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Montana Fish, Wildlife & Parks

FEB 20 2016

Ravalli County Commissioners

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Region 2
3201 Spurgin Road
Missoula, MT 59804

February 17, 2015

Dear Interested Citizen:

Thank you for your thoughtful reviews and comments on a proposal by Montana Fish, Wildlife and Parks (FWP) to accept assignment of the public hunting access rights on the Lazy J Cross Ranch from the BRLT (under BRLT's Conservation Easement on the Ranch). FWP would provide \$105,000 from its Public Land Access (Montana Access) program as partial funding towards the BRLT's purchase of the CE on the Ranch. The purpose of the proposed project is to protect in perpetuity, public hunting access on 1,080 acres of the Ranch and through the Ranch property to adjacent Forest Service and Montana Department of Natural Resources and Conservation School Trust public lands, which encompass over 40,000 acres near Sula in south-southeastern Ravalli County.

Enclosed is a decision document in which FWP explains its rationale for recommending that the Fish & Wildlife Commission and the State Board of Land Commissioners approve this project as proposed. Upon completion of the public involvement process, FWP accepts the draft environmental assessment (EA) as final. The decision document also summarizes all public comments on the proposed public hunting access assignment and partial funding for the CE.

FWP will request approval for this proposal at the monthly Fish & Wildlife Commission meeting scheduled for March 12, 2015 in Helena. Approval will also be necessary from the Montana Board of Land Commissioners (at their March meeting). These meetings are open to the public, as are other regularly scheduled Commission and Land Board meetings.

Please feel free to contact me at 406-542-5500 with any questions you may have. Thank you for your interest and participation.

Sincerely,

Randy Arnold
Regional Supervisor

**Decision Notice for
Lazy J Cross Ranch
Public Hunting Access Conservation Easement
Environmental Assessment**

Prepared by:
Montana Fish, Wildlife and Parks
Region 2 Wildlife
3201 Spurgin Road, Missoula, MT 59804
February 17, 2015

DESCRIPTION OF PROPOSED ACTION

Alternative B: Acquisition of the Public Hunting Access Rights of the Lazy J Cross Ranch Conservation Easement

Montana Fish, Wildlife & Parks (FWP) would accept assignment of the rights of public hunting access on the Lazy J Cross Ranch (hereafter, the Ranch) from the Bitter Root Land Trust (BRLT) under its Conservation Easement (CE) on the Ranch. FWP would also provide \$105,000 from its Public Land Access (Montana Access) program as partial funding towards the BRLT's purchase of the CE on the Ranch.

The Ranch is located in the Sula Basin area in the south-southeastern portion of Ravalli County. The purpose of the proposed project is to protect in perpetuity, public hunting access on the Ranch and through the Ranch property to adjacent Forest Service and Montana Department of Natural Resources and Conservation (DNRC) School Trust public lands, which encompass over 40,000 acres.

The proposed assignment of public hunting access rights (hereafter, public hunting access) to FWP by BRLT would provide a unique management arrangement. BRLT would hold the Conservation Easement on the Ranch, and would monitor and enforce the public's right to use the property, while FWP would manage the specific access parameters (e.g., parking areas, game retrieval methods, etc.).

FWP's Access Public Lands program would provide \$105,000 towards the purchase price of the CE. Some of the additional CE funding includes from the US Department of Agriculture through the Natural Resources Conservation Service and pursuant to the Federal Farm and Ranch Lands Protection Program (\$400,000), and from the Ravalli County Open Lands Bond (\$350,000). Lazy J Cross Ranch is also generously agreeing to voluntary gift part of the value of the CE.

In recent decades, most of the private land in the Sula basin transferred from long-standing ranch families to owners without prior ties to the local community, thus impacting historic land uses and public access for hunting both on private and adjacent public lands. BRLT's purchase of the

CE on the Ranch represents an opportunity to secure perpetual public hunting access to thousands of acres of public land and to protect wildlife habitat, water resources, and working agricultural ground.

The Ranch is comprised of ten distinct parcels divided into two contiguous tracts; one tract is north, and one tract is south, of the East Fork Road. Both the northern and southern sections of the Ranch provide access to public land.

- The northern (upper) 750-acre tract is predominantly south-facing slopes covered in a mix of grasses, shrubs, aspen and pockets of pine forest. The upper tract offers access to both DNRC and Bitterroot National Forest (BNF) lands. Access to this portion of the ranch is available off French Basin Road.
- The southern (lower) 330-acre tract of the ranch is primarily comprised of irrigated pasture and hay ground adjacent to the East Fork of the Bitterroot River. A small area of steep timber exists where the south end of the Ranch meets the BNF. Access to the lower portion of the ranch is off East Fork Road.

There would be one or more designated “no trespassing, no hunting and no shooting” zones, also called “safety zones” around any structures being utilized for human habitation, and there would be temporary “no hunting/shooting zones” around pastures in the southern 335-acre area when cattle are currently confined.

The Ranch has participated in FWP’s Block Management Program for two decades. Current Block Management Area (BMA) rules for the property include: 1) required daily hunter registration at one of the sign-in boxes; 2) motorized vehicle travel only permitted on designated travel routes or County roads; 3) hunting by walk-in only; and 4) camping and commercial outfitting is prohibited.

On average, the property supports 200 hunter days annually. Based on that average, the terms of public hunting access identified by BRLT include that the Ranch must provide the opportunity for hunting access equal to or exceeding 250 hunter-days annually during Fall hunting seasons.

The Ranch property provides year-round habitat for game species such as elk, mule deer, white-tailed deer, bighorn sheep, limited moose, black bear, mountain lion, wolf, and upland game birds such as wild turkey, blue spruce grouse and Hungarian partridge. The south-facing slopes provide winter range for elk, bighorn sheep, mule deer, and white-tailed deer.

The Ranch is within: Hunting district (HD) 270 for elk, deer, bighorn sheep, moose, and mountain lion; black bear management unit (BMU) 216; and wolf management unit (WMU) 250. In 2013, 371 elk were harvested from HD 270.

Currently, the property is managed as a working agricultural operation, with cattle grazing and recreation the primary activities on the property.

ALTERNATIVES CONSIDERED TO THE PROPOSED ACTION

Alternative A: No Action

Under the No Action Alternative, FWP would not accept assignment of the rights for public hunting access on the Lazy J Cross Ranch property from Bitter Root Land Trust's Conservation Easement, and FWP would not provide partial funding towards the CE's acquisition. BRLT would retain that right as a component of the property's CE and would likely permit hunting access on and through the Ranch as requested by the landowner. BRLT may also seek another public agency or nonprofit organization to manage public hunting access on the Ranch under a similar arrangement as those proposed under FWP's management.

The negotiated total purchase price of the Conservation Easement would not be met if FWP decided not to provide the partial funding. This would be expected to result in a failed CE project (i.e., the CE would not be purchased and finalized, due to lack of funding), in which case the opportunity to secure perpetual public access could be lost.

MONTANA ENVIRONMENTAL POLICY ACT PROCESS

FWP is required to assess impacts to the human and physical environment under the Montana Environmental Policy Act (MEPA). The Lazy J Cross Ranch Public Hunting Access Conservation Easement proposal and its effects were documented by FWP in a Draft Environmental Assessment (EA).

PUBLIC REVIEW PROCESS

FWP is required by the Montana Environmental Policy Act (MEPA) to assess potential impacts of its proposed actions to the human and physical environments, evaluate those impacts through an interdisciplinary approach, including public input, and make a decision based on this information. FWP released a draft environmental assessment ("Lazy J Cross Ranch Public Hunting Access") for public review of this proposal on January 8, 2015 and accepted public comment until 5:00 P.M. on February 6, 2015.

Legal notices of the proposed addition and its Draft EA availability were published in the following newspapers (dates): *Bitterroot Star* (Stevensville; January 14, 21), *Independent Record* (Helena; January 8, 15), *Missoulian* (January 8, 15), and *Ravalli Republic* (Hamilton; January 8, 15). FWP issued a statewide news release regarding this proposal on January 9, 2015.

FWP mailed 25 copies of the EA, and emailed approximately 41 notifications of the EA's availability, to adjacent landowners and interested individuals, groups and other agencies. The EA was available for public review and comment on FWP's web site (<http://fwp.mt.gov/>, "Public Notices") beginning January 9 through February 6, 2015.

A public hearing to explain the project, answer questions and take public comment was held in Sula on January 20 (7:00 p.m.) at the Sula Club House.

SUMMARY OF PUBLIC COMMENT

FWP received 25 mailed or e-mailed comments regarding the proposed hunting access (Appendix A). Twenty-three comments were from members of the public (9 from the Bitterroot Valley, 3 from Missoula, 3 unknown, 2 from Alberton, and 1 each from Anaconda, Plains, Emigrant, Helena, Powell WY, and Ipswich MA); 1 comment was from the Ravalli County Fish and Wildlife Association; and 1 comment was from the Montana Wild Sheep Foundation. Eighteen of the individual comments were in support of FWP accepting public hunting access rights to the CE, and the remaining 5 did not explicitly express either support or opposition to the proposal (including requests for information, general questions or comments, and an unrelated comment). Additionally, the Ravalli County Fish and Wildlife Association and the Montana Wild Sheep Foundation supported the proposal. No one was in opposition to the proposal.

Approximately 16 people attended the public meeting held January 20 in Sula. Seven people offered testimony supporting FWP's acceptance of hunting access rights (Table 1). No comments were received in opposition to the proposal, although two people expressed concern regarding management of hunter access to minimize problems with parking and safety. One concern about acreage removed from the easement for three building sites was addressed by BRLT during the meeting.

Table 1. Public testimony on FWP's proposal to accept assignment of the public hunting access rights on the Lazy J Cross Ranch (under the BRLT's proposed Conservation Easement on the Ranch), received at the public hearing held January 20 in Sula.

<i>I am all for the Bitterroot Land Trust [managing this property], but I am concerned about access and hunter behavior. I would like to see access limitations.</i>
<i>I think this is a fantastic idea because it secures hunting access for future generations.</i>
<i>I am in favor of the proposal, but with controls, such as parking, no shooting from the road. But this is good because it will keep subdivisions from being built on the property.</i>
<i>I support the project, but we need to address the acreage that will be removed for the 3 building sites on the property. [BRLT responded that each lot is less than 5 acres.]</i>
<i>I support the proposal and thank the landowners.</i>
<i>I support the proposal.</i>
<i>I support the proposal because it gives future generations access and conserves habitat for elk and deer.</i>

RESPONSE TO PUBLIC COMMENT

The following comments and FWP responses encompass specific issues or suggestions received during the public comment period, some of which--primarily concerns for safety zones and hunt rules to minimize injury and damage to local residences--were expressed multiple times through emailed and mailed responses as well as public meeting testimony. (The "Comment #" is the Comment # in Appendix A, sometimes with paragraph number/s also included.)

Comment 1 (para 2): The notice in the paper references, "public hunting access", does this mean strictly during hunting seasons? If so, suggest amending this language to permit access year round for such purposes as hiking, fishing, skiing too.

FWP Response: According to the provisions of the CE, FWP would only be authorized to hold (accept) public access rights for the purpose of hunting during Fall hunting seasons. Managing (or denying) access at all other times of the year is at the discretion of the private landowner. Amending any language in the CE can only be done by and under mutual agreement of the landowner and the BRLT.

Comment 4: I am wary of allowing BRLT the right of revocation regarding the management of hunting access.

FWP Response: As BRLT would hold the CE, it maintains the right to assign or revoke the public hunting access rights at its discretion. However, FWP looks forward to continuing its positive working relationship with BRLT, in hopes of collaborating on this and other such proposals into the future to protect, enhance, and regulate the use of Montana's fish and wildlife resources.

Comment 10 (para 2): The area in question is prime country for both hunting and fishing and long term dedicated access would be of great benefit.

FWP Response: We concur, but we want to clarify that this proposal only assigns public hunting access rights under the CE to FWP. At this time, there are no CE terms regarding fishing or other recreational access. Any additional access for any other purposes would be at the discretion of the landowner and/or thorough potential modification to the CE made mutually by the landowner and BRLT.

Comment 14: I support the use of hunting and fishing license money to purchase a conservation easement to protect the water, habitat, agricultural ground and public recreation opportunities on this historic ranch. The ranch will then assign the hunting access rights of the easement to FWP to manage hunting permission and other aspects of public access on this land. Because of this hunting access on this ranch, the easement would provide access to 40,000 acres of adjacent publicly owned land belonging to the U.S. Forest Service and Montana Dept. of Natural Resource lands.

FWP Response: We concur.

Comment 23 (para 3-4): We are not hunters, but now and then we have allowed a few individuals whom we knew well to hunt on our property. However, over the ten years that we have owned this property, we have heard many stories of deer and elk hunts that did not proceed according to all the regulations (particularly the general season in about 2005 or 2006 and the youth hunt in 2013). As one friend, a former hunter, warned us: "If you're hunting and you see an elk in your sight, you aren't worrying about what might be behind it." Therefore, safety--both of individuals and of property--has become our biggest concern.

FWP Response: The possibility of “shootouts” of elk in the Sula Basin and elsewhere in Region 2 and the state of Montana is an issue FWP (biologists, landowners, and law enforcement) takes very seriously. Current hunting regulations limit the number of Elk B-licenses in the East Fork portion of HD270 to 100 (50 of which are youth-only; licenses 270-02 and 270-03). These regulations, combined with the regulation that B-license holders may not take an antlered elk in the district for which the B-license is valid, were created to address previous problems with shootouts by limiting the number of people hunting elk in the area. No such problems were reported in the Fall 2014 general season; isolated instances of 270-00 and 270-01 B-license holders (valid north of Rye Creek) hunting in the Sula Basin were addressed with updates to the regulations book for the 2015-2016 season. We will continue to monitor the functionality of the district regulations through check stations and public input.

Additionally, all hunters born after January 1, 1985 must show a certificate of completing a hunter education course issued by Montana, any other state, or any Canadian province. Montana has a strong history of requiring hunter education of all youths prior to them being allowed to hunt, with hunter education courses offered as early as the 1950s.

Comment 23 (para 6-10): We are uncomfortable about how safety is guaranteed during the hunt, as there are so few details in the proposal. . . . See page 6 [of the Draft EA]: “There would be one or more designated ‘no hunting, no shooting zones’ (safety zones) around structures being utilized for human habitation.” Where will these zones be located? If FWP is the body that will designate these zones, what are the parameters that will be used? Will these zones be confined to the land belonging to the Lazy J Cross Ranch? . . . Perhaps “no hunting, no shooting zones” should be established within an appropriate distance from any homes, whether they are on Ranch property or not.

FWP Response: The CE is a formal deed document; when executed and signed by the landowners and BRLT, it becomes a public document filed with Ravalli County. As part of the CE, BRLT and the landowner will enter into a mutually agreeable Access Plan (which could be revised, amended and replaced, from time to time by mutual agreement). BRLT, in consultation with the landowner and FWP, will designate the “no hunting and no shooting” zones (“safety zones” with no trespassing) around structures used for human habitation, along with possible temporary “no hunting and shooting zones” around pastured cattle in the lower 335 acres.

Comment 23 (para 11): We haven't found any bullet holes in our home yet, but other neighbors have. And we hear that FWP has neither the budget nor the staff to follow up on complaints. We'd like some assurance that thought will be given to how abutters [landowners adjacent to the CE hunting area] and their houses might be protected as well.

FWP Response:

Anytime a landowner feels their safety is compromised they are encouraged to contact local law enforcement. Landowners and sportsmen and women are also encouraged to immediately report any hunting violations to FWP law enforcement by phoning 1-800-TIP-MONT (1-800-847-6668).

Comment 23 (para 12): We are also concerned about hunters having accurate knowledge of the location of BMA boundaries. In the past inappropriate information has been given out about the lines between Lazy J Cross boundaries and our own.

FWP Response: Hunters have available on-site BMA maps and regulations; they can also obtain copies through the Region 2 FWP office, as well as view them online, during the BMA season. It is ultimately the hunters' responsibility to ensure they have secured permission on any and all private land they access.

A check through the 19 years the Lazy J Cross BMA has been in existence shows that none of the annual BMA regulations/maps has been in error regarding any boundaries common to the BMA and this landowner, nor have any roads been shown as going through this landowner's land (except for the French Basin Road, which is public as it passes through the western edge of this landowner's property).

Comment 23 (para 13): In addition, over the years the fences between Lazy J Cross Ranch and our property have been flattened in many places by the elk. Since we don't run cattle and the . . . [neighbors] have not used many of those pastures, few repairs have been made. As time goes on, boundaries could become unclear.

FWP Response: Landowners having problems with game damage to their fences can contact FWP for further information. Additionally, a copy of the brochure "A Landowner's Guide to Wildlife Friendly Fences" is available on FWP's website at <http://fwp.mt.gov/fishAndWildlife/livingWithWildlife/>

Comment 23 (para 14): The FWP website discusses the regional Hunting Access Guides, but it does not appear that maps to the BMAs are included. We would like to know how FWP guarantees that hunters fully understand where boundary lines are located and remain with the BMA. We think the BMA should post signs indicating where the BMA ends and private property begins.

FWP Response: The statewide Hunting Access Guide and individual BMA maps and regulations are made available to the public beginning August 15th annually and are removed from the FWP website once all Block Management Areas have closed for the season.

Most BMAs include signage along normal access points into/out of the BMA, as well as possible signage along some boundaries. We also note that under Montana statute, it is the landowners' responsibility to post their land closed to trespass; contact FWP for information on how to post your land against all trespass (brochure, "Montana Access Guide to Federal and State Lands").

Comment 23 (para 15-16; Appendix A): There are two maps in the package [Draft EA], one produced by FWP [Figure 1] and one by the Bitter Root Land Trust [Figure 2]. Ownership in block [section] 34 is not shown as being the same in both maps. The FWP map shows an

extension in the southwest boundary that continues only about one-quarter [one-eighth] of a mile below the rest of the southern boundary [of the adjacent Lazy J Cross 160-acre parcel]. The BRLT map shows an extension that goes a full half-mile [one-quarter mile] below the southern boundary. The extension does abut our land (and [neighbor] land), and so we would like to be sure that FWP and BRLT agree on where the boundary is so that there is no future misunderstanding among . . . [neighbors, ourselves], FWP, or BRLT.

FWP Response: Thank you for pointing out this inconsistency between the two maps in the Draft EA. Figure 2 by the Bitter Root Land Trust is the correct map displaying the parcels of Lazy J Cross Ranch land that would be included in the CE.

FINDING OF NO SIGNIFICANT IMPACT

FWP has reviewed the EA and applicable laws, regulations, and policies and has determined that this action will not have significant effect on the human environment. Therefore, I conclude that the EA is the appropriate level of analysis and the preparation of an Environmental Impact Statement is not necessary.

DECISION

This proposal received strong support from the public, with no one expressing opposition to the action. It would conserve important native fish and wildlife habitat, secure fall hunting access, and support traditional productive use of the land. FWP has worked closely with The Bitter Root Land Trust and local landowners to develop this project in a manner that meets local, state and federal objectives for this important conservation area.

Therefore, based on the analysis in the Draft EA and the public comment, I have selected the "Proposed Action" (Alternative B). I recommend to the Fish & Wildlife Commission that it approve FWP's proposed acceptance of the assignment of the public hunting access rights on the Lazy J Cross Ranch from the Bitter Root Land Trust under BRLT's Conservation Easement on the Ranch. And that the Commission approve FWP providing \$105,000 from its Public Land Access (Montana Access) program as partial funding towards the BRLT's purchase of the CE on the Ranch.



Randy Arnold
Region 2 Supervisor
Montana Fish, Wildlife & Parks

2/17/15
Date

APPENDIX A. Comments received by FWP on the Draft EA for the proposed public hunting access assignment for the Lazy J Cross Ranch, under the Bitter Root Land Trust's proposed conservation easement on the Ranch. (Comments received via E = email, M = mail.)

Com- men- ter #	Via	Para- graph	Comment
1	E	1	I have read the brief in today's Ravalli Republic and have referred to the website, that following the explicit directions; cannot reference the proposal (did not see as listed). <i>[FWP emailed, apologizing for not having the EA posted until the morning of the 2nd day and emailed him the direct link to the EA]</i>
		2	At any rate, I fully support access to State of Montana and Federal Land through respectful passage through private lands. The notice in the paper references, "public hunting access", does this mean strictly during hunting seasons? If so, suggest amending this language to permit access year round for such purposes as hiking, fishing, skiing too.
2	E		I think the acquisition of this CE and the public access/hunting it will bring is a good thing for the area and recreationalists. I hope FWP will participate and spend the money necessary. A great use of our taxpayer dollars.
3	E		I have hunted in the area many times over the years . This peace of property is a real gem. This is a good use for sportsmans dollars for the future of the hunting public and the state of Montana. It will provide much needed access which is becoming a problem in the state. It looks like a win win for everybody and god bless the landowners for their interest and cooperation.
4	E		While I am wary of allowing BRLT the right of revocation regarding the management of hunting access, I imagine this is a normal situation, and would hope that BRLT is able to continue to provide us citizens of Montana with appropriate access. I support the use of FWP funds to help purchase conservation easement on the Lazy J Cross ranch.
5	E		Please tell me the total cost of this project and the public benefits for this expenditure. <i>[FWP emailed answers to these questions (including citations in the EA), along with copies of the EA and its cover letter.]</i>
6	E		I support acquiring a conservation easement on the Lazy J Cross Ranch so that the public can access this special property.
7	E		I hunt this area every fall by way of the BMA and I support acquiring the easement by way of Alternative B.
8	E		I am in support of this easement and most similar things that improve and increase public land hunting.
9	E		I support this.
10	E	1	I feel the Public Hunting Access at the Lazy J Cross ranch is vital to the continued long term access to the Ranch and the surrounding public lands. I have fished for years in the area and have recently taken up hunting as well. The amount of public land that is land locked by private in that area is a serious concern for all sportsmen and women and will only become more important as the population increases in the future. The area in question is prime country for both hunting and fishing and long term dedicated access would be of great benefit particularly as nearby land may change hands and access in the area could possibly become much more difficult.
		2	I fully support this effort to secure public access for now and into the future. Good luck in your endeavor.

Com- men- ter #	Via	Para- graph	Comment
11	E		I am very pleased to see the conservation easement on the Lazy J Cross Ranch so close to completion. I'm also very pleased to see that the existing block management and hunter access program will continue, and that Montana FWP will assist with funding and infrastructure. As noted in the proposal, public access to private land is on the decline; this is a good deal for hunters and for the ranch. I hope that this will spark interest in similar projects in the area.
12	E		I support the Lazy J Cross Ranch Access CE purchase. With very few minor impacts, I see no reason not to help the BRLT with this CE purchase. Looks like a win/win for all parties.
13	E		I am a disabled hunter? or at least would like to be. I have not gotten a license for 2 years now. I would like to hunt again and being I am 68 I do not have many hunting seasons left. I can only hunt from a vehicle but only being able to hunt for a bull elk for me is just dumb to even try as bulls just don't spread there wing and go to the roads for us who can not get off them. please put cows back on the list for us disabled who can not get off road to hunt. I can't waist my money to get the license for something I have such a small chance of getting anything. I don't care if I have to get my Dr. to fill out my hunting app. I don't think any of us who can't hunt but only from a car do mind. get your heads out of your #S%^& and get something right at lease for us. <i>[Forwarded to Region 2 FWP wildlife manager for response; this topic is outside the subject of this Draft EA and proposal.]</i>
14	E		Please count my vote in support of public hunting access on the Lacy J Cross Ranch east of Sula. I support the use of hunting and fishing license money to purchase a conservation easement to protect the water, habitat, agricultural ground and public recreation opportunities on this historic ranch. The ranch will then assign the hunting access rights of the easement to FWP to manage hunting permission and other aspects of public access on this land. Because of this hunting access on this ranch, the easement would provide access to 40,000 acres of adjacent publicly owned land belonging to the U.S. Forest Service and Montana Dept. of Natural Resource lands.
15	E	1	I am writing to you for you to adamantly support the Lazy J easement proposal B (Alternative B: Acquisition of the Public Hunting Access Rights of the Lazy J Cross Ranch Conservation Easement). This would guarantee access for hunting in an area that needs multiple access points. Otherwise, hunters would be siphoned to only a few USFS and MT State land access points that would also create tons of congestion and anxious hunters.
		2	I was very disappointed that the Wetzsteon's pulled their land last year from the BMA due to unscrupulous activities. After having talked with him, I can see why.
		3	I have hunted in this area for years and would like to continue this legacy with my children with guaranteed access with the Lazy J access.
		4	Thank you for your consideration.
16	E		Could you email me a map and more info to comment on the Lazy J Cross Ranch Public Hunting Access. <i>[FWP emailed him the link to the EA, noting which figures in the EA were maps.]</i>
17	E		Please send me information on the proposed access purchase of the Lazy J Cross ranch near Sula. A pdf map would be most appreciated. <i>[FWP emailed him the link to the EA, noting which figures in the EA were maps.]</i>

Com- men- ter #	Via	Para- graph	Comment
18	E		I am strongly in favor of the proposal and any others that give additional access to the public for hunting and other recreational activities.
19	E		The Ravalli County Fish and Wildlife Assoc. supports Montana Fish, Wildlife and Parks proposal to acquire a public hunting-rights component of a conservation easement on the Lazy J Cross Ranch. This is an important piece for hunters as well as critical winter range for big game in Ravalli County. We strongly urge MT FWP to move forward with this proposal. Thank you.
20	E		I am strongly in favor o the Lazy J Cross Ranch Public Hunting access project. Please add my comment to the public record. Thanks!
21	E		I would like to express support for Alternative B as described in the Public Hunting Access EA. I support FWP accepting assignment of the hunting rights on the Lazy J Cross Ranch in the Sula Basin with an allocation of \$105,000 from the Public Lands Access program towards the purchase of a conservation on the property by the Bitter Root Land Trust. As a resident of the Bitterroot since 1972, I am well aware of the loss of open lands, agricultural lands and public access to hunting in our area. The participation of FWP in supporting this conservation easement will ensure perpetual access to hunting on adjacent public lands and on the ranch. In addition to my support for this as a citizen, I have also participated as a member of the Ravalli County Open Lands Board in supporting the acquisition of a conservation easement on the Lazy J Cross, which will preserve critical winter habitat for elk in the Sula Basin.
22	E		I am very much in favor of acquiring this access. We are losing access to hunting areas due to development, etc. so any that we can save is important. Thanks
23	M	1	We are owners of 198+ acres at 6978 French Basin Road, where we live for about five months of the year. We abut the property called Lazy J Cross Ranch on both north and east boundaries.
		2	Although we hadn't made it to Montana yet and missed the public information meeting held in Sula on January 20, we did receive the package [Draft EA] that your department mailed to us. We have also spoken to neighbors who did attend the meeting to get general information.
		3	We are not hunters, but now and then we have allowed a few individuals whom we knew well to hunt on our property. However, over the ten years that we have owned this property, we have heard many stories of deer and elk hunts that did not proceed according to all the regulations (particularly the general season in about 2005 or 2006 and the youth hunt in 2013).
		4	As one friend, a former hunter, warned us: "If you're hunting and you see an elk in your sight, you aren't worrying about what might be behind it." Therefore, safety--both of individuals and of property--has become our biggest concern
		5	After careful consideration of the proposal, we have the following comments:
		6	1. We are uncomfortable about how safety is guaranteed during the hunt, as there are so few details in the proposal. Apparently some concerns about safety were raised even in preliminary discussion with the Lazy J Cross landowners. See page 6 [of the Draft EA]:
		7	"There would be one or more designated 'no hunting, no shooting zones' (safety zones) around structures being utilized for human habitation."

Com- men- ter #	Via	Para- graph	Comment
		8	Where will these zones be located? If FWP is the body that will designate these zones, what are the parameters that will be used? Will these zones be confined to the land belonging to the Lazy J Cross Ranch?
		9	Our house is located just as close to the BMA boundary lines as many sites that might be used for future housing on the Lazy J Cross land and that have been held out of the BMA [conservation easement?].
		10	Perhaps "no hunting, no shooting zones" should be established within an appropriate distance from <u>any</u> homes, whether they are on Ranch property or not.
		11	We haven't found any bullet holes in our home yet, but other neighbors have. And we hear that FWP has neither the budget nor the staff to follow up on complaints. We'd like some assurance that thought will be given to how abutters and their houses might be protected as well.
		12	2. We are also concerned about hunters having accurate knowledge of the location of BMA boundaries. In the past inappropriate information has been given out about the lines between Lazy J Cross boundaries and our own. On several occasions peoples have told us, "I've hunted [or snowmobiled or driven] right above your house. I was told that all the land up there belongs to the Wetzsteons, and it was okay to go up there."
		13	In addition, over the years the fences between Lazy J Cross Ranch and our property have been flattened in many places by the elk. Since we don't run cattle and the Wetzsteons have not used many of those pastures, few repairs have been made. As time goes on, boundaries could become unclear.
		14	The FWP website discusses the regional Hunting Access Guides, but it does not appear that maps to the BMAs are included. We would like to know how FWP guarantees that hunters fully understand where boundary lines are located and remain within the BMA. We think the BMA should post signs indicating where the BMA ends and private property begins.
		15	3. A purely technical point: There are two maps in the package [Draft EA], one produced by FWP [Figure 1] and one by the Bitter Root Land Trust [Figure 2]. Ownership in block [section] 34 is not shown as being the same in both maps. The FWP map shows an extension in the southwest boundary that continues only about one-quarter [one-eighth] of a mile below the rest of the southern boundary [of the adjacent Lazy J Cross 160-acre parcel]. The BRLT map shows an extension that goes a full half-mile [one-quarter mile] below the southern boundary.
		16	The extension does abut our land (and Newsted land), and so we would like to be sure that FWP and BRLT agree on where the boundary is so that there is no future misunderstanding among Newsteds, Wassermans, Wetzsteons, FWP, or BRLT.
24	E	1	The Montana Wild Sheep Foundation is strongly in favor of using FWP Access Montana funds to acquire the hunting management rights on the Lazy J Cross Ranch Conservation Easement.
		2	This ranch is one of the few remaining large tracts of land in one ownership within the East Fork of the Bitterroot drainage. It is surrounded by state and federal lands and is a major corridor for all types of wildlife including bighorn sheep. Properly managed hunting access on and across this property will greatly aid hunters with legal access to game and the management of game populations in this drainage.

Com- men- ter #	Via	Para- graph	Comment
		3	The Montana Wild Sheep Foundation has pledged its financial support to the Bitterroot Land Trust to acquire a conservation easement on the Lazy J Cross Ranch. We believe managing the access to these lands and the adjacent 40,000 acres of public lands will benefit the wildlife in this area and the citizens of Montana.
		4	We encourage the Montana Fish and Wildlife Commission approve the use of \$105,000 of Access Montana funds for this project.
25a	M		I would like to receive a copy of the draft environmental assessment for the proposed conservation easement on the Lazy J Cross Ranch east of Sula. Thank you. <i>[FWP mailed a copy of the Draft EA to this person.]</i>
25b	M	1	I am writing to comment on the Montana Fish, Wildlife & Parks proposal to acquire a public hunting access conservation easement on the Lazy J Cross Ranch near Sula.
		2	For me, I can think of no better way to spend \$105,000 of license fee and/or tax dollars than to use it to insure access for hunting and other recreation. As we all know access has done nothing but shrink in our lifetime. The fact that this transaction would insure continued access to 40,000 acres of State and Forest Service lands makes this a real bargain.
		3	I fully support Alternative B to acquire the Public Hunting Access Rights of the Lazy J Cross Conservation Easement.