

DECISION NOTICE AND FINAL ENVIRONMENTAL ASSESSMENT

BULL RIVER WMA NOGGLE CREEK ADDITION ***Prepared by Region One, Montana Fish, Wildlife & Parks*** ***September 11, 2007***

PROPOSED ACTION

Montana Fish, Wildlife & Parks (FWP) proposes to the FWP Commission that the department complete acquisition of approximately 255 acres of Plum Creek Timber Co. (Plum Creek) land located in the west half of Section 3, T28N, R33W. This parcel adjoins the Bull River Wildlife Management Area to the north in both Lincoln and Sanders Counties (Figure 1). The remainder 320 acres of Section 3 and another adjoining 80 acres of Plum Creek land will be simultaneously purchased by RC Resources (or Revett Minerals) as potential grizzly bear mitigation land for the proposed Rock Creek mine. The Conservation Fund will hold a first right of purchase for 20 years on the 400 acres to be held by RC Resources.

The FWP purchase will benefit big game, particularly for a herd of 150-300 elk that utilize an exposed knoll just north of the existing WMA on the 255-acre parcel. This knoll is one of the most important features of the elk winter range habitat in the area and is needed to maintain the integrity of the WMA. In addition, this purchase shores up a critical wildlife linkage area for wildlife moving between the East and West Cabinet Mountains and includes approximately 20 acres of wetlands and riparian areas and low elevation forested benchlands. Deer, moose, black and grizzly bears, mountain lions, fisher, and lynx also use the area.

This proposed land acquisition is the result of cooperation from Plum Creek, The Conservation Fund, FWP, and RC Resources. The 565 acres in Section 3 and the adjoining 80-acre parcel in Section 11 were to be sold by Plum Creek for development. This parcel was included in FWP's original proposal to create the Bull River WMA in 2004. However, at that time, Plum Creek removed Section 3 from the original plan due to its high development potential.

PURCHASE PRICE AND APPRAISALS

FWP would purchase the 255-acre parcel for the anticipated cost of \$1,657,500 or \$6,500/ac using Habitat Montana funds. The Conservation Fund negotiated the value and purchase price following an appraisal on the entire conservation acreage (approximately 655 acres) completed in June 2007.

BACKGROUND

In 2004, Montana Fish, Wildlife & Parks (FWP), with the help of The Conservation Fund, Avista Corporation, and Plum Creek Timber Company (Plum Creek), completed a transaction that created the approximately 1,330-acre state-managed Bull River Wildlife Management Area along with a state-held 574-acre conservation easement on adjoining Avista Corporation land. This conservation area lies adjacent to Bull Lake in Sanders and Lincoln Counties and conserves important wetlands, rivers, lakes, streams, forestlands, and part of a natural travel corridor that connects the East and West Cabinet Mountains. The partners acquired these land interests using Avista Corporation funds dedicated to habitat protection as part of their Federal Regulatory Energy Commission license and Habitat Conservation Plan Land Acquisition Funds from the U.S. Fish and Wildlife Service.

During the winter of 2006-2007, Plum Creek notified FWP about its plans to develop Section 3. At that time, FWP worked with Plum Creek both to reduce potential impacts of the development on wildlife and to pursue a partnership to obtain funding for outright purchase of the parcel. While working with The Conservation Fund to coordinate the partnership, Region One submitted its request to use Habitat Montana funds to acquire in fee approximately 200+ acres in Section 3 in March 2007. The managers and division approved the project for Habitat Montana for about \$1.6 million. After RC Resources agreed to the partnership concept, FWP presented the project for preliminary approval to proceed to the FWP Commission May 17, 2007.

DRAFT EA, ALTERNATIVES, AND ANALYSIS

On August 9, FWP issued the draft EA entitled “Bull River Wildlife Management Area- Noggle Creek Addition” August 9, 2007, for a 30-day public review ending September 7, 2007. FWP paid for legal ads in the region’s major daily and weekly newspapers and mailed copies of the draft EA or notification cards to over 170 entities, including all neighboring property owners. FWP also issued a news release to major media in western Montana. The Western News carried an article about the project and upcoming public hearing September 5, 2007.

In the draft EA, FWP considered the proposed action and the no-action alternatives. Under the no-action alternative, there would be a substantial likelihood of residential development of this important area. Such development could place at-risk species in further jeopardy, impact winter range particularly for elk, and increase FWP costs of managing the WMA due to possible adjoining development and trespass issues. Development of the property would also block public access to the subject lands as well as the adjoining Forest Service lands. The proposed action would provide benefits to habitat and wildlife, and maintain timber productivity, public access, and existing tax base through FWP’s payments in lieu of taxes.

SUMMARY OF PUBLIC COMMENTS AND FWP RESPONSES TO CONCERNS

FWP held a public hearing on September 5, 2007, in Troy at the Senior Citizen Center. Twenty-two people attended the hearing and 13 testified in favor of the proposed addition to the Bull River WMA. The local Lincoln County Commissioner testified in support of the project on behalf of the Lincoln County Commission. FWP received another 9 written comments in support of the project including the Kootenai National Forest and several adjoining landowners. One individual raised a question about how RC Resources would manage public access, while another asked if FWP would manage the forest resources on the WMA.

Questions or Concerns Raised by the Public:

1. One individual at the public hearing asked how RC Resources (Revett Minerals) would manage public access to their 400 acres.

Response: FWP corresponded with a representative of the mining company; they agreed that while the mining company held the land, it would make sense for the 400 acres to be managed similarly as the land acquired by FWP and the rest of the WMA.

2. Another individual asked if FWP would be managing the young, vigorous, and diverse forest stand on the acquired lands.

Response: FWP recognizes the timber-growing potential of these lands, noting that much of the property was reforested with a high diversity of conifers 20+ years ago, and trees are nearly 30 feet tall. Based on the existing tree spacing, thinning could be an appropriate forest management activity in 10-30 years. There may also be a need to thin densely stocked stands to promote tree growth.

FWP plans to complete a baseline timber stand inventory and develop a long-term habitat management plan that includes management actions for the forest components. FWP's long-term management goals would likely address habitat needs, risk of fire, protection of important ecological areas such as the forested wetlands, maintenance of winter range, spread of noxious weeds, and overall management costs. FWP agrees that over time, forest management will be required. When future management actions are needed, FWP would develop a site-specific plan and make it available for public review through our environmental review process.

NEED FOR EIS and FINAL EA

Through the environmental analysis process and public comment period, FWP did not find any significant negative impacts associated with proceeding with the proposed action as described above. After issuing the draft EA on August 7, 2007, and completing public review ending September 7, 2007, FWP has determined that this proposed action would not significantly impact the social or physical environment; therefore this project does not need an environmental impact statement. FWP adopts the draft EA as the final EA.

THE DECISION

Based on the exceptional benefits of the proposed action for wildlife habitat conservation and the substantial threats to this important habitat from development in the event of inaction, FWP recommends to the FWP Commission that they approve this acquisition and authorize FWP to complete the land transaction as presented in the environmental assessment process and this decision notice. FWP would use \$1,657,500 of Habitat Montana funds to purchase a total of 255 crucial acres from The Conservation Fund.

James R. Satterfield, Jr., Ph.D.
Region One Supervisor

Date

Figure 1. Bull River WMA, Avista Conservation Easement lands, and proposed FWP Noggle Creek Addition near Bull Lake, Lincoln and Sanders Counties, Montana.

