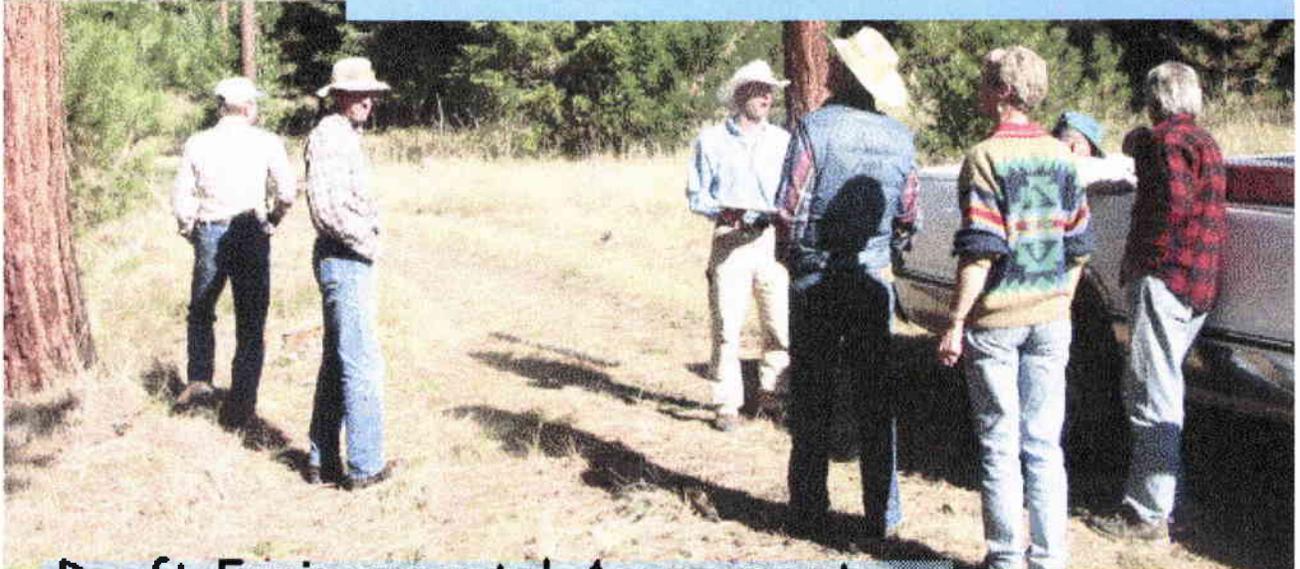


*Little Doney Lake
Conservation Easement*

Jacobsen/Valiton Purchase



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



Montana Fish, Wildlife & Parks

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**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.

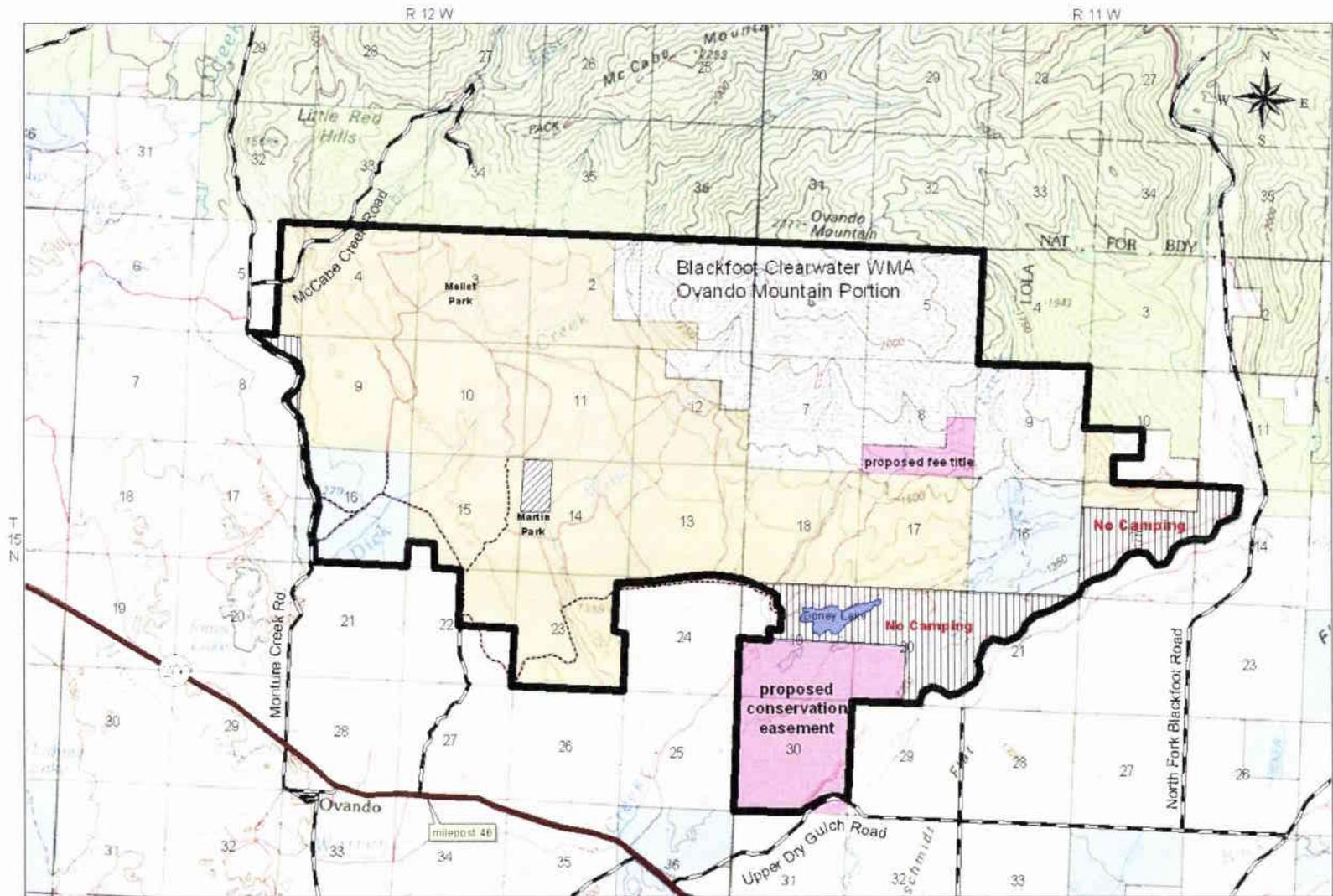
The property was owned by Plum Creek Timber Company from the early 1990s through 2006 and was managed for commercial timber production. Livestock grazing has been part of the historic land-use practices, although not for the past several years on the Little Doney Lake property. The property is highly 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



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
- Subject Properties
- Private
- The Nature Conservancy
- State School Trust (DNRC)
- Fish, Wildlife & Parks
- Forest Service



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--regs: 8-13-06]



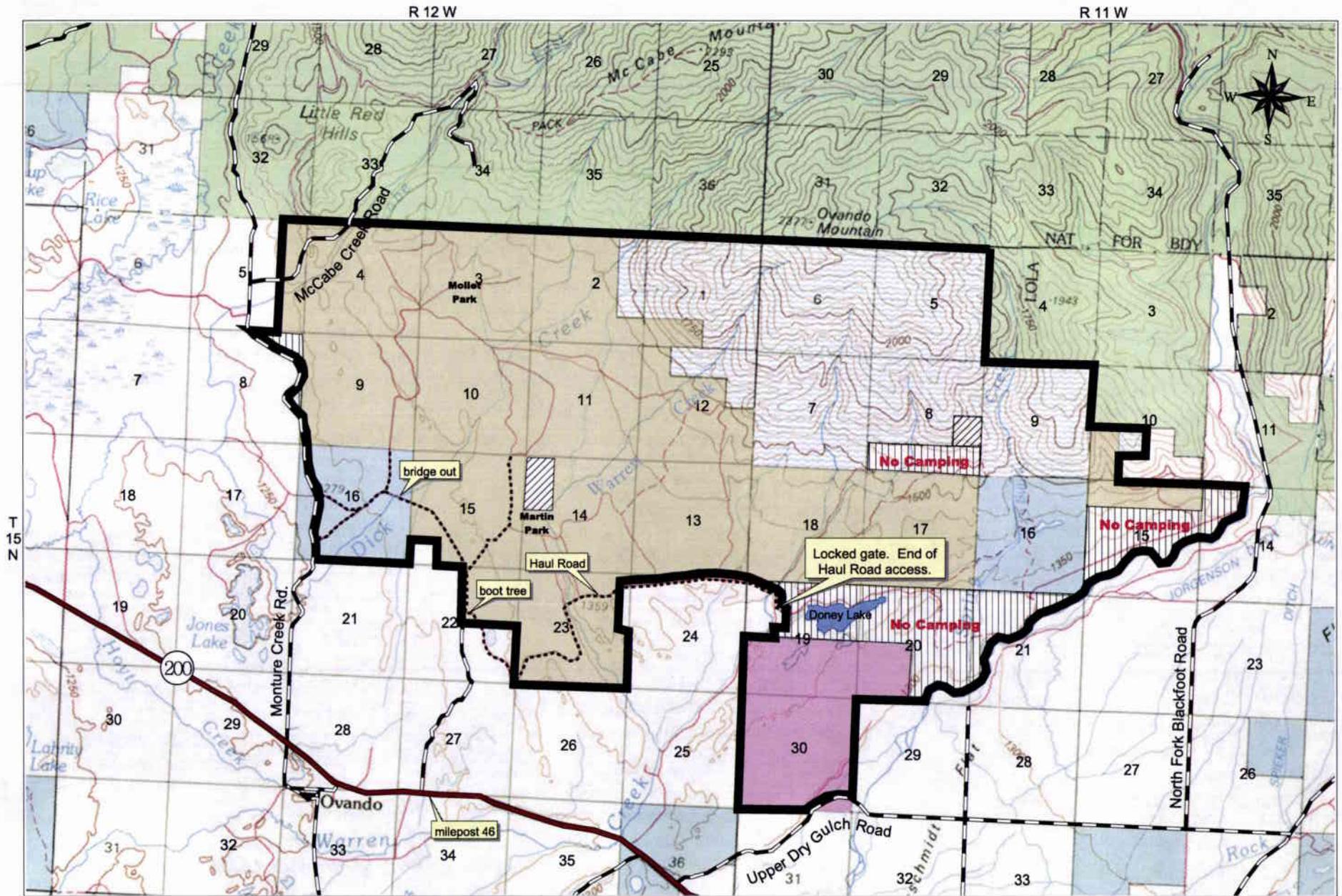
**Montana Fish,
Wildlife & Parks**

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