



# **Montana Fish, Wildlife & Parks**

3201 Spurgin Road  
Missoula, MT 59804  
Phone 406-542-5500  
November 24, 2006

Dear Interested Citizens:

Thank you for your thoughtful reviews and comments on a proposal by Montana Fish, Wildlife & Parks (FWP) to purchase approximately 180 acres of important wildlife from the Jacobsen and Valiton families. The Jacobsen and Valiton properties are located in north Powell County, about 7.5 miles NE of Ovando. FWP's purchase of these properties would block up the outer administrative boundary of the Blackfoot-Clearwater Wildlife Management Area (BCWMA), Ovando Mountain Unit. If FWP acquires the subject lands, FWP would manage these lands for the benefit of wildlife and public hunting and viewing opportunities.

Enclosed is a decision document in which FWP explains its rationale for recommending that the Fish, Wildlife & Parks Commission and the State Board of Land Commissioners approve this transaction as proposed. With the additions in this decision notice of information provided in response to issues raised during the public involvement process, FWP accepts the draft environmental assessment (EA), socio-economic assessment, and management plan as final, as they pertain to the Jacobsen/Valiton purchase. The decision document also displays all public comments on the proposed purchase, and explains how FWP considered and incorporated these comments in formulating a recommendation.

FWP has postponed a recommendation on the proposed Little Doney Lake Conservation Easement, which was also introduced in the EA package, pending the outcome of continuing discussions with the parties involved in the proposed transactions.

FWP will request approval for the purchase of the subject lands at the monthly Fish, Wildlife & Parks Commission meeting scheduled for December 14, 2006, at FWP headquarters in Helena. FWP will request approval from the State Board of Land Commissioners at its regularly scheduled meeting on December 18, 2006, also in Helena. These meetings are open to the public, as are other regularly scheduled Commission and Land Board meetings.

Please feel free to contact me at 406-542-5500 with any questions you may have. Thank you for your interest and participation.

Sincerely,

*/s/ Mike Thompson for*

Mack Long  
Region 2 Supervisor

**DECISION NOTICE**  
**Jacobsen/Valiton Purchase**  
**November 24, 2006**

**Proposal**

Montana Fish, Wildlife & Parks (FWP) proposed to purchase approximately 180 acres from the Jacobsen and Valiton families at appraised value. Funding for these transactions would come from FWP's Habitat Montana Program. 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. Due to its 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.

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. Therefore, this proposal would not result in a loss of property tax revenue to Powell County.

**Montana Environmental Policy Act (MEPA) Process**

FWP prepared a draft environmental assessment pursuant to MEPA, and a management plan and socio-economic assessment pursuant to the 1987 act of the Montana legislature known as House Bill 526. FWP made these documents available during a 31-day public comment period that began on October 20 and ended on November 20, 2006. FWP advertised the public comment period and the availability of the proposal documentation by a legal notice in newspapers (entitled PUBLIC NOTICE, Appendix A), and verification of publication has been received from: *Great Falls Tribune* (10-20-06); *Independent Record* (10-20-06, Helena); *Montana Standard* (10-20-06; Butte); *Missoulian* (10-20-06); and the *Seeley Swan Pathfinder* (10-19-06; Seeley Lake).

The EA was posted on FWP's website, under Recent Public Notices, on October 20 (direct web link is [http://fwp.mt.gov/publicnotices/notice\\_1233.aspx](http://fwp.mt.gov/publicnotices/notice_1233.aspx)). Copies of the EA were mailed 10-21-06 to 20 people, agencies and/or groups, including adjacent landowners. Postcard notification of the EA's availability was mailed 10-21-06 to 16 people, agencies and/or groups. Notice of the EA's availability was emailed to 28 people, agencies and/or groups on a standard Region 2 contact list on 10-21-06. Three more emails were sent to 3 email mailing lists, totaling 41, 25, and 69 contacts; several persons/agencies/groups appeared on more than one of the 4 emails sent.

A public hearing was held on the evening of November 8, 2006, at the Ovando Fire Hall. This hearing date was advertised in the proposal documentation, in the legal notice, in other contacts listed previously, as well as FWP's Internet web site. The content of the legal notice is attached. FWP also made a presentation on the proposal to the Powell County Planning Board and meeting attendees in Deer Lodge on November 9.

### **Summary of Public Comment**

FWP received comment from 10 individuals or organizations on the draft EA, including 3 letters and 6 e-mails. Seventeen people attended the hearing, and 1 (Mike Mueller of the Rocky Mountain Elk Foundation) provided oral comments.

The draft EA described the Little Doney Lake Conservation Easement proposal, as well as the proposed Jacobsen/Valiton purchase. A decision on the Little Doney Lake proposal is being postponed, and is not addressed in this decision notice. Six of the 10 persons and organizations commenting on the EA named the Jacobsen/Valiton purchase specifically, and indicated full support for it. There were no comments opposed to the Jacobsen/Valiton project. One of the remaining four comments supported all aspects of the proposal as described in the draft EA, thereby supporting the Jacobsen/Valiton purchase. The remaining three comments focused only on the Little Doney Lake proposal, and did not raise issues that would cast doubt on the merits of the Jacobsen/Valiton purchase. Copies of all written comments are preserved as an appendix to this decision notice.

### **Responses to questions or comments from the public**

One comment focused on the snowmobile trail connecting Lincoln and Seeley Lake:

*Little Doney Lake is a part of the connected snowmobile trails from Seeley Lake to both Ovando and to Lincoln, trips we take several times during the year. This trail reduces traffic on the plowed Monture Road, and thus improves both safety and accessibility. If snowmobile travel will be eliminated, I am opposed to this proposal.*

FWP response: This comment pertains to the proposed Little Doney Conservation Easement. The snowmobile trail currently does not cross the Jacobsen/Valiton property, which is the subject of this decision notice.

One comment focused on public access in general:

*For those us that have past our 50th birthday (and 60th), the term "access" takes on a different meaning. A walk of 1 1/2 miles one way to experience hunting and as mentioned in the EIS, camping; that distance does not imply access. There is a bridge out between the Monture Road and Doney Lake. Access as far as that missing bridge would better imply access. For those who are younger, there are tens of thousands of acres of roadless areas in Region 2 that is reserved exclusively for them. Perhaps a policy for older persons could be included in this project.*

FWP response: Although the details of this comment do not pertain most directly to the

Jacobsen/Valiton purchase, the overall sentiment is pertinent and germane. Access to the Jacobsen/Valiton property would require a hike, horseback ride, or mountain bike pedal of about 1.5 miles from the nearest parking area. These regulations mirror the long-standing regulations for the Ovando Mountain Block Management Area, of which Jacobsen/Valiton is a part. Yearlong travel management will be regulated cooperatively by the Blackfoot Community Conservation Area (BCCA) Advisory Council, involving FWP, DNRC, USFS, participating landowners, and others in the Blackfoot Challenge. At this time, all parties within the Advisory Council support a balance of motorized and nonmotorized access such as that traditionally enforced for the Block Management Area. It should also be restated that neither the Jacobsens, Valitons, nor FWP currently have legal access across adjacent lands to the Jacobsen/Valiton property, nor to the rest of the Blackfoot-Clearwater Wildlife Management Area (BCWMA) on Ovando Mountain. FWP intends to obtain legal administrative access as an extension of this acquisition process, and would negotiate with the objective of perfecting public access. If successful, however, FWP would continue to manage public access in accordance with the BCCA until such time as the public interest and interests of the BCCA diverge. In that event, FWP would continue to work for reasonable public access to the property, as well as the rest of the BCWMA.

**Regional supervisor’s recommendation on the Jacobsen/Valiton purchase**

Public involvement specific to the draft EA, Management Plan, and Socio-Economic Assessment for FWP’s proposed purchase of the Jacobsen/Valiton properties has reinforced our confidence that the proposed action is well conceived and supported. The proposal was widely advertised across Montana, and especially well known in the Blackfoot Valley. Individuals and organizations that are represented by public comment are from diverse backgrounds. Of particular note is a letter of support from the Hellgate Hunters and Anglers, an active citizens group in western Montana. No comments were received in opposition.

The Jacobsen/Valiton project will benefit Montanans for many generations to come, and I proudly recommend that the Fish, Wildlife and Parks Commission and State Board of Land Commissioners complete the Jacobsen/Valiton Project as proposed.

/s/ Mike Thompson for  
Mack Long  
Region 2 Supervisor  
Montana Fish, Wildlife & Parks

11/24/06  
Date

**Appendix A**  
**Legal Notice for the Jacobsen/Valiton Purchase**



**LEGAL AD**

Provide Proof of Publication and Invoice to:

Montana Fish, Wildlife & Parks  
Attn: Sharon Rose  
3201 Spurgin Road  
Missoula, MT 59804-3101  
542-5540

**PUBLIC NOTICE**

Montana Fish, Wildlife & Parks (FWP) invites the public to comment on the proposed purchase of a privately owned 180-acre tract of land and a conservation easement on an additional 1,103-acre private tract in Powell County near Ovando. The purpose of the proposed action is to conserve wildlife habitat for a variety of species near the Blackfoot-Clearwater Wildlife Management Area, at the base of Ovando Mountain. Both properties would be accessible to the public for hunting in the fall.

A Draft Environmental Assessment (EA) will be available for review and comment beginning Friday, October 20, 2006. You may obtain a copy electronically at the FWP website [www.fwp.mt.gov](http://www.fwp.mt.gov) (Recent Public Notices) or by mailing to FWP, 3201 Spurgin Road, Missoula, MT 59804; phoning 406-542-5500; or emailing [shrose@mt.gov](mailto:shrose@mt.gov).

Comments must be directed to the mail, phone, or e-mail address listed above, and must be received no later than November 20, 2006. A public meeting to discuss the proposal will be held at the Ovando Fire Hall on November 8, 2006, at 7:00 P.M.

***October 16, 2006***

## **Appendix B**

### **Public Comments on the Jacobsen/Valiton purchase**

#### **Comments received by E-mail**

-----Original Message-----

**From:** Rob Plakke [mailto:robp@corvallis.k12.mt.us]

**Sent:** Monday, November 20, 2006 4:29 PM

**To:** Rose, Sharon

**Subject:** Little Doney Comment

Dear Ms Rose,

I would like to comment on the proposals for Little Doney. After reviewing the literature and having spent several seasons recreating on this property, I believe the best option for Little Doney is to be purchased by Montana Fish, Wildlife and Parks. This is an exceptional property which is just beginning to recover from recent logging activities. The first thing I noticed while hiking this property was the lack of cattle disturbance. This has allowed a proliferation in such forage as snowberry, willows, hawthorns, serviceberry, aspens and dogwood, as well as a large variety of grasses. This in turn has created some of the best big game habitat I have seen in quite a while. If the property is purchased by Montana Fish, Wildlife and Parks the habitat will be managed properly for the foreseeable future. If it is left to other landowners, the habitat will most likely suffer from grazing and/or overuse resulting in a further reduction of habitat for the species we cherish. The unique placement of this property, between other properties of similar habitat value, underscores its value in a continuous corridor in this remarkable Blackfoot basin environment.

This is an opportunity we can not afford to miss; please consider purchasing Little Doney, so future generations will have the opportunity to enjoy this land as those as fortunate as I have.

Thank you,  
Sincerely,

Rob Plakke  
650 Quast Lane  
Corvallis, MT 59828  
robp@corvallis.k12.mt.us  
961-4261

November 20, 2006

Hellgate Hunters and Anglers  
P. O. Box 7792  
Missoula, MT 59807

Montana Fish, Wildlife and Parks  
3201 Spurgin Road  
Missoula, MT 59804

We at Hellgate Hunters and Anglers appreciate the opportunity to review and comment on the proposed Little Doney Lake Conservation Easement and the proposed Jacobsen/Valiton

Purchase. We have chosen to avoid a detailed response because we believe you have thoroughly documented the proposals and the rationale for them. We fully support both of these actions as clearly being in the best interest of wildlife and hunters. These actions will build on the great work already done by FWP, the landowners and others involved in the Blackfoot Clearwater Wildlife Management Area and the Blackfoot Challenge.

Thanks again for the good work and for the opportunity to review and comment on your proposals.

Sincerely,

Tim Aldrich, Director  
Hellgate Hunters and Anglers

Cc: Mike Thompson

Dear Mike,

I am writing regarding the Little Doney Lake purchase and easement proposal. I strongly support the purchase by FWP of the 180-acre parcel, and at a *minimum* an easement on the remaining property. I urge FWP to explore, if you haven't already done so, the possibility of purchasing more of the property.

As you know, this is such a unique and important area ecologically and socially. Its position near the base of Mount Ovando, its relative seclusion, and the combination of habitat features unite to create a key area for sensitive species like grizzlies, wolves, and loons. It's also an important area for wildlife viewing, hiking, riding and hunting by local residents.

I believe that FWP could ensure the most appropriate management actions by outright ownership, and that the future will show land acquisition there to be insightful and forward-thinking.

Again, I fully support the proposed purchase and urge consideration of additional purchase in place on conservation easement.

Thank you for the opportunity to comment.

(And congratulations on your "new" position!)

Sincerely,

Elaine Caton  
PO Box 92  
Ovando, MT 59854

woodpecker@blackfoot.net

-----Original Message-----

From: Gary Aitken [mailto:garya@dreamchaser.org]  
Sent: Monday, November 13, 2006 6:57 PM  
To: Rose, Sharon  
Subject: Comments on Little Doney Lake parcel

Hi Sharon,

I am a landowner near the Little Doney Lake parcel. I am familiar with the parcel from hiking, riding, and skiing on it during all seasons.

I would like to strongly encourage DFWP to purchase this parcel outright rather than negotiating for a conservation easement and having the parcel sold to an adjacent landowner.

This parcel is particularly important as wildlife habitat, and the adjacent landowners have no record in terms of wildlife land management. The land has historically been managed as a walk-in area. In recent years there has been no grazing on it and it is recovering well. There is a good possibility that if only an easement were purchased, this land would become less valuable as wildlife habitat due to overgrazing and motorized use. This is critical wildlife habitat for both nesting waterfowl, as an elk calving area, and for grizzlies, and needs to be given the most protection possible.

Thanks for listening,

Gary Aitken

What a great proposal! According to the Draft EA, Draft SEA and Draft MP, it sounds like it'll be a win-win for everyone involved-- most importantly habitat will be protected. The Nov 8, 2006 public meeting seemed to echo that. It is refreshing to comment on something that enjoys such widespread support. Congratulations and good luck!

Juanita Vero  
P.O. Box 24  
Greenough, MT 59823

-----Original Message-----

**From:** Bob Wasson [mailto:shiptech@blackfoot.net]

**Sent:** Saturday, November 04, 2006 12:20 PM

**To:** Rose, Sharon

**Subject:** Little Doney Lake

As snowmobilers, Bonnie and I are familiar with the Little Doney Lake area and have recreated there for the past 10 years.

I note that motorized use is excluded from these proposals.

1. Little Doney Lake is a part of the connected snowmobile trails from Seeley Lake to both Ovando and to Lincoln, trips we take several times during the year. This trail reduces traffic on the plowed Monture Road, and thus improves both safety and accessibility. If snowmobile travel will be eliminated, I am opposed to this proposal.

2. For those us that have past our 50th birthday (and 60th), the term "access" takes on a different meaning. A walk of 1 1/2 miles one way to experience hunting and as mentioned in the EIS, camping; that distance does not imply access. There is a bridge out between the Monture Road and Doney Lake. Access as far as that missing bridge would better imply access. For those who are younger, there are tens of thousands of acres of roadless areas in Region 2 that is reserved exclusively for them. Perhaps a policy for older persons could be included in this project.

Bottom line - I am in favor of the Doney Lake proposal, and you can call on both Bonnie and I at any time to express our position in Person.

Bob and Bonnie Wasson  
Seeley Lake

LITTLE DONEY LAKE CONSERVATION EASEMENT  
& JACOB/VALITON PURCHASE

COMMENT PERIOD ENDING NOVEMBER 20, 2006

\*\*\*\*\*  
COMMENT FORM  
\*\*\*\*\*

Name: STEVEN KLOSTZEL - (CONSERVATION AS A CITIZEN)  
Address (Street): 3270 KLEINSCHMIDT FLAT RD  
(City/State/Zip): OLAND, MT 59854

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

- I HAVE HUNTED, HIKED, RIDDEN HORSES, SKI'D IN BOTH PARCELS FOR THE PAST 3 YEARS. I HAVE ALSO OBSERVED BIG GAME, NON-GAME BIRDS + LEWIS AT PENNY LAKE. THEY ARE BOTH VERY SPECIAL + IMPORTANT WILDLIFE PARCELS.
- I AM FULLY IN SUPPORT OF OUTRIGHT PURCHASE OF THE JACOB + VALITON PARCELS.
- I AM UNCOMFORTABLE WITH THE IDEA OF THE CONSERVATION EASEMENT PROPOSAL FOR THE LITTLE DONEY PARCEL. THIS LAND HAS ALWAYS BEEN USED BY MANY LOCALS AND AREA RECREATORS AS DE FACTO PUBLIC LAND. UNDER THIS PROPOSAL, WE WOULD LOSE THIS ACTIVITY EXCEPT DURING THE FALL HUNTING SEASON ~ OR FOR SHOW MOBILITY.
- I BELIEVE THE LITTLE DONEY PARCEL SHOULD BE PURCHASED BY F.W.P. THIS IS THE ONLY WAY TO TRULY PROTECT THE PUBLIC + WILDLIFE VALUES.
- DUE TO THE LARGE NUMBER OF SMALL POTHOLE LANTIONS, CATTLE GRASSING WOULD BE VERY DIFFICULT, IF NOT IMPOSSIBLE, TO MANAGE WITHOUT DAMAGE TO THE WETLANDS. I CAN ALSO EASILY ENVISION, UNDER THE CURRENT PROPOSAL, THE LANDSCAPE BEING THE MANY NOW CLOSED ROADS AS AN ATV PLAYGROUND. THIS WOULD HAVE UNACCEPTABLE IMPACTS TO THE WILDLIFE + HABITAT VALUES OF THE PARCEL.
- PLEASE CONSIDER PURCHASE OF THE LITTLE DONEY PARCEL.

THANK YOU,  
*Steven Klostzel*

11/13/06

Mike Thompson  
Montana Fish Wildlife and Parks  
3201 Spurgin Road  
Missoula, MT 59804

Subject: **Little Doney Lake EA**

Dear Mr. Thompson,

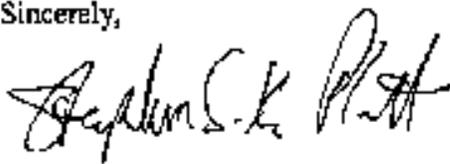
I am writing this letter to enthusiastically support Montana FWP's acquisition of 180 acres of private land and purchase of a 1,100 acre conservation easement as outlined in the above referenced Environmental Assessment.

I have hiked, hunted and fished in the Blackfoot Valley for most of my adult life and it is one of my very favorite places in Montana. The Blackfoot is special because of its mix of wonderful country, incredible fish and wildlife resources and excellent public access to both. As far as I can tell, the proposed project will benefit the wildlands, and wildlife in the Ovando area and continue the tradition of public access in the Blackfoot.

It looks like a great project.

Do it!

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Platt". The signature is fluid and cursive, with a large initial "S" and "P".

Steve Platt  
528 West Lawrence Street  
Helena, MT 59601  
406-449-8245

Little Doney Lake Conservation Easement and Jacobsen/Valiton Purchase

Andrea Morgan  
3270 Kleinschmidt Rd  
Ovando, MT 59854

Thank you for the opportunity to comment on the proposed Little Doney Lake Conservation Easement and Jacobsen/Valiton land purchase near Ovando.

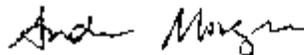
I believe that it is absolutely imperative that Montana Fish Wildlife and Parks purchase not just the conservation easements for the Little Doney Lake parcels but the land itself. It is not only documented grizzly bear, lynx and grey wolf habitat, but identified as important to wintering mule and whitetail deer and elk populations. The use of the lake by nesting loons as well as a myriad of songbirds is further evidence of its prime habitat qualities.

If Fish Wildlife and Parks chooses to purchase only the conservation easements themselves, allowing for private purchase of these parcels, those easements will need monitoring and management by FWP staff. Furthermore, allowing these properties to be sold to adjacent landowners, despite having conservation easements placed upon them, does not guarantee effective, habitat-based management practices. For example, cattle grazing and ATV use by the landowners could increase weed infestations and human/wildlife conflict, thereby reducing wildlife habitat productivity.

High market demands for Montana's unique landscapes will only continue to increase. An opportunity to purchase and manage crucial wildlife habitat such as the Little Doney Lake parcels is a rare opportunity that we can't pass up.

Sincerely,

Andrea Morgan



u-17-06

RCD 4/13/06

Mr Kolbe:

I am directing these comments to you because your name and email were given to me by Sharon Rose as an acceptable place to comment on the Little Doney Lake purchase and easement proposal set forth on the Montana Fish, Wildlife & Parks (FWP) website.

I want to express my support for the proposal and encourage the FWP to obtain deeded ownership of the 180 acres of land and the an easement over the remaining 1,103 acres. I have been hunting and cross-country skiing on this property for several years and have spent many hours on it. In fact, I just returned from spending 13 days camped on the property near the current parking area for the Ovando Mtn BMA. While I was there, there were several vehicles of hunters every day who arrived to use that parking area as access to hunt in front of Ovando Mountain. While there, I witnessed several adults bringing young hunters to the property. I believe it is a tremendous asset to the hunting and recreating public in Montana and strongly encourage the FWP to obtain permanent public access through the purchase and easement proposals.

Thank you.

Joe Cosgrove  
79 Cob Drive  
Great Falls, MT 59404  
(406) 761-0101