

**Montana Department
of
Fish, Wildlife & Parks**



1400 So. 19th
Bozeman, MT 59715

November 28, 1995

TO: Governor's Office, Glenn Marx, Room 204, State Capitol, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, Capitol Building, Room 106, POB 201704, Helena, MT 59620-1704
Department of Environmental Quality, Metcalf Building, POB 200901, Helena, MT 59620-0901
Dept. of Fish, Wildlife & Parks
Director's Office
Parks Division
Fisheries Division
Wildlife Division
Lands Section
Design and Construction
Legal Unit
FWP Commissioners
Montana Historical Society, State Historic Preservation Office, POB 201202, Helena, MT 59620-1202
Montana State Library, 1515 E. Sixth Ave., POB 201800, Helena, MT 59620-1800
Jim Jensen, Montana Environmental Information Center, POB 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, POB 595, Helena, MT 59624
George Ochenski, POB 689, Helena, MT 59624
Broadwater Co. Commissioners, 515 Broadway, Townsend, MT 59644
Kathy Johnson, Dept. of State Lands, P.O. Box 201601, Helena, MT 59620
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771

Ladies and Gentlemen:

You recently received documents relating to the Department of Fish, Wildlife & Parks' (FWP) proposal to purchase 129 acres of the 51 Ranch property adjacent to the Canyon Ferry Wildlife Management Area north of Townsend, Montana.

The draft documents you received were not changed after a public review period. Please consider your previous copies as the final version.

A limited number of comments were received regarding acquisition of the 51 Ranch property. These comments are summarized in the enclosed **Decision Notice**. The comments received indicate strong support for the purchase of this property. **It is my recommendation to purchase the 51 Ranch property subject to approval by the FWP Commission.**

Broadwater

The FWP Commission will be asked to approve the purchase of this property at their regularly scheduled meeting in Helena on December 13, 1995.

If you have any further questions regarding this proposal, please call Region Three Headquarters at 994-4042.

Thank you very much for your interest and involvement.

Sincerely,

Stephen L. Lewis

Stephen L. Lewis
Regional Supervisor

DECISION NOTICE
51 RANCH PROPERTY ACQUISITION
Prepared by Region 3, Montana Fish, Wildlife & Parks
November 27, 1995

PROPOSAL

The Montana Department of Fish, Wildlife and Parks (FWP) is proposing to acquire important wildlife habitat adjacent to Canyon Ferry Wildlife Management Area (CFWMA) near Townsend, MT. The 129.07 acre parcel, which is owned by the 51 Ranch Corporation, is located in Broadwater County along the west side of CFWMA. FWP is proposing, in part, to use Habitat Montana Program funds to acquire this property. Additionally, property currently owned by FWP along the lower Missouri River will be exchanged to the Bureau of Land Management (BLM) for approximately 40 acres of BLM administered property located within other property owned by the 51 Ranch Corporation. 51 Ranch Corporation would acquire these 40 acres along with the Habitat Montana Program funds.

Failure by FWP to acquire this property would most likely result in this property being subdivided. Because of the proximity to CFWMA, residential development would have serious long term negative impacts on the wildlife resources associated with CFWMA and the public use of those resources. Reduced wildlife populations and reduced hunter opportunity may result. The opportunity to acquire this important parcel, which could become a productive addition to CFWMA, would be lost.

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) PROCESS

The proposal has been outlined in an Environmental Assessment by FWP to satisfy the Montana Environmental Policy Act (MEPA). FWP is required to assess the impacts to the human and natural environment.

ISSUES RAISED IN THE ENVIRONMENTAL ASSESSMENT (EA)

The EA lists the issues in detail. These included the affect residential development of this property would have on the existing wildlife values of CFWMA and public use of that resource. Acquisition of this property would maintain existing wildlife values and would allow for continued public hunting on CFWMA. In addition, the acquired property would be developed into habitat which would be attractive to a variety of wildlife species.

GENERAL SUMMARY OF PUBLIC COMMENTS

During the comment period we met with Broadwater County Commissioners to explain this proposal and to answer questions. The proposal was also discussed at meetings of the Skyline Sportsmens Association, Prickly Pear Sportsmens Association and Broadwater Rod and Gun Club.

We received a total of 16 comments: 9 written, 6 verbal during the public hearing, and 1 verbal via telephone. Copies of written comments are attached.

SPECIFIC SUMMARY OF COMMENTS

Written Comments

Seven of the written comments were very supportive of FWP acquiring the 51 Ranch property and iterated similar comments. The common theme of these 7 comments was that FWP needs to acquire this property to prevent negative impacts which would affect management of the wildlife resources on CFWMA should subdivision take place on this property. It was felt this property could add to the "watchable wildlife" program on the WMA and would help maintain visual aesthetics along Highway 287 by providing an "agricultural" setting as opposed to residential development. Comments also suggested the acquisition was needed to protect the considerable investment already made on the WMA for wildlife. Potential loss of opportunity to hunt on the west side of the WMA was also stated. It was felt that the 51 Ranch property could be developed into productive habitat for a wide variety of wildlife species.

One comment from the Montana Historical Society simply made FWP aware of cultural sites that occur near the 51 Ranch property. None of the sites occur on this property.

The only non-supportive comments came from the Broadwater County Commission. These comments are summarized and addressed in the following:

1. **Comment:** County Commissioners felt the State should not be buying up private land.

Department Response: The majority of wildlife habitat protected since the inception of the Habitat Montana Program has been through Conservation Easements. Page 4 of the EA lists the various alternatives considered for this proposal of which a conservation easement was one. However, the 51 Ranch was not interested in a conservation easement and acquisition was the only viable alternative that would protect this habitat and the existing values already

associated with the WMA.

2. Comment: Commissioners wondered why money was now available to acquire this property when it wasn't available in the past to develop park facilities on the south end of Canyon Ferry Reservoir.

Department Response: As stated on Page 1 of the EA, with the passing of HB 526 by the Montana Legislature in 1987, specific FWP hunting license revenues are earmarked to secure wildlife habitat through lease, conservation easement, or fee title acquisition. The intent of the Legislature was that these funds be utilized for preservation of wildlife habitat and by law they can't be used for developing park facilities.

3. Comment: Commissioners suggested the price was excessive for agricultural land and questioned whether this was a good expenditure of tax dollars.

Department Response: The price would be excessive for agricultural land but this property has been subdivided and has been filed as subdivided with the County. Comparable property in the subdivision north of the 51 Ranch property has been selling for more per acre than what FWP will pay per acre for this property. As stated earlier, revenues from hunting licenses would be used to acquire this property.

Verbal Comments

Only one verbal comment via telephone was received and was similar in nature to the seven supportive written comments.

Public Hearing

A public hearing was held at the Townsend Elementary Community Room in Townsend on November 8, 1995. A total of 10 people attended the hearing of which 6 provided some form of comment. Four of the six people commenting were in favor of FWP acquiring the 51 Ranch property while one had concerns which we tried to address and the other person had a negative comment.

Specific concerns expressed by Gay Ann Masolo, local Legislator, were:

1. Would FWP be able to control noxious weeds on this property?
FWP responded that they could and would have the available funding through the Habitat Montana Program to do so. Additionally, on Page 3 of the Management

Plan developed for this proposal, Objective 3 is to control noxious weeds and appropriate strategies to accomplish this are spelled out under the objective.

2. Mrs. Masolo was concerned that there was a misconception on the part of some of her constituents regarding the source of funding to acquire the 51 Ranch property. It was explained to her where the funds were generated and a subsequent article in the local newspaper, the Townsend Star, also attempted to clarify the funding source.

Another individual at the public hearing had a negative comment:

3. This individual would not state his name but felt FWP wanted to acquire the 51 Ranch property and close it off to everyone. On page 11 of the EA, under Summary Evaluation of Significance, FWP states the reasons for wanting to acquire this property. On page 3 of the Management Plan, Objective 2 discusses access to the property and Objective 4 on page 4 discusses the potential of developing an agricultural lease on the property.

DECISION

Utilizing the EA and public comment, a decision must be rendered by FWP which addresses the concerns and issues identified for this proposed acquisition.

The Habitat Montana Program has in recent years been effective at preserving important wildlife habitats primarily through the use of Conservation Easements. This was not an option in this case. Fee title acquisition is the only possibility of protecting this property from residential development. FWP strongly feels acquisition of the 51 Ranch property is essential to maintaining existing wildlife values on CFWMA and is most likely necessary in maintaining the hunting tradition established on the area. Furthermore, FWP believes wildlife habitat on the property can be developed to the benefit of a wide variety of wildlife species.

After review of this proposal and the corresponding public support, it is my recommendation to purchase the 51 Ranch property subject to approval by the FWP Commission.

I furthermore find there to be no significant impacts associated with this action and conclude an Environmental Impact Statement is not needed. The completed Environmental Assessment is an appropriate level of analysis.

Stephen L. Lewis

Stephen L. Lewis
Regional Supervisor
Bozeman, MT
November 27, 1995

266-5417

Miller P. 1/1



DUCKS UNLIMITED INC.

Don

DUCKS UNLIMITED, INC.
GREAT PLAINS REGIONAL OFFICE
3502 Franklin Avenue
Bismarck, North Dakota 58501-0761
(701) 258-5599

November 3, 1995

RECEIVED
NOV 14 1995
FIELD SERVICES

Donald Childress, Administrator of Wildlife
MT Department of Fish, Wildlife and Parks
1420 East 6th Avenue
Helena, MT 59620

Dear Don:

Thank you for sending the Draft Environmental Assessment and Management Plan for the acquisition of the 51 Ranch property near Canyon Ferry Wildlife Management Area (WMA) and Reservoir to Ducks Unlimited for review. Ducks Unlimited is highly supportive of this purchase by the Montana Department of Fish, Wildlife and Parks. This acquisition will supply valuable upland cover habitat for nesting waterfowl and other ground nesting wildlife species and insure that previous investments by the Department and Ducks Unlimited to develop this beautiful wildlife management area are secured. Ducks Unlimited has spent over \$56,000 in the development of two habitat enhancement projects on Canyon Ferry WMA. We are pleased that your Department seeks to expand the habitat base which will be available in the future for use by numerous wildlife species and populations and by the public, both consumptive and nonconsumptive, on Canyon Ferry WMA.

I would encourage you to contact Marc Pierce, Ducks Unlimited Senior Vice President, or Steve Bayless, Ducks Unlimited Regional Director, both of whom strongly support this proposed acquisition, if you feel their presence at the Commission meeting when this acquisition is addressed would be of help.

Again, Ducks Unlimited appreciates the opportunity to comment relative to this property purchase as an addition to the Canyon Ferry WMA. We applaud the Montana Department of Fish, Wildlife and Parks in its positive, ongoing efforts to acquire, develop, restore and manage important waterfowl habitats for increased production.

Yours,

Rick Warhurst

Rick Warhurst
Regional Biological Supervisor

cc: Marc Pierce
Steve Bayless

Post-it* Fax Note	7671	Date	11/21	# of pages	1
To	Tom Carlsen		From	Delaney	
Co./Dept.			Co.		
Phone #	266-5474		Phone #		
Fax #			Fax #		



Prickly Pear Sportsmen's Association

November 14, 1995

51 Ranch Acquisition
% Montana Fish, Wildlife & Parks
P.O. Box 998
Townsend, Mt. 59644

Dear FWP:

The Prickly Pear Sportsmen's Association (PPSA) discussed the Draft Environmental Assessment at our November membership meeting. Unfortunately, our meeting date was the same night as the public hearing in Townsend.

We believe this acquisition would be a good use of the habitat funds that are generated from sportsmen's licence sales. Opportunities to hunt and observe watchable wildlife will be expanded. If the property is not purchased at this time, it will probably be subdivided.

If this parcel were subdivided there will be a negative impact on wildlife and recreational opportunities on the adjacent Canyon Ferry Wildlife Management Area. In addition, this parcel of land has good potential to be converted into a quality habitat.

Sincerely,

Bob Bugni
President
Prickly Pear Sportsmen's Association
P.O. Box 48
East Helena, Mt. 59635
227-8749 (h) 444-0289 (w)

cc: file

November 10, 1995

51 Ranch Acquisition
% Montana Fish, Wildlife and Parks
P.O. Box 998
Townsend, MT 59644

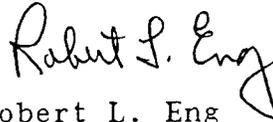
To Whom It May Concern:

I am writing as a staunch supporter of the Montana Fish, Wildlife and Parks efforts in the 51 Ranch Acquisition. Acquiring this land is an obvious plus, if for no other reason than to protect the investment already made in the adjoining wildlife management area. If the 51 Ranch were to be developed into a housing project, it would only be a matter of time before a delegation with a petition to prevent hunting would be before the Fish and Game Commission.

A second benefit would be the opportunity for developing a more diverse habitat along the west side pond. At present, a narrow band of riparian habitat exists along the pond with virtually no vegetation from there to the road. With a dramatic change in land use, this area could be developed into productive habitat for a wide variety of game and non-game species. This could enhance this area many fold, making it much more productive and attractive to the hunter and non-hunter alike.

In short, as mentioned earlier this purchase is a must to protect the sizeable investment already made in the Canyon Ferry Wildlife Management Area.

Sincerely,



Robert L. Eng
2310 Highland Court
Bozeman, MT 59715



NUNN & ASSOCIATES
7191 Highway 287
Townsend, MT 59644
(406) 266-4287

10/25/95

51 Ranch Acquisition
C/O MONTANA FWPL
P.O. Box 998
Townsend, MT, 59644

NUNN & ASSOCIATES would like to support MONTANA FWPLs in their planning process to purchase 129 acres of the 51 Ranch. We believe this is a great decision and an excellent expenditure of taxpayers dollars to provide additional habitat to the WLP project.

You are to be commended for moving on this project before this property is sub-divided and developed.

The property will add to an already existing great place for watchable wildlife and sportsman activity.

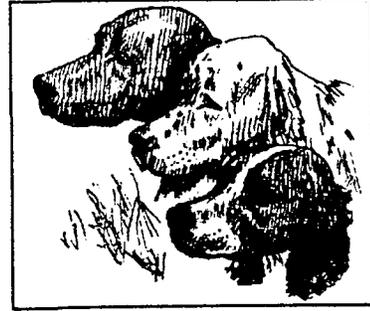
Keep up the great work and let us know if there is anything we can help with or stay involved.

Thanks for the opportunity to comment

Chris Nunn

November 22, 1995

51 Ranch Acquisition
c/o Montana Fish, Wildlife and Parks
P.O. Box 998
Townsend, MT 59644



Dear Montana Fish, Wildlife and Parks Personnel:

This letter is to express the Missouri Headwaters Gun Dog Club's (MHGDC) support for the purchase of the 129 acres of the 51 Ranch adjacent to the Canyon Ferry Wildlife Management Area. Our club has 120 Montanans as members who have the common interest of hunting dogs. Many of us hunt the Canyon Ferry WMA during the fall. It provides quality outdoor recreation opportunities and we support this acquisition to enhance the wildlife habitats associated with the WMA.

Most of our members are successful business persons and we understand that many Montanans have benefited economically from subdivisions. However, people who join our club are also very interested in expanded and improved wildlife habitat and its positive impact on our hunting and recreational opportunities. We understand that land-use decisions in Montana today are typically very complex, involving many conflicting interests. In this case, we feel that a subdivision on the 51 Ranch's 129 acres would have an immense negative impact on the Canyon Ferry WMA. Thus, we support using Habitat Montana Program funds to purchase the parcel and put it in the WMA.

The first club goal listed in our bylaws is to join in wildlife conservation efforts. Our club's goals of improving the quality of hunting dogs and their use is secondary to wildlife enhancement concerns. We see the 51 Ranch acquisition as an opportunity to meet both our conservation goal and our bird dog recreation goal.

Every member of our club, with very few exceptions, has purchased hunting licenses in Montana, contributing to the Habitat Montana Program. We see the 51 Ranch purchase as a wise use of our "tax" dollars. In addition, many of our members are avid upland bird hunters and we encourage Fish, Wildlife and Parks managers to improve pheasant habitat on the Canyon Ferry WMA along with improved environments for other species.

Thank you for the opportunity to comment on this proposed acquisition.

Sincerely,

Dr. Shannon Taylor
Legislative Liaison
Missouri Head Waters Gun Dog Club
9714 Cougar Drive
Bozeman, Montana 59715
406-585-9723

Education & Accessibility (need more emphasis) Public can/shd help on both sides

CANYON FERRY WILDLIFE MANAGEMENT AREA
51 RANCH CO. LAND ACQUISITION PROPOSAL

PUBLIC HEARING
November 8, 1995

comment form

Name: Bethany Ihle

Address: Box 54 Townsend 59644

Affiliation: Townsend Resident & homeowner 266-3428(W)
5151(H)

Proponent: Opponent: Other:

Please submit your views, arguments, endorsements in the following space. Attach additional information to this form if you wish.

I believe the land acquisition would make an excellent addition to the management area because it would help maintain visual aesthetics along Hwy 287 as travelers head into Townsend. It will also help to maintain the "agricultural" setting which is rapidly diminishing on the north side of Town.

- Recommend trying to get volunteer labor (e.g. 4-H, Boy Scouts, etc.) help do some of the fence work & other improvements to generate more interest in the management area. I believe the community doesn't know/appreciate what an asset the "dikes" are. Eventually want to work with you guys on some paved or smoother paths on the dikes so that

elderly people in wheel chair have access to cross it.

11-11-95

BROADWATER COUNTY
Board of County Commissioners

406-266-3405
515 BROADWAY
TOWNSEND, MONTANA 59644



COMMISSIONERS:
JAMES V. HENSLEY
JAMES V. HOHN
STEVEN R. McCULLOUGH

November 8, 1995

Debby Dils
Land Section Supervisor
Montana Fish, Wildlife & Parks
P. O. Box 200701
Helena, MT 59620-0701

Dear Debby:

On behalf of the Broadwater County Commissioners, I would like to take this opportunity to thank you for appearing before the commission to inform us of the proposed 51 Ranch acquisition by Fish, Wildlife and Parks. It is the philosophy of this commission that the state should not be buying up private land. It is interesting to note that when your department managed Canyon Ferry Lake there was never any money for improvements at this end of the lake, however, now there is a large amount of money available for land acquisition. It also seems that the price of \$250,000.00 is excessive in consideration of what other agriculture land is selling for at the present time. Is this a good way to spend tax dollars?

Thank you for this opportunity to express our concerns. If you have any questions, please feel free to contact us.

Sincerely,

JAMES V. HOHN, Chairman
Broadwater County Commission

JVH/cy

Nov. 20, 1995

Land Accusation Dept;

Ref: 129 acres of 51 Ranch Corp.
of Townsend.

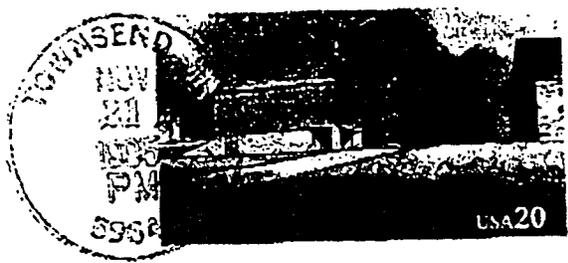
I am in favor of the FWP buying
these 129 acres of land adjacent
to Canyon Ferry Wildlife Manage-
ment Area.

You have my support.

Thank you.

John L. Stoner

John L. Stoner
63 River Road
Townsend, MT. 59644



5661
1420
11/20/95

Dept. Fish, Wildlife & Parks
Land Accusation Dept.
1420 East 6th Ave.
Helena, MT 59620



Montana Historical Society

Historic Preservation Office

1410 8th Avenue • PO Box 201202 • Helena, MT 59620-1202 • (406) 444-7715 • FAX (406) 444-6575

October 30, 1995

51 Ranch Acquisition
% Montana Fish Wildlife and Parks
POB 998
Townsend, MT 59644

RE: 51 Acquisition EA

Dear Madam or Sir:

Thank you for providing the above referenced EA for our review. We were unable to locate past correspondence regarding the proposed action, though it is possible that we reviewed such correspondence under different title. We did want to make you aware of the very rich archaeological potential of the immediate area. We have enclosed a map showing the locations of several sites. Please do not release this information or this map. While we do not know of surface indications of archaeological sites at the proposed location, it is possible that significant intact sites may exist at some depth.

Sincerely,

Stan Wilmoth, Ph.D.
Archaeologist

File MDFWP/Canyon Ferry WMA

Oral Comments Received for the 51 Ranch Acquisition Proposal

* Larry Michnevich from Bozeman called and expressed his support for purchasing the 51 Ranch Property. He also mentioned unanimous support by the Board of Directors of the Missouri Headwaters Gun Dog club. The club will be sending a letter of support to the Wildlife Division office. (call received by Rick Northrup, Townsend Field Office, 11/22/95)