

Chris Taggart

From: Dave Odell <bigwave6666@gmail.com>
Sent: Tuesday, January 10, 2023 2:25 PM
To: Ravalli County Commissioners Office
Subject: [EXTERNAL] Mitchell hunting SAS
Attachments: Mitchell 2023.pages

Dear Commissioners,
Please consider my thoughts and opinions here.

As the Migratory bird hunting season comes to a close, I believe it is clearly time for county and/or state officials to establish new regulations to protect safety and welfare of landowners from rogue hunters who are shooting too close to peoples homes and yards in the Bitterroot and other parts of MT. Locals get 24/7 access from Bell Crossing Road, claiming that the Stream Access Law grants them every right to be shooting next to our home on Mitchell Slough off Alpenglow Road. We've had to replace several broken windows, run for cover inside when shotgun blasts rain down on our decks, and all this happening in the middle of a state and county approved subdivision! We have searched for MT regulations that might help protect us and found none. We contacted FWP and the warden replied that "there is no legally set minimum distance a person has to be away from a residence while hunting in most of MT." When the shooting starts, we have no idea who these people are, where they are from or if they have ever had any formal training in gun safety. We wonder if it is even safe for us to go outside to work or play or fish with our grandchildren during hunting season. When I try and to talk with hunters and ask them to please hunt somewhere else, they accuse me of harassment while I'm standing in my own yard. The next morning, I see hunters walking within 40 feet of my back door with flash lights and loaded guns in the predawn darkness. What am a supposed to think when I see these armed strangers so close to my home and family? Do I need to get out my gun in case they have come in the dark to rob or kill me? I feel that this is a clear intrusion of my constitutional private property rights. Common sense says that this should not be happening, but it is only getting worse every year. Hunters always say that "Waterfowl hunting is allowed in Mitchell Slough utilizing the Stream Access Law (SAL)." What they left out, is that the SAL also states that "landowners are entitled to every expectation of quiet peaceful enjoyment of their property." In what manor can multiple shot blasts within a stones throw of my yard be considered either quiet or peaceful? I've also seen hunters and fishermen trespass above the normal high water level to retrieve their kills, take bathroom breaks and make short cuts across posted private property. With little fear of prosecution by wardens or the sheriff, these so called "Sportsmen" are making a mockery of the SAL.

In my opinion, it is impossible to safely hunt wild fowl on Mitchell slough or any other stream in Montana that flows within gun range of any house, outbuilding or sub division without endangering the adjacent landowners, their homes, their families and their animals. How many other thousands of people in MT live in subdivisions with perennial streams flowing through them that might also be living in fear? Can the SAL also be used to hunt along Golf courses, parks and other open spaces or hiking trails with adjacent streams that harbor wildfowl or upland game birds? Clearly, these situations were never fully considered when The SAL was adopted, I feel that these escalating access problems now deserve urgent further consideration by both county and state law makers, the governor and FWP officials before things get totally out of control.

David Odell, an avid outdoorsman, received his Master of Science degree at the University of Montana in 1974. After graduation he moved to the central Bitterroot Valley near Victor, where he was married and raised a family. He is a past president of the Bitterroot Chapter of Trout Unlimited, served two years on the Ravalli County Planning Board and received a national award from the US Society of Professional Fisheries Biologists for his years of volunteer work to provide minimum in-stream flows for the dewatered Bitterroot River with releases from Painted Rocks Reservoir. He has also owned several businesses including Stream Solutions, which specialized in spring creek trout habitat restoration and Anglers Afloat Inc., a well respected guided fishing service in Western Montana. He is now retired, but still enjoys working on several wildlife conservation properties in the Bitterroot Valley.

Sincerely,
David Odell

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