Hay Creek Fisheries Conservation Area Management Plan

Public Draft Environmental Assessment

Photo by John Wachsmuth

Prepared by Kris Tempel
August 3, 2009

Montana Fish, Wildlife & Parks

Hay Creek Fisheries Conservation Area
Management Plan
Public Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action: Establish and implement a management plan for land acquired by Montana Fish, Wildlife & Parks (MFWP). The parcel was purchased using Bonneville Power Administration (BPA) fisheries mitigation funds subject to a BPA conservation easement. This easement provides long-term protection of aquatic and terrestrial resources, and will potentially incorporate management options contained within this management plan. For more background information on the acquisition of this property contact Region One headquarters for a copy of the environmental assessment (e-mail nivy@mt.gov or call 406-751-4579 to request a copy).

2. Agency authority: State Statute 87-1-209 defines the authority Montana Fish, Wildlife & Parks has in acquiring land for the restoration, propagation, and/or protection of game, birds, fish, or fur-bearing animals.

Additionally, 75-7-101 of the Montana Code Annotated provides protection to natural rivers and streambeds and the lands and property immediately adjacent to them to be protected and preserved in order to keep soil erosion and sedimentation to a minimum.

3. Name of project: Hay Creek Fisheries Conservation Area Management Plan

4. Anticipated schedule: Estimated completion date: August 31, 2009

5. Location affected by proposed action:
Flathead County, Township 34 N, Range 21 W, Sections 2 & 3. See Attachment A for detailed location information.

6. Project size: 53 acres

	Acres		Acres
(a) Developed:		(d) Floodplain	33
Residential	0		
Industrial	0	(e) Productive:	
(existing shop area)		Irrigated cropland	0
(b) Open Space/	53	Dry cropland	0
Woodlands/Recreation		Forestry	20
(c) Wetlands/Riparian	33	Rangeland	0
Areas		Other	0

7. Listing of any other local, state, or federal agency that has overlapping or additional jurisdiction.

(a) Permits: Permits will be filed at least 2 weeks prior to project start.

Agency Name Permits

No permits needed for the management plan.

(b) Funding:

Agency Name	Funding Amount
None	

(c) Other overlapping or additional jurisdictional responsibilities:

Agency Name	Type of Responsibility
State Historic Preservation Office	cultural resources

8. Proposal

In June 2009, MFWP purchased a 53-acre property located along Hay Creek in the North Fork Flathead Basin, Montana, from a private landowner using funds provided by the Bonneville Power Administration (BPA). This purchase is part of a larger program designed to provide long-term fisheries habitat protection through land acquisitions made in accordance with a 2008-2009 Memorandum of Agreement (MOA) between BPA, MFWP, and the Confederated Salish and Kootenai Tribes.

As required of all acquisitions made in accordance with the MOA, BPA holds a restrictive conservation easement on the Hay Creek parcel. The MOA requires MFWP to complete a management plan that describes how MFWP will manage the land and the fish and wildlife habitats, and provide for public access. This Hay Creek Management Plan describes the Hay Creek resources as well as MFWP's proposed management goals and objectives. These goals and objectives are consistent with the conservation easement owned by BPA.

9. Alternatives:

Alternative A: Proposed Action

MFWP proposes to manage the Hay Creek Fisheries Conservation Area to focus primarily on habitat conservation with limited compatible public uses and some property maintenance activities. The uses and activities are consistent with the purposes of the acquisition and the conservation values of the area. The management plan is attached to this document (Attachment B).

Other Alternatives Considered But Eliminated:

Alternative B: No Action

MFWP does not write a management plan. MFWP has an agreement with BPA to complete the Hay Creek Management Plan within one year of the acquisition that occurred in June 2009. This is a binding agreement; therefore, no action is not a viable alternative.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		X				1a
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				1b
c. Destruction, covering or modification of any unique geologic or physical features?		X				1c
d. Changes in siltation, deposition, or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				1d
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:		X				

1a – d: This management plan proposes very limited activity on the property. None of the proposed activities will affect soil stability, productivity, or fertility. No unique geologic or physical features will be modified or covered. The creek will not have increased erosion or siltation due to any of the proposed activities. Projects may be required in the future to stabilize stream banks or the channel or to enhance fish habitat and passage. Any proposed projects would be subject to environmental analysis and public review.

2. AIR Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13c.)		X				2a
b. Creation of objectionable odors?		X				2b
c. Alteration of air movement, moisture, or temperature patterns, or any change in climate, either locally or regionally?		X				2c
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				2d
e. Other:		X				

2a – d: The proposed activities in this management plan will not affect air quality or create objectionable odors. The activities will not alter air movement or adversely affect vegetation.

3. **WATER** **Will the proposed action result in:**	**IMPACT**					
	Unknown	**None**	**Minor**	**Potentially Significant**	**Can Impact Be Mitigated**	**Comment Index**
a. Discharge into surface water or any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water-related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
I. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. Other:						

The management plan does not propose any activities that would affect ground or surface water on this property or any surrounding area. There would also be no effects to any existing water rights.

4. VEGETATION Will the proposed action result in?	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity, or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				4a
b. Alteration of a plant community?		X				4b
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c
d. Reduction in acreage or productivity of any agricultural land?		X				4d
e. Establishment or spread of noxious weeds?		X				4e
f. Other:		X				

4a – e: This management plan does not propose to change diversity, productivity, or abundance of any plant species. It will not alter any plant community or adversely affect any threatened or endangered species. There will be no reduction in acreage or productivity of agricultural land as a result of MFWP's management of the property. The management plan proposes to control noxious weeds according to state and local laws.

5. FISH/WILDLIFE Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				5a
b. Changes in the diversity or abundance of game animals or bird species?		X				5b
c. Changes in the diversity or abundance of nongame species?		X				5c
d. Introduction of new species into an area?		X				5d
e. Creation of a barrier to the migration or movement of animals?		X				5e
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest, or other human activity)?		X				5g
h. Other:		X				

5a – g: The management plan does not propose any activities that would deteriorate any critical fish or wildlife habitat, or change the diversity or abundance of fish or wildlife species. The proposed management will only maintain or increase habitat quality and animal diversity. No new species will be introduced into the area and no barriers to migration will be created. The proposed activities will not negatively impact any threatened or endangered species. There could be some limited dispersed recreational use of this parcel by the public, including hunting and fishing, but this is not expected to occur at a level that would stress or limit abundance of fish and wildlife populations.

B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS **Will the proposed action result in:**	**IMPACT**					
	Unknown	**None**	**Minor**	**Potentially Significant**	**Can Impact Be Mitigated**	**Comment Index**
a. Increases in existing noise levels?		X				6a
b. Exposure of people to severe or nuisance noise levels?		X				6b
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				6c
d. Interference with radio or television reception and operation?		X				6d
e. Other:		X				

6a – d: This management plan does not allow for any motorized use of this property. There may be increased hunting activity on this property, but it would probably be quite minimal. Any increases to noise level should be slight and occur rarely. There will be no electrostatic effects or interference with radio or television reception as a result of the proposed management activities.

7. LAND USE Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use, the presence of which would constrain or potentially prohibit the proposed action?		X				7c
d. Adverse effects on or relocation of residences?		X				7d
e. Other:						

7c – d: The property is currently in its natural state except for the small area where the North Fork Road runs through it. It does not have any structures on it. MFWP is not proposing to alter any current land use. It will remain wildlife and fish habitat under the proposed management plan.

8. RISK/HEALTH HAZARDS Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				8c
d. Other:		X				

8c: The proposed management plan will not create any human health risks or hazards. Inherent risks are associated with hunting and recreational activities. MFWP would monitor the area for significant hazards and provide educational materials and law enforcement patrols to promote safe and responsible use of the property. If noxious weeds become a problem, pesticides could be used to reduce, control, or eradicate them, in accordance with the MFWP Region One Weed Management Plan. Trained, licensed professionals would conduct any weed treatment and store or use chemicals in accordance with proper operating procedures and label instructions to minimize potential unintended consequences to wildlife, vegetation, and visitors to the property.

9. COMMUNITY IMPACT Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				9a
b. Alteration of the social structure of a community?		X				9b
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				9d
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				9e
f. Other:		X				

9a – b and 9d – e: The proposed management activities will not alter the community in any way. The area where this property is located is only sparsely populated and has very little traffic for most of the year. Traffic could increase slightly due to public access of the property, but is anticipated to be very minimal. No commercial activity is proposed.

10. PUBLIC SERVICES/TAXES/UTILITIES Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				10a
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				10c
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources.	None					
f. Define projected maintenance costs.	$2,000/year					
g. Other:		X				

10a – c: The proposed management plan will not create a need for any additional public services or utilities. MFWP will make payments in lieu of taxes on the parcel to Flathead County in an amount equivalent to private property taxes.

11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				1a
b. Alteration of the aesthetic character of a community or neighborhood?		X				1b
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings?		X				1c
d. Other:		X				

1a – c: Some limited dispersed recreational uses will be allowed on this property under this proposed management plan. They are consistent with the purposes of MFWP's acquisition of this property and with the conservation easement held by BPA. There will be no other changes from current land uses or development of any kind that would alter habitat characteristics or aesthetics. The parcel will remain in its natural condition to benefit fish and wildlife habitat. No scenic vista will be altered and no community character will be altered. The shift from private to MFWP ownership could increase the potential and opportunity for dispersed recreation.

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Destruction or alteration of any site, structure, or object of prehistoric, historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. Other:		X				

No cultural sites have been documented on the parcel to date (Attachment C). No ground-disturbing activities are contemplated at this time that would require a cultural survey.

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				13a
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				13b
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard, or formal plan?		X				13c
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				13e

13a –c and 13e: The management plan proposes that the property remain in its natural state for the benefit of fish and wildlife habitat and species. MFWP does not propose changing land use, developing the land, or changing the characteristics of the property. There will be no cumulative impacts as a result of the proposed activities. No potential risks or adverse effects are associated with this management plan. It does not conflict with any state or federal laws. This management plan is not anticipated to generate any substantial debate or public controversy.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency: Not applicable.

PART III. NARRATIVE EVALUATION AND COMMENT

This analysis did not reveal any significant impacts to the human or physical environment. The proposed management plan maintains or enhances the fish and wildlife habitat values of the property. No additional construction or development is part of this management plan.

PART IV. PUBLIC PARTICIPATION

1. Public involvement for this project:

The public will be notified in the following manners to comment on this draft EA, the proposed action, and alternatives:
• Two public notices in each of these papers: The Daily Inter Lake & Hungry Horse News
• One statewide press release
• Public notice on the Fish, Wildlife & Parks web site: *http://fwp.mt.gov*

Notification of this environmental assessment will be sent to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope, having limited impacts, many of which can be mitigated.

2. Duration of comment period:

The public comment period will be 21 days, from August 3 through August 24, 2009. Please e-mail comments to ktempel@mt.gov or send written comments to the following address:

Kris Tempel
Montana Fish, Wildlife & Parks
490 N. Meridian Road
Kalispell, MT 59901

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? No.
Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action; therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis.

2. Person(s) responsible for preparing the EA:

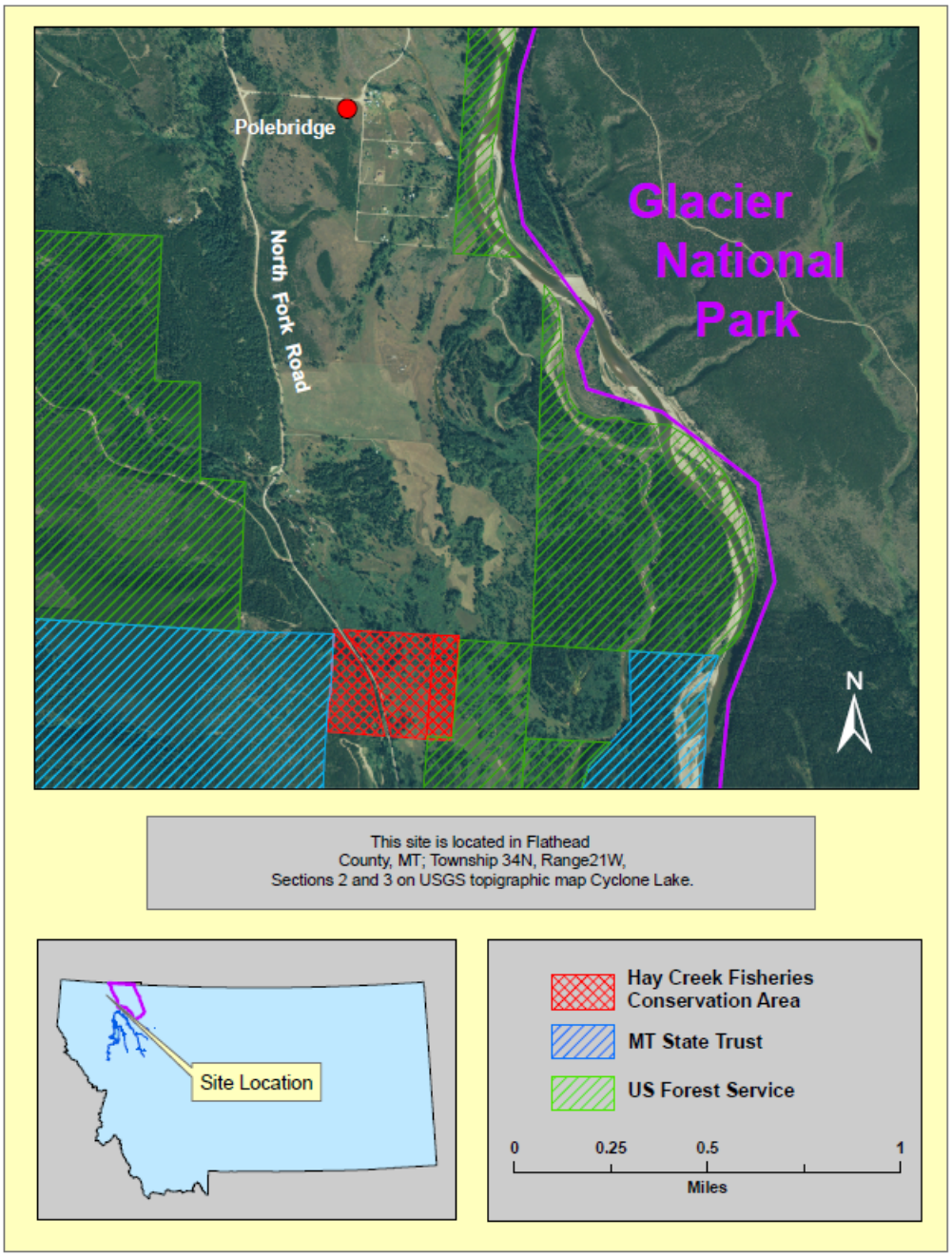
Kris Tempel, MFWP Fisheries Technician
Gael Bissell, MFWP Wildlife Biologist
Joel Tohtz, MFWP Fisheries Mitigation Coordinator

3. List of agencies consulted during preparation of the EA:

Confederated Salish and Kootenai Tribes
Montana Fish, Wildlife & Parks
- Fisheries Division
- Lands
- Legal Bureau
- Wildlife Division

Bonneville Power Administration

Attachment A. Location of the Hay Creek Fisheries Conservation Area in the North Fork Flathead River basin in Flathead County, Montana.



Attachment B.

Hay Creek Fisheries Conservation Area Proposed Interim Management Plan

I. INTRODUCTION

A. Project Background and Description:

In June 2009, Montana Fish, Wildlife & Parks (MFWP) purchased a 53-acre property located along Hay Creek in the North Fork Flathead Basin, Montana, from a private landowner using funds provided by the Bonneville Power Administration (BPA). This purchase is part of a larger program designed to provide long-term fisheries habitat protection through land acquisitions made in accordance with a 2008-2009 Memorandum of Agreement (MOA) between BPA, MFWP, and the Confederated Salish and Kootenai Tribes.

As required of all acquisitions made in accordance with the MOA, BPA holds a restrictive conservation easement on the Hay Creek parcel. The MOA requires MFWP to complete a management plan that describes how MFWP will manage the land, the fish and wildlife habitats, and provide for public access. This Hay Creek Management Plan describes the Hay Creek resources as well as MFWP's proposed management goals and objectives. These goals and objectives are consistent with the conservation easement owned by BPA.

B. Purpose:

The purpose of this management plan is to specify how MFWP will manage this parcel to insure long-term conservation of aquatic and terrestrial resources. This plan addresses habitat, public access, weed control, and other uses of the land consistent with the original purpose of the Hay Creek fee acquisition: ***To secure habitat for spawning, rearing, and migratory fish; sustain habitat for all aquatic and terrestrial species; maintain important habitat values associated with riparian/wetlands and associated uplands particularly for native fish as well as grizzly bears, bald eagles, and other wildlife; and allow natural stream hydrologic processes to continue as a way to promote naturally functioning habitat for all native plant and animal species***.

C. Funding and Location:

A federal standard appraisal and a review appraisal were completed in 2008. Funding for this acquisition came from BPA in the amount of $426,000. The property is located near the mouth of Hay Creek along the North Fork Road approximately 26 miles to the north of Columbia Falls, Montana, and about 1.5 miles south of Polebridge, Montana (Attachment A).

D. Legal Description for Hay Creek Fee parcel:

Flathead County, Township 34N, Range 21W, Sections 2 & 3

E. Other Information:

Stream Kilometers: 0.6 km of stream habitat
Riparian/Wetland acres: 33 acres
Drainage: North Fork Flathead River
Fee Acquisition Date: June 2009
MFWP Contacts: Joel Tohtz, MFWP Fisheries Mitigation Coordinator
Kris Tempel, MFWP Fisheries Technician
Gael Bissell, MFWP Wildlife Biologist

II. MANAGEMENT PLAN

A. Current Property Conditions

MFWP purchased this property from a private landowner in 2009. Most of the property is undeveloped and in a natural state, but the North Fork Road does bisect it from north to south (Attachment A). Although much of the North Fork Road that runs from Columbia Falls, Montana, north to the Canadian border is surfaced with gravel, the section that runs through the Hay Creek parcel is paved. Pavement minimizes dust and potential sedimentation to the creek that might otherwise result from road traffic. Public use of the North Fork Road is relatively light most of the year, but the intensity of use increases significantly during the summer when residential and recreational uses in the North Fork area also increase.

The aquatic and terrestrial values associated with the Hay Creek parcel are high since this parcel sits in a fairly undeveloped area of the North Fork and is very close to the Wild and Scenic corridor of the North Fork of the Flathead River. This parcel has 0.37 miles (0.6 km) of high quality, intact, meandering fisheries habitat, with no development on the parcel other than the county road. The parcel adjoins both US Forest Service and Montana Department of Natural Resources lands. Most of the property consists of wetlands and riparian areas with a small portion consisting of timber. The riparian areas along the creek and associated wetlands are in excellent condition. There are no known noxious weed infestations on this property.

Hay Creek is significant habitat for both fish and wildlife in the North Fork Flathead. Elk, moose, black bears, recently delisted bald eagles and wolves, as well as federally listed species such as grizzly bears likely use this remote property. Hay Creek provides rearing and spawning habitat for westslope cutthroat trout, and it provides summertime thermal refugia along with subadult rearing habitat for bull trout. Hay Creek and its associated wetlands also provide habitat for native amphibians and many migratory bird species. In 1997, MFWP completed a 3-year project to increase spawning and rearing habitat for bull trout and westslope cutthroat trout by enhancing late summer and early fall water flows in a 2-mile-long section of Hay Creek. Part of this restoration work occurred on this parcel and consisted of construction of an embankment, debris removal, minor channelization, and temporary beaver dam removal.

B. Goals for Future Property Conditions

MFWP will maintain the high resource values of this property and continue to provide excellent fish and wildlife habitat. The following goals relate to this desired outcome:

Goal 1. Maintain fish and wildlife habitats by allowing natural hydrologic processes to occur.

- Monitor riparian and stream conditions over time to assure that they remain at their current level of excellent health.
- Restore or stabilize the stream banks or channel as needed and enhance fish habitat and passage if required. Any future stream restoration work would be subject to environmental analysis and public review.

Goal 2. Minimize the presence of noxious weed species.

- Conduct an initial inventory for any nonnative plants and noxious weeds occurring on the property. Develop a noxious weed management plan with Flathead County per state law should noxious weeds be found.
- If no noxious weeds are found, continue with monitoring over time to assure they are still absent.
- If noxious weeds are found, they will be controlled or eliminated by spraying, pulling, and/or biological control as appropriate for the infestation and according to the noxious weed management plan developed with Flathead County.

Goal 3. Monitor and maintain forest health and habitat values.

- MFWP will work with DNRC to identify any potential insect infestations and diseases that might affect forest conditions as well as to develop a fire mitigation plan for the forested portion of the property. These plans will need to be approved by BPA.
- During the fire season, MFWP attends weekly fire conferences with county, state, and federal entities to discuss the current fire danger and assess appropriate actions relative to potential fire restrictions. These restrictions may include closure of the site to public use.

Goal 4. Allow public uses that are consistent with the purpose of this acquisition.

- Dispersed recreation such as hunting, fishing, bird watching, and hiking will be allowed. Access is walk-in only with parking along the North Fork county road or nearby forest roads. The property is extremely wet and brushy making access very difficult.
- Property boundaries will be marked as a Fish Conservation Area

under MFWP ownership.
- No fires will be allowed.
- No motorized access to the property will be allowed.
- Monitor the property periodically to assure that no harm is occurring to the property's conservation values through authorized or unauthorized recreational use.
- If MFWP finds sensitive bird nesting habitat or significant grizzly bear use, MFWP may temporarily close the parcel to public use.

Goal 5. The conservation easement that is held by BPA will allow compatible public and other limited land uses to occur that do not impair or impact the conservation values of the parcel.

The following uses are generally prohibited by BPA's conservation easement. Some land management activities such as managing weeds, timber, or other vegetation can be allowed by BPA if the activity does not harm the conservation values of the property and are preapproved by BPA in a management plan. At this time, MFWP does not propose to allow any uses or undertake any management activities (other than weed management) listed below. If MFWP proposes any future timber management or response to insect infestations that are different from what is defined by this plan, MFWP will complete the appropriate management plan and prepare a draft EA for public review.

- Haying, and/or mowing;
- Altering of grassland, woodland, wildlife habitat, or other natural features by burning digging, plowing, disking, cutting, or otherwise destroying the vegetative cover;
- Dumping refuse, wastes, sewage, or other debris;
- Harvesting wood products;
- Draining, dredging, channeling, filling, leveling, pumping, diking, impounding, or related activities, as well as altering or tampering with water control structures or devices;
- Diverting or causing or permitting the diversion of surface water into or out of the easement area surface by any means;
- Building or placing buildings or structures on the easement area;
- Planting or harvesting any crop;
- Grazing or allowing livestock on the easement area;
- Mining - excavation, dredging, or removal of soil, sand, gravel, rock, minerals, or other surface or subsurface materials;
- Incompatible Uses - surface use except for such purposes necessary to preserve, enhance, restore, or create wetlands and riparian resource functions and values;
- Acts Detrimental to Conservation - activities detrimental to conservation of the the following: fish and wildlife habitat, flood control, erosion control, water quality protection and enhancement, traditional cultural materials production, aesthetics, and low impact recreation; and
- Subdivision - subdivision of land into multiple independently platted parcels.

Goal 6. Continue to monitor the property's resource values and adjust management as needed in the future.

- The following MFWP monitoring may occur in the future:
    - Fish population estimates,
    - Terrestrial and aquatic habitat quality evaluations,
    - Bird surveys,
    - Amphibian inventories,
    - Monitoring grizzly bear or wolf populations, and
    - Human use surveys.

MFWP will modify or adjust this plan if monitoring indicates that public use, noxious weeds, stream hydrology, fire, or some other event potentially alters or affects the conservation values and requires a change in management. MFWP would first need to draft the revised management plan and complete a draft EA for public review prior to implementing new management activities on the land. MFWP would provide the revised plan and draft EA to adjoining landowners, North Fork organizations, Glacier National Park, the US Forest Service, and any others who have an interest in this parcel.

Attachment C. State Historic Preservation Office Letter

Nancy Ivy
FWP
490 N Meridian Road
Kalispell MT 59901

RE: HAY CREEK LAND ACQUISITION. SHPO Project #: 2008090809

Dear Nancy:

I have conducted a cultural resource file search for the above-cited project located in Sections 2, 3, T34N R21W. According to our records there has been one previously recorded site within the designated search locales. Site 24FH0960 is a portion of the historic Main Canadian Trail. In addition to the sites there have been a few previously conducted cultural resource inventories done in the areas. If you would like any further information regarding the site or reports you may contact me at the number listed below.

We feel that there is a low likelihood cultural properties will be impacted with this land acquisition. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should future projects in this area contain any ground disturbing activities we would ask that a cultural resource inventory be conducted prior to any ground disturbing activities.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at dmurdo@mt.gov <mailto:dmurdo@mt.gov>. Thank you for consulting with us.
Sincerely,

Damon Murdo
Cultural Records Manager