

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: December 7, 2017

Agenda Item: Timber Gulch Right of Way Access Easement (R3)

Division: Wildlife

Action Needed: Final

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Background: FWP proposes, through the Accessing Public Lands Program, to purchase a permanent road easement across private land that allows access to 3,400 acres of BLM in the Timber Gulch area of McCartney Mountain, 3 miles east of Glen. The nearest public access to BLM land in this area is 1.5 miles to the east; there is no public access to McCartney Mountain west of the proposed Timber Gulch access. The project is in section 30, T4S R8W in Madison County, in Deer/Elk Hunting District 340. FWP would purchase approximately 0.14 miles of existing primitive road with a 40-foot width easement and convey the easement to the BLM. This acquisition follows the BLM travel/access plan for the McCartney Mountain area. The road connects a county road (Burma Road) to an open route on the BLM that is open year-round. The public would also have year-round access to this road easement proposed to be purchased. Compensation in the amount of \$20,000 for the easement would be paid to the Garrison Big Hole River Ranch. The purchase is being funded by hunting license revenues through the Access Public Lands program administered by FWP and through contributions from the Rocky Mountain Elk Foundation, Skyline Sportsmen, Beaverhead Outdoor Association, and Jefferson Valley Sportsmen.

Public Involvement Process & Results: FWP completed an Environmental Assessment (EA) for the proposed project. The EA was released for public comment on October 12, 2017. The public was notified that this EA was available for review and comment as follows:

- Direct mailing to adjacent landowners, Madison County, BLM and interested parties to ensure their knowledge of the proposed project
- Distribution via the FWP Butte wildlife biologist's email list of interested parties
- Two public notices each in *The Montana Standard* (Butte) and *The Tribune* (Dillon).
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

Copies of the draft EA were available for public review at FWP Region 3 Headquarters and at the FWP Butte Area Resource Office. Public comments on the proposed action were taken for 31 days (through November 13, 2017).

Nineteen comments were received on this proposal. Seventeen were in support of the proposed action, two were opposed to it. Opposing parties were adjacent landowners. The sum of their comments centered on a misunderstanding that acquisition of this proposed road access would change current travel management on BLM; it will not. It will simply secure public access in perpetuity. Supporting comments spoke to the need to secure public access to public land in perpetuity, securing administrative access for DNRC for fire management, and this acquisition being in line with BLM's travel management for motorized use in this area.

Alternatives and Analysis: Two alternatives were evaluated:

1. FWP would purchase a perpetual public road easement across 0.14 miles of the Garrison Big Hole River Ranch and upon acquisition, convey the easement to the BLM;
2. Public road access to BLM in the Timber Gulch area would remain open dependent upon the good-will by the Garrison Big Hole River Ranch. FWP would attempt to continue to engage in annual Access Public Lands contracts with the Garrison Big Hole River Ranch for \$1,000 annually to ensure continued public access to BLM lands during the hunting season.

Agency Recommendation & Rationale: FWP recommends the Commission approve this acquisition. This proposal aligns with the mission of both FWP and the BLM to secure public access to public resources.

Proposed Motion: I move the Fish and Wildlife Commission give final approval for purchasing the Timber Gulch access road easement.