



MEMORANDUM

TO: Members of the UCFRB Remediation and Restoration Advisory Council

FROM: Greg Mullen and Kathy Coleman, NRDP *LMC*

DATE: June 11, 2014

SUBJECT: Wednesday, June 18, 2014 Council Meeting

The Advisory Council will meet **Wednesday, June 18, 2014** at the Anaconda Community Center, starting at 1:00 p.m. Attached are the agenda and backup meeting materials, along with the draft meeting summary of your May meeting. Below is a summary of the major agenda items.

AM Tour: In addition to the meeting, there will be a site tour of Garrity Mountain Addition Property sites in the morning from 11:00 a.m. to 12:30 p.m. The tour will start at the Anaconda Community Center. To help plan transport and lunch arrangements, please email Michelle Golden at mgolden@mt.gov and let her know **by noon on Tuesday, June 17th** if you plan to attend the tour. A bag lunch will be provided to Council members. Members of the public are welcome to attend the tour, but will need make their own carpool and lunch arrangements.

Proposed Garrity Mountain Additional Land Acquisition Project – Action Item

At your May 21, 2014 meeting, Greg Mullen of the NRDP summarized this proposed acquisition project that involves funding of \$1.28 million from the UCFRB Restoration Fund (Terrestrial Priority Account) for acquisition of a 640-acre property located two miles west of Anaconda. If funded, the Property would become part of FWP's Garrity Mountain Wildlife Management Area, which was purchased with natural resource damage funds in 2000/01.

The NRDP's May 2014 funding recommendation document for this project (copy attached) was the subject of a 30-day public comment period that ended on June 9, 2014. The NRDP received 27 comment letters on this project, one of which was a petition in support of the project with 29 signatures, with 26 letters in support and 1 letter in opposition. The NRDP will provide a draft response to comments document to the Council via email prior to the meeting. The NRDP recommends the project be funded for \$1.28 million, subject to the specified funding conditions.

At your June 18th meeting, NRDP staff will provide project updates and summarize public comments and the NRDP's response document. Representatives of FWP and The Conservation Fund will next provide input. Following consideration of public comment, the Council will vote on its funding recommendation to the Trustee Restoration Council (TRC) and Governor for this project. The TRC will decide on its funding recommendation for this acquisition project at a meeting scheduled to occur on Thursday, June 26th in room 137 of the Capitol, starting at 1:00 p.m.

Stucky Ridge Restoration Activities & Optional PM Tour – Informational (Stucky Ridge is located a few miles northeast of Anaconda and will be accessed via the Lost Creek Road)

After the meeting, we will provide a tour of the Stucky Ridge revegetation site. We will return by 4:00 p.m. to the Anaconda Community Center.

UPPER CLARK FORK RIVER BASIN REMEDICATION AND RESTORATION ADVISORY COUNCIL

ANACONDA PM MEETING & AM TOUR AGENDA ANACONDA COMMUNITY CENTER Wednesday, June 18, 2014

Bill Rossbach, Chair
Missoula

Maureen Connor
Vice-Chair
Philipsburg

Kay Eccleston
Anaconda

Roy O'Connor
Missoula

Jim Kambich
Butte

Jon Krutar
Ovando

Mick Ringsak
Butte

Jim Davison
Anaconda

Tracy Stone-Manning, Director
Dept. of Environmental Quality

Jeff Hagener, Director
Dept. of Fish, Wildlife and Parks

John Tubbs, Director Dept. of
Natural Resources and
Conservation

Ron Trahan, Chairman
Confederated Salish & Kootenai
Tribes

Jacqueline Lavelle
U.S. Dept of Interior

Directions to Anaconda Community Center located at 118 East 7th Street: If approaching Anaconda from the east: Proceed to the 1st stop light at Main St., turn left, go 6 blocks, turn left on 7th street, go one block. The Community Center is on the left and parking is in the back. The meeting will be in the 3rd floor conference room.

TOUR OF GARRITY ADDITION PROPERTY

(11:00 a.m. to 12:15 p.m.)

- Depart from Anaconda Community Center at 11:00 a.m.
- Carpool to various access/viewpoints of the Garrity Property
- Return to Garrity at 12:30 p.m. for bag lunch

Note: We will have a van for Council members. Others can attend the tour, but will need to make their own carpool arrangements.

MEETING AGENDA

- 1:00 – 1:15 Introductions and Administrative Items
- Past meeting summary – Action Item
- 1:15 – 2:00 Garrity Mtn Addition Acquisition Project – Action Item
- Public Comment Summary and Updates
– Greg Mullen, NRDP
 - Input from Project Partners
 - The Conservation Fund – Mark Sommer
 - FWP – Ray Vinkey
 - Public Comment
 - Advisory Council deliberations and vote
- 2:00 – 2:20 Stucky Ridge Restoration Activities – Informational
- Site Summary - Greg Mullen, NRDP
 - Questions & Input from Advisory Council & Public
- 2:20 – 2:30 Additional Public Comment
- Next Meeting Logistics
 - Announcements/Wrap-up
- 2:30 – 4:00 Optional Tour of the Stucky Ridge Restoration Site

Note: Full Council mailing materials are posted on the NRDP website at:
<https://doj.mt.gov/lands/advisory-councils/>.

May 21, 2014 Advisory Council Meeting Summary

Council Members Present: Bill Rossbach, Maureen Connor, Jim Davison, Kay Eccleston, Jon Krutar, Mick Ringsak, Jim Darling, Laurence Siroky, Jacqueline Lavelle, Jeff Johnson

Council Members Absent: Jim Kambich, Roy O'Connor, Mary Price, Katie Garcin

Administrative Items: Chairman Rossbach introduced new Council member Jim Davison of Anaconda. Members unanimously approved the 2/19/14 meeting summary.

FY15/16 Clark Fork Watershed Education Program (CFWEP) Proposal – Action Item

Kathy Coleman, NRDP, provided background on the CFWEP funding process and NRDP funding recommendation. Rayelynn Connole of CFWEP provided a presentation on CFWEP's milestones and its FY15/16 budget proposal and scope. Professor Eric Green explained the bird component of the program and highlighted the success of the osprey webcam. The following is a summary of the questions and responses:

- Have you considered outreach through PBS? R: Yes, we have with our leadership team but we need to pursue it further. One of the teachers involved with CFWEP has been interviewed tied to a rural schools discussion.
- Is the budget shown on the slide for FY13/14 actually FY15/16? R: Yes
- What is the amount we are considering for approval? R: \$866,997 total.

Chairman Rossbach commented that CFWEP has done a great job, one to be proud of, that the Program has remarkable depth and breadth and has done well raising match funding, that the presentation was informative, and that he strongly recommended approval.

Council Action: Mick Ringsak motioned to recommend approval. Jon Krutar seconded. There was no public comment. The motion passed unanimously.

Update on Butte Area One Restoration Plan Implementation – Informational Item

Pat Cunneen, NRDP, provided a presentation about the investigations and other activities being conducted to implement the *Final 2012 Butte Area One (BAO) Restoration Plan*. Questions centered on the following topics: the remedy for Berkeley Pit and connection to MR operation and water use; the relationship between the BSPOU Consent Decree negotiations and the removal actions proposed in the *BAO Restoration Plan* and timeframe for those negotiations; the State's letter of non-concurrence with the remedy proposed for groundwater; the portion of the BPSOU Record of Decision (ROD) that addresses the coordination between remedy and restoration; the ROD amendment process; and the relationship between remedy and restoration.

Chairman Rossbach introduced Elizabeth Erickson, Chair of the BNRC and asked for her input. Elizabeth noted that the major impetus and mission of the BNRC is to clean up the whole area in the middle of Butte that has not been addressed in the remedy process.

Joe Griffin, DEQ, further explained DEQ's letter for partial concurrence on groundwater remedy, noting the DEQ did not believe the aquifer had been well characterized at the time of the ROD. While estimates back then had been 3 feet flow per day, subsequent investigations have shown flow is more like 600 feet/day. A lot of uncertainty remains as to how fast the Parrot plume is moving.

Garrity Mountain Addition Acquisition Project – Information Item

Greg Mullen, NRDP, summarized the NRDP's May 2014 funding evaluation and recommendation document. Greg, Carol Fox, and Mark Sommer of the American Lands Public Exchanged answered questions about the project. Questions centered on the ownership of the nearby lands; the appraisal, development potential, and property values; funding sources; the status of the county's 99 year lease of the adjacent Hearst Lake parcel and possibility that parcel could also be purchased by the State; the consequence if the State did purchase the property; the use/status of the nearby DNRC parcel and possibility that it could be part of a trade between DNRC and FWP; whether the property was within the Anaconda superfund site. Concerns were raised that the acquisition might affect property values or the likelihood of subdivision of adjacent parcels. Mark Sommer indicated that if the State did not buy it, then The Conversation Fund (TCF) would have to find another conservation buyer because the TCF serves as a revolving loan funding program to help facilitate conservation acquisitions. A Phase 1 environmental assessment did not indicate contamination problems on the property.

In response to questions and concerns, Carol indicated the NRDP would provide the appraisal, adjacent land ownership maps, and information about the DNRC parcel to the Council before their next meeting. (This information was provided in follow up e-mails to the Council on 5/27/14.) Jim Davison indicated he would find out the status of the county's lease of the Hearst Lake parcel.

Program Updates: Kathy Coleman provided a summary of the 3rd quarter report. Carol Fox summarized the 3rd quarter progress report on project implementation.

Announcements: Carol Fox will retire on 5/30/14. NRDP Staff and Council Members grandly recognized Carol for her work at NRDP and work with the Council.

Next Meeting: Will be in Anaconda on 6/18/14, with the Garrity project being the major agenda item and a tour to be offered. Greg Mullen, NRDP, will coordinate with the Council for this meeting. Arrangement will be made for Bill Rossbach to attend by conference phone.

NRDP Funding Recommendation Garry Mountain Addition Land Purchase May 2014

Background and Project Summary

In June of 2012 the Anaconda Sportsmen's Club submitted a restoration concept abstract (Attachment A) to NRDP for consideration of using natural resource damage funds for purchasing the 640 acre Garry Mountain Addition (hereafter referred to as "Property") located two miles west of Anaconda. A map depicting the Property and surrounding area is provided in Attachment B. The State included this project as a potential land acquisition project to be considered for further review and subsequent funding decision in the December 2012 *Final Upper Clark Fork River Basin (UCFRB) Aquatic and Terrestrial Resources Restoration Plans ("Final Restoration Plans")*. If purchased by the State, the Property would be included as part of Fish Wildlife, and Park's adjoining Garry Mountain Wildlife Management Area (Garry WMA) and protected for fish and wildlife habitat and recreation opportunities for the general public.

The *Final Restoration Plans* identify this acquisition project as a proposed restoration action within the Anaconda Terrestrial Priority Landscape area, to be funded with Terrestrial Priority Account of the UCFRB Restoration Fund. As indicated in the *Final Restoration Plans*:

- Funding of individual projects within aquatic priority areas and terrestrial priority landscapes will be based on cost-effectiveness and cost:benefit, rather than on concept proposal estimates; and
- Each project involving property and or water rights acquisitions will require a subsequent approval of the proposed transaction, once fully developed in accordance with the plans, by the Trustee following consideration of input from the public, Advisory Council, and Trustee Restoration Council.

This document provides the NRDP funding evaluation and recommendation that will be the subject of a 30-day public comment period that will begin on Friday, May 9, 2014 and end on Monday, June 9, 2014. The two indicated councils will consider the NRDP's recommendation and public comment in making their funding recommendation to the Governor, who will make the final funding decision.¹

The current property owner, The Conservation Fund (TCF), purchased the property on March 20, 2014 to provide bridge funding during the time period thereafter until the State determined whether acquisition of the property would be in its best interest and was approved. The Property was listed for sale on the open market and under threat of being acquired, managed, and developed in a manner that may have conflicted with its public and natural resource values. Based on an appraisal commissioned by NRDP, the appraised value is \$1.38 million. FWP has committed

¹ The Advisory Council will consider this project at a meeting on June 18, 2014. The Trustee Restoration Council will consider this project at a meeting on June 26, 2014. For more information on this meetings, go to <https://doj.mt.gov/lands/advisory-councils/>.

\$50,000 as matching funds towards the Property purchase and TCF has applied to the Montana Fish and Wildlife Conservation Trust for \$50,000 in additional matching funds.

NRDP Funding Recommendations Summary

The NRDP recommends funding of this project for \$1.28 million, subject to the following funding conditions:

- that the NRDP review and approve of remaining land transaction documents;
- that the acquisition be approved by the FWP Commission and State Land Board; and
- that a Buy/Sell agreement between the TCF and the State be successfully executed.²

If the \$50,000 pending from the Fish and Wildlife Conservation Trust match is not committed, the NRDP recommends an additional \$50,000 in natural resource damage funds go towards project funding.

Land Acquisition Due Diligence Summary

Most of the needed land transaction due diligence has been completed to date. This includes an appraisal, environmental property assessment, mineral and water rights evaluations, the warranty deed, and title insurance commitment/guarantee. The NRDP has found all these land transaction documents to be acceptable.

The environmental property assessment commissioned by TCF and completed in February 2014 concluded that the Property does not appear to present an environmental liability. The title work completed by TCF prior to its acquisition of the Property did not indicate any unacceptable encumbrances on the Property. The appraisal of the Property commissioned by the State and completed in June 2013 concluded a fair market value of \$1.38 million for 640 acres, or \$2,150/acre.

A mineral guarantee commissioned by TCF and completed in March 2014 indicated that mineral rights come with the northern half of the Property, but are severed from the southern part. A geological assessment of the mineral development potential completed in March 2014 concluded that the risk of any commercial mineral development of the Property to be extremely remote. The owner(s) of those severed mineral rights remain to be determined. If State acquisition is approved, FWP may pursue acquisition of the severed mineral rights from the owner(s).

Through the March 2014 land transaction, TCF obtained ownership of the three water rights associated with this Property:

² The expected closing of the Buy/Sell agreement would be between The Conservation Fund and the State of Montana, acting by and through the Department of Justice Natural Resource Damage Program. The warranty deed would be between The Conservation Fund and the State of Montana, acting by and through the Department of Fish, Wildlife and Parks.

- 1) A surface water right on Grays Gulch of 1 cfs (cubic feet per second) for irrigation that has a priority date of April, 1899;
- 2) A surface water right on Grays Gulch of 1.88 cfs for irrigation that has a priority date of April, 1889; and
- 3) A surface water right on Ice House Gulch of 1.25 cfs for irrigation that has a priority date of June, 1894.

There is a co-owner of the water right who bought a separate parcel from a previous owner of the Property. The general abstract for the three water rights states: "Ownership update processed to add new owners. The water right may be split into separate water rights upon request of the owners." If State acquisition is approved, FWP may pursue a change of use process through DNRC to convert these irrigation water rights to in-stream flow.

In October 2013, the FWP Commission approved FWP to proceed with conducting needed due diligence and negotiations so that this Project could be considered for FWP's acquisition. FWP anticipates completing a Draft Environmental Assessment in June 2014. Following consideration of public comment on the draft EA, the FWP Commission will consider project approval. If approved by the Commission, the State Land Board will next consider project approval.

Summary of Relationship Between TCF and State and Funding Sources

In May 2013, TCF and the State, acting through NRDP and FWP, agreed to work together via a non-binding letter of intent agreement, to determine whether public ownership of the Property could be recommended and accomplished.³ TCF agreed to pursue its acquisition of the Property from American Bank and then work with the State to complete the NRDP process and sell the Property to the State, if funding is approved by the Governor. TCF and the State worked together on this acquisition because the Property was listed on the open market and at risk of being sold. TCF's purchase allowed the State the time to go through its land acquisition process, including public scoping, without risk of a private sale.

TCF acquired the Property on March 20, 2014 at a purchase price of \$1,330,000, which is \$50,000 less than the appraised value of \$1,380,000. TCF bought the Property with \$1,280,000 of TCF funds and \$50,000 from TCF's partner, the Rocky Mountain Elk Foundation. The owner at that time, American Bank, had agreed to a bargain sale of \$50,000 less than the appraised value.

The State will purchase the Property from TCF at the appraised value of \$1,380,000. The anticipated funding for State's purchase price is \$1,280,000 in natural resource damage funds, \$50,000 from FWP Habitat Montana (confirmed) and \$50,000 of funding from the Montana Fish and Wildlife Conservation Trust (pending). The \$100,000 difference between TCF's out of pocket purchase cost of \$1,280,000, and the \$1,380,000 sale price to the State will be used to cover TCF's direct, indirect, and overhead expenses. This \$100,000 amounts to about 7% of the appraised value. TCF's involvement as a partner has saved the State both time and money. For

³"Letter of Intent to Work Together on a Potential Acquisition of Real Property" from Gates Watson of the TCF to Carol Fox of the NRDP and Darlene Edge of FWP, dated May 9, 2013.

example, TCF coordinated and paid for a hazardous materials inspection of the Property, which also met the State's needs. TCF also took the lead in seeking the \$50,000 from Montana Fish and Wildlife Conservation Trust which will reduce the State's costs to \$1,330,000. Assuming approval of the pending \$50,000 in matching funds from the Montana Fish and Wildlife Conservation Trust, the expenditure from the Terrestrial Priority Account of the UCFRB Restoration Fund for this acquisition project would be \$1,280,000.

FWP estimates that it will need approximately \$80,000 for initial operation and management to construct the primitive parking lot, weed control, and fencing needs. Funding for this work will come from the WMA habitat enhancement allocation in the *Final Restoration Plan*.

Project Evaluation

Public Access: Purchase of the Property will expand on and improve public access to the eastern portion of the Garrity WMA. The two existing access points closest to the subject Property provide insufficient access to this portion of the Garrity WMA. Both existing access points are not on the Garrity WMA lands and in locations that make them difficult for the public to find and use. Accessing the Garrity WMA through 'Stump Town' area requires driving past some homes to a parking area located on DNRC lands that accommodates 1 or 2 vehicles. The second existing access point requires crossing about ½ mile of the adjoining Hearst Lake Property, a private property that is under long-term lease to Anaconda Deer Lodge County. If State acquisition is approved, FWP plans to install a small gravel parking lot off Stump Town Road that would be located on the Property, accessed via county road, and accommodate approximately four vehicles (see proposed location on Attachment B).

The Property is immediately west of Anaconda and will provide considerable recreational opportunities for hunters, hikers, horsemen, fishermen, wildlife watchers, and other users. FWP estimates that about 250 fishing days and 750 hunting days may be added by the addition of this Property to the Garrity WMA. Given the proximity to Anaconda, hunting success will be maximized with walk-in access only. To protect wildlife during critical time periods closures to public use and travel management will be necessary and managed by FWP.

Costs:Benefit Relationship: FWP's resource evaluation (Attachment C) describes the natural resource and public recreational benefits of this project. If approved for State ownership, this Property will add 640 additional acres to the existing 9,475 acre Garrity WMA, which was purchased with natural resource damage funds in 2000/01 for \$5.8 million. This addition would complement and protect the existing State investment by conserving high quality wildlife habitat for many species and precluding development. This habitat is of especially high quality for both winter range and calving habitat, and conservation of the Property will help maintain connectivity for wildlife migration over an expansive area of nearby public lands managed for natural resource conservation. Expected recreational activities include wildlife watching, hiking, walking, hunting, and horseback riding, all of which will be directly accessible near the Anaconda city limits.

Three specific habitats (winter elk range, aspen, and riparian) will be protected from development by this acquisition:

- 1) Big game winter range for elk will be protected. Elk are increasingly wintering on the Property because it is at a lower elevation as compared with the Garrity WMA as a whole, and because it supports high quality grasslands (225 acres) and aspen stands. These grassland areas are designated as Priority 1 lands for restoration and replacement projects in the UCFRB, as outlined in the *Final Restoration Plans*. Herds of up to 200 elk have been observed wintering on the Property, with significant use also occurring during spring and fall. The Property is particularly valuable as an addition to the Garrity WMA because wintering elk have shifted east from the mountain itself and onto the proposed addition (“the Property”).
- 2) This Property has approximately 300 acres of aspen stands, which are relatively rare in the UCFRB and provide habitat for species such as moose, white-tailed deer, black bear, ruffed grouse, song birds, small mammals, bats, and raptors.
- 3) Grays and Ice House gulches pass through the Property, harboring stands of woody riparian vegetation and some wetlands. These perennial streams may support a modest cold water fishery. (FWP has not yet surveyed the Property so the presence and distribution of fish is unknown.) All riparian and aspen habitats are designated as Priority 1 lands for restoration and replacement projects in the UCFRB, as outlined in the *Final Restoration Plans*.

Given these substantial natural resource and recreational benefits the project offers, and that matching funds are available, the NRDP considers the project to have a favorable cost:benefit relationship.

Cost-Effectiveness: The *Final Restoration Plans* indicate that the NRDP will use a cost-effectiveness evaluation to judge whether a project accomplishes its goals in the least costly way possible, or if there is a better alternative. In FWP’s Resource Evaluation (Attachment C), FWP adequately justifies the reasons for and benefits of this Property. As stated therein: “The addition of 640 acres to the east of Garrity WMA will protect highly utilized elk winter range and calving habitat, conserve multiple priority habitats, and associated species, and provide significant public recreational opportunities, all within sight of Anaconda. The value of Garrity WMA to wildlife and the community will be enhanced by the purchase. The juxtaposition of native grasslands, aspen groves, riparian habitat, and ponds make the property an especially valuable site for wildlife.” Adding such quality wildlife habitat to an existing WMA is a cost-effective way to synergistically enhance the benefits of existing conservation lands. Because of the significant benefits that this project offers as described herein, this acquisition will cost-effectively accomplish the project goal of enhancing the wildlife resource habitat and increasing the public access to the Garrity WMA.

Public Support: As indicated in their abstract submitted in 2012 (Attachment A), the Anaconda Sportsmen’s Club strongly supports adding this Property to the Garrity WMA. Following the conclusion of a 30-day public comment period on this proposal, the NRDP will provide the public comment and the NRDP’s draft response to public comment to the Advisory Council and Trustee Restoration Council before these councils determine their funding recommendations.

RECEIVED

JUN 18 2012

NATURAL RESOURCE
DAMAGE PROGRAM

Natural Resource Damage Program
1301 East Lockett
PO Box 201425
Helena, MT 59620-1425

Please accept these comments on behalf of the Anaconda Sportsmen's Club as our Restoration Concept Abstract.

Our club has represented the interests of outdoor recreationist, mostly hunters and fishers, in the Anaconda area for more than 60 years. From the initiation of legal proceedings which produced the NRD funds from ARCO we were active supporters and provided legislative testimony to support funding of the lawsuit. Our members provided testimonials to quantify the actual losses in wildlife and riparian resources as well as associated recreation. These losses were the majority of documented losses for which monetary compensation was received to provide funding for what is now the NRD Program.

It has been our expectation that the recently adopted Framework for allocating the remaining fund balance would protect and insure appropriate funds for the various Restoration Plans. Specifically we expect the estimated \$43.3 million for aquatic resources and \$18.4 million for terrestrial resources will be available for identified priority areas. Funding is not sufficient to obtain all priority projects but we expect to work with FWP and conservation organizations to pursue those projects as opportunities are identified and available.

While we don't have the resources to develop actual projects we support the Priority area projects as proposed. These represent our initial Restoration Concept Abstract. In addition to those listed we would ask for fishing access sites on the Clark Fork River, especially above Drummond. We can't identify specific sites or a quantity of sites but it is important that sufficient public access is provided so the public can enjoy the benefits of a restored river system. This will require negotiation with private parties to find willing sellers as fee title or easements in appropriate locations.

In addition we have supported the development of a reservoir in the Fifer Gulch area on the Southwest corner of Anaconda for the purposes of an urban fishery designed for youth. These lands are under long term lease by Deer Lodge county from Mountain Lion Corporation (Dennis Washington).

For Terrestrial Restoration plans we submit the Big Easy, a large block of wildlife habitat east of the Warm Springs Ponds. Negotiations with the owner were suspended this past year when it was determined there were too many risks to presenting a project for this year. We would like to pursue this opportunity again.

In addition there is a 600 acre property know as the Brickley lands as well as the Hearst Lake property owned by Mountain Lion Corporation, noted above. Both are adjacent to

the Watershed lands owned by FWP in the Hearst Lake drainage. This is valuable winter range for our local elk herd and we support protecting these wildlife values and providing additional access to adjacent public lands. Protecting both of these habitats is critical to achieving the full wildlife and recreational values of the public lands in the larger Watershed landscape.

We recommend the Letica property, 11,000 acres between Lost Creek State Park and the Racetrack drainage. This property is critical habitat for a number of wildlife species including Bighorn sheep, Mule deer, and a large number of elk. Again these lands are vital to maintaining wildlife values on existing public landscape.

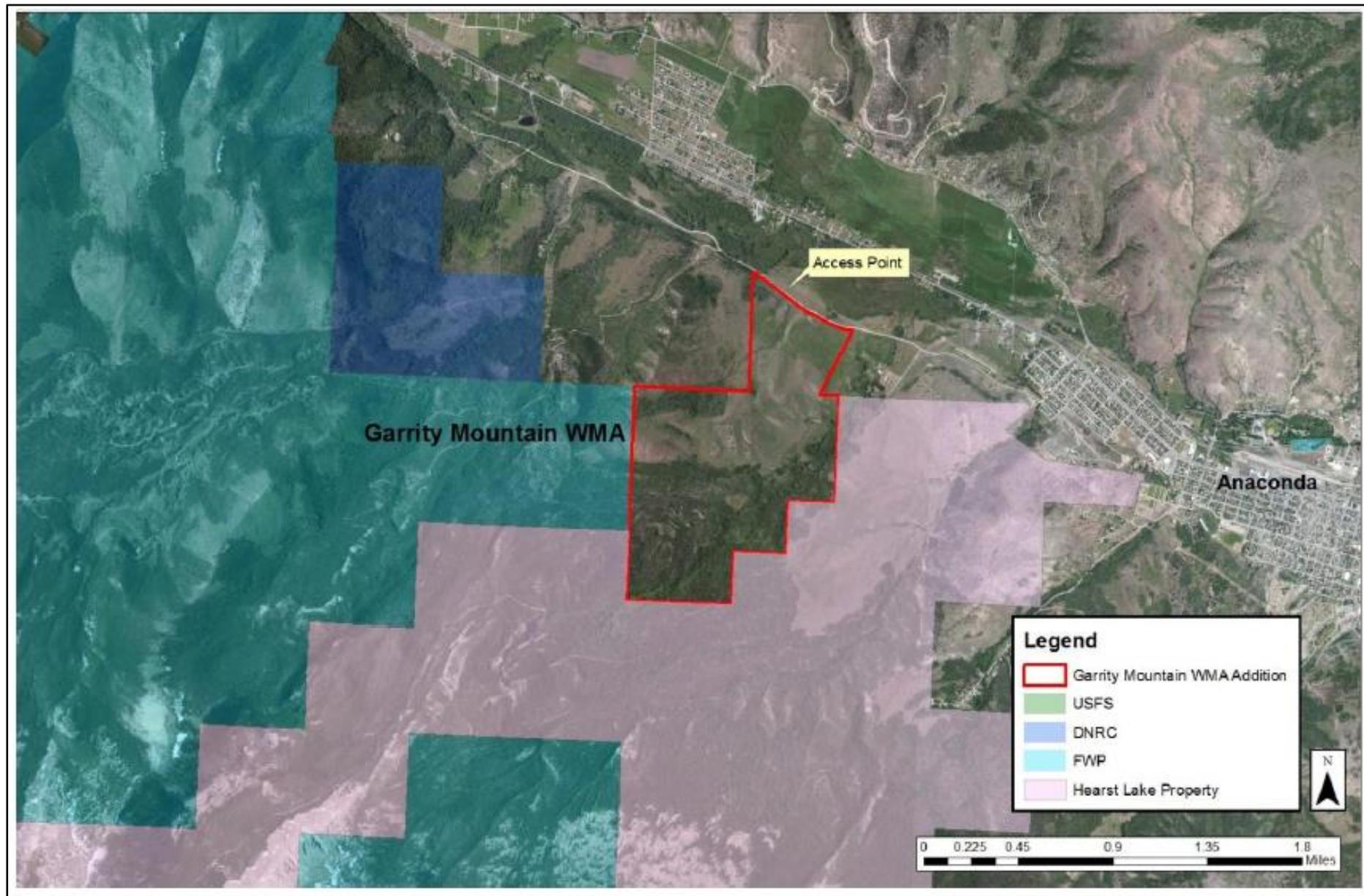
We appreciate the opportunity to develop these additional proposals as well as work with appropriate parties to move the existing priority projects forward. We don't have a preference for fee title purchase or easements. Our preference is to replace and enhance habitats and access depleted by the activities which were the basis of the NRD lawsuit. Our expectation is that the remaining funds will be used to provide the best restoration opportunities with the greatest long term benefit for the public in the damaged Clark Fork watershed.

We look forward to working with the NRD staff and advisory councils to develop these projects.



Anaconda Sportsmen's Club
2 Cherry St.
Anaconda MT. 59711

Attachment B. Garrity Mountain WMA and Addition Property (Potential New Access Point listed below)



Attachment C

Terrestrial Resource Evaluation Garrity Mountain Wildlife Management Area Addition

Date: April 15, 2014

Prepared by: Ray Vinkey and Kristi DuBois, FWP wildlife biologists

Property name: Garrity Mountain Wildlife Management Area Addition

Project Sponsor: Montana Fish, Wildlife & Parks

Location: 2 miles west of Anaconda, Montana (Figure 1)

Portions of Gray's and Ice House gulches at:

Township 5 North, 11 west, section 32

Township 4 North, 11 west, section 6

Acreage: 640 acres **Elevation:** 5440 to 6400 feet (Figure 2)

Landownership: Nonprofit organization – The Conservation Fund

Project description and cost: Fee-title acquisition of 640 acres of critical elk winter range, including intermountain grasslands, aspen stands, and riparian areas which provide high quality habitat for multiple game and nongame species (Figure 3). The appraised value of the land is \$1.38 million. As proposed the Natural Resource Damage Programs' Terrestrial Resource Fund would pay \$1,280,000, Montana Fish, Wildlife & Parks' Habitat Montana Fund would pay \$50,000, and the Montana Fish & Wildlife Conservation Fund would pay \$50,000. Project costs for due-diligence and administration are paid by the Conservation Fund and NRDP.

Consistent with a memorandum of understanding with NRDP, the Conservation Fund (TCF) has purchased the property from a Bozeman bank for disposition to Montana Fish, Wildlife & Parks. Significant due diligence has been completed by TCFs' partner American Lands and NRDP. The FWP Commission has approved this project to proceed.

The Garrity addition would complement the existing WMA by adding lower elevation winter range as well as 300 acres of aspen forest and riparian habitats along with two creeks and three ponds. The purchase would preclude the subdivision of the property that could occur under private ownership.

Figure 1. Locality Map of Garrity WMA Addition.

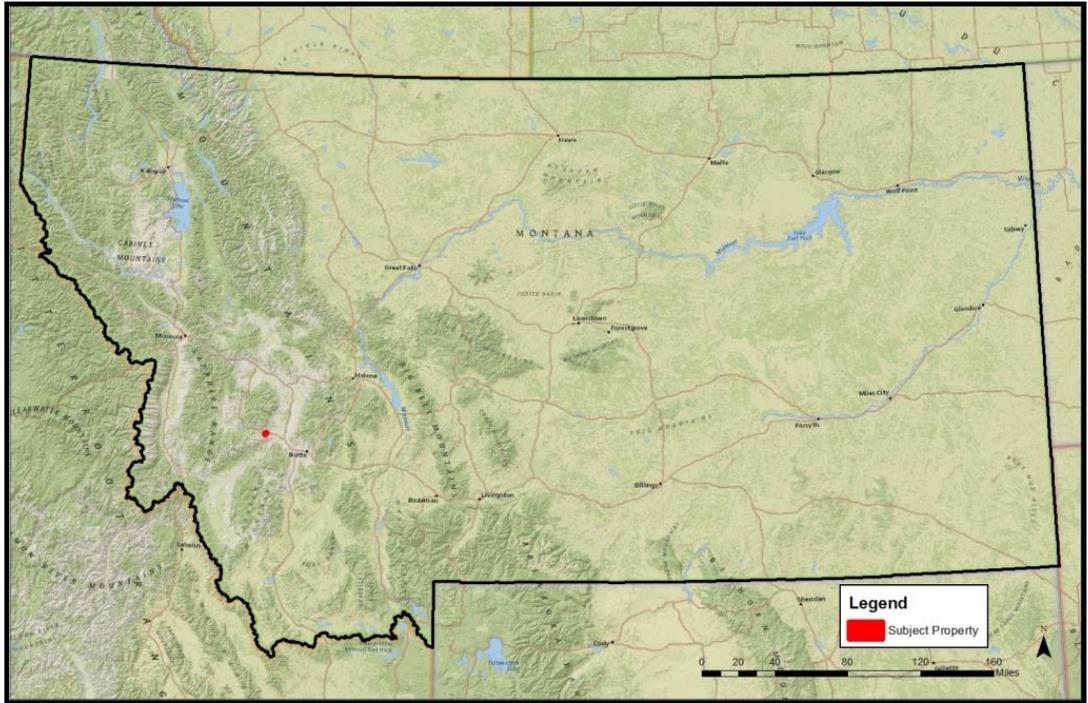


Figure 2. Topographic map of Garrity WMA Addition.

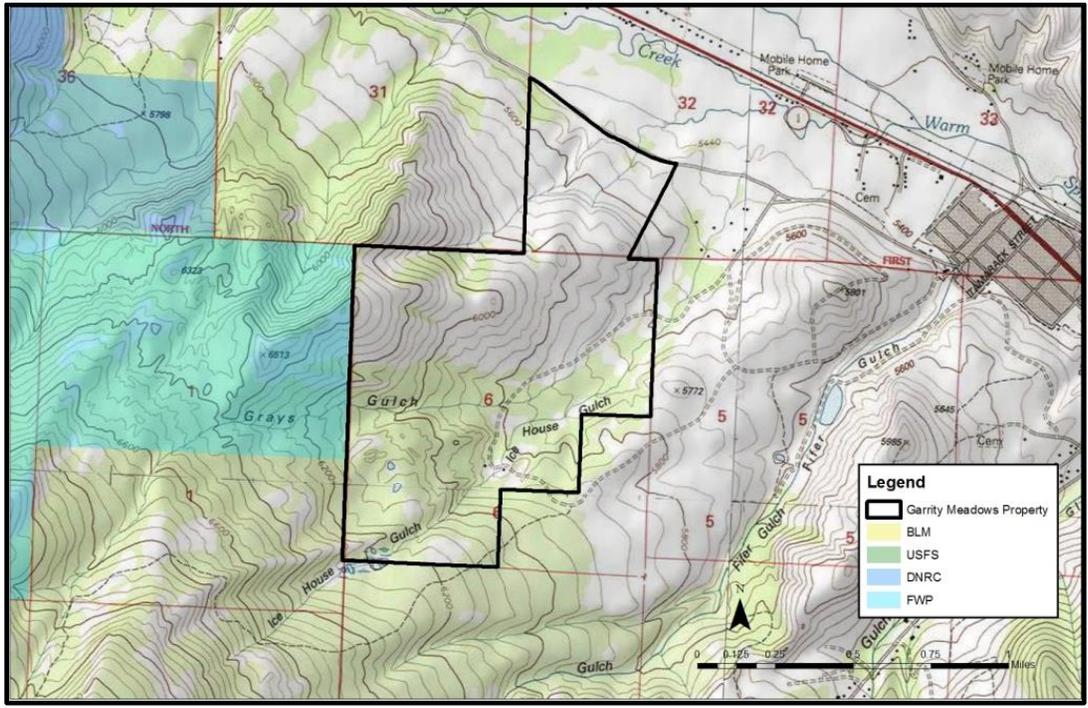
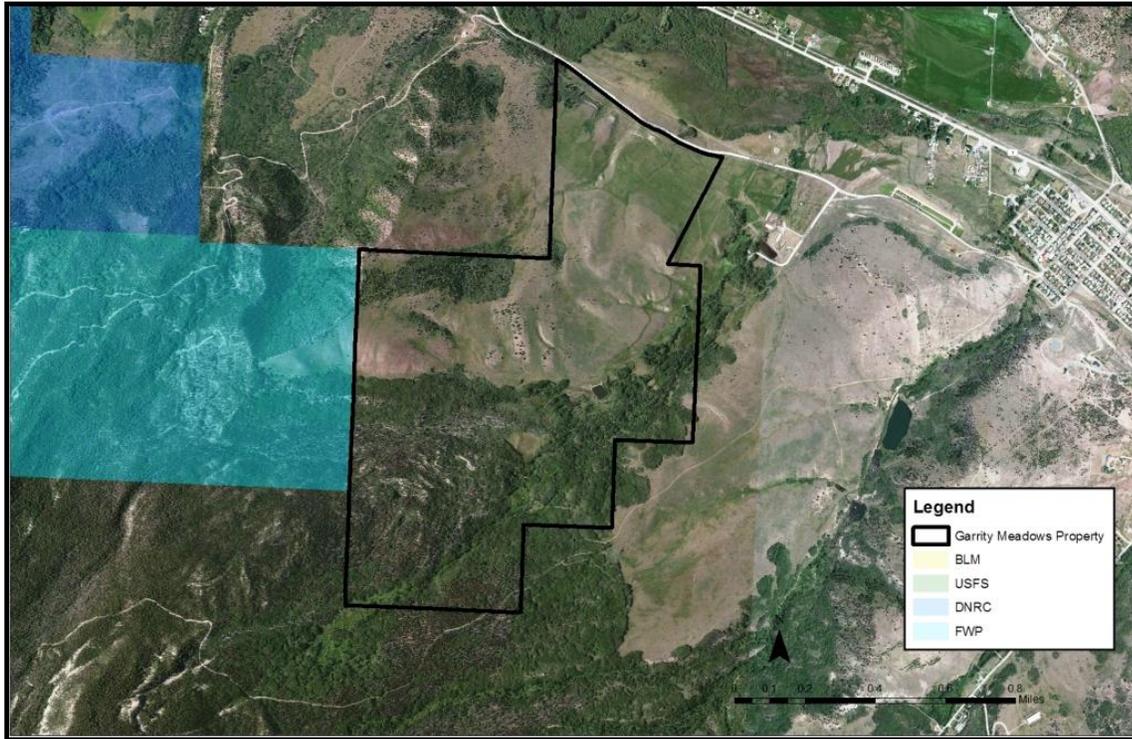


Figure 3. Aerial map of proposed Garrity WMA Addition.



Wildlife Habitat onsite: (Are there targeted habitats for conservation? Any unique habitats?)

The property is composed of intermountain grasslands and meadows (225 acres), aspen and riparian (300 acres), several ponds, 2 streams, and formerly irrigated pastureland (115 acres). Inclusions of lodge pole pine and Douglas fir are found in the uplands. Native intermountain grasslands and riparian habitats are targeted for conservation by FWP in the *Comprehensive Fish & Wildlife Conservation Plan* (2006) as well as by NRDP in the *Upper Clark Fork River Basin—Terrestrial Wildlife Resource Prioritization* (2011) and *Final Upper Clark Fork River Basin Aquatic and Terrestrial Resources Restoration Plans* (Restoration Plan, 2012). All riparian and aspen habitats are Priority 1 for restoration and replacement projects in the UCFRB.

The juxtaposition of native grasslands, aspen groves, riparian habitat, and ponds make the property an especially valuable site for wildlife. The addition is especially valuable because almost half of it is aspen and riparian, and much of the remainder is foothill grasslands. Aspen stands are relatively rare in the Upper Clark Fork and provide wildlife values in excess of their footprint on the landscape. There is an extensive aspen stand onsite which provides habitat for elk, moose, white-tailed deer, black bear, ruffed grouse, song birds, small mammals, and bats (Figure 4).

Aspen stands are a favored habitat for elk calving and native grasslands onsite provide critical elk winter range. Ponds provide breeding and nesting habitats for waterfowl as well as foraging habitat for bats and birds.

Figure 4. Aspen stand on the Garrity Mountain WMA Addition.



(Mark Sommer photo)

Wildlife onsite: *(What species are present, any Species of Concern or Endangered Species Act species? Are there targeted species for restoration: waterfowl, aquatic mammals, amphibians, grassland birds, insectivorous birds, birds of prey, bats?)*

Over 150 wildlife species (48 mammals, 97 birds, 4 amphibians, and 2 reptiles) have been verified in the Anaconda area in habitats similar to those found on the property. Aspen and riparian habitat, wetlands, forest, and native grasslands onsite provide important seasonal ranges for elk, moose, mule deer, and white-tailed deer.

The proposed addition adjoins the eastern portion of the Garrity WMA and would protect critical elk winter range in HD 214. The elk herd is stable to declining in number and their distribution has shifted eastward from Garrity Mountain to the proposed addition and the Hearst Lake property owned by Mountain Lion LLC.

In recent years more elk have wintered on the proposed addition, and adjoining private lands, than on Garrity WMA itself. The addition would accommodate this shift in elk distribution and

assure that the WMA retains its integrity by precluding subdivision of this adjoining parcel. FWP's ability to manage the WMA would be improved.

During an aerial survey on March 24, 2014, 190 elk were observed wintering on the property. This was 69% of all elk in the eastern portion (Georgetown Lake to Mill Creek) of HD 214. Significant use also occurs during the spring and fall. The property has exceptional winter range and is also used during calving. Elk are frequently observed by residents, were observed during all field visits, and have been recorded during aerial surveys (Figure 5).

Figure 5. Elk observed on field visit to Garrity Mountain WMA addition.



(Mark Sommer photo)

The area supports diverse populations of (or habitat for) a suite of other managed species, including mule deer, white-tailed deer, moose, black bear, mountain lion, bobcat, wolf, beaver, muskrat, mink, dusky grouse, and ruffed grouse.

Species of Concern and Potential SOC likely present on the property (either foraging or breeding) include dwarf shrew, Preble's shrew, hoary bat, silver-haired bat, fringed myotis, porcupine, western toad, western screech-owl, great gray owl, golden eagle, northern goshawk, peregrine falcon, veery, great blue heron, Cassin's finch, Clark's nutcracker, evening grosbeak, rufous hummingbird, brown creeper, green-tailed towhee, gray-crowned rosy-finch, pileated woodpecker, and Lewis's woodpecker. The property has not been surveyed for small mammals,

reptiles and amphibians, bats, or songbirds, although some bat and songbird surveys have been conducted in similar habitats nearby.

Targeted species for restoration likely to use the property include waterfowl, herons, raptors, amphibians, woodpeckers, insectivorous birds, bats, and burrowing mammals.

Fisheries habitat and resources onsite: Evaluation pending spring 2014.

Geographic relationship to other lands: (*Public, protected, developed, connectivity*)

The proposed addition adjoins Garrity Mountain Wildlife Management area (9,475 acres) to west, is ½ mile southeast of 480 acres Department of Natural Resources land, 2 miles south of Stucky Ridge WMA (296 acres), and 5 miles north of Mt. Haggin WMA (58,188 acres).

Thousands of acres of the Beaverhead National Forest in the Flint Creek Mountain Range to the north and the Anaconda-Pintler Range to the south the define this landscape. The addition is part of a landscape of extensive lands held by Beaverhead National Forest and Montana Fish, Wildlife & Parks. Anaconda-Deerlodge County leases an adjoining 4,734 acre parcel. Overall a high level of connectivity and protected lands characterize this area, but developed lands in the corridor west of Anaconda are a pinch point for wildlife movement. Conservation of this parcel will help to maintain connectivity across the area.

Development Status: (*What is the development potential?*)

In the immediate term there is no development potential for this parcel since it has been purchased by TCF as a bridge party for FWP. If FWP can not secure the parcel TCF will ultimately need to dispose of the property to another buyer. Nearby properties have been subdivided or are on the market for sale and if the property is not conveyed to FWP the most likely long-term outcome would be development of home-sites on the pasture along the county road and recreational homes in the uplands or near the pond.

Enhancement opportunities:

FWP may work to reinvigorate the aspen stands and riparian areas would benefit from fencing in some areas. Aspen stands would be improved by encouraging regeneration using either fire or thinning as a tool. Unnecessary fencing could also be removed to eliminate entanglement or collision hazards for wildlife. Spot treatment of weeds will be necessary.

Public access and recreation: (*What will be provided? Are there risks?*)

The addition is immediately west of Anaconda and would provide considerable recreational opportunities. Hunters, hikers, horsemen, fishermen, wildlife watchers, and others use the

adjoining Hearst Lake property and these user groups could also recreate here. Hunters are interested in obtaining access to Garrity WMA closer to town and the addition would provide it.

The Garrity WMA addition would provide deer and elk hunting opportunity. Its potential to support a fishery is unknown at this time. Since the property is 2 miles west of Anaconda and off a county road, we would expect significant public use. Predicting hunting and fishing days is difficult, but an estimate would be 250 fishing days and 750 hunting days. The project also increases opportunities for hiking and wildlife viewing in the Anaconda area. Given the proximity to town, hunting success will be maximized with walk-in access only. To protect wildlife during critical times closures to public use and travel management will be necessary.

Who are the partners? The Conservation Fund, American Lands, Rocky Mountain Elk Foundation, Montana Fish and Wildlife Conservation Fund, Montana Fish, Wildlife & Parks, and Natural Resource Damage Program are the partners in this project.

Who will manage the land? The Garrity WMA addition would be managed as a part of, and consistent with existing management of the WMA. Staff already dedicated to work on Region 2 WMAs will be responsible for the addition and no additional FTE will be necessary.

Other unique factors to consider: Purchase of this property would help to protect impressive views of Mount Haggin and an undeveloped view-shed near Garrity Mountain. The proposed addition lies at the headwaters of the Upper Clark Fork and drains into Warm Spings Creek which is a Priority 1 stream in the Restoration Plan. The value of Garrity WMA to wildlife and the community will be enhanced by the purchase. There is strong public support for purchase of this property by Anaconda Sportsmens' Club & others.

Summary: The addition of 640 acres to the east of Garrity WMA will protect highly utilized elk winter range and calving habitat, conserve multiple priority habitats, and associated species, and provide significant public recreational opportunities all within sight of Anaconda. The value of Garrity WMA to wildlife and the community will be enhanced by the purchase.

**Public Comment on the
Garrity Mountain Addition
Acquisition Project**

**List of Comments Letters Received on
Garrity Mountain Addition Acquisition Project**

Letter No.	Author	Organization
Comments Received During the Public Comment Period		
1	Colleen Ferguson	
2	Noorjahan Parwana	
3	Steve Jorgensen	
4	Ken Schmidt	
5	Michael R. Frisina	August L. Hormay Wildlands Insitute
6	Jamie Roessler	Arrowhead Foundation
7	setterrsetter@aol.com	
8	George Fischer	
9	Les Castren	Skyline Sportsmen's Association
10	Carl Hafer	
11	Connie Ternes Daniels	ADLC
12	Blake Henning	Rocky Mountain Elk Foundation
13	Gloria O'Rourke	Arrowhead Foundation
14	David Stone	
15	Karl Konrad	
16	Bob Andreozzi	
17	George Kovacich	
18	Sherri Bell	
19	Joe Ferguson	
20	Chuck Stokke	
21	Judy Barber	
22	Terrance Caulfield	
23	Ann Caulfield	
24	Tricia Schumann	
25	Rick Schumann	
26	Chuck Otto	
27-56	Signatures on a Petition	

705 Cherry St.
Anaconda, MT 59711
June 8, 2014

RE : GARRITY MOUNTAIN WILDLIFE MANAGEMENT AREA ADDITION

Please purchase the Garrity Mountain WMA Addition. We don't need any more subdivisions; if people keep subdividing the beautiful areas of Montana, soon we'll have nothing left except houses in pristine areas that should be preserved & managed as wildlife habitat. If everyone takes a large piece of Montana, there'll be nothing left to preserve for wildlife & those who respect nature & wildlife—those who don't want to tame the wilderness.

The natural world was here long before humans evolved, & we need to remember our somewhat insignificant place in the ecosystem. There are many animal species that existed before humankind, & we must allow them their places in the world so that they can continue to exist. We have to maintain a healthy respect for nature, or we could become extinct, too. As humans, we must remember that we are just temporary guests on this planet & should not encroach too much on wildlife & wild places.

I have enjoyed climbing Mount Haggin, & I want to do it again & again for as long as I am able to make the trek. The incredibly gorgeous view from the summit is reward enough for the climb, but the ascent & descent are also teeming with sights, sounds, & smells of the magical place called the forest. There is some effort & exertion on the trip to & from Mount Haggin, but our society in general is getting too lazy & sedentary. We need more exercise & particularly more places to go that are uninhabited by people.

I also support hunting as a possible & very desirable use for this land parcel.

In my opinion, the planned purchase proposal contains enough safeguards for responsible management so that the Garrity Mountain WMA addition will be preserved for future generations. My recommendation is to proceed with the purchase as soon as possible. Thank you for soliciting public comments.

Sincerely,

Colleen Ferguson

P.S. Why is a Bozeman bank involved in this purchase when there are 3 banks & a credit union in Anaconda?

Coleman, Kathleen

From: Noor Parwana <nparwana@hotmail.com>
Sent: Thursday, May 22, 2014 6:28 AM
To: Natural Resource Damage Program
Subject: Garrity Mountain land purchase

I support use of NRD funds to purchase of the land on Garrity Mtn, near Anaconda, for the purpose of protecting wildlife habitat.

Thank you,

Noorjahan Parwana
406-782-3682

Coleman, Kathleen

From: steve jorgensen <elksezn@yahoo.com>
Sent: Friday, May 23, 2014 11:27 AM
To: Natural Resource Damage Program
Subject: Garrity Mountain Project

This is a prime piece of land that our area elk depend on each winter for survival. If Natural Resources Damage funds are intended to provide beneficial natural resources in lieu of natural resources lost in the past, the purchase of this land matches the intent of the program perfectly. When spending these funds please think of wildlife, conservation and the future of public land use. I along with family and friends believe purchases like the Garrity Mountain project are key in keeping Montana heritage unchanged for the future of our kids. Please support the Garrity Mountain project purchase.

Thank you,
Steve Jorgensen and family

Steve Jorgensen
47 English Gulch Road
Anaconda, MT 59711
(406)239-8851

Coleman, Kathleen

From: K Schmidt <bisonjump@hotmail.com>
Sent: Friday, May 23, 2014 10:16 PM
To: Natural Resource Damage Program
Subject: Garrity acquisition

Having read the proposed acquisition of the Garrity Mtn property, I fully endorse it. Reiterating the Sportsmen's Club position, the primary goal is to retain this land for the public in its current state. In too many instances, Montanans have been literally fenced out of areas we used to frequent by wealthy non-resident land owners. Were this property to fall into private hands, both the wildlife and local people would be put at disadvantage.

Ken Schmidt
2946 N. Cable Rd
Anaconda MT 59711

Coleman, Kathleen

From: Michael R. Frisina <mfrisina@bresnan.net>
Sent: Tuesday, May 27, 2014 7:44 PM
To: Natural Resource Damage Program
Subject: Garrity Mountain Land Addition

Dear NRDP,

I strongly support your purchase of the Garrity Mountain addition. The land is excellent wildlife habitat and The Garrity Mountain area is a very important recreation area for Montana citizens.

Sincerely,
Mike Frisina

Michael R. Frisina, PhD, CWB, MDMC
Executive Director August L. Hormay Wildlands Institute

Coleman, Kathleen

From: jroessler87@gmail.com on behalf of Jamie Roessler <jamie@anacondasuperfund.com>
Sent: Wednesday, May 28, 2014 2:31 PM
To: Natural Resource Damage Program
Cc: Adam Vauthier
Subject: Public Comment for Garrity Mt.
Attachments: Arrowhead Foundation_Public Comment for_NRDP Garrity Mountain Addition Land Purchase.docx

Hello,

Attached please find a statement from the Arrowhead Foundation regarding the Garrity Mountain Addition Land Purchase. Thank you for the opportunity to provide input.

Cheers!

Jamie Roessler
Junior Technical Advisor | Arrowhead Foundation
406.563.5538 ext 15

Coleman, Kathleen

From: setterssetter@aol.com
Sent: Wednesday, May 28, 2014 6:29 PM
To: Natural Resource Damage Program

please purchase the GarrityMountain land near Anaconda its a very special area with all of the Aspen habitat

Coleman, Kathleen

From: George Fischer <vfischer348@bresnan.net>
Sent: Wednesday, May 28, 2014 7:46 PM
To: Natural Resource Damage Program
Subject: Garrity Mountain Project

I am strongly in favor of using Natural Resource Damage funds to finance this project.

G.Vince Fischer
52 North Lake Dr.
Butte. MT. 59701



Skyline Sportsmen's Association, Inc.

Box 173

Butte, Montana 59703

RECEIVED

May 28, 2014

JUN 02 2014

NATURAL RESOURCE DAMAGE PROGRAM

Natural Resource Damage Program:

Skyline Sportsmen Assoc. and its 350-400 members support the acquisition of the 640 acres that would be added to the Garrity Mtn. Wildlife Management Area.

The use of Natural Resource Damage Program monies is exactly what these funds were put aside for, and to be used in this area. This purchase is a win – win for the habitat, wildlife and recreationists.

THANK YOU

Les Castren

Pres. Skyline Sportsmen Assoc.

RECEIVED

MAY 30 2014

NATURAL RESOURCE
DAMAGE PROGRAM

5-29-2014

Carol Fox

Carol I enjoyed talking to you about the Barrister Mt Sand purchase. I have read all of the information you sent me.

I cannot see how this is not a good thing to do ~~could think to do~~. I guarantee land for the use of the public, and I have always thought the Aracunda Apartment Club are a good group and have done good things for the general public.

I read with interest the information about the Telica property.

I am not taking sides,
however I owned a pasture
section surrounded by
property that Reed & Ingersoll
(15,000 acres)
bought after I had bought
the section however the
Beacon. I had some
very interesting confrontations
with Reed & Ingersoll and
Tom Lunge who bought part
of the 15,000 acres and
subdivided it. I am a
strong believer ~~in~~ in
private property rights but
also a firm believer in
the right of the general public
to have all legal access.

Considering all of this
I believe this would be
a good investment for the
people of Montana, and a
good use of the money.

Best Regards

Carl Hafer

Carl

Special the poor pensioning
I am a disabled veteran which is
not important but is the cause of
the poor pensioning



William C. "Carl" Hafer
187 ARCT, Retired
(Airborne Regimental Combat Team)
Pathfinder Team/"Rakkasan" Parachutist
6050 Porter Street
Butte, MT 59701
Phone: 1-(406)-494-2717

ANACONDA-DEER LODGE COUNTY

Chief Executive

800 South Main

Anaconda, Montana 59711

Phone No. (406) 563-4000

Fax No. (406) 563-4001

11

RECEIVED

MAY 30 2014

NATURAL RESOURCE
DAMAGE PROGRAM



May 28, 2014

Carol A. Fox, Restoration Program Chief
MDOJ Natural Resource Damage Program
1301 East Lockey Ave.
P.O. Box 201425
Helena, MT 59620-1425

Re: Support for The State of Montana's Natural Resource Damage Program (NRDP) on the 640 Acre Garrity Mountain Addition Land Purchase.

Dear Ms. Fox:

The Anaconda-Deer Lodge County (ADLC) Commissioners and I would like to express our support for NRDP to spend \$1,280,000 in restoration funds on the 640 acre Garrity Mountain Addition Land Purchase, located two miles west of Anaconda. ADLC supports the purchase and subsequent transfer of the property to Montana Fish Wildlife & Parks (FW&P).

ADLC recognizes that the acquisition will protect wildlife habitat, and public recreation opportunities that have been lost in the Upper Clark Fork Basin from smelter emissions.

The proposed property acquisition provides a critical link for wildlife range. Therefore, the requested NRDP funds are critical for wildlife populations and protects them from declining or displacement due to lost habitat and insures public access to some of Southwest Montana's premier outdoors.

Thank you for your consideration of this worthwhile acquisition.

Sincerely,

Connie Ternes Daniels
Chief Executive



May 28, 2014

RECEIVED

JUN 03 2014

Natural Resource Damage Program
1301 E. Lockey
P.O. Box 201425
Helena, MT 59620

**NATURAL RESOURCE
DAMAGE PROGRAM**

RE: Garrity Mountain Wildlife Management Area Addition

The Rocky Mountain Elk Foundation (RMEF) is pleased to provide this letter of support for the Garrity Mountain Wildlife Management Area Addition. This important acquisition project in Deer Lodge County will add 640 acres of important elk winter habitat to the 9,475-acre Garrity Mountain Wildlife Management Area (GMWMA), which is currently managed by the Montana Department of Fish, Wildlife and Parks. RMEF helped establish the original GMWMA and continues to support habitat improvements on the management area. This project will also significantly improve access to the existing GMWMA providing additional opportunities for recreationists and hunters.

The 640-acre property has about 300 acres of dense aspen forest, interspersed with conifers, 225 acres of bunchgrass rangelands and about 115 acres of irrigated meadow. It includes two perennial streams, Ice House Gulch and Grays Gulch, and associated riparian areas and wetlands. Elevation ranges from 5,480 to 6,400 feet. The property is heavily used as winter range by elk, with herds up to 250 observed on the property. Elk are increasingly wintering on the proposed addition, which is at a lower elevation and supports high quality grasslands and aspen stands. The property is particularly valuable as an addition to the GMWMA because of this shift in elk distribution. In the 11 years since the WMA was purchased exurban residential and recreational development has increased west of Anaconda. The Garrity Mountain Addition is vulnerable to development because of its exceptional views and resident elk population.

Sincerely,


Blake Henning
Vice President of Lands & Conservation

ARROWHEAD FOUNDATION

13

118 EAST 7TH STREET
ANACONDA, MT 59711
406.563.5538 EXT. 15
INFO@ANACONDASUPERFUND.COM

May 28, 2014

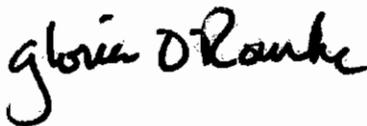
Natural Resource Damage Program
1301 East Lockett
PO Box 201425
Helena, MT 59620

To the Natural Resource Damage Program:

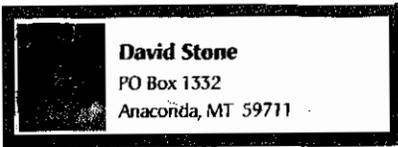
The Arrowhead Foundation, Anaconda's Technical Assistance Grant (TAG) Group from the EPA on remediation and land issues, understands the crucial role recreation/open space lands have for the success and quality of life of a community. We actively work with Atlantic Richfield Company and the community to ensure that lands within Anaconda-Deer Lodge County are used for the greatest benefit of the community. The Garrity Mountain Addition Land Purchase poses a unique opportunity to ensure that our local wild places are not lost, as well as for possible future outdoor recreation development.

Arrowhead Foundation strongly believes that using \$1,280,000 for the purchase of the 640 acres of the Garrity Mountain Addition would be an excellent use of the State's restoration funds. We sincerely hope that the Natural Resource Damage Program pursues this opportunity to protect the resources of Anaconda-Deer Lodge County and Montana.

Regards,



Gloria O'Rourke
Board Member



RECEIVED

14

MAY 29 2014

NATURAL RESOURCE
DAMAGE PROGRAM

Att. Greg Mullen:

I am writing in support of the purchase of the 640 acres adjacent to the Garity mtn. wildlife management area.

I've lived here in Anaconda for 62 yrs. and have observed the elk herd in this area winter for 45 years.

This is a crucial piece of property for not only the elk but a substantial wht. tail population too. Last year there were even Yastubpe Sammering on it. There are always a moose or two to be observed too.

There are between 200-360 elk using this property. When snows get deep they migrate from Garity mtn to this property, as it stays pretty much clear of snow all winter. In the spring about 50-100 cow elk calve there.

I tried to get the Rocky Mt. Elk Sound. to purchase it a few years back, but they were short of funds at that time.

I strongly urge that action be taken to preserve this property as there is nothing like it around Anaconda.

Without this property to winter on, the elk would have to winter in town!

Life Long Resident of Ana,
Dave Stone

6-2-2014

Just a letter in support of the
purchase of the Garbity Mtn.

ACREAGE.

It's not going to increase anymore
public access from what I see, but it
is great winter habitat for the elk
and the fact that it won't ever be
subdivided.

KARL KONRAD.

Karl A. Konrad

RECEIVED

82 W. FORK BARKER CR. RD.

JUN 05 2014

ANACONDA, MT. 59711

**NATURAL RESOURCE
DAMAGE PROGRAM**

Coleman, Kathleen

From: Bobby D. Andreozzi <bandreozzi@wildblue.net>
Sent: Monday, June 02, 2014 4:09 PM
To: Natural Resource Damage Program
Subject: Garrity Mountain Addition Land Purchase

Natural Resource Damage Program:

I am a resident of Anaconda-Deer Lodge County and I wish to send my strongest recommendation to the administrators of the Program to purchase the 640 acres included in the Garrity Mountain Land Purchase.

I live directly across from the property, up English Gulch, on the north side of North Cable Road. I constantly have a view of that area all year from my deck and front windows. I glass the area frequently to view the elk, seeing anywhere from groups of 30 to 200 (in late winter) grazing on that ridge.

It is so important to maintain that area for spring and winter habitat for the elk and deer. Since those animals have no way to state their need, it is up to us Sportsmen (I am an Anaconda Sportsman Club member), hunters, and conservationists to insure the viability of such important lands.

I do not want to see any development in that area as roads, homes, domestic animals, and the noise generated by us humans would ruin the area for the wildlife. Thus, I am so very supportive of the NRD Program to purchase the property from the Conservation Fund and turn it over to the Montana FW&P.

I have seen the benefits of the NRD Program purchasing replacement lands due to the degradation of lands from the mining activities in our area. As a Consultant Forester, I did the evaluation of the timber value on the Duham property where Silver Bow Creek passes through Durant Canyon. I saw the degraded watershed due to the excess minerals in the creek as well as visiting those areas in the Warm Springs Pond Areas when I first moved here 28 years ago. I have also participated in the planting of nearly 500,000 tree seedlings on the A and C Hills south of Anaconda, on land effected by smelter emissions using NRD related funds. This land purchase will be such a benefit toward maintaining and enhancing our wildlife resources.

Sincerely,

Bob Andreozzi
241 English Gulch Road
Anaconda, MT 59711

803 West 7th Street
Anaconda, Montana 59711
June 2, 2014

17

Natural Resource Damage Program
P.O. Box 201425
Helena, Montana 59620-1425

RECEIVED

JUN 09 2014

**NATURAL RESOURCE
DAMAGE PROGRAM**

NRD Managers: Garrity Mtn Land Purchase

My name is George Kovacich. I live in Anaconda, and have been a life long resident for 65 years.

I cannot believe that NRD managers are considering to acquire more land on Garrity Mountain, and then hand it over to the FWP to manage and study. They already have all kinds of land all over Montana.

You would think by now that FWP biologists would have figured out that wolf packs are eating elk faster than they can reproduce.

In a few years hunting will probably be just about over in Western Montana. So why buy worthless land on Garrity Mtn.

Besides, FWP Wildlife management areas are nothing more than locked up miniature wilderness areas that very few people will ever use.

It would make more sense to acquire or improve land and services in this area so that the majority of the Butte-Anaconda people could enjoy it.

There are a lot of areas around Anaconda that could be improved.

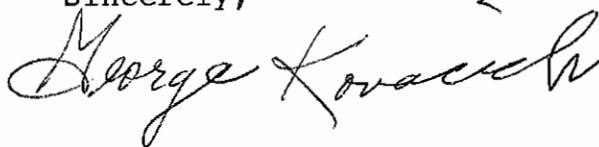
Piney Point at Georgetown Lake has no fishing or boating access. Washoe Park gravel roads are in terrible shape and the bridges are about shot.

The Old Works Trail system could be extended.

Maybe the road to Hearst Lake (which is now locked) could be opened and improved so everyone could use this lake. Right now only the rancher that lives in this area and a few of his private friends have a key to the gate and enjoy private fishing and hunting. This road was open to the public for 100 years.

Please consider your options!!

Sincerely,

A handwritten signature in cursive script that reads "George Kovacich". The signature is written in black ink and is positioned below the typed name "George Kovacich".

Coleman, Kathleen

From: Sherri <silvertonsb@yahoo.com>
Sent: Thursday, June 05, 2014 2:43 PM
To: Natural Resource Damage Program
Subject: Support

This is in support of the purchase of the additional 640 acres on the Garrity Mountain.

Thank you
Sherri Bell

705 Cherry St.
Anaconda, MT 59711

June 5, 2014

RECEIVED

JUN 09 2014

**NATURAL RESOURCE
DAMAGE PROGRAM**

To Whom It May Concern:

As a lifelong resident of Anaconda, I strongly support the Garrity Mountain Addition Land Purchase.

From a personal perspective, I have tromped the area as a child with my dad, as a teenager and an adult. Over time, access has been occasionally clouded and/or cut off. Securing the permanent use of this area is of great importance to me. It's pretty hard to beat a wild place within walking distance from town.

Our vistas provide an attraction for visitors and recreation for residents. Many of my friends have spotting scopes trained on this area all year long. Others drive Stumptown Road to see wildlife. A good number of these views are already despoiled by development. The purchase would protect one we have left.

The quaking aspen belt stretching from Garrity Mountain to the Mill Creek Divide passes through this place and has much to do with its diversity of flora and fauna. It is near and dear to me. The grasslands and cover are becoming increasingly important to the elk herd who winter and calve there.

Enhancement and improved access to the Garrity WMA has immeasurable value to Anaconda.

For these and many other reasons, I could only hope the purchase is finalized.

Thanks for all your hard work,



Joe Ferguson

Chuck Stokke, D.M.D.

116 West Third Anaconda, MT 59711

RECEIVED

JUN 05 2014

**NATURAL RESOURCE
DAMAGE PROGRAM**

NRDP
1301 E. Lackey
PO Box 201425
Helena, Mt. 59620

Dear NRDP Advisory Council Members:

I am writing this letter to support the acquisition of the Garrity Mountain Addition Land Purchase.

I am an Anaconda resident. I grew up in Anaconda and left to attend university and serve in the Army. I returned to Anaconda in 1976 primarily because of the outdoor recreation potential and available public lands. I have hunted and fished my entire life.

I have traveled this area to fish nearby lakes and to hike and bike. My wife and I still walk our dog in this area depending upon the season. We frequently observe deer and elk on this property. Elk winter on this property and the property along Fifer Gulch to the east. It will be a great benefit to this elk herd to assure this winter range for their use.

Thank you for your consideration in this matter.

Sincerely,



Chuck Stokke

Coleman, Kathleen

From: Judy Barber <jcjbarber@hotmail.com>
Sent: Sunday, June 08, 2014 1:12 PM
To: Natural Resource Damage Program
Subject: Garrity Mountain Addition Land Purchase

I support the purposed Garrity Mountain Addition Land Purchase. I live in this area. I hike in this area. I feel that being able to enjoy the outdoors and the beauty of nature (wildlife, flowers, trees, water) is an important human need. We must protect our natural resources for ourselves and for others, now and for the future.

Judy Barber
PO Box 882
Anaconda, MT

Sent from Windows Mail

Coleman, Kathleen

From: Annie Ann <anncaulfield@vcn.com>
Sent: Sunday, June 08, 2014 7:13 PM
To: Natural Resource Damage Program
Subject: Purchase of GMWMAA

I want to keep public access open so my children and grandchildren can climb Mount Haggin. I support the purchase of Garry Mountain Wildlife Management Area Addition.

Respectfully,
Terrance Caulfield
321 Spruce Street
Anaconda, MT 59711

Sent from my iPhone

Coleman, Kathleen

From: Annie Ann <anncaulfield@vcn.com>
Sent: Sunday, June 08, 2014 7:16 PM
To: Natural Resource Damage Program
Subject: Support of GMWAA Purchase

I am a resident and citizen of Deer Lodge County who strongly supports the purchase of Garrity Mountain Wildlife Area Addition.

Sincerely,
Ann Caulfield
102 Walnut Street
Anaconda, MT 59711

Sent from my iPhone

Coleman, Kathleen

From: Tricia Schumann <tricia@gbis.com>
Sent: Sunday, June 08, 2014 7:29 PM
To: Natural Resource Damage Program
Subject: Garrity Mountain Wildlife Area Addition

As a native of Anaconda, Montana I am concerned about the Pintlar Scenic route. I will be retiring in the area and spend three months of the year in this beautiful country. I support the purchase of the Garrity Mountain Wildlife Area Addition.

Respectfully submitted,

Tricia Schumann
M.S. Teacher Leadership
Hawthorne Elementary School
Hawthorne, NV
775.781.1000 cell
tricia@gbis.com; schumannt@mineral.k12.nv.us

From: Tricia Schumann <tricia@gbis.com>
Sent: Sunday, June 08, 2014 7:30 PM
To: Natural Resource Damage Program
Subject: GARRITY MOUNTAIN WMA ADDITION

--
It would be a travesty to the residents of Deer Lodge County & wildlife in general if the sale of this land parcel to Fish, Wildlife, & Parks were not completed. I have hiked to Mount Haggin & back, & I would like to have the opportunity to go there again. Therefore, I support the planned purchase of Garrity Mountain Wildlife Management Area Addition by the Fish, Wildlife, & Parks.

Sincerely,
Rick Schumann
schumannr@hotmail.com
phone 775-945-5443

PO Box 428, 170 Ward Road

Anaconda, Montana 59711

Natural Resource Damage Program

PO Box 201425

Helena, Montana 59620-1425

RECEIVED

JUN 09 2014

**NATURAL RESOURCE
DAMAGE PROGRAM**

Dear Sirs:

I am an adjoining landowner to the "Garrity Mountain Addition" proposed land purchase. I own the largest remaining tract of the old Brickley Ranch, of which the Garrity Mountain Addition was once a part of. In living on the ranch, I have seen and come to appreciate what a spectacular and important habitat component these lands contain. Elk especially seem to rely on these lower elevation hills and meadows, but the area is also important to whitetail deer, and many other species all of which comprise a healthy and functioning ecosystem. In addition the area provides a wonderful landscape component for those areas west of Anaconda and south of Highway 1, where larger acreages are still intact to provide crucial feeding, thermal and escape cover for these wildlife species.

That being said, I fully support purchase and management of these lands by the Montana Department of Fish, Wildlife and Parks. Management should be primarily for wildlife and natural resource conservation purposes. Access to the newly acquired lands should be by non-motorized means only, which is in keeping with the other private and conservation owned lands in the area.

Please feel free to contact me if there are any questions, concerns, issues or help that I may provide.

Sincerely yours,



Chuck Otto

27-56

To: Natural Resource Damage Program
 P.O. Box 201425
 Helena Mt. 59620-1425

RECEIVED

JUN 09 2014

NATURAL RESOURCE
DAMAGE PROGRAM

We, the undersigned, strongly support the purchase of 360 acres adjacent to the Gorrity mtn. wildlife management area, known locally as "stumptown", by Fish Wildlife & Parks.

<u>Name</u>	<u>address</u>	<u>Phone-opt.</u>
Janeen Keyes	3516 Stumptown	691-0493
William Jones	719 E. 8 th ST	563-5124
Walter Hood	10856 HWY 1 W	491-1717
Paula B.	4219 Walnut St	459-4459
Alle Fox-Smady	" " "	" " "
Vesula Otonicar	312 OAK	_____
Celia Anderson	1427 W. 3 rd St	563-3674
Judy Jones	719 E 7th	585-5124
Walt Belkitt	101 ELM	491-1351
Quare L Solberg	150 Lost Creek Loop	Anthony Laughlin 3646
Jim Greene	680 German Gulch	
Carl Orill	P.O. box 446	563-6049
Jim Walden	1000 W. 3 rd	563-7849
Wendy Nardacci	504 Cable Rd #1	563-7077
Diane Tenes	11 th Phillip Rd	563-2877
HM FyNN	106 BALSAM	_____
Sonja Shadow	320 W 3 rd	560-7122
Pete Kurtz	622 W 7 th ST	563-7988

<u>Name</u>	<u>address</u>	<u>phone-opt.</u>
Gary Ouldhouse	201 N. Cherry	563-7872
Paul Spms	105 BLACKTAR CT	494-6665
Dary Listerby	1618 N-6th BUTTE Rd Amate	563-886
Ken Henriksen	410 Maple St	560-6320
DAVID LINDORAN	523 EZRA ST	563-5079
RANDY JOSEPHSON	420 Cherry	560-2758
John E. Moore	317 W Paul	559-0065
Walter Schuf	408 Stewarts	
KEVIN L. TURNER	85 St Stumptown	559-0482
Mike Civile	1104 E. 6th St	206-675-1249
Michael Fucas	3209 Wampy Cr Rd	563-5721