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Environmental Assessment
Alberton Gorge
Land Exchange

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*Public Comment accepted
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June 2000

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Montana Fish, Wildlife & Parks
United States Forest Service
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- 2 – Travel Montana - Department of Commerce: Tourism Report**
(not available in the electronic format of this document)
- 3 – Memorandum of Agreement for Cultural Consideration of Exchange**

INTRODUCTION

Purpose of the Exchange

The purpose for the proposed land exchange is to:

- 1) consolidate land ownership in areas of western and central Montana, thereby allowing both agencies to improve administration of land management activities;
- 2) facilitate the conveyance of the Alberton Gorge River Corridor into public ownership to preserve the natural values of the Corridor;
- 3) improve, increase and perpetuate fishing access along the Clark Fork River.

The types of land management activities to be improved varies depending upon the property, but generally include: campground maintenance, noxious weed management, fisheries and wildlife management, and public outdoor recreational use.

Description of the Proposed Exchange

Alberton Gorge is a seven-mile segment of the Clark Fork River located near the town of Alberton, about thirty miles northwest of Missoula. The Montana Power Company (MPC) owns about 320 acres along Alberton Gorge, comprising most of the privately owned shoreline. This land was acquired to serve as the holding area for a reservoir that would accompany development of a dam and hydropower facility at the mouth of Fish Creek.

MPC has decided not to pursue hydropower development in this area, and for the past several years has been seeking to dispose of this acreage in Alberton Gorge. Rather than put the land on the market, however, MPC sought partners to secure an outcome that would protect the natural values of the Gorge. As part of that effort, MPC purchased additional land along the Gorge to prevent residential development and to assemble a conservation package for potential public acquisition. The Gorge has been used for many years by fishermen, and more recently, by floaters as a recreational corridor.

The Montana Fish, Wildlife and Parks (MFWP) and the United States Forest Service (FS) expressed their willingness to work with MPC to help conserve this resource. In November 1998, River Network, a nonprofit conservation organization, became part of this conservation effort, paying \$50,000 to the Montana Power Company for a one-year option to purchase all of the MPC land on Alberton Gorge. In April 2000, River Network paid an additional \$50,000 to extend the option through the year 2000. River Network is now working with MFWP and the Forest Service to acquire the land and convey it, through the Alberton Gorge Land Exchange, to MFWP.

The proposed Alberton Gorge Land Exchange involves the transfer of tracts between three parties: Montana Fish, Wildlife & Parks, United States Forest Service, River Network and their purchase of the Alberton Gorge from Montana Power Company.

This exchange proposes that River Network will acquire portions of the Tarkio Section 35 (Lolo National Forest) tract from the United States Forest Service, and the MFWP Region 5 Old Headquarters in Billings. River Network intends to sell these tracts (or trade for other tracts to sell) to generate the cash necessary to purchase the Alberton Gorge tracts owned by MPC.

MFWP proposes to transfer four tracts to the FS. The Park Lake Fishing Access Site (FAS) and Tizer Lakes FAS are located in the Helena National Forest (NF). Natural Bridge State Park, on the Boulder River, is located in the Gallatin National Forest. Frank Lake FAS is located near Eureka, in the Kootenai National Forest. The first three parcels are inholdings within the National Forest Boundaries; Frank Lake is adjacent to National Forest boundaries. Park Lake, Tizer Lake and Natural Bridge have been identified by MFWP for disposal for nearly 10 years. All sites have been identified for acquisition by the respective National Forests.

Since MFWP used Federal Aid in Sport Fish Restoration (Wallop-Breaux) funds to purchase some of the lands they are proposing to transfer (Park Lake and Tizer Lakes), MFWP is required to replace these lands with lands having equal fisheries value. To accomplish this, MFWP proposes to transfer land with fisheries value to the United States, the United States will transfer land with non-fisheries value to River Network and River Network will transfer land with fisheries value to MFWP.

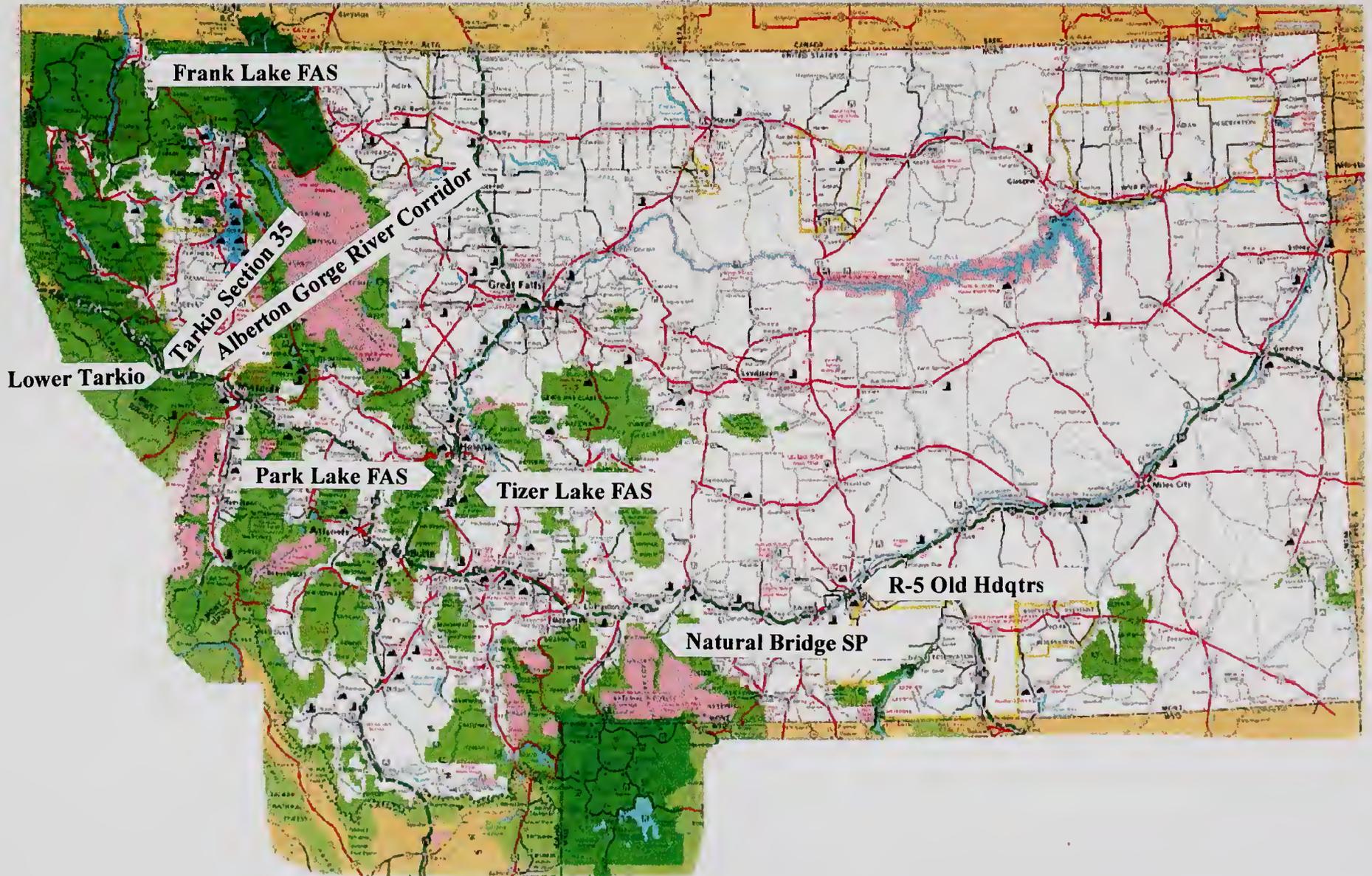
In addition, MFWP used Land and Water Conservation Funds to purchase property that is proposed to be traded to the FS, but can be replaced with equal recreation values in property acquired from River Network.

The FS has identified the Lower Tarkio tract (a portion of section 34) as a disposal parcel and intends on transferring it to MFWP to expand the recreational area at the existing Tarkio Fishing Access Site.

Property appraisals will not be available until the end of July; therefore, the FS and MFWP reserve the option to add cash to equalize values in the exchange.

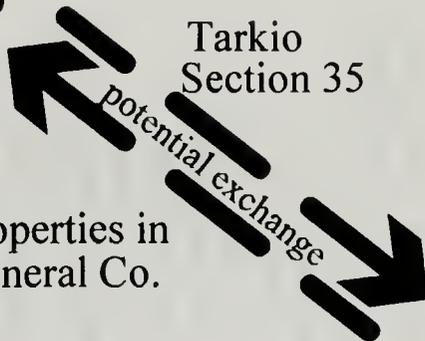
The table below outlines the anticipated exchange between agencies and the approximate acreages.

Alberton Gorge Land Exchange Tract Location Map



DNRC

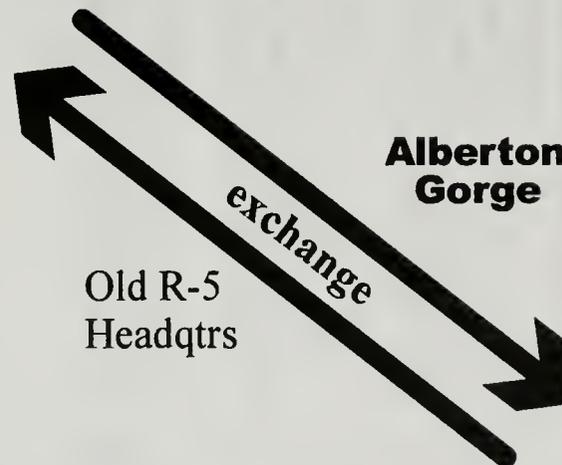
MPC



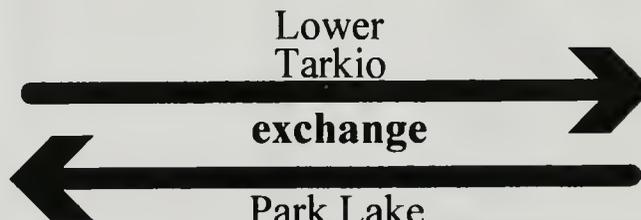
Alberton Gorge

RIVER NETWORK

Portion of Tarkio Section 35
Cash Equalization



USFS



MFWP

Park Lake
Tizer Lake
Frank Lake
Natural Bridge
Cash Equalization

Diagram of the
Alberton Gorge Land Exchange

Table of Proposed Land Exchange Tracts and Current and Future Ownership

Tract	Owner	Transfer to:	# Acres
Frank Lake FAS	MFWP	United States, to be administered by Kootenai NF	88.88
Natural Bridge SP	MFWP	United States, to be administered by Gallatin NF	40.00
Park Lake FAS	MFWP	United States, to be administered by Helena NF	95.88
Tizer Lakes FAS	MFWP	United States, to be administered by Helena NF	142.29
Total acres acquired by the U.S.			367 more or less
Tarkio Tract	FS	MFWP	34.40
Alberton Gorge	MPC	River Network buys with cash, then transfers to MFWP	320 approx.
Total acres acquired by MFWP			354 more or less
Region 5 Old Hdqtr	MFWP	River Network sells to buy Gorge	2.66
Tarkio Section 35	FS	River Network sells to buy Gorge	320 more or less
Total acres acquired by River Network			323 more or less
Cash equalization	MFWP	United States	to be determined
Cash equalization	FS	River Network	to be determined

Public Benefits of the Proposed Exchange

State Tracts

Conveyance of the MFWP tracts to the United States will provide several important public benefits:

- United States would acquire three in-holdings (Natural Bridge, Park Lake, Tizer Lake) within Forest Service boundaries;
- United States would have consolidated management of two recreation facilities (Natural Bridge & Park Lake) eliminating public confusion and law enforcement jurisdiction concerns;
- United States would be able to expand the recreational facility at Park Lake, emphasizing protection of the lake shore and improving accessibility to the lake;
- United States would be able to improve the recreational facility at the Natural Bridge;
- United States would consolidate ownership of the Elkhorn Wildlife Management Unit (Tizer Lake);
- United States would acquire habitat valuable for threatened and endangered or federally sensitive species (Frank Lake, Natural Bridge, Park Lake, Tizer Lakes);

Conveyance of the MFWP Region 5 Old Headquarters to River Network will also provide important public benefits:

- Eliminates maintenance and fees paid on an obsolete property;
- Allows for future productive use of urban tract land in Billings.

Federal Tracts

Conveyance of the Federal lands to MFWP/River Network will accomplish several important public benefits:

- Eliminates the United States management of an isolated parcel and the administration and maintenance of a road to access this parcel (Section 35);
- Through this three way land exchange, the Alberton Gorge would be placed in public ownership to provide improved fishing access, and preserving the natural values of the Gorge;
- MFWP would be able to expand their recreational facilities at Tarkio to meet the public demand of use.

Private Tracts

Conveyance of the Montana Power Company tract to River Network, then into public ownership, will accomplish these important public benefits:

- MFWP can improve fishing access for bank anglers;
- the natural values of the 7-mile Alberton Gorge River Corridor will be preserved, including fish and wildlife habitat and scenic values, by preventing residential or commercial development along the corridor.

Purpose of the Draft Environmental Assessment

This is a document prepared jointly by MFWP and the FS, as co-leads. Both the National Environmental Policy Act (NEPA) and the Montana Environmental Policy Act (MEPA) guide the review of this exchange. This Draft Environmental Assessment (EA) serves as part of the FS scoping process, by providing details on which the public can comment and identify potential issues about the exchange. Thereafter, a Final EA will be prepared which considers the identified issues and a formal thirty-day comment period is provided after public notice. A forty-five day appeals process is provided. The MEPA process typically does not include formal scoping, but requests formal comments on the Draft EA for thirty days. These recorded comments are addressed in the Final EA, and/or within the Final Decision Notice, with no further formal comment period. A thirty day appeals period is provided after the Decision Notice is issued.

Document Organization

This Draft Environmental Assessment is broken down into several chapters to aid the reader in understanding the impacts to individual tracts if the proposed exchange is completed. Each property proposed for transfer is addressed individually with location maps included. The MEPA/NEPA Checklist Environmental Assessment commonly used by MFWP, was followed to aid in comprehensive consideration of environmental and

human impacts. A narrative format is used, however, to better describe the composition of each tract of land. A conclusion summary reviews the impacts and compares total values of such things as timber values, access, wetlands and floodplains.

Alternatives

The proposed land exchange poses two basic alternatives: no action, or implement the exchange as described above. Due to the number of parties and properties involved and the time constraints required, if these components change, the entire exchange will not occur, therefore other alternatives are not feasible to consider at this time, but are discussed under Alternative C, below. The No Action Alternative is primarily discussed below, because many properties would undergo no changes if they remain under current ownership. The specific evaluation under each tract section in this document, primarily addresses impacts that may occur if the Alberton Gorge Land Exchange is completed as proposed.

ALTERNATIVE A - No Action

This alternative will allow all properties to remain under current ownership with limited changes occurring to the federal and state tracts. The Alberton Gorge tract has the potential for significant changes, if MPC decides to sell to private residential developers. More specifics can be reviewed under each tract section, below.

If the land exchange does not proceed, MPC or its successor in interest, may sell the **Alberton Gorge River Corridor** to private developers or individuals, probably resulting in residential sites along the Gorge area. According to the *Alberton Gorge Appraisal* (AR Appraisal and Consulting, August 31, 1998), all tracts include marketable timber, however, the location on steep river banks make timber removal impractical. The property consists of 24 separate legal tracts, about half of which have access suitable for private residential development. County Planner, Wayne Marchwisk, (personal communication with Sue Dalbey, June 23, 2000) indicated that there is no zoning in this portion of Mineral County which would restrict the type of development occurring on the property if privately owned. If the individual tracts were to be subdivided, they must be approved by the County Land Board and the county would be a party in any covenants placed on the land. Sanitary systems would require the county's review. Marchwisk indicated that land values and taxes may remain similar under private or public ownership; however, if tracts are residentially developed, additional tax revenue could be collected for values such as scenic views and the structures placed on the tract. He also acknowledged that county costs for services provided are usually higher than tax revenue received, based on studies done in another county.

Residential development is considered the most likely use of this property suggested by the appraisal noted above. Potential impacts due to this type of development include the following:

Physical Environment

- disruption, displacement, erosion compaction and over-covering of soils;
- temporary dust emissions from construction that reduce air quality,
- temporary water quality degradation from effects of construction along river banks,
- decrease in vegetation and potential for increased weed establishment,
- decrease in wildlife habitat and potential impacts to fisheries habitat,
- displacement of non-game wildlife and song birds.

Human Environment

- temporary additional noise along the Gorge area from residential development,
- fragmenting an existing large, linear natural area,
- increase in the density and distribution of the population along the Gorge,
- increase in governmental services for fire and police protection, schools, public parks facilities, road maintenance, water supply, septic systems, and solid waste disposal,
- increase in local tax base, but also an increase in demand for this revenue,
- expansion of utilities,
- loss of the potential to gain public access to the river,
- decrease the current aesthetic values and scenic vistas for those endeavoring in outdoor recreation, such as bank and float fishing, floating the river, wildlife watching, etc.,
- risks of losing cultural or historical resources.

Under the “No Action Alternative,” the **Lower Tarkio Tract and Tarkio Section 35 Tract** will continue to be listed as disposal properties within the Lolo Forest Plan. Wildlife habitat, hunting and recreational access would remain “as is” until the next disposal action is determined. The Lolo FS plan identifies only thinning of timber, therefore PILT fund income to the county would not increase significantly from future FS activity on these tracts. Future possibilities for these tracts may include use in another land exchange, after which this land could be subject to residential subdivision and development. The Department of Natural Resources and Conservation (DNRC) has also indicated interest in acquiring this section in a land exchange to adjoin adjacent state Sections 2 and 36.

Frank Lake will continue as a minimally maintained fishing access site in MFWP ownership.

The **MFWP Old R-5 Headquarters** will continue to be identified as a disposal property within MFWP, receiving minimal maintenance as a storage area for the current Region 5 office. Future funds will continue to be allocated to pay for fees and taxes on this virtually vacant urban tract.

The **Natural Bridge, Park, and Tizer Tracts** will continue to be identified as disposal sites and considered for future land exchanges with the Forest Service. They will not be managed pro-actively by MFWP due to the lack of personnel and funding to support these remote sites. Recreation and environmental management conflicts will continue at Park Lake. Public confusion of property ownership and law enforcement jurisdiction concerns will continue at these sites.

ALTERNATIVE B - Proposed Exchange

Impacts to the individual tracts are discussed under each corresponding section following the Introduction.

The FS and MFWP are motivated to release the designated tracts to increase management efficiency and dispose of isolated properties, which can be more effectively managed by the agency with adjacent lands. The public will benefit from these trades through the consistent management of larger consolidated areas. The acquisition of the Alberton Gorge River Corridor is an opportunity to preserve and provide access to valuable fisheries, recreation area and scenic area for the people of Montana and visitors from out-of-state.

Considerable support from River Network, the Missoula Whitewater Association, commercial outfitters, anglers, and regional individuals and groups suggest that the conveyance of the Alberton Gorge River Corridor into public ownership is a worthwhile venture in the public's interest. Only one tract out of eight will (possibly) leave public ownership in this exchange (a portion of Tarkio Section 35). All other properties will come into, or remain under public ownership, thus retaining and in some cases improving wildlife habitat, public access, and recreational opportunities.

MPC and River Network have extended the option to purchase the Gorge through December, 2000. If the exchange cannot be completed by this date, it is unknown whether the process can continue due to connected actions of this exchange. If one or more of the identified tracts cannot be used in the exchange, the process will be difficult to improvise and conclude in a timely manner.

Acquisition of the Alberton Gorge River Corridor by MFWP will also increase tax revenue into Mineral County by approximately \$11,000 annually. (Please refer to the tax table and discussion, in the Alberton Gorge section of this document, for details.)

ALTERNATIVE C – Alternatives Considered but Eliminated from Detailed Study

These alternatives have been considered during the process of consummating the details of this exchange. Due to the complicated and connected actions in this exchange, these alternatives were dismissed as unfeasible given the timely manner in which a transaction with MPC needs to be completed, available funding and exchange tracts, protection of the resources required, etc.

- 1) **Direct Sale:** MFWP could purchase the Alberton Gorge directly from MPC, however, MFWP does not have this amount of acquisition funds available for lands from the appropriate funding sources corresponding to the area use. Both MFWP and the FS would continue managing properties identified for disposal.
- 2) **Partial Acquisition of the Gorge:** Partial acquisition could occur, however, this would be a very lengthy process. The option purchased by River Network to buy the Gorge would expire; appraisals would become outdated; exchange properties may be used in other projects; multiple approvals from respective agencies on each phase would lengthen the project.
- 3) **Identify Other Tracts to Exchange:** The land exchange could involve different tracts. The tracts going to the FS have been identified for many years (except Frank Lake) as disposal sites by MFWP and acquisition sites for the FS. Other tracts which the FS may dispose of in Mineral County, are being used in other land deals. It is important for the FS to use disposal properties in Mineral County to replace the Gorge tracts going into public ownership. To identify different tracts at this time would extend the completion date by several months, if not a year, to allow for completion of appraisals, specialist reports, public comment, further environmental review, and approval by the corresponding agencies.
- 4) **Direct Sales of State Tracts:** The State disposal properties (Frank Lake, Natural Bridge, Park Lake, Tizer Lake) could be sold on the open market to the highest bidder, however MFWP would be required to reimburse Federal Aid (Wallop-Breaux and Land and Water Conservation Fund) . This option could be detrimental to wildlife and fisheries habitat and recreational resources in these tracts. There would be no assurances of recovering those dollars to be specifically used in the acquisition of the Alberton Gorge River Corridor.

Authority

Land exchanges are warranted by:

- General Exchange Act of 1922;
- Boundary Extension Act of January 30, 1929;
- Federal Aid in Sport Fish Restoration Act of 1950, as amended (Wallop-Breaux);
- Land and Water Conservation Fund Act of 1965 (LWCF);
- Federal Land Policy and Management Act of 1976;
- Sections 87-1-201 and 209, and 87-1-605, Montana Codes Annotated (MCA);
- Federal Land Exchange Facilitations Act of 1988.

A portion of the funding used to acquire Park Lake FAS and Tizer Lakes FAS was from Federal Aid in Sport Fish Restoration (Wallop-Breaux), therefore they must be replaced with land having equal fair market and fisheries values. It is expected that sport fishing values encumbered by the transfer of Park and Tizer Lakes FAS's will be equal or greater

to that of the new fishing access site(s) between Cyr and Triple Bridges along the Alberton Gorge.

Public Involvement

To date, the public has been involved in the future of the **Alberton Gorge River Corridor**. Local clubs, such as the Missoula Whitewater Association, and river conservation organizations such as River Network, have publicly shown their support for this section becoming a public, “un-developable” corridor at least since 1996. The April 1999 annual meeting for the Whitewater Association include over 50 people who were interested in the future of the Gorge. Members of the Association have taken active roles in helping with title searches, and helping to prioritize key lands within the exchange. Commercial guides have attended club meetings (above) and many outfitters support the land exchange.

River Network has shown their support by paying MPC \$50,000 in November 1998, and again in April 2000, which provided time to explore opportunities of procuring the Gorge into public ownership; and secondly, they are assuming responsibility for selling certain properties that will allow purchase of the Gorge.

Neighbors to the Alberton Gorge tract have voluntarily called MFWP after seeing the articles in local papers regarding the exchange, wanting to help or possibly add their property to the corridor.

A July 6, 1998, letter signed by the Montana Congressional delegation offers unanimous support for the project. The Lolo National Forest and Regional Office have received numerous letters in support of public ownership of the Alberton Gorge.

Mineral County Commissioners and neighbors to the **Tarkio Section 35** tract have publicly opposed (June 13, 2000) the potential sale of this tract to private entities for residential development and/or intense timber management. The MFWP Region 2 staff, River Network Regional Director, Forest Service and DNRC have met several times and will continue meeting with Mineral County Commissioners to discuss and resolve these concerns, as well as concerns for Mineral County tax revenue, private development, wildlife habitat and public access.

The **Lower Tarkio tract and the Tarkio Section 35** tract meet the criteria in the Lolo NF 1986 Plan Disposal Guidelines, but have not been proposed as disposal parcels until now. Public input to date originates primarily from adjacent landowners and the Mineral County Commissioners as discussed above.

Public Involvement at the **Region 5 Old Headquarters** has been limited to discussions between MFWP and Billings City Administrators regarding the proposal of a Law Enforcement Branch Office for the Billings Heights Task Force at this site. Local funding was not available to legally purchase the property; hence, the proposal has been dismissed.

The **Natural Bridge, Park Lake and Tizer Lakes** tracts have been proposed for transfer to the FS in prior land trades with unsuccessful results (to equalize the past exchanges). Public input opportunities have been provided in the past exchange proposals, but input regarding the current exchange has been limited.

Little public input has been received regarding **Frank Lake** in the current land exchange.

Public Comment Periods

The public will be notified in the following manners to allow for comment on this Draft Environmental Assessment (EA) as required under MEPA and House Bill 495. The following notifications also serve as notices for the scoping process under NEPA requirements to allow for public input and consideration of issues to be addressed in the Final EA.

- Four-consecutive weeks, legal notice publication in these newspapers:
 - Tobacco Valley News (Eureka),
 - Western News (Libby),
 - Daily Inter Lake (Kalispell),
 - Mineral Independent (Superior),
 - Missoulian,
 - Helena Independent Record,
 - Great Falls Tribune,
 - Bozeman Daily Chronicle,
 - Big Timber Pioneer,
 - Billings Gazette.
- one legal notice on Montana's electronic bulletin board;
- one statewide press release;
- EA available on the MFWP website: <http://www.fwp.state.mt.us/index.html>.

Copies of the Draft EA will be mailed directly to many of the proposed sites' neighboring land owners to ensure their knowledge of the proposed exchange. Copies of the Draft EA will also be available for the public to review at the following locations:

MFWP Regional offices in Kalispell, Missoula, Bozeman, Billings, and the Headquarters in Helena;

FS Region 1 Office in Missoula; Supervisor's Offices in Libby, Bozeman, Helena, Missoula; FS District Offices in Superior, Ninemile and Big Timber.

Public meetings at the following places and times will be held to enable the public to address any questions about the proposed action.

SUPERIOR

Thursday, July 6, 2000

7-9 pm

Mineral County Building

HELENA

Tuesday, July 11, 2000

7-9 pm

Helena NF Supervisors Office

MISSOULA

Wednesday, July 12, 2000

7-9 pm

Double Tree Motel

300 River Road

2880 Skyway Dr.

Edgewater Meeting Room
100 Madison

FORTINE

Thursday, July 13, 2000

7-9 pm

Fortine Ranger District Office
Murphy Lake Ranger Station

BILLINGS

Tuesday, July 25, 2000

7-9 pm

MFWP Reg. 5 Headquarters
2300 Lake Elmo Dr.

BIG TIMBER

Wednesday, July 26, 2000

7-9 pm

Big Timber Ranger District Office
U.S. Highway 10 East

Reasonable accommodations will be made to make all meetings accessible to people with disabilities or provide information in alternate forms. If you plan to attend one of the above meetings and need accommodations relating to a disability, please contact Darlene Edge at (406) 444-4042.

Persons having questions about this proposed land exchange should contact the FS or MFWP agency representative below.

United States Department of Agriculture
Forest Service, Region 1
Lisa Subcasky, Realty Specialist
Federal Building
P.O. Box 7669
Missoula, MT
Phone: (406) 329-3126
Email: lsubcasky@fs.fed.us

OR Montana Fish, Wildlife and Parks
Darlene Edge, Field Services Division
P.O. Box 200701
Helena, Montana 59620-0701
Phone: (406) 444-4042
FAX: (406) 444-3023
Email: dedge@state.mt.us

Duration of Comment Period

Thirty (30) days for public comment are provided after the second published legal notice to solicit comments on this Draft EA as per House Bill 495 requirements and to accommodate the MEPA. Fifteen (15) days following the publication of the fourth set of legal notices (July 16) will be provided for NEPA scoping. U.S. Fish and Wildlife Service Federal Aid requires 30 days for public comment following the publication of the initial public notice: this comment period is also provided during the given period.

Written comments can be sent to the following address **before 5:00 p.m. on Monday, July 31, 2000**

Montana Fish, Wildlife & Parks
Alberton Gorge Land Exchange
P.O. Box 200701
Helena, MT 59620-0701
FAX (406) 444-3032
Email: dedge@state.mt.us

Explanation of U.S. Forest Service Review and Approval Under the National Environmental Policy Act (NEPA).

The NEPA review for Forest Service actions includes a scoping period, that is currently on-going, during which public notices are published once for four consecutive weeks in applicable newspapers. Fifteen (15) days comment period is provided after this last publication. Comments received during this time are incorporated into a Final Environmental Assessment. It is anticipated that the Final Environmental Assessment will be available in August. Public notice is given when this document is available for comment and a 30 day comment period is provided after notice publication. If no significant impacts are determined, then an Environmental Impact Statement will not be prepared, and an EA will be considered an adequate level of analysis. Upon completion of the comment period, the Forest Service will sign a Decision Notice, in this case a joint decision notice with MFWP, and if applicable, a Finding of No Significant Impact. Public notice will be published regarding the Decision after which a 45 day appeals period will be provided. The FS is allowed 60 days for the Chief to respond to any appeals and resolve any disputes-

Explanation of U.S. Fish and Wildlife Service, Federal Aid, Review and Approval Under the National Environmental Policy Act (NEPA).

Under the **Description of the Proposed Exchange** on page 5, we explained that Park and Tizer Lakes were acquired with Federal Aid Sport Fish Restoration (Wallop-Breaux) funds. The U.S., Fish and Wildlife Service (USFWS), Federal Aid Staff in Region 6, Denver, is the decision-making authority regarding the exchange of these lands. USFWS review and approval of the proposed action under NEPA is required.

The USFWS must determine that:

1. there is no significant impact on the environment. In this case, the USFWS must prepare a Finding of No Significant Impact and publish a notice in a local newspaper allowing for public comment. The notice will also address wetlands that are present on the Park Lake and Tizer Lakes tracts, detail measures to protect them, and allow a 15-day public comment period. Finally, the USFWS must accept the Environmental Assessment (EA); or
2. determine that the EA is not acceptable because there is a significant impact on the environment. In this case, an Environmental Impact Statement would be required instead of the EA.

In addition to complying with NEPA in order to accomplish the proposed exchange, MFWP will prepare for the USFWS' review and approval a request to amend the Application for Federal Assistance F-22-L, under which Park Lake and Tizer Lakes tracts were originally purchased. This amendment will be the final compliance step through the USFWS to comply with the Federal Aid program requirements.

Montana House Bill 495 Qualification Checklist

The current use of the Alberton Gorge will remain fisheries and recreationally related, if the proposed land exchange is implemented. The designation of three specific Fishing Access Sites within the Alberton Gorge, and the minor development of these sites does cause House Bill 495 to be initiated. The MFWP Region 5 Old Headquarters will likely see a change in use pattern if sold by River Network; however as an administrative site, this tract would be exempt from HB495, which only addresses fishing access sites and state parks. The proposed project will not significantly change the existing features or use pattern of the fishing access sites or park tracts being transferred to FS. The Tarkio tract that MFWP is receiving from the FS will remain under similar use for fishing access and recreational use. The Tarkio Section 35 tract may undergo a change in use pattern, depending on the buyer(s) River Network can find for that property. In any case, this property does not fall under the jurisdiction of House Bill 495, since it is currently owned by the United States and will not come under MFWP ownership.

The following table briefly lists the developments addressed under House Bill 495 as related to the primitive development of three new fishing access sites within the Alberton Gorge River Corridor. Please refer to **Appendix B** for a more thorough consideration of House Bill 495 issues.

HB495 Checklist Table for Fishing Access Sites (and State Parks)

12.8.602 (ARM) (1)	Reason for Qualifying
(a) New roads/trails over undisturbed land	Yes
(b) New buildings	No (latrines exempt)
(c) Excavation over 20 cubic yards	Yes
(d) New parking lots over undisturbed land	Yes
(e) Shoreline alterations	No
(f) Construction into water bodies	No
(g) Construction w/impacts on cultural artifacts	No
(h) New underground utilities	No
(i) Campground expansion	No
(j) Change existing features	Yes

**Alberton Gorge Land Exchange
Environmental Assessment**

**Alberton Gorge
Tract A**

Alberton Gorge Tract A

Introduction

The gorge has been of interest to out of state power companies and private landowners as a hydro-electric dam site since the early 1900's. The Montana Power Company (MPC), a publicly owned utility company, currently owns fee land and flooding rights along approximately seven miles of the Clark Fork River about thirty miles west of Missoula. MPC has marked the Alberton Gorge as a disposal tract, with the goal of fair compensation to protect stockholders, yet with a genuine interest to convey the property into public ownership.

MPC ownership extends along portions of both sides of the Gorge, which is deeply incised below the valley floor. The Gorge walls are steeply sloped, revealing ancient bedrock and forested slopes best viewed from the river's perspective. MPC property is generally within the borders created by the river's edge and adjacent state and county roads immediately accessible from Interstate 90, and/or the abandoned Milwaukee Railroad. MPC has identified this 7-mile Alberton Gorge River Corridor as disposal properties. The property consists of 24 separate legal tracts, about half of which have access suitable for providing private residential development.

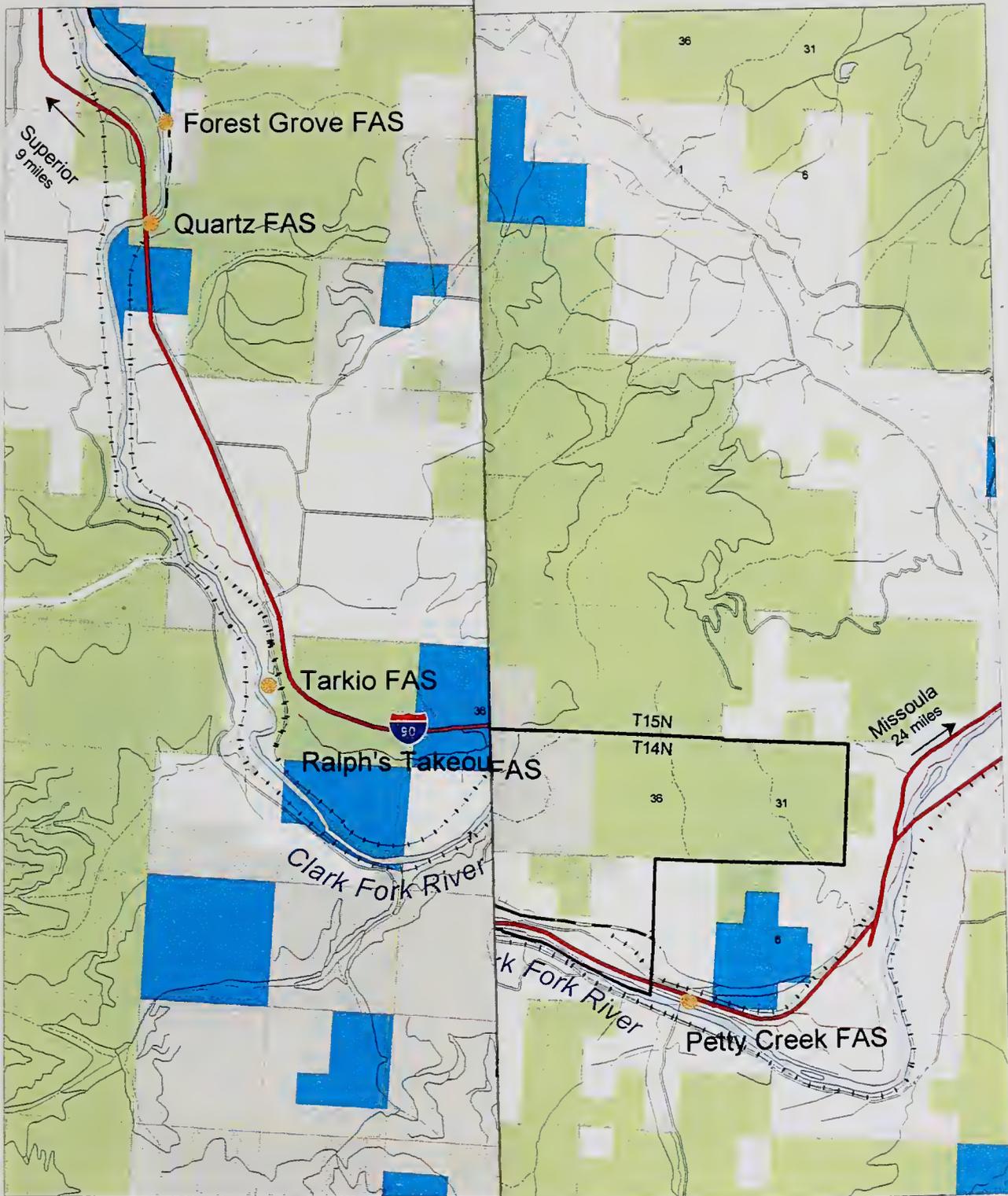
Western Montana's population is rapidly increasing, particularly within commuting distance from Missoula. The area proposed for exchange is within that commuting range, and would offer sites for home development. MPC's ownership has maintained the natural character of the Gorge and future ownership by a public entity can perpetuate this corridor.

It is proposed that River Network purchase the Alberton Gorge River Corridor from MPC using funds generated from the sale of the federal Tarkio Section 35 tract and the MFWP Region 5 Old Headquarters. These last two properties have been identified for disposal by the respective agencies. The sale of Tarkio Section 35, or other similar properties in Mineral County (please refer to the Tarkio Section 35 chapter for details regarding Option 2 and DNRC properties) will limit the impacts of lost base in Mineral County.

River Network would then transfer title of the Corridor to MFWP as the public managing agency. Increased bank angler access will be provided to the Clark Fork River, and the corridor can be conserved for future recreational use. If the property comes into public ownership through the Alberton Gorge Land Exchange, private residences, commercial, or industrial development will not occur along the corridor.

MFWP does intend to greatly improve bank angling opportunities in the Gorge, by providing off road parking at three primitive fishing access sites within the Corridor, which has high catch rates, but low angler pressure.

LOWErg Area)



Land Ownership

- Private
- US Forest Service
- State of Montana
- Corporate Timber
- FWP Wildlife Management Areas



Map produced by:
 Martie Crone
 Land Section
 Montana Fish, Wildlife & Parks
 Helena, Montana
 Alberton_exchange.apr 4/21/00

Fishing Access Sites from the Montana Fish, Wildlife & Parks, Information Services Unit, Helena, MT. FAS locations digitized at 1:100,000. Hydrography from Montana FWP ISU, Kalispell, MT. Roads, cities, public land ownership and public land survey system from the Natural Resource Information System, Montana State Library, Helena, MT. Cities, highways, hydrography, public land ownership and public land survey system digitized at 1:100,000 State Plane 1983 Projection.

LOWER CLARK FORK RIVER ACCESS SITES (Alberton Gorge Area)



Land Ownership

- Private
- US Forest Service
- State of Montana
- Corporate Timber
- FWP Wildlife Management Areas

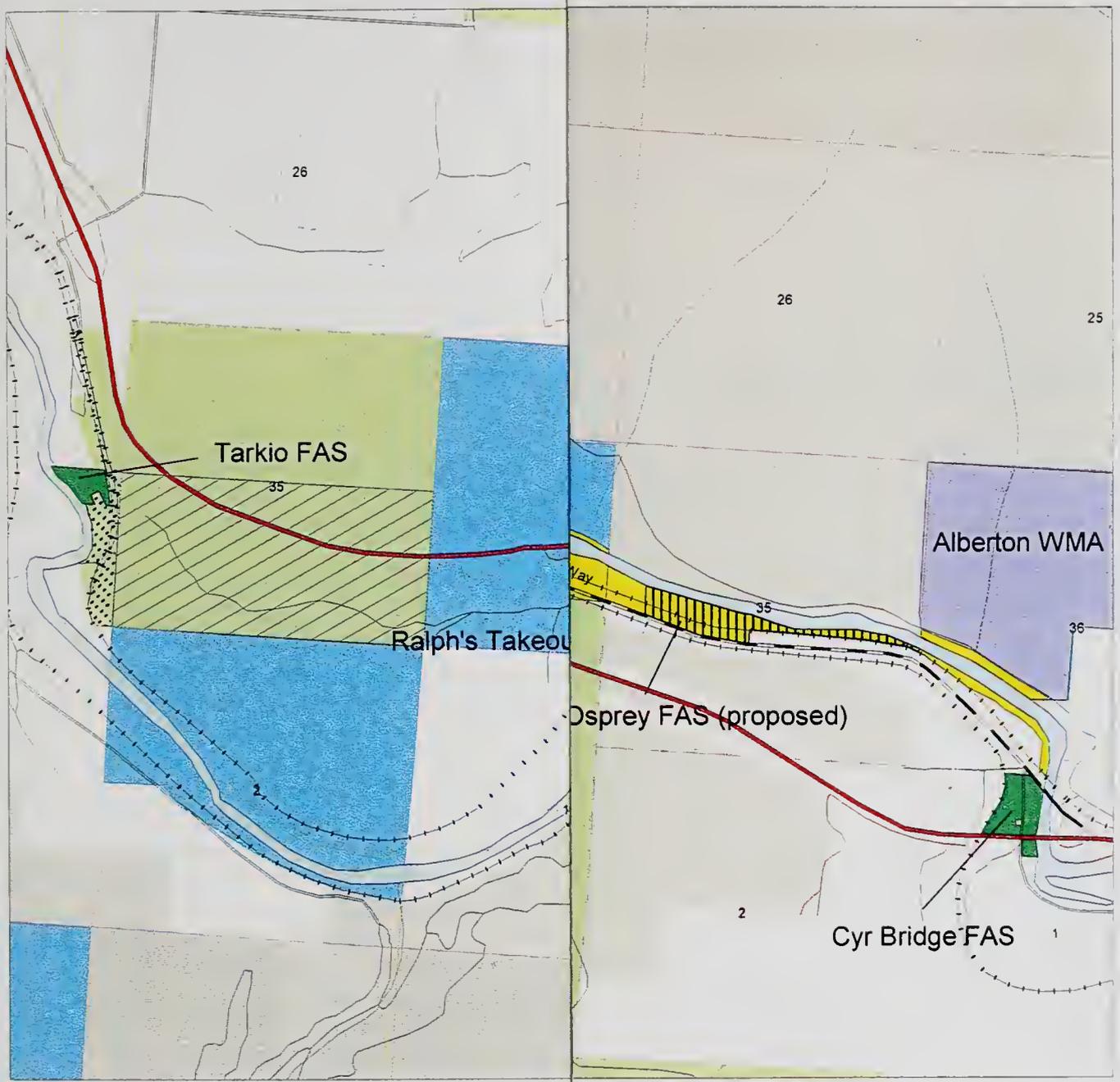
Recreational Access Sites

- Existing Fishing Access Sites
- Proposed Fishing Access Sites
- Other Recreational Access Points



Map produced by
 Martie Crona
 Land Section
 Montana Fish, Wildlife & Parks
 Helena, Montana
 Alberton_exchange apr 4/21/00

Fishing Access Sites from the Montana Fish, Wildlife & Parks, Information Services Unit, Helena, MT. FAS locations digitized at 1:100,000. Hydrography from Montana FWP ISU, Kalispell, MT. Roads, cities, public land ownership and public land survey system from the Natural Resource Information System, Montana State Library, Helena, MT. Cities, highways, hydrography, public land ownership and public land survey system digitized at 1:100,000. State Plane 1983 Projection

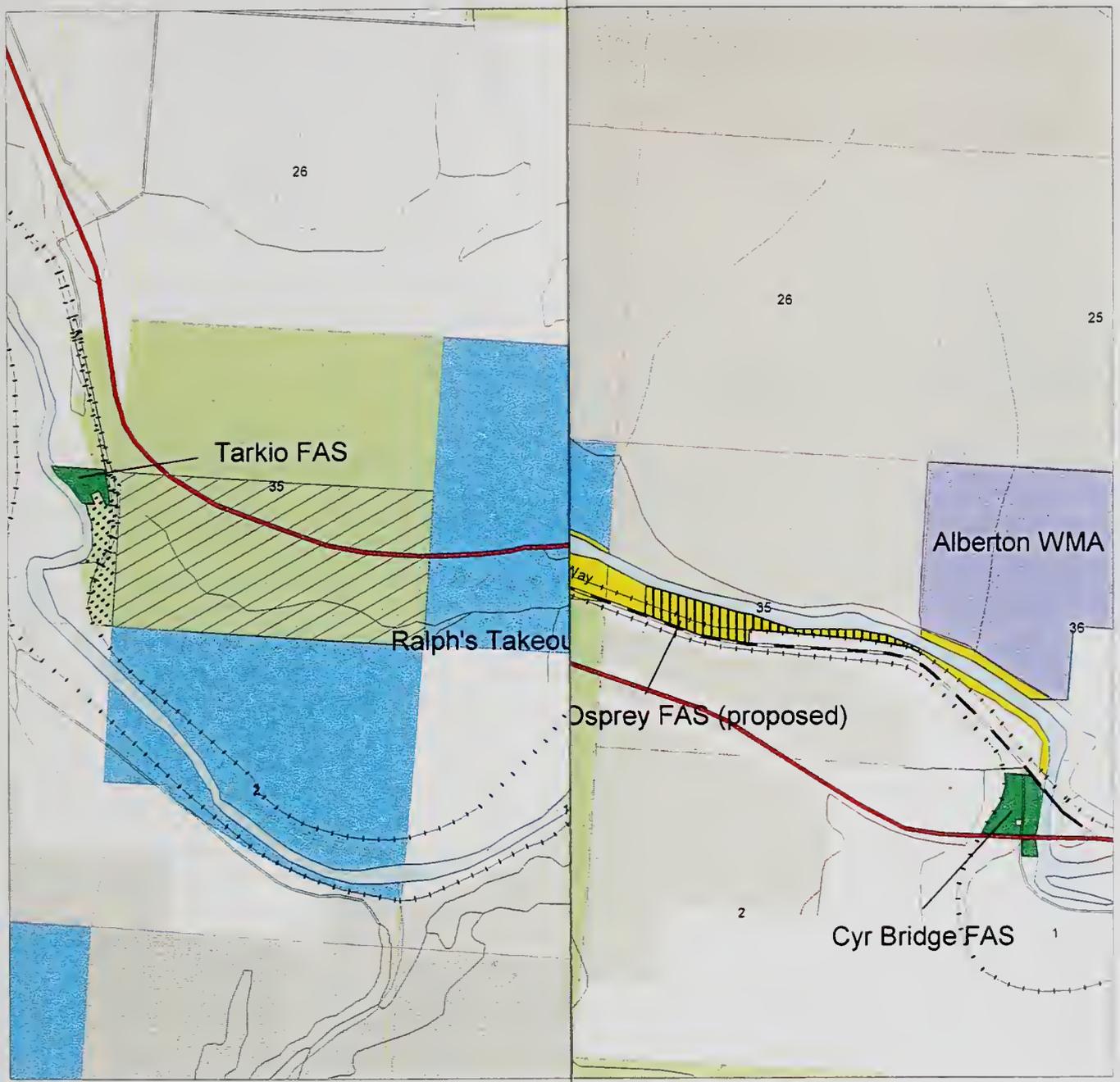


Map produced by,
 Martie Crone
 Land Section
 Montana Fish, Wildlife & Parks
 Helena, Montana
 Alberton_exchange apr 4/21/00

Wildlife Management Areas and existing Fishing Access Sites digitized at 1:24,000 from USGS 7.5 minute quadrangle topographic maps and using the COGO module of ARC/INFO by Montana Fish, Wildlife and Parks Information Services Unit, Kalispell, MT. WMA boundaries accurate as of 10/31/97. FAS's as of 1/2000. Proposed areas screen-digitized and boundaries are approximate. Hydrography from Montana FWP ISU, Kalispell, MT. Roads, cities, public land ownership and public land survey system from the Natural Resource Information System, Montana State Library, Helena, MT. Cities, highways, hydrography, public land ownership and public land survey system digitized at 1:100,000. State Plane 1983 Projection.

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 Wildlife Management Area
 (m DNRC)
 Fishing Access Sites





Map produced by:
 Martie Crone
 Land Section
 Montana Fish, Wildlife & Parks
 Helena, Montana
 Alberton_exchange apr 4/21/00

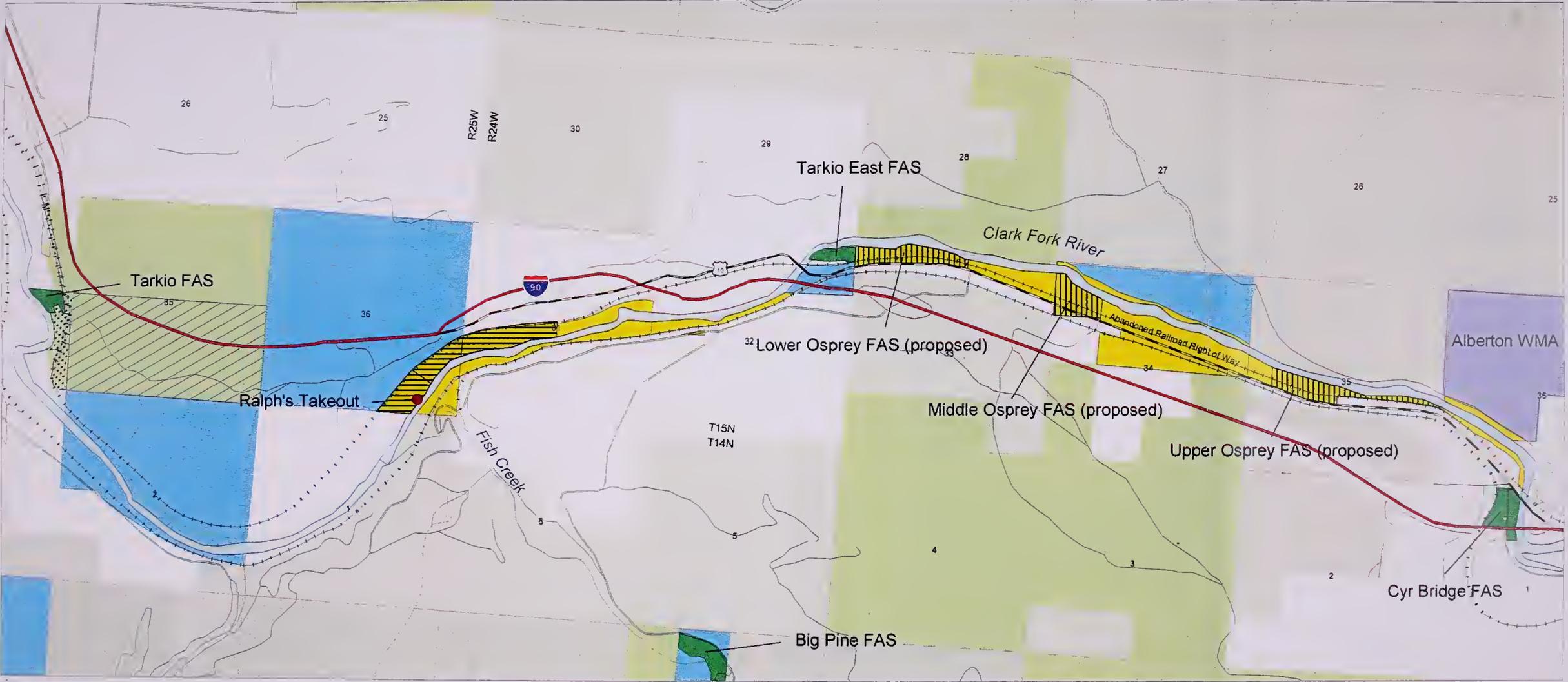
Wildlife Management Areas and existing Fishing Access Sites digitized at 1:24,000 from USGS 7.5 minute quadrangle topographic maps and using the COGO module of ARC/INFO by Montana Fish, Wildlife and Parks Information Services Unit, Kalispell, MT. WMA boundaries accurate as of 10/31/97, FAS's as of 1/2000. Proposed areas screen-digitized and boundaries are approximate. Hydrography from Montana FWP ISU, Kalispell, MT. Roads, cities, public land ownership and public land survey system from the Natural Resource Information System, Montana State Library, Helena, MT. Cities, highways, hydrography, public land ownership and public land survey system digitized at 1:100,000 State Plane 1983 Projection.

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Wildlife Management Area
 (m DNRC)
 Fishing Access Sites

ALBERTON GORGE PROPOSED LAND EXCHANGE



Map produced by
 Martie Crone
 Land Section
 Montana Fish, Wildlife & Parks
 Helena, Montana
 Alberton_exchange apr 4/21/00

Wildlife Management Areas and existing Fishing Access Sites digitized at 1:24,000 from USGS 7.5 minute quadrangle topographic maps and using the COGO module of ARC/INFO by Montana Fish, Wildlife and Parks Information Services Unit, Kalispell, MT. WMA boundaries accurate as of 10/31/97, FAS's as of 1/2000. Proposed areas screen-digitized and boundaries are approximate. Hydrography from Montana FWP ISU, Kalispell, MT. Roads, cities, public land ownership and public land survey system from the Natural Resource Information System, Montana State Library, Helena, MT. Cities, highways, hydrography, public land ownership and public land survey system digitized at 1:100,000. State Plane 1983 Projection.

Parcels to be acquired

-  Alberton Gorge River Corridor (approx. 320 acres total)
-  LWCF Encumbered (approx. 49 acres)
-  Wallop-Breaux Encumbered (approx. 57 acres)
-  River Network to acquire from USFS (estimated 320 acres)
-  FWP to acquire from USFS (34 acres) (also LWCF Encumbered)

Land Ownership

-  Private
-  US Forest Service
-  State of Montana
-  Corporate Timber
-  Existing FWP Wildlife Management Area (leased from DNRC)
-  Existing FWP Fishing Access Sites
-  Water



Historically, private landowners allowed anglers and general recreationists to access the Clark Fork River. According to anecdotal information from longtime users and outfitters, bank anglers have always had a presence in the Alberton Gorge, especially downstream from Cyr Bridge on the south side of the river, the Triple Bridges area, and near the mouth of Fish Creek. (Please refer to the maps included on the next pages, which shows these locations and others referred to in this document.) Trespass on private property was not a big issue, years ago, and local anglers knew where to access the Gorge shorelines. Little commercial whitewater or fishing use occurred in the Gorge before 1990.

When popular, privately owned access sites became too small or closed to public use, FWP took a more active role in acquiring and developing the Cyr and Tarkio Fishing Access Sites (FASs) in the late 1980's and early 1990's. When these new sites became available to the public, long-time river users saw an increase in the number of bank anglers. No hard use data is available before 1995, when the first Creel Survey was done by Missoula FWP, and Parks Division FAS use surveys followed in 1996, 1998 and 1999. Subsequent to the development at these sites, use proportions have changed. Commercial and private whitewater rafting use has increased significantly and disproportionately to the increase in anglers over the last five years.

MFWP makes payments in lieu of taxes to counties in which they own property such as fishing access sites. Portions of the Alberton Gorge River Corridor proposed as fishing access sites total of nearly 57 acres on the south side of the river. Estimated payments in lieu of taxes to Mineral County for these new FAS will roughly equal \$4489 (urban tract assessment). The remainder of the Alberton Gorge River Corridor will be considered state park recreation lands, which are exempt from PILT.

Montana state codes prevent payment of taxes in counties in which MFWP owns less than 100 acres. The acquisition of the Gorge (about 320 acres) by MFWP, however, will allow Mineral County the ability to charge taxes on the remaining qualifying fishing access sites in Mineral County, which are now exempt because total MFWP ownership is less than 100 acres. The combined estimated taxes of Cyr, Tarkio, Forest Grove and Big Eddy Fishing Access Sites will provide an additional \$5296 in PILT revenue to Mineral County annually. Other fishing access sites managed by MFWP in Mineral County are leased from other agencies, which are responsible for making tax payments. Please refer to the discussion under **Tax Revenue Evaluation in Mineral County** and table of estimated taxes, below, for more details.

Wallop-Breaux Funds

MFWP is transferring two tracts (Park and Tizer Lakes) to the U.S. which are encumbered with Federal Aid in Sport Fish Restoration (Wallop-Breaux) funds; thus, equal fair market and sport fish angling access must be exchanged. Portions of the south bank of the Alberton Gorge River Corridor, between Cyr Bridge and Triple Bridges, will be developed into three primitive fishing access sites and encumbered with Wallop-Breaux funds.

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The estimated current market values of Park and Tizer Lake tracts is less than the estimated values of the three proposed new fishing access sites in the Gorge. MFWP will add approximately \$56,000 from license and parks division cash to equalize this total value.

The Gorge contains prime fish habitat and angler opportunities. A MFWP 1995 creel census of the Clark Fork River between Rock Creek and the Flathead River gives a good picture of the angler's experience in the Gorge. Catch rates for the Gorge area (including Cyr FAS to the Triple Bridges) were 0.86 fish per hour. Catch rates were not significantly different between floating and walking anglers. This is primarily a rainbow trout fishery (51%), with mountain whitefish (29%) and westslope cutthroat trout (18%) readily available, as well. A few brown trout and bull trout are present, but no bull trout were reported in the 1995 creel survey. The Clark Fork River was the number one used river in MFWP Region 2 based on the 1993 Statewide Angling Pressure Estimates and third in use according to the 1997 Estimates. Overcrowding, however, was not considered a problem in the 1995 creel survey. Montana residents accounted for 60% of the anglers surveyed. *Both walking and floating anglers (16%) expressed a need for more access sites.*

These three proposed fishing access sites target prime fish habitat in areas of low gradient, deep water, and complex structure. These sites will remain primitive with only gravel parking and vault toilets provided. Existing overgrown trails to the river illustrate pre-existing use and will be slightly improved to allow foot traffic. Anglers will hike approximately 500 feet to the river's edge; thus it is anticipated that boaters will not frequent these areas due to the steep terrain and distance to the water. The intent of the three proposed sites is to provide public river access for bank anglers and supply off-highway parking for them. Anglers are able to walk the banks for hundreds of yards up or down stream, without running into insurmountable cliffs, even in variable water conditions.

The three proposed fishing access sites (Upper, Middle, and Lower Osprey Fishing Access Sites) are identified on the included map of the "Alberton Gorge Proposed Land Exchange." Estimated market value of Park and Tizer are very close to the estimated values of the new access sites. These three parcels total approximately 57 acres. It is estimated that these new sites will receive approximately 600 more angling days than do Park and Tizer (238 acres total), although the acreage of the new sites is much smaller. Tizer Lake is inaccessible to many people due to a six-mile long, extremely rough road leading to the site. Access to the new sites along the Gorge is easy via old Highway 10 and their proximity to Superior, St. Regis, Missoula and surrounding communities.

Upper, Middle and Lower Osprey Fishing Access Sites are proposed as primitive in nature, with minimal development completed by 2006 to deter environmental degradation by indiscriminate use. These sites will allow day use only. Future development will include:

- slight improvements to the trails leading to the river (approximately 500 feet from the parking area to the shoreline at each site),
- one latrine per site,
- signs to identify the sites and regulate use,
- gravel entry roads (approximately 150 feet long by 20 wide at each site)
- and gravel parking areas to accommodate approximately six, thirteen, and eight vehicles respectively at the Upper, Middle, and Lower fishing access sites.

A MFWP caretaker will clean and maintain the sites on a regular basis, probably twice or more a week, more often if needed..

Operations and maintenance of the existing sites within the Gorge area (St. Johns to Forest Grove) and the three new fishing access sites is expected to come from a new project account comprised of commercial use fees, parks funds and fishing access site license dollars. It is the intent of MFWP to blend funding in proportion to the types of uses that are occurring at the specific sites. For example, Cyr and Tarkio receive a high proportion of recreational use, compared to the three new fishing access sites, which are expected to receive about 90% angling use.

Land and Water Conservation Fund

Frank Lake FAS (88.88 acres) was purchased in 1980 using Land and Water Conservation Funds (LWCF), and MFWP has identified it as a disposal property. It is necessary to find an equal recreational replacement for Frank Lake.

In 1998, MFWP conducted a user survey, which indicated that over 30,000 people used the Cyr Bridge FAS, the main put-in for the Gorge. MFWP has assumed primary recreation management responsibilities for the river corridor and has full management responsibility at the primary put-in and take-out points for the Gorge. In addition, MFWP is willing to take on the additional management of the entire corridor as proposed by this land exchange. Recreational use is expected to increase in the future, not necessarily because the corridor will be under public ownership, but because:

- a) the Western States are gaining popularity in the nation for vacations and high quality living areas;
- b) Montana is promoting itself more and more in the tourism industry;
- c) outdoor recreation in general, and specifically white-water rafting is becoming more popular;
- d) people are spreading the word about the Gorge's recreational opportunities.

Approximately 49 acres, around Ralph's Takeout, has been identified within the Gorge to be encumbered with LWCF funds and to ensure future recreational opportunities in this reach of the Gorge. Ralph's Takeout area is heavily used by recreationists accessing the river, especially to kayak. The Missoula Whitewater Association currently manages the site for MPC. Upon acquisition, MFWP would assume management and maintenance

responsibilities, which could include a new latrine, trail maintenance, and possibly some road improvements.

The Lower Tarkio tract is also proposed to be encumbered with LWCF funds, because of the high proportion of recreational use by rafters to takeout, picnic and bank fish, which overflows from the existing Tarkio Fishing Access Site.

The acreage to be encumbered with LWCF funds will total close to 83 acres. Some cash may be required from MFWP to equalize the cost of trading Frank Lake to the FS in exchange for the higher estimated valued at Ralph's Takeout area and the Lower Tarkio tract.

Property Description

The Alberton Gorge tract proposed for acquisition from MPC by River Network, and thus deeded to MFWP, includes 24 individual parcels along the Clark Fork River between the towns of Alberton and Tarkio.

Township 15 North, Ranges 25 West, Principal Meridian, Montana

Section 36: A portion of Lot 3

Township 15 North, Ranges 24 West, Principal Meridian, Montana

**Section 31: Portions of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 SE $\frac{1}{4}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$**

Section 32: Portions of Lots 1, 5, 6 and 7

Section 33: Portions of Lots 1, 2, 3, and 4

Section 34: Portions of Lots 1, 2, 3, 4, 5, 6, 7, and 8

Section 35: Portions of Lots 2, 3, 4 and 5

Section 36: Portions of Lots 1, 2, 3, 4 and 5

Mineral County, Montana

Total acreage = approximately 320 acres

Please refer to the Alberton Gorge Proposed Land Exchange map.

Many of the parcels are defined by the river and/or the Milwaukee Railroad line; therefore, many of the current parcels are irregular in shape and have no legal access. Primary access to the individual parcels are questionable; however, secondary access to the entire corridor is excellent due to Interstate 90 and State Highway 10 that runs parallel to the river.

Approximately one third of the land owned by MPC is steep river banks 250-500 feet above the river. The remaining two-thirds of the exchange property is gently sloping, timbered valley terrace above the river, with some rangeland available. The deeply incised gorge is defined by rocky banks or forested banks with few riparian or wetland zones. No improvements have been made to the Alberton tract other than some boundary fencing which is unreliable.



ENTRANCE SIGN

OLD HWY 10

STOP SIGN

NO TRAILERS OR
OVERSIZE VEHICLES
SIGN

OLD RR GRADE

20' WIDE ENTRANCE ROAD

PARKING 6 SPACES

VAULT TOILET

REGULATION & CREDIT SIGN

NO PARKING
SIGN

TRAIL TO RIVER
450'

NORTH

UPPER OSPREY
SITE #1 (3a)

SITE PLAN SKETCH

SCALE 1" = 50'

R. VALUE 12-99



ENTRANCE SIGN

OLD HWY 10

STOP SIGN

OLD RR GRADE

220' WIDE ENTRANCE ROAD

PARKING 7 @
40' DEEP

PARKING 6 @
20' DEEP

VAULT TOILET

REGULATION & CREDIT SIGN

TRAIL TO RIVER 500 FT

SITE #2 (100)
MIDDLE OSPREY
SITE PLAN SKETCH



NORTH

SCALE 1" = 50'



Montana Fish,
Wildlife & Parks

Design & Construction Bureau
(406)841-4000 FAX (406)841-4004
600 North Park Avenue, Helena, MT 59601
Mail: P.O. Box 200701, Helena, MT 59620-0701

ENTRANCE SIGN

OLD HWY 10

STOP SIGN

BM ELEV 2967

OLD RR GRADE

20' WIDE ENTRANCE ROAD
NO PARKING

8 PARKING

VAULT TOILET

REGULATION & CREDIT SIGN

TOP OF SLOPE

TRAIL TO RIVER 500 FT

NORTH

SITE #3 (13a)
LOWER OSPREY
SITE PLAN SKETCH

SCALE 1" = 50'

P. Valt 12-99

NO TRAILERS OR
OVERSIZE VEHICLES
SIGN

Description of the proposed fishing access sites.

Upper Osprey FAS

The first proposed new site is approximately one mile downstream from Cyr Bridge FAS, northwest along Highway 10. This parcel is identified as 3a on page 22 in the 1998 appraisal by Anne Renaud-Wilkinson.

Township 15 North, Range 24 West;

Section 35, Portion of Government Lots 3, 4, 5.

Total Acreage = 17.29 acres

Middle Osprey FAS

The second proposed new site is approximately three miles downstream from Cyr Bridge FAS, northwest along Highway 10. This parcel is identified as 10a on page 22 in the 1998 appraisal by Anne Renaud-Wilkinson.

Township 15 North, Range 24 West;

Section 34, Government Lot 4 and old railroad right-of-way.

Total Acreage = 15.39 acres

Lower Osprey FAS

The third proposed new site is approximately 4½ miles downstream from Cyr Bridge FAS, northwest along Highway 10. This parcel is identified as 13a on page 22 in the 1998 appraisal by Anne Renaud-Wilkinson.

Township 15 North, Range 24 West;

Section 33, Government Lots 3, 4 and old railroad right-of-way.

Total Acreage = 24 acres

(Information, above, from *Appraisal for River Network*, by Aune Renaud-Wilkinson, August, 1998.)

ENVIRONMENTAL REVIEW

Physical Environment

Land Resources

MFWP acquisition of the Alberton Gorge tract will result in three minor capital improvements to the property at this time. River put-in and take-out areas are already established and seem to adequately accommodate current recreational use. Angler access, however, is less than adequate, as indicated by the MFWP 1995 Creel Survey, in which participants commented about wanting more river access. Gravel entry roads, small parking areas, improvements to existing foot trails leading to the river's edge, and a latrine at each site will provide access for bank anglers at Upper Osprey, Middle Osprey and Lower Osprey Fishing Access Sites.

This construction for primitive access will cause minor disruption, displacement, compaction and over-covering of soil, which will reduce productivity on less than half an acre at each site. No changes to the soil stability are anticipated. The entry roads will

need to cross over the old Milwaukee RR right-of-way; however, the entry road will be at the same level or fill added to preserve the physical features of the RR bed. Siltation, deposition, or erosion patterns will not be significantly altered. Roads and parking areas are on nearly level bench lands about 400 feet above the Clark Fork River. Standard road construction and grading procedures will be used to allow for proper drainage in each area. Native grass seed will be planted in disturbed areas to reduce potential erosion caused by removing vegetation during construction. No actions are envisioned which would expose people to ground failures such as landslides or other natural hazards.

Air

The minor capital projects planned will slightly alter ambient air quality due to temporary dust created by construction. Localized odors may be produced in the vault latrines, however, proper venting and regular cleaning by the area MFWP caretaker will reduce these effects. Area climate will not be altered, nor will there be adverse effects on vegetation due to this temporary increase in dust. State or federal air quality regulations will not be violated because of the proposed land exchange and proposed FAS development.

Water and Floodplains

The Clark Fork River is the Alberton Gorge's principal interest for all recreational users whether they are watching wildlife, angling, or rafting. MFWP is responsible for the fisheries, and therefore, water quality is of primary concern. Much of the recreational use here is by commercial floaters who have little impact on the water quality and help patrol themselves to maintain the highest environmental quality and also sustains their business interests.

Surface water quality and quantities will not be altered from temperature changes, dissolved oxygen or turbidity due to the proposed action. In addition, water rights/uses will remain similar to their present use; therefore, other water users should not be affected by the change in property ownership. Changes in drainage patterns, water discharges, and flood water courses will not occur. Risks of contamination of surface water and risks to people or property due to water related hazards will not increase.

Though the entire narrow corridor immediately adjacent to the river is within the 100-year **floodplain** (approximately 160 acres), no capital projects are anticipated which would change the floodplain levels or alter flows. The trails leading to from the new fishing access site parking areas to the river will be minimally improved and will not significantly impact the floodplain or passage of high water events. Floodplains were estimated from the U.S. Department of Housing and Urban Development, Federal Insurance Administration; Flood Hazard Boundary Map: Mineral County, MT, Unincorporated Area Page 13 and 14 of 19; Community-Panel No. 300159 0013A and - 14A, effective date February 14, 1978, provided by Karl Christians, Department of Natural Resources and Conservation (DNRC), Floodplain Management Section Supervisor.

Vegetation, Wetlands, Prime & Unique Farmlands

Use of the Alberton Gorge will continue very much the way it has for many years; only the property ownership and management responsibilities will change. Vegetative abundance will be slightly reduced when the fishing access site entry roads and parking areas are installed. Overall, the three fishing access sites total approximately 57 acres; construction to provide off-highway parking and access to the river will impact approximately a total of 1½ acres of vegetation according to initial plans by MFWP landscape architect, Paul Valle (December 1999). Few, if any, trees will be removed to complete the proposed construction.

The two federally listed (threatened) plants and their critical habitat will not be affected by this project. Water Howellia (*Howellia aquatilis*) is found west of the Continental Divide, though a search by the Montana Natural Heritage Program did not reveal these species near the Gorge tract. No cases of this species have been found in the Lolo National Forest, but would most likely be found in the Seeley Ranger District in vernal ponds (Darlene Lavelle, Lolo NF Botanist, TES Plant Biological Evaluation for the Alberton Gorge Land Exchange June 30, 1999). Ute Ladies'-tresses (*Spiranthes diluvialis*) is in river meander wetlands primarily found in Jefferson County. Spalding's Catchfly (*Silene spaldingii*) is under the proposed threatened status, however, this species is found in the Tobacco Valley and the Upper Flathead River drainage (U.S. Fish & Wildlife Service Threatened and Endangered Species – Montana, web site; www.r6.fws.gov/mt4.html; May 23, 2000). This species has not been recorded in the Alberton Gorge area and will not be impacted by the proposed exchange based on the habitat necessary, and which the Gorge is lacking.

Noxious weeds are a growing problem on public lands. MFWP currently combats weeds using the Regional Weed Management Plan, which takes an integrated approach (mechanical, biological and chemical) to control noxious weeds on MFWP property. This plan is scheduled for a review and update. This timing is helpful to incorporate the Gorge properties into the plan. Following the plan revisions, the Gorge would be broken into different management zones and would utilize the three methods of combating weeds. MFWP ownership of this corridor may slow the progression of weeds since it will be actively treated under the Regional Weed Management Plan. It is not known if MPC actively fought weeds on this dormant property. Weed control measures will be performed by a contracted private professional company or MFWP trained employees.

Areas disturbed during the construction of the proposed FAS facilities will be prone to the establishment of noxious weeds. Grass seed will be planted at the conclusion of the project to re-vegetate the site and to impede the growth of noxious weed species. Weed control efforts will target these areas until adequate ground cover has returned.

Sue Dalbey, consultant, described the proposed land acquisition over the telephone (October 12, 1999) to Dave Brink, Administrator for the Mineral County Conservation District, who stated that there are **no prime or unique farmlands** that will be affected by this land transfer. Brink stated that most of the prime agricultural land is outside of the

Alberton Gorge Corridor. About half an acre of potential agricultural land will be used to provide an entry road and parking area at the Middle Osprey Fishing Access site. This area has not been farmed in many years, and is infested with knapweed.

Any **wetlands** occurring on the property will come under state protection and compliance with state laws, affording more protection than under current or future potential private ownership. Small wetlands may occur near the river. Entry roads, parking areas and latrines proposed at the new fishing access sites are approximately 400 feet above and beyond the floodplain or any wetland areas. The majority of the property is steeply sloped and rocky. Public ownership of the Gorge will ensure preservation of these areas.

Fish & Wildlife

This stretch of the Clark Fork River sustains a large fishery of rainbow trout (51%), mountain whitefish (29%) and westslope cutthroats (18%). Few brown trout and an occasional bull trout are found by anglers. Catch rates for this section of the Clark Fork were 0.84 fish/hour, according to the 1995 creel survey. This 11 mile reach of the river has the lowest angler pressure in the 137-mile river miles surveyed by MFWP in 1995. The Gorge is difficult for fisheries biologists to survey due to its depth and water velocities, therefore no data is available for this specific reach. Populations are estimated based on information known above and below the Gorge.

Angler opportunities will increase with the proposal of MFWP acquiring the Gorge and improving bank fishermen's access to the river. The three sites proposed to be developed on an ecosystem approach will provide off-highway parking, improve existing foot paths to the river, and latrines. The fish habitat in the identified areas is very good, providing large boulder-banks, eddies, and deep pools for hundreds of yards up and downstream of the existing rough trails. Sixteen percent of the anglers surveyed in 1995 indicated that they wanted more river access.

Ladd Knotek, area MFWP fisheries biologist expressed that the acquisition of the Gorge will have a positive impact on angler access to the Clark Fork River. He indicated that there will be no significant impacts to the river fish populations, and no fish species of special concern, threatened or endangered species will be negatively impacted in this section of the river. Current regulations prohibit fishing for or keeping bull trout; however, improved access in the Gorge may increase incidental take of bull trout. Knotek consulted with Kate Walker, Wildlife Biologist for the U.S. Fish and Wildlife Service (December, 1999) to confirm future procedures and compliance regarding the acquisition of the Gorge and the Endangered Species Act. MFWP has a Section 9 permit, which covers incidental take associated with fishing and fishing regulations, as well as a Section 6 permit, which covers other activities such as sampling and restoration projects. If future development at the new fishing access sites were to impact the bull trout in any way, these conditions would be included as part of MFWP's Section 6 list submitted annually.

The MFWP Commission adopted regulations that require the release of Westslope cutthroat trout. If the cutthroat are listed under the Endangered Species Act in the future, Sections 9 and 6, above, would apply to this species, as well.

White sturgeon and pallid sturgeon do not inhabit the Clark Fork River. The sturgeon chub and sicklefin chub are Candidates for Listing under the Endangered Species Act, but are found in the Yellowstone River farther east in Montana. The arctic grayling is not found in this area.

MFWP is required by law to maintain productive fisheries and has qualified biologists to carry out this mission. River use is expected to increase, but few impacts are expected to the water quality or fish and wildlife habitat. Deterioration of critical fish and wildlife habitat is more likely if the proposed corridor is sold to private land owners interested in developing home sites or commercial sites. MFWP does not foresee any development along the corridor, which may temporarily or permanently affect fisheries habitat. The areas proposed for construction are about 400 feet above the river on nearly level bench land; therefore, water quality impacts are not likely from such things as erosion at the new FAS construction sites.

Knotek stressed to Sue Dalbey (written communication, June 16, 2000), that development at the mouth of Fish Creek area would potentially have impacts on bull trout and other fluvial fishes. This area is used for bull trout spawning and is a popular stop for river rafters. The proposed exchange does not include the acquisition of property immediately adjacent to the creek mouth, nor development of a FAS near the creek. MFWP acquisition, however, may warrant future attention to ensure protection of this threatened species.

Increased recreational use may slightly impact the abundance of game animals, bird species and nongame species. Animal movements and migrations should not be impacted. The majority of commercial rafting use is limited to the river except during lunch breaks when visitors reach shore and disperse. Most float trips are day trips, allowing for few impediments to the river at night when many animals are most active. Overnight camping is legal below high water lines; however, practical sites are limited due to the steep terrain on each side of the Gorge.

The tract is used to a small degree for winter range by white-tailed deer, and few elk and black bear. Occasionally, a moose may use the area. Ospreys are seasonally common, river otters can be seen, and a new bald eagle nest has been sighted upstream from Cyr Bridge. Gray wolves have been recorded crossing Interstate 90 in this area. Conversation with Biologist Bob Henderson to Sue Dalbey (August 9, 1999) revealed that the Gorge tract does not provide a very high food value for any particular species, and this land exchange is not expected to have an impact on big game animals. Most of the river traffic is in the Spring and Summer; therefore, the human population does not significantly interfere with animals using the area for winter range.

The following animals are federally listed under the Endangered Species Act (U.S. Fish & Wildlife Service web site; www.r6.fws.gov/mt4.html; May 23, 2000) and were considered in this environmental assessment. Many species are not present in this tract and may not be specifically discussed.

Endangered - black-footed ferret, gray wolf, whooping crane, least tern, pallid sturgeon, white sturgeon (Kootenai River population);

Threatened - grizzly bear, bald eagle (proposed for delisting) piping plover, bull trout (Columbia River basin and St. Mary-Belly River populations), Canada lynx (contiguous U.S. population);

Proposed Threatened - mountain plover;

Candidates for listing as threatened or endangered - swift fox, sturgeon chub, sicklefin chub, arctic grayling (fluvial population), warm spring zaitzevian riffle beetle, black-tailed prairie dog.

The Endangered Species Coordinator for MFWP, Arnold Dood, also reviewed the properties involved and found the following species use the areas involved in the Alberton Gorge Land Exchange: peregrine falcon, bald eagle, gray wolf and bull trout.

The U.S. Fish and Wildlife Service claims in their March 2000 list of Montana Threatened and Endangered Species (www.r6.fws.gov/mt4.html) that “the American peregrine falcon has recovered following restrictions on organochlorine pesticides and successful management activities; therefore, it was removed from the Federal List of Endangered and Threatened Wildlife on August 25, 1999.” In addition, Sue Dalbey consulted with Dennis Flath, MFWP nongame wildlife coordinator, on May 15, 2000, who indicated that peregrines are most impacted when development occurs above them on cliff edges. The proposed FAS developments are in forested areas away from the edges of the river banks or any cliffs, therefore, peregrine falcons that may inhabit the area are not expected to be impacted by the exchange.

No new species introductions are planned by MFWP, however less than 10 years ago, a bighorn sheep introduction was proposed for the area, but denied due to land owner objections.

A search for threatened and endangered species by the Montana Natural Heritage Program (Natural Resource Information System) revealed that none of the above threatened or endangered animals, or candidates for listing as such, are found in the Alberton Gorge tract. As noted above, however, wildlife biologist, Bob Henderson, recognizes the use of the area by gray wolves and bald eagles, however he does not foresee any negative impacts to these species due to the proposed land exchange.

Human Environment

Noise & Electrical Effects

The use of heavy equipment for construction of the proposed fishing access site improvements is unavoidable, and will result in some localized, temporary and minor increases in noise. MFWP is exploring options to limit the number of people floating the

Gorge, which would lessen the impacts of noise from other floaters. Electrostatic or electromagnetic changes will not occur and no interference with radio or television reception should occur from the proposed action.

Land Use

If MPC was to sell the Alberton Gorge River Corridor to private parties for residential development, it is possible that commercial rafters may see a decline in clients, due to the loss of aesthetic uniqueness and sense of wilderness when floating on the river. It is unknown what property values and tax revenues may contribute to Mineral County if this was developed into residential tracts.

MFWP ownership of the Alberton Gorge tract coincides with the present use of this area as a natural area having unusual scientific and educational importance. The ancient bedrock and steeply forested canyon walls offer students of geology and natural beauty, first-hand study.

If MFWP acquires the Gorge as proposed, the agency will pay over \$12,000 in taxes to Mineral County. Residences currently near the Gorge area may see an increase in property values with the proposed protection of the corridor and availability of open space, protected wildlife habitat, recreation opportunities, etc.

MFWP may explore options to limit the number of people floating the Gorge to protect the aesthetics of the trip, the effects on the environment and lessen the conflicts between users. Details of how and what these limits may be are still being discussed by managers, commercial outfitters, guides, recreation clubs, etc. It is possible that some larger guiding operations would see a decrease in number of people they could serve on a daily or annual basis, however this may not mean a decrease in income depending on cost charged per user. These regulations may occur whether or not MFWP acquires the Gorge Corridor.

Risk & Health Hazards

The proposed action presents no increased risk of explosions or release of hazardous substances other than specific use of chemicals when implementing portions of the Regional Weed Management Plan. Human use of the corridor is usually localized at put-in and take-out areas. When herbicides are used in the control of noxious weeds, signing will be posted at these areas.

MFWP may need to develop a new emergency response plan, evacuation plan, or work with the local Search & Rescue and Mineral County Sheriff's Department to adopt plans they have in effect.

No new human health hazards will be created. MFWP will be in the position to reduce potential health hazards by having management responsibility for the entire Gorge corridor. If high visitation causes human waste to become a health problem or water quality issue, for example, a latrine could be installed at a heavily used site after the proper MEPA review process.

Community Impact

The human population using the Alberton Gorge is expected to increase simply because of the popularity of the area and growing awareness of improved angling success and white-water excitement. This growth is inevitable, regardless of who owns the corridor. However, permanent growth in the venues of home sites and industrial growth along the visible Gorge river front, can be avoided through the proposed land exchange.

The social structures of neighboring communities will not significantly change, if MFWP acquires the Alberton Gorge River Corridor. If the corridor were to be purchased by private entities that developed out-of-character residential tracts, the social structure of the area would change. According to County Planner, Wayne Marchwick, often buyers of these types of tracts are from outside Mineral County and have different cultural, economic and social values (personal communication with Sue Dalbey, June 23, 2000).

The employment opportunities may expand slightly in the direction of tourism trades and promotion of this as a public corridor. The number of commercial companies providing rafting trips cannot increase due to a recently passed MFWP Commission rule, which limits the number of outfitters to those who showed they historically used the Gorge before January 1, 1998. Currently, the total number of people served by these companies is not limited. Some type of restrictions limiting the total number of floaters per day may be implemented in the future. Private individuals wishing to traverse the Alberton Gorge are not limited, although institutional-type groups must register and obtain a Special Use Permit from MFWP.

Neighboring communities may experience increased commercial activity since tourism and recreational opportunities in the Gorge corridor will be emphasized more by state travel agencies. Sales and services needs will likely increase if Gorge use increases, causing more job opportunities and profit in the local area. Some creative entrepreneur(s) may capitalize on opportunities afforded by this becoming a public corridor.

Traffic hazards and effects on existing transportation facilities will not change. Future capital projects initiated by MFWP will improve gravel roads, parking areas, latrines, etc., on acquired properties. The proposed new access site(s) are adjacent to the old highway on straight, highly visible sections; therefore, traffic flows and access to the sites should be adequate. Designated off-highway parking areas and identifying trails will provide safer river access for anglers. Movement patterns of people and goods seem adequate with current visitation and seasonal MFWP presence helps traffic flows at the take-out and put-in sites already administered by this agency.

Tax Revenue Estimates in Mineral County

Taxes – Alternative A: No Action

Title commitments for the Alberton Gorge properties indicate that MPC paid roughly \$700 in 1998 taxes on the approximately 320 acres in the Alberton Gorge River Corridor proposed for exchange.

If the exchange is not completed, it is likely that the Alberton Gorge River Corridor will be purchased by multiple private parties and developed into residential tracts. County taxes would be assessed on these properties, however it is difficult to accurately estimate these costs until development plans are known.

MFWP makes no payments in lieu of property taxes (PILT) in Mineral County, due to MCA 87-01-603, which states that [tax] “payment may not be made to a county in which the department owns less than 100 acres...or [paid on] lands acquired and managed for the purposes of Title 23, chapter 1 [state parks].” Currently, MFWP owns only 44.35 acres (Cyr, Tarkio, Forest Grove and Big Eddy Fishing Access Sites) in Mineral County. MFWP paid fees of \$5.98 in 1998 for fire protection at Tarkio FAS, and \$10.98 in 1999 for fire protection and the public safety fund at the Tarkio FAS and Big Eddy FAS. Other properties in the county, such as fishing access sites, are managed by MFWP, but are leased from other agencies; therefore, MFWP does not pay taxes on those properties.

If the Alberton Gorge Land Exchange is not implemented, minimal special fees would provide the only income to Mineral County in relation to lands owned by MFWP.

In addition, Tarkio Section 35 would continue under FS management, which suggests commercial thinning and under-burning, therefore this property will not greatly increase county revenue from FS Payments in Lieu of Taxes (PILT).

Taxes – Alternative B: Proposed Exchange

If the land exchange is implemented, approximately 344 acres would be acquired by MFWP from the Alberton Gorge River Corridor and the Lower Tarkio tract, thus the 100-acre-qualification within Mineral County of MCA 87-01-603, which exempted MFWP from PILT, would not apply. This would enable Mineral County to collect taxes on the 44.35 acres of existing properties listed above, plus an additional 56.68 acres within the Alberton Gorge River Corridor on which county taxes can be assessed. This acreage is comprised of the three new proposed fishing access sites within the Gorge.

The remaining acreage in the Gorge will be acquired and managed for the purposes of Title 23, chapter 1, and considered recreational state park lands; consequently, it is exempt from PILT. The basis for this land use category on the remainder of the River Corridor is that use is primarily related to general recreation, rather than fishing or hunting.

It is estimated that new tax revenue, from MFWP alone, would result in roughly \$11,100 funds paid to Mineral County.

Mineral County can expect additional tax revenue if the Tarkio Section 35 is developed by private entities. The calculation of private property taxes is dependent upon many variables, which are now uncertain; therefore, it is difficult to estimate the potential income that may be generated from this type of private development.

The table below estimates payments in lieu of taxes MFWP will pay to Mineral County if the exchange is implemented.

<i>Tract/parcel</i>	<i>Acres</i>	<i>assessment category</i>	<i>estimated market value</i>	<i>estimated tax payment</i>
<i>Cyr FAS</i>	9.89	urban	\$80,000	\$1,137
<i>Upper Osprey FAS (proposed)</i>	17.29	urban	\$138,000	\$1,876
<i>Middle Osprey FAS (proposed)</i>	15.39	urban	\$153,900	\$2,092
<i>Lower Osprey FAS (proposed)</i>	24	urban	\$192,000	\$2,610
<i>Tarkio FAS</i>	8.88	urban	\$71,000	\$1,078
<i>Forest Grove FAS</i>	5.67	urban	\$45,000	\$701
<i>Big Eddy FAS</i>	19.91	urban	\$175,000	\$2,380
TOTALS	101.03		\$854,900	\$11,874

Public Services, Utilities

MFWP will gain more responsibilities pertaining to law enforcement, road and recreational facilities maintenance, weed control, and solid waste disposal. These responsibilities parallel other FAS sites and management activities in Region 2 and across the state.

The Alberton Gorge tract contains only one semi-formal road, which is used to access Ralph's Takeout. This is a single width, primitive road that ends at a small picnic site above the Clark Fork River. The development of three new fishing access sites will include new 20 foot wide gravel entrance roads measuring approximately 130 feet, 140 feet, to 300 feet long each from the Highway 10 to the parking areas.

The creel survey conducted by MFWP in 1995 indicates that the length of stay in the Clark Fork River corridor is related to the angler's residence. The lower river sections saw double the amount of use from non-residents than that from Montana residents and their average length of stay was longer than in other reaches of the river. River access in the Alberton Gorge section is limited due to private property ownership and the steep gorge terrain. Fishing access opportunities will be increased and improved within the Gorge, if the proposed exchange is implemented and fishing access sites are developed along the south banks. Thus, Mineral County may see some increase in length of stay from both resident and non-resident anglers.

Most of the recreational use occurring in the Alberton Gorge River Corridor does not require large energy sources supplied by industry. New facilities at the proposed fishing access sites will be primitive, requiring no utilities to maintain or operate them (sealed vault latrine, gravel road and parking areas). Latrines will be pumped by a private contractor twice or more each year, to maintain a healthy environment and safe facilities.

Projected Revenue

MFWP currently collects three percent of all registered commercial outfitters' unadjusted gross income for the use of the Cyr and Tarkio fishing access sites within the Alberton Gorge. These sites are currently managed by MFWP and currently there are about 24 outfitters registered. The number of outfitters cannot increase based on the *Alberton Gorge Commercial Use Rules* written under the umbrella of ARM Rule 12.8.211 (1) and (3). This commercial revenue to MFWP was approximately \$9,000 in 1998 and will be collected regardless of acquisition of the Gorge. This revenue will be placed in a new project account also consisting of state park funds, and fishing access site funds to maintain the access sites from St. Johns FAS to Forest Grove FAS.

Institutional-type groups utilizing MFWP sites within the Alberton Gorge are also required to register and obtain a Special Use Permit from MFWP with fees based on the number of people in the group and number of days use.

Maintenance costs incurred by MFWP will increase with the acquisition of more recreational land and development of three fishing access sites. MFWP estimates that it will take about \$29,000 to improve each of the new fishing access sites, including: grade and gravel small parking areas, install latrines, improve the existing foot trails to the river, and sign these new access sites. Annual maintenance of these sites will likely cost an additional \$500 to cover transportation costs of the caretaker, labor, supplies, and materials. Existing noxious weeds in these areas will require extensive measures to contain and could necessitate several thousand dollars every 2-3 years to combat the weeds effectively. This would be a contracted effort that is guided by the MFWP Region 2 Weed Management Plan.

Aesthetics & Recreation

The quality and quantity of recreational and tourism opportunities/settings will likely increase. Though the Clark Fork is not designated as a wild or scenic river, it does feel like one when floating down the impressive canyon and forced to run the narrow river rapids. These characteristics, combined with the easy accessibility by Interstate 90 or State Highway 10, which run parallel to the river, but are unseen from within the Gorge, are part of the inescapable lure.

Angling opportunities are apparent from the 1995 Creel Survey conducted by MFWP. The Gorge provides catch rates of 0.84 fish per hour. Private ownership of property along the river has greatly limited angler access to the river. State Highway 10 provides easy vehicular access to lands adjacent to the river and after one or two fishing access sites with parking are improved, it is anticipated that angling use will increase significantly. Informal trails already exist across the private land, but the general public is not aware of it, nor encouraged to cross the MPC property due to fences at many places. The abandoned railroad, which parallels the Gorge and some of the properties, may provide a multi-use trail between access points in the future.

Aesthetics is another of the primary reasons behind this land trade. If the properties along the Alberton Gorge are sold to private individuals, it is anticipated that the over 38,000 people surveyed at Cyr Bridge FAS (MFWP survey in 1998) will lose the primitive “wilderness” viewshed and experience encountered when floating this section of the Clark Fork River.

MFWP ownership of this corridor can preserve the scenic vistas and aesthetically fascinating sights along the river. The aesthetic character of this colonnade will continue as it has for thousands of years.

Victor Bjornberg of Travel Montana foresees the proposed land exchange as a positive and beneficial impact on Western Montana’s tourism economy. The public ownership of the Gorge will provide long-term benefits for Montanans and non-residents. Please refer to his Tourism Report, APPENDIX 1.

Cultural & Historical Resources

If the Alberton Gorge River Corridor is sold to private developers, it is likely that potential cultural and historic sites will not be recorded or preserved.

If MFWP acquires the Alberton Gorge River Corridor, potentially historical sites will be afforded greater cultural consideration under the state ownership through the Montana State Antiquities Act than its current or future private ownership.

A Memorandum of Agreement (MOA) has been prepared for signature by the U.S. Fish and Wildlife Service (Service - administer of Wallop-Breaux funds), Montana State Historic Preservation Office and MFWP concurrence at the Closing of the Exchange. This MOA stipulates the Service, in conjunction with MFWP will:

1. survey the three new fishing access site parcels for cultural resources prior to any development;
2. consult with the SHPO on the adequacy of inventory and eligibility of any historic resources and effects to any identified historic properties;
3. identify eligible Historic Railroad (24MF164) roadbed segments on the three FAS parcels with interpretive panels and development will fill over the Railroad roadbed whenever feasible to avoid direct effects to the roadbed;
4. no undertakings will be allowed on the property until the inventory work is completed, which should be done within one year of acquisition;
5. resolve disagreements regarding the eligibility of a historic property or completion of the terms of this agreement through the participation of the Advisory Council on Historic Preservation (ACHP).

For more details regarding this Memorandum of Agreement, please refer to **Appendix C**.

The majority of the 320 acres acquired will not be developed. The three proposed fishing access sites will be surveyed for archeological and historic significance prior to any improvements. The State Historic Preservation Office will be consulted and, if possible, a concurrence letter obtained from the SHPO or mitigations negotiated to complete the site developments without impacting the cultural resources.

The historic Mullan Road, built between 1858 and 1861 as the first wagon route through the northern Rocky Mountains, does run adjacent to portions of the Gorge tract that MFWP would acquire. This section of the road is known as the Big Side Cut. According to the appraisal reports, a road provides the boundary edge on the north and most easterly parcel where the road comes close to the river. State Historical Preservation Office (SHPO) records indicate that this is part of the Mullan Road. Review of the SHPO files by Sue Dalbey in August, 1999, did not reveal any other portions of the Mullan Road that would be included in the proposed land trade. MFWP has no intentions of influencing or impacting this historic landmark. The road is considered eligible for listing on the National Register of Historic Landmarks, but is not formally listed according to SHPO records.

No physical changes are anticipated at this time that would affect unique cultural values or alter existing religious or sacred uses of a site.

Evaluation of Mitigation or other Control Measures

The primary control measures that MFWP anticipates in this land exchange are:

- the opportunity to provide more river access sites, particularly for bank anglers;
- the ability to provide access to the river in manners that protect the resources;
- noxious weed management;
- conservation of fish and wildlife habitat;
- conservation of a valuable recreational asset with high aesthetic worth.

Public Involvement Regarding this Tract

The Montana Whitewater Association began looking at the possibilities for public ownership of the Gorge in 1996. Their 1999 annual meeting had 50 people in attendance interested in the future and public acquisition of the Gorge.

The river conservation group, River Network, has taken an active stance in the land transfer, as demonstrated when they paid MPC two installments of \$50,000 each, for the purchase option and opportunity for more time in determining details of the exchange.

Outfitters and guides who are concerned about development along the river have voiced their support for the land exchange at public meetings and communication with MFWP employees.

At least two private property owners have contacted MFWP after seeing news releases, indicating their willingness to sell their property or provide a conservation easement in the interest of preserving the Gorge's viewsheds and recreational values.

Mineral County Commissioners have expressed opposition to the Exchange in regard to potential loss in tax base if the Alberton Gorge River Corridor comes under public ownership and partially exempt from taxes. MFWP, the U.S. Forest Service and River Network have acknowledged these concerns and are discussing options with the

Commissioners, which will adequately address these concerns. A Public meeting will be held in Superior, July 6, to allow for public review of the exchange, formal recording of comments and discussion of possible solutions to any concerns.

**Alberton Gorge Land Exchange
Environmental Assessment**

**Lower Tarkio
Tract B**

Lower Tarkio Tract B

Introduction

The Lower Tarkio tract in Section 34 is a parcel of land and right-of-way (ROW) allocation that was acquired by the Lolo National Forest in 1991, to insure access to the Clark Fork River in the Tarkio exit area. This ROW and parcels acquired here also provide access to the south portion of Section 35.

This tract was identified for disposal based on the criteria listed in the Lolo February 1986 Plan Disposal Guidelines, which state: (1) dispose of isolated parcels that are uneconomical to manage, with no important resources or where further consolidation is not anticipated.

It is proposed that the FS transfer this tract to the MFWP to supplement the existing Tarkio Fishing Access Site. MFWP currently leases part of this tract for a road right-of-way to access this FAS. If transferred, a right-of-way may also be granted to River Network or the purchasers of the Tarkio Section 35 along the abandoned Chicago, Milwaukee, St. Paul and Pacific Railroad to provide access to that property.

Public access would remain open to this Lower Tarkio tract, and development in the near future would be limited to general maintenance to protect the resources. Management would be more efficient for this small site, if MFWP can absorb it into an adjacent, actively managed site.

This site will be encumbered with Land and Water Conservation federal funding in an attempt to balance the funding sources in relation to the use at the Tarkio area. Transfer of the property will be contingent upon approval from the National Park Service, who administers these funds.

Property Description

The Lower Tarkio property is accessible from the Tarkio Interstate 90 off-ramp, south approximately one-quarter mile on a gravel road on the Chicago, Milwaukee, St. Paul and Pacific Railroad right-of-way.

Township 15 North, Range 25 West, Section 34

Mineral County, Montana

Total acreage = 34.4 acres

Legal Description

Parcels of land, being located in the SE¼ (lot 5) of section 34, T. 15 N., R. 25 W., P.M., and being further described as Portion 'A' and Portion 'B' on Certificate of Survey No. 376, records of Mineral County, Montana; and

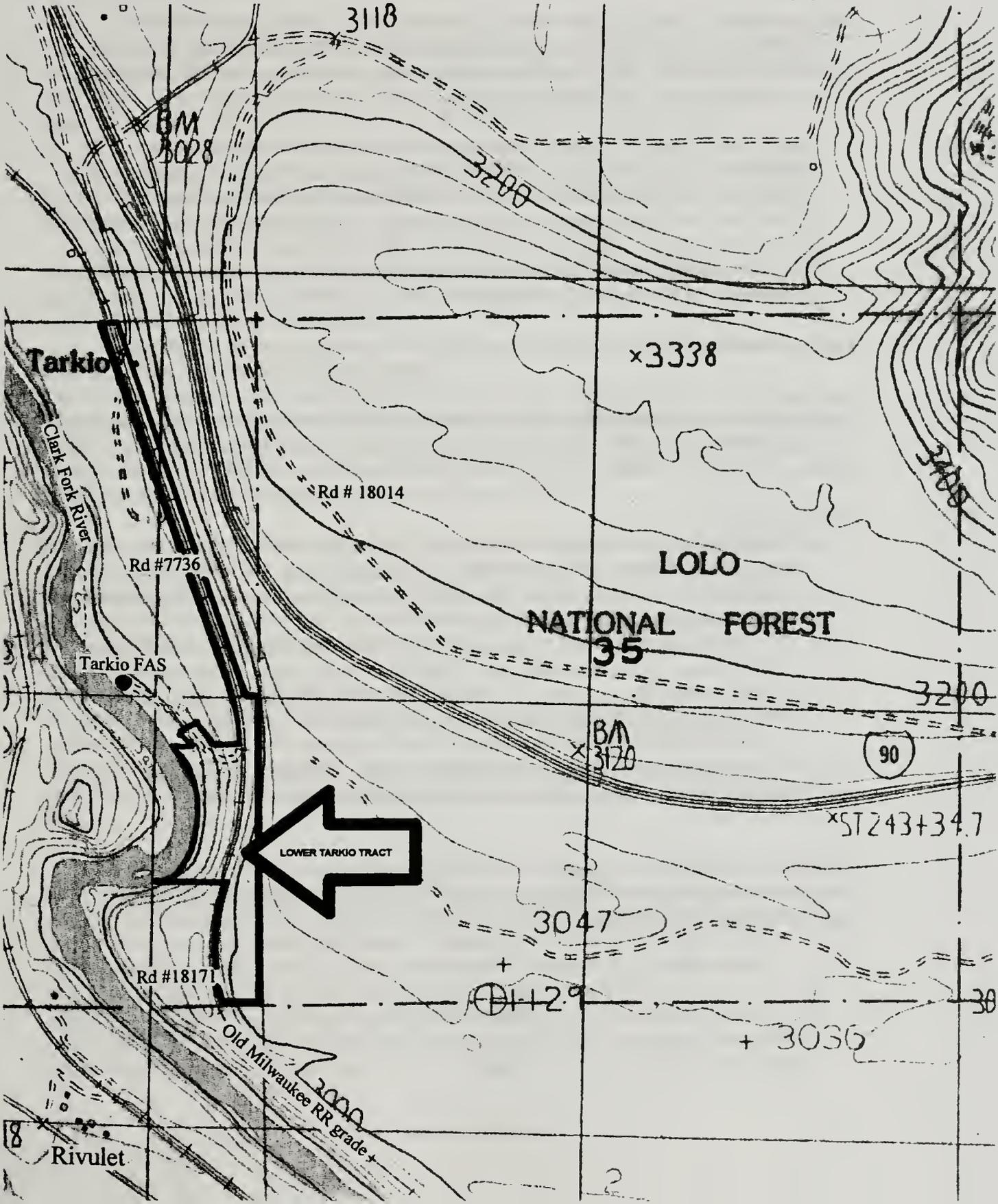
LOWER TARKIO

T15N, R25W, Section 34

1983 Tarkio, MT Quadrangle; Scale 1:24,000 enlarged; 40' contour intervals

Mineral County, Montana

34.4 acres; boundaries shown are approximate



A parcel of land in the SE¼ (lots 5 and 8) of section 34, T. 15 N., R. 25 W., P.M., and being further described as Tract 'A' on Certificate of Survey No. 373, records of Mineral County, Montana; and

All that portion of Chicago, Milwaukee, St. Paul and Pacific Railroad Company's 100-foot wide right-of-way and extra width right-of-way in E½NE¼ (lot 4 and NE¼NE¼), section 34, T. 15 N., R. 25 W., P.M., being further described on Certificate of Survey No. 339, records of Mineral County;

EXCEPTING and EXCLUDING that parcel conveyed to the United States of America, Department of Energy, Bonneville Power Administration by deed date August 28, 1981, recorded November 30, 1981, Drawer 1 of Deeds on Card No. 3233-3233A, AND that parcel conveyed to Joseph A. Petersen and Rose L. Petersen by deed dated April 2, 1990, recorded April 3, 1990, in Drawer 2 of Deeds on Card No. 6303 and being further described as Portion A on Certificate of Survey No. 367, all in records of Mineral County, Montana.

Land reservations of the United States, exceptions to title and uses to be recognized:

Reservations

EXCEPTING AND RESERVING to the United States a right-of-way thereon for ditches or canals constructed by the authority of the United States (Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945).

Outstanding Rights

- a. A Special Use Permit dated November 15, 1994, issued to Clark Fork Telecommunications for a buried fiber optic telephone line, lots 4, 5, 8, NE¼NE¼ section 34, T. 15 N., R. 25 W. The State of Montana will issue a lease or permit to this company for the same purpose.
- b. A Federal Land Policy and Management Act Forest Road Easement dated January 5, 1995, issued to State of Montana, FW&P, for Tarkio River Access Road #7736 across the E½NE¼ and NE¼SE¼ in COS No. 339, COS No. 376 and COS No. 373, section 34, T. 15 N., R. 25 W. Title will merge with transfer.

Other outstanding rights providing for roadway and utility easements, mineral rights will be protected for continued use upon transfer out of United States ownership.

Elevation of the property is approximately 2920' above sea level. The majority of the property is steeply sloped, facing generally west. A portion of the tract is wooded and used for recreational purposes.

ENVIRONMENTAL REVIEW

Physical Environment

Land Resources

The majority of the site is steep, with elevations ranging from 3,045 feet to 2,567 feet at the Clark Fork River. A narrow bench (floodplain) sits about 15 feet above the Clark Fork River. The railroad grade is on a second, high bench, about 200 feet above the Clark Fork River. The area has been heavily modified due to the railroad grade.

(The following **minerals** information is from the *draft* Mineral Potential Report prepared for the Alberton Gorge Land Exchange and can be obtained from the U.S. Forest Service, Region 1 office in Missoula.)

Mineral resources rights are retained in private ownership, with the exception of sand and gravel, which are in federal ownership. The sand and gravel rights would be transferred to MFWP if the exchange is completed.

Geology, Mineralization and Mineral Activity

The Tarkio Tracts are within the Northern Rocky Mountains physiographic province which is underlain by Precambrian sedimentary rocks of the Belt Supergroup. Recent Pleistocene glacial deposits cover most of the lowlying areas. On the subject parcels, limited outcrops of Wallace and Mount Shields argillites and quartzites occur, and landforms and alluvial deposits associated with glacial activity.

Hard rock mineralization is not evident on the parcels, nor is there evidence of hard rock mineral activity. There are no mineral leases on the federal tracts and the geology is not very favorable for occurrence. Mineral materials occur on the parcel due to the glacial deposits. Sand and/or gravel has been extracted from Section 34 on the federal parcel and additional economically valuable resources occur.

Mineral Occurrence and Development Potential

The mineral potential for occurrence and development of hard rock and leasable minerals on the Tarkio parcels is rated as low to very low (Mineral rights are outstanding). Mineral materials, sand and gravel, occur on the parcel and have been exploited in the past. For these reasons, the potential for future development of sand and gravel is rated as high.

Sue Dalbey contacted the Lee Bastian, MFWP Region 2 Parks Manager, who indicated that the only foreseeable plans to develop this tract would be to improve the railroad right-of-way to adjoin the existing gravel road and provide access to Section 35 if requested and negotiated with a future land owner(s). No changes from the current conditions of soil stability, or geologic substructure are anticipated with this improvement. No actions in the proposed land exchange are foreseen that would impact unique geologic or physical features of the area. No changes are anticipated that would result in soil disruption, displacement, erosion, compaction or over-covering, which could

reduce productivity or fertility. Changes are not likely to occur in the siltation, deposition or erosion patterns that could modify a lake shore or river bank. The public would not encounter any new risk of exposure to earthquakes, landslides, or ground failures.

Air

Air pollutants and ambient air quality should not increase as a result of the change in ownership. Objectionable odors, changes in air moisture, temperature patterns, local or regional climate are not anticipated. No actions are foreseen that would conflict with federal or state air quality regulations.

Water and Floodplains

MFWP does not have immediate future plans for the Lower Tarkio Tract which would result in negative impacts to surface water and ground water quality or quantities. It is anticipated that management of the site will remain unobtrusive; no alterations are expected to the water temperature, dissolved oxygen, or turbidity. Amount of surface water, drainage patterns and rates of surface runoff and the magnitude of flood waters are expected to remain similar to current conditions. Risks for contamination of surface water and groundwater should remain unchanged.

The change of ownership will not effect other water users, or existing water rights or reservations, of which none are known. No discharges are predicted that would affect federal or state water quality regulations.

Lolo NF Hydrologist, Arne Rosquist, reported the following to Lisa Subcasky, FS Region 1 Realty Officer, June 21, 2000, regarding the features of Sections 34 and 35. The Lolo Land Systems Inventory (LSI), which is a Level 3-4 Soil Survey, shows Sections 34 and 32 along the Clark Fork River mapped as 13JA, 13UA and 14XA landtypes. These features are dry, well drained to excessively well drained river terraces and benches. The soils range from fine sandy and silty lacustrine deposits to gravelly and cobbly alluvial deposits. These high river terraces may be 50 to 500 feet above the adjacent stream channel with steep descending slopes to the river edge. These features were formed by huge glacio-fluvial processes as the last episode of continental glaciation was ending. The present Clark Fork River is a minimal remnant of the ancient floods. These lands, though adjacent to the current river channel (section 34 – Lower Tarkio tract), have no **floodplain** nor **wetland** function or value.

Floodplains were identified, however, on the U.S. Department of Housing and Urban Development, Federal Insurance Administration, Flood Hazard Boundary Map: Mineral County, MT, Unincorporated Area Page 13 of 19; Community-Panel No. 300159 0013A, effective date of February 14, 1978, provided by Karl Christians, Department of Natural Resources and Conservation (DNRC), Floodplain Management Section Supervisor, Helena. Using the given map scale, Sue Dalbey, environmental assessment preparation consultant, estimated approximately 5 acres of floodplains along the Clark Fork River. The area measured roughly 1000' long by 400 feet wide at the south end of the tract to nearly zero feet wide at the north end.

Vegetation, Wetlands, Prime & Unique Farmlands

The majority of the railroad ROW is an improved gravel road. It is foreseeable that approximately 1/8 to 1/4 of the remaining, unimproved railroad grade and short road spur(s) on Section 34 may be improved to provide access to Section 35. If the spurs are constructed, a minor change in the diversity, productivity or abundance of plant species may occur. Vegetative cover on this tract includes ponderosa pine, willow, cottonwood, horsetail, and other water-edge plants.

Timber volumes were estimated at 100,000 board feet, based on the timber cruise completed by the Lolo NF, 1999.

Field surveys were performed on May 7 and June 3, 1999 by Darlene Lavelle, on an "intuitive controlled" level. No sensitive plants were found.

The two plants listed under the federal Threatened and Endangered Species Act and their critical habitat will not be affected by this project. Water Howellia (*Howellia aquatilis*), listed as a threatened species, and is expected to occur on the Lolo National Forest, however it not been found on this Forest to date (as per Darlene Lavelle's "TES Plant Biological Evaluation for the Alberton Gorge Land Exchange," June 30, 1999). Ute Ladies'-tresses (*Spiranthes diluvialis*), also considered threatened, is in river meander wetlands east of the Continental Divide. The Spalding's Catchfly is found in the Upper Flathead River drainage and the Tobacco Valley, and was not found during Lavelle's survey of the Tarkio tracts. Lavelle reported that the proposed land exchange will have no impacts on any Forest sensitive or federally listed, threatened or endangered plant species.

Noxious weeds will be actively controlled by MFWP on the Lower Tarkio tract. The field survey conducted by Lavelle, identified three noxious weeds on Sections 34 and 35 (*Centaurea maculosa*, *Euphorbia escula*, *Hypericum perforatum*). The MFWP Region 2 Weed Management Plan would incorporate this area and use multi-media methods of controlling weeds in this area.

As noted by the Lolo NF Hydrologist above, these lands have no **wetlands** function or value.

This tract is steep, timbered, and no agricultural land exists on this tract, thus no **prime and unique farmlands** will be impacted by the exchange of the Lower Tarkio tract.

Fish & Wildlife

Transfer of ownership to the MFWP is highly unlikely to affect critical habitat or the diversity and abundance of fish, wildlife and non-game species in the area.

Fisheries management of Clark Fork River will remain under MFWP biologists based out of Missoula. Fisheries biologist, Ladd Knotek, stated in a phone conversation with Sue Dalbey, that fish species listed under the Threatened and Endangered Species Act are not expected to be affected by the proposed land exchange. Bull trout do inhabit the Clark

Fork River in low numbers, however, the possible added angler pressure due to the acquisition of this tract will be negligible. The public currently has and will have access to this river frontage in the future if the proposed exchange occurs. Anglers must release bull trout and cutthroat trout, if caught. White sturgeon do not inhabit the Clark Fork River. The pallid sturgeon do not inhabit the Boulder River drainage. The sturgeon chub and sicklefin chub are Candidates for Listing under the Endangered Species Act, but are found in the Yellowstone River farther east in Montana. The arctic grayling is not found in this area.

The following animals are federally listed under the Endangered Species Act and were considered in this environmental assessment. Many species are not present in this tract and may not be specifically discussed.

- Endangered - black-footed ferret, gray wolf, whooping crane, least tern, pallid sturgeon, white sturgeon (Kootenai River population);
- Threatened - grizzly bear, bald eagle (proposed for delisting) piping plover, bull trout (Columbia River basin and St. Mary-Belly River populations), Canada lynx (contiguous U.S. population);
- Proposed Threatened - mountain plover, Spalding's catchfly;
- Candidates for listing as threatened or endangered - swift fox, sturgeon chub, sicklefin chub, arctic grayling (fluvial population), warm spring zaitzevian riffle beetle, black-tailed prairie dog.

The Endangered Species Coordinator for MFWP, Arnold Dood, reviewed the properties involved and found the following species may use the areas involved in the Alberton Gorge Land Exchange: peregrine falcon, bald eagle, gray wolf.

USFS Wildlife Biologist, Mike Hillis, foresees possible nesting in this area by eagles or ospreys, however, he notes that there is not a shortage of other suitable, federally-owned nesting habitat in the vicinity. Songbirds, such as song sparrows and yellow warblers utilize the narrow riparian zone along the Clark Fork River. Because MFWP will maintain the tract in its current condition, Hillis does not anticipate significant impacts to the wildlife or its habitat in the Lower Tarkio tract, including bald eagles.

Hillis' wildlife information report dated June 16, 1999, identifies this as non-essential wolf habitat due to its proximity to Interstate 90 and it is on the edge of the Ninemile pack territory. The flammulated owl is not expected to be impacted by the exchange of the Lower Tarkio tract, because MFWP will maintain its current condition.

MFWP Wildlife Biologist, Bob Henderson, indicated to Sue Dalbey on May 3, 2000, that this area provides habitat for white-tailed deer, which also inhabit Section 35. Henderson advised that the proposed land exchange is not expected to negatively impact wildlife, including any federally listed or candidate species or their designated critical habitat as long as land use remains similar to current levels.

A search for threatened and endangered species by the Montana Natural Heritage Program (Natural Resource Information System) revealed no species of special concern on the Lower Tarkio tract.

Human Environment

Noise & Electrical Effects

Noise levels are not expected to increase with the completion of the land exchange. Improvements to the railroad ROW may temporarily increase noise levels during construction; however it is probable that this action would occur whether the USFS owned the Lower Tarkio tract or MFWP owned it. No known changes to electrostatic or electromagnetic conditions are predicted. The remote locale of this tract should not affect radio or television reception.

Land Use

The productivity and profitability of this tract should not be affected if ownership transfers to MFWP. The transfer corresponds with current natural area designations of the adjacent Tarkio Fishing Access Site. This parcel is remote and the proposed action will have little affect on residences, however the public will retain access, which is an important issue with Mineral county residents.

Risk & Health Hazards

Limited visitation and human use of the property presents little risk of explosion or release of hazardous substances in the event of an accident. This area would be serviced by the Mineral County Search and Rescue with willing assistance from MFWP when necessary, including jet boats for river searches. Chemical toxicants which may be used would likely be for the control of noxious weeds under the direction of the MFWP Region 2 Weed Management Plan and certified applicers.

Community Impact

The human population in the area is not expected to change significantly due to the exchange of the Lower Tarkio tract. The remote character and continued recreational use of this tract will not affect the social structure of a community, the industrial or commercial activity in the area. The public will retain ownership of the property, and therefore retain access to the site. Patterns of human movement to, from and within the site may change slightly if the railroad ROW is improved to provide managed access to Section 35. Road maintenance and/or improvements are the only capital improvements envisioned by MFWP at this site.

Taxes

The 34 acre tract adjacent to the Tarkio FAS proposed to be transferred will provide slightly different tax revenue if acquired by MFWP, rather than owned by the FS.

The FS pays funds to the counties in two ways:

- PILT funds (Payments in Lieu of Taxes) and
- the 25% Fund, which is payment made up of 25% from all forest receipts based on USFS acreage owned within each county and the national forest unit.

Total payment by the FS to Mineral County is estimated at \$19 for the 34.4-acre Lower Tarkio tract. This includes approximately \$3.37 PILT and \$15.82 revenue from the 25% Fund.

If the proposed exchange is implemented, the Lower Tarkio tract will be encumbered with Land and Water Conservation Funds, considered state recreation lands, and therefore, exempt from taxes under MCA 87-1-603. MFWP does not collect revenue from activities on this site.

Public Services, Utilities

The proposed action will not increase the level of governmental services required at this tract. Currently, MFWP provides maintenance on the gravel road and minor weed control practices. These activities will continue. Utilities services are not available in the site, nor are they anticipated in the future.

The Lower Tarkio tract contains approximately .9 miles of gravel road that will be transferred from the U.S. to MFWP and allow continued access to the Tarkio Fishing Access Site on the Tarkio River Access Road #7736 and Tarkio RR Grade Road #18171. MFWP currently has an easement for use of the Tarkio River Access Road #7736, thus no net gain will occur for MFWP. River Network, DNRC or the private entities purchasing Section 35, will be granted an easement (from MFWP) on both roads to access the lower portion of Tarkio Section 35, if the exchange occurs as proposed.

Aesthetics & Recreation

Transfer of the Lower Tarkio tract to MFWP will continue preservation of this scenic area and aesthetically pleasing recreational opportunity. It will enlarge the Tarkio FAS property, which is heavily used and will extend this valuable public resource for fishing, boating, picnicking and nature walks.

This tract is not in a designated wilderness area, nor is it part of a wild or scenic river or trail.

Cultural & Historical Resources

Jennifer Eberlien, Lolo National Forest Archeologist, examined the Lower Tarkio tract in Section 34 for cultural resources. In her November, 1999 inventory report, she recorded only one site (24MN164), the Tarkio Segment of the Chicago, Milwaukee, St. Paul, and Pacific railroad (the Milwaukee RR) and its associated substation. The site includes the abandoned Milwaukee railroad bed, piles of railroad spike cans, and the foundation of the associated substation at Tarkio. Due to lack of integrity, the Ninemile District of the Lolo National Forest, proposed to the Montana State Historic Preservation Office (letter dated November 29, 1999) that the Tarkio Segment is not eligible to the National

Registrar of Historic Places (NRHP). The significant physical features of the railroad are already exemplified in the St. Regis to Avery Segment of the Milwaukee RR that is eligible to the NRHP.

The Lolo NF has not received a letter of concurrence from the SHPO to date; therefore, if there are concerns, the FS and MFWP will negotiate to accommodate these concerns and limit impacts to any cultural resources.

Evaluation of Mitigation or other Control Measures

If a portion of the overall Alberton Gorge Land Exchange fails, this proposal to transfer the Lower Tarkio tract to the MFWP will likely fail as well.

If the railroad grade is improved to Section 35 for residential private access, MFWP may negotiate with landowners to aid in the financial maintenance of the road or an easement, etc. that will reduce the maintenance burden on MFWP.

Public Involvement Regarding this Tract

MFWP Region 2 Parks Manager, Forest Service personnel, and the Director of River Network met with Mineral County Commissioners to review the proposed exchange, and identify concerns. Specific concerns have not specifically addressed the Lower Tarkio tract. The general public has not been involved in the proposed exchange to date, though public comments will be sought on this Draft Environmental Assessment, which also solicits comments for the NEPA scoping process.

**Alberton Gorge Land Exchange
Environmental Assessment**

**Tarkio Section 35
Tract C**

Tarkio Section 35

Tract C

Introduction

The United States owns all of Section 35 near Tarkio, Township 15 North, Range 25 West. This section is administered by the Lolo NF. Disposal of the Tarkio property was reviewed for consistency with guidelines for land exchanges included in the Lolo National Forest's 1986 Land and Resource Management Plan, or Forest Plan. Appendix I of the Forest Plan contains general direction for evaluating land ownership adjustments for the Lolo National Forest. The Alberton Gorge Land Exchange proposal to dispose of NFS lands in the Lower Tarkio and Tarkio Section 35 tracts is consistent with these guidelines.

As proposed, River Network will be the recipient of the Tarkio Section 35 tract transferred from the FS. The FS and River Network have agreed that acreage will be transferred beginning with lands in the south portion of section first (south of I-90), proceeding north until exchange values are equalized. River Network will sell (or enter a separate exchange of this land with DNRC) to recover its investment in the Alberton Gorge River Corridor.

The proposed amount of land transferred from federal ownership will be the acreage necessary to equalize property values in the land exchange. In this case the total amount of land that the FS will transfer out (in Sections 34 & 35) will equal the value of the land (and cash, if necessary) the FS is receiving from MFWP at Frank Lake, Natural Bridge, Park Lake, and Tizer Lakes tracts. This figure, to be determined by appraisal, is estimated to include between 240 – 400 acres in Section 35. The FS, however, has the option to provide a cash equalization payment, equaling up to 25% of the exchange value, which could reduce the acreage transferred by 25%. For the purposes of this environmental assessment, the impacts to the entire section (640 acres) have been considered, to allow flexibility in the equalization process.

At this time, the appraised value of this tract is unknown; therefore, it is difficult to estimate the quantity of land necessary to revolve into cash for the purchase of the Alberton Gorge River Corridor from MPC. The exchange will be flexible, allowing the deletion of federal lands, or the use of cash equalization payments by the FS or MFWP to ensure an equal value land exchange.

Property Description

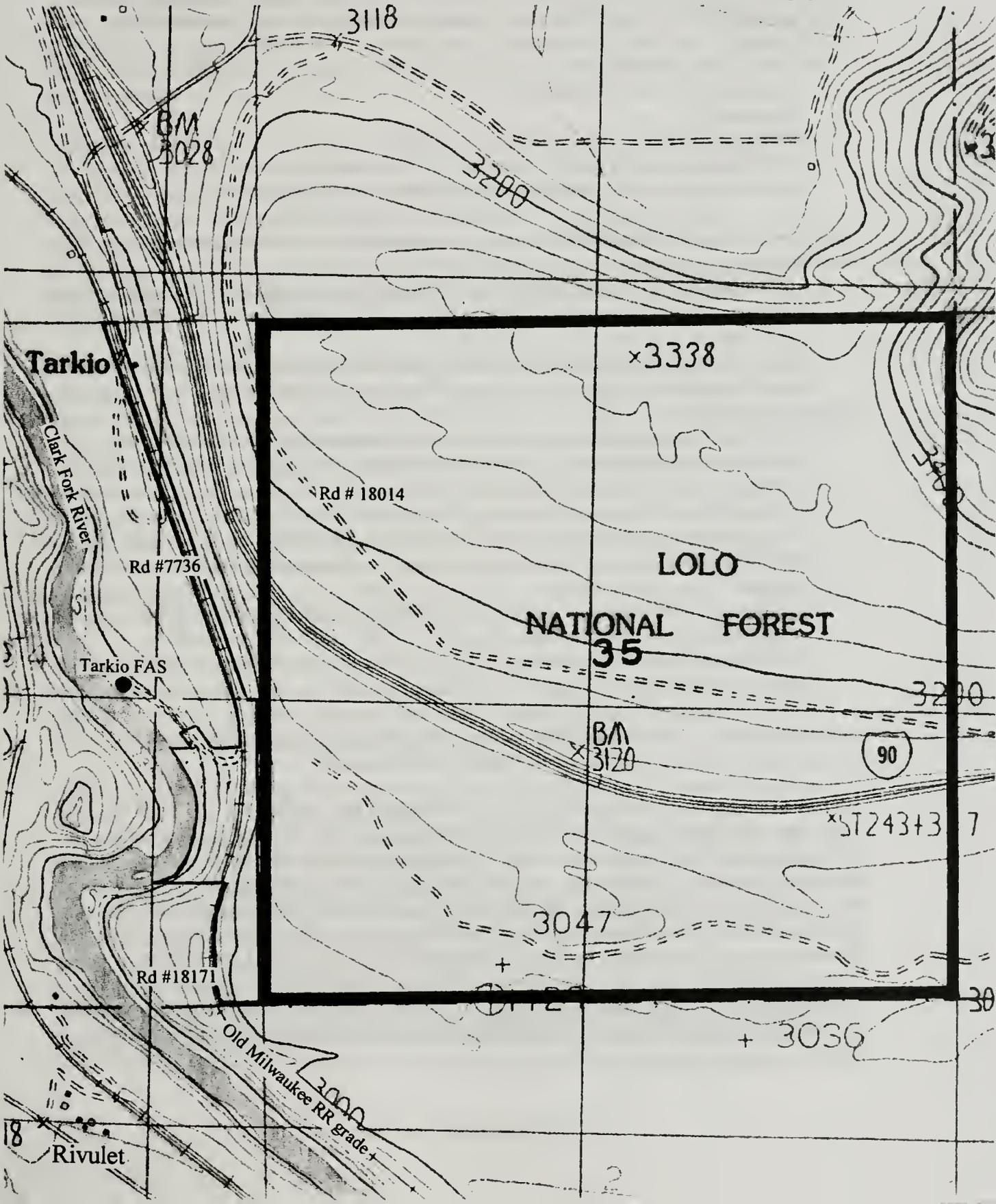
Interstate 90 crosses the section east and west. The southern portion of the tract is accessible from the Tarkio, Interstate-90 off-ramp, west under the freeway, then south approximately one mile following the old Milwaukee Railroad bed on the Tarkio River Access Road #7736 and Tarkio Railroad (RR) Grade Road #18171, then due east by foot about 250 feet.

TARKIO SECTION 35

T15N, R25W, Section 35

1983 Tarkio, MT Quadrangle; Scale 1:24,000 enlarged; 40' contour intervals
Mineral County, Montana

240-400 acres proposed for exchange beginning south of Interstate 90



The northern half is accessed from the Tarkio, Interstate-90 off-ramp, northeast approximately 1000 feet on gravel road, then east 500 feet, then south about ½ mile on a 66-foot road right-of-way for Ronck Road #18014 to reach the northwest corner of Section 35. This road traverses the entire section from the northwest corner to the eastern border midpoint. This is part of the old Highway 10 abandoned when Interstate 90 was constructed.

Township 15 North, Range 25 West

Section 35

Mineral County

Total acreage = 640 acres

Total acreage to be exchanged estimated between 240-400 acres

Land reservations of the United States, exceptions to title and uses to be recognized:
Reservations:

1. EXCEPTING AND RESERVING to the United States a right-of-way thereon for ditches or canals constructed by the authority of the United States (Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945).
2. EXCEPTING AND RESERVING to the United States a 66-foot road right-of-way for Ronck Road No. 18014 across NW¼ and S½NE¼, section 35.

Outstanding Rights:

- a. A United States Department of Transportation easement issued to Montana Department of Highways on January 24, 1974 for Interstate 90 as it affects the SW¼NW¼, NE¼SW¼, N½SE¼ section 35.
- b. A Special Use Permit dated July 14, 1995, issued to Clark Fork Telecommunications for a telephone line network, S½ section 35, T. 15 N., R. 25 W. River Network will issue a lease or permit to this company for the same purpose.
- c. A Special Use Permit dated November 25, 1985, issued to Missoula Electric Cooperative for a 44Kv transmission line, W½SW¼, NE¼SW¼, N½SE¼, W½NW¼, SE¼NW¼ section 35, T. 15 N., R. 25 W. River Network will issue a lease or permit to this company for the same purpose.

Other outstanding rights providing for roadway and utility easements will be protected for continued use upon transfer out of United States ownership.

This section consists of gentle rolling hills with elevations that range from 3,047 feet to 3,400 feet. The predominant tree species is ponderosa pine and Douglas fir. The entire section is considered a low elevation, dry, ponderosa pine benchland, which was historically forested with very open, predominately old growth ponderosa pine. It was presumably logged prior to the turn-of-the-century, and has been thinned within the last 30 years. (Wildlife AE, Effects, and BE, Mike Hillis, June 16, 1999). There are no above ground water resources within Section 35 as concluded from the Lolo Land Systems Inventory (LSI), Level 3-4 Soil Survey (Arne Rosquist, Lolo NF Hydrologist, written communication to Lisa Subcasky, June 21, 2000). Tarkio Flats lies to the north of Section 35; the Martel Mountain range is to the northeast; the Clark Fork River to the south and west.

Outcomes of Alternative B - Proposed Exchange

River Network has indicated that, if it comes into ownership of the land in Section 35, it must in turn, re-convey this land to generate the cash necessary to purchase Alberton Gorge from the Montana Power Company. River Network has discussed two options for this conveyance.

Option 1 – Direct Sale: One option would be the sale of the Section 35 acreage on the open market. In this event, according to Hugh Zackheim, River Network Regional Director (written communication to Sue Dalbey, June 4, 2000), this organization would seek one or more “conservation buyers” to purchase the land in Section 35 and subsequently place a conservation easement on the property with a public agency or private land trust. Under this scenario, it is likely that **one to four homesites would be developed on 240 to 400 acres of Section 35 and may include lands north of Interstate 90.**

Wayne Marchwick, Mineral County Planner, indicated that the Mineral County land use planning review process is completed by the County Land Board, Commissioners, and County Planner (personal communication with Sue Dalbey, June 23, 2000). This process helps to determine if restrictions may be necessary in regard to 1) impacts of the proposed land use and wildlife, 2) public comment, 3) public safety and health, 4) land slides, hi voltage type areas, etc., 5) agriculture uses including timber harvest. State law does require the County to allow “reasonable use” of the property. In the case of subdividing Section 35, Marchwick suggests that individual parcels may range in size from 60-100 acres, given the potential impacts to elk calving areas and recognized public discontent toward development of this property. This roughly corresponds to Zackheim’s estimate, above, of 4 tracts on the south half of the section (average of 80 acre tracts).

If River Network is unsuccessful in finding a conservation buyer for the Section 35 acreage, however, the land might be purchased by other private buyers. The interests of these buyers could range from small-lot subdivision (approximately 20 acres each) to intensive timber management to a combination of these land uses.

Option 2 – Land Exchange between River Network and DNRC: The second option for River Network, is to convey the Section 35 lands (or portions of the section depending on appraised values) to the Montana Department of Natural Resources and Conservation (DNRC). DNRC owns and manages timber land on Section 2 and Section 36, which adjoin Section 35. Bob Rich, DNRC Forester, states that the agency is interested in acquiring Section 35 to improve access conditions and timber management opportunities in the Tarkio area (personal communication with Sue Dalbey, June 23, 2000). Under this scenario, the Section 35 lands transferred to DNRC would remain accessible for hunting and public recreational use, but would require users to purchase a \$10 recreation access permit (valid statewide). **Primary emphasis on the land would be for timber management** to supplement the school trust fund, which would be similar to activities occurring on Sections 2 and 36. Rich anticipates the timber management

would follow these guidelines: a) managed to emulate a naturally occurring environment, b) require retention of 50% of historic levels of old growth by forest cover-type, c) possible lease for grazing use, d) timber sale of 1/3 of the standing volume by individual tree selection harvest; e) combat weeds using an integrated weed management strategy.

DNRC has developed a list of potentially available lands in Mineral County that the agency would consider trading to River Network for acreage in Section 35. River Network will discuss these tracts with Mineral County officials and potential buyers to determine which properties would be best to transfer from DNRC ownership to private-sector ownership. A separate environmental review document, including public comment, would be prepared by DNRC before this "Option 2" land exchange could be completed. A second environmental document would be prepared prior to any timber harvest actions on the tract, and public comment sought on any future actions.

ENVIRONMENTAL REVIEW

Many of the precise environmental impacts to this property are unknown at the time of this writing, since the appraised value is unknown and, total land to be traded within this section is unknown, and specific purchaser(s) (from River Network) and their exact intentions for the property are unknown. We have attempted to make some general predictions based on the current most likely possibilities, as described under the two Options above. Both Options have been evaluated below to allow for more thorough consideration of the potential impacts regarding the Tarkio Section 35 tract. Descriptions or issues identical for both Options are discussed at the beginning of each category.

Physical Environment

Land Resources

(The following minerals information is from the *draft* Mineral Potential Report prepared for the Alberton Gorge Land Exchange and can be obtained from the U.S. Forest Service, Region 1 office in Missoula.)

Mineral resources are under federal ownership with no unpatented mining claims or federal leases.

Geology, Mineralization and Mineral Activity

The Tarkio Tracts are within the Northern Rocky Mountains physiographic province which is underlain by Precambrian sedimentary rocks of the Belt Supergroup. Recent Pleistocene glacial deposits cover most of the lowlying areas. On the subject parcels, limited outcrops of Wallace and Mount Shields argillites and quartzites occur, and landforms and alluvial deposits associated with glacial activity.

Hard rock mineralization is not evident on the parcels, nor is there evidence of hard rock mineral activity. There are no mineral leases on the federal tracts and the geology is not very favorable for occurrence. Mineral materials occur on the parcel due to the glacial

deposits. Sand and/or gravel has been extracted from Section 34 on the federal parcel and additional economically valuable resources occur.

Mineral Occurrence and Development Potential

The mineral potential for occurrence and development of hard rock and leasable minerals on the Tarkio parcels is rated as low to very low (Mineral rights are outstanding). Mineral materials, sand and gravel, occur on the parcel and have been exploited in the past. For these reasons, the potential for future development of sand and gravel is rated as high.

Option 1 – Direct Sale

Construction of access roads to individual tracts, house foundations, infrastructure such as utilities, sanitation systems and water wells, will result in minor disruption, displacement, compaction, and over-covering of soil which will reduce productivity and fertility. The tract is gently rolling, with no outstanding geologic or physical features that may be destroyed during construction of residential home sites and associated development, nor is the soil stability or geologic substructure anticipated to be altered. The minimal development proposed is not anticipated to alter siltation, deposition or erosion pattern of the Clark Fork River. The county would examine the tract during the subdivision plan review for possible land slides, or soil instability, and could enforce specific restrictions, if necessary to prevent exposure to ground failure in these areas (Wayne Marchwick, personal communication with Sue Dalbey, June 23, 2000).

Option 2 – Land Exchange between River Network and DNRC

Timber sale operations recommended by Bob Rich, DNRC Forester, would likely occur in the winter when ground is frozen to minimize impacts (personal communication with Sue Dalbey, June 23, 2000). According to the *Cultural Resource Inventory Report*, November 29, 1999, by Jennifer Eberlien, Lolo NF Archeologist, the section has had several episodes of logging as recent as 1976, and has several logging haul roads. Bob Rich does not anticipate more roads necessary to complete logging of the proposed 1/3 standing volume. Dispersed skidding in the winter will cause very minimal disruption or displacement of soil. The tract is gently rolling, with no outstanding geologic or physical features that may be destroyed during the proposed logging events, nor is the soil stability or geologic substructure anticipated to be altered. As proposed, the changes in siltation, deposition or erosion patterns will not occur due to the proposed exchange and consequential logging events.

Air

No discharges are expected that will conflict with any federal or state air quality regulations. Changes in air moisture, temperature patterns, local or regional climate are unlikely from development or logging operations.

Option 1 – Direct Sale

Minor and temporary amounts of dust can be expected during the construction of new roads and residential development, since most construction occurs during typically dry months of the year. Objectionable odors are not expected from typical residential

development, since the County will review sanitary system and livestock restrictions during the subdivision review process (Wayne Marchwick, Mineral County Planner, personal communication with Sue Dalbey, June 23, 2000).

Option 2 – Land Exchange between River Network and DNRC

If logging operations occur during the winter, ambient air quality is not likely to be altered from dust or other variables. Post timber harvest actions typically conducted by DNRC includes broadcast burning, which would temporarily impact the ambient air quality.

Water and Floodplains

Lolo NF Hydrologist, Arne Rosquist, reported the following to Lisa Subcasky, FS Region 1 Realty Officer, June 21, 2000, regarding the features of Sections 34 and 35. The Lolo Land Systems Inventory (LSI), which is a Level 3-4 Soil Survey, shows Sections 34 and 32 along the Clark Fork River mapped as 13JA, 13UA and 14XA land types. These features are dry, well drained to excessively well drained river terraces and benches. The soils range from fine sandy and silty lacustrine deposits to gravelly and cobbly alluvial deposits. These high river terraces may be 50 to 500 feet above the adjacent stream channel with steep descending slopes to the river edge. These features were formed by huge glacio-fluvial processes as the last episode of continental glaciation was ending. The present Clark Fork River is a minimal remnant of the ancient floods. These lands, though adjacent to the current river channel (only section 34 – Lower Tarkio tract is adjacent to the river), have no **floodplain** nor **wetland** function or value. Neither Option 1 or 2 will alter floodplains or wetlands.

Rosquist's floodplain determination coincides with the U.S. Department of Housing and Urban Development, Federal Insurance Administration; Flood Hazard Boundary Map: Mineral County, MT, Unincorporated Area Page 13 of 19; Community-Panel No. 300159 0013A; effective date: February 14, 1978 provided to Sue Dalbey by Karl Christians, Department of Natural Resources and Conservation, Floodplain Management Section Supervisor.

There are no known existing water rights or reservations attached to the property. Lack of water resources on the tract, primarily gently sloping topography, and distance from the Clark Fork River reduces the risk of alterations to surface water quality or actions on this tract potentially conflicting with federal or state water quality regulations.

Option 1 – Direct Sale

Drainage patterns and rates of surface runoff will be slightly affected by residential development, and increased compacted road miles. Residential development will increase use of ground water. Marchwick related to Sue Dalbey (personal communication June 23, 2000) that water wells in the vicinity of Section 35 are being drilled to depths of about 400 feet.

Option 2 – Land Exchange between River Network and DNRC

Drainage patterns and rates of surface runoff will be slightly affected by logging events due to the opened canopy.

Vegetation, Wetlands, Prime & Unique Farmlands

Field, “intuitive controlled” level surveys were conducted on May 7 and June 3, 1999 by Darlene Lavelle for the FS. A list of species located at this site can be obtained from the Lolo FS, Ninemile Ranger District (TES Plant Biological Evaluation for the Alberton Gorge Land Exchange, Darlene Lavelle, June 30, 1999). No sensitive plants were found during Lavelle’s surveys. She noted that one threatened plant species is expected to occur on the Lolo NF, *Howellia aquatilis*, but it has not been found in this NF to date (June 30, 1999). It is most likely to occur only on the Seeley Ranger District in vernal ponds. Spalding’s Catchfly (*Silene spaldingii*) is listed under the proposed threatened status, however, this specie is found in the open grasslands of the Tobacco Valley and the Upper Flathead River drainage (U.S. Fish & Wildlife Service Threatened and Endangered Species – Montana, web site; www.r6.fws.gov/mt4.html; May 23, 2000). This specie has not been recorded on the timbered Tarkio Section 35 tract and will not be impacted by the proposed exchange. No endangered plant species are expected to occur on the Lolo NF. Lavelle concluded that the proposed land exchange [Lower Tarkio-Tract B and Tarkio Section 35-Tract C] will have no impacts on any Forest sensitive or federally listed, threatened or endangered plant species.

A search of the Montana Natural Heritage Program database for Section 35 revealed no records of vegetative species of special concern (written correspondence, Sue Dalbey, May 12, 2000).

Lavelle observed noxious weeds present on this tract: *Centaurea maculosa*, *Euphorbia escula*, *Hypericum perforatum*, *Potentilla recta*.

Changes are not expected in either Option that would alter the diversity of plant species, or plant community.

Timber volumes are estimated at 3,210,000 board feet on the south half of the section, and 1,900,000 board feet on the north half, based on the timber cruise completed by the Lolo NF, 1999.

As noted by the Lolo NF Hydrologist above, this tract does not contain **wetlands** function or value.

This tract is considered timbered (DNRC Forester, June 23, 2000); no **prime or unique farmland** will be affected by either of the proposed Options.

Option 1 – Direct Sale

Residential development will decrease the abundance of various vegetative species due to the construction of roads, homes and supplemental buildings, and associated landscaping.

If this tract is subdivided, weed abatement will be the responsibility of the individual land owners. Subdivision would increase the vehicular traffic on the tract, thus increasing the potential for introducing new plant species, and spreading weeds on this and adjacent properties; minor increases in weed dispersal can be expected. The County Weed Board requires disturbed soils to be reseeded within the same season, according to County Planner, Wayne Marchwick in personal communication with Sue Dalbey June 23,2000).

Option 2 – Land Exchange between River Network and DNRC

Logging operations, which most often occur in the winter, will minimally affect the abundance of various vegetative species due to log dispersed skid trails and heavy equipment operations.

Post timber harvest actions typically conducted by DNRC includes broadcast burning, which kills small Douglas firs and rejuvenates brush, instigating new succulent growth.

If DNRC acquires Section 35, weed infestation may also increase due to logging operations and the opportunity for existing weeds to spread and establish in disturbed soil. DNRC typically conducts timber sales in the winter, which reduces the risk of weeds spreading, and the agency requires special precautions for timber sales contractors, such as washing equipment before arriving and before leaving the tract. Bob Rich indicated that if Class III weeds are found, the agency attempts to eradicate these immediately, as well as using an integrated weed management approach to combat weeds on their property.

Fish & Wildlife

Mike Hillis, Lolo NF Wildlife Biologist, indicates in his report dated June 16, 1999, that the property consists primarily of a dry ponderosa pine benchlands habitat. “This droughty, low elevation benchland was historically forested with very open, predominately old growth ponderosa pine.... Today it’s forested with fairly dense, century-old ponderosa pine. There has been some fairly recent thinning activity, although the stand is still denser than what occurred naturally. There are no large snags or old growth trees.”

Hillis states that Section 35 provides a pocket of dense hiding and thermal cover immediately adjacent to northern croplands heavily used by 60-100 elk in late winter and spring. It is believed that this wintering elk resource is confined to the portion of Section 35 that lies north of Interstate-90, as it is assumed that these elk do not routinely cross Interstate 90 from the north. (Mike Hillis, *Wildlife Effects of Disposal* report, April 17, 2000; Bob Henderson, MFWP Region 2 Wildlife Biologist, personal correspondence with Sue Dalbey on May 3, 2000) Extensive timber harvest in the 1970’s and trends of fire exclusion on National Forest and Plum Creek (formerly Champion) lands may force a disproportionate amount of thermal and hiding cover use on Section 35 than it would otherwise, if there were more cover on the surrounding lands. A moderate amount of hunting occurs on Section 35 in the fall. (Mike Hillis, *Wildlife Effects of Disposal* report, April 17, 2000)

Hillis, and Henderson, indicated that the portion of the parcel south of Interstate 90 provides excellent winter range for white-tailed deer. Dense stands of ponderosa pine provide snow interception, habitat for arboreal lichens, and both hiding and thermal cover.

The following animals are federally listed under the Endangered Species Act (U.S. Fish & Wildlife Service web site; www.r6.fws.gov/mt4.html; May 23, 2000) and were considered in this environmental assessment. Many species are not present in this tract and may not be specifically discussed.

Endangered - black-footed ferret, gray wolf, whooping crane, least tern, pallid sturgeon, white sturgeon (Kootenai River population);

Threatened - grizzly bear, bald eagle (proposed for delisting) piping plover, bull trout (Columbia River basin and St. Mary-Belly River populations), Canada lynx (contiguous U.S. population);

Proposed Threatened - mountain plover;

Candidates for listing as threatened or endangered - swift fox, sturgeon chub, sicklefin chub, arctic grayling (fluvial population), warm spring zaitzevian riffle beetle, black-tailed prairie dog.

A search for threatened and endangered species by the Montana Natural Heritage Program (Natural Resource Information System) identified no species of special concern. Hillis confirmed that Canada lynx do not inhabit the low elevation Tarkio Section 35 (written correspondence to Lisa Subcasky, May 26, 2000).

The June 16, 1999 wildlife report by Mike Hillis, indicates minimal use of Section 35 by any **federally listed species**, and the proximity to Interstate-90 presents a high risk of mortality.

- Members of the Ninemile wolf pack may pass through the parcel periodically, but this is not considered essential habitat.
- Bald eagles utilize the river corridor during nesting and wintering, and though suitable habitat is limited to the zone immediately adjacent to the river, eagles do forage on road-killed white-tailed deer. Based on current recovery rates, assures that this section of the Clark Fork will become occupied by nesting birds regardless of ownership of this parcel.

Cumulative activities include the traffic from Interstate-90, disturbance from adjacent residences, and ecosystem burning and logging in the Stark Horse area. The longterm effects (recruitment opportunities for old growth and longterm nesting options for eagles, etc.) of these cumulative activities are relatively moot.

The proposed projects are not expected to introduce or export any species not presently or historically occurring in the tract.

Note: In the biologist's evaluations detailed below, the biologist was considering only the development option of 20-acre tracts, therefore, impacts may be slightly less than indicated under Option 1, which considers 60-100 acre tracts as proposed by River Network and Mineral County Planner.

Option 1 – Direct Sale

Hillis' report (April 17, 2000) indicated that minor residential development south of the interstate would have “no measurable change in elk population size, use patterns, or impacts on private agricultural lands.” If development extended north of the interstate, the “net effect could include a small but measurable reduction in carrying capacity or population size at the [elk] herd unit scale. No large [elk] population declines are anticipated.” Though the developed areas would be unsuitable for wintering white-tailed deer, population changes at the herd unit scale would not be measurable, and expected declines in white-tailed deer would not be severe.

Hillis' same report states that Section 35, in its current ownership status, connects the forested lands north of Interstate-90, to forested lands south of the river, in a fairly unbroken band of cover. It is unknown whether this serves as a north-south linkage zone for wide-ranging wildlife. Disposal of this property (for development) could have a minor risk of interrupting north-south animal movement, especially if other private lands are developed in the vicinity.

Old Growth Ponderosa Pine is unlikely to occur on lands privately owned in a subdivision situation. Old growth is necessary for possible recruitment of habitat for the Pileated woodpecker and the Flammulated owl.

- Flammulated owl habitat is not currently available, but disposal will probably create a loss of recruitment opportunities in 200 years. The proposed land trade “may impact individuals, but not lead to federal listing.”
- Pileated woodpecker habitat probably will not be recruited if Section 35 is privately owned and subdivided. “Because of the minimal acreage involved, this alternative won't place pileated woodpeckers at significant risk in the vicinity.”

Hunting opportunities will likely be lost in areas sold to private entities (between 240-400 acres). Human residences, activity and densities will increase in the area, which will add stress to wildlife populations.

Option 2 – Land Exchange between River Network and DNRC

According to DNRC Forester, Bob Rich, this agency would manage the tract to maintain a healthy biodiversity, including 50% of the historic levels of old growth by forest cover-type, multi-aged dry pine types, thinning of second old-growth (personal correspondence with Sue Dalbey, June 23, 2000). As per Mike Hillis, *Wildlife AE, Effects and BE* report, June 16, 1999, suitable old growth ponderosa pine and snags suitable for pileated woodpecker and flammulated owl habitat could be recruited under the proposed management for old growth in 200 years.

Rich stated in his conversation with Sue Dalbey, that DNRC will coordinate timber activities with the DNRC and MFWP Wildlife Biologists to limit activities during critical periods of use by wildlife, such as elk calving periods. Rich also indicated that thinning activities increase the number of herbaceous vegetation and grasses, forbs used by

wildlife; and after thinning actions, DNRC follows with a broadcast burn, which rejuvenates brush for new succulent growth, also valuable for wildlife forage.

Human Environment

Noise & Electrical Effects

No known changes to electrostatic or electromagnetic conditions are predicted. The proposed actions will not affect radio or television reception.

Option 1 – Direct Sale

The undertaking of subdivision construction would require the use of heavy equipment and trucks for road improvements and construction, therefore noise levels are expected to increase temporarily.

Option 2 – Land Exchange between River Network and DNRC

Area noise levels are expected to increase during future timber harvest operations due to the use of heavy equipment and trucks to log the area.

Land Use

Option 1 – Direct Sale

The production of residential housing as proposed will allow for reasonable use of the land as required by state law, and will produce income for road and housing contractors plumbers, electricians, painters, etc. The sale of this land does conflict with the current informal designation as a natural area by virtue of FS ownership. The site does include elk calving ground, which is important, but not unusual in western Montana. This use by wildlife is supported by local residents and, according to Mineral County Planner, Wayne Marchwick, will probably limit the plans for subdivision to individual tracts of 60 to 100 acres (personal communication with Sue Dalbey, June 23, 2000). Marchwick also indicated that this development may ultimately result in the relocation of residents who have lived in the area for many years and recreate on the property, as demonstrated in other areas in the vicinity of newer subdivisions. He said that long-time residents value the remote location and easy access to hunting and recreation opportunities, which would potentially be lost when Section 35 is acquired by private individuals.

Option 2 – Land Exchange between River Network and DNRC

DNRC will generally manage this tract similar to FS practices, which creates no change to the productivity or profitability of the land use. The area is now under public ownership and management by the FS; therefore, the tract is considered a natural area to local residents who frequent the area for recreational purposes., The land, however, has no formal natural, educational, or unusual scientific designation. If DNRC acquires the entire Section, little change will occur in the availability of public land for recreational use and use by wildlife, though DNRC would require the purchase of a \$10 recreation permit for use of the land. Acquisition of this tract by DNRC will coincide with the existing land use which may increase support of the overall Land Exchange by local residents, since issues such as public access and wildlife habitat preservation will be addressed. This Option is not likely to cause relocation of existing residences.

Risk & Health Hazards

The risks for explosion or release of hazardous substances in the event of an accident are very low if either Option is implemented. Human health hazards are typically not created by either action.

Option 1 – Direct Sale

The County will have to consider an emergency response or evacuation plan if the Tarkio Section 35 is developed. The use of chemical toxicants would be owner dependent, such as for weed control.

Option 2 – Land Exchange between River Network and DNRC

DNRC will use an integrated weed management practice to combat weeds, which will include chemical toxicants. State and federal regulations are followed when applying these practices.

Community Impact

Option 1 – Direct Sale

If River Network must sell at least the southern portion of Section 35, the human population will increase in density, distribution, and location. No residences presently occur on Section 35. Social structure of the community may slightly change, according to Wayne Marchwick, in personal correspondence with Sue Dalbey, June 23, 2000. Due to the size of subdivided parcels (possibly 60-100 acre parcels) most private buyers will originate from outside Mineral County, thus cultural viewpoints may differ, and the area aesthetics change. Levels of employment will slightly increase, however it is questionable as to whether this employment would benefit the Superior/Tarkio community or if contactors would be hired out of the Missoula area. Industrial or commercial activity will temporarily increase due to the construction processes. Traffic will increase in the southern portion of the tract on newly developed access roads and the Milwaukee Railroad bed which also accesses the Tarkio Fishing Access Site.

Option 2 – Land Exchange between River Network and DNRC

Community impacts will be minimal if River Network trades Section 35 to DNRC. Management would continue similar to present NF management, including thinning and burning. Industrial or commercial activity will temporarily increase during timber management operations. Temporary increases in truck traffic will increase during timber harvest.

Tax Revenue Estimates in Mineral County

In Fiscal Year 1999, the FS paid approximately \$357 to Mineral County on the Tarkio Section 35. This includes the PILT payment (about \$63) and the 25% Fund (about \$294). The FS collects no revenue from this site. If the property remained in FS ownership, the current management emphasis is on winter range productivity and old growth ponderosa pine restoration, which suggests that commercial thinning and underburning may occur in the future (Mike Hillis, Wildlife Effects report, April 17, 2000). These potential actions on this relatively small parcel would not significantly change the PILT or 25% Fund

payments by the FS to Mineral County, because these payments are based on timber sales on total FS lands owned in the County.

Option 1 – Direct Sale

Development of this property would likely increase the tax base generated from this tract. Parcels will be greater than 20 acres, according to Marchwick (see above), therefore taxes will be assessed as timber or agricultural land, which are less than urban tract land. Additional axes will be dependent upon the structures placed on the property and values placed on views, etc. Marchwick projected that county service costs may outweigh the tax revenue collected, as shown in studies done in another county (personal communication with Sue Dalbey, June 23, 2000). It is possible that the expenditures associated with hunting and recreation on this section, which will be limited if under private ownership, will not leave the county, but simply be relocated within the county.

Option 2 – Land Exchange between River Network and DNRC

If DNRC acquires this tract, Bob Rich, Forester, indicated that primary emphasis would be for timber management to support the school trust fund. This would allow this tract to be exempt from taxes.

Public Services, Utilities

The primary service currently provided on the tract is in the form of road maintenance.

The Tarkio Section 35 tract includes 1.1 miles of 66-foot road right-of-way for Ronck Road #18014 across the NW¼ and eastern ½ of the section. All or parts of this road may be transferred to the future owner to provide access to the tract. The U.S. will retain an easement on this road to access portions of Section 35 not transferred. The southeast portion of this road is deteriorating asphalt - remains of the old Highway 10 (Jennifer Eberlien, Lolo NF Archeologist, personal communication with Sue Dalbey, June 2, 2000).

Main access to the southern portion of Section 35 will occur along the Milwaukee Railroad bed (FS road #7736), which, if the proposed exchange is implemented, this road will be transferred to MFWP and used by the Tarkio Fishing Access Site visitors (through the exchange of the Lower Tarkio tract). The railroad grade continues south of the Fishing Access Site (identified as FS road #18171) and with the addition of an eastern spur, would supply access to the southern portion of Section 35.

Option 1 – Direct Sale

The potential residential area would require improving the existing roads and would increase traffic on all gravel roads. The intersection where residential traffic would meet FAS traffic, would become active and likely need signing. If the proposed exchange is implemented, an easement or use-permit agreement would be negotiated between MFWP and the new property owner(s) to supply access to Section 35 via road # 7736 and #18171. In this agreement, the property owners would agree to share the road maintenance costs. Land owners will primarily be responsible for road improvements

and maintenance, according to Wayne Marchwick, County Planner (personal communication with Sue Dalbey, June 23, 2000).

Subdivision of the tract will increase the level of government services necessary at the Tarkio Section 35 tract in the form of subdivision review, water well, septic and drainage review. Fire protection, solid waste disposal, health services, and police protection services would minimally increase according to Marchwick. New utilities will be needed and an increase in energy use will occur to operate typical homes, wells, and household activities.

Option 2 – Land Exchange between River Network and DNRC

It is anticipated that DNRC administrative costs would slightly increase if this parcel is acquired, however no additional services will be provided. No new roads are planned if DNRC acquires this tract, however existing roads would be transferred to DNRC and would require maintenance (Bob Rich, DNRC Forester, personal communication with Sue Dalbey, June 23, 2000).

Aesthetics & Recreation

Elizabeth Casselli, Lolo NF Landscape Architect, evaluated the Visual Quality Objective (VQO, report dated July 7, 1999) for Section 35 and made the following comments. The section is primarily timbered with the dominant tree species of Ponderosa pine. Some limited harvesting has occurred, however it is not noticeable from the Interstate, which is the main viewpoint in the area. The section has been given the highest visual quality objective of Retention along the Interstate, and Partial Retention, in portions of the Section not directly adjacent to the Interstate.

Due to the gradually sloping topography and the low acreage impacts of either Option, it is predicted that river users would not easily observe actions occurring from either Option, therefore aesthetics would not be altered.

This tract is not part of a designated or proposed wild or scenic river, trail or wilderness area.

Option 1 – Direct Sale

Casselli notes that if River Network acquires the property and subdivides and sells the property for residential development, it is anticipated that most of the home sites planned for development in Section 35 will be out of view of Interstate 90. The visual integrity of the area, as viewed from Interstate 90, will not be significantly impacted by this development.

Private ownership of portions of Section 35 will exclude public access to portions of the section for recreation and hunting activities.

Option 2 – Land Exchange between River Network and DNRC

If Section 35 is traded to DNRC, there may be minor aesthetic changes due to timber sale, but would coincide with what is seen on Section 2 and 36, which currently manages for multi-aged dry pine and maintain 50% of historic levels of old growth by forest cover type.

Cultural & Historical Resources

A cultural resource inventory survey (99.LL.4.1) was completed November 29, 1999, by Jennifer Eberlien, Lolo Forest Archeologist. No cultural resources were recorded within Section 35, and the Lolo NF believes that the proposed land exchange would have no effect on cultural resources. This has been forwarded to the Montana State Historic Preservation Officer for concurrence. No written response has been received from SHPO at this time; however, if the SHPO has concerns, the FS, MFWP and River Network will negotiate to mitigate these issues and reduce potential impacts to the resource potentially caused by the proposed exchange.

The Confederated Salish and Kootenai Tribes, Tribal Historic Preservation Office, were notified in November of this exchange, and no objections have been received.

Evaluation of Mitigation or other Control Measures

Option 1 – Direct Sale

Mineral County Planning Board, County Planner and the Commissioners would examine the tract during the subdivision planning review process for possible land slides, soil instability, water, septic and drainage conditions, and could enforce specific restrictions, if necessary to prevent impacts in these areas. The review will also suggest a minimum size for individual tracts after taking into consideration wildlife habitat agricultural uses, public health and safety, public comments, and “finding of fact” regarding tract conditions (Wayne Marchwick, personal communication with Sue Dalbey, June 23, 2000).

Option 2 – Land Exchange between River Network and DNRC

DNRC will coordinate with wildlife biologists prior to any timber sale action to assure minimal impacts to wildlife habitat and avoid elk calving seasons if necessary. If DNRC acquires portions or all of the Section, they are subject to MEPA environmental analysis and public review prior to any transfer of lands and prior to any actions on the land.

Public Involvement Regarding this Tract

Some landowners in the vicinity of Section 35 and the Mineral County Commissioners have publicly announced their discontent with the potential development of Section 35, loss of public access and wildlife habitat. River Network, MFWP, DNRC and Lolo NF staff have met with these landowners and the Mineral County Commissioners (in Lolo NF) several times discuss potential resolutions to these issues.

**Alberton Gorge Land Exchange
Environmental Assessment**

**Frank Lake
Tract D**

Frank Lake Tract D

Introduction

The Frank Lake Fishing Access Site was acquired by MFWP in 1980 when the seller/donor wished to have the property placed in public ownership in perpetuity. This property offers about 3000 feet of Frank Lake frontage and access to the northern tip (about 1/8 mile) of Summerville Lake, approximately six miles south of Eureka, Montana.

The site sees little public use and has no improvements on the property. Trout fishing, boating, and picnicking are the primary recreational activities at the site. There is no boat ramp, but many people access the lake by way of a gravel ramp on the north end of the lake on USFS property. Marty Watkins, Region 1 State Parks Manager, estimates that 500-1000 visitors utilize the Frank Lake FAS.

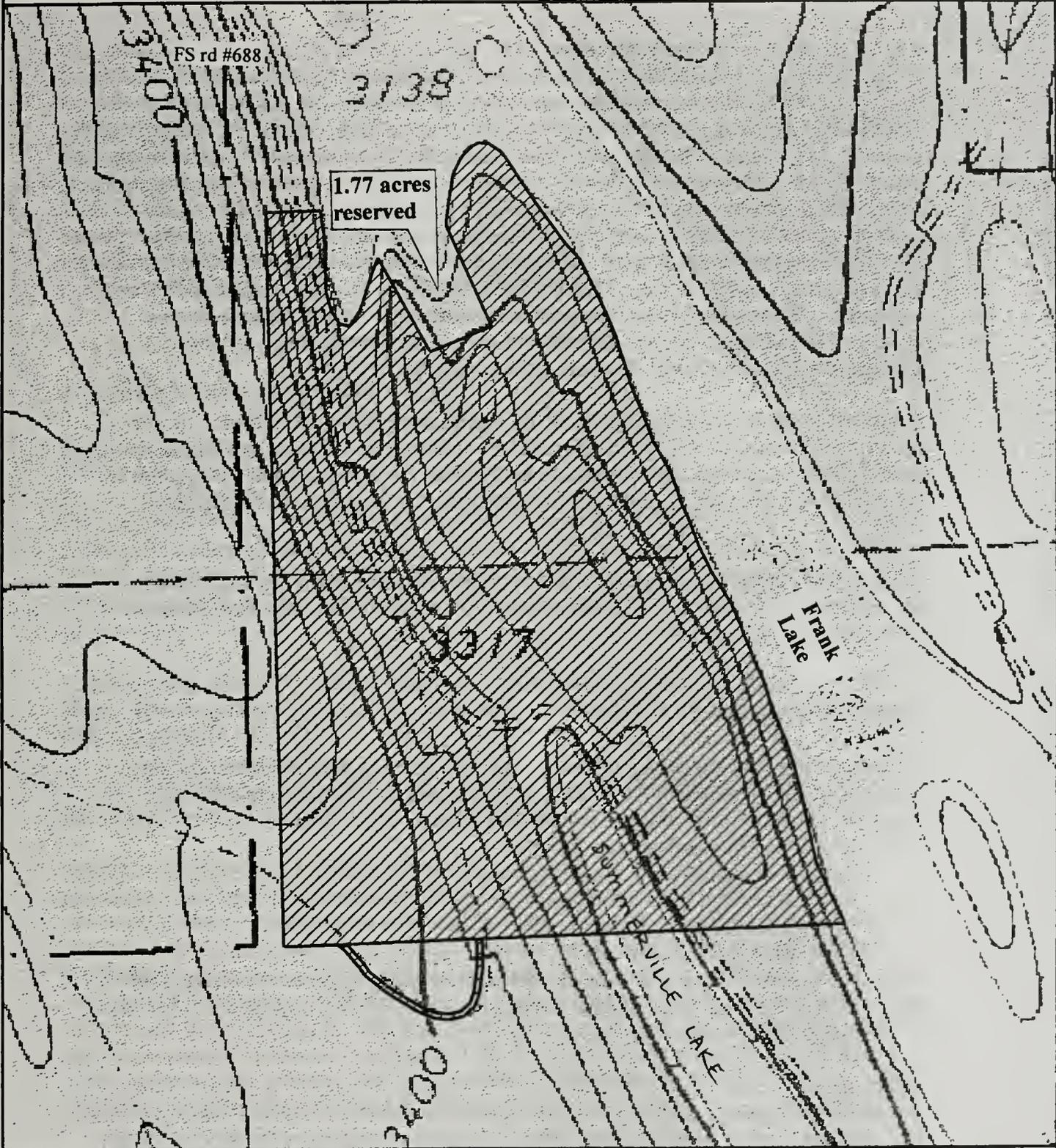
The Montana Statewide Angling Pressure estimates for 1997 credits 466 anglers visiting Frank Lake (+/- 195). This site is ranked 96th in MFWP Region 1 use, with approximately 78% of the anglers being Montana residents.

The property is currently managed by MFWP according to a set of 14 deeded restrictions, which generally state that the property shall be maintained in its present natural state (as of 1980) and the agency may construct and maintain facilities necessary for safe, regulated, sanitary and ecologically balanced use of the property for limited public recreation. If the exchange is not completed, the restrictions will remain and MFWP will continue managing the site as in the past. If the Alberton Gorge Land Exchange is completed as proposed, the original land owner will remove all deed restrictions from the property at the closing of the exchange.

It is proposed that Frank Lake Fishing Access Site will be transferred to the USFS. This site in northwest Montana is adjacent to NFS land administered by the Kootenai National Forest. Management would be more efficient for this remote site, if absorbed into the FS, who has offices in nearby Murphy Lake, rather than maintained by MFWP based out of Kalispell, over 50 miles south.

The Kootenai National Forest Plan (1987) states that, "Forest Service acquisitions will primarily be those which create more favorable access and/or use of public recreation opportunities and which provide critical wildlife habitat." Jeff Scussel, Kootenai Forest Planner, indicated (memos dated January 15 and 26, 2000) that this tract is identified for the purpose of improving public usage and consolidating National Forest land. It also provides valuable winter range. This acquisition is supported by the Kootenai National Forest Plan and is in the best interest of the public, according to Scussel.

FRANK LAKE FAS



Lands File Number: 1286
T35N/R26W



89.181 acres



Fee Simple
FAS Parcel

0.373 acres



Leased
FAS Parcel
(Road)



Scale in feet
Scale 1:6000

Fishing Access Sites (FAS) are digitized and maintained by the Information Services Unit of the Montana Fish, Wildlife and Parks. FAS's were digitized at 1:24,000 using the COGO module of Arc/Info. The background image is a USGS 7.5 minute quadrangle digital raster graphic.



Montana Fish,
Wildlife & Parks

The FS proposes to designate this tract as a Special Interest Management Area (MA-21, Other) as outlined in the Forest Plan, because of its important fauna, recreational and cultural attributes, which are of public interest and require special management. The Boreal Toad and the Common Loon are found on the tract and are listed on the Regional Sensitive Species List. The alkalinity of this lake, unlike others in the area, provides the critical habitat needed for the Boreal Toad. Frank Lake provides an outstanding rainbow trout fishery. The continuity of agency management will improve access for wildlife habitat, and sports fishery. The Murphy Lake Ranger District Archeologist, Nancy Anderson stated (personal communication with Sue Dalbey, June 21, 2000) that this area was extensively used in the early 1900's in the lumber industry. The Frank Lake tract is adjacent to a burned railroad trestle used for transporting logs to the Eureka Lumber Company. In addition, Anderson believes the site may contain remnants of historic portable sawmills, which were common during this time.

Public access, under FS management, would remain open, and development in the near future would be limited to general maintenance to protect the resources and maintain roads. The activity at the site would not change from the current use and designation as a Special Interest Area will ensure protection of the site, given the attributes discussed above.

This site was purchased using Land and Water Conservation federal funding. Transfer of the property the FS will be contingent upon approval from the National Park Service, who administers these funds.

Property Description

The Frank Lake property is accessible by a seasonal dirt road from Eureka to the north Forest Service system road #688; a short route northeast off the old Eureka/Fortine highway; or a third route northeast from Barnaby Lake.

Township 35 North, Range 26 West

Section 7: Lot 8 (1.779 acres reserved)

Section 18: Lot 2, and NE ¼ NW ¼

Lincoln County, Montana

Total acreage = 88.88 acres

Note: MFWP lands records indicate the site totals 88.88 acres; however, Kootenai NF Surveyor, Roger Green calculated the acreage shown in Certificate of Survey #133878 to arrive at a total of 90.40 acres.

Reservation:

A tract of land situated, lying and being in the SW1/4 of sec. 7, T. 35 N., R. 26 W., P.M., MT., Lincoln County, Montana; containing 1.779 acres of land, more or less, and further reserving an easement for a private right-of-way for the purpose of obtaining access to the above-reserved real property. Subject to and together with all existing easements of record.

Frank Lake is approximately one mile long and ¼ mile wide at its widest point, and is considered a good fishing lake by locals in both winter and summer. Summerville Lake is a shallow, no-fish bearing body of water. Elevation of the property ranges from 3,138' to approximately 3,480' above sea level. Approximately one-third of the property is steeply sloped, facing generally east. The remainder is gently sloped except for an 80 to 100 foot drop to the shoreline of Frank Lake. Douglas fir and western larch are the predominate species. The site has been logged to a low degree in the past. Nearly the entire tract is wooded and used for recreational purposes. (Frank Lake property appraisal report for MFWP, by John R. Dittman, February 1980.)

ENVIRONMENTAL REVIEW

Physical Environment

Land Resources

The majority of the site is gently sloping, except for a 80-100 feet drop to the shoreline of Frank Lake. Steep hillsides rise from the west shore of Summerville Lake and along the westerly boundary of Government Lot 8, Section 7. The general soil characteristics are fine textured with pockets of sand and gravel (EA Engineering, Science and Technology, 1992).

(The following **minerals** information is from the *draft* Mineral Potential Report prepared for the Alberton Gorge Land Exchange and can be obtained from the U.S. Forest Service, Region 1 office in Missoula.)

The mineral estate on the Frank Lake tract is owned by MFWP and will be transferred to the United States if the Alberton Gorge Land Exchange is completed.

Geology, Mineralization and Mineral Activity

The Frank Lake tract is located within the Northern Rocky Mountains physiographic province in the very northwestern corner of Montana. The parcel itself is located within the greater Rocky Mountain Trench which separates the Whitefish Range to the east and the Salish Range to the west. The entire area is underlain at depth by formations of the Precambrian Belt Series, the Wallace Formation and the Ravalli Group. The Wallace Formation is primarily light to dark gray, finely laminated argillite. The Ravalli Group in this area is primarily laminated argillites and thin beds of quartzite (Ross et. Al, 1963). Thick calcareous glacial and glaciofluvial deposits cover the entire parcel. Glacial material ranges primarily from sand to cobble size (Tincher, 2000).

Hard rock mineral activity has not occurred on the parcel, likely due to the extensive glacial cover. The nearest hard rock prospects occur several miles to the north and are small, isolated workings. There are no sand and gravel excavations on the parcel (Tincher, 2000) . This parcel is not a former patented mining claim and was donated to

the State in 1980 with covenants attached, including a non-development covenant (Montana Department of Fish, Wildlife and Parks, 1999).

Mineral Occurrence and Development Potential

The geology of the Frank Lake tract, Precambrian Belt series metasedimentary rocks overlain by glacial material, is unfavorable for the occurrence or development of leasable and locatable mineral resources. The potential for occurrence of sand and gravel type resources is identified as high, however, the potential for their development is rated as low. The glacial deposits on the tract could be utilized for some construction types of applications, however, these deposits are extensive in the area and would likely be exploited easier on nearby private lands if a need arose. The existence of a nondevelopment covenant that was included with the parcel when it was acquired by the State would also make development of any type more difficult. [Note: This covenant will be released if the land exchange is completed, however, the area is proposed to be designated as a special interest area by the FS.]

Sue Dalbey contacted the Kootenai NF District Ranger, Ed Monnig, who indicated that the FS has no plans to develop this tract, improve roads, etc., which would cause soil instability, or changes in geologic substructure. No actions in the proposed land exchange are foreseen that would impact unique geologic or physical features of the area. No changes are anticipated that would result in soil disruption, displacement, erosion, compaction or over-covering, which could reduce productivity or fertility. Changes are not likely to occur in the siltation, deposition or erosion patterns that could modify the shore of Frank or Summerville Lakes. The public would not encounter any new risk of exposure to earthquakes, landslides, or ground failures.

Air

Air pollutants and ambient air quality should not increase as a result of the change in ownership. Objectionable odors, changes in air moisture, temperature patterns, local or regional climate are not anticipated. No actions are foreseen that would conflict with federal or state air quality regulations.

Water and Floodplains

Frank Lake is locally known for an excellent rainbow fisheries; loons have returned to nest there for nearly eight years. The FS and MFWP are committed to limiting actions which would negatively affect water quality and adversely affect wildlife habitat.

The FS will not develop Frank Lake tract nor plan on future actions which would result in negative impacts to surface water and ground water quality or quantities. Management of the site will remain unobtrusive; no alterations are expected to the water temperature, dissolved oxygen, or turbidity. Amount of surface water, drainage patterns and rates of surface runoff and the magnitude of flood waters are expected to remain as they have historically. Risks for contamination of surface water and groundwater should remain unchanged.

The change of ownership will not effect other water users, or existing water rights or reservations, of which none are known. No discharges are predicted that would affect federal or state water quality regulations.

The **floodplain** was estimated (7.5 acres) using the U.S. Department of Housing and Urban Development, Federal Insurance Administration; Flood Insurance Rate Map: Lincoln County, MT, Unincorporated Areas, Panel 245 of 1100; Community-Panel No. 300157 0245 B; effective date August 1, 1980 provided by Karl Christians, Department of Natural Resources and Conservation, Floodplain Management Section Supervisor. Approximately 4400 feet of shoreline averaging about 75 feet wide comprises the FAS 100-year floodplain. The tract includes a portion of Summerville Lake, which is in the 500-year floodplain.

Vegetation, Wetlands, Prime & Unique Farmlands

Vegetative cover on this tract is mixed second growth conifers. The east and northeast slopes are predominately Douglas Fir, with western larch in the more exposed slopes. There is evidence of past logging, but not to the extent which might deter from recreational potential. (John Dittman, *Appraisal of Frank Lake property for MFWP*, February 13, 1980) District Ranger, Ed Monnig, stated that this tract would fall under the Management Area 21, Special Interest Area (other), thus limiting timber harvest and other activities on the property which may influence vegetative growth.

Geoff Vevera, Forestry Technician on the Murphy Lake District, supplied the following estimates of average **timber** volume. He is familiar with the property and used aerial photos to substantiate his estimates. Average volume per acre based on similar commercial FS timber sales is 8-12 thousand board feet (MBF). Using an average of 10 MBF for the parcel would give a total volume of 880 MBF.

Species Mix: 80% Douglas fir, 15% Larch, 5% Spruce/Lodgepole Pine

Size Class: 75% 8-14" size, 25% 14-20" size.

Estimated average tree size is 12". There are a few large Douglas-fir, Larch and Spruce.

The diversity, productivity or abundance of a plant species or plant community will not be impacted. Noxious weeds are not actively controlled by MFWP on this remote tract. The low numbers of vehicles accessing this parcel helps to limit the spread of noxious weeds. It is presumed that FS would incorporate the site under their weed management program for the Kootenai National Forest.

The two plants listed under the federal Threatened and Endangered Species Act and their critical habitat will not be affected by this project. Water Howellia (*Howellia aquatilis*), listed as a threatened species, is found west of the Continental Divide, but was not listed in the search conducted for the area by the Montana Natural Heritage Program. Ute Ladies'-tresses (*Spiranthes diluvialis*), also considered threatened, is in river meander wetlands east of the Continental Divide. Spalding's Catchfly (*Silene spaldingii*) is under the proposed threatened status, and though this specie is found in the Tobacco Valley, its range includes open grasslands with rough fescue or bluebunch wheatgrass (U.S. Fish & Wildlife Service Threatened and Endangered Species – Montana, web site;

www.r6.fws.gov/mt4.html; May 23, 2000). The Frank Lake tract is timbered and does not provide suitable habitat for the Spalding's Catchfly.

Guenter Heinz, Kootenai NF Wildlife & Fisheries Biologist at Murphy Lake District Office, determined from aerial photographs and personal knowledge of the site, that no **wetlands** occur on the Frank Lake tract (personal communication with Sue Dalbey, 6/2/00).

This site is entirely timbered and has no agricultural land, therefore MFWP projects that no **prime and unique farmland** will be impacted by the exchange of Frank Lake.

Fish & Wildlife

Transfer of Frank Lake to the United States, administered by the Kootenai National Forest, will not affect critical habitat or the diversity and abundance of fish, wildlife and non-game species in the area.

Fisheries management of Frank Lake will continue to be guided by MFWP biologists based out of Libby. Fisheries biologist, Mike Hensler, stated in a telephone conversation with Sue Dalbey (August 13, 1999) that fish species listed under the Threatened and Endangered Species Act will not be affected by the proposed land exchange. Pallid and white sturgeon, and bull trout do not inhabit Frank Lake. Sturgeon chub and sicklefin chub are not found west of the Continental Divide. The arctic grayling (fluvial population) is found in the Big Hole River.

Hensler stated that rainbow trout are the primary species in Frank Lake. Approximately 10,000, two to four inch rainbow are planted in the lake annually. This management plan would continue if ownership of the FAS is transferred to the FS. Wildlife and Fisheries Biologist for the Kootenai NF, Guenter Heinz, indicated to Sue Dalbey (telephone dialogue, June 2, 2000) that the lake is highly alkaline. The lake is fed by underground springs and has low oxygen levels in the winter. He speculates that two or three boats may be on the lake on a summer weekend or perhaps five a week. Ice fishing during the December to February season may recruit three to four people daily.

The following animals are federally listed under the Endangered Species Act (U.S. Fish & Wildlife Service web site; www.r6.fws.gov/mt4.html; May 23, 2000) and were considered in this environmental assessment. Many species are not present in this tract and may not be specifically discussed.

Endangered - black-footed ferret, gray wolf, whooping crane, least tern, pallid sturgeon, white sturgeon (Kootenai River population);

Threatened - grizzly bear, bald eagle (proposed for delisting) piping plover, bull trout (Columbia River basin and St. Mary-Belly River populations), Canada lynx (contiguous U.S. population);

Proposed Threatened - mountain plover;

Candidates for listing as threatened or endangered - swift fox, sturgeon chub, sicklefin chub, arctic grayling (fluvial population), warm spring zaitzevian riffle beetle, black-tailed prairie dog.

The MFWP Endangered Species Coordinator, Arnold Dood, reviewed the properties involved and found the following species may use the areas involved in the Alberton Gorge Land Exchange: peregrine falcon, bald eagle, gray wolf.

A search for threatened and endangered species by the Montana Natural Heritage Program (Natural Resource Information System) revealed common loon nests on Frank Lake and bald eagles have been recorded in the area.

This information was confirmed in Sue Dalbey's phone conversations with Lynn Johnson, Kootenai FS Wildlife Biologist (August 13, 2000), and also with Tim Thier, MFWP Wildlife Biologist (August 10, 2000). Loons have been known to nest on the lake for the past 6-8 years, however nests have been unsuccessful in the last several years due to disturbance by boaters around the island location. Johnson also indicated that the leopard frog inhabits the area and is federally listed as sensitive. Wildlife and Fisheries Biologist for the Kootenai NF, Guenter Heinz, added that an amphibian survey conducted in the area revealed that the western toad or boreal toad, the spotted frog, and tiger salamander are found in this area. The salamander is not rare in the U.S., but is a unique species for this area of Montana. (Personal communication with Sue Dalbey, June 2, 2000)

Biologist, Tim Thier, indicated that this tract, in combination with the surrounding area, provides winter range for whitetail deer, moose, mountain lions, and black bears. He has reports of gray wolves in the area and there is potential for use by lynx. Heinz indicated that osprey are also often sighted in the area.

Tim Thier advised that the proposed land exchange is not expected to negatively impact wildlife, including any federally listed or candidate species or their designated critical habitat as long as the level of recreational use remains low.

Human Environment

Noise & Electrical Effects

Noise levels are not expected to increase with the completion of the land exchange. No known changes to electrostatic or electromagnetic conditions are predicted. The remote locale of this tract should not affect radio or television reception.

Land Use

The productivity and profitability of the Frank Lake tract will not be affected if ownership transfers to FS. The transfer is supported by the Kootenai National Forest Plan if designated as a Special Interest Area (other) under Management Area 21, and use of the area will not change. Current ownership by MFWP poses an inconsistency of a small portion of state land adjacent to NFS land. This parcel is remote and the proposed action will have little affect on residences. Private owners in the vicinity will retain access to their property through a road easement exchange.

Risk & Health Hazards

Limited visitation and human use of the property present little risk of explosion or release of hazardous substances in the event of an accident. This property would be absorbed into the Kootenai NF management plans and added to any existing emergency response plan they have in place, including wild fire responses. Chemical toxicants, which may be used, would likely be for the control of noxious weeds or fire control.

Don Tincer, Hydrologist of the Fortine Ranger District, Kootenai NF, inspected the site on June 1, 2000 for the potential of **hazardous materials**. He observed approximately 10 acres that had been harvested to a minor degree for timber. No other improvements, utility lines, or unnatural topographic features were apparent.

Community Impact

The human population in the area is not expected to change significantly. The remote character of this tract will not affect the social structure of a community, the industrial or commercial activity in the area. The public will retain ownership of the property, and therefore retain access to the site. Patterns of human movement to, from and within the site are not expected to change, since few, if any, capital improvements at this site will be developed, unless needed for the protection of the site. Many visitors access Frank Lake using the FS gravel boat ramp on the north shore. This detracts visitors from the MFWP property, which has no facilities.

Taxes

Payments in lieu of taxes by MFWP were \$38.80 in 1998. Total estimated payments to Lincoln County by the USFS after the property is transferred, is estimated at \$196, which includes approximately \$9 in PILT revenue, and \$187 from the 25% Fund. Lincoln County would slightly gain revenue of approximately \$157.

Public Services, Utilities

The proposed action is not anticipated to change the level of governmental services required at the Frank Lake tract. Currently, the MFWP provides few or no services. Utilities services are not available in the site. The FS will be responsible to provide any future services which will be limited to general maintenance to protect the recreational and cultural importance of the area.

The roads accessing the site are maintained primarily for a FS maintenance level two, for high clearance vehicles. Frank Lake includes about 1.2 miles of internal road running the length of the property north-south. MFWP has an easement across a road (approximately 0.2 miles) outside the southern property boundary to access the southwest corner of the property. This easement will be transferred to the U.S. if the exchange is completed.

No revenue is currently collected by MFWP at this fishing access site. MFWP maintenance costs are little to none. Ed Monnig, District Ranger at Murphy Lake, projects nominal budget increases will be required to maintain this 88.88-acre parcel within the 300,000-acre-district. No revenue will be collected from the FS due to the

acquisition of this tract (timber harvest will be restricted due to the Special Interest Area (MA-21) designation).

Aesthetics & Recreation

Transfer of the Frank Lake property the FS will continue preservation of this scenic area and aesthetically pleasing recreational opportunity. It is close to Eureka and provides a valuable public resource for fishing, boating, picnicking and nature walks.

This tract is not in a designated wilderness area, nor is it part of a wild or scenic river or trail. It is proposed as a Special Interest Area under the Kootenai NF Plan (MA-21), which will protect this tract from future exploitation.

Cultural & Historical Resources

At the time of MFWP purchase, in 1980, there were no historical or archaeological sites located on or near the site as listed in the National Registrar of Historic Places. FS has more stringent regulations regarding the handling of historic sites than does MFWP. The responsibility of stewardship will be transferred to the FS and the site will be given the required cultural protection.

Kootenai National Forest Archeologist, Nancy Anderson, conveyed to Sue Dalbey (telephone dialogue June 21, 2000) that the Frank Lake tract is adjacent to a burned railroad trestle used around 1917-1919 to transport logs to the Eureka Lumber Company during their peak period of production. Portable sawmills were also utilized near that time period, and the Frank Lake tract may have remains of these operations. The Special Interest Designation will aid in protecting this historic resource for the public.

Evaluation of Mitigation or other Control Measures

If a portion of the overall Alberton Gorge Land Exchange fails, this proposal to transfer Tizer Lakes FAS to the FS will likely fail as well.

The original owner from whom MFWP purchased the property, placed several restrictions on the property at the time of purchase. The owner has signed a notarized release on these restrictions at the time of closing, thus giving the FS a clear, unrestricted title.

Public Involvement Regarding this Tract

The public has not been involved in the proposed exchange to date, though public comments will be sought on the Draft Environmental Assessment.

**Alberton Gorge Land Exchange
Environmental Assessment**

**MFWP Region 5 Old Headquarters
Tract E**

MFWP Region 5 Old Headquarters Tract E

Introduction

This area, located at 1125 Lake Elmo Drive, in the populated Billings Heights, was acquired in 1936. This facility was originally used as a state pheasant propagation farm. It later housed the offices for Montana Fish, Wildlife & Parks, Billings Region 5 until 1990, when offices were moved to a new facility. The old compound is primarily vacant, but also serves as storage for regional equipment. The majority of the grounds/buildings are not used and are becoming a liability for the agency to maintain.

It is proposed that this property be transferred to River Network as part of the Alberton Gorge Land Exchange described in this Draft Environmental Assessment. River Network will subsequently sell the tract to obtain funds to help cover its costs in purchasing the Alberton Gorge property.

The Region would like to retain Parcel 4 (described below) for storage of equipment and materials, because there is not adequate storage at the new facility. Access to this parcel of the old compound is primarily attained by driving through Parcel 1. Access would need to be considered if the other parcels are sold as proposed, as this would leave Parcel 4 "land-locked." Other locations for storage would be considered on an individual basis to facilitate disposal of the property, if necessary.

Property Description

The following technical information is from the Appraisal Report completed by T. Moss & Associates, Billings, MT for MFWP, July 16, 1998.

This tract is located in the Billings Heights, approximately 2.5 miles northeast of the Billings central business district. The property fronts Lake Elmo Road which is a two-lane paved road, considered a "collector street" in the Billings Transportation Plan, and is one block west of Highways 87 and 312 running north/south through the Heights area.

Township 1 North, Range 26 East

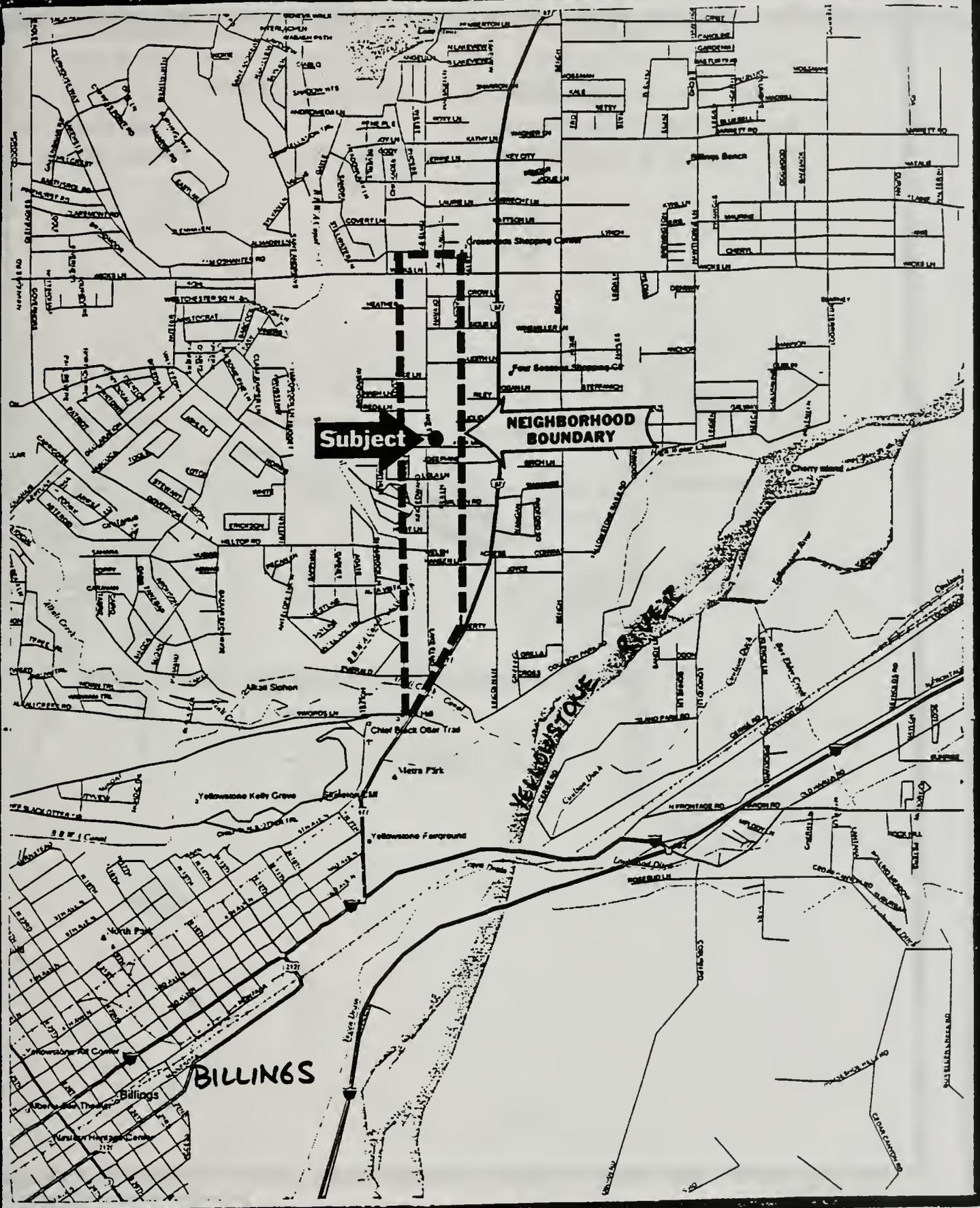
Section 22, NW ¼ SE ¼

Tract 1, Certificate of Survey No. 979

Yellowstone County, Montana

Total acreage = 3.17 acres

The entire acreage is developed, including two residences, the old arched corrugated steel office building, garage/shop facility, and 8600 square feet (s.f.) of asphalt paved parking, chain link fencing, and mature landscaping. For appraisal purposes of "best use" and determining value, the property is broken into four parcels as shown in the **SITE PLAN**. Parcel 1 contains the main headquarters building (3,136 s.f.) and large paved parking



BILLING HEIGHTS

(Map compliments of T.Moss and Associates/The Appraisal Group)

Neighborhood Map

Map data copyright © 2000 copyright 1998

CERTIFICATE OF SURVEY NO. 979

SITUATED IN THE NW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 22, T-1N, R-26E, M.P.M.
YELLOWSTONE COUNTY, MONTANA.

For: MONTANA FISH & GAME DEPT.

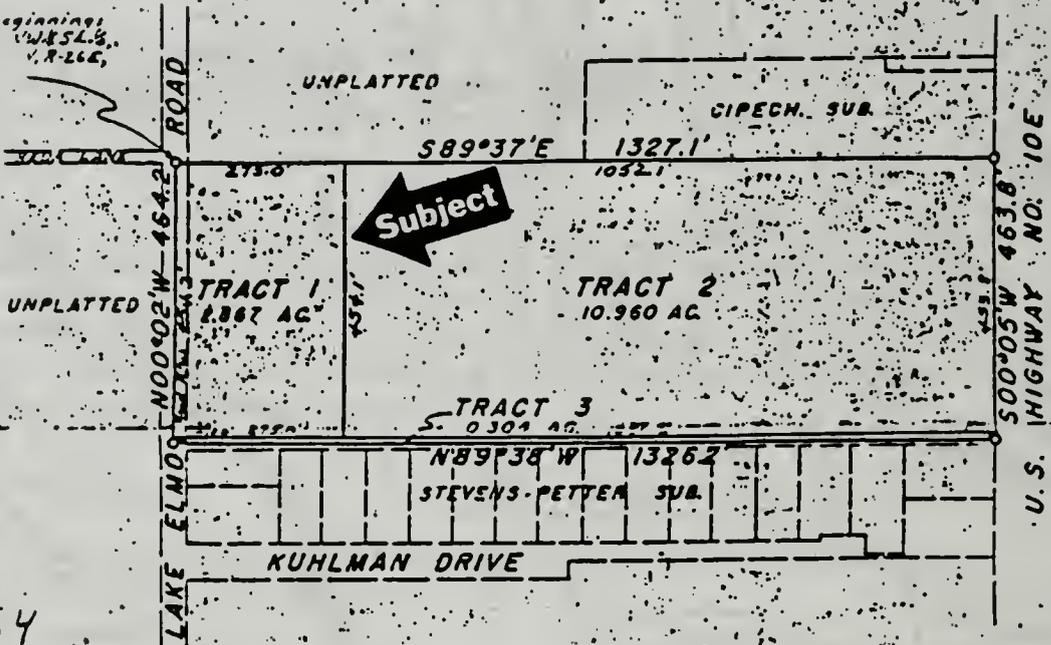
NOVEMBER, 1964

Plot & Survey By Sage Engineers & Land Planners, Inc.

Billings, Montana

SCALE: 1" = 200'

Pt. of beginning
NW $\frac{1}{4}$ Sec. 22
T-1N, R-26E,
M.P.M.

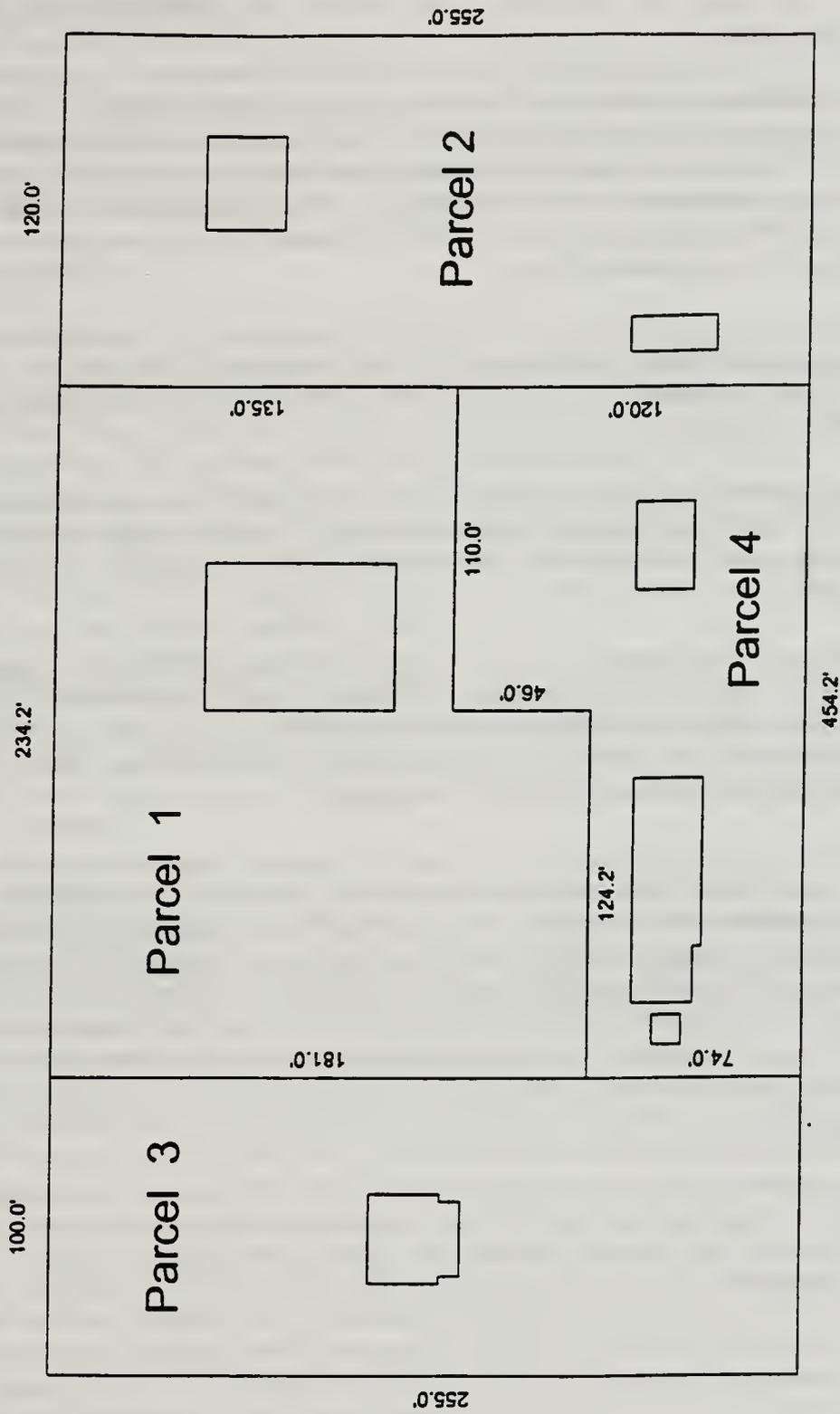


1 12-7-64
nt # 743 949



Subject Site

Lake Elmo Drive



Site Plan

area. The building was built around 1956 and, since being vacant for 10 years, is in need of general repair.

Residences occupy parcels 2 and 3, which have Lake Elmo Rd. frontage. Both wood frame residences were built in 1936 and have less than 900 s.f. of living space on one level with nearly full, unfinished basements. The residences have asbestos shingle siding and composition shingle roofs. The northern residence is leased, and currently occupied by an MFWP employee who also maintains the grounds. A single-car garage structure on Parcel 2 has depreciated highly.

Parcel 4 is a fenced storage yard consisting of approximately ½ acre, including a 1,767 s.f. garage/shop facility with concrete floor. This structure, too, was built in 1936, with an addition constructed later. A second 600 s.f. wood frame storage building and 100 s.f. cellar is on this parcel.

Natural gas, electrical power, telephone services, and public water are available at the site. The site facilities continue to use existing septic systems, though sanitary sewer service has been extended to the area. A private well is utilized for lawn maintenance purposes.

The Region 5 Old Headquarters tract is **zoned Residential Multifamily – Restricted (RMF-R)**. This classification allows up to 74 multifamily residential units on this site, or the development of such things as single family residents, schools, and a publicly owned community center. Special reviews by the city zoning committee could allow a hospital, church, day care center or public service installation.

The property appraisal conducted by T. Moss & Associates suggests that a zone change must occur to legally accommodate alternative types of land uses (commercial). The appraiser indicates that the highest net return would be to **subdivide the property into parcels that correspond with the individual “use types” (parcels 1-4 listed above) and market those properties separately.** If the property is considered vacant, the highest net return may be to develop some type of public use or alternative use, subject to special review, such as a day care center, nursing home, etc. Another option may be to divide the parcel into smaller units to accommodate single family or smaller multifamily development.

River Network would like to sell this property quickly to return their investment in the Alberton Gorge River Corridor. If River Network is unwilling to find a buyer, however, River Network may consider requesting city approval for a different zoning classification.

ENVIRONMENTAL REVIEW

Many of the environmental impacts to this property are unknown at the time of this writing, since the specific purchaser(s) and their exact intentions for the property(s) are unknown. We have attempted to make some general predictions based on possibilities allowed by current zoning and the most profitable options for a future developer as underlined above from the appraiser's report. It is probable that all or some of the existing buildings will be demolished, and new residential building(s) constructed.

Physical Environment

Land Resources

In January and February, 1995, Tetra Tech, Inc. performed a Phase I and limited Phase II Environmental Site Assessment of the Region 5 Old Headquarters. The facility's drum storage area (within Parcel 4 listed above) was noted as an area of concern due to staining and odors at the surface. Soil samples collected from a test pit in the stained area detected contamination from diesel fuel and a chemical deodorant used for cleaning latrines at MFWP sites. In September 1995, one monitoring well was installed to collect soil and ground water samples, which would determine the vertical extent of contamination. The results of the sampling revealed that soil contamination was limited and that soil removal was a viable remedial option.

On April 8, 1996, the contaminated soil in the drum storage area (8' x 8' x 9' deep) was removed, disposed off site, and filled with clean material. Additional soil samples were taken after excavation and analyzed for diesel range organics and semi-volatile organics. *All levels were below regulatory levels of concern and did not pose a threat to human health or the environment.*

Due to its location within the Billings city limits, however, it is possible that typical demolition of the current buildings and subsequent above-ground construction will occur. Soils will be disrupted, displaced, compacted and covered over during demolition and construction of new structures. It is unlikely that further significant changes to the geologic substructure, soil stability or modifications of major physical features will occur. The land features are generally level and will tie into city drainage plans.

It is likely that the entire site soils have been disturbed during sometime during MFWP ownership. Construction on this urban tract is considered a minor impact on this urban, man-altered site.

Air

If the old headquarters tract is purchased by a developer, demolition of the existing buildings, new landscape grading, etc, may temporarily emit air pollutants (dust). Special care should be taken to contain asbestos which may be emitted if the owner demolishes the two residences with asbestos shingle siding; this may require a permit. Residential structures will not greatly alter air movement, moisture, or temperature patterns, or emit high amounts of air pollution.

Water and Floodplains

In September 1995, one monitoring well was installed to collect soil and ground water samples, which would determine the vertical extent of contamination in the drum storage area of Parcel 4. The results revealed that *ground-water impacts were minimal and remediation of the ground water was not necessary.*

This tract is within the city limits and any new construction would be subject to city-wide regulations. Due to the small size of this tract (3.17 acres), existing drainage patterns, flooding potentials, groundwater or surface water quantities are not expected to be altered. Discharge is unexpected that will affected federal and state water quality standards. Public water and sewer services are available at the property. One private well occurs on the tract, which is currently used only for landscape irrigation.

Karl Christians, DNRC Floodplain Management Section Supervisor, confirmed to Sue Dalbey (Federal Insurance Administration, Flood Hazard Boundary Map review on June 13, 2000) that this property is not in a designated 100 year **floodplain**.

Vegetation, Wetlands, Prime & Unique Farmlands

The existing vegetation consists of mostly mature decorative lawns, shrubs and trees around the two residences of Parcels 2 and 3. There is no agricultural land on site. Weeds are controlled under the Region 5 Weed Management Plan in cooperation with the County Weed Board. It is anticipated that the large cottonwood trees on the parcel would remain for aesthetic purposes if they are healthy.

Lawns could be replanted if disturbed during construction or demolition. Weed control will be the responsibility of the individual land owner.

A search by the Montana Natural Heritage Program did not reveal any vegetative species of special concern in the vicinity. Water Howellia (*Howellia aquatilis*) is specifically found west of the Continental Divide. Ute Ladies'-tresses (*Spiranthes diluvialis*) is in river meander wetlands primarily found in Jefferson County. Spalding's Catchfly (*Silene spaldingii*) is under the proposed threatened status, however, this specie is found in western Montana (U.S. Fish & Wildlife Service Threatened and Endangered Species – Montana, web site; www.r6.fws.gov/mt4.html; May 23, 2000). This species has not been recorded on the Region 5 Old Headquarters tract and will not be impacted by the proposed exchange.

The site has been entirely altered in the past, and MFWP determined no **wetlands** occur on the property.

The site is a small urban tract with residences surrounding it; no **prime or unique farmland** will be impacted by the sale of this land.

Fish & Wildlife

Fish do not inhabit this tract, as no body of water exists on the property. Adverse effects to the wildlife in the area are not expected because the site is within an urban area and it is not prime habitat for wildlife. White-tailed deer may travel through the area temporarily from nearby fields. Some small, non-game species and birds may be displaced if the abundance of vegetation is greatly diminished due to further development.

The Montana Natural Heritage Program identified four species of special concern, all of which were last recorded at least one mile from the property discussed. Three of the species are documented over 3 miles from the site. The peregrine falcon has been seen along the rims of Billings and may re-occupy a historic eyrie. The western hognose snake (*heterodon nasicus*) was last observed in 1909 in the Billings area, as well as the milk snake (*lampropeltis triangulum*) in 1971. The spiny softshell (*trionyx spiniferus*) is known to inhabit the Yellowstone River between Billings and Intake. The Old Region 5 Headquarters is about 1 mile from the Yellowstone River, and it is unlikely that future development at this site would impact these species.

The following animals are federally listed under the Endangered Species Act and were considered in this environmental assessment. These species are not present in this tract and will not be discussed further.

- Endangered - black-footed ferret, gray wolf, whooping crane, least tern, pallid sturgeon, white sturgeon (Kootenai River population);
- Threatened - grizzly bear, bald eagle (proposed for delisting) piping plover, bull trout (Columbia River basin and St. Mary-Belly River populations), Canada lynx (contiguous U.S. population);
- Proposed Threatened - mountain plover;
- Candidates for listing as threatened or endangered - swift fox, sturgeon chub, sicklefin chub, arctic grayling (fluvial population), warm spring zaitzevian riffle beetle, black-tailed prairie dog.

Due to the urban nature of the tract, none of the above species inhabit the tract, nor provide critical habitat. It is unknown, however, whether future development on the property would affect habitat in the vicinity.

Human Environment

Noise & Electrical Effects

It is very probable that a new owner will need to renovate the existing buildings, or demolish them and build new facilities, regardless of future use of the site. This construction will temporarily increase noise levels. Electrostatic or electromagnetic effects are unknown, as is the potential for radio or television reception interference.

Land Use

Sale of this property to a private entity will probably increase the productivity and worth of the area by increasing property values. It is not a designated natural area, and is slowly depreciating because MFWP is not actively using these facilities (except for a small storage area and lease of one residence). Current zoning restrictions are intended to correspond with the character of the area and control future development patterns. This area tends to be an older residential area consisting primarily of a mixture of single family, mobile home and multi-family residential improvements. The proposed Billings Master Plan designates this as a medium to high density residential area, with few opportunities to accommodate commercial activity. If land use remains similar to the surrounding area, it is unlikely that that would cause neighbors to relocate.

Risk & Health Hazards

Future risk of an explosion or release of hazardous substances are not anticipated with the demolition or residential development. As discussed above, the Environmental Site Assessment did find contaminated soils, but levels were not considered hazardous. The soils most contaminated were removed and all areas sampled were below regulatory levels. Slight changes, additions to, or a new internal emergency evacuation plan may need to be developed if multi-family residential units are built on the property, or if approval is received to develop a day care, church, or nursing home facility. Asbestos siding is the only presence of chemical toxicants on the site.

Community Impact

Development according to the current zoning of this property as Residential Multifamily – Restricted would raise the human population density in the immediate area, compared to its current vacant state. Social structure of the community may slightly change, and the community income may change, due to the property being inhabited, rather than vacant. Industrial activity is likely to temporarily increase due to the remodeling of existing improvements or demolition and new facility construction. More residential units will increase the traffic flow in the immediate area.

Taxes

MFWP paid \$6,269 in property taxes in 1999. The Region 5 Old Headquarters buildings are old and in poor condition. New facilities, if built by the new owner, may provide higher tax income to Yellowstone County, but depends on the structures placed on the property.

Public Services, Utilities

Assuming the new owners will develop the property with single or multi-family residential units, there will be an increased need for governmental services such as: fire & police protection, water supply, sewer and solid waste disposal. The property does have all major utilities available including city sewer, however the existing septic lines are still used. A large facility may use a significant amount of energy, particularly natural gas or electricity used for heating during winter months.

The MFWP Region 5 Old Headquarters tract contains no roads. The property includes short driveways to residential parking areas and the main paved parking lot for the vacant office building and storage buildings.

River Network will be selling this tract on the open market. Based on the current zoning, revenue for the sale by fee title, may come from a private individual, private group or a public entity. This revenue will be used by River Network to recover funds used to purchase the Alberton Gorge River Corridor from MPC.

Future maintenance costs are unknown, but will be incurred by the new owners dependent upon the facilities constructed on the property.

MFWP does not collect revenue from the parcel.

Aesthetics & Recreation

Minor changes to the area can be expected by simply having the entire parcel actively used and inhabited. Many residential developers would leave the larger landscaping, such as trees and large bushes to provide some privacy, aesthetic and scenic character to the property. Some may feel that development of the property will add to the aesthetic value of the area, in that after ten years of vacancy, the facilities are becoming tattered and dilapidated. This site no longer provides the recreational or tourism opportunities that it did as a Fish, Wildlife & Parks Headquarters - the hub for regional hunting, fishing, and parks information. The sale of this tract will not affect a wild and scenic river, trail or wilderness area.

Cultural & Historical Resources

This property has some nostalgia as an old pheasant farm, though few remnants remain to indicate its past use. This site does not contain any religious or sacred uses. MFWP has contacted the SHPO regarding the transfer of the site and documented (photos, etc) any historic remnants on the site. This is not considered an undertaking for MFWP due to the lack of historical significant remains of the old pheasant farm, etc. More details can be obtained from MFWP SHPO coordinator, Paul Valle.

Evaluation of Mitigation or other Control Measures

River Network has agreed to re-convey this land to recover funds invested for the Alberton Gorge recreation corridor.

The City of Billings will oversee and approve/disapprove of plans, rezoning, etc. proposed by the future owner.

Public Involvement Regarding this Tract

The public has not been directly involved in the future of the Old Region 5 Headquarters in regard to the current land exchange. Comments are requested regarding this draft environmental assessment.

The City of Billings proposed use of the facilities as a Billings Heights Task Force Law Enforcement Office, in 1998. Funding, however, was not available for purchase or lease at an acceptable value to both parties. This proposal directly between the city and MFWP has been dismissed.

**Alberton Gorge Land Exchange
Environmental Assessment**

**Natural Bridge
Tract F**

Natural Bridge Tract F

Introduction

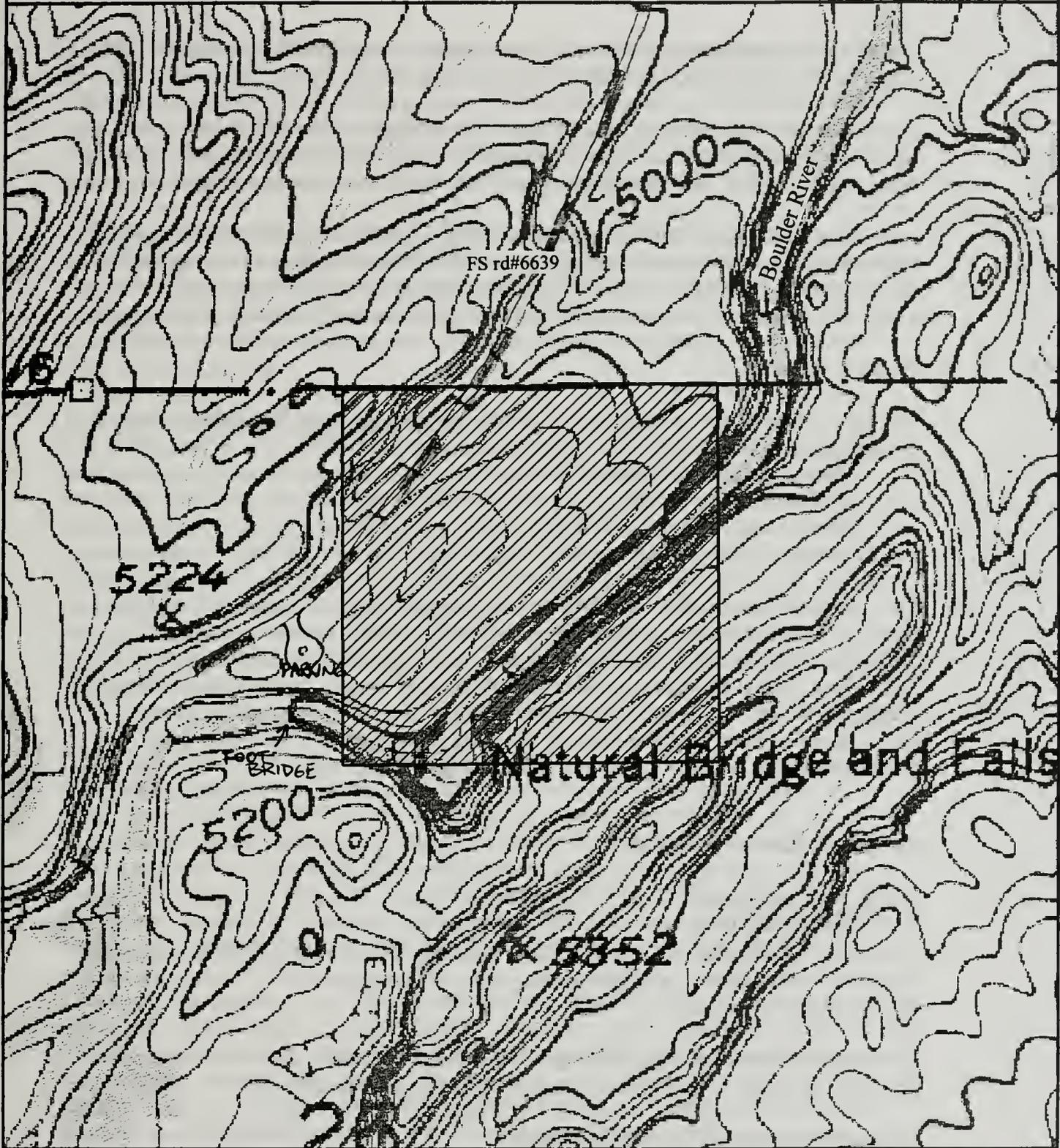
MFWP has owned this site since 1965, soon after the parks division was transferred from the Department of Highways over to the Fish and Game Department. The site is famous for a limestone cave, and natural bridge, through which the Boulder River flowed, before the bridge fell in 1988. The water currently disappears under ground at the prior bridge location and reappears downstream of the drop that creates a beautiful falls during high water years. A good gravel road leads to the site approximately 25 miles south of Big Timber and into the Gallatin National Forest. Five more miles south provides access to the Absaroka Wilderness Area and several trailheads. Natural Bridge is quite popular for area residents to picnic, sight-see and to tour with out-of-state friends and relatives. Several movies were filmed in the area, weddings performed, etc.

This land exchange proposes to transfer title of this property to the FS to be administered as part of the Gallatin National Forest. The FS has numerous recreation sites up the Boulder River and a District Ranger Station in Big Timber. It would be practical to absorb the Natural Bridge tract in with the surrounding FS property since the agency has other management responsibilities in the same area. The Gallatin National Forest currently manages the site, with little physical or financial support from MFWP. The nearest MFWP park administrator is in the Billings Regional office, therefore, this recreation site does not get the supervision it needs from MFWP to protect the resources and improvements in place.

The recreation site includes MFWP and adjacent FS properties, but was jointly developed using primarily Land and Water Conservation Funds in 1978. The primary facilities are on FS property, including a gravel parking area, latrines and picnic tables, several interpretive signs, laminated foot bridge, and about 200 feet of nature trails. Improvements on the MFWP property includes fencing, approximately 1500 feet of nature trail, five interpretive signs, five interpretive overlooks to view the waterfall, pool below, and crevice above the falls. The trail is not designed to meet not meet Americans for Disabilities Act guidelines, and public safety hazards exist on site due to 100 foot cliffs, according to Frank Cifala, Gallatin NF Resource Assistant in Big Timber. All improvements will be transferred to the FS in this exchange.

According to a letter from the MFWP Region 5 Parks Manager, Ray Berntsen (now retired) to the Parks Division Administrator, dated February 19, 1998, MFWP has done very little at the site, especially in the last five years. The potential for this tract to be transferred to the FS was brought up in 1987, and both parties were receptive to the idea and managed the site in anticipation of this happening since that time. The FS has included the site in their recreation plans for the Gallatin NF and the FS is completing all the maintenance needs. Most visitors are not aware of the dual ownership at the site.

NATURAL BRIDGE SPS



Lands File Number: 5553

T3S/R12E

41.591 acres



Fee Simple
FAS Parcel

0 acres



Leased
FAS Parcel

Slate Park Sites (SPS) are digitized and maintained by the Information Services Unit of the Montana Fish, Wildlife and Parks. FAS's were digitized at 1:24,000 using the COGO module of Arc/Info. The background image is a USGS 7.5 minute quadrangle digital raster graphic.



Scale in feet
Scale 1:6000



Montana Fish,
Wildlife & Parks

Map produced by NRIS,
request# 00FWP6 - September 02, 1999

Berntsen's recommendation to the Parks Division was to implement a long term (50-100 years) lease with the FS if a land transfer cannot be completed.

The FS does have an easement (in perpetuity at no charge) of about 1.79 acres from MFWP to accommodate the main road that parallels the Boulder River, accesses the Absaroka Wilderness, and other Forest Service recreation areas upstream.

Frank Cifala, Gallatin NF Resource Assistant in Big Timber, indicated that the FS has no immediate plans to further develop the site, other than improving the trail to meet the Americans with Disabilities Act accessibility standards and possibly replacing the interpretive panels. The FS has recently replaced the latrine and put in new picnic tables.

Property Description

The Natural Bridge tract is easily accessible on paved County Road 298, approximately 25 miles south of Big Timber.

Township 3 South, Range 12 East
Section 26, NW ¼ NE ¼
Sweet Grass County, Montana
Total acreage = 40 acres

The main fork of the Boulder River flows northeasterly through the eastern 1/3 of the parcel for a distance of about 3800 feet. The Boulder River is a tributary to the Yellowstone River. Frank Cifala characterizes the site (personal communication with Sue Dalbey, June 8, 2000) with steep rock cliffs that rise abruptly from the river's edge, creating a 100 feet deep canyon on much of the tract. The soil on the tract is dry and rocky, therefore the diversity and density of vegetation is limited. The rolling, openly forested tract includes limber pine, lodgepole pine, and Douglas fir.

ENVIRONMENTAL REVIEW

Physical Environment

Land Resources

(The following **minerals** information is from the *draft* Mineral Potential Report prepared for the Alberton Gorge Land Exchange and can be obtained from the U.S. Forest Service, Region 1 office in Missoula.)

The mineral estate on the Natural Bridge tract is owned by MFWP and will be transferred to the United States if the Alberton Gorge Land Exchange is completed.

Geology, Mineralization and Mineral Activity

The Natural Bridge tract is located within the northern Beartooth Mountains, part of an uplifted, Laramide style, fault block mountain range that is underlain by Precambrian crystalline rocks. The Natural Bridge area is located along the northern flank of the Beartooth range within Mesozoic age sedimentary rocks of the Madison Group through

younger Cretaceous sedimentary rocks. The primary lithology of the Madison Group includes massive and layered limestones of Mission Canyon and Lodgepole formations. The parcel lies between two elongate east-west trending structures, the Mission Creek anticline and the Nye-Bowler Lineament or Stillwater Anticline on the southernmost edge of the Crazy Mountains Basin. These features are related to the uplift of the Beartooth range and have been explored for oil and gas (Walsh, M.H., 1957).

The Natural Bridge tract is underlain by limestones of the Madison Group, which occur as cliffs alongside the Boulder River. The tract straddles the Boulder River. The lands of this tract were acquired by the State of Montana in 1965. This tract was not a patented mining claim. There is no evidence of prospecting activity or mineralization on the parcel, with the exception of black sands found in the stream sediments, washed down from upstream sources.

Mineral Occurrence and Development Potential

The geology of the Natural Bridge tract is moderately favorable for the occurrence of oil and gas deposits and exploration wells have been drilled along the anticlinal structures that occur west and east of the parcel. Shows of oil and gas have been found in these wells, however, no large fields have been discovered. The nearest well to the parcel is approximately 6 miles northeast and was a dry hole (Walsh, M.H., 1957). The potential for development for oil and gas on the parcel is low due to its development as a recreation facility, its location straddling a major river, and its small size. The potential for occurrence of locatable and salable minerals is low due to the lack of favorable geology. The potential for their development is also low, for the reasons identified above regarding leasable mineral deposits.

The Boulder River flows over and through bedrock outcrops of the Madison Limestone Formation. The geologic formations at this site are what make it unique. The FS Resource Assistant, Frank Cifala, does not foresee any major development or management changes in the Natural Bridge area if the FS were to assume ownership of this 40 acre tract. In the future, it may be necessary to reconstruct the trail to provide easier access, address visitor safety concerns, and comply with the Americans with Disabilities, but this type of action would require specific assessments to the environment prior to construction (personal communication with Sue Dalbey, June 8,2000).

Changes in soil stability or geologic substructure are not anticipated. No impacts would occur to unique geologic or physical features of the area. Slight changes may occur in the future, if the land is transferred to the FS that would result in soil disruption, displacement, erosion, compaction or over-covering, which could reduce productivity or fertility. This would include minor improvements to the area in an attempt to bring the trails up to ADA standards. The FS would complete the standard NEPA review process prior to these improvements.

Man-made changes are not likely to occur which would alter the siltation, deposition or erosion patterns that could modify the channel of the Boulder River or bed. The canyon walls are highly weathered and jointed which cause portions of the walls to naturally

break loose and drop into the river bed below. The public would not encounter any new risk of exposure to earthquakes, landslides, or ground failures. Developed trails do not lead into the canyon, but allow visitors to view the formations from above.

Air

Use of the Natural Bridge tract will not change because of ownership by FS. Air pollutants and ambient air quality should not increase as a result of the change in ownership. Objectionable odors, changes in air moisture, temperature patterns, local or regional climate are not anticipated. No actions are foreseen that would conflict with federal or state air quality regulations.

Water and Floodplains

The FS intends to manage the site as they have the last ten years. No negative impacts to surface water and ground water quality or quantities will occur due to the change in ownership. No alterations are expected to the water temperature, dissolved oxygen, or turbidity. Amount of surface water, drainage patterns and rates of surface runoff and the magnitude of flood waters are expected to remain uninhibited. Risks for contamination of surface water and groundwater should remain the same.

The change of ownership will not effect other water users, or existing water rights or reservations, of which none are known. No discharges are predicted that would affect federal or state water quality regulations.

No sources are known to impact the water quality, though the closest water monitoring station is approximately 3.5 miles upstream from the tract (*Watershed/Floodplains Resource Report*, EA Engineering, Science, and Technology, November, 1992.). Frank Cifala estimates that about 90 percent of the upstream watershed is located within the Absaroka-Beartooth Mountain Wilderness Area.

The Natural Bridge tract includes vertical rock canyon walls along the Boulder River throughout the state parcel. The DNRC has not identified designated flood hazards or **floodplains** on the Natural Bridge tract, according to Karl Christians, DNRC, Floodplain Management Section Supervisor (Federal Insurance Administration, Flood Hazard Boundary Map review with Sue Dalbey, June 13, 2000).

Vegetation, Wetlands, Prime & Unique Farmlands

The vegetation in this area is characterized by limber pine, lodgepole pine and douglas fir forest. The diversity and density of the vegetation is limited by the steep, dry rocky conditions. Approximately 35 acres of the tract are rolling and open, with scattered timber, as estimated by Frank Cifala, Gallatin NF Resource Assistant in Big Timber (personal communication with Sue Dalbey, June 8, 2000).

FS has management goals and practices similar to MFWP. Activities are not anticipated that would effect the diversity, productivity or abundance of a plant species or plant community. Noxious weeds are not actively controlled by MFWP on this remote tract.

Vehicles cross the MFWP parcel only at the north west corner, thus limiting the spread of noxious weeds. Frank Cifala reports (personal communication with Sue Dalbey, June 8, 2000) that there are over a dozen patches of leafy spurge on both sides of the river. FS will incorporate the site under their weed management program for the Gallatin National Forest.

The two federally listed (threatened) plants and their critical habitat will not be affected by this project. Water Howellia (*Howellia aquatilis*) is specifically found west of the Continental Divide. Ute Ladies'-tresses (*Spiranthes diluvialis*) is in river meander wetlands primarily found in Jefferson County. A records search by the Montana Natural Heritage Program revealed no vegetative species of special concern or threatened or endangered species. Spalding's Catchfly (*Silene spaldingii*) is under the proposed threatened status, however, this specie is found in the Tobacco Valley and the Upper Flathead River drainage (U.S. Fish & Wildlife Service Threatened and Endangered Species – Montana, web site; www.r6.fws.gov/mt4.html; May 23, 2000). This specie has not been recorded on the Natural Bridge tract and will not be impacted by the proposed exchange.

Natural Bridge does not contain **wetlands**, according to Frank Cifala, Gallatin National Forest Resource Assistant in Big Timber, based on personal knowledge of the site. The Boulder River lies within vertical rock canyon walls for the entire length of the state property, with little or no soil or vegetation along the river (telephone dialogue with Sue Dalbey, June 8, 2000).

This site is openly timbered with no agricultural land present, therefore MFWP projects that no **prime and unique farmland** will be impacted by the proposed land exchange.

Fish & Wildlife

Transfer of ownership to the FS will not likely affect critical habitat or the diversity and abundance of fish, wildlife and non-game species in the area.

MFWP Fisheries Biologist based in Columbus, MT, Mike Poore, states that his crew samples the Boulder River up and downstream of Natural Bridge. The falls is a natural barrier to fish coming up from the Yellowstone River. The mile-long sampling section is about 6 miles below the falls and typically contains 1200-1700 trout per mile. Brown trout make up about 80% of the total trout, and 20% are rainbow trout. The mountain whitefish population is strong.

The upstream sample section on the Boulder River is about 1½ miles from Natural Bridge and reveals a high population of rainbow trout. Electroshocking sampling methods have uncovered 273 rainbows/mile over 13 inches long during the spring spawning periods. Fall snorkeling is probably a more accurate overall method of determining the area fish population, which yielded 145 fish (over 13 inches) per mile in 1995. This may be more illustrative of the fish population upstream and near the Natural Bridge, according to Poore. Brook trout are found above the falls and upstream; some yellowstone cutthroat occur closer to the headwaters.

Mr. Poore felt that the land transfer to FS would not negatively impact angler access or the fish populations in the Boulder River. No species of special concern, or threatened or endangered fish species occur in this section of the river. Bull trout and white sturgeon do not inhabit waters east of the Continental Divide. The pallid sturgeon do not inhabit the Boulder River drainage. The sturgeon chub and sicklefin chub are Candidates for Listing under the Endangered Species Act, but are found in the Yellowstone River farther east in Montana, not in this section of the Boulder River. The arctic grayling is not found in this area.

The Absaroka-Beartooth Wilderness boundary is only five miles south of the Natural Bridge tract. Human activity is not expected to increase in the area due to the transfer of ownership, thus wildlife populations will not likely be additionally stressed. MFWP wildlife Biologist, Claire Simmons does not expect the proposed land trade to negatively impact wildlife in the area. The MFWP tract is not specifically important as winter range, however the surrounding area is used by whitetail deer, mule deer, elk, and black bear. Gray wolves likely drift through the area and lynx are present in the upper Boulder drainage, therefore may also use this lower area from time to time. Peregrine falcons are known to use the area and the USFS tried to develop a hack site in the mid-1990s. Simmons noted that bald eagles are primarily found lower on the Boulder, however he has seen the eagles farther south than Natural Bridge in the winter, utilizing road kill and in search of other winter food. There are no nesting sites nearby.

The following animals are federally listed under the Endangered Species Act (U.S. Fish & Wildlife Service web site; www.r6.fws.gov/mt4.html; May 23, 2000) and were considered in this environmental assessment. Many species are not present in this tract and may not be specifically discussed.

Endangered - black-footed ferret, gray wolf, whooping crane, least tern, pallid sturgeon, white sturgeon (Kootenai River population);

Threatened - grizzly bear, bald eagle (proposed for delisting) piping plover, bull trout (Columbia River basin and St. Mary-Belly River populations), Canada lynx (contiguous U.S. population);

Proposed Threatened - mountain plover;

Candidates for listing as threatened or endangered - swift fox, sturgeon chub, sicklefin chub, arctic grayling (fluvial population), warm spring zaitzevian riffle beetle, black-tailed prairie dog.

EA Engineering, Science and Technology prepared the *Threatened/Endangered Species Resource Report* in November, 1992 for the USFS, which revealed the following occurrences of threatened or endangered species near the Natural Bridge tract. The site has habitat that could support the endangered Gray wolf, however no sightings have been recorded on the site. The USFWS indicates that the endangered peregrine falcon and bald eagle have the potential to use this area because the tract is within their range during spring and fall migration. Peregrine falcons are known to use the area. Grizzly bears (threatened) have the potential to use the area due to the available habitat, but there is no documentation indicating their current use. Osprey have also been seen near the tract.

A search for threatened and endangered species by the Montana Natural Heritage Program (Natural Resource Information System, August 1999) revealed that the immediate vicinity was originally mapped as a historic peregrine falcon eyrie with a high potential for re-occupancy. A hack box is located near the land tract.

The search by NRIS also identified the *discus shimiki*, or striate disc, present on the limestone canyon walls in the area. This species is globally apparently secure, however in Montana, it is critically imperiled because of extreme rarity. Access into the canyon is difficult due to the steep canyon walls, and use of the site will not change, therefore impacts are unlikely to this specie.

Frank Cifala, discussed with Sue Dalbey (personal communication August 12, 1999) that management practices of the Natural Bridge tract will likely remain as it has in the last 10 years, if the FS acquires title to the property. Given this information, Biologist Claire Simmons does not expect the proposed transfer of Natural Bridge to the FS, to negatively impact any species listed under the federal Threatened and Endangered Species Act, Candidate species, their designated critical habitat, or other wildlife found near the tract.

Human Environment

Noise & Electrical Effects

Noise levels are not expected to increase with the completion of the land exchange. No known changes to electrostatic or electromagnetic conditions are predicted. The remote locale of this tract should not affect radio or television reception.

Land Use

The productivity and profitability of the Natural Bridge tract should not be affected if ownership transfers to FS. The transfer corresponds with current natural and recreation area designations in the Gallatin National Forest. Current ownership by MFWP poses an inconsistency of a small portion of state land in the middle of NFS land. Most visitors believe the entire site is owned by the FS. The proposed action will have little affect on private residences upstream and downstream, as it will remain as a public access.

Risk & Health Hazards

This property would be absorbed into the Gallatin National Forest Plan under Management Area 1, which includes all developed campgrounds, picnic areas and potentially developed sites. It will be added to any existing emergency response plan the Forest may have in place, including wild fire responses. Chemical toxicants which may be used would likely be for the sanitation of latrines and control of noxious weeds. This would be considered to have a positive impact on the environment, when used prudently as required by law.

On June 6, 2000, Frank Cifala, Recreation Assistant on the Gallatin NF, inspected the site for possible existing **hazardous materials**. He noted an abandoned road bed exists near the existing county road, and fill dirt may have been brought onto the property for road

construction. Paved and native surface interpretive trails are located on the property. A cold mix substance was used to pave the interpretive trail, however there is no evidence of misuse. No other evidence of potential use of hazardous materials was apparent at the site.

Community Impact

Approximately two miles upstream from Natural Bridge is a large guest ranch who emphasizes fishing for their clients. Property downstream from the tract is privately owned. It is unlikely that visitation will significantly increase due to the change in ownership. The FS actively manages the site, and Natural Bridge is listed on the 1999 Gallatin National Forest Visitor Map under their lists of "Forest Service Campgrounds and Picnic Sites" and "Other Public Campground and Picnic Areas." The social structure and employment opportunities are not expected to change, nor will industrial and commercial activity. Traffic patterns will remain unaltered.

Taxes

A slight increase in county taxes may occur, since MFWP had declared this tract a State Park, which is exempt from payments in lieu of taxes. FS payments in lieu of taxes (PILT) and payments from their 25% Fund will be applicable on this 40 acre tract. A rough estimate of \$29.98 and \$3.20 respectively would be paid by the USFS from the PILT and 25% Funds. This would result in an estimated total of approximately \$33 new revenue paid to Sweet Grass County.

Public Services, Utilities

No net increase in administrative will be required at this site if the land exchange is completed. The FS has undertaken all management costs for personnel and materials to maintain the site for the last several years, therefore overall management at the site will not change. Future improvements, such as new interpretive panels (estimated cost of \$10,000) and reconstruction of the trail to address accessibility and visitor safety concerns, will require additional funding. These types of actions will be reviewed by FS specialists and will undergo public comment and environmental assessments if pertinent for the proposed action.

Records reviewed by Doug Habermann, current Billings area MFWP Parks Manager, did not reveal any revenue collected at this site, and maintenance funds are not currently appropriated to the site. This property has been on the state's list of disposal properties since 1987, therefore no resources have been appropriated for management of the site.

According to a letter from the MFWP Region 5 Parks Manager, Ray Berntsen (now retired) to the Parks Division Administrator, dated February 19, 1998, it would cost MFWP a minimum of \$3,500 annually for maintenance and staff "to take back the site totally."

Natural Bridge includes a current easement of approximately 0.1 road miles to the U.S. If Natural Bridge is transferred to the U.S., there will be no net access acquired by the U.S. No other roads exist on the tract.

Aesthetics & Recreation

The transfer of this tract to another public entity will preserve the scenic vistas and aesthetically desirable sites along the Boulder River. This exchange will ensure continuing quality opportunities for recreation and tourism. The nearby Absaroka-Beartooth Wilderness will not be negatively impacted by the continued public access at Natural Bridge.

If the property were sold to a private individual for residential or commercial development, recreational and aesthetic values for this unique area would decline significantly. Development of the site would impact wildlife habitat, and therefore viewing opportunities. Scenic viewsheds would also be impacted if the surrounding area was developed by a private entity.

Cultural & Historical Resources

The *Cultural Resources Inventory Report* by Historical Research Associates, Inc. dated September, 1992, indicates that no cultural resource properties were found within this exchange parcel. One previously recorded prehistoric property is located in the vicinity, but does not extend into the inventory parcel.

Evaluation of Mitigation or other Control Measures

Future physical improvements proposed by the NF will be environmentally reviewed and presented for public comment as required.

Natural resources will fall under greater protection in federal ownership.

As with the other tracts in the proposed land exchange, this is a necessary part of the exchange to help equalize values.

Public Involvement Regarding this Tract

A public meeting was held at the Big Timber Ranger District office in 1989 or 1990, according to Gallatin FS Resource Assistant, Frank Cifala, to address a similarly proposed exchange (Little Lost Creek Land Exchange). Cifala recalls approximately two people attending the meeting (personal communication with Sue Dalbey, June 8, 2000). The Natural Bridge tract was removed from the exchange for equalization purposes.

The public has not been involved, until now, in commenting on the impacts to the Natural Bridge tract in relation to the Alberton Gorge Land Exchange, to the knowledge of Frank Cifala or Doug Habermann, the MFWP Region 5 Parks Manager. Public comment is requested on this draft environmental assessment.

**Alberton Gorge Land Exchange
Environmental Assessment**

**Park Lake
Tract G**

Park Lake Tract G

Introduction

The Park Lake tract was acquired by MFWP in 1958 using 10 percent Federal Aid in Sport Fish Restoration (Wallop-Breaux) funds and 90 percent MFWP license money. The property includes the lake itself, a narrow buffer area around its perimeter, and part of Lump Creek south of Park Lake, and various beaver ponds. The area historically was used for mining. The man-made lake is fed and drained by Park Ditch, a tributary of Lump Creek.

Recreational use, including fishing, is currently the primary use of the property. FS owns property surrounding the MFWP tract and maintains a modern fee campground just south of the lake, which is popular with Helena Valley residents and out-of-area visitors, as well. MFWP allows undesignated free camping along the north and east perimeter of the lake and unrestricted vehicular use is common. Heavy use of this shoreline is degrading lake shores and vegetation. There are no improvements on the state property, including property boundary signs, or any camping amenities such as picnic tables, fire rings, or latrines.

It is proposed that MFWP transfer the Park Lake tract to the FS. The FS would then manage the land to coincide with use in the Helena National Forest, nearby campground, and recreation plans. Consolidating management responsibilities at this location particularly makes sense due to the amount of visitation at the site, the difficulty for limited numbers of MFWP staff to actively manage the site, and because the FS already has facilities nearby which they are maintaining.

The FS estimates that 3000 visitors use the campground area between Memorial Day and mid September, with possibly another 1000 people using the immediate lake area. MFWP estimates just over 4000 visitors annually for the entire area based on regional indicator sites.

If the land exchange is completed, the FS has tentatively outlined minor plans for the new tract and estimated costs in the Helena NF Capital Investment Program 1999-2003. Any physical changes to the site will require an environmental review prior to start. The FS identified recommendations for dispersed recreation, such as: three new parking areas away from the lake shoreline, a lake-side trail accessible to persons with disabilities; one toilet, picnic tables, fire rings and a bulletin board could be installed at the northern-most parking area. Overnight camping would be directed away from the lake shore to the existing Park Lake Campground at the south end of the lake.

The dam on the south end of the lake is considered high hazard according to the hazard potential based on the loss of human life or property damage that could occur if the structure failed. The Administrative Rules of Montana (ARM), Chapter 85-15-106(9)

defines a high-hazard dam as a dam or reservoir with an impounding capacity of 50 acre-feet or more at the maximum normal operating pool, the failure of which would be likely to cause loss of life. ARM 36.14.20 also identifies the Criteria for Determination of a high hazard dam and falls under DNRC jurisdiction. Forest Service Manual section 7511.2(3) lists: Hazard Assessment Classification: High Hazard. Dams built in areas where failure would likely result in loss of human life or excessive economic loss. Generally this would involve urban or community development with more than a small number of habitable structures.

Park Lake has been issued an operating permit by the DNRC Dam Safety section to enable continued operation while reconstruction is being researched. It is proposed that MFWP will retain ownership of the high hazard dam until such time that it is brought up to mutually acceptable standards between the state and federal agencies. This improvement should be accomplished within five to seven years, (estimated cost of \$175,000) at which time the dam will also be turned over to the FS. Robert Kingery, State Water Projects Bureau at DNRC, is leading the efforts to complete a restoration plan. MFWP will be requesting funding at the next legislative session for these dam repairs.

MFWP would prefer to release the entire property, including the lake and dam, since it is in a remote location and surrounded by the Helena National Forest. The FS, however, is unable to accept the high hazard dam until it is repaired and the high hazard qualifications lifted. The FS Geotech/Dams Engineer, Doug McClelland, suggests that the estimated annual administrative and maintenance costs for the dam after the required remediations, is \$2,500/year.

Property Description

Park Lake is located in the Boulder Mountains approximately 12 miles west of Clancy, Montana, just inside the western Jefferson County boundary line.

Township 8 North, Range 5 West
Sections 13, 23, 24; lot 81
Mineral Survey 732
Jefferson County, Montana
Total Acreage = 95.88 acres

The vegetation in this tract is primarily lodgepole pine and Englemann spruce forest. The understory consists of grouse whortleberry, and pinegrass. The riparian areas along Lump Gulch Creek support mostly willows and sedges, as do the wetlands at the inlets to the lake and lake edge. Approximately $\frac{3}{4}$ of the Park Lake tract consists of wetlands or riparian zones, including the lake and Lump Gulch Creek. The remaining $\frac{1}{4}$ of the property is dense woodland or meadowlands used for recreation. (*Wetlands/Riparian Areas Resource Report*, EA Engineering, Science and Technology, November 1992.)

Undesignated and heavily used trails criss-cross the acreage surrounding the lake, down to the pond directly south of the lake, between the lakes and the FS campground, and along the Park Ditch. These trails are used for foot traffic, motorcycles and off-highway vehicles (OHV).

Larry Cole, Lands Forester on the Helena NF, conveyed to Sue Dalbey (personal communication June 21, 2000) that the Clancy-Unionville Travel Management Area Draft EIS is out for public review at this time. This may impact travel in the Park Lake area if one of the action alternatives is chosen. All of the action alternatives propose to constrain off road use to designated trails. Currently, there are no restrictions on off road use (Dave Payne, Recreation Forester on the Helena NF, personal communication to Sue Dalbey, June 22, 2000).

ENVIRONMENTAL REVIEW

Physical Environment

Land Resources

(The following **minerals** information is from the *draft* Mineral Potential Report prepared for the Alberton Gorge Land Exchange and can be obtained from the U.S. Forest Service, Region 1 office in Missoula.)

The mineral estate on the Park Lake tract is owned by MFWP and will be transferred to the United States if the Alberton Gorge Land Exchange is completed.

Geology, Mineralization and Mineral Activity

The Park Lake tract is located within the Upper Cretaceous Boulder Batholith, a dominantly quartz-monzonite intrusive rock. The surface appearance is typical of the batholith and includes spheroidal weathering, exfoliation and coarse-grained, erosive surface soils. The Park Lake tract geology includes quartz monzonite and granodiorite with overlying glacial till. Most of the property is lowlying valley-bottom riparian and wetlands area, as well as Park Lake itself.

The lands of the Park Lake tract are a patented placer mining claim that straddles Lump Gulch creek. Little recorded information is available on the mining activity in the area. Limited records indicate that placer mining of a relatively small scale was conducted in the area during the mid-late 1930's and occurred intermittently, probably up until the early 1940's when gold mining was suspended due to World War II (Roby et al, 1960). In 1958, the tract was conveyed to the State of Montana and no recorded mineral activity has occurred since then (Mason, 2000). During a field reconnaissance in 1998, a small area (less than 1/10 acre) of apparent placer hand diggings was identified. These workings appeared to be at least 40 years old.

Mineral Occurrence and Development Potential

The geology of the Park Lake parcel is not favorable for the occurrence or development of leasable minerals and has been rated as unfavorable for the existence of economically recoverable hydrocarbons (Tysdal et. al, 1996). Thus, development for leasable minerals is highly unlikely. The tract is identified as permissive for the occurrence of climax molybdenum and porphyry copper type mineral deposits (Tysdal et. al, 1996). Although identified as permissive for these potential deposits, the small size of the parcel, the proximity to the developed Park Lake campground and trail system, and a depressed mineral industry in Montana makes it unlikely that mineral exploration would be proposed, much less a mine development project. Due to its location in the highly erosive Boulder Batholith region, the Park Lake tract is not favorable for the the occurrence or development of mineral material type deposits.

Several positive impacts can occur with the proposed land exchange and management of this area by the Helena National Forest. Soil is currently unstable around the lake shore and to the south where erosion, compaction and disruption occur from heavy foot traffic, vehicles driving off roads, and OHV use. The Helena National Forest lands agent, Larry Cole, indicated that if the FS acquires the tract, the agency will develop a management plan for shoreline control and allow for reclamation of the area. Tentative plans identify parking areas away from the lake shore and a formal lake-side path, which will reduce current unrestricted travel and vegetative and erosion impacts. These actions will allow for reclamation of the shoreline vegetation, reduce erosion, and while continuing dispersed recreation.

Reconstruction of the high hazard dam is necessary to protect visitors and people residing far downstream from potential dangers of a breach. This will modify the unique physical features of this end of the lake to a small degree, however reconstruction is required by law for safety precautions, even if the Alberton Gorge Land Exchange is not completed.

Air

Minor and temporary dust levels will occur in the future when MFWP works on the dam, and the FS implements types of shoreline controls. No objectionable odors shall be created, nor alterations in air movement, moisture or temperature patterns. Vegetation will not be affected due to any emissions of pollutants. Violation of state and federal air quality regulations are not anticipated.

Water and Floodplains

DNRC Engineer, Rob Kingery, reports that Park Lake normal storage is 225 acre-feet, with a maximum of 423 acre-feet (DNRC Dam Safety Inspection Checklist, June 2, 1999). The fill dike, or dam was built in the 1880s to raise the lake level. Park Lake is a non-consumptive water use and seepage returns to Lump Gulch. (George Holton, Assistant Administrator of the MFWP Fisheries Division, *Park Lake Narrative*, 1981).

Federal acquisition of Park Lake would most likely result in an increase in water quality due to use of management plans, which would decrease shoreline erosion. Turbidity

levels would be slightly reduced if plans to limit vehicles adjacent to the shoreline are implemented to allow vegetation re-establishment

Some water quality problems do occur during cold winters, because of low dissolved oxygen when the lake surface freezes over. The decomposition of vegetation in the water depletes the oxygen, which cannot be easily replenished due to the ice. This circumstance of climate would not be changed due to a change in public agency ownership.

Park Lake is both fed and drained by a tributary to Lump Gulch Creek, which includes the Park Lake Ditch. Amount of surface water, drainage patterns and runoff, and magnitude of flood waters are expected to remain unchanged, though special considerations may be made when dam re-construction occurs. There will be no changes in quantity of surface or groundwater at the time of the exchange, however, when the dam is repaired there may be subsequent changes in water levels. These issues would be specifically reviewed at that time to ensure dam longevity and safety.

Risks for contamination of surface water and groundwater may decline if vehicles are restricted near the lakeshore and wetlands in the vicinity. The self-sustaining population of grayling in the lake indicates that water quality is currently sufficient for healthy fish populations. Fish tested during Hazardous Materials testing in 1999 did not contain high levels of hazardous materials (Contact MFWP or R-1 FS Lands Divisions for more details).

The *Watershed/Floodplains Resource Report* completed by EA Engineering, Science, and Technology in November, 1992 reported: "According to the Montana Department of Health and Environmental Sciences (MDHES) Water Quality Bureau, a gold mine located upstream from Park Lake has been the source of the elevated metals concentrations in the water samples. The mine, which has since closed down, maintained a series of malfunctioning tailings ponds which frequently allowed large amounts of contaminated tailings to enter the surface water channels draining to Park Lake." Elevated levels of copper, lead, iron, manganese, and zinc were detected between 1970 and 1985 at five of the 24 water quality monitoring stations within four miles of Park Lake. This mine could affect water quality again, however, no impacts would be associated with the specific proposed land exchange.

Several different hazardous materials testings were done at Park Lake in Fall 1999 and Spring 2000. These tests revealed allowable levels of hazardous materials. Testing included many different locations for soil analysis, water quality and fish health.

No discharges caused by this exchange will violate federal or state water quality regulations.

Karl Christians, DNRC, Floodplain Management Section Supervisor stated that the DNRC has not identified flood hazards or designated **floodplains** in the Park Lake area.

(Federal Insurance Administration, Flood Hazard Boundary Map review with Sue Dalbey, June 13, 2000).

Vegetation, Wetlands, Prime & Unique Farmlands

The Park Lake tract is characterized by a lodgepole pine and Englemann spruce forest (*Picea engelmannii*) and an understory of grouse whortleberry and pinegrass (*Calamagrostis rubescens*). Wetlands and riparian areas occur adjacent to the several main lake inlets and one lake outlet as well as along the shoreline. The riparian dominating types are *Salix* species along the creeks and lake edge, and *Carex* species along the edge of the lake. The riparian areas along the associated beaver ponds and corridor following Lump Gulch also support mostly willows. (*Wetlands/Riparian Areas Resource Report* by EA Engineering, Science and Technology, prepared for the USFS in 1992.)

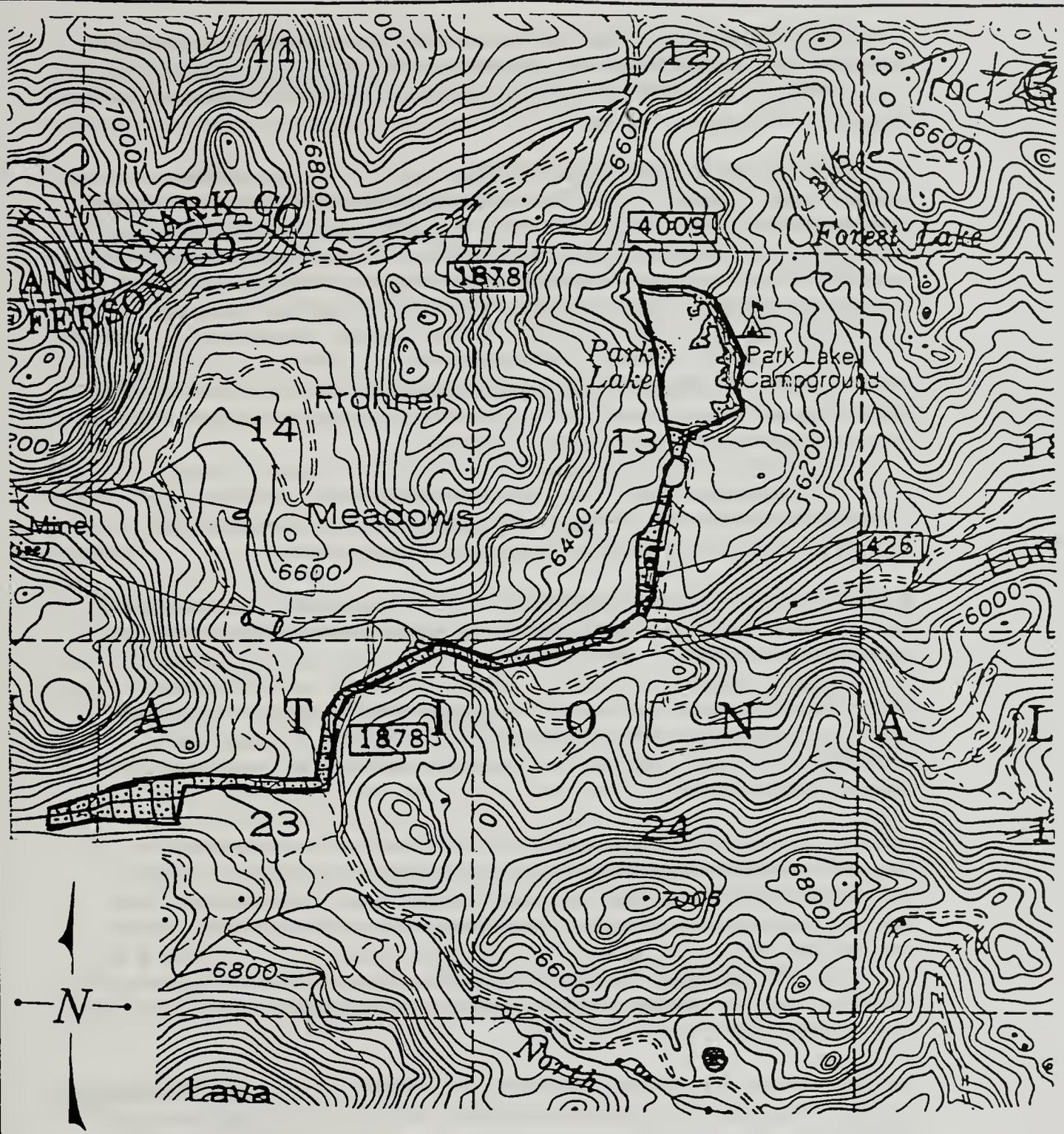
Sharon Scott, presale forester on the Helena National Forest, provided the following **timber** volume estimates (November 18, 1999) after reviewing aerial photos and personal communications with Helena district employees. The timbered portion of the parcel is within a riparian area, and consists of mature lodgepole pine forest type. Estimated average tree size is 12" at breast height and 60 feet tall (defect estimated to be 20%, mostly crook and sweep). The timbered portion of the parcel is estimated to be 1.00 miles long and 80 feet wide, totaling about 10 acres. It is estimated to be 10,000 board feet per acre on 10 acres. Total timber volume is estimated at 100 thousand board feet (within +/- 40% confidence error).

Transfer of the Park Lake tract to the FS will positively impact the riparian vegetation and protect wetlands in the long-term, as the agency intends to reclaim the shoreline areas. The productivity and abundance of plant species will increase, thus supporting the existing plant communities.

The construction of parking areas, a latrine and lake-side path will impact already disturbed vegetation in the immediate construction zone, but allow for long-term re-establishment of vegetation in surrounding areas, particularly in critical habitat zones along the lake shore. Higher impact use (vehicles and over night camping) will be targeted to the developed, hardened areas versus the entire unprotected area.

The spread of noxious weeds will decrease if the FS incorporates this area into their regular weed management plan. Limiting vehicular travel to designated routes will reduce the risks of weed establishment.

No unique, rare, threatened or endangered plant species are recorded in the Natural Resources Information Services data base (search in August, 1999). The two federally listed (threatened) plants and their critical habitat will not be affected by this project. Water Howellia (*Howellia aquatilis*) is specifically found west of the Continental Divide. Ute Ladies'-tresses (*Spiranthes diluvialis*) is in river meander wetlands in Jefferson County, but not recorded in the vicinity of Park Lake. Spalding's Catchfly (*Silene spaldingii*) is under the proposed threatened status, however, this specie is found in the



LEGEND



Wetlands



Riparian Areas

TRACT G

Park Lake
Helena National Forest



EA Engineering, Science, and Technology
Northwest Operations - Redmond, Wa.

Tobacco Valley and the Upper Flathead River drainage (U.S. Fish & Wildlife Service Threatened and Endangered Species – Montana, web site; www.r6.fws.gov/mt4.html; May 23, 2000). This specie has not been recorded on the Park Lake tract and will not be impacted by the proposed exchange.

The Park Lake tract includes the lake and streams, therefore it is almost entirely **wetlands**: approximately 53 acres. This estimate is based on the map provided by EA Engineering, *Little Lost Creek Land Exchange Wetlands/Riparian Areas Resource Report*, November, 1992, prepared for the U.S. Forest Service. The environmental assessment consultant also used a digitized map of the tract, provided by the Natural Resources Information Services, to estimate acres of water bodies and lands not considered wetlands.

This area does not include any farmland or productive agricultural land. Land around the lake is steep and heavily timbered. MFWP predicts that no **prime and unique farmland** will not be impacted by the proposed land exchange.

Fish & Wildlife

Transfer of ownership to the FS is expected to positively impact the critical habitat, diversity and abundance of wildlife and non-game species in the area.

Rainbow trout were planted annually starting in 1959. Several plants of Arctic grayling were made between 1963 and 1970 and now the fishery maintains itself by natural reproduction. Ron Spoon, MFWP Fisheries Biologist in Townsend, MT, stated that current management practices include the planting of 4000 two-inch Yellowstone cutthroat trout annually. June 1999 net sampling revealed 72 grayling with 14% over 13 inches long; 13 cutthroats with 39% over 10 inches. Mr. Spoon indicated that the proposed land exchange would be neutral or slightly positive for angler access and the fisheries.

Mr. Spoon also stated that other species that are federally listed as threatened or endangered, will not be affected by the proposed land exchange. Bull trout and white sturgeon do not inhabit waters east of the Continental Divide. The pallid sturgeon and sturgeon chub do not inhabit the Park Lake drainage. The sturgeon chub and sicklefin chub are Candidates for Listing under the Endangered Species Act, but are found in the Yellowstone River in eastern Montana. The fluvial arctic grayling is found in the Big Hole River; Park Lake supports the lake-residing population of arctic grayling. This project will not affect the above species.

The Statewide Angling Pressure Estimates for 1997 calculated 2551 anglers (+/- 639) annually at Park Lake. Ninety-five percent of the estimated use was by resident anglers. The site is considered 33rd in regional use ranking.

Gayle Joslin, Wildlife Biologist for MFWP, stressed to Sue Dalbey (August 14, 1999) that the entire area is interconnected with a number of wetlands providing valuable habitat for moose, black bear, mule deer, elk, and wolverine. In written communication

to Sue Dalbey, June 19, 2000, Joslin confirmed that wolves and grizzly bears are known to cross through the area; and, there is no reason why lynx would not be present in the area. She re-iterated that if the FS does change the designation regarding off-highway vehicle use, the wildlife habitat will be positively affected.

EA Engineering, Science and Technology prepared the *Threatened/Endangered Species Resource Report* in November, 1992 for the USFS, which revealed the following occurrence of threatened or endangered species on the Park Lake tract. The endangered peregrine falcon and bald eagle are known to occur at this tract, as it is within their range during spring and fall migration. They also recognized that the area provides potential habitat for grizzly bear. (Note: the American peregrine falcon has recovered following restrictions on organochlorine pesticides and successful management activities: therefore, it was removed from the Federal List of Endangered and Threatened Wildlife on August 25, 1999. U.S. Fish & Wildlife Service web site; www.r6.fws.gov/mt4.html; May 23, 2000)

A search for species of concern, threatened and endangered species by the Montana Natural Heritage Program (Natural Resource Information System) did not identify any species of special concern other than the arctic grayling, which has previously been discussed.

The following animals are federally listed under the Endangered Species Act (U.S. Fish & Wildlife Service web site; www.r6.fws.gov/mt4.html; May 23, 2000) and were considered in this environmental assessment. "Underlined" species can be found, at least periodically on this tract.

Endangered - black-footed ferret, gray wolf, whooping crane, least tern, pallid sturgeon, white sturgeon (Kootenai River population);

Threatened - grizzly bear, bald eagle (proposed for delisting) piping plover, bull trout (Columbia River basin and St. Mary-Belly River populations), Canada lynx (contiguous U.S. population);

Proposed Threatened - mountain plover;

Candidates for listing as threatened or endangered - swift fox, sturgeon chub, sicklefin chub, arctic grayling (fluvial population), warm spring zaitzevian riffle beetle, black-tailed prairie dog.

Wildlife Biologist, Gayle Joslin does not anticipate any negative impacts to the above listed animals due to the Park Lake tract coming under FS ownership.

Human Environment

Noise & Electrical Effects

Noise levels should decrease if the Clancy-Unionville Travel Plan is adopted and enforced, allowing for travel only on designated routes. No known changes to electrostatic or electromagnetic conditions are predicted. The remote locale of this tract should not affect radio or television reception.

Land Use

The productivity and profitability of the Park Lake tract may positively be affected if ownership transfers to FS. The Helena National Forest may implement methods to limit off road driving and camping in undesignated areas, thus increasing the use of the existing campground in the area. Revenue may increase slightly due to this, and because recreation funds will now return to the Park Lake budget, rather than going to the overall FS accounts for re-allocation (Dave Payne, Recreation Forester for the Helena NF personal communication with Sue Dalbey, June 22, 2000).

The transfer corresponds with a current natural area and wildlife conservation designations in the Boulder Mountains. Current ownership by MFWP poses an inconsistency of a small, linear tract of state land in the middle of NFS land. This parcel is remote and the proposed action will have little affect on residences. The dam reconstruction, however, would provide more safety from flooding or potential dam breach hazards to downstream residents.

Risk & Health Hazards

Little risk of explosion or release of hazardous substances in the event of an accident exists now, nor are the risks anticipated to rise with the transfer of ownership. This property would be absorbed into the Helena FS management plans and added to any existing emergency response plan they have in place, including wild fire responses. Chemical toxicants which may be used would likely be for the control of noxious weeds or routine latrine sanitizing. The results of using these chemicals in a prudent manner would be considered a positive impact on the environment and public health.

Community Impact

The immediate future reveals no changes to the distribution or density of humans in the Park Lake tract. The Helena National Forest will consider limiting vehicle access along the lakeshore, thus reducing the number of informal campsites and overnight use on the north and east shorelines of Park Lake. The area would still be accessible for day use (Dave Payne, Recreation Forester for the Helena NF personal communication with Sue Dalbey, June 22, 2000). The forest service does provide a 22 site campground near the lake, complete with paved roads, sites, picnic tables, fire rings, and latrines. Many visitors avoid the campground and associated fees by camping on the land currently owned by MFWP.

The level of employment and social structure of a community are not expected to change. Industrial and commercial activity are limited in a national forest. Traffic hazards may be reduced due the possible closure of pioneered, rough dirt roads on MFWP property, adjacent to the north end of the lake. Existing main access roads are expected to handle the change in traffic patterns. New parking areas are proposed by the FS, which will help reduce congestion along roadways.

Taxes

MFWP paid approximately \$280 to Jefferson County in lieu of 1998 taxes for the Park Lake FAS tract. It is estimated that the FS would pay an estimated \$339 to Jefferson

County. This is a combined figure of PILT funds (estimated \$284) and payment from the 25% Fund (estimated \$55). Jefferson County could see an increase in revenue of over fifty dollars.

Public Services, Utilities

FS administrative costs are expected to increase with the acquisition of Park Lake, as well as increased funding for rehabilitation work along the shoreline (Dave Payne, Recreation Forester, Helena NF, written correspondence to Larry Cole, Lands Forester, Helena NF, June 16, 2000). Costs would increase for law enforcement, as well (Kurt Cuneo, Resource Assistant, Helena NF, written correspondence to Larry Cole, June 12, 2000).

The FS suggests that new facilities will be proposed in the next few years, such as designated parking areas away from the lake shore, a lake-side trail accessible to persons with disabilities; one toilet, picnic tables, fire rings and a bulletin board could be installed at the northern-most parking area. These services will require an environmental review prior to construction. Estimated funding is near \$200,000. (Helena National Forest Capital Investment Program 1999-2003.)

The Park Lake tract includes approximately 0.3 road miles on which the U.S. currently has an easement to access the FS campground. The FS will assume ownership of this easement if the proposed exchange is completed, and therefore will result in no net gain in access for the U.S.

No revenue is collected by MFWP at the Park Lake Fishing Access Site. Maintenance costs are less than \$500, which covers some administrative costs and no improvements on the site.

Aesthetics & Recreation

Transfer of this property will preserve and maintain the scenic vistas and aesthetically desirable sights for the public. FS ownership has the potential to positively impact the aesthetic character of this tract by allowing reclamation along the lake shores and limiting off road vehicle use which would reduce erosion and encourage more wildlife use in the area.

Recreational day-use opportunities will continue if the proposed land exchange is completed. Some visitors may be disgruntled if off road and undesignated camping along the lake shore is limited, while others may be pleased to see reclamation of the area.

There are no wild or scenic rivers, trails, or wilderness areas in the vicinity.

Cultural & Historical Resources

The *Cultural Resources Inventory Report* prepared for the FS by Historical Research Associates, Inc, 1992, recommends the following resources eligible for listing on the National Register: four reservoir dams and the water conveyance canal which are clearly associated with the development of the Park Ditch Company. These can be considered

components of the larger ditch system and be counted as “contributing” resources to the system as a whole. They are associated with a specific and important aspect of the mining industry (water procurement for mine production). The physical remains are representative of a “type of construction” which reflects the technology and engineering specifications in use in the 1870s.

A Memorandum of Agreement (MOA) has been prepared for signature by the U.S. Fish and Wildlife Service (administrator of Wallop-Breaux funds), Montana State Historic Preservation Office (SHPO) and MFWP. When signed by the three parties at or before closing of the project, this memorandum specifies that the proposed land exchange will not have an effect on the properties being transferred from MFWP to the FS, as they will be given cultural consideration pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (NHPA 16 U.S.C. 470 (f)) as federal property.

Evaluation of Mitigation or other Control Measures

Any future development by the FS will undergo an environmental review and appropriate public comment periods.

If a portion of the overall Alberton Gorge Land Exchange fails, this proposal to transfer Park Lake to the FS will likely fail as well. The transfer of this parcel is critical regarding the exchange of equal fishery values between land traded from MFWP ownership at Park Lake and land gained in the Alberton Gorge corridor. The U.S. Fish and Wildlife Service will be the deciding agency to this regard.

Public Involvement Regarding this Tract

The public has not been formally involved in deciding the future of this tract as part of the Alberton Gorge Land Exchange until this time.

**Alberton Gorge Land Exchange
Environmental Assessment**

**Tizer Lake
Tract H**

Tizer Lake Tract H

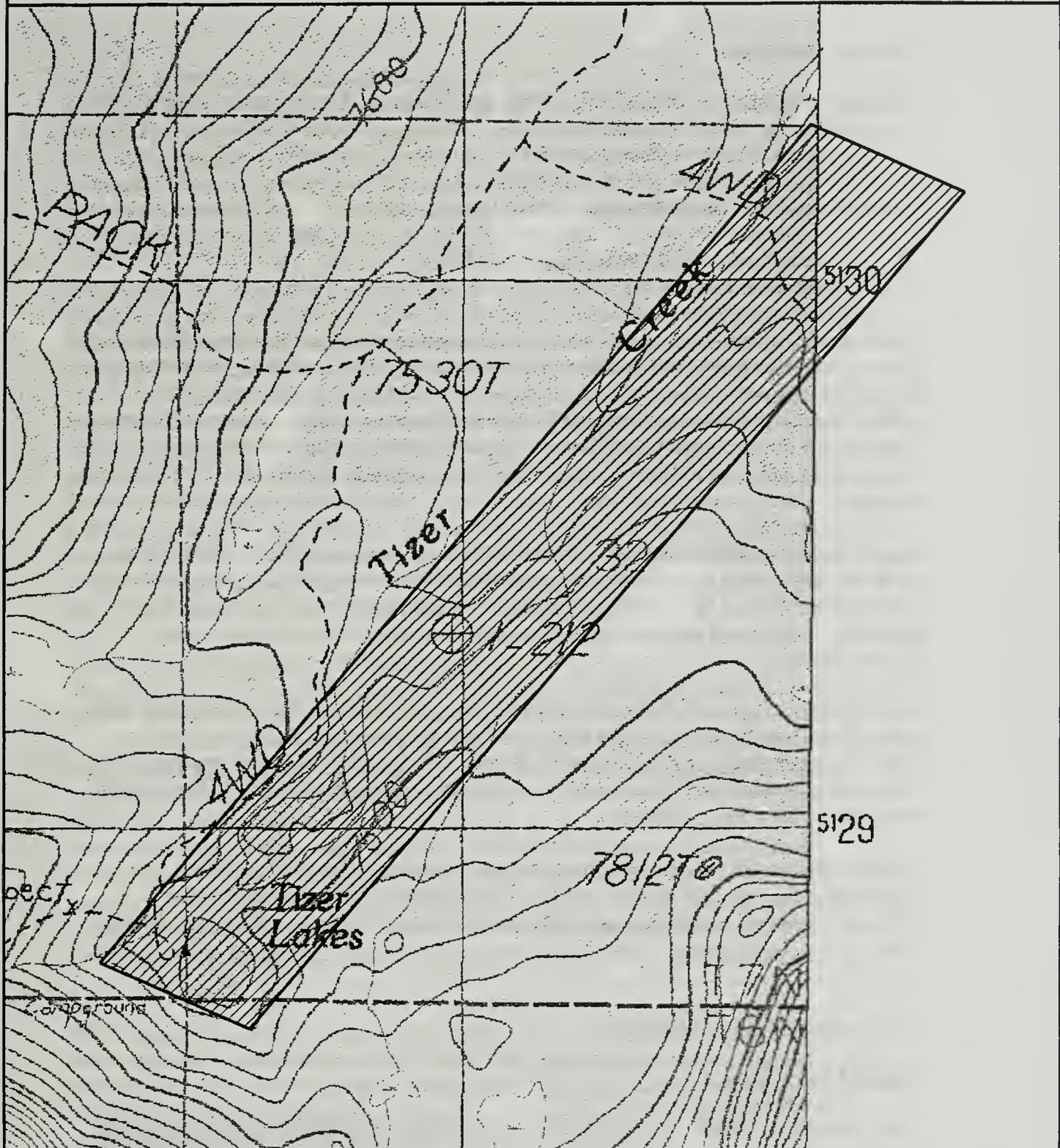
Introduction

MFWP acquired this property in 1960 using 75% Federal Aid in Sport Fish Restoration (Wallop-Breaux) funding and 25% MFWP License money. Tizer Lake tract is on the eastern slope of the Elkhorn Mountains and provides opportunities for fishing, camping, and hunting. The tract is surrounded by Helena National Forest lands. The Elkhorn Mountains are managed as a Wildlife Management Unit and nearly two-thirds of the unit is closed yearlong to motorized vehicles. The Tizer Lake Property is in an area, which allows snowmobiles for about 45 days in the fall. The last six miles of road to Tizer Lakes is very rough and many people access the site by foot, four-wheeler, motorcycle, or similar means.

No improvements have been made to the site, including signs to identify the site. Camping is allowed at the site, though sites are informal and undesignated. It is a very remote site for MFWP personnel to manage. The FS, however, owns lands surrounding the Tizer Lakes tract that also require supervision, therefore this agency can have more of a presence at the site to protect the resources. Visitation estimates are not decisive at this remote tract. Recreation Forester, Dave Payne, believes a practical estimate is close to 2000 visitors annually, due to the difficult access on 6 miles of very rocky, rough road. Helena National Forest Acting Biologist, Jodie Canfield, estimates that 10-20 different parties may be seen using the Tizer Lakes area on a typical summer weekend. Very little use occurs during the weekdays. Based on her observations, visitors engage in picnicking, hiking, and camping, and approximately 80% of the visitors will fish during their visit. The MFWP Statewide Angling Pressure Estimates for 1997 indicate 69 anglers used the site (listed under Lower Tizer Lake), however the margin of error in this statistic is + or - 69. This is considered to be 100% resident use. The site is ranked 289th in the region for angler use.

It is proposed that this property be transferred to the FS to be absorbed into the Elkhorn Wildlife Management Area and managed contiguously with the surrounding forest. MFWP will continue to take an active role in the fisheries and wildlife management of the area as is their state-wide mandate.

TIZER LAKES FAS



Lands File Number: 3305
T7N/R2W



142.3 acres
Fee Simple
FAS Parcel



0 acres
Leased
FAS Parcel



Scale in feet
Scale 1:10000

Fishing Access Sites (FAS) are digitized and maintained by the Information Services Unit of the Montana Fish, Wildlife and Parks. FAS's were digitized at 1:24,000 using the COGO module of Arc/Info. The background image is a USGS 7.5 minute quadrangle digital raster graphic.



Montana Fish,
Wildlife & Parks

Map produced by NRIS,
request# 00FWP6 - September 02, 1999

Property Description

The Tizer Lake tract is accessible from Jefferson City about 12 miles east on Prickly Pear Creek road in the Helena National Forest.

Township 7 North, Range 2 West

Sections 31 and 32, Lot #38

Township 6 North, Range 2 West

Section 5

Mining Survey 2828, Woodland Park Placer

Jefferson County

Total acreage = 142.29 acres

This long rectangular parcel corresponds to a placer claim that straddles Tizer Creek. The tract contains two lakes known as Upper and Lower Tizer Lakes in a valley sculpted by glaciers. These lakes have been dammed at the outlets to raise lake levels, and without the dam, the lower lake would likely be only a wet meadow or slough. Upper Tizer Lake flows into Lower Tizer Lake, which exits the lake as Tizer Creek and continues through the property to the northeast and eventually empties into the Missouri River.

Approximately $\frac{3}{4}$ of the parcel is wetlands or riparian zones, including the lakes (based on Wetlands/Riparian areas Resource Report by EA Engineering, 1992). The remaining tract is generally used for recreation – meadows or woodlands, and steep rocky slopes and cliffs. A few small prospect pits exist and the two barrow pits excavated when building the dams.

Land adjacent to the creek bottom is gently sloping and densely timbered with lodge pole pine and Douglas fir as parts of the subalpine forest and subalpine, sedge meadow vegetation communities. Towards the north end of the tract is a large wet meadow. Tizer Creek is lined with Dwarf willow and sedge species in the riparian areas. Wetlands occur at the southwest portion of the tract.

The above information is based on specialist reports prepared for the FS by EA Engineering, Science and Technology, Redmond, Washington, and subcontractor Historical Research Associates, Inc., Missoula, Montana, for a land exchange proposal in 1992.

ENVIRONMENTAL REVIEW

Physical Environment

Land Resources

(The following **minerals** information is from the *draft* Mineral Potential Report prepared for the Alberton Gorge Land Exchange and can be obtained from the U.S. Forest Service, Region 1 office in Missoula.)

The mineral estate on the Tizer Lake tract is owned by MFWP and will be transferred to the United States if the Alberton Gorge Land Exchange is completed.

Geology, Mineralization and Mineral Activity

The Tizer Lake tract is located within the Elkhorn Mountains, part of an uplifted, fault-bounded block, that is underlain by granitic rocks of the Boulder Batholith and overlain in a large portion of the range by late Cretaceous volcanic rocks of the Elkhorn Mountains Volcanics group. The Tizer Lake tract is underlain by tuff, breccia and flows of andesitic composition of the Elkhorn Mountains Volcanics. Thin glacial deposits cover the volcanics on almost the entire parcel (U.S. Geological Survey, 1978).

The lands of the Tizer Lake tract are a patented placer mining claim (Woodland Park Placer, patented in 1889) that straddles Tizer Creek. There are several mines within the vicinity of the parcel and the parcel is within the Tizer-Wilson mining district. Mining occurred in the Tizer-Wilson mining district as early as 1858 when gold placers along Tizer and Wilson creek were worked. There is no recorded production records but an estimated 2530 ounces of gold has been made. Recorded production came from hard rock mines as early as 1906. The main period of activity in the district appears to be the 1890's and the 1930's (U.S. Geological Survey, 1978). In 1960, the tract was conveyed to the State of Montana and no mineral activity has occurred since then (Mason, 2000). During a field reconnaissance in 1998, an area (less than 1/10 acre) of hand type placer workings was identified along the northeastern portion of the tract. These workings appeared to be at least 40 years old. An earthen dam is also constructed on the parcel, which allows for main Tizer Lake to hold more water than it would naturally.

Mineral Occurrence and Development Potential

The geology of the Tizer Lake parcel is unfavorable for the occurrence or development of leasable minerals and has been rated as unfavorable for the existence of economically recoverable hydrocarbons (Tysdal et. al, 1996). Thus, development for leasable minerals is highly unlikely. The tract is identified as permissive for the occurrence of porphyry copper type mineral deposits and placer gold deposits (Tysdal et. al, 1996). Although permissive for the occurrence of a copper porphyry, the existence of glacial overburden, poor road access, management restrictions due to the designation of the Elkhorn Mountains as a Wildlife Management Unit, and a depressed mineral industry in Montana result in a highly unlikely development scenario for this tract. The parcel is permissive for placer gold deposits, however, the lack of activity in the past 40 years, poor access and management designation make this parcel unlikely for future development activity.

Dave Payne, Recreation Forester on the Helena NF, recommends that the FS would implement some minor actions to limit motorized impacts along the lake shore. Possible actions that would achieve this goal could include: signing, fencing, vegetative rehabilitation, and/or designated parking areas. Any actions would be reviewed for environmental impacts as required, prior to construction.

Helena National Forest has no plans to develop this tract beyond what is mentioned above for resource protection. The FS does not intend to improve roads through the area (Jodie Canfield, personal communication with Sue Dalbey, August 25, 1999) or other

goals, which would cause soil instability or changes in geologic substructure. No impacts would occur to unique geologic or physical features of the area. No changes are anticipated that would result in further soil disruption, displacement, erosion, compaction or over-covering, which could reduce productivity or fertility. Changes are not likely to occur in the siltation, deposition or erosion patterns that could modify the channel of Tizer Creek or bed and shore of Tizer Lakes. The public would not encounter any new risk of exposure to earthquakes, landslides, or ground failures.

Jodie Canfield, Acting Helena National Forest Biologist, stated to Sue Dalbey that the area is managed primarily for non-motorized recreation with an emphasis on wildlife. This management would remain if FS obtained ownership of the Tizer Lakes tract. The main road accessing the property is recognized as a motorized trail and no improvements are anticipated other than maintenance such as water bars to reduce erosion.

A neighboring land owner, George DeMers, has requested permission to cross the northeast end of the property to attain access to their property. A road does exist here, but Mr. DeMers would like to upgrade the creek crossing with a culvert or bridge. This would be a private road, not for public use. MFWP has suggested that a temporary use permit be considered until after the proposed land exchange is complete. Impacts to the soils and geologic substructure, erosion, siltation, stream channel, etc will need to be addressed in a separate evaluation whether MFWP or FS owns the parcel.

Air

Use of the Tizer Lake property will not likely change because of ownership by FS. Air pollutants and ambient air quality should not increase as a result of the change in ownership. Objectionable odors, changes in air moisture, temperature patterns, local or regional climate are not anticipated. No actions are foreseen that would conflict with federal or state air quality regulations.

Water and Floodplains

The FS has not revealed any future actions for the Tizer Lake tract which would result in negative impacts to surface water and ground water quality or quantities. It is anticipated that management of the site will remain unobtrusive; no alterations are expected to the water temperature, dissolved oxygen, or turbidity. Amount of surface water, drainage patterns and rates of surface runoff and the magnitude of flood waters are expected to remain as they have historically. Risks for contamination of surface water and groundwater should remain the same.

The change of ownership should not affect other water users, or existing water rights or reservations, of which none are known. No discharges are predicted that would affect federal or state water quality regulations.

No sources are known to impact the water quality, though no water quality monitoring stations are within the tract. (*Watershed/Floodplains Resource Report*, EA Engineering, Science, and Technology, November, 1992.)

The DNRC has not identified designated flood hazards or 100 year **floodplains** on the Tizer Lake tract, according to Karl Christians, DNRC, Floodplain Management Section Supervisor (Federal Insurance Administration, Flood Hazard Boundary Map review with Sue Dalbey, June 13, 2000).

Vegetation, Wetlands, Prime & Unique Farmlands

The dominant vegetative communities in the Tizer Lakes tract are subalpine sedge meadow and subalpine forest. The area immediately surrounding the two lakes near the southwest portion of the tract supports an alpine wet meadow plant community. Species in the wetland meadow include labrador tea (*Ledum groenlandicum*), and other sedge species. Dwarf willow (*Salix wolfii*) and sedge species characterize the riparian areas along Big Tizer Creek. *Carex* species dominate the riparian areas around the lakes and adjacent to the willow-dominated riparian areas. Distant from the lakes and creek, the vegetation is mostly subalpine fir (*Abies lasiocarpa*) and lodgepole pine forest with grouse whortleberry (*Vaccinium scoparium*) dominating the understory.

Sharon Scott, presale forester on the Helena National Forest, provided the following **timber** volume estimates (November 18, 1999) after reviewing aerial photos and timber stand inventory data, and personal communications with Helena district employees. The nearest stand exam data was collected in 1988 within ½ mile of the parcel. Timber types slope and aspect were similar to the Tizer Lakes parcel and consisted of mainly lodgepole pine with intermixed pockets of spruce. These sawlog-sized trees average 9 inches diameter at breast height and 55 feet tall, defect averages between 30-35% due to elevation, wind and snow. Small sawlog/pole trees average 6-7 inches diameter at breast height and 40 feet tall, defect averages between 30-35% for the same reasons. These timbered stands are pure lodgepole pine.

Scott estimated these acreages using a dot grid:

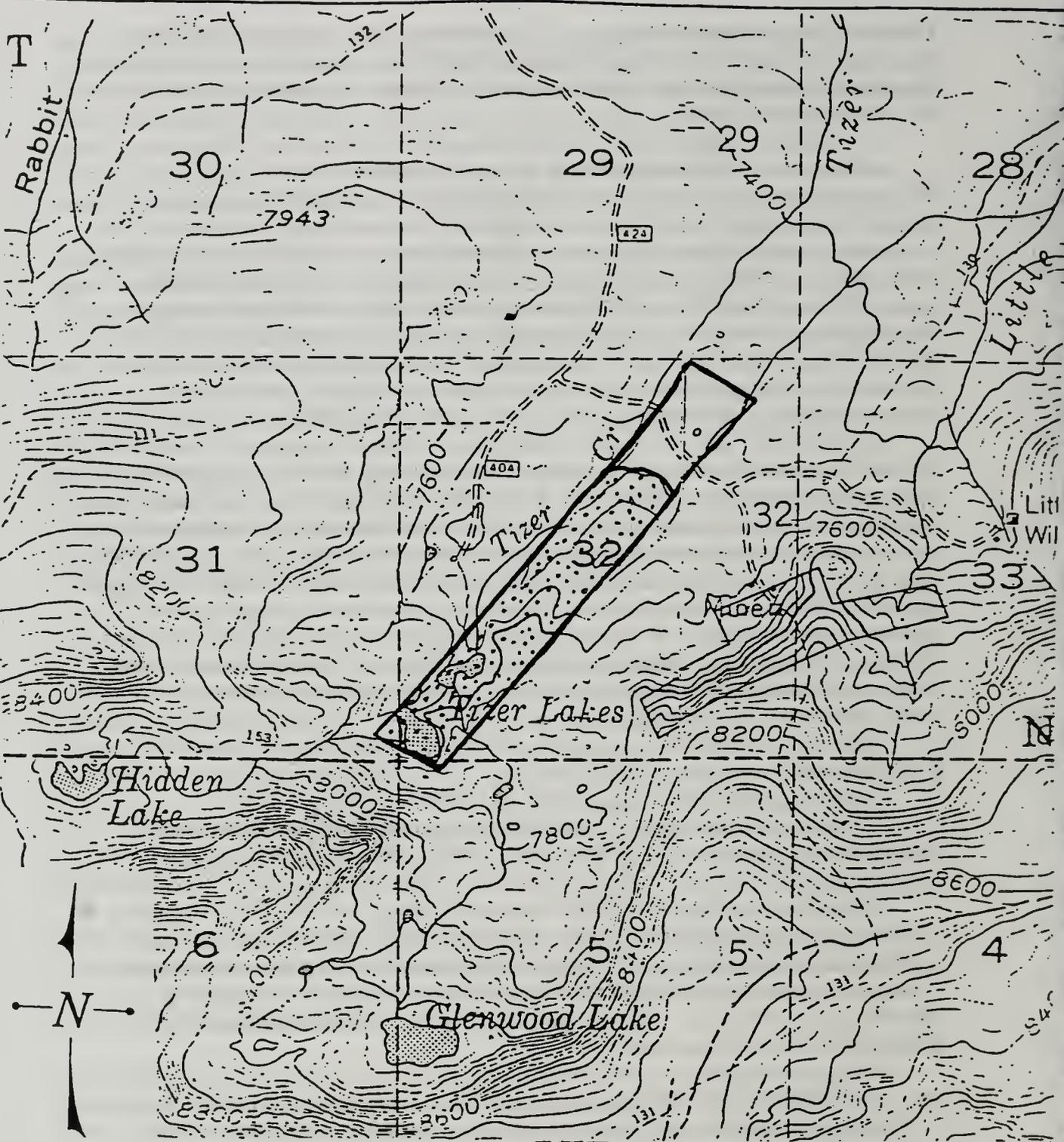
16 acres sawlog sized lodgepole pine @ 8,000 board feet per acre

88 acres small sawlog/poles sized lodgepole pine @ 3,000 board feet per acre

Total timber volume estimate: 392 thousand board feet (within +/- 40% confidence error).

Activities are not anticipated that would affect the diversity, productivity or abundance of a plant species or plant community. No agricultural land exists in this tract and no prime or unique farmland will be affected. Noxious weeds are not actively controlled by MFWP on this remote tract. The low numbers of vehicles accessing this parcel helps to limit the spread of noxious weeds.

The two federally listed (threatened) plants and their critical habitat will not be affected by this project. Water Howellia (*Howellia aquatilis*) is specifically found west of the Continental Divide. Ute Ladies'-tresses (*Spiranthes diluvialis*) is in river meander wetlands in Jefferson County, but the Montana Natural Heritage Program records do not show this species on the Tizer Lakes tract. Spalding's Catchfly (*Silene spaldingii*) is under the proposed threatened status, however, this specie is found in the Tobacco Valley and the Upper Flathead River drainage (U.S. Fish & Wildlife Service Threatened and



LEGEND



Wetlands



Riparian Areas

TRACT #

Tizer Lake
Helena National Forest



EA Engineering, Science, and Technology

Northwest Coasters - Redmond, WA

Endangered Species – Montana, web site; www.r6.fws.gov/mt4.html; May 23, 2000). This specie has not been recorded on the Tizer Lake tract and will not be impacted by the proposed exchange.

The **Tizer Lake** tract is approximately 67% **wetlands**, or roughly 95 acres, based on the map provided by EA Engineering, *Wetlands/Riparian Areas Resource Report*, November 1992. The firm also states that wetlands occur at the southwest portion of the tract which are hydrologically connected to Big Tizer Creek and the lakes. Big Tizer Creek and its associated riparian area flow along the northwest edge of most of the site, traversing the property at the northwest and the southwest portion of the tract.

FS has not revealed plans that would significantly impact the wetlands and riparian areas identified above. Jodie Canfield stated that volunteers erected a jack-leg fence around the lake to discourage travel in fragile wetlands by motorized vehicles.

This site is heavily timbered with no agricultural land present, therefore MFWP projects that no **prime and unique farmland** will be impacted by the proposed land exchange.

Fish & Wildlife

Transfer of ownership to the FS will not likely affect critical habitat or the diversity and abundance of fish, wildlife and non-game species in the area.

A 1952 evaluation of Tizer Lakes by MFWP Fisheries Biologist C. Bishop indicates that Eastern brook trout under 7 inches long were easily caught, and reports show some larger fish over 8 inches. Three inlets provide adequate spawning sites. This area was popular in the early 50's for high lake fishing and at that time, Mr. Bishop hoped to have the road added to the forest service system, which would further add to the angler use.

MFWP Fisheries Biologist based in Townsend, MT, Ron Spoon, states that Tizer Lake and the creeks currently contain a high density of Eastern brook trout. Access to the lakes and angler opportunities will not change with the proposed change in ownership (personal communication with Sue Dalbey, August 10, 1999).

MFWP has released an Environmental Assessment in Fall 1999, outlining the future introduction of westslope cutthroat trout to the Elkhorn Mountains. Mr. Spoon indicates that this is an attempt to return the species to its historic range. Tizer Lakes and Tizer Creeks are included in the plan, which calls for the use of the chemical antimycin and physical stream barriers to limit competition from other fish species such as rainbow and brook trout. The westslope cutthroat trout has been proposed for listing as a threatened species under the Endangered Species Act. The State of Montana is trying to restore cutthroat populations as a proactive way to prevent the listing.

Mr. Spoon also stated that other fish species that are listed would not be affected by the proposed land exchange. Bull trout and white sturgeon do not inhabit waters east of the Continental Divide. The pallid sturgeon and sturgeon chub do not inhabit the Tizer

Creek drainage. The sturgeon chub and sicklefin chub are Candidates for Listing under the Endangered Species Act, but are found in the Yellowstone River in eastern Montana. The arctic grayling is found in the Big Hole River. This project will not affect these species.

The Elkhorn Mountains are managed cooperatively by the FS and MFWP as a Wildlife Management Unit with conservative restrictions for travel and hunting, with primary focus on elk habitat. These practices will continue if the proposed land exchange is completed. Human activity and densities are not expected to increase in the area, which will help limit stress to wildlife populations.

MFWP Wildlife Biologist Tom Carlson informed Sue Dalbey (personal communication, August 18, 1999) that the area is primarily summer range for elk. Mule deer use the area on a limited basis, and black bears, mountain lions and moose will occasionally use the area. Mountain goats inhabit the adjacent peaks. He has encouraged the USFS not to improve roads into the site to protect wildlife habitat and provide a more back-country recreational experience.

Jodie Canfield, Biologist for the FS, indicated similar management preferences by the USFS and emphasizes that the area has snow from October until late June, thus limiting recreational use to some degree (personal communication with Sue Dalbey, August 25, 1999).

The following animals are federally listed under the Endangered Species Act (U.S. Fish & Wildlife Service web site; www.r6.fws.gov/mt4.html; May 23, 2000) and were considered in this environmental assessment. "Underlined" species can be found, at least periodically on this tract.

Endangered - black-footed ferret, gray wolf, whooping crane, least tern, pallid sturgeon, white sturgeon (Kootenai River population);

Threatened - grizzly bear, bald eagle (proposed for delisting) piping plover, bull trout (Columbia River basin and St. Mary-Belly River populations), Canada lynx (contiguous U.S. population);

Proposed Threatened - mountain plover;

Candidates for listing as threatened or endangered - swift fox, sturgeon chub, sicklefin chub, arctic grayling (fluvial population), warm spring zaitzevian riffle beetle, black-tailed prairie dog.

EA Engineering, Science and Technology prepared the *Threatened/Endangered Species Resource Report* in November 1992 for the USFS, which revealed the following occurrences of threatened or endangered species on the Tizer tract. The site has habitat that could support the endangered gray wolf, however no sightings have been recorded on the site. The USFWS indicates that the endangered peregrine falcon and bald eagle have the potential to use this area because the tract is within their range during spring and fall migration. A peregrine falcon hack box is also located near the land tract. Grizzly bears (threatened) have the potential to use the area due to the available habitat, but there is no

documentation indicating their current use. Golden eagles, which are not listed, are known to be in the vicinity of Tizer Lake.

A search for threatened and endangered species by the Montana Natural Heritage Program (Natural Resource Information System) identified the presence of the fringed myotis (*myotis thysanodes*) over 5 miles to the south west. No other species of special concern were identified.

Biologists for both MFWP and the FS stated that they foresee no impacts to the Tizer Lakes area wildlife if the proposed land exchange is implemented.

Human Environment

Noise & Electrical Effects

Noise levels are not expected to increase with the completion of the land exchange. No known changes to electrostatic or electromagnetic conditions are predicted. The remote locale of this tract should not affect radio or television reception.

Land Use

The productivity and profitability of the Tizer Lakes tract should not be affected if ownership transfers to FS. The transfer corresponds with current natural area and wildlife conservation designations in the Elkhorn Mountains. Current ownership by MFWP poses an inconsistency of a small portion of state land in the middle of a large USFS area. Existing land use of the tract is consistent with surrounding FS lands. This parcel is remote and the proposed action will have little affect on residences.

Risk & Health Hazards

Limited visitation and human use of the property presents little risk of explosion or release of hazardous substances in the event of an accident. This property would be absorbed into the FS management plans as part of the Elkhorn Wildlife Management Area and added to any existing emergency response plan they have in place, including wild fire responses.

Bethany A. Ihle, Geologist for the Helena NF, has visited this tract several times between 1995 and 1998. She completed a **hazardous materials** report, which records the existence of sluice-type placer workings, including washed rock piles. A dam on the upper lake and excavated borrow area are also present. No other indications of potential hazardous alterations to the tract were apparent.

Community Impact

The human population in the area is not expected to change significantly unless improvements to the access road would be made, which are not anticipated under current management plans. The remote character of this tract will not affect the social structure of a community, the industrial or commercial activity in the area. The FS currently has staff that manages the region, and this added encumbrance is not expected to significantly

increase their personnel levels. The public will retain ownership of the property, and therefore retain access to the site, thus patterns of human movement to, from and within the site are not expected to change.

Taxes

MFWP paid approximately \$416 to Jefferson County in lieu of 1998 taxes for the Tizer Lake FAS. It is estimated that the USFS would pay an estimated \$502 to Jefferson County. This is a combined figure of PILT funds (estimated at \$421) and payment from the 25% Fund (estimated at \$81). Jefferson County could see an increase in revenue of eighty-six dollars.

Public Services, Utilities

The proposed action is not anticipated to change the level of governmental services required at the Tizer Lake tract. Currently, the MFWP provides few or no services. The Helena National Forest will be responsible to provide any future services that are deemed necessary at the site, including utilities, which do not serve the area now and are not anticipated.

The Tizer Lake tract contains approximately 0.5 miles of extremely rough **road** along the western boundary, which will be transferred to the U.S.

No revenue is collected from this site. MFWP maintenance costs are little to none.

Aesthetics & Recreation

Transfer of this property will preserve the scenic vistas and aesthetically desirable sites for the public. No change to the aesthetic character of this portion of the Elkhorn Mountains is anticipated.

The Tizer Lakes tract is not in a designated wilderness area, but as discussed above, this is part of a Wildlife Management Unit and has vehicle travel restrictions.

Cultural & Historical Resources

The following information is cited from the Cultural Resources Inventory Report by Historical Research Associates, Inc. for EA Northwest contracted by the FS, dated September 1992.

The Woodland Park Placer was not patented until 1889, nearly fifteen years after the initial discoveries of gold and silver in the Elkhorn Historic Mining District, directly adjacent to the south boundary of the Tizer Lakes tract. Byron F. Wood filed the original placer claim. The HRA field crew located several historical mining-related structures during the inventory of this parcel. These are believed to be associated with the resources included in a previously recorded site located immediately outside the southwest corner of this parcel. Other historic resources found within the property boundaries include: a log building, a collapsed adit and a can dump, dams, associated borrow pits at the outlets of both lakes, a ditch that diverts water from Tizer Creek below Lower Tizer Lake, several prospect excavations and an area of placer washed rock piles.

HRA recommended that this property be considered ineligible for listing in the National Register of Historic Places as an individual entity, but may be considered a resource that would contribute to the eligibility of the already established Elkhorn Mining District.

A Memorandum of Agreement (MOA) has been prepared for signature by the U.S. Fish and Wildlife Service (Administrator of Wallop-Breaux funds), Montana State Historic Preservation Office and MFWP concurrence at the Closing of the Exchange. When signed by the U.S. Fish and Wildlife Service, the SHPO, and MFWP at or before closing of the project, this memorandum specifies that the proposed land exchange will not have an effect on the properties being transferred from MFWP to the FS, as they will be given cultural consideration pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (NHPA 16 U.S.C. 470 (f)) as federal property.

Evaluation of Mitigation or other Control Measures

If a portion of the overall Alberton Gorge Land Exchange fails, this proposal to transfer Tizer Lakes FAS to the FS will likely fail as well. US Fish and Wildlife Service approval of the equal transfer of fishing access values between what is being lost at Tizer Lakes and what is gained in the Alberton Gorge River Corridor is a critical step in the whole exchange.

The land transfer of Tizer Lake FAS is not expected to conflict with local, state or federal regulations. Substantial debate is also not expected about the nature of the impacts created, or create substantial public controversy regarding the Tizer Lakes tract.

Public Involvement Regarding this Tract

The public has not been formally involved in deciding the future of the Tizer Lake FAS until the present time, when public comment is requested on this Draft Environmental Assessment.

Alberton Gorge Land Exchange Environmental Assessment

SUMMARY

SUMMARY

This is a summary of several impact areas critical to the NEPA and/or MEPA evaluation process. Details can be found in the respective tract chapters previously discussed in the document. A cumulative evaluation is found at the end for simplified comparisons of impacts by tract and category, and the "No Action" plan.

Wetlands and Floodplains Summary

Details of the wetlands or floodplains information listed below, can be read under the individual tracts, in the "Water and Floodplains" section, and the "Vegetation, Wetlands, Prime & Unique Farmlands" section. Wetlands on the MFWP properties proposed for transfer to the FS were estimated primarily using information provided by EA Engineering, *Little Lost Creek Land Exchange Wetlands/Riparian Areas Resource Report*, November 1992, prepared for the U.S. Forest Service. Estimates for the Lower Tarkio tract and the Tarkio Section 35 are from an on site Cultural Resources Inventory report completed by the Lolo NF Archeologist, November, 1999. Floodplain estimates are based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration, Flood Hazard Boundary Maps provided by Karl Christians, Department of Natural Resources and Conservation (DNRC), Floodplain Management Section Supervisor, Helena.

Table summarizing the transfer of estimated wetlands and floodplains.

<i>Tract</i>	<i>disposing agency</i>	<i>acquiring agency</i>	<i>total tract acres</i>	<i>estimated acres wetlands</i>	<i>estimated acres 100 year floodplains</i>
<i>A-Alberton Gorge</i>	MPC	River Network/MFWP	approx. 320	unknown	160
<i>B-Lower Tarkio</i>	U.S.	MFWP	34.40	<1	5
<i>C-Tarkio Sec 35</i>	U.S.	River Network	640.00	0	0
<i>D-Frank Lake</i>	MFWP	U.S.	88.88	0	7.5
<i>E-MFWP R-5 Hdqtr</i>	MFWP	River Network	2.66	0	0
<i>F-Natural Bridge</i>	MFWP	U.S.	40.00	0	0
<i>G-Park Lake</i>	MFWP	U.S.	95.88	53	0
<i>H-Tizer Lake</i>	MFWP	U.S.	142.29	95	0
TOTAL ACRES ACQUIRED BY U.S.				148	7.5
TOTAL ACRES ACQUIRED BY MFWP				<1	165
TOTAL ACRES ACQUIRED BY RIVER NETWORK				0	0

All wetlands and floodplains included in the proposed exchange will come under federal or state ownership and will be afforded protection under state and/or federal laws. No adverse affects will occur to wetlands because the stewardship responsibility will be shifted from MFWP to the United States. The United States will experience a net gain in wetlands and floodplains. No wetlands or floodplains will transfer into private ownership as a result of this exchange.

Summary of Old Growth and Timber

The United States is not disposing of properties (Lower Tarkio and Tarkio Section 35) containing old growth timber according to Mike Hillis, Wildlife Biologist on the Lolo National Forest. Evaluations were not completed to determine old growth timber on all the state parcels, since the stewardship of these areas will come into federal ownership and protected under the individual Forest Plans and federal protection law. Details of timber types and how the volumes were estimated on the parcels listed below, can be read under the individual tracts in the section “Vegetation, Wetlands, Prime & Unique Farmlands.”

Summary Table of estimated board feet to be transferred from/to the United States.

	<i>B:Lower Tarkio</i>	<i>C:Tarkio Section 35 South half</i>	<i>C:Tarkio Section 35 North half</i>		<i>D:Frank Lake FAS</i>	<i>F:Natural Bridge SP</i>	<i>G:Park Lake FAS</i>	<i>H:Tizer Lakes FAS</i>
MBF of Timber	100	3,210	1,900		880		100	392

*MBF = thousand board feet

Access Summary

The table below approximates the number of road miles acquired by each agency if the proposed exchange is implemented. The “Public Services, Utilities” section in the previously discussed under the corresponding tract gives details identifying the roads within each parcel. Roads range from gravel, which serves all vehicles at a moderate user comfort (levels B4) to slow, single lane, rough road open to high clearance vehicles only (levels D2). Level of service and their maintenance conditions are expected to remain similar to the existing levels if the exchange is completed.

Table Summarizing Road Miles Gained and Lost if Exchange is Implemented.

<i>Tract</i>	<i>Existing Traffic Service Levels (A-D)^a</i>	<i>Existing Road Maintenance Levels (5-1)^b</i>	<i>Approximate Miles Gained or Lost</i>				
			<i>U.S. gain</i>	<i>U.S. loss</i>	<i>MFWP gain</i>	<i>MFWP loss</i>	<i>River Network</i>
<i>A-Alberton Gorge</i>	D	2			0.6		
<i>B-Lower Tarkio</i>	B	4		0.9	0 ^c		0.9
<i>C-Tarkio Section 35</i>	D	2		1.1			1.1
<i>D-Frank Lake</i>	C	3	1.4			1.4	
<i>E-MFWP R-5 Hdqtr</i>	n/a	n/a				0	0
<i>F-Natural Bridge</i>	B	4	0 ^d			0.1	
<i>G-Park Lake</i>	B	4	0 ^d			0.3	
<i>H-Tizer Lake</i>	D	2	.5			.5	
TOTALS	-	-	1.9	2.0	0.6	2.3	2.0

^a Traffic Service Levels (based on FS Manual 7709.58,10):

- A – Serves all vehicles on a safe, stable, smooth road surface.
- B – Serves all vehicles, slower speeds, periodic dust and traffic congestion.
- C – Limited use, low speed, limited passing, with some difficult segments.
- D – Singular use, slow, one-way traffic on rough, irregular surface.

^b Road Maintenance Levels (based on FS Manual 7709.58,10):

- 5 – High user comfort.
- 4 – Moderate user comfort
- 3 – Open to passenger car use.
- 2 – High clearance vehicles.
- 1 – Closed; custodial care only.

^c Roads within the tract are currently under an easement to MFWP from the U.S. and will be transferred to MFWP if the exchange is implemented, therefore no net gain or loss will be incurred.

^d Roads within the tract are currently under an easement to the U.S. from MFWP and will be transferred to the U.S. if the exchange is implemented, therefore no net gain or loss will be incurred.

Mineral Potential Summary

The draft mineral potential report prepared by Norm Smyers, Minerals Examiner, Lolo NF, and Bethany A. Ihle, Geologist, Helena NF, indicates that because the potential for development of the mineral resources on the exchange parcels is unlikely, the overall mineral estates are similar enough to exchange them without changing land valuation.

The draft report goes on to identify the following occurrences and development potentials.

Occurrence:

Sections 34 and 35 and the Frank Lake State tract are favorable for the occurrence of sand and gravel deposits. The Park Lake tract is favorable for the occurrence of climax molybdenum and porphyry copper type deposits. The Tizer Lake tract is favorable for the occurrence of placer gold and porphyry copper type deposits. The Natural Bridges tract has a moderate potential for the occurrence of leasable minerals. The potential occurrence for other mineral deposits on the parcels is rated as low.

Development: The potential for development of any of the minerals on the State parcels is low, primarily due to their development as recreation areas. Additional factors that reduce the potential for development on these parcels includes their relatively small size for leasable activities, hard rock and leasable industry conditions (metal prices and operating climate in Montana) and in the case of the Tizer Lake parcel, poor access to the site.

The potential for development of the outstanding minerals (locatable and leasable) on the Section 34 federal parcel is low because the geology is unfavorable for their occurrence. Thus, the likelihood of a conflict between the surface owner and minerals owner is remote. The sand and gravel resources in Section 34 have been identified (Smyers, 2000) as having good quantity and quality. Because the sand and gravel resources in Section 34 would be exchanged with the surface, the State could have the discretionary ability to determine whether or not they would be developed. The potential for the development of mineral resources in Section 35 is similar to Section 34, with all the minerals transferred with the mineral estate.

Environmental Justice, Executive Order 12898

Lee Bastian, MFWP Region 2 Parks Manager, confirmed to Sue Dalbey, June 20, 2000, that the proposed project does not have disproportionately high and adverse human health or environmental effects on low income populations, minority populations or Indian tribes. Access to land and the state's waters for fishing and recreation is an important part of most Montanan's lives. The proposed land exchange maintains public access to those lands that MFWP is trading to the FS. IN addition, the acquisition of Alberton Gorge will provide additional public access to a seven-mile reach of the middle Clark Fork River.

Evaluation of Cumulative Impacts to Entire Proposed Land Exchange

The following table lists the impacts by tract for comparison and a short narrative summarizes the primary impacts for each tract. The No Action column of affects primarily reflects the impacts possible if the Alberton Gorge tracts are privately developed, since the other tracts would remain in public ownership and generally experience no change in current conditions.

The table below summarizes the anticipated impacts to the individual tracts as proposed in this exchange and given the known information at the time of this writing. If new information is attained and public comment received that could change the impacts of the exchange, this information will be added in the Final Environmental Assessment for the FS, and/or the Decision Notice determined by the MFWP. The public will have an opportunity to comment again, on the Final EA under the NEPA process and MEPA (appeals process).

Tract A: Alberton Gorge River Corridor

Overall, the acquisition of Alberton Gorge presents several minor negative impacts and *positive* impacts to the physical and human environment.

The negative impacts created by the proposed exchange are primarily related to the proposed future primitive physical development at the three new fishing access sites. Impacts such as dust and potential erosion are minor and temporary impacts, unavoidable during construction. Losses of land productivity, vegetation, and small non-game wildlife are considered minor, since the total area impacted will be approximately 1.5 acres in relation to the overall acquisition of 320 acres (based on design estimates by MFWP Design and Construction, December, 2000). The impacts on the movement and the number of game, non-game and bird species in the area as a result of over 30,000 people using a confined area will continue, whether or not the land corridor is publicly owned.

The most notable positive impacts caused by the proposed exchange are related to the human environment, with few impacts to the physical environment.

- Approximately seven miles of high quality fisheries habitat and water quality will be preserved.
- Angling access and opportunities will increase.
- The aesthetics of a nearly wild corridor will be preserved.
- MFWP will contribute approximately \$11,000 more than what is currently paid into Mineral County tax accounts with few demands on county or municipal government services.
- MFWP will incorporate the property into its existing weed management plan to help combat a serious noxious weed problem in the area.
- Tourism industries will benefit from the ability to advertise this recreational opportunity as public land and providing increased access.

Cultural and historic resources (the railroad and other historic features of which their significance are yet unknown) will be preserved, under State guidelines.

The proposed land exchange does not introduce any new potential risks. Traversing a river reach for fishing opportunities and running high class rapids is a recreational adventure available to the public on any navigable river as provided under the Montana Stream Access Law of 1978, and will continue on the Clark Fork, even if the Alberton Gorge River Corridor is under private ownership.

Summary Table of Anticipated Impacts to Each Tract

	<i>A:Alberton Gorge</i>	<i>B:Lower Tarklo</i>	<i>C:Tarkio Section 35 Direct Sale</i>	<i>C:Tarkio Section 35 DNRC trade</i>	<i>D:Frank Lake FAS</i>	<i>E:R-5 Old Headqtrs</i>	<i>F:Natural Bridge SP</i>	<i>G:Park Lake FAS</i>	<i>H:Tizer Lakes FAS</i>	Summary of Impacts	NO ACTION
Physical Environment											
Land Resources	Minor	None	Minor	Minor	None	Minor	None	Minor +	None	Minor	Minor
Air	Minor	None	Minor	Minor	None	Minor	None	None	None	Minor	Minor
Water	None	None	Minor	Minor	None	None	None	Minor +	None	Minor	Minor
Wetlands	Minor +	None	None	None	None	None	None	None (2)	None (2)	Minor +	Unknown
Vegetation	Minor	None	Minor	Minor	None	Minor	Minor +	Minor	None	Minor	Minor
Fish & Wildlife	Minor	None	Minor	None	None	Minor	None	Minor +	None	Minor	Minor
Human Environment											
Noise & Electrical Effects	Minor	None	Minor	Minor	None	Minor	None	None	None	Minor	Minor
Land Use	Minor	None	Minor	None	None	Minor	None	Minor	None	Minor	Minor
Risk & Health Hazards	None	None	Minor	Minor	None	Minor	Minor +	None	None	Minor	None
Community Impact	Minor +	None	Minor	Minor	None	Minor	None	None	None	Minor	Minor
Taxes	Minor +	Minor +	Minor +	Minor	Minor +	Minor	Minor +	Minor +	Minor +	Minor +	Minor
Public Services & Utilities	Minor	None	Minor	Minor	None	Minor	Minor	Minor	None	Minor	Minor
Aesthetics & Recreation	Minor +	None	Minor	Minor	None	Minor	Minor +	Minor +	None	Minor	Minor
Cultural & Historical Resources	None	None (1)	None	None	Unknown	None	None	None (3)	None (3)	None	Minor
Summary of Impacts	Minor	Minor +	Minor	Minor	Minor +	Minor	Minor +	Minor +	Minor +	Minor +	Minor

Unknown = impacts are unknown

None = no impacts are anticipated

Minor = minor impacts may occur

+ = positive impact

(1) Cultural or historical resources are present at these sites, however, no impacts are anticipated due to the transfer of land ownership from FS to MFWP.

(2) Wetlands are present at these sites, however, no impacts are anticipated due to the transfer of land ownership from MFWP to FS.

(3) Cultural or historical resources are present at these sites, however, no impacts are anticipated due to the transfer of land ownership from MFWP to FS.

No deviations are anticipated from local, state, or federal law, regulations or standards or formal plans. State law mandates that MFWP is responsible for developing any necessary plans for river use including registrations, fees, etc, even if the corridor is not acquired.

State or federal permits required for the development at the proposed new fishing access sites will be acquired after funding is procured and prior to any undertakings on the properties.

The proposed acquisition of this particular tract of the Alberton Gorge Land Exchange is supported by resource managers from a variety of agencies, anglers, outfitters, sportsmen and -women, whitewater enthusiasts and general outdoor recreationists.

Tract B: Lower Tarkio

The transfer of the Lower Tarkio tract from the USFS to MFWP ownership poses very few changes to current conditions. The Lower Tarkio tract would enhance the existing Tarkio Fishing Access Site. Management of the area will likely continue as it has in the past. Eagle nesting potential is important, but not a concern because the site and its use will not change significantly. MFWP would be fully responsible for road maintenance.

Tract C: Tarkio Section 35

Tarkio Section 35 is the only portion of this exchange which could become privately owned and developed.

Option 1 – Direct Sale

Wildlife habitat may be slightly impacted, particularly wintering white-tailed deer and elk. Hunting access will likely be denied if this section is developed by private entities, however it is probable that the hunter expenditures will remain in the county. Taxes are likely to be higher than FS PILT and 25% Funds. Human distribution and density will increase if this tract is developed.

Option 2 – Land Exchange between River Network and DNRC

If DNRC acquires this tract (or portions of it) and trades other parcels to River Network for sale, DNRC would manage Section 35 similarly to adjacent Sections 2 and 36. This would present timber sale action for thinning and broadcast burning, very similar to current FS timber management. Impacts to the physical environment and human would be minor due to these actions.

Tract D: Frank Lake

Frank Lake is only 8 miles from the Kootenai NF Murphy Lake Ranger Station. It is an isolated, remote tract for MFWP (Kalispell parks office), which can be more efficiently and actively managed by the FS, which has adjacent lands. The proposed FS designation of this site as a Special Interest Area (under Management Area 21) will protect

historically important sites used in the lumber industry, habitat for federally sensitive species such as the loon and boreal toad and recreational access to a quality fishery.

Tract E: MFWP R-5 Old Headquarters

This tract is a maintenance and tax burden to the agency, with value only as a small storage area. This site can provide positive impacts to the community if developed in a responsible way by a private or municipal entity.

Development possibilities and probable impacts have been described assuming this property will be sold to one or more private entities and developed under the existing zoning restrictions.

The public will be involved via city council review of development proposals by the private entity. Conflicts with local, state, or federal regulations are not anticipated.

Tract F: Natural Bridge

Natural Bridge has been jointly maintained by the FS and MFWP for nearly 20 years, however, MFWP's activity at the site has declined due to its distance from MFWP staff headquarters, and in anticipation of trading the property to the FS for over 10 years. The FS would be able to expand and improve the recreational facility at Natural Bridge, consolidate management of the site, and eliminate confusion about enforcement jurisdiction.

The proposed land transfer to the FS would change very little in the management of the site. Only minor impacts were identified in this assessment, which were positive to a minor degree:

- Vegetative impacts include the pro-active removal of noxious weeds by the FS.
- A very slight increase in Sweet Grass County revenue (approximately \$33) may occur.
- Future intentions to improve the trail to ease accessibility and improve visitor safety will reduce visitor health hazards.
- These intended actions will also improve future recreational opportunities for people with disabilities.

Tract G: Park Lake

Park Lake is surrounded by FS. Consolidating the management of this site would eliminate public confusion and law enforcement jurisdiction concerns. The FS could expand the recreational facility at Park Lake while emphasizing protection of the lake shore and improving access to the lake. This tract has been identified by MFWP for disposal for over 10 years due to the distance from management staff and low regional priority.

The FS has the potential to significantly impact the future of the Park Lake area in a positive manner. Nearly every category in this assessment could be positively impacted to a minor degree by sound environmental and recreational related management. These

decisions are impaired by the current situation of dual ownership in the area. Consolidating management of the Park Lake tract under the FS allows for the consideration of entire systems in future planning which could have significant impacts on the area as a whole for wildlife, recreation, and the environment.

Tract H: Tizer Lake

This tract is also surrounded by FS lands, including the Elkhorn Wildlife Management Unit. This, too, is a low MFWP regional priority, and receives little oversight. Consolidation of the wildlife management unit would be effective and efficient.

The transfer of the Tizer Lakes FAS to FS ownership poses very few changes to current conditions. Tax revenue may increase very slightly, but management of the area will continue as it has in the past, but with more active and pro-active responses to any environmental concerns due to the FS presence in the area. MFWP has had virtually no Parks presence at the site, and fisheries and wildlife are now managed cooperatively with the FS.

Sources

Information about Natural Bridge SP, Park Lake, and Tizer Lakes was obtained from specialist reports prepared for the FS in 1992 when these tracts were included in a previous proposed land exchange, but later removed to equalize those exchanges. These specialist reports included mineral potentials, threatened and endangered species, watershed and floodplains, and wetland/riparian research on these tracts by EA Engineering, Science, and Technology, located in Redmond, Washington. Historical Research Associates, Inc. from Missoula, Montana, provided cultural resources inventories for these three tracts in 1992.

Sue Dalbey, independent consultant, is responsible for compiling the information and drafting the Environmental Assessment: Dalbey Resources, 926 N. Lamborn, Helena, MT 59601; 406-443-8058.

Many other people inside and outside of the listed agencies were contacted by the people listed below, to obtain the most accurate information about potential impacts due to the proposed land exchange. These additional specialists are not listed. Pertinent information was conveyed to the consultant when appropriate to include in the environmental assessment.

A variety of MFWP staff provided the above consultant with information, researched, reviewed, and/or edited the Environmental Assessment:

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59901; 406-751-4573

REGION 2-MISSOULA PO Box 200701, Helena, MT 59620-0701

Lee Bastian Region 2 Parks Manager, 406-542-5517
Bob Henderson Wildlife Biologist, 406-542-5515
Ladd Knotek Fisheries Biologist, 406-542-5500
Mack Long Regional Supervisor, 406-542-5512

REGION 3-BOZEMAN

Tom Carlsen Wildlife Biologist, PO Box 998, Townsend, MT 59644, 406-266-
3367
Arnold Dood Endangered Species Biologist, 1400 South 19th, Bozeman, MT
59718;
406-994-6433
Dennis Flath Nongame Coordinator, 1400 South 19th, Bozeman, MT 59718; 406-
9946354
Gayle Joslin Wildlife Biologist, 930 Custer Ave. W., Helena, MT 59620; 406-
449-8864 ext.155
Craig Marr Parks Operations Specialist, 930 Custer Ave. W, Helena, MT
59620; 406-449-8864 ext.154
Ron Spoon Fisheries Biologist, PO Box 1137, Townsend, MT 59644; 406-266-
4237
Jerry Walker Region 3 Parks Manager, 1400 South 19th, Bozeman, MT 59718;
406-994-3552

REGION 5-BILLINGS

Doug Habermann Region 5 Parks Manager, 2300 Lake Elmo Dr. Billings, MT 59105;
406-247-2954
Mike Poore Fisheries Biologist, Columbus, MT 59019; 406-322-4743

The following FS personnel were contacted by the consultant to obtain future management information and possible impacts regarding the proposed land transfer.

NORTHERN REGION OFFICE Federal Bldg., 200 E. Broadway, PO Box 7669,
Missoula, MT 59807

Ron Erickson Northern Region - Lands, 406-329-3623
Lisa Subcasky Realty Specialist, 406-329-3126

HELANA NF

Jodie Canfield Wildlife Biologist, Helena NF, Townsend, MT; 406-266-3425
Larry Cole Lands Forester, Helena NF, Helena, MT; 406-449-5490
Beth Ihle Geologist, Helena NF, Townsend, MT; 406-266-3425
Sharlene LaRance Realty Specialist, Helena NF, Helena, MT; 406-449-5201 ext 240
Dave Payne Recreation Forester, Helena NF, Helena, MT; 406-449-5490

GALLATIN NF

Frank Cifala Recreation Forester, Gallatin NF, Big Timber, MT; 406-932-5155

KOOTENAI NF

Nancy Anderson Archeologist, Kootenai NF, Murphy Lake, MT; 406-882-4451
Tom Grabinski Lands Officer, Kootenai NF, Libby, MT; 406-293-6211
Guenter Heinz Wildlife & Fisheries Biologist, Kootenai NF, Murphy Lake, MT;
406-882-4451
Lynn Johnson Wildlife Biologist, Kootenai NF, Murphy Lake, MT; 406-882-4451
Ed Monnig District Ranger, Kootenai NF, Murphy Lake, MT; 406-882-4451 ext
3110
Becky Timmons Archeologist, Libby, MT; 406-293-6211

LOLO NF

Jennifer Eberlien Archeologist, Lolo NF, Missoula, MT; 406-329-3713
Brian Riggers Fisheries Biologist, Lolo NF, Missoula, MT; 406-329-3793

Other sources personally contacted by the consultant regarding specific information about this exchange:

Dave Brink Administrator for the Mineral County Conservation District,
Superior, MT; 406-822-3545
Bruce Bugbee, MPC Consultant, Missoula, MT; 406-728-4176
Karl Christians Floodplains Management Section Supervisor, DNRC, Helena, MT;
406-444-6654
Peter Dayton Attorney & Missoula Whitewater Association member, Ste 600, 111
N. Higgins, PO Box 4747, Missoula, MT 59806; 406-721-3400

Wayne Marchwick Mineral County Planner, Superior, MT; 406-822-3526
Bob Rich Forester, DNRC, Missoula, MT; 406-542-4345
Hugh Zackheim Director, Northern Rockies Office of River Network, Helena, MT;
406-442-4777
Montana Natural Heritage Program, Helena, MT
State Historic Preservation Office files, Helena, MT, regarding the Mullan Road

APPENDIX 1
HB495
PROJECT QUALIFICATION CHECKLIST

Date: May 15, 2000

Person Reviewing: Sue Dalbey, consultant
Dalbey Resources

Project Location: Three proposed fishing access sites within the Alberton Gorge River Corridor proposed for acquisition.

Upper Osprey FAS

The first proposed new site is approximately one mile downstream from Cyr Bridge FAS, northwest along Highway 10. This parcel is identified as 3a on page 22 in the 1998 appraisal by Anne Renaud-Wilkinson.

Township 15 North, Range 24 West;

Section 35, Portion of Government Lots 3, 4, 5.

Total Acreage = 17.29 acres

Middle Osprey FAS

The second proposed new site is approximately three miles downstream from Cyr Bridge FAS, northwest along Highway 10. This parcel is identified as 10a on page 22 in the 1998 appraisal by Anne Renaud-Wilkinson.

Township 15 North, Range 24 West;

Section 34, Government Lot 4 and old railroad right-of-way.

Total Acreage = 15.39 acres

Lower Osprey FAS

The third proposed new site is approximately 4½ miles downstream from Cyr Bridge FAS, northwest along Highway 10. This parcel is identified as 13a on page 22 in the 1998 appraisal by Anne Renaud-Wilkinson.

Township 15 North, Range 24 West;

Section 33, Government Lots 3, 4 and old railroad right-of-way.

Total Acreage = 24 acres

Description of Proposed Work:

Upper, Middle and Lower Osprey Fishing Access Sites will be kept primitive in nature, with minimal development completed by 2006 to deter environmental degradation by indiscriminate use. These sites will allow day use only. Future development proposed includes:

- slight improvements to the trails leading to the river (approximately 500 feet from the parking area to the shoreline at each site),
- one latrine per site,
- signs to identify the sites and regulate use,
- gravel entry roads (approximately 150 feet long by 20 wide at each site)
- and gravel parking areas to accommodate approximately six, thirteen, and eight vehicles respectively at the Upper, Middle, and Lower fishing access sites.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under HB 495 rules. (Please check ✓ all that apply and comment as necessary.) Capital Construction projects - prepared by D & C; Force Account projects - prepared by Region.

[✓] A. New roadway or trail built over undisturbed land?

Comments: Some portions of the entrance drives and parking areas may be developed on undisturbed land. Much of the area has been disturbed in the past with construction of the abandoned railroad, clearing for the adjacent power line.

- B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments: *Only pre-built, sealed vault latrines will be installed.*
- C. Any excavation of 20 c.y. or greater?
Comments: *Construction of the entry roads and parking areas will require excavation of more than 20c.y.*
- D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: *New parking lots will be constructed to provide off road parking for 6-13 vehicles.*
- E. Any new shoreline alteration that exceeds a double wide boat ramp or handicapped fishing station?
Comments: *None*
- F. Any new construction into lakes, reservoirs, or streams?
Comments: *None: all construction will take place on the benches approximately 400 feet above the Clark Fork River. Minor trail improvements will occur to access the river area, but primitive trails will end above the floodplain.*
- G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?
Comments: *MFWP has contracted services to complete a cultural survey on these sites in 20001. Construction will not begin until after the survey is complete and SHPO concurrence is received.*
- H. Any new above ground utility lines?
Comments: *None*
- I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments: *None: these sites will allow day use only.*
- J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?
Comments: *Though these areas have demonstrated use by anglers and recreationists, and proposed facilities are primitive, the addition of formal parking areas and latrines will change the features of these three areas, which currently have no improvements.*

If any of the above are checked, HB 495 rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

APPENDIX 2

MONTANA ENVIRONMENTAL POLICY ACT (MEPA)/HB495 TOURISM REPORT

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by HB495 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Victor Bjornberg, Tourism Development Coordinator
Travel Montana-Department of Commerce
PO Box 200533
1424 9th Ave.
Helena, MT 59620-0533

Project Name: Alberton Gorge Land Exchange

Project Description: MFWP tracts will be transferred to the US Forest Service. The non-profit organization, River Network, will acquire lands from both agencies, which they will sell in order to purchase a land corridor along the Clark Fork River owned by Montana Power Company. This corridor, known as Alberton Gorge, will be transferred to MFWP.

1. Would this site development project have an impact on the tourism economy?
 NO YES If YES, briefly describe:
Securing long term public access to the Alberton Gorge and protecting the area's viewshed provides a positive, beneficial impact on western Montana's tourism economy. Fishing and water recreation are important attractions for Montana's visitors and residents. The various land exchanges maintain public ownership and access as well.
2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?
 NO YES If YES, briefly describe:
The quality of the recreation/tourism opportunities and settings will be maintained and may be improved by the land consolidations ~~and~~ under the various agencies' jurisdictions. Public ownership and management of the lands around the Alberton Gorge provides long term benefits for Montana users and non-resident users.

Signature Victor A. Bjornberg, Travel Montana Date Aug 10, 1999

APPENDIX 3

MEMORANDUM OF AGREEMENT

Between the U.S. Department of the Interior, U.S. Fish and Wildlife Service
and Montana State Historic Preservation Office
Pursuant to 36 CFR Part 800.6(b)
Regarding the Alberton Land Exchange

WHEREAS, the U.S. Department of the Interior, U.S. Fish and Wildlife Service (Service), proposes to approve a land exchange between the Montana Department of Fish, Wildlife and Parks (MFWP), the U.S. Forest Service (USFS), the Montana Power Company (MPC) and a private non profit group that will result in MFWP land purchased and developed, in part, with Service funds being transferred to the USFS, and MPC land being transferred to MFWP. Those lands being transferred to MFWP that require Service approval are a 17.29 acre (parcel 3a) portion of Govt. lots 3,4,5, in section 35, T15N, R24W, a 15.39 acre (parcel 10a) Govt. lot and the Historic Railroad ROW (24MN164) in section 34, T15N, R24W, and 24 acres (parcel 13a) Gov't lots 3 & 4 and the Historic Railroad ROW (24MN164) in section 33, T15N, R24W. These parcels are identified on map attachment 1; and

WHEREAS, the Service has determined that the proposed land exchange will not have an effect on the properties being transferred from MFWP to USFS as they will be given cultural consideration pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (NHPA 16 U.S.C. 470 (f)) as federal property. And that the lands being transferred from MPC to MFWP (17.29 acre (parcel 3a) portion of Govt. lots 3,4,5, in section 35, T15N, R24W, a 15.39 acre (parcel 10a) Govt. lot and the Historic Railroad ROW in section 34, T15N, R24W, and 24 acres (parcel 13a) Gov't lots 3 & 4 and the Historic Railroad ROW (24MN164) in section 33, T15N, R24W) will be afforded greater cultural consideration under the state ownership through the Montana State Antiquities Act than its current private ownership; and

WHEREAS, the Service is aware that the MFWP is proposing to develop three fishing access sites on the parcels to be acquired from MPC (17.29 acre (parcel 3a) portion of Govt. lots 3,4,5, in section 35, T15N, R24W, a 15.39 acre (parcel 10a) Govt. lot and the Historic Railroad ROW (24MN164) in section 34, T15N, R24W, and 24 acres (parcel 13a) Gov't lots 3 & 4 and the Historic Railroad ROW (24MN164) in section 33, T15N, R24W), and that, in order for the Service to take into account affects on Historic Properties under the NHPA, consideration will be given to the proposed development of these parcels as intrinsic to the land trade by the procedures accepted by the Service, Montana State Historic Preservation Office (SHPO) and the MFWP under this agreement;

NOW, THEREFORE, the Service, and the Montana State Historic Preservation Office (SHPO) agree, and the MFWP concurs, that the undertaking shall be implemented in accordance with the following measures in order to take into account the effect this undertaking may have on Historic properties.

Upon acceptance of this MOA by all signing parties, and following filing with the ACHP, the Service in conjunction with the MFWP, will ensure that the following Stipulations are implemented:

- 1) The Service, in conjunction with the MFWP, shall have the three Parcels (17.29 acre (parcel 3a) portion of Govt. lots 3,4,5, in section 35, T15N, R24W, a 15.39 acre (parcel 10a) Govt. lot and the Historic Railroad ROW (24MN164) in section 34, T15N, R24W, and 24 acres (parcel 13a) Gov't lots 3 & 4 and the Historic Railroad ROW (24MN164) in section 33, T15N, R24W) surveyed for cultural resources following the Secretary of the Interior's standards for intensive surface inventory prior to any development.

- 2) The Service in conjunction with the MFWP will consult with the SHPO on the adequacy of inventory; eligibility of any historic resources and effects to any identified historic properties.
- 3) The eligible Historic Railroad (24MN164) roadbed segments acquired with the three parcels shall be identified by an interpretive panel at each of the three areas to be developed on the parcels identified above. The interpretation will be included as a part of the development of each site. Draft copies of the interpretation will be submitted to the SHPO for their comment and review. The development of each access site will fill over the Railroad roadbed whenever feasible to avoid direct effects to the roadbed. These actions will constitute acceptable treatment of effects to the historic Milwaukee Railroad grade (24MN164).
- 4) The Service, in conjunction with the MFWP, shall have the inventory work completed within one year of the acquisition of the property. No undertakings will be allowed on the property until the inventory work is completed and approved by the Service in consultation with the SHPO, and all Historic Properties are considered under the terms of this MOA. The interpretive panels will be installed within one year of the completion of the development of the parcels identified in Stipulation 1 above. It is further understood development is dependent upon funds being approved by the Montana State Legislature. Consideration of Historic Properties under the terms of this MOA will be included in all planning and budget development.
- 5) If during the implementation of this agreement a disagreement occurs regarding the eligibility of a historic property the MFWP will consult with the SHPO to resolve the disagreement. If the MFWP determines that the disagreement cannot be resolved the Service will request a determination of eligibility from the Keeper of the National Record of Historic Places. If a disagreement occurs and can not be resolved regarding the adequacy of inventory, effect on or treatment of any historic property, the Service will consult with the Advisory Council on Historic Preservation (ACHP).
- 6) The Service and the SHPO shall resolve disputes regarding the completion of the terms of this agreement. If these signatories cannot agree resolve a dispute, any one of the signatories may request the participation of the ACHP to assist in resolving the dispute.
- 7) This agreement shall be null and void if its terms are not carried out within five (5) years from the date of its execution, unless the signatories agree in writing to an extension for carrying out its terms

Execution of this Memorandum of Agreement, submitted to the ACHP with supporting documentation (36 CFR 800.6(b)(1)(iv), 800.11(f)) and implementation of its terms by the Service, MFWP, and the SHPO, evidence that the Service has afforded the ACHP an opportunity to comment on the project and its effects on historic properties, and has satisfied the requirements of the Section 106 of the National Historic Act (16 U.S.C. 470(f).

Approved: U.S. Fish and Wildlife Service

By: _____
Acting Regional Director

Date:

Approved: Montana State Historic Preservation Office

By: _____
State Historic Preservation Officer

Date:

Concurred: Montana Department of Fish, Wildlife and Parks

By: _____
Deputy Director

Date:

