

Written Public Comment Results

Petitions to Close State Trust Land to All Recreational Use – Gallatin County, Montana, 2026

Petition Area 1	Section 6, Township 3 South, Range 4 East (Axtell Anceney Road, Gallatin County)
Petition Area 2	Section 32, Township 2 South, Range 4 East (High Flat Road, Gallatin County)
Online survey responses	165
Additional comments (hearing cards & email)	7 (see Appendix B)
Total public comments on record	172

This report organizes public comments submitted regarding two petitions to close state trust land parcels to all recreational use in Gallatin County. It summarizes respondent positions and demographics and includes the full written comment record.

Executive Summary

A total of 165 responses were submitted to the public comment survey on two petitions seeking to close state trust land parcels in Gallatin County to all recreational use: Section 6, Township 3 South, Range 4 East (Axtell Anceney Road) and Section 32, Township 2 South, Range 4 East (High Flat Road).

For each petition area, respondents selected one of four positions (oppose closure to all recreational use / support a modified closure / support closure to all recreational use / no position), and were offered optional free-text fields to explain a modified-closure preference and to submit additional comments. Respondents also provided contact information and answered three demographic questions: whether their primary residence is in Gallatin County, whether their residence or workplace is within 10 miles of either petition area, and whether they recreate on the petitioned tracts.

Across both petition areas, a large majority of respondents opposed closing the land to all recreational use. For Section 6, 129 of 165 respondents (78.2%) opposed full closure, 33 (20.0%) supported a modified closure, 2

(1.2%) supported full closure, and 1 (0.6%) took no position. Results for Section 32 were similar: 131 (79.4%) opposed full closure, 28 (17.0%) supported a modified closure, 2 (1.2%) supported full closure, and 4 (2.4%) took no position.

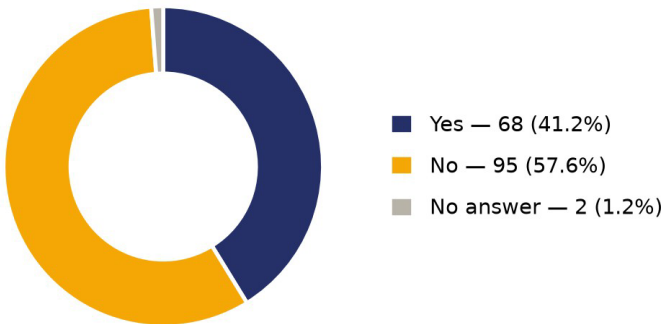
Among respondents who supported a modified closure, the overwhelming majority asked that only recreational shooting be restricted, citing safety concerns, litter, and fire risk, while other low-impact uses — hiking, paragliding, dog walking, bird watching, and horseback riding — continue to be allowed.

In addition to the 165 online survey responses, DNRC received 7 further public comments through other channels: five handwritten comment cards submitted in person at the June 3, 2026 public hearing in Gallatin Gateway, and two direct written comments sent by email. Combined, the public record for these two petitions totals 172 written comments. These additional comments — reproduced in full, including scanned images of the original hearing cards, in Appendix B — raise the same core themes identified in the survey below: recreational-shooting safety concerns, protection of paragliding access, calls for enforcement rather than closure, and constitutional/Second Amendment objections to a firearm discharge ban. Because they were not submitted through the structured survey form, they are discussed separately from the survey-based statistics below to avoid conflating counts from the two different collection methods.

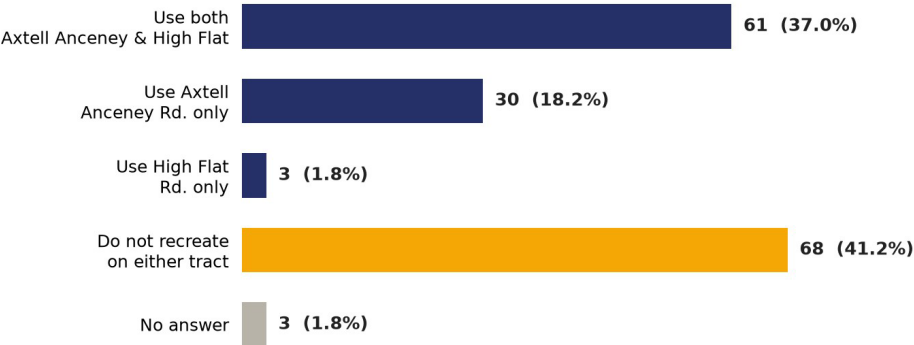
Respondent Profile

Respondents were split fairly evenly between Gallatin County residents and non-residents. Of the 68 respondents who identified as Gallatin County residents, 44 (64.7%) also reported living or working within 10 miles of one of the petition areas, while 22 (32.4%) did not (2 did not answer). Overall, 61 respondents (37.0%) recreate on both petitioned tracts, 30 (18.2%) recreate only along Axtell Anceney Road, 3 (1.8%) recreate only along High Flat Road, and 68 (41.2%) do not recreate on either tract.

Primary residence in Gallatin County?



Do respondents recreate on the petitioned tracts?



Section 6, Township 3 South, Range 4 East

Axtell Anceney Road, Gallatin County

Position	Respondents	% of total
Oppose closure to all recreational use	129	78.2%
Support a modified closure	33	20.0%
Support closure to all recreational use	2	1.2%
No position	1	0.6%

Section 32, Township 2 South, Range 4 East

High Flat Road, Gallatin County

Position	Respondents	% of total
Oppose closure to all recreational use	131	79.4%
Support a modified closure	28	17.0%
Support closure to all recreational use	2	1.2%
No position	4	2.4%

Appendix A: Full Written Comments from Survey

The following reproduces, verbatim, every optional written response submitted for both petition areas.

Matthew Williams

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

No reason given why public use has presented a danger to general public or adjacent landowners

Sec. 32 — additional comments:

See previous comments

Chance Sparrow

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Recreational use and revenue generation can coexist. Please work through this without closing off public lands to the public.

Sec. 32 — additional comments:

Recreational use and revenue generation can coexist. Please work through this without closing off public lands to the public.

Kristy Savaria

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Statelands were set up for all citizens to have grown land to recreate on. I dont think it should be closed to accommodate a neighbors distaste for people being in the area. If they are being disrespected in anyway then that should be reported.but to take the land away entirely, is wrong

Sec. 32 — additional comments: Please do not close these lamds

Ken Kotar

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

This is just a ploy to grab public land, first does the ranch allow hunting and what, do they use it for grazing(take away the permit), if hunting is causing a problem then only allow walking and bird watching. closing to all recreation means they are after the land. People that have built close need to realize this is public land not their own private park, quit pissing off the locals and thinks would be better, your true hunter is someone who does follow the rules and are safe, pickup those that do not. If this is allowed to happen it will cascade through the state by outside interest to grab land for their own use.

Sec. 32 — additional comments:

This is just a ploy to grab public land, first does the ranch allow hunting and what, do they use it for grazing(take away the permit), if hunting is causing a problem then only allow walking and bird watching. closing to all recreation means they are after the land. People that have built close need to realize this is public land not their own private park, quit pissing off the locals and thinks would be better, your true hunter is someone who does follow the rules and are safe, pickup those that do not. If this is allowed to happen it will cascade through the state by outside interest to grab land for their own use.

Derek Weir

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I am opposed to closing the state land, but I have not yet heard the reasoning for wanting to close it.

Sec. 32 — additional comments:

Again, I am opposed to closing the state land, but I have not yet heard the reasoning behind wanting the closure.

Joel Aimone

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Do not close!

Sec. 32 — additional comments: Do not close.

Joel Aimone

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Opposed to closure

Sec. 32 — additional comments: Opposed to closing

Colton Gavne

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Closure of public land for recreation is absolutely the opposite of the one of the truest values of having public land. Public land is for the people to enjoy.

Sec. 32 — additional comments:

This land is used for hiking, bird watching, etc. closing public lands is NOT what Montanans want!

Jody Deveraux

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

Limit or prohibit all shooting activities.

Sec. 6 — additional comments:

As a lifelong resident of Montana, I oppose any closure or sale of public trust lands in this state.

Sec. 32 — modified closure explanation:

Limit or prohibit shooting.

Sec. 32 — additional comments:

Established state trust lands should be managed by DNRC, not closed.

Stephanie Ligon

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Leave it open to the state

Elijah Johnston

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

We need more access to public lands near Bozeman not less. Sec. 32 — additional comments:

We need more access to public lands near Bozeman not less.

Andrew Oestreich

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

It seems the only issue is recreational shooting, yet the closure is for all recreational use. I would suggest the changing the petition to impose weapons restrictions year round, thus limiting hunting and recreational shooting to muzzleloaders, shotguns and archery only. If needed a full closure could be issued for a smaller portion of the state parcel, but not the entire parcel.

Sec. 32 — modified closure explanation:

It seems the main issue is recreational shooting, yet the closure is for all recreational use. I would suggest the changing the petition to impose weapons restrictions year round, thus limiting hunting and recreational shooting to muzzleloaders, shotguns and archery only. If needed a full closure could be issued for a smaller portion of the state parcel, but not the entire parcel.

Regarding noise complaints, unfortunately the public has legal access to this parcel and has the legal right to recreate on it. The landowner has the same legal ability to call the sheriffs department just as they do with noisy neighbors. It is unfortunate that users are being rude.

Andrew Pogge

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

I empathize with adjacent landowners who have been dealing with unacceptable and ongoing criminally negligent shooting in their immediate proximity. Shooting should absolutely be eliminated from these areas--full stop. There are gun ranges in Gallatin, Madison, and Park Counties, and shooting is NOT a guaranteed right on all public land. Especially when it is criminally negligent. Signage should be clear, and penalties for shooting in closed areas (or anytime it is observably negligent/dangerous) should result in severe penalties in all cases, including loss of legal firearm privileges. If multiple law enforcement agencies have actually ignored and/or been prohibited from monitoring and responding to these crimes by agency leadership, as asserted, those agencies and leadership must also be criminally investigated.

That said, these ARE public lands. Full closure is unacceptable. These few landowners are NOT within their right to prohibit the public from accessing public land for non-shooting related uses. This would effectively cede the land completely to private individual use for these few families.

Sec. 6 — additional comments:

I empathize with adjacent landowners who have been dealing with unacceptable and ongoing criminally negligent shooting in their immediate proximity. Shooting should absolutely be eliminated from these areas--full stop. There are gun ranges in Gallatin, Madison, and Park Counties, and shooting is NOT a guaranteed right on all public land. Especially when it is criminally negligent. Signage should be clear, and penalties for shooting in closed areas (or anytime it is observably negligent/dangerous) should result in severe penalties in all cases, including loss of legal firearm privileges. If multiple law enforcement agencies have actually ignored and/or been prohibited from monitoring and responding to these crimes by agency leadership, as asserted, those agencies and leadership must also be criminally investigated.

their right to prohibit the public from accessing public land for non-shooting related uses. This would effectively cede the land completely to private individual use for these few families.

Sec. 32 — modified closure explanation:

I empathize with adjacent landowners who have been dealing with unacceptable and ongoing criminally negligent shooting in their immediate proximity. Shooting should absolutely be eliminated from these areas--full stop. There are gun ranges in Gallatin, Madison, and Park Counties, and shooting is NOT a guaranteed right on all public land. Especially when it is criminally negligent. Signage should be clear, and penalties for shooting in closed areas (or anytime it is observably negligent/dangerous) should result in severe penalties in all cases, including loss of legal firearm privileges. If multiple law enforcement agencies have actually ignored and/or been prohibited from monitoring and responding to these crimes by agency leadership, as asserted, those agencies and leadership must also be criminally investigated.

That said, these ARE public lands. Full closure is unacceptable. These few landowners are NOT within their right to prohibit the public from accessing public land for non-shooting related uses. This would effectively cede the land completely to private individual use for these few families.

Sec. 32 — additional comments:

I empathize with adjacent landowners who have been dealing with unacceptable and ongoing criminally negligent shooting in their immediate proximity. Shooting should absolutely be eliminated from these areas--full stop. There are gun ranges in Gallatin, Madison, and Park Counties, and shooting is NOT a guaranteed right on all public land. Especially when it is criminally negligent. Signage should be clear, and penalties for shooting in closed areas (or anytime it is observably negligent/dangerous) should result in severe penalties in all cases, including loss of legal firearm privileges. If multiple law enforcement agencies have actually ignored and/or been prohibited from monitoring and responding to these crimes by agency leadership, as asserted, those agencies and leadership must also be criminally investigated.

That said, these ARE public lands. Full closure is unacceptable. These few landowners are NOT within their right to prohibit the public from accessing public land for non-shooting related uses. This would effectively cede the land completely to private individual use for these few families.

Jay Crandell

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Only support closure if we can also do it within one mile of our farmstead. We get shot at all the time. DNRC has a problem

Phil Gilbert

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

"Recreational shooting has caused resource damage, private property damage, and public safety concerns." This is an enforcement issue and is not solved by closure. If this was to pass, then the collection of 100 signatures could close any and all state land to ALL users. From a logical point of view, if uncontrolled shooting and damage is not controlled now, how will it be controlled when the land is closed. Lawbreakers tend to break any law they choose.

It is not unusual to see signage that states that an area will be closed to all from 10PM to 5 AM and that there may be restrictions such as no target shooting and hunting is limited to bows and shotguns only during approved seasons. Once again, this is an enforcement issue and needs to have wardens and/or police enforce existing regulations.

Sec. 6 — additional comments:

There is no difference between this piece of state land and the one down the road from me. I don't

want to set president that any and all lands can be closed in this manner.

Sec. 32 — modified closure explanation:

This is an enforcement issue, and should not be solved by closure. Limits on acceptable behavior should be enforced and not be handled by complete closure of any state land

Sec. 32 — additional comments:

It is not acceptable to allow state lands to be closed because of bad behavior. Enforce laws and regulations. I don't want to see the state land down the road from me closed because someone got some names on a petition. Public lands in Public hands has no meaning if access is abridged.

David Hatter

Sec. 6 position: Support closure | Sec. 32 position: Support closure

Sec. 6 — additional comments:

This piece of state land is too small for gunfire. It is less than 1 mile square and fully surrounded by private property with homes, people, livestock, and ranch infrastructure. There is a long history of dangerous activity that has led to the death of livestock and damage to infrastructure. It is only a matter of time before a local resident is seriously injured or killed. The DNRC would have to have a supervisor or enforcement on site 7 days a week to ensure public safety. That isn't going to happen.

Sec. 32 — additional comments:

This piece of state land is too small for gunfire.

Morgan McReynolds

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

Recreational shooting should be closed imeadeatly. Recreational shooting makes it impossible for all other multiple uses. The environmental impact of the burning that much gunpowder and depositing that much lead is egregious. The noise pollution negatively impacts citizens for miles. Anyone who values public land should be disgusted by the impacts of recreational shooting. Walking across public land should be safe, as of now it is extremely dangerous!

Frederick Richards

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

I support a closure on excessive shooting, this should not be a shooting range.

Sec. 6 — additional comments:

I do not support a full closure.

Sec. 32 — additional comments: I do not support a full closure

Tyler Brothers

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Need to keep it open space, a little law enforcement goes along way.

Sec. 32 — additional comments:

Great place to walk dogs and enjoy the state birds that live here.

Joseph Aquino

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Public land should remain PUBLIC and remain unrestricted. The control over our lands is under constant attack and we loose more and more each year. I am definitely opposed to any restrictions on our lands.

Grant Matthew

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree and support the comments made by the MSSA

Sec. 32 — additional comments: I agree with MSSA

Darwin Hamit

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the comment submitted by MSSA. The public should be allowed to use State Trust Land for recreational purposes without restrictions.

Sec. 32 — additional comments:

I agree with the comment submitted by MSSA.

martin moore

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Closing public land is not the answer. Look for better answers. Rutted roads? where I live off road clubs maintain trails for the ability to maintain a warming hut on public land.

Yes that hut is open to the public.

I agree with the Montana shooting sports association, vote no on this regulation.

Sec. 32 — additional comments:

Closing public land is not the answer. Look for better answers. Rutted roads? where I live off road clubs maintain trails for the ability to maintain a warming hut on public land. Yes that hut is open to the public. I agree with the Montana shooting sports association, vote no on this regulation.

Lee Bruner

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the comment submitted by MSSA

Sec. 32 — additional comments:

I agree with the comment submitted by MSSA

William Moore

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the statements submitted by my organization MSSA and what President Gary Marbut has submitted.

Christopher Garramon

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I, my wife, my four children and their spouses and my seven grandchildren oppose any and all restricted use of State Trust Land in Section 6 of Township 3 South, Range 4 East, located along Axetell Anceney Road in Gallatin County. This land belongs to all of the citizens of Montana, not just a few. We support the comments made and submitted by the Montana Shooting Sports Association. It is the business of the DNRC to guarantee the use of all the lands and properties under its jurisdiction for the widest possible use of the citizens of the State of Montana. It is NOT the business of the DNRC to close those properties to the citizens of Montana. Those properties do not belong to you, the DNRC. They belong to the citizens of Montana and the DNRC is responsible to see to it that they remain open for use to the widest possible audience for the maximum possible use of Montanas. Let me say once again, we support the comments made by the Montana Shooting Sports Association to defeat any action that would prohibit the access to and the use of any and all legal activities of the Trust Lands referred to herein.

Sec. 32 — additional comments:

I, my wife, my four children and their spouses and my seven grandchildren oppose the petition to close State Trust Land located in T2S 4E S32, High Flat Road.

David Broberg

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the position of MSSA.

Sec. 32 — additional comments:

I agree with the position of MSSA.

Ken Arledge

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree totally with MSSA on this issue!!!!!!~

Sec. 32 — additional comments:

totally agree with MSSA on this issue!!!!!!

David Simpson

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I fully support and agree with the comment submitted by MSSA

Dr. David F. Simpson Ft. Shaw, MT

Sec. 32 — additional comments:

I support and agree with the comment submitted by MSSA

Sheldon Wickersham

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I fully support the MSSA position on this proposal to close public lands for all recreational use, I am opposed to the idea.

Sec. 32 — additional comments:

See previous comment for this parcel, same response.

Jon (J.C.) Kantorowicz

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I am sick and tired of bureaucrats deciding that they can rule as they please. The US Constitution backs the people and their right to bare arms..... Not the other way around. You cannot change this Constitutional right of Montanans because some California transplant does not like our heritage!

Sec. 32 — additional comments:

MT State controlled lands must remain open to the public for any and all uses.

Ken Conrad

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I fully agree with Montana Shooting Sports Association comment reference this petition.

Sec. 32 — additional comments:

I fully agree with Montana Shooting Sports Association comment reference this petition.

Lark Chadwick

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

As Life member of MSSA, I stand in support of to position statement submitted by President of the Montana Shooting Sports Association (MSSA) Gary Marbut.

Closure to all recreational use is by default declaration of WILDERNESS. Public Lands are for PUBLIC USE without restriction.

Sec. 32 — additional comments:

Public Lands are for PUBLIC USE without restriction. Closure to all recreational use is by default declaration of WILDERNESS.

Vincent Vaccaro

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Our State Land is public since we got our Statehood. It should NEVER be closed to the public because people decided to built homes there long afterwards. Let them move to a city or a place without public lands nearby.

Sec. 32 — additional comments:

Our State Land is public since we got our Statehood. It should NEVER be closed to the public because people decided to built homes there long afterwards. Let them move to a city or a place without public lands nearby.

Will Harridge

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Will push shooters onto other public lands, increasing use of limited other shooting locations.

Willie Thornley

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with MSSA's statement. Please address the core issues instead of trying to fix it

symptomatically. I would also like to see proof rather than allegations.
Sec. 32 — additional comments: I agree with MSSA's statement.

Brad Tschida

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the comment submitted by MSSA.

Sec. 32 — additional comments:

I agree with the comment submitted by MSSA.

Brian LaMoure

Sec. 6 position: I do not have a position on this Petition to Close state trust land | Sec. 32 position: Oppose closure

Sec. 32 — additional comments:

I oppose the closing of public lands to all use by the public and support the stance by mssa.

Garett Bacon

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I am against any closure of public trust lands to recreational use.

Sec. 32 — additional comments:

I am against any closure of public lands use for recreational activities.

Michael Birditt

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 32 — additional comments:

I oppose closure of state trust land section 21 of township 2 South, Range 4 East located along High Flat Road.

Steve Beddor

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Petition jumps to the conclusion is recreational shooters. I have a half section and my problems with trespassing, littering, poachers, and damaged fences is not from recreational shooters but rather a very small minority who don't obey existing laws. As such, if granted, the petition will only serve to punish recreational shooters (some of the most

law-abiding and conscientious people in Montana). Furthermore, Gallatin County residents already have so few places to shoot that this petition would unjustly and unfairly restrict/deprive residents of this pastime that is such a part of Montana's heritage.

Sec. 32 — additional comments: see prior comment

Terrence Phillips

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I support the comment submitted by the Montana Shooting Sports Association.

Sec. 32 — additional comments:

It's public land. Let the Public use the land.

Heather Fryer

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

This is public land for public recreational use. It should remain that way.

Sec. 32 — additional comments:

This is public land for public recreational use.

Brandon Wold

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Please don't restrict access to this parcel.

Sec. 32 — additional comments:

Please don't restrict access to this parcel.

Keith Popovich

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Dear Sir or Madam,

I hereby strongly oppose the petition to modify or close the public land specified in the petition to the people of Montana. Public lands are intended for the use of Montana people. That tradition is long held in Montana and established by law. There is a tradition of shooting sports in Montana. How long have David and Melissa Hatter ("Petitioners") been in Montana? David and Melissa Hatter ("Petitioners") apparently acquired land near the state use lands. They should have accepted the issues related to that proximity when they made the purchase. Montana's people need areas to enjoy the God given and Montana Constitution given rights.

I agree completely with the Montana Shooting Sports Associations carefully constructed objection to this petition authored by Mr. Marbut.

Respectfully Submitted,

Keith J. Popovich MD 116051 Boulder Rd.

Butte, MT 59701

Sec. 32 — additional comments:

Dear Sir or Madam, I hereby strongly oppose the petition to modify or close the public land specified in the petition to the people of Montana. Public lands are intended for the use of Montana people. That tradition is long held in Montana and established by law. There is a tradition of shooting sports in Montana. How long have David and Melissa Hatter (“Petitioners”) been in Montana? David and Melissa Hatter (“Petitioners”) apparently acquired land near the state use lands. They should have accepted the issues related to that proximity when they made the purchase. Montana's people need areas to enjoy the God given and Montana Constitution given rights. I agree completely with the Montana Shooting Sports Associations carefully constructed objection to this petition authored by Mr. Marbut. Respectfully Submitted, Keith J. Popovich MD 116051 Boulder Rd. Butte, MT 59701

David Rowell

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the comment submitted by MSSA, as it would almost certainly include a firearm discharge ban.

Sec. 32 — additional comments:

I agree completely with the comment submitted by MSSA,

53. Clayton Bunch

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the comments that MSSA has sent you regarding this matter.

Sec. 32 — additional comments:

I agree with the comments MSSA has sent regarding this matter.

56. Daryl Stratton

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

As a citizen of Montana I oppose a closure to recreational use in Gallatin County. The County is noticeably underserved with places for people to shoot.

The proposed closure will only make this problem worse and further concentrate shooting on a shrinking available public land area. There is no evidence that recreational shooters are the sole or majority source of the problems alleged by petitioners. Yet recreational shooters are likely to bear the main brunt of any closure enforcement. Finally, under the current scheme of law, DNRC lacks authority to impose a firearm discharge ban as a part of the closure petitioners request.

For these reasons, I adamantly opposes any closure in response to the petition that would affect recreational shooting on state-owned public land.

Sec. 32 — additional comments:

As a citizen of Montana I oppose a closure to recreational use in Gallatin County. The County is noticeably underserved with places for people to shoot. The proposed closure will only make this problem worse and further concentrate shooting on a shrinking available public land area. There is no evidence that recreational shooters are the sole or majority source of the problems alleged by petitioners. Yet recreational shooters are likely to bear the main brunt of any closure enforcement. Finally, under the current scheme of law, DNRC lacks authority to impose a firearm discharge ban as a part of the closure petitioners request. For these reasons, I adamantly opposes any closure in response to the petition that would affect recreational shooting on state-owned public land.

James Chapman

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Closure of public lands needs to be utter last resort, and even then I'm probably against it.

Timothy Wheel

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Montana is rural country. I've read how all the billionaires are coming to Montana to buy land and lock everything up for their own private pleasure. If the billionaires want to come here that's fine but they will have to learn to live with Montanans and our recreational pursuits and that includes shooting.

Sec. 32 — additional comments:

Montana is rural country. I've read how all the billionaires are coming to Montana to buy land and lock everything up for their own private pleasure. If the billionaires want to come here that's fine but they will have to learn to live with Montanans and our recreational pursuits and that includes shooting.

Robert Pierson

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

The petition calls for the banning of all public use of this property.

There are many forms of use that public property supports. Hunting, bird watching, berry picking, hiking, recreational shooting, etc. The ban would make it illegal for all these recreations, but the only one that will likely be prosecuted is the discharge of a gun, due to its noise levels. Thus those individuals would most likely bear the brunt of any legal actions taken to enforce the ban.

I might remind the DNRC that there is a Second Amendment to the U.S. Constitution and Section 12 of the Montana Constitution that address this issue, and ALL employees or elected officials SWEAR TO UPHOLD.

The issues that the petition addresses are concerning, however I would submit that gun owners are the minority of the offenders, because they are the minority of the recreationists on the subject property.

Public Land is for the use of the public, given that they are also the real owners of the property.

Therefore they should have the right to use it.

Sec. 32 — additional comments:

The petition calls for the banning of all public use of this property. There are many forms of use that public property supports. Hunting, bird watching, berry picking, hiking, recreational shooting, etc. The ban would make it illegal for all these recreations, but the only one that will likely be prosecuted is the discharge of a gun, due to its noise levels. Thus those individuals would most likely bear the brunt of any legal actions taken to enforce the ban. I might remind the DNRC that there is a Second Amendment to the U.S. Constitution and Section 12 of the Montana Constitution that address this issue, and ALL employees or elected officials SWEAR TO UPHOLD. The issues that the petition addresses are concerning, however I would submit that gun owners are the minority of the offenders, because they are the minority of the recreationists on the subject property. Public Land is for the use of the public, given that they are also the real owners of the property. Therefore they should have the right to use it.

Wayne Delzer

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with MSSA

Sec. 32 — additional comments: I agree with MSSA

Daniel Fuller

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

All public land needs to be kept open to all the citizens!

Sec. 32 — additional comments: Do not close!

Julie Vacura

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the comment submitted by MSSA Sec. 32 — additional comments:

I agree with the comment submitted by MSSA

Michael Zimmerman

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with comments submitted by Montana Shooting Sports Association. I also object to the closure of public lands to recreation for the purpose of benefiting adjacent private land owners. If people are acting unlawfully or irresponsibly on private land, the individuals involved should bear the consequences, not the general public. I'm a private landowner on Montana and take measures such as cameras to protect my interests on my property. Other private landowners should be capable of taking measures to insure their property rights without the need for the State to close access to public lands.

Sec. 32 — additional comments: See prior comments

Craig Geordge

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Though I respect the petitioners opinion, their wishes do not.. and SHOULD NOT ban the general public from access to PUBLIC land adjacent to theirs. They purchased that land knowing there was public land near theirs.

Eric Campbell

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the comment submitted by MSSA

Sec. 32 — additional comments:

I agree with the comment submitted by MSSA

Bill Sautner

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with MSSA opinion on this matter and should not be closed!!

Sec. 32 — additional comments:

I support MSSA opinion on this matter

Albert Olszewski

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I oppose this closure of public land for the reasons explained by Gary Marbut, President of the Montana Shooting Sports Association.

Albert D Olszewski MD Member of MSSA

Sec. 32 — additional comments:

I oppose the closure of this public lands as explained by Gary Marbut, President of the Montana Shooting Sports Association. Albert D. Olszewski MD, Member of MSSA

Tim L Bramblett

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the comment submitted by MSSA.

Sec. 32 — additional comments:

I agree with the comment submitted by MSSA.

Justin Reeder

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Public land should never be closed to public

David Reeder

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

State lands are public lands and recreation, including shooting, should continue to be open for public use.

Sec. 32 — additional comments:

Public land should remain open to the public for recreational shooting and hunting.

Reginald Thibodeau

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I completely support MSSA's comment, and do not want to see any recreational closure at all, especially recreational shooting.

Sec. 32 — additional comments:

I completely agree with MSSA's comment, and am against any recreational closure at all, especially recreational shooting. Many shooters do not have a place to shoot on their own land, and recreational shooting on state and federal lands are the only options open to them in many areas.

Joe Gress

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Go back to California! THIS IS MONTANA!! Whats wrong with you people acting like rulers! You people act like you own our public land! ALL of the local people that grew up here hate this kind of thing. You treat us ALL like garbage. So sick of Bozeman people!

Sec. 32 — additional comments:

Most likely some out of state billion or million jerk wants this closed. You people make us sick!

Nelson Rolando

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree, totally, with the comment submitted by MSSA.

Sec. 32 — additional comments:

I agree totally with MSSA do not close this state trust land.

Kaveh Ruhi

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the submission made by MTSSA. You all have more important things to do then cater to special interest groups which are attacking our rights and freedoms. Grow a pair and stop this stuff.

Sec. 32 — additional comments:

Agree with MTSSA.

Jared Sibbitt

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the comments submitted by the Montana Shooting Sports Association and Gary Marbut, and further add that, to the extent that state trust lands are managed to provide revenue to the state, defending against the likely lawsuit and judgement against DNRC for government breach of Constitutional rights would be a net drain on state finances rather than increasing revenues.

Sec. 32 — additional comments: Support comments by MSSA.

Don Babcock

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I am against the closing of State Trust Land in Section 6 of Township 3 South, Range 4 East located along Axtell Anceney Road in Gallatin County.

Finding places to shoot our guns are getting sparse and people wanting to take our guns are getting more plentiful.

Sec. 32 — additional comments: Keep it open!!

Don Babcock

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the comment subtitled by MSSA.

Sec. 32 — additional comments: Leave it open.

Alex Johnson

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

This state land is a wonderful public asset for the people of the surrounding area to use. This is great terrain for training for hunting with the rolling hills and long ranges that provide excellent practice and sport. Closing this land to the public is not only sad and angering that another piece of land is being taken away from the public to use. But it also discourages Montana culture through hunting and shooting on public parcels.

Sec. 32 — additional comments:

This land is what needs to be preserved in Montana. A quiet field that is perfect for watching the cows, sunset or unwinding after a long week. These places need to be protected for the public to use freely as there are not many left. This land trust is for the public and where the world is getting ever more private we need places like this.

kyle tanner

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I support the president's views.

Gary Marbut, president

Montana Shooting Sports Association

Department of Natural Resources and Conservation Bozeman Unit Office
2273 Boot Hill Court, Ste 110
Bozeman, MT 59715

Subject: Comment in re petition for closure of Township 3 South, Range 4 East,
Section 6: Gov. Lots 3-7, SE4NW4, SE4, E2SW4
Gallatin County, Montana.

I am the President of the Montana Shooting Sports Association (MSSA) which is the primary political advocate for Montana firearm owners. I am accepted in state and federal courts as an expert concerning use of force, firearm safety, and related topics. I am the author of the book Gun Laws of Montana, the accepted standard for that topic. Finally, I grew up on a 5,000-acre working cattle ranch in Montana, so I have first hand experience with problems rural landowners face such as trespass, littering, and more.

My specific area of interest is in the rights, privileges, and opportunities of and for affected area firearm owners. It is assumed that a general closure of any state lands under the petition would constitute an effective firearm discharge ban. This comment includes discussion of the sufficiency of the petition, issues of legal and constitutional nature, and practical issues.

Practical issues

MSSA has been actively involved in promoting safe and suitable places for Montana gun owners to shoot since the late 1980s. We initiated the Shooting Range Development Program in 1989 for the Montana Department of Fish, Wildlife, and Parks to make 50/50 matching grants available to help local clubs develop shooting ranges. In 1999, we offered the Legislature the Shooting Range Development Act, which was passed and signed into law. This law formalized the SRDP that began in 1989.

In 1993, we brought a bill to the Legislature for the Shooting Range Protection Act, which was passed and became law. The SRPA protects ranges from closure because of common allegations such as noise or planning and zoning. This Act clearly expresses the state's public policy interest in protecting shooting opportunities for Montana people.

We achieved passage of a bill to allow use of easements to secure shooting range safety zones. MSSA has coached numerous clubs about shooting range design and preparation of fundable range improvement grant applications.

In short, MSSA has been immersed in advocating for public shooting opportunities for decades.

It has become apparent that the Montana population most underserved with places to shoot is in Gallatin County. The insufficiency of dedicated places to shoot serves to increase shooting on public lands, which can spawn land use conflicts.

The proposed closure will only make this problem worse since it will push recreational shooters onto a shrinking inventory of available public land. The proposed closure is not a solution. It will only exaggerate an ongoing problem that needs a different solution.

Deficient petition

The petition states a laundry list Sec. 32 — additional comments:

Dear MSSA Friends, The Montana Department of Natural Resources and Conservation (DNRC) is taking comment on a petition for a closure of public lands in Gallatin County that would almost certainly include a firearm discharge ban. The last time this happened, DNRC agreed with the petitioners and invoked the requested shooting ban on public land.

Pasted below is the comment I submitted for MSSA on this proposal. I highly recommend that you submit comment also.

If you want to keep your comment short, you can just say you agree with the comment submitted by MSSA. Or, you can say that and offer further comment. Comments can be submitted online at: <https://forms.office.com/g/5mxXQ5DeeA> In case you want to dig into this more, DNRC's full explanation of this, including a public hearing place and date and a link to the actual petition for closure are all at:

<https://dnrc.mt.gov/News/dnrc-news/Notice-of-petition-and-hearing-Hatter-3S-4E-S62.pdf>

Thanks loads for your support on this. Best wishes, Gary Marbut, president Montana Shooting Sports Association Department

of Natural Resources and Conservation Bozeman Unit Office 2273 Boot Hill Court, Ste 110 Bozeman, MT 59715 Subject: Comment in re petition for closure of Township 3 South, Range 4 East, Section 6: Gov. Lots 3-7, SE4NW4, SE4, E2SW4 Gallatin County, Montana. I am the President of the Montana Shooting Sports Association (MSSA) which is the primary political advocate for Montana firearm owners. I am accepted in state and federal courts as an expert concerning use of force, firearm safety, and related topics. I am the author of the book Gun Laws of Montana, the accepted standard for that topic. Finally, I grew up on a 5,000-acre working cattle ranch in Montana, so I have first hand experience with problems rural landowners face such as trespass, littering, and more. My specific area of interest is in the rights, privileges, and opportunities of and for affected area firearm owners. It is assumed that a general closure of any state lands under the petition would constitute an effective firearm discharge ban. This comment includes discussion of the sufficiency of the petition, issues of legal and constitutional nature, and practical issues. Practical issues MSSA has been actively involved in promoting safe and suitable places for Montana gun owners to shoot since the late 1980s. We initiated the Shooting Range Development Program in 1989 for the Montana Department of Fish, Wildlife, and Parks to make 50/50 matching grants available to help local clubs develop shooting ranges. In 1999, we offered the Legislature the Shooting Range Development Act, which was passed and signed into law. This law formalized the SRDP that began in 1989. In 1993, we brought a bill to the Legislature for the Shooting Range Protection Act, which was passed and became law. The SRPA protects ranges from closure because of common allegations such as noise or planning and zoning. This Act clearly expresses the state's public policy interest in protecting shooting opportunities for Montana people. We achieved passage of a bill to allow use of easements to secure shooting range safety zones. MSSA has coached numerous clubs about shooting range design and preparation of fundable range improvement grant applications. In short, MSSA has been immersed in advocating for public shooting opportunities for decades. It has become apparent that the Montana population most underserved with places to shoot is in Gallatin County. The insufficiency of dedicated places to shoot serves to increase shooting on public lands, which can spawn land use conflicts. The proposed closure will only make this problem worse since it will push recreational shooters onto a shrinking inventory of available public land.

Terry Falk

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Please oppose this closure petition. I do not agree with the allegations made by petitioner

Dustin Patton

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with and support the comment submitted by MSSA.

Sec. 32 — additional comments:

I agree with and support the comment submitted by MSSA.

Raymond Massee

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I am the member of the Montana Shooting Sports Association (MSSA) which is the primary political advocate for Montana firearm owners. I am accepted in state and federal courts as an expert concerning use of force, firearm safety, and related topics. I am the author of the book Gun Laws of Montana, the accepted standard for that topic. Finally, I grew up on a 5,000-acre working cattle ranch in Montana, so I have first hand experience with problems rural landowners face such as trespass, littering, and more.

My specific area of interest is in the rights, privileges, and opportunities of and for affected area firearm owners. It is assumed that a general closure of any state lands under the petition would constitute an effective firearm discharge ban. This comment includes discussion of the sufficiency of the petition, issues of legal and constitutional nature, and practical issues.

Practical issues

MSSA has been actively involved in promoting safe and suitable places for Montana gun owners to shoot since the late 1980s. We initiated the Shooting Range Development Program in 1989 for the Montana Department of Fish, Wildlife, and Parks to make 50/50 matching grants available to help local clubs develop shooting ranges. In 1999, we offered the Legislature the Shooting Range Development Act, which was passed and signed into law. This law formalized the SRDP that began in 1989.

In 1993, we brought a bill to the Legislature for the Shooting Range Protection Act, which was passed and became law. The SRPA protects ranges from closure because of common allegations such as noise or planning and zoning. This Act clearly expresses the state's public policy interest in protecting shooting opportunities for Montana people.

We achieved passage of a bill to allow use of easements to secure shooting range safety zones. MSSA has coached numerous clubs about shooting range design and preparation of fundable range improvement grant applications.

In short, MSSA has been immersed in advocating for public shooting opportunities for decades.

It has become apparent that the Montana population most underserved with places to shoot is in Gallatin County. The insufficiency of dedicated places to shoot serves to increase shooting on public lands, which can spawn land use conflicts.

The proposed closure will only make this problem worse since it will push recreational shooters onto a shrinking inventory of available public land. The proposed closure is not a solution. It will only exaggerate an ongoing problem that needs a different solution.

Deficient petition

The petition states a laundry list of problems, including rutted roads, fence damage, littering, and more. An inference is made that this is all being done by recreational shooters. Yet, there is little, if any, proof that recreational shooters are solely or even mostly responsible.

Every rural landowner experiences occasional problems with trespassing, littering, and damaged fences. That, unfortunately, is universal. Every population has members who are inconsiderate and who disrespect property ownership and the land.

It is doubtful that whatever authorities might enforce this proposed closure would have the resources to catch and educate or punish all irresponsible violators of a closure. Such enforcement would fall primarily on the few who are detected. Those would be recreational shooters whose presence would be announced by the sound of gunshots. Thus, enforcement, as a practical matter, would be primarily against recreational shooters. Enforcers would be much less likely to be alerted to litterers, fence damagers, or people inconsiderately rutting the landscape.

In short, it is recreational shooters who would disproportionately bear the brunt of enforcement. The petition is deficient because the petition offers no direct proof that all harms alleged are caused by recreational shooters, but recreational shooters are likely to bear the brunt of enforcement.

Le

Sec. 32 — additional comments:

I am the President of the Montana Shooting Sports Association (MSSA) which is the primary political advocate for Montana firearm owners. I am accepted in state and federal courts as an expert concerning use of force, firearm safety, and related topics. I am the author of the book *Gun Laws of Montana*, the accepted standard for that topic. Finally, I grew up on a 5,000-acre working cattle ranch in Montana, so I have first hand experience with problems rural landowners face such as trespass, littering, and more. My specific area of interest is in the rights, privileges, and opportunities of and for affected area firearm owners. It is assumed that a general closure of any state lands under the petition would constitute an effective firearm discharge ban. This comment includes discussion of the sufficiency of the petition, issues of legal and constitutional nature, and practical issues. Practical issues MSSA has been actively involved in promoting safe and suitable places for Montana gun owners to shoot since the late 1980s. We initiated the Shooting Range Development Program in 1989 for the Montana Department of Fish, Wildlife, and Parks to make 50/50 matching grants available to help local clubs develop shooting ranges. In 1999, we offered the Legislature the Shooting Range Development Act, which was passed and signed into law. This law formalized the SRDP that began in 1989. In 1993, we brought a bill to the Legislature for the Shooting Range Protection Act, which was passed and became law. The SRPA protects ranges from closure because of common allegations such as noise or planning and zoning. This Act clearly expresses the state's public policy interest in protecting shooting opportunities for Montana people. We achieved passage of a bill to allow use of easements to secure shooting range safety zones. MSSA has coached numerous clubs about shooting range design and preparation of fundable range improvement grant applications. In short, MSSA has been immersed in advocating for public shooting opportunities for decades. It has become apparent that the Montana population most underserved with places to shoot is in Gallatin County. The insufficiency of dedicated places to shoot serves to increase shooting on public lands, which can spawn land use conflicts. The proposed closure will only make this problem worse since it will push recreational shooters onto a shrinking inventory of available public land. The proposed closure is not a solution. It will only exaggerate an ongoing problem that needs a different solution. Deficient petition The petition states a laundry list of problems, including rutted roads, fence damage, littering, and more. An inference is made that this is all being done by recreational shooters. Yet, there is little, if any, proof that recreational shooters are solely or even mostly responsible. Every rural landowner experiences occasional problems with trespassing, littering,

and damaged fences. That, unfortunately, is universal. Every population has members who are inconsiderate and who disrespect property ownership and the land. It is doubtful that whatever authorities might enforce this proposed closure would have the resources to catch and educate or punish all irresponsible violators of a closure. Such enforcement would fall primarily on the few who are detected. Those would be recreational shooters whose presence would be announced by the sound of gunshots. Thus, enforcement, as a practical matter, would be primarily against recreational shooters. Enforcers would be much less likely to be alerted to litterers, fence damagers, or people inconsiderately rutting the landscape. In short, it is recreational shooters who would disproportionately bear the brunt of enforcement. The petition is deficient because the petition offers no direct proof that all harms alleged are caused by recreational shooters, but recreational shooters are likely to bear the brunt of enforcement. Le

Teresa DeLaughder

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the comment submitted by the Montana Shooting Sports Association which opposes the restriction of recreational shooting on public land. Also, as a lifelong resident of Montana, I'm finding it increasingly difficult to find a place to go out and target practice. More and more land that used to be available for public recreation, (i.e. owned by timber corporations), is being purchased by individuals and then closed off for public use leaving only the small tracts of State Trust land still available and with many of those being physically inaccessible it is becoming near impossible to exercise our right to keep and bear arms in a way that should be promoted which is, get out there and practice.

Sec. 32 — additional comments:

I oppose the closing of any state trust land to all recreational use including the discharge of firearms. I agree with the comment submitted by the Montana Shooting Sports Association.

Michael Davis

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I am writing to respectfully oppose the permanent closure (or significant restriction) of the referenced state trust lands to public recreational use. I sympathize with the petitioners and the challenges they face living and operating ranches adjacent to these lands. However, these problems are not unique to them. Like many Montanans, I live along a busy roadway where I and my neighbors regularly deal with significant issues. We volunteer to walk and clean up miles of roadside trash — mostly from improperly secured loads in pickup trucks and trailers. Vehicles frequently leave the roadway, crashing through fences. Sometimes drivers have insurance and report the damage; other times they leave the scene. It has never occurred to me to petition the county to close the public road or restrict access to local residents only. Welcome to the world of shared public spaces.

The core problems cited by the petitioners — trespass, property damage, and livestock issues — appear to stem primarily from inadequate enforcement by the Department of Livestock and the Gallatin County Sheriff's Office. These agencies have the primary responsibility and POST-certified officers to investigate and enforce laws regarding trespass, destruction of private property, and unlawful killing of livestock. DNRC does not have law enforcement authority or POST-certified officers and cannot investigate crimes. It is unclear why Montana FWP can successfully pursue poachers across state lines while the Department of Livestock and the Gallatin County Sheriff's Office appears to be impotent in addressing livestock-related and trespass complaints in this area.

Regarding the March 2025 wildland fire near Axtell Road, the fire chief did not provide a definitive cause and only speculated that shooting activities may have contributed. The suggestion that the area should be closed until road improvements allow better fire equipment access is concerning. Applying this standard would justify closing millions of acres of public wilderness that only have primitive roads. Notably, common ignition sources in this area also include equipment sparks from farm and ranch operations, vehicles driving through dry winter grass, and roadside activity on Axtell Road itself. DNRC's responsibility includes implementing fire mitigation plans. Following the fire, the Gallatin County Sheriff's Office appropriately implemented temporary outdoor burning restrictions — the standard approach used by both state and federal agencies during high fire danger. If DNRC approves this closure or significant restrictions, it will create a clear displacement effect.

These parcels currently serve as accessible recreation areas in a rapidly growing region. Closing them will increase pressure and crowding on other nearby public lands, including sections of the Custer Gallatin National Forest, the Gallatin River corridor, and remaining accessible state trust lands. This will likely lead to greater resource damage, conflicts, and maintenance burdens in already popular areas.

Finally, I must note a potential appearance of conflict. The attorney and law firm representing the petitioners previously represented Governor Greg Gianforte in a case involving restrictions on public access. Governor Gianforte oversees DNRC and appoints its Director. Additionally, the attorney, Arthur V. Wittich, currently serves as Chair of the Montana Republican Party. While this does not prove improper influence, the Montana Rules of Professional Conduct stress the importance of avoiding even the appearance of impropriety. Should DNRC decide in favor of the petitioners, the agency should directly address this issue in its decision to assure the public that the decision serves the public trust rather than private interests. As DNRC staff might feel pressure (real or perceived) to rule in favor of the petitioners aligned with the Governor's political circle.

Sec. 32 — additional comments:

This petition also occurs against the backdrop of ongoing debates about corner crossing. The Governor and FWP have opposed corner crossing, despite federal court rulings (10th Circuit) affirming that the Unlawful Inclosures Act of 1885 prevents landowners from blocking access to public lands in checkerboard patterns. Although Montana is in the 9th Circuit, many observers expect similar protections. There is legitimate concern that repeated use of these closure petitions could become another method for limiting public access to state trust lands. I urge DNRC to deny this request for permanent closure and instead pursue balanced solutions such as improved enforcement coordination, targeted education, and temporary restrictions during high fire danger periods. DNRC's duty is to manage these lands for the benefit of Montana's school trust while providing reasonable public access. Thank you for considering these comments.

Keith Kolstad

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

This land should remain open to recreational use.

Sec. 32 — additional comments:

This land should remain open to recreational use.

Royal Davis, Attorney

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

What is there about "Shall not be infringed" or "Shall not be called into Question" does the Left Wing not understand?

Royal A. Davis, Attorney at Law. Sec. 32 — additional comments:

NO!

Stephen Van Marter

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Its not fair to close public lands for a few ultra rich people.

Matthew Mozingo

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the comment submitted by MSSA.

Sec. 32 — additional comments:

I agree with the comment submitted by MSSA.

Elias Swets

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

close section to all recreational shooting, remain open for deer and bird hunting seasons.

Sec. 32 — modified closure explanation:

close to all recreational shooting, remain open to hunters for deer and bird season

Tim Sowa

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I agree with the statements made by Montana Shooting Sports Association president Gary Marbut V/R

Tim Sowa

Sec. 32 — additional comments:

I support the statements made by Gary Marbut president of Montana Shooting Sports Association

Daniel Foley

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Please stand up for public access, do not close us out of our state land. There is very few road accessible state parcels in the Gallatin valley, and an ever increasing population. Closing access for all does not help the problem of a few bad actors.

Sec. 32 — additional comments:

Please keep road accessible state land open to the public. crazy concept. The citizens of Montana and Gallatin Valley

are under constant pressure from petitions to close access / land swaps / ect. we want more public land access not

less, please work with land owners to enforce rules, regulations, laws ect and keep our public lands in

public hands.

Ryland Armstrong

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

This land is used by many in Gallatin County for all types of recreation. Please consider the recreational needs of the many who use this land

Charlie McLaughlin

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Keep public land public

Sec. 32 — additional comments: Keep public land public

Scott Raznoff

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

This area should remain open to recreational use besides shooting. The paragliding community has been using it for years as a safe location to test gear and practice and learn flying in a safe controlled environment. The paragliding community is also responsible with access. When the road is too muddy, we park at the SE corner and access from there.

Sec. 6 — additional comments:

I oppose closure to all recreational use. There are non-harmful uses taking place at this location. If the choice is keep it open to everything or close it to everything, the path of least harm is keeping it open to all recreation. If it is possible to prohibit only the harmful uses (shooting) I wouldn't be opposed to that.

Sec. 32 — modified closure explanation:

Public access is important. Shooters cannot police themselves, so close the shooting.

Zachary Brandt

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

While the concerns raised in the petition about irresponsible shooting activities may or may not be founded, these concerns should not be reason to close access to state land for all users. This block of state land functions as a vital training resource for the local Gallatin valley paragliding community. Many students and licensed pilots alike use this land to learn and refresh their skills each year so they may continue to safely enjoy more advanced flying sites throughout the valley. Closing this land would disenfranchise our students, remove access to a safe training ground, and threaten the local paragliding schools and affiliated businesses that relay on access to this land for their operations. If any closure action is to be taken, please be reasonable and do not restrict access for everyone because of the actions of one use type. Thank you

Sec. 32 — modified closure explanation:

Please do not remove access for everyone because of the actions of one user type.

Derek Piekarczyk

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

It is public land, therefore should be available to the public.

Steve Clark

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

As a somewhat frequent recreational user of the State Trust Land in question at T3S 4E S6, Axtell Anceney Road, I am highly alarmed by the petition for outright closure to recreational use. I have also been highly alarmed over the years at the behavior and impacts by many members of the public engaging in target and other shooting activities in the same area. I personally enjoy visiting this land for occasional morning and evening walks, and for practicing paragliding, which effectively looks like flying a large kite. The state land in question is one of *very few* tracts of public land that is appropriately structured (with a moderate, fairly un-treed gentle slope) and situated into prevailing wind to allow for the low risk practice of beginners new to paragliding, which is a virtually impact-free recreational use consisting of simply walking up the hill, and flying down. This allows newer paraglider pilots to hone their skills before advancing to more challenging flying sites, and the loss of recreational use of this tract of State Trust Land will cause a serious loss of safe locations to engage in said activity.

That all said, it's impossible to refute the damages and concerns highlighted by the petition (which focuses solely on shooting activities, no mention of paragliders or other non-shooting user groups). It must also be said that when politely asked that shooters' exercise increased awareness / modify trajectories while paragliders or other non-shooting users are present, they are often met with scoffs and dismissive behavior. More than one hiker/walker have reported hearing bullets whiz by. That's not even addressing the frankly reprehensible amount of shell casings, spent clays, and other trash routinely left behind.

As such, I move that any closure or action be targeted against the offending user group. A closure against shooting activities seems reasonable given the issues the petition raises, but a blanket closure against any recreational use damages the community in ways that prioritize the needs of the privileged few over the needs of the many to whom this land rightfully belongs. The loss of yet more public land to all Montanans but a select privileged few who happen to live adjacent to said land is not a win for the State or for its people.

Sec. 6 — additional comments:

I haven't accessed this land but feel similarly to my comments in number 2 above. Blanket closure privatizes public land.

Sec. 32 — modified closure explanation:

It's impossible to refute the damages and concerns highlighted by the petition (which focuses solely on shooting activities, no mention of other non-shooting user groups). That's not even addressing the frankly reprehensible amount of shell casings, spent clays, and other trash routinely left behind.

However, I move that any closure or action be targeted against the offending user group. A closure against shooting activities seems reasonable given the issues the petition raises, but a blanket closure against any recreational use damages the community in ways that prioritize the needs of the privileged few over the needs of the many to whom this land rightfully belongs. The loss of yet more public land to all Montanans but a select privileged few who happen to live adjacent to said land is not a win for the State or for its people.

Sec. 32 — additional comments: See above.

John Duncan

Sec. 6 position: Support a modified closure | Sec. 32 position: I do not have a position on this Petition

to Close state trust land

Sec. 6 — modified closure explanation:

As a frequent user of that section of land, the trash and other items left behind after people target practice is a problem. I regularly take trash and other items with me as I leave to help clean up where I've been. There are many in the paragliding community who use a hill there which is uniquely suitable for safe training and practice. The paragliding community here holds itself to a standard of cleaning up where we've been and leaving it better than when we got there if possible. I personally have interacted with people target practicing without an issue and those that I've talked with didn't seem to be a part of the problem. Sadly for them, I agree that the next step would be to ban the use of firearms there for the sake of the safety and responsible use of that state land. It should remain open to all other use.

Sec. 6 — additional comments:

Responsible users of section 6, of which there are many, don't leave trash behind and I myself do what I can and take trash out with me as I leave, since some gun enthusiasts don't. I support a modification to the use of section 6 because, sadly, some of them are ruining it for all the rest.

Thomas Horn

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

I have been coming to this plot of land nearly weekly for the last couple of years. I have seen shooters, hikers, paragliders, cows and deer enjoy this space together. The negatives that come with having land near this plot are understandable. If I were so lucky to have land out there I would wish for people to follow the speed limit especially when it's dusty as the traffic is what I would find the most annoying. The increased traffic follows the valley's trend but may be even more increased as practicing your 2A rights a reasonable distance from town has only become harder.

With forests and plots banning recreational shooting and zero local ranges accepting members this plot provides a place where shooting "lanes" are obvious and safe. While not everyone is a model user of the land, I have seen evidence of individuals and groups working to improve brass and trash pickup that they themselves did not cause. With the closure of this land it will only put more strain on other areas, leaving more room to make dangerous decisions in lower visibility woods. I feel strongly about this but cannot make it in person as I work. Please take this and other comments into consideration. Thanks.

Jamie Raznoff

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

This site is used for training for paragliders in the Gallatin valley. Closure would prevent them from access to a population that doesn't cause harm to the property. Keep public lands public.

Alex DeFelice

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

A full closure of this public resource is not reasonable. If specific activities (e.g. target shooting) cannot be done responsibly, those activities should be sanctioned. It is not reasonable to punish all users of the land. Management is the solution here, not blanket closure.

I am a member of the local paragliding community. We've watched access to several sites in the valley be eroded or lost in the last several years, and without exception due to the actions of other user groups. We are a responsible user group with a high focus on safety and personal

responsibility. We pick up trash at the sites we use, we self-enforce the purchase of appropriate state land use permits, and we enjoy the land we use quietly.

Sec. 32 — modified closure explanation:

Same argument. A full closure of this public resource is not reasonable. If specific activities (e.g. target shooting) cannot be done responsibly, those activities should be sanctioned. It is not reasonable to punish all users of the land.

Management is the solution here, not blanket closure.

I am a member of the local paragliding community. We've watched access to several sites in the valley be eroded or lost in the last several years, and without exception due to the actions of other user groups. We are a responsible user group with a high focus on safety and personal responsibility. We pick up trash at the sites we use, we self-enforce the purchase of appropriate state land use permits, and we enjoy the land we use quietly.

Sabine Olds

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

We've been coming here for many years now and it would be quite heartbreaking to lose another public land area. If this land closes there is very limited areas to recreationally shoot. The closest range in the area has been closed to memberships for multiple years now. We've witnessed many people/groups picking up after themselves when we are there as well as multiple volunteers cleaning up as well. When we are there our whole group spends time picking up after ourselves and others.

Riley Monahan

Sec. 6 position: Oppose closure | Sec. 32 position: Support a modified closure

Sec. 6 — additional comments:

To the Montana Department of Conservation,

I am writing to express my opposition to the proposed closure of the hill currently used by local paragliders for training and recreation. While I understand the concerns regarding damage caused by irresponsible shooting activities, I do not believe that closing the area to all users is the most effective or equitable solution.

For many years, this hill has served as an important recreational resource for a wide range of responsible users. Local paragliders rely on the site as one of the few accessible locations where new pilots can safely learn and develop their skills. The area also provides opportunities for outdoor recreation, education, and community engagement. Closing the site would eliminate these benefits for many law-abiding individuals who have contributed positively to the area and have demonstrated respect for the land.

The actions of a small number of irresponsible shooters should not result in the loss of access for everyone. Collective punishment rarely addresses the underlying problem and often harms those who have done nothing wrong. Instead, I encourage the Department to consider targeted management solutions, such as increased enforcement of existing regulations, designated shooting areas, improved signage, educational outreach, volunteer stewardship programs, or partnerships with local recreation groups to help monitor and maintain the site.

Many members of the paragliding community have a strong interest in preserving the area and would likely welcome opportunities to assist with cleanup efforts, reporting violations, and promoting responsible land use. Working collaboratively with user groups can help protect the resource while maintaining public access.

Public lands exist to serve the public, and responsible recreation should be encouraged whenever possible. I respectfully ask the Department to reconsider the proposed closure and pursue alternatives

that address the misconduct of a few individuals without unnecessarily restricting access for the broader community.

Thank you for your time and consideration. With hope to change,

Riley Monahan

Sec. 32 — modified closure explanation:

To the Montana Department of Conservation,

I am writing to express my opposition to the proposed closure of the hill currently used by local paragliders for training and recreation. While I understand the concerns regarding damage caused by irresponsible shooting activities, I do not believe that closing the area to all users is the most effective or equitable solution.

For many years, this hill has served as an important recreational resource for a wide range of responsible users. Local paragliders rely on the site as one of the few accessible locations where new pilots can safely learn and develop their skills. The area also provides opportunities for outdoor recreation, education, and community engagement. Closing the site would eliminate these benefits for many law-abiding individuals who have contributed positively to the area and have demonstrated respect for the land.

The actions of a small number of irresponsible shooters should not result in the loss of access for everyone. Collective punishment rarely addresses the underlying problem and often harms those who have done nothing wrong. Instead, I encourage the Department to consider targeted management solutions, such as increased enforcement of existing regulations, designated shooting areas, improved signage, educational outreach, volunteer stewardship programs, or partnerships with local recreation groups to help monitor and maintain the site.

Many members of the paragliding community have a strong interest in preserving the area and would likely welcome opportunities to assist with cleanup efforts, reporting violations, and promoting responsible land use. Working collaboratively with user groups can help protect the resource while maintaining public access.

Public lands exist to serve the public, and responsible recreation should be encouraged whenever possible. I respectfully ask the Department to reconsider the proposed closure and pursue alternatives that address the misconduct of a few individuals without unnecessarily restricting access for the broader community.

Thank you for your time and consideration.

Evan Burgess

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

Areas along Axtell Anceney Road are crucial to the paragliding community of the Gallatin Valley. This parcel is one of the only remaining locations where new pilots can train and learn the safety procedures necessary to fly responsibly in the Gallatin valley. Over the past few years, our community has lost two of its most critical training sites, making this one of our last viable options. Without adequate training grounds, incoming pilots enter the sport with insufficient safety knowledge — a gap I have personally witnessed through a noticeable decline in pilot skill and preparedness as those other sites have closed.

The paragliding community uses this land with great care and respect. Unlike other users of this site — whose presence is evidenced by scattered casings, bullets, and clay pigeon debris — paraglider pilots operate on a leave-no-trace ethos. We are quiet, unobtrusive, and typically present only during early morning or evening hours when flying conditions are calm. Though the free flight community numbers around 100 pilots, the importance of this specific site to our sport and safety culture is disproportionately large.

Target shooting poses serious concerns that warrant reconsideration of how this land is used. It generates significant noise, produces persistent litter that poses risks to wildlife, and — critically — presents direct safety hazards to pilots operating in the area. For these reasons, I respectfully urge the closure of this parcel to shooting and loitering, while preserving access for free flight activities. Doing so would protect a responsible, safety-conscious community that depends on this land, while meaningfully improving the environmental quality and safety of the site.

Sec. 32 — modified closure explanation:

Areas along Axtell Anceney Road are crucial to the paragliding community of the Gallatin Valley. This parcel is one of the only remaining locations where new pilots can train and learn the safety procedures necessary to fly responsibly in the Gallatin valley. Over the past few years, our community has lost two of its most critical training sites, making this one of our last viable options. Without adequate training grounds, incoming pilots enter the sport with insufficient safety knowledge — a gap I have personally witnessed through a noticeable decline in pilot skill and preparedness as those other sites have closed.

The paragliding community uses this land with great care and respect. Unlike other users of this site — whose presence is evidenced by scattered casings, bullets, and clay pigeon debris — paraglider pilots operate on a leave-no-trace ethos. We are quiet, unobtrusive, and typically present only during early morning or evening hours when flying conditions are calm. Though the free flight community numbers around 100 pilots, the importance of this specific site to our sport and safety culture is disproportionately large.

Target shooting poses serious concerns that warrant reconsideration of how this land is used. It generates significant noise, produces persistent litter that poses risks to wildlife, and — critically — presents direct safety hazards to pilots operating in the area. For these reasons, I respectfully urge the closure of this parcel to shooting and loitering, while preserving access for free flight activities. Doing so would protect a responsible, safety-conscious community that depends on this land, while meaningfully improving the environmental quality and safety of the site.

Ian Stewart

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 32 — additional comments:

I use this and other public lands off of Axtell road weekly to sport shoot with friends. This area provides a safe and easily accessible location for sport shooting. The land has also undergone large efforts to keep it open and clean it up over the last year and a half I have personally participated in. I've also spend countless hours picking up debris and trash to help preserve and maintain these public spaces

Connor McClary

Sec. 6 position: Support a modified closure | Sec. 32 position: Oppose closure

Sec. 6 — modified closure explanation:

I suggest closing hours, and maybe more ways to insure that people have licenses to recreate on state land

ava van dyken

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

we need this land for safe paragliding training!

Sec. 32 — additional comments:
we need this land for safe paragliding

Philip Hohenlohe

Sec. 6 position: Support a modified closure | Sec. 32 position: I do not have a position on this Petition to Close state trust land

Sec. 6 — modified closure explanation:

I would support a closure but only to the extent that it would prohibit the shooting of firearms. I would not support a closure to all recreational uses. I am a paraglider pilot and I learned how to fly at this site. I know of several other pilots who fly or who have flown paragliders there. Given the topography, it is an ideal site for beginner pilots to practice launch and landings in a safe manner. It does not appear from the petitions that the landowners are concerned about paraglider pilots, or that such pilots have caused any harm. In fact, my belief is that paraglider pilots are good stewards of the land, and often help to clean up garbage and debris left by shooters.

Braeden Olds

Sec. 6 position: Oppose closure | Sec. 32 position: I do not have a position on this Petition to Close state trust land

Sec. 6 — additional comments:

This section along the Axtell Anceney-Road is commonly used by the public as an informal shooting area. For many people local to this area this is one of the only places that does not require a paid membership or range access. Closing it completely would remove an important public option and would specifically affect residents who do not have access to private land or a member-only range.

I understand the concerns about safety, fire, trash, noise and or misuse of the area. However I believe that a full closure is not the best solution. A modified management plan could be more pertinent to this location, such as posting more signage, designating shooting areas, required cleanup, adding fire restrictions when conditions are unsafe and or increasing enforcement against such behavior.

Responsible users of this land should not lose access because of issues that could be managed more directly. I ask that full closure be denied and that a more modified usage plan that keeps the land open for responsible usage be adopted.

Lucas Lanphar

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

As a public user of Axtell State land for more than 20 years, I have seen firsthand both its increasing popularity and the growing damage caused by irresponsible use. This land has long been an important public resource for my family and me. Over the years, I have used it for hiking, sledding with my children, sighting in my rifle during the fall, and more recently, paragliding. Closing the area to all recreation would unfairly punish responsible users and result in the loss of a valuable public space that serves many lawful outdoor activities.

Although I am part of the target-shooting community, I cannot ignore the serious consequences nearby landowners have been forced to endure, including fires, property damage, and livestock deaths. Those harms are unacceptable. It is also clear that posted signs and warnings have not been enough to change behavior. For the past five years, I have made a point of picking up trash during my paragliding visits because I care about this area and want to see it protected.

Stewardship matters, but individual volunteers cannot solve a problem caused by repeated misuse.

For that reason, I strongly oppose closing this site to all outdoor user groups when the source of the damage appears to be far more limited. A broad closure is not a balanced solution. Responsible hikers, families, paragliders, and other respectful users should not lose access because enforcement and compliance have failed in one area of use. While I value having a place to shoot my rifle, I spend far more time using this land in other ways. If additional restrictions are necessary, it would be far more reasonable to prohibit target shooting than to close the land entirely to the public. I urge decision-makers to protect continued public access for responsible recreation while addressing the specific uses that are causing harm.

Sec. 32 — additional comments:

As a public user of Axtell State land for more than 20 years, I have seen firsthand both its increasing popularity and the growing damage caused by irresponsible use. This land has long been an important public resource for my family and me. Over the years, I have used it for hiking, sledding with my children, sighting in my rifle during the fall, and more recently, paragliding. Closing the area to all recreation would unfairly punish responsible users and result in the loss of a valuable public space that serves many lawful outdoor activities. Although I am part of the target-shooting community, I cannot ignore the serious consequences nearby landowners have been forced to endure, including fires, property damage, and livestock deaths. Those harms are unacceptable. It is also clear that posted signs and warnings have not been enough to change behavior. For the past five years, I have made a point of picking up trash during my paragliding visits because I care about this area and want to see it protected. Stewardship matters, but individual volunteers cannot solve a problem caused by repeated misuse. For that reason, I strongly oppose closing this site to all outdoor user groups when the source of the damage appears to be far more limited. A broad closure is not a balanced solution.

Responsible hikers, families, paragliders, and other respectful users should not lose access because enforcement and compliance have failed in one area of use. While I value having a place to shoot my rifle, I spend far more time using this land in other ways. If additional restrictions are necessary, it would be far more reasonable to prohibit target shooting than to close the land entirely to the public. I urge decision-makers to protect continued public access for responsible recreation while addressing the specific uses that are causing harm.

Taylor Hayter

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Keep open for shooting and public use!

Sec. 32 — additional comments: Keep open to public!

Emily Congdon

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

I believe all shooting should be banned in this area.

Sec. 6 — additional comments:

I frequently bike in this area on this road and high flat road and have often felt very unsafe by people shooting and also driving too and from shooting, drinking etc. Most shooters are very respectful but some have made me feel very unsafe and threatened while using the road.

Sec. 32 — modified closure explanation:

Ban all shooting.

Sec. 32 — additional comments:

Same comment as for axtell road. I have also gotten a flat tire here from people leaving their trash from shooting in the road.

Alex Tariot

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

This is one of few places to safely sight in a rifle close to Bozeman on public land. Most people clean up after themselves but there are a few that leave junk. I always pack out more than I carry in. Don't let a few bad eggs ruin something good for the rest of us.

Nathan Delmar

Sec. 6 position: Support a modified closure | Sec. 32 position: Oppose closure

Sec. 6 — modified closure explanation:

I do not support a full closure on this recreation site. I do support and encourage the full closure of all recreational shooting at this site. Dog walking, recreating, paragliding, or simply accessing my public lands should not be cut off.

Marianna Parmer

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

I am a local paraglider and have been using this area for recreation for many years. I have personally witnessed some of the problems caused by irresponsible recreational shooting. I understand and share the concerns regarding irresponsible recreational shooting, including trash, property damage, unsafe behavior, and disturbances to neighboring landowners and livestock. These concerns are real and deserve attention.

However, I strongly oppose closing this state trust land to all recreational use. Such a closure would punish many responsible users who have not contributed to these problems. Hikers, paragliders, and other outdoor enthusiasts use this area respectfully and have a long history of enjoying it without causing the damage that is now being cited as justification for a complete closure.

If recreational shooting is the primary source of the documented damage and safety concerns, then restrictions should be focused on that activity rather than imposing a blanket closure. Responsible recreationists should not lose access because of the actions of individuals who disregard rules and respect for the land.

I support stronger enforcement, targeted restrictions where necessary, and accountability for those causing damage. I do not support eliminating access for responsible users who have enjoyed and cared for this land for years.

Please consider solutions that protect neighboring landowners, livestock, and natural resources while maintaining access for the many people who use this land responsibly. Closing the area to all recreation is neither the most effective nor the fairest solution.

Sec. 32 — modified closure explanation:

I am a local paraglider and have been using this area for recreation for many years. I have personally witnessed some of the problems caused by irresponsible recreational shooting. I understand and share the concerns regarding irresponsible recreational shooting, including trash, property damage, unsafe behavior, and disturbances to neighboring landowners and livestock. These concerns are real and deserve attention.

However, I strongly oppose closing this state trust land to all recreational use. Such a closure would

punish many responsible users who have not contributed to these problems. Hikers, paragliders, and other outdoor enthusiasts use this area respectfully and have a long history of enjoying it without causing the damage that is now being cited as justification for a complete closure.

If recreational shooting is the primary source of the documented damage and safety concerns, then restrictions should be focused on that activity rather than imposing a blanket closure. Responsible recreationists should not lose access because of the actions of individuals who disregard rules and respect for the land.

I support stronger enforcement, targeted restrictions where necessary, and accountability for those causing damage. I do not support eliminating access for responsible users who have enjoyed and cared for this land for years.

Please consider solutions that protect neighboring landowners, livestock, and natural resources while maintaining access for the many people who use this land responsibly. Closing the area to all recreation is neither the most effective nor the fairest solution.

Scott Wuebber

Sec. 6 position: Support a modified closure | Sec. 32 position: Oppose closure

Sec. 6 — modified closure explanation:

Position Statement

I support the petitioners' request to close all recreational and target shooting in the area referred to as Axtell, but I do not agree that all public access should be closed.

Personal Experience

I have used this area for hiking, running my dogs, and even target shooting for many years. However, in recent times, I have found it unsafe to be near this property due to the unrestricted amount of gunfire from all directions. The disregard for safety, destruction of resources, and litter by shooters has become overwhelming.

Concerns and Recommendations

The excessive amount of gunfire has made the area unsafe and must be stopped.

I concur with the petitioners regarding the need to end recreational and target shooting.

Please continue to allow all other legal public use and access. Sec. 6 — additional comments:

Close all shooting, keep open for all other recreation and ranching.

Sec. 32 — additional comments:

Close all recreational shooting, keep open for all other recreation and ranching.

Cameron Enright

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

The damage to the land is awful to see. It's even more awful to think that some of the very limited recreational opportunities can be closed to the public. It is incredibly frustrating to think that the state may prevent access rather than resolving the issues. I am against closure of the state land. I support proper management and addressing the issues however preventing access is an

unacceptable solution.

Sec. 32 — additional comments:

The damage to the land is awful to see. It's even more awful to think that some of the very limited recreational opportunities can be closed to the public. It is incredibly frustrating to think that the state may prevent access rather than resolving the issues. I am against closure of the state land. I support proper management and addressing the issues however preventing access is an unacceptable solution.

Brett Finneran

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

I support a closure of the area to recreational shooting. I strongly opposed closure of the area to other recreational uses.

Sec. 6 — additional comments:

Due to valid safety concerns regarding recreational shooting on the Axtell State trust land, I support the closure of the parcel to recreational shooting. However, I strongly oppose the complete closure of the parcel to other forms of recreational use.

The Bozeman paragliding community has been using the Axtell State Trust Land for several years. It is currently the only flying site in the Bozeman area suitable for the initial training and instruction of new paraglider pilots. In keeping with the unique purpose for state trust land to generate income for Montana public schools, the local paragliding school pays for a license to conduct business on this state parcel. A recreational ban at Axtell that included paragliding would remove this source of revenue for our schools, threaten the viability of a local business, and pose an existential threat to the Bozeman paragliding community by eliminating local options to learn the sport. Pilots using Axtell separate from the school buy Conservation Licenses, providing additional funding for Montana public schools.

Paragliding is not the problem at Axtell. Paragliding is highly compatible with grazing and other agricultural uses. When using Axtell, the paragliding community has been actively working to clean up trash and debris left by other recreational users. Users positively impacting the health and revenue generation of State Trust Land should not be banned from that land. Thank you very much for your time and consideration in this matter.

Sec. 32 — modified closure explanation:

I support the closure of the High Flat road parcel to recreational shooting. I strongly oppose the closure of the parcel to all other recreational uses.

Sec. 32 — additional comments:

Due to valid safety concerns regarding recreational shooting on the Axtell State trust land, I support the closure of the parcel to recreational shooting. However, I strongly oppose the complete closure of the parcel to other forms of recreational use. The Bozeman paragliding community has been using the Axtell State Trust Land for several years. It is currently the only flying site in the Bozeman area suitable for the initial training and instruction of new paraglider pilots. In keeping with the unique purpose for state trust land to generate income for Montana public schools, the local paragliding school pays for a license to conduct business on this state parcel. A recreational ban at Axtell that included paragliding would remove this source of revenue for our schools, threaten the viability of a local business, and pose an existential threat to the Bozeman paragliding community by eliminating local options to learn the sport. Pilots using Axtell separate from the school buy Conservation Licenses, providing additional funding for Montana public schools. Paragliding is not the problem at Axtell. Paragliding is highly compatible with grazing and other agricultural uses. When using Axtell, the paragliding community has been actively working to clean up trash and debris left by other recreational users. Users positively impacting the health and revenue generation of State Trust Land

should not be banned from that land. Thank you very much for your time and consideration in this matter.

Jaymes Hans3n

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Closing public lands to public use is detrimental to the general public. Stop californicating our Montana!

Sec. 32 — additional comments: Leave our lands alone!

Shon Ramey

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

There are so few areas that are accessible to the public. While I understand the adjacent landowners concerns, I do not believe that closing public access is the answer. Public access should remain and collaborative work should be done to rectify any reasonable issues that a few individuals are causing.

Erik Hayward

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Public land should never be closed to the people, regardless of which recreation it is.

Sec. 32 — additional comments:

Public land should never be closed to the people, regardless of which recreation it is

Joshua Phillips

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Recreating should be allowed on public land. If you guys need to post no shooting signs, that is a different management option than closure.

Sec. 32 — additional comments:

Don't close public lands to public enjoyment!

Christopher Dunlap

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

As a licensed paragliding pilot who utilizes those areas, there have been no issues with paraglider use on the state trust land. Denying access to those that utilize the zone within compliance of all rules because irresponsible gun users are causing issues is not a productive step forward. How about finding those that break rules and prosecute those instead of punishing those that are using it responsibly?

Sec. 32 — additional comments:

As a licensed paragliding pilot who utilizes those areas, there have been no issues with paraglider use on the state trust land. Denying access to those that utilize the zone within compliance of all rules because irresponsible gun users are causing issues is not a productive step forward. How about finding those that break rules and prosecute those instead of punishing those that are using it responsibly?

Dexter Hale

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

There is no reason to exclude all users of our recreational land because of a particular group's abuses. Most of the citizens who enjoy using this public resource cause no problems (hikers, birdwatchers, paragliders). Use of firearms could easily be prohibited if that is the problem.

Sec. 32 — modified closure explanation:

A closure to all users is not necessary or desirable. Exclude only those users who are causing problems (for example, firearms users).

Andrew Knaub

Sec. 6 position: Oppose closure | Sec. 32 position: I do not have a position on this Petition to Close state trust land

Sec. 6 — additional comments:

Why does this keep happening in Montana. Our public lands are trying to be shut down for no good reason. This is a very valued spot, especially for paragliding beginners. I know there is a lot of target shooting that could be some conflict, but we can all live with each other.

Robert Jacobson

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

There are already very few suitable sites to learn and practice paragliding from, the parcel of land on Axtell Anceney Road has been crucial in my development as a pilot. It's closure would severely impact the local Bozeman paragliding community and prevent future pilots from progressing safely in this sport.

Larry Wilcox

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Rich out of stater who purchased private land next to public land, built his home within 100 yards of the public land and now DOESN'T WANT the public to use THEIR land. and it should stay PUBLIC WITH FULL PUBLIC

ACCESS!!!!!! I've used this PUBLIC LAND for 34 years .

Jazmyn Maire

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

This would hinder so many individuals who have a passion and love for paragliding and free flights, The free flight community respects the land and use of it is not abused by us. I would rather see

posted regulations about activities that are a nuisance or disruptive to the land and use of this space.

Sec. 32 — additional comments: Same answer as last question

Robert Ball

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

As a paraglider who learned to fly on the training hill located in this space it would be detrimental to the Montana paragliding community to close access one of the few appropriate and safe training hills in the state. There are few opportunities in Montana for paragliding training and loosing this site would force our residents to travel much longer distances to schools in other states. This would add expense and time, and in some cases cause potential students to pick a more risky hill to learn on. Please reconsider this closure. Thanks for your time and attention.

Sec. 32 — additional comments:

Public land should be free for the public to use, within reason. Stop blocking our access to public land.

John Cassidy

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

The land use of this parcel is a huge benefit to the safety and advancement of recreational activities of public land owners!

Sec. 32 — additional comments:

This parcel is a huge benefit to public land owners for the benefit and safety of paragliding in Montana!

David Bixby

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

The petition only mentions problematic recreational shooting. Closing the parcel to other uses eliminates an important, commonly-used, and irreplaceable paragliding training site. Paragliding is a quiet, non-motorized, low environmental impact activity. Please consider posting no-shooting signage rather than eliminating all recreational use.

Sec. 32 — additional comments:

Please consider no-shooting signs to address the peripheral concerns rather than eliminating all recreational use for people who engaged in other, quite, low impact activities.

Rob Gilkey

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Absolutely ridiculous to close DNRC public accessible lands

Thomas Hawkins

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

This would close the paragliding practice site which would be a disfavor to the paragliding community that helps make the greater bozeman area great.

Sec. 32 — additional comments: Don't close this site.

146. Ted Lowe

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

It is wrong to prohibit all recreational activity. Any regulation or closure should be limited to the specific activity that caused complaints. Please continue to allow paragliding.

Sec. 32 — additional comments:

It is wrong to prohibit all recreational activity. Any regulation or closure should be limited to the specific activity that caused complaints. Please continue to allow paragliding.

Logan Kato

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

I support a modified closure of recreational use that addresses the damages which have been caused on the nearby parcels without a total closure of all recreational use. This land serves as a viable paragliding training site in the Gallatin Valley. These sites are rare and require the right slope, wind exposure, open landing area, minimal obstacles, and public access. Removing this piece of land from recreational use would damage the ability and safety of licensed, certified instruction of paragliding. This activity is quiet, non-motorized, doesn't disturb the ground or pose a threat to livestock or other property. The harms identified in the petitions don't have connection to paragliding or other low impact recreation. I respectfully urge the department to grant a modified closure which only targets activities which are causing harm.

Sec. 32 — modified closure explanation:

I support a modified closure of recreational use that addresses the damages which have been caused on the nearby parcels without a total closure of all recreational use. This land serves as a viable paragliding training site in the Gallatin Valley. These sites are rare and require the right slope, wind exposure, open landing area, minimal obstacles, and public access. Removing this piece of land from recreational use would damage the ability and safety of licensed, certified instruction of paragliding. This activity is quiet, non-motorized, doesn't disturb the ground or pose a threat to livestock or other property. The harms identified in the petitions don't have connection to paragliding or other low impact recreation. I respectfully urge the department to grant a modified closure which only targets activities which are causing harm.

Patrick Clay

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

This is training hill for local paragliding pilots. These pilots are good stewards of land. I understand not wanting recreational shooting. So close it to that and post it.

Sec. 32 — modified closure explanation:

I support access for local paragliding pilots to use this as their training hill

Ian Magruder

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

This petition would set a bad precedent in closing state land to public recreational use to satisfy the desires of adjacent private landowners. There are other appropriate methods to stop illegal activity on this land. This land should remain open to law abiding Montana residents including for use as paraglider training.

Sec. 32 — additional comments:

This petition would set a bad precedent in closing state land to public recreational use to satisfy the desires of adjacent private landowners. There are other appropriate methods to stop illegal activity on this land. This land should remain open to law abiding Montana residents including for use as paraglider training.

Lewis England

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

I do not believe that this parcel of land should be closed to all recreational use. This would be far over reaching and reactionary to an issue that can be solved. I do agree that the recreation use for target shooting is a safety issue due to the lay of the land and the increased use from shooters who lack respect and knowledge of safe gun use and practices on this parcel of land. I also enjoy target shooting but know that this is not an area that it can be done safely. But that should not mean I can't walk my dog or go for a hike or participate in other Montana activities on this land.

Sec. 6 — additional comments:

Do not restrict this land due to a few bad apples. Keep this land open to the public but restrict activities that endanger others or the livelihood of others if need be.

Sec. 32 — modified closure explanation:

Keep this land available for public use. If you need to resolve a safety issue then address that issue alone.

Sec. 32 — additional comments:

Keep this land open for public access.

Hannah Freese

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

I believe closure to shooting firearms should be the modification. This is some of the very few pieces of public land to do things such as hike and ride horses.

Sec. 6 — additional comments:

Please do not close this area to all recreational use. There are few public pieces of land in which you can hike or ride horses which are low impact on the land itself and the neighbors surrounding.

Sec. 32 — modified closure explanation:

Please only restrict use of firearms. This land is one of few in the area for the public to hike or ride horses

Lincoln DiLorenzo

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

As someone who recreates on the specified state land, I understand and empathize with the petition to close the land due to the problems caused by shooting but do not support a full closure to all recreation. That piece of land has many recreational uses besides just target shooting and completely closing access due to problems caused solely by shooting is not fair to responsible recreation.

Sec. 32 — modified closure explanation: See prior response

Lisa Dickinson

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

I use this piece of state land to practice paragliding. We as paraglider pilots have a very low impact on the land, as we spend most of our time with our feet off the ground. Every time we are out there, we are picking up trash, often clay pigeons. I strongly oppose the closure of this state land to all outdoor user groups when the source of the damage appears to be from the target shooters. Closure to all would be punishing everyone for the faults of some. It is clear that there is a problem with garbage, fire risk, and stray bullets. Please consider prohibiting target shooting while allowing other responsible users to continue use on this piece of public land.

Sec. 6 — additional comments:

I strongly oppose the closure of this public lands to all users. Please consider only closing this land to the target shooters. The rest of us as using this land responsibly. Thank you

Sec. 32 — modified closure explanation:

Please consider only closing to those who are the problem. Though I personally do not use this particular piece of state land frequently, I do not want to see access to our public lands taken. I understand there is a problem and maybe we could address the problem rather than restricting all access to our public lands.

Arnold Dood

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

In the petition it states that enforcement is the problem. There are accusations that none of the responsible agency's would respond. I doubt that is truthful but it indicates closing these areas to the public would not solve the problem.

Sec. 32 — additional comments:

See previous comments and also note the petition indicates that a fire was caused by shooting on state lands (this seems pretty speculative) when the fire started on private land.

Ryder Bechtold

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Access to Public Land near metro areas is essential for communities to connect with the land around them. If people are unable to use public land, they no longer understand how valuable a resource it is. Keep public land public!

Sec. 32 — additional comments:

Access to Public Land near metro areas is essential for communities to connect with the land around them. If people are unable to use public land, they no longer understand how valuable a resource it is. Keep public land public!

Scott Creel

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

The problems at this site are entirely due to shooting and littering by shooters. It has long been a unique and highly valued site for other uses, such as paragliding, that have never caused any conflict. Closing it to shooting is a reasonable response to real problems, but an accessible and well used site like this should not, in my view, be closed to everyone.

Sec. 32 — modified closure explanation:

Again, the problems are due to shooting and litter from the shooting community. Other uses have not been a problem and should not be lost.

Erik Hoghaug

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

Shooting on this small property is unsafe considering surrounding residential properties. The land however should remain open to other non-shooting recreational activities.

Guy Thomas

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

A closure that would permanently close recreational shooting on this parcel but leave it open to hunting and fishing.

Sec. 6 — additional comments:

Robert K. Baldwin William G. Thomas Baldwin Law, PLLC

P.O. Box 10850

Bozeman, MT 59719

406-551-9993

rbaldwin@baldwinlawfirm.com gthomas@baldwinlawfirm.com Attorneys for Petitioners

BEFORE THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

DAVID HATTER AND MELISSA

HATTER,

Petitioners.

Declaration of Kipp Halvorsen

I, Kipp Halvorsen, declare as follows:

I own real property in the immediate vicinity of parcels that were subject to the April 1, 2025, Petition filed by Stephen McDonnell, John Mc Donnell, and Valley Ranch, LP, (hereafter, the "Logan Petition"). I have lived in the Gallatin Valley for approximately forty-two years, and I am familiar with the area and the conditions that existed before and after the closure of recreational shooting on parcels subject to the Logan Petition.

Prior to the closure described in the Logan Petition, conditions in the area created significant concerns for neighborhood property owners and residents' safety. The shooters often pointed in an unsafe direction to the by-passing road.

Based upon my personal observations, the state lands subject to the Logan Petition experienced frequent misuse and abuse. The area was often littered with trash, debris, and spent shooting materials, and vegetation was regularly damaged or destroyed.

DECLARATION OF KIPP HALVORSEN PAGE 2

I observed recreational shooting activities being conducted in a manner that I believed created substantial safety risks and did not consistently comply with applicable state land-use regulations. The volume and manner of shooting activity caused me concern for the safety of nearby residents, visitors, and property owners.

Enforcement was a recurring challenge. Prior to the Logan Petition, I contacted the Gallatin County Sheriff's Office and Montana Fish, Wildlife & Parks on several occasions regarding concerns associated with activities occurring on the Logan parcels. My daughter also contacted the relevant enforcement agencies on multiple occasions.

Before the closure, tensions among neighboring landowners, residents, and recreational shooters were significant. Since the closure, those tensions have been substantially reduced.

Since the closure described in the Logan Petition, I have not personally observed a single person shooting on the closed parcel.

In my observation, the conditions on the Axtell Parcel are even worse than the misuse that occurred on the Logan parcels. I make this observation based on the history of livestock deaths, wildfires and habitual nighttime shooting occurring on the Axtell Parcel.

In my experience, the closure of recreational shooting on the Logan parcel has been an extremely effective tool that has improved public safety and has eliminated conflicts among neighboring landowners and recreational shooters.

I support the Hatters' Petition and believe that closure of the Axtell Parcel to recreational shooting is necessary to protect public safety, prevent irreparable property damage and bodily injury, reduce wildfire risk, and preserve and maximize the income-generating potential of the land.

DECLARATION OF KIPP HALVORSEN PAGE 3

I declare under penalty of perjury that the foregoing is true and correct. DATED ____

Kipp Halvorsen

Sec. 32 — modified closure explanation: Same as Axtell

Aaron Trainor

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — modified closure explanation:

The shooting is a danger, fire hazard, and ecological mess. It drains directly in camp creek, and eventually the galatin.

Sec. 32 — modified closure explanation: Noise pollution, fire hazard, and unsafe

Lindsay Kuhnhein-Hohn

Sec. 6 position: Oppose closure | Sec. 32 position: Oppose closure

Sec. 6 — additional comments:

Please do not close access to this public land.

Sec. 32 — additional comments:

Please do not close access to this public land.

Jenny Trainor

Sec. 6 position: Support a modified closure | Sec. 32 position: Support a modified closure

Sec. 6 — additional comments:

Dangerous shooting and fire hazard conditions

Sec. 32 — modified closure explanation:

Dangerously fire and shooting conditions

Appendix B: Additional Public Comments Received Outside the Online Survey

DNRC received 7 additional public comments regarding these petitions through channels other than the survey: five handwritten comment cards submitted in person at the June 3, 2026 public hearing in Gallatin Gateway, and two written comments submitted directly by email. These commenters did not complete the structured survey form. The five hearing comment cards are reproduced as scanned images of the original documents, each followed by a typed transcription for readability. The two email comments are reproduced as typed text.

Email addresses have been redacted.

Andy Macrae — Owner, Bozeman Paragliding

Written comment card, public hearing (June 3, 2026, Gallatin Gateway) —

Addressing: Sec. 6 Original comment card (scanned image):

Public Comment on Petitions to Close State Trust Land

The Montana Department of Natural Resources and Conservation (DNRC) received two citizen-initiated petitions to close tracts of state trust land located in Gallatin County, near Gallatin Gateway. Pursuant to Administrative Rule 36.25.1207, the petitions request a decision from the DNRC to permanently close the subject lands to all recreational use due to the petitioner's contention that recreational shooting has caused resource damage, private property damage, and public safety concerns. DNRC is collecting public comment on the closure petitions through midnight on June 3, 2026. A public hearing on both petitions will be held in Gallatin Gateway on June 3, 2026.

Petition to Close State Trust Land Located in T3S 4E S6, Axtell Anceney Road

Submit any written comments on petitions to close state trust land in Section 6 of Township 3 South, Range 4 East to all recreational use. The tract of land is located along Axtell Anceney Road in Gallatin Cnty.

I'm Andy Macrae, owner of Bozeman Paragliding.
Paragliders use this piece of land extensively, especially now after losing access to another piece of state land due to neighboring households and property owners shut it down to all recreational and commercial use.
Paraglider pilots are consistently light users of open spaces, we clean up others' garbage whenever we come across it, and our whole philosophy is "leave no trace." We like to hike up hills and fly away with all of our gear.
We would like this land to remain open for paragliding use.

Commenter Name: Andy Macrae
Commenter Email Address (optional):

*Email address will be added to DNRC Recreational Use Interest List, which provides notifications related to recreational use on state trust land, including the decision notice on this closure petition.

Bozeman Paragliding has previously tried and would be happy to pay a yearly fee for use of this land

Typed transcription:

I'm Andy Macrae, owner of Bozeman Paragliding.

Paragliders use this piece of land extensively, especially now after losing access to another piece of state land due to neighboring households and property owners shutting it down to all recreational and commercial use.

Paraglider pilots are consistently light users of open spaces, we clean up others' garbage whenever we come across it, and our whole philosophy is "leave no trace." We like to hike up hills and fly away with all of our gear.

We would like this land to remain open for paragliding use.

Bozeman Paragliding has previously tried and would be happy to pay a yearly fee for use of this land.

J. Conophy

Written comment card, public hearing (June 3, 2026, Gallatin Gateway) —

Addressing: Sec. 6 Original comment card (scanned image):

Public Comment on Petitions to Close State Trust Land

The Montana Department of Natural Resources and Conservation (DNRC) received two citizen-initiated petitions to close tracts of state trust land located in Gallatin County, near Gallatin Gateway. Pursuant to Administrative Rule 36.25.1207, the petitions request a decision from the DNRC to permanently close the subject lands to all recreational use due to the petitioner's contention that recreational shooting has caused resource damage, private property damage, and public safety concerns. DNRC is collecting public comment on the closure petitions through midnight on June 3, 2026. A public hearing on both petitions will be held in Gallatin Gateway on June 3, 2026.

Petition to Close State Trust Land Located in T3S 4E S6, Axtell Anceney Road

Submit any written comments on petitions to close state trust land in Section 6 of Township 3 South, Range 4 East to all recreational use. The tract of land is located along Axtell Anceney Road in Gallatin Cnty.

This should be closed to public shooting
due to the actions of a minority of
people. They have killed a horse,
they have killed calves & cows - completely
unacceptable. In addition they have
shot guns to the south of the tree land,
as evidenced by many different pieces
of equipment south of the road.
Though I am all for public use /
shooting on state land, there are a
few who have ruined it for everyone.

Commenter Name:	J. Conophy
Commenter Email Address (optional):	

*Email address will be added to DNRC Recreation ... related to recreational use on state trust land, including the decision notice on this closure petition.

Typed transcription:

This should be closed to public shooting due to the actions of a minority of people. They have killed a horse, they have killed calves & cows — completely unacceptable. In addition they have shot guns to the south of the tree land, as evidenced by many different pieces of equipment south of the road. Though I am all for public use/shooting on state land, there are a few who have ruined it for everyone.

Tom Conophy

Written comment card, public hearing (June 3, 2026, Gallatin Gateway) —

Addressing: Sec. 6 Original comment card (scanned image):

Public Comment on Petitions to Close State Trust Land

The Montana Department of Natural Resources and Conservation (DNRC) received two citizen-initiated petitions to close tracts of state trust land located in Gallatin County, near Gallatin Gateway. Pursuant to Administrative Rule 36.25.1207, the petitions request a decision from the DNRC to permanently close the subject lands to all recreational use due to the petitioner's contention that recreational shooting has caused resource damage, private property damage, and public safety concerns. DNRC is collecting public comment on the closure petitions through midnight on June 3, 2026. A public hearing on both petitions will be held in Gallatin Gateway on June 3, 2026.

Petition to Close State Trust Land Located in T3S 4E S6, Axtell Ancney Road

Submit any written comments on petitions to close state trust land in Section 6 of Township 3 South, Range 4 East to all recreational use. The tract of land is located along Axtell Ancney Road in Gallatin Cnty.

UNRULY, UNSAFE & TOTAL DISREGARD FOR
RESIDENTS, LIVESTOCK & STRUCTURES BY
'SHOOTERS' UTILIZING SAID PARCEL.
FIRING ACROSS PRIVATE LAND IS
UNACCEPTABLE
SEEMS THERE IS LITTLE TO NO ENFORCEMENT.

Commenter Name: TOM CONOPHY
Commenter Email Address (optional):

*Email address will be added to DNRC Recreational Use Interested Party Newsletter for notifications related to recreational use on state trust land, including the decision notice on this closure petition.

Typed transcription:

Unruly, unsafe & total disregard for residents, livestock & structures by 'shooters' utilizing said parcel. Firing across private land is unacceptable.

Seems there is little to no enforcement.

James Amphlett

Written comment card, public hearing (June 3, 2026, Gallatin Gateway) —

Addressing: Sec. 6 Original comment card (scanned image):

Public Comment on Petitions to Close State Trust Land

The Montana Department of Natural Resources and Conservation (DNRC) received two citizen-initiated petitions to close tracts of state trust land located in Gallatin County, near Gallatin Gateway. Pursuant to Administrative Rule 36.25.1207, the petitions request a decision from the DNRC to permanently close the subject lands to all recreational use due to the petitioner's contention that recreational shooting has caused resource damage, private property damage, and public safety concerns. DNRC is collecting public comment on the closure petitions through midnight on June 3, 2026. A public hearing on both petitions will be held in Gallatin Gateway on June 3, 2026.

Petition to Close State Trust Land Located in T3S 4E S6, Axtell Anceney Road

Submit any written comments on petitions to close state trust land in Section 6 of Township 3 South, Range 4 East to all recreational use. The tract of land is located along Axtell Anceney Road in Gallatin Cnty.

This parcel of land is used by in-state, out-of-state and international students learning to paraglide. The topography of the land makes it ideal. It is extremely dangerous with shooting operating at the same time. I would like recreational use to continue but shooting to be stopped.

Commenter Name: JAMES AMPHLETT

Commenter Email Address (optional):

*Email address will be added to DNRC Recreational Use Interested Party Newsletter for notifications related to recreational use on state trust land, including the decision notice on this closure petition.

Typed transcription:

This parcel of land is used by in-state, out-of-state and international students learning to paraglide. The topography of the land makes it ideal. It is extremely dangerous with shooting operating at the same time. I would like recreational use to continue but shooting to be stopped.

Jody Conophy

Written comment card, public hearing (June 3, 2026, Gallatin Gateway) — Addressing:

Sec. 32 Original comment card (scanned image):

Public Comment on Petitions to Close State Trust Land

The Montana Department of Natural Resources and Conservation (DNRC) received two citizen-initiated petitions to close tracts of state trust land located in Gallatin County, near Gallatin Gateway. Pursuant to Administrative Rule 36.25.1207, the petitions request a decision from the DNRC to permanently close the subject lands to all recreational use due to the petitioner's contention that recreational shooting has caused resource damage, private property damage, and public safety concerns. DNRC is collecting public comment on the closure petitions through midnight on June 3, 2026. A public hearing on both petitions will be held in Gallatin Gateway on June 3, 2026.

Petition to Close State Trust Land Located in T2S 4E S32, High Flat Road

Submit any written comments on petitions to close state trust land in Section 32 of Township 2 South, Range 4 East to all recreational use. The tract of land is located along High Flat Road in Gallatin Cnty.

The owners + workers of Spur Cross
Ranch are unable to use portions of their
land due to feeling unsafe by the
recreational shooters. I have been up
to this area and have felt very
unsafe due to the attitudes of
some of these shooters. Unfortunately
it is the actions of a few that
hurt many, but someone is going
to get killed up here. Then who
will be responsible?

Commenter Name:	Jody Conophy
Commenter Email Address (optional):	

*Email address will be added to DNRC Recreational Use Interested Party Newsletter for notifications related to recreational use on state trust land, including the decision notice on this closure petition.

Typed transcription:

The owners & workers of Spur Cross Ranch are unable to use portions of their land due to feeling unsafe by the recreational shooters. I have been up to this area and have felt very unsafe due to the attitudes of some of these shooters. Unfortunately it is the actions of a few that hurt many, but someone is going to get killed up here. Then who will be responsible?

Gary Marbut — President, Montana Shooting Sports Association (MSSA)

Email correspondence to DNRC Bozeman Unit Office — Addressing: Sec. 6

Full text of comment:

Subject: Comment in re petition for closure of Township 3 South, Range 4 East, Section 6: Gov. Lots 3-7, SE4NW4, SE4, E2SW4, Gallatin County, Montana.

I am the President of the Montana Shooting Sports Association (MSSA) which is the primary political advocate for Montana firearm owners. I am accepted in state and federal courts as an expert concerning use of force, firearm safety, and related topics. I am the author of the book Gun Laws of Montana, the accepted standard for that topic. Finally, I grew up on a 5,000-acre working cattle ranch in Montana, so I have first hand experience with problems rural landowners face such as trespass, littering, and more.

My specific area of interest is in the rights, privileges, and opportunities of and for affected area firearm owners. It is assumed that a general closure of any state lands under the petition would constitute an effective firearm discharge ban. This comment includes discussion of the sufficiency of the petition, issues of legal and constitutional nature, and practical issues.

Practical issues

MSSA has been actively involved in promoting safe and suitable places for Montana gun owners to shoot since the late 1980s. We initiated the Shooting Range Development Program in 1989 for the Montana Department of Fish, Wildlife, and Parks to make 50/50 matching grants available to help local clubs develop shooting ranges. In 1999, we offered the Legislature the Shooting Range Development Act, which was passed and signed into law. This law formalized the SRDP that began in 1989.

In 1993, we brought a bill to the Legislature for the Shooting Range Protection Act, which was passed and became law. The SRPA protects ranges from closure because of common allegations such as noise or planning and zoning. This Act clearly expresses the state's public policy interest in protecting shooting opportunities for Montana people.

We achieved passage of a bill to allow use of easements to secure shooting range safety zones. MSSA has coached numerous clubs about shooting range design and preparation of fundable range improvement grant applications.

In short, MSSA has been immersed in advocating for public shooting opportunities for decades.

It has become apparent that the Montana population most underserved with places to shoot is in Gallatin County. The insufficiency of dedicated places to shoot serves to increase shooting on public lands, which can spawn land use conflicts.

The proposed closure will only make this problem worse since it will push recreational

shooters onto a shrinking inventory of available public land. The proposed closure is not a solution. It will only exaggerate an ongoing problem that needs a different solution.

Deficient petition

The petition states a laundry list of problems, including rutted roads, fence damage, littering, and more. An inference is made that this is all being done by recreational shooters. Yet, there is little, if any, proof that recreational shooters are solely or even mostly responsible.

Every rural landowner experiences occasional problems with trespassing, littering, and damaged fences. That, unfortunately, is universal. Every population has members who are inconsiderate and who disrespect property ownership and the land.

It is doubtful that whatever authorities might enforce this proposed closure would have the resources to catch and educate or punish all irresponsible violators of a closure. Such enforcement would fall primarily on the few who are detected. Those would be recreational shooters who's presence would be announced by the sound of gunshots. Thus, enforcement, as a practical matter, would be primarily against recreational shooters. Enforcers would be much less likely to be alerted to litterers, fence damagers, or people inconsiderately rutting the landscape.

In short, it is recreational shooters who would disproportionately bear the brunt of enforcement. The petition is deficient because the petition offers no direct proof that all harms alleged are caused by recreational shooters, but recreational shooters are likely to bear the brunt of enforcement.

Legal and constitutional issues

In response to MSSA comment on a previously proposed DNRC public land firearm discharge ban, DNRC responded that it is not qualified to evaluate constitutional issues. This comes from public officials for whom a condition of holding public office is an oath to uphold the Constitution. I immediately reject the excuse that DNRC officials cannot understand the Constitution since their oath of office requires exactly that they do.

I also do not excuse counsel for petitioners, who is an attorney and should know better. Counsel for petitioners argues that because various alleged harms must be addressed, then, among the remedies needed, the Right to Keep and Bear Arms (RKBA) may be violated ("infringed" or "called into question") by a government entity. This is what is called an "interest balancing" approach. This approach, which looks at various levels of "scrutiny" in evaluating government encroachment on fundamental, individual rights, no longer applies to any rights the people have reserved to themselves under the Second Amendment of the U.S. Constitution or under Article II, Section 12 of the Montana Constitution.

The United States Supreme Court decided *New York State Rifle & Pistol Association, Inc. v. Bruen* on June 23, 2022. In that decision, the Court declared that "interest balancing" may no longer be used in deciding if a government encroachment into the RKBA is permissible.

Rather, the Court held, first it must be determined if the proposed or actual government action affects the RKBA in any way. If it does, then the burden immediately shifts to the government to provide similar or analog restrictions from the founding era of 1791 (or perhaps in Montana's case, 1889) that show that the Founders tolerated such a restriction under their then understanding of the RKBA.

The public lands closure proposed by petitioners will, unless specifically excluded from the closure, prevent recreational shooters from shooting on public land. Clearly, this affects the RKBA, since the RKBA includes the right to use firearms. Thus, the question will move on to the second step of the Bruen test.

Can the government show laws or regulations from the founding era prohibiting shooting on undeveloped public lands? The answer to that is -- almost certainly not.

While there may be some founding era laws such as prohibiting firearm discharge inside city limits, prohibiting discharge by drunken celebrants, or prohibiting discharge in a specific effort to terrorize people, the reverse was ubiquitous in the founding era. There are many documented examples of organized shooting practice, militia musters, and firearms use occurring on village greens, commons, and town squares in the colonial and founding era, including before and after 1791.

Thus, DNRC in response to petitioners' petition, will not be able to legally support a closure that prohibits shooting on public, state land.

Said more directly, DNRC lacks the authority to adopt or enforce a prohibition on firearm discharge on undeveloped public lands.

Conclusion

Gallatin County is noticeably underserved with places for people to shoot. The proposed closure will only make this problem worse and further concentrate shooting on a shrinking available public land area. There is no evidence that recreational shooters are the sole or majority source of the problems alleged by petitioners. Yet recreational shooters are likely to bear the main brunt of any closure enforcement. Finally, under the current scheme of law, DNRC lacks authority to impose a firearm discharge ban as a part of the closure petitioners request.

For these reasons, MSSA adamantly opposes any closure in response to the petition that would affect recreational shooting on state-owned public land.

We are willing to collaborate with DNRC about possibly tolerable firearm discharge bans in special places, such as well-defined campgrounds. We are also willing to work with and advise interested people, groups, and governmental entities in the Gallatin County area about developing safe and suitable places for people to shoot and thereby reduce conflicts on both public and private lands.

Submitted by:

Gary Marbut, president
Montana Shooting Sports Association

Billie Ratcliffe

Email correspondence to DNRC Closure Petition inbox (May 16, 2026) — Addressing: Sec. 6, Sec. 32

Full text of comment:

Dear Folks,

Having read the petition submitted by neighbors to the State Trust Land and understanding their safety concern, if everyone is being transparent, it may also be a noise issue.

Closing the area to all recreation is not a reasonable solution and should not be an option. Other possibilities could be: A specific part of the property designated to firearms, build a dirt mound and have seating and targets set in one direction. Build a facility possibly a gun organization could put together a safe alternative to what is currently in place possibly hiring someone to run it but making sure all folks are playing by the rules and charge a nominal fee so ALL folks from all walks of life can afford to use the area.

In my opinion, the statement regarding shutting it down to all recreational activities is merely hoping they will get a compromise in their favor of eliminating the firearm situation. There needs to be a shooting area, and yes it needs to be safe for all which includes those shooting. Let's think outside the box on how that piece of property can safely be used.

With growth comes change, my ancestors settled in our glorious state in 1864 and I've seen plenty. Shooting is not something I personally participate in, however, it is a sport some enjoy. We have a sizeable property being discussed and with some thought there is no logical reason for it not to be used for shooting and possibly some other recreational activities.

Sincerely,
Billie
Ratcliffe