

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: February 13, 2019

Agenda Item: Partial assignment of conservation easement (access) on Buxbaum-Boulder Creek Ranch (R2)

Division: Wildlife

Action Needed: Final

Time Needed on Agenda for this Presentation: 10 minutes

Background: FWP proposes to accept assignment (delegation) of the “right of public hunting access” component of a conservation easement (CE) to be held by the Five Valleys Land Trust (FVLT) on the Buxbaum-Boulder Creek Ranch (see Figure). The 1,193-acre ranch is located south of Drummond in Granite County and includes native grasslands, forested draws, pocket wetlands, and aspen stands. FVLT would purchase a CE on the ranch to permanently protect the property’s wildlife habitat and conservation values by preventing subdivision or development while keeping the ranch in private ownership and management. FVLT would assign to FWP the CE rights portion that provides for public hunting access on the ranch. Funding for the CE is coming from the Montana Department of Justice Natural Resource Damage Program (NRDP) and the USDA Natural Resources Conservation Service’s Agricultural Conservation Easement Program. No FWP funds would be involved; therefore, the proposed action is for FWP to accept assignment of the right of public hunting access in perpetuity, as set forth in the CE to be held by FVLT.

Public Involvement Process & Results: A draft environmental assessment (EA) was available for a 30-day comment period from December 2018 into January 2019. The EA was posted on FWP’s website, and legal notices were published twice each in five local, regional, and statewide newspapers. FWP sent printed copies of the EA and emails of the EA’s availability to adjacent landowners and interested individuals, groups, and agencies. A statewide news release was distributed Dec. 28, 2018. FWP received 11 emailed comments, representing seven people and four groups (Anaconda Sportsman’s Club [ASC], Hellgate Hunters & Anglers, Montana Chapter Backcountry Hunters & Anglers, and Montana Wildlife Federation). Commenters included seven from Granite County and nearby areas and four from other towns in Region 2 and Montana. FWP also held a public hearing in Drummond (Jan. 8, 2019) with six members of the public attending; two of which (both representing ASC) provided public testimony. Summarizing the total 11 commenters on this proposal: nine (including the four sportspersons groups) support to strongly support the proposal; one commenter stated it appeared to be good for hunting access, but asked if there would be non-hunting access such as hiking allowed; and one commenter essentially opposed the proposal, stating money should not go a rich person, FWP should just purchase the land, half the area lacks good hunting, and subdivision would be unlikely given what happened with a nearby subdivision.

Alternatives and Analysis: Under the No Action Alternative, FWP would not accept assignment of the rights for public hunting access on the ranch from FVLT’s CE. 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 a public hunting access component in the CE as desired by NRDP, an essential funding institution). In that event, the opportunity to secure perpetual public hunting access could be lost.

Agency Recommendation & Rationale: FWP recommends accepting assignment of the hunting access portion of the CE on the Buxbaum-Boulder Creek Ranch CE. The project would secure public hunting access to private lands in perpetuity and is generally supported in the local area and by area sportsperson groups.

Proposed Motion: I move that the Commission approve FWP’s proposal to accept delegation from FVLT of the hunting access portion of its Buxbaum-Boulder Creek Ranch CE in Region 2.