

Montana Fish, Wildlife & Parks invites public review of its proposal to accept the donation of approximately 68 acres of private land adjoining the Calf Creek Wildlife Management Area (WMA), 7 miles east of Hamilton in Ravalli County. The WMA addition would protect elk winter range and improve public access. The EA may be obtained by downloading the file below. Or, request the EA by emailing [fwprg22@mt.gov](mailto:fwprg22@mt.gov); stopping by the Region 2 FWP office or by phoning 406-542-5500. Comments must be received by FWP no later than 5:00 p.m. on October 11, 2011. (Due to technical difficulties, we have extended the deadline for comments to 5pm on October 14th.)



# Montana Fish, Wildlife & Parks

Region 2 Headquarters  
3201 Spurgin Road  
Missoula, MT 59804  
Phone 406-542-5500

September 15, 2011

Dear Interested Citizen:

Enclosed you will find for your review the Draft Environmental Assessment (EA) for a Montana Fish, Wildlife & Parks (FWP) proposal to acquire a conservation easement on 1,957 acres (to be known as the Sturgeon and King Mountain CE) and acquire fee title to 3,594 acres to form a Wildlife Management Area (to be called Douglas Creek WMA), north of Drummond in Powell County. The purpose of this proposal is to secure critical fish and wildlife habitat and to maintain compatible recreational opportunities and access for the public.

A draft environmental assessment (EA), management plans, and socio-economic assessment have been prepared for this proposal. These EA documents may be viewed on FWP's Internet website <http://fwp.mt.gov> ("Submit Public Comments," beginning September 15). The EA may also be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 406-542-5540; or by emailing [shrose@mt.gov](mailto:shrose@mt.gov). Comments may also be directed to Sharon Rose by mail, phone or email at these contacts. Comments must be received by FWP no later than 5:00 p.m. on October 14, 2011.

FWP will hold a public hearing in Drummond on October 4 (Tuesday) at 7:00 p.m. at the Drummond Community Center to discuss the proposal and take public comment.

As part of the decision making process under MEPA, I expect to issue the Decision Notice for this EA very soon after the end of the comment period. The Montana Fish, Wildlife & Parks Commission has the final decision-making authority for FWP land acquisition proposals, and the Commission will be asked to render its decision on this proposal at its November 10<sup>th</sup> meeting in Helena. Approval will also be necessary from the Montana Board of Land Commissioners.

Sincerely,

  
Mack Long  
Regional Supervisor

ML/sr

A PROPOSAL BY  
***MONTANA FISH, WILDLIFE & PARKS***  
TO PURCHASE AN INTEREST IN WILDLIFE HABITAT NORTH OF DRUMMOND,  
MONTANA, TO BE KNOWN AS THE

***STURGEON AND KING MOUNTAIN  
CONSERVATION EASEMENT  
and  
DOUGLAS CREEK WMA ACQUISITION***  
(Powell Co.)

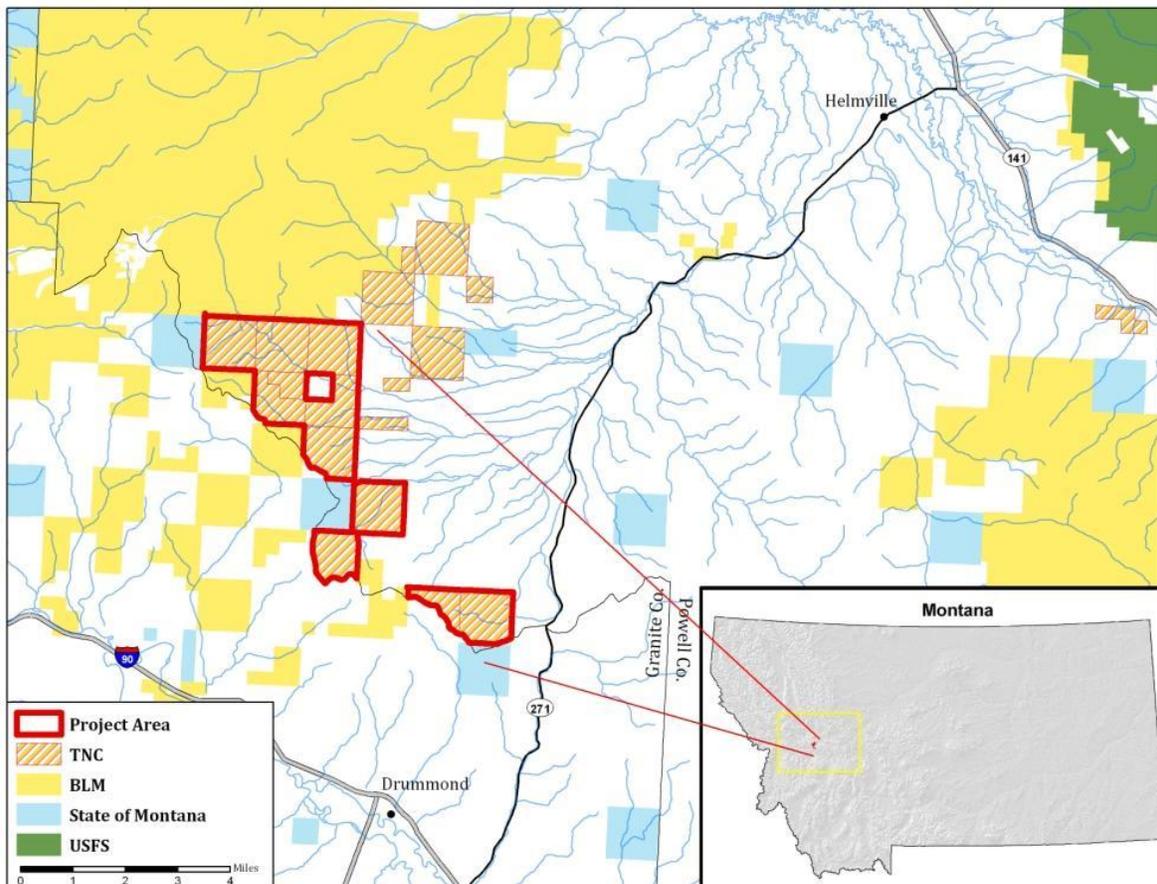


## INTRODUCTION

Montana Fish, Wildlife & Parks (FWP) invites the public to comment on its proposal to acquire an interest in up to 5,551 acres of important wildlife habitat in Powell County north of Drummond. The Land is currently owned by The Nature Conservancy (TNC) who bought it from Plum Creek Timber Company in 2004 as part of the Blackfoot Challenge's 89,000-acre Blackfoot Community Project.

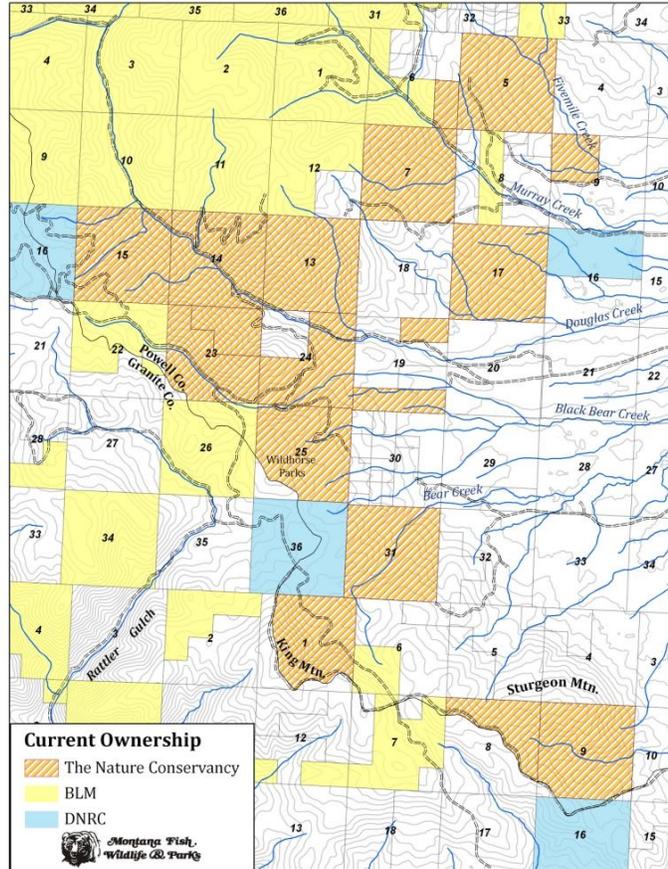
FWP began pursuing funds to help conserve the property in 2007. In 2010, FWP was awarded \$2,900,000 by the US Forest Service's Forest Legacy Program to purchase interest in both TNC and adjacent private lands between Sturgeon Mountain and Murray Creek, 4-8 miles north of Drummond (Figure 1).

Figure 1. Location of the project area in Powell County.



This proposal represents the first phase in the application of those grant funds. All lands subject to this proposal are currently owned by TNC (Figure 2). FWP is proposing to purchase a conservation easement covering 1,957-acres in the Forest Legacy Program grant area and to acquire up to another 3,594 acres in fee title to be managed as the Douglas Creek Wildlife Management Area (WMA, Figure 3). TNC has generously agreed to donate 25% of the fee title and conservation easement's 2011 appraised value to match the federal grant funding. The Forest Legacy Program grant would then provide the remaining 75% of the

Figure 2. Land ownership near the project area.

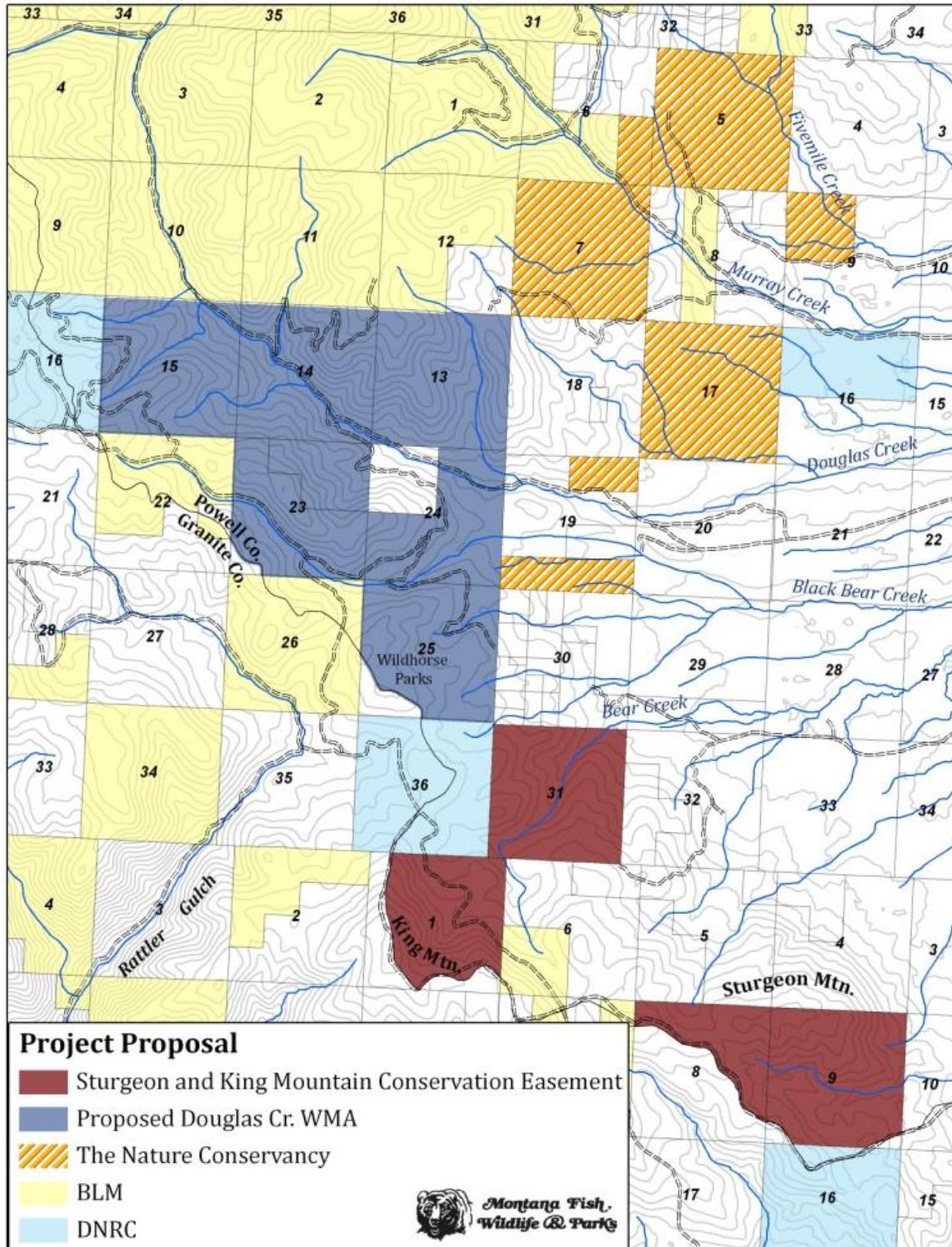


WMA's and conservation easement's appraised value. As a result it is not anticipated that FWP funds will be used in this transaction. However, in the event of any unforeseen financial circumstance (for example, a reduction of the federal grant) FWP would retain the discretion to use some of its capital funds to complete the transaction.

The purposes of the conservation easement would be to conserve wildlife habitat by preventing subdivision, development, and other forms of habitat loss; perpetuate the ranching and logging lifestyle of the private landowner who owns the land under easement; and guarantee access for public hunting. The land under easement would remain in private ownership, and would remain on the county tax rolls. Traditional uses of the land, including ranching and timber management, would continue and

generally would be unaffected by the easement. The terms of the easement would endure in perpetuity, and would be enforceable upon future owners of the property.

Figure 3. Location of fee and easement lands.



The purpose of the fee title acquisition would be to protect and enhance a large and important contiguous block of montane forested wildlife habitat; contribute to the ecological function of the larger landscape; maintain and improve public recreational access to the headwaters of Douglas and Black Bear Creeks and adjacent public lands; and maintain the land as working forest and range.

## **PURPOSE AND NEED FOR THE PROPOSED ACTION**

### **Authorities/Direction**

FWP is authorized by State law (87-1-209, MCA) to purchase land in fee title or conservation easements for protecting wildlife habitat. The Montana Fish, Wildlife and Parks Commission (the Commission) is the decision-making authority for matters of acquiring conservation easements or other interests in land proposed by FWP. Through its Habitat Montana Policy (ARM 12.9.508-512), the Commission has directed FWP to deliver the following services and benefits with its acquisitions of conservation easements and other interests in wildlife habitat: (a) conserve and enhance land, water and wildlife; (b) contribute to hunting and fishing opportunities; (c) provide incentives for habitat conservation on private land; (d) contribute to non-hunting recreation; (e) protect open space and scenic areas; (f) promote habitat-friendly agriculture; and (g) maintain the local tax base. Following Commission approval of a proposed project, the Montana Board of Land Commissioners (the Land Board) must approve land acquisitions, disposals or exchanges involving FWP proposals over 100 acres or \$100,000 in value.

The proposed Sturgeon and King Mountain Conservation Easement and Douglas Creek WMA acquisition is made possible by a grant from the federal Forest Legacy Program, pursuant to Section 1217 of Title XII of the Food, Agriculture, Conservation and Trade Act of 1990 (16 USC Section 2103C). The Forest Legacy Program was

created to protect environmentally important private forest lands threatened with conversion to non-forest uses. FWP is the agency that administers the Forest Legacy Program in Montana, in close cooperation with Montana's Forest Stewardship Committee.

### **Project Need**

This proposal represents an opportunity for FWP to conserve up to 5,551 acres of important wildlife habitat, working forest, range, and public recreational access in perpetuity. This project would enact most of the land conservation strategy of the Blackfoot Challenge—including FWP as a partner—for the Murray-Douglas area of the Blackfoot Community Project. The Blackfoot Challenge initiated the Blackfoot Community Project in Fall 2002—beginning with community meetings from Helmville to Seeley Lake—as a proactive response to the progressive parceling and development of Plum Creek timberlands across the watershed. As a result, The Nature Conservancy (TNC) agreed to assume the financial risk of obtaining loans and purchasing up to 89,000 acres of Plum Creek property for the Challenge. TNC and Plum Creek closed on the first 42,000 acres of the Project in 2004, including lands subject to this proposal.

TNC's pivotal role in the Blackfoot Community Project—and as a partner in this proposed Forest Legacy project—is as the buyer and interim property holder, on behalf of the local communities. TNC relies in turn on its partners in the Blackfoot Challenge to develop and help implement a property disposition strategy by which permanent landowners may be found who will maintain the community values that were identified in the meetings of 2002, and thereafter. Among the community values at the top of the list are continued forest management, timber harvest, livestock grazing, noxious weed control, conservation of fish and wildlife habitat, and public recreational access. These values were provided for decades by the corporate timber companies, and were generally taken for granted by the neighbors and publics who benefited. This

proposal reflects the disposition strategy of the Blackfoot Challenge for Plum Creek lands in the Murray-Douglas project area. Most of the lands purchased and held by TNC as part of the Blackfoot Community Project have been protected and transferred to long term public and private land stewards—successful implementation of this proposal would nearly complete this monumental grassroots conservation initiative.

Public hunting access and continued active land management were specifically identified by the community and Blackfoot Challenge Disposition Working Group as priorities for the subject land's disposition. Sale of fee title, under conservation easement, to interested neighboring landowners was also an explicit priority. Two adjacent landowners have expressed interest in purchasing portions of the Sturgeon and King Mountain Conservation Easement lands from TNC shortly after they are encumbered with the conservation easement—these landowners support the easement's terms and offered input during its development.

FWP was identified as an appropriate purchaser of the proposed Douglas Creek WMA parcel by the Disposition Working Group and FWP managers. No adjacent private landowners expressed the interest and ability to acquire the land. All parties agreed that FWP management of this large, contiguous parcel would represent the best conservation outcome and would enable more consistent management across a larger State and federally managed landscape.

Failure to act on this opportunity could make future success in conserving these lands more difficult as public funding becomes more difficult to secure and as the land passes to succeeding owners who may have different interests. The 2010 Forest Legacy Program grant was awarded to FWP with the understanding that all the lands identified in the application would be protected by application of the funds. Montana must either use the funds for their intended purpose or revert them; FWP cannot choose to only implement a significantly smaller portion of the proposal, nor can it use the awarded funds to conserve lands not identified in the 2010 application.

The Land's wildlife-habitats, public access to them, and its continued working forest and range are clearly threatened. For example, a large and similar parcel directly adjacent to the project area has already been subdivided and developed for residential use (Section 30 in the center of Figure 3). The potential replacement of native vegetation with houses, fences, driveways, garages, barns, and other structures constitutes a direct habitat loss for native wildlife populations. Human activity associated with residential areas, including vehicle traffic and maintaining pets, would displace many species from otherwise suitable habitat within an expanded radius around the homes. Conversely, the potential introduction of garbage, bird feeders, fruit trees and other unnatural foods would likely attract deer, bears and mountain lions into nuisance situations that would not occur without rural residential development, and are difficult and expensive to mitigate or correct. Additionally, unencumbered private sale and development on the lands subject to this proposal would seriously decrease future hunting opportunities on those lands. As hunting is removed on more and more acres in a rural setting, there would be increasing potential for wildlife, particularly elk, to habituate and seek refuge in areas closed to hunting. Experience has shown that this can prevent FWP from effectively managing elk population size to keep elk numbers in balance with natural forage and to control levels of private property damage caused by elk and other wildlife.

### **Area Description/Wildlife Resources**

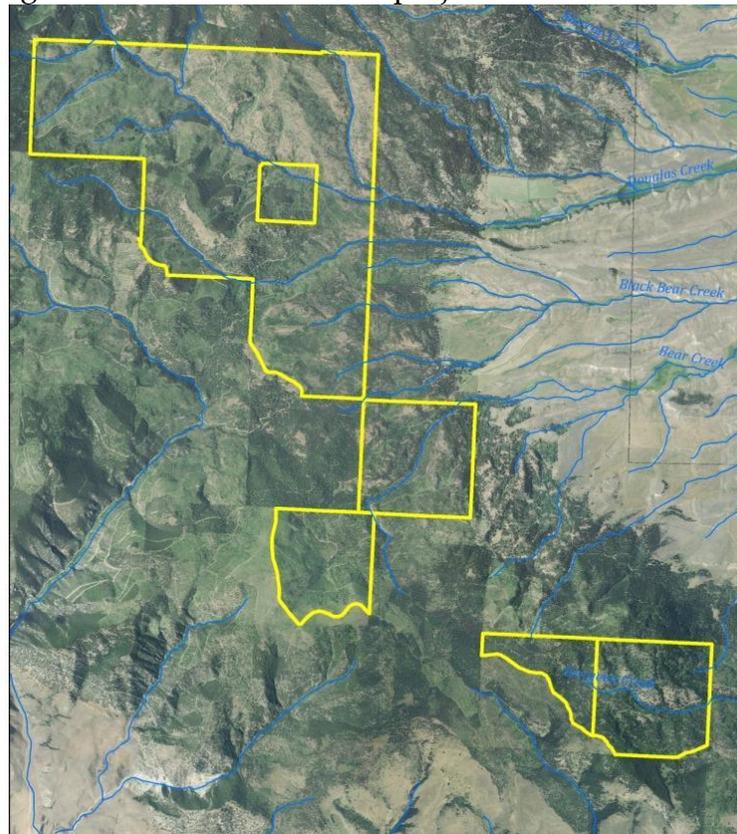
The Sturgeon and King Mountain Conservation Easement property consists of 1,957 acres, in two distinct parcels, lying at the headwaters of Bear and Sturgeon Creeks in the Blackfoot River Watershed approximately 4 miles north of Drummond (Fig 1). The Land lies primarily on the flanks of both King and Sturgeon Mountains in the Garnet Range. Elevations range from 5,000 – 6,500 feet; slope and aspect vary.

The Douglas Creek WMA parcel consists of up to 3,594 contiguous acres in the headwaters of both Black Bear and Douglas Creeks in the Blackfoot watershed approximately 6 miles north of Drummond. A single 160-acre private inholding exists within the proposed WMA. This property is bisected by the main public open road within the proposed WMA (also encumbered by a BLM road-use easement). No additional roads will need to be opened or maintained to provide the landowner access to this currently undeveloped property and Powell County zoning provisions preclude significant subdivision of the parcel. Additional nearby private land may be protected with a conservation easement through a future project phase.

The lands lie within a matrix of DNRC, Nature Conservancy, Bureau of Land Management, and private forest and ranch land in the eastern Garnet Range (Figure 3). These lands were managed for industrial timber production for decades, most recently by Plum Creek Timber Company. No timber harvest has occurred since TNC purchased the property in 2004.

The subject lands are almost completely forested (Figure 4). The most abundant conifer tree species on the property is Douglas-fir. Ponderosa pine and lodgepole pine are common while western larch and Englemann spruce occur more rarely. Aspen is the primary deciduous tree

Figure 4. Aerial view of the project area.



species present. Sites are generally dry and timber productivity and regeneration is moderate.

The forest understory vegetation includes common snowberry, pinegrass, elk sedge, heartleaf arnica, white spirea, kinnikinnick, Oregon grape, serviceberry, and twinflower. Common forest habitat types are Douglas fir/snowberry, Douglas fir/twinflower, and Douglas fir/ pine grass.

Timber harvest has significantly decreased the abundance of large diameter ponderosa pine and Douglas-fir. Current forest stands generally include open overstories of Douglas fir with understories of sapling, seedling and pole-sized Douglas-fir on moist aspects and grass on drier aspects. Ponderosa pine and lodgepole pine regeneration is present but not abundant in most areas. Bluebunch wheatgrass, rough fescue, arrowleaf balsamroot and Idaho fescue are present on dry aspects and in forest openings. Fire suppression over the last 80 years has likely reduced the overall grassland acreage. Riparian corridors occur along perennial Douglas and Black Bear Creeks. Riparian vegetation is primarily alder and sedge, with lesser amounts of willow and cottonwood. No MT State listed Plant Species of Concern are known to occur on the property.

Several species of noxious weeds occur throughout the property at various levels of infestation. Weeds are most prevalent on roadsides and on drier aspects with grassy understories and sparse forest canopy cover. The most prevalent weed species include; cheatgrass, spotted knapweed, hound's tongue, and thistles.

The project area provides important summer and fall/transitional range for the East Garnets elk herd (numbering approximately 750 animals), hundreds of mule deer, white-tailed deer, and moose. Elk, mule deer, and moose use portions of the property during winter at times and during years when snowpack is less limiting.

A portion of the East Garnet elk herd annually migrates out of the Helmville Valley to winter on the open faces between Bearmouth and Drummond. The subject

lands lie within this migratory corridor. The area is popular with big game hunters throughout the open fall seasons.

The project area provides important habitat and hunting opportunity for other big game species including moose, black bear, wolf, and mountain lion. Bobcat, pine marten, mountain grouse, raptors, and dozens of passerine bird species are also common.

The project area does not include high quality Canada lynx habitat nor would production of lynx habitat be a reasonable management objective. That said, one of the southernmost, naturally occurring populations of Canada lynx in the American west occurs directly adjacent to project lands (in the higher elevation areas of the Garnet mountains) and the project area contributes to the function of a putative north/south movement and dispersal corridor.

Grizzly bear presence on and around the subject property has increased in recent years as the extent of the bear's range continues to expand south. Today, grizzly sightings on or near the subject land are common.

Douglas Creek supports a native resident westslope cutthroat trout population. Both Douglas Cr. and Black Bear Cr. contribute to the overall health and function of the Blackfoot River by affecting sediment load and water temperature. Both creeks are significantly dewatered downstream of the subject property. FWP has ranked both creeks as being moderate restoration priorities.

## **DESCRIPTION OF THE PROPOSED ACTION**

FWP proposes to purchase a 1,957 acre conservation easement and up to 3,594 acres in fee-title from The Nature Conservancy in the east Garnet Mountains within Powell Co. north of Drummond. Using funds from the \$2.0 million federal Forest Legacy Program grant, FWP would pay approximately \$604,000 for the Sturgeon and King Mountain Conservation Easement and approximately \$1.6 million for the 3,594 acres

that will comprise the Douglas Creek Wildlife Management Area. These amounts represent 75% of the respective appraised values of the conservation easement interest and the fee-title land to be acquired by FWP. The Nature Conservancy will donate the remaining 25% of both the easement and fee-title land's value to satisfy the Forest Legacy Programs's matching fund requirement. FWP will work with TNC to execute any assignments and/or reservations of road easements, as appropriate to provide needed rights of access to the respective parties.

If this proposal is approved, FWP would purchase both the Conservation Easement and fee-title acreage by the end of December 2011.

### *The Sturgeon and King Mountain Conservation Easement*

Management of the land under conservation easement would be under the discretion of the landowner(s), provided, however, that all management actions must comply and be consistent with the agreed terms of the Conservation Easement. The Conservation Easement restricts or guides several significant land management activities, as follows:

#### *Subdivision and Development*

The landowner may not construct permanent structures on the Land without prior approval from FWP. The land may not be subdivided, except that fee title to Section 1 may be sold separately from the remainder of the land, and the remaining portion of the Land may be split (conveyed to separate owners) one additional time. Also, any transfer of land to a public agency would not count as a subdivision for the purposes of the Conservation Easement. The result of these restrictions is that the 1,917 acres subject to the conservation easement may not be held in more than 3 separate private ownerships. Utility and energy generation improvements, habitat improvement activities, and road building may occur with the Prior Approval of FWP.

#### *Forest Management*

A Forest Stewardship Plan (Northwest Management, Inc., 2011) has been prepared for the lands proposed for conservation easement purchase. This Plan is intended to both provide a description of forest stand types on the property and a range of appropriate management prescriptions for those forest resources. The landowner retains the right, and is in fact encouraged, to actively manage forested habitat on the property consistent with the Conservation Easement's stated conservation values and the Forest Stewardship Plan. Any management activity that produces material sold or otherwise transferred off the property would require prior FWP notice and approval to ensure compliance with the Easement and Forest Stewardship Plan. The landowner will prepare a Forest Management Plan describing the anticipated activity for FWP review and approval. We anticipate updating the Forest Stewardship Plan periodically and in collaboration with the landowner to account for forest succession and other significant changes to existing forest stand condition.

#### *Grazing Management*

The landowner may graze livestock on the property after developing and while following a FWP-approved Grazing Management Plan. If and when the landowner(s) wishes to graze livestock on the property, a Plan will be developed cooperatively with FWP and appended to the Sturgeon and King Mountain Conservation Easement Resource Management Plan (Appendix A); an example of Standards for Grazing Livestock are included as Exhibit C of the Conservation Easement.

#### *Public Recreational Access*

The Conservation Easement requires that the landowner(s) provide recreational hunting access during seasons and for species (and sexes of species) legal to hunt under that year's FWP Commission-adopted regulations. The Conservation Easement does *not* require the landowner to grant access by any but non-motorized, non-mechanical means. The landowner(s) must allow public hunters to enter the Land during open hunting seasons, but only from adjacent public lands or publically-accessible roads.

The landowner may choose to allow individuals motorized access to the property and may deny access to anyone who is not conducting, or has not in the past conducted, herself or himself in a prudent, responsible, and safe manner.

FWP will work with landowner(s) subsequent to TNC to develop a Recreation Access Plan to help manage public use of the property. This Plan may direct the designation of parking areas, posting signs, developing and maintaining road closure structures, etc. FWP will contribute material and manpower toward the development and implementation of these Access Plans.

#### *Other Restricted Activities*

The landowner may not, without Prior Approval or as otherwise provided for in the Conservation Easement, significantly manipulate native vegetation; transfer, sell, or lease water rights; degrade wetland or riparian areas; conduct exploratory or extractive surface mining; operate a feed lot; install utilities; construct permanent structures; introduce non-native plants; operate an alternative livestock ranch, fur farm, shooting preserve, zoo, or other facility that holds or propagates native or non-native animals; rent or lease the land for recreational purpose (including outfitting) or charging trespass fees; use the land for commercial or industrial use apart from forest management and livestock grazing.

#### *Noxious Weed Management*

The Forest Stewardship Plan provides basic information on the distribution and treatment of weeds on the property. Weed management on the conservation easement property is the landowner's responsibility.

#### *The Douglas Creek WMA Acquisition*

FWP currently manages more than 75 Wildlife Management Areas throughout the State to protect important wildlife habitat and to provide public recreational access. The proposed Douglas Creek WMA would be managed by FWP to permanently protect

and restore important native wildlife habitat; to provide perpetual public access to lands with high and diverse recreation value; and to maintain the land as working forest and range. Should the WMA be acquired by FWP, as proposed, it would become an integral part of a largely protected and accessible landscape managed by State, federal, and conservation-minded landowners; the WMA would enhance the overall function, integrity, and management of this larger landscape.

#### *Forest Management*

FWP recognizes the need to actively manage the forested wildlife habitat it owns. FWP has the tools and authority it needs to manage large scale forest management projects. FWP will consider fire risk mitigation, forest health, and wildlife habitat enhancement needs in making forest management decisions. The 2011 MT Legislature has directed FWP to conduct an inventory of its forested habitat; this and other efforts will continue to inform management.

#### *Grazing Management*

FWP routinely enters into Cooperative Habitat Management Agreements and structured grazing systems with landowners who adjoin WMAs. These agreements and leases provide for grazing treatments and periodic yearlong rest from livestock grazing on the private and FWP properties for the enhancement of big game forage (typically) across the broader landscape. FWP would not begin its ownership of the Douglas Cr. WMA under any such obligation, but would be open to exploring proposals to graze the property if they would meet resource objectives in the future.

#### *Public Recreational Access*

Douglas Creek WMA will be open to public use year round for wheeled motorized travel on open roads, snowmobiling, hunting, camping, hiking, horseback riding, mountain bicycling, firewood cutting and general enjoyment. The open road system will initially be similar to that existing at time of purchase and FWP does not anticipate the need to further restrict wheeled motorized routes. Hunting opportunity

will be managed consistent with that in the surrounding hunting districts (i.e. deer/elk HDs 292 and 298); no Douglas Creek WMA-specific hunting regulations are anticipated.

#### *Noxious Weed Management*

FWP maintains an active noxious weed control program on all lands that it manages. FWP will coordinate with Powell Co. to develop an integrated noxious weed management plan during the spring and summer of 2012. FWP will treat spotted knapweed infestations along roadsides and continue biocontrol releases (initiated by TNC) to manage more widespread knapweed infestations. Hound's tongue will also be treated along roadsides and in other accessible areas to help prevent further spread. New invaders will be treated aggressively when detected.

### **ALTERNATIVES TO THE PROPOSED ACTION**

#### **Alternative A – No Action**

FWP considered the alternative of taking no action. This would leave a full range of future management options for the subject lands, including development options, in the hands of current and future owners of the property. FWP would retain the option to comment on proposed land subdivisions and developments on the subject lands under existing laws and policies in Powell County; however, the effects of FWP's input on any future proposed subdivision are uncertain. Public access for hunting on the Land would remain at the discretion of current and future landowners. FWP would revert the \$2,900,000 2010 Forest Legacy Program grant; these granted funds cannot be obligated to any project or use except for that described in the successful application.

#### **Alternatives Considered but Dropped from Further Consideration**

FWP considered the possibility of purchasing either the Conservation Easement or fee-title portions of the proposal, but not both. Forest Legacy Program rules state that the applicant must make a good faith effort to conserve at least the number of acres

proposed in the successful application. Intentionally conserving only a fraction of the acres identified in the Forest Legacy grant is not an option under Program rules. Such a decision would be materially equivalent to Alternative A (No Action) and the awarded funds would revert to the Forest Legacy Program.

Purchasing a conservation easement on the land proposed for fee-title acquisition is not currently an option. The Blackfoot Challenge, TNC, and others actively solicited interest from adjacent landowners in acquiring the property and none were either interested or able to do so. Similarly, FWP was not interested in acquiring the two disjunct parcels proposed for conservation easement purchase.

## **IMPACTS**

Neither the Proposed Action nor Alternative A would have any effect on the following concerns:

Solid/hazardous wastes	Water rights
Wild and scenic rivers	Floodplains

### **Wildlife Populations and Use Currently Associated with the Property**

*Threatened and Endangered Species:* Grizzly bears, a threatened species, are increasingly common on the subject property. Under the Proposed Action, the land would be expressly managed for wildlife benefit—residential subdivision and its concomitant food attractants (which inevitably lead to human conflicts and lethal removal of grizzlies) would be prohibited. Canada lynx are not known to use the subject lands nor is high quality habitat for the species present or possible there. The project area does lie near important lynx habitat in high elevation areas of the Garnet Mountains and lies within a putative corridor lynx and other species could use to disperse from the Garnets to areas south and east. Bull trout do not occur on project lands. FWP management of the proposed WMA would encourage continued

revegetation of Douglas and Black Bear Creek riparian zones, and FWP would address sediment delivery sources on the property over time—both these actions may benefit downstream populations of bull trout and other native fish.

In all cases, the proposed action would be expected to benefit threatened and endangered wildlife in the long run by maintaining native plant communities and preventing residential or other land developments. The Proposed Action would not introduce any land use or activity that would be detrimental to these species.

No other federally listed threatened or endangered species are known or expected to occur on or within the affected area of the proposed action.

Sensitive Species: The proposed action offers protection from habitat loss for sensitive and other native plant and animal species collectively, while the no-action alternative does not.

Big Game Species: The proposed action would maintain existing land uses and prevent changes in land use that would affect wildlife populations. Alternative A (No Action) would leave an important portion of the habitat and local wildlife populations vulnerable to the management decisions of future private landowners who might not consider objectives that feature wildlife or the general public interest in wildlife. Changes in management direction, such as subdivision and sale of residential lots for development, would negatively impact native wildlife through direct removal of natural habitat on homesites, along roadways, and elsewhere within the daily use area of people and pets. Indirect effects include disturbance of wildlife across a wider area around homes due to an increase in human recreational activity. Wildlife species diversity would be expected to decline as species associated with human residential areas increase and species sensitive to disturbance are displaced. Elk and deer would likely be displaced onto adjacent private lands, increasing the currently high amount of game damage on private property and costs to FWP of addressing these issues. The introduction of dog food, garbage, bird feeders, pets and other attractants in this

presently remote habitat would probably attract black bears, mountain lions and potentially grizzly bears to residences, ultimately increasing mortality in these species as they become viewed as pests. The proposed action would prevent these and other forms of wildlife habitat loss on the subject lands.

The proposed action would ensure perpetual public hunting access to the Conservation Easement and full, year round, public recreational access to the proposed WMA. Alternative A (No-Action) would allow a future landowner(s) to close the land to public hunting, which would result in a loss of valued access to remote, natural habitat. It might also lead to a reduced opportunity for effective elk harvest, which would exacerbate current game damage problems on private lands in the Helmville area.

#### **Potential Value of the Land for Protection, Preservation and Propagation of Wildlife**

The proposed action would serve to maintain future management options for protecting, preserving and propagating wildlife by preserving in perpetuity the natural habitat required at the landscape scale to support wildlife populations and communities, and by prohibiting competing land uses and developments that would diminish habitat quality. Alternative A (No Action) would allow the possibility of future land subdivisions, developments and substantial changes in land use and habitat quality that would severely limit and diminish options for protecting and managing wildlife populations for the public benefit.

#### **Management Goals Proposed for the Land and Wildlife Populations, and Any Additional Uses of the Land Such as Livestock Grazing or Timber Harvest**

Management goals and strategies for the proposed WMA and Conservation Easement, including wildlife populations, timber harvest, livestock grazing, and noxious weeds are detailed in the draft management plans (Appendix A & B). On the

Conservation Easement, forest management and livestock grazing would be conducted in accordance with the Forest Stewardship Plan, and the Forest Management Plan and Grazing Management Plan after approval by FWP. On the WMA, FWP's rules and mission would ensure that forest management and grazing is conducted to benefit wildlife.

### **Potential Impacts to Adjacent Private Land Resulting from the Proposed Action**

The Proposed Action may directly benefit several adjacent landowners by allowing them to purchase lands under Conservation Easement at a significant discount (because these lands can no longer be used for subdivision/residential development), thus blocking up their current ownership. The Proposed Action could influence other landowners bordering the Conservation Easement via long-term impacts on property values. Property values on lands bordering the conservation easement may increase because the easement lands will remain dominated by open space. Otherwise, the general effects of this proposal, as felt by neighbors Conservation Easement and WMA on a day-to-day basis, would be status quo. FWP would continue to attempt to control elk population size (by hunting) to match available natural habitat and minimize damage to private crops and fences. The no-action alternative would allow the possibility of dramatic changes in land use on the subject property in the future, which could change the character of the local community.

### **Potential Social and Economic Impacts to Affected Local Governments and the State**

A draft socio-economic assessment is attached. The Proposed Action would not immediately affect the County or State tax base. Over the long run, Alternative A (No Action) would allow greater potential residential and commercial growth in this rural area. This possible future growth would be accompanied by higher demand for utilities, roads, schools and other services that would have to be partially or wholly

provided by state and local governments. As developments achieved their potential growth limits under Alternative A, the recreational and economic benefits generated by the existence of abundant and diverse wildlife and natural landscapes in the local area would be diminished. Conversely, the Proposed Action would restrict future residential and commercial developments on the subject lands, in a location that would allow wildlife to continue to flourish, and in a rural setting where wildlife populations may be managed effectively.

### **Land Maintenance Program to Control Weeds and Maintain Roads and Fences**

Under the proposed action, the land under Conservation Easement would remain in private ownership; responsibility for weed management and road maintenance would lie with the landowner(s). The Forest Stewardship Plan provides the landowner(s) clear noxious weed control and road maintenance guidance; both weed management and roads would be addressed in any approved Forest Management Plans. FWP maintains an extensive weed control program and employs staff and contractors to implement it. Road and fence management are also the responsibility of FWP on land it owns. Fifty percent of FWP's Habitat Montana program budget is earmarked for Operations and Maintenance. Similarly, in 2009 the MT Legislature passed SB164, or "Good Neighbor" bill, which requires the equivalent of 20% of (up to \$300,000) a fee-title acquisition's purchase price, be set aside in an account to be used for operations and maintenance of FWP-owned properties. The Douglas Creek WMA acquisition would generate these funds to help pay for noxious weed treatments, fence and road maintenance, and other WMA operations.

### **Air and Water Quality**

The proposed action would likely result in a net reduction in potential future risks to air and water quality on the subject lands, compared to no action. Possibilities

for residential, commercial, and industrial developments would be reduced and restricted across the subject land. Such developments, which would remain a possibility under the no-action alternative, would have the potential for affecting air and water quality in numerous ways. For example, increased roading and traffic on roads to service housing or commercial developments could increase runoff from road surfaces into Blackfoot River tributaries. Timber harvest activities on both the Conservation Easement and WMA would be conducted under FWP supervision so that water quality would be protected—almost certainly more so than minimum protections currently afforded by State law.

### **Wetlands and Riparian Habitats**

Under the proposed action, riparian habitat would be included among the conservation values of the land to be protected from further damage. Implementation of FWP Grazing Management Plans and/or leases implemented on the proposed WMA would be expected to improve streambank and riparian vegetation conditions in the long run. The no-action alternative offers no protection for riparian areas on the proposed project area.

### **Livestock grazing**

Livestock grazing on the Conservation Easement would be subject to a FWP-approved and monitored Grazing Management Plan. Grazing on the proposed WMA would be by FWP-controlled lease only. Livestock grazing would be unrestricted under the no-action alternative.

## **Historic and Cultural Resources**

The proposed action would not cause a change in land use, so would not affect cultural sites. Potential developments allowable under the no-action alternative would leave cultural resources at risk.

## **Cumulative Impacts**

Alternative A (No Action) could ultimately contribute to the cumulative regional and local loss of wildlife habitat and public access if the subject lands are eventually managed in a manner incompatible with these values. Further, no-action could ultimately contribute slightly to the cumulative regional and local loss of grazing land for the livestock industry, and an increasing cumulative demand for services provided by local county and state governments to new residences. The proposed action would benefit adjacent public and private landowners by ensuring management of the Conservation Easement and proposed WMA are generally consistent with current private, TNC, DNRC, and BLM land and public- access management.

## **PUBLIC INVOLVEMENT**

Formal public review of the draft environmental assessment (EA) for the proposed Sturgeon and King Mountain Conservation Easement, including a draft socio-economic assessment (Appendix C) and management plans (Appendix A & B), will begin with the availability of these documents on September 14, 2011 and will close on October 13, 2011. The availability of this EA for public review will be advertised in the local, Missoula-area, and statewide media, and a copy of the draft EA will be mailed to adjacent landowners and all parties who indicate an interest in this proposal. A public hearing will be held at the Drummond Community Center on October 4, 2011 at 7:00 P.M. FWP will also present the proposal to the Powell Co. Planning Board at its regular meeting at the Deer Lodge Community Center on October 6, 2011 at 1:00 P.M. After

reviewing public input received on or before October 13, 2001, FWP will decide upon a preferred alternative. The Fish, Wildlife and Parks Commission will be asked to render a final decision on this proposal at its regularly scheduled meeting on November 10, 2011. The project will be submitted to the State Board of Land Commissioners for final consideration at its first monthly meeting following an approval by the Fish, Wildlife & Parks Commission.

Comments should be addressed to Sharon Rose; Montana Fish, Wildlife & Parks; 3201 Spurgin Road; Missoula, MT 59804 (phone 406-542-5540; email *shrose@mt.gov*). Comments must be received by FWP no later than 5:00 pm on October 14<sup>th</sup> to ensure their consideration in the decision-making process.

#### **AGENCIES, GROUPS OR OTHERS CONSULTED IN PREPARATION OF THE EA**

##### Montana Fish, Wildlife & Parks

Hugh Zackheim, Land Section Supervisor  
Candace Durran, Land Agent, Helena  
Rebecca Jakes-Dockter, Legal Counsel, Helena  
Steve Knapp, Habitat Bureau Chief (ret.), Wildlife Division, Helena  
Mike Frisina, Range Coordinator, Butte  
Ken McDonald, Wildlife Division Administrator, Helena  
Ron Pierce, Fisheries Biologist, Missoula  
Mack Long, Regional Supervisor, Missoula

##### The Nature Conservancy

Bee Hall, Helena  
Caroline Byrd, Missoula

##### Blackfoot Challenge

Hank Goetz, Lands Director, Ovando

##### U. S. Fish and Wildlife Service

Greg Neudecker, Wildlife Biologist, Ovando  
Kevin Ertl, Wildlife Biologist, H2-O WPA, Helmville

##### Northwest Management, Inc.

Gary Ellingston, Forester, Helena

## **PERSONS RESPONSIBLE FOR PREPARING THE EA**

Montana Fish, Wildlife & Parks, Region 2  
Jay Kolbe, Wildlife Biologist, Seeley Lake

## **NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT**

Based on an evaluation of impacts to the physical and human environment, under MEPA, the proposed action is not a significant action affecting the human environment; therefore, an environmental impact statement is not a necessary level of review.

Appendix A.

**STURGEON AND KING MOUNTAIN  
CONSERVATION EASEMENT  
and  
DOUGLAS CR. WMA FEE TITLE ACQUISITION  
SOCIO-ECONOMIC ASSESSMENT**

MONTANA FISH, WILDLIFE & PARKS

Prepared by:  
Jay Kolbe  
September, 2011

## I. INTRODUCTION

House Bill 526, passed by the 1987 Legislature (MCA 87-1-241 and MCA 87-1-242), authorizes Montana Fish, Wildlife & Parks (MFWP) to acquire an interest in land for the purpose of protecting and improving wildlife habitat. These acquisitions can be through fee title, conservation easements, or leasing. In 1989, the Montana legislature passed House Bill 720 requiring that a socioeconomic assessment be completed when wildlife habitat is acquired using Habitat Montana monies. These assessments evaluate the significant social and economic impacts of the purchase on local governments, employment, schools, and impacts on local businesses.

Although it is probable that no Habitat Montana monies will be used by MFWP to acquire interest in either the Conservation Easement or Fee Title acquisition portions of this proposed project, MFWP has prepared this Socio-Economic Assessment consistent with Habitat Montana-funded projects.

This socioeconomic evaluation addresses the fee title acquisition of the proposed Douglas Cr. WMA property and the acquisition of a conservation easement on the Sturgeon and King Mtn. properties. All subject lands are currently owned by The Nature Conservancy. This report addresses the physical and institutional setting as well as the social and economic impacts associated with the proposed fee title acquisition and conservation easement.

## II. PHYSICAL AND INSTITUTIONAL SETTING

### A. Property Description

The proposed Sturgeon and King Mtn. Conservation Easement would encumber 1,957 acres of land in two distinct parcels approximately 4 miles north of Drummond, MT. The proposed Douglas Creek WMA fee title acquisition consists of up to 3,594 contiguous acres at the headwaters of Douglas and Black Bear Creeks approximately 6 miles north of Drummond, MT. A detailed description of these properties is included in the environmental assessment (EA).

### B. Habitat and Wildlife Populations

These parcels are mainly vegetated with Douglas fir, ponderosa pine, lodgepole pine, and quaking aspen and their associated understory vegetation. The properties and the

adjacent lands are important year-round elk habitat and support large numbers of mule deer. Moose, white-tailed deer, black bear, grizzly bear, wolves, bobcat, mountain lions and many other species are present used the properties' forested habitat year-round.

### C. Current Use

The land was managed as industrial timberland and, to a lesser extent for livestock grazing, for decades prior to its sale to The Nature Conservancy (TNC) in 2004. No commercial activity has occurred on the Land since that time. The Land has historically been open to public hunting and is heavily used for that purpose each year. TNC has kept the land open to the public since they acquired it.

### D. Management Alternatives

1. Purchase the Douglas Creek WMA fee title and the Sturgeon and King Mountain Conservation Easement.
2. No purchase

### **MFWP Fee Title Purchase**

The intent of the Douglas Creek WMA land purchase is to

- Protect and enhance a large and important contiguous block of montane forested wildlife habitat;
- Contribute to the overall function, integrity, and management of adjacent private, DNRC, Nature Conservancy, and Bureau of Land Management lands surrounding the property;
- maintain and improve public recreational access to the headwaters of Douglas and Black Bear Creeks and adjacent public lands;
- and maintain the Land as working forest and range.

### **MFWP Conservation Easement Purchase**

The intent of the Sturgeon and King Mountain Conservation Easement is similar to the Douglas Creek WMA land purchase (see above). In addition, on the CE parcels, the Conservation Values will be protected at less cost to MFWP while eventually allowing private landowners to acquire and manage them consistent with their adjacent lands.

## **No Purchase Alternative**

The no purchase alternative requires some assumptions since use and management of the property will vary depending on what future owners would decide to do with the property. There is potential for subdivision of this land that would impact the habitat and access opportunities for the public.

## **III. SOCIAL AND ECONOMIC IMPACTS**

Section II identified the management alternatives this report addresses. The fee title purchase and Conservation Easement will provide long-term protection of important wildlife habitat and consistent management of this land. Section III quantifies the social and economic consequences of the two management alternatives following two basic accounting stances: financial and local area impacts.

Financial impacts address the cost of the fee title transfer and conservation easement purchase to MFWP and discuss the impacts on tax revenues to local government agencies including school districts.

Expenditure data associated with the use of the property provides information for analyzing the impacts these expenditures may have on local businesses (i.e., income and employment).

### **A. Financial Impacts**

Montana Fish, Wildlife & Parks (MFWP) applied for and received a grant of \$2,900,000 from the USDS Forest Service Forest Legacy Program in 2010 to fund MFWP acquisition of interest in TNC land in the Murray, Douglas, and Black Bear Cr. area. A portion of this grant award, combined with TNC's donation of 25% of the Land's 2011 appraised value will entirely fund these proposed acquisitions. As a result it is not anticipated that MFWP funds will be used in this transaction. However, in the event of any unforeseen financial circumstance (for example, a reduction of the federal grant) MFWP would retain the discretion to use some of its capital funds to complete the transaction.

MFWP will pay TNC approximately \$600,000 (75% of the Conservation Easement's appraised value) of the 2010 Forest Legacy Program grant to purchase a conservation easement on 1,957 acres. TNC will donate 25% of the Easement's 2011 appraised value.

The financial impacts to local governments are the potential changes in tax revenues resulting from the fee title purchase and the conservation easement. The sale of this land and subsequent title transfer to MFWP will not change the tax revenues that Powell County currently collects on this property. MFWP is required by Montana Code 87-1-603 to pay “to the county a sum equal to the amount of taxes which would be payable on county assessment of the property were it taxable to a private citizen.”

The sale of conservation easements on the land to FWP also will not change the tax revenues that Powell County currently collects on the subject property. The property under conservation easement will remain in private ownership, and will be taxed at the same rate as at present.

## **B. Economic Impacts**

There will not be any significant negative financial impacts to local businesses associated with the fee title purchase of this land and subsequent ownership by Montana Fish, Wildlife & Parks, nor with the purchase of a conservation easement by MFWP. The lands have not been subject to commercial timber harvest or grazing since TNC’s acquisition of them in 2004. The potential for these activities to resume in the future is explicitly protected by this proposal. Public recreation, particularly fall hunting, is an important local economic driver; these opportunities are expected to be maintained and enhanced by this proposal.

## **FINDINGS AND CONCLUSIONS**

The fee title purchase and title transfer to Montana Fish, Wildlife & Parks, and the purchase by FWP of a conservation easement, will provide long term protection for wildlife habitat, maintain the open space integrity of the land, enhance public recreation, and ensure the continued opportunity to actively manage timber and grazing on the subject lands.

These actions will not cause a reduction in tax revenues on these properties from their current levels to Powell County under Montana Code 87-1-603. Overall financial impacts to local business will be minimal but positive in the long-term as active management of the Land resumes. Recreational opportunities will be enhanced which may result in small yet positive impacts for local businesses that provide services to recreationists.

## Douglas Creek Wildlife Management Area *Draft Resource Management Plan*

### INTRODUCTION

Montana Department of Fish, Wildlife & Parks (MFWP) proposes to purchase up to 3,594 contiguous acres (the Land) approximately 6 miles north of Drummond, MT, to establish the Douglas Creek Wildlife Management Area. This draft management plan discloses FWP's management intent for public review and comment, and for documenting existing information for future reference. This document conveys interim management policies and strategies for the property while the long term and supplemental management plans are developed.

#### **Goals:**

- Permanently protect and restore important native wildlife habitat;
- Provide perpetual public recreational access to lands with high and diverse public recreation value;
- Contribute to the overall function, integrity, and management of adjacent private, DNRC, and Bureau of Land Management lands; and
- Maintain the Land as working forest and range.

### ACQUISITION DATE

FWP plans to acquire fee title to the property from The Nature Conservancy (TNC) in December, 2011, pending public review and approval.

### CHAIN OF OWNERSHIP

The Land was purchased from Plum Creek Timber Company by The Nature Conservancy in 2004 as part of a larger 89,000 conservation initiative (The Blackfoot Community Project). The Land has been owned and managed by TNC since that time. Following MFWP's purchase of the Land, it will be managed as the Douglas Creek Wildlife Management Area by MFWP.

### PROPERTY DESCRIPTION

#### **Location:**

The Land lies approximately 6 miles north of Drummond, MT at the headwaters of Black Bear and Douglas Creeks (Fig 1).

**Acreage to be Acquired:**

Township 12 North, Range 13 West, P.M.M., Powell County, Montana:

Section 13: Govt. Lots 1-4, W1/2E1/2, W1/2

Section 14: All

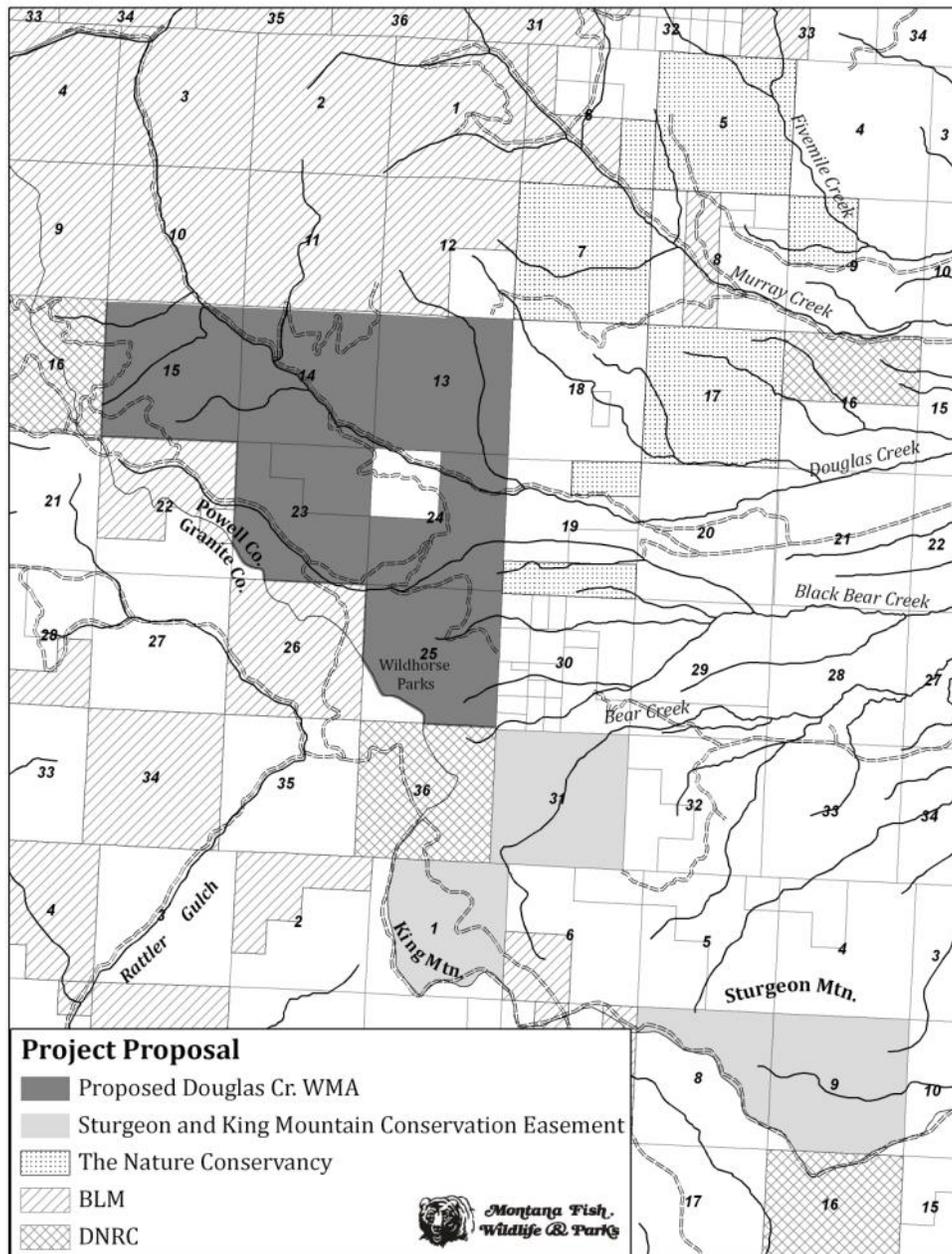
Section 15: All

Section 23: All that portion located in Powell County

Section 24: Govt. Lots 1-4, W1/2NE1/4, W1/2SE1/4, SW1/4

Section 25: All that portion located in Powell County

Figure 1.



The Land lies within a matrix of DNRC, Nature Conservancy, and Bureau of Land Management land and private land (Figure. 1). Significant nearby TNC and other private land may be protected by conservation easements during a future project phase.

A single 160-acre private inholding exists within the proposed WMA. This property is bisected by the main public open road within the proposed WMA (also encumbered by a BLM road-use easement). No additional roads will need to be opened or maintained to provide the landowner access to this currently undeveloped property and Powell County zoning provisions preclude significant subdivision of the parcel.

### **LANDFORMS AND DRAINAGE**

The subject land lies at the headwaters of Black Bear and Douglas Creeks, part of the Blackfoot River Watershed, in the western Garnet Mountains. Elevations range from 5,000 – 6,200 feet; slope and aspect vary.

### **VEGETATION**

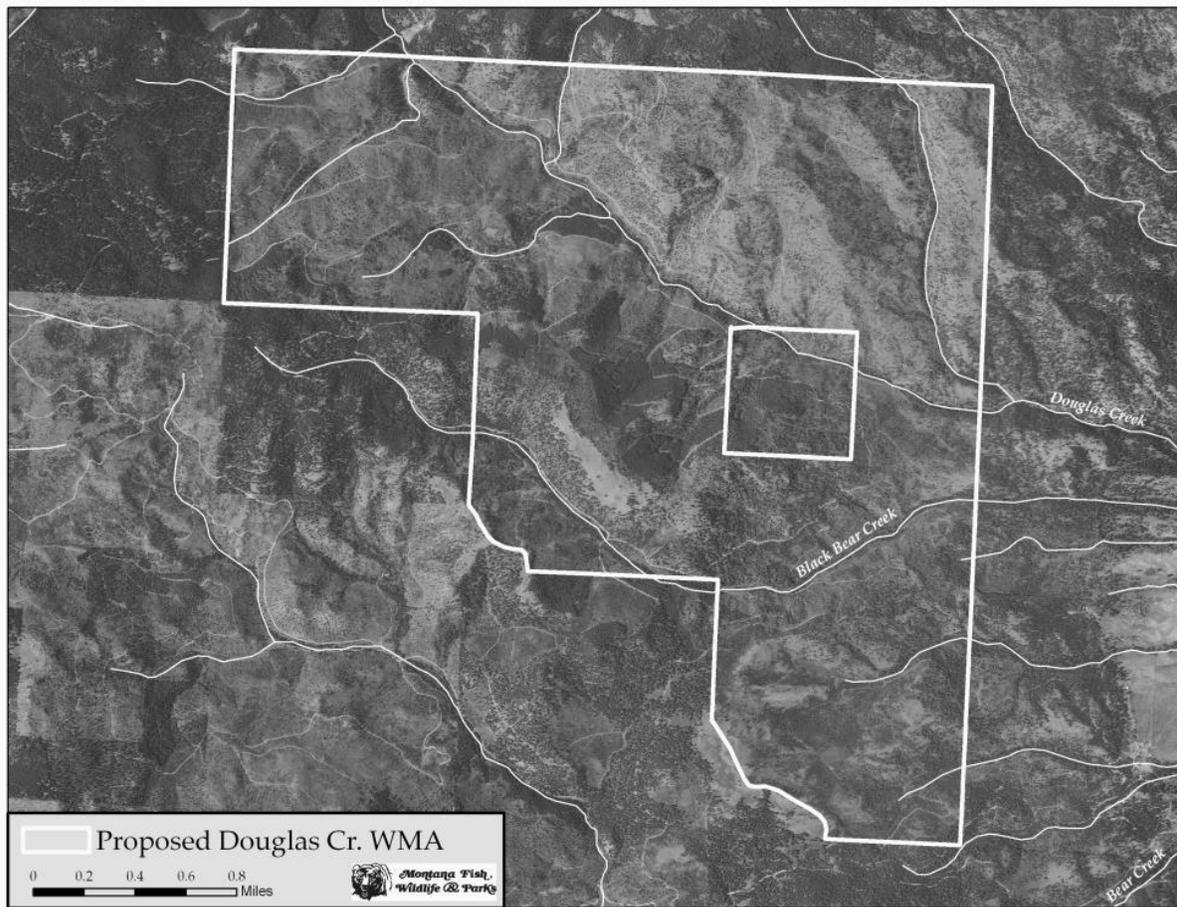
The subject lands are almost completely forested (Figure 2). The most abundant conifer tree species on the property is Douglas-fir. Ponderosa pine and lodgepole pine are common while western larch and Englemann spruce occur more rarely. Aspen is the primary deciduous tree species present. Sites are generally dry and timber productivity and regeneration is moderate.

The forest understory vegetation includes common snowberry, pinegrass, elk sedge, heartleaf arnica, white spirea, kinnikinnick, Oregon grape, serviceberry, and twinflower. Common forest habitat types are Douglas fir/snowberry, Douglas fir/twinflower, and Douglas fir/ pine grass.

Most forest stands on the property have been managed for industrial timber production. Timber harvest has significantly decreased the abundance of old growth, large diameter, ponderosa pine and Douglas-fir. Current forest stands generally include open overstories of Douglas fir with understories of sapling, seedling and pole-sized Douglas-fir on moist aspects and grass on drier aspects. Ponderosa pine and lodgepole pine regeneration is present but not abundant in most areas.

Bluebunch wheatgrass, rough fescue, arrowleaf balsamroot and Idaho fescue are present on dry aspects and in forest openings. Fire suppression over the last 80 years has likely reduced the overall grassland acreage.

Figure 2.



Riparian corridors occur along perennial reaches of Douglas and Black Bear Creeks. Riparian vegetation is primarily alder and sedge, with lesser amounts of willow and cottonwood.

No Montana State listed Plant Species of Concern are known to occur on the property.

Several species of noxious weeds occur throughout the property at various levels of infestation. Weeds are most prevalent on roadsides and on drier aspects with grassy understories and sparse forest canopy cover. The most prevalent weed species include; cheatgrass, spotted knapweed, hound's tongue, and thistles.

### **WILDLIFE HABITAT**

The Land provides important summer and fall/transitional range for elk, mule deer, white-tailed deer, and moose. Elk, mule deer, and moose may use significant portions of the property during winter at times and during years when snowpack is less limiting.

A portion of the East Garnet elk herd unit annually migrates out of the Helmville Valley to winter on the open faces between Bearmouth and Drummond. The subject lands lie within this migratory corridor.

The Land provides important habitat for other big game species including moose, black bear, wolf, and mountain lion. Bobcat, pine marten, mountain grouse, raptors, and dozens of passerine bird species are also common.

The area is popular with big game hunters throughout the open hunting seasons.

The Land does not include high quality Canada lynx habitat nor would production of lynx habitat be a reasonable management objective. That said, one of the southernmost, naturally occurring populations of Canada lynx in the American west occurs adjacent to project lands (in the higher elevation areas of the Garnet mountains) and the Land contributes to the function of a putative north/south movement corridor.

Grizzly bear presence on and around the subject property has increased significantly in recent years as the bear's range continues to expand to the south. Today, grizzly sightings on or near the subject land are common.

### **FISHERIES HABITAT**

Douglas Creek supports a native resident westslope cutthroat trout population. Both Douglas Cr. and Black Bear Cr. contribute to the overall health and function of the Blackfoot River by affecting sediment load and water temperature. Both creeks are significantly dewatered downstream of the subject property.

MFWP has ranked both creeks as being moderate restoration priorities.

### **IMPROVEMENTS AND DEVELOPMENT**

Forest roads are the primary improvement on the property. Their condition varies from relatively poor to high-standard. A detailed spatial and qualitative inventory of roads on the property would be conducted following purchase and roads would be brought to BMP standards or removed over time. The open road system provides good public access to the property; much of the open road system is subject to road easements held by the BLM. MFWP does not anticipate that significant closures of currently open roads will be necessary.

Some cattle fencing is present; its condition varies. Existing fence will be mapped following acquisition of the property and considered as and if livestock grazing is reintroduced or if trespass grazing becomes a management concern.

## **MANAGEMENT OVERVIEW**

### **Forest Management**

MFWP recognizes the need to actively manage the forested wildlife habitat under its ownership. The Department has the tools and authority it needs to manage large scale forest management projects and began to implement them in the Blackfoot on a large scale in 2010. MFWP will consider fire risk mitigation, forest health, and wildlife habitat enhancement needs in making forest management decisions. The 2011 MT Legislature has directed MFWP to conduct an inventory of its forested habitat; this and other efforts will continue to inform management.

### **Grazing Management**

The property has not been leased for grazing since at least 2004 although some trespass grazing does occur. On some WMAs in Montana, FWP has entered into Cooperative Habitat Management Agreements and structured grazing systems with adjoining landowners which provide for grazing treatments and periodic yearlong rest from livestock grazing on the private – as well as WMA – properties for the enhancement of big game forage (typically) across the broader landscape. FWP would not begin its ownership of the Douglas Cr. WMA under any such obligation, but would be open to exploring such possibilities if they would appear to meet resource objectives in the future.

### **Public Recreational Access**

Douglas Creek WMA will be open to public use year round for motorized travel on open roads, snowmobiling, hunting, camping, hiking, horseback riding, mountain bicycling, and general enjoyment. Wheeled motorized vehicles will be restricted to the designated open road system (no wheeled motorized vehicles allowed off roads or on closed roads) year round. The open road system will initially be similar to that existing at time of purchase and MFWP does not anticipate the need to further restrict wheeled motorized routes. Camping will be allowed year-round but limited to a 16-day maximum stay (motorized vehicles restricted to the road shoulder or pullouts). Fire restrictions may be implemented, as wildfire-risk dictates. Firewood cutting will be restricted to downed trees that lie outside riparian areas and will be allowed by FWP-issued permit only. Permits will be required for use by groups of more than 15 people. Hunting opportunity will be managed consistent with that in the surrounding hunting districts (i.e. deer/elk HDs 292 and 298); no Douglas Creek WMA-specific hunting regulations are anticipated.

Road maintenance to reasonably support public travel and ongoing property management will constitute a significant and recurring expense. The maintenance standard for open roads will be to reasonably accommodate a 4-wheel drive vehicle with good ground clearance. This standard is now generally met on the open road system, but will require regular maintenance. Roads and culverts will be inspected for compliance with Best Management Practices and compatibility with fish and wildlife habitat values; any noncompliance or resource needs will be corrected on a prioritized basis. Maintenance of gates and barriers will be required to restrict motorized vehicle access to the closed road system. Signage will be required at the main access points to communicate the public access and other regulations on the WMA. Boundary signage will also be needed to identify the WMA property line in some places.

### **Noxious Weed Management**

MFWP maintains an active noxious weed control program on all lands that it manages. MFWP will coordinate with Powell Co. to develop an integrated noxious weed management plan during the spring and summer of 2012. MFWP will treat spotted knapweed infestations along roadsides and continue biocontrol releases (initiated by TNC) to manage more widespread knapweed infestations. Hound's tongue will also be treated along roadsides and in other accessible areas to help prevent further spread. New invaders will be treated aggressively when detected.

### **Fire Prevention and Suppression**

Fire suppression on the Douglas Creek WMA would fall under existing jurisdictions. Wildfires would be subject to immediate suppression upon detection. In an attempt to prevent human-caused ignitions, MFWP and DNRC may institute temporary, emergency measures to progressively restrict public access if and as summer-fall drought conditions intensify in some years.

# Sturgeon and King Mountain Conservation Easement *Draft Resource Management Plan*

## INTRODUCTION

Montana Department of Fish, Wildlife & Parks (MFWP) proposes to purchase a conservation easement on 1,957 acres (the Land), in two discrete parcels, approximately 4 miles north of Drummond MT. This draft management plan discloses FWP's management intent for public review and comment, and for documenting existing information for future reference. This document conveys interim management policies and strategies for the property while the long term and supplemental management plans are developed.

### **Goals:**

- Permanently protect important native wildlife habitat;
- Provide perpetual public hunting access to the Land;
- Contribute to the overall function, integrity, and management of adjacent private, DNRC, and Bureau of Land Management lands;
- Maintain the Land as working forest and range.

Detailed vegetative inventories and a forest management plan has been completed for the proposed conservation easement land (Northwest Management, Inc., 2011; available upon request at the MFWP Region 2 Headquarters). A baseline inventory of broader vegetative condition, roads, utilities, improvements, etc. will be completed in 2012.

## ACQUISITION DATE

FWP plans to acquire the Conservation Easement from The Nature Conservancy (TNC) in December, 2011, pending public review and approval.

## CHAIN OF OWNERSHIP

The Land was purchased from Plum Creek Timber Company by The Nature Conservancy in 2004 as part of a larger 89,000 conservation initiative (The Blackfoot Community Project). The Land has been owned and managed by TNC since that time. Following MFWP's purchase of the conservation easement the Land will be sold to private (likely adjacent) landowners. Management of the Land by subsequent owners would be subject to the terms of the Conservation Easement and appended Resource Management Plans.

## PROPERTY DESCRIPTION

### **Location:**

The Land lies about 4-6 miles north of Drummond, MT on or adjacent to Sturgeon and King Mtns. at the head of Bear and Sturgeon Creeks (Fig 1).

### **Acreage Subject to Conservation Easement:**

Subject lands occur in two distinct parcels totaling 1,957 acres.

#### Township 11 North, Range 12 West, P.P.M.:

Section 8: All that portion lying within Powell County

Section 9: All that portion lying within Powell County

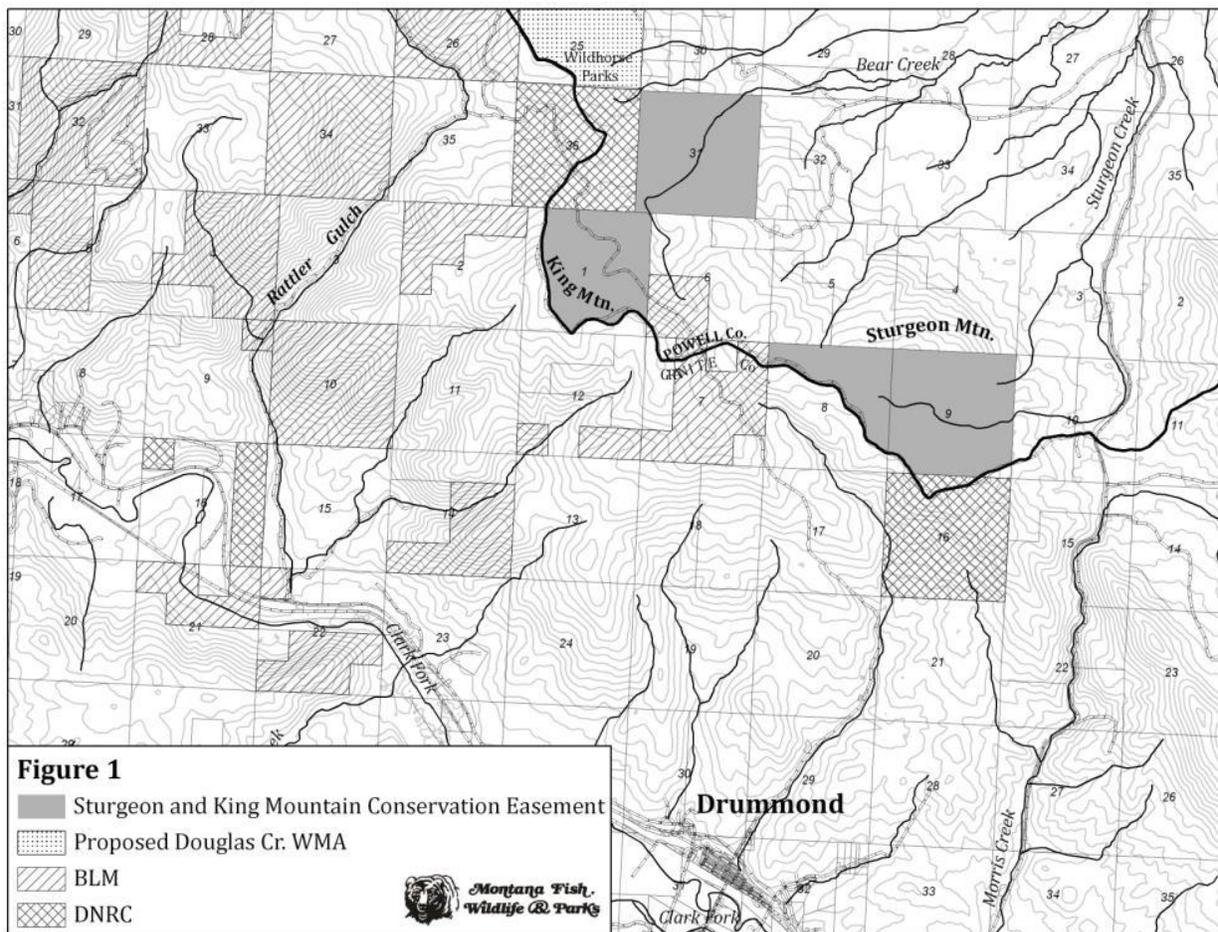
#### Township 11 North, Range 13 West, P.P.M.

Section 1: Govt. Lots 1-3, SE1/4 NW1/4, S1/2NE1/4, NE1/4SW1/4, N1/2SE1/4, AND portions of W1/2W1/2 & S1/2S1/2 lying within Powell County.

#### Township 12 North, Range 12 West, P.P.M.:

Section 31: Govt. Lots 1-4, E1/2W1/2, E1/2

Figure 1.



## **LANDFORMS AND DRAINAGE**

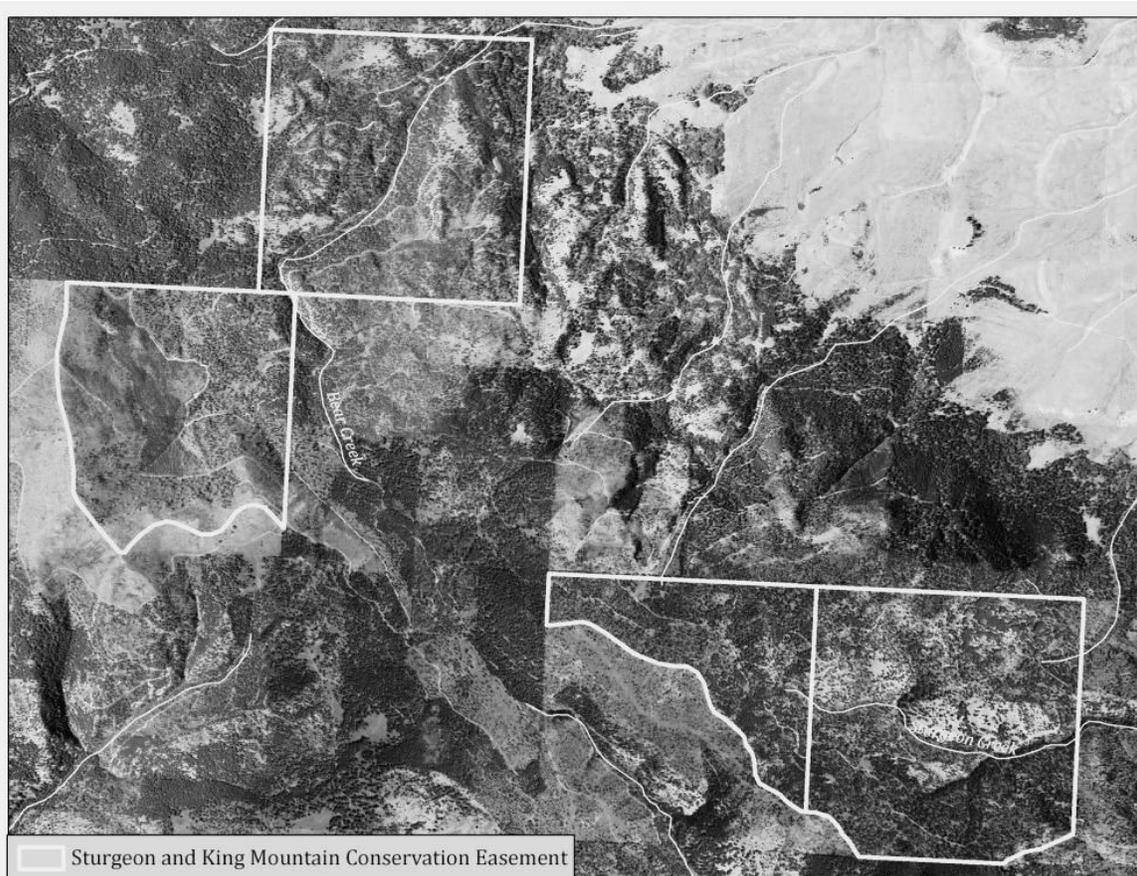
The subject land lies at the headwaters of Bear and Sturgeon Creeks, within the Blackfoot River watershed. The Land lies primarily on the flanks of both King and Sturgeon Mountains in the Garnet Mountain Range. Elevations range from 5,000 – 6,500 feet; slope and aspect varies.

## **VEGETATION**

The subject lands are almost completely forested (Figure 2). The most abundant conifer tree species on the property is Douglas-fir. Ponderosa pine and lodgepole pine are common while western larch and Englemann spruce occur more rarely. Aspen is the primary deciduous tree species present. Sites are generally dry and timber productivity and regeneration is moderate.

The forest understory vegetation includes common snowberry, pinegrass, elk sedge, heartleaf arnica, white spirea, kinnikinnick, Oregon grape, serviceberry, and twinflower. Common forest habitat types are Douglas fir/snowberry, Douglas fir/twinflower, and Douglas fir/ pine grass.

Figure 2.



Most forest stands have been previously managed for industrial timber production. Timber harvest has significantly decreased the abundance of large diameter ponderosa pine and Douglas-fir. Forest stands generally have overstories of Douglas fir with understories of sapling, seedling and pole-sized Douglas-fir on moist aspects and grass on drier aspects. Ponderosa pine and lodgepole pine regeneration is present but not abundant in most areas.

Bluebunch wheatgrass, rough fescue, arrowleaf balsamroot and Idaho fescue are present on dry aspects and in forest openings. Fire suppression over the last 80 years has likely reduced the overall grassland acreage.

Riparian corridors are present but not extensive on the subject property; the most significant riparian corridor lies along Bear Cr. in Section 31. These areas, when present, are dominated by alder/sedge communities.

No Montana State listed Plant Species of Concern are known to occur on the property.

Several species of noxious weeds occur throughout the property at various levels of infestation. Weeds are most prevalent on roadsides and on drier aspects with grassy understories and sparse forest canopy cover. The most prevalent weed species include; cheatgrass, spotted knapweed, hound's tongue, and thistles.

A detailed inventory of the Land's vegetation types, stand locations and descriptions, current vegetative condition, weed management needs, forest insect and disease, and management prescriptions has been completed (Northwest Management, Inc., 2011) and is on file with the landowner and at the MFWP Region 2 Headquarters.

### **WILDLIFE HABITAT**

The Land provides important summer and fall/transitional range for elk, mule deer, white-tailed deer, and moose. Elk, mule deer, and moose may use portions of the property during winter at times and during years when snowpack is less limiting. A portion of the East Garnet elk herd annually migrates out of the Helmville Valley to winter on the open faces between Bearmouth and Drummond. The subject lands lie within this migratory corridor.

The Land provides important habitat for other big game species including moose, black bear, wolf, and mountain lion. Bobcat, pine marten, mountain grouse, raptors, and dozens of passerine bird species are also common.

The Land does not include high quality Canada lynx habitat nor would production of lynx habitat be a reasonable management objective. That said, one of the southernmost, naturally occurring populations of Canada lynx in the American west occurs adjacent to project lands (in the higher elevation areas of the Garnet mountains) and the Land contributes to the function of a putative north/south movement corridor.

Grizzly bear presence on and around the subject property has increased in recent years as the southern extent of the bear's range continues to expand. Today, grizzly sightings on or near the subject land are common.

The property does not, and will not, support important native fish habitat.

### **IMPROVEMENTS AND DEVELOPMENT**

Forest roads are the primary improvement on the property. Their condition varies widely from relatively poor to high-standard. A detailed spatial and qualitative inventory of roads on the property will occur during the development of the Baseline inventory in 2012. Road maps and photopoints are also included in the Forest Stewardship Plan.

Some cattle fencing is present; its condition varies. Existing fence will be mapped as during the Baseline inventory and considered if/when supplemental Grazing Management Plans are developed.

### **MANAGEMENT OVERVIEW**

Management of the Land would be largely at the discretion of the landowner except that management actions must comply with the agreed terms of the Conservation Easement. The Conservation Easement restricts or guides several significant land management activities:

#### **Subdivision and Development**

The landowner may not construct permanent structures on the Land without prior approval from MFWP. The land may not be subdivided, except that fee title to Section 1 may be sold separately from the remainder of the land, and the remaining portion of the Land may be split (conveyed to separate owners) one additional time. Also, any transfer of land to a public agency would not count as a subdivision for the purposes of the Conservation Easement. The result of these restrictions is that the 1,917 acres subject to the conservation easement may not be held in more than 3 separate private ownerships.

Utility and energy generation improvements, habitat improvement activities, and road building may occur with Prior Approval of MFWP.

### **Forest Management**

The landowner retains the right, and is in fact encouraged, to actively manage forested habitat on the property consistent with the Conservation Easement's stated conservation values and the Forest Stewardship Plan. Any management activity that produces material sold or otherwise transferred off the property requires prior MFWP notice and approval to ensure compliance with the easement and Forest Stewardship Plan. The landowner will prepare a Forest Management Plan describing the anticipated activity for MFWP review and approval.

The Forest Stewardship Plan provides detailed descriptions of current forest types, stand condition, and management recommendations. We anticipate updating the Forest Stewardship Plan periodically and in collaboration with the landowner to account for forest succession and other significant changes to existing forest stand condition.

### **Grazing Management**

The landowner(s) may graze livestock on the property with MFWP's Prior Approval and following a MFWP-approved Grazing Management Plan. If and when the landowner(s) wishes to graze livestock on the property, a Plan will be developed cooperatively with MFWP and appended to the Resource Management Plan; an example of Standards for Grazing Livestock are included as Exhibit C of the Conservation Easement.

### **Public Recreational Access**

The Conservation Easement requires that the landowner(s) provide recreational hunting access during seasons and for species (and sexes of species) legal to hunt under that years' Commission-adopted regulations. The conservation easement does *not* require the landowner to grant access by any but non-motorized, non-mechanical means. The landowner(s) must allow public hunters to enter the land during open hunting seasons but only from adjacent public lands or publically-accessible roads. The landowner may choose to allow individuals motorized access to the property and may deny access to anyone who is not conducting, or has not in the past conducted, herself or himself in a prudent, responsible, and safe manner.

MFWP will work with landowner(s) subsequent to TNC to develop a Recreation Access Plan to help manage public use of the property. This Plan may direct the designation of parking areas, posting signs, developing and maintaining road closure structures, etc.

MFWP will contribute material and manpower toward the development and implementation of these Recreation Access Plans.

### **Other Restricted Activities**

The landowner may not, without Prior Approval or as otherwise provided for in the Conservation Easement, significantly manipulate native vegetation; transfer, sell, or lease water rights; degrade wetland or riparian areas; conduct exploratory or extractive surface mining; operate a feed lot; install utilities; construct permanent structures; introduce non-native plants; operate an alternative livestock ranch, fur farm, shooting preserve, zoo, or other facility that holds or propagates native or non-native animals; rent or lease the land for recreational purpose (including outfitting) or charging trespass fees; use the land for commercial or industrial use apart from forest management and livestock grazing.

### **Noxious Weed Management**

The Forest Stewardship Plan provides basic information on the distribution and treatment of weeds on the property. The landowner is responsible for control of noxious weeds on their land.