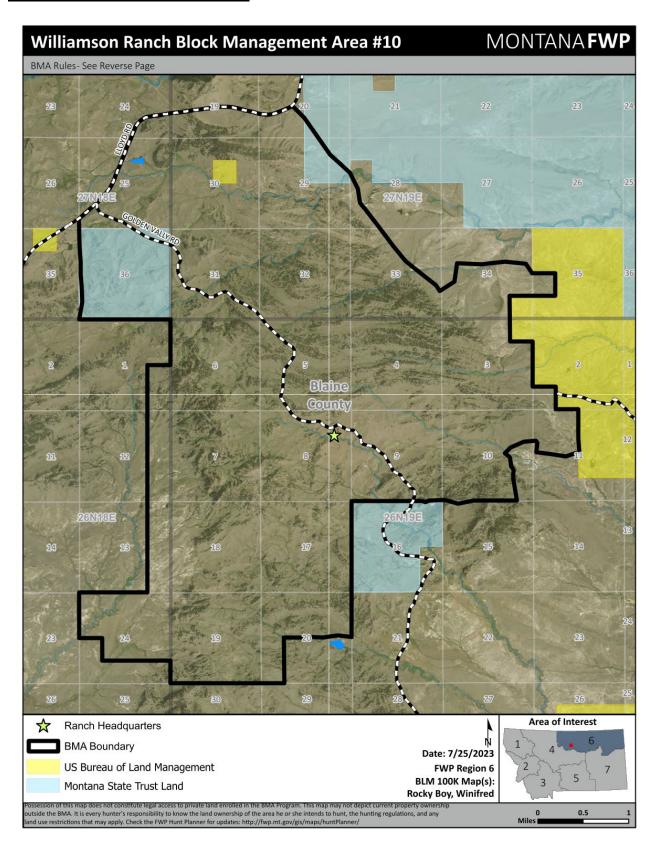
Through participation in the Block Management Program, the Cooperator agrees to permit Department personnel on the property for the purposes of establishing and monitoring hunter use, enforcing fish and wildlife laws, and maintaining contact with the Cooperator so as to respond to any needs, issues, or problems which develop over the course of the use season. By permitting Department personnel on the property, the Cooperator is not relinquishing any rights or control over property under his/her ownership or responsibility.

PART B GENERAL TERMS OF THE AGREEMENT

Because this agreement is a contract with the State of Montana, there are certain conditions that are required by law to be included. They are as follows:

- Independent Contractor. The Cooperator is an independent contractor and this agreement
 does not establish employer-employee relationship with the Cooperator or any person
 employed by him/her for any purpose. Cooperator agrees to pay all state, federal, or local
 taxes, fees or other assessments related to employment of himself or any person employed by
 him to fulfill this agreement.
- Records by Cooperator. The Cooperator shall maintain reasonable records of activities
 performed under this agreement. Records will include completed copies of permission slips
 issued during the course of the use season or other documentary materials agreed to in
 advance by the Cooperator and the Department which are reliable indicators of hunter use.
- 3. <u>Hunter Days</u>. "Hunter Day" means one hunter who hunts on a Cooperator's property during a calendar day.
- 4. <u>Access to Records</u>. The Cooperator shall permit access to any of his/her records necessary for legislative post-audit and analysis to determine compliance with this agreement.
- 5. <u>Assignment</u>. This contract may not be assigned or transferred nor may a subcontract be let unless both parties agree in writing in advance.
- 6. Equal Employment Opportunity. Pursuant to Sections 49-2-303 and 49-3-207, M.C.A., no part of this agreement shall be performed in a manner which discriminates against any person on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental handicap, or natural origin by the persons performing the agreement. Any hiring shall be on the basis of merit and qualifications directly related to the requirements of the particular position being filled.
- 7. <u>Execution</u>. Each party has full authority to enter into and perform this contract, and the person signing this contract on behalf of each party acknowledges that he/she has read this agreement, understands it and agrees to its terms.
- 8. <u>Venue and Interpretation</u>. Venue for any court action arising under this contract shall be in the First Judicial District in and for Lewis and Clark County, Montana.
- 9. <u>Designated Owner Representative</u>. For purposes of this Agreement, a Designated Owner Representative is an employee, family member or an individual with real property interest who, in signing this Block Management Agreement, acknowledges that he or she has been designated by the fee title holder as having the authority to enter this Agreement and utilize the lands described in it for the purposes of the Block Management Program.

Appendix H: BMA Map Example



WILLIAMSON RANCH BMA

#10

Deer/Elk Hunting District: 690 **Antelope Hunting District:** 690

Hunting Access Dates: September 1 - February 15 *See current hunting regulations for species & season dates.

GENERAL INFORMATION

Williamson Ranch Block Management Area (BMA) is in Blaine County southwest of Chinook. Williamson Ranch BMA is 13,113 acres and has been enrolled since 1996. The BMA contains rugged terrain in the Bears Paw Mountains intersected by multiple creeks.

Primary Hunting opportunities include Whitetail Deer, Mule Deer, Antelope, and Elk. There is no restricted game on this BMA and all species are open with applicable licenses.

PERMISSION REQUIREMENTS

Written permission required and can be obtained at Cowan & Son Ranch Hunting website www.cowanhunting.com. Please read and follow additional rules on the website. For hunters unable to access website please leave message at 406-395-5037. Please use the website for permission. (Reservations start on 8/22)

Failure to gain permission will be considered hunting without landowner permission and a citation may be issued.

Your cooperation with BMA rules is essential help to ensure access to this private and public land in the future.

HOW TO GET THERE

From Chinook:

20 miles south on Hwy 240 then 9 miles southwest on People's Creek Rd then 13 miles south on Lloyd Rd.

BMA RULES

- Walk-in hunting from designated parking areas. Motorized vehicles are restricted to access trails, public roads, and parking areas. No offroad travel permitted.
- Hunters must access the BMA from designated parking areas assigned to them for their designated hunting pasture.
- **3.** Gates are to remain closed unless pinned back by the landowner.
- Camping allowed at designated camping areas.
 Areas will be assigned with permission details.
- Horses are prohibited for hunting and big game retrieval on this BMA.
- No open flames allowed. No smoking outside of vehicles.
- Coyote shooting allowed during assigned hunting dates and in your assigned hunting area when permission is granted.
- 8. Commercial filming of hunts is prohibited

STANDARD BLOCK MANAGEMENT PROGRAM RULES:

Block Management Area Rules do not apply to federal or DNRC lands that are legally accessible (via public roads, watercourses, or other legal means of access) unless specifically authorized by the applicable agency. Please, contact your local federal and state agencies for more information.

Access to this property for hunting is managed under Block Management Rules. Failure to abide by these BMA rules may result in eviction from this property and/or a citation maybe issued for failure to obtain landowner permission for hunting.

Access during all other times and for any other activity



REGION 6 OFFICE

1 AIRPORT RD., GLASGOW, MT 59230 PHONE: (406) 228-3700 EMAIL: region6.access@mt.gov M – F, 8AM – 5PM (excluding holidays) **REPORT VIOLATIONS: 1-800-TIP-MONT**

Appendix I: Complimentary License Application



BLOCK MANAGEMENT PROGRAM 2024 COMPLIMENTARY LICENSE APPLICATION

REGION Internal Use

(License to be issued for 2024 license year)

Revised 2/2022

As a benefit for enrolling in the Block Management Program, a landowner may receive one Resident Sportsman's License (without bear) and the necessary prerequisites OR one Non-resident Big Game Combination License, and the necessary prerequisites, without charge. Instead of receiving the license benefit, the landowner may designate an immediate family member or em-ployee to receive the license. For purposes of this license, a family member means a parent, grandparent, child, or grandchild of the cooperator by blood or marriage, a spouse, a legally adopted child, a sibling of the cooperator or spouse, or a niece or nephew. Employee means a person who works full time and year-round for the landowner as part of an active farm or ranch operation enrolled in the block management program (MCA 87-1-266).									
SECTION I		BLOCK	MANAGEM	ENT LAND	OWNER I	иust с	OMPLET	E THIS SEC	CTION
	-		LAND	OWNER [SKIP TO	SECTION III)		
1) Who is receiv	1) Who is receiving the license? (Select One) FAMILY MEMBER (LANDOWNER MUST COMPLETE AFFIDAVIT IN SECTION II)								
			EMP	LOYEE 📑) (LANDOWN	ER MUST (COMPLETE AF	FIDAVIT IN SEC	CTION II)
SECTION II					AFFIDAV	IT			
LANDOWNER: II	F DESIGNATING	LICENSE TO	FAMILY MEMB	ER OR EMPL	OYEE, COM	IPLETE A	ND SIGN T	HE AFFIDAV	/IT BELOW:
1	87-1-266. For purpopted child, a sibling	oses of this licer of the coopera	nse, a family memb tor or spouse, or a	per means a pa niece or nephe			or grandchild	of the coopera	s an employee or family ator by blood or marriage, a nd year-round for the landowner
Landow	ner Printed Name			Landowner Sig	nature/E-Signa	iture			Date
SECTION III	LIC	ENSE RECI	PIENT MUST	COMPLET	TE THIS SE	CTION	- ALL FIE	LDS ARE N	MANDATORY
1) License Type	? (Select One)		ONTANA RESID ON-RESIDENT (·				NSE)	
2) Date of Birth	IM DD YYYY	3) ALS#		Your ALS number is will not have an AL					pplied for or purchased a Montana hunting
4) Name Fin	st	MI	Last				(5) Phone)	
6) Mailing Address	i	Si	treet		City			State	Zip
7) Physical Resider	ntial Address	s	treet		City			State	Zip
8) Email address (p	8) Email address (please print clearly): 9) Last 4 SSN:								
		Hair Colo	r (circle one)	Eye Color	(circle one)	IDE	NTIFICATION	ON (ID) - AL	L FIELDS MANDATORY
Female	Weight	Bald	Brown	Black	Gray	STEP 1 (select one)		river's License hoto I.D.	Military Tribal I.D.
ļ		Black	Gray	Blue	Green	STEP 2		noto i.b.	ITIDAI I.U.
	Male Height Blond Red Brown Hazel (required) I.D.# State								
SIGNATURE OF	SIGNATURE OF LICENSE APPLICANT - REQUIRED RESIDENT STATEMENT: SIGNATURE REQUIRED FOR MONTANA RESIDENT LICENSE APPLICANTS								
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 exception (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.									

^{****}Hunter Education Requirement****: Any hunter who is born after January 1, 1985 must submit with all hunting license applications a copy of the $certificate\ verifying\ that\ he/she\ has\ completed\ a\ course\ in\ the\ safe\ handling\ of\ firearms\ from\ any\ state\ or\ province.$

Appendix J: Outfitting Report Form



BLOCK MANAGEMENT OUTFITTING REPORT FORM



Name of Cooperator				
Name of Cooperator				
Name of Outfitter	Lic	License #		
Please provide the following infor occurred on the Block Manageme stipulated in the Block Manageme cooperator until a completed Outlesh, Wildlife, & Parks Hunting Ac 1. Total number of days outfitted	ent Area during the past hu ent contract, no payment wi fitter Report Form is receive cess Coordinator.	nting season. As II be issued to a ed and verified by the		
2. Total number of outfitted hunt	ers who hunted BMA:			
3. Total number of outfitted hunter4. Total number of game animals outfitted hunters on the BMA:	•	,		
outhtied hunters on the DMA.				
Species	Gender (M/F)	Number Harvested		
By signing this document, I, the la Management contract, signify tha accurate to the best of my knowle contract were fulfilled as specified	t the information provided addge, and that the terms of the	above is true and		
Cooperator	Dat	re		

	Region
Cooperator	
BMA Name_	



BLOCK MANAGEMENT OUTFITTING APPROVAL FORM



Outfitting may not take place on a BMA unless public recreation and hunting opportunities are not unreasonably restricted, and the cooperator and FWP Regional Supervisor approve the activity. This rule does not regulate licensed outfitters legally operating on federal or state lands under license or permit obtained from the Bureau of Land Management, Forest Service, Department of Natural Resources or other resource management state or federal agency.

management state or federal agency.	
Outfitting will take place on Cooperator's proper conditions:	rty under the following
Name of Outfitter	License #
1. Total Number days outfitted hunting is authorized:	·
2. Total Number outfitted hunters authorized:	
3. Total Number outfitted Hunter Days authorized:	
4. Game species outfitted hunters may hunt (please circle) Ant. Up.Bird Wt	,
HUNTER DAYS FOR OUTFITTERS & CLIENTS DO NO CREDIT.	QUAUFY FOR BMP PAYMENT
Post-Season Report Required: A report documenting be supplied by the Cooperator to FWP Regional office date. At a minimum, the Outfitting Activities Summary of days outfitted hunting occurred; b) total number of BMA; 3) total number of outfitted Hunter Days that of game animals, by species and gender (if big game) BMA.	e within 30 days of contract ending Report must explain a) total number outfitted hunters who hunted on ccurred on BMA; and c) total number
Under this rule, a Cooperator who is also a licensed of Management compensation for any activities conduct landowners not licensed to outfit who want to allow of Cooperator certifies that they will not receive any monor clients of the outfitter in return for allowing hunting a Block Management program.	ed by their own hunting clients. For utfitting, by signing this form, the etary compensation from the outfitter
Cooperator	Date
Regional Supervisor	Date