



DECISION NOTICE
Hannah Ranch Term Conservation Easement

08/25/2026

Action

Decision Notice (DN). Montana Fish, Wildlife & Parks (FWP) shall prepare a DN for the proposed action. The DN must identify the agency decision, the reasons for the decision, and any special conditions surrounding the decision or its implementation.

With this action, FWP hereby adopts the Corrected Draft Environmental Assessment or Corrected Draft EA as final, without modification, and approves Alternative 2, the proposed action.

Authority: Montana Environmental Policy Act

According to the applicable requirements of the Montana Environmental Policy Act or MEPA and its implementing rules and regulations, before a proposed action may be approved, environmental review must be conducted to identify, consider, and disclose any potential impacts of the proposed action on the affected human environment. The level of environmental review will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. The agency is responsible for adjusting public review to match these factors. Title 75, Chapter 1, Parts 1 through 3, Montana Code Annotated (MCA).

Based on these factors, FWP determined a Standard EA (Draft EA) constitutes the appropriate level of review for the proposed action. Therefore, to assess and disclose potential impacts of the proposed action, FWP prepared a Draft EA for public review and comment. See Public Participation Process below.

Further, FWP must consider any substantive comments received in response to an EA and proceed in accordance with one of the following steps: determine the EA did not adequately reflect the issues raised by the proposed action and issue an Environmental Impact Statement (or EIS); determine the EA did not adequately reflect the issues raised by the proposed action and issue a supplemental EA; or determine the Draft EA adequately addressed the issues raised by the proposed action and make a final decision, with appropriate modification resulting from the analysis provided in the Draft EA and the analysis of any substantive public comments received. See Public Comment and FWP Response below.

Public Participation Process

Notice of a 30-day scoping period was published on January 10, 2023, providing information and seeking comments on FWP's proposal to purchase a perpetual conservation easement on the Hannah Ranch. FWP received 23 comments during the scoping period, which were addressed in the Draft EA.

The Draft EA was made available for public review and comment from June 29 to July 28, 2026. A legal Notice was published in the Lewistown News Argus and the Great Falls Tribune and the Draft EA was posted on FWP's Public Notice webpage: <https://fwp.mt.gov/news/public-notice>. The Draft EA was also made available for public review on the Environmental Quality Council website: <https://leg.mt.gov/mepa/search/>, by individual request, and through notice to identified interested parties and adjacent landowners.

FWP also held a public informational meeting on June 21, 2026, at the Bureau of Land Management's Lewistown Field Office. Approximately Fourteen members of the public and four FWP staff attended. No comments were transcribed at the meeting, but FWP answered questions about the project and relayed information on how to comment.

FWP subsequently determined that there were two material errors in the Draft EA. Specifically, the Draft EA erroneously stated that one component of the easement, the grant of a walk-in easement providing public access to nearby U.S. Forest Service lands, was limited to 99 years. In fact, in accordance with landowner wishes, that public access component of the easement will be perpetual. The Draft EA also overstated the purchase price of the easement as \$3,562,000. The actual price of the easement is \$3,491,000. To correct these errors, FWP issued a Corrected Draft EA on August 11, 2026, and provided public notice of a supplemental 10-day comment period from August 12 through August 21, 2026.

Description of Proposed Action

Montana Department of Fish, Wildlife & Parks (FWP) proposes to purchase a conservation easement to protect 3,652 acres of important wildlife habitat on the Hannah Ranch, provide public access to the encumbered private and adjoining public lands, and ensure the land continues to be used for traditional agricultural practices. The proposed Hannah Ranch Term Conservation Easement (referred to herein as "Hannah CE") is for a 99-year term. (Note that conservation easements in general are referred to herein as "CE's".)

The Hannah Ranch is located approximately 6 miles south of Moore and 17 miles southwest of Lewistown, MT in Fergus County. The land is located within FWP Administrative Region 4, in deer/elk hunting district (HD) 411. The landowners, Jamie and Lisa Gilbert, seek to conserve open-space, wildlife habitat, agricultural values, and recreational access on their property by selling the Hannah CE to FWP.

The Hannah Ranch (or "Property") lies within a Tier I State Wildlife Action Plan (SWAP) Terrestrial Focal Area, the Snowy Mountains Focal Area. Portions of the Proposed CE also lie within the Tier II Judith River Redbelly Distribution Aquatic Focal Area. Implementing conservation actions in any Tier I or Tier II Focal Area provides tremendous value for Montana's wildlife. The property is comprised of ~73% Tier I Community Types as identified by the 2015 SWAP. These community types include lowland/prairie grassland, montane grassland, sagebrush-steppe/sagebrush-dominated shrubland, deciduous shrubland, conifer-dominated forest and woodland, deciduous-dominated forest and woodland, and floodplain/riparian. Numerous small drainages on the Property ultimately feed into Ross Fork Creek, which flows into the Judith and Missouri Rivers. Historic and current land use of this 5th generation working ranch is primarily livestock (cattle) grazing; former cropland on portions of the Hannah Ranch has been converted back into tame grasses.

The Hannah Ranch provides important year-round and winter range habitat for a variety of big game species; elk, mule deer, white-tailed deer, pronghorn, moose, mountain lion, and black bear. Sharp-tailed grouse, Hungarian partridge, ruffed grouse, and Merriam's wild turkey also inhabit the Property along with numerous nongame species, including potentially 50 Species of Concern (SoC; see proposed Hannah Ranch CE Management Plan, Appendix A). Notably, ~1,000 elk that inhabit the western end of the Big Snowy Mountains use the Property as part of their calving, summer, and wintering habitat. The Hannah

CE would include typical terms as other, perpetual, FWP CEs; additionally, as part of the Hannah CE deed, the landowners will grant permanent, unfettered, year-round walk-in access to the adjoining U.S. Forest Service (USFS; Helena-Lewis & Clark National Forest) lands, where currently very limited access exists.

Hannah Ranch deeded lands have significant agricultural values and native plant communities, natural and scenic open-space, and public recreational opportunities. These “conservation values” are treasured by the people of Montana and worthy of conservation.

The Hannah CE was originally appraised as if it were perpetual. The appraised value was determined to be \$3,675,000. The purchase price for the Hannah CE is \$3,491,000. If approved, funds for this purchase would come from FWP’s Habitat Montana Program. In addition, FWP has agreed to a 50% cost-share for improved grazing system, water infrastructure, and fence modification(s) as detailed in the associated Management Plan. FWP’s portion of the project cost is estimated to be \$220,000. Habitat Montana Operation and Maintenance funds are available and have been set aside for these upgrades.

Purpose and Need

The Hannah Ranch provides significant agricultural values, wildlife habitat, native plant communities, natural and scenic open space, and public recreational opportunities, all collectively termed as “Conservation Values”. These values are important to the people of Montana and worthy of conservation. The landowners and FWP specifically intend that the Hannah CE afford public hunting opportunities for both recreational and wildlife management purposes.

The Hannah CE would provide conservation and enhancement of high-quality native habitats, maintain traditional agricultural uses, and improve public access to a unique and important area. Easement terms would prevent any use interfering with these conservation values, such as subdivision, development (outside of two pre-identified 5-acre building envelopes), tillage, or other destruction of native vegetation. An additional purpose of the Hannah CE, is to keep the land in “active Agricultural Production in a manner consistent with the Conservation Values, to protect the productive natural resources of the state, to maintain the agriculture and agriculture-related economy of the state, and to assure continued production of food and agricultural products while preserving open space, plant diversity, soil health, water quality, and a resilient landscape vital to successful wildlife populations.”

Alternatives Analyzed

Alternative 1: Under the “No Action” alternative, the proposed project would not occur. Therefore, no immediate, direct additional impacts to the physical environment or human population (human environment) in the analysis area would occur.

Alternative 2: The proposed project, a 99-year CE.

Alternative 3: Pursue a 30 or 40-year FWP Habitat Conservation Lease (HCL) in lieu of a CE. In addition to offering CEs, FWP operates a Habitat Conservation Lease (HCL) program. Similar to CEs, the HCLs are voluntary, incentive-based leases between FWP and private landowners in which the landowner commits to specific land management practices (mainly, public access, no subdivision, development, sodbusting, or destruction of native vegetation) for a term of 30 or 40 years. The landowners were offered a term HCL. The landowners determined that this program does not fit their needs or desires in the long-term stewardship of their property. Therefore, FWP dismissed Alternative 3 and did not carry it forward in analysis.

Alternative 4: Pursue a perpetual CE. Conservation easements offered by FWP can be perpetual, meaning the protections offered would remain on the land in perpetuity. Due to some opposition to perpetual CEs,

FWP determined Alternative 2 was a more viable option. Accordingly, FWP dismissed Alternative 4 and did not carry it forward in this analysis.

Public Comment and FWP Response

During the initial public comment period, FWP received **141 comments** regarding the proposed Hannah CE. During the supplemental public comment period, FWP received **5 additional comments**. FWP received substantive public comment on the Draft EA.

A substantive public comment was defined as the identification of a specific issue or impact. In some cases, multiple individuals provided the same or similar comment; these comments were categorized, summarized, listed once, and a single FWP response is provided below. The following constitutes a brief synopsis of public input received and FWP's response regarding how it relates to the Draft EA. A full analysis of public comments and FWP responses, as well as complete list of comments is included as an attachment following this Decision Notice.

Commenters' positions on the proposed Hannah CE ranged from support for a perpetual CE and opposition to a term CE (65 comments), accepting of a term CE but preferring a perpetual CE (21 comments), support for the project in general or as a term CE (42 comments), general opposition to the project (7 comments), and neither support nor opposition but raising other concerns, questions, or suggestions (5 comments).

Commenters who supported only a perpetual CE and opposed a term CE argued that the cost difference between a perpetual and term CE makes the perpetual option more prudent, that a perpetual CE represents a wiser use of public funds, noted landowners' preferences for a perpetual CE, and felt that a perpetual CE overall represents the best interests on behalf the public and Conservation Values. Additionally, many of these comments expressed concerns that this proposed term CE would establish precedent that would preclude future perpetual CEs. Commenters who preferred a perpetual CE but supported the Hannah CE shared similar perspectives as the comments above, but many acknowledged social constraints associated with a perpetual conservation easement and advocated that completing the project as-is would be a reasonable tradeoff or better than not completing the project at all. Supporters of the proposed action in general praised the public access and conservation of wildlife habitat and working lands. Opposition to the proposed action was based on a variety of concerns, but the main themes included alleged flaws with the Draft EA, concerns about the impacts of public access on wildlife movement, cost of the project as a term CE, and potential negative impacts to neighboring landowners.

FWP and the landowners determined that protecting the Property's conservation values for 99 years, with perpetual USFS access, is preferable to forgoing the opportunity altogether. FWP recognized there will be significant ecological and public access benefits associated with this project for decades to come. Montana statute authorizes FWP to purchase term CE's, and the restrictions and allowances contained in the Hannah CE more appropriately align with a conservation easement structure rather than a habitat conservation lease. FWP also recognized that a 99-year term CE is a new model but reiterated that FWP remains committed to pursuing perpetual CEs in the future.

FWP also clarified that the Hannah CE would not create the only access to this part of the Snowies, but it would provide more practical access to an otherwise hard-to-reach area. While increased human use may influence elk movement at times, FWP concludes that improved access still provides meaningful public and wildlife-management benefits, and the purposes and benefits of the proposed CE extend far beyond elk hunting. FWP appreciates neighboring landowner concerns about potential impacts and mitigation to adjacent private lands, but a history of opening public access across the state through the Block Management Program (BMA Program) and other access programs suggests that adverse impacts related

to this proposed CE, from a hunter use standpoint, would not be significant over the long-term compared to existing conditions.

A variety of other concerns were also raised and addressed. A full analysis of public comments and FWP responses, as well as complete list of comments is included as an attachment to this Decision Notice.

Decision

Based on the environmental review provided in the Corrected Draft EA, and in accordance with all applicable laws, rules, regulations, and policies, FWP determined the proposed action (Alternative 2), will not have significant adverse impacts on the human environment associated with the proposed action and constitutes a reasonable and appropriate strategy to achieve identified objectives. Therefore, preparation of an EIS is unnecessary. FWP hereby adopts the Corrected Draft EA as final and approves Alternative 2, the proposed action.

With this DN, FWP hereby adopts the Final EA, with modifications, and approves the proposed action.

Sincerely,

A handwritten signature in black ink that reads "Jason Rhoten". The signature is written in a cursive, flowing style.

Jason Rhoten
Montana Fish, Wildlife & Parks
Region 4 Supervisor



DECISION NOTICE
Hannah Ranch Term Conservation Easement
Public Comments and FWP Responses

During the initial public comment period, FWP received **141 total comments** regarding the proposed Hannah Ranch Term Conservation Easement (Hannah CE). During the supplemental public comment period, FWP received **5 additional comments**. The comments are reproduced in full within Tables 1 and 2 at the end of this document and numbered in the order received. Personal information, including ALS numbers, addresses, and phone numbers, have been removed.

FWP grouped comments by general position and recurring issues to improve readability and avoid repetitive Department responses. These groupings are intended to reflect the degree and range of perspectives, not represent a tally of votes.

Although FWP received comments on a variety of topics, a central and recurring theme was the distinction in support for a perpetual (CE) versus a 99-year CE. Many commenters expressed their views regarding the merits of a perpetual CE versus a term CE. Due to the significant volume of comments that reflect an important public perspective on the project, FWP addresses them herein despite a perpetual CE not being carried forward in the EA's analysis.

The following sections first summarize overall comment positions regarding the proposed Hannah Ranch CE, then address the principal themes raised during public review. Where multiple comments bring up the same or similar issues, FWP provides a singular response. Comments and FWP's responses in this DN are organized as follows:

Section I: Commenters' Positions on the Proposed Hannah Ranch Term CE

- Position: Support for a perpetual CE, opposition to a term CE
- Position: Prefer a perpetual CE but would accept a term CE
- Position: Support the project in general, or the project as a 99-year CE
- Position: General opposition to a CE
- Position: Neither support nor oppose but have other concerns/suggestions

Section II: General Public Comment Themes and FWP Responses

- Comment theme: Shift in direction from a perpetual CE to a term CE
- Financial efficiency, valuation method, and future costs
- "Easement" versus "Lease" terminology
- A 99-year CE establishes a precedent, inadequate timeframe
- Landowners' wishes and property rights
- Tax implications of the proposed term CE
- Alternatives to a 99-year CE
- Funding for the proposed term CE

- Other fiscal concerns and public records requests
- Whether a CE on the Hannah Ranch is justified
- Benefits of public access
- Existing access and concerns relative to elk movements
- Legal concerns
- Environmental Impact Statement (EIS) vs. an EA
- Impacts to Threatened/Endangered Species
- Importance of traditional agriculture

Section III: Adjacent Landowner Comments and FWP Responses

- Public access impacts on adjacent private lands
- Enforcement needs
- Delineating property boundaries and signage
- Noxious weeds and Fire Danger
- Logan Ridge Road
- Wildlife movements on private lands
- Monitoring, coordination, and future management of the proposed term CE
- General opposition to CEs

Section I. Commenters' Positions on the Proposed Hannah Ranch Term CE

Position: Support for a perpetual CE, opposition to a term CE

Sixty-four comments expressed strong advocacy for a perpetual CE with either explicit or applied opposition to the Preferred Alternative, or had significant concerns regarding a 99-year term CE [50, 52, 53, 55, 58, 59, 61, 63, 64, 65, 67, 71, 72, 73, 76, 77, 80, 82, 83, 84, 85, 86, 87, 88, 90, 92, 93, 95, 96, 97, 98, 100, 101, 102, 103, 105, 106, 107, 110, 111, 113, 114, 115, 116, 117, 118, 120, 121, 122, 123, 124, 125, 126, 127, 128, 130, 131, 132, 133, 134, 135, 137, 138, 139, 141]. Some of these comments were form letters with the common statement, "*We join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah Ranch.*"

Commenters argued the cost difference between a perpetual and proposed term CE makes the perpetual option more prudent and that a perpetual CE represents a wiser use of public funds, noted landowners' preferences for a perpetual CE, or described their opinions that a perpetual CE best serves the public and the property's Conservation Values. Additionally, commenters expressed concerns that establishing a precedent of term CEs would undermine Montana's longstanding perpetual habitat program and potentially discourage future landowners from participating in perpetual CEs. FWP addresses the specific concerns in Section II, but representative comments for this position include:

- "Please pursue Alternative 4." [50]
- "A standard perpetual easement best serves the landowner and the State of Montana." [52]
- "At the will of the current landowners, and on behalf of all of my peers, I write to you to say that this lease would be best for ALL parties being perpetual; NOT 99 years. Thank you for your consideration in this matter." [53]
- "I object to the 99 year easement rather than a perpetual easement." [61]
- "I like the idea of preserving the landscape while providing recreation and hunting for the public. It is my sense that the public and the owners would be happier with a perpetual easement as originally proposed... Please adopt the easement as a permanent easement." [76]

- “I strongly support securing... but I urge FWP to pursue a perpetual conservation easement rather than a 99-year term...” [85]
- “I’m strongly opposed to this proposal... There is no good reason not to do a permanent or perpetual agreement.” [93]
- “I support the intent of the Hannah conservation easement and its habitat and public access components. I do not support the 99 year length of the proposal. I recommend a perpetual easement...” [102]
- “MWF supports the project and we applaud the landowners for their efforts to conserve their property and keep their working lands in family hands, but we object to the 99-year term and ask that this be moved forward as a perpetual conservation easement instead.” [115]
- “The only real concern with the proposal is the term, 99 years, as opposed to the usual perpetual period of most conservation easements. Given the trends in loss of habitats and opportunities for Montanans for access, I strongly feel that modifying the proposal term to replace the 99 year term with a perpetual easement term would be very advisable. I urge this modification of the term of the easement be made before it is finalized.” [116]
- “A term easement might meet the financial needs of the landowner but falls short of achieving the best outcome for Montanans... Perpetual conservation easements, used by hundreds of Montana families over the past half century, provide certainty and fiscal responsibility when public funds are utilized...” [125]
- “All conservation easements should be permanent and in perpetuity. They should never have an expiration date. These changes to the conservation easement program are a black mark on Montana... Please only ask for a permanent easement on the Hannah Ranch.” [128]
- “I am writing to express my concern about Montana Fish Wildlife & Parks using 99-year leases, as an alternative to a perpetual conservation easement... I fully support offering this family a true Conservation Easement... I oppose the 99-year lease concept when obtaining a perpetual Conservation Easement is possible.” [131]

Position: Prefer a perpetual CE but would accept a term CE

Twenty-one comments preferred a perpetual CE over a 99-year CE or accepted the 99-year CE if that was the only route forward [7, 31, 42, 44, 46, 48, 54, 56, 57, 60, 62, 66, 69, 70, 78, 81, 91, 94, 104, 112, 140]. Their perspectives on perpetual CEs versus the Preferred Alternative mirrored the comments above, but many acknowledged the opposition to a perpetual CE. They noted that completing the project as-is would be a reasonable tradeoff, or better than not completing the project at all. During the supplemental public comment period, three additional comments (two had already commented) lent support for the project but also preferred a perpetual CE [142, 143, 144, 145]. Representative comments include:

- “I understand that perpetual easements are unpopular with some decision makers. So perhaps a 99 year lease is more appropriate here.” [7]
- “I support this if the alternative is no access or easement.” [31]
- “I support the Hannah Ranch CE wholeheartedly... I only wish it was a forever CE, not just for 99 years.” [48]
- “I support the Hannah Ranch CE. I understand many folks object to the 99 year term, and are advocating for a perpetual easement; however, I believe there is real value in protecting the land now... In 99 years my great grandchildren would be in there 40’s or so. That would mean multiple generations could enjoy the easement.” [62]
- “I am in favor of the proposed CE on the Hannah Ranch. While a permanent easement is always preferred, a 99-year CE is still beneficial, potentially benefitting 3 generations of hunters.” [70]
- “In summary, I prefer a perpetual easement, but FWP better understands the current attitudes of the Commission and Land Board. Maybe a 99-year easement is the best FWP can do now and if

so, I wouldn't object unless FWP doesn't work to obtain other options for future land purchases and perpetual conservation easements." [81]

- "I, for reasons many others have shared, support a perpetual easement yet I appreciate the unique political circumstances that underlie the current proposal. I would appreciate what you believe is the appropriate action to take." [91]
- "I join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah Ranch... If a perpetual easement has no chance of getting past these purported public servants (I'm controlling my verbiage here), then do what you have to do." [94]
- "I do believe a 99 year agreement is better than no agreement at all..." [104]
- "I support the Hannah Ranch CE proposal even more knowing that the access to the Forest Service would be perpetual... Conservation easements are about more than just access though, and I would like to see that habitat protected forever if possible." [145]

Position: Support the project in general or the project as a 99-year CE

Forty-two comments supported the project in general or as a 99-year CE [1, 2, 3, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 39, 41, 43, 51, 68, 74, 75, 79]. These comments praised the public access and conservation of wildlife habitat and working lands. Three commenters [5, 28, 51] later resubmitted preference for a perpetual CE [140, 54, 142]. One commenter [36] changed position to support a perpetual CE with opposition to the Preferred Alternative [137]. Representative comments include:

- "I think the 99 year public land opening is a fantastic idea and I hope we see more of it in the future." [1]
- "I am writing to express my support for MT FWP's purchase of the Hannah Ranch conservation easement." [3]
- "I just saw that the Hannah Ranch conservation easement is up for public comment again and wanted to express my support." [18]
- "I support the proposed 99-year conservation easement for Hannah Ranch... I encourage Montana Fish, Wildlife & Parks to move forward with this proposal." [21]
- "I am writing to express my support for Montana Fish, Wildlife & Parks' proposal to purchase and manage a 99 year term conservation easement on the 3,652 acres owned by Jamie and Lisa Gilbert south of Moore... Overall, the Hannah Ranch term conservation easement is a forward looking project that protects critical habitat, enhances public access, and strengthens Montana's hunting heritage. I fully support its approval." [23]
- "I am writing in SUPPORT of the easement as proposed by the FWP. These are the type of things we Montanan's need. Thank you." [27]
- "As a life long resident of Montana, 83 years, I wholeheartedly support the Hannah Ranch 99 year easement..." [29]
- "I am writing in support of the Hannah Ranch CE... even if for only 99 years." [30]
- "I support the Proposed Project – FWP purchases a 99-year term CE on the Hannah Ranch. I think it will benefit the public greatly!!!" [33]
- "I respectfully encourage the approval of the Hannah Ranch Term Conservation Easement... and the advancement of this important conservation effort. Protecting working lands through voluntary conservation easements is a proven approach that benefits landowners, local communities, wildlife, and future generations alike." [34]
- "This is an excellent opportunity for public access in an increasingly crowded outdoors. Being young and relatively young growing up in Montana during the late 60's, 1970's, and 1980's outdoor activity was much more open. Old time land owners were pretty open to use of their lands. Not so anymore as new people with money have subdivided and locked up areas I used to recreate and hunt all the time. Good for FW&P to get involved in opening more lands." [35]

- “The Gilbert Easement is by far the best thing I have read in ages. Please follow through with it. It will benefit Montana significantly.” [75]
- “I am writing to urge all land board members to support the purchase of this easement.” [79]

Position: General opposition to a CE

Six comments opposed the project [11, 38, 40, 109, 119, 129]. One opposed a perpetual CE but did not specify opposition or support for the Preferred Alternative [99]. Opposition was based on a variety of concerns, but the main themes included alleged flaws with the Draft EA, FWP’s authority to purchase term CEs, the public access as unnecessary, cost of the proposed term CE, and potential negative impacts to neighboring landowners, among others. FWP addresses these comments in the following sections. Two comments [38, 40] appear to be AI-generated, and include factual inaccuracies, non-existent legal requirements, and overtly technical language, rendering them difficult to organize and respond to with other comments. They are addressed individually where appropriate below.

- “I believe Montana Fish, Wildlife & Parks should not purchase and manage this particular conservation easement... The national forest is already accessible to people willing to put in the work.” [11]
- “Please accept these formal comments in opposition to the proposed Hannah Ranch 99-Year Term Conservation Easement. This proposal is structurally unsound, procedurally invalid, and a massive fiscal liability.” [38]
- “Please accept this correspondence as formal notification of my opposition to the proposed Hannah Ranch 99-year Conservation Easement... My opposition is based on a synthesis of administrative, fiscal, and biological concerns, which I believe render the current proposal untenable in its present form.” [40]
- “I am in support of not doing a perpetual lease for this.” [99]
- “I would like to address some concerns I have about the portrayal of this easement... this easement increases public access to an area that has a limited number of game animals and poor hunting access thus decreasing the value of the hunting experience and increasing pressure on the neighbors properties for little reason. And as with any private property it is up to the landowners to conserve its resources for agricultural purposes not the FWP.” [109]
- “The minute area where the proposed easement would give access does not appear to lend much to what is already in place, and comes at an exorbitant cost... The high price and low return for the Hannah Ranch term conservation easement do not appear to be a great deal for the general public and should not be supported.” [119]
- “As a landowner that is in close proximity to the proposed Hannah Ranch CE, I am generally concerned and opposed to this easement... Conservation easements of any term can create a hostile environment for neighboring land owners as it brings more traffic , more recreationists , and little to no trespass enforcement.” [129]

Position: Neither support nor opposition but have other concerns/suggestions

Seven comments expressed questions, concerns, or suggestions but did not specify direct either direct support or opposition [45, 47, 49, 89, 108, 136, 146]. One of these commenters [89] had already written in support of a perpetual CE but provided an alternative suggestion with their additional comment. These comments are addressed individually below.

Section II: Comment Themes and FWP Responses

Shifting direction from a perpetual CE to a term CE

The dominant theme across comments involved the distinction between a perpetual versus a 99-year CE. However, 24 comments specifically requested the reasoning behind the shift from a perpetual CE to a term CE or expressed that FWP should not change direction, attributing the shift to political pressure and potential opposition from the Land Board [31, 42, 46, 47, 50, 54, 57, 61, 66, 69, 71, 72, 73, 77, 81, 85, 93, 96, 113, 115, 121, 123, 131, 140]. Representative comments include:

- “I am questioning what is going on? A quick google search shows that this was previously proposed as perpetual a couple of years ago? The EA mentions ‘some opposition’ to perpetual under alternative 4, but the project showed clear support for the project as a perpetual easement? Who, specifically, is ‘some opposition’... I think the public should understand the justification or reason for change considering the loss in value.” [31]
- “It is sad that a few grouchy politicians has hamstrung FWP from doing real conservation.” [42]
- “If the Gilberts are seeking a perpetual easement, do you know why this proposal is for a 99-year lease? I know Whiskey Ridge CE and Stafford Ferry CE are perpetual, so I’m curious why 99 was the number here.” [46]
- “If the land board wishes to say no to benefitting the citizens of the state, they should live with the politics of doing so.” [50]
- “The landowners have a strong desire to have this set up as a perpetual easement. FWP has never set up an access agreement this way before...why now?? There has been no satisfactory explanation provided by FWP to these questions, when the public has asked for an explanation for the change to a 99-year lease.” [57]
- “The underlying reason for advancing the 99-year conservation easement appears to be an effort to placate the Land Board or some of its members... A perpetual conservation easement is the right decision. It is worth the work. Let someone outside of FWP make the wrong decision.” [71]
- “FWP should not let potential political hurdles at the Land Board prevent pursuing true perpetual conservation for Montana’s wildlife and access legacy.” [85]
- “There is no good reason not to do a permanent or perpetual agreement. Is this some kind of political bullshit? What the hell is going on with FWP?” [93]
- “Landowners working through this program, likely for years of negotiations, should not be subjected to the whims of politics which effectively over-ride their personal property rights and secondly, those of the public, who fund these programs. The FWP Perpetual Conservation Easement was designed with thought and measure and supported by landowners and the public as it balanced competing needs, offered access to hunters but importantly, *captured the soul of why someone would place a perpetual easement to begin with - they want forever for a piece of land*. Minimizing that to address a political agenda deeply disturbing.” [113]
- “Locals prefer a perpetual agreement as well... Additionally, this project was already scoped as a perpetual agreement... We understand and are sympathetic to the political concerns with one or two members of the Land Board and their personally held ideologies against long-term conservation efforts. However, these ideologies are not representative of all Montanans, and this issue should not be Montana FWP’s sword to fall on.” [115]
- “The FWP proposal for a 99-year lease doesn’t hold water or in other words is a copout (diversion) from the true values and positive reasoning for the protection of such valuable resources currently in place by the Jamie and Lisa Gilbert family.” [121]
- “Some people I have spoken with stated that FWP would be open to a perpetual Conservation Easement but offered the landowner a 99-year lease to avoid confrontation with State Land Board members who oppose perpetual easements. It is illogical that FWP would shy away from what is best for hunters and landowners just to avoid friction with a few members of the State Land Board. FWP has always worked towards perpetual agreements as a great solution for landowners and the wise use of scarce funds. If FWP’s concerns about conflict with some State Land Board members are correct, those Land Board members should own this decision, not FWP... cowering

to a few vocal members of the State Land Board disregards the duty FWP leadership and the FWP Commission owe to Montana hunters and landowners... I am at a loss as to why an agency charged with securing habitat and wildlife conservation, FWP, is bending to the pressure from a few on the State Land Board.” [131]

FWP Response: The Hannah Ranch term CE was initially scoped and developed as a perpetual CE. However, FWP concluded that a 99-year CE offers the most viable option for securing substantial long-term protection of habitat, working lands, and public access. While the proposed term CE does not extend into perpetuity (with the exception of the access corridor to Forest Service land), FWP and the landowners determined that protecting these Conservation Values for 99 years is preferable to foregoing the opportunity altogether. FWP agrees that a perpetual CE would provide a more long-term public benefit, but a 99-year CE still achieves conservation and access goals that will persist for generations.

Financial efficiency, valuation, and future costs

Thirty-two comments expressed reservations on financial efficiency and valuation of the proposed term CE compared to a perpetual CE [7, 31, 38, 40, 42, 46, 47, 54, 57, 60, 61, 62, 66, 69, 71, 76, 81, 85, 86, 88, 93, 100, 104, 107, 113, 114, 115, 118, 120, 124, 125, 131]. These comments contend that the minimal difference in acquisition cost (approximately 5% more for a perpetual CE) makes Alternative 4 more fiscally prudent. Additionally, many commenters question whether the valuation methodology adequately accounts for the difference between a 99-year term versus a perpetual CE. They argue that FWP should prioritize a perpetual CE to hedge against substantially higher future costs after the 99-year term expires. Two comments [38, 40] claimed that purchasing the proposed Hannah Ranch term CE would negatively impact FWP’s budget, and the term-nature of the project would burden future generations with the loss of habitat. They raise overlapping but distinct concerns that go beyond cost comparisons and valuation. FWP addresses those comments separately below. Representative comments include:

- “We cannot predict the future. But we can be pretty darn certain that the price for conserving Hannah Ranch in 99 years will be substantially more than the cost today. Montanans in 2125 will have to face a very expensive dilemma, if they truly want to conserve this habitat.” [7]
- “The purchase price comes to 95% percent of the appraised value of a perpetual easement. I can only help but wonder - how was this number concluded... compared to the seemingly infinite value of a perpetual easement the value (95%) seems hard to comprehend... I find the likelihood of the easement being re-upped in 100 years to be extremely low... The cost/benefit ratio for the public beneficiary is immeasurably smaller than if this were a perpetual conservation easement rather than a 99 year lease.” [31]
- “Any use of public funds for land interest acquisition must adhere to rigorous state procurement and valuation standards. A 99-year lease involves complex valuation regarding the “wasting asset” nature of the interest vs. a permanent easement purchase...” [38]
- “Utilizing sportsman funds to acquire a temporary, non-perpetual interest is a questionable use of public resources. This project raises serious questions regarding procurement and valuation standards...” [40]
- ““When the lease comes up, our kids and grandkids will be facing a much greater bill to keep that land open than we would pay today.”” [42]
- “\$112,500 is the difference between protecting 3,652 acres for 99 years and forever. Since Habitat Montana is largely funded by hunter license fees, it doesn’t make sense to shortchange the “buyer” when the seller and the buyer want the same thing.” [46]
- “Our conservation dollars are hard-earned by hunters and anglers; using that money for an asset that eventually expires feels like a major gamble with our legacy. I’d love to see the math behind this—specifically the appraisals and the logic that says a temporary lease is a better investment than a permanent one.” [47]

- “The choice of the shorter-term CE appears, on its face, to be a poor use of public funds considering the enormous difference between 99 years and perpetual public benefits... The economics of choosing a 99-year CE over perpetual protection are a bad investment of public funds to put it gently.” [71]
- “Fiscally, it does not make a lot of sense to pay nearly the full appraised value for a lease. Why not pay the extra 3% now and protect the land forever, as opposed to paying exponentially more to renew the lease in 99 years?” [104]
- “While there’s money available with the Habitat Montana account sitting at more than \$30 million, and MWF would be delighted to see this money spent, this isn’t a responsible use of sportsmen’s funds. The proposed purchase price of the 99-year agreement is 97% of the appraised value of a permanent easement. So for a 3% savings, the proposed alternative is electing to conserve lands and offer public access for 99 years versus *forever*.” [115]
- “Term leases and term easements provide many benefits in the near-term, but the Hannah Ranch proposal saddles future generations of Montanans with either the loss of the property’s conservation values and development of the property or a much higher price tag to renew the agreement after its expiration.” [125]
- “None of us will be alive when this lease comes due in 99-years, but time will judge us as fools for paying so much for this lease today, when it could have been obtained in perpetuity for a small additional cost... This change by FWP represents a new direction adverse to hunters and landowners wanting perpetual easements, and it is a misuse of money when measured in the long-term.” [131]

FWP Response: FWP acknowledges concerns regarding valuation of a 99-year CE relative to a perpetual CE, and the uncertainty of future costs to renew or otherwise protect the Hannah Ranch’s Conservation Values after the term expires. FWP does not claim that a term CE is a better value than a perpetual CE. As noted above, while a perpetual CE would provide more long-term public benefits, FWP determined that under current circumstances, a 99-year CE was the most viable option to secure long term habitat protections, working agricultural lands, and public access. That outcome is preferable to rejection of the project at the final approval stage, which would result in no protection and a higher probability of burdening future generations with the permanent loss of those Conservation Values.

The valuation of this 99-year CE originated from an independent appraisal valuing a perpetual CE on the Hannah Ranch at \$3,675,000. FWP elected to offer 95% of the appraised perpetual value (\$3,491,250) for a 99-year term after completing a time-value of money analysis that showed a very minor difference (<5%) between the present value of a 99-year benefit versus a perpetual benefit (calculated as 1,000 years).

In reaching the 95% value, FWP also compared the cost with an equivalent 99-year Habitat Conservation Lease. Under the HCL program, per-acre land value is determined pursuant to a DNRC equivalent land formula. FWP pays 5% of total land value per ten years of lease term, plus a 1% bonus for each ten years beyond thirty years. Thus, a 30-year HCL costs 15% of land value, and a 40-year HCL costs 21% of land value. Under this formula, a 99-year HCL would cost 56.4% of DNRC land value.

Applying the formula to Hannah Ranch specifically, an HCL would cost about \$2,807,884. That equates to \$682,752 less than the proposed CE. However, as compared to the lease, the CE provides significant additional benefits. For one, HCLs contain a buy-out clause which allows a current or future landowner to terminate the lease early by paying a penalty, thus eliminating all habitat protections and public access benefits if it makes financial sense for the landowner. By contrast, the CE protections would remain in place for the duration of the easement term. Furthermore, the Hannah

Ranch CE will include landowner adherence to a grazing plan intended to enhance the ecological value of the land over the course of the CE term. HCLs do not provide similar proactive measures. The proposed Hannah Ranch CE will also include *perpetual* public access to adjoining US Forest Service public lands. Considering these distinctions, FWP determined that the durable protections, enhanced management opportunities, and permanent public access justify the cost of this conservation easement.

Finally, it is also worth noting that, in this case, the DNRC land values used for HCL calculations themselves represent a significant discount as compared to actual, appraised land values. If one were to calculate the cost of a 99-year HCL on Hannah Ranch using appraised land value rather than DNRC land value, the cost of the lease would exceed \$6 million.

For these reasons, FWP has concluded that the proposed CE provides significant value for the cost and is a worthwhile use of Habitat Montana funds.

“Easement” versus “Lease” terminology

While numerous comments referred to the proposed Hannah Ranch term CE as a lease, five comments specifically expressed that the project should be considered a “lease” as opposed to a CE, since it is not perpetual [7, 31, 42, 55, 131]:

- “I would like to address the language used by MT FWP to describe the project and potential project like it. In the past, FWP has engaged in perpetual conservation easements... Conversely the Hannah Ranch project is a 99-year access lease. While that lease may well be a boon to the recreational public, it is not equal to a conservation easement. We should call it an access lease. Calling it a conservation easement serves only confuse the public who would be forgiven for thinking they are receiving far more than they are in this agreement... Words matter. I encourage FWP to stop using the phrase “conservation easement” when referring to non-perpetual agreements. A monicker like “access lease” is more accurate and less confusing. Hannah Ranch Access Lease is a good place to start.” [7]
- “Respectfully, as someone who works adjacent with utilities, an “easement” represents a forever (or perpetual) impact on a property; it would be more accurate for FWP to refer to this as a lease.” [31]
- “I am OK with this project. However, my gripe is calling it a conservation easement. It’s more like a 99 year access lease... An access lease is a more accurate term. Calling it a conservation easement confuses people.” [42]
- “It’s disingenuous to call a 99 year term an easement, it’s a lease and not what Montanans want.” [55]
- “A Qualified Conservation Easement is in perpetuity, not a term-certain lease. The title of the proposed document and the request for comments incorrectly identify this proposal as a Conservation Easement. It is not a Conservation Easement.” [131]

FWP Response: FWP has specifically referred to this project as a “term conservation easement” rather than a “conservation easement” to help clarify the two different forms CEs can take. FWP uses “term conservation easement” because Montana statute expressly authorizes both perpetual and term CEs: “Conservation easements may be granted either in perpetuity or for a term of years. If granted for a term of years, that term may not be less than 15 years” (MCA § 76-6-202). Additionally, unlike FWP’s HCL program, this term CE does not contain a buy-out clause, which also more appropriately aligns it with a CE rather than a lease. Other restrictions and allowances contained in the proposed Hannah Ranch term CE deed mirror those typically found in a perpetual easement.

Precedential impacts of a 99-year term CE

Twenty-one comments expressed that approving a 99-year CE at its current value would establish a precedent that could shift FWP away from its historical commitment to perpetual CEs and compromise long-term habitat protections for future generations. They argued that 99 years is inadequate when considering that major conservation efforts in the past (referencing figures like Theodore Roosevelt and the establishment of National Parks or Wilderness Areas) extended beyond any single human lifespan to ensure lasting public benefit. Many urged FWP to maintain its commitment to perpetual CEs rather than allow this project to set a new standard for future acquisitions [7, 50, 54, 65, 69, 71, 72, 73, 77, 92, 96, 102, 104, 113, 115, 123, 124, 128, 131, 134, 135]. Representative comments include:

- Conservation is all about protecting resources for generations to come, for in Theodore Roosevelt's words people 'still in the womb of time'... Ninety-nine years seems like a long time, but it is not. If we only protected Glacier National Park for 99 years, it would have expired decades ago. We don't think of Glacier Park or the Bob Marshall Wilderness, or even the Thompson River Conservation Easement as temporary arrangements. They are promises made to future generations." [7]
- "There exists no precedent for "99-year" glorified leases as conservation easements and no future one should either." [50]
- "As you read this email, remember that you and I won't be here in 99 years, but future generations will." [65]
- "Finally, I worry about the precedent this sets. If Montana begins replacing perpetual conservation easements with term easements because of political pressure rather than the wishes of willing landowners, it weakens one of the state's most successful voluntary conservation tools while sending the message that a landowner's decision to permanently conserve their property is not one the state is willing to honor." [69]
- "While I normally would enthusiastically embrace a conservation easement (CE) for the Hannah Ranch, I am deeply concerned with the new approach of a 99-year term conservation easement. The proposed 99-year CE instead of a permanent CE sets a bad precedent... While 99 years is a long time in the context of a human's life span, consider the United State just celebrated 250 years of independence a few weeks ago. We hope for many more centuries of a thriving United States that values conservation and outdoor recreation for its citizens and visitors. We are fortunate that President Grant did not opt for a 99-year lease on Yellowstone N.P. in 1872 or President Taft did not opt for a 99-year lease when he established Glacier National Park in 1910. 99 years ago, my father was in elementary school. 99 years is not a long time." [71]
- "I also have concerns of the precedent you will set with a 99 year easement. It will be virtually impossible to acquire perpetual easements in the future once you have established an easement with a termination date. I am also concerned of the ramifications the 99 year easement will have on other conservation partners that work in this arena. The Conservation Fund, Montana Land Reliance and the Fish and Wildlife Service all have very successful programs that involve perpetual conservation easements. A precedent like this will significantly affect future conservation work." [102]
- "While I do believe a 99 year agreement is better than no agreement at all, I would urge FWP not to get in the habit of settling for these shorter term agreements and instead try to protect habitat and secure access forever through perpetual easements. Open spaces and habitat for wildlife are part of what makes Montana the Last Best Place." [104]
- "Yet by FWP forcing this 99-year habitat lease and with a valuation of 97% of the perpetual appraisal, Montana would face the same outcome as Sen. Tezak's bill – perpetual easements in Montana would effectively end. Because what landowner in the future would elect to sell perpetual development rights when they can collect 97% of that value by offering a 99-year lease instead? Moving forward with this 99-year term and caving to political pressures from the Land Board would set a terrible, anti-private-property-rights precedent." [115]

- “Abandoning permanent easements and embracing 99 year leases will likely establish a new precedent for the department.” [124]
- “I am fully in favor of protecting this land for wildlife habitat, but limiting the term to 99 years is ludicrous. This sets a dangerous precedent that undermines private property rights, and shows the world that we are not committed to conservation long-term. I’ll never live to see the difference, but those who come after us will, and it is our duty to provide that opportunity.” [134]

FWP Response: FWP agrees that perpetual CEs further long-term conservation values, ensure access for future generations, and provide value to Montana’s wildlife and landowning community. Perpetual CEs remain an important tool FWP utilizes, as demonstrated by the pursuit of largescale projects in northwest Montana in 2025 and 2026. While FWP understands the concern that pursuing a term easement could influence future perpetual CEs, FWP does not concur.

FWP determined that for this specific project, pursuing a 99-year CE was the most viable path to secure long-term habitat protection, agricultural practices, and public access that might not otherwise be realized. Although the term is not perpetual, the duration would extend well beyond the lifetime of the current parties and would protect the property’s Conservation Values—providing meaningful benefits to current and future generations.

Perpetual CEs remain an important tool for many landowners, land trusts, and public agencies. This proposed project’s approval would not prohibit future perpetual CEs or establish a requirement that future projects follow this same term-based model. FWP remains supportive of perpetual CEs when and where they can be completed.

Landowners’ wishes and property rights

At least 41 comments argued that FWP should respect landowners’ desires to complete a perpetual CE rather than a 99-year term CE, with some contending that the 99-year term CE was a violation of the landowners’ property rights, undermining the principal of willing partnerships [31, 46, 53, 57, 59, 60, 67, 71, 72, 73, 80, 81, 83, 84, 85, 88, 90, 96, 98, 100, 102, 104, 111, 112, 114, 115, 118, 120, 123, 124, 125, 126, 130, 131, 132, 133, 134, 135, 137, 140, 141]. Representative comments include:

- “The owners want a permanent agreement.” [71]
- The true irony in this case is that the Gilberts specifically want to see a permanent easement on the land... Although concern for private property rights is often cited in opposition to permanent easements, the Gilberts’ admirable decision about the future of the property is in fact an expression of their private property rights.” [72, 123]
- “The landowners prefer a perpetual easement. Forcing a 99-year term undermines private property rights and disrespects working agricultural families.” [85]
- “Additionally, the landowners themselves would like to protect this land forever through a perpetual easement. It is their property and they should be able to do as they wish with it rather than having to settle for a 99 year agreement.” [104]
- “Most concerning, this isn’t what the landowners want. Since 2021, the Gilberts have been clear that they prefer a perpetual easement. Forcing this as a 99-year agreement is not only disrespectful and harmful to small-scale agriculture, conservation efforts, and public access opportunities in Montana, it’s a clear violation of and threat to private property rights.” [115]
- “I admire this family’s commitment to working through this deal, even though news releases indicate the family would prefer a perpetual easement over a term-certain lease.” [131]
- “And at the end of the day, it is the landowner who will make the decision. Who could blame them if they changed their minds? This response is disrespectful of the Gilberts and naively puts in jeopardy this wonderful and generous gesture from the Gilberts.” [133]

FWP Response: FWP does not unilaterally impose CE terms on landowners; CEs require willing participation from both buyer and seller. While the landowners prefer a perpetual CE, both parties are still willing to enter into a 99-year CE. In this case, FWP and the landowners concluded that securing 99 years of protection and access is preferable to forgoing the opportunity entirely, and are working together towards that end.

Tax implications of the proposed term CE

Two comments questioned the tax implications of a term CE in comparison to the tax benefits of a perpetual CE [31, 131]:

- “I noticed the tax alternatives were discussed - are there other tax implications of perpetual easements?”
- “As an adviser and tax consultant, I know that a 99-year lease offers no income or estate tax benefits to the landowner. All Federal estate tax benefits, and any Federal or State income tax benefits, require a Conservation Easement in perpetuity. It is illogical that FWP is denying this landowner those future estate and income tax benefits.” [31]

FWP Response: FWP’s understanding is that a landowner that donates all or part of the value of a CE may claim a federal tax deduction. However, to be eligible for a federal charitable income tax deduction, a CE must be granted in perpetuity. The Hannah CE is neither perpetual nor donative. FWP acknowledges that there will likely be tax implications for the landowners. However, the landowners have had the opportunity to consult with their own financial advisors and have determined that the tax implications of this transaction are acceptable.

Alternatives to a 99-year term CE

Six comments suggested alternatives to address the 99-year term limitation. These included building renewal or extension provisions into the term CE before expiration, layering a perpetual CE over the term CE, completing an HCL for the interim and later pursuing a perpetual CE, partnering with other organizations to complete a perpetual CE, or revisiting a perpetual CE if political circumstances change [68, 81, 89, 118, 120, 125].

- “I would suggest that a provision for extension of the lease before it comes to term be added so that MTFWP would have first choice to extend the lease before the 99 years ends, preventing future land values from impacting the states ability to renegotiate the lease.” [68]
- “I’m disappointed in that this EA only had two alternative – purchase a 99-year easement or not. Why weren’t there other alternatives? Is there a possibility for FWP to purchase a 99-year conservation easement, and then have a non-state entity (MLR, TNC, etc.) obtain a perpetual non-development easement after FWP’s 99-year easement terminates? Please work on other options for future acquisitions!” [81]
- “Why not just do a short term lease and when these buffoons are out of office, do a perpetual CE?” [89]
- “Please do the right thing, and change the CE back to perpetual or transfer the funds to a group that will manage it for the Montana public.” [118, 120]
- “The terms of any conservation easement are complex and take time to negotiate. As always, the Montana land trust community stands ready and looks forward to working with your team to find a path forward that achieves the landowners’ desires, makes full and efficient use of public and private funds, and provides perpetual benefits to the people of the state of Montana.” [125]

FWP Response: FWP recognizes that partnerships and renewal mechanisms may provide additional options for when the proposed Hannah Ranch term CE expires, or circumstances otherwise change.

The proposed term Deed of CE does not currently include automatic renewal language but renewing or extending the proposed term CE remains an option in the future should the landowners and Department wish to pursue such. The landowners were offered a 30- or 40- year HCL (described in Alternative 3), but the HCL Program does not fit their current needs. FWP also recognizes that land trusts and other qualified conservation entities could potentially hold or co-hold conservation interests on the property in the future. A perpetual CE held by another entity could theoretically complement FWP's 99-year Hannah Ranch CE. However, this type of arrangement would need to be negotiated separately as circumstances allow.

Funding for the proposed term CE

At least three comments express concern about the financial burden to Montana taxpayers. [11, 102, 119]. An additional comment asked about the cost and payment schedule of the proposed term CE [45].

- "I believe this would be a complete waste of millions of dollars of tax payer money... Nearly 4 million dollars should be spent on something permanent... not a temporary conservation easement." [11]
- "What is the cost of the contract to land owners, and how / when are payments made?" [45]
- "From a tax payers perspective it is fiscally irresponsible to purchase a 99 year easement when you can protect the resource in perpetuity for less than 4% more of the purchase price." [102]
- "While it is always a property owner's right to enter into agreements regarding their property rights, it is the taxpayer who bears the burden of funds spent that could be used elsewhere for a greater public benefit." [119]

FWP Response: The proposed Hannah Ranch term CE would be paid for by FWP's Habitat Montana program, which is primarily supported by nonresident hunting licenses, not general tax dollars. The cost of the 99-year CE will be \$3,491,000 (page 7 of the corrected Draft EA). If approved, these funds would come from FWP's Habitat Montana Program and be paid to the landowner as one lump sum. In addition, FWP has agreed to a 50% cost share for improved grazing system, water infrastructure, and fence modifications. FWP's estimate for that portion of the project is an additional \$220,000, which funds would be drawn from the Habitat Montana program Operations and Maintenance budget.

Other fiscal concerns and public records requests

Comments [38] and [40] assert that the Draft EA improperly limits its analysis to site-specific impacts versus evaluating broader financial effects, that the methods used to value the term CE may be inadequate, and that spending Habitat Montana funds on a non-perpetual habitat project is a misuse of public resources and a breach of FWP's duty. While these concerns overlap in part with the other comments related to the financial efficiency and current/future costs of the proposed term CE (addressed above), their comments are broader in scope and ambition. Both commenters request records related to the appraisal/valuation of the proposed term CE, the decision to modify its term from perpetual to 99 years, and in addition to a third comment [47], requested status as an interested party of record.

- "Illegitimate Segmenting: A Fiscal Shell Game: The draft EA suffers from fatal structural segmenting. FWP has isolated this evaluation to localized land impacts while hiding the broader, systemic damage to its own financial stability. Using core habitat funds to bankroll a temporary recreational project—without analyzing how this cannibalizes the budget for permanent, high-value land acquisitions—is a fiscal shell game that fractures the integrity of Montana's entire conservation program." [38]

- “Procurement and Valuation Non-Compliance: Any use of public funds for land interest acquisition must adhere to rigorous state procurement and valuation standards. A 99-year lease involves complex valuation regarding the “wasting asset” nature of the interest vs. a permanent easement purchase. Demand: I demand the immediate disclosure of all third-party appraisals, valuation methodologies, and internal financial feasibility studies used to justify the expenditure of sportsman funds on a 99-year term-limited asset.” [38]
- “Fiscal and Fiduciary Concerns: Utilizing sportsman funds to acquire a temporary, non-perpetual interest is a questionable use of public resources. This project raises serious questions regarding procurement and valuation standards. I request the immediate disclosure of all third-party appraisals and internal financial feasibility studies. The agency must demonstrate how this expenditure aligns with its fiduciary duty to protect the long-term integrity of the Habitat Montana program, rather than cannibalizing funds intended for permanent, high-value acquisitions.” [40]
- “Breach of Fiduciary Duty: Liquidation of the Public Trust: FWP holds Montana’s natural legacy in trust for the future. By trading permanent protections for a temporary lease, FWP is effectively engaged in the systematic liquidation of the state’s conservation estate. This is a short-sighted financial gamble that burdens our children with the loss of prime habitat.” [38]
- “Formal Public Records Request: Under Montana’s constitutional right to know, I hereby submit a formal request for the production of all internal agency communications regarding the decision to pivot from a perpetual easement model to a 99-year term lease model. Demand: Fulfillment of this request is a condition precedent to any further administrative action by this Commission... Pursuant to the Montana Administrative Procedure Act (MAPA), I hereby request formal status as an interested party of record. I demand immediate, written notification of any and all administrative actions, findings, or commission votes regarding this project.” [38]
- “Required Administrative Actions: Under the Montana Constitution’s “Right to Know,” I am submitting a formal public records request for all internal agency communications regarding the decision to pivot to a 99-year term model. Furthermore, pursuant to MAPA, I request formal status as an interested party of record and demand written notification of all upcoming administrative actions or commission votes concerning this project.” [40]
- “I’m formally requesting to be kept in the loop as an interested party of record, and I’d appreciate it if you could share any internal discussions or research that led to this change in direction. I really want to see the FWP succeed, but I think we owe it to the future of Montana’s landscape to get this one right, rather than just getting it done.” [47]

FWP Response: FWP disagrees that limiting the Draft EA’s analysis to the Preferred Alternative or proposed action constitutes “illegitimate segmenting.” The Draft EA evaluated the Hannah Ranch term CE as a discrete proposal. Environmental assessments evaluate a proposed action on its potential for significant impacts. How a given project may affect the completion of other projects from a budgetary standpoint is outside of MEPA’s scope.

Regarding the use of Habitat Montana funds in general, FWP evaluates proposed habitat projects individually (to include funding constraints) before they reach this stage. The use of Habitat Montana funds for non-perpetual habitat projects is not new; FWP applies the Habitat Montana Program to 30- to 40-year term HCLs.

Additionally, FWP is not selling, transferring, or disposing of a public asset. The proposed action is to purchase and acquire a term CE that would restrict subdivision and development, protect habitat and traditional agriculture, and provide public access for 99 years on lands that do not currently carry any of these protections or opportunities. Acquiring conservation interests is the opposite of liquidating them, and FWP cannot liquidate something it does not yet own. The commenter alleges that this 99-year CE, as an alternative to a perpetual CE, burdens future generations with “the loss of prime

habitat” when the alternative is no CE at all. Characterizing the purchase of a term CE as a breach of fiduciary duty is inapt considering the ‘No Action’ alternative would leave these lands with no guarantees of long-term habitat protections or public access.

Regarding information requests, under Montana’s constitutional right to know, requests for agency documents or communications must be submitted as a formal Public Information Request (PIR) through the Office of Public Information Requests (<https://doa.mt.gov/opir/>). Submitting such requests through the public comment process does not constitute a formal PIR. Requesters should be aware that FWP will provide an invoice for the estimated costs of compiling the information, including staff time to identify, gather, and review the information. FWP must receive payment of these estimated costs before proceeding with fulfilling the request.

The Montana Administrative Procedure Act (MAPA) establishes procedures for interested parties specifically in rulemaking proceedings and lawsuits. This Draft EA is an informational review to examine environmental impacts prior to a proposed action, rather than a rulemaking session or contested case. The Montana Environmental Policy Act (MEPA) governs the public process for EAs. This DN following the Draft EA constitutes the agency’s formal response to public comments and notification of its decision regarding the proposed action. All individuals who submitted comments on this project, including these requesters, will receive this DN and thus notification of FWP’s final decision.

Whether a CE on the Hannah Ranch is justified

Two comments critiqued the public access, habitat conditions, and game numbers on the proposed Hannah Ranch term CE and questioned if these values justified purchase of a proposed term CE [119, 129].

- “The minute area where the proposed easement would give access does not appear to lend much to what is already in place, and comes at an exorbitant cost... The high price and low return for the Hannah Ranch term conservation easement do not appear to be a great deal for the general public and should not be supported.” [119]
- “I would like to address some concerns I have about the portrayal of this easement. One is that is significant winter range for 1000 head of elk. This is false. The amount of elk on this end of the snowies may be 1000 head but there are significantly fewer that are seen on this property for at most 1 week out of the entire winter. My second concern is that this property is not the only one used for an elk calving area. The neighboring land owners see more elk calving than this parcel does... Lastly the obrien parcel is mostly nonnative species of plants mostly tame grasses. so if this easement is to conserve an endangered ecosystem, it does not... So in conclusion, this easement increases public access to an area that has a limited number of game animals and poor hunting access thus decreasing the value of the hunting experience and increasing pressure on the neighbors properties for little reason.” [109]

FWP Response: Regarding the perceived return for the proposed term CE, FWP evaluates acquisitions on multiple factors, including state priorities, habitat benefits, public access, and long-term value of the project. In this case, FWP concluded that the proposed Hannah Ranch term CE would provide meaningful public benefit through its habitat and agricultural values while improving legal public recreational access to a difficult-to-reach area, even though it would not resolve all access limitations in the Snowies.

Elk distribution is variable, and elk use of a particular area or property varies by season, weather, forage conditions, disturbance, and movement patterns. FWP disagrees that just because large elk concentrations are not present year-round on the Hannah Ranch, the proposed term CE lacks

important habitat and public access value. FWP is aware that adjacent and nearby lands also support this elk population throughout the year. FWP's proposal and analysis to pursue a term CE does not depend on this property always being the only or most heavily used elk habitat in the area. Rather, the Draft EA identifies the property as contributing important habitat functions, including elk wintering and calving use, across a broader landscape. The EA states, "Notably, ≈1,000 elk that inhabit the western end of the Big Snowy Mountains use the property as part of their calving, summer, and wintering habitat." Winter FWP aerial surveys, along with field observations by FWP, landowners, and hunters indicate that elk use this and adjacent lands to varying degrees throughout the year. That variability does not negate the importance of conserving wildlife habitat on the Hannah Ranch for elk or other species.

FWP also acknowledges the presence of nonnative grasses in the O'Brien parcel and disagrees that the presence of nonnative vegetation undermines the Conservation Values and worthiness of placing a term CE on the Hannah Ranch. The Draft EA states, "former cropland on portions of the proposed term CE has been converted back into tame grasses." Figure 6 and Table 2 in the Draft EA also illustrate and quantify the approximate acreages and percentages of nonnative grass communities on the Hannah Ranch. The value and importance of this proposed CE is not premised on the entirety of the property being comprised of pristine, native, or endangered plant communities. It is unlikely any significant acreages in Montana lack nonnative species. The landowners and FWP have also worked together to create a grazing plan, detailed in the Management Plan (Appendix C) with the Draft EA materials. Implementation of this grazing system is specifically designed to maintain or enhance the long-term health of native vegetation, while certain pastures (on the O'Brien Place for instance) would be prescribed more intensive, early-season grazing to reduce the abundance of non-native, cool-season grass species.

Benefits of public access and support for perpetual public access

At least 60 comments mentioned the importance of improved access into the Big Snowy Mountains for hunters and recreationists [1, 5, 6, 8, 10, 12, 13, 14, 15, 17, 18, 19, 21, 22, 23, 26, 28, 29, 30, 34, 35, 36, 39, 41, 43, 44, 47, 48, 51, 56, 57, 58, 61, 66, 68, 70, 71, 72, 73, 74, 78, 82, 83, 85, 96, 97, 102, 104, 110, 112, 113, 115, 116, 117, 118, 120, 123, 132, 135, 140]. During the supplemental public comment period, three comments noted appreciation that the USFS access would be perpetual [143, 144, 145].

Representative comments include:

- "This easement would provide access to public lands on the west side of the Big Snowys mountain range where none currently exists. This is an important addition to very difficult to access public lands during a time when access is diminishing." [10]
- "The increased access will provide awesome opportunities for hikers and hunters." [14]
- "For the average Montana resident hunter, the gains are significant. This easement will ensure free public hunting access on these deeded lands for nearly a century—a rare and valuable opportunity as access continues to be one of the greatest challenges facing Montana hunters. Additionally, maintaining nonmotorized public access to the adjoining USFS lands will open high quality terrain that might otherwise remain difficult to reach." [23]
- "Public access to this area will provide hunting and recreation opportunities for many Montana residents in a time when access is becoming difficult even if for only 99 years." [30]
- "As an avid upland hunter, I have enjoyed my time in the Big Snowies and would welcome additional access." [34]
- "This is an excellent opportunity for public access in an increasingly crowded outdoors." [35]
- "It is these types of projects that MT FWP should be proposing to enhance public access opportunities throughout the state." [48]

- “This is an area with very little access for both big game and upland species. Another access point to the Snowies is greatly needed in this area.” [70]
- “I live in Lewistown and have long wanted an easier way to access the USFS land in the west end of the Snowies for hiking and plant and wildlife viewing.” [74]
- “Also, it should be noted I have long been frustrated by the lack of PUBLIC ACCESS TO THE SNOWY MOUNTAINS.” [83]
- “I live in Lewistown and spend a lot of time recreating in the Big Snowies. Access is very limited on the west end of the mountain range, so the prospect of having an access point on that end of the range is very exciting to me. Opening up new hunting access for the public is critical at a time when new private land hunting leases seem to be popping up in this area all the time.” [104]
- “This property could facilitate public access for Montanans to a large segment of mountainous National Forest terrain that is otherwise difficult or impossible to reach.” [123]
- “I support the project. I think it is excellent that a perpetual access easement is being included, and I hope you pass along my appreciation to the landowners.” [143]
- “I support the Hannah Ranch CE proposal even more knowing that the access to the Forest Service would be perpetual. Access to that end of the Snowies would be valuable beyond measure.” [145]

FWP Response: Maintaining and improving public hunting and recreational access is a key component of FWP’s programs, including CEs. The landowners also strongly support the public’s access to public lands, and FWP is pleased to work with them to establish both the proposed term CE and associated access.

Several comments characterize the Snowies as “landlocked” or “impossible to access,” but that characterization is not entirely accurate. While topography and distance make access to some parts of the Big Snowy Mountains challenging, several access points to USFS lands currently exist. Additionally, some private landowners currently allow access across their properties to reach USFS lands. Because access decisions are made individually by each landowner, it is not necessarily fair to describe all surrounding private lands as uniformly inaccessible.

One goal of the proposed term CE is to improve legal public access to an area that presents significant access challenges. Completion of the Hannah Ranch term CE would provide improved and more reliable access to USFS lands in the area. However, the project will not eliminate all the access challenges in this district. Some private lands will remain inaccessible or unavailable for public use, and those circumstances may change over time. For that reason, developing and maintaining strong relationships with private landowners will remain critical to improving public access and supporting effective wildlife management in the Snowies.

Existing access and concerns relative to elk movements

Five comments argued that existing legal access to USFS lands in the Snowies renders an additional access point and the proposed CE unnecessary [11, 38, 40, 47, 119]. Several of these commenters also expressed concerns that increased access to these USFS lands would displace elk and negatively impact hunting opportunity and wildlife management objectives.

- “I believe Montana Fish, Wildlife & Parks should not purchase and manage this particular conservation easement. The national forest is already accessible to people willing to put in the work. It is common knowledge that with hunting pressure like this conservation easement will bring displaces the elk. Elk will no longer be available to the people willing to put in the work and they will only be found on the neighbor ranch that doesn’t allow hunting. I believe this would... result in very few additional elk being available to the public.” [11]

- “Redundant Access and Wildlife Displacement: The ‘Corridor-Trap’ •Fabricated Access Need: The agency’s characterization of the land as ‘landlocked’ ignores the presence of the Crystal Lake Road, a public county-maintained artery that currently provides functional access. Spending millions in sportsman funds to purchase access that already exists is an indefensible waste of public resources. •The ‘Corridor-Trap’ Biological Impact: FWP’s own telemetry research (Proffitt et al.) confirms that high-traffic human corridors act as biological repellents, forcing elk to abandon public lands. The agency’s claim that there will be “no significant impact” is not supported by this existing data, making the FONSI conclusion arbitrary, capricious, and unsupported by the administrative record” [38]
- “Biological Risks and “Corridor-Trap” Dynamics: Beyond the legal and fiscal issues, the proposal fails to address the biological realities of the landscape. • Ignoring Telemetry Data: FWP’s own research (Proffitt et al.) indicates that concentrated human disturbance displaces elk from public lands into secure cover or adjacent private property. The EA fails to provide a quantitative analysis of how this “corridor-trap” will affect elk distribution, hunter success, or hunter density. • Redundancy: The characterization of the ranch as ‘landlocked’ is inaccurate, as functional access currently exists via public infrastructure. Spending significant public funds to duplicate access that is already available is an indefensible allocation of resources.” [40]
- “The biological reality: We have some of the best wildlife research in the country right here in our own backyard. FWP’s own telemetry data—the kind of work Dr. Kelly Proffitt has led—tells us that elk are incredibly sensitive to human disturbance. My fear is that by creating a high-traffic access corridor, we might accidentally push elk off public land and onto private ground, which would be the exact opposite of what we’re trying to achieve. It feels like we’re skipping the science to check a box, and I really worry about how this will affect the elk herd and the hunting experience long-term. The process feels off There’s a lot of talk about this being “landlocked” land, but when you look at the map, there’s already access via county roads. Spending millions to buy access that we effectively already have doesn’t seem like the most responsible use of our limited budget... Moving forward I’m not trying to be a roadblock, but I am asking for us to hit the pause button. Before we commit to this, I’d like to see the agency take a step back and really look at the data—how will this actually change elk movement? What’s the real plan for the long-term?” [47]
- “In looking at the map there are numerous USFS roads already leading into the USFS land on the west end, including the Crystal Lake Road which gives access almost halfway across. Other roads appear to get you to the south end of the west side.” [119]

FWP Response: FWP has never characterized the USFS lands in the Snowies as “inaccessible” or “land-locked.” However, as shown in Figure 4 of the Draft EA, the nearest existing legal access to the relevant USFS lands is from Crystal Lake Road, which is more than four aerial miles away. The steep, rugged terrain in the Big Snowies renders travel difficult and impractical for many hunters and recreationists. The proposed Hannah Ranch term CE would provide meaningful, more proximate access to this hard-to-reach area, even though some access through other portions of National Forest lands in Snowies exists.

The proposed CE is intended to improve public access opportunities for a diverse range of users, including (but not limited to) elk hunters, other hunters, hikers, and other recreationists. FWP’s objective is to expand legal public access and opportunities for multiple user groups, not to guarantee elk harvest or alter elk movement patterns. The Draft EA acknowledged that increased access may facilitate additional harvest as hunter access improves over a broad area, and that human activity can influence elk distribution. However, the possibility that elk may shift location in response to human presence does not diminish the value of improved access or the proposed term CE. For hunters specifically, access fundamentally enables the opportunity to harvest. For all user groups, improved access expands the opportunity to use and enjoy public lands.

Elk distribution on this landscape is dynamic and influenced by many factors, including season, weather, vegetation, topography, hunting pressure, and conditions on adjacent private lands. While some commenters characterize neighboring private lands as categorically closed to hunting, this is an overgeneralization. Multiple landowners in the area allow some level of hunting access, though it varies in extent by landowner and over time. A benefit of the proposed term CE is that it would provide broader, legal public access for all users rather than relying solely on informal or discretionary access on or across private properties.

Improving legal public access over a broader area helps distribute hunting opportunities more effectively across the landscape rather than concentrating pressure only where there is limited access. Although wildlife will still move, more access supports wildlife management than conditions in which animals consistently shift to areas with limited or no public access at all. Should the proposed project not be completed, eventual loss of hunting access on the Hannah Ranch would further exacerbate the issues that arise when access is limited and wildlife populations are high. In sum, the proposed project would improve legal, practical public access to this portion of the Snowies and expand public opportunity, consistent with FWP's access and habitat goals.

Legal concerns

Two commenters argue that FWP lacks statutory authority to establish a 99-year CE, claiming the action as “ultra vires” (beyond FWP's legal powers) and contrary to Montana law (citing MCA § 87-1-218) that mandates pursuing perpetual land interests [38, 40]. These two comments also claim that shifting from a perpetual to a 99-year CE mid-process constitutes a “bait and switch” that violates MEPA scoping requirements. Both commenters request legal documentation confirming FWP has the authority to proceed with the proposed CE and demand that FWP suspend the current comment period and restart the public scoping process to reflect the implications of a term-based approach to this proposed CE:

- “Ultra Vires Agency Action: Lack of Legislative Authorization: FWP's attempt to establish a 99-year “pilot program” easement exceeds the agency's statutory authority. Montana law and established FWP mandates prioritize the acquisition of perpetual land interests for conservation. By unilaterally creating a term-based lease model without explicit legislative enabling language, the agency is acting ultra vires—beyond its legal powers—and is attempting to legislate policy rather than administer established law. Demand: The agency must produce the formal legal memorandum of authority relied upon to determine that a 99-year lease satisfies the statutory requirement for “conservation” under MCA § 87-1-218. If this has not been formally vetted by the Attorney General or Legislative Services, the process must halt immediately.” [38]
- “Administrative and Statutory Deficiencies: The proposed “pilot program” represents a significant departure from established agency policy. By attempting to force a 99-year term lease through a process previously scoped for perpetual easements, the agency appears to be acting ultra vires. •Lack of Authority: There is no clear legislative mandate authorizing this term-based model. I request the production of any legal memorandum justifying how a 99-year lease satisfies the statutory requirement for “conservation” under MCA § 87-1-218.” [40]
- “Statutory Non-Compliance: Attempting to force a 99-year lease through a scoping process designed for perpetual easements is a violation of MCA § 87-1-218... Statutory Re-Scoping Violation: Bait-and-Switch Tactics: The agency's history of evaluating this ranch for a perpetual easement indicates an acknowledgment that only permanent protections serve the public interest. Substituting this with a 99-year term lease in the 2026 EA is an arbitrary departure from the agency's own stated conservation goals and violates the fundamental scoping requirements of MCA § 87-1-218. The agency cannot unilaterally redefine the scope of a major land acquisition without restarting the public participation process. Demand: I demand that FWP suspend the current, procedurally flawed public comment period and initiate a formal re-scoping process that

accurately reflects the implications of a 99-year term-lease, followed by a new, full 30-day public comment period.” [38]

- “The proposed “pilot program” represents a significant departure from established agency policy. By attempting to force a 99-year term lease through a process previously scoped for perpetual easements, the agency appears to be acting *ultra vires*... Procedural Integrity: The sudden pivot from perpetual protection to a term-lease constitutes a “bait-and-switch” that violates the spirit of public scoping. I demand the immediate suspension of the current comment period and the initiation of a formal re-scoping process.” [40]

FWP Response: These comments cite an incorrect statute regarding FWP’s authority on land acquisitions; the correct statute, MCA § 87-1-209, authorizes FWP to acquire land, waters, and interests in land (like CEs). The statute cited in these comments, MCA § 87-1-218, simply requires FWP to notify county commissioners before acquiring land and details public scoping requirements, which FWP has done.

The claim that FWP is acting “*ultra vires*” by proposing a 99-year CE is incorrect. An action is *ultra vires* only if an agency acts outside its statutory authority. MCA § 87-1-209 clearly authorizes FWP to purchase CEs, but does not mandate that they be perpetual. Moreover, MCA § 76-6-202 provides that CE’s may be granted either in perpetuity or for a term of years (but not less than 15 years). duration. The proposed 99-year CE meets those statutory requirements. FWP’s legislative authority comes directly from the statute, so no additional legal memorandum is needed.

FWP has lawfully acquired CEs since the 1980s under the Habitat Montana Program, establishing a clear historical precedent for this type of action. FWP’s authority to protect critical wildlife habitat and secure public access through CEs is thus well-established in both statute and practice. The proposed term CE would provide meaningful conservation benefits throughout its duration, fully satisfying the statutory “conservation” requirement, regardless of whether the CE is perpetual or for term.

As for the project being originally scoped as a perpetual CE, adjusting the easement’s duration does not alter the legality of FWP’s proposed action—the shift from a perpetual CE to 99 years falls within the footprint already analyzed for a perpetual CE. Because initial scoping and development of the proposed Hannah Ranch CE covered the maximum possible duration (perpetual), it inherently encompasses any shorter duration, meaning no new environmental impacts are introduced by reducing the term from perpetual to 99 years. FWP simply modified the proposed CE’s duration while maintaining the same objectives. Rights granted to the department and the rights remaining with the landowners remain the same regardless of term length.

Additionally, the comments received during scoping primarily addressed habitat protections and public access. These goals remain unchanged regardless of whether the proposed CE extends to 99 years or in perpetuity. Therefore, no additional scoping is required, since this change does not introduce any new or different environmental impacts beyond those already analyzed.

Because FWP is acting within its clear statutory boundaries, this proposal is, in fact, *intra vires* (within its power).

Environmental Impact Statement (EIS) vs. an EA

Two commenters claim that FWP’s characterization of the 99-year term CE as a “pilot program” triggers the requirement for an Environmental Impact Statement (EIS) rather than an EA [38, 40]. The comments claim the current Draft EA is legally deficient and failed to analyze cumulative impacts of shifting from a

perpetual CE to a 99-year term CE. The commenters demand that FWP halt the process until an EIS is completed.

- “MEPA Compliance Failure: Demand for a PEIS: FWP’s admission that this 99-year lease is a “pilot program” is an automatic trigger for an Environmental Impact Statement (EIS). This is the first time the agency has attempted to classify a 99-year term-limited agreement as a functional equivalent to a permanent conservation easement under the Habitat Montana program, setting a statewide precedent that requires a Programmatic Environmental Impact Statement (PEIS) to analyze macro-cumulative impacts. Demand: The current EA is legally deficient for failing to address these cumulative impacts, and the agency is mandated to halt proceedings until a PEIS is prepared for public review.” [38]
- “MEPA Compliance: The classification of this project as a “pilot” necessitates a Programmatic Environmental Impact Statement (PEIS). The current Environmental Assessment (EA) fails to analyze the cumulative, statewide impact of shifting from perpetual land interests to wasting assets.” [40]

FWP Response: A project description or title alone does not trigger an EIS requirement. Under MEPA, use of an EIS or EA depends on the scale, context, and potential significance of a project’s environmental impacts. Conservation easements typically warrant an EA rather than an EIS because by design, they preserve existing land use and generally prevent “significant impacts.” Per MEPA guidelines, an EA is also appropriate when an action may impact the environment, but the effects are non-significant, manageable, or beneficial. That is the case here.

FWP has not claimed a 99-year term CE is equivalent to a perpetual CE. The Draft EA clearly states: “The Hannah Ranch term CE would include typical terms as other, perpetual, FWP CEs... While this CE is not perpetual, it represents a commitment to protect conservation and recreational values for a significant period of time.”

Cumulative impacts are addressed throughout the Draft EA, under multiple sections. Per MEPA regulations (ARM 12.2.429(7)), cumulative impacts are “the collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type.” Because perpetual CEs and the proposed term CE would maintain or improve the status quo and prevent future degradation over their terms, the net environmental impact is generally benign or positive. The Draft EA states, “No significant adverse cumulative impacts would be expected because of the proposed project... A term CE on the Hannah Ranch maintains these same values on the project area for 99 years... Long-term, major, beneficial cumulative impacts could be expected because of the proposed project.” Per MEPA, an EIS is not required.

Impacts to Threatened/Endangered Species

Two commenters point out that FWP failed to adequately mitigate impacts to threatened and endangered species (grizzly bears, Canada lynx, wolverine), especially in regards to hunter densities and noise-levels [38, 40].

- “Failure to Mitigate Species of Concern: To issue a FONSI while ignoring the mortality risks to Grizzly Bears, Canada Lynx, and Wolverine is gross negligence. Without quantitative data on hunter-density and noise-level thresholds, the agency’s claim of “no significant impact” is unsupported by evidence.” [38]
- “Negligence regarding Species of Concern: The current EA lacks necessary data regarding noise and density thresholds for Grizzly Bears, Canada Lynx, and Wolverine, rendering the FONSI scientifically unsupported.” [40]

FWP Response: Grizzly bear, Canada lynx, and wolverine are threatened or endangered species, which warrant more protections and restrictions than if they were classified as “Species of Concern.” The Big Snowy Mountains are located outside designated grizzly bear recovery zones and are thus not subject to the habitat protections applicable to those areas. Similarly, there are no habitat considerations specific to Canada lynx or wolverine in the Big Snowy Mountains; the presence lynx is nonexistent and rare for wolverine.

Additionally, habitat protections offered through the completion of the proposed CE would far outweigh any potential negative impacts to these species related to hunter density or noise-levels. FWP would also appreciate specification on what “*noise-level thresholds*” means. Public access to USFS lands would be non-motorized, and any gunshots during hunting season would be sporadic and relatively uncommon throughout the course of a year. FWP does not recognize a plausible mechanism by which noise-levels or hunter densities alone would result in the direct mortality of these species, in an area they are not established or resident. Furthermore, if hunter densities and noise levels posed significant and limiting impacts on these species where they do occur, a large proportion of public lands in western Montana would have substantial public access restrictions in place, yet none of these restrictions exist. The absence of such restrictions demonstrates that these specific concerns are not biologically or practically valid.

Conversely, failure of the project, possible subsequent sale, and eventual subdivision and development of the property would result in habitat loss and degradation far more damaging to these species and other wildlife than hunter presence and occasional noises would cause.

The proposed CE represents a conservation gain that would protect habitat and working lands for 99 years—a far greater benefit to wildlife than the speculative risks posed by public hunting and recreation.

Civil Liability

Two comments express concerns that increased public access expose landowners and FWP to civil liability [38, 40].

- “Third-Party Risks: Title Clouds and Civil Conflict: The EA ignores the reality of land management. By funneling high-density public traffic against private boundaries, FWP is forcing the landowners into a position of perpetual civil liability. Demand: The agency must provide a ‘Title Encumbrance and Liability Analysis’ to prove that this project will not lead to prescriptive easements or civil litigation for the landowner.” [38]
- “The agency’s current trajectory risks significant civil and administrative liability. I respectfully urge the Department to halt this process immediately. If FWP cannot fulfill its mandate to secure permanent, perpetual protections for Montana’s wildlife and public access, this experimental scheme must be canceled.” [40]

FWP Response: Public traffic adjacent to private property boundaries is commonplace wherever accessible public lands are bordered by private lands. Landowners incur no civil liability in these situations unless they actively engage in conduct that endangers or harms a member of the public. Logan Ridge Road is already a public road; there would be no prescriptive easements associated with travel along it. Additionally, the access easement purchased through the proposed term CE undermines the need for a prescriptive easement claim in the future.

MCA § 70-16-302 restricts landowner liability for recreational use of property. Essentially, free public recreational use exempts the landowner from any civil liability for injuries unless the landowner engages in conduct intended to cause harm. This liability protection applies to individuals recreating with permission, trespassers, and participants recreating under FWP’s BMA Program.

There is no formal document called a “Title Encumbrance and Liability Analysis” in the realm of Montana land acquisitions. At the start of each new land project, FWP’s Lands Unit confirms ownership of surface and other rights and conducts due diligence to identify any fundamental issues that arise through title research. A land project with unresolved title questions or other significant issues would not proceed.

Finally, while FWP strives to conserve fish, wildlife, and their habitats for the benefit of present and future generations, securing perpetual CEs is not a mandate. Therefore, these comments do not justify altering the decision notice or halting the proposed action.

Importance of traditional agriculture

Twelve comments noted the importance of maintaining traditional agriculture, expressed support for FWP CEs conserving agricultural values, and appreciate how FWP CEs may help prevent the sale of some properties to nontraditional landowners that could take the land out of primarily agricultural production or inhibit access [6, 21, 34, 44, 72, 73, 78, 113, 115, 116, 125, 131]. The comments stated:

- “The easement will help maintain a family ranch, and prevent it from falling in the hands of an out-of-state recreational owner that would undoubtedly close the land off from access.” [6]
- “This project strikes an important balance by protecting valuable wildlife habitat, preserving working agricultural lands, and increasing public access for hunting and outdoor recreation.” [21]
- “Conserving this property will help ensure that its agricultural and ecological values are maintained for future generations while preserving the open spaces and rural character that are vital to our community... Establishing a conservation easement on Hannah Ranch will help safeguard these benefits by preventing incompatible development while allowing the property to continue as a productive working landscape.” [34]
- “Protecting public access/open space while assisting the landowner with maintaining agricultural operations is always a good thing, in my opinion.” [44]
- “In a recent discussion, they stressed their desire to provide public access while maintaining the property’s ranch production rather than having it become a sprawling development or a trophy hunting property for wealthy out-of-state interests.” [72, 73]
- “I support the listed objectives of conservation of native habitats, maintenance of agricultural uses, and opportunities for public access and recreation.” [78]
- “Many of the ranches in our area have never changed out of original families until very recently, as pursuit of exclusive elk hunting (read the recent Brett French article in the Billings Gazette) has seen large properties bought up for private commercial hunting preserves with no access and limited if no agriculture. The FWP perpetual easement program is an essential tool as the program was envisioned and supported by the public to keep the Montana landscape intact while supporting agriculture and access. Keeping ranching and traditional uses viable, offering hunting access especially as more private properties going into exclusive commercial hunting or “elk farming” - like properties adjacent to us - clearly illuminate why opportunities for perpetual conservation easements are a critical need.” [113]
- “we applaud the landowners for their efforts to conserve their property and keep working lands in family hands.” [115]
- “It could benefit Montana sportspersons and working agriculture production for generations.” [116]
- “perpetual conservation easements honor Montana landowners’ goals to ensure their land remains intact, in private ownership, functioning for agriculture and wildlife habitat, and part of our iconic Montana landscape.” [125]

- “I support all working landowners who are doing great work on their private lands, as this family is doing.” [131]

FWP Response: An important purpose of the proposed Hannah Ranch term CE, as detailed in the Draft Deed of CE and repeated in the Draft EA, is to maintain the land in “active Agricultural Production in a manner consistent with the Conservation Values, to protect the productive natural resources of the state, to maintain the agriculture and agriculture-related economy of the state, and to assure continued production of food and agricultural products while preserving open space, plant diversity, soil health, water quality, and a resilient landscape vital to successful wildlife populations.” FWP and the landowners appreciate the commenters’ consideration of traditional agricultural practices as important and worthy of conservation.

Section III: Adjacent Landowner Comments and FWP Responses

Several neighboring/area landowners submitted comments with concerns related to the Logan Ridge Road, elk movements onto adjacent private lands, and other potential impacts to neighboring landowners [49, 108, 109, 129, 136].

Public access impacts on adjacent private lands

One commentor did not oppose the proposed term CE but is concerned the Draft EA does not adequately address the impacts on neighboring private lands [49]. They argue that while some activities (of hunters and recreationists) are already illegal, increased public access will likely increase the frequency of illegal behavior and other occurrences that burden adjacent landowners. They asked FWP to acknowledge these foreseeable impacts in the Final EA and explain the preventative measures FWP would take to reduce or mitigate them. An additional commenter was opposed to the proposed term CE on grounds of more hunters asking for permission to hunt or needing assistance [129].

- “Three Bar is not opposed to the proposed Conservation Easement. Our comments are instead directed toward ensuring that the Environmental Assessment (EA), Management Plan, and implementation of the CE adequately recognize and mitigate reasonably foreseeable impacts on neighboring private landowners... The issue before FWP is not whether trespass, fence damage, wildlife harassment, or shooting across private property boundaries are already prohibited by law... the issue is whether the proposed CE will substantially increase public use adjacent to neighboring private lands, thereby increasing the frequency and practical consequences of these otherwise unlawful activities. The purpose of mitigation is... to reduce the likelihood that they occur in the first place.” [49]
- “The Draft Environmental Assessment concludes that impacts to neighboring properties are expected to be minimal... this conclusion is not yet adequately supported by the administrative record... opening substantial new public recreational access to previously inaccessible or lightly used areas can reasonably be expected to increase public presence adjacent to neighboring private lands. Increased public use... makes a variety of indirect operational impacts reasonably foreseeable... Three Bar respectfully requests that the Final Environmental Assessment acknowledge these foreseeable indirect impacts and identify the mitigation measures that will be implemented to minimize them. These foreseeable impacts include: • Increased trespass onto adjoining private lands. • Increased temptation to pursue wounded game across private property. • Increased temptation to shoot across property boundaries. • Greater pressure on wildlife resulting in altered movement patterns. • Additional fence damage from displaced elk and deer. • Increased mixing of livestock. • Greater spread of noxious weeds. • Increased wildfire risk during periods of elevated fire danger. • Increased time and expense required of neighboring landowners to monitor, document, and respond to these issues. These are practical management concerns rather than theoretical ones...” [49]

- "...the existence of laws prohibiting certain conduct does not eliminate the practical consequences associated with substantially increasing public use immediately adjacent to private property... we believe these indirect impacts are reasonably foreseeable and deserve recognition within the Environmental Assessment together with appropriate mitigation measures. Remote portions of Fergus County present unique enforcement challenges. Many violations occur where no witnesses are present. Trespass is often discovered only after the fact. Fence damage frequently cannot be attributed to a specific individual. Wildlife displacement cannot practically be enforced. The practical burden of monitoring and responding to these issues falls primarily upon adjoining landowners. Enforcement actions are relatively uncommon because of the remoteness of the area, the difficulty of identifying violators, and the limited enforcement resources available... mitigation should focus upon preventing conflicts rather than relying primarily upon enforcement after damage has already occurred." [49]
- "We no doubt will be inundated with more hunters asking to get access to hunt. I have 3 miles of private road maintained by me personally and the number of times we have to assist a broken down or stuck hunter becomes numerous during the hunting season." [129]

FWP Response: In the Draft EA, FWP acknowledges, "As public access for hunting and recreation becomes more limited across Montana, new access points tend to receive a significant amount of attention and use. Other FWP CEs in Fergus County receive heightened public use during the first few years, but this use levels out over time." However, FWP does not agree that increased public presence necessarily results in significant negative impacts or an increase in those impacts to neighboring landowners.

FWP has substantial experience administering public access on private lands through other completed CEs as well as the BMA Program, which has existed since 1985. FWP's 41 years of administering BMAs indicates that increased public use, by itself, does not equate to significant adverse impacts on neighboring private lands. In fact, most hunters using these properties value the opportunity provided through cooperative access programs and are generally respectful of landowners. While exceptions exist, if the types of violations and operational burdens on adjacent landowners were routine and significant whenever public access was provided, it is unlikely that the BMA Program would have persisted as a viable and widely used access tool over time.

While FWP agrees that not every unlawful act is observed or reported, the Department disagrees that unreported violations are presumed to increase significantly as a result of this proposal or similar new public access opportunities. FWP's experience with new access opportunities, including completed CEs and BMAs in central Montana, does not demonstrate that opening public access has produced a corresponding measurable increase in reported conflicts or violations, despite an increase in public use. In other words, if there was an increase in illegal or unethical behavior resulting from expanded public access, there would be some increase in reported violations, even though not all illegal behavior is observed or reported. In practice, public access can also increase a lawful presence on the landscape, as there are more eyes and ears in the area to observe events, discourage misconduct, and report issues as they occur. The public tends to 'police themselves' in these circumstances, which may also lessen the practical burden of monitoring and reporting misconduct for adjoining landowners.

Additionally, the area in question is not currently devoid of public access or human activity. The Hannah Ranch and adjacent landowners allow some level of hunting access, and ranch operations, human activities, wildlife movements, livestock management, and weather events occur in and around the area already. FWP agrees that laws do not fully eliminate the possibility of illegal activity. At the same time, FWP does not agree that the potential for unlawful conduct implies that the proposed CE will result in significant adverse impacts to neighboring properties. Unlawful conduct already occurs

on occasion. The potential issues identified—trespassing, fence damage, livestock mixing, weed spread, wildfire risk, and other unlawful or unethical conduct—are not unique to this proposed term CE and could result from multiple causes. The notion of enforcing wildlife displacement is not feasible, as wildlife can move for a variety of reasons, including but not limited to human activity and hunter behavior. FWP disagrees that these impacts could be attributed solely to the proposed term CE. FWP has not observed this occurring on other CEs in central Montana.

Finally, access to deeded Hannah Ranch term CE lands would be implemented via the BMA Program. Montana recently strengthened the enforcement tools available for properties enrolled in Block Management. During the 2025 legislative session, Senate Bill 441 established the Block Management Enforcement Network. Under this framework, participating landowners may opt in, and hunter violations of BMA rules, hunting regulations, and laws carry consequences that affect access to all enrolled properties. This tool was created specifically to assist BMA landowners, discourage poor hunter behavior, and hold hunters accountable for their actions. Should the landowners on the Hannah Ranch term CE opt in to this program, it would provide an additional mechanism beyond after-the-fact reporting and enforcement to promote compliance and reduce conflicts on BMA and surrounding lands. Therefore, additional mechanisms exist to mitigate potential conflicts associated with public access.

Throughout development of the Draft EA, FWP considered whether the access provisions in the proposed CE, coupled with existing conditions, would create impacts to such a degree or magnitude that alter the Draft EA's determination. FWP has concluded they would not. Thus, impacts to neighboring properties are not expected to be significant in the context of this proposed CE. Nonetheless, FWP recognizes that pursuing opportunities to minimize conflict are appropriate and valuable, and agrees that where feasible, the focus should be on reducing the likelihood of trespass, boundary confusion, fence issues, weed spread, fire risk, and other concerns, as well as responding appropriately when it occurs. Some of those other concerns are addressed below.

Wildlife movements on private lands

Four comments expressed concern that increased hunting pressure as a result of the proposed CE would alter wildlife movement patterns, push elk and deer onto neighboring private lands, and increase the amount of fence damage and associated costs for adjacent landowners [49, 109, 129, 136]. One commenter also requested that FWP consider compensation for neighboring landowners for fence damage caused by displaced wildlife.

- “One foreseeable indirect effect of increased hunting pressure is altered wildlife movement. Elk, deer, and other wildlife frequently seek refuge on neighboring lands during periods of increased hunting pressure. This increased movement can result in: • fence damage; • livestock mixing; • increased maintenance costs; • altered wildlife distribution; and • changes in hunting opportunity on adjacent private lands. These impacts are operational realities for neighboring ranches regardless of whether wildlife movement itself is regulated. The EA should acknowledge these foreseeable indirect impacts.” [49]
- “Thirdly that the part of this easement that is the Obrien place does have big game species that use it for habitat but not enough to warrant increased public access at the number of hunter days suggested. It will just increase the pressure on the adjoining property because that is where all the game go during hunting season.” [109]
- “With year around access it certainly won't take long and wildlife will be pushed out on to adjacent land owners... More elk pressure also causes more damaged fences, due to added elk numbers pressuring to out lying areas.” [129]
- “Also, the elk herd up here - as we are sure you well know - is very transient. Over the years, we have seen mass movement of hundreds of elk at one time, especially when pressured by hunting.

When this happens and the elk herd gets on the run, they can take out long expanses of fence. With increased pressure by hunters this could mean more repairs to fences for neighboring properties. Please consider compensation for neighbors for damages to fences.” [136]

FWP Response: The potential movement of deer, elk, and other wildlife in response to hunting pressure is a well-documented, commonly observed, and foreseeable event not unique to this proposal. The Draft EA recognizes that “there may be secondary impacts to some species’ distributions and presence on deeded lands as a result of hunter disturbance and/or hunter harvest. These impacts can be beneficial or adverse...” Landowners in the area allow some level of hunting access, though that access varies by property and situation. Therefore, elk or other wildlife movements in response to hunting pressure is a pre-existing condition and would continue regardless of whether the proposed term CE is completed.

Elk distribution across this landscape is dynamic and influenced by many factors already mentioned. While wildlife at times move onto neighboring lands during hunting season and throughout the year, public hunting is the primary tool available to support harvest opportunity and wildlife management objectives. Where access is limited, elk and other species may concentrate in refuge areas and can become more difficult to manage. For that reason, the possibility of seasonal or behavioral wildlife movement does not negate the conservation or public access purposes of the proposed term CE, nor does it alter FWP’s conclusion that impacts to neighboring properties are expected to be minimal in the context of this proposed action versus current conditions or the No-Action alternative.

In addition, improving legal public access across a broader area helps distribute hunting opportunities more effectively across the landscape rather than concentrating pressure only where limited access already exists. Although localized wildlife responses may still occur, more access supports wildlife management than conditions in which animals consistently shift to areas with limited or no public access. Eventual loss of hunting access on proposed term CE lands, should the project not be completed, would further exacerbate the issues that arise when access is limited and wildlife populations are high.

FWP disagrees with the comment that suggests the level of hunting access required by the proposed CE would create excessive pressure on the O’Brien Place. Per the draft Deed of CE, hunting access would be managed such that when demand exists, a minimum of 400 hunter days per year would be permitted on deeded lands, with a minimum of 70 hunter days allocated to the Logan Place and 330 hunter days allocated to the O’Brien Place. Distributed across the fall hunting season (122 days or 184 days if including elk shoulder seasons), this level of use does not represent a volume of hunting pressure that FWP considers to be excessive or out of proportion to existing conditions in the area. While the landowners may allow additional public hunting access through the BMA Program or by other means, the minimum hunter day requirements do not by themselves support a conclusion that the proposed CE would create significant adverse impacts related to hunter pressure, wildlife displacement, or neighboring land uses.

The Draft EA also notes, “While elk are known to use the property throughout the year, there is no guarantee that elk will always be present, regardless of hunter pressure. Elk harvest success is not a guaranteed result of a CE on the Hannah Ranch, but such a CE allows for increased public access and a greater opportunity to hunt and harvest elk and other game.” The proposed CE is intended to conserve wildlife habitat and working lands while improving public access opportunities for a range of users, including but not limited to elk hunters. Although additional access may influence localized wildlife distribution at times, that possibility does not diminish the broader public access and conservation value of the project.

Concerns related to fence damage, livestock mixing, and related maintenance costs on neighboring properties and proposed CE lands are legitimate, but those may occur under existing conditions from a variety of causes. FWP disagrees that those effects can be attributed solely to hunting pressure or the proposed CE without evidence this would change in magnitude or degree as a result of the project. With current and proposed hunting activity on the proposed CE lands, there is also often concomitant hunting activity on adjacent private lands. Based on FWP's experience with other completed CEs and BMAs in central Montana, the Department has not observed such effects occurring at a level that would alter the Draft EA's conclusion that these impacts are not significant beyond current conditions.

The proposed CE and existing FWP programs do not include a mechanism to reimburse or compensate landowners for fence damage caused by displaced or moving wildlife. Fence damage and fence maintenance impose real costs to landowners, but at the same time, fence damage can occur under existing conditions and may result from a variety of factors, including ordinary wildlife movement, weather, livestock, and terrain, and is not attributable solely to the proposed CE. Fence damage is sometimes unavoidable (it happens throughout the year, unrelated to hunter activity), but it can also be mitigated by reducing over abundant elk populations or dispersing them into smaller groups, which also occurs as a result of hunting access and harvest. For these reasons, FWP concludes that the proposed CE would not result in significant adverse direct, secondary, or cumulative impacts related to wildlife movement, fence damage, or neighboring land uses.

Enforcement needs

Three comments requested or questioned FWP's commitment to a greater game warden presence in the area following implementation of the proposed CE [49, 108, 136].

- "FWP states that there will "likely" be a heavier enforcement presence... that it is not a measurable commitment. We respectfully request clarification regarding: • anticipated patrol frequency; • expected seasonal staffing; • opening-weekend enforcement; • response times for reported violations; • coordination with Fergus County law enforcement; and • whether additional enforcement resources have been budgeted specifically because of this CE. If additional enforcement is expected to be one of the principal mitigation measures, then that commitment should be more clearly defined within the Management Plan." [49]
- "This brings us to our next observation – if approved, we would like to see a heavier law enforcement presence in the area." [108]
- "Increased monitoring of trespassing on all properties in this area would be appreciated." [136]

FWP Response: The Draft EA states, "With a new access area as provided by this CE, there will likely be a heavier enforcement presence in this area..." This statement should not be understood to mean that a continuous on-site law enforcement presence would be guaranteed. FWP Game Wardens patrol large geographic areas and must be responsive to changing conditions, reported violations, and other priorities. FWP cannot commit to fixed patrol frequencies, dedicated additional staffing, guaranteed opening weekend presence, or certain response times specific to this proposed CE. However, FWP game wardens are aware of the areas and situations needing additional attention, including new access, and tend to give these areas more attention for as long as it is warranted. This has occurred for other completed CEs and new BMAs during their inaugural and early hunting seasons. If increased enforcement issues due to new public access were a significant burden on adjacent landowners, the BMA Program and other FWP access programs would not persist today.

Game wardens would continue coordinating with Fergus County and federal law enforcement as is existing practice. Additionally, as previously stated, managed public access and areas with a heavier public presence may improve timely reporting of violations compared to more isolated or unmanaged

use areas, and Block Management enforcement tools are intended to discourage misconduct and support lawful, ethical use. However, FWP does not anticipate or require a separate, CE-specific budget item or dedicated law enforcement commitment to implement this proposed CE. Enforcement is only one component of conflict resolution; FWP will also rely on other access management tools (signage, maps, rules) to also reduce the likelihood of violations.

Delineating property boundaries and signage

Two commenters requested additional signage or measures to delineate property boundaries or Logan Ridge Road access [49].

- “Because public use adjacent to this boundary will substantially increase, accurate identification of the property line becomes increasingly important. It is common for public GPS systems and even Cadastral systems to be in error... Three Bar respectfully requests that: • boundary monuments be verified or installed where appropriate; • GPS mapping be updated; • publicly available digital mapping systems reflect the boundary; and • highly visible boundary signage be installed at appropriate intervals, trail intersections, gates, and locations where trespass is most likely. Signage should specifically advise users that: • Private Property Beyond This Point • No Shooting Across Property Boundary • No Game Retrieval Without Landowner Permission • Trespass Violations Are Subject to Montana Law.” [49]
- “At the very least, we would like signage the says something like “Road Dead Ends, No Public Access” placed near the parking area. In our personal experience as landowners up there, we aren’t confident people will read the sign or respect any other posted signage. Our property shares a border with the Forest Service land, on which motorized vehicle use is prohibited. We frequently have people drive from the Forest Service land onto ours, ignoring both the Forest Service signage such as “No Motorized Travel” and our “No Trespassing” signs.” [108]

FWP Response: As part of the proposed Hannah Ranch term CE’s access component, FWP has committed to providing maps, boundary signage (where appropriate and feasible), and posted rules at the two proposed parking areas to help users understand property boundaries, access requirements, and other applicable restrictions. As stated in the Draft EA, FWP also commits to posting boundary signs “along the exterior of the land, and particularly at any problem areas identified by neighboring landowners.” FWP also works with mapping application companies to ensure public access areas and their boundaries are appropriately depicted.

However, FWP is not committing to every specific boundary measure or sign requested. The need for monuments, signage locations, and mapping refinements depends on field conditions, logistics, landowner coordination, and available resources. FWP agrees in principle that clear boundary information benefits landowners, recreationists, and enforcement personnel alike and can help reduce confusion and trespass.

Because Logan Ridge Road is a county road, FWP cannot legally place a sign stating that the road dead ends. FWP can place signage at the main parking area and Logan Place parking area that describes access conditions, applicable restrictions, and where public access ends or changes.

Noxious weeds and fire danger

One comment warned that increased public use of the proposed CE lands could contribute to the spread of noxious weeds onto adjacent private lands and suggested several mitigation measures [49]. Two comments noted concerns about the potential for increased fire danger associated with public access [49, 136].

- “Noxious Weeds: Although parking areas may help reduce weed introduction, increased foot traffic and recreational use inevitably increase the opportunity for transport of seeds onto adjacent lands. Three Bar respectfully requests that FWP include: • periodic monitoring of weed infestations along primary access routes; • coordination with neighboring landowners; • rapid treatment of newly established infestations; and • continued adaptive management if increased public use results in measurable weed spread.” [49]
- “The proposed Management Plan appropriately allows access restrictions during periods of extreme fire danger. Three Bar supports those provisions. We further recommend that FWP retain flexibility to implement temporary closures whenever local fire conditions warrant and continue to coordinate with neighboring landowners during periods of elevated fire risk.” [49]
- “Our foothill pasture is not adjacent to this property, however, we are in close proximity. Our concerns with increased foot traffic by people in this area are fire and trespassing. The plan contains language indicating that access can be limited during high fire danger. We ask that there be increased patrols or support when the fire danger is high. Often, the risk of fire is not understood by the public.” [136]

FWP Response: As described in the Draft EA, noxious weeds and other exotic plant species are already present on the proposed CE, particularly in areas subject to disturbance such as ponds, roads, tanks, and fencelines. These are existing conditions that will persist regardless of whether the CE is completed. Under the proposed CE, the landowners would continue annual weed monitoring and treatment as part of ongoing land management. In addition to the two parking areas established to contain vehicular traffic, BMA payments also include a weed bonus to assist cooperating landowners in addressing possible weed concerns associated with BMA traffic.

Public travel occurs and will continue to occur along Logan Ridge Road, and hunters on the Hannah Ranch and adjacent properties may contribute to the spread of noxious weeds regardless of whether the proposed project is completed. Cattle and wildlife commonly carry and spread noxious weed seeds across the landscape or property boundaries. Under the proposed CE, designated vehicular parking, weed assistance through the BMA Program, and restrictions on the destruction of native vegetation per CE terms, will help minimize weed spread associated with the proposed project and facilitate management of any localized infestations that may occur. These stipulations do more for preventing and mitigating noxious weed spread than not having the proposed CE (and associated measures) in place.

Per the Hannah CE deed, Section II.B.5 (Rights Conveyed to the Department, Public Recreational Access), FWP retains the authority to restrict or temporarily close public access during periods of high fire danger or other conditions that make public access inadvisable. Consistent with the Management Plan, and for purposes of access to USFS lands through the proposed CE, the landowners also retain the ability to limit access from Logan Ridge Road during periods of high fire danger. When these dry conditions occur, additional BMA restrictions or closures on a broader regional level may also be implemented to reduce fire risk. These restrictions are posted on the FWP website and, because public hunting on Hannah CE deeded lands would occur by reservation only (i.e., Type II BMA), hunters can be contacted directly regarding these restrictions or closures. Signage at the main parking area would also inform users when access from Logan Ridge Road is not permitted due to fire danger or other conditions. FWP recognizes the importance of coordinating with neighboring landowners during periods of elevated fire risk, and of informing the public that access may be restricted when conditions warrant, but FWP cannot commit to dedicated patrols specific to this CE during high fire danger. FWP facilitates public access on CEs and BMAs across Montana and current efforts are sufficient in mitigating fire danger on these properties. Similar to concerns over noxious weeds, there are additional measures in place to prevent fire with the completion of the CE than there are not.

Logan Ridge Road

Two comments expressed concerns related to the seasonality of Logan Ridge Road, an unmaintained county road that provides access to the Hannah Ranch's Logan Place and the USFS lands beyond [108, 109.] Two commenters were also worried that the Hannah Ranch's ability to restrict motorized access on Logan Ridge Road for the sake of accessing the USFS lands through the proposed CE would impact their ability to access their own private lands [108, 146].

- “As property owners and stakeholders who utilize Logan Ridge Road as the only legal access to our private property in the area of the Hannah Ranch, we have some concerns. The road is technically a county road, so the public can use it without question. That leads us to our series of questions and observations. How can the Hannah Ranch restrict access to this route to our property or restrict the general public from its use even by way of the conservation easement? With the added traffic pressure from the block management through the conservation easement, who is going to be liable for the repairs and maintenance of Logan Ridge Road? We realize that this falls to Fergus County but the County Commissioners have made it abundantly clear that road repairs and maintenance will only be made past the USAF missile silo if funding becomes available. The road currently has very significant issues, starting at the hill by the missile silo to the top of the hill before Horan's cabin.” [108]
- “I would support the logan ridge parcel because it gives access to the wilderness area of the snowies. However, the access road is usually closed in the winter because the road fills with snow.” [109]
- “I'm very concerned about my ability to access my property next to this easement... With on vehicle access it will be hard to remove game after gotten. My father told me we have a legal access but I have not been able to find out where it is. This needs to be established before you move forward with this. Horns have closed the gate we used to use and lock the gates during hunting season so we would go through Hannah ranch. I need to have access to my property!” [146]

FWP Response: The Draft EA acknowledges that “Completion of a term CE on the Hannah Ranch, with public access to deeded CE lands and adjacent USFS lands, will ultimately result in an increase of vehicular traffic on Logan Ridge Road. This road is currently unmaintained, impassible when wet, and often drifted in by snow during winter months. The proposed Hannah Ranch term CE would be completed without any assumption or request that Fergus County would maintain or improve Logan Ridge Road in the future.” As a county road, it already experiences local traffic. These are existing conditions identified in the Draft EA that affect access regardless of whether the proposed CE is completed.

The proposed CE does not give the landowners authority to close or restrict public travel on Logan Ridge Road, a county road, nor does it limit access by neighboring landowners to their own properties. However, consistent with the Draft EA and Management Plan, the landowners do retain the ability to restrict vehicular access to the Logan Place and/or USFS lands beyond when road or fire conditions warrant. As landowners of the Logan Place and that public access point, they reserve the right to designate how public access to those areas occurs. In other words, this authority does not restrict other private landowners from accessing their own properties, or the public using the county road for travel. It only affects those using the Hannah CE lands.. In those situations, access across CE lands may be limited to parking at the main parking area east of the missile silo, rather than traveling to the Logan Place parking area. However, walk-in access would still be permitted. Parking areas on the proposed CE would also be equipped with signage warning users of variable and sometimes impassable road conditions. These measures are intended to reduce road damage and avoid unsafe or impractical motorized use during poor conditions.

FWP also acknowledges the concern regarding road maintenance and liability for repairs. Because Logan Ridge Road is a county road, responsibility for its maintenance does not shift to FWP if the proposed CE is completed. At the same time, FWP recognizes that use associated with public access may contribute to wear under some conditions. This is why the Draft Management Plan allows the landowners' flexibility to restrict vehicular access across CE lands when road conditions make such travel inadvisable. Logan Ridge Road is already used by the public, neighboring landowners, and their guests for ranching, hunting, and recreation, and road conditions and maintenance needs are not attributable solely to the proposed CE.

FWP concludes that the seasonal limitations and maintenance concerns associated with Logan Ridge Road are existing conditions that can be partially mitigated through the access restrictions and signage already built into the Draft Management Plan, and do not alter the Draft EA's conclusions regarding the proposed project.

Monitoring, coordination, and future management of the Hannah CE

One comment recommended establishing annual monitoring and coordination and practicing adaptive management to track impacts associated with the Hannah CE [49]. They suggested that these activities would allow for future decisions to be based on objective data, reduce conflicts, and strengthen long-term relationships among FWP, owners of the Hannah Ranch, and adjacent landowners.

- “Monitoring: To better evaluate actual impacts following implementation, Three Bar recommends that FWP establish an annual monitoring program documenting: • reported trespass incidents; • citations and warnings; • fence damage associated with wildlife movement; • weed infestations; • wildfire incidents; • public complaints; • neighboring landowner concerns; and • management actions taken. Objective monitoring would allow future management decisions to be based upon documented conditions rather than assumptions.” [49]
- “Adaptive Management: Three Bar respectfully requests that the Management Plan include an adaptive management provision. If implementation demonstrates greater-than-anticipated impacts, FWP should retain authority to modify management practices, including: • additional signage; • modified parking; • seasonal closures; • increased patrols; • access restrictions; • educational outreach; and • other reasonable management actions. Adaptive management benefits both public recreation and neighboring landowners.” [49]
- “Annual Coordination: Three Bar respectfully recommends that FWP convene an annual meeting including: • FWP staff; • Hannah Ranch representatives; • adjoining landowners; • enforcement personnel; and • other affected stakeholders. The purpose of the meeting would be to review operational experience during the previous year and determine whether additional mitigation measures are appropriate. Such coordination would likely reduce conflicts while strengthening long-term relationships among all parties.” [49]

FWP Response: FWP conducts annual monitoring on their CEs to ensure landowners are complying with CE terms. This monitoring does not generally include law enforcement activity, but game wardens track calls and responses through their own computer-aided dispatch (CAD) system and keep a database of warnings and citations issued. This information is confidential, but wardens would be able to track the relative call densities they receive if the situation warrants. Changes in habitat conditions (including possible spread or elimination of noxious weeds) are noted as needed, and changes to the Management Plan are also documented and kept on file. FWP has the capacity and currently engages in monitoring practices for their CEs.

FWP CEs are structured such that the Deed of CE describes the interests and rights transferred to FWP and those that remain with the landowner. Terms written within the CE deed are immutable, and designed to ensure that for the CE's duration, the Conservation Values are protected, while the landowner continues existing ranch and agricultural operations. During CE negotiations, FWP and the landowners also draft a Management Plan. The Management Plan serves as a flexible link between CE terms intended to endure over its duration and changeable conditions and situations on the land. Unlike the Deed of CE, it is a living document that is intended to be reviewed periodically by FWP and the landowners and amended as needed upon agreement by both parties. The Management Plan allows for adjustments to be made to habitat management, the grazing system, public access, and other practices provided they do not violate the terms of the CE. The flexibility of the Management Plan exists for the very purpose of recognizing and responding to unforeseen impacts or other scenarios that warrant a change in management practices.

FWP does not typically plan annual coordination meetings with the CE landowner, adjacent landowners, enforcement personnel, and other stakeholders, but meets regularly with the landowner and others throughout the course of the year. FWP agrees that regular interactions can strengthen relationships among parties. If a meeting of all parties concerning the term CE is warranted, then FWP is happy to oblige when that need is recognized and parties are willing.

Evidence to support the EA's conclusion of minimal impacts to adjacent landowners:

One comment requested that the Final EA more thoroughly include documentation that supports FWP's conclusion that impacts to neighboring properties are expected to be minimal [49]. They argue that if FWP does not have that information, then the EA's determination is not supported by existing data. This comment concludes with support for the goals of the proposed CE, and reiterates that the department should recognize foreseeable impacts to neighboring landowners, take measures to mitigate them, and engage in monitoring, coordination, and adaptive management.

- “FWP concludes that impacts to neighboring properties are expected to be ‘minimal.’ Respectfully, Three Bar requests that the Final Environmental Assessment identify the factual basis in the administrative record supporting that conclusion. If FWP has relied upon experience from comparable conservation easements or public access programs elsewhere in Montana, we respectfully request that the Department summarize or reference that experience... If such information exists, it would strengthen the Environmental Assessment by demonstrating the basis for FWP's conclusion. If comparable information is not available, then the conclusion that impacts to neighboring properties will be minimal does not appear to be fully supported by documented experience in the administrative record... This request is not intended to challenge the merits of the proposed Conservation Easement. Rather, it seeks to ensure that the Environmental Assessment is supported by the best available information and that any uncertainty regarding indirect impacts to neighboring landowners is addressed through practical, measurable mitigation.” [49]
- “Three Bar Ranch supports conservation, responsible public recreation, and the long-term stewardship objectives reflected in the proposed Conservation Easement. Our request is not that the Conservation Easement be denied. Rather, we respectfully request that the Final Environmental Assessment recognize the reasonably foreseeable indirect impacts on neighboring private landowners, support its conclusions with the best available information in the

administrative record, and incorporate practical, measurable mitigation measures designed to reduce those impacts before they occur. Three Bar also respectfully submits that neighboring landowners possess valuable operational knowledge of the local landscape and should be viewed as partners in the successful implementation of this Conservation Easement. Continued communication, monitoring, and adaptive management will benefit wildlife, the recreating public, adjoining landowners, and the citizens of Montana alike.” [49]

FWP Response: FWP appreciates the commenter’s support for conservation, responsible public recreation, and the stewardship objectives of the proposed CE, and recognizes that landowners in general provide important local knowledge and observations.

While FWP does not have quantitative research or hard data specifically measuring indirect impacts to neighboring landowners from comparable CEs or public access properties, the Department’s conclusion is based on its experience administering similar programs across Montana. That experience has not identified significant or widespread adverse impacts to adjacent landowners attributable to those actions, and the nature of this proposed CE does not suggest otherwise. In addition, many of the concerns raised, such as trespass, fence issues, weed spread, or other conflicts associated with recreational use, are not unique to this proposed CE and already occur under existing conditions. FWP acknowledges this determination is based primarily on the agency’s experience and professional judgment rather than a site-specific quantitative study.

While FWP does not agree that the Draft EA lacks adequate support for its conclusion, this DN, along with the Draft EA, will better provide the basis for that conclusion and has identified or agreed with practical measures for addressing the comments raised by neighboring landowners.

General adversity to CEs

Two comments indicated general adversity to CEs, noting they either serve a particular demographic of the public, or that FWP assistance and support in private land conservation is unnecessary [109, 129].

- And as with any private property it is up to the landowners to conserve its resources for agricultural purposes not the FWP.” [109]
- “As a landowner that is in close proximity to the proposed Hannah Ranch CE, I am generally concerned and opposed to this easement. This easement not only serves a particular type of demographic of people, but focuses on hunting access to a certain number of individuals with limited elk hunter days generally present for many days... Conservation easements of any term can create a hostile environment for neighboring land owners as it brings more traffic , more recreationists , and little to no trespass enforcement...” [129]

FWP Response: FWP recognizes and appreciates the important stewardship role of private landowners in Montana, and notes that CEs are a longstanding tool through which willing landowners and the department may work together to conserve and improve wildlife habitat, agricultural practices, open space, and public access.

FWP does not agree that the proposed CE serves only a narrow demographic or that CEs create a “hostile environment” for neighboring landowners. The purposes of the proposed CE include conserving working agricultural lands, protecting habitat and open space, and providing public access. The conservation of these values benefits everyone, even if their reasons are not all the same. Traffic, whether motorized or human, on Logan Ridge Road and in the general area already occurs with day-to-day ranch operations and existing public access on private lands. As stated throughout the

DN, FWP's prior experience in administering new access areas does not suggest significant adverse impacts to neighboring landowners from public use, including trespassing.

Table 1. Comments received during a 30-day public comment period regarding the Draft Environmental Assessment for the proposed Hannah Ranch Term Conservation Easement, June 29 – July 28, 2026 and comments received during the 10-day public comment period regarding the corrected Hannah Ranch Term Conservation Easement, August 12-August 21, 2026.

#	Comment
1	From: Nicholas Tumazi <nicktumazi2004@gmail.com> Sent: Monday, June 29, 2026 12:10 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hi Sonja, I think the 99 year public land opening is a fantastic idea and I hope we see more of it in the future. Thank you guys for your hard work! Best, Nick Tumazi
2	From: Don Reiter <dgreiter@aol.com> Sent: Monday, June 29, 2026 12:36 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Sonja, by all means you have my support for this new easement. Makes great sense. Don Reiter
3	From: Samuel Koeshall <skoeshal@gmail.com> Sent: Monday, June 29, 2026 12:51 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I am writing to express my support for MT FWP's purchase of the Hannah Ranch conservation easement. Thank you, Samuel Thomas Koeshall
4	From: Richard Blum <dicardo57@gmail.com> Sent: Monday, June 29, 2026 12:52 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I believe that by protecting and preserving the Hannah ranch property with a conservation easement would be a critical win for all species (including humans) While, moving into the next century. Thank you,

	Richard Blum
5	From: Greg Scheeler <mtlivin@hotmail.com> Sent: Monday, June 29, 2026 2:42 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I'm writing in support of the 99yr conservation easement on the Hannah Ranch. I live this out-of-the box approach to increasing hunter access with a willing landowner. This is very much needed to increase elk hunting access to this region and provide additional hunting to a landscape that seems to be continually losing access for the everyday hunter and their family. Great work, I am 100% in support of this effort! Greg Scheeler
6	From: Kent Hanawalt <klhanawalt@gmail.com> Sent: Monday, June 29, 2026 3:04 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I stand <u>in favor</u> of this CE. • The easement will help maintain a family ranch, and prevent it from falling in the hands of an out-of-state recreational owner that would undoubtedly close the land off from access. • Leaving the ranch in family hands will relieve the public of responsibility for maintenance of the ranch.
7	From: Ben Long <ben@resource-media.org> Sent: Monday, June 29, 2026 3:09 PM To: Andersen, Sonja <SAndersen@mt.gov> Cc: Landstrom, David <dlandstrom@mt.gov>; Lemon, Greg <GLemon@mt.gov> Subject: [EXTERNAL] Hannah Ranch Sonja Andersen, Thank you for the opportunity to comment on the Hannah Ranch project. I would like to address the language used by MT FWP to describe the project and potential project like it. In the past, FWP has engaged in perpetual conservation easements. For example, the many timber land easements here in Region 1. Conversely the Hannah Ranch project is a 99-year access lease. While that lease may well be a boon to the recreational public, it is not equal to a conservation easement. Conservation is all about protecting resources for generations to come, for in Theodore Roosevelt's words people "still in the womb of time." I understand that perpetual easements are unpopular with some decision makers. So perhaps a 99 year lease is more appropriate here. But we shouldn't call it a conservation easement. We should call it an access lease. Calling it a conservation easement serves only confuse the public who would be forgiven for thinking they are receiving far more than they are in this agreement.

	We cannot predict the future. But we can be pretty darn certain that the price for conserving Hannah Ranch in 99 years will be substantially more than the cost today. Montanans in 2125 will have to face a very expensive dilemma, if they truly want to conserve this habitat. Ninety-nine years seems like a long time, but it is not. If we only protected Glacier National Park for 99 years, it would have expired decades ago. We don't think of Glacier Park or the Bob Marshall Wilderness, or even the Thompson River Conservation Easement as temporary arrangements. They are promises made to future generations. Words matter. I encourage FWP to stop using the phrase "conservation easement" when referring to non-perpetual agreements. A monicker like "access lease" is more accurate and less confusing. Hannah Ranch Access Lease is a good place to start. Ben Long
8	From: Zink's Big Sky Archery & Outdoors <zinksbigskyarcherytargets@gmail.com> Sent: Monday, June 29, 2026 3:30 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Sonia, I hunted here a lot when I was young, another vital conservation easement to improve hunting and Recreation here in Montana. This builds another great opportunity for Montana hunters. Thanks, Terry
9	From: Ralph Rogers <nafanew@itstriangle.com> Sent: Monday, June 29, 2026 5:03 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah CE I have read the proposal and relative documents and <u>fully support</u> the creation of this Conservation Easement. Ralph Rogers, Winifred, Montana Montana Resident
10	From: Travis Heater <tr_heater@hotmail.com> Sent: Monday, June 29, 2026 5:23 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hello, I strongly support the purchase of the Hanna Ranch Conservation Easement by MT FWP. This easement would provide access to public lands on the west side of the Big Snowys mountain range where none currently exists. This is an important addition to very difficult to access public lands during a time when access is diminishing.

	Thank you, Travis Heater Trout Creek, MT
11	From: Dylan DeBruycker <dylandebruycker23@gmail.com> Sent: Monday, June 29, 2026 6:19 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hello, I believe Montana Fish, Wildlife & Parks should not purchase and manage this particular conservation easement. The national forest is already accessible to people willing to put in the work. It is common knowledge that with hunting pressure like this conservation easement will bring displaces the elk. Elk will no longer be available to the people willing to put in the work and they will only be found on the neighbor ranch that doesn't allow hunting. I believe this would be a complete waste of millions of dollars of tax payer money and result in very few additional elk being available to the public. Nearly 4 million dollars should be spent on something permanent like acquiring a wildlife management area, not a temporary conservation easement. Thanks for hearing my opinion, Dylan DeBruycker
12	From: Jeff Jackson <jejack26@gmail.com> Sent: Monday, June 29, 2026 6:43 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE <u>This obviously would open some access to great public land. Hope it happens</u>
13	From: Matthew McCauley <mmccauley57@gmail.com> Sent: Monday, June 29, 2026 8:23 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I'm a huge supporter of this conservation easement! It would open up some great access in a time when access is getting tougher. Thanks! Matthew McCauley
14	From: David McKay <david.g.mckay4@gmail.com> Sent: Monday, June 29, 2026 8:37 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Good evening, I am writing to express my support for the proposed CE. Public access in the Snowies is so limited, it is a wonderful opportunity to ensure access and preserve the landscape.

	Thanks, David McKay
15	From: Ryan Baldry <ryan.baldry29@gmail.com> Sent: Monday, June 29, 2026 9:02 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Good evening, I'm in full support of the Hannah Ranch CE to provide better access in the Big Snowy Mountains. The increased access will provide awesome opportunities for hikers and hunters! Thank you, Ryan
16	From: Steven Frankfurt <steven.frankfurt@yahoo.com> Sent: Monday, June 29, 2026 9:17 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE My name is Steven Frankfurt and I fully support this CE and hope you will as well. Thank you
17	From: Jeff McMaster <jrmcmaster@hotmail.com> Sent: Monday, June 29, 2026 9:52 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I support the Hannah ranch CE. Anything that increases hunter access is great. Thx! Jeff McMaster
18	From: Ben Hoesl <ki7mfb@gmail.com> Sent: Tuesday, June 30, 2026 6:47 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Good morning, I just saw that the Hannah Ranch conservation easement is up for public comment again and wanted to express my support. Having public access in that area would be greatly appreciated by many sportsmen. Thank you for your efforts on this. Ben Hoesl
19	From: Nicholas Hamm <hoghven@icloud.com> Sent: Tuesday, June 30, 2026 7:07 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE

	Good Morning, I am in full-support of work like this. It will provide enhanced access, and work to conserve land at the same time. Thank you, Nick
20	From: Eric Morris <eric.elkhornfire@gmail.com> Sent: Tuesday, June 30, 2026 7:15 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I'm in favor of the easement. Thank you for your efforts. Eric Morris
21	From: Schwarz, Billy <Billy.Schwarz@state.sd.us> Sent: Tuesday, June 30, 2026 7:15 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE To whom it may concern, I support the proposed 99-year conservation easement for Hannah Ranch. This project strikes an important balance by protecting valuable wildlife habitat, preserving working agricultural lands, and increasing public access for hunting and outdoor recreation. Conserving this landscape for future generations while keeping it productive is a smart investment in Montana's natural heritage. I encourage Montana Fish, Wildlife & Parks to move forward with this proposal. Thank you. Bill Schwarz Pierre, SD
22	From: Bret Lian <bret.lian@gmail.com> Sent: Tuesday, June 30, 2026 7:16 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hello, My name is Bret Lian and I am writing in support of the Hannah Ranch CE. Heck of a good thing in terms of protecting great habitat and providing access. Thank you, Bret Lian Jefferson City, MT
23	From: Jim Gappa <jmgappa406@gmail.com>

	Sent: Tuesday, June 30, 2026 7:17 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hello-- I am writing to express my support for Montana Fish, Wildlife & Parks' proposal to purchase and manage a 99 year term conservation easement on the 3,652 acres owned by Jamie and Lisa Gilbert south of Moore. This easement represents a meaningful investment in conserving important prairie and mountain foothill habitat on the west side of the Big Snowy Mountains within Hunting District 411. The long term protection of this landscape will benefit both wildlife and the broader public. For the average Montana resident hunter, the gains are significant. This easement will ensure free public hunting access on these deeded lands for nearly a century—a rare and valuable opportunity as access continues to be one of the greatest challenges facing Montana hunters. Additionally, maintaining nonmotorized public access to the adjoining USFS lands will open high quality terrain that might otherwise remain difficult to reach. The proposal also aligns with the spirit of existing FWP perpetual conservation easements by emphasizing habitat stewardship and public benefit, while allowing the conveyed rights to conclude after 99 years. This approach offers a responsible balance between landowner interests and long term conservation outcomes. Overall, the Hannah Ranch term conservation easement is a forward looking project that protects critical habitat, enhances public access, and strengthens Montana's hunting heritage. I fully support its approval. Thank you. Jim M. Gappa Billings, MT
24	From: Preston Nelson <gunnison05@gmail.com> Sent: Tuesday, June 30, 2026 7:17 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hi Sonja, Im definitely in favor of this proposed conservation easement and hopefully it proceeds through quickly. Appreciate your work on this. Preston
25	From: Dale George <daleisfishing@gmail.com> Sent: Tuesday, June 30, 2026 7:27 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] "Hannah Ranch CE" I'm interested and am in support of this project.
26	From: Marcus Svee <marcsvee@gmail.com> Sent: Tuesday, June 30, 2026 7:32 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE

	Sonja: I wanted to submit a comment in support of the Hannah Ranch CE. I did review the CE documents and think that this is a well thought out CE. I do appreciate that it helps open more access on the West side of the Big Snowy's. I do hope that the CE gets approved. Thanks, Marc Corvallis, MT
27	From: John & Barbara DiPrizio <adessa@mtintouch.net> Sent: Tuesday, June 30, 2026 6:46 AM To: Anderson, Sean <sanderson@mt.gov> Subject: [EXTERNAL] Hannah Ranch Easemt Dear sirs, I am writing in SUPPORT of the easement as proposed bt the FWP. These are the type of things we Montanan's need. Thank you John DiPrizio Martinsdale MT
28	From: Reda, Angelo J <Angelo.J.Red@p66.com> Sent: Tuesday, June 30, 2026 8:31 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I am emailing in support of the Hannah Ranch CE. This project would provide much needed access and opportunity for the area. Thank you for all the hard work on this project! Angelo Reda Technician, Rockies Region
29	From: MARTY BAKKEN <martybakken43@gmail.com> Sent: Tuesday, June 30, 2026 12:10 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE As a life long resident of Montana, 83 years, I wholeheartedly support the Hannah Ranch 99 year easement. The fact that this easement opens 120,000 acres of FS land to everyday Montanan's is incredible. I want to thank all the hard working, dedicated FWP employees who are out there every day making good things happen for all of us who appreciate access. And a special thank you to the Gilbert for their generosity and cooperation in making this happen. Thank you again. Marty Bakken Bozeman, MT

30	From: Grant Petersen <rngrfromthemtns@gmail.com> Sent: Tuesday, June 30, 2026 1:14 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Good afternoon Sonya I am writing in support of the Hannah Ranch CE. Public access to this area will provide hunting and recreation opportunities for many Montana residents in a time when access is becoming difficult even if for only 99 years. Thanks Grant Petersen Dillon MT
31	From: Jason Koehler <jasonkoehler2009@gmail.com> Sent: Tuesday, June 30, 2026 1:39 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hello, First, thank you for the opportunity to provide public comment, and most importantly putting things like this forward for future access and conservation! Understating my opinion to remain concise - but it's critically important work for the public beneficiaries of the state and their wildlife. I support this if the alternative is no access or easement - but I am questioning what is going on? A quick google search shows that this was previously proposed as perpetual a couple of years ago? The EA mentions 'some opposition' to perpetual under alternative 4, but the project showed clear support for the project as a perpetual easement? Who, specifically, is "some opposition" ? The purchase price comes to 95% percent of the appraised value of a perpetual easement. I can only help but wonder - how was this number concluded? Most investments are valued by "net present value" but at year 100 all value of the easement (and critically public investment) is gone, compared to the seemingly infinite value of a perpetual easement the value (95%) seems hard to comprehend. I noticed the tax alternatives were discussed - are there other tax implications of perpetual easements? I find the likelihood of the easement being re-upped in 100 years to be extremely low, is that the desire of the department and/or the landowner? Respectfully, as someone who works adjacent with utilities, an "easement" represents a forever (or perpetual) impact on a property; it would be more accurate for FWP to refer to this as a lease. The cost/benefit ratio for the public beneficiary is immeasurably smaller than if this were a perpetual conservation easement rather than a 99 year lease and I think the public should understand the justification or reason for change considering the loss in value. It is disappointing that the perpetual easement was seemingly scrapped in favor of the 99 year lease. I would like to point out to the department that the land board holds a legally binding fiduciary responsibility to best represent the beneficiaries they are managing public trust on behalf of. Whether or not their personal politics are against perpetual easements - it is within the public's best interest to have this as a perpetual easement as previously proposed compared to a long term lease.

	Thank you again for the time, consideration, and opportunity to provide my feedback. I look forward to enjoying more of the great outdoors that is so thoughtfully managed in Montana. Regards, Jason Koehler, P.E.
32	From: Paul Schnell <pschnell0@gmail.com> Sent: Tuesday, June 30, 2026 10:47 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Proposed HRTCE Sonja, The letter is in FULL SUPPORT of the proposed Hannah Ranch Term Conservation Agreement on 3,652 acres owned by Jamie and Lisa Gilbert. As Montana is being torn apart by the disastrous results from overpopulation, endless out-of-state urbanites pouring in and billionaires pushing us out, this small habitat easement is a tiny breath of fresh air. We support this acquisition wholeheartedly! FWP and the Gilbert's are doing the Lord's work, and must be congratulated on this far-sighted, intelligent, caring action! Here's hoping that this acreage addition/preservation will soon become a reality. Paul and Anne Schnell Noxon, MT
33	From: Bert Otis <otisranch@wispwest.net> Sent: Wednesday, July 1, 2026 8:14 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] • Alternative 2: Proposed Project – FWP purchases a 99-year term CE on the Hannah Ranch Dear Fish Wildlife and Parks Commission, I support the Proposed Project – FWP purchases a 99-year term CE on the Hannah Ranch. I think it will benefit the public greatly!!! Please thank the landowner for this offering this CE to FWP. Thank you Bert Otis PO Box 60 Emigrant, MT
34	From: Kelsey Gorter <kelsey.l.gorter@gmail.com> Sent: Wednesday, July 1, 2026 11:38 AM To: Andersen, Sonja <SAndersen@mt.gov>

	Subject: [EXTERNAL] Hannah Ranch CE Hello Sonja. I am writing to express my strong support for the proposed Hannah Ranch Term Conservation Easement Environmental Assessment (EA). As an avid upland hunter, I have enjoyed my time in the Big Snowies and would welcome additional access. The Hannah Ranch conservation easement represents an important opportunity to protect valuable working lands, wildlife habitat, and the natural resources that make our region unique. Conserving this property will help ensure that its agricultural and ecological values are maintained for future generations while preserving the open spaces and rural character that are vital to our community. Working ranches and farms play a critical role in supporting local economies, sustaining agricultural heritage, and providing habitat for native wildlife. Establishing a conservation easement on Hannah Ranch will help safeguard these benefits by preventing incompatible development while allowing the property to continue as a productive working landscape. The proposed easement also supports broader conservation goals, including protecting water resources, maintaining wildlife corridors, and enhancing climate resilience through responsible land stewardship. Investments in conservation easements provide lasting public benefits by preserving landscapes that contribute to biodiversity, recreation, scenic beauty, and sustainable agriculture. I respectfully encourage the approval of the Hannah Ranch Term Conservation Easement Environmental Assessment and the advancement of this important conservation effort. Protecting working lands through voluntary conservation easements is a proven approach that benefits landowners, local communities, wildlife, and future generations alike. Thank you for your commitment to conserving our natural and agricultural resources. Sincerely, Kelsey Gorter HerUpland Board Member
35	From: James Vralsted <jimvralsted@gmail.com> Sent: Wednesday, July 1, 2026 2:31 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE This is an excellent opportunity for public access in an increasingly crowded outdoors. Being young and relatively young growing up in Montana during the late 60's, 1970's, and 1980's outdoor activity was much more open. Old time land owners were pretty open to use of their lands. Not so anymore as new people with money have subdivided and locked up areas I used to recreate and hunt all the time. Good for FW&P to get involved in opening more lands. Block management has helped as well.

36	From: Randall Knowles <knowlesmontana@juno.com> Sent: Wednesday, July 1, 2026 9:51 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] with subject "Hannah Ranch CE" Sonja, I have reviewed the Conservation Easement for the Hannah Ranch and appreciate the attention to detail that FWP has given this project. I share with sportsmen all the time that Conservation Easements do NOT happen over night. We are not just conserving access we are conserving Wildlife, the reason we love Montana. As a member of the Region 4 CAC, I support this project and I am happy to see that it is for 99 years. Randy Knowles
37	From: Kyle McGovern <kylemcgovern360@yahoo.com> Sent: Wednesday, July 1, 2026 11:01 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hello, just read about this CE. As a MT resident and avid outdoorsman I am in support of it this easement. Kyle McGovern
38	From: Dylan DeBruycker <dylandebruyster23@gmail.com> Sent: Thursday, July 2, 2026 9:40 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE FORMAL NOTICE: ADMINISTRATIVE ALERT & EXECUTIVE SUMMARY OF FATAL FLAWS TO: The Sonja Andersen, FWP Director, the Region 4 Supervisor, and the Montana Fish and Wildlife Commission RE: Formal Opposition to the Hannah Ranch 99-Year Term Conservation Easement Proceeding to a Finding of No Significant Impact (FONSI) on the current administrative record is a recipe for litigation. This draft Environmental Assessment (EA) contains systemic vulnerabilities that jeopardize the integrity of Montana's conservation programs. Summary of Fatal Flaws • Administrative Overreach: Bypassing an Environmental Impact Statement (EIS) for a precedent-setting "pilot program" is a violation of Montana Environmental Policy Act (MEPA) mandates. • Statutory Non-Compliance: Attempting to force a 99-year lease through a scoping process designed for perpetual easements is a violation of MCA § 87-1-218. • Ultra Vires Action: The agency lacks explicit legislative authorization to enter into term-based conservation agreements, rendering this action <i>ultra vires</i>. • Public Trust Betrayal: Using sportsman funds to purchase a temporary, wasting asset is a breach of FWP's fiduciary duty. • Procurement and Funding Irregularities: The project fails to meet standard state procurement and valuation requirements.

- **Administrative Arbitrariness:** The agency is ignoring biological and logistical realities, rendering any decision to move forward arbitrary, capricious, and unsupported by the administrative record.

To Whom It May Concern,

Please accept these formal comments in opposition to the proposed Hannah Ranch 99-Year Term Conservation Easement. This proposal is structurally unsound, procedurally invalid, and a massive fiscal liability. Proceeding to a FONSI on this record would be a catastrophic administrative error that I am prepared to challenge through all available legal channels, including formal petition for judicial review under the Montana Administrative Procedure Act (MAPA).

1. Ultra Vires Agency Action: Lack of Legislative Authorization

FWP's attempt to establish a 99-year "pilot program" easement exceeds the agency's statutory authority. Montana law and established FWP mandates prioritize the acquisition of perpetual land interests for conservation. By unilaterally creating a term-based lease model without explicit legislative enabling language, the agency is acting *ultra vires*—beyond its legal powers—and is attempting to legislate policy rather than administer established law.

Demand: The agency must produce the formal legal memorandum of authority relied upon to determine that a 99-year lease satisfies the statutory requirement for "conservation" under MCA § 87-1-218. If this has not been formally vetted by the Attorney General or Legislative Services, the process must halt immediately.

2. MEPA Compliance Failure: Demand for a PEIS

FWP's admission that this 99-year lease is a "pilot program" is an automatic trigger for an Environmental Impact Statement (EIS). This is the first time the agency has attempted to classify a 99-year term-limited agreement as a functional equivalent to a permanent conservation easement under the *Habitat Montana* program, setting a statewide precedent that requires a Programmatic Environmental Impact Statement (PEIS) to analyze macro-cumulative impacts. **Demand:** The current EA is legally deficient for failing to address these cumulative impacts, and the agency is mandated to halt proceedings until a PEIS is prepared for public review.

3. Illegitimate Segmenting: A Fiscal Shell Game

The draft EA suffers from fatal structural segmenting. FWP has isolated this evaluation to localized land impacts while hiding the broader, systemic damage to its own financial stability. Using core habitat funds to bankroll a temporary recreational project—without analyzing how this cannibalizes the budget for permanent, high-value land acquisitions—is a fiscal shell game that fractures the integrity of Montana's entire conservation program.

4. Statutory Re-Scoping Violation: Bait-and-Switch Tactics

The agency's history of evaluating this ranch for a perpetual easement indicates an acknowledgment that only permanent protections serve the public interest. Substituting this with a 99-year term lease in the 2026 EA is an arbitrary departure from the agency's own stated conservation goals and violates the fundamental scoping requirements of MCA § 87-1-218. The agency cannot unilaterally redefine the scope of a major land acquisition without restarting the public participation process. **Demand:** I demand that FWP suspend the current, procedurally flawed public comment period and initiate a formal re-scoping process that

accurately reflects the implications of a 99-year term-lease, followed by a new, full 30-day public comment period.

5. Procurement and Valuation Non-Compliance

Any use of public funds for land interest acquisition must adhere to rigorous state procurement and valuation standards. A 99-year lease involves complex valuation regarding the "wasting asset" nature of the interest vs. a permanent easement purchase. **Demand:** I demand the immediate disclosure of all third-party appraisals, valuation methodologies, and internal financial feasibility studies used to justify the expenditure of sportsman funds on a 99-year term-limited asset.

6. Breach of Fiduciary Duty: Liquidation of the Public Trust

FWP holds Montana's natural legacy in trust for the future. By trading permanent protections for a temporary lease, FWP is effectively engaged in the systematic liquidation of the state's conservation estate. This is a short-sighted financial gamble that burdens our children with the loss of prime habitat.

7. Redundant Access and Wildlife Displacement: The "Corridor-Trap"

- **Fabricated Access Need:** The agency's characterization of the land as "landlocked" ignores the presence of the Crystal Lake Road, a public county-maintained artery that currently provides functional access. Spending millions in sportsman funds to purchase access that already exists is an indefensible waste of public resources.
- **The "Corridor-Trap" Biological Impact:** FWP's own telemetry research (Proffitt et al.) confirms that high-traffic human corridors act as biological repellents, forcing elk to abandon public lands. The agency's claim that there will be "no significant impact" is not supported by this existing data, making the FONSI conclusion arbitrary, capricious, and unsupported by the administrative record.

8. Failure to Mitigate Species of Concern

To issue a FONSI while ignoring the mortality risks to Grizzly Bears, Canada Lynx, and Wolverine is gross negligence. Without quantitative data on hunter-density and noise-level thresholds, the agency's claim of "no significant impact" is unsupported by evidence.

9. Third-Party Risks: Title Clouds and Civil Conflict

The EA ignores the reality of land management. By funneling high-density public traffic against private boundaries, FWP is forcing the landowners into a position of perpetual civil liability.

Demand: The agency must provide a "Title Encumbrance and Liability Analysis" to prove that this project will not lead to prescriptive easements or civil litigation for the landowner.

10. Formal Public Records Request

Under Montana's constitutional right to know, I hereby submit a formal request for the production of all internal agency communications regarding the decision to pivot from a perpetual easement model to a 99-year term lease model. **Demand:** Fulfillment of this request is a condition precedent to any further administrative action by this Commission.

11. Formal Request for Administrative Status and Notification

Pursuant to the Montana Administrative Procedure Act (MAPA), I hereby request formal status as an interested party of record. I demand immediate, written notification of any and all administrative actions, findings, or commission votes regarding this project.

	Conclusion: FWP is currently on a collision course with its own administrative responsibilities. I demand an immediate halt to this process. If FWP cannot fulfill its statutory obligation to secure permanent, perpetual protections for the people of Montana, then this experimental term-lease scheme must be totally canceled. Sincerely, Dylan DeBruycker
39	From: Tommy Long <tommylong88@yahoo.com> Sent: Thursday, July 2, 2026 10:02 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Good morning, I would like to say I think it is a great idea that FWP is looking to add this easement to help with public access. Thank you, Tom Long 7539 Spear Dr Shepherd, Mt
40	From: Joel Debruycker <joeldebruycker@yahoo.com> Sent: Thursday, July 2, 2026 2:46 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE To: Director Sonja Andersen, Region 4 Supervisor, and the Montana Fish and Wildlife Commission From: Concerned Stakeholder RE: Formal Opposition and Administrative Challenge to the Hannah Ranch 99-Year Term Conservation Easement Director Andersen, Please accept this correspondence as formal notification of my opposition to the proposed Hannah Ranch 99-year Conservation Easement. While I appreciate the Department's ongoing mission to expand public access for Montana's hunters, the current administrative record is fundamentally flawed. Proceeding to a Finding of No Significant Impact (FONSI) in the face of these deficiencies would be an administrative error, leaving the agency vulnerable to formal legal challenge under the Montana Administrative Procedure Act (MAPA). My opposition is based on a synthesis of administrative, fiscal, and biological concerns, which I believe render the current proposal untenable in its present form. 1. Administrative and Statutory Deficiencies The proposed "pilot program" represents a significant departure from established agency policy. By attempting to force a 99-year term lease through a process previously scoped for perpetual easements, the agency appears to be acting ultra vires.

- **Lack of Authority:** There is no clear legislative mandate authorizing this term-based model. I request the production of any legal memorandum justifying how a 99-year lease satisfies the statutory requirement for "conservation" under MCA § 87-1-218.
- **MEPA Compliance:** The classification of this project as a "pilot" necessitates a Programmatic Environmental Impact Statement (PEIS). The current Environmental Assessment (EA) fails to analyze the cumulative, statewide impact of shifting from perpetual land interests to wasting assets.
- **Procedural Integrity:** The sudden pivot from perpetual protection to a term-lease constitutes a "bait-and-switch" that violates the spirit of public scoping. I demand the immediate suspension of the current comment period and the initiation of a formal re-scoping process.

2. Fiscal and Fiduciary Concerns

Utilizing sportsman funds to acquire a temporary, non-perpetual interest is a questionable use of public resources. This project raises serious questions regarding procurement and valuation standards. I request the immediate disclosure of all third-party appraisals and internal financial feasibility studies. The agency must demonstrate how this expenditure aligns with its fiduciary duty to protect the long-term integrity of the Habitat Montana program, rather than cannibalizing funds intended for permanent, high-value acquisitions.

3. Biological Risks and "Corridor-Trap" Dynamics

Beyond the legal and fiscal issues, the proposal fails to address the biological realities of the landscape.

- **Ignoring Telemetry Data:** FWP's own research (Proffitt et al.) indicates that concentrated human disturbance displaces elk from public lands into secure cover or adjacent private property. The EA fails to provide a quantitative analysis of how this "corridor-trap" will affect elk distribution, hunter success, or hunter density.
- **Redundancy:** The characterization of the ranch as "landlocked" is inaccurate, as functional access currently exists via public infrastructure. Spending significant public funds to duplicate access that is already available is an indefensible allocation of resources.
- **Negligence regarding Species of Concern:** The current EA lacks necessary data regarding noise and density thresholds for Grizzly Bears, Canada Lynx, and Wolverine, rendering the FONSI scientifically unsupported.

4. Required Administrative Actions

Under the Montana Constitution's "Right to Know," I am submitting a formal public records request for all internal agency communications regarding the decision to pivot to a 99-year term model. Furthermore, pursuant to MAPA, I request formal status as an interested party of record and demand written notification of all upcoming administrative actions or commission votes concerning this project.

The agency's current trajectory risks significant civil and administrative liability. I respectfully urge the Department to halt this process immediately. If FWP cannot fulfill its mandate to secure permanent, perpetual protections for Montana's wildlife and public access, this experimental scheme must be canceled.

Sincerely,
Joel DeBruycker
Interested Party of Record

41	From: Bobby Long <rjl06021997@gmail.com> Sent: Sunday, July 5, 2026 1:06 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hello, I'm reaching out in regards to the Hannah ranch ce. I'm an out of state hunter from Pennsylvania, although my brother lives in Shepard Montana but I strongly agree that FWP should pursue the easement to help get more public land hunting I agree with FWP and FWP should also help increase public lands whenever possible. Thank you, Robert Long Spring city PA
42	From: Dick Shockley <ddshockley@aol.com> Sent: Monday, July 6, 2026 7:10 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I agree with Ben Long's comments: <i>"I am OK with this project. However, my gripe is calling it a conservation easement. It's more like a 99 year access lease. Which is fine, as far as it goes. But it's not really longterm conservation. When the lease comes up, our kids and grandkids will be facing a much greater bill to keep that land open than we would pay today. My comments to FWP was, proceed if you think it's a good deal, but don't call it a conservation easement. An access lease is a more accurate term. Calling it a conservation easement confuses people. It is sad that a few grouchy politicians has hamstrung FWP from doing real conservation."</i> Richard Shockley Gallatin Gateway, MT
43	From: martin fsrconsultants.com <martin@fsrconsultants.com> Sent: Monday, July 6, 2026 9:16 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch Proposed Conservation Easement Hi Sonja, I have been doing a little research into this potential CE and it sounds like a win for conservation and public access. If you are the project manager that has pushed this project to its current status, congrats to you. If not, perhaps you could connect me with the project manager, as I have a couple of questions about the process. Either way, thank you! Martin in Missoula

	Martin Oakland, PMP
44	From: Patrick Costello <p.e.costello83@gmail.com> Sent: Tuesday, July 7, 2026 11:56 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hello Sonja, I am writing to express my support for the Hannah Ranch CE. Although I would prefer to see a perpetual CE implemented, I appreciate the time and effort put towards this project. Protecting public access/open space while assisting the landowner with maintaining agricultural operations is always a good thing, in my opinion. As a long time resident of Bozeman, I unfortunately realize how important conservation easements are in terms of checking rampant development. Thank you again for your time and consideration, and have a good day! Patrick Costello Bozeman, MT
45	From: Dave Roen <daveroen48@gmail.com> Sent: Thursday, July 9, 2026 2:28 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE What is the cost of the contract to land owners, and how / when are payments made? Thanks
46	From: Paul Kemper <p.kemper.54@gmail.com> Sent: Tuesday, July 14, 2026 9:41 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hi Sonja, I'm reaching out to comment on the Hannah Ranch Conservation Easement. This is my first year of drawing the 411 archery permit after many years in the Breaks (having a 3-month-old has a way of getting you out of your routine!), and this seems like an incredible opportunity. I'm pumped to carry the longbow around the hills this year. I'm commenting in support of the easement, but I also ask that it be made a perpetual easement rather than a 99-year conservation lease. The Gilberts want this to be a perpetual easement, and the funds are available to make this happen. The value of a perpetual CE, as determined by an independent appraisal, is \$3,675,000, but the purchase price for the 99-year CE is \$3,562,500. \$112,500 is the difference between protecting 3,652 acres for 99 years and forever. Since Habitat Montana is largely funded by hunter license fees, it doesn't make sense to shortchange the "buyer" when the seller and the buyer want the same thing.

	If the Gilberts are seeking a perpetual easement, do you know why this proposal is for a 99-year lease? I know Whiskey Ridge CE and Stafford Ferry CE are perpetual, so I'm curious why 99 was the number here. Thanks again for all the good work you do. On an unrelated note, I'm sure you got an earful about bears this year, but if you're free sometime, I'd love to chat and learn more about the decision. I have some thoughts, and I'd love to know how Fergus County sportsmen can better support you in providing more opportunities while also looking out for the well-being of our critters. Best, Paul Kemper
47	From: jonathan owen <jonowen308@gmail.com> Sent: Thursday, July 16, 2026 8:30 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hanna ranch To: Director Sonja Andersen, the Region 4 Supervisor, and the Montana Fish and Wildlife Commission Re: Concerns regarding the Hannah Ranch 99-year Conservation Easement Director Andersen, I'm writing to you today as someone who cares deeply about the future of Montana's wildlife and the access we all enjoy. I truly believe that the FWP's goal of opening up more public land for hunters is a good one, and it's a mission I've always supported. However, after looking closely at the proposal for the Hannah Ranch 99-year easement, I have some serious concerns—not about the goal itself, but about the way this specific project is being handled. To be honest, the current plan feels like it's being rushed through without all the necessary homework. Here is what's keeping me up at night regarding this project: Is this really the best use of our conservation funds? I'm struggling to see why we are shifting our focus from permanent, long-term protections to a 99-year term lease. Our conservation dollars are hard-earned by hunters and anglers; using that money for an asset that eventually expires feels like a major gamble with our legacy. I'd love to see the math behind this—specifically the appraisals and the logic that says a temporary lease is a better investment than a permanent one. The biological reality We have some of the best wildlife research in the country right here in our own backyard. FWP's own telemetry data—the kind of work Dr. Kelly Proffitt has led—tells us that elk are incredibly sensitive to human disturbance. My fear is that by creating a high-traffic access corridor, we might accidentally push elk off public land and onto private ground, which would be the exact opposite of what we're trying to achieve. It feels like we're skipping the science to check a box, and I really worry about how this will affect the elk herd and the hunting experience long-term. The process feels off There's a lot of talk about this being "landlocked" land, but when you look at the map, there's already access via county roads. Spending millions to buy access that we

	effectively already have doesn't seem like the most responsible use of our limited budget. Furthermore, moving from a permanent easement model to this "pilot program" feels like a bait-and-switch. The public deserves a real, transparent conversation about the long-term impact of this shift, not just a quick environmental assessment that glosses over the tough questions. Moving forward I'm not trying to be a roadblock, but I am asking for us to hit the pause button. Before we commit to this, I'd like to see the agency take a step back and really look at the data—how will this actually change elk movement? What's the real plan for the long-term? I'm formally requesting to be kept in the loop as an interested party of record, and I'd appreciate it if you could share any internal discussions or research that led to this change in direction. I really want to see the FWP succeed, but I think we owe it to the future of Montana's landscape to get this one right, rather than just getting it done. Thanks for your time and for everything you do for our state's wildlife. I look forward to hearing your thoughts on these concerns. Sincerely, Jon Owen Interested Party of Record
48	From: Mark Savinski <marksavinski@gmail.com> Sent: Sunday, July 19, 2026 10:13 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I support the Hannah Ranch CE wholeheartedly. It is these types of projects that MT FWP should be proposing to enhance public access opportunities throughout the state. I only wish it was a forever CE, not just for 99 years. Mark Savinski, Sheridan, MT 59749 Former member of Region 3s CAC
49	From: William Birch Gmail <birchfarm.birch@gmail.com> Sent: Tuesday, July 21, 2026 1:22 PM To: Andersen, Sonja <SAndersen@mt.gov> Cc: Nancy Birch <nbirch44@gmail.com> Subject: [EXTERNAL] Hannah Ranch CE ... draft response encl. Sonja, Attached is the Three Bar response to the proposed Hannah Ranch Conservation Easement. I would like the opportunity to talk with you after you have a chance to read it. Three Bar is <u>not</u> opposed to the Conservation Easement or the efforts made by the Hannah Ranch, but rather we are concerned that the impacts on neighbors have not been fully recognized nor are the proposed mitigations likely to be as effective as needed when this rolls out.

Thank-you,

Bill Birch

Three Bar Ranch, Inc.

**Comments on the Proposed Hannah Ranch Conservation Easement
Fergus County, Montana**

To: Montana Fish, Wildlife & Parks

Regarding: Proposed Hannah Ranch Conservation Easement

General Position

Three Bar Ranch, Inc. ("Three Bar") appreciates the opportunity to comment on the proposed Hannah Ranch Conservation Easement ("CE"). We recognize and support the important public values associated with conserving productive ranchlands, protecting wildlife habitat, and providing responsible public recreational opportunities. We appreciate the willingness of the Hannah Ranch family and Montana Fish, Wildlife & Parks (FWP) to pursue conservation objectives.

Three Bar is **not opposed** to the proposed Conservation Easement.

Our comments are instead directed toward ensuring that the Environmental Assessment (EA), Management Plan, and implementation of the CE adequately recognize and mitigate reasonably foreseeable impacts on neighboring private landowners.

The issue before FWP is not whether trespass, fence damage, wildlife harassment, or shooting across private property boundaries are already prohibited by law. They are. Rather, the issue is whether the proposed CE will substantially increase public use adjacent to neighboring private lands, thereby increasing the frequency and practical consequences of these otherwise unlawful activities.

The purpose of mitigation is not merely to punish violations after they occur, but to reduce the likelihood that they occur in the first place.

Foreseeable Indirect Impacts

The Draft Environmental Assessment concludes that impacts to neighboring properties are expected to be minimal. Respectfully, Three Bar believes that **this conclusion is not yet adequately supported by the administrative record.**

Based on Three Bar's decades of operational experience managing this landscape, opening substantial new public recreational access to previously inaccessible or lightly used areas can reasonably be expected to increase public presence adjacent to neighboring private lands.

Increased public use, in turn, makes a variety of indirect operational impacts reasonably foreseeable even when the vast majority of visitors act responsibly and lawfully.

Accordingly, Three Bar respectfully requests that the Final Environmental Assessment acknowledge these foreseeable indirect impacts and identify the mitigation measures that will be implemented to minimize them.

These foreseeable impacts include:

- Increased trespass onto adjoining private lands.
- Increased temptation to pursue wounded game across private property.
- Increased temptation to shoot across property boundaries.
- Greater pressure on wildlife resulting in altered movement patterns.
- Additional fence damage from displaced elk and deer.

- Increased mixing of livestock.
- Greater spread of noxious weeds.
- Increased wildfire risk during periods of elevated fire danger.
- Increased time and expense required of neighboring landowners to monitor, document, and respond to these issues.

These are practical management concerns rather than theoretical ones. Three Bar has decades of firsthand experience managing this landscape and has experienced many of these issues under current access conditions.

Increasing public access can reasonably be expected to increase the frequency of these impacts.

Existing Laws Do Not Eliminate Practical Impacts

FWP correctly notes that trespass, shooting across private property boundaries, wildlife harassment, and other improper conduct are already prohibited by law.

Three Bar fully agrees.

However, the existence of laws prohibiting certain conduct does not eliminate the practical consequences associated with substantially increasing public use immediately adjacent to private property.

The relevant question before the Department is not whether these activities are legal—they clearly are not—but whether the proposed Conservation Easement can reasonably be expected to increase the frequency of such violations and the operational burdens imposed upon neighboring landowners.

Based upon Three Bar's long experience managing adjoining lands, we believe these indirect impacts are reasonably foreseeable and deserve recognition within the Environmental Assessment together with appropriate mitigation measures.

Remote portions of Fergus County present unique enforcement challenges.

Many violations occur where no witnesses are present.

Trespass is often discovered only after the fact.

Fence damage frequently cannot be attributed to a specific individual.

Wildlife displacement cannot practically be enforced.

The practical burden of monitoring and responding to these issues falls primarily upon adjoining landowners.

Enforcement actions are relatively uncommon because of the remoteness of the area, the difficulty of identifying violators, and the limited enforcement resources available.

Accordingly, mitigation should focus upon preventing conflicts rather than relying primarily upon enforcement after damage has already occurred.

Enforcement

FWP states that there will "likely" be a heavier enforcement presence.

Three Bar appreciates this statement but respectfully notes that it is not a measurable commitment.

We respectfully request clarification regarding:

- anticipated patrol frequency;
- expected seasonal staffing;
- opening-weekend enforcement;
- response times for reported violations;
- coordination with Fergus County law enforcement; and

- whether additional enforcement resources have been budgeted specifically because of this CE.

If additional enforcement is expected to be one of the principal mitigation measures, then that commitment should be more clearly defined within the Management Plan.

Boundary Management

The shared boundary between the Hannah Ranch CE and Three Bar Ranch exceeds six miles in places.

Because public use adjacent to this boundary will substantially increase, accurate identification of the property line becomes increasingly important. It is common for public GPS systems and even Cadastral systems to be in error.

Accordingly, Three Bar respectfully requests that:

- boundary monuments be verified or installed where appropriate;
- GPS mapping be updated;
- publicly available digital mapping systems reflect the boundary; and
- highly visible boundary signage be installed at appropriate intervals, trail intersections, gates, and locations where trespass is most likely.

Signage should specifically advise users that:

- Private Property Beyond This Point
- No Shooting Across Property Boundary
- No Game Retrieval Without Landowner Permission
- Trespass Violations Are Subject to Montana Law

Clear boundaries benefit landowners, recreationists, and enforcement personnel alike.

Wildlife Movement

One foreseeable indirect effect of increased hunting pressure is altered wildlife movement. Elk, deer, and other wildlife frequently seek refuge on neighboring lands during periods of increased hunting pressure.

This increased movement can result in:

- fence damage;
- livestock mixing;
- increased maintenance costs;
- altered wildlife distribution; and
- changes in hunting opportunity on adjacent private lands.

These impacts are operational realities for neighboring ranches regardless of whether wildlife movement itself is regulated.

The EA should acknowledge these foreseeable indirect impacts.

Noxious Weeds

Although parking areas may help reduce weed introduction, increased foot traffic and recreational use inevitably increase the opportunity for transport of seeds onto adjacent lands.

Three Bar respectfully requests that FWP include:

- periodic monitoring of weed infestations along primary access routes;
- coordination with neighboring landowners;
- rapid treatment of newly established infestations; and
- continued adaptive management if increased public use results in measurable weed spread.

Fire Risk

The proposed Management Plan appropriately allows access restrictions during periods of extreme fire danger.

Three Bar supports those provisions.

We further recommend that FWP retain flexibility to implement temporary closures whenever local fire conditions warrant and continue to coordinate with neighboring landowners during periods of elevated fire risk.

Adaptive Management

Three Bar respectfully requests that the Management Plan include an adaptive management provision.

If implementation demonstrates greater-than-anticipated impacts, FWP should retain authority to modify management practices, including:

- additional signage;
- modified parking;
- seasonal closures;
- increased patrols;
- access restrictions;
- educational outreach; and
- other reasonable management actions.

Adaptive management benefits both public recreation and neighboring landowners.

Monitoring

To better evaluate actual impacts following implementation, Three Bar recommends that FWP establish an annual monitoring program documenting:

- reported trespass incidents;
- citations and warnings;
- fence damage associated with wildlife movement;
- weed infestations;
- wildfire incidents;
- public complaints;
- neighboring landowner concerns; and
- management actions taken.

Objective monitoring would allow future management decisions to be based upon documented conditions rather than assumptions.

Request for Supporting Evidence

Throughout its responses to public comments, FWP concludes that impacts to neighboring properties are expected to be "minimal." Respectfully, Three Bar requests that the Final Environmental Assessment identify **the factual basis in the administrative record supporting that conclusion.**

If FWP has relied upon experience from comparable conservation easements or public access programs elsewhere in Montana, we respectfully request that the Department summarize or reference that experience, including information, where available, regarding:

- Trespass complaints affecting adjoining private lands;
- Enforcement activity, including warnings, citations, and prosecutions;
- Fence damage or wildlife displacement affecting neighboring landowners;
- Noxious weed introduction associated with increased recreational access;

- Fire incidents associated with public access;
- Neighboring landowner concerns; and
- Management actions implemented in response to documented impacts.

If such information exists, it would strengthen the Environmental Assessment by demonstrating the basis for FWP's conclusion.

If comparable information is not available, then the conclusion that impacts to neighboring properties will be minimal does not appear to be fully supported by documented experience in the administrative record. In that circumstance, Three Bar respectfully submits that measurable monitoring, annual review, and adaptive management become even more important components of responsible implementation.

This request is not intended to challenge the merits of the proposed Conservation Easement. Rather, it seeks to ensure that the Environmental Assessment is supported by the best available information and that any uncertainty regarding indirect impacts to neighboring landowners is addressed through practical, measurable mitigation.

Annual Coordination

Three Bar respectfully recommends that FWP convene an annual meeting including:

- FWP staff;
- Hannah Ranch representatives;
- adjoining landowners;
- enforcement personnel; and
- other affected stakeholders.

The purpose of the meeting would be to review operational experience during the previous year and determine whether additional mitigation measures are appropriate.

Such coordination would likely reduce conflicts while strengthening long-term relationships among all parties.

Conclusion

Three Bar Ranch supports conservation, responsible public recreation, and the long-term stewardship objectives reflected in the proposed Conservation Easement.

Our request is not that the Conservation Easement be denied.

Rather, we respectfully request that the Final Environmental Assessment recognize the reasonably foreseeable indirect impacts on neighboring private landowners, support its conclusions with the best available information in the administrative record, and incorporate practical, measurable mitigation measures designed to reduce those impacts before they occur.

Three Bar also respectfully submits that neighboring landowners possess valuable operational knowledge of the local landscape and should be viewed as partners in the successful implementation of this Conservation Easement. Continued communication, monitoring, and adaptive management will benefit wildlife, the recreating public, adjoining landowners, and the citizens of Montana alike.

We appreciate the opportunity to submit these comments and look forward to working constructively with Montana Fish, Wildlife & Parks and the Hannah Ranch owners toward the successful long-term implementation of the proposed Conservation Easement.

Respectfully submitted,

	William A. Birch, President Three Bar Ranch, Inc.
50	Hannah Ranch Conservation Easement PUBLIC COMMENT FORM * Name <u>Jason KOEHLER</u> Address (Street/ P.O. Box) <u>4313 ZEPHYR LN</u> City, State ZIP <u>BILLINGS MT 59106</u> Phone <u>(406) 720-0547</u> Email address <u>Jason.Koehler@gmail.com</u> Affiliation _____ Please submit your comments, arguments, and/or endorsements in the following space. Attach additional information to this form if you wish. Thank you for your interest in this effort. <u>Please pursue Alternative 4. There exists no precedent for "99-year" glorified leases as conservation easement and no future one should exist.</u> <u>If the land board wishes to say no to benefiting the citizens of the state, they should live with the politics of doing so.</u>
51	From: James Nasados <jnasados223@gmail.com> Sent: Tuesday, July 21, 2026 11:19 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hello, I support this proposal. The citizens of Montana need more access to enjoy outdoor recreation. This is a way of life for those of us who live out west. Seeing opportunities being harder to find or more competition for access is tough. This is a great opportunity Montana Fish, Wildlife, and Parks to do tremendous work. Providing access for now and future use is always a win. James Nasados

52	From: Dick Shockley <ddshockley@aol.com> Sent: Wednesday, July 22, 2026 6:44 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Proposed 3,600-acre easement in Fergus County would be for a term of 99 years <i>Proposed 3,600-acre easement in Fergus County would be for a term of 99 years</i> NO! A standard perpetual easement best serves the landowner and the State of Montana. Richard H. Shockley Gallatin Gateway, MT
53	From: Jeff Smith <jeffs_92@icloud.com> Sent: Wednesday, July 22, 2026 7:14 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Re Hannah CL At the will of the current landowners, and on behalf of all of my peers, I write to you to say that this lease would be best for ALL parties being perpetual; NOT 99 years. Thank you for your consideration in this matter. ~Jeff Smith, Billings MT
54	From: Angelo Reda <angelo_john87@hotmail.com> Sent: Wednesday, July 22, 2026 8:07 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I am emailing in support of moving forward with the Hannah Ranch CE. I do however think it is setting a bad precedent to go with a 99 year lease vs perpetual. I do not understand this change and would prefer it to be perpetual. I fell this is better for the public and a better use of funds. Thank you!
55	From: Brian Roland <bproland@gmail.com> Sent: Wednesday, July 22, 2026 8:55 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Good morning, Please respect the rights of private property owners and consider a perpetual easement as the preferred alternative for both the landowner and the citizens of MT. It's disingenuous to call a 99 year term an easement, it's a lease and not what Montanans want. Thank you for your time, Brian Roland West Glacier, MT

56	From: Peyton Jones <PeytonCJones@outlook.com> Sent: Wednesday, July 22, 2026 9:04 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Good Morning, I write this letter to express my support for this conservation easement. I think it will add great public access to this area for hunters and other outdoorsman alike. I do think a perpetual easement would be the best approach, especially if a private landowner is willing to enter such an agreement. Perpetual easements are much more beneficial to the public and participating landowners. Thank you for your consideration. Peyton Jones Helena, MT
57	From: Matt Fetting <mattfetting4@gmail.com> Sent: Wednesday, July 22, 2026 9:44 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Conservation Lease I support public land access through private property. I generally support this project. However, I am concerned that this is being set up as a lease rather than a perpetual easement. We are paying close to the actual purchase price for a lease, when we could have it forever for a small amount more. This is hard to understand. The landowners have a strong desire to have this set up as a perpetual easement. FWP has never set up an access agreement this way before...why now?? There has been no satisfactory explanation provided by FWP to these questions, when the public has asked for an explanation for the change to a 99-year lease. These questions need to be answered for the public. Thank you. Matt Fetting Manhattan, MT
58	From: Heather Peters <heather@anvil-insurance.com> Sent: Wednesday, July 22, 2026 10:22 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch public access I am writing today to ask for your approval of a permanent public access for sports and recreation on the Hannah Ranch bordering the Big Snowy Mountain Range. As the elk herds in the Snowy Mountain range reach unprecedented numbers public access has become increasingly restricted. I am a lifelong sportsman I find it increasingly frustrating that the elk herds are growing to dangerously high levels and yet Montana citizens struggle to access the herds to harvest and assist in maintaining the balance of healthy elk population. With overpopulation comes the danger of disease and over grazing which will be detrimental to future elk and deer populations as well as the other species inhabiting this island range.

	Montana is quickly becoming a “pay to play” state in terms of having the ability to hunt elk. Currently the entirety of the public lands in the Little Snowy Range is landlocked. The elk in that range have essentially become the property of the landowners surrounding it. As the popularity of our state continues to grow more and more of our lands stand the potential to become locked off from sportsman creating a propensity for a dangerous domino cascade harming our burgeoning elk herds. Legal access to public lands and responsible harvest are key to maintaining the health of our land and those that live upon it. The Hannah Ranch has generously offered a permanent easement to assist in the protections noted above. Imagine if Yellowstone Park or the Grand Canyon had been 99 year leases. These spaces would not be the gift of pristine wildlands they are today. They most certainly would be dotted with developments by now. I would implore you to approve this permanent easement for future generations of Montanan’s, both two and four legged. Most Sincerely, Heather Peters
59	From: Brad Hatleberg <bradleya.hatleberg@gmail.com> Sent: Wednesday, July 22, 2026 7:31 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch Permanent Easement I am 100% in favor of a permanent easement on the Hannah Ranch in the northwest corner of the Big Snowies mountain range. There is no need to make it a 99 year easement. This easement is well needed. The landowners want the easement permanent. Do what is right for interests of the general public of the citizens of Montana. Make it permanent. Brad Hatleberg Bozeman, MT
60	From: Chip Westerman <chipwesterman@gmail.com> Sent: Wednesday, July 22, 2026 1:23 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Proposed Hannah Ranch CE Hello, I am in favor of the proposed Hannah Ranch CE, but would strongly prefer that it be structured as a perpetual easement (which I understand was the original desire of the landowners). I understand that perpetual easements are currently unpopular with some in our state government, but that approach would be much, much better than a 99-year lease for the citizens of the state in terms of value for money and long-term outcomes. Political ideology should not be allowed to stand in the way of the best possible outcome for the landowners and Montana's citizens. Thank you, Chip Westerman Bozeman, MT
61	From: Greg Munther <gmunther12@gmail.com> Sent: Wednesday, July 22, 2026 1:34 PM

	To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah conservation easement This proposed easement provides both access to public land and is valuable wildlife habitat for a host of species. I have been fortunate to be involved in many other conservation easements. Both landowners and the public appreciate knowing such land will be protected forever!! I object to the 99 year easement rather than a perpetual easement. For the same cost, landowners preference and value to the hunter and wildlife enthusiast a perpetual easement only makes sense. Avoid a bad decision based on ideology! Greg Munther Missoula Montana
62	From: Andrew Oestreich <oestreich.andrew@gmail.com> Sent: Thursday, July 23, 2026 2:43 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah ranch ce I support the Hannah Ranch CE. I understand many folks object to the 99 year term, and are advocating for a perpetual easement; however, I believe there is real value in protecting the land now. I agree a perpetual easement is a better value and would be better, but I also understand the argument for not doing perpetual easements. In 99 years my great grandchildren would be in there 40's or so. That would mean multiple generations could enjoy the easement. Additionally, we are incapable of understanding what issues may face this area in 99 years. There may be genuine needs to reconsider the easement. I support this easement. Andrew Oestreich Lewistown, MT
63	From: Steve Sautter <sjsauto10@gmail.com> Sent: Friday, July 24, 2026 3:33 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Easement I support the purchase of a permanent easement of the Hannah Ranch in central Montana. Thank you, Steve Sautter Townsend, MT
64	From: Bill Hallinan <wjhallinan@gmail.com> Sent: Friday, July 24, 2026 6:54 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] In support of permanent easement on Hannah Ranch

	Greetings Land Board I'm in support of PERMANENT easement on Hannah Ranch as per https://helenair.com/opinion/column/article_d76ae02f-8ca9-5634-89b5-fa900743b7c4.html [helenair.com]. It is in the best interest of Montana and will make America great again! Sincerely yours, Bill Hallinan Helena, MT
65	From: Joe Mohr <josephhmohr@gmail.com> Sent: Friday, July 24, 2026 6:59 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Gilbert easement As you read this email, remember that you and I won't be here in 99 years, but future generations will. Do the right thing for them. Make it a permanent lease. Thank you. Joe Mohr
66	From: Marcus Hockett <m.a.hockett@gmail.com> Sent: Friday, July 24, 2026 7:46 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hey Sonja, I wanted to provide a comment in support of the Hannah Ranch Conservation Easement, but at the same time question why we wouldn't choose to have a perpetual agreement if possible. The extra 5% premium seems well worth it to ensure that future generations get to enjoy the open space and access on an amazing property. I most definitely support the CE, but if there is any possible way to change the agreement to be perpetual instead of the 99 year lease that would make way more sense. Thanks! Marcus Hockett
67	From: Jack Austin <Jackfg71@outlook.com> Sent: Friday, July 24, 2026 8:24 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Snowies easement There is no greater infringement of private property rights than for the government to dictate what a landowner may or may not do with their property. This is a conservation project where generations of Montana sportsmen and women will venture to make lasting memories. Eventually Montana will be dotted with massive cities and projects like this will be viewed as

	the greatest idea ever hatched. Please do as the owners wish and grant their permanent easement. Sincerely, Jack Austin Miles City, MT
68	From: Mountainman Caraway <deeslwrk@gmail.com> Sent: Friday, July 24, 2026 9:46 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hello, I wanted to voice my support for the Hannah Ranch CE. I feel we should pursue any avenue to secure public access to public lands. I would suggest that a provision for extension of the lease before it comes to term be added so that MTFWP would have first choice to extend the lease before the 99 years ends, preventing future land values from impacting the states ability to renegotiate the lease. Thank you for allowing public comment on this matter.
69	From: Rachelle Schrute <rachelleschrute@gmail.com> Sent: Friday, July 24, 2026 10:28 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Comment - Hannah Ranch CE Hi Sonja, I know these projects involve a tremendous amount of work, and more so how much you've personally invested in getting this across the finish line, and I appreciate the opportunity to provide feedback. I strongly support the Hannah Ranch conservation easement, but I remain disappointed that it has been reduced from the original perpetual easement to a 99-year term. If willing landowners have chosen to permanently conserve their property, I believe the state should respect that decision, not water it down in the hopes of getting it passed by a politically charged land board. I also have serious concerns about the fiscal responsibility of this proposal. The state is considering paying nearly the full appraised value of a perpetual conservation easement for one that expires in 99 years. That means Montana would pay almost the same price for substantially less long-term value. If public dollars are being invested to protect wildlife habitat, working agricultural lands, and public access, those public benefits should be permanent whenever willing landowners are offering that opportunity. Finally, I worry about the precedent this sets. If Montana begins replacing perpetual conservation easements with term easements because of political pressure rather than the wishes of willing landowners, it weakens one of the state's most successful voluntary conservation tools while sending the message that a landowner's decision to permanently conserve their property is not one the state is willing to honor. Thank you again for your work on this project and for considering my comments.
70	From: Jay Hanson <jayhansonoutdoors@gmail.com> Sent: Friday, July 24, 2026 10:39 AM

	To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch - CE Hello, I am in favor of the proposed CE on the Hannah Ranch. While a permanent easement is always preferred, a 99-year CE is still beneficial, potentially benefitting 3 generations of hunters. This is an area with very little access for both big game and upland species. Another access point to the Snowies is greatly needed in this area. Any delay on possible development in this high-desirable area is also important. Thank you. Jay Hanson Lewistown, MT
71	From: Glenn Elison <glennelison@gmail.com> Sent: Friday, July 24, 2026 2:10 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE EA comments Sonja, Here are my comments regarding the Hannah Ranch EA. I have also attached them as a Word doc. Thanks for your hard work on this long but worthy process. Glenn Elison The 3,652-acre Hannah Ranch property is rich in wildlife resources and outdoor recreational potential and opportunities. The owners, Jamie and Lisa Gilbert, are to be lauded for their past stewardship of the ranch and even more for their desire to seek perpetual conservation protection for the property and provide public access. While I normally would enthusiastically embrace a conservation easement (CE) for the Hannah Ranch, I am deeply concerned with the new approach of a 99-year term conservation easement. The proposed 99-year CE instead of a permanent CE sets a bad precedent. The owners want a permanent agreement. Wildlife and Montana's residents and visitors would benefit from the conservation and public access a permanent CE provides. The independently appraised value for a permanent conservation easement is \$3,675,000. The independently appraised value for the 99-year term conservation easement is \$3,562,500. The difference in cost between eternal protection and 99-year protection is \$112,500, or three percent of the permanent conservation easement cost. The choice of the shorter-term CE appears, on its face, to be a poor use of public funds considering the enormous difference between 99 years and perpetual public benefits.

	While 99 years is a long time in the context of a human's life span, consider the United State just celebrated 250 years of independence a few weeks ago. We hope for many more centuries of a thriving United States that values conservation and outdoor recreation for its citizens and visitors. We are fortunate that President Grant did not opt for a 99-year lease on Yellowstone N.P. in 1872 or President Taft did not opt for a 99-year lease when he established Glacier National Park in 1910. 99 years ago, my father was in elementary school. 99 years is not a long time. The underlying reason for advancing the 99-year conservation easement appears to be an effort to placate the Land Board or some of its members. The values of perpetual conservation and other public benefits are sufficiently compelling that a perpetual conservation easement should be forwarded to the Montana Fish and Wildlife Commission and subsequently the Montana Land Board for their consideration following broader public review and input. The proposed 99-year term CE is simply a poor choice considering FWP's fiduciary responsibilities to Montana's citizens and resources. The economics of choosing a 99-year CE over perpetual protection are a bad investment of public funds to put it gently. A perpetual conservation easement is the right decision. It is worth the work. Let someone outside of FWP make the wrong decision.
72	From: Sherri <sherri@montanalingerie.com> Sent: Friday, July 24, 2026 9:38 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch Easement Comment This email is regarding the Hannah Ranch proposed easement on property nestled up to the Snowy Mountains. In 2021, owners Jamie and Lisa Gilbert approached the Department of Fish, Wildlife, and Parks offering to negotiate a permanent easement on the property that would allow public access for hunting and other recreational purposes as well as protect against habitat loss to development. The value of the easement appraised at \$3.5 million, above the \$ 1 million that mandates approval by the State Land Board. This money would come from the FWP Habitat Montana program, mostly funded through non-resident license fees. No taxpayer money would be required. FWP then proposed a 99-year easement, although this has never been done before. It is hard to identify any advantage to this alternative other than avoiding pushback from political interests opposed to permanent easements. It would result in no meaningful financial benefit and runs contrary to the landowners' wishes. The true irony in this case is that the Gilberts specifically want to see a permanent easement on the land. In a recent discussion, they stressed their desire to provide public access while maintaining the property's ranch production rather than having it become a sprawling development or a trophy hunting property for wealthy out-of-state interests. Although concern for private property rights is often cited in opposition to permanent easements, the Gilberts' admirable decision about the future of the property is in fact an expression of their private property

	As a tax paying Montanan, I insist that FWP and the Land Board negotiate a permanent easement rather than an unprecedented 99-year lease that defies landowner wishes, creates future uncertainty, and provides no advantages over a permanent easement. Abandoning this effort now would waste resources and establish a dangerous precedent. Kindly, Sherri Smith
73	From: Eric VanderBeek <eavanderbeek@yahoo.com> Sent: Friday, July 24, 2026 10:38 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch There is not a greater potential public benefit than a PERMANENT EASEMENT on the Hannah Ranch in Central Montana. This 3652-acre property nestled against the northwestern corner of the Big Snowy Mountains, its diverse habitat supports an abundance of wildlife, including large numbers elk. Perhaps more significantly, it could facilitate access to a large segment of mountainous National Forest terrain that has been impossible to access due to private land surrounding our Public Lands.. In 2021, owners Jamie and Lisa Gilbert approached the Department of Fish, Wildlife, and Parks offering to negotiate a permanent easement on the property. This would allow public access for hunting and other recreational purposes as well as protect against habitat loss to development. This is a win win for the State of Montana, hunters in Central Montana and those of us who live and recreate around the Snowy Mountain. Even better, this will cost taxpayers nothing since the easement would be funded by various of other sources. The Fergus County Board of Commissioners supported pursuing the permanent easement, as did most public comments. The Land Board should approve this easement. There is NO legitimate reason to NOT to approve this easement. The Gilbert's, the landowners offering the easement have a clear desire to make this easement PERMANENT. It is a violation of their property rights to not allow their wishes. The Gilbert's specifically want to see a permanent easement on the land. In a recent discussion, they stressed their desire to provide public access while maintaining the property's ranch production rather than having it become a sprawling development or a trophy hunting property for wealthy out-of-state interests. . Some Land Board members have expressed opposition to permanent easements on partisan grounds despite the proven record of success of easements on other properties. The proposed 99-year easement has never been done before. It is unprecedented and would result in no meaningful financial benefit. But most importantly, it runs contrary to the landowners' wishes. The Land Board should be looking at ways to benefit Montanans providing more access to public lands for hunting and recreation. They should protect and uphold the Gilbert's private property rights. A permanent easement on this special property would provide substantial long-term benefits to Montanans at no cost to Montana taxpayers while guaranteeing those benefits for future generations. It's time to do the right thing and support the public interest rather than yielding to partisan political considerations. Montanans expect the FWP and the Land Board to

	negotiate a permanent easement rather than an unprecedented 99-year lease that defies landowner wishes, creates future uncertainty, and provides no advantages over a permanent easement. Abandoning this effort now would waste resources and establish a dangerous precedent. Thank you for your time and consideration. Eric VanderBeek Lewistown, MT
74	From: John Gaskin <jfgaskin37@gmail.com> Sent: Saturday, July 25, 2026 6:49 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch easement I am in support of the Hannah Ranch easement. I live in Lewistown and have long wanted an easier way to access the USFS land in the west end of the Snowies for hiking and plant and wildlife viewing. Sincerely John Gaskin Lewistown, MT
75	From: Weston Molter <westonmolter@charter.net> Sent: Saturday, July 25, 2026 7:16 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Gilbert Easement The Gilbert Easement is by far the best thing I have read in ages. Please follow through with it. It will benefit Montana significantly! Thank you, Weston Molter
76	From: Dick and Nancy Raths <dick.nancy.raths@gmail.com> Sent: Saturday, July 25, 2026 10:00 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah ranch easement Hi Thanks for the opportunity to comment on the easement proposal. I like the idea of preserving the landscape while providing recreation and hunting for the public. It is my sense that the public and the owners would be happier with a perpetual easement as originally proposed. I do not have an issue with the homestead exemptions as that land and location were part of the family legacy. The home sites do not detract from the protection of the landscape. Please adopt the easement as a permanent easement. The dollar difference is not significant for the value plus it precludes making another financial decision in the future. Thanks Dick Raths
77	From: Linde Hoff <lrhoff@hotmail.com> Sent: Saturday, July 25, 2026 10:11 AM

	To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch easement To Whom It May Concern: Please provide a permanent easement for the Hannah Ranch. A permanent easement on this special piece of property would provide substantial long-term benefits to Montanans at no cost to Montana taxpayers while guaranteeing those benefits for future generations. It's time to do the right thing and support the public interest rather than yielding to partisan political considerations. It's about time we, as Montanans, insist that FWP and the Land Board negotiate a permanent easement rather than an unprecedented 99-year lease that defies landowner wishes, creates future uncertainty, and provides no advantages over a permanent easement. Abandoning this effort now would waste resources and establish a dangerous precedent. Please do the right thing here and provide what the landowners are requesting and what is right for Montanans. Thank you, Linde R. Hoff
78	From: justin lex <justin.lex@gmail.com> Sent: Saturday, July 25, 2026 2:16 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I support the proposed Conservation Easement for Hannah Ranch. I support the listed objectives of conservation of native habitats, maintenance of agricultural uses, and opportunities for public access and recreation. If the landowners were amenable and supportive, I would additionally support a perpetual CE and not just a 99 year term. Thank you, Justin Lex Columbia Falls
79	From: MrEmmydog1 <cabinman107@gmail.com> Sent: Saturday, July 25, 2026 5:45 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I am writing to urge all land board members to support the purchase of this easement. Thank You for you your consideration John Harris
80	From: Samantha Huston <samantha.huston26@gmail.com> Sent: Sunday, July 26, 2026 4:21 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch Conservation Easement

	Hello, I'm a local resident in Lewistown MT. I believe the Hannah Ranch Conservation Easement should be allowed to happen completely, not as a 99 year lease that can be screwed with later. The folks that own that land privately can and should be allowed to do whatever they want with that land, up to making it a permanent conservation area. I support these folks. Thank you, Samantha Huston Lewistown, MT
81	From: Mike Getman <mhg4556@gmail.com> Sent: Sunday, July 26, 2026 8:40 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Sonya, Attached are my comments. Thanks for all your hard work on this project! I was in 100% support of FWP's first proposal to acquiring the Hannah Conservation Easement in perpetuity. Now I have reservations as to whether a 99-year easement is worth the cost and effort. Not only to the sportspeople who will fund this, but also the landowners who desire perpetual protection of their property. My reservations are based on what I learned attending the public meeting in Lewistown and of reading the documents. At this meeting, I asked the question, "has FWP worked with the Commissioners and State Land Board concerning their opinion for a perpetual easement that the landowners desire"? I was truly disappointed to learn the answer was no. I worked for the U.S. Fish and Wildlife Service for 25-years and was involved in the purchase of many perpetual wetland and conservation easements. The key to these acquisitions was to work closely, educate, and inform those who could disapprove of them. Seldom did they "trump" the desires of the landowners. I'm disappointed to know that the FWP Commission and especially the Land Board have the ultimate decision on such FWP acquisitions. I fail to understand the potential Land Board's objection to approving a perpetual easement that would only cost a few thousand dollars more. They seem to be more opposed to perpetual than the best use of sportspeople's money. Will the Land Board, in the future, also object to a perpetual utility easement request that crosses land that they must approve? Perpetual easements are critical to me. Because of them I have water, sewer, electricity, and natural gas services at my house, plus a road to access it. Land conservation and public access perpetual easements provide similar benefits. I'm disappointed in that this EA only had two alternative – purchase a 99-year easement or not. Why weren't there other alternatives? Is there a possibility for FWP to purchase a 99-year

	conservation easement, and then have a non-state entity (MLR, TNC, etc.) obtain a perpetual non-development easement after FWP's 99-year easement terminates? Please work on other options for future acquisitions! In summary, I prefer a perpetual easement, but FWP better understands the current attitudes of the Commission and Land Board. Maybe a 99-year easement is the best FWP can do now and if so, I wouldn't object unless FWP doesn't work to obtain other options for future land purchases and perpetual conservation easements. This will be a difficult decision, please make the right one!
82	From: k b <ltracker57@yahoo.com> Sent: Friday, July 24, 2026 4:25 PM To: Anderson, Sean <sanderson@mt.gov> Subject: [EXTERNAL] Permanent easement Please support permanent easement for all Montanas. It is so difficult to find places for the public to hunt so many are private land owners who guide. My children had hunting spots my grandchildren, have a hard time finding the same permanent easement for the public are the only way to ensure sportsman can continue with Sports.
83	From: jbsnowdrift@mt.net <jbsnowdrift@mt.net> Sent: Friday, July 24, 2026 8:18 PM To: Anderson, Sean <sanderson@mt.gov> Subject: [EXTERNAL] Hannah Ranch easement purchase The Hannah Ranch easement purchase should only be a PERMANENT EASEMENT PURCHASE! A 99 year easement purchase is simply ludicrous! The only easement purchase should be permanent! That is what Jamie and Lisa Gilbert want and that is what it should be! Thank You for your consideration to this matter. Jon Largis Helena, MT Also, it should be noted I have long been frustrated by the lack of PUBLIC ACCESS TO THE SNOWY MOUNTAINS!
84	From: Zachary Merzlak <zrmerzlak@gmail.com> Sent: Monday, July 27, 2026 12:00 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch Easement Hello, I'm writing to give my comment on the proposed Hannah Ranch easement. I believe that FWP and the land board should follow the wishes of the landowners and the public by pursuing a permanent easement, not one with a 99 year term. It is in the best interest of the majority of Montanans and is what the landowners desire, which is an extremely beneficial win-win. Thanks,

	Zachary Merzlak
85	From: Robert Farrell <mtgreenheads@gmail.com> Sent: Monday, July 27, 2026 3:34 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Public Comment: Support for Perpetual Conservation Easement on Hannah Ranch Habitat Lease Dear Ms. Andersen, I am writing to submit public comments regarding the proposed Hannah Ranch Habitat Lease. I strongly support securing public hunting access and conserving these 3,652 acres in the Big Snowy Mountains, but I urge FWP to pursue a perpetual conservation easement rather than a 99-year term. A 99-year term is problematic for several key reasons: 1. Landowner Intent & Property Rights: The landowners prefer a perpetual easement. Forcing a 99-year term undermines private property rights and disrespects working agricultural families. 2. Inefficient Use of Sportsmen's Funds: At 97% of the appraised value of a perpetual easement, a 3% savings to sacrifice permanent protection and public access makes no financial or conservation sense. 3. Long-Term Conservation: FWP should not let potential political hurdles at the Land Board prevent pursuing true perpetual conservation for Montana's wildlife and access legacy. Please uphold the wishes of the landowners and Montanans by pursuing a perpetual conservation easement for Hannah Ranch. Sincerely, Bob Farrell Billings, MT
86	From: Pat Fody <patfody@yahoo.com> Sent: Monday, July 27, 2026 3:38 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements! Sonja, Thank you for your work. We join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah Ranch. Keep up the good work. Patricia Fody Purchasing easement. Lease makes future estate planning a nightmare and will negatively effect future land under consideration.
87	From: Eric Scranton <eric_scranton@hotmail.com> Sent: Monday, July 27, 2026 3:41 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements!

	Sonja, Thank you for your work. We join Montana Wildlife Federation in supporting a PERPETUAL conservation easement for the Hannah Ranch. Keep up the good work. Eric Scranton Bobbi Geise
88	From: Darlene Edge <hawkedge1@gmail.com> Sent: Monday, July 27, 2026 3:47 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We+support+perpetual+conservation+easements! Sonja, I hope you are well. This is Dar. One of The problems that I see with any lease is it expires, precedent of public use has been set, now to renew this lease will set the Landowner up to demand excessive compensation. On top of that, if the Landowner wants a perpetual CE, that is their right. That's my 2 cents. Thank+you+for+your+work.+We+join+Montana+Wildlife+Federation+in+supporting+a+perpetual+conservation+easement+for+the+Hannah+Ranch. Keep+up+the+good+work.
89	From: Darlene Edge <hawkedge1@gmail.com> Sent: Monday, July 27, 2026 3:49 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We+support+perpetual+conservation+easements! Sonja, Dar again, why not just do a short term lease and when these buffoons are out of office, do a perpetual CE? Thank+you+for+your+work.+We+join+Montana+Wildlife+Federation+in+supporting+a+perpetual+conservation+easement+for+the+Hannah+Ranch. Keep+up+the+good+work
90	From: Debra Miller <mtmiller.deb@gmail.com> Sent: Monday, July 27, 2026 3:56 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We+support+perpetual+conservation+easements! Sonja, Thank+you+for+your+work.+We+join+Montana+Wildlife+Federation+in+supporting+a+perpetual+conservation+easement+for+the+Hannah+Ranch.

	Keep+up+the+good+work. Please do Not end perpetual conservation easements, they protect much needed habitat for wild animals, farming and ranching. These are chosen by the landowners for a specific purpose, do not take their rights away! Thank you. Debra Miller Roscoe, MT
91	From: Bill Milton <billmiltonmt@gmail.com> Sent: Monday, July 27, 2026 3:59 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements! Hello Sonja, I was just updated on the Hannah Ranch easement opportunity. I am aware that FWPs is proposing a 99 year easement as opposed to the customary perpetual easement. I, for reasons many others have shared, support a perpetual easement yet I appreciate the unique political circumstances that underlie the current proposal. I would appreciate what you believe is the appropriate action to take. I figure if we human beings cannot figure out how to take care of our planet, and Montana, in 99 years, all easement, perpetual or otherwise, will be unfavorably compromised in value. Good luck and thanks for your efforts. Bill Milton
92	From: John Miller <mtjwmiller@gmail.com> Sent: Monday, July 27, 2026 4:04 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements! Sonja, Thank you for your work. I want to let you know I am in full support of maintaining the perpetual conservation easement program that has been in place for many years now in Montana. It works and has given private landowners the right to keep their land as agricultural land in perpetuity. Sincerely, John Miller Roscoe, Mt.
93	From: bob bugni <bobbugni@yahoo.com> Sent: Monday, July 27, 2026 4:12 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] 99 year proposed lease- Hanna Ranch

	I'm strongly opposed to this proposal. It is not the best use of my sportsman dollars. There is no good reason not to do a permanent or perpetual agreement. Is this some kind of political bullshit? What the hell is going on with FWP? For decades, Montana FWP was highly regarded and respected across the West. It so sad to see we are headed to the bottom of the barrel on issues like this and commercializing of public fish and wildlife. Bob Bugni East Helena
94	From: Mike England <mike@outsidebozeman.com> Sent: Monday, July 27, 2026 4:13 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] I support perpetual conservation easements Hello Ms. Andersen, Thank you for your work. I join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah Ranch. However, I know the Land Board's history, how they are prone to (inexplicably) opposing both landowner wishes and public interests. If a perpetual easement has no chance of getting past these purported public servants (I'm controlling my verbiage here), then do what you have to do. Keep up the good work. Mike
95	From: Kurt Cunningham <kurtcunningham406@gmail.com> Sent: Monday, July 27, 2026 4:39 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Support for perpetual conservation easements! Sonja, Thank you for your work. I join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah+Ranch. Keep+up+the+good+work.
96	From: rochelle gravance <rmg13@hotmail.com> Sent: Monday, July 27, 2026 4:49 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Re: 99-year conservation lease Sonja Andersen, The 99-year term on the Hannah Ranch Habitat lease is not the direction that should be taken and will open the door to a new precedent. The owners want the land to be managed in perpetuity. Regardless the Land Board, honor the landowner's wishes.

	We have the responsibility to manage our public lands thoughtfully which necessitates the protection and conservation of these lands even more now that big money and politics are trying to strip these lands from the people. This project would be a huge win for public access and opportunity along with building landowner relations. This needs to be done correctly so as to encourage more relationships and opportunities like this in the future that we all benefit from. Thanks for the opportunity to comment, Rochelle Gravance
97	From: Nancy Ostlie <nancyostlie@gmail.com> Sent: Monday, July 27, 2026 5:18 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements! Sonja, Thank you for your work. We join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah Ranch. When I point out to visitors that land in the state is under a conservation easement, their first question is whether there is a time limit on the arrangement, or if it is perpetual. I have been pleased to say that the agreements last 'forever'. I hope your agency will find the backbone to protect the existing status quo, with perpetual easements instead of limiting them to 99 years. We will all be lucky if there are any public lands and people to protect them in 99 years, with a mass extinction of species in progress. Nancy Ostlie Bozeman MT
98	From: randygray <randygray@gmail.com> Sent: Monday, July 27, 2026 5:36 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements! Dear Ms Andersen and FWP: Thank you for your work. I join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah Ranch. I am a retired attorney, land owner and 5th generation Central Montanan. I am also an advocate of private property rights. If a private property owner wants to place a permanent conservation easement in their property they have an unquestionable right to do so. Let the legislature try to limit that right and then the Judicial branch review whether it is constitutional. FWP should not stymie this landowner's choice with their own land and circumstances. Turning down a PERPETUAL public benefit in the process is absurd.

	Thanks for your consideration. Randy Gray Great Falls
99	From: Falk, Terry <Terry.Falk@legmt.gov> Sent: Monday, July 27, 2026 6:01 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch Habitat Lease Greetings I am in support of not doing a perpetual lease for this Thank you Rep. Terry Falk MT House District 10
100	From: JERRY BLYTHE <jlblythe@msn.com> Sent: Monday, July 27, 2026 6:21 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements! Sonja, Thank you for your work. We join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah Ranch. Keep up the good work. As a landowner in Judith Basin County, and one who is considering a conservation easement on my property, I would oppose going against the landowner desires in an effort to bend to the political winds. These winds change, the land remains, and in 99 years, who can predict what events might drive this property into undesirable use. Please find a way to work this out and make this a perpetual easement. Thankyou, Jerry Blythe Helena, Montana
101	From: ChrisandPam Scranton <pamnchris82@gmail.com> Sent: Monday, July 27, 2026 7:37 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements! Sonja, Thank you for your work. We join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah Ranch. Keep up the good work.

102	From: berg99@midrivers.com <berg99@midrivers.com> Sent: Monday, July 27, 2026 9:50 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE EA Sonja, Following are my comments regarding the proposed Hannah Ranch Conservation Easement. First off I would like to commend you for your past conservation easement work in central Montana. The public will benefit for many generations to come because of your hard work. I support the intent of the Hannah conservation easement and its habitat and public access components. I do not support the 99 year length of the proposal. I recommend a perpetual easement as Jami and Gilbert Hannah have requested. I believe we need to honor their private property rights of choosing a perpetual easement for their ranch. From a tax payers perspective it is fiscally irresponsible to purchase a 99 year easement when you can protect the resource in perpetuity for less than 4% more of the purchase price. I also have concerns of the precedent you will set with a 99 year easement. It will be virtually impossible to acquire perpetual easements in the future once you have established an easement with a termination date. I am also concerned of the ramifications the 99 year easement will have on other conservation partners that work in this arena. The Conservation Fund, Montana Land Reliance and the Fish and Wildlife Service all have very successful programs that involve perpetual conservation easements. A precedent like this will significantly affect future conservation work. Thank you for the opportunity to comment. Sincerely, Bill Berg Lewistown, MT
103	From: garrett ouldhouse <oretgart@gmail.com> Sent: Monday, July 27, 2026 10:42 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We+support+perpetual+conservation+easements! Sonja, Thank+you+for+your+work.+We+join+Montana+Wildlife+Federation+in+supporting+a+perpetu al+conservation+easement+for+the+Hannah+Ranch. Keep+up+the+good+work.
104	From: Jess Wagner <jess_wagner2@hotmail.com> Sent: Monday, July 27, 2026 11:08 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Comments I would like to comment in support of the Hannah Ranch conservation lease with some reservations. I live in Lewistown and spend a lot of time recreating in the Big Snowies. Access is very limited on the west end of the mountain range, so the prospect of having an access point on that end of the range is very exciting to me. Opening up new hunting access for the public is

	critical at a time when new private land hunting leases seem to be popping up in this area all the time. I do have big concerns about seeking a 99 year lease as opposed to a perpetual easement. Fiscally, it does not make a lot of sense to pay nearly the full appraised value for a lease. Why not pay the extra 3% now and protect the land forever, as opposed to paying exponentially more to renew the lease in 99 years? Additionally, the landowners themselves would like to protect this land forever through a perpetual easement. It is their property and they should be able to do as they wish with it rather than having to settle for a 99 year agreement. While I do believe a 99 year agreement is better than no agreement at all, I would urge FWP not to get in the habit of settling for these shorter term agreements and instead try to protect habitat and secure access forever through perpetual easements. Open spaces and habitat for wildlife are part of what makes Montana the Last Best Place. Jess Wagner Lewistown, MT
105	From: Kathy Knudsen <kathyknudsen2@gmail.com> Sent: Tuesday, July 28, 2026 12:38 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We+support+perpetual+conservation+easements! Sonja, Thank+you+for+your+work.+We+join+Montana+Wildlife+Federation+in+supporting+a+perpetual+conservation+easement+for+the+Hannah+Ranch. Keep+up+the+good+work
106	From: Mark Magill <magillme@gmail.com> Sent: Tuesday, July 28, 2026 6:13 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements! Sonja, Thank you for your work. We join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah Ranch. In General perpetual easements will protect lands in perpetuity. Keep up the good work. Mark and Ashleigh Magill
107	From: Terry Mullins <terrymullinsbro@gmail.com> Sent: Tuesday, July 28, 2026 7:13 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch

	I am writing to encourage a permanent easement rather than a 99 year easement for the Hannah Ranch property. The extra dollars are an investment in our future and worth every penny. Sincerely, Terry Mullins Helena, MT
108	From: Jerry Simpson <jerry.simpson1957@gmail.com> Sent: Tuesday, July 28, 2026 7:42 AM To: Andersen, Sonja <SAndersen@mt.gov> Cc: stevehertel30@gmail.com <stevehertel30@gmail.com>; Karen Cohlhepp <karencohlhepp@gmail.com>; 1976best@yahoo.com <1976best@yahoo.com> Subject: [EXTERNAL] Hannah Ranch Conservation Easement HANNAH RANCH CONSERVATION EASAMENT COMMENT As property owners and stakeholders who utilize Logan Ridge Road as the only legal access to our private property in the area of the Hannah Ranch, we have some concerns. The road is technically a county road, so the public can use it without question. That leads us to our series of questions and observations. How can the Hannah Ranch restrict access to this route to our property or restrict the general public from its use even by way of the conservation easement? With the added traffic pressure from the block management through the conservation easement, who is going to be liable for the repairs and maintenance of Logan Ridge Road? We realize that this falls to Fergus County but the County Commissioners have made it abundantly clear that road repairs and maintenance will only be made past the USAF missile silo if funding becomes available. The road currently has very significant issues, starting at the hill by the missile silo to the top of the hill before Horan's cabin. • Once around the switchback east of Horan's cabin to the top of the hill, the road is eroded out and difficult to navigate. • From the point on top of the hill overlooking the Logan Bottom to the T where the Mountain View School stood, the road is full of timothy grass and therefore in the spring and fall that has the potential to be a very serious fire hazard in dry conditions. This hazard becomes more likely with the increased traffic the conservation easement is anticipated to will bring. • From the T to the Logan Place designated parking area, the road goes through a wetland area that is not currently drained or managed in any way. • Lastly, from the Logan Place parking area, the road continues to the northeast and swings around east down the hill, crossing the west fork of rock creek canyon about ¾ of a mile. At that point, the road dead ends at what is known as the Three Gates. At the very least, we would like signage the says something like "Road Dead Ends, No Public Access" placed near the parking area. In our personal experience as landowners up there, we aren't confident people will read the sign or respect any other posted signage. Our property

	shares a border with the Forest Service land, on which motorized vehicle use is prohibited. We frequently have people drive from the Forest Service land onto ours, ignoring both the Forest Service signage such as “No Motorized Travel” and our “No Trespassing” signs. This brings us to our next observation – if approved, we would like to see a heavier law enforcement presence in the area. Thank you for your time and consideration. If you have any questions or would like to discuss our concerns, please feel free to contact us at the numbers below.
109	From: dchoran <dchoran@mtintouch.net> Sent: Tuesday, July 28, 2026 8:06 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] hannah ranch conservation easment I am owner of the Horan ranch which is adjoins this easement. I would like to address some concerns I have about the portrayal of this easement. One is that is significant winter range for 1000 head of elk. This is false. The amount of elk on this end of the snowies may be 1000 head but there are significantly fewer that are seen on this property for at most 1 week out of the entire winter. My second concern is that this property is not the only one used for an elk calving area. The neighboring land owners see more elk calving than this parcel does. Thirdly that the part of this easement that is the Obrien place does have big game species that use it for habitat but not enough to warrant increased public access at the number of hunter days suggested. It will just increase the pressure on the adjoining property because that is where all the game go during hunting season. Lastly the obrien parcel is mostly nonnative species of plants mostly tame grasses. so if this easement is to conserve an endangered ecosystem, it does not. I would support the logan ridge parcel because it gives access to the wilderness area of the snowies. However, the access road is usually closed in the winter because the road fills with snow. So in conclusion, this easement increases public access to an area that has a limited number of game animals and poor hunting access thus decreasing the value of the hunting experience and increasing pressure on the neighbors properties for little reason. And as with any private property it is up to the landowners to conserve its resources for agricultural purposes not the FWP.
110	From: Richard Cain <caincuda@aol.com> Sent: Tuesday, July 28, 2026 10:36 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements! Sonja, Thank you for your work. We join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah Ranch. Keep up the good work. Although I am not from Montana, I fish and hunt there often. The easements and public access is everything for me.
111	From: John Wright <jowright@nmsu.edu> Sent: Tuesday, July 28, 2026 11:19 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] I support perpetual conservation easements!

	Sonja, Perpetual conservation easements respect private property rights and capitalism. The Land Board must uphold these Montana values or they will work against them. When government tells landowners what to do that is not right. Trust Montana landowners and their decisions. I trust Montana ranchers. I urge the Land Board to do the same. Time for clear thinking. John Wright Missoula
112	From: Jarek Bernt <jarekbernt@gmail.com> Sent: Tuesday, July 28, 2026 11:53 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Conservation Lease Comment Hello, I am writing to express my strong support for the public access and habitat preservation that would be provided by the proposed Hannah Conservation Lease. My strong preference as a Montana sportsman would be for preservation in a perpetual easement as this option best honors landowner rights and long-term conservation. Thank you for considering my comment, Sincerely, Jarek Bernt Bozeman, MT
113	From: elizabeth mcfarland <elizabethmcfarland10@gmail.com> Sent: Tuesday, July 28, 2026 11:53 AM To: Andersen, Sonja <SAndersen@mt.gov> Cc: Liz McFarland Mike Wigen <indiancreek@rangeweb.net> Subject: [EXTERNAL] Landowners who support perpetual conservation easements Dear Sonja, My husband and I own a ranch (cow/calf) in eastern Montana near Otter. We have been following this easement question for the Hannah Ranch Property - the troubling new formulaic 99 yr proposal or the long supported - by both landowners and the public - FWP perpetual conservation easement. The approximate 3% cost difference is clearly insignificant for the value of the perpetual conservation easement. But what is significant is the intent of the program and the intent of landowners for a perpetual easement being schemed. Landowners working through this program, likely for years of negotiations, should not be subjected to the whims of politics which effectively over-ride their personal property rights and secondly, those of the public, who fund these programs. The FWP Perpetual Conservation Easement was designed with thought and measure and supported by landowners and the public as it balanced competing needs, offered

	access to hunters but importantly, <i>captured the soul of why someone would place a perpetual easement to begin with - they want for ever for a piece of land.</i> Minimizing that to address a political agenda deeply disturbing. For us, this is discouraging if not a "non starter" for property we own as well as property we manage/advise. We simply would not consider this program if a perpetual easement was not an outcome. It greatly concerns us that this action as proposed would set precedent! Many of the ranches in our area have never changed out of original families until very recently, as pursuit of exclusive elk hunting (read the recent Brett French article in the Billings Gazette) has seen large properties bought up for private commercial hunting preserves with no access and limited if no agriculture. The FWP perpetual easement program is an essential tool <i>as the program was envisioned and supported by the public</i> to keep the Montana landscape intact while supporting agriculture and access. Keeping ranching and traditional uses viable, offering hunting access especially as more private properties going into exclusive commercial hunting or "elk farming" - like properties adjacent to us - clearly illuminate why opportunities for perpetual conservation easements are a critical need. We ask that you move this proposal forward with the perpetual easement the program was designed for - we support a perpetual conservation easement for the Hannah Ranch. Elizabeth McFarland Mike Wigen Otter, MT
114	From: Curtis Rosman <rosman141@outlook.com> Sent: Tuesday, July 28, 2026 12:00 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch Easement I request that the easement be permanent rather than 99 years. With continued population growth, protecting open land becomes more essential. I also understand it is the current owners' preferred choice. Please use our money wisely for a permanent easement. Curtis Rosman Charlo MT
115	From: Kevin Farron <kevin@mtwf.org> Sent: Tuesday, July 28, 2026 12:29 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Ms. Andersen - Please see attached comments on the proposed Hannah Ranch habitat lease from the Montana Wildlife Federation. Thank you for the opportunity to weigh in here, and we appreciate your hard work on this project.

Kevin Farron
Conservation Director
[Montana Wildlife Federation \[montanawildlife.org\]](http://montanawildlife.org)

July 28, 2026

Sonja Andersen, Wildlife Biologist
Montana Fish, Wildlife & Parks
PO Box 938
Lewistown, MT 59457
sandersen@mt.gov



Re: Hannah Ranch Conservation Easement

Ms. Andersen -

On behalf of the Montana Wildlife Federation (MWF), Montana's oldest and largest hunter and angler-based conservation group, please accept these comments regarding the proposed 99-year Habitat Lease for the Hannah Ranch. We are incredibly supportive of the project and deeply appreciative of the landowners, but we have concerns with the terms.

The proposal would conserve 3,652 acres of some of the best elk habitat in the state for a long, long time. Add to that the granted walk-thru access to public lands, essentially creating a new trailhead to the NW corner of the Big Snowy Mountains, and this project is a win for the landscape, public access, hunting opportunity, and the working, production agriculture family who calls this ranch home.

However, the 99-year term is incredibly problematic and would set a harmful precedent.

- 1) Most concerning, this isn't what the landowners want. Since 2021, the Gilberts have been clear that they prefer a perpetual easement. Forcing this as a 99-year agreement is not only disrespectful and harmful to small-scale agriculture, conservation efforts, and public access opportunities in Montana, it's a clear violation of and threat to private property rights.
- 2) Locals prefer a perpetual agreement as well. At the July 21st information meeting, local stakeholders voiced overwhelming preference for a perpetual conservation easement, and expressed concerns over the false choice of the 99-year agreement or nothing.

Additionally, this project was already scoped as a perpetual agreement. During that time, an April 14, 2025 letter of support for the perpetual proposal was received from the Fergus County Commissioners.

- 3) While there's money available with the Habitat Montana account sitting at more than \$30 million, and MWF would be delighted to see this money spent, this isn't a responsible use of sportsmen's funds. The proposed purchase price of the 99-year agreement is 97% of the appraised value of a perpetual easement. So for a 3% 'savings,' the

	proposed alternative is electing to conserve lands and offer public access for 99 years versus <i>forever</i>. 4) We understand and are sympathetic to the political concerns with one or two members of the Land Board and their personally held ideologies against long-term conservation efforts. However, these ideologies are not representative of Montanans, and this issue should not be Montana FWP's sword to fall on. A loud, vocal minority opposing conservation is nothing new. A few lawmakers in Helena have repeatedly pushed these same unpopular attacks on private property rights - attacking perpetual easements in favor of short-term habitat leases. Yet, tellingly, these efforts have been routinely and roundly defeated. Take Senate Bill 209 from State Senator Tony Tezak (R-Ennis) in 2025 which proposed limiting conservation easements to a term of 40 years max, rather than allowing perpetual agreements. The bill was so unpopular, and the outrage so overwhelming and swift, Sen. Tezak opened his bill's hearing waving a white flag and saying he was withdrawing the bill but still wanted to allow opponents a chance to express their concerns. After a long line of reasonable and diverse opposition, the bill was then defeated not just with bipartisan opposition, but tabled unanimously. Yet by FWP forcing this 99-year habitat lease and with a valuation of 97% of the perpetual appraisal, Montana would face the same outcome as Sen. Tezak's bill - perpetual easements in Montana would effectively end. Because what landowner in the future would elect to sell perpetual development rights when they can collect 97% of that value by offering a 99-year lease instead? Moving forward with this 99-year term and caving to political pressures from the Land Board would set a terrible, anti-private-property-rights precedent. In closing, MWF supports the project and we applaud the landowners for their efforts to conserve their property and keep their working lands in family hands, but <u>we object to the 99-year term and ask that this be moved forward as a perpetual conservation easement instead.</u> We look forward to advocating for a full, perpetual easement in front of both the Fish and Wildlife Commission and the Land Board, and holding decision makers accountable for votes on something the local County Commission supports, the landowners want, and Montanans - especially the sportsmen who are footing the bill for this - prefer. Thank you for your careful consideration, Kevin Farron, Conservation Director The Montana Wildlife Federation
116	From: Dale Becker <beckerd@mtwf.org> Sent: Tuesday, July 28, 2026 1:12 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements!

	Dear Ms. Anderson: Thank you for your excellent work on the Hannah Ranch Conservation Easement planning. This easement by a willing working ranch family in central Montana would provide public access, offer excellent hunting opportunities and, most importantly. conserve 3,652 acres of excellent big game habitat. It could benefit Montana sportspersons and working agriculture production for generations. The only real concern with the proposal is the term, 99 years, as opposed to the usual perpetual period of most conservation easements. Given the trends in loss of habitats and opportunities for Montanans for access, I strongly feel that modifying the proposal term to replace the 99 year term with a perpetual easement term would be very advisable. I urge this modification of the term of the easement be made before it is finalized. Thank you for the opportunity to comment and for your good work on this and other issues in central Montana. Sincerely, Dale Becker Kalispell, Montana
117	From: Don Bishop <db.flyz@gmail.com> Sent: Tuesday, July 28, 2026 2:01 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements! Sonja, Thank you for your work. We join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah Ranch. Without perpetual easement, access to these properties is always in doubt, regardless of the non-perpetual duration! Keep up the good work. Don Bishop
118	From: Dan Vincent <danandterivincent@gmail.com> Sent: Tuesday, July 28, 2026 2:03 PM To: Andersen, Sonja <SAndersen@mt.gov> Cc: Dan and Teri <danandterivincent@gmail.com> Subject: [EXTERNAL] Hannah CE It's a damn shame! What normally would be an easy drop kick letter of support for a great conservation project is upended by ideological hypocrisy. Montanans' support private property rights. Montana voters, too, overwhelmingly support conservation, hunting and public access. Why do some politicians pretend to support conservation, public hunting and access? For votes? We can do both. The Hannah Project as originally intended does exactly that, through a permanent conservation

	easement. Voters should expect their representatives to spend their dollars wisely and efficiently. A 99 year lease doesn't cut it. Please do the right thing, and change the CE back to perpetual or transfer the funds to a group that will manage it for the Montana public. Dan and Teri Vincent Lewistown, MT
119	From: Deanna Robbins <robbins@midrivers.com> Sent: Tuesday, July 28, 2026 2:15 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch term conservation easement In looking at the map there are numerous USFS roads already leading into the USFS land on the west end, including the Crystal Lake Road which gives access almost halfway across. Other roads appear to get you to the south end of the west side. The minute area where the proposed easement would give access does not appear to lend much to what is already in place, and comes at an exorbitant cost. While it is always a property owner's right to enter into agreements regarding their property rights, it is the taxpayer who bears the burden of funds spent that could be used elsewhere for a greater public benefit. The high price and low return for the Hannah Ranch term conservation easement do not appear to be a great deal for the general public and should not be supported. Deanna Robbins Roy, MT
120	From: Ron Aasheim <ronaasheim@gmail.com> Sent: Tuesday, July 28, 2026 2:22 PM To: Dan Vincent <danandterivincent@gmail.com> Cc: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Re: Hannah CE 👍 On Tue, Jul 28, 2026 at 2:03 PM Dan Vincent <danandterivincent@gmail.com> wrote: It's a damn shame! What normally would be an easy drop kick letter of support for a great conservation project is upended by ideological hypocrisy. Montanans' support private property rights. Montana voters, too, overwhelmingly support conservation, hunting and public access. Why do some politicians pretend to support conservation, public hunting and access? For votes? We can do both. The Hannah Project as originally intended does exactly that, through a permanent conservation easement. Voters should expect their representatives to spend their dollars wisely and efficiently. A 99 year lease doesn't cut it. Please do the right thing, and change the CE back to perpetual or transfer the funds to a group that will manage it for the Montana public. Dan and Teri Vincent Lewistown, Mt
121	From: Clark W Whitehead <scwhitehead@yahoo.com> Sent: Tuesday, July 28, 2026 3:28 PM

	To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch Easement proposal I was not able to attend the public comment meeting held in Lewistown MT recently at the BLM office but have been following the 3,652-acre property storyline. In my opinion, it makes absolutely no sense to not acquire this property as a "permanent easement". The benefits outweigh any negative actions. The FWP proposal for a 99-year lease doesn't hold water or in other words is a copout (diversion) from the true values and positive reasoning for the protection of such valuable resources currently in place by the Jamie and Lisa Gilbert family. To me, looking down the road and planning ahead is key land management foresight. Bottom line - I am against the 99-year easement proposal by FWP. I wholeheartedly support permanent easement status for the 3,652-acre Hannah Ranch option. Thank you for opportunity to make a comment. Clark W Whitehead Lewistown MT
122	From: SUSAN MERSHON <mtsusu@msn.com> Sent: Tuesday, July 28, 2026 3:30 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE I oppose the idea of a 99year lease and I would prefer to see the Hannah Ranch conserved in perpetuity. Sincerely, Susan Mershon
123	From: Julie Hager <robscrazywife@gmail.com> Sent: Tuesday, July 28, 2026 3:32 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] please protect the Hannah Ranch, permanently. Hello! I am writing to ask you to protect the Hannah Ranch, permanently. It would be hard to imagine a Central Montana property with <u>greater potential public benefit</u> than the Hannah Ranch. This <u>3,652-acre</u> property in the northwestern corner of the Big Snowy Mountains, has diverse habitat that supports an abundance of wildlife, including a large portion of the local elk herd that is rapidly expanding. This property could facilitate public access for Montanans to a large segment of mountainous National Forest terrain that is otherwise difficult or impossible to reach.

	I am incredibly grateful that the Gilberts (owners) reached out to the Department of Fish, Wildlife & Parks offering a permanent easement on the property to allow public access for hunting and other recreational purposes as well as protect against habitat loss to development. I understand the value of the easement is appraised at \$3.5 million, above the \$1 million that mandates approval by the State Land Board. I believe this money could - AND SHOULD - come from the FWP Habitat Montana program, mostly funded through non-resident license fees. Therefore, no taxpayer money would be required. The Fergus County Board of Commissioners supported pursuing the permanent easement, as did most public comment except for a limited number of locals who were concerned about increased hunting pressure. However, these easements have a proven record of success on other properties. FWP then proposed a 99-year easement, although this has never been done before. It is hard to identify any advantage to this alternative other than avoiding pushback from political interests opposed to permanent easements. It would result in no meaningful financial benefit and runs contrary to the landowners' wishes. The true irony in this case is that the Gilberts specifically want to see a permanent easement on the land. In a recent discussion, they stressed their desire to provide public access while maintaining the property's ranch production rather than having it become a sprawling development or a trophy hunting property for wealthy out-of-state interests. Although concern for private property rights is often cited in opposition to permanent easements, the Gilberts' admirable decision about the future of the property is in fact an expression of their private property rights. A permanent easement on this special piece of property would provide substantial long-term benefits to Montanans at no cost to Montana taxpayers while guaranteeing those benefits for future generations. It's time to do the right thing and support the public interest rather than yielding to partisan political considerations. I implore FWP and the Land Board to negotiate a permanent easement rather than an unprecedented 99-year lease that defies landowner wishes, creates future uncertainty, and provides no advantages over a permanent easement. Abandoning this effort now would waste resources and establish a dangerous precedent. Sincerely, Julie Hager, Belgrade
124	From: Craig Roberts <craigroberts@midrivers.com> Sent: Tuesday, July 28, 2026 4:20 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Sonja I oppose the departments proposal to enter into a 99 year term conservation easement on the Hannah Ranch property for the following reasons.

	The owners expressed a desire to enter into a permanent easement for only 3% more than the cost of a 99 year lease. The added cost to secure a permanent conservation easement is fiscally sound vs a lease. Abandoning permanent easements and embracing 99 year leases will likely establish a new precedent for the department. Thank you Craig Roberts Lewistown, MT
125	From: Paul Travis <ptravis@flatheadlandtrust.org> Sent: Tuesday, July 28, 2026 4:22 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] MALT comments re Hannah Ranch conservation easement Dear Ms. Andersen, Please accept the attached letter with formal comments from the Montana Association of Land Trusts (MALT) regarding the Hannah Ranch conservation easement. We appreciate the opportunity to comment and please let me know if you have any questions. I am the MALT board chair and can be reached at the contact info shown below. Best, Paul Paul Travis Executive Director



Hannah Ranch Conservation Easement
c/o Sonja Andersen
PO Box 938
Lewistown, MT 59457

Tuesday, July 28th, 2026

Re: Term Conservation Easement Valuation

Dear Ms. Andersen:

The Montana Association of Land Trusts writes to express our concerns with the proposed 99-year Hannah Ranch Conservation Easement in Central Montana. We applaud the owners of Hannah Ranch for their desire to protect their private property permanently and hope to help them achieve their wishes however we can.

Conservation easements are a valuable and time-tested tool to compensate landowners who wish to protect the natural value of their land for future generations. For the last 50 years, perpetual conservation easements have proved the gold standard of voluntary, incentive-based, land conservation, and for good reason; perpetual conservation easements honor Montana landowners' goals to ensure their land remains intact, in private ownership, functioning for agriculture and wildlife habitat, and part of our iconic Montana landscape. We understand that the landowners in this case both desire a perpetual agreement and require appropriate financial compensation. A term easement might meet the financial needs of the landowner but falls short of achieving the best outcome for Montanans.

Term leases and term easements provide many benefits in the near-term, but the Hannah Ranch proposal saddles future generations of Montanans with either the loss of the property's conservation values and development of the property or a much higher price tag to renew the agreement after its expiration. Perpetual conservation easements, used by hundreds of Montana families over the past half century, provide certainty and fiscal responsibility when public funds are utilized, ensuring the conservation benefits purchased today have permanence. The proposed expenditure of public dollars involved in this case should seek to optimize benefits to Montanans.

The terms of any conservation easement are complex and take time to negotiate. As always, the Montana land trust community stands ready and looks forward to working with your team to find a path forward that achieves the landowners' desires, makes full and efficient use of public and private funds, and provides perpetual benefits to the people of the state of Montana.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul Travis".

Paul Travis, Chair
Montana Association of Land Trusts

126

From: Alisa Hale <halebigsky2@gmail.com>
Sent: Tuesday, July 28, 2026 4:41 PM
To: Andersen, Sonja <SAndersen@mt.gov>
Subject: [EXTERNAL] Big Snowies Conservation Easement

	Please allow the landowners of the Hannah Ranch in the Snowies to have a permanent easement. A 99 year lease defies their wishes and threatens the loss of possible access. We love hiking and skiing in the Snowies. So please make the easement permanent as was the norm. Thank you, Alisa Hale
127	From: MIKE <mikemondloch@msn.com> Sent: Tuesday, July 28, 2026 4:45 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] I support pursuing the permanent easement on the Hannah Ranch. this would be a great asset to the public. Mike Mondloch
128	From: Claudia Davis <grmaclyde@gmail.com> Sent: Tuesday, July 28, 2026 4:52 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE All conservation easements should be permanent and in perpetuity. They should never have an expiration date. These changes to the conservation easement program are a black mark on Montana. We need to do what's right for our state and our future residents. Please only ask for a permanent easement on the Hannah ranch. Thank you Claudia Davis Helena Montana
129	From: Janelle Bergum <jabergum@itstriangle.com> Sent: Tuesday, July 28, 2026 4:59 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch Easement As a landowner that is in close proximity to the proposed Hannah Ranch CE, I am generally concerned and opposed to this easement. This easement not only serves a particular type of demographic of people, but focuses on hunting access to a certain number of individuals with limited elk hunter days generally present for many days. With year around access it certainly won't take long and wildlife will be pushed out on to adjacent land owners. We no doubt will be inundated with more hunters asking to get access to hunt. I have 3 miles of private road maintained by me personally and the number of times we have to assist a broken down or stuck hunter becomes numerous during the hunting season. More elk pressure also causes more damaged fences, due to added elk numbers pressuring to out lying areas. Conservation easements of any term can create a hostile environment for neighboring land owners as it brings more traffic , more recreationists , and little to no trespass enforcement. That leaves the neighbors to have to call the Sheriff or Game Worden when trespassing occurs on private property. As a ranch owner, where this occurs regularly, I can tell you it is very unpleasant, time consuming, and sometimes dangerous to follow through with. Thank You very much for your consideration. Janelle Bergum

130	From: Jerry Sullivan <sullivanjf61@gmail.com> Sent: Tuesday, July 28, 2026 5:35 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch Sent from my iPhone. This message is in support of a permanent easement on the Hannah Ranch. Give the land owners and sportsmen what they want!!
131	From: Randy Newberg <randy@onyourownadventures.com> Sent: Tuesday, July 28, 2026 7:24 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Support of the Hannah Conservation Easement Dear Sir or Madam: I am writing to express my concern about Montana Fish Wildlife & Parks using 99-year leases, as an alternative to a perpetual conservation easement. I admire this family's commitment to working through this deal, even though news releases indicate the family would prefer a perpetual easement over a term-certain lease. I support this family's goals in conserving their private lands. I support all working landowners who are doing great work on their private lands, as this family is doing. I commend this landowner for their great work and their patience. I fully support offering this family a true Conservation Easement. A Qualified Conservation Easement is in perpetuity, not a term-certain lease. The title of the proposed document and the request for comments incorrectly identify this proposal as a Conservation Easement. It is not a Conservation Easement. If this transaction were such, I would fully support it. I oppose the 99-year lease concept when obtaining a perpetual Conservation Easement is possible—and preferred by the landowner—for only a fractional increase in cost. Perpetual easements solve the problem permanently. None of us will be alive when this lease comes due in 99-years, but time will judge us as fools for paying so much for this lease today, when it could have been obtained in perpetuity for a small additional cost. Some people I have spoken with stated that FWP would be open to a perpetual Conservation Easement but offered the landowner a 99-year lease to avoid confrontation with State Land Board members who oppose perpetual easements. It is illogical that FWP would shy away from what is best for hunters and landowners just to avoid friction with a few members of the State Land Board. FWP has always worked towards perpetual agreements as a great solution for landowners and the wise use of scarce funds. This change by FWP represents a new direction adverse to hunters and landowners wanting perpetual easements, and it is a misuse of money when measured in the long-term. If FWP's concerns about conflict with some State Land Board members are correct, those Land Board members should own this decision, not FWP. Give the landowner what they want. If a

	few on the State Land Board are opposed, they can vote against it. That will be their vote. Don't force FWP to be an accomplice to a bad directive desired by elected politicians. For the long-term interest of Conservation Easements in Montana, whether purchased or donated, and whether with FWP or another agency, cowering to a few vocal members of the State Land Board disregards the duty FWP leadership and the FWP Commission owe to Montana hunters and landowners. I strongly urge you to provide the perpetual Conservation Easement this landowner prefers. If that forces a vote by those State Land Board members who would infringe on landowners' Constitutionally-protected property rights, then so be it. FWP staff works hard on these projects. These project are difficult. I commend the FWP staff who have kept this project viable, even when the leadership has decided to decline what the landowner prefers. As a CPA in the Gallatin Valley, I advised many landowners who have used Conservation Easements and other tools to help keep working lands in the hands of working landowners. Perpetual Conservation Easements, when done with consideration of the landowner's needs, facilitate generational property transfer at a time when the pressure to sell these properties is high. I am at a loss as to why an agency charged with securing habitat and wildlife conservation, FWP, is bending to the pressure from a few on the State Land Board. As an adviser and tax consultant, I know that a 99-year lease offers no income or estate tax benefits to the landowner. All Federal estate tax benefits, and any Federal or State income tax benefits, require a Conservation Easement in perpetuity. It is illogical that FWP is denying this landowner those future estate and income tax benefits. I ask that you offer this landowner a perpetual Conservation Easement, as they desire. I ask that you do not start a policy of term-certain leases when perpetual easements can be obtained for a small increase in cost. I ask that the FWP Director, the members of the FWP Commission, and the Governor work with this landowner to accomplish their long-term goals. Sincerely, Randy Newberg Randy Newberg Bozeman, MT
132	From: lizgupton@blackfoot.net <lizgupton@blackfoot.net> Sent: Tuesday, July 28, 2026 8:14 PM To: Andersen, Sonja <SAndersen@mt.gov> Cc: Liz Gupton <lizgupton@blackfoot.net> Subject: [EXTERNAL] Public comment Date: July 28, 2026 Comment: Please approve the <u>permanent</u> easement allowing for public access on the Hannah Ranch in Central Montana.

	My parents placed a permanent easement on their property in the Grant Creek drainage and it has now passed to a new land owner, with the permanent easement intact per my mother's wishes. A 99 year lease, as proposed, is not the same as "permanent" easement, and there is no reason to change the intent of such an easement when the landowners themselves do not want this "impermanent" easement. Thank you for considering my comment. Liz Gupton, Alberton, MT
133	From: Laura Brehm <brehmconsulting@gmail.com> Sent: Tuesday, July 28, 2026 9:10 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Comment on permanent easement for Hannah Ranch To FWP and the Land Board, I received my Missoulain today and read with interest the letter from the Montana Sportsmen Alliance. I hope it is not too late to lend my voice. I am completely supportive of conservation easements when the landowner wants to go in that direction. The proposal for a 99 year lease is ludicrous. It solves nothing except to provide a small crack in the process that allows families to protect their property in perpetuity. We all know why the land board opposes permanent easements. FWP's proposal is clearly a "compromise" without merit. And at the end of the day, it is the landowner who will make the decision. Who could blame them if they changed their minds? This response is disrespectful of the Gilberts and naively puts in jeopardy this wonderful and generous gesture from the Gilberts. I urge you to reject the 99-year lease idea and work with the Land Board to move forward with the Gilberts' desire for a permanent conservation easement. for the Hannah Ranch. Laura Brehm Brehm Consulting
134	From: Rob Kayser <rkayser89@gmail.com> Sent: Tuesday, July 28, 2026 10:16 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Good evening, I'm writing today in opposition of the 99 year conservation lease. This should be a perpetual conservation easement, as the landowner wishes. I am fully in favor of protecting this land for wildlife habitat, but limiting the term to 99 years is ludicrous. This sets a dangerous precedent that undermines private property rights, and shows the world that we are not committed to conservation long-term.

	As such- I will fully support a perpetual conservation easement, but cannot in good conscience support the 99-year lease. I'll never live to see the difference, but those who come after us will, and it is our duty to provide that opportunity. Thank you, Robert Kayser
135	From: Nicole Hayes <nicole.mikal.32@gmail.com> Sent: Tuesday, July 28, 2026 11:05 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Public Comment Good evening, I am writing to insist that FWP and the Land Board negotiate a permanent easement rather than an unprecedented 99-year lease that defies landowner wishes, creates future uncertainty, and provides no advantages over a permanent easement. I only recently heard about this and was stunned to hear that a 99 year easement was even brought up as a possibility because it's not. Montanas deserve access to public land. While the future of current public land is uncertain and grim, we need to jump on opportunities like this when kind landowners offer a 3,652 acre property to have a permanent easement. I hope you accept my comment even though it is outside of working hours. Like many working moms, I only have late nights to learn about things like this. Warmly, Nicole Hayes
136	From: Karen Hickey <hickey1908@gmail.com> Sent: Wednesday, July 29, 2026 2:35 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch CE Hickey Ranch Inc. - Snowy Mountain landowner Our foothill pasture is not adjacent to this property, however, we are in close proximity. Our concerns with increased foot traffic by people in this area are fire and trespassing. The plan contains language indicating that access can be limited during high fire danger. We ask that there be increased patrols or support when the fire danger is high. Often, the risk of fire is not understood by the public. Increased monitoring of trespassing on all properties in this area would be appreciated. Also, the elk herd up here - as we are sure you well know - is very transient. Over the years, we have seen mass movement of hundreds of elk at one time, especially when pressured by hunting. When this happens and the elk herd gets on the run, they can take out long expanses of fence. With increased pressure by hunters this could mean more repairs to fences for neighboring properties. Please consider compensation for neighbors for damages to fences.
137	From: Randall Knowles <knowlesmontana@juno.com> Sent: Tuesday, July 28, 2026 5:04 PM To: Anderson, Sean <sanderson@mt.gov>

	Subject: [EXTERNAL] Perpetual Easements Dear Land Board, The NEW policy of termed conservation easements is a crock of bull, mom and dad want the land to remain agricultural for perpetuity and they want the public to be able to share their land, THEN THEY DIE.... Now, the kids want cash and only have to wait a few years for the easement to expire THEN, a rich Non-Montanan buys the ranch, kicks all of the family friends off, sub-divides it into a private hunting club AND what did the Sportsmen get for their \$'s, a poke in the eye. Why live in Montana if you cannot hunt and fish??? A perpetual easement is what Mom and Dad wanted, in the beginning, why do YOU think you can take that option away??? Randy - economist "You ultimately judge the civility of a society NOT by how it treats the rich, the powerful, the protected, and the highly esteemed; but by how it treats the poor, the disfavored, and the disadvantaged," by author and lawyer Bryan Stevenson [Equal Justice Initiative] Email – Reply to: KnowlesMontana@Juno.com – Randall Gene Knowles, Distinguished Toastmaster & Chevalier
138	From: Lowell Hanson <lch@northland-mt.com> Sent: Wednesday, July 29, 2026 9:37 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch My vote is “go for permanent protection”. It is simple common sense, no politics. Lowell Hanson Clancy, MT.
139	From: rose rodrigo <deenasergio@gmail.com> Sent: Wednesday, July 29, 2026 3:32 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] We support perpetual conservation easements! Sonja, Thank you for your work. We join Montana Wildlife Federation in supporting a perpetual conservation easement for the Hannah Ranch. Keep up the good work. SR
140	From: Greg Scheeler <mtlivin@hotmail.com> Sent: Thursday, July 30, 2026 11:43 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch Easement I wrote earlier expressing my support for the 99 year easement. However, I thought the land owner did not want a perpetual easement, and I’m now learned that that is not the case. It would be extremely disrespectful to not honor this gracious landowner’s wishes with a permanent easement that allows vital access to a large swath of highly productive big game habitat.

	The Montana land board should not be imposing, their political views upon a land owner who willingly wants to put his property into a permanent easement. I support a permanent easement on this property as the landowner desires. I would secondly support a 99 year easement if that is going to hold this property up from becoming accessible to the public land hunters. People are not lying when they say it is getting very crowded during hunting season, because it is! I support this effort, but the landlord needs to stop imposing their views on willing, landowner's. I guarantee you each individual on the land board would not be open to other individuals telling them how they can run their own properties. Thank you, Greg Scheeler Clancy, Montana
141	From: deborah berglund <bzndeb@outlook.com> Sent: Monday, August 3, 2026 3:45 PM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Jamie and Lisa Gilbert land easemant In 2021, owners Jamie and Lisa Gilbert approached the Department of Fish, Wildlife & Parks offering to negotiate a permanent easement on the property that would allow public access for hunting and other recreational purposes as well as protect against habitat loss to development. The value of the easement appraised at \$3.5 million, above the \$1 million that mandates approval by the State Land Board. This money would come from the FWP Habitat Montana program, mostly funded through non-resident license fees. No taxpayer money would be required. Please stop playing your stupid games and allow this to finish permanently.

Table 2. Comments received during a supplemental 10-day public comment period regarding corrections to the Draft Environmental Assessment for the proposed Hannah Ranch Term Conservation Easement, August 11 – August 21, 2026.

#	Comment
142	From: James Nasados <jnasados223@gmail.com> Sent: Thursday, August 13, 2026 10:03 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Comment on CE Hello, I am emailing regarding a proposed easement. I had previously commented in support. While I am still in support of this I have additional comments. This Conservation Easement should be permanent. This is legally allowed in Montana. It is also what the land owners prefer. If you push through a 99 year CE that will be an insult to the landowners and the Sportsmen. I am perplexed why this is not a permanent CE proposal. If I were the landowners I would be upset. Please revise the proposal to make it a permanent CE as what is legally allowed and preferred.

	Thank you, James Nasados
143	From: neffa3 <neffa3@gmail.com> Sent: Thursday, August 13, 2026 10:08 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] RE: Hannah Ranch Term Conservation Easement I support the project. I think it is excellent that a perpetual access easement is being included, and I hope you pass along my appreciation to the landowners. However, I still find it shocking, asinine, and foolish that the State is pursuing a 99-year CE when the landowner wanted a perpetual one. Someone needs to tell the Land Board to piss off. Maybe the Gov needs to root around, find his balls, act like the goddamn leader he claimed he was, and tell the Land Board that permanent conservation easements are in the best interest of ALL Montanans. Ain't nobody that thinks we have enough places to hunt. We keep adding new hunters, so we need to keep adding places for them to hunt. It's just frickin' common sense. Adam
144	From: David French <dfrench@m-m.net> Sent: Thursday, August 13, 2026 10:30 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah Ranch Conservation Easement I am writing today in support of the Hannah Ranch Conservation easement. However, I would strongly advocate for a permanent easement rather than a 99-year lease. It's sad that the landowner's wishes are being dismissed for political reasons.
145	From: Jess Wagner <jess_wagner2@hotmail.com> Sent: Thursday, August 13, 2026 10:37 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Comments on Corrected Hannah Ranch Terms Sonja, I support the Hannah Ranch CE proposal even more knowing that the access to the Forest Service would be perpetual. Access to that end of the Snowies would be valuable beyond measure. Conservation easements are about more than just access though, and I would like to see that habitat protected forever if possible. Jess Wagner Lewistown
146	From: JAMES HANNAH <flatbed4343f@hotmail.com> Sent: Tuesday, August 18, 2026 10:42 AM To: Andersen, Sonja <SAndersen@mt.gov> Subject: [EXTERNAL] Hannah conservation easement

	I'm very concerned about my ability to access my property next to this easement. I'm also concerned about what this will do to the already over population of elk in 411. I have large # of elk on my property in the spring but come hunting season they're all on 3Bar property . With on vehicle assess it will be hard to remove game after gotten. My father told me we have a legal access but I have not been able to find out where it is. This needs to be established before you move forward with this. Horns have closed the gate we used to use and lock the gates during hunting season so we would go through Hannah ranch. I need to have access to my property!
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