



August 8, 2025

VIA E-MAIL

Jamie Price, Rules Coordinator
1539 Eleventh Ave.
P.O. Box 201601
Helena, MT 59620-1601
DNRCOAH@mt.gov

RE: MAR Notice No. 2025-91.1
Montana Fish, Wildlife & Parks comments on Notice of Proposed Rulemaking

Dear Ms. Price:

This letter serves as Montana Fish, Wildlife and Parks' (FWP) comment on the Department of Natural Resources (DNRC) *Notice of Proposed Rulemaking* dated July 11, 2025, and published in the Montana Administrative Register (MAR) at Notice No. 2025-91.1. These comments are limited to proposed *New Rule 4* and proposed *New Rule 8*.

FWP Wildlife Management Areas (WMA) are state-owned lands, purchased and held by FWP primarily as wildlife habitat. Some WMAs border or surround state trust land parcels. Conversely, Block Management Areas (BMAs) provide public hunting access on property owned by someone other than FWP. FWP manages BMAs through agreements with that other property owner, whether it be an agreement with a private landowner or through an agreement with DNRC for state trust land parcels. While it is accurate to say that trust land parcels can be enrolled in the BMA program in the same fashion that private property tracts are enrolled in the BMA program, it is inaccurate to say that state trust lands can be "enrolled" in a WMA, as WMAs are simply a *type* of real property owned by FWP, as distinct from other types of FWP properties like fishing access sites, state parks, administrative sites, etc.

In light of that, FWP suggests the following amendments to proposed *New Rule 4* and *New Rule 8* to accurately reflect the differences between WMAs and BMAs:

New Rule 4 (36.25.1204) General Recreation Rules and Restrictions

(16) State trust land enrolled located within or adjacent to the exterior boundaries of a wildlife management area or enrolled in a block management area are subject to the management area rules set by the Department of Fish, Wildlife and Parks. A recreationist may not violate the rules applicable to state trust land enrolled located within or adjacent to the exterior boundaries of in a wildlife management area or enrolled in a block management area.

New Rule 8 (36.25.1209) Interagency Land Management Agreements

(1) State trust lands may be enrolled in a block management area or managed as part of an adjacent or surrounding wildlife management area established by the Department of Fish, Wildlife and Parks pursuant to a written agreement executed by the department. No state trust land is included in a management area unless a written agreement is executed by the department.

The proposed modifications will help reiterate to the recreating public that DNRC and FWP will continue to work together to reduce patchwork regulations.

Should you have any questions or require any additional information to assist in this proposed agency action, please do not hesitate to contact our offices.

Sincerely,



Jeff Hindoien, Deputy Director
Montana Fish, Wildlife and Parks

c: Brian Bramblett, Chief Legal Counsel