North Shore Fisheries Conservation Project Bigfork Parcel

Final Environmental Assessment

July 20, 2009

Photo by Candace Durran

Prepared by Region One

Montana Fish, Wildlife & Parks

North Shore Fisheries Conservation Project
Bigfork Parcel
Final Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of proposed state action:** Montana Fish, Wildlife & Parks (FWP) proposes to buy about 70 acres of land on the north shore of Flathead Lake, Flathead County, Montana, for the purpose of fish and wildlife habitat conservation. The project would cost about $1 million and would be funded by the Bonneville Power Administration (BPA) to help mitigate harm to resident fish caused by construction and subsequent habitat loss associated with Hungry Horse Dam. Although habitat conservation is the primary purpose for this acquisition, some types of seasonal dispersed public recreation may also be a benefit of the project. Any recreation would be subject to an approved management plan required by the funding sources for the acquisition. The land acquired using BPA funds would be encumbered by a restrictive conservation easement held by BPA that would be conveyed to BPA at closing.

2. **Agency authority for the proposed action:** Montana Fish, Wildlife & Parks. State Statute 87-1-209 defines the authority FWP 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.

   FWP is a signatory to the 2008-2009 Memorandum of Agreement (MOA) with both Bonneville Power Administration (BPA) and the Confederated Salish and Kootenai Tribes (CSKT) for the purpose of mitigating resident fish impacts associated with the construction and inundation of Hungry Horse Dam. BPA is the funding source for this acquisition available through this MOA.

3. **Anticipated schedule:** Estimated completion date: FWP plans to complete the acquisition by September 30, 2009. The acquisition will also have to be approved by the FWP Commission and the Land Board before it can take effect.

4. **Location affected by proposed action:** Flathead County, Montana, Township 27N, Range 20W, Section 35 (Attachment A). The parcel is located along the north shore of Flathead Lake east of the Flathead River and the US Fish and Wildlife Service Flathead Lake Waterfowl Production Area (WPA). It is south of Eagle Bend/Harbor Village and about a mile west of Bigfork.

5. **Project size:** Approximately 70 acres as described above and shown in Attachment A.

	Acres		Acres
(a) Developed:		(d) Floodplain (100 yr)	68
		both (100 & 500 yr)	70
Residential	0		
Industrial	0	(e) Productive:	
		Irrigated cropland	0
(b) Open Space/ Woodlands/Recreation	25	Dry cropland	0
		Forestry	0
(c) Wetlands/Riparian Areas	22	Rangeland	0
		Water (seasonal)	45

6. **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
None	

(b) Funding: The cost for this acquisition is approximately $1 million; the landowner has agreed to a sale below appraised value. The preliminary property value was estimated to be between $1.5 to 1.8 million. The final appraisal will be completed and reviewed by BPA.

Agency Name	Potential Funding Amount
Bonneville Power Administration	$1.0 million

(c) Other overlapping or additional jurisdictional responsibilities:

Agency Name	Type of Responsibility
State Historic Preservation Office	cultural resources
Confederated Salish and Kootenai Tribes	cultural and fish resources

7. **Narrative summary:** North Shore Fisheries Conservation Project – Bigfork Parcel

FWP proposes to acquire in fee a parcel of land along the north shore of Flathead Lake near Bigfork. This 70-acre parcel lies east of the Flathead River and adjoins the east portion of the Flathead Lake WPA and is south of Eagle Bend/Harbor Village. This parcel will be referred to as the Bigfork parcel. About 45 acres of this parcel are seasonally flooded by Flathead Lake. Of the approximate 25 acres above Flathead Lake full pool, about 22 acres consist of wetlands, with the balance in grass and shrub habitat. About 68 of the total acres are within the 100-year floodplain, with a small portion (2 acres) above the 100-year floodplain, but within the 500-year floodplain. The parcel has no dwellings, but there is an abandoned barn and shed on the property, an access road to the

high water mark and federal WPA, and a recently built dynamic equilibrium beach designed to minimize additional erosion of the property.

The purposes of this acquisition are to protect and restore fisheries habitat associated with Flathead Lake, protect water quality in Flathead Lake and associated wetlands, maintain and enhance wildlife habitats, and to provide compatible public recreational opportunities.

The primary funding source is the Bonneville Power Administration (BPA). FWP must convey a conservation easement to BPA at closing.

8. Description and analysis of reasonable alternatives (including the no-action alternative) to the proposed action, whenever alternatives are reasonably available and prudent to consider, and a discussion of how the alternatives would be implemented:

Alternative A: No Action

Under the No-Action Alternative, FWP would not purchase this property. The land would likely be sold and/or developed as recreational and/or residential property. If developed, the fisheries and wildlife habitat values, wetland habitats, restoration options, and water quality values could be impaired, altered, limited, or diminished in perpetuity, depending on how it is developed. There would likely be no public recreation opportunities on this property.

Alternative B: Proposed Action

Under the Proposed Action, FWP would purchase approximately 70 acres of land from a willing seller pending final funding approvals and availability. The property would be part of the state's efforts to protect lands along the north shore of Flathead Lake. The emphasis of this acquisition is the protection of wetlands and shoreline using habitat funds for fisheries, in contrast to the Access Montana funds that FWP used to purchase the 160-acre North Shore State Park and wildlife management area (WMA) in 2008. The acquired land would be subject to a conservation easement held by BPA for the purpose of fish and wildlife habitat conservation.

FWP proposes that the Bigfork parcel become a part of the ongoing BPA-funded Fish Conservation Area program. The operation and maintenance funds for all these lands would primarily come from the maintenance account set up for these purposes as required by the recently amended Senate Bill 164. The new legislation requires that FWP place 20% of the land cost (in this case $200,000) up to a cap of $300,000 in an account for operations and maintenance of property owned by FWP. The source of funding for this payment would be through funds from the FWP license account because BPA capital funds cannot be used for this purpose.

The interim management plan for the parcel is included in Attachment B and addresses FWP's proposed management for the next 1-5 years. Seasonal closures are proposed to protect nesting and migratory waterfowl and bald eagle use in the spring. A member of the seller's family would be allowed to access the property for the remainder of her life as a condition of the sale.

In time, FWP, in consultation with the US Fish & Wildlife Service (FWS), the public, and other entities, would develop and jointly implement a more detailed management plan for the parcel. The future plan would address possible removal of old structures, wetland restoration, vegetative management, weed management, access or parking locations, hunting access, seasonal closures, and other land uses. Development of this more detailed management plan would be the subject of a future draft EA and public review process.

Other alternatives considered but eliminated:

The landowner of the parcel is not interested in selling or donating conservation easements to FWP or another entity; the landowner is interested in selling the property outright. Because a conservation easement is not an option with the landowner, FWP did not consider this alternative.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

1. Evaluation of the impacts of the <u>Proposed Action</u> and <u>No-Action</u> alternatives, including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> **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				1e
f. Other:		X				

<u>Proposed Action</u>: Under the proposed action and the proposed interim management plan (Attachment B), there would be limited or no impacts to land resources. FWP proposes to maintain seasonal walk-in public access, but no motorized access would be allowed. There is an adequate road and public access right of way across the property to the federal WPA, so that there would be no additional disturbance to soils or vegetation necessary. The existing, improved road connects the entrance of the property to the high water mark/shoreline area.

1a: Minor disturbances to soils could be expected if a parking area is designated on the already disturbed roadway or the entrance area, but disturbance would be minimal. No more than 1- 3 vehicles will be able to be parked at the entrance to this parcel at this time. FWP may need to alter the gate and/or fences to accommodate parking of 1-3 vehicles. The actual development of any undeveloped part of these lands would be part of future draft EA and public review processes.

1c and 1e: There are no unique geologic or physical features on this parcel, and it would not be exposed to any natural hazards as a result of the proposed action.

1d: Shoreline areas would be protected and erosion and runoff kept to a minimum. Currently there is a dynamic equilibrium beach running along the shoreline of the property installed by Pacific Power and Light Company (PPL) to control erosion from lake wave action. The dynamic equilibrium beach consists of an assortment of fill material that dissipates wave energy, preventing shoreline erosion. This structure most likely will not need maintenance or only minimal maintenance in the future, and PPL is responsible for any maintenance necessary, not the landowner.

No Action: Under the No-Action Alternative, there is a high probability that this property would be developed and/or subdivided to some degree. This could include soil-disturbing activities for construction of residences and/or new roads or other structures.

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 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. Will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		X				
f. Other:		X				

Proposed Action: Under the Proposed Action, there would be no direct changes to the ambient air quality or creation of objectionable odors. FWP is only proposing alteration of fencing to accommodate any parking at this time.

No Action: Under the No-Action Alternative, the property owner could allow for land uses that would have negative effects to air quality, including construction of additional roads or structures. If the area were subdivided, there could be an impact to air quality from increased vehicle emissions and dust.

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				3f
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				3h
i. Effects on any existing water right or reservation?		X				3i
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				3j
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. Will the project affect a designated floodplain? (Also see 3c.)		X				
m. Will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				
n. Other:		X				

Proposed Action: Under the Proposed Action, water resources adjacent to this parcel will be maintained or enhanced by protecting the shoreline with the dynamic equilibrium beach and by protecting existing riparian areas and wetlands. Existing water rights would be evaluated, and if changes in water rights were proposed, a change process that protects other water users from adverse effects would be completed (3i and 3j).

3f & h: Chemicals may be used to control weeds or pests as required by law, and all regulations regarding use of herbicides or other chemicals would be followed. However, no wetlands or restored wetland areas would be managed for agricultural production, thus limiting access of chemicals to water resources.

No Action: Under the No-Action Alternative, if FWP does not purchase the property, it is unknown if any of the water resources would be affected. There is a possibility that the property could be developed rather than maintained as undeveloped or agricultural land. If developed,

there could be an increase in water use and runoff into Flathead Lake and/or the groundwater. Planted lawns associated with subdivisions require significant amounts of water and fertilizers and other chemicals. It is also possible, but unlikely, that a future owner could change or remove the dynamic equilibrium beach and shoreline habitat could be lost.

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				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				4e
f. Will the project affect wetlands, or prime and unique farmland?		X				4f
g. Other:		X				

Proposed Action: The property is naturally vegetated by a variety of grasses, sedges, and riparian species. FWP does not plan to undertake any active vegetative management except noxious weed management. FWP will inventory wetland and upland species to determine degree and impact of noxious weeds.

4f: Purchase of this property by FWP would protect and enhance wetlands.

4e: FWP would incorporate this land into its regional weed management program, and chemical, mechanical and/or biological controls would be used. FWP would work with county weed district managers to ensure appropriate noxious weed control. By state law, FWP is required to manage noxious weeds on its properties, as are all property owners. As a result of these measures, the quantity and quality of native vegetation on the land is expected to improve.

No Action: The level of risk is unknown, since the future impacts to the resources would be dependent on the desires of the future property owner(s). The level of noxious weed control by another owner is unknown, but subject to the same state laws as it would be under the proposed action. If the area were developed for residential use or subdivided, there could be varying degrees of impact to native or natural vegetation and the temporary or long-term risk of weed infestations associated with land use changes, depending on the nature and extent of that development.

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				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest, or other human activity)?		X				5g
h. Will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				
i. Will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				5i
j. Other:		X				

Proposed Action:
5a, b, & c: If FWP were to acquire this property, the conservation and enhancement of the land would benefit its permanent and transient terrestrial and aquatic species and their habitats. These land purchases will benefit bull trout, westslope cutthroat trout, and other resident fish using Flathead Lake by maintaining shoreline and wetland/riparian vegetation and cover. These natural areas will help protect the water quality of Flathead Lake. The wetlands would be protected or likely enhanced.

Shoreline areas would be protected and erosion and runoff kept to a minimum. The dynamic equilibrium beach located on the property at the high water mark prevents shoreline erosion and keeps sedimentation to a minimum. Fish and amphibian species benefit from the decrease in sedimentation in the lake and the protection of riparian and wetland areas.

5d: FWP does not expect any substantial changes in the fish and wildlife communities. The parcel has not been used for residential or agricultural purposes for many years; it has natural vegetation that may not need any enhancement. The wildlife species that likely use this area, including waterfowl, trumpeter and tundra swans, bald eagles, osprey, great blue herons, a variety of songbirds, river otter, coyote, white-tailed deer, and small mammals, will likely remain much the same over the next few years.

5e: FWP would not create any wildlife barriers; the conservation of this property increases the wildlife connectivity between the Swan and Salish Mountain ecosystems.

5f & h: This land provides shoreline habitat and protects water quality of Flathead Lake, which is home to bull trout, listed as threatened under the federal Threatened and Endangered Species Act, and for westslope cutthroat trout, a state species of special concern. The Bigfork parcel adjoins a bald eagle territory on the WPA. Bald eagles are no longer listed as threatened, but are now a priority species in need of conservation in the FWP Comprehensive Fish and Wildlife Conservation Strategy. Bald and golden eagles are also protected under the Bald and Golden Eagle Act. The acquisition of this parcel will maintain security for bald eagle nesting and other eagle use of this land and surrounding areas.

This property is used by resident and migratory tundra and trumpeter swans. Tundra swans are not listed, but trumpeter swans are considered a species of special concern in Montana. FWP and the CSKT are working to reintroduce trumpeter swans in both the Mission and Blackfoot Valleys. Sightings of wintering trumpeter swans and potentially nesting pairs are increasing in the Flathead Valley as a result of these introductions. The north shore of Flathead Lake has been consistently used by a mix of tundra and trumpeter swans all through the fall, winter, and spring. Protection of these lands will maintain or increase habitat quality and security for wintering, migratory, and potentially nesting swans.

The property is only a few miles from known use areas by grizzly bears that frequent the valley in spring and fall for various food resources. The conservation of lands along the north shore of Flathead Lake may help provide future corridor or linkage across the Flathead Valley for various terrestrial species including bears, lions, deer, elk, and moose.

5g: FWP will likely include a spring closure on the land to be consistent with management of the federal Flathead Lake WPA and FWP's North Shore State Park and WMA acquired in 2008. The spring closures are consistent with that of the adjacent WPA that is currently closed from March 1 to July 15. This will provide habitat and security for nesting waterfowl and bald eagles, white-tailed deer, and other species. Dispersed compatible uses such as hunting, trapping, hiking, and bird watching could occur on the property at other times of the year, so some disturbance or legal hunting or trapping of wildlife is expected, but it will be carefully managed. FWP will require control of pets or may prohibit pet use except for hunting dogs under the control of a licensed hunter. FWP will evaluate pet uses and provide information on pet use and other public uses at the access point.

5i: The proposed action will not introduce or export any new plant or animal species into the area either presently or historically occurring in the general area.

<u>No Action</u>: If this land is developed, impacts to wildlife or habitat could occur from increases in use by residents, pets, and their activities. If left undeveloped, wildlife currently using the area would likely remain, but habitat enhancements for additional wildlife, wildlife use, or for species of special concern would not likely occur. Wetlands may or may not be maintained.

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				

Proposed Action: 6a and 6b: The proposed acquisition of previously private lands is likely to result in a few more people recreating on the property than in the past during late summer, fall, and winter when public access would be allowed. Only walk-in public use would be allowed at this point in time. FWP (and FWS to their adjoining lands) would retain right of administrative access using vehicles if needed. Noise levels should not increase, as the parcel is small and not conducive for much additional hunting. Most hunting takes place along the lakeshore and WPA to the west. Thus, noise levels are not expected to increase significantly possibly to a very minor extent. Although rifle hunting is allowed on these lands, most hunters appear to use short-range weapons due to nearby development

6c and 6d: The proposed action will not increase electrostatic effects that could be detrimental to human health or interfere with radio or television reception.

No Action: If FWP did not purchase the property, the current landowner could pursue some type of development. This might cause an increase in noise and electrical effects in the area depending on the type or extent of development.

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				7a
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				7b
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?			X			
e. Other:		X				

Proposed Action: 7a and 7b: The Bigfork parcel has likely been used for grazing in the past; however, no visible land use other than open space has occurred recently on this parcel. The parcel has been gated and has no-trespassing signs. However, we understand that legal walk-in access has been provided for public use across the parcel to the adjoining Flathead Lake WPA. FWP does not contemplate any changes in access from the past and would maintain existing public access use across the property to the WPA when the WPA is open. FWP may also provide a minimal area for parking through alteration of the gate or fences. Motorized public access to the lake or across the property is not envisioned to ensure conservation of habitat values.

No Action: If FWP did not acquire the property, the land use could change to development with additional private residences. A dock and boat access area would likely be built on the Bigfork parcel. These activities associated with development could degrade wildlife habitat and cause disturbances to wildlife using the WPA and surrounding area. The level of impacts that would occur is unknown and would be based on the intensity of development.

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				8a
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				8b
c. Creation of any human health hazard or potential hazard?		X				8c
d. Will any chemical toxicants be used? (Also see 8a)			X			8d
e. Other:		X				

Proposed Action: 8a and 8d: Under FWP management, pesticides could be used to reduce, control, or eradicate noxious weeds on the property, as per the Region One Weed Management Plan. Trained, licensed professionals would conduct any weed treatment and storage/use of chemicals in accordance with proper operating procedures and label instructions to minimize potential unintended consequences to wildlife, vegetation, wetlands, water quality, and visitors to the property.

8b: Inherent risks are associated with hunting and recreational activities. FWP would monitor the area for significant hazards and provide educational materials and law enforcement patrols to promote safe and responsible use of the property.

8c: As common practice, FWP would carry out a hazardous materials survey before completing the purchase of the property to identify any unseen public safety or wildlife hazards present on the property.

No Action: If FWP does not purchase the property, it is unknown if any new risk or health hazards might occur.

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				9c
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		Yes	9e
f. Other:		X				

Proposed Action: 9a-9d: Under the proposed action there will be minimal direct impacts to nearby communities. More people may be drawn to recreate on this parcel when the land is open because the acquisition increases opportunities for public access for hunting, walking, and wildlife viewing. Local communities, like Bigfork, may realize some additional economic activity generated by users. FWP's potential acquisition of this parcel would not increase density and growth rates of the human population nor affect the social structure of the community. Industrial or commercial activity would not occur on this property. Commercial uses on FWP lands are governed by applicable FWP commercial use regulations and may or may not be allowed depending on the proposed use. Commercial users would need to apply for special use permits; their activities could not have an irreversible or irretrievable impact on wildlife or habitat values.

9e: Traffic hazards will not be increased because the existing or any future proposed parking area will be limited due to wetlands and other constraints.

No Action: There may be potential for a short-term economic benefit through some type of development and additional home housing construction or real estate sales if the property is sold to a developer for subdivision. Changes in ownership may result in community impacts depending on designs implemented in future developments.

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				
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				
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.	$2500/year					
g. Other:		X				

Proposed Action: 10b: Under the proposed action, FWP Fish Divisions would make annual payments of property taxes to Flathead County. The prior property tax category for this parcel was agricultural, and that tax rate would be retained by FWP. The 2008 property taxes were approximately $309.67.

Due to the small size of the parcel, this would not attract significant new hunters or trappers to the area. The parcel is likely to be used during the late summer, fall, and winter for walking or bird watching.

Increased public recreational activities on the properties could result in occasional need for emergency services such as search and rescue, emergency medical services, local law enforcement, and fire control and suppression. This acquisition would also require additional FWP staff time undertaking monitoring, management, and enforcement activities.

No Action: If another buyer purchased the property for personal or development uses, Flathead County would receive increased tax revenues, but would need to provide increased public services for new residences. However, the exact public service and utility needs of other buyers is unknown.

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				11a
b. Alteration of the aesthetic character of a community or neighborhood?		X				11b
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings?		X				11c
d. Will any designated or proposed wild or scenic rivers, trails, or wilderness areas be impacted? (Also see 11a, 11c.)		X				11d
e. Other:		X				11e

Proposed Action: 11a: FWP acquisition of this property will help protect the open space and view shed along the north end of Flathead Lake.

11b: FWP's acquisition of this land would retain the status quo with respect to view and aesthetics of the area's rural farms and Flathead Lake from public roads, from the lake itself, and from higher elevation lands around the north end of the lake. The land would retain its scenic, open, undeveloped, and agricultural character.

11c: Recreational opportunities to enjoy hunting, wildlife viewing, and dispersed recreation near Flathead Lake and WPA will likely increase. However, all uses must be compatible with wildlife and habitat values of the parcel and the conservation easement related to the funding source. Recreational uses will be managed so as not to impact nesting waterfowl, bald eagles, wildlife use, and other important habitat values. Seasonal closures or limited access to the property during the spring and early summer will likely be needed. Parking area will also be limited to encourage dispersed recreation during the open and hunting seasons. FWP does not want this area become a dog-walking area for the nearby residents. Dogs, other than hunting dogs in control by licensed hunter during legal seasons, may be prohibited if dog use is high. Likely compatible uses could include wildlife viewing and possibly outdoor education. All future developments as well as habitat or access improvements would be subject to future environmental and public review processes.

11d: There are no designated or proposed wild or scenic rivers, trails, or wilderness areas on this property.

11e: Additionally, with opening any new area to public use, there is the potential for vandalism. Vandalism diminishes aesthetic and recreation values of any property on which it occurs. FWP will need to increase monitoring and enforcement of posted rules and applicable regulations.

No Action: If FWP does not purchase the property, it would likely be sold or developed in some manner. This may result in changes to the natural areas, views, aesthetics, and recreation use depending on the nature of the future developments. If the property remains undeveloped, the scenic and aesthetic values would be maintained.

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. Will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		X				
e. Other:		X				

Proposed Action: Native peoples used this area, and there could be sensitive sites in the area. Before any development, FWP will conduct a cultural resources survey to ensure any sensitive sites are protected.

No Action: It is uncertain if unrecorded historic sites would be affected by the activities of another owner other than FWP because current laws do not require private enterprises to conduct cultural resource surveys prior to development.

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				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard, or formal plan?		X				
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				
f. Is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)			X			
g. List any federal or state permits required.		X				

13a: The proposed acquisition of this parcel would benefit long-term conservation of fish and wildlife habitat values associated with the north shore of Flathead Lake and not result in any cumulative negative impacts to the natural or social environments.

13b: There would be no change to risks associated with increased hunting or trapping opportunities other than the status quo, as this property and the adjoining WPA are or were already used for hunting and trapping.

13c: FWP will continue to pay property taxes and manage the property to ensure compliance with noxious weed law, good neighbor policies, and for other public benefits. The acquisition would not cause a conflict with any local, state, or federal law or plan.

13d: The proposed action does not establish a likelihood of a future significant environmental impact.

13e & f: FWP does not anticipate significant controversy or organized opposition about FWP's proposed acquisition of this property for the purposes stated herein. There was some public concern regarding the acquisition of the North Shore State Park and WMA in 2008 relating to the level of impact resulting from public use as compared to residential development. There is always potential for substantial public controversy surrounding FWP land acquisitions; however, we anticipate public discussions with this proposed acquisition will be focused more on what types of public uses might be allowed and when. This acquisition is relatively small and does

not entail funds for a state park, but rather funds for habitat conservation. FWP does not anticipate significant controversy with the interim management plan proposed in this draft EA.

13g: No state or federal permits would be required for these proposed acquisitions.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

FWP proposes to limit public access to this parcel from March 1 to July 15 consistent with the current closure on the federal WPA. FWP may also limit pet/dog uses during the rest of the year to be ensure the area does not become a community dog walking area that could result in resource impacts. These management strategies would help mitigate the public's use of this area to ensure that no environmental degradation or significant impacts to fish, wildlife, and their habitats occur.

PART III. NARRATIVE EVALUATION AND COMMENT

This analysis did not reveal any significant impacts to the human or physical environment. No additional construction or improvements of any kind are included in this proposal. The interim management plan provides for seasonal closures and pet restrictions. These will apply for the next 3-5 years until a more detailed habitat and management plan can be developed. Future habitat restoration, public use, or development of any kind will be subject to future draft EA and public review processes.

PART IV. PUBLIC PARTICIPATION

1. Public involvement for this project:
The draft EA will be available on FWP web site, at local libraries, and at Region One FWP headquarters. Announcements of draft EA mailed to news media, adjoining landowners, and conservation and other interest groups/agencies.

Duration of comment period:
The draft will be out for a 3-week public review through July 17, 2009.

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? No.

Based upon the above assessment, which has identified a limited number of minor impacts from the proposed action, an EIS is not required and an environmental assessment is the appropriate level of review.

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

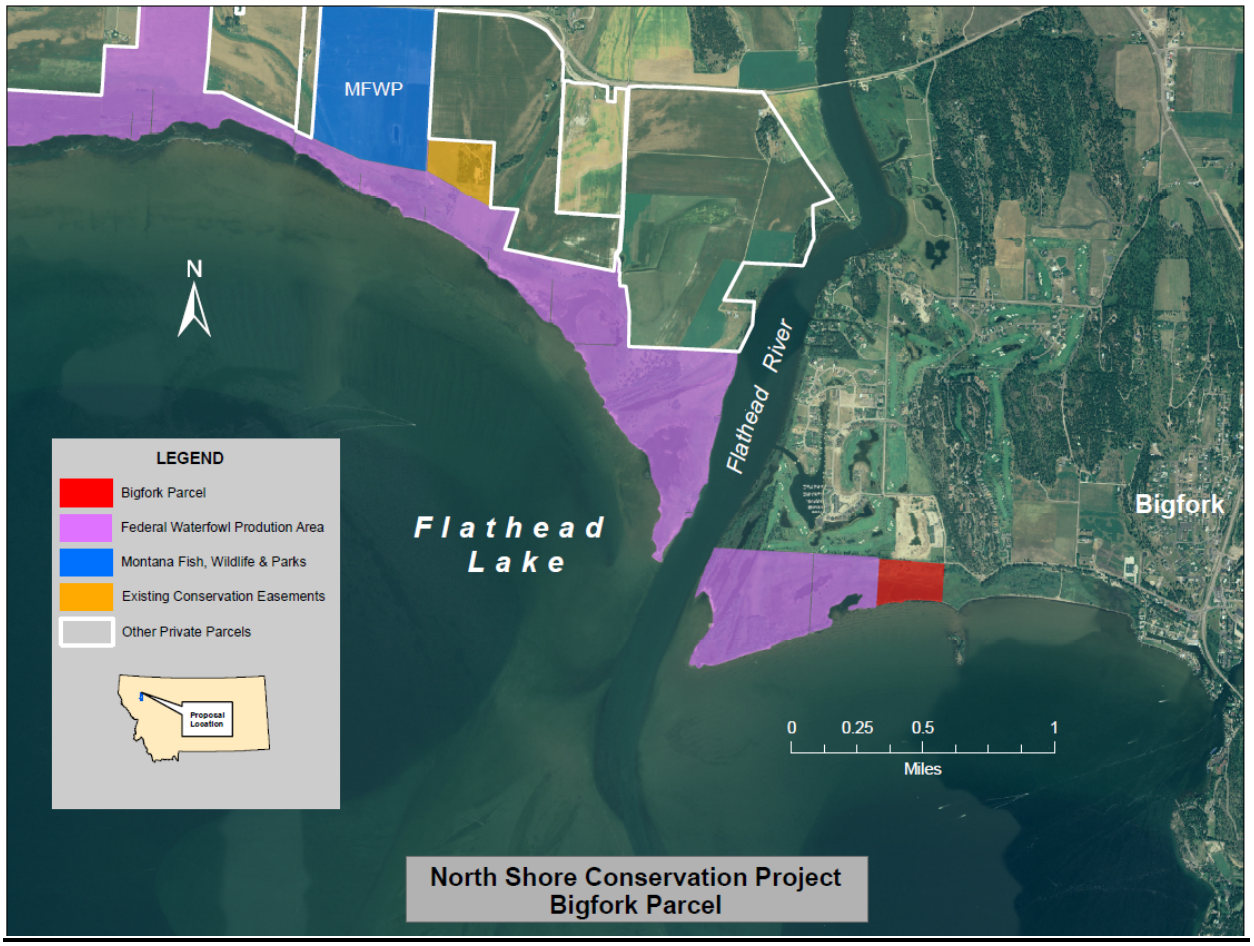
Kris Tempel, FWP Fisheries Technician, Kalispell, MT
Gael Bissell, FWP Wildlife Biologist, Kalispell, MT
Joel Tohtz, FWP Fisheries Mitigation Coordinator, Kalispell, MT
Rob Brooks, FWP Economist, Helena, MT

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

Montana Fish, Wildlife & Parks
- Fisheries Division
- Wildlife Division
- Lands
- Legal Bureau

Montana State Historic Preservation Office (SHPO)
Confederated Salish and Kootenai Tribes (CSKT)

Attachment A. Location of the proposed North Shore Conservation Project Bigfork Parcel along the north shore of Flathead Lake, Flathead County, Montana.



Attachment B. North Shore - Bigfork Parcel - Fisheries Conservation Area Proposed Interim Management Plan

PART 1.0 INTRODUCTION

The North Shore Fisheries Interim Conservation Plan (Plan) encompasses the interim (1-5 years) management that Montana Fish, Wildlife & Parks (FWP) proposes for a parcel of land the agency proposes to purchase using funds from the Bonneville Power Administration. The parcel is located near Bigfork east of the Flathead River along the north shore of Flathead Lake and consists of approximately 70 total acres (Attachment A).

The Bigfork parcel adjoins the U. S. Fish and Wildlife Service's Flathead Lake Waterfowl Production Area (WPA) to the west and private land to the north and east. The southern boundary is Flathead Lake. Most of the parcel lies under the waters of the lake during the late spring to early fall, full pool period. During the lake's full pool period, only the northerly 22 acres or so of this parcel are above water level. Most of this area is only a few feet above the water table and in the 100-year floodplain. A little more than 2 acres is outside the 100-year floodplain.

This Plan provides a description of the purpose, objectives, and management strategies for this property that will be managed as a Fisheries Conservation Area. Detailed management objectives and strategies are identified in this plan. This interim Plan would be updated within 1 to 5 years to ensure that project continues to fulfill the identified purpose(s). This would include a process to involve the public, other agencies, local communities and officials, and adjoining landowners. Management of this area will require careful consideration and action over time and will also be responsive to agency, public, and adjoining landowner interests and needs.

1.1: Property Location

The Bigfork parcel consists of approximately 70 acres located in Section 35, T27N, R20W, Flathead County, Montana. See map for more specific detail (Attachment A).

1.2: Resource Values

The north shore of Flathead Lake provides many important and unique natural resource values, from important migratory bird habitat to excellent educational/recreational values. The wetlands and shoreline help maintain high water quality in Flathead Lake, one of the clearest lakes in the world, from nearby upland land uses. The shallows, wetlands, and seasonal mudflats along the north shore provide important foraging and resting areas for thousands of migratory birds moving through intermountain valleys of the Northern Rockies. The north shore provides excellent views of the lake and lakeshore, and excellent bird-watching opportunities. The habitat values on this parcel can be maintained to provide quality fisheries, bird, and other wildlife values. The north shore is also an important area of connectivity across the Flathead Valley. Grizzly bears have been observed just north of the north shore along the Flathead River. Given the level of development occurring in the Flathead, this may be one of the few areas of connectivity that would allow wildlife to potentially move between the Swan and Salish Mountains.

The general Flathead Lake north shore area supports approximately 39 Tier I (greatest conservation need) or Tier II (moderate conservation need) species found within grassland/riparian/wetlands community types as identified by FWP's Comprehensive Fish and Wildlife Conservation Strategy (FWP 2005). The most notable Tier I species that are found on and near this parcel include bald eagles and trumpeter swans along the lakeshore or on the mudflats. Other possible Tier 1 species that may occur on proposed acquisitions through enhancement or population recovery efforts include long-billed curlews that prefer wet meadows and black terns that prefer marsh habitats. Other important species that use the north shore and nearby uplands including the proposed project lands include golden eagle, osprey, merlin, great blue heron, northern harrier, peregrine falcon, various waterfowl, and wintering raptors such as rough-legged hawks and short-eared owls.

This parcel shares a border with the U.S. Fish and Wildlife Service's Flathead Lake WPA. The WPA was purchased in 1970 and consists of several thousand acres of shoreline and wetland habitats. The primary purpose of the WPA is to protect migratory and resident bird habitat while allowing wildlife-related compatible uses such as hunting, bird watching, and trapping. Currently, the WPA is closed to public use from March 1 to July 15 each year due to migratory and nesting waterfowl and bald eagles. The riparian/wetland and upland portions of the adjoining WPA provide wetland, forest, and shrub habitats for birds, deer, and other wildlife.

The Bigfork parcel includes a recently upgraded access road to the high water mark and recently constructed dynamic equilibrium beach along the high water mark that helps attenuate wave energy and limit shoreline erosion. Pacific Power and Light built this beach on both the Bigfork parcel and much of the shoreline of the WPA as part of its license requirements from the Federal Energy Regulatory Commission to operate Kerr Dam. The parcel also includes an access road across its northern boundary to the federal WPA.

This parcel has some cottonwood and shrub cover along its north and west boundary; more than half of the vegetated portion of this parcel consists of wetlands including cattail, bull rush, reed-canary grass, and sedges.

FWP has contacted the State Historic Preservation Office about known cultural resources on this parcel. The acquisition would not affect any known or unknown resources. However, if FWP proposes any ground-disturbing activities or proposes to remove any structures, FWP would work closely with the State Historic Preservation Office and the Confederated Salish and Kootenai Tribes as required. The specific type and extent of cultural resources and artifacts are unknown at present, but it's possible the Bigfork parcel has some cultural resources that would be conserved by the project.

1.3: Authority

FWP is authorized through Montana Code Annotated (87-1-209, MCA) to acquire lands for purchase for the purpose of wildlife and/or fisheries protection, fishing, hunting, outdoor recreation, and/or to consolidate lands for these purposes, with the approval of the FWP Commission and the Board of Land Commissioners.

FWP has powers and duties regarding the acquisition of lands by fee or donation as state historical sites and recreation areas (MCA 23-1-102). The department may cooperate with other federal, state, or local agencies to acquire, plan, establish, and maintain parks (MCA 23-1-107).

FWP is authorized to acquire lands by purchase, gift, or other agreement, or acquire easements upon lands or waters for certain purposes, including public fishing and outdoor recreation (MCA 87-1-209).

FWP is a signatory to the 2008-2009 Memorandum of Agreement (MOA) with both Bonneville Power Administration (BPA) and the Confederated Salish and Kootenai Tribes (CSKT) for the purpose of mitigating resident fish impacts associated with the construction and inundation of Hungry Horse Dam. One of the primary funding sources for these acquisitions is capital funding available to Montana through this MOA.

PART 2.0 VISION STATEMENT

The primary purpose or vision for the Bigfork Fisheries Conservation Area will be for the conservation and enhancement of fish and wildlife habitats while also providing the public some opportunities for wildlife viewing and access to seasonal hunting of waterfowl and upland game birds. The public will retain walk-in access to the WPA during the times of the year the WPA is open. The parcel will be managed in cooperation with the WPA and in a manner to protect fish and wildlife values and may be closed seasonally. FWP proposes in the interim that we adopt basic etiquette and resource protection rules that will protect the habitat values such as limiting use during the spring, limiting parking, requiring no-trace types of uses, prohibiting off-road vehicles, and having pet controls.

The late summer-winter visitation is expected to come from both outside the local area as well as from local residents. Most of the use during fall and winter would likely come from the local area residents. Outdoor recreational opportunities would likely include bird watching, wildlife viewing, photography, and hunting.

Goals: The management goal of the proposed North Shore Fisheries Conservation Area will be to:

- Conserve and maintain wildlife habitat, wetlands, riparian areas, and function of the land;
- Restore and maintain riparian vegetation and wetlands as needed;
- Maintain integrity of the dynamic equilibrium beach through cooperation with Pacific Power and Light to ensure the land is not further eroded by waves from Flathead Lake;
- Provide public wildlife viewing and hunting/trapping opportunities on and through this parcel on a seasonal basis to the federal WPA;
- Be a “good neighbor” to adjoining properties and neighboring communities.

PART 3.0 NATURAL RESOURCE MANAGEMENT

3.1: Habitat/Vegetation Management

Objective: Conserve, maintain, and enhance native or native-like plant communities in the riparian and upland habitats within the project area.

Management Strategies:

a) Obtain appropriate baseline biological data for the property to assess management needs, including topographic and soils maps, aerial photos, and distribution and abundance of wildlife in the area.
b) Maintain and restore natural wetland habitats.
c) Provide wildlife security for migratory and nesting bald eagles, migratory and nesting raptors, and migratory and nesting waterfowl in the spring.

3.2: Noxious Weed management

Objective: Control noxious weeds to prevent loss of native species and decline in plant community productivity.

Management Strategies:

a) Identify noxious weeds on the property.
b) Develop a weed management plan operating under the guidelines of the 2008 FWP Statewide Integrated Noxious Weed Plan.
c) Implement control and eradication as soon as practical. Weed management will involve using techniques that will have minimal impacts to fish and wildlife habitat and be consistent with state laws and regulations guiding use of chemicals. Biological and other controls will be used to the extent practicable.
d) Coordinate with county weed districts, adjoining landowners, and others active in local weed identification and control.

3.3: Wildlife Management

Objective: To identify and maintain fish and wildlife values of the land allowing limited public access to those resources without impacting overall population or habitats and without impacting adjoining landowners.

Management Strategies:

a) Maintain the riparian and wetland habitats as well as upland areas to provide high-quality habitat to benefit fish and wildlife on and off the property.
b) Ensure security for birds and other wildlife during the migratory and nesting seasons.

PART 4.0 HERITAGE RESOURCE MANAGEMENT

4.1: Heritage Resource Protection

Objective: Heritage resources will be protected and interpreted as an integral part of the landscape.

Management Strategies:

a) Coordinate with the CSKT cultural committees and CSKT staff to develop Heritage Resource Protection Plan.
b) Utilize the Parks Division Heritage Resources Program Manager to develop and implement a Heritage Resource Protection Plan as needed.
c) Provide information to the public regarding site-specific cultural resources about the importance of leaving heritage resources undisturbed for future generations.

PART 5.0 RECREATION MANAGEMENT

5.1: Recreational Opportunities and Public Access

Objective: Provide compatible public recreational opportunities to the land while ensuring conservation of important habitat and wildlife values. The following plan will be interim until a more detailed and site-specific development plan goes through a separate EA/public review process and is ultimately adopted by FWP.

Management Strategies:

a) Allow public access to the parcel during the times of year that the WPA is open to public use (July 15 – end February). FWP proposes an annual seasonal spring closure from March 1 - July 15 to protect adjoining bald eagle nesting territory and other waterfowl, bird, and wildlife uses. The area has been in private ownership, with “No Trespassing” signs posted that have provided security to nesting and migratory birds and other wildlife.
b) Coordinate management with the adjoining WPA to ensure that both parcels can meet the objectives for which they were acquired.
c) Provide wildlife viewing/interpretive opportunities without impacting these wildlife resources.
d) Allow only foot traffic on acquired lands.
e) Require pet/dog controls consistent with the rules of the WPA.

5.3: Public Use Regulations

Objective: These lands would be managed for public use by regulating the level and type of access, level, and type of facilities and by implementing the standard FWP recreational use regulations (ARM 12.8.101-12.8.213), the FWP Commercial Use Rule (ARM 12.14.101-12.14.170), and any special regulations developed for this property. Permits will be required for any type of group use, commercial use, scientific research, and projects involving handling wildlife.

Management Strategy:

a) Utilize existing ARM Rules pertinent to Wildlife Management Areas and Fish Conservation Areas to determine specific applicability for public use at North Shore.
b) Discharge of firearms and weapons will be restricted to lawful hunting only. Recreational shooting will be prohibited (ARM 12.8.202). No person may permit

an animal to run at large. Other seasonal or year-round restrictions on dog/pet use on the acquired lands will likely be implemented.

c) Motorized vehicles will be restricted to designated road and public parking areas. OHV use will be prohibited off existing roads or parking areas, e.g., designated routes (ARM 12.8.204).
d) Removal of natural, geological, historical, or archeological resources from the property will be prohibited except for berries or lawfully taken fish and game (ARM 12.8.207).
e) Commercial use will require a permit in accordance with the Statewide Commercial Use Rules (ARM 12.14.101-170).
f) The parcel has road access to the WPA and the lakeshore. This road may be used by walk-in public during the time the parcel is open to use and by FWP or the U.S. Fish and Wildlife Service for administrative purposes such as inventory, management, or other needs.

Specific Proposed Hunting/Access Regulations/Rules:

FWP is proposing the following interim public use rules, which are similar and consistent with rules on the WPA and the North Shore State Park/WMA already acquired.

Proposed North Shore Rules & Regulations

- Area is closed to all public use during the nesting season, March 1 to July 15 each year.
- Dogs must be on a leash except when used for hunting during a legitimate upland game bird or waterfowl hunting season.
- Only steel or nontoxic shot may be used for any hunting. No lead shot allowed.
- No motor vehicle access is permitted except in any designated parking area.
- Discharge of weapons is permitted only during open hunting seasons. All target practice, including paintball, air guns and shooting clays, is prohibited at all times.
- No fires, camping, or overnight use allowed.
- Portable blinds may be brought to the area. Blinds must be removed daily.
- Dumping, disposing, or littering in any manner of garbage, refuse, or other debris (including bird feathers and entrails) is prohibited.
- No commercial use without a permit.

5.4: Public Input/Marketing

Objective: The site will be publicized as a unique public resource as part of Montana's Fisheries Conservation Areas.

Management Strategies:

a) Include this area on the FWP web site for Fisheries Conservation Areas.
b) Develop a site-specific brochure including a map, resource information, recreational opportunities, and regulations.
c) Install appropriate informational signs at primary access points.

d) Provide opportunities for public interest groups, adjoining landowners, county staff, communities, and others to provide input into the long-term, more detailed management plan.

5.5: Hunting

Objective: Opportunities for hunting will be available to the public in accordance with annual hunting regulations.

Management Strategies:

a) Manage sport hunting in accordance with annual regulations.
b) Implement a hunting access system that allows FWP to manage and monitor hunting activity.
c) Establish safety zones near existing residences or any areas where hunting would not be safe.

5.6: Boating/Angling

Objective: FWP will likely allow walk-in canoe/kayak access from July 16 until the end of February.

5.7: Commercial Use

Objective: Commercial use may be considered if deemed a necessary and appropriate service for the public enjoyment and use of the site and if compatible with the fish and wildlife habitat values for which this property would be acquired. Commercial uses allowed on Fish or Wildlife Management Areas are defined in the Administrative Rule 12.14.10.

Management Strategy:

a) Permit-approved commercial use requests in accordance with the FWP Commercial Use Rule and Commercial Use Fee Rule (ARM 12.14.101-170).

5.8: Public Safety

Objective: Public safety measures will be proactively implemented.

Management Strategies:

a) Provide an adequate law enforcement patrol and response presence on the site through the use of game wardens, state parks staff, and other FWP personnel as well as law enforcement for FWS.
b) County fire officials cover FWP properties that are not covered under direct fire protection by a wildland agency through a cooperative agreement with the state. The county agrees to provide protection to all nonforest district state properties in exchange for the state providing the county with training, equipment and some planning assistance. During the fire season, FWP 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. Motorized

access on the property at this point in time will be allowed only on existing parking areas. No fires will be allowed. We plan to develop appropriate signage, regulatory postings, and educational messages related to public safety.

PART 6.0 ADMINISTRATION, OPERATIONS, & MAINTENANCE

Objective: Initial operations and management will be directed at securing the property, providing interim managed public access, and addressing legitimate concerns for wildlife and of adjoining landowners. Funding and staffing will be secured over time using available operations and maintenance funds to properly support site administration and stewardship over time. FWP may engage volunteers from local sporting clubs, conservation, and other organizations in the operations and management of these lands.

Management Strategies:

a) Develop a strategy to provide an interim site presence capable of providing basic site stewardship and site administration for next 1-5 years. Although the property would be acquired by the state by the end of September 2009, it may be partially or completely closed from March 1 to mid-July 2010. FWP will have public information available on our web site, at FWP and FWS offices, regarding seasonal closures and other use changes.
b) No overnight use will be allowed.
c) A member of the seller's family would be allowed to access the property for the remainder of her life as a condition of the sale.

PART 7.0 CAPITAL IMPROVEMENTS

Objective: Initial development will include securing the property, providing managed public access, and addressing concerns of adjoining landowners and the public.

Interim Management Strategies:

a) Repair/construct boundary fencing as needed and designate limited parking area.
b) Set target date for July 2010 opening with signs, brochures, and other public information.
c) Consult with the State Historical Preservation Office and CSKT as part of development of Heritage Resource Plan and prior to any ground disturbance other than replanting or restoring agricultural lands.

Attachment C
SOCIOECONOMIC ASSESSMENT
North Shore Conservation Project
Bigfork Parcel

MONTANA FISH, WILDLIFE & PARKS

June 2009

I. INTRODUCTION

House Bill 526, passed by the 1987 Legislature (MCA 87-1-241 and MCA 87-1-242), authorizes Montana Fish, Wildlife & Parks (FWP) 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 FWP acquires lands. These assessments evaluate the significant social and economic impacts of the purchase on local governments, employment, schools, and impacts on local businesses.

This socioeconomic evaluation addresses the fee title purchase of the 70- acre Bigfork parcel. The report addresses the physical and institutional setting as well as the social and economic impacts associated with the proposed fee title purchase. Map of the property is in the draft EA (Attachment A).

II. PHYSICAL AND INSTITUTIONAL SETTING

A. Property Descriptions

The Bigfork parcel is located in Flathead County southeast of Kalispell and just west of Bigfork on the north shore of Flathead Lake. Detailed descriptions of these properties are included in the draft environmental assessment (EA).

B. Habitat, and Fish and Wildlife Populations

The Bigfork parcel is partially seasonally inundated by Flathead Lake and supports habitat for resident fish as well as habitat for migratory and nesting waterfowl, tundra and trumpeter swans, osprey, shorebirds, and year-round use by bald eagles. The property also provides habitat for other raptors, upland game birds, white-tailed deer, small mammals, beaver, muskrat, mink, and river otter, and an occasional black bear or mountain lion. Both parcels lie within ¼ mile of an existing bald eagle nesting territory.

C. Current Use

No evidence of recent residential and agricultural land use exists on the Bigfork parcel. The property was likely grazed or hayed in the past due to presence of small old barn and shed structures on the property probably built sometime around 1920s or 1930s.

D. Alternatives

1) No Action. This alternative requires some assumptions since use and management of the property will vary depending on what the current owners decide to do with the property if FWP does not purchase the North Shore lands in fee.

   Habitat maintenance and public access may or may not continue depending on who purchases the property. The economic impacts associated with this alternative have not been estimated.

III. SOCIAL AND ECONOMIC IMPACTS

The fee title purchase of the Bigfork parcel will provide long-term protection of important wildlife habitat, help maintain the integrity of the federal Flathead Lake Waterfowl Production Area (WPA), and provide opportunities for public access for hunting and other compatible dispersed recreational opportunities. This section includes quantification of the social and economic consequences of the proposed purchase from two basic accounting stances: financial and local area impacts.

Financial impacts address the cost of the fee title purchase to FWP 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

The financial impacts to FWP are related to the purchase price of the fee title purchase and additional payments that FWP is responsible to make to a newly created operations and maintenance fund as a result of new state legislation (Good Neighbor law). The purchase price of the approximately 70-acre Bigfork parcel would be funded directly by the Bonneville Power Administration (BPA) through the existing 2008-2009 Memorandum of Agreement that allows FWP to acquire an interest in resident fish habitat as mitigation for fishery impacts associated with construction and inundation of Hungry Horse Dam. The appraised value of this parcel is approximately $1.5-1.8 million. The landowner is willing to sell this parcel to FWP as a bargain sale for about $1.0 million using these BPA funds.

FWP will need to place 20% of the purchase price or approximately $200,000 in an FWP permanent trust fund for the purpose of operation and maintenance of FWP acquired lands. The source of these funds would be from existing FWP programs/funding sources. Routine maintenance costs related to the purchase and managing of these lands would include fence and gate construction or maintenance, informational and boundary signs placed at access points, weed control, parking area designation, and other minimal interim site management activities. FWP will need to monitor and enforce applicable rules and regulations primarily through redirecting existing staff or volunteers. FWP would primarily use these operations and maintenance funds (or interest from this permanent fund) to undertake required routine maintenance and to pay property taxes into the future. FWP will be able to request future BPA fisheries funds for habitat restoration and enhancement as needed.

This Bigfork parcel will likely not need much vegetative management, but will most likely be maintained much as it now, as a natural wetland and grass/shrubland. However, Pacific Power and Light will need to maintain the existing dynamic equilibrium beach built at the high water mark to reduce shoreline erosion. The beach was built to require very little maintenance, but some application of new material will likely be required over time.

These initial management costs for both parcels are estimated to be initially around $2,500/year for the first few years. During this time, FWP will evaluate the interim management plan, address public concerns and use/access issues, identify enforcement concerns, and then develop a longer-term management plan for the property. These plans will be developed through a public process and subject to a future draft EA and public review process.

The financial impacts to local governments are the potential changes in tax revenues resulting from fee title purchase. Montana Code 87-1-603 states, "The treasurer of each county in which the department owns any land shall describe the land, state the number of acres in each parcel, and request the drawing of a warrant to the county in 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."

FWP Fisheries Division will be responsible for payment of property taxes for this parcel. The 2008 taxes were approximately $310. Funds for taxes would be derived from the newly created operations and maintenance fund.

B. Economic Impacts

FWP is not likely to need to develop this parcel, as there is adequate existing road that accesses both the dynamic equilibrium beach and the adjoining Waterfowl Production Area. Costs to manage this parcel should be minimal. Establishing a small parking area and determining the fate of the old structures will need to be addressed in the future and may cost to improve or remove. These actions will be addressed in a future draft EA and public review process.

FWP will not likely be hiring any new staff to manage this parcel. The parcel will be open to hunting, trapping, and wildlife viewing during the late summer through winter consistent with the uses of the WPA. The additional small acreage available to public use will generate some additional but not significant amount of user days.

FINDINGS AND CONCLUSIONS

The fee title purchase will provide long-term protection for wildlife habitat, maintain the open space and habitat integrity of the land, and ensure public access for hunting and other compatible dispersed recreational/educational opportunities.

The fee title purchase of this property by FWP will not cause a reduction in tax revenues from their current levels to Flathead County in the short term. FWP would continue to pay agricultural-rate taxes on this parcel.

Hunting and other recreational activities may increase a little over previous levels on this private land. The financial impacts of this acquisition to local businesses will be neutral to positive in both the short term and long run due to the ongoing maintenance responsibilities and public user days.