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LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Montana Fish, Wildlife & Parks

December 7, 2005

Dear Interested Parties:

Under the provisions of MCA 37-47-317, Montana Fish, Wildlife and Parks is soliciting public comment on an outfitter request to create a new Net Client Hunting Use (NCHU) base on privately owned ranch property.

Outfitter John Sampson is requesting authority to expand NCHU to include 12 upland bird clients and 42 waterfowl clients for outfitted hunting on approximately 5,982 acres of private land authorized by 6 landowners (Billie Ratcliffe, Paul Moseley - Ruby Springs Ranch, John Sampson - Hill Ranch, Furman Moseley - River Dance Ranch, Craig Woodson, and Les Gilman - Gilman Land & Livestock) in Madison County along the Ruby River near Alder (see attached maps).

Enclosed, please find copies of the application for creation of a NCHU base, maps of the area, and a list of criteria to be used in the analysis from MCA 37-47-317 (ie. FWP Analysis Checklist for NCHU Expansion Requests). Please try to confine your comments to the listed criteria. Comments outside the context of the criteria will not be useful in conducting the analysis.

Public comments will be utilized in our analysis of the request to create a new NCHU base and by the Montana Board of Outfitters in their deliberations as to whether or not to grant this NCHU request. As stated in a public notice (published as a paid advertisement in three local newspapers), comments must be received by December 16, 2005 and should be mailed to:

Montana Fish, Wildlife & Parks
Attn: NCHU Request – Sampson
3391 Hwy 287
Sheridan, MT 59749

You may also e-mail your comments to bbrannon@mt.gov.

Thank you for your help in our analysis of this NCHU request.

Sincerely,

Patrick J. Flowers
Region 3 Supervisor

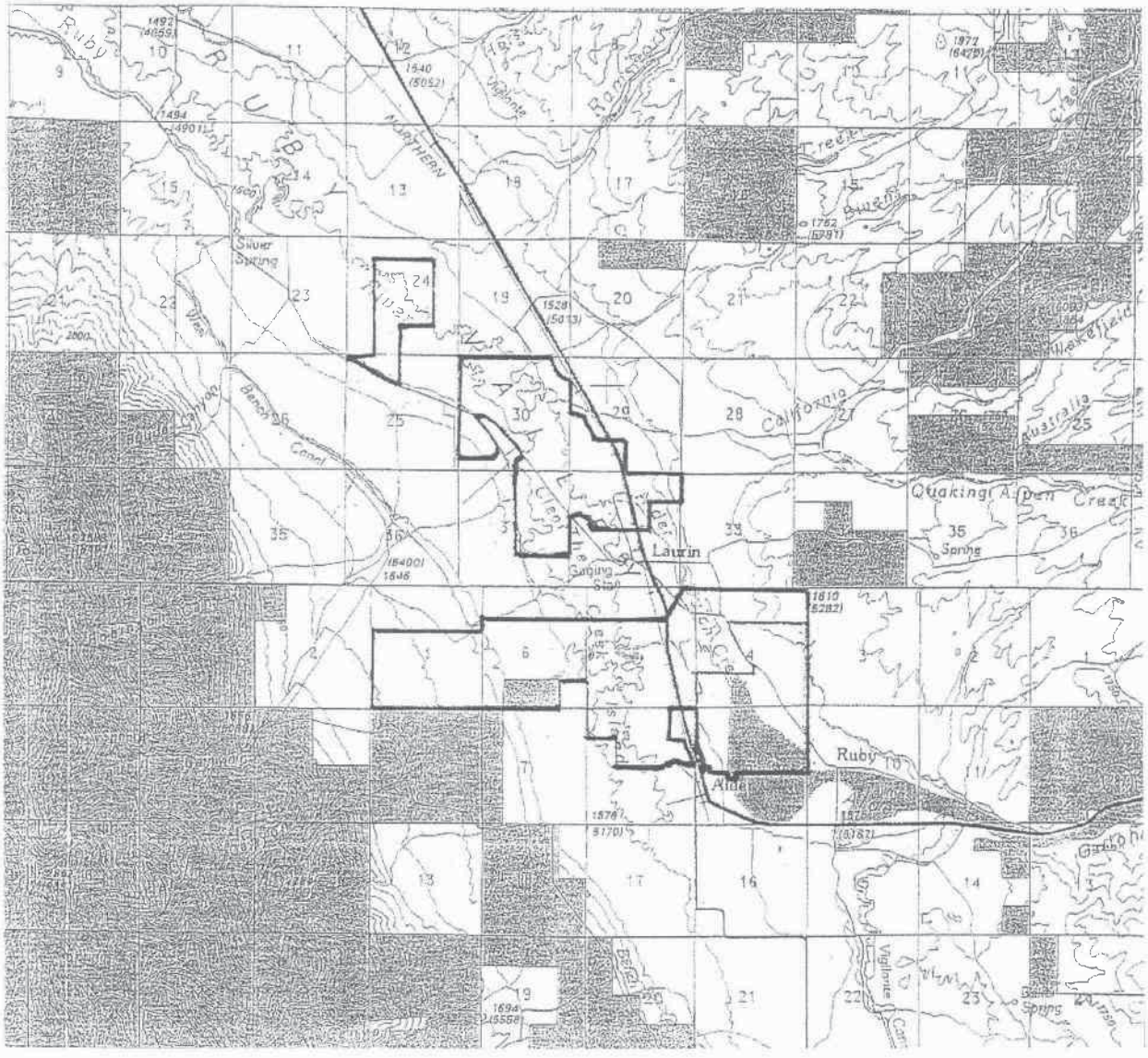
Montana Fish, Wildlife & Parks

PUBLIC NOTICE

Montana Fish, Wildlife & Parks (FWP) is requesting public comment on a proposed outfitter establishment of Net Client Hunting Use (NCHU). Outfitter John Sampson is requesting authority to expand NCHU to include 12 upland bird clients and 42 waterfowl clients for outfitted hunting on approximately 5,982 acres of private land authorized by 6 landowners (Billie Ratcliffe, Paul Moseley - Ruby Springs Ranch, John Sampson - Hill Ranch, Furman Moseley - River Dance Ranch, Craig Woodson, and Les Gilman - Gilman Land & Livestock) in Madison County along the Ruby River near Alder (see map below). Additional information regarding the request and the process for analysis of this request can be obtained from and comments sent to:

Montana Fish, Wildlife & Parks
Attn: NCHU Request - Sampson
3391 Hwy 287
Sheridan, MT 59749
bbrannon@mt.gov

Public comment will be used to assist in the analysis of this request and will be utilized by the Montana Board of Outfitters (MBO) to help determine whether or not to grant the request. Public comment on this proposal must be received at the above address no later than December 16, 2005.



MONTANA BOARD OF OUTFITTERS
301 S. Park, P.O. Box 200513, Helena, MT 59620-0513
Phone: (406) 444-3738 FAX: (406) 841-2305

RECEIVED
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Bd Recv'd:
FWP Recv'd:
Bd Recv'd:

FEE: $2,000.00 NCHU application
$500.00 (per client approved)

Board of Outfitters

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Board of Outfitters

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APPLICATION FOR EXPANSION IN NET CLIENT HUNTING USE (NCHU)

2005

This form must be completed in its entirety and submitted with all required documents and the $2,000.00 application fee. The application fee is non-refundable. Please review your form carefully. Incomplete applications will be returned causing a delay in the processing. The $500.00 per client approved fee will be assessed when and if the application is approved.

Check (✓) the applicable box below that best describes the type of expansion you are applying for:

(Current Outfitter/NCHU Base Expansion ☐) New Outfitter License Applicant/New NCHU Base Expansion ☐

APPLICANT NAME: John Sampson LICENSE # 5758

MAILING ADDRESS: PO Box 119 Alder MT. 59710
City, State, ZIP

PART I: In the spaces provided below, identify your current NCHU Base in each category. Then indicate the number of clients that you propose to ADD to your current NCHU Base in each category. *New Outfitter License Applicant/New NCHU Base requests are required to fill in current NCHU base numbers with "0"*

Category 1 - Big Game, Outfitter Sponsored. Includes nonresident deer or elk clients holding B-10 or B-11 licenses ("Big Game Set Aside") licenses under sponsorship of a licensed outfitter.

Current # of B-10 Clients: _____ Additional # of B-10 Clients Proposed: _____

Current # of B-11 Clients: _____ Additional # of B-11 Clients Proposed: _____

Category 2 - Big Game Non-outfitter Sponsored. Includes deer or elk clients other than those under Category 1 above, and antelope, lion, sheep, bear, moose, and goat clients. *Note: These are a total of non-outfitter sponsored clients and are not specific to species. However, in order to serve game hunters for a particular species you must have approval within your operation plan.*

Current # of Clients: _____ Additional # of Clients Proposed: _____

Category 3 - Non-Big Game. Includes upland game bird, migratory game bird (waterfowl) and turkey clients only (not included under the B-10 or B-11 licenses above).

Current # of Upland Bird Clients: 0 Add. # of Upland Bird Clients Proposed: 12

Current # of Waterfowl Clients: 0 Add. # of Waterfowl Clients Proposed: 42

APPLICATION FOR EXPANSION IN NET CLIENT HUNTING USE

PART II: Answer the following questions, "Yes" or "No", by checking (✓) the appropriate box as it pertains to this expansion request.

1.	Does this request create closure of a public right-of-way?	(NO)	YES
2.	Do you have current license restrictions imposed by the Board or are you currently subject to a disciplinary action imposed by the board?	(NO)	YES
3.	Have you been convicted or pleaded guilty to a violation of Montana hunting or fishing statutes, rules, or regulations in the last 3 years?	(NO)	YES
4.	Is any information in this NCHU request inaccurate or untrue?	(NO)	YES
5.	Does this request cover adequate land to ensure the personal safety of hunters?	(NO)	(YES)
6.	Is there sufficient wildlife available to support the proposed number of hunters covered under this request?	NO	(YES)
7.	Will this proposed expansion create or exacerbate a game damage situation?	(NO)	YES
8.	Will this proposed expansion restrict the current efforts of the Department of Fish, Wildlife, and Parks to manage area wildlife through permits issued to public hunters?	(NO)	YES

NOTE: In accordance with Section 37-47-317(2), MCA, an NCHU expansion request may not be granted if any of the above or following criteria is established.

PART III: In considering this NCHU expansion request, the Board shall also consider any analysis and comments submitted by the Department of Fish, Wildlife, and Parks. Departmental analysis may include but is not limited to the following criteria. You must address the criteria in the response section.

1. Whether historic hunting data, such as the past occurrence of outfitting or public hunting, supports this request.

RESPONSE: I am not aware of past bird hunting outfitting in our immediate area and I'm sure that no other outfitter is conducting outfitting on the land I have proposed to outfit.

2. Whether negative impacts to the wildlife population will occur, given documented wildlife trends in the geographical region encompassed by the expansion request.

RESPONSE: Only positive impact will occur if we are approved due to over 1000 acres of crops planted to support bird habitat

APPLICATION FOR EXPANSION IN NET CLIENT HUNTING USE

3. Whether public access or public hunting trends in the geographic region affected by the request will be negatively impacted

RESPONSE: There is almost no public bird shooting I have witnessed in our area over the past 15 years. If the public were to shoot the area they would benefit by the number of birds we have attracted due to our crop program.

4. Whether there have been past substantiated conflicts between the hunting public and outfitters or between individual outfitters and their clients in the local geographic region affected by the request

RESPONSE: No conflict whatsoever !!

5. If the expansion will create a negative effect on wildlife habitat

RESPONSE: Only positive due to crop enhancement program.

6. If the expansion will have negative implications on hunting on public land, hunting access, or outfitting

RESPONSE: There are no negative impacts on access for public

7. Whether analysis of existing data regarding wildlife, hunting access, or other relevant information supports the expansion request

RESPONSE:

Not aware of existing data. But we only shoot 3 days a week and rest all of our shooting sites at ~~least~~ 7 days before hunting again.

8. Whether there will be impacts on previously available hunting access in the local geographic region affected by the request, such as impact on the Block Management Program.

RESPONSE:

No

CONTINUED ON PAGE 5

APPLICATION FOR EXPANSION IN NET CLIENT HUNTING USE

PART IV: Complete entirely

1. Does your application for expansion in Net Client Hunting Use involve the addition of land not currently part of your approved operations plan? ☐ NO ☒ YES

Complete question number 2 if the answer to question number 1 is "yes". Skip to question number 3 if the answer to question number 1 is "no".

2. Identify the land that you propose to **add** to your operation plan as part of this application. You will need to provide the requested information below for each individual tract of land. Make as many copies of this page as needed and then complete the page for each tract. Attach a completed land use approval form with the full legal description attached. If your application involves private lands intermingled with public lands, provide the same information for each applicable public land and attach a copy of your current permit(s). Enclose a BLM Surface Minerals Management map outlining the area(s) of use. The maps are available for all areas of the state and can be ordered from BLM, P.O. Box 36800, in Billings, MT 59107. The phone number in Billings is (406) 255-2882. *Note: If this application is for a Current Outfitter/NCHU Base Expansion your completion of this portion of the application shall constitute an application to amend your approved operations plan.*

Legal Description: See attached Land Use Approval Forms

Size of Tract (Acres): _____

Owner: _____
Name Address Phone

3. Identify the existing land within your approved operation plan on which you propose to serve your additional clients identified in Part I. You will need to provide the requested information below for each individual tract of land. Make as many copies of this page as needed and then complete the page for each tract. Attach a completed land use approval form with the full legal description attached. If your application involves private lands intermingled with public lands, provide the same information for each applicable public land and attach a copy of your current permit(s). Enclose a BLM Surface Minerals Management map outlining the area(s) of use. The maps are available for all areas of the state and can be ordered from BLM, P.O. Box 36800, in Billings, MT 59107. The phone number in Billings is (406) 255-2882.

Legal Description: _____

Size of Tract (Acres): _____

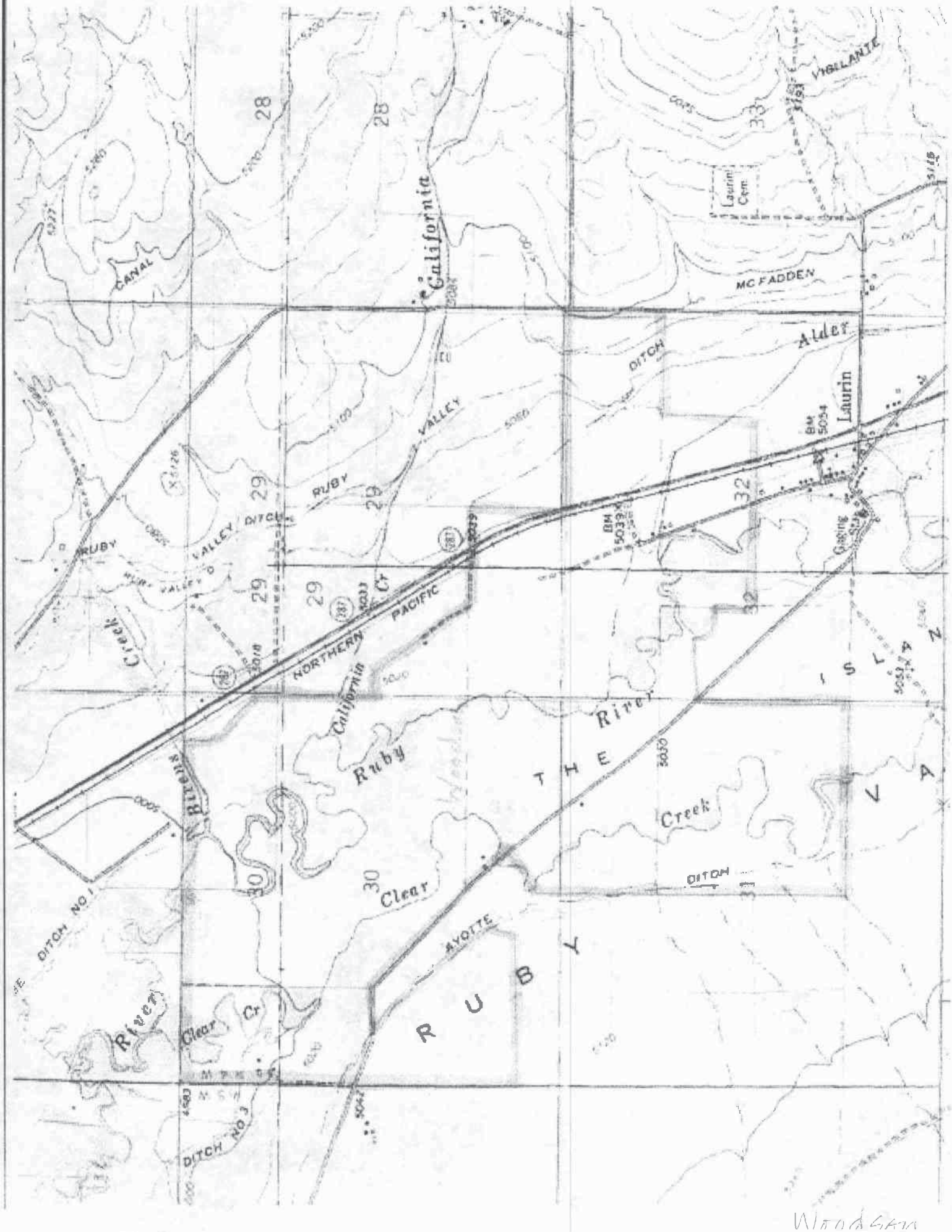
Number of clients currently served by you on such land: _____

Owner: _____
Name Address Phone

Signed _____ Date June 14, 2005

Outfitter License No. 5758
(pending if new applicant)

Failure to provide all pertinent information and documentation will result in the expansion request being deferred without action until the subsequent meeting of the Board. If you fail to provide the pertinent information and documentation before the subsequent Board meeting, the request must be denied.



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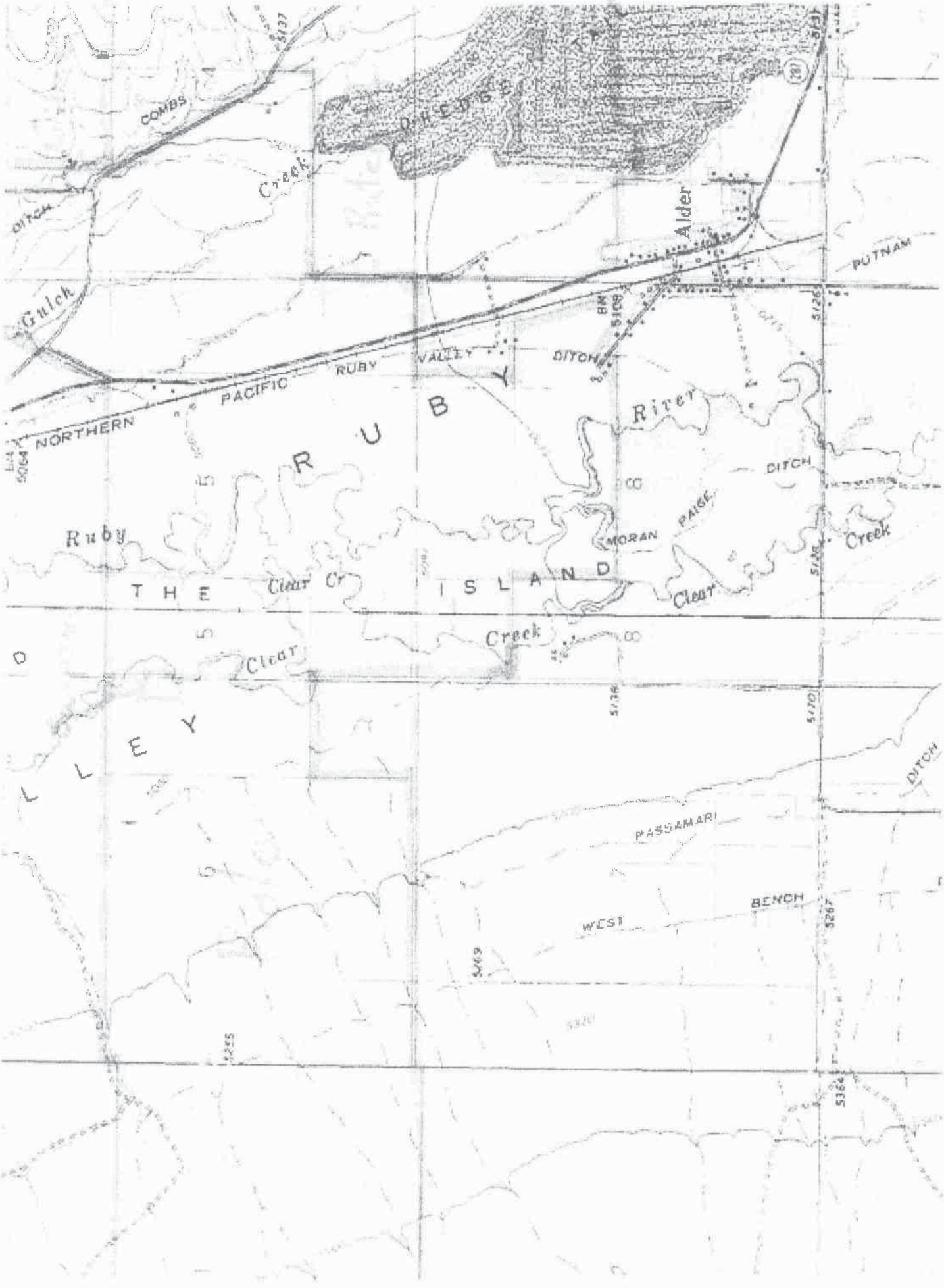
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FWP ANALYSIS CHECKLIST
for
NCHU EXPANSION REQUESTS

Under the provisions of MCA 37-47-317 "...(4) Public comments concerning an NCHU expansion must be solicited and compiles by the department of fish, wildlife, and parks from affected recreationists and recreationist organizations, public land management agencies, affected landowners organizations, affected outfitters and outfitter organizations, and the general public. Public comment must be solicited through the issuance of press release and by identification of proposed leased private land by its popular description. The department of fish, wildlife, and parks shall incorporate the public comments into the analysis of the expansion request required under subsection (5). In addition, the board shall consider the public comments separately from the department of fish, wildlife, and parks' analysis. (5) In considering an NCHU expansion request, the board shall also consider any analysis and comments submitted by the department of fish, wildlife, and parks. Department analysis may include but is not limited to the following criteria:"

1) Does historic hunting data, such as the past occurrence of outfitting or public hunting, support the request? Yes ____ No ____

Comments:

2) Will negative impacts to the wildlife population occur, given documented wildlife trends in the geographical region encompassed by the expansion request? Yes ____ No ____

Comments:

3) Will public access or public hunting trends in the geographic region affected by the request be negatively impacted? Yes ____ No ____

Comments:

4) Have there been past substantiated conflicts between the hunting public and outfitters or between individual outfitters and their clients in the local geographic region affected by the request? Yes ____ No ____

Comments:

5) Will the request create a negative effect on wildlife habitat? Yes ____ No ____

Comments:

6) Will the expansion have negative implications on hunting on public land, hunting access, or outfitting? Yes ____ No ____

Comments:

(over)

7) Will analysis of existing data regarding wildlife, hunting access, or other relevant information support the expansion request? Yes ____ No ____

Comments:

8) Will there be impacts on previously available hunting access in the local geographic region affected by the request, such as impact on the block management program? Yes ____ No ____

Comments:

An NCHU expansion request may not be granted if any of the following criteria are established:

1) Does the request create closure of a public right-of-way? Yes ____ No ____

2) Does the requestor have a current license restriction imposed by the board or is currently subject to disciplinary action imposed by the board? Yes ____ No ____

3) Has the requestor been convicted or pleaded guilty to a violation of Montana hunting or fishing statutes, rules, or regulations in the past three (3) years? Yes ____ No ____

4) Is any of the information in the request inaccurate or untrue? Yes ____ No ____

5) Does the request not cover adequate land to ensure the personal safety of hunters? Yes ____ No ____

6) Is a sufficient number of wildlife available to support the proposed number of hunters covered under the request? Yes ____ No ____

7) Does the proposed expansion create or exacerbate a game damage situation? Yes ____ No ____

8) Does the proposed expansion restrict the current efforts of the department of fish, wildlife, and parks to manage area wildlife through permits issued to public hunters? Yes ____ No ____