

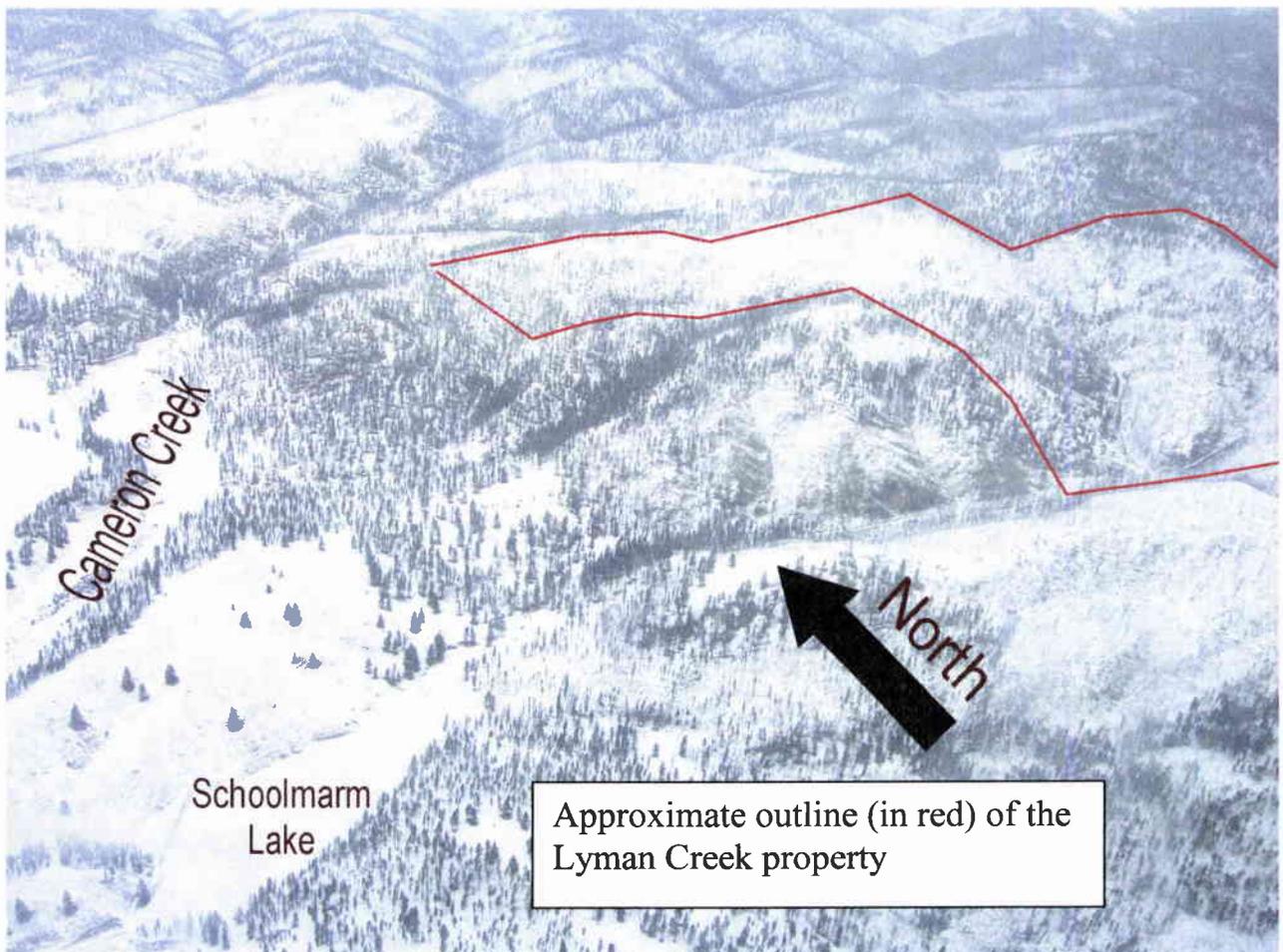
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Lyman Creek Project
Draft Environmental Assessment
October 12, 2006

STATE ENVIRONMENTAL
POLICY OFFICE

A proposal by *Montana Fish, Wildlife & Parks* to purchase 367.92 acres in French Basin and later exchange the property with DNRC for inholdings in the Calf Creek and Threemile Wildlife Management Areas



Prepared by:
Montana Fish, Wildlife & Parks, Region 2 Office
Attn: John Vore (Wildlife Biologist)
PO Box 1408, Hamilton, MT 59840
Phone 406-375-2273; Email jvore@mt.gov

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INTRODUCTION

Montana Fish, Wildlife & Parks (FWP) invites the public to comment on the proposed purchase of a privately owned 367.92-acre tract of land near Lyman Creek within the Sula State Forest and the Bitterroot National Forest. The land would be purchased using funds provided by the Habitat Montana Program (administered by FWP) with additional financial assistance from the Rocky Mountain Elk Foundation (RMEF). Habitat Montana funds would provide \$625,500.00 (the current appraised value). RMEF currently holds an option to purchase the Lyman Creek property from the Wetzsteon family because it was able to move quickly to secure this important parcel of private land when it became available on the market and hold it until FWP could arrange for its purchase and later exchange. RMEF is only holding the option on the property for a short time.

The Lyman Creek property is on the east side of French Basin within the principal winter range of about 1,000 elk and several hundred mule and white-tailed deer. It is bordered on the north, south and west by the Sula State Forest, and on the northeast and east by the U.S. Forest Service.

The Wetzsteon family currently owns this property with RMEF holding an option to purchase the land from them with the expressed intent of later selling it to FWP. If the proposed action is approved and the land is acquired by FWP, the property would be exchanged with DNRC for tracts of equal value located within and adjacent to the Calf Creek and Threemile Wildlife Management Areas. Once in DNRC ownership the Lyman Creek property would be accessible to the public and managed by DNRC. Although a full exchange analysis is not a part of this EA, FWP wants to make it clear at this time that it is FWP's intention that the Lyman Creek property would later be exchanged for DNRC inholdings of equal value on the Calf Creek and Threemile Wildlife Management Areas (WMAs). A separate environmental analysis consistent with DNRC land exchange policies will be provided to the public describing this future exchange between the two state agencies.

The land FWP would receive in exchange from the DNRC includes a 160-acre inholding on the Calf Creek WMA (CCWMA) and an 80-acre inholding plus some or all of an adjacent 640-acre parcel on the Threemile WMA (TMWMA) depending upon appraised values. FWP already has considerable investment in these two Bitterroot Valley WMAs and in the Brown Valley and Bolin Ranches conservation easements near the Threemile WMA. Completion of this exchange would help realize a long-standing goal of consolidating ownership and management. Acquired lands would be managed for deer, elk and other wildlife under the existing WMA management plans. FWP would manage public access and recreation in keeping with traditional FWP practices on both WMAs. Complete management plans for the CCWMA and TMWMA are available from FWP at the Region 2 office in Missoula, and pertinent excerpts and highlights are described in Appendix A.

PURPOSE AND NEED FOR THE PROPOSED ACTION

Statement of Purpose

The purpose of the proposed purchase and later exchange is twofold. First is to protect 367.92 acres of privately owned elk winter range in French Basin from development by putting it into public ownership. Hunters and other recreationists would benefit from the resulting access to a

valuable parcel for hunting, which is surrounded by USFS and DNRC public land. Secondly, once the property is owned by FWP and exchanged with DNRC for inholdings on the CCWMA and TMWMA it would consolidate FWP ownership and management on these WMAs

This project is needed because of the benefits to wildlife and the public of putting the Lyman Creek property into public ownership, and because FWP has no management authority over DNRC inholdings within TMWMA and CCWMA, except FWP does currently lease DNRC's 160 acres within the Calf Creek WMA for grazing administration. Once the Lyman Creek property is acquired, the subsequent land exchange will simplify administration on the WMAs and expand the scope of habitat management activities like weed control, road management, livestock grazing, habitat improvement, timber treatments, etc. It would also simplify boundaries for administration and recreationists and permanently protect those properties acquired through the exchange from possible activities that could negatively impact wildlife.

Support for the proposed purchase of the Lyman Creek property and subsequent land exchange for inholdings in CCWMA and TMWMA is found in the management plans for those WMAs.

From the Calf Creek WMA draft management plan (revised 1997):

Goal: FWP strives to maintain and enhance native plant communities on Calf Creek WMA as habitat for a diversity of wildlife species and populations, with emphasis on elk winter ranges. Secondly, FWP strives to provide hunting and other outdoor recreational opportunities for the public, and manage recreation in a manner that avoids conflict with the overriding purpose of providing elk winter habitat.

Objectives:

- Maintain and enhance native sagebrush-grasslands and forests
- Provide space, cover and natural forage to support 200 elk through winter and early spring
- Recognize habitat values on neighboring private lands and impacts of WMA management on neighboring landowners. Develop and enhance cooperative working relations with neighbors.
- Develop regulations that enhance recreational opportunities for which Calf Creek WMA is uniquely suited and recognized: hiking, horseback riding, and walk-in hunting for elk and deer.

From the Threemile WMA management plan (revised 1992):

Goals: Restore and sustain the natural productivity of the ponderosa pine/bunchgrass/riparian ecotone extending from Threemile Creek to Ambrose Creek, including Threemile WMA and adjacent ownerships, to retain a wide variety of potential management alternatives for future generations. ...provide

high-quality winter range for elk and mule deer, as well as compatible public recreational opportunities.

Objectives:

- Control noxious weeds in all nonforested areas and along open roads, and prevent infestations in weed-free areas.
- Maintain and enhance native plant communities, emphasizing bunchgrass, ponderosa pine, and riparian communities.
- Create a partnership for elk management and land stewardship with affected, adjacent private landowners.
- Increase the Threemile WMA elk herd from 130 to 250, and assess the larger herd's relationship to the economic and environmental carrying capacities of the winter range.
- Manage public access to provide a diversity of wildlife-related recreational opportunities and prevent serious conflicts with other objectives.

Purposes specifically addressed by this proposal:

- Permanently protect and expand public investments and progress over the past 50 years toward establishment of effective and secure winter range (i.e., the Calf Creek and Threemile WMAs and conservation easements) for elk and deer populations of the Bitterroot Valley.
- Prevent the possibility of irreversible habitat loss if the Lyman Creek property is sold in the future and eventually subdivided or developed.
- Maintain and enhance grassland and forested forage to address a habitat limitation in periods of harsh winter weather for migratory populations of about 1,000 elk and several hundred mule and white-tailed deer in the French Basin area, and roughly 500 elk and several hundred deer associated with the CCWMA and TMWMA.
- Continue to provide and expand access for unlimited numbers of recreationists in hunting districts 204, 261 and 270.
- Achieve these purposes using the most cost-effective means that will allow FWP adequate control over management of habitat and public access on the subject lands in perpetuity.

Authorities/Direction

FWP is authorized by State law to own and manage lands as wildlife habitat (MCA 87-1-209). The Montana Fish, Wildlife and Parks Commission (the Commission) is the decision-making authority for matters of land acquisition, disposal or exchange involving FWP-owned properties. Following Commission approval, if granted, the Montana Board of State Land Commissioners (the Land Board) reviews land acquisitions, disposals, or exchanges involving FWP land proposals over 100 acres or \$100,000 in value. FWP's proposed expenditure of \$625,500.00 to

purchase the Lyman Creek property would come from its Habitat Montana Program, under policy adopted by the Commission in 1994. Funding for this proposed purchase is enabled by an act of the 1987 Montana Legislature (MCA 87-1-241-242), known as House Bill 526, which earmarked for habitat acquisition a set portion of the revenues generated from sales of Montana Sportsman's and nonresident Big Game Combination licenses. The Habitat Montana Program was permanently reauthorized by the 2005 Legislature.

The land to be acquired by FWP through exchange with DNRC in this proposal would be included in the Calf Creek and Threemile WMAs, which were originally purchased with Federal Aid in Wildlife Restoration monies (Project W-30-L) administered by the U. S. Fish and Wildlife Service under the authority of the Pittman-Robertson Act (P-R). Matching funds for acquisition of these WMAs were provided by FWP from revenues generated by the sale of Montana hunting licenses. FWP uses budgeted license revenues, within spending authority granted each biennium by the Montana legislature, for routine maintenance of the WMAs. FWP is authorized to use supplemental funds from various public and private sources, which may be awarded under specific conditions for individual maintenance and enhancement projects on WMAs and other properties. A separate FWP Commission and Land Board approval process will occur once the details of the exchange are finalized assuming the Lyman Creek acquisition is approved and finalized.

Description of Subject Lands and Wildlife Resources (with maps)

All properties involved in the proposed purchase and exchange are in Ravalli County (Fig. 1). The Lyman Creek Property is in south Ravalli County on the east side of French Basin approximately 6 miles northeast of Sula. The Calf Creek WMA is approximately 8 miles east of Hamilton, and the Threemile WMA is approximately 9 miles northeast of Stevensville. A detailed legal description of each of the subject properties is found in Table 1, and habitat and wildlife resources for each are described in more detail below.

Table 1. Description of subject lands, all in Ravalli County

Property	Township	Range	Section	Acres
Lyman Creek property	2N	19W	Section 13: W1/2SW1/4 (80 acres) Section 14: Government Lots 5, 6, 8, 9, 10, 11, SW1/4NE1/4 (267.92 acres)	367.92
DNRC inholding on Calf Creek WMA	6N	19W	Section 16: SE1/4	160.0
DNRC inholdings on Threemile WMA	10N 10N	18W 19W	Section 30: N1/2SE1/4 (80 acres) Section 36: All or a portion depending on appraisal	

The Lyman Creek Property--The Lyman Creek property is 367.92 acres on the east side of French Basin in the southern Bitterroot Valley (Fig. 2). It is a private inholding bordered on the northwest, west and south by DNRC land and on the northeast and east by Forest Service. Elevations range from 4,840 to 5,440 feet on predominately south and southwest aspects. Lyman

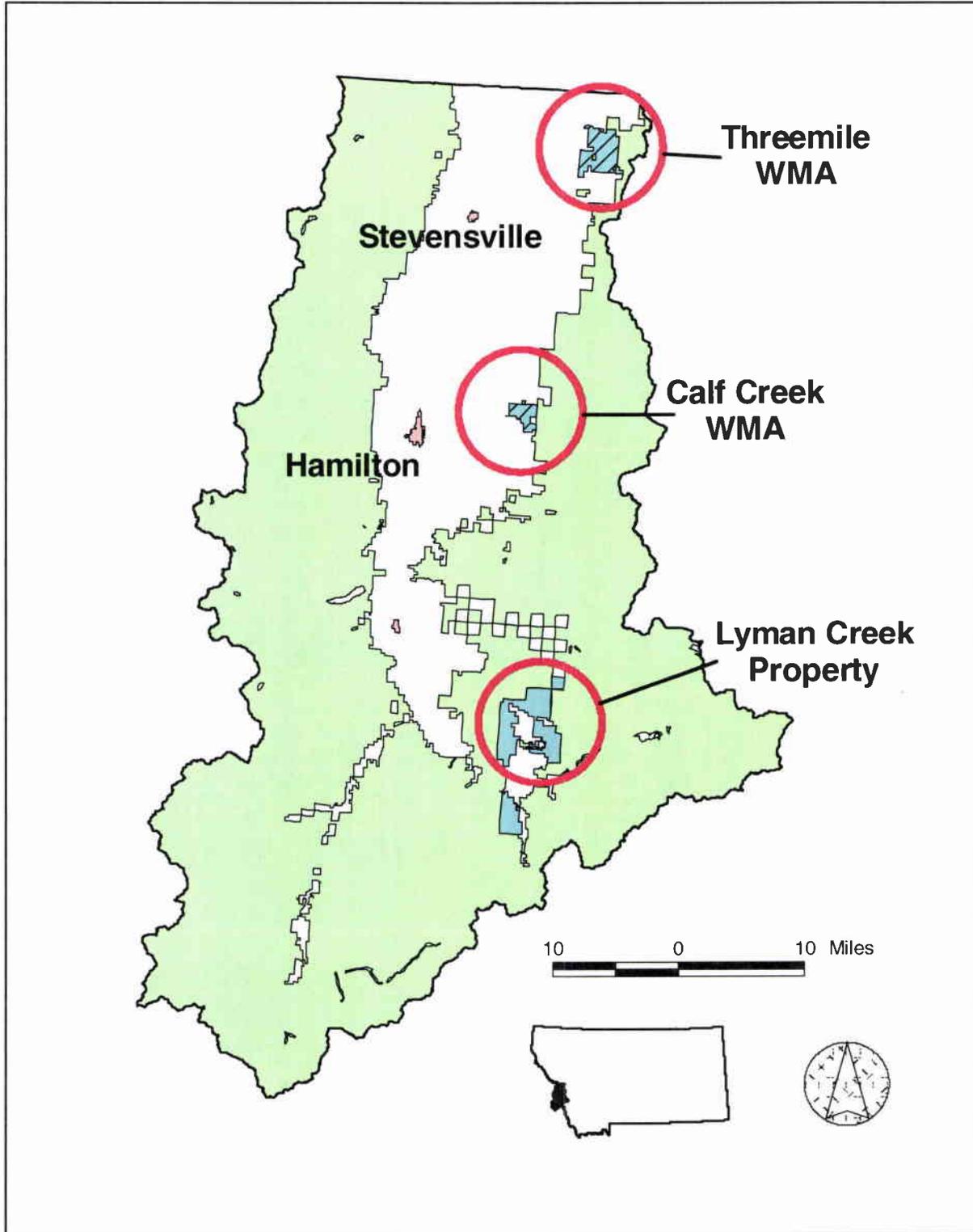


Figure 1. Ravalli County showing the location of the Lyman Creek Property and the Calf Creek and Threemile WMAs. Forest Service land is shown as green, DNRC is blue, and FWP's WMAs are crosshatched blue.

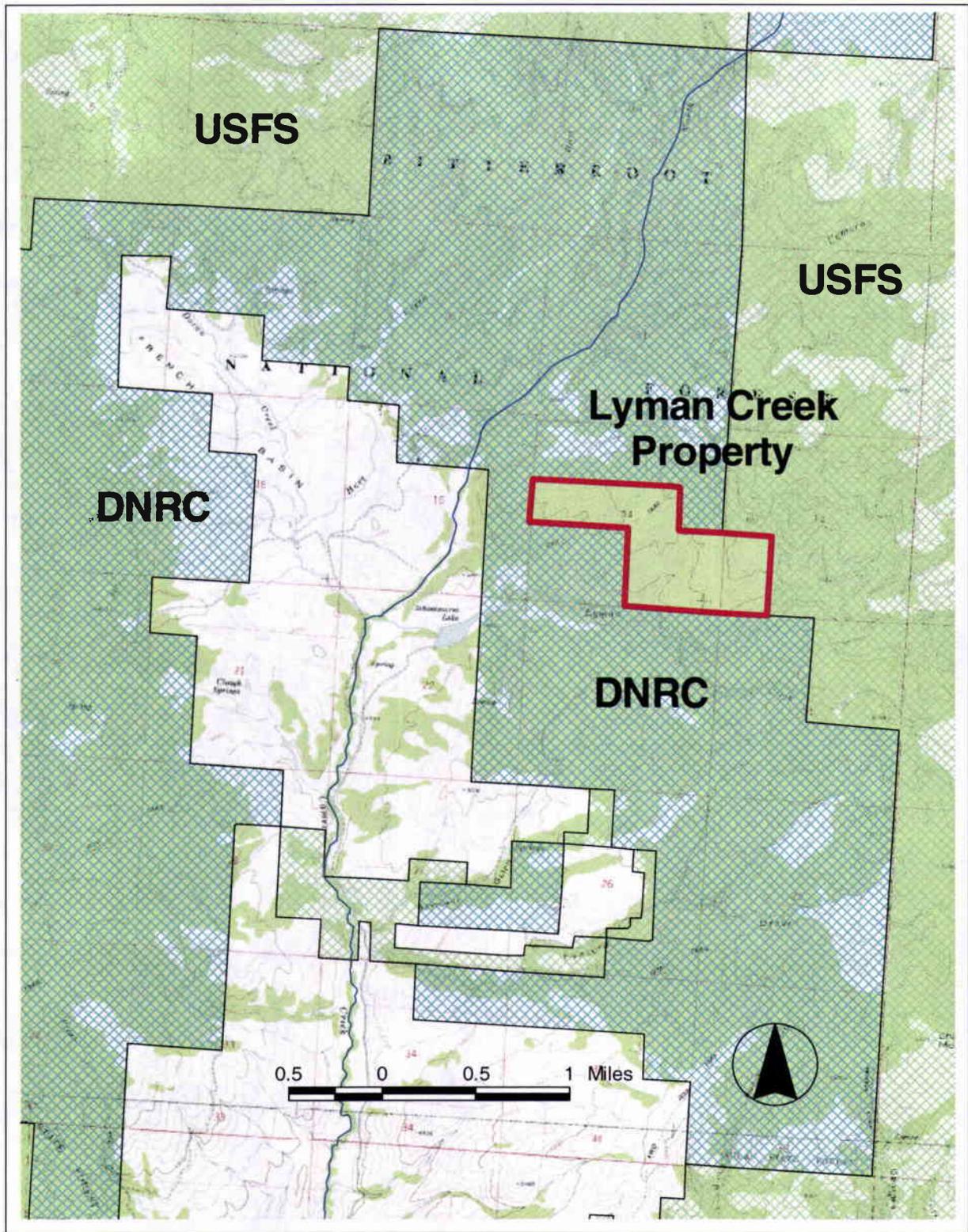


Figure 2. The Lyman Creek Property and surrounding DNRC and Forest Service lands in southern Ravalli County.

Creek flows along a portion of the south boundary and two smaller streams with stretches that may occasionally go dry run through the property and drain into Lyman Creek. Forest habitat is mostly a lodgepole pine type with scattered Douglas fir and some stringers of spruce/fir along small drainages. It currently supports understory grass and early seral forest following either logging or being burned during the extensive Bitterroot forest fires in 2000.

The French Basin area, including the Lyman Creek property, supports the highest density of wintering elk in the Bitterroot Valley--typically 800-1,000 plus several hundred mule and white-tailed deer. Elk, deer and other big game including moose, black bear, and mountain lion are found here year round. There are no known grizzly bears in the French Basin area or using the Lyman Creek property, but it is suitable habitat. The federally listed threatened gray wolf is common, and the property was within the denning home range of the Sleeping Child pack until they were destroyed in August 2006 because of conflicts with livestock. Three other wolf packs--the East Fork, Sula and Divide Creek packs--range to within 5 miles. Other predators include coyote, red fox, bobcat, wolverine, badger and smaller forest carnivores including fisher, marten and weasel. Blue, ruffed and spruce grouse are all found here as well as a host of other birds including black-backed woodpecker and great gray owl.

DNRC inholding in Calf Creek WMA--DNRC owns a 160-acre inholding in the east part of the Calf Creek WMA bordered on the north, west and south by the WMA and on the east by Forest Service (Fig. 3). This tract is currently leased to FWP by DNRC for grazing management. Elevations of this quarter section of land range from 5,200 to 5,920 feet, and aspects vary because of a ridge that runs south to north through it's middle. Roughly the western half is a west aspect while in the eastern half is a small north-flowing creek with adjacent aspects being both east and west. Habitat types on the western half are a mix of open grasslands and scattered mostly second growth Douglas fir and occasional ponderosa pine. On the east half habitat types are similar but with relatively less open grassland, more and denser conifer canopy cover, and some spruce/fir along the creek.

The Calf Creek WMA and surrounding area is an important elk and deer winter range. It is within the Willow Creek to Skalkaho Creek elk survey area where from 529 to 758 elk have been counted during spring census flights over the last 5 years including up to 227 associated with the Calf Creek WMA. Mule and white-tailed deer also winter on Calf Creek but in lesser numbers, about 50 of each species. Just 5 miles south of the Calf Creek WMA is a major mule deer winter range that typically harbors 500-800 mule deer. The WMA is year round habitat for elk and deer as well as other big game including moose, black bear, and mountain lion. There are no known grizzly bears in the area but gray wolves are present. The WMA is within the home range of the Skalkaho Pack of 10+ animals that denned about 4 miles south of the WMA. Coyote, red fox, and bobcat are common and it would not be unusual for an occasional wolverine, lynx and badger to be found there. Smaller forest carnivores include fisher, marten and weasel. Upland game birds include blue, ruffed and spruce grouse, turkey, and an occasional pheasant and gray partridge. Other birds of note are great gray owl, pileated woodpecker and northern goshawk.

DNRC inholdings in Threemile WMA--The importance of the Threemile area as winter range for elk and deer has long been recognized by FWP. The WMA is the nucleus of a complex of

FWP investments in habitat including its purchase of two adjoining Conservation Easements – the 1,904-acre Brown easement in 1995 and the 5,355-acre Bolin Easement in 1997 (Fig. 4).

Two DNRC parcels associated with the Threemile WMA are being considered in this proposal: an 80-acre inholding along the western edge of the WMA and a 640-acre section that abuts the WMAs western boundary (Fig. 4). Neither of these tracts are currently leased to FWP by DNRC. Elevation of the 80-acre piece ranges from 4,400 to 4,610 feet on a western aspect. The forest-grassland ecotone bisects this parcel with roughly its western half in open grassland and the eastern being scattered mostly second growth Douglas fir and occasional ponderosa pine.

The 640-acre section is mostly an open, gently sloping, westerly aspect grassland ranging in elevation from 3,830 to 4,390 feet. Spring Gulch runs along the northern boundary, Wheelbarrow Creek flows east to west through the middle of the section and Grayhorse Creek flows through the southwest corner. Two major ridge complexes favored by deer and elk as winter foraging areas traverse this parcel, one between Spring Gulch and Wheelbarrow Creek and the other between Wheelbarrow and Grayhorse Creeks.

The Threemile WMA and surrounding area provide important winter habitat for about 150-250 elk and a lesser number of mule and white-tailed deer. Some elk and deer can be found here year-round along with moose, black bear and mountain lion. There are no known grizzly bears in the area but gray wolves have been reported. Coyote, red fox, and bobcat are common and it would not be unusual for an occasional wolverine, lynx and badger to be found there. Smaller forest carnivores include fisher, marten and weasel. Upland game birds include blue, ruffed and spruce grouse, turkey, and an occasional pheasant and gray partridge. Other birds of note are great gray owl, pileated woodpecker and northern goshawk.

Problem Synthesis/Rationale

FWP's interest in acquiring the Lyman Creek property and subsequently transferring ownership through an exchange with DNRC is to protect wildlife habitat values of this property in the future and enhance public access. This threat of habitat loss is probable because of a strong market for such properties for either a single recreational buyer or to be divided into smaller acreages for development. In either case, its value as wildlife habitat would be compromised and it is likely that public access would be denied. The potential replacement of elk and deer winter range with houses, fences, driveways, garages, barns, and other structures constitutes a direct loss of winter habitat values for elk and deer populations. Human activity associated with residential areas, including vehicle traffic, livestock, pets and outdoor recreation, would displace elk and deer from otherwise suitable habitat within an expanded radius around the homes. Additional explorations by pets and humans into the surrounding area are predicted causing further displacement of animals. Future residents may put out food to attract wintering deer and elk, which would disrupt natural movements and habitat-use patterns, concentrate animals in a manner that would degrade native habitats, increase the probability of disease transmission, and attract predators like mountain lions that are unwanted near houses. The potential for these impacts to wildlife, as well as lost access and recreational opportunities for the general public, would increase as

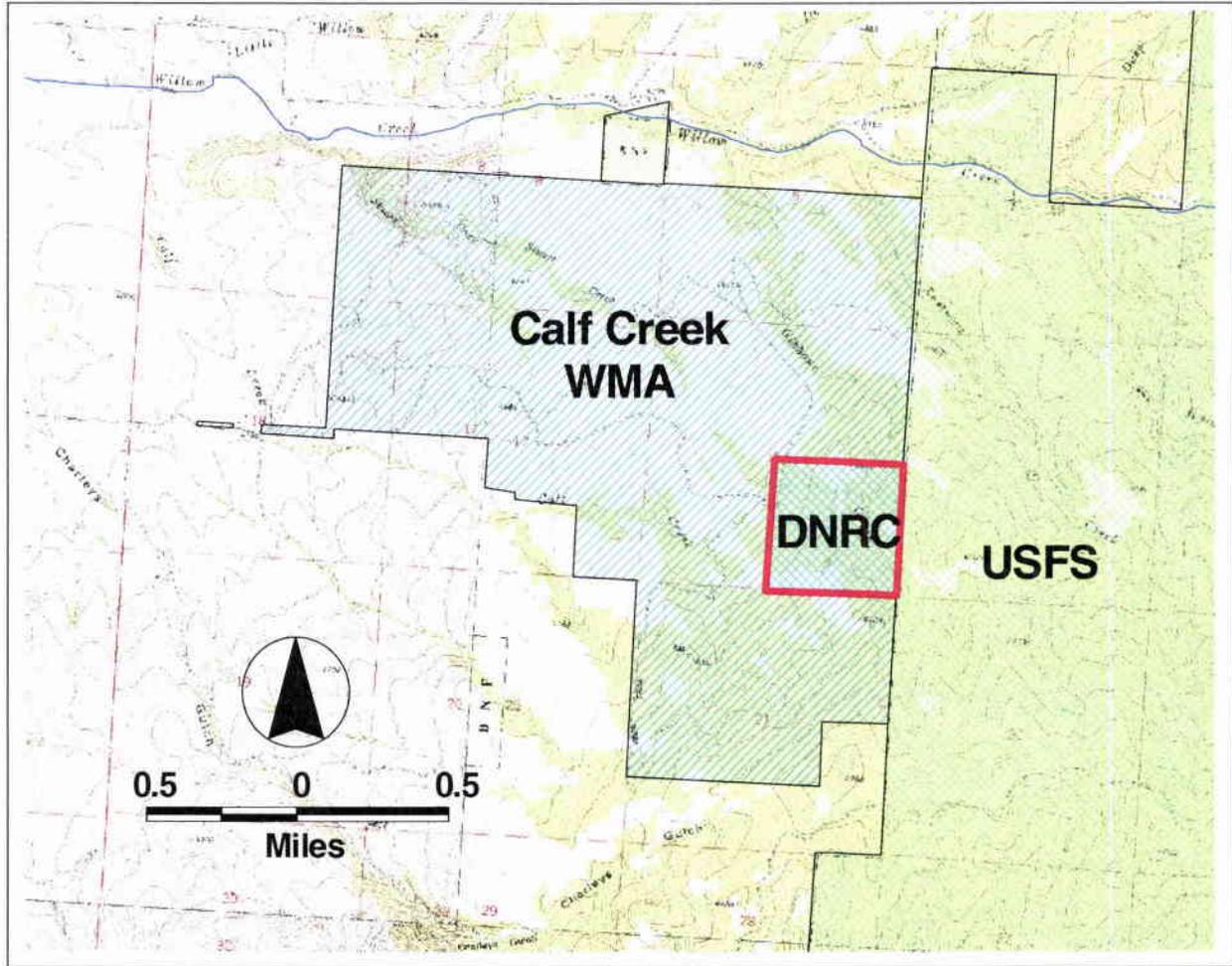


Figure 3. The Calf Creek WMA showing a 160-acre DNRC inholding and adjacent Forest Service land.

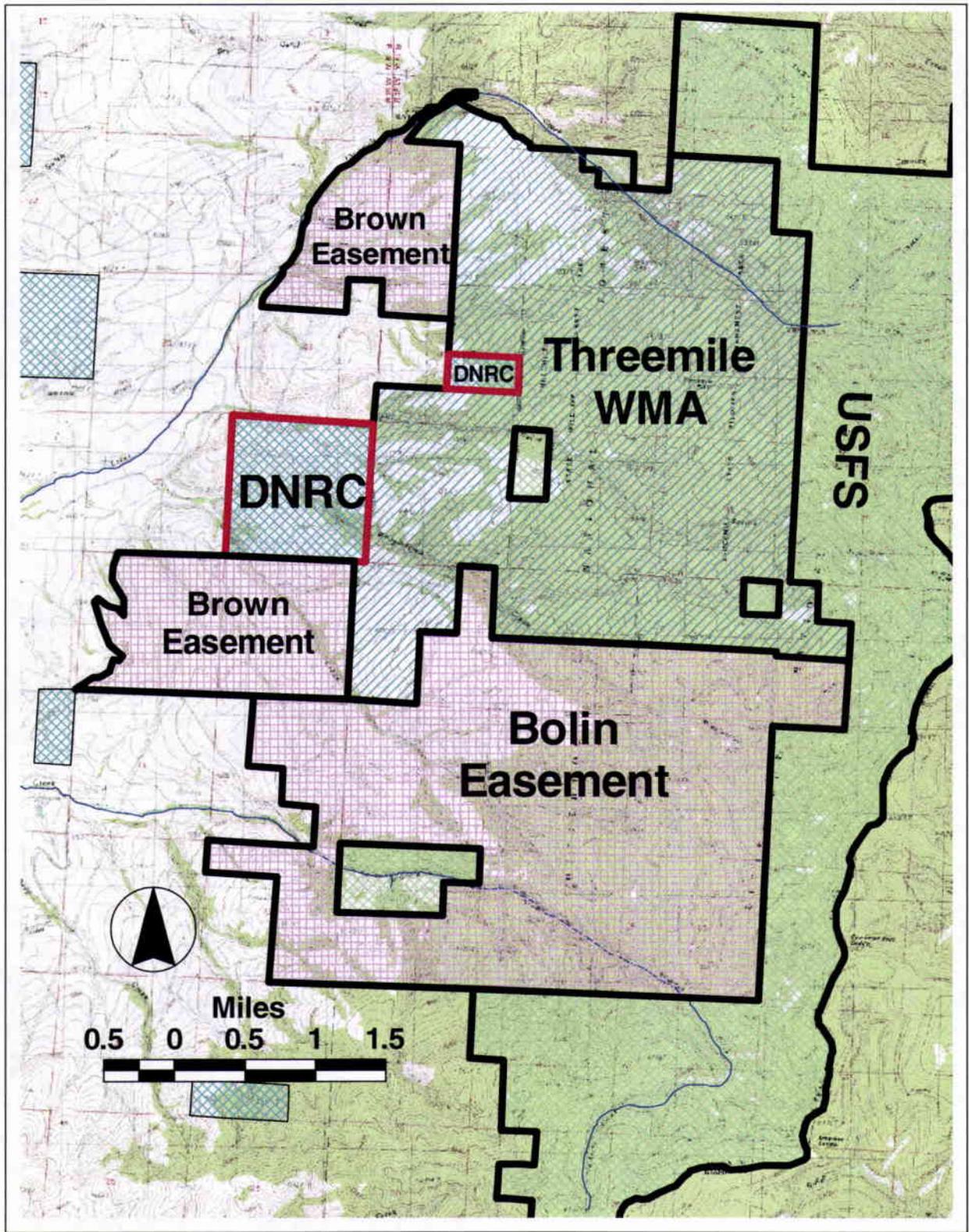


Figure 4. The Threemile WMA and surrounding FWP Conservation Easements and the DNRC lands considered for acquisition by trade from the DNRC.

housing densities increased. Serious impacts could occur with only one poorly located and managed homesite on the Lyman Creek property.

FWP's interest in acquiring DNRC inholdings on the Calf Creek and Threemile WMAs is to protect habitat by blocking up ownership, simplify management, and enhance hunting and other wildlife-related recreation. This would guarantee that the land would be managed for wildlife in perpetuity. These properties are within or adjacent to FWP WMAs but managed by DNRC. FWP ownership will facilitate wildlife-oriented fencing, habitat enhancement, weed control, grazing, and access. Under FWP ownership these parcels would be protected from development and become part of the current rest-rotation grazing program on the Threemile WMA and any future habitat enhancement projects.

This proposed project would be a win-win for FWP, DNRC, and the public because it would block up and simplify management for both state agencies and provide the public with additional access in the French Basin area and additional lands managed specifically for wildlife on the Calf Creek and Threemile WMAs.

DESCRIPTION OF THE PROPOSED ACTION

FWP proposes to purchase the 367.92 acres for \$625,500.00 using Habitat Montana Funds and other financial assistance from RMEF. A second phase of the proposal is to exchange the property with DNRC for inholdings of equal value on the Calf Creek and Threemile WMAs. RMEF acquired an option to purchase the Lyman Creek property when it came on the market and was able to move quickly to secure this important parcel of private land with the intention of transferring the property into public ownership. It is understood that RMEF is only holding the option for a short time until FWP can complete its public review and approval process.

If the DNRC-FWP exchange is also approved and completed, DNRC would assume management of the Lyman Creek property and FWP would assume management of the former DNRC land in the Calf Creek and Threemile WMAs including the long-term costs of land management as part of its continuing management program for these WMAs.

FWP's purpose for purchasing the Lyman Creek property and exchanging it with DNRC is to protect important habitat for deer, elk and other wildlife by helping to put it into public ownership. This is a key property for wildlife and for public recreation because it is winter range surrounded by DNRC and Forest Service public land.

If the subsequent land exchange is approved transferring the Lyman Creek property to DNRC and the DNRC tracts to FWP, FWP would manage habitat on the Calf Creek and Threemile WMAs to enhance forest and grassland forage for elk and deer. FWP would manage public access and recreation in keeping with traditional FWP practices in Hunting Districts 204 and 261. A draft management plan for these management areas is attached in Appendix A, which more thoroughly explains FWP's proposed management direction and strategies for the properties.

Benefits of the Proposed Action

The proposed land purchase and exchange would realize major benefits to wildlife and the public. It would protect the Lyman Creek wildlife habitat values through DNRC's public ownership and management. The proposed action would directly benefit 800-1,000 elk and several hundred mule and white-tailed deer that winter in French Basin, plus benefit the elk, deer and other wildlife that use the Lyman Creek property year round. There would also be the added public benefit of recreational access in an area where access has been an issue because of the Lyman Creek inholding that has proved a hindrance to people wanting to traverse from one area to another on this part of the Sula State Forest and Bitterroot National Forest.

The acquisition of land through a land exchange between DNRC and FWP at the Calf Creek and Threemile WMAs would directly benefit about 500 elk and numerous mule and white-tailed deer that winter on these WMAs as well as elk, deer and other species that use the WMAs year round.

ALTERNATIVES TO THE PROPOSED ACTION

FWP considered the alternative of taking no action regarding this purchase and exchange. The no-action alternative would risk the future development of the Lyman Creek property that could negatively impact elk and mule deer winter range. Moreover, as a private inholding surrounded by public land, it may continue to not be available to the public and may continue to block non-motorized travel. FWP and other public recommendations in proposed actions on the property would not be solicited to determine the occurrence, pace, timing and type of proposed development or use. FWP would retain the option to comment to the Ravalli County Commissioners on proposed land subdivisions under existing subdivision laws.

The fate of the DNRC lands considered for acquisition by FWP through exchange in this proposal is uncertain under the no action alternative. There is no guarantee that they will remain in public ownership or be managed primarily to benefit wildlife. Parcels like those within or adjacent to the Calf Creek and Threemile WMAs would be very appealing to developers, in particular the section 36 adjacent to the Threemile WMA.

ENVIRONMENTAL EFFECTS OF THE PROPOSED ACTION AND NO ACTION

Threatened and Endangered Species

The gray wolf is listed as threatened in Montana, and is present on the subject lands. The Lyman Creek property was within the denning home range of the Sleeping Child pack of 16 members until that pack was destroyed because of conflicts with livestock. Three other wolf packs – the East Fork, Sula and Divide Creek packs – range to within 5 miles of the Lyman Creek property, and it is expected that wolves will repopulate the area in the future. The Calf Creek WMA is within the denning home range of the Skalkaho pack of 10+ wolves. The Threemile WMA is not within the home range of any documented wolf pack, however, tracks and reports of wolves in the area are common. The proposed action would be consistent with the goal of recovering wolf

populations in Montana because it would protect habitat for important prey species (i.e., elk and mule deer) and protect land from development.

Bald eagles are classified as threatened in Montana. There are active nests along the Bitterroot River and the East Fork of the Bitterroot River, but none are known to occur within ½-mile of the subject lands. The nearest known nest to any of the properties is the Sula nest about 5 miles south of the Lyman Creek property. The proposed action would have no impact on bald eagles.

Grizzly bears are classified as a threatened species in Montana. There are no known resident grizzly bears in Ravalli County; however, in 2002 there was a confirmed sighting in the Eightmile Creek drainage that is just a mile north of the Threemile WMA. The proposed action is consistent with the goal of recovering grizzly bear populations in Montana because it would protect lands from development and put a wildlife management emphasis on properties incorporated into the Calf Creek and Threemile WMAs. No action would allow the possibility for increases in potential conflicts with humans if land subdivision or related developments occur.

Canada lynx are classified as a threatened species in Montana. Lynx are likely to occur on any of the properties being considered in this purchase and trade. Completion of the proposed project would benefit lynx by protecting habitat from development and managing land for the good of wildlife. No action could lead to habitat being usurped by development.

Sensitive Species

The properties considered in this proposal have suitable habitat or habitat potential for a number of sensitive species including fisher, wolverine, flammulated owl, great gray owl, black-backed woodpecker, pileated woodpecker, Lewis's woodpecker, northern goshawk, and olive-sided flycatcher. For all sensitive species, the proposed action would provide protection on the subject lands from habitat loss by removing the possibility of future subdivisions or other developments, but no-action could prove detrimental in the long-term by leaving that possibility open.

Elk and Deer Winter Range

The no-action alternative would leave important elk and deer winter on the Lyman Creek property vulnerable to future management decisions by private landowners, who might manage to achieve objectives that do not feature the general public interest in wildlife. Such changes could negatively affect elk and winter range, result in displacement of deer or elk, and/or increase the conflict between private property rights and the public interest in deer or elk. The proposed action would be an overall benefit to elk and deer winter range in Ravalli County; the no action alternative could prove to be a detriment.

Predators and Scavengers

A diversity of wildlife species are associated with, and benefit from, the prey base provided by elk and deer. Humans are the primary predators on deer and elk populations. Mountain lion,

black bear, grizzly bear, gray wolf, coyote, and golden eagle currently prey upon these deer and elk, and predator numbers may be expected to fluctuate with the prey. In addition, magpies, ravens, bald eagles, pine martens, gray jays, goshawks, weasels, and striped skunks feed upon carrion during winter and spring. Antlers and bones are a mineral source for porcupines and other rodents. When deer and elk move to summer range, they feed fisher and wolverine in addition to the predators and scavengers previously noted.

The no-action alternative would leave the elk and deer winter range vulnerable to incompatible future management of the subject lands. A future reduction in elk and deer numbers is a likely possibility under no-action, which would negatively affect--and potentially be exacerbated by--predators and scavengers. The proposed action would maintain habitat for current deer and elk levels, which would be to the benefit of predators and scavengers.

Wetlands/Floodplains

There is no designated floodplain affected by this proposal. Because of streamside management zones described in Montana law, both the proposed action and no-action would have similar neutral effects on the immediate streambanks within the subject lands. The proposed action would provide increased opportunity to manage forest structures and landscapes to develop broader habitats for wildlife, centered on these small watercourses.

Prime or Unique Farmlands

There are no "prime or unique farmlands" or "farmlands of statewide or local importance" on the subject lands, as designated by the Ravalli County Conservation District of the U. S. Natural Resource Conservation Service. Farmlands of local importance are defined as land, in addition to prime and statewide land, that could be farmed, is relatively flat (0-15 percent slopes) and currently non-forested.

Hunting

The Bitterroot Valley is one of the most popular elk hunting destinations in western Montana, and the three areas considered in this proposal--Lyman Creek and the Calf Creek and Threemile WMAs--contribute significantly to that hunting. The Lyman Creek property in the East Fork of the Bitterroot is in the heart of a popular hunting area in hunting district 270. Estimates based on FWP Darby Game Check Station and statewide harvest survey data for that part of the hunting district suggest that an average of 1,200 hunters per year spend 7,800 hunter-days pursuing elk and harvest about 200, half bulls and half antlerless. A record harvest occurred in 2005 with hunters passing through the Darby Check Station checking 475 elk including 178 bulls and 297 antlerless from the East Fork of the Bitterroot. Deer hunting is also popular in the East Fork of the Bitterroot and about 900 hunters each year spend 5,400 days afield and harvest 140 mule deer and 129 whitetails.

There is no check station data that covers the area of the Calf Creek WMA in HD 261 or the Threemile WMA in HD 204. Estimates of hunting in these areas are based on the 1999-2003

statewide hunter harvest survey data and knowledge of elk distribution from annual elk census flights. These data suggest that in the general area including the Calf Creek WMA about 300 elk hunters spend nearly 2,000 days afield and harvest around 50 elk each year, about one third bulls and two thirds antlerless. In the same area about 225 deer hunters spend about 1,300 days and harvest around 10 mule deer and 70 whitetails annually.

Each year in the Threemile WMA area of HD 204 nearly 400 elk hunters hunt more than 2,400 days and harvest about 60 elk, one third being bulls. Also, an estimated 500 deer hunters spend over 2,800 days hunting and harvest about 25 mule deer and 125 whitetails.

The no-action alternative would risk a loss in elk and deer hunting opportunity. The proposed action would benefit hunting within the ranges of affected elk and deer populations by securing favorable, long-term management of important winter range and public access.

Forest management

Upon completion of the proposed action, the Lyman Creek property would be part of the Sula State Forest under DNRC management and objectives. Former DNRC tracts on the Calf Creek and Threemile WMAs transferred to FWP through the proposed DNRC/FWP exchange would be managed by FWP under forest management guidelines outlined in the existing management plans for those WMAs. On property that it owns, FWP is committed to forest management to benefit wildlife. This may include silvicultural treatments to fine-tune habitat features and insure healthy forests to address the needs of diverse wildlife communities, in addition to providing critical winter range for deer and elk. Any future proposal for such treatment would be thoroughly described and analyzed in a MEPA environmental review process with public participation. Under the no-action alternative there would be no public input or control over forest management on the Lyman Creek property. Under the no action alternative the DNRC tracts proposed for exchange to FWP on the Calf Creek and Threemile WMAs would remain in DNRC ownership and managed under DNRC rules.

Public access

Under the proposed action the Lyman Creek property would become part of the Sula State Forest and open to the public. This is a key property for public access. Not only would it provide land for hunting and other recreation, but would make foot and horse travel on the east side of French Basin much easier for people. Because of its lay on the landscape this property has been a difficult barrier for people to negotiate (see Fig. 2).

Current legal year round public access on DNRC lands traded to FWP and incorporated into the Threemile WMA would become more restricted because no access is allowed on the WMA from December 1 to May 15 to minimize disturbance to wintering elk and deer. However, current access to the general public during this time of year is extremely limited, because of surrounding private land.

The 160 acres considered in this proposal within the Calf Creek WMA would continue to be opened for public entry on May 15, subject to standard regulations. Main access roads across the subject lands would be open to motorized travel by the public from May 15 through November 10. Spur roads would remain closed to motorized vehicles.

Livestock grazing

The Lyman Creek property would eventually become part of the DNRC Sula State Forest and be incorporated into its grazing program.

Lands acquired by FWP from DNRC would be incorporated into any existing grazing programs on the Calf Creek or Threemile WMA. Livestock grazing on the WMAs is designed specifically to maintain or enhance forage production for wildlife and protect and enhance riparian areas. There is a three-pasture rest-rotation grazing program in place on about 250 acres of the Threemile WMA. If the proposed project is approved and completed, the delineation of pastures could be re-evaluated and may result in a change to the management plans. If there are any existing grazing leases to other individuals on the Three Mile DNRC tracts proposed for exchange, those leasehold interests must be addressed under DNRC rules. There is currently no livestock grazing on the Calf Creek WMA and FWP holds the grazing lease on the DNRC tract at this time.

No-action would leave the option open for a future lessee or landowner of the Lyman Creek property to graze livestock. One likely scenario for would be grazing by horses, llamas or other riding or pack animals that might be kept at a private residence or hobby ranch. Such grazing often is confined and concentrated on small acreages (pastures), and can result in damage to soil and vegetation.

Air and Water Quality

The proposed action would likely have no effect on air quality on the subject lands. Any effects on air quality would likely be in the form of burning either following logging or as habitat improvement, but it is uncertain if such possible activities would be more or less than under the no action alternative. If such projects were to be considered in the future by either state agency, they would go through their own MEPA analysis.

The potential for impacts to water quality exist along intermittent streams during spring runoff. Under the proposed action, the Lyman Creek property would become part of the Sula State Forest under DNRC management and DNRC inholdings on the Calf Creek and Threemile WMAs would come under FWP ownership and management. The potential for water quality impacts would be less under the proposed action than if vehicle traffic and other human activities increased as a result of development on the subject lands in the future.

Historic and Cultural Resources

Both FWP and DNRC must provide the protections and considerations offered under the Montana Antiquities Act for historic and cultural resources on land each agency owns. No sites of historic or cultural importance are known to exist on the subject lands, but a determination would be required from a qualified archaeologist if FWP proposed to engage in management activities that would impact previously undisturbed sites. At this time, such protections are not afforded historic and cultural resources on the Lyman Creek property while it remains in private ownership.

Impacts on Economies and Communities

Potential economic and human social impacts are addressed in the attached socio-economic assessment (Appendix B). There would be little or no effect on the tax base of Ravalli County because FWP makes annual payments to the county in amounts equal to the property taxes that would be assessed to private citizens (MCA 87-1-603). DNRC does not pay property taxes. In this instance, the taxes on the Lyman Creek parcel were \$227.59 in 2005 and if DNRC eventually receives ownership of the Lyman Creek property through the proposed exchange, that property will no longer be assessed by Ravalli County. Conversely, if the exchange is finalized, FWP will pay property taxes on the properties it will receive from DNRC that were previously not taxable. FWP currently pays over \$8,000 annually to Ravalli County for land it owns.

Cumulative Impacts

No-action could ultimately contribute to the cumulative regional and local loss of wildlife habitat in general, and deer and elk winter range in particular, if the subject lands are managed in a manner incompatible with the requirements of elk and mule deer for winter habitat. Relatively minor future losses in habitat or habitat security on subject lands would contribute to a larger cumulative loss of winter habitat for elk, considering social constraints on winter elk distribution in modern times. Conversely, the proposed action would not be expected to contribute to a cumulative impact in a measurable way and would conserve winter habitats for deer and elk.

PUBLIC INVOLVEMENT

RMEF helped FWP identify issues and strategies in summer 2006 that ultimately led to development of this proposal. FWP has consulted with potentially affected agencies and neighbors including DNRC and the Bitterroot National Forest in the origination of this proposal.

Formal public participation specific to FWP's proposed purchase of 367.92 acres from RMEF and subsequent trade with DNRC will begin with the availability of this draft environmental assessment (EA) for public review and comment. The availability of this EA for public review will be advertised in the local, Missoula-area, and statewide media, and a copy of the draft EA will be mailed to all parties who indicate an interest in this proposal. The public review period will be from October 16 through November 15, 2006. A public hearing will be held at the Daly-Leach Chapel at 1010 West Main in Hamilton on October 30, 2006 at 7:00 P.M. After reviewing

public input, FWP will revise and finalize the draft EA and prepare a record of decision. The Fish, Wildlife and Parks Commission and the Land Board will be asked to render a final decision on this proposal at the regularly scheduled meeting of each body in December 2006, based upon a thorough review of public comment.

Comments should be addressed to John Vore; Montana Fish, Wildlife & Parks; P.O. Box 1408, Hamilton, MT 59840 (phone 406-375-2273; email jvore@mt.gov). Comments must be received no later than November 15, 2006 to ensure their consideration in the decision-making process.

NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

Based on an evaluation that the proposed action will not have a significant impact on the physical and human environment, under MEPA, the proposed action is not a significant action affecting the physical and human environment. Therefore, an environmental impact statement is not a necessary level of review.

Please note again that if the acquisition of the Lyman Creek property is approved, a separate Environmental Assessment will be completed to solicit additional public comment on the DNRC/FWP land exchange proposal as required under DNRC exchange procedures.

Appendix A.

Proposed Lyman Creek Project DRAFT MANAGEMENT PLAN

INTRODUCTION

Montana Fish, Wildlife & Parks (FWP) proposes to purchase a 367.92-acre inholding near Lyman Creek on the Sula State Forest from the Rocky Mountain Elk Foundation (RMEF) for the appraised value of \$625,500.00 and trade it to the DNRC for inholdings on the Calf Creek and Threemile Wildlife Management Areas (WMAs). The RMEF initially bought the Lyman Creek property because when it came on the market they were able to move quickly to secure this important parcel of private land and hold it until FWP could arrange for its purchase and trade to DNRC. It is understood that RMEF, and in turn FWP, are only holding it for a short time. All the mentioned properties are in Ravalli County.

This plan focuses on FWP's long-term management direction for the inholdings on the Calf Creek and Threemile WMAs. FWP's acquisition of these inholdings is the end result of this proposed transaction, and FWP's investment from the Habitat Montana Program will ultimately rest with these inholdings, as will FWP's future management responsibilities.

FWP's proposed purchase of the Lyman Creek property will enable DNRC to block-up public access in this highly valued hunting area, upon exchanging the WMA inholdings to FWP. FWP will hold the Lyman Creek property only for as long as it takes to complete its exchange to DNRC, which is expected to consume only a few months. While in temporary ownership, FWP will undertake no direct management activities on the Lyman Creek property (e.g., timber management, weed management, fencing, road stabilization), but will focus its time and efforts instead on completing the land exchange with DNRC. In the unlikely event that FWP foresees owning the Lyman Creek property into the growing season of 2007, FWP will reopen this management plan to consider a maintenance level of weed management and other short-term management needs.

AREA DESCRIPTION

DNRC Inholding in Calf Creek WMA – The DNRC owns a 160-acre inholding in the east part of the Calf Creek WMA bordered on the north, west and south by the WMA and on the east by Forest Service. Elevation of this quarter section of land ranges from 5,200 to 5,920 feet, and aspects vary because of a ridge that runs south to north through its middle. Roughly the western half is a west aspect while in the eastern half is a small, north-flowing creek with adjacent aspects being both east and west. Habitat types on the western half are a mix of open grasslands and scattered mostly second growth Douglas-fir and occasional ponderosa pine. On the east half habitat types are similar but with relatively less open grassland, more and denser conifer canopy cover, and some spruce/fir along the creek.

The Calf Creek WMA and surrounding area is an important elk and deer winter range. It is within the Willow Creek to Skalkaho Creek elk survey area where from 529 to 758 elk have been counted during spring census flights over the last 5 years, including up to 227 associated with the Calf Creek WMA. Mule and white-tailed deer also winter on Calf Creek but in lesser numbers, about 50 of each species. Just 5 miles south of the Calf Creek WMA is a major mule deer winter range that typically harbors 500-800 mule deer. The WMA is year round habitat for elk and deer as well as other big game including moose, black bear, and mountain lion. There are no known grizzly bears in the area but gray wolves are common. The WMA is within the home range of the Skalkaho Pack of 10+ animals that have denned about 4 miles south of the WMA. Coyote, red fox, and bobcat are common and it would not be unusual for an occasional wolverine, lynx and badger to be found there. Smaller forest carnivores include fisher, marten and weasel. Upland game birds include blue, ruffed and spruce grouse, turkey, and an occasional pheasant and gray partridge. Other birds of note are great gray owl, pileated woodpecker and northern goshawk.

DNRC Inholdings in Threemile WMA –Two DNRC parcels associated with the Threemile WMA are being considered in this proposal: an 80-acre inholding along the western edge of the WMA and a 640-acre section that abuts the WMAs western boundary. Elevation of the 80-acre piece ranges from 4,400 to 4,610 feet on a western aspect. The forest-grassland ecotone bisects this parcel with roughly its western half in open grassland and the eastern being scattered mostly second growth Douglas-fir and occasional ponderosa pine.

The 640-acre section is mostly an open, gently sloping, westerly aspect grassland ranging in elevation from 3,830 to 4,390 feet. Spring Gulch runs along the northern boundary, Wheelbarrow Creek flows east to west through the middle of the section and Grayhorse Creek flows through the southwest corner. Two major ridge complexes favored by deer and elk as winter foraging areas traverse this parcel, one between Spring Gulch and Wheelbarrow Creek and the other between Wheelbarrow and Grayhorse Creeks.

The importance of the Threemile area as winter range for elk and deer has long been recognized by FWP. The WMA is the nucleus of a complex of FWP investments in habitat including its purchase of two adjoining Conservation Easements – the 1,904-acre Brown easement in 1995 and the 5,355-acre Bolin Easement in 1997. The area provides important winter habitat for about 150-250 elk and a lesser number of mule and white-tailed deer. Some elk and deer can be found here year-round along with moose, black bear and mountain lion. There are no known grizzly bears in the area but gray wolves have been reported. Coyote, red fox, and bobcat are common and it would not be unusual for an occasional wolverine, lynx and badger to be found there. Smaller forest carnivores include fisher, marten and weasel. Upland game birds include blue, ruffed and spruce grouse, turkey, and an occasional pheasant and gray partridge. Other birds of note are great gray owl, pileated woodpecker and northern goshawk.

CALF CREEK WMA MANAGEMENT PLAN

FWP's management direction for the inholding at Calf Creek WMA would be folded into the existing management plan for Calf Creek WMA, which was implemented in 1998 with

extensive local public involvement as provided under the Montana Environmental Policy Act (MEPA). The entirety of the MEPA process is preserved in files at FWP Region 2 headquarters in Missoula, and the tenets of the approved plan are summarized in a brochure also available from FWP, Region 2. Goals and objectives for the management of Calf Creek WMA are:

Goal: FWP strives to maintain and enhance native plant communities on Calf Creek WMA as habitat for a diversity of wildlife species, emphasizing elk winter range. Secondly, FWP strives to provide hunting and other outdoor recreational opportunities, while avoiding conflicts with the overriding purpose of providing elk winter habitat.

Objectives:

- Maintain and enhance native sagebrush-grasslands and forests, and prescribe management that mimics natural processes and enhances ecologic integrity and function.
- Maintain and enhance streambank stability and ecologic diversity (horizontal and vertical) of native plant communities and associated animal life in riparian zones.
- Prevent soil erosion and enhance elk forage quantity and quality in non-native grasslands.
- Provide space, cover and natural forage to support 200 elk through winter and early spring.
- Recognize habitat values on neighboring private lands and impacts of WMA management on neighboring landowners. Develop and enhance cooperating working relations with neighbors.
- Encourage and coordinate hands-on community involvement in education programs, property maintenance, habitat management, and research.
- Develop regulations that enhance recreational opportunities for which Calf Creek WMA is uniquely suited and recognized: hiking, horseback riding, and walk-in hunting for elk and deer.

THREEMILE WMA MANAGEMENT PLAN

Similarly, FWP's management direction for the inholdings at Threemile WMA would be folded into the existing management plan for Threemile WMA, which was implemented in 1992 with extensive local public involvement as provided under the Montana Environmental Policy Act (MEPA). The entirety of the MEPA process is preserved in files at FWP Region 2 headquarters in Missoula, as well as the final plan. Goals and objectives for the management of Threemile WMA are:

Goal: Restore and sustain the natural productivity of the ponderosa pine/bunchgrass/riparian ecotone extending from Threemile Creek to Ambrose Creek, including Threemile WMA and adjacent ownerships, to retain a wide variety of potential management alternatives for future generations. ...provide high-quality winter range for elk and mule deer, as well as compatible public recreational opportunities.

Objectives:

- Reduce soil erosion and stream siltation.

- Enhance natural soil development processes.
- Control noxious weeds in all nonforested areas and along open roads, and prevent infestations in weed-free areas.
- Maintain and enhance native plant communities, emphasizing bunchgrass, ponderosa pine, and riparian communities.
- Create a partnership for elk management and land stewardship with affected, adjacent private landowners.
- Increase the Threemile WMA elk herd from 130 to 250, and assess the larger herd's relationship to the economic and environmental carrying capacities of the winter range.
- Inventory the WMA mule deer herd and maintain its numbers commensurate with future assessments of winter range carrying capacity.
- Conduct a baseline inventory of all wildlife species on Threemile WMA and develop habitat restoration programs as appropriate to provide for the needs of declining endemic species.
- Manage public access to provide a diversity of wildlife-related recreational opportunities and prevent serious conflicts with other objectives.
- Increase public awareness and appreciation of the Threemile WMA.

NOXIOUS-WEED MANAGEMENT

The spread of existing noxious weed species and the introduction and establishment of new exotic species are among the greatest risks to native plant communities and wildlife habitat across Montana. Accordingly, both the Calf Creek and Threemile WMA management plans emphasize weed management strategies, and implementation of these strategies has occurred as planned across both WMAs.

The Calf Creek parcel is significantly forested, providing limited opportunity for noxious weed establishment and spread. Potential future forest management activities would be conducted in a manner that minimizes roads, skidtrails, and other disturbances of the soil surface, and would be followed with inspections and herbicide treatments of log landings, roads, and other disturbed areas as needed. Grassland portions of the Calf Creek parcel would be folded into the existing program of biological and periodic chemical controls for spotted knapweed. Informed recreationists—typically horseback riders in the summer—report new weed occurrences and FWP responds with eradication or control measures as the situation dictates.

The Threemile parcels are relatively arid, with erosive, granitic soils and grassland-dominated vegetation types. These sites are prone to invasion by spotted knapweed and Dalmatian toadflax, and would require active weed management. The need for active weed management is accentuated by the proximity of these parcels to private property. FWP would fold these parcels into the continuing and successful chemical weed-control program at Threemile WMA, using a helicopter to apply selective herbicides at the minimum necessary rate

and frequency. Biological controls, such as *Cyphocleonus*, would be supplemented to improve the effectiveness and reduce the frequency of chemical applications.

PUBLIC ACCESS MANAGEMENT

All parcels would be folded into the existing travel management plans for the respective WMAs. In all cases, public access would be restricted from December 1 through May 14 annually. In all cases, public access by non-motorized means would be allowed from May 15 through November 30 annually. None of the subject parcels are directly accessible via open roads. The Calf Creek parcel requires a hike or horseback/mountain-bicycle ride of 2 miles to access it. Open roads pass within ¼-mile and 1 mile of the subject parcels on Threemile WMA.

GRAZING PLAN

A livestock grazing alternative was reviewed in the draft Calf Creek WMA management plan, but was not selected in the final decision. Therefore, FWP would not plan to graze livestock on the Calf Creek parcel. FWP is the current lessee of this parcel under DNRC ownership.

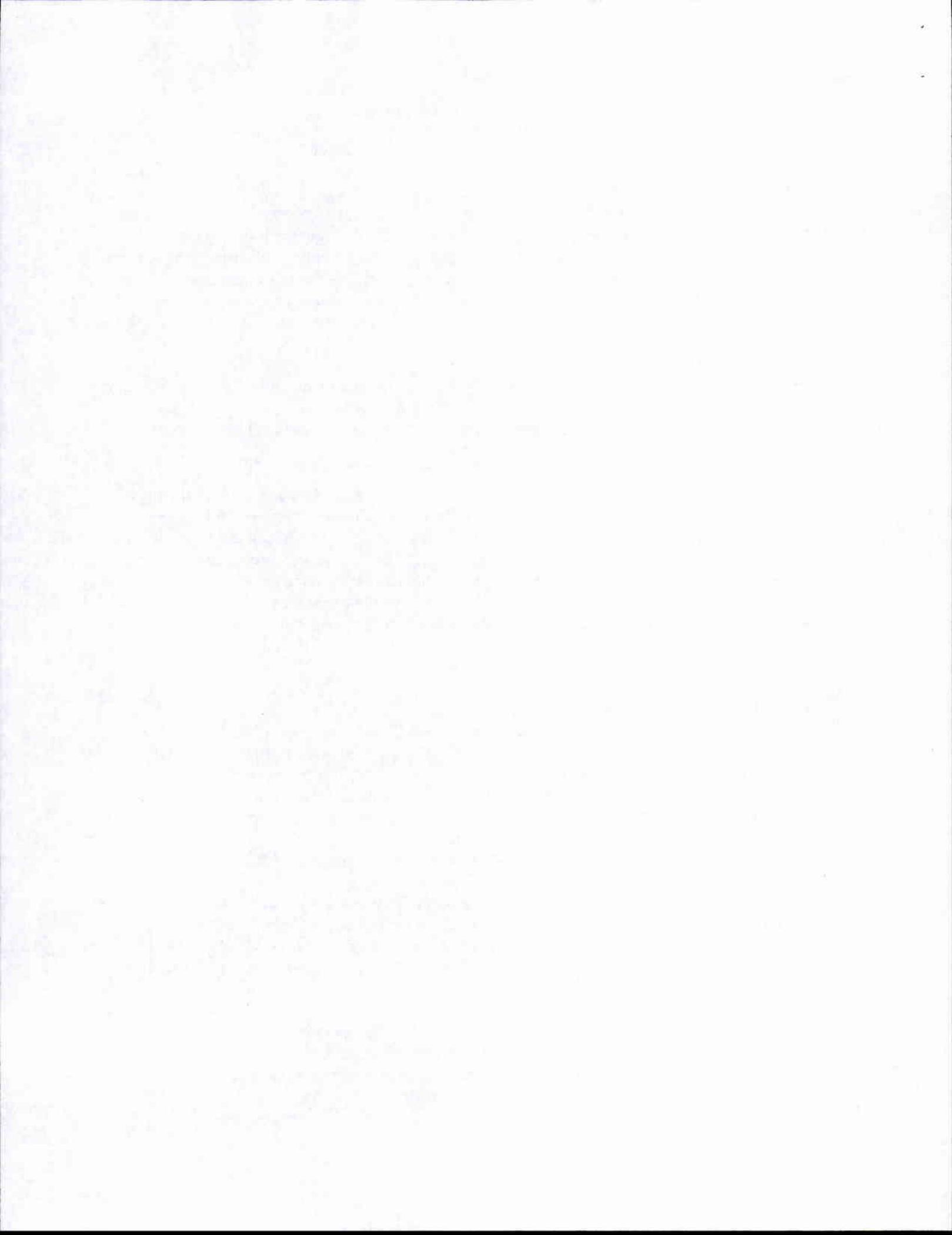
Livestock grazing to manage vegetation quality for wildlife is an option available to FWP under the current management plan for Threemile WMA. Presently, private landowners lease the subject parcels for cattle grazing under DNRC ownership. FWP would attempt to work with both landowners to continue livestock grazing on these parcels under a prescription that employs rest-rotation principles on appropriate portions of the pertinent private lands, as well as the newly acquired FWP parcels. Each customized grazing plan would blend ranch objectives with the wildlife habitat purposes of the WMA. Failing agreement between the private landowners and FWP on grazing management practices for the subject parcels, FWP would suspend livestock grazing on these parcels.

FOREST MANAGEMENT

Both the existing Calf Creek and Threemile WMA management plans purposely stop short of prescribing forest management, choosing instead to address forest management in separate planning and review processes as needs arise. The Calf Creek parcel is in greatest need of forest management, due to apparent evidence of insect damage to mature trees. FWP's plan for the near-term would be to inventory forest stands on the Calf Creek parcel to identify risks to forest sustainability, and opportunities for habitat enhancement. Any proposal for timber harvest would be proposed and reviewed under MEPA in a separate process.

FWP is currently evaluating the need and opportunities for forested habitat enhancement at Threemile WMA. Should a proposal be drafted, it will be carried forward to the public for input and review in a separate process. The subject parcels at Threemile WMA, particularly the 80-acre parcel, would be evaluated as part of this separate forest management review at that time.

In all cases, FWP's forest management would be focused toward recruiting old trees on forested habitat types, protecting stands of old trees from stand replacing fires in appropriate habitat types, removing trees that have replaced natural grasslands in the absence of fire, and recruiting snags and aspen to enhance wildlife diversity.



Appendix B.

LYMAN CREEK
FEE TITLE ACQUISITION
SOCIO-ECONOMIC ASSESSMENT

MONTANA FISH, WILDLIFE & PARKS

Prepared by:
Rob Brooks
October, 2006

I. INTRODUCTION

House Bill 526, passed by the 1987 Legislature (MCA 87-1-241 and MCA 87-1-242), authorizes Montana Fish, Wildlife & Parks (MFWP) to acquire an interest in land for the purpose of protecting and improving wildlife habitat. These acquisitions can be through fee title, conservation easements, or leasing. In 1989, the Montana legislature passed House Bill 720 requiring that a socioeconomic assessment be completed when wildlife habitat is acquired using Habitat Montana monies. These assessments evaluate the significant social and economic impacts of the purchase on local governments, employment, schools, and impacts on local businesses.

This socioeconomic evaluation addresses the fee title acquisition of the Lyman property to FWP from the Rocky Mountain Elk Foundation. This report addresses the physical and institutional setting as well as the social and economic impacts associated with the proposed fee title acquisition. This evaluation does not address any potential impacts from the proposed land exchange between the Department of Natural Resources & Conservation (DNRC) and MFWP. Those impacts will be evaluated under DNRC exchange criteria to be published in a later Environmental Assessment. At this time the exact legal descriptions of the DNRC tracts are pending appraised values and final identification in order to equally balance the exchange tracts between the agencies.

II. PHYSICAL AND INSTITUTIONAL SETTING

A. Property Description

The 367.92-acre Lyman property is located in Ravalli County on the east side of French Basin and is surrounded by State Forest and Forest Service land. A detailed description of this property is included in the environmental assessment (EA).

B. Habitat and Wildlife Populations

This 368-acre parcel is mainly lodgepole pine type with scattered Douglas-fir. The property and the adjacent lands are important elk wintering range and support large numbers of whitetail and mule deer. Moose, black bear and mountain lions utilize the property year round.

C. Current Use

The Lyman property was burned during the forest fires of 2000 and currently supports early seral forest and grass. No commercial uses occur on the property at this time.

D. Management Alternatives

- 1) Purchase the property fee title.
- 2) No purchase

MFWP Fee Title Purchase

The intent of the Lyman land purchase is to protect and enhance the intermountain grassland habitat, enhance the overall integrity of the state DNRC and Forest Service lands surrounding the property.

No Purchase Alternative

The no purchase alternative requires some assumptions since use and management of the property will vary depending on what future owners decide to do with the property. There is potential for subdivision of this land that would impact the habitat and access opportunities for the public.

III. SOCIAL AND ECONOMIC IMPACTS

Section II identified the management alternatives this report addresses. The fee title purchase will provide long-term protection of important wildlife habitat and consistent management of this land. Section III quantifies the social and economic consequences of the two management alternatives following two basic accounting stances: financial and local area impacts.

Financial impacts address the cost of the fee title transfer to MFWP and discuss the impacts on tax revenues to local government agencies including school districts.

Expenditure data associated with the use of the property provides information for analyzing the impacts these expenditures may have on local businesses (i.e., income and employment).

A. Financial Impacts

Montana Fish, Wildlife & Parks will pay \$625,500.00 for the 367.92-acre parcel to acquire fee title with funding provided from Habitat Montana dollars.

The financial impacts to local governments are the potential changes in tax revenues resulting from the fee title purchase. The sale of this land and subsequent title transfer to MFWP will not change the tax revenues that Ravalli County currently collects on this property. MFWP is required by Montana Code 87-1-603 to pay "to the county a sum equal to the amount of taxes which would be payable on county assessment of the property were it taxable to a private citizen." Current taxes on this land are approximately \$227.00.

B. Economic Impacts

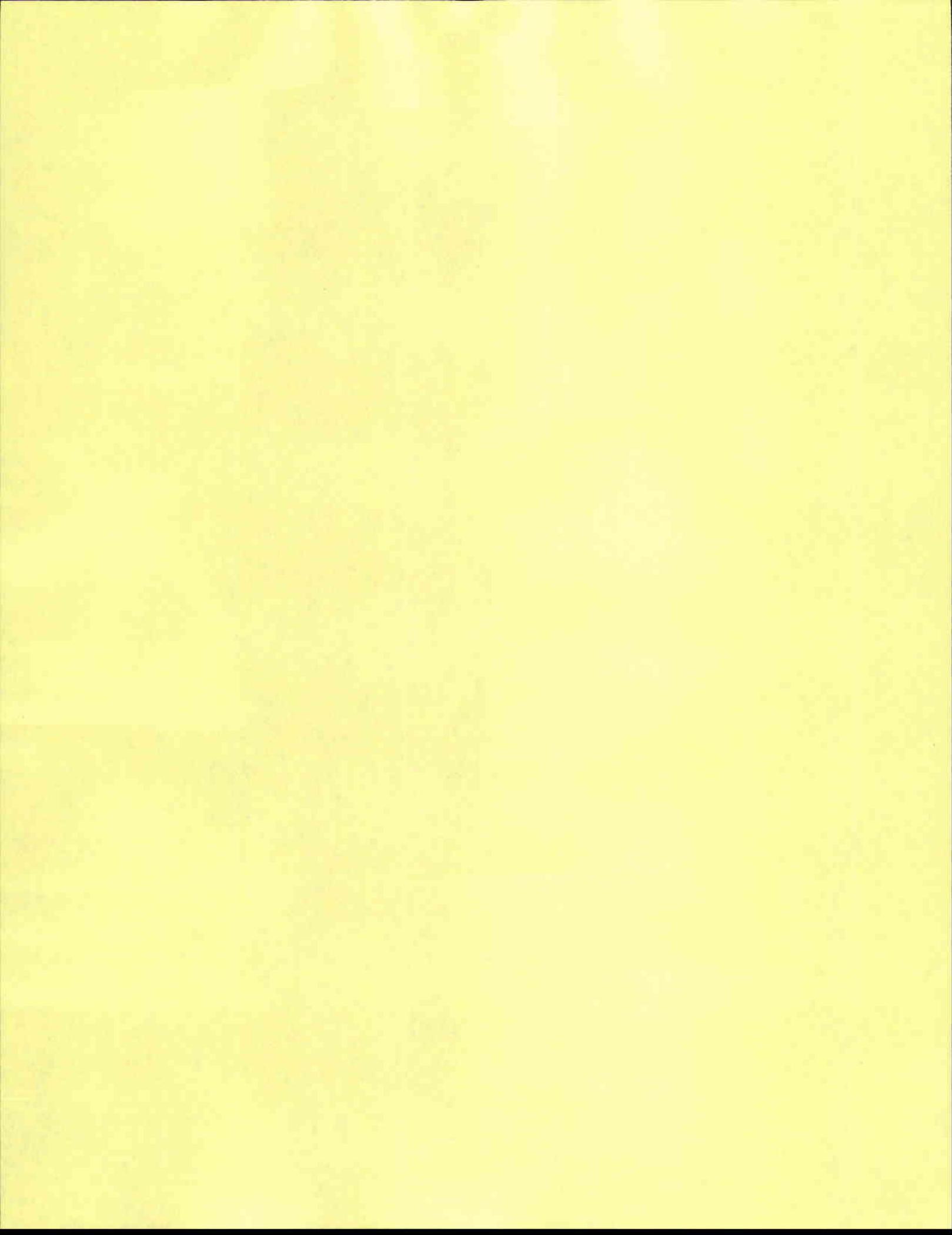
There will not be any significant financial impacts to local businesses associated with the fee title purchase of this land and subsequent ownership by Montana Fish, Wildlife & Parks.

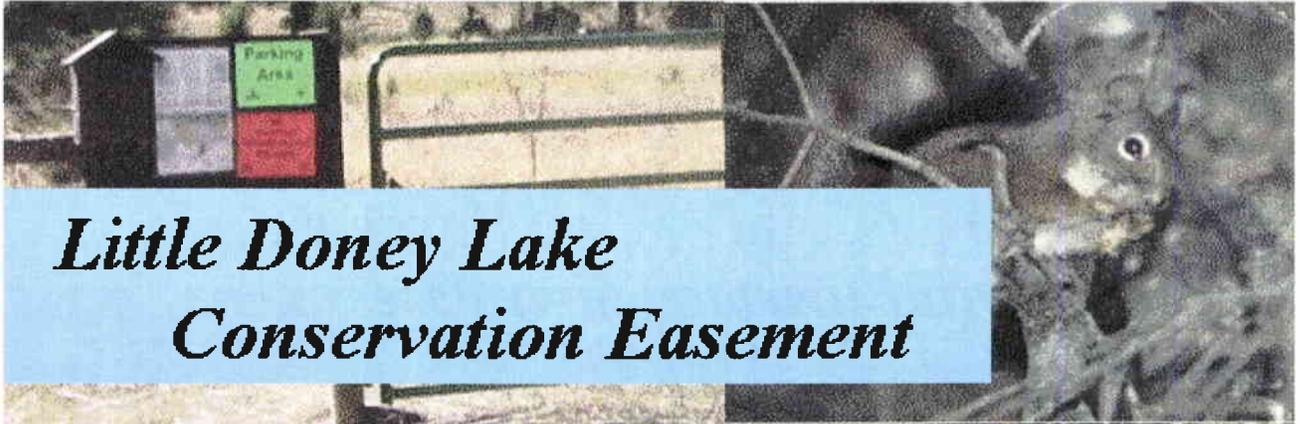
FINDINGS AND CONCLUSIONS

The fee title purchase and title transfer to Montana Fish, Wildlife & Parks will provide long term protection for wildlife habitat, maintain the open space integrity of the land, enhance public recreation opportunities in the French Basin.

The fee title purchase and title transfer to MFWP will not cause a reduction in tax revenues on this property from their current levels to Ravalli County under Montana Code 87-1-603. Overall financial impacts to local business will be minimal. Recreational opportunities will be enhanced which may result in small yet positive impacts for local businesses that provide services to recreationists.

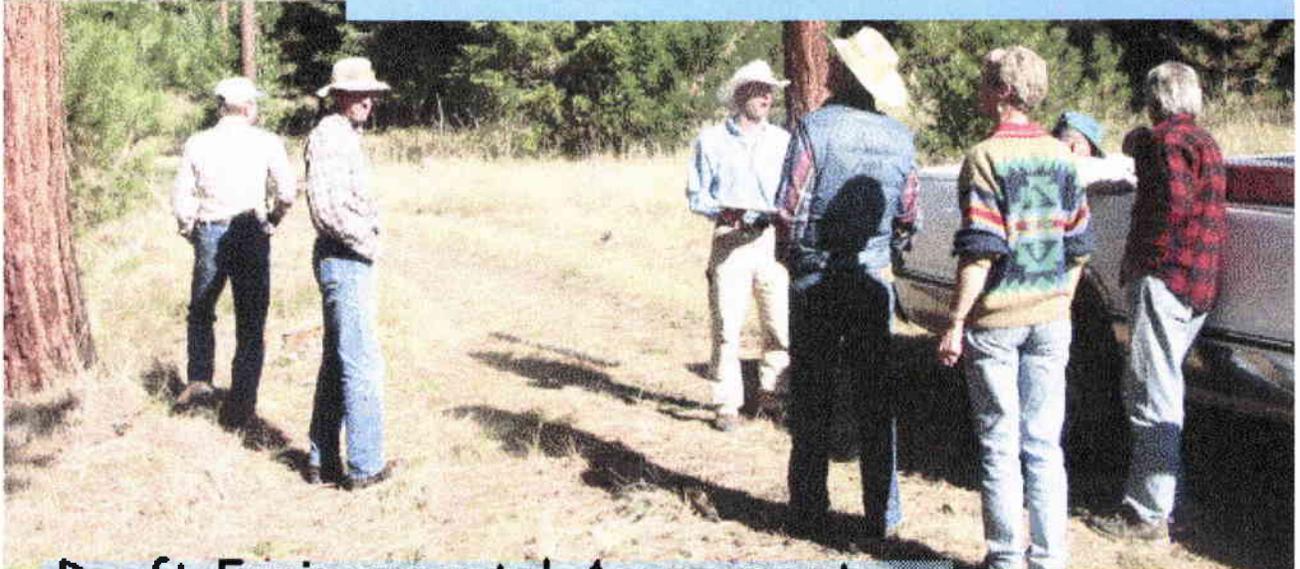






*Little Doney Lake
Conservation Easement*

Jacobsen/Valiton Purchase



**Draft Environmental Assessment
Draft Socio-Economic Assessment
Draft Management Plans**



Montana Fish, Wildlife & Parks

RECEIVED

OCT 23 2006

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

**Little Doney Lake Conservation Easement
and
Jacobsen/Valiton Purchase
Draft Environmental Assessment
October 20, 2006**

A Proposal by
Montana Fish, Wildlife & Parks

to purchase 180 acres adjacent to the
Blackfoot-Clearwater Wildlife Management Area,
Ovando Mountain Unit

and to purchase a Conservation Easement
on the 1,103-acre Little Doney Lake Property

Prepared by:

Montana Fish, Wildlife & Parks
Region 2 Office
Attn: Mike Thompson (Wildlife Manager)
3201 Spurgin Road, Missoula, MT 59804
Phone 406-542-5516
Email mthompson@mt.gov

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INTRODUCTION

Montana Fish, Wildlife & Parks (FWP) invites the public to comment on this proposal to:

1. Purchase approximately 180 acres from the Jacobsen and Valiton families at appraised value;
2. Purchase conservation easements across approximately 1,103 acres in 3 contiguous private ownerships in the area of Little Doney Lake (Little Doney Lake property), at a bargain sale of \$160,000 total.

Funding for these transactions would come from FWP's Habitat Montana Program. Individual private parties own the Jacobsen and Valiton properties, and Plum Creek Timber Company currently owns the Little Doney Lake property. Although surrounded by the Blackfoot-Clearwater Wildlife Management Area (BCWMA), Ovando Mountain Unit, and properties protected by The Nature Conservancy and the U. S. Fish and Wildlife Service, the subject lands are not protected from the possibility of future property sale and subdivision. The land connects the North Fork Blackfoot and Monture Creek drainages with the Big Blackfoot River corridor and the Garnet Range. Due to this position on the landscape, the land is important for connecting seasonal habitats for wide-ranging populations of elk, mule deer, black and grizzly bear, gray wolf, wolverine and lynx. FWP's purpose for purchasing the land is to manage important habitat for deer, elk and other wildlife, and prevent this habitat from being sold and subdivided for residential, commercial or industrial development. Upon assuming ownership, FWP would manage habitat to enhance forest and shrub-field forage for mule deer and elk. FWP would manage public access and recreation in keeping with traditional FWP practices on the BCWMA, Ovando Mountain Unit, and the Ovando Mountain Block Management Area. A draft management plan for the Jacobsen/Valiton proposal, and a separate draft management plan for the Little Doney Lake proposal, are attached as Appendices A and B.

FWP makes annual payments to the counties in lieu of property taxes on lands in its ownership. These payments are equal to the annual property taxes assessed to privately owned property. Further, FWP conservation easements keep private land in private ownership, subject to continued taxation. Therefore, this proposal would not result in a loss of property tax revenue to Powell County.

PURPOSE AND NEED FOR THE PROPOSED ACTION

Statements of Purpose

From the BCWMA long-term management plan (revised 1989)

Objective I: Manage for the maximum sustainable utilization of the winter range by elk, mule deer and white-tailed deer within the following standards:

- Soil condition and development will be maintained or enhanced;
- Adverse impacts to adjacent landowners will be reduced or mitigated;

- The condition of elk and deer populations will be maintained or enhanced;
- Elk and deer populations will be supported by natural winter forage;
- Adverse impacts on other resources such as fisheries, riparian habitats, water quality, native plant communities, and other animal populations will be avoided or mitigated. Opportunities to enhance these resources will be pursued when compatible with elk and deer management (as time and funding allow).

Objective II: Maximize public access and recreation opportunities within the following standards:

- Other WMA objectives (i.e., wildlife) will not be compromised;
- Diverse opportunities for appreciation and enjoyment by the public will be maintained. (Recreation opportunities include hunting, fishing, trapping, touring, camping, picnicking, hiking, bike-riding and horseback riding.)

Purposes specifically addressed by this proposal:

- Protect public investments and progress over the past 50 years toward establishment of an effective and secure winter range (i.e., BCWMA) for elk and deer populations of the North Fork Blackfoot and Monture Creek drainages;
- Prevent the possibility of irreversible habitat loss if key private lands beside the BCWMA are sold in the future and eventually subdivided or developed;
- Maintain and enhance forested forage at the base of Ovando Mountain to address a habitat limitation in periods of harsh winter weather for migratory populations of 500 elk and 200 mule deer;
- Maintain and enhance nonforested shrub-fields that historically expanded winter range for mule deer and elk on lower Ovando Mountain;
- Continue to provide non-motorized hunting opportunities for grouse, bear, deer and elk from September 1 through December 1;
- Achieve these purposes using the most cost-effective means that will allow FWP adequate control over management of habitat and public access on the subject lands in perpetuity.

Authorities/Direction

FWP is authorized by State law to own and manage lands as wildlife habitat. The Montana Fish, Wildlife and Parks Commission (the Commission) is the decision-making authority for matters of land acquisition, disposal or exchange involving FWP-owned properties. Following Commission approval, if granted, the Montana Board of Land Commissioners (the Land Board) reviews land acquisitions, disposals, or exchanges involving FWP-owned properties over 100 acres or \$100,000 in value. FWP's proposed expenditure to complete this project would come from its Habitat Montana Program, under policy adopted by the Commission in 1994. Funding for this proposed purchase is enabled by an act of the 1987 Montana Legislature (MCA 87-1-241-242), known as House Bill 526, which earmarked for habitat acquisition a set portion of the

revenues generated from sales of Montana Sportsman's and nonresident Big Game Combination licenses.

The land to be purchased by FWP in this proposal would be included in the Blackfoot-Clearwater Wildlife Management Area (BCWMA), Ovando Mountain Unit, which was originally purchased with Federal Aid in Wildlife Restoration monies (Project W-30-L) administered by the U. S. Fish and Wildlife Service under the authority of the Pittman-Robertson Act (P-R). Matching funds for acquisition of the BCWMA were provided by FWP from revenues generated by the sale of Montana hunting licenses. FWP uses budgeted license revenues, within spending authority granted each biennium by the Montana legislature, for routine maintenance of the BCWMA. FWP is authorized to use supplemental funds from various public and private sources, which may be awarded under specific conditions for individual maintenance and enhancement projects on the BCWMA and other properties.

FWP established the Ovando Mountain Unit of the BCWMA by purchasing and exchanging lands from 1957 through 1965 for the purpose of carrying on wildlife restoration projects in accordance with P-R. More specifically, FWP manages this property primarily to provide important winter range for elk and deer, as outlined and described in the Application for Federal Assistance (Project W-30-L) and management plan for the BCWMA (on file at FWP, Region 2).

Area Description/Wildlife Resources

The BCWMA comprises about 56,768 acres, with 19,709 acres (35%) in fee-title ownership, and (65%) included under leases with other state and private landowners. The BCWMA is located in the Blackfoot Valley of west-central Montana, clustered along both sides of the Missoula-Powell Counties line, with most of the property lying along the north side of Highway 200 between Blanchard Creek and the North Fork of the Blackfoot River. The nearest communities are Clearwater Junction, Seeley Lake, and Ovando. The wood products, ranching and recreation/tourism industries support the local economy. Missoula is the nearest major population center, located about 45 miles west of the BCWMA.

Ovando Mountain, at 7,799-feet in elevation, is the main topographic feature of the Ovando Mountain Unit of the BCWMA. Douglas-fir forest is the dominant vegetation at upper elevations, grading into ponderosa pine forest around the base of the mountain. The steep sloping, south face of Ovando Mountain covers about 4,000 acres, which constitutes the extent of FWP's ownership in the area west of Monture Creek.

A migratory elk herd depends upon core habitats within the Ovando Mountain Unit of the BCWMA for winter range. FWP studies of radio-equipped elk have documented a yearlong home range of about 120,000 acres for this BCWMA elk herd, with habitually occupied summer ranges extending from lower Monture Creek and the lower North Fork near Ovando to Canyon Creek and Dwight Creek in the Scapegoat Wilderness. Thus, changes in elk habitat on the BCWMA may directly affect opportunities for the public to hunt and view elk across a much larger area in west-central Montana, including portions of the Lolo National Forest and accessible state and private lands.

Portions of the BCWMA also provide important winter range for migratory and resident subpopulations of 200 mule deer and 200 white-tailed deer. The occurrence of nearly 200 wildlife species was documented on the BCWMA in the 1990s (checklist is available from the FWP Missoula office).

Description of Subject Lands

Jacobsen/Valiton

The Jacobsen/Valiton properties are located in north Powell County, about 7.5 miles NE of Ovando, at the base of Ovando Mountain (Figure 1). Elevations range from 4,500 to 5,300 feet across approximately 180 contiguous acres (T15N, R11W, Section 8 SWSW, SESW, SWSE, SESE, NESE). The landform generally is the toe of the slope of Ovando Mountain, incised by the headwaters of Warren Creek. The property is principally forested with ponderosa pine, western larch, and Douglas-fir in the uplands, and spruce in the lowlands. Aspen is present throughout. Openings are vegetated with serviceberry, snowberry, snowbrush, and willow. Noxious weeds are a potential problem, but are not established at present. A primitive forest road crosses the southeast corner of the property.

The Jacobsen/Valiton property is part of the fall-winter-spring range for about 500 elk and about 200 white-tailed deer and 200 mule deer. These parcels are also important habitat for ruffed and blue grouse, black bear, mountain lion, coyote, moose, wolf and grizzly bear.

Individual private landowners have managed this property at the base of Ovando Mountain for many years, but without the benefit of legal access or residences onsite. The Jacobsen/Valiton property burned along with most of the south face of Ovando Mountain in the early 1900s. The result was recruitment of excellent browse forage for wintering elk and mule deer in the mid-1900s (Reuel Janson, pers. comm.). In the late 1900s, forest succession had progressed to the point that conifers were shading out the deciduous browse on much of Ovando Mountain (see the Masters Thesis by Scott K. Thompson, 2002, *Browse Condition and Trend on Montana Ungulate Ranges*, Montana State University, Bozeman.). However, the Jacobsen/Valiton property has been logged and supports open stands of larch.

Little Doney Lake

The Little Doney Lake property is located in north Powell County, about 4.5 miles ENE of Ovando, at the base of Ovando Mountain. Elevations range from 3,900 to 4,200 feet across approximately 1,103 acres. The landform generally is a bench intersected by northeast-southwest running draws. The principal wetland feature is Little Doney Lake, among other dry or seasonally wet potholes. The property is principally forested with ponderosa pine and Douglas-fir in the uplands, and spruce in the lowlands. The forest has been commercially harvested over multiple entries, leaving mature timber, snags, and regeneration in a clumped and erratic distribution across the property. Aspen is present throughout. The understory is a mix of rough fescue, elk sedge, serviceberry, snowberry, and willow. Spotted knapweed is the main noxious weed problem at present.

The Little Doney Lake property is part of the fall-winter-spring range for about 500 elk and about 200 white-tailed deer and 200 mule deer. In addition to ruffed and blue grouse, black bear, mountain lion, coyote, moose and wolf, these parcels are also important occupied habitat for grizzly bear and waterfowl, owing in part to the wetlands and associated broad riparian areas near the North Fork of the Blackfoot. One of very few common loon nest sites in the Blackfoot watershed exists on Little Doney Lake.

The property was owned by Plum Creek Timber Company from the early 1990s through 2006 and was managed for commercial timber production. Livestock grazing has been part of the historic land-use practices, although not for the past several years on the Little Doney Lake property. The property is highly valued as a public hunting area, and has been an important part of the Ovando Mountain Block Management Area (administered by FWP on behalf of several cooperating landowners) since 1990. It is also important as a link in the public snowmobile trail connecting Seeley Lake and Lincoln in winter.

Problem Synthesis/Rationale

Montane forests and associated riparian areas at low elevations in western Montana are being rapidly subdivided and lost as wildlife habitat. Habitat management is rapidly changing from a wildland and landscape-scale perspective to one of protecting the urban and suburban interface from wildfire. Particularly in the Blackfoot watershed, low-elevation private forests are important functional components of fall-winter-spring ranges for elk, mule deer and white-tailed deer in association with adjacent rangeland and agricultural habitat features. Although Montana is not losing its montane forest habitats at a comparatively high rate overall, it is very rapidly losing the forested components at low elevation that make adjacent rangelands, riparian areas and agricultural lands so productive of wildlife today. In many cases, these are the very lands that are first chosen for subdivision and development.

In the mid-1980s, FWP began taking steps to block up FWP ownership or management control in the most critical habitats within the BCWMA. When land subdivision was threatened, FWP negotiated purchase of the Dreyer Ranch in 1989 to secure 2,960 acres of important spring and fall habitat along a primary elk migration link to the core winter range. Also in 1989, FWP and DNRC cooperated to bring 2,367 acres of Champion property into DNRC ownership within the core winter range, and then completed an exchange between the two state agencies in 1995 to transfer most of these Champion lands and additional DNRC lands (totaling 3,487 acres) to FWP. In 1998, FWP exchanged fee-title ownership of 254 acres on the west side of Highway 83 for a perpetual conservation easement across 641 acres of the Reinoehl Ranch.

In 1990, FWP initiated discussions with Champion International Corporation to acquire a perpetual conservation easement that would prevent subdivision and development on the 7,800 acres of corporate inholdings within the core winter range. Talks with Champion continued into 1993, but were curtailed with Champion's decision to sell its Montana timberlands. In early 1994, FWP renewed discussions about the corporate inholdings after Plum Creek Timber Company assumed ownership and management control. Plum Creek officials indicated that the company did not foresee selling or gifting a conservation easement on its lands in the BCWMA, but encouraged FWP to develop opportunities for land exchanges, and talks continued. In late

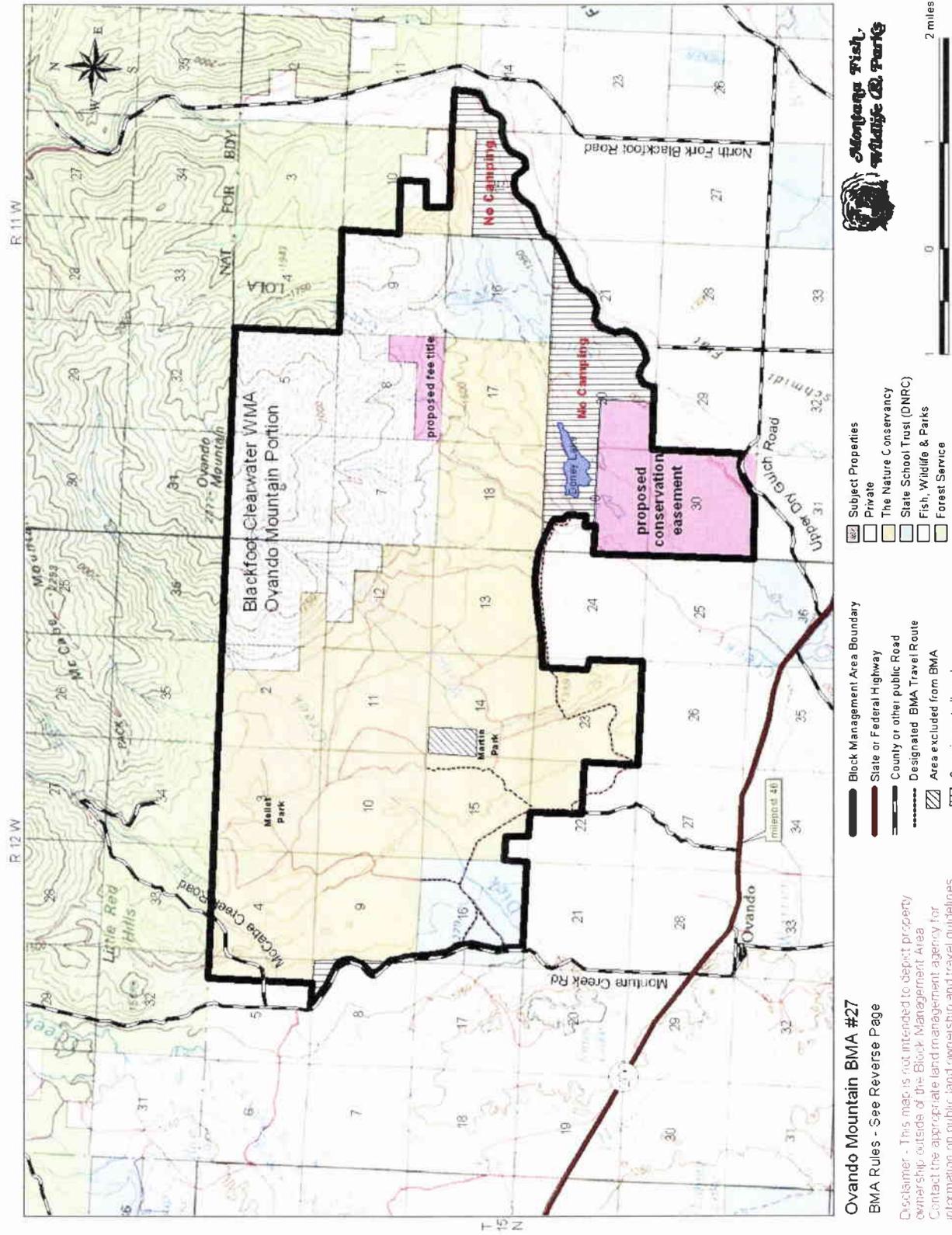
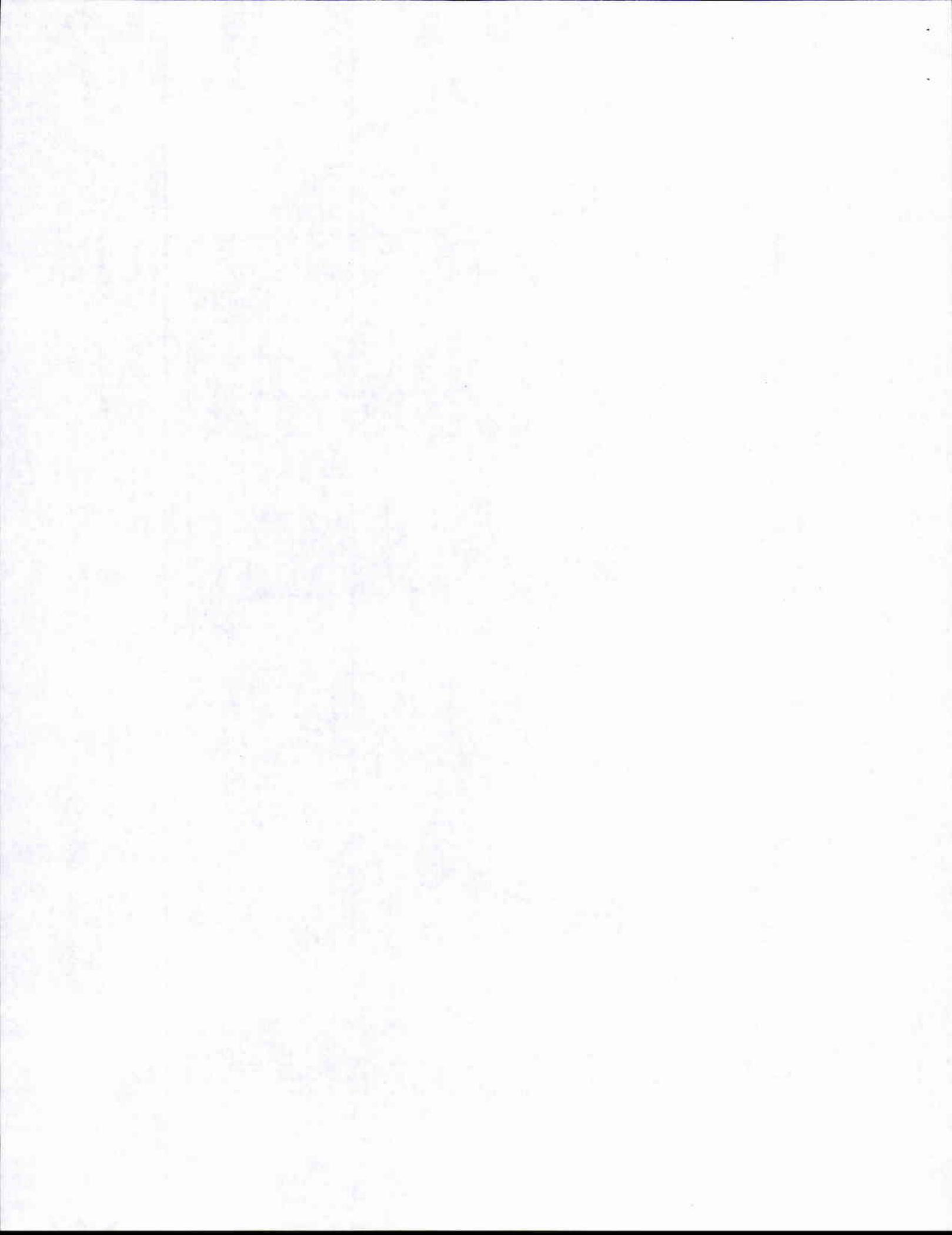


Figure 1. Location of the subject lands in relation to other ownership near the BCWMA.



1998, Plum Creek offered to discuss an initial sale of 856 acres to FWP and the Rocky Mountain Elk Foundation (RMEF). This combined with newly emerging opportunities for land exchanges involving DNRC and potentially the Lolo National Forest over the remainder of the 7,800-acre Plum Creek inholdings gave rise to the 50th Anniversary Project, commemorating the 50th year of the BCWMA.

In 2000, Plum Creek sold 856 acres to FWP and RMEF, which constituted Phase 1 of the 50th Anniversary Project. There was considerable publicity associated with Phase 1 because of the effort spearheaded by RMEF and the Five Valleys Land Trust to raise private funds for this purchase. RMEF donated its interest in the Phase 1 property (worth approximately \$600,000) to FWP at a meeting of the Montana Fish, Wildlife & Parks Commission in March 2003.

Phase 2 of the 50th Anniversary Project was a land exchange involving Plum Creek, DNRC, and FWP. FWP initially approached several potential partners for land exchange, including other state entities, private conservation organizations and neighboring federal agencies. None had sufficient land bases or land management priorities to exchange into the entire Plum Creek inholdings of interest. FWP first approached DNRC in 1995 to suggest a land exchange with Plum Creek to block up DNRC ownership within the BCWMA. DNRC agreed to consider a trade of scattered tracts to Plum Creek in exchange for 3,040 acres of Plum Creek inholdings within the BCWMA. In addition, FWP and DNRC agreed to consider an exchange of lands within the BCWMA to transfer the most critical winter range into FWP ownership. These exchanges were completed in fall 2002. In February 2004, the Fish, Wildlife & Parks Commission approved FWP's recommendation to purchase a conservation easement over the approximately 6,849 acres of DNRC land within the core BCWMA, and Land Board followed with its concurrence in March.

Concurrent with the development and progress of the 50th Anniversary Project, the Blackfoot Challenge and The Nature Conservancy (TNC) entered into discussions with Plum Creek regarding the future of Plum Creek lands from the BCWMA to the Blackfoot headwaters. The outcome of those discussions and subsequent negotiations was a "purchase and sale" agreement for TNC to purchase about 88,000 acres of Plum Creek land from 2004-2008. TNC and Plum Creek closed on the first 41,000 acres in a series of transactions in 2004-2005. The second transaction (scheduled for May 2004) included the Phase 3 lands (50th Anniversary Project) on the BCWMA. RMEF subsequently purchased the 3,834-acre Phase 3 lands from TNC and held them for FWP to purchase in Fall 2004.

TNC intends to conserve the resources and traditional uses of any lands it acquires in the Blackfoot by selling them to private and public entities, in accordance with a disposition plan that is being developed by local communities via a process coordinated by the Blackfoot Challenge. The communities have designated FWP as the preferred entity to acquire conservation easements and fee-title to the subject lands north of Ovando, at the base of Ovando Mountain. It would hardly seem possible that local communities could be any more invested in any habitat project than this one coordinated by the Blackfoot Challenge, nor could the general public be more aware.

FWP's interest in acquiring the subject lands is to avoid the probable serious loss of wildlife habitat and public access in the future. This threat is described as probable in the long run because of strong market incentives to divide scenic and accessible property into small parcels and develop homesites. The potential replacement of elk and deer winter range with houses, fences, driveways, garages, barns, and other structures constitutes a direct loss of exceptional winter habitat values for most of the BCWMA mule deer and elk populations. Human activity associated with residential areas, including vehicle traffic, livestock, pets and outdoor recreation, would displace elk and deer from otherwise suitable habitat within an expanded radius around the homes. Future residents might even choose to introduce artificial food sources to attract wintering deer and elk, which would disrupt natural movements and habitat-use patterns, and concentrate animals in a manner that would degrade native habitats and increase the probability of disease transmission. The potential for these impacts to wildlife, as well as lost access and recreational opportunities for the general public, would increase as housing densities increased, but FWP predicts that serious impacts could occur with only one poorly located and managed homesite on the subject lands.

FWP currently does not have legal access across private lands from Highway 200 to the Ovando Mountain Unit of the BCWMA. Although controlled by private landowners, public access has been traditionally granted according to a cooperative travel management plan that is expanded from the concepts of the Ovando Mountain Block Management Area. FWP plans to negotiate with the appropriate landowners for legal public access to the WMA to ensure that public access will continue despite future possible changes in neighboring land ownership or policies. However, if and upon acquiring such access, FWP would continue to cooperate with the surrounding landowners in controlling access by motorized vehicles. Therefore, this proposal would not improve access to the Ovando Mountain Unit by way of motorized vehicles.

DESCRIPTION OF THE PROPOSED ACTION

Montana Fish, Wildlife & Parks (FWP) proposes to:

1. Purchase approximately 180 acres from the Jacobsen and Valiton families at appraised value;
2. Purchase conservation easements across approximately 1,103 acres in 3 contiguous private ownerships in the area of Little Doney Lake (Little Doney Lake property), at a bargain sale of \$160,000 total.

Funding for these transactions would come from FWP's Habitat Montana Program. Individual private parties own the Jacobsen and Valiton properties, and Plum Creek Timber Company currently owns the Little Doney Lake property.

Jacobsen/Valiton Purchase

The Jacobsen and Valiton families currently own the 180 acres that FWP proposes for fee-title purchase. RMEF has been negotiating with the landowners in close consultation with FWP and the Blackfoot Challenge. RMEF and the landowners would be prepared to sell the property to FWP upon completion of this public involvement process (December 2006).

Little Doney Lake Conservation Easements

Plum Creek Timber Company withheld the 1,103-acre Little Doney Lake property from the options it sold to TNC in 2004, and marketed the property for sale. In 2006, the Blackfoot Challenge partners negotiated a plan for purchase of this productive wildlife habitat with Plum Creek. To execute this plan, RMEF must purchase the property at appraised value from Plum Creek by the end of 2006. RMEF, in turn, intends to immediately recoup this investment by selling the property in 3 parcels to 3 adjoining landowners—the Dale, Ferrar, and Enders families. The landowners will then sell the proposed conservation easements to FWP, covering the entire 1,103 acres. FWP would divide \$160,000 among the 3 landowners according to the proportion of the 1,103 acres in each ownership. All parties expect FWP's completion of its public involvement process by year-end in order to proceed with the land sales.

To the extent possible, the 3 conservation easements, involving the 3 private ownerships, would have identical terms and conditions. All would be written and recorded to endure with the property deeds in perpetuity. The effect of the proposed conservation easements and their associated management plans would be to prohibit residential development or the construction of permanent or temporary structures on the 1,103-acre easement area. The easements and plans would also prevent significant habitat degradation by any means. Agricultural practices would be specifically allowed in the future, including livestock grazing and timber harvest, although no specific plans have been made by any of the landowners for either at this time. Should the landowners propose to exercise these rights in the future, the easement would direct them to obtain review and approval of a plan by FWP, to ensure compatibility with the habitat protection terms of the easement. The landowners' right to maintain the traditionally used snowmobile trail across the property would be allowed under guidance provided in the management plan. Public access for the purpose of hunting deer, elk, waterfowl, upland birds, black bear, and other game species would be guaranteed in perpetuity during open seasons between September 1 and December 1, according to the rules and regulations of the Ovando Mountain Block Management Area, or other means agreed upon by FWP and the landowners to provide comparable or improved hunting recreation. Commercial uses other than agricultural uses, including commercial outfitting for hunting or charging fees for hunting, would be prohibited. FWP would visit each parcel and review the terms of the conservation easements with each landowner annually.

Benefits of the Proposed Action

The proposed action would prevent residential or commercial development on this important wildlife habitat and would protect the public's sizable investments in the BCWMA and the local deer and elk populations. This action would also preclude other plausible and potentially serious scenarios in this sensitive location where wildlife congregate, including game farms, artificial feeding and habitat degradation. Under FWP ownership, opportunities would exist to enhance important habitat features such as production of tree lichens, browse and grass forage. This proposed action would benefit virtually the entire elk and mule deer populations between Monture Creek and the North Fork of the Blackfoot River. The Ovando Mountain Block Management Area alone accounted for 1,600 hunter-days annually since 1996, and associated elk and deer populations support thousands more hunter-days of public recreation across the

Monture Creek drainage and the southwest Scapegoat Wilderness. This rare opportunity to obtain these benefits has been provided through partnership with Plum Creek, TNC, RMEF, The Blackfoot Challenge, and local communities, which would be difficult—if not impossible—to replicate in the future if this project is not completed at this time.

ALTERNATIVES TO THE PROPOSED ACTION

FWP considered the alternative of taking no action regarding the subject lands. The no-action alternative would not allow FWP to control the course of any future property sales and commercial and residential developments within an area where such developments could negatively impact wildlife populations when they occupy important seasonal ranges on and near the BCWMA. Numerous factors beyond FWP control would determine the occurrence, pace, timing and type of development. FWP would retain the option to comment to the Powell County Commissioners on proposed land subdivisions (less than 160 acres) under existing subdivision laws, but would not control decisions. At the present time, subdivisions less than 160 acres are not allowed under the North Powell Comprehensive Plan. Until such time as the Little Doney Lake lands are sold, Plum Creek Timber Company would continue to manage for commercial timber production and harvest, and would market the property for sale.

ENVIRONMENTAL EFFECTS OF THE PROPOSED ACTION AND NO ACTION

Threatened and Endangered Species

The gray wolf is listed as endangered in Montana, and may be present occasionally on the subject lands. At this time, wolves have not established a consistent use pattern that includes the subject lands. The proposed action would be consistent with the goal of recovering wolf populations in northwestern Montana by protecting and potentially improving habitat for important prey species (i.e., elk and mule deer) and by contributing to the protection of a large block of land that is uninhabited by humans. The no-action alternative would allow the possibility of future losses in habitat for prey species used by wolves and increases in potential conflicts with humans if land subdivision or related developments occur.

Bald eagles are classified as threatened in Montana. Active bald eagle nests exist along the Blackfoot River, but none are known to occur within 1-mile of the subject lands. The proposed action would protect and allow development over time of potential nest sites with a fair probability of occupancy (due to the proximity to the Big Blackfoot River). No-action would result only in a minor added risk of future human activities on or originating from the subject lands that could impact bald eagles.

Grizzly bears are classified as a threatened species in Montana. Grizzly bears have routinely used the subject lands for many years. The proposed action is consistent with the goal of recovering grizzly bear populations in Montana because it would protect the subject lands from

the possibility of being subdivided and developed. No action would allow the possibility for increases in potential conflicts with humans if land subdivision or related developments occur.

Lynx are federally listed as a threatened species in Montana. The subject parcels are part of lynx habitat in the Blackfoot Watershed. The proposed action would maintain the availability of these habitats for lynx, but this could not be guaranteed under no-action.

Sensitive Species

The proposed action would recruit large-diameter ponderosa pine and Douglas-fir, both living and dead, and retain dense thickets in patches. This would potentially enhance habitat for the sensitive species most likely to occur on the subject lands: flammulated owls, black-backed woodpeckers, pileated woodpeckers, and fishers. For all sensitive species, the proposed action would provide a measure of protection on the subject lands from habitat loss by removing the possibility of future subdivisions or other developments, but no-action could prove detrimental in the long-term by leaving that possibility open.

Little Doney Lake contains a natural nest site for common loons. The site was not used in 2006, but was used in 2005. The draft management plan for the proposed Little Doney Lake Conservation Easement would avoid habitat degradation and minimize human disturbances around Little Doney Lake from May 1 through August 31 annually. Under the no-action alternative, FWP would have less standing to control human disturbance and habitat alteration to benefit common loons on private land.

Elk and Deer Winter Range

The no-action alternative would leave an important portion of the BCWMA winter range and elk and deer populations vulnerable to future management decisions by private landowners, who would likely manage to achieve objectives that do not feature the general public interest in wildlife. The proposed action would strengthen the continuity of purpose for management of the BCWMA winter range, and would benefit elk and deer compared with no action. The continued use of a groomed snowmobile trail across the Little Doney Lake property would be similar under the no-action and proposed action alternatives; however, the management plan would direct the landowner and FWP to control off-trail snowmobile use. If successful in implementation, this would be an improvement over the historic and current situation regarding disturbances by snowmobiles on elk and deer winter range.

Predators and Scavengers

A diversity of wildlife species are associated with, and benefit from, the prey base provided by migratory herds of elk, mule deer, and white-tailed deer. During winter, concentrations of elk and deer on or near the subject lands amount to a resource of prey animals numbering up to 900 animals annually. Approximately 5% of this potential prey base is actually used by predators and scavengers on the BCWMA annually. This prey base also supports predator and scavenger species in more remote locations during spring, summer and fall.

Humans are the primary predators on the BCWMA deer and elk populations. Mountain lion, black bear, grizzly bear, gray wolf, coyote, and golden eagle currently prey upon these deer and elk populations, and predator numbers may be expected to fluctuate with the prey. In addition, magpies, ravens, bald eagles, pine martens, gray jays, goshawks, weasels, and striped skunks feed upon carrion on or near the subject lands during winter and/or spring. Antlers and bones are food for porcupines and other rodents. When deer and elk move to summer range, they feed fisher and wolverine in addition to the predators and scavengers previously noted.

No-action would leave the elk winter range on the BCWMA vulnerable to incompatible future management of the subject lands. The proposed action would maintain habitat for current deer and elk levels, which would be to the benefit of predators and scavengers on the BCWMA.

Wetlands/Floodplains

There is no designated floodplain affected by this proposal. Three intermittent stream courses cross the subject lands, with narrow and broken riparian zones. Because of streamside management zones described in Montana law, both the proposed action and no-action would have similar neutral effects on the immediate streambanks within the subject lands. The proposed action would provide increased opportunity to manage forest structures and landscapes to develop broader habitats for wildlife, centered on these small watercourses.

Prime or Unique Farmlands

There are no "prime or unique farmlands" or "farmlands of statewide or local importance" on the subject lands, as designated by the Missoula County Conservation District of the U. S. Natural Resource Conservation Service. Farmlands of local importance are defined as land, in addition to prime and statewide, that could be farmed, is relatively flat (0-15 percent slopes) and currently non-forested.

Hunting

FWP estimates that the BCWMA elk herd supports a hunting economy worth over \$1,000,000 annually. Based on the FWP statewide harvest survey, a conservative estimate is that 1,500 hunters spend 10,000 hunter-days annually in pursuit of elk in all or portions of HDs 281, 282, 283, 285, 130 and 150. Extrapolating from the harvest survey and elk population surveys made by FWP biologists, hunters harvest 150 bulls and 150 antlerless elk from the BCWMA elk herd annually.

Potential impacts of this proposal on hunting opportunities follow those previously described under the heading of Elk and Deer Winter Range. To summarize, the no-action alternative would risk a substantial loss in elk and mule deer hunting opportunity at the BCWMA. The proposed action would benefit hunting within the ranges of the BCWMA elk and mule deer populations by securing favorable, long-term management of an important unit of winter range.

Forest Management

Under the proposed action, FWP would incorporate the subject lands into its comprehensive management plan for the BCWMA. FWP's forest management strategy on the subject lands would be to speed forest regeneration and avoid further short-term losses of forested forage and effective cover on the Little Doney Lake property. Conversely, FWP would maintain forests in early successional stages to promote browse production on the Jacobsen/Valiton property. FWP and private landowners have no immediate plans for harvesting timber on the subject lands, but FWP recognizes the potential for using carefully prescribed, silvicultural treatments to manipulate habitats to achieve wildlife objectives. Any proposal for using commercial or precommercial timber harvests to accomplish these objectives on the Jacobsen/Valiton property would be thoroughly described and analyzed in an environmental review process with public participation (i.e., MEPA). Under the no-action alternative in the foreseeable future, Plum Creek Timber Company would continue to manage the forested landscape on the Little Doney Lake parcel for the commercial production and harvest of timber.

Public Access

The subject lands lie within the current boundaries of FWP Hunting District (HD) 285, and the Ovando Mountain Block Management Area. Under the proposed action, all BCWMA lands within HD 285, including the Jacobsen/Valiton property, would continue to be open to public access by nonmotorized means year-round. Public access to the Little Doney Lake property would be guaranteed only from September 1 through December 1, and only for the purposes of hunting, according to rules and regulations of the Ovando Mountain Block Management Area. The current prohibition on camping upon the Jacobsen/Valiton property would be lifted as a result of the land being acquired by FWP. The traditionally used snowmobile trail would remain open across the Little Doney Lake property. A copy of the current travel plan for the Ovando Mountain BMA is attached with the draft Management Plan in Appendix C.

Livestock Grazing

Generally, grazing opportunities and values for livestock are poor on the subject lands, due to steep slopes and forested cover. Under the proposed action, FWP would obtain ownership of the Jacobsen/Valiton property and would continue to exclude livestock. Under the proposed action, livestock grazing would be allowed in a manner (to be reviewed by FWP) that conserves wildlife habitat on the Little Doney Lake Conservation Easement. No-action would leave the option open for a future lessee or landowner to graze livestock. The most likely scenario for future livestock grazing under no-action would be grazing by horses, llamas or other riding or pack animals that might be kept at a private residence or hobby ranch. Such grazing often is confined and concentrated on small acreages (pastures), resulting in damage to soil and vegetation.

Air and Water Quality

The proposed action would likely result in a net reduction in potential future risks to air and water quality on the subject lands, compared to no action. Possibilities for residential,

commercial and industrial developments would be reduced or eliminated across the subject lands. Under the proposed action, FWP would expect to use prescribed fire to stimulate understory forage production and quality on an occasional basis (e.g., during a 5-day period every decade), and slash burning may be required after occasional logging treatments (e.g., one occurrence per decade). Overall, impacts to air quality of burning events on the subject lands would probably not exceed, and would more likely be less than, the impacts that would occur under continued ownership by corporate timber managers. Under FWP ownership, burning would be in compliance with state airshed management directives, in consultation with DNRC.

The potential for impacts to water quality exist along intermittent streams during spring runoff. Under the proposed action, FWP would minimize activities that would disturb slopes, and would ensure effective road drainage, maintain or improve vegetation establishment on cutslopes, and take other measures as needed to further stabilize slopes above watercourses. The potential for water quality impacts would be less under the proposed action than if vehicle traffic and other human activities increased as a result of residential or commercial developments on the subject lands in the future. FWP would include the subject lands in its consideration of future needs for remedial work to comply with Best Management Practices.

Historic and Cultural Resources

FWP must provide the protections and considerations offered under the Montana Antiquities Act for historic and cultural resources recorded on lands owned by FWP. No sites of historic or cultural importance are known to exist on the subject lands, but a determination would be required from a qualified archaeologist if FWP proposed to engage in management activities that would impact previously undisturbed sites. At this time, such protections are not afforded historic and cultural resources on the subject lands while they remain in private ownership.

Impacts on Economies and Communities

Potential economic and human social impacts are addressed in the attached socio-economic assessment (Appendix D). There would be no effect on the tax base of Powell County because FWP makes annual payments to the counties in amounts equal to the property tax assessments on lands in its ownership. Lands encumbered by the Little Doney Lake Conservation Easement would remain in private ownership, and would remain on the Powell County tax rolls.

Cumulative Impacts

No-action could ultimately contribute to the cumulative regional and local loss of wildlife habitat in general, if the subject lands are managed in a manner incompatible with the needs of wildlife. Conversely, the proposed action would not be expected to contribute to a cumulative impact in a measurable way and would preserve important habitats linking mountain ranges and major drainages.

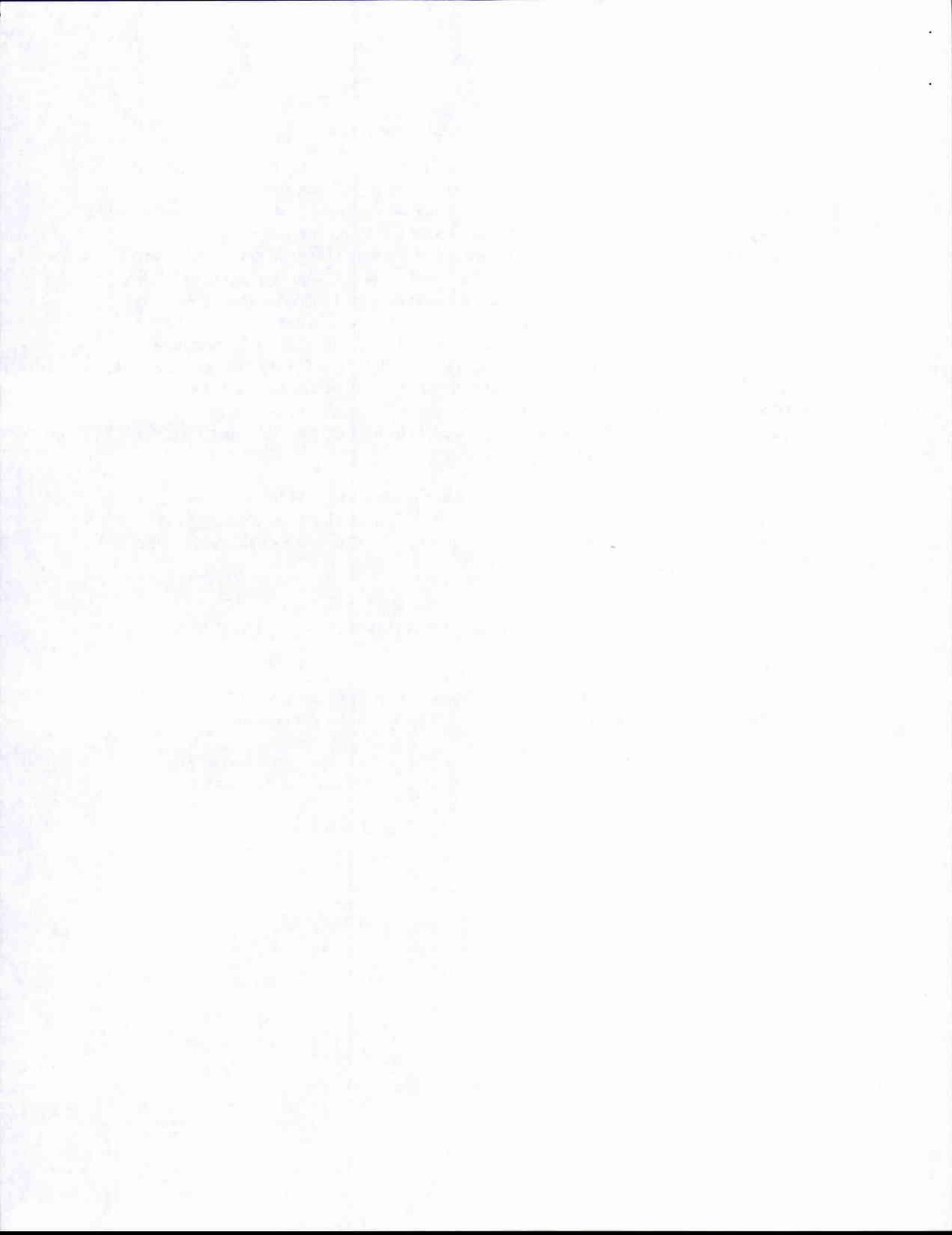
PUBLIC INVOLVEMENT

FWP has consulted closely with potentially affected agencies and neighbors, including RMEF, DNRC, Lolo National Forest, The Nature Conservancy, the BCCA Advisory Committee, and the Blackfoot Challenge in the development of this proposal. Formal public participation specific to FWP's proposed purchase of approximately 180 acres and its purchase of conservation easements covering approximately 1,103 acres will begin with the availability of this draft environmental assessment (EA) for public review and comment. The availability of this EA for public review will be advertised in the local, Missoula-area, and statewide media, and a copy of the draft EA will be mailed to all parties who indicate an interest in this proposal. The public review period will be from October 20 through November 20, 2006. A public hearing will be held at the Ovando Fire Hall on November 8, 2006 at 7:00 P.M. After reviewing public input, FWP will revise and finalize the draft EA and prepare a record of decision. The Fish, Wildlife and Parks Commission and the Land Board will be asked to render a final decision on this proposal at the regularly scheduled meeting of each body in December 2006, based upon a thorough review of public comment.

Comments should be addressed to Mike Thompson; Montana Fish, Wildlife & Parks; 3201 Spurgin Road; Missoula, MT 59804 (phone 406-542-5516; email mthompson@mt.gov). Comments must be received no later than November 20, 2006 to ensure their consideration in the decision-making process.

NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

Based on an evaluation that the proposed action will not have a significant impact on the physical and human environment, under MEPA, the proposed action is not a significant action affecting the physical and human environment. Therefore, an environmental impact statement is not a necessary level of review.



Appendix A.

Jacobsen/Valiton Purchase

DRAFT MANAGEMENT PLAN

INTRODUCTION

The Montana Department of Fish, Wildlife and Parks (FWP) proposes to purchase fee-title ownership of approximately 180 acres that would block up the outer administrative boundary of the Blackfoot-Clearwater Wildlife Management Area (BCWMA), Ovando Mountain Unit. Individual private landowners have managed these lands at the base of Ovando Mountain for many years, but without the benefit of legal access or residences onsite. If FWP acquires the subject lands, FWP would manage these lands for the benefit of wildlife, in a manner consistent with established management objectives and practices on other lands deeded to FWP within the BCWMA.

This draft management plan outlines FWP's strategies for meeting the obligations it would accept as part of the cost of acquiring the subject lands. After revising this draft plan to reflect public review and comment, the final version will serve as an amendment to the existing comprehensive management plan for the BCWMA (revised 1989).

AREA DESCRIPTION

The Jacobsen/Valiton properties are located in north Powell County, about 7.5 miles NE of Ovando, at the base of Ovando Mountain. Elevations range from 4,500 to 5,300 feet across approximately 180 contiguous acres (T15N, R11W, Section 8 SWSW, SESW, SWSE, SESE, NESE). The landform generally is the toe of the slope of Ovando Mountain, incised by the headwaters of Warren Creek. The property is principally forested with ponderosa pine, western larch and Douglas-fir in the uplands, and spruce in the lowlands. The forest burned in the early 1900s, leaving pockets of mature timber, snags, and regeneration in a clumped and erratic distribution across the property. Aspen is present throughout. Openings are vegetated with serviceberry, snowberry, snowbrush, and willow. Noxious weeds are a potential problem, but are not established at present. A primitive forest road crosses the southeast corner of the property and the property has been logged.

The Jacobsen/Valiton property is part of the fall-winter-spring range for about 500 elk and about 200 white-tailed deer and 200 mule deer. These parcels are also important habitat for ruffed and blue grouse, black bear, mountain lion, coyote, moose, wolf and grizzly bear.

MANAGEMENT STRATEGIES

The subject lands would be managed in a manner consistent with direction provided in the BCWMA comprehensive management plan (revised 1989), Ovando Mountain Unit. There would be little or no change in the management of the property under FWP ownership, compared with historic private ownership. Ultimately, FWP would strive to maintain native vegetation,

primarily early successional vegetation (deciduous shrubs), which responds to natural or prescribed fire and provides berries for black and grizzly bear and winter forage for elk and deer.

Objectives (from BCWMA Management Plan)

1. Manage for the maximum sustainable utilization of the winter range by elk, mule deer and white-tailed deer within the following standards:
 - a. Soil condition and development will be maintained or enhanced;
 - b. Adverse impacts to adjacent landowners will be reduced or mitigated;
 - c. The condition of elk and deer populations will be maintained or enhanced;
 - d. Elk and deer populations will be supported by natural winter forage;
 - e. Adverse impacts on other resources such as fisheries, riparian habitats, water quality, native plant communities, and other animal populations will be avoided or mitigated. Opportunities to enhance these resources will be pursued when compatible with elk and deer management (as time and funding allow).
2. Maximize public access and recreation opportunities within the following standards:
 - a. Other WMA objectives (i.e., wildlife) will not be compromised;
 - b. Diverse opportunities for appreciation and enjoyment by the public will be maintained. Recreation opportunities include hunting, fishing, trapping, touring, camping, picnicking, hiking, bike-riding and horseback riding.

PUBLIC ACCESS:

The Jacobsen/Valiton property and the larger Ovando Mountain Unit of the BCWMA lie within the current boundaries of FWP Hunting District (HD) 285. All BCWMA lands within HD 285, including the subject lands, would continue to be open to public access by non-motorized means year-round. Public access to the Jacobsen/Valiton property and the Ovando Mountain Unit overall is controlled by neighboring landowners. FWP will work with those neighbors, involving the members of the Blackfoot Community Conservation Area (BCCA), to acquire permanent public access to the property. Whether legal public access is acquired or not, public entry to the property will be by non-motorized means from historically maintained access points, the closest lying 1.5 miles to the south. New access development is not foreseen as part of this plan. The existing access plan from September 1 through December 1 for the BCCA, Ovando Mountain Unit, and Jacobsen/Valiton property is in Appendix C. The current prohibition on camping upon the Jacobsen/Valiton property would be lifted as a result of the land being acquired by FWP.

BLACKFOOT COMMUNITY CONSERVATION AREA

The core of the BCCA, also known as lower Ovando Mountain or the Boot Tree area, is comprised of 5,565 acres that will be community-owned and managed land through the Blackfoot Challenge. This core area is a block of land that was purchased from Plum Creek Timber Company in 2004. It adjoins the west boundary of the Ovando Mountain Unit of the BCWMA, and is located 1 mile west of the Jacobsen/Valiton property.

The guiding management-stewardship principle for the BCCA core is to develop a working landscape that balances ecological diversity with local economic sustainability for the future benefit of the Blackfoot Watershed Community. Management will entail activities that seek to conserve, enhance and maintain a balance of wildlife habitat, wetlands, water, grasslands and timber resources with traditional uses including hunting, recreation, agriculture, and forestry. These shared values for the land will be complemented through working cooperatively with the surrounding agency and private landowners.

The broader BCCA, including the core and neighboring properties, covers some 40,000 acres. The broader BCCA includes the Ovando Mountain Unit and Jacobsen/Valiton property, as well as lands owned by the Montana Department of Natural Resources and Conservation (DNRC), the Lolo National Forest, The Nature Conservancy, and individual private landowners. Management of the broader BCCA will occur collaboratively and cooperatively across ownership boundaries, generally in a manner that advances the guiding management-stewardship principle adopted for the BCCA core. Landowners do not give up the control of their properties by participating in the BCCA, and do not relinquish decision-making authority.

FWP has agreed to manage its property as an integral part of the broader BCCA, and FWP has a seat on the BCCA Advisory Council. In so doing, FWP has committed to perpetuating resources and traditional uses that have proven compatible with wildlife management objectives on the Ovando Mountain Unit and across adjoining ownerships. However, it should be noted that in such cases when a management activity supported by directors of the BCCA conflicts with direction provided by FWP, the objectives and preferences of FWP shall control on the Ovando Mountain Unit and Jacobsen/Valiton property.

NOXIOUS-WEED MANAGEMENT

The spread of existing noxious weed species and the introduction and establishment of new exotic species are among the greatest risks to native plant communities and wildlife habitat across Montana. Currently, noxious weeds (primarily spotted knapweed) are scattered near the easement area. With a concerted effort, noxious weed establishments can be prevented on the Jacobsen/Valiton property. In conjunction with the BCCA, FWP plans to inventory the easement area annually for new weed occurrences by inspecting roadways and game trails and other disturbed sites where weeds are likely to enter the property first. FWP will promptly attempt to eradicate any spot occurrences by the most efficient and effective means available.

FOREST MANAGEMENT

The Jacobsen/Valiton property burned along with most of the south face of Ovando Mountain in the early 1900s. The result was recruitment of excellent browse forage for wintering elk and mule deer in the mid-1900s (Reuel Janson, pers. comm.). In the late 1900s, forest succession had progressed to the point that conifers were shading out the deciduous browse on much of Ovando Mountain (see the Masters Thesis by Scott K. Thompson, 2002, *Browse Condition and Trend on Montana Ungulate Ranges*, Montana State University, Bozeman.). However, the Jacobsen/Valiton property has been logged. FWP's long-term forest management will be directed toward mimicking the effects of natural fire on the Jacobsen/Valiton property, using silviculture and prescribed fire.

Silvicultural practices should tend toward: 1) maintaining and increasing larger-diameter trees (both living and dead) in an open and scattered distribution across the property; 2) thinning from below to reduce total canopy cover; 3) using prescribed fire to underburn treatment areas and stimulate sprouting of shrubs; 4) minimizing the roads needed for forest management; and 5) controlling noxious weeds along roads, landings and skid trails.

Aspen generally occurs in distinct stands of a few acres in size, scattered across the Jacobsen/Valiton property. Aspen measurably adds wildlife species richness (particularly among cavity nesting birds and after a fire event) wherever it occurs on the landscape. Silvicultural practices should tend to maintain and enhance aspen as a significant habitat component across the property by: (1) cutting of up to 30 percent of pole-sized aspen to stimulate resprouting; (2) selectively removing coniferous competition within and surrounding aspen clones; and (3) using prescribed fire to underburn treatment areas.

FWP would comply with Best Management Practices in implementing any forest management on the property. FWP would conduct an environmental analysis under MEPA for any forest management project that is developed under this plan in the future.

GRAZING PLAN

Livestock are not currently grazed on the Jacobsen/Valiton property. Grazing capacity is low due to steep slopes. FWP does not plan to introduce livestock on this property, but would be open to doing so if FWP identified an overriding benefit for wildlife across the broader BCCA. In the event that FWP would consider introducing livestock, FWP would conduct an environmental analysis under MEPA at that time.

Appendix B.

Little Doney Lake Conservation Easement DRAFT MANAGEMENT PLAN

INTRODUCTION

FWP proposes to acquire conservation easements on the Little Doney Lake property from private landowners. FWP's purpose for acquiring the conservation easements, as stated in the easement document, is to "preserve and protect in perpetuity the conservation values of the land, particularly the habitat the land provides for a variety of wildlife species." The property was owned by Plum Creek Timber Company from the early 1990s through 2006 and was managed for commercial timber production. Livestock grazing has been part of the historic land-use practices, although not for the past several years on the Little Doney Lake property. The property is highly valued as a public hunting area, and has been an important part of the Ovando Mountain Block Management Area (administered by FWP on behalf of several cooperating landowners) since 1990. It is also important as a link in the public snowmobile trail connecting Seeley Lake and Lincoln in winter. It is the intent of the conservation easements that these traditional uses be specifically provided for in perpetuity on the Little Doney Lake property.

This management plan serves as a flexible link between easement terms intended to endure in perpetuity and changeable conditions and situations on the land. It is a living document, to be reviewed annually by FWP and the landowner, and to be revised as needed upon agreement of both parties. Its function is to document strategies for land management in which FWP and the landowner would be cooperating to ensure consistency with the terms and intent of the proposed conservation easement. The principal strategy would be a protocol for an annual meeting with the landowner and field monitoring of compliance with easement terms. Additionally, this management plan would address strategies for controlling noxious weeds, managing forested habitats, managing livestock, and allowing the public hunting access guaranteed in this easement. Finally, this management plan captures the commitment of the landowner and FWP to participate as long-term partners in the Blackfoot Community Conservation Area (BCCA), of which the Little Doney Lake property and several neighboring public and private landholdings are a part.

AREA DESCRIPTION

The Little Doney Lake property is located in north Powell County, about 4.5 miles ENE of Ovando, at the base of Ovando Mountain. Elevations range from 3,900 to 4,200 feet across approximately 1,103 acres. The landform generally is a bench intersected by northeast-southwest running draws. The principal wetland feature is Little Doney Lake, among other dry or seasonally wet potholes. The property is principally forested with ponderosa pine, western larch and Douglas-fir in the uplands, and spruce in the lowlands. The forest has been commercially harvested over multiple entries, leaving mature timber, snags, and regeneration in a clumped and erratic distribution across the property. Aspen is present throughout. The

understory is a mix of rough fescue, elk sedge, serviceberry, snowberry, and willow. Spotted knapweed is the main noxious weed problem at present.

The Little Doney Lake property is part of the fall-winter-spring range for about 500 elk and about 200 white-tailed deer and 200 mule deer. In addition to ruffed and blue grouse, black bear, mountain lion, coyote, moose and wolf, these parcels are also important occupied habitat for grizzly bear and waterfowl, owing in part to the wetlands and associated broad riparian areas near the North Fork of the Blackfoot. One of very few common loon nest sites in the Blackfoot watershed exists on Little Doney Lake Lake.

BLACKFOOT COMMUNITY CONSERVATION AREA

The core of the BCCA, also known as lower Ovando Mountain or the Boot Tree area, is comprised of 5,565 acres that will be community-owned and managed land through the Blackfoot Challenge. This core area is a block of land that The Nature Conservancy purchased from Plum Creek Timber Company in 2004, and is located less than 1 mile northwest of the Little Doney Lake property.

The guiding management-stewardship principle for the core is to develop a working landscape that balances ecological diversity with local economic sustainability for the future benefit of the Blackfoot Watershed Community. Management will entail activities that seek to conserve, enhance and maintain a balance of wildlife habitat, wetlands, water, grasslands and timber resources with traditional uses including hunting, recreation, agriculture, and forestry. These shared values for the land will be complemented through working cooperatively with the surrounding agency and private landowners.

The broader BCCA, including the core and neighboring properties, covers some 40,000 acres. In addition to the Little Doney Lake property, the broader BCCA includes lands owned by FWP, the Montana Department of Natural Resources and Conservation (DNRC), the Lolo National Forest, The Nature Conservancy, and individual private landowners. Management of the broader BCCA will occur collaboratively and cooperatively across ownership boundaries, generally in a manner that advances the guiding management-stewardship principle adopted for the BCCA core. Landowners do not give up the control of their properties by participating in the BCCA, and do not relinquish decision-making authority.

The owners of the Little Doney Lake property have agreed to manage that property as an integral part of the broader BCCA. In so doing, they have committed to perpetuating resources and traditional uses that have proven compatible with the purposes of the Little Doney Lake Conservation Easement. However, it should be noted that in such cases when a management activity supported by directors of the BCCA conflicts with direction provided in the conservation easement, the easement shall control on the Little Doney Lake property.

BASELINE INVENTORY

The existing features and conditions on the proposed Little Doney Lake Conservation Easement will be described, photographed and documented in a baseline inventory. The purpose of the

baseline inventory will be to establish an objective and reliable basis from which to assess changes on the land over time. FWP will contract with a qualified consultant to prepare this document. FWP and the landowner will cooperate in providing all pertinent information to the consultant, and in signing the final baseline inventory when both parties agree it is an accurate and complete representation of all pertinent conditions on the land. This inventory will be finalized in 2007.

ANNUAL MONITORING

FWP and the landowner will build a written record of annual easement monitoring, beginning in 2007. FWP contracts with a qualified, independent consultant to conduct one monitoring visit per year for all of its conservation easements across Montana. Each visit is arranged with prior notice for a time that is convenient for the landowner. The contractor uses a checklist to ensure that all pertinent easement terms are discussed with the landowner, and provides an opportunity for the landowner to present any issues or concerns for the record. An inspection of the property is always part of the monitoring visit. The contractor makes a special effort to photograph sites of current interest and to replicate photos from photopoints established in the baseline inventory. The contractor's annual monitoring report objectively documents any areas of misunderstanding or noncompliance with easement terms. It is left to FWP and the landowner to address any problems identified by the monitoring consultant. In the case of the proposed Little Doney Lake Conservation Easement, FWP's regional liaison will normally accompany the contractor and meet with the landowner during annual monitoring, which will be scheduled for ½-day in midsummer.

FWP and the landowner agree to cooperate in this manner to maintain communication and document compliance with easement terms, with the assistance of a qualified, independent consultant. FWP's regional liaison (the wildlife biologist based in Seeley Lake) will also be available to the landowner upon request between monitoring visits to discuss management issues and share information.

NOXIOUS-WEED MANAGEMENT

The spread of existing noxious weed species and the introduction and establishment of new exotic species are among the greatest risks to native plant communities and wildlife habitat across Montana. Currently, noxious weeds (primarily spotted knapweed) are scattered near roads on the easement area. With a concerted effort, the densities and distributions of existing weed occurrences can be kept under control, at or below baseline levels. The landowner intends to undertake an integrated weed control program to meet this objective. Expertise and experience within and adjunct to the BCCA will be of great assistance to the landowner in this regard.

The landowner also plans to inventory the easement area annually for new weed occurrences by inspecting roadways, cowpaths, game trails and other disturbed sites where weeds are likely to enter the property first. Any new species occurrences will be reported to the local county weed district and FWP, and the landowner will promptly attempt to eradicate these spot occurrences by the most efficient and effective means available.

Key factors that could minimize the long-term vulnerability of the land to weed establishment, such as intensity and frequency of livestock grazing, are controlled by the terms of the conservation easement. The landowner plans to continue managing the land in a manner that avoids impacts from noxious weeds and favors vigorous and competitive communities of desirable plant species. FWP and the landowner agree that broadcast herbicide treatments to control noxious weeds will not include aspen or wetland/riparian vegetation, unless a herbicide specifically labeled for such use is available.

FOREST MANAGEMENT

The proposed Little Doney Lake Conservation Easement allows the landowner to manage forest stands and, if desired, realize an income from sustainable timber harvest. Such forest management activities are required to fall within limits and meet objectives set forth in the easement document and this management plan, which will ensure that forests on the easement area will continue to function as effective wildlife habitat. The easement requires the landowner to submit a plan for FWP's review and approval before timber harvest activities may occur. Upon receiving a plan from the landowner, FWP will collaborate with the landowner to make sure that all forest management terms in the easement are addressed before logging begins. This may include field inspections to review and input on harvest unit boundaries and harvest prescriptions. In most cases, FWP will require the landowner to mark trees to cut or leave in advance of the harvest to facilitate such field inspections and monitoring.

FWP and the landowner agree to recruit forested cover (in the form of large-diameter trees and regeneration thickets) and forested forage (e.g., tree lichen and understory grasses, sedges and shrubs) for elk and mule deer year-round. Mature coniferous canopy on the easement area will provide nest trees for red-tailed hawk, great horned owl, great gray owl and other birds. Large-diameter snags and standing burned trees provide nesting and foraging habitat for a suite of cavity nesting birds (e.g., pileated woodpecker, black-backed woodpecker) and mammals (e.g., flying squirrel). Large downfall contributes to marten, lynx and small mammal populations, and provides forage for black and grizzly bear and dens for mountain lion. A generally mature forest structure also provides escape cover for elk in hunting season and contributes to holding elk in the hunting area to provide season-long hunting recreation and achieve the desired harvest. Silvicultural practices should tend toward: (1) maintaining and increasing larger-diameter trees (both living and dead) across the forested easement area; (2) maintaining and recruiting a mature forest structure across the majority of acres; (3) allowing habitat diversity within a generally mature forest structure, as may be provided by an interspersion of large trees, regeneration thickets, downfall, natural parks and temporary managed openings; (4) encouraging progression through a natural range of forest successional stages at the stand level, as may be mimicked by silviculture, rather than attempting to manage for a static forest; (5) allowing the natural fire regime to benefit wildlife populations while managing the risk of large, stand replacement events; and (6) encouraging the control of noxious weeds along logging roads, landings and skid trails.

Aspen generally occurs in distinct stands of a few acres in size, scattered across the Little Doney Lake property. Aspen measurably adds wildlife species richness (particularly among cavity

nesting birds and after a fire event) wherever it occurs on the landscape. Silvicultural practices should tend to maintain and enhance aspen as a significant habitat component across the Little Doney Lake Conservation Easement by: (1) restricting the cutting of aspen except as may be approved by FWP to stimulate resprouting; (2) encouraging the removal of coniferous competition within and surrounding aspen clones; and (3) discouraging the broadcast usage of herbicides around aspen stands that might kill or suppress aspen (e.g., Tordon).

Diverse, multi-storied forest stands should be recruited around wetlands and riparian areas. Wetland vegetation and riparian vegetation generally will be entirely undisturbed by logging, except as may be prescribed and approved by FWP to improve wildlife habitat. Conifer encroachment into sedge and woody shrub types near wetlands and streamsides may be prescribed if the effect would be to expand this zone of riparian vegetation. Large snags and downfall should be preserved and recruited around wetland edges and riparian areas. Human disturbance of any type will be minimized around Little Doney Lake from May 1 through August 30 to encourage successful nesting by Common Loon.

It is FWP's understanding that the landowner has no immediate plans to harvest timber, nor are there immediate forest management needs. However, the easement terms and this approval process leave options open for the landowner to actively manage forest stands if conditions change. The easement would require that forest management practices comply with Best Management Practices. The most recent edition of these practices are copied and included as part of this management plan for reference.

PUBLIC ACCESS MANAGEMENT

The Little Doney Lake Conservation Easement guarantees opportunity for at least 60 hunter-days of access annually upon each of the 3 landowners' parcels of the property. For the 2007 hunting season, hunting access will be managed in general accordance with the contingency option provided in the easement document. Hunters will not be required to ask permission to hunt from the landowner. Instead, hunters will gain access by foot, horseback or mountain bicycle according to regulations adopted for the Ovando Mountain Block Management Area. Regulations for 2006 are attached (Appendix C) to this management plan for reference. FWP will accept responsibility for maintaining the parking area along Upper Dry Gulch Road.

The usual fall hunting seasons currently offered by FWP for which the Little Doney Lake Conservation Easement provides legitimate hunting opportunity include fall black bear, archery and rifle seasons for elk and deer, and mountain grouse. Under current hunting season regulations, it is understood and agreed that the Landowner retains sole discretion to regulate public access to hunt mountain grouse, mountain lion and bobcat for those portions of the winter hound-hunting seasons that extend beyond December 1, and black bear and turkey in spring. The Landowner also retains sole discretion to regulate public access for trapping, fishing, coyote and "gopher" shooting.

FWP anticipates that the public will display their gratitude for the right of public access granted by the landowner by following rules and respecting private property. Actions to the contrary,

such as littering or efforts to circumvent access rules will not be tolerated. Easement terms specifically reserve the right for FWP or the landowner to deny access to individuals for cause.

GRAZING PLAN

Livestock are not currently grazed on the Little Doney Lake Conservation Easement. However, the easement specifically allows for livestock grazing to occur in the future should the landowner so desire. In order to implement the grazing provisions of the easement, FWP and the landowner must agree on and follow a rest-rotation grazing plan. The plan would blend ranch objectives with the purposes and requirements of the easement. It is premature to guess at a future grazing plan without knowing the objectives and needs of the landowner. Therefore, a grazing plan will be developed at such time as the landowner indicates a specific interest in introducing livestock.

OVANDO MOUNTAIN #27 Block Management Area

Hunter Access Dates:

September 1--December 1, 2006

Deer/Elk Hunting District 281

Black Bear Management Unit 280

GENERAL INFORMATION

The Ovando Mountain Block Management Area (BMA) is located in Powell County, two miles northeast of Ovando. Hunting on about 16,000 acres is provided by The Nature Conservancy (TNC), Plum Creek Timber Company (PCTC), other private landowners, Montana Department of Natural Resources and Conservation (DNRC), and Montana Fish, Wildlife & Parks (FWP).

This BMA offers hunting opportunities for elk, mule deer, white-tailed deer, black bear and upland game birds. No permission is required to hunt in this BMA.

HOW TO GET THERE

Access off MT Highway 200, beginning about 50 miles east of Missoula, includes:

- Monture Creek Road (sign "National Forest Access: Monture," between mile-markers 44 and 45).
- Unmarked road (immediately before milemarker 46, in a dip in the road; leads to the information kiosk at old "boot tree" in Section 22). From this kiosk, there are two roads open to motorized travel: the road heading north (that forks after about ½ mile), and the Haul Road heading easterly towards Doney Lake. These roads (as well as the

McCabe Creek Road) are the ONLY roads open to motorized travel on The Nature Conservancy's property.

→ Unmarked road ("Upper Dry Gulch Road"; between milemarkers 48 and 49; has sign to Big Nelson Campground).

REGULATIONS

1. These regulations are in effect from September 1 through December 1, 2006.
2. Permission is not required to hunt this BMA.
3. Motorized vehicle travel is only allowed on roads designated open on the accompanying map. Travel off-road or on closed roads is open only to foot, horse or non-motorized bicycle. Hunters should park along open roads and be prepared to retrieve game by nonmotorized methods.
4. Do not park any vehicle in such a manner as to obstruct traffic or block any gate.
5. Do not trespass or shoot into a Safety (No Trespassing) Zone. There may be Safety Zones posted in this BMA that are not shown on the accompanying map.
6. Camping is allowed on DNRC, FWP, TNC, and PCTC, but is limited to a total of not more than 14 days during any 28-day period. The 28-day period starts the first day the camp and/or camp gear is on-site. Following the 14-day camping period, persons may not relocate a camp within the described Ovando Mountain BMA until the 28-day period has lapsed.

Upon the end of the 14-day period, all camps must be completely removed. At your campsite, you must place--in writing and in a visible manner--the name, address, and phone number of site occupant(s).

Camping is not allowed on private land (other than The Nature Conservancy lands).

7. Hunters using horses and pack stock are reminded that certified weed free hay is required on federal lands in Montana and on The Nature Conservancy's lands in the Blackfoot valley.
8. It is unlawful to commercially outfit in this BMA.
9. Failure to abide by these regulations can result in a trespass violation under MCA 45-6-203 and/or a violation of FWP Department or Commission orders or rules under MCA 87-1-125.

TO ASSURE YOUR FUTURE HUNTING PRIVILEGES ON THIS PROPERTY, PLEASE OBEY THESE REGULATIONS AND RESPECT PRIVATE PROPERTY!

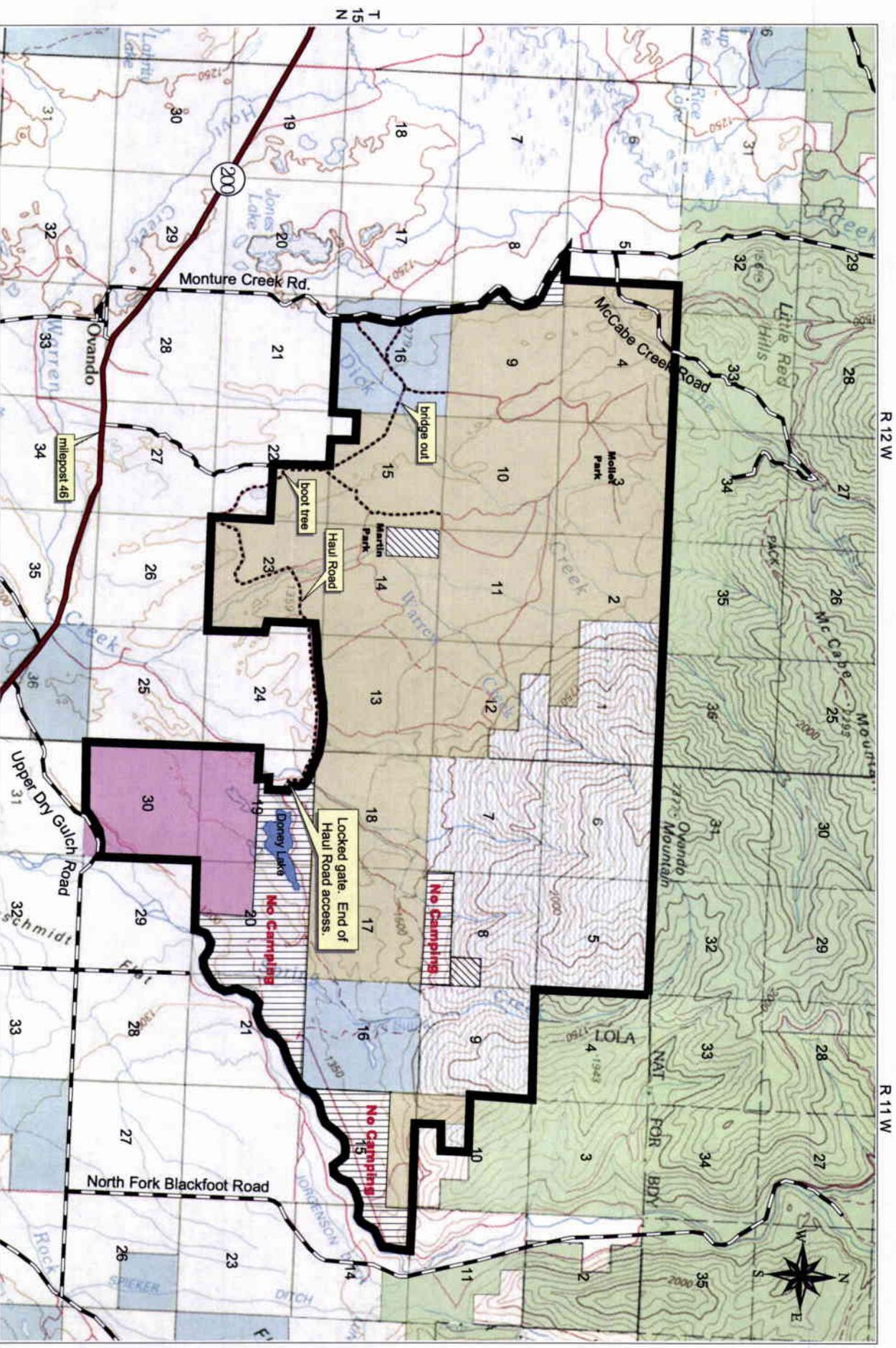
REPORT VIOLATIONS: During office hours, call R-2 FWP. During evenings, weekends or holidays, call 1-800-TIP-MONT (1-800-847-6668) or 9-1-1.



[BMA 27--rqs; 8-13-06]

**Montana Fish,
Wildlife & Parks**

Region 2 Office
3201 Spurgin Road, Missoula, MT 59804-3101
Phone 406-542-5500
(M-F, 8 A.M.-5 P.M., excluding holidays)



Ovando Mountain BMA #27
BMA Rules - See Reverse Page

Disclaimer - This map is not intended to depict property ownership outside of the Block Management Area. Contact the appropriate land management agency for information on public land ownership and travel guidelines.

- Block Management Area Boundary
- State or Federal Highway
- County or other public Road
- Designated BMA Travel Route
- Area excluded from BMA
- Camping not allowed
- Private
- The Nature Conservancy
- Plum Creek Timber Company
- State School Trust (DNRC)
- Fish, Wildlife & Parks
- Forest Service



Appendix D.

**LITTLE DONEY LAKE CONSERVATION EASEMENT
JACOBSEN/VALITION FEE TITLE ACQUISITION
SOCIO-ECONOMIC ASSESSMENT**

MONTANA FISH, WILDLIFE & PARKS

Prepared by:
Mike Thompson and Rob Brooks
October, 2006

I. INTRODUCTION

House Bill 526, passed by the 1987 Legislature (MCA 87-1-241 and MCA 87-1-242), authorizes Montana Fish, Wildlife & Parks (MFWP) to acquire an interest in land for the purpose of protecting and improving wildlife habitat. These acquisitions can be through fee title, conservation easements, or leasing. In 1989, the Montana legislature passed House Bill 720 requiring that a socioeconomic assessment be completed when wildlife habitat is acquired using Habitat Montana monies. These assessments evaluate the significant social and economic impacts of the purchase on local governments, employment, schools, and impacts on local businesses.

This socioeconomic evaluation addresses the fee title acquisition of the Jacobsen/Valiton property and the acquisition of a conservation easement on the Little Doney Lake property by FWP from the Rocky Mountain Elk Foundation. This report addresses the physical and institutional setting as well as the social and economic impacts associated with the proposed fee title acquisition and conservation easement.

II. PHYSICAL AND INSTITUTIONAL SETTING

A. Property Description

The 180-acre Jacobsen/Valiton property and the 1,103-acre Little Doney Lake property are located in Powell County, 4-7 miles northeast of Ovando. A detailed description of these properties is included in the environmental assessment (EA).

B. Habitat and Wildlife Populations

These parcels are mainly vegetated with ponderosa pine, western larch and Douglas-fir. The properties and the adjacent lands are important elk wintering range and support large numbers of mule deer. Moose, black bear, grizzly bear, and mountain lions utilize the property year round.

C. Current Use

The Jacobsen/Valiton and Little Doney Lake properties were burned during a large forest fire in the early 1900s, and both have been extensively logged. Both currently support early seral forest, browse, and grass. No commercial uses occur on the properties at this time.

D. Management Alternatives

1. Purchase the Jacobsen/Valiton fee title and the Little Doney Lake Conservation Easement.
2. No purchase

MFWP Fee Title Purchase

The intent of the Jacobsen/Valiton land purchase is to protect and enhance the montane forest habitat, and enhance the overall integrity of the Blackfoot-Clearwater Wildlife Management Area (BCWMA), state DNRC, Nature Conservancy, and Forest Service lands surrounding the property.

MFWP Conservation Easement Purchase

The intent of the Little Doney Lake Conservation Easement is similar to the Jacobsen/Valiton land purchase; i.e., to protect and enhance the montane forest habitat, and enhance the overall integrity of the BCWMA, state DNRC, Nature Conservancy, and Forest Service lands surrounding the property.

No Purchase Alternative

The no purchase alternative requires some assumptions since use and management of the property will vary depending on what future owners would decide to do with the property. There is potential for subdivision of this land that would impact the habitat and access opportunities for the public.

III. SOCIAL AND ECONOMIC IMPACTS

Section II identified the management alternatives this report addresses. The fee title purchase and conservation easement will provide long-term protection of important wildlife habitat and consistent management of this land. Section III quantifies the social and economic consequences of the two management alternatives following two basic accounting stances: financial and local area impacts.

Financial impacts address the cost of the fee title transfer and conservation easement purchase to MFWP and discuss the impacts on tax revenues to local government agencies including school districts.

Expenditure data associated with the use of the property provides information for analyzing the impacts these expenditures may have on local businesses (i.e., income and employment).

A. Financial Impacts

Montana Fish, Wildlife & Parks (MFWP) will pay appraised value for the 180-acre Jacobsen/Valiton parcel to acquire fee title with funding provided from Habitat Montana dollars. The appraisal is not complete at this writing. MFWP will pay \$160,000 for the 3 conservation easements in total across the 1,103-acre Little Doney Lake property, also with funding provided from Habitat Montana dollars.

The financial impacts to local governments are the potential changes in tax revenues resulting from the fee title purchase and the conservation easement. The sale of this land and subsequent title transfer to MFWP will not change the tax revenues that Powell County currently collects on this property. MFWP is required by Montana Code 87-1-603 to pay "to the county a sum equal to the amount of taxes which would be payable on county assessment of the property were it taxable to a private citizen."

The sale of conservation easements on the land to FWP also will not change the tax revenues that Powell County currently collects on the subject property. The property under conservation easement will remain in private ownership, and will be taxed at the same rate as at present.

B. Economic Impacts

There will not be any significant financial impacts to local businesses associated with the fee title purchase of this land and subsequent ownership by Montana Fish, Wildlife & Parks, nor with the purchase of conservation easements by FWP.

FINDINGS AND CONCLUSIONS

The fee title purchase and title transfer to Montana Fish, Wildlife & Parks, and the purchase by FWP of conservation easements, will provide long term protection for wildlife habitat, maintain the open space integrity of the land, and enhance public recreation.

These actions will not cause a reduction in tax revenues on these properties from their current levels to Powell County under Montana Code 87-1-603. Overall financial impacts to local business will be minimal. Recreational opportunities will be enhanced which may result in small yet positive impacts for local businesses that provide services to recreationists.