NORTH SHORE STATE PARK and WILDLIFE MANAGEMENT AREA ACQUISITION

Montana Board of Land Commissioners
November 17, 2008

Acquiring Agency: **Department of Fish, Wildlife & Parks (FWP)**

Land Interest: **Fee Ownership**

Cost/Value: The proposed acquisition of 160.992 acres would be purchased for the below appraisal price of $1,812,000.

Property Size/ Location: The property consists of **160.992 acres** of primarily agricultural land located between Montana Hwy 82 and the U.S. Fish and Wildlife Service's Flathead Lake Waterfowl Production Area (WPA) along the North Shore of Flathead Lake.

Resource Values: The purpose of FWP's acquisition is to increase habitat protection along the North Shore of Flathead Lake, enhance habitat for wildlife, and provide new, compatible public recreational opportunities. The private parcel is contiguous with the WPA for approximately ½ mile and contains 10 acres of wetlands. An Environmental Assessment evaluating FWP development of a visitor's center, camping facilities, and allowable activities will be completed prior to facilities development.

Process: FWP scoped the project (acquisition of Parcels 5 and 6) in partnership with the Flathead Land Trust, and staff from both organizations met with local sporting clubs, landowners, and citizens. **FWP Draft Environmental Assessment** was released on **August 27, 2008, and comments were accepted through September 26th and included both parcels.** FWP held an open house/public hearing September 11, 2008, in Somers. During the comment period a total of 55 comments were received and 52 strongly supported the proposed acquisition. No opposition to the proposed action was received. The most common reasons for support included the conservation of important wildlife habitat, public desire to preclude development of the North Shore, public access for recreation and hunting, and benefits to water quality, local business, and conservation education. Many comments supported the concept that this be the first step in a larger conservation effort across the whole North Shore. The offer on Parcel 5 was not consummated. FWP will pursue acquisition of other parcels in the project area.

FWP Commission Approval is anticipated on November 10, 2008.

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: November 10, 2008

Agenda Item: North Shore State Park/WMA Acquisition

Division: Parks/Wildlife

Action Needed: Approval of Tentative Rule: _____ **Approval of Final Action:** _x_

Endorse Course of Action: _____ **None - information only:** _____

Time Needed on Agenda for this Presentation: 10 minutes

Background: Fish, Wildlife & Parks (FWP) proposes to acquire 160.992 acres of primarily agricultural land located between Montana Hwy 82 and the U.S. Fish and Wildlife Service's Flathead Lake Waterfowl Production Area (WPA) along the North Shore of Flathead Lake. The purpose of FWP's acquisition is to increase habitat protection along the North Shore of Flathead Lake, enhance habitat for wildlife, and provide new, compatible public recreational opportunities. The private parcel is contiguous with the WPA for approximately ½ mile. The total cost would be $1,812,000. Funds for the proposed acquisition would come from Access Montana.

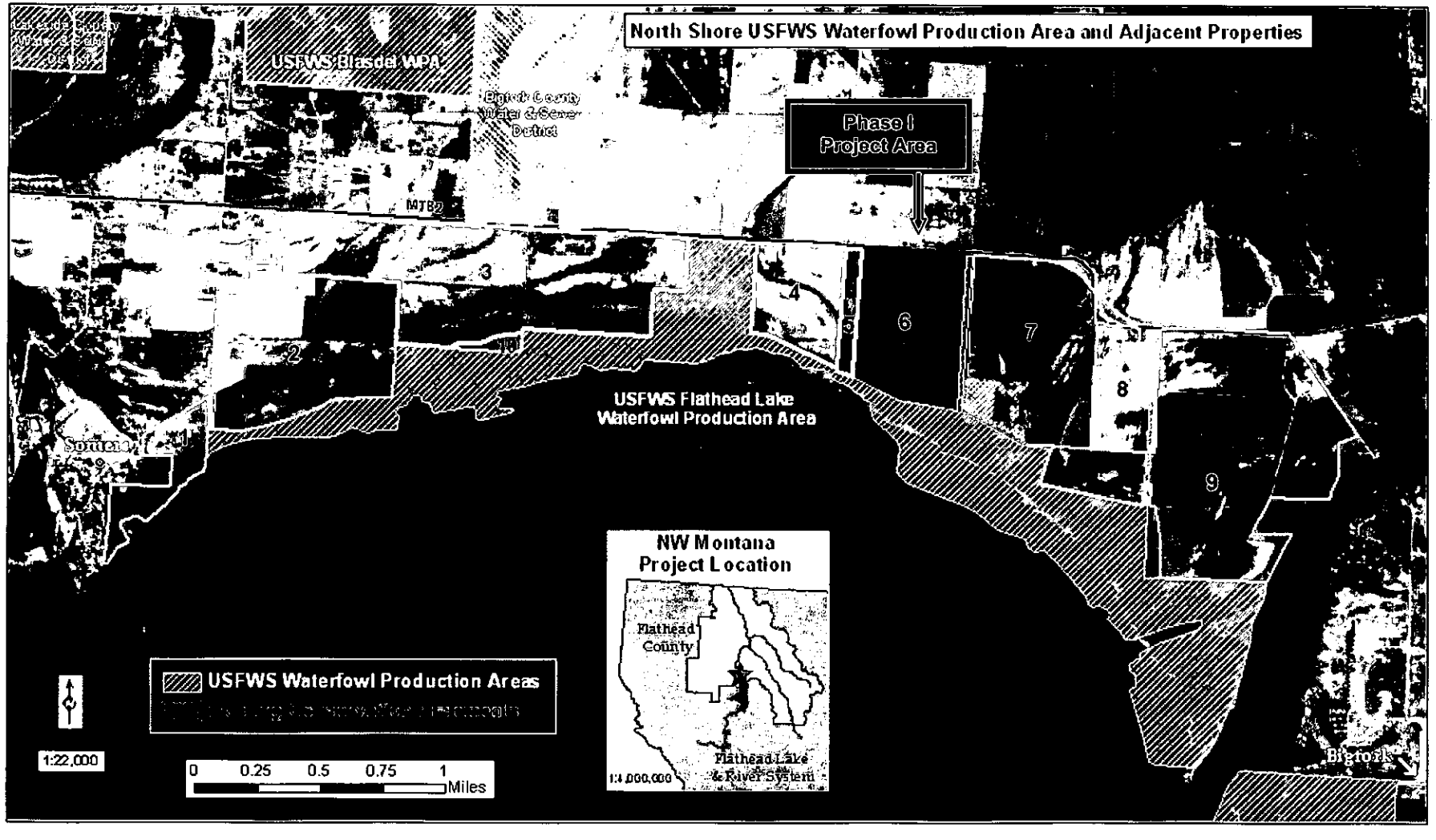
Public Involvement Process & Results: FWP scoped the project in partnership with the Flathead Land Trust, and staff from our organizations met with our local sporting clubs, local landowners, and local citizens. The EA evaluated the acquisition of 180 acres, however the project area has been reduced to 160 acres. We initiated a 30-day public comment period of the draft EA on August 27, 2008, by posting of the draft EA on our website and issuing a press release to statewide media. FWP paid for legal ads in the region's major daily and weekly newspapers and the Helena Independent Record prior to and after the draft EA release. FWP mailed notification cards to nearly 400 individuals or entities, including all neighboring property owners, local legislators, county officials, and other interested parties. FWP held an open house/public hearing September 11, 2008, in Somers. FWP received 47 written comments, 2 voice mail messages, and 6 statements from 18 attendees to the open house. Of 55 unique comments, 52 strongly supported the proposed acquisition. The most common reasons for support included the conservation of important wildlife habitats, followed by public desire to not see development of the North Shore, public access for recreation and hunting, and benefits to water quality, local business, and conservation education. Many comments supported the concept that this be the first step in a larger conservation effort across the whole North Shore. There was one comment that supported the proposed action, but provided different management suggestions for the lands. A letter supported the proposed action, but suggested several ways to make the draft EA stronger. The attorneys for a proposed nearby housing development stated concerns with the proposed management and public use of the lands, but neither supported nor opposed the proposed acquisition.

Alternatives & Analysis: FWP considered one other alternative, the no-action alternative in the draft EA. Under no action, FWP would not purchase the property. The landowner would likely continue their effort to sell the property to other potential buyers. It is unknown how future landowners would use this land or the level of development that may ultimately occur. The Flathead County Commissioners recently denied a proposal for a 367-acre subdivision that is being appealed by the developer. This proposal was for about 290 homes along the WPA near Somers. Development potential at some level is still a possibility.

Agency Recommendation & Rationale: Because of the importance of conserving the habitat values of lands along the North Shore of Flathead Lake, the high level of public support for the project, and the availability of funding, FWP recommends that the Commission approve the project as amended here.

Proposed Motion: I move that the Commission approve the North Shore State Park/WMA acquisition as amended in this cover sheet.

Figure 1: Vicinity and location map of the proposed Phase One North Shore State Park/WMA (Parcel #6) along the North Shore of Flathead Lake, Flathead County, Montana.



Montana Fish, Wildlife & Parks

Fish, Wildlife & Parks
Region 1
490 N. Meridian Road
Kalispell, MT 59901

Decision Notice and Finding of No Significant Impact for Purchase of North Shore State Park/WMA Environmental Assessment

October 21, 2008

Description of Proposed Action and Alternatives

The North Shore State Park/WMA proposal comprises the purchase of approximately 180 acres in 2 parcels of primarily open land located between Montana Hwy 82 and the U.S. Fish and Wildlife Service's Flathead Lake Waterfowl Production Area (WPA) (Attachment A). The Flathead Lake WPA is part of an undeveloped wetland complex along 5.5 miles of the North Shore of Flathead Lake and was purchased to protect migratory bird habitat. The purpose of Fish, Wildlife & Parks' (FWP) acquisition is to increase habitat protection along the North Shore of Flathead Lake, enhance habitat for wildlife, and provide new, compatible public recreational opportunities. The private parcels proposed for acquisition are south of Montana Hwy 82 and are contiguous with the WPA for about ½ mile. These properties contain about 10 acres of wetlands, with the balance primarily in agricultural production. The total cost would be approximately $2.25 million. Funds for the proposed acquisition would come primarily from Access Montana ($2.0 million) with the balance from a mix of private sources, wildlife habitat programs, donations, and grants.

The acquisitions would be co-managed by both Parks and Wildlife Divisions, with the Parks development project limited to an approximately 25-acre footprint and the balance of lands managed primarily for wildlife, habitat, educational, and compatible recreational purposes. As described in the draft EA, such uses could include hunting, seasonal walk-in access to the WMA and WPA (when the WPA/WMA is open), camping within the state park footprint, and possibly a trail for recreation, resource education, and/or bird observation. As stated in the draft EA, future site plans would be developed with public input and through a separate environmental assessment and public review process. Seasonal spring closures consistent with protection of waterfowl or bald eagle nesting on or along the WPA may be part of the future management of some or all of the WMA.

No Action Alternative

Under the no-action alternative, FWP would not purchase either of the two properties currently available for sale. These landowners would likely continue their efforts to sell their properties to other potential buyers. It is unknown how future landowners may use these lands or the level of development that may ultimately occur in the area. The Flathead County Commissioners recently denied a proposal for a 364-acre subdivision that would have allowed for construction of nearly 290 homes along the WPA near Somers. The developers of

this subdivision are in court with the county over their denial. The outcome of the lawsuit will likely affect future development potential across the North Shore of Flathead Lake.

Background

In 2007, the legislature authorized FWP to spend up to $10 million to acquire new fishing access sites and state parks to increase public recreational opportunities to rivers, streams, and other special areas. In response to local interest, limited recreational access around Flathead Lake, current opportunities to conserve some lands along the North Shore of Flathead Lake, and FWP's own recognition of the importance of this area to wildlife, Region One proposed this joint state park/WMA land acquisition. The purpose of this acquisition, as described in the draft EA, is to develop a 25-acre state park on the proposed project lands to allow for new public recreation opportunities, while managing the balance of this acquisition as a WMA with emphasis on habitat, education, and compatible recreation. The proposed North Shore project lands provide an ideal location to accomplish these objectives. The proposed state park would provide a place for people to appreciate and observe these unique resources, in a managed environment, similar to the management approach FWP uses at Freezeout Lake near Choteau. As stated in the draft EA, the actual development plans for the state park and WMA would be the subject of a separate draft EA and public input and review process. FWP recognized in the draft EA that the WMA portion of the proposed project may also need to be seasonally closed in the spring and early summer to protect the significant habitat values of the WPA.

Montana Environmental Policy Act

FWP is required by the Montana Environmental Policy Act (MEPA) to assess potential impacts of a proposed action to the human and physical environment. MEPA directs state agencies to ensure that the public is informed of and has the opportunity to participate in the decision-making process. Public participation is not a plebiscite, which measures how many people favor or oppose a proposal, but rather a mechanism for agencies to consider public comments and concerns prior to implementing a decision.

In compliance with MEPA, a draft environmental assessment (EA) was completed for the proposed project by FWP and released for public comment on August 27, 2008, for a 30-day public comment period ending September 26, 2008. FWP held an open house followed by formal public hearing at the Somers Fire Hall on September 11, 2008.

Scoping

Prior to the release of the draft EA, FWP worked closely with the Flathead Land Trust, the lead organization for the North Shore conservation strategy; private landowners interested in selling their lands to FWP; several local citizens; other landowners from the area; and Flathead Wildlife, Inc., a local sporting organization. The only concerns raised during these discussions were related to how FWP would manage potentially conflicting public uses, such as hiking with hunting.

Public Comment Period

Public comments on the draft EA were collected from August 27 through September 26, 2008. FWP mailed post cards describing the project to 376 people on our Region One Parks Division public mailing lists for Wayfarers, Lone Pine, and West Shore state park projects. In addition, FWP mailed cards to all the adjoining and nearby landowners and to 38 participants and invitees of a North Shore field trip organized by Flathead Land Trust in 2007. FWP also

placed the draft EA on FWP's website and sent notices of the draft EA to Flathead County Commissioners, Flathead County Planning and Zoning Office, Flathead Weed and Parks Board, Confederated Salish & Kootenai Tribes, all elected legislative officials for this area, appropriate state agencies, and other citizens/organizations on FWP's regional draft EA mailing list. Copies of the draft EA were mailed to local libraries in Kalispell and Bigfork and made available at FWP's front desk. The Region also set up a poster with comment cards in the Region One lobby. FWP issued 2 legal notices prior to the draft EA release in the Daily Inter Lake, Bigfork Eagle, and Helena Independent Record. FWP issued a press release to statewide media outlets on the day of the draft EA release. The Daily Inter Lake published information about the pending project on 8/13/08 (http://www.dailyinterlake.com/articles/2008/08/14/lifestyle/lifestyle01.txt). Articles about the project, public comment period, and public hearing were carried again in the Daily Interlake on (8/29/08) and Bigfork Eagle (9/18/2008).

Summary of Public Comment

FWP received 47 written comments, 2 voice mail messages, and 6 statements from 18 attendees to the open house and formal public hearing on September 11, 2008. These comments represented a total of 58 individuals or organizations. Of 55 unique comments, 52 strongly supported the proposed acquisition. There was 1 comment letter that supported the proposed action, but provided different management suggestions for the lands. Another letter supported the proposed action, but suggested several ways to make the draft EA stronger. We also received a comment letter that identified several concerns with the proposed management of the lands in draft EA, but neither supported nor opposed the proposed acquisition.

The most common reasons for support of the project were the conservation of important wildlife habitats, followed by their desire to not see development of the North Shore. They also mentioned support for pubic access, recreation and hunting, and benefits to water quality, local business, and conservation education. Many comments supported the concept that this be the first step in a larger conservation effort across the whole North Shore.

Specific issues that the public raised, and our response to each, are addressed below.

Response to Public Concerns

Issue 1: Although supportive of the project overall, members from Flathead Wildlife, Inc., expressed concern about a campground within this acquisition. They wanted the entire area open for hunting and a trail open in the spring. They also suggested we maintain some agricultural production as a food source for wildlife populations.

Response: The principal source of funding for this acquisition is Access Montana, general funds allocated by the legislature for acquisition of new state parks and fishing access sites. FWP could not acquire this land without these funds, nor could we dedicate the lands for uses that were inconsistent with legislative direction. The criteria for acquisition under Access Montana funding identify the need to create recreational opportunities and revenue generation to offset operational costs. The Parks and Wildlife Divisions recognize the high values of this area to wildlife and as such have proposed a very modest 25-acre development area with the balance jointly managed by both the Parks and Wildlife Divisions as a wildlife management area (WMA). This approach departs from most FWP state parks, but is consistent with the camping area we provide at our Freezeout Lake WMA, a notable

migratory bird area near Choteau. The state park/WMA approach is also being utilized for our new Circle R State Park/WMA near Billings. The proposed concept, as stated in the draft EA, is to conserve, protect, and restore habitat values of these lands, while also creating a new state park that provides multiple levels and options of public educational and compatible recreational opportunities. Our approach to this balance is to limit the park development to a designated 25-acre footprint, while prioritizing management of habitat values on the majority of the property. We appreciate this local wildlife organization's desire to see some type of limited public use in the spring. We mention that we might consider providing a nature trail and/or some type of bird viewing opportunity (p. 27, Part 2.0 Vision Statement) through construction of a bird watching blind or tower. We also state that some or all of the WMA may be seasonally closed to protect these significant wildlife/habitat values (p. 34, Part 6a). If FWP decides to purchase these lands, we will complete a more detailed management plan. This plan will be developed with public input and part of a future draft EA and public review process.

The draft EA concurs with their suggestion for maintaining food plots (p. 5, Section 1.7). However, that decision will be deferred to the detailed management plan in the future, should we acquire these properties.

Issue 2: The attorneys for North Shore Ranch stated in their comments that "FWP has had a change of heart regarding the impacts that people will have on the North Shore," and they claim that our draft EA promotes the public recreational aspects of our proposal. It appears to the attorneys that on one hand FWP has serious concerns about the impact residential development of their proposed North Shore Ranch may have on wildlife/habitat of the Flathead Lake WPA, but on the other hand, FWP has few concerns about the impact people using a state park/WMA may have on this same WPA. They provided examples of where we state in the draft EA that we are emphasizing recreational opportunities for the public.

Response: The draft EA included the Proposed Management Plan (Appendix B) as required under our wildlife habitat programs, to help inform the public about what the general management might be in the future, should we acquire these lands. The draft management plan is a guide to the readers so they have a better understanding of the purpose of the acquisitions, what habitat improvements we may propose, and the possible extent of, or limitations to, future recreational activities. This appendix is not the subject of the draft EA; rather, the draft EA was written to assess the environmental and social impacts of FWP's acquisition only.

FWP is aware that public use could potentially impact some of the important wildlife resource values we seek to protect with this proposal. The draft EA describes the proposed action as a land acquisition focused on protection of natural and wildlife resources while also creating a new state park to allow compatible recreational opportunities (p. 4, Section 1.2). We state that most of the year-round public uses, such as camping, trails, administrative site, education, etc., would occur within the proposed 25-acre state park footprint or about 12-16% of the acquisition area. We state that other compatible public uses could be allowed on the WMA and that these would mostly occur outside of the critical spring to early summer nesting seasons. FWP states in numerous places that we may close the WMA portion of the acquisitions during this sensitive time of year (March 1-July 15).

Given the concerns of the developer's attorneys and our own concerns about the concept of a state park near the sensitive federal waterfowl protection area and proposed state wildlife management area, we provide numerous examples of how we addressed this issue in the draft EA. We also propose several modifications to the draft EA for the final EA that help clarify this issue. In the Executive Summary on page 2, we state:

> **"The acquisitions would be co-managed by both Parks and Wildlife Divisions with the Parks development project limited to an approximately 25-acre footprint and the balance of lands managed primarily for wildlife, habitat, educational, and compatible recreational purposes. Such uses would include hunting, walk-in access to the WMA and WPA (when the WPA is open), camping, and possibly trails for resource education and bird observation. Future site plans would be developed with public input and through a separate environmental assessment process. Seasonal spring closures consistent with protection of waterfowl or bald eagle nesting on or along the WPA may be part of the future management of some or all of the WMA."**

FWP proposes to amend the draft EA by inserting the word *"could"* rather than *"would"* in the second sentence above for the final EA. This better reflects the fact that that we do not know the exact details of public management at this time.

Additionally in the preface (p. 3), we restate:

> **"The acquisitions would be co-managed by both Parks and Wildlife Divisions, with the Parks development project limited to an approximately 25-acre footprint and the balance of lands managed primarily for wildlife, habitat, educational, and compatible recreational purposes."**

Under Objectives (p. 4), we list 4 resource protection objectives first and then make statements referring to compatible public uses. To further clarify our intent, we amend the fifth objective on page 4 under Section 1.2, Objectives, to state in the final EA (changes shown as additions or ~~deletions~~) as:

- ***Provide opportunity and access for public hunting, ~~fishing,~~ wildlife viewing, hiking, camping, and other public recreational uses that are compatible with resource protection***. We do not see these acquisitions as providing fishing opportunities, although fishing may be a use on WPA lands.

On page 14, Section 3.3, Current Recreational Opportunities, we state how compatible recreational uses could be allowed depending on the season:

> **"The rest of the site {outside of the 25-acre state park} would be managed for dispersed recreation, such as hiking, bird watching, hunting, skiing, etc., depending on the season. Parks and Wildlife Divisions would develop and jointly implement a public access and habitat/land management plan...including weed management, trail location, hunting habitat and areas, closed areas, etc."**

On pages 16-17, Section 4.15, of the draft EA we state:

"If FWP were to acquire this property, it would be for the benefit of its permanent and transient terrestrial species.... Camping, hunting, and hiking would occur on the property so some disturbance or legal hunting of wildlife is expected, but it will be carefully managed to sustain public recreational opportunities. A spring closure of some or all the land may be necessary to provide habitat for nesting waterfowl and bald eagles."

On pages 18-19, Section 4.2.4, Aesthetics, Community Impact, and Recreation, we restate our concerns about public uses and wildlife habitat:

"All uses must be compatible with wildlife and habitat values of the parcel and the WPA. Recreational uses will be managed so as not to impact nesting wildlife, bald eagles, waterfowl use, and other important habitat values. Seasonal closures or limited access to some lands during the spring may be needed. Likely compatible uses could include wildlife viewing, hiking, camping, education, and hunting, particularly for youth. All future developments as well as habitat or access improvements would be subject to future environmental review and public input."

In Appendix B, Management Plan, Part 2.0, Vision Statement, we again state that the management purpose will be:

"...the combined focus on the conservation and enhancement of habitat for wildlife while also providing the public opportunities for camping, year-round wildlife viewing and interpretation, and the seasonal hunting of deer, waterfowl, and upland game birds. FWP will strive to provide a balance between properly managed and restored habitats and wildlife resources and the needs or expectations of a variety of visitors to such a unique area. As such, the majority of the lands acquired will be undeveloped and managed as a wildlife management area (WMA) with a small portion (approximately 25 acres) developed and designated as a State Park with some type of camping and associated administrative and visitor facilities and interpretive or recreational trail(s)."

On page 30, Part 5.0 of Proposed Management Plan, Recreation Management, the objective is:

"Provide compatible public recreational opportunities to the land while ensuring conservation of important habitat and wildlife values."

In this section, we propose several management strategies likely to be included in the future to limit public recreational impacts on resources.

Although the draft EA did not elaborate FWP's enforcement potential with respect to public recreational and wildlife impact issues, we do mention our ability to enforce rules and regulations on our lands (p. 19, Section 4.2.4, Aesthetics, Community Impact, and Recreation):

> **"Additionally, with opening any new area to public use, there is the potential for vandalism. Vandalism diminishes aesthetic and recreational values of any property on which it occurs. As previously noted, FWP may establish a visitor contact area to provide an on-site presence to deter unauthorized activities, at least during the high use season."**

FWP proposes to amend the draft EA to clarify potential levels of development so that this paragraph would read as follows (changes shown as additions or ~~deletions~~):

Additionally, with opening any new area to public use, there is the potential for vandalism *and violations of posted rules and regulations that address public access and resource protection*. Vandalism diminishes aesthetic and recreational values of any property on which it occurs. FWP will provide consistent enforcement oversight after acquisition and implementation of the development and detailed management plan. As previously noted, FWP may establish a visitor contact area to provide an on-site presence to deter unauthorized activities year-round, but particularly during the wildlife sensitive seasons as well as ~~at least~~ during the public the high-use season.

FWP also mentions our ability to enforce violations of rules or regulations on our lands as well as on nearby lands in Section 5.10 in Appendix B, Proposed Management Plan, under Public Safety. FWP would:

> **"...provide an adequate law enforcement patrol and response presence on the site through the use of game wardens, state parks staff, and wildlife division personnel as well as law enforcement of FWS."**

In Part 6.0 Administration, Operations, & Maintenance, we state that we would need to develop a strategy to provide:

> **"an interim site presence capable of providing basic site stewardship and site administration for the next 3-5 years."**

In the rest of Part 6.0, FWP contemplates working with existing landowners of the acquired parcels during the next few years as a way to monitor the lands, implement seasonal closures, and restrict camping and other activities until the final management plan is adopted.

Issue 3: The attorneys ask why we included the locations of grizzly bears in the surrounding areas on page 13 of the draft EA, and that they certainly hope we are not suggesting that this relatively small park can also serve as a grizzly bear corridor.

Response: The draft EA included a description of grizzly bear use in Section 3, Affected Environment, because FWP is aware of seasonal grizzly bear use of the riparian corridor along the Flathead River and sloughs in the late summer and fall when fruits ripen. This section of the EA describes important wildlife values in the vicinity of the project area. We also are aware that natural wildlife migration corridors across the Flathead Valley are rapidly diminishing and should be protected if possible to maintain genetic flow across the valley. The entire North Shore area is a potential movement corridor because the area currently comprises a significant, connected open space from Fennon Slough on the east, to nearby wetlands and forests on the northwest corner of Flathead Lake. This open expanse along the

North Shore also includes dense cover and food sources along the WPA and adjoining agricultural lands that could seasonally attract large mammals such as elk, black bears, mountain lions, and potentially grizzly bears. Wildlife habitat values may increase if FWP enhances habitats on a portion of this area. We do not see a conflict between wildlife observers or hunters and wildlife on this parcel that is any different than other parts of the public land system because animals are less subject to disturbance during late summer and fall when recreation use would likely be highest. Wildlife in this area are most sensitive to disturbance in spring and early summer when the draft EA identified the potential for a spring closure of some or all the land to provide needed wildlife security.

Issue 4: The developer's attorneys claim that while the EA described various impacts, it makes no attempt to address the significance of those impacts.

Response: On page 21, under Section 5.0, Need for an Environmental Impact Statement, we state that:

> **"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."**

We agree with the attorneys that this is not a complete statement, and we amend the last paragraph in this section of the draft EA to read as follows:

"Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action because future land uses would be similar to existing uses; most of the land would remain in open space or agricultural production with an emphasis on wildlife habitat; an increased emphasis on fish and wildlife habitat management would have beneficial effects to migratory birds, bald eagles and other wildlife; and the tax base to Flathead County would remain nearly the same as it is now. In addition, the EA is sufficient to identify critical issues and all potential impacts; therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis."

Issue 5: The attorneys for the developer state that the draft EA does not address impacts of the project on adjacent or affected property owners. One of the other nearby landowners during the public hearing was also concerned about impacts of increased wildlife use (geese, waterfowl) on their adjoining agricultural lands.

Response: FWP recognizes that the acquisition and future management of the land is important to adjoining landowners. In the draft EA, under the Land Use section, page 17, we included a discussion about potential dust and noise from passing vehicles and stated that:

> **"FWP would work with adjoining landowners during the development of the specific park plan."**

We state on page 7 under Section 2.1, Alternative A, that FWP would work in consultation with the U.S. Fish and Wildlife Service to:

> "...**will develop and jointly implement a public access and habitat/land management plan for both Parks and Wildlife lands, including weed management, trail location, hunting habitat areas, closed areas, etc."**

Under section 4.1.4, Vegetation, we commit to controlling noxious weeds according to state laws because we know weeds can have an effect on vegetation resources as well as neighbors. On page 18, Section 4.2.3, Risk and Health Hazards, FWP also committed to monitoring the area for significant hazards and providing educational materials and law enforcement patrols to promote safe and responsible use of the property."

We concur with comments from a nearby landowner that we should have included the possible effects of improved wildlife habitat and possible increases in wildlife and the possibility of these wildlife impacting adjoining landowners. Increased depredation of crops and alfalfa on other lands is a possibility if waterfowl or deer populations were to significantly increase over time because of this acquisition.

We propose to amend the draft EA so that the final EA includes a description and response to this potential impact under ***a new Section 4.2.7, Wildlife and Habitat.***

4.2.7 Wildlife and Habitat (new section)
"FWP recognizes that the acquisition and related future habitat improvements on the acquired lands for wildlife could potentially increase numbers of wildlife that may possibly impact crops and forage on neighbors' lands. FWP commits to working with adjoining and nearby private landowners on the habitat development plan and the means by which FWP would help keep local migratory birds and other wildlife on the state's parcel to the extent possible. FWP will consider holding migratory birds on FWP lands in the spring through various management techniques, including providing food and cover. Hunting in the fall is a tool that FWP and private landowners could use to either disperse concentrations of migratory birds or other wildlife. Dan Casey of the American Bird Conservancy, an ornithologist who keeps track of regional bird populations and communities as well as maintains bird counts for Flathead Audubon in this area, commented on this issue at the public hearing. He stated that habitat improvements to the 160-180 acres would not be enough to significantly change bird or other wildlife numbers in the area. It would take a much larger project on a much grander scale to significantly increase migratory bird numbers. FWP concurs with that conclusion.

In Appendix B, Management Plan Introduction, Section 1.1, page 25, FWP states that in the development of the future management plan, FWP would take into consideration the effects of management on adjoining landowners:

> **"Management of this area will require careful consideration and action over time and will also be responsive to agency and public needs as well as other considerations such as impacts to neighboring properties."**

To help us discover and address any issues surrounding FWP's proposal to acquire these lands by adjoining landowners, FWP sent notices of the proposed project and the availability of the draft EA to 9 adjoining or nearby landowners as well as all who attended a field trip

sponsored by the Flathead Land Trust in 2007. Three nearby landowners also attended the public hearing.

The subject of this draft EA is to identify the impacts associated with acquisition of these properties by FWP and not the detailed effects associated with future management. We are legally required to complete a thorough public review and future draft EA process to identify and address all impacts associated with FWP's future management of these lands, should we buy them. The impacts associated with habitat enhancements or developments will be subject to a future draft EA and public review process.

Issue 6: The attorneys for the developer state that the EA does not cite any sources for its rather brazen statements regarding habitat.

Response: FWP used professional opinions of our fish and wildlife biologists and managers, data that we collect during wildlife surveys, information provided by other professionals, public reports, and our library to assess wildlife values and potential impacts of the proposal. We typically do not cite specific data sources in general public documents such as this draft EA. We do make such information available to consultants, other agencies, and entities upon request. FWP previously provided this information to these attorneys in response to a subpoena they issued as part of their lawsuit against Flathead County.

Issue 7: The EA is substantially vague as to what uses of the property will be.

Response: As stated in response to Issue #2 above, the purpose of this draft EA is to analyze the potential impacts of FWP's acquisition for the purposes stated and to provide enough information to the public, local community, and adjoining landowners about what our future activities may be so they can respond and provide us appropriate feedback. FWP is not able to elaborate on the exact plans that we might propose, as we do not own these properties, nor have we completed needed detailed surveys or other analyses. Should we acquire these lands, we will complete appropriate inventories and communicate with the public and neighbors to better define our future management program and identify and mitigate potential future impacts of this management on both environmental and social systems.

As stated above in response to Issue 2 above, FWP provided the Proposed Management Plan in Appendix B to help inform the public about what the general management might be in the future, should we acquire these lands. The Proposed Management Plan is a guide to the readers of the draft EA so they have a better understanding of the purpose of the acquisitions, what habitat improvements we may make, and the possible extent of, or limitations to, future recreational activities. The appendix that includes the Proposed Management Plan is not the subject of the draft EA; rather, the draft EA was written to assess the environmental and social impacts of FWP's acquisition only.

Issue 8: A supporter from Bigfork suggested we include several changes to the draft EA that would better describe alternatives as well as the associated environmental effects of those alternatives. He suggested we provide more viable options for the public to review rather than just the proposed action and no action.

Response: In the draft EA, we suggested only 2 alternatives, as no other viable alternatives exist. We agree with the suggestion and propose to add a brief discussion of why we have only 2 alternatives in the final EA.

FWP often considers the purchase of conservation easements to secure habitat values and public recreation opportunities. However, funds from Access Montana are only for land purchases and not conservation easements because development of a state park or fishing access site would preclude most other economic uses on easement properties. Also, these two landowners are only interested in selling their property and do not want to retain their property with a conservation easement. FWP would have considered the purchase of other North Shore lands as an alternative. The Flathead Land Trust sent a letter to all private landowners along the North Shore west of the Flathead River stating that FWP was interested in using Access Montana funds to purchase lands on the North Shore. The only landowners from this area that showed interest in moving forward at this time were the two landowners described in the proposed action. FWP had another Flathead Lake landowner approach FWP for use of Access Montana funds for a new state park on 60 acres on Flathead Lake. FWP visited the property and met the landowner representatives. Preliminary costs for this acquisition were significantly greater (about $16 million) than the funds potentially available ($2 million) to the Region from this program.

Decision

After reviewing the final EA, the public comments, and in light of the strong public support FWP received on this proposal (54 of 55 comments in support), I recommend FWP accept proposed Alternative A, the acquisition of 180 acres of North Shore properties, subject to final approval by the FWP Commission and the State Land Board. Funds for these acquisitions would come primarily from Access Montana, but could also include funds from our wildlife program's habitat programs, private sources, and various grants. It is my belief that the proposed acquisition has the greatest benefits to the human and natural environment. Most public concerns about the creation of a new state park/WMA and the potential impacts of public recreation on wildlife habitat will be the subject of a future draft EA and public review process, should we ultimately purchase these lands. FWP has provided examples of how we could manage these lands in the future so as to avoid significant impacts to wildlife and habitat by public use. I believe that Alternative B, the no-action alternative, could potentially result in greater impacts to the area's resources, and social and public values, while also missing this current opportunity to provide additional wildlife habitat and public recreation benefits described for the proposed acquisition.

Final Environmental Assessment

We propose several minor modifications to the draft EA based on public comment and those have been incorporated into this decision notice. The draft EA, together with this decision notice that identifies the specific modifications to the draft EA, will serve as the final EA and environmental document for this proposal.

I have evaluated the draft EA and applicable laws, regulations, policies, and public comment and have determined that this action will not have a significant impact on the human or physical environment. Therefore, an environmental impact statement will not be prepared.

The final EA (draft EA with this decision notice) may be viewed at or obtained from Montana, Fish, Wildlife & Parks, Region One Parks Division, 490 North Meridian Road, Kalispell, Montana, 59901, or direct requests to FWP Office at 406-752-5501.

In accordance with FWP policy, an appeal may be made by any person who has either commented in writing to the department on the proposed project, or who has registered or commented orally at a public meeting held by the department on the proposed project, or who can provide new evidence that would otherwise change the proposed plan. An appeal must be submitted to the Director of FWP in writing and must be postmarked or received within 30 days of this decision notice. The appeal must describe the basis for the appeal, how the appellant has previously commented to the department or participated in the decision-making process, and how the department can provide relief. The appeal should be mailed to: Director, Fish, Wildlife & Parks, 1420 East Sixth Avenue, Helena, MT 59620.

Signed:

James R. Satterfield, Jr.

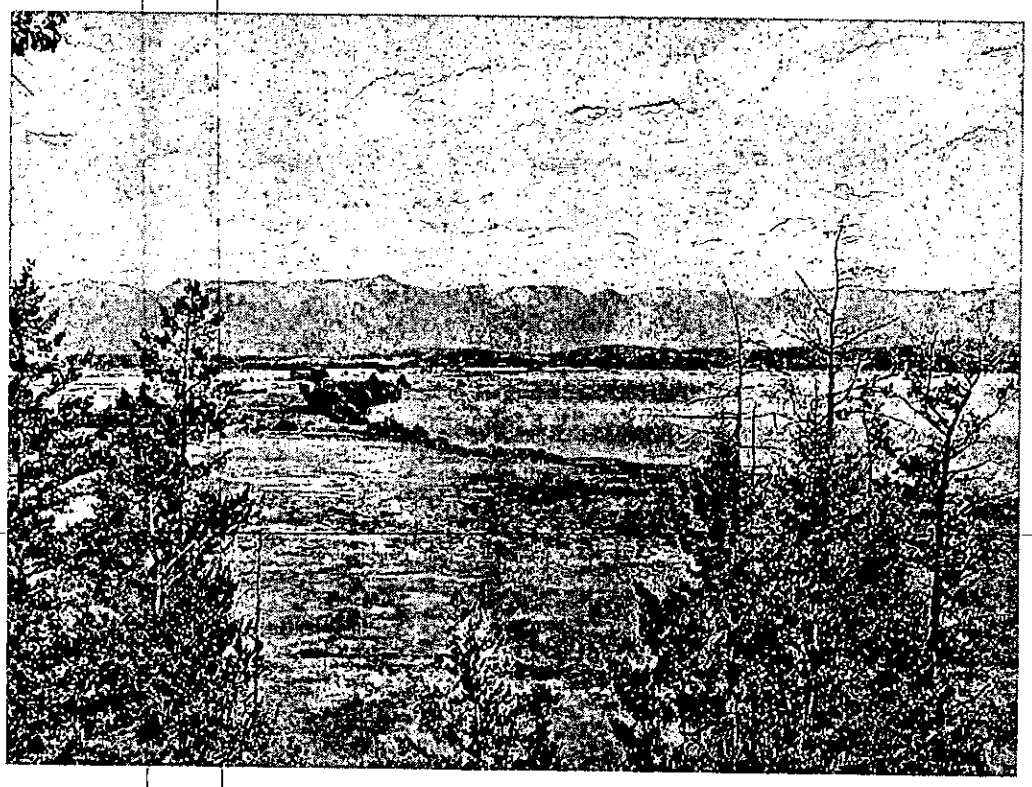
James R. Satterfield, Jr., Ph.D.
Regional Supervisor

Date: 10/21/08

North Shore State Park/WMA Land Acquisition Proposal

Draft Environmental Assessment

August 27, 2008



Prepared by Region One Parks and Wildlife Divisions

Montana Fish, Wildlife & Parks

North Shore State Park/WMA
Draft Environmental Assessment
August 27, 2008

EXECUTIVE SUMMARY

The North Shore State Park/WMA project comprises the purchase of approximately 160-180 acres of primarily open land located between Montana Hwy 82 and the U.S. Fish and Wildlife Service's Flathead Lake Waterfowl Production Area (WPA). The federal Flathead Lake WPA is part of an extensive undeveloped expanse along 5.5 miles of the North Shore of Flathead Lake and was created to protect migratory bird habitat. The purpose of Fish, Wildlife & Parks' (FWP) acquisition is to increase habitat protection along the North Shore of Flathead Lake, enhance habitat for wildlife, and provide new public recreational opportunities. The private parcels proposed for acquisition are south of Montana Hwy 82 and are contiguous with the WPA for about ½ mile. These properties contain about 10 acres of wetlands, with the balance primarily in agricultural production.

The acquisitions would be co-managed by both Parks and Wildlife Divisions with the Parks development project limited to an approximately 25-acre footprint and the balance of lands managed primarily for wildlife, habitat, educational, and compatible recreational purposes. Such uses would include hunting, walk-in access to the WMA and WPA (when the WPA is open), camping, and possibly trails for resource education and bird observation. Future site plans would be developed with public input and through a separate environmental assessment process. Seasonal spring closures consistent with protection of waterfowl or bald eagle nesting on or along the WPA may be part of the future management of some or all of the WMA.

FWP's principal partner in completing this project is the Flathead Land Trust (FLT), a local land trust based in Kalispell, which holds a purchase agreement on the primary property and negotiating options with the private landowners for the lands to be acquired by FWP. A preliminary appraisal obtained by both the buyer and seller for the 160-acre parcel indicated a value of $12,300/acre based on eight comparable sales data. The landowner agreed to a below market value sale price of $11,750/acre. Funding for this parcel will come primarily from FWP's Access Montana program ($1.8 million), but also from private sources, including a portion of a $200,000 Doris Duke grant to the Flathead Land Trust ($80,000). The cost of an additional 20-acre parcel is not yet determined. Funding for this additional parcel would likely come from Habitat Montana, future North American Wetlands Conservation Act grant, Montana's Migratory Bird Stamp fund, Access Montana, private donations, or a combination of the above.

The North Shore falls within a Tier One Focus Area (Flathead River Valley), which is a geographic area of "Greatest Conservation Need" according to Montana's 2005 Comprehensive Fish & Wildlife Conservation Strategy (see http://fwp.mt.gov/specieshabitat/strategy/default.html). The North Shore area supports at least 6 Tier I and 33 Tier II wildlife species as identified by this Strategy. These parcels in particular are important for nesting and/or migratory waterfowl, including mallards, northern pintails, Canada geese, trumpeter and tundra swans, and bald eagles. The area also provides important habitat for upland game birds, raptors, small mammals, and white-tailed deer.

The draft EA public comment period begins August 27, 2008, and extends for 30 days through September 26, 2008. FWP will hold an open house/public hearing beginning at 6:00 p.m. on Thursday, September 11, 2008, in the Somers Fire Hall, 127 Leslie Avenue in Somers, Montana. The open house portion will run from 6:00-7:00 p.m., with public hearing beginning at 7:00 p.m. Public comments can be sent to: North Shore EA, 490 North Meridian Rd. Kalispell, MT 59901 or e-mailed to Gael Bissell at: gbissell@mt.gov.

PREFACE

The proposal covered in this document is the purchase of approximately 160-180 acres of primarily open land located between Montana Hwy 82 and the Flathead Lake Waterfowl Production Area operated by the U.S. Fish and Wildlife Service (FWS) along the North Shore of Flathead Lake. The properties contain about 10 acres of wetlands, with the balance primarily in agricultural production. The properties would be used to provide a new state park as well as 135-155 acres of a new Fish, Wildlife & Parks (FWP) wildlife management area (WMA). The acquisitions would be co-managed by both Parks and Wildlife Divisions, with the Parks development project limited to an approximately 25-acre footprint and the balance of lands managed primarily for wildlife, habitat, educational, and compatible recreational purposes. FWP is responding to private landowner and community interest to implement this project as part of a broader conservation vision along the North Shore of Flathead Lake with willing landowners. Any additional conservation work by FWP would be the subject of future environmental assessment (EA) and public review processes. FWP's principal partner in completing this project is the Flathead Land Trust (FLT), a local land trust based in Kalispell, which holds purchase agreements or options with the private landowners for the lands proposed for acquisition by FWP.

1.0 PURPOSE OF AND NEED FOR ACTION

1.1 Proposed Action and Need

Region One FWP and the Flathead River-To-Lake partners[1] are concerned about the potential impacts of proposed development along the North Shore of Flathead Lake. The north end of Flathead Lake and associated wetlands provide a major resting and feeding area for migratory waterfowl and many other species, including trumpeter swans and bald eagles. The historic agricultural lands near the lake and Flathead River have provided ideal and secure foraging opportunities for thousands of mallards, pintails, tundra swans, and Canada geese, maintained an important buffer between development and the lakeshore, and provided connectivity across the valley to nearby sloughs and Flathead River. Some of these lands have restorable natural wetlands. It is important to note that these lands were identified as priority conservation lands in the 1980s. Until now, there have been no opportunities to conserve these lands that are critical to the integrity of the WPA.

The North Shore area provides some of the only accessible waterfowl and upland game bird hunting in Flathead Valley. The need to maintain habitat integrity of mixed agricultural and riparian/wetlands along the Flathead River and Flathead Lake has been a priority for FWP and FWS for many years. The habitat value is clearly at risk if development occurs along the North Shore, and proposals for new development in the

[1] Partners include U.S. Fish & Wildlife Service (FWS), Confederated Salish & Kootenai Tribes (CSKT), Flathead Land Trust (FLT), Flathead Lakers, Montana Land Reliance, Natural Resources & Conservation Service (NRCS), Intermountain West Joint Venture, Ducks Unlimited, Flathead Wildlife, Flathead Audubon, local landowners, & community members.

area have been discussed. Flathead County Commissioners have responded to our concerns by suggesting we should act to protect lands along the North Shore if they are critical wildlife habitat.

Additionally, recreational access around Flathead Lake is limited, with state parks and fishing access sites around the lake running at or above capacity from mid-June through mid-September. FWP has, over the years, repeatedly investigated the opportunities for additional public access around the lake, but found the costs significantly higher than this proposed project. This project does not provide direct access to the lake, but does provide access to the FWS Flathead Lake Waterfowl Production Area (WPA) and other recreational opportunities. A recent public attitude survey conducted by the County Commissioners and the Flathead Land Trust indicates strong support for increased recreational access to rivers and lakes in the area.

During the past year, FWP and partners have developed a North Shore conservation strategy that would utilize local and national land trust resources, private foundations, and conservation buyers working closely with several private landowners. FWP and its partners have local support for completing some type of conservation acquisition in this area. The public has actively commented to the county about wildlife and habitat concerns associated with proposed developments in the area. FWP, on behalf of these resources, the sporting public, and other outdoor users, has the opportunity to initiate a conservation project at a critical time.

The preliminary appraised value for the160-acre parcel (Appendix A) is approximately $12,300/acre. The landowner has agreed to a sale price of $11,750/acre. Funding for this parcel will come primarily from FWP's Access Montana program ($1.8 million) and from private sources, including a portion of a $200,000 Doris Duke grant to the Flathead Land Trust ($80,000). The cost of an additional 20 acres is not yet determined. Funding for this additional parcel would likely come from Habitat Montana, future North American Wetlands Conservation Act grant, Montana's Migratory Bird Stamp fund, Access Montana, private donations, or a combination of the above.

1.2 Objectives

In proposing to acquire the 160-180 acres, FWP seeks to meet the following needs:

- Protect and enhance riparian/wetland habitats.
- Protect and restore grasslands needed for upland birds and waterfowl.
- Protect connectivity across the Flathead Valley for wildlife traveling between the Swan Valley and Salish Mountains and between Flathead River and Flathead Lake.
- Protect water quality of Flathead Lake.
- Provide opportunity and access for public hunting, fishing, wildlife viewing, hiking, camping, and other public recreational users.
- Create a new state park that provides multiple levels and options of educational and compatible recreational opportunities.

- Develop and provide educational interpretive programs that promote and inspire responsible outdoor recreation, preservation of important natural and cultural resources, and appreciation of park values.
- Promote tourism by providing new resources and recreational opportunities that could benefit the local communities and nonresident visitors to this region.
- Potentially continue agricultural production on some of the lands acquired.
- Manage as a cooperative and combined WMA and state park

1.3 Location

Located 7 miles south of Kalispell on Montana Hwy 82, the property is located on the main road (Montana Hwy 82) between Bigfork and Kalispell. The town of Somers is approximately three miles to the east. The property falls within FWP administrative Region One. See Appendix A for an overview map of property and property boundaries.

1.4 Land Ownership

The property in this proposal consists of 160-180 acres of private land held by two landowners on the North Shore of Flathead Lake.

1.5 Legal Descriptions

TR 1D in NW ¼ and N ½ SW ¼, S21, T27N, R20W
TR 2 in W ½ NW ¼ and N ½ SW ¼, S21, T27N, R20W

1.6 Application to Access Montana State Parks Program

Multiple recreational opportunities and access to public lands are all consistent with the State Parks "Access Montana" legislation. Potential for scenic trails, a state park aligned with the Flathead Lake WPA, and access to a large block of public land are purposes for which Parks Access Montana Funds may be utilized. FWP's Parks Division is authorized by MCA 23-1-102 and 23-1-107, wherein FWP authority and duty is defined regarding the acquisition of lands by fee or donation as state historic sites and recreation areas.

1.7 Application to FWP Habitat Montana Programs

Habitat Montana is the Wildlife Division program created by the 1987 Montana Legislature (HB526) to provide means to protect and enhance important ecological and wildlife habitats throughout Montana. It features three important habitat types as those in most need of protection. They include intermountain foothill, sagebrush-grassland, and riparian/wetland habitat types. The properties proposed for acquisition have been used for dryland hay and/or crop production, but can be restored to functional grasslands through planting of native or native-lake species. They also include 10 acres of wetlands, a priority habitat for the Habitat Montana program. Because the croplands provide an important food source for migratory birds, food plots may be established to support migratory waterfowl and upland game birds.

1.8 Application for FWP Comprehensive Fish & Wildlife Management Strategy

The North Shore falls within a Tier One Focus Area (Flathead River Valley), which is one of the state's geographic areas of "Greatest Conservation Need" according to Montana's 2005 Comprehensive Fish & Wildlife Conservation Strategy (Comprehensive Strategy)(see http://fwp.mt.gov/specieshabitat/strategy/default.html). The North Shore area supports at least 6 Tier I and 33 Tier II wildlife species as identified in this Strategy. The proposed land acquisitions also contains at least two of the three habitat types identified by the Comprehensive Strategy for the Flathead Terrestrial Focus Area: 1) Grasslands (or potential grassland types) and 2) Riparian/Wetlands. The third type, Salt Flats (alkaline wetlands), are scattered nearby just north of this project area.

These parcels in particular are important for nesting and/or migratory waterfowl, including mallards, northern pintails, Canada geese, trumpeter and tundra swans, and bald eagles. The proposed project lands are highly productive and likely once consisted of native palouse prairie, intermixed with natural glaciated and river slough wetlands, cottonwood forests, and riparian shrublands adjacent to the largest natural freshwater lake west of the Mississippi. The existing native vegetation along the North Shore includes a variety of cottonwood, ponderosa pine, birch, willow, and red-osier dogwood mixed with cattail/reed canary grass marshes, temporary wetlands, and small emergent ponds.

The 160-180 acres to be purchased with the project have been used for hay and crop production and can be restored to functional grassland through planting of native or native-like species. Because the croplands provide an important food source for migratory birds, food plots may be established to support migratory waterfowl and upland game birds.

Appendix C is the species list from the Comprehensive Strategy for the Flathead Valley Terrestrial Focus Area. In Tier I (Greatest Conservation Need) and II (Moderate Conservation Need), 6 of the 10 Tier One species occur or are likely to occur on the property, and 33 of the 61 species listed as Tier II occur or are likely to occur on the property.

1.9 Authority

The following laws and rules are applicable to the proposed action:

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

The Habitat Montana program authorized by MCA 87-1-241 (12.9.509 ARM) seeks to acquire properties in order to: 1) conserve land, water, and wildlife; 2) contribute to

hunting and fishing opportunities; 3) contribute to nonhunting recreation; 4) protect open space and scenic areas; and 5) maintain the local tax base through continued payments of property taxes.

FWP has the authority to purchase lands (MCA 87.1.209) that are suitable for game, bird, fish, or fur-bearing animal restoration, propagation, or protection; for public hunting, fishing, or trapping areas; and for state parks and outdoor recreation.

1.10 Management Considerations

Two divisions (Wildlife and Parks) of FWP are working together to assist in the management of and are providing the funds for the proposed acquisition. FWP has developed an interim management plan that provides information on how FWP proposes to protect the natural/cultural resources within the property and provide compatible educational and recreational opportunities over the next 3-5 years, and describes long-term vision and objectives. FWP recognizes that a more detailed site-specific plan will be developed in the future, with public and community input, and will be subject to future draft EA and public review processes.

2.0 ALTERNATIVES

2.1 Alternative A – Proposed Action:

FWP proposes to purchase 160-180 acres of land from 1-2 willing private landowners pending final funding approvals and availability. The property is anticipated to be the first phase of the purchase of this new state park/WMA along the North Shore of Flathead Lake. Approximately 25 acres will be dedicated to future site development, with the rest of the property managed for dispersed recreation such as hiking, bird watching, hunting, skiing, etc. The Parks and Wildlife Divisions, in consultation with the USFWS, will develop and jointly implement a public access and habitat/land management plan for both Parks and Wildlife lands, including weed management, trail location, hunting habitat and areas, closed areas, etc. In the future, depending on lands acquired, the project may include a small administrative site, which would provide visitor information and on-site staff to managed the area.

2.2 Alternative B – No Action:

Under the No-Action Alternative, FWP would not purchase this property.

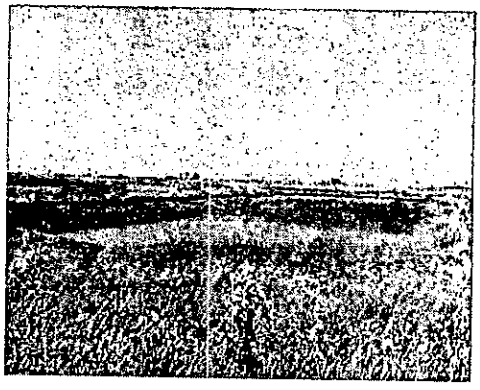
3.0 AFFECTED ENVIRONMENT

3.1 Habitat

This project area currently contains primarily agricultural hay and cropland (or potential grassland types), a small man-made pond (Fig. 2), and about 10 acres of wetlands associated with an old Flathead River channel. It adjoins the federal Flathead Lake WPA

for just over ½ mile, which contains extensive wetlands and stands of aspen, cottonwood, and ponderosa pine. The proposed project lands are highly productive. They likely once consisted of native palouse prairie, intermixed with natural glaciated and river slough wetlands, cottonwood forests, and riparian shrublands adjacent to the largest natural freshwater lake west of the Mississippi. The existing dominant vegetation along the North Shore currently includes a variety of ponderosa pine, cottonwood, birch, willow, and red-osier dogwood shrub mixed with cattail marshes, temporary wetlands, and small emergent ponds.

Figure 2. Views of land along the WPA boundary and excavated pond on properties proposed for acquisition.



The North Shore of Flathead Lake provides many important and unique natural resource values. The wetlands and shoreline provide buffers to nearby uplands that help maintain high water quality in Flathead Lake, one of the clearest lakes in the world. 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 during spring and fall. The North Shore has little development, provides excellent views of the lake, provides excellent bird-watching opportunities, and could be improved to provide extraordinary bird and wildlife habitat values. The Flathead Lake WPA already protects a significant portion of this area.

The North Shore is also an important area of connectivity across the Flathead Valley. Over the years, landowners have reported elk, mountain lions, and bears in this area. Grizzly bears have been observed just north of the North Shore along the Flathead River. Given the level of development occurring in the Flathead, in the future this may be one of the few remaining areas of connectivity that would allow wildlife to potentially move between the Swan and Salish Mountains.

Figure 3. View of potential lands to be acquired showing agricultural lands that could be managed for wetlands, nesting habitat, and food plots.

Current Condition of Habitat: The 160-180 acres to be purchased is currently used as hay and croplands, but could be restored to functional grasslands through planting of native or other similar species. Because the croplands provide an important food source for migratory birds, food plots may be established to support migratory waterfowl and upland game birds. The pond area could be improved for wildlife habitat and the riparian/ wetland area possibly restored. Until funding is available to implement habitat restoration, FWP would cooperate with the current owner or another agricultural operation to help manage the land and continue some degree of hay/crop production, thus keeping this property valuable for forage and cover for wildlife.

Because of historical use as agricultural lands, no sensitive or threatened plant species currently exist on the property. With habitat restoration, some sensitive species that are known to be in the area could inhabit this area in the future.

3.2 Terrestrial Species

Amphibians: The Flathead Valley once supported strong populations of leopard frogs as well as western toads. Due to many reasons, including habitat alterations, chemicals, introduced species, and disease, leopard frogs have all but disappeared from western Montana. Both of these species are Tier 1 and were common throughout the Flathead Valley in association with the Flathead River and wetland complexes. The CSKT have been taking the lead on experimental leopard frog reintroduction. FWP would like to develop a leopard frog conservation and restoration plan in conjunction with CSKT at some point in the future while we continue to monitor existing populations. Reintroduction efforts on the Flathead Indian Reservation indicate more rapid metamorphosis and good survival in warmer streams and sites in the absence of spotted frogs. Permanent protection of ponds and wetlands along the North Shore could help provide future reintroduction and conservation efforts for leopard frogs and/or western toads. The FWS has been petitioned to perform a preliminary review of the status of leopard frogs in the western states.

The North Shore and associated wetlands and riparian areas could also support western toads and long-toed salamanders. These species were common throughout the Flathead Valley but have declined over the last few decades.

Figure 4. Leopard frog and western toad from small pond near Kalispell, 2007.

Birds: Flathead Lake is a natural attractant and staging area for thousands of migratory waterfowl, shore birds, and water bird species. In addition, the wetlands and grasslands provide important habitat for many priority bird species including trumpeter swans and nesting bald eagles. Montana Audubon Society is considering nominating the North Shore for designation as an "Important Bird Area" due to the amount and diversity of birds that use this area throughout the year. Based on data collected by American Bird Conservancy and Flathead Audubon for the North Shore, this area supports or is likely to support at least 5 Tier I and 25 Tier II bird species (Casey, D., Appendix C).

Tier I birds dependent on the North Shore include common loons, trumpeter swans, bald eagles, and black terns. Trumpeter swans have been observed on the North Shore mudflats during winter or spring months; they have frequently been observed on nearby river and slough areas at various times of the year. Some of the existing or restored wetlands along the North Shore could be managed for suitable trumpeter swan nesting habitat. The North Shore wetlands and beaches provide fall, winter, and spring habitat. There are four known and currently active bald eagle nesting territories along the North Shore; two are located between the Flathead River and Somers. Until recently, both nest sites were on the WPA. One nesting site is now on private land near the proposed project area, but not directly on proposed project lands. The WPA is currently closed from March 1 to July 15 each year to provide secure nesting habitat for waterfowl, and this also helps provide security to nesting bald eagles. Bald eagles use the entire project area year-round, feeding on fish, waterfowl, rodents, and white-tailed deer often injured or killed by vehicles along Hwy 82. Black terns are still common migrants in the marshes of the North Shore, but apparently have not nested in recent years. Protection of potential nesting habitat is essential if we are to recover local populations.

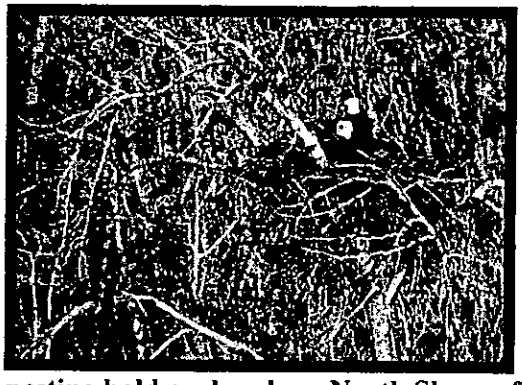


Figure 5. Pair of nesting bald eagles along North Shore of Flathead Lake WPA.

The North Shore attracts thousands of migratory waterfowl such as tundra swans, Canada geese, mallards, northern pintails, gadwalls, northern shovelers, all species of teal, wood ducks, American and Eurasian wigeon, redheads, ring-necked ducks, canvasbacks, common and Barrow's goldeneyes, horned grebes, red-necked grebes, western grebes, hooded mergansers, bufflehead, and greater and lesser scaup. Horned, red-necked, and western grebes; canvasbacks; redheads; and hooded mergansers are listed as Tier II in our Comprehensive Strategy for the Tier One Flathead Terrestrial Focus Area.

The proposed acquisition and enhancement of habitats along the North Shore of Flathead Lake are consistent with and fit priorities for the Montana Comprehensive Fish & Wildlife Strategy, North American Waterfowl Management Plan, the Columbia Fish and Wildlife Program, the Intermountain West Joint Venture Bird Initiative, the North American Shorebird Plan, and other plans. It supports the 2004 North American Waterfowl Management Plan Implementation Framework's population and habitat objectives for priority waterfowl species by protecting important nesting and migration habitats. This project will contribute to maintaining stable mallard populations toward the mid-continent population objective of 8.2 million, toward the northern pintail breeding population objective of 5.6 million, and helping to reverse the alarming downward trend in breeding scaup numbers (toward achieving a continental objective of 6.3 million). The project area also supports the objective of a 9.5 million duck fall flight, with peak flights of 10,000 northern pintails, 30,000 mallards, 5,000 lesser scaup, and 500-1000 greater scaup.

Habitat protection here will contribute toward increasing American wigeon populations toward the continental goal of three million and toward maintaining stable populations of redhead, canvasback, and ring-necked duck.

A number of partners in the Flathead basin have formed the Glaciated Valleys of Northwest Montana partnership as part of the Intermountain West Joint Venture (Intermountain West). This is one of the 22 priority bird habitat conservation areas in the western portion of Montana, selected by the Intermountain West Montana state steering committee (Montana Bird Conservation Partnership) in their *Coordinated Implementation Plan for Bird Conservation in Western Montana* (2004). The Glaciated Valleys has already received one North American Wetlands Conservation Act grant for

nearly $1 million in 2003. The partners have prepared a second Glaciated Valleys NAWCA application for 2008. If successful, about half of that $1 million grant request would be used on the North Shore project area. The Intermountain West objectives for Montana are for no net loss of wetlands and protection, restoration, and/or enhancement of 292,658 acres by 2015. This project will help toward thesegoals and is consistent with the additional objective to. *"emphasize projects that include associated priority upland habitat types (grassland, shrub steppe, riparian)."*

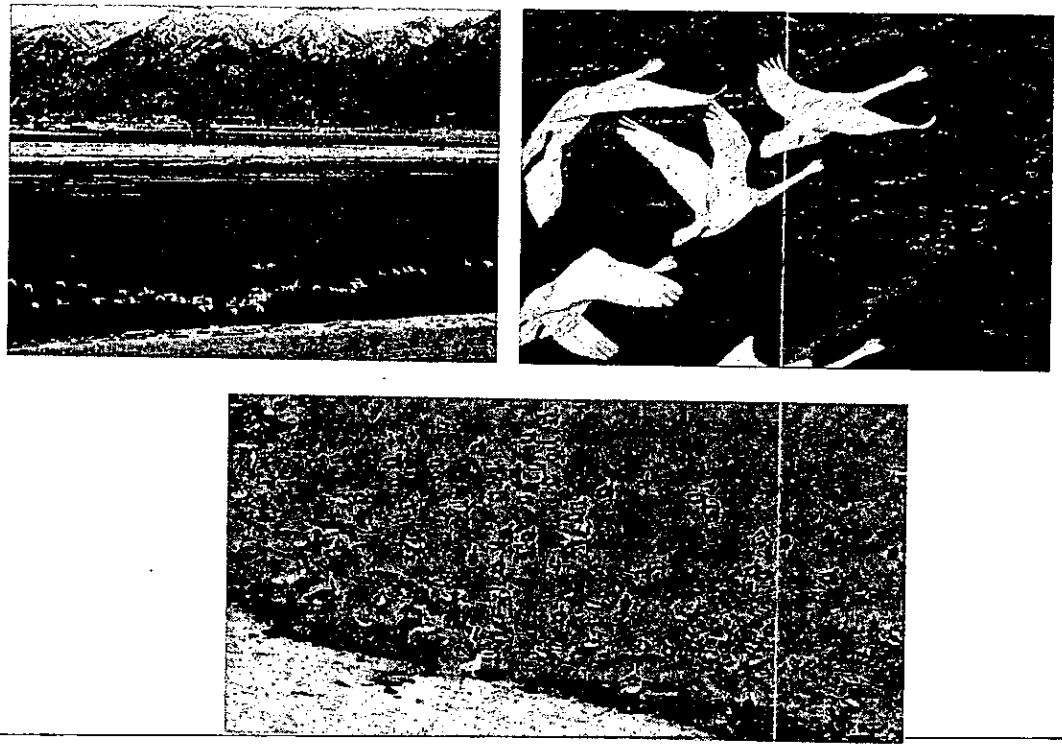


Figure 4. Tundra swans and waterfowl observed along the North Shore of Flathead Lake, spring 2007.

Raptors: The North Shore supports a number of nesting raptor species in addition to bald eagles, such as osprey (at least 8 territories), northern harriers, great horned and short-eared owls, northern pygmy owls, and red-tailed hawks. Bald and golden eagles, rough-legged hawks, short-eared owls, and occasional snowy owls also use the project area heavily in some winters. Merlins and occasional peregrine falcons use the area during migration, and a pair of peregrine falcons that nest along the east shore are known to occasionally feed in the area.

Upland Game Birds: The North Shore supports a fairly abundant population of ring-necked pheasants, gray partridge, mourning doves, and wild turkeys. The area is popular for both waterfowl and upland game bird hunters. If additional agricultural lands were incorporated into a block of habitat managed for a combination of food and cover, the number of game birds and hunter days would increase.

Grizzly Bears: Listed by the USFWS as threatened and a Tier 1 mammal species, grizzly bears are known to frequent the Flathead Valley river sloughs and wetlands in the spring and fall, utilizing wetlands, choke cherries, and hawthorn berries. FWP has radio telemetry locations of several bears taking late summer and fall excursions into the valley along the Flathead River not far from the North Shore. The Flathead Valley is not unlike the Mission Valley where grizzly bears can still take advantage of opportunistic food sources on a seasonal basis.

Figure 5. Grizzly bear radio locations in the Flathead Valley.

Other Game/Mammals: The proposed project area includes important year-round habitat for white-tailed deer and occasional habitat for black bears, mountain lions, and elk. Numerous species of small mammals that use this area would include coyote, red fox, raccoons, skunks, Columbian ground squirrels, western pocket gophers, yellow-bellied marmot, voles, and mice. No inventories of bats have been undertaken to date. Semi-aquatic furbearers found along the North Shore include muskrats, river otter, beaver, and mink.

Fish/Aquatic Species: While this project doe not directly fall along shorelines of Flathead Lake, it will conserve associated uplands and small riparian areas near Flathead Lake. Through long-term conservation and enhancement of these habitats, it will benefit aquatic species by helping to maintain water quality in Flathead Lake. Flathead Lake supports bull trout, a species federally listed as "threatened" and west slope cutthroat trout, a species of special concern in Montana.

3.3 Current Recreation Opportunities

Current public recreation on the proposed project lands is through landowner permission. The proposed project is adjacent to an FWS Flathead Lake WPA, which provides recreation seasonally for hiking and approximately 1,000 hunter days each fall, with much of the use occurring at the start of the waterfowl and upland game bird seasons.

The WPA is also used for summer, fall, and winter bird watching, winter shoreline walking, and winter X-country skiing. The WPA is closed to public use from March 1 to July 15 annually.

Hunter use would be expected to increase by another 500 hunter days, with the level of use expanding following habitat enhancements, or if adjoining private landowners agree to public access through other conservation easements or block management, or sell their lands to a public agency.

Lands acquired in fee by the FWP Parks Division would be incorporated into a new state park/wildlife management area, with about 25 acres dedicated to future site development (i.e., campground, parking, possible administrative site). The rest of the site would be managed for dispersed recreation, such as hiking, bird watching, hunting, skiing, etc., depending on the season. Parks and Wildlife Divisions would develop and jointly implement a public access and habitat/land management plan for both Parks and Wildlife lands, including weed management, trail location, hunting habitat and areas, closed areas, etc. The preliminary management plan is attached as Appendix B. If this area includes a small headquarters for Flathead State Park, staff would be able to monitor public use of the area.

3.4 Public Access

Access to the property is off Montana Hwy 82. FWP will utilize all options to assure access is available to the public along the current point(s) of entry.

3.5 Buildings and Utilities

There is currently one hay shed on the larger property and a separate home site on the smaller adjoining land potentially being acquired. These properties are served by electricity via aerial power lines. The actual location and development of the state park and possible administrative site is not known at this time. Many factors would be evaluated prior to making this decision, including depth to ground water, access, power and other utilities, community input, costs, etc. This state park/administrative site would be the subject of future community planning, draft EA, and public review process.

4.0 ENVIRONMENTAL CONSEQUENCES

4.1 Physical Environment

4.1.1 Land Resources

Proposed Action: Under the proposed action and the proposed interim management plan (Appendix B), there would be limited impacts to land resources in the short term. FWP would likely consider working with existing landowners to maintain agricultural production, weed management, and other activities consistent with this proposal until FWP could complete more detailed site management plans. Long-term anticipated land

uses could cause localized changes to the land resources within the property. As described in the interim plan, as funding becomes available, the haylands would likely be returned to a more native grassland habitat type providing cover for nesting waterfowl, nongame wildlife, and upland game birds. Food plots would likely be part of the future vegetation management. With potential increased public access to the area, there could be a rise in soil-disturbing activities by vehicles or those visiting the lands. FWP will attempt to discourage high use/erosion problems through identification of authorized recreation activities with informational signs. Vegetative enhancements planned under the proposed action may decrease potential erosion. In time, FWP would develop the more detailed management plan for the state park and associated compatible recreational uses, parking, and trails that could be used for hunting, WPA access, viewing, and other recreational uses. This plan will detail how FWP would limit spread of noxious weeds, land disturbance, recreation, and restoration of the lands and habitat. This plan would be subject to a future draft EA and public review process.

In the future, FWP anticipates development of recreational facilities that could include a campground, administrative site, and trails. Prior to any such development, FWP will complete a separate EA of potential effects of any proposed development.

No Action: Under the No-Action Alternative, there is a possibility that this property will be sold to a buyer that could develop some or all of the acreage. This could include soil-disturbing activities for construction of residences and/or new roads.

4.1.2 Air Quality

Proposed Action: Under the Proposed Action, there would be no direct changes to the ambient air quality. However, a potential indirect impact of FWP obtaining the property would be an increase in dust created by road travel to or within the parcel by FWP staff and visitors. FWP would provide appropriate maintenance to the road within the property to ensure public safety and, when appropriate, apply dust-reducing elements to the road surface to reduce dust production. In the development of the state park facilities, consideration will be given to paving the roads.

No Action: Under the No-Action Alternative, potentially the property's new owner could allow for land uses that could have negative effects to air quality, including construction of additional roads.

4.1.3 Water Resources

Proposed Action: Under the Proposed Action, water resources adjacent to this parcel will be maintained or enhanced by protecting uplands and existing riparian areas and wetlands. FWP could enhance or redesign existing man-made pond to improve this wetland for wildlife. Development of a state park could produce some runoff from hardened areas, but the site will be designed such that any runoff is filtered according to regulations or best management practices before entering the ground water or Flathead Lake. 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.

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 agricultural lands. In either situation, certain agricultural or development land uses could impact the amount of water used on the site and the potential for nutrient additions to Flathead Lake.

4.1.4 Vegetation

Proposed Action: The site is currently being used primarily for hay or cropland production. In the long term, FWP would like to focus on vegetation management for food and cover for waterfowl, upland game birds, and nongame wildlife. FWP anticipates completing a detailed vegetation/restoration plan using Migratory Bird Stamp funds. Wetland areas may be restored in cooperation with adjoining landowners. Portions of the area could be planted to wildlife food, riparian plants, and dense nesting cover. Weeds will be controlled according to state and local laws. The parcel is in very good condition, with only a small area impacted by Canada thistle. This parcel also has a small excavation that could be converted or improved into a more productive and naturally vegetated wetland by altering the pond slopes and planting native species as needed. Interim management will likely include cooperative management with current landowners or other lessees for hay, weed control, and crops for wildlife until FWP completes the vegetation/restoration plan for the project area.

Once habitat restoration occurs, FWP would incorporate this land into its regional weed management program, and chemical, mechanical and biological controls would be used to limit weed production. FWP would work with county weed district managers on 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 property's new owner. 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.

4.1.5 Fish & Wildlife Resources

Proposed Action: If FWP were to acquire this property, it would be for the benefit of its permanent and transient terrestrial species. Short term, impacts are expected to minimal, since the land would continue as hay/crop land until habitat restoration or enhancement could occur. Once habitat restoration or enhancement is completed, it is expected that improvements in habitat could increase the carrying capacity for wildlife species. Camping, hunting, and hiking would occur on the property, so some disturbance or legal hunting of wildlife is expected, but it will be carefully managed to sustain public

recreational opportunities. A spring closure on some or all of the land may be necessary to provide habitat for nesting waterfowl and bald eagles.

No Action: If these lands are developed, impacts to wildlife or habitat could occur from increases in use by domestic livestock, pets, or humans. If retained in agricultural production, wildlife currently using the area would likely remain, but habitat enhancements for additional wildlife or wildlife use would likely not occur.

4.2 Human Environment

4.2.1 Noise and Electrical Effects

Proposed Action: The proposed acquisition will likely result in more people visiting the state park and WMA over time and perhaps during certain times of the year, thus increasing the noise level within a localized area. The federal WPA is open to hunting. The lands acquired by FWP would also be open to hunting. The noise effects would be similar to those of the WPA with seasonal use of shotguns. Effects of general public noise to adjoining private landowners would be minimized through siting of the state park and parking area and landscaping. The proposed action will not increase electrostatic effects that could be detrimental to human health or interfere with radio or television reception because we would utilize existing utility corridors when the park site is developed.

No Action: If another buyer purchased the property, this could result in some type of development, particularly on the parcel with no home site. This might cause an increase in noise and electrical effects in the area depending on the type or extent of development.

4.2.2 Land Use

Proposed Action: Past and present use of this parcel has been for hay/crop production. Future use would change about 25 acres into a state park, possible administrative site, or trails and camping area. Except for that anticipated 25-acre footprint, the remainder of the 160-180 acres will reflect wildlife habitat enhancement and protection, and dispersed public recreational uses. State park development may include a campground with support facilities (parking, bathrooms, camp pads, road access, and visitor services). If developed, any interpretive areas will have access trails and developed displays. Wildlife areas may include food plots to enhance wildlife species abundance, weed control to reduce impacts to native plant species, wetland habitat enhancement, and limited hunter access corridors, which may include parking areas. The proposed action is part of a larger project to protect adjacent properties as well as this property, but this action will not specifically impact their current use. Since there is the possible increase of traffic to the property, there could be minor negative impacts to neighbors because of dust and noise from passing vehicles. FWP would work with adjoining landowners during development of the specific park plan.

No Action: If a buyer other than FWP were to acquire the property, the land use could change to development with one or more additional private residences. These activities could pose threats to wildlife and native vegetative resources, but at what level those threats would occur is unknown and would be based on the intensity of development.

4.2.3 Risk and Health Hazards

Proposed Action: 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, and visitors to the property.

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.

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.

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

4.2.4 Aesthetics, Community Impact, and Recreation

Proposed Action: FWP acquisition of this property will help protect the open space and viewshed along the north end of Flathead Lake. As part of Phase I of a much larger project, the proposed action would greatly enhance the viewshed from Kalispell, along Montana Hwy 82, and from Flathead Lake and higher elevations around the north end of the lake.

Initially, it is expected that there would be minimal direct impacts to nearby communities; however, after development of the state park/WMA and restoration of the habitat, impacts of the acquisition by FWP will be an increase in recreation-based or visitor businesses to accommodate the needs of the visitors accessing or recreating on the property.

If the entire project is completed, new access to 160-180 acres in Phase One, and additional acreage later, will greatly increase the potential for recreational activities on the property. All uses must be compatible with wildlife and habitat values of the parcel and the WPA. Recreational uses will be managed so as not to impact nesting wildlife, bald eagles, waterfowl use, and other important habitat values. Seasonal closures or limited access to some lands during the spring may be needed. Likely compatible uses could include wildlife viewing, hiking, camping, education, and hunting, particularly for

youth. All future developments as well as habitat or access improvements would be subject to future environmental review and public input.

Increased visitation and diverse recreational opportunities may result in social and experiential issues and potential user conflicts. FWP will strive to mitigate these potential impacts by applying a visitor use management program.

Activities associated with the state park will require user fees in accordance with the State Parks Biennial Fee Rule. These fees would provide important earned revenue to support the state park management program. Currently, all Montana residents are allowed access to state parks via a voluntary $4 annual fee on vehicle licenses. Nonresidents are charged a $5 daily use fee. Camping fees at state parks range from $12-$15/day.

Activities that meet the criteria for FWP Commercial Use Rules ARM 12.14.101 would also be regulated and fees assessed according to those rules.

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. As previously noted, FWP may establish a visitor contact area to provide an on-site presence to deter unauthorized activities, at least during the high-use season.

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 changes to the natural areas, area aesthetics, community impacts and recreation use depending on designs implemented in future developments. If the area remained in agricultural land uses, the scenic and aesthetic values would be maintained.

4.2.5 Public Services, Taxes, and Utilities

Proposed Action: Of the proposed 160-180 acres to be conserved, about 25 would become part of a state park footprint, with the remainder managed as a WMA. The state park portion would be exempt from property taxes. FWP Wildlife Division would need to make annual payments of taxes to the county for the portion of the project that is the WMA. The prior property tax category for most of these lands was agricultural, and that tax rate would be retained for the WMA portion. The home site on the adjoining 20-acre parcel would not be retained. Flathead County would lose from approximately $179.08 to $684.94 in tax income from the home site based on 2007 data depending on the location of the state park.

FWP anticipates an increase in hunter use of the WMA portion by approximately 250 hunter-days per year and 500 wildlife-viewing days. The state park would also increase visitation to the Flathead Valley. These additional days of use would translate into increased expenditures ($16,000 to $20,000 per year) by hunters in the area for fuel, equipment, food, etc. The Socio-Economic Assessment is contained in Appendix D.

Increased public recreational activities on the property could result in occasional need for emergency services such as search and rescue, emergency medical services, local law enforcement, and fire control and suppression. Utilities on the property may be increased to service increased levels of use associated with development of a public campground, and administrative site in the future. However, these impacts would be more specifically addressed through future environmental reviews if/when they are proposed. Establishment of improved wildlife habitat and possibly landscaping would offset any wildlife and habitat impacts caused by 25-acre park developments over the remaining 135-155 acres of the property.

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 another buyer is unknown.

4.2.6 Cultural and Historic Resources

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.

4.3 Potential Long-term Impacts

If FWP is successful in purchasing the property, FWP would likely develop approximately 25 acres to accommodate an administrative site, designated camping area, and interpretive signing and trails. Such formal improvements would likely impact some of the natural areas of the property. However, since FWP's goals for the property are to maintain as much of the natural habitats and features as possible while providing the public access to it, FWP will strive to minimize any negative impacts to wildlife and plant communities as well as geologic and cultural resources. Specific site development activities will require further environmental assessment as those activities are planned and funded.

It is anticipated that staffing will be required for site management. Only as funding becomes available to accommodate increased public use and maintain improvements can a complete management scenario be put in place. These funding and staffing issues will be discussed internally to discover the best option to meet the management goals of the property and will be considered in the management plan for the area.

5.0 NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

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

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

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.

6.0 PUBLIC PARTICIPATION

6.1 Public Involvement

The public will be notified in the following manners to comment on this draft EA, the proposed action, and alternatives:

- Two public notices in each of these papers: Kalispell Daily Inter Lake, Bigfork Eagle, and Helena Independent Record.
- One statewide news release.
- Direct mailing to adjacent landowners and interested parties.
- Public notice on the Fish, Wildlife & Parks web site: http://fwp.mt.gov.
- An open house/public hearing beginning at 6:00 p.m. on Thursday, September 11, 2008, in the Somers Fire Hall, 127 Leslie Avenue in Somers, Montana. The open house portion will run from 6:00-7:00 p.m., with public hearing beginning at 7:00 p.m. The open house allows the public to review materials and ask questions.

Copies of this EA will be available for public review at FWP Region One headquarters in Kalispell, the Flathead County Libraries in Bigfork and Kalispell, the Montana State Library in Helena, and on the FWP web site (http://fwp.mt).

This level of public notice and participation is appropriate for a project of this scope, having limited physical and human impacts.

6.2 Duration of Comment Period

The public comment period begins August 27, 2008, and extends for 30 days through September 26, 2008. Comments can be mailed to the address below or e-mailed to gbissell@mt.gov.

North Shore Acquisition
Montana Fish, Wildlife & Parks
Region One Headquarters
490 N. Meridian Road
Kalispell, MT 59901

Offices/programs contacted or contributing to this document:

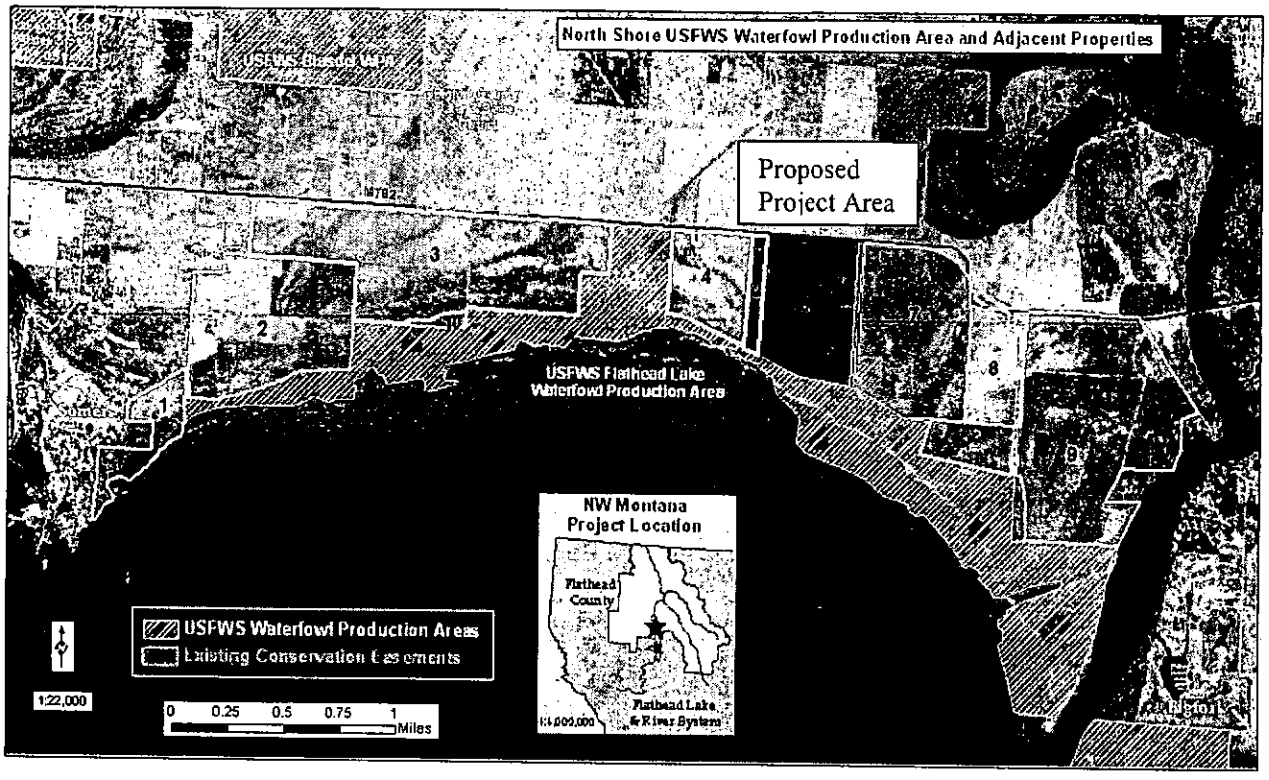
Montana Fish, Wildlife & Parks, Parks and Wildlife Divisions, Lands Bureau, and Legal Unit
Rebecca Cooper, MEPA Coordinator, Helena, MT
Gael Bissell, FWP Wildlife Biologist, Kalispell, MT
Dave Landstrom, FWP Regional Parks Manager, Kalispell, MT
Jim Williams, FWP Regional Wildlife Manager, Kalispell, MT

7.0 EA PREPARATION

Marty Watkins, FWP Consultant
Jim Satterfield, FWP R-1 Administrator, Kalispell, MT
Rebecca Cooper, MEPA Coordinator, Helena, MT
Gael Bissell, FWP Wildlife Biologist, Kalispell, MT
Dave Landstrom, FWP Regional Parks Manager, Kalispell, MT
Jim Williams, FWP Regional Wildlife Manager, Kalispell, MT
Rob Brooks, FWP, Economist, Helena, MT

Appendix A

Location of the proposed Phase One of the North Shore State Park/WMA (Parcels #5 and #6) along the North Shore of Flathead Lake, Flathead County, Montana.



Appendix B

North Shore State Park/WMA
Proposed Management Plan

PART 1.0 SITE DESCRIPTION, RESOURCE VALUES AND ADMINISTRATION

PART 2.0 VISION STATEMENT

PART 3.0 NATURAL RESOURCE MANAGEMENT

PART 4.0 HERITAGE RESOURCE MANAGEMENT

PART 5.0 RECREATIONAL RESOURCE MANAGEMENT

PART 6.0 ADMINISTRATION, OPERATIONS, AND MAINTENANCE

PART 7.0 CAPITAL IMPROVEMENTS

1.1 Introduction

The North Shore State Park/WMA Management Plan (Plan) encompasses the management that FWP proposes for lands acquired as part of the proposed North Shore State Park/WMA. The parcels that FWP plans to acquire are the 160-acre and adjoining 20-acre property shown in Appendix A. These parcels are located along the North Shore of Flathead Lake between Somers and the Flathead River.

The properties bound the U.S. Fish and Wildlife Service (FWS) Flathead lake Waterfowl Production Area (WPA) to the south, the Bigfork-Somers cutoff road (U.S. Highway 82) to the north and private lands on either side. These lands are currently in agricultural (hay or crop production but have about 10 acres of riparian habitat that follows an old river channel. The properties are nearly flat and lie adjacent to a man-made dike created along the North Shore to minimize flooding of agricultural lands. The ground water is less than 5 feet under most of the project area. A small pond has been excavated near the southeast corner of the 160-acre property.

This Management Plan will provide a description of the purpose, objectives, and management strategies for the State Park/WMA. Detailed management objectives and strategies will be identified and incorporated within 3-5 years after the property is acquired and plans and funding are secured. This plan would be periodically updated to ensure that project continues to fulfill the identified purpose(s). This would include a process to involve the public, other agencies and adjoining landowners. Management of this area will require careful consideration and action over time and will also be responsive to agency and public needs as well as other considerations such as impacts to neighboring properties.

Property Location: The property consists of an approximately 160-acre tract and an adjoining 20-acre tract located in the northwest corner of Section 21 T 27N R20W, Flathead County.

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 has little development, provides excellent views of the lake and lakeshore, provides excellent bird-watching opportunities, and could be dramatically improved to provide increased bird and wildlife habitat values. The North Shore is also an important area of connectivity across the Flathead Valley. Over the years, landowners have reported elk, mountain lions,

and bears in this area. 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 North Shore area supports approximately 39 Tier I or Tier II species that are found within the grassland/riparian/wetlands community types along the North Shore as identified by FWP's Comprehensive Fish and Wildlife Conservation Strategy (FWP 2005). Most notable Tier I species that could be found on or near the Miller property include bald eagles (nest site currently on adjoining land), trumpeter swans along the lakeshore, long-billed curlews and possibly black terns. Other important species that use the North Shore and nearby uplands including the proposed project lands include golden eagle, osprey, merlin, northern harrier, peregrine falcon, various waterfowl, wintering raptors such as rough-legged hawks and short-eared owls.

The southwestern portion of the property is about 250 feet from the current high water mark of Flathead Lake. Consequently, the south and western portions of this land are lower and wetter than the northern portion. The riparian/wetland and upland portions of the adjoining WPA provide excellent habitat for birds, deer, and other wildlife. The 160-acre property, which is currently in hay production, provides foraging habitat for raptors and habitat for upland game birds such as ring-necked pheasants and Hungarian partridge. If enhanced or restored to native or similar habitats, this property productivity for wildlife would be increased. The lands would provide excellent wildlife viewing and upland game bird hunting opportunities.

The 160-acre property does not have irrigation at this time, and has one hayshed. A public gravel access road to the WPA runs along the east boundary provides access to this parcel as well as a public parking area on the WPA when it is open. The WPA, as currently managed, is closed from March 1 to July 15 each year due to nesting waterfowl and bald eagles.

The specific type and extent of cultural resources and artifacts are unknown at present, but it's likely that the property has a rich assemblage of cultural resources that would be conserved by the project.

1.2: 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).

PART 2.0 VISION STATEMENT

The primary purpose or Vision for the North Shore State Park/WMA will be the combined focus on the conservation and enhancement of habitat for wildlife while also providing the public opportunities for camping, year-round wildlife viewing and interpretation; and the seasonal hunting of deer, waterfowl and upland game birds. FWP will strive to provide a balance between properly managed and restored habitats and wildlife resources and the needs or expectations of a variety of visitors to such a unique area. As such, the majority of the lands acquired will be undeveloped and managed as a Wildlife Management Area (WMA) with a small portion (approximately 25 acres) developed and designated as a State Park with some type of camping and associated administrative and visitor facilities and interpretive or recreational trail(s).

The properties acquired along the North Shore have a great potential to provide excellent recreational opportunities that are in very short supply in the Flathead valley; these include camping during the summer months; hunting in the fall; and bird-watching and educational opportunities year-round. The existing federal Flathead Lake WPA is very popular in the late fall and winter when the lake is drawn down and the mudflats open to hiking, skiing, and skating.

Most of the summer visitation is expected to come from outside the local area while most of the use during fall, winter, and spring will be from the local area residents and schools. Outdoor recreational opportunities may include nature trail, foot/bike path near the highway, bird observation tower or blind near the WPA, hunting, particularly for youth, access along the WPA, camping, wildlife viewing, photography, natural and cultural history, discovery, and education.

The facilities that would be developed to provide or enhance public use may include signs, parking areas, sanitary facilities, camping and yurts, trails, an administrative site and informational and interpretive exhibits. Infrastructure will be developed to ensure that the primary goal of habitat conservation is emphasized. FWP will focus on the goals of site stewardship, protecting natural and cultural resources, and supporting a safe, comfortable, and educational visitor experience. Management will also consider and address the effects that public ownership of this parcel has on adjoining landowners and the local community. Implementation of this Plan will contribute to local economies.

OVERALL GOAL STATEMENTS: The management goal of the proposed North Shore State Park/WMA acquisition will be to:

- Conserve wildlife habitat, wetlands, riparian areas and function of the lands along the North Shore of Flathead Lake and WPA
- Restore wetlands where possible
- Maintain/restore native uplands; restore agricultural uplands to native or native-like grasslands or upland/grassland forest/shrub communities
- Enhance habitats for migratory waterfowl and upland game birds
- Provide public viewing and hunting opportunities in the area
- Provide other public outdoor recreational and educational opportunities
- Be a "good neighbor" to adjoining properties and neighboring communities and contribute to the local economy.

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, distribution and abundance of wildlife in the area.

b) Assess the upland and riparian habitat and identify any potential improvement projects that may be necessary to maximize wildlife habitat on the property.

c) Maintain and restore natural wetland habitats.

d) Restore some of the agricultural land to upland grasslands using a mix of native or native-like vegetation that requires only periodic management but helps exclude noxious weeds.

e) Identify need and appropriate locations for food crops that would enhance use and habitat by migratory birds, waterfowl, and upland game birds.

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 weed infestations 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.

d) Coordinate with county weed districts, adjoining landowners, and others active in local weed identification and control.

3.3: Wildlife Management

Objective: To restore and maintain wildlife populations for use and enjoyment by the public without impacting adjoining landowners. The timing for implementation will depend on securing adequate management funds through FWP and other programs.

Management Strategies:

a) Where possible, restore and manage the riparian and wetland habitats to provide high-quality habitat for a variety of game and non-game species.

b) For agricultural lands, identify proportion of land that should be restored to high-quality upland grassland/forest habitat and the area needed for wildlife food production (crops) based on species presence, needs, public input, soils, funding, recreational goals, and other considerations.

c) For the wildlife food production area:

- Establish food plots for waterfowl and/or game birds.
- Establish nesting/brood-rearing cover for upland game birds.

d) Manage habitat to help hold animals on the public lands to minimize potential problems with adjoining landowners.

e) Establish population trend surveys for selected game and non-game species.

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.
c) Provide information to the public regarding site-specific cultural resources about the importance of leaving heritage resources undisturbed for future generations.
d) Provide natural or cultural interpretation for the area through sensitive and appropriate displays, programs, and information.

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 entire parcel as long as that use is compatible with nesting waterfowl and bald eagles or other wildlife considerations. Given the potential for spring public use to impact nearby nesting bald eagles and possibly waterfowl on some of the Miller or Taylor parcels, FWP may impose a seasonal spring closure to some/all of the tract depending on nest locations and bird activities.

b) Coordinate management with the adjoining FWS North Shore Waterfowl Production Area to insure that both properties can meet the objectives for which they were acquired.

c) Provide wildlife viewing/interpretive opportunities without impacting these wildlife resources in the spring and/or fall.

d) Provide camping or lodging opportunities. No overnight use will be allowed until the State Park campground portion of this project is approved and developed.

e) Restrict vehicles/OHV use to existing roads or designated parking areas until final development plan is adopted and implemented. Only foot traffic will be allowed on acquired lands.

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 group use, commercial use, scientific research and projects involving handling wildlife.

Management Strategy:

a) Utilize existing ARM Rules pertinent to Wildlife Management Areas and State Parks 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 in a designated public recreation area. Persons in possession of animals must keep them under control in a manner that does not cause or permit a nuisance, annoyance, or danger to others. In developed campgrounds the animal must be physically restrained or on a leash under ten feet in length in hand or anchored at all times.
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) Camping will be permitted in designated sites only (ARM 12.8.205).
e) Campfires will be permitted in designated steel fire grates only (12.8.206).
f) Gathering or cutting firewood for off-site use will be prohibited (12.8.207).
g) Removal of natural, geological, historical, or archeological resources from the property will be prohibited except for berries, fallen dead wood, or lawfully taken fish and game (ARM 12.8.207).
h) Commercial use will require a permit in accordance with the Statewide Commercial Use Rules (ARM 12.14.101-170).

5.4: Public Input/Marketing

Objective: The site will be publicized as a unique public resource as part of Montana's Wildlife Management Area and State Parks systems.

Management Strategies:

a) Include this area on the FWP website for WMAs and State Parks.
b) Develop a site-specific brochure including a map, resource information, recreational opportunities, and regulations.
c) Install appropriate site designation 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 acquisition and management plans.

5.5: Trails

Objective: Recreational and interpretive trails may be developed in the future for public use consistent with the purposes of the State Park/WMA goals and objectives. Proposed trails would be part of separate EA/public review process. Development of suitable locations and trail alignments must not adversely impact soils, vegetation, natural features, wildlife, fisheries, or cultural resources.

Management Strategies:

a) Evaluate potential trail locations, alignments, routes, and destinations after acquisition and work with adjoining landowners, public, county, neighborhood committees, etc. to develop opportunities for trail connectivity between Somers and Bigfork.
b) If deemed appropriate, design and construct a trail system, consistent with WMA/State Park goals and objectives, that connects logically to other public trails.
c) Develop and implement trail maintenance and signing standards consistent with WMA goals and objectives.

5.6: 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 monitor hunting activity.
c) Develop hunting opportunities for youth and people with disabilities.
d) Hunting will be managed primarily through designation of motorized vehicle travel routes, with only foot travel allowed off of designated travel routes.
e) Establish no hunting safety zones around developed facilities.

5.7: Boating

Objective: This parcel does not directly border Flathead Lake; however, the distance across the FWS land is less than 200 feet in the southwest corner of the Miller property. It may be possible to work with FWS to allow canoe/kayak access across the WPA outside of seasonal closures. This potential will be explored through FWP's development of the more detailed and long-term Management Plan in close cooperation with FWS.

5.8: Education and Interpretation

Objective: Over time, FWP will develop educational and interpretive media and services that tell the story of the area's natural, cultural, and recreational resources.

Future Management Strategies:

a) Develop appropriate educational and interpretive themes consistent with the site values and resources.
b) Install a standard State Park informational kiosk at the primary site entrance.
c) Develop on site programs as funding and staff allows.
d) Provide detailed information regarding the area's natural, cultural, and recreational resources on the FWP home page.

5.9: Commercial Use

Objective: Commercial use may be considered if deemed a necessary and appropriate service for the public enjoyment and use of the site.

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).

5.10: 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 Wildlife division personnel as well as law enforcement for FWS. On site campground host or office/personnel will be considered as site development plans are implemented and funding is acquired.

b) Counties 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 non-forest district state properties in exchange for the state providing the county with training, equipment, and some planning assistance. FWP makes tax payments to counties on FWP properties except State Parks, Fish Hatcheries, Bird Farms, and in counties where FWP owns less than 100 acres.
c) 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.

d) Motorized access on the property at this point in time will be allowed only on existing access road.
e) No fires will be allowed until development of the State Park and facilities occur and fires could be allowed in specific campfire rings.
f) 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 to properly support site administration, operations, maintenance, and stewardship over time.

Management Strategies:

a) Develop a strategy to provide an interim site presence capable of providing basic site stewardship and site administration for next 3-5 years. Although the property could be acquired by the state by the end of 2008, it may be partially or completely closed from March to July 2009. It is likely that we would develop and agreement with the current landowner to continue to manage the property as hay land for a year or so until FWP obtains the resources to implement habitat or other activities. FWP would strive to have public information available on our website, at FWP and FWS offices, released through public media, and on site by July 15 of 2009.
b) No overnight use will be allowed until the State Park plan is adopted and implemented.
   - FWP would pursue acquiring adequate operations funding and staffing to provide interim site stewardship, administration, and visitor use management for the next 3-5 years. Construction of State Park facilities for camping and activities may not occur until sometime between 2011-2014.
c) Establish the following functional assignments and responsibilities consistent with FWP management of the site:

Wildlife Division
Wildlife Management, Habitat Conservation and Enhancement, Agricultural Land Management, Hunting Management, Boundary Signs and/or Fencing; Noxious Weed Management
Parks Division
Visitor Use & Recreation Management, Interpretive Programs & Exhibits, Public Use Announcements/Signs, Facility Maintenance; Noxious Weed Management

Enforcement Division
Law Enforcement, Public Safety, Assist With Emergency Operations

The North Shore State Park/WMA property will be managed utilizing management zones (see below). Primarily FWP Parks, Wildlife, and Enforcement Divisions will cooperate in managing this property.

Wildlife Management Zone: This zone will be primarily managed and administered by the FWP Wildlife Division for WMA purposes and will include the following areas:

- Wildlife restoration and enhancement
- Wildlife Closures as needed

State Park Zone: The future state park development zone will be primarily managed and administered by the FWP Parks Division for Parks purposes and will include the following areas:

- Visitor contact and information facilities at the primary park portal
- Any designated campground.
- Trails and interpretive displays and signage.

Administrative Zone: This zone will be part of future planning and may include areas or facilities to be jointly managed by all divisions of FWP for administration, operations and management of the property. It includes the following:

- Additional access roads and parking areas.
- Administrative facilities such as storage sheds, office, maintenance facilities

In time and through EA and public review processes, FWP would provide a map to visually illustrate and delineate specific locations and acreages of these zones.

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. FWP's Parks Division will strive to secure capital funding for public facilities and amenities that enhance the visitor experience during the next 3-5 years. FWP would plan to begin habitat restoration and enhancement work by 2011. Planning for development of the State Park camping and interpretive facilities would likely to occur after 2011 and as funds become available.

Interim Management Strategies:

a) Repair/construct boundary fencing as needed; designate limited parking area, provide portable latrine.

b) Set target date for July 2009 opening with signs, brochures, and other public information.

c) Develop a concept plan for proposed facilities, including access roads, parking areas, signs, exhibits, latrines, vehicle campground, boat camps, trails, river access sites, and primary visitor contact station by end of 2012.

d) Establish priorities for the phased development of facilities and amenities.

e) 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.

f) Implement a MEPA compliance process for all major construction or capital improvement projects.

Appendix C.

Species List for the Flathead Valley adapted from Table 12 in Comprehensive Fish and Wildlife Conservation Strategy for Flathead Valley Terrestrial Focus Area (http://fwp.mt.gov/specieshabitat/strategy/default.html). Those species in bold are known to occur or likely to occur annually on or along the North Shore of Flathead Lake or in association with adjacent wetlands and uplands (list modified with assistance from Dan Casey, American Bird Conservancy and Dwight Bergeron, FWP).

TOTAL:	TIER II: 33/61			
Tier I and II (combined) Occur or Likely to Occur	**Long-toed Salamander**		Winter Wren	Least Weasel
Amphibians: **3/5**	**Pacific Tree Frog**		**Western Bluebird**	**American Badger**
Birds: **31/48**	**Columbia Spotted Frog**	**Marbled Godwit**	Veery	**Northern River Otter**
Mammals: **3/16**		Franklin's Gull	Loggerhead Shrike	
Reptiles: **2/4**	**Rubber Boa**	**Caspian Tern**	American Redstart	
	Common Garter Snake	**Common Tern**		**TIER III: 95/169**
TIER I: 6/10		Forster's Tern	Clay-colored Sparrow	Painted Turtle
Western Toad	**Horned Grebe**	**Northern Pygmy-owl**		Gopher Snake
Northern Leopard Frog	**Red-necked Grebe**	Barred Owl	**Bullock's Oriole**	Western Terrestrial Garter Snake
	Western Grebe	Great Gray Owl	Gray-crowned Rosy-finch	**Pied-billed Grebe**
Common Loon	**American Bittern**	Northern Saw-whet Owl	White-winged Crossbill	**Eared Grebe**
Trumpeter Swan	**Canvasback**	**Black Swift**		Clark's Grebe
Bald Eagle	**Redhead**	**Vaux's Swift**		American White Pelican
Long-billed Curlew	**Hooded Merganser**	Black-chinned Hummingbird	Vagrant Shrew	**Double-crested Cormorant**
Black Tern	**Turkey Vulture**		Pygmy Shrew	**Great Blue Heron**
	Northern Harrier		Yuma Myotis	**Tundra Swan**
	Sharp-shinned Hawk		Long-eared Myotis	**Snow Goose**
	Cooper's Hawk		Long-legged Myotis	Ross' Goose
Townsend's Big-eared Bat	Northern Goshawk		California Myotis	**Canada Goose**
Northern Bog Lemming		**Pileated Woodpecker**	Silver-haired Bat	**Wood Duck**
Grizzly Bear		Alder Flycatcher	Big Brown Bat	**Green-winged Teal**
		Hammond's Flycatcher	Hoary Bat	**Mallard**
	Golden Eagle			**Northern Pintail**
	Merlin			**Blue-winged Teal**
	Peregrine Falcon	**White-breasted Nuthatch**	Water Vole	**Cinnamon Teal**
	Prairie Falcon	**Pygmy Nuthatch**		**Northern Shoveler**
		Brown Creeper		**Gadwall**

American Wigeon	**Western Sandpiper**	Least Flycatcher	**Townsend's Solitaire**	**Savannah Sparrow**
Ring-necked Duck	**Least Sandpiper**	Dusky Flycatcher	**Swainson's Thrush**	Fox Sparrow
Greater Scaup		Cordilleran Flycatcher	Hermit Thrush	**Song Sparrow**
Lesser Scaup	**Baird's Sandpiper**	Say's Phoebe	**American Robin**	**Lincoln's Sparrow**
White-winged Scoter	**Pectoral Sandpiper**	**Western Kingbird**	Varied Thrush	Swamp Sparrow
Common Goldeneye	Dunlin	**Eastern Kingbird**	Gray Catbird	White-throated Sparrow
Barrow's Goldeneye	**Long-billed Dowitcher**	**Horned Lark**	American Pipit	**White-crowned Sparrow**
Bufflehead	Common Snipe	**Tree Swallow**	Bohemian Waxwing	Harris' Sparrow
Common Merganser	**Wilson's Phalarope**	**Violet-green Swallow**	Cedar Waxwing	**Dark-eyed Junco**
Red-breasted Merganser	**Red-necked Phalarope**	**Northern Rough-winged Swallow**	Northern Shrike	
Ruddy Duck	**Ring-billed Gull**	**Bank Swallow**	Warbling Vireo	**Snow Bunting**
Osprey	**California Gull**	**Cliff Swallow**	Red-eyed Vireo	Bobolink
Red-tailed Hawk	**Herring Gull**	**Barn Swallow**	Cassin's Vireo	**Red-winged Blackbird**
Rough-legged Hawk	**Mourning Dove**	Gray Jay	Orange-crowned Warbler	**Western Meadowlark**
American Kestrel	Western Screech-owl	Steller's Jay	Nashville Warbler	**Yellow-headed Blackbird**
Gyrfalcon	**Great Horned Owl**	**Blue Jay**	Yellow Warbler	
Ruffed Grouse	**Snowy Owl**	Clark's Nutcracker	**Yellow-rumped Warbler**	Brewer's Blackbird
Virginia Rail	Long-eared Owl	**Black-billed Magpie**	**Townsend's Warbler**	Common Grackle
Sora	Short-eared Owl	**American Crow**	Northern Waterthrush	**Brown-headed Cowbird**
American Coot	**Common Nighthawk**	**Common Raven**	Macgillivray's Warbler	Pine Grosbeak
Lesser Sandhill Crane		**Black-capped Chickadee**	**Common Yellowthroat**	Cassin's Finch
Killdeer	**Calliope Hummingbird**	**Mountain Chickadee**	**Wilson's Warbler**	**House Finch**
Black-necked Stilt	**Rufous Hummingbird**	**Red-breasted Nuthatch**	**Western Tanager**	**Red Crossbill**
American Avocet	**Belted Kingfisher**	Rock Wren	**Black-headed Grosbeak**	**Common Redpoll**
Greater Yellowlegs	**Red-naped Sapsucker**	House Wren	**Lazuli Bunting**	**Pine Siskin**
Lesser Yellowlegs	**Downy Woodpecker**	**Marsh Wren**	Spotted Towhee	**American Goldfinch**
Solitary Sandpiper	**Hairy Woodpecker**	American Dipper	**American Tree Sparrow**	Evening Grosbeak
Willet	**Northern Flicker**	**Golden-crowned Kinglet**	**Chipping Sparrow**	Masked Shrew
Spotted Sandpiper	**Western Wood-pewee**	**Ruby-crowned Kinglet**	**Vesper Sparrow**	Dusky Or Montane Shrew
Semipalmated Sandpiper	**Willow Flycatcher**	**Mountain Bluebird**	Lark Sparrow	Water Shrew

Appendix D

NORTH SHORE STATE PARK/WMA FEE TITLE ACQUISITION

SOCIOECONOMIC ASSESSMENT

MONTANA FISH, WILDLIFE & PARKS

August, 2008

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.

This socioeconomic evaluation addresses the fee title purchase of a 160-acre parcel and an adjoining 20-acre 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 properties are in Appendix A.

II. PHYSICAL AND INSTITUTIONAL SETTING

A. *Property Descriptions*

The North Shore properties are located in Flathead County southeast of Kalispell. Detailed descriptions of these properties are included in the draft Environmental Assessment (EA).

B. *Habitat and Wildlife Populations*

The North Shore lands are in agricultural production but also used by migratory waterfowl, shorebirds, songbirds, bald eagles, other raptors, upland game birds, white-tailed deer and an occasional black or grizzly bear. A list of species is available in the draft EA.

C. *Current Use*

Both properties are used primarily for agriculture. The 20-acre property has one occupied residential home site; the 160-acre parcel only has one hayshed. The resident of the 20-acre parcel would like to retain a life estate and/or remain on the property for several more years. In this case, FWP would only obtain title to the property after the current resident retires.

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 both North Shore parcels will provide long-term protection of important wildlife habitat, help maintain the integrity of the federal Flathead Lake Waterfowl Production Area (WPA), provide a new state park, and public access for hunting and other compatible recreational opportunities. Section III quantifies the social and economic consequences of the fee title 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 on FWP are related to the purchase price of the fee title purchase and maintenance/management costs. The 160-acre North Shore purchase will cost FWP $1.8 million in Access Montana funds. Maintenance/management costs related to the purchase are associated with maintaining fences, weed control, and other interim site management activities. The lands will likely be managed for hay and crop production for 1-3 years until specific enhancement and development plans are outlined. These initial costs are estimated to be initially around $2,000 a year. The site management costs for infrastructure development will increase significantly when detailed state park and WMA site plans are developed. The state park is expected to generate income over time through charging of camping fees. The development and long-term management of the state park and WMA will be the subject of a future EA.

The financial impacts to local governments are the potential changes in tax revenues resulting from fee title purchase.

State Park on 160-acres: *There will be a loss of tax income on approximately 25 acres of land that becomes the new state park. Taxes on the 160-acre property were $1,119.26 in 2007. If the 25-acre state park is developed within the 160-acres, Flathead County will lose approximately 16% or $179.08 in taxes on this parcel, as state park lands are exempt from property taxes under state law. However, FWP will still make payments in lieu of taxes on the balance (135 acres) which amount to approximately $940.18- per year based on property taxes in 2007. 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."*

State Park on 20-acre parcel: *The property tax implications for the eventual development of the state park on some or the entire 20-acre parcel would be somewhat different. The 2007 property taxes on the 20-acre parcel were $685.94. If all of the state park is located on this parcel, the property tax income to Flathead County would be*

reduced by this entire amount or $685.94 using 2007 data. The property tax payments for the 160-acre parcel would then continue to be paid at the same rate as this land is currently taxed today give or take 5 acres that may be associated with the state park. The owner of the 20-acre parcel would like a life-estate and/or would like to continue to live on this property for another 3-5 years. If this occurs, Flathead County would continue to receive property taxes from the owner until the property was actually converted to a state park by FWP.

B. *Economic Impacts*

The fee title purchase will affect some of the current agricultural activities on the North Shore 160 -180 acres because about 25 acres will eventually be converted to a state park. The balance of the acquisition will substantially remain in agricultural/open space with emphasis on creating permanent cover and food plots for migratory and upland game birds. Initially, FWP would probably develop a sharecropping arrangement with current or other farmers where hay may be cut only once annually with re-growth allowed to remain as cover for wildlife. Grain may also be planted with some left for waterfowl and upland birds. On the parcel with a life estate, agricultural production or status quo would continue until FWP acquired the land. In the long-term, there will be some reduction in hay or crop production from the land. However, the productivity of the land will be maintained.

The fencing, weed control, and possible future restoration work will provide positive financial impacts to local businesses supplying the materials for these projects.

FWP anticipates the creation of the new state park/WMA will result in an increase of 250 new hunter days per year. In addition, non-hunting use such as wildlife viewing is expected to provide about 500 days of use. Both these activities will have a positive economic impact to the local business community of approximately $16,000 - $20,000 annually.

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 recreational/educational opportunities.

The fee title purchase of this property by FWP will cause a reduction in tax revenues from their current levels to Flathead County that could range from $179.08 to $685.94 as a result of a 25-acre state park development. FWP would continue to pay agricultural rate taxes on the balance of lands acquired.

Hunting and other recreational activities will continue at their present levels and in some cases increase. The financial impacts of this acquisition to local businesses will be neutral to positive in both the short term and long run.

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: November 10, 2008

Agenda Item: North Shore State Park/WMA Acquisition

Division: Parks/Wildlife

Action Needed: **Approval of Tentative Rule:** _____ **Approval of Final Action:** x

Endorse Course of Action: _____ **None - information only:** _____

Time Needed on Agenda for this Presentation: 10 minutes

Background: Fish, Wildlife & Parks (FWP) proposes to acquire up to 180 acres in 2 parcels of primarily agricultural land located between Montana Hwy 82 and the U.S. Fish and Wildlife Service's Flathead Lake Waterfowl Production Area (WPA) along the North Shore of Flathead Lake. The purpose of FWP's acquisition is to increase habitat protection along the North Shore of Flathead Lake, enhance habitat for wildlife, and provide new, compatible public recreational opportunities. The private parcels are contiguous with the WPA for approximately ½ mile and contain 10 acres of wetlands. The total cost would be approximately $2.5 million. Funds for the proposed acquisition would come primarily from Access Montana ($2.0 million), with the balance from private sources, wildlife habitat programs, donations, and grants.

Public Involvement Process & Results: FWP scoped the project in partnership with the Flathead Land Trust, and staff from our organizations met with our local sporting clubs, local landowners, and local citizens. We initiated a 30-day public comment period of the draft EA on August 27, 2008, by posting of the draft EA on our website and issuing a press release to statewide media. FWP paid for legal ads in the region's major daily and weekly newspapers and the Helena Independent Record prior to and after the draft EA release. FWP mailed notification cards to nearly 400 individuals or entities, including all neighboring property owners, local legislators, county officials, and other interested parties. FWP held an open house/public hearing September 11, 2008, in Somers. FWP received 47 written comments, 2 voice mail messages, and 6 statements from 18 attendees to the open house. Of 55 unique comments, 52 strongly supported the proposed acquisition. The most common reasons for support included the conservation of important wildlife habitats, followed by public desire to not see development of the North Shore, public access for recreation and hunting, and benefits to water quality, local business, and conservation education. Many comments supported the concept that this be the first step in a larger conservation effort across the whole North Shore. There was one comment that supported the proposed action, but provided different management suggestions for the lands. A letter supported the proposed action, but suggested several ways to make the draft EA stronger. The attorneys for a proposed nearby housing development stated concerns with the proposed management and public use of the lands, but neither supported nor opposed the proposed acquisition.

Alternatives & Analysis: FWP considered one other alternative, the no-action alternative in the draft EA. Under no action, FWP would not purchase either of the two properties. The landowners would likely continue their efforts to sell their properties to other potential buyers. It is unknown how future landowners would use these lands or the level of development that may ultimately occur. The Flathead County Commissioners recently denied a proposal for a 367-acre subdivision that is being appealed by the developer. This proposal was for about 290 homes along the WPA near Somers. Development potential at some level is still a possibility.

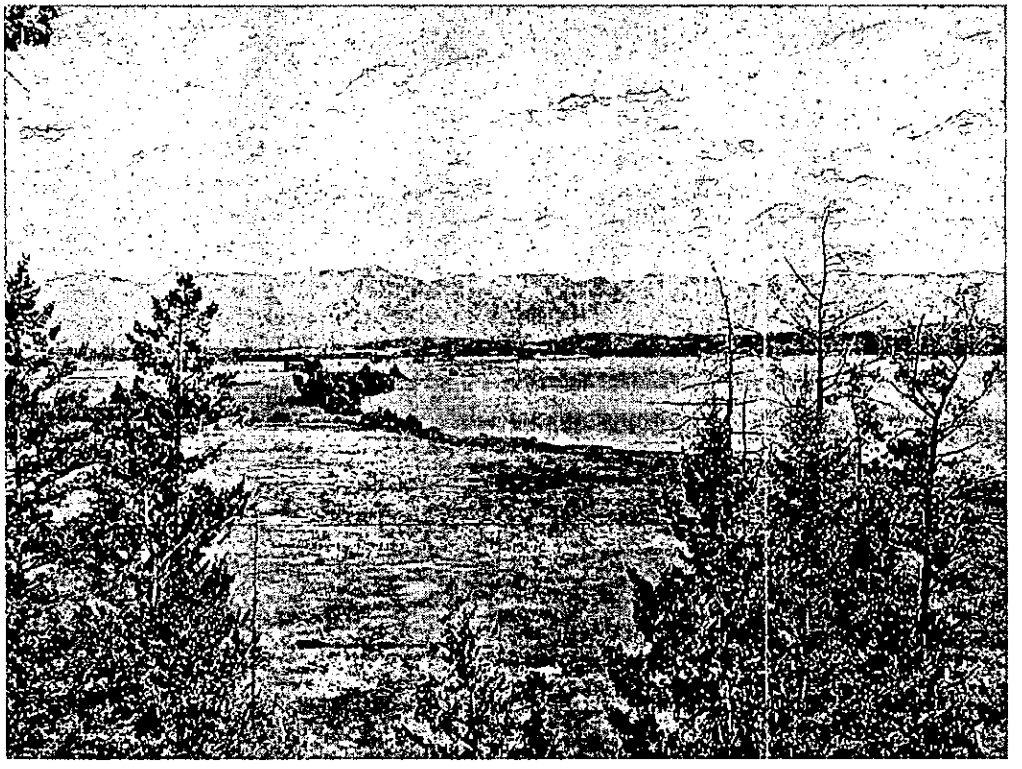
Agency Recommendation & Rationale: Because of the importance of conserving the habitat values of lands along the North Shore of Flathead Lake, the high level of public support for the project, and the availability of funding, FWP recommends that the Commission approve the project as proposed in the draft EA and decision notice.

Proposed Motion: I move that the Commission approve the North Shore State Park/WMA acquisition described in the Department's decision notice of October 21, 2008.

North Shore State Park/WMA Land Acquisition Proposal

Draft Environmental Assessment

August 27, 2008



Prepared by Region One Parks and Wildlife Divisions

Montana Fish, Wildlife & Parks

North Shore State Park/WMA
Draft Environmental Assessment
August 27, 2008

EXECUTIVE SUMMARY

The North Shore State Park/WMA project comprises the purchase of approximately 160-180 acres of primarily open land located between Montana Hwy 82 and the U.S. Fish and Wildlife Service's Flathead Lake Waterfowl Production Area (WPA). The federal Flathead Lake WPA is part of an extensive undeveloped expanse along 5.5 miles of the North Shore of Flathead Lake and was created to protect migratory bird habitat. The purpose of Fish, Wildlife & Parks' (FWP) acquisition is to increase habitat protection along the North Shore of Flathead Lake, enhance habitat for wildlife, and provide new public recreational opportunities. The private parcels proposed for acquisition are south of Montana Hwy 82 and are contiguous with the WPA for about ½ mile. These properties contain about 10 acres of wetlands, with the balance primarily in agricultural production.

The acquisitions would be co-managed by both Parks and Wildlife Divisions with the Parks development project limited to an approximately 25-acre footprint and the balance of lands managed primarily for wildlife, habitat, educational, and compatible recreational purposes. Such uses would include hunting, walk-in access to the WMA and WPA (when the WPA is open), camping, and possibly trails for resource education and bird observation. Future site plans would be developed with public input and through a separate environmental assessment process. Seasonal spring closures consistent with protection of waterfowl or bald eagle nesting on or along the WPA may be part of the future management of some or all of the WMA.

FWP's principal partner in completing this project is the Flathead Land Trust (FLT), a local land trust based in Kalispell, which holds a purchase agreement on the primary property and negotiating options with the private landowners for the lands to be acquired by FWP. A preliminary appraisal obtained by both the buyer and seller for the 160-acre parcel indicated a value of $12,300/acre based on eight comparable sales data. The landowner agreed to a below market value sale price of $11,750/acre. Funding for this parcel will come primarily from FWP's Access Montana program ($1.8 million), but also from private sources, including a portion of a $200,000 Doris Duke grant to the Flathead Land Trust ($80,000). The cost of an additional 20-acre parcel is not yet determined. Funding for this additional parcel would likely come from Habitat Montana, future North American Wetlands Conservation Act grant, Montana's Migratory Bird Stamp fund, Access Montana, private donations, or a combination of the above.

The North Shore falls within a Tier One Focus Area (Flathead River Valley), which is a geographic area of "Greatest Conservation Need" according to Montana's 2005 Comprehensive Fish & Wildlife Conservation Strategy (see http://fwp.mt.gov/specieshabitat/strategy/default.html). The North Shore area supports at least 6 Tier I and 33 Tier II wildlife species as identified by this Strategy. These parcels in particular are important for nesting and/or migratory waterfowl, including mallards, northern pintails, Canada geese, trumpeter and tundra swans, and bald eagles. The area also provides important habitat for upland game birds, raptors, small mammals, and white-tailed deer.

The draft EA public comment period begins August 27, 2008, and extends for 30 days through September 26, 2008. FWP will hold an open house/public hearing beginning at 6:00 p.m. on Thursday, September 11, 2008, in the Somers Fire Hall, 127 Leslie Avenue in Somers, Montana. The open house portion will run from 6:00-7:00 p.m., with public hearing beginning at 7:00 p.m. Public comments can be sent to: North Shore EA, 490 North Meridian Rd. Kalispell, MT 59901 or e-mailed to Gael Bissell at: gbissell@mt.gov.

PREFACE

The proposal covered in this document is the purchase of approximately 160-180 acres of primarily open land located between Montana Hwy 82 and the Flathead Lake Waterfowl Production Area operated by the U.S. Fish and Wildlife Service (FWS) along the North Shore of Flathead Lake. The properties contain about 10 acres of wetlands, with the balance primarily in agricultural production. The properties would be used to provide a new state park as well as 135-155 acres of a new Fish, Wildlife & Parks (FWP) wildlife management area (WMA). The acquisitions would be co-managed by both Parks and Wildlife Divisions, with the Parks development project limited to an approximately 25-acre footprint and the balance of lands managed primarily for wildlife, habitat, educational, and compatible recreational purposes. FWP is responding to private landowner and community interest to implement this project as part of a broader conservation vision along the North Shore of Flathead Lake with willing landowners. Any additional conservation work by FWP would be the subject of future environmental assessment (EA) and public review processes. FWP's principal partner in completing this project is the Flathead Land Trust (FLT), a local land trust based in Kalispell, which holds purchase agreements or options with the private landowners for the lands proposed for acquisition by FWP.

1.0 PURPOSE OF AND NEED FOR ACTION

1.1 Proposed Action and Need

Region One FWP and the Flathead River-To-Lake partners[1] are concerned about the potential impacts of proposed development along the North Shore of Flathead Lake. The north end of Flathead Lake and associated wetlands provide a major resting and feeding area for migratory waterfowl and many other species, including trumpeter swans and bald eagles. The historic agricultural lands near the lake and Flathead River have provided ideal and secure foraging opportunities for thousands of mallards, pintails, tundra swans, and Canada geese, maintained an important buffer between development and the lakeshore, and provided connectivity across the valley to nearby sloughs and Flathead River. Some of these lands have restorable natural wetlands. It is important to note that these lands were identified as priority conservation lands in the 1980s. Until now, there have been no opportunities to conserve these lands that are critical to the integrity of the WPA.

The North Shore area provides some of the only accessible waterfowl and upland game bird hunting in Flathead Valley. The need to maintain habitat integrity of mixed agricultural and riparian/wetlands along the Flathead River and Flathead Lake has been a priority for FWP and FWS for many years. The habitat value is clearly at risk if development occurs along the North Shore, and proposals for new development in the

[1] Partners include U.S. Fish & Wildlife Service (FWS), Confederated Salish & Kootenai Tribes (CSKT), Flathead Land Trust (FLT), Flathead Lakers, Montana Land Reliance, Natural Resources & Conservation Service (NRCS), Intermountain West Joint Venture, Ducks Unlimited, Flathead Wildlife, Flathead Audubon, local landowners, & community members.

area have been discussed. Flathead County Commissioners have responded to our concerns by suggesting we should act to protect lands along the North Shore if they are critical wildlife habitat.

Additionally, recreational access around Flathead Lake is limited, with state parks and fishing access sites around the lake running at or above capacity from mid-June through mid-September. FWP has, over the years, repeatedly investigated the opportunities for additional public access around the lake, but found the costs significantly higher than this proposed project. This project does not provide direct access to the lake, but does provide access to the FWS Flathead Lake Waterfowl Production Area (WPA) and other recreational opportunities. A recent public attitude survey conducted by the County Commissioners and the Flathead Land Trust indicates strong support for increased recreational access to rivers and lakes in the area.

During the past year, FWP and partners have developed a North Shore conservation strategy that would utilize local and national land trust resources, private foundations, and conservation buyers working closely with several private landowners. FWP and its partners have local support for completing some type of conservation acquisition in this area. The public has actively commented to the county about wildlife and habitat concerns associated with proposed developments in the area. FWP, on behalf of these resources, the sporting public, and other outdoor users, has the opportunity to initiate a conservation project at a critical time.

The preliminary appraised value for the160-acre parcel (Appendix A) is approximately $12,300/acre. The landowner has agreed to a sale price of $11,750/acre. Funding for this parcel will come primarily from FWP's Access Montana program ($1.8 million) and from private sources, including a portion of a $200,000 Doris Duke grant to the Flathead Land Trust ($80,000). The cost of an additional 20 acres is not yet determined. Funding for this additional parcel would likely come from Habitat Montana, future North American Wetlands Conservation Act grant, Montana's Migratory Bird Stamp fund, Access Montana, private donations, or a combination of the above.

1.2 Objectives

In proposing to acquire the 160-180 acres, FWP seeks to meet the following needs:

- Protect and enhance riparian/wetland habitats.
- Protect and restore grasslands needed for upland birds and waterfowl.
- Protect connectivity across the Flathead Valley for wildlife traveling between the Swan Valley and Salish Mountains and between Flathead River and Flathead Lake.
- Protect water quality of Flathead Lake.
- Provide opportunity and access for public hunting, fishing, wildlife viewing, hiking, camping, and other public recreational users.
- Create a new state park that provides multiple levels and options of educational and compatible recreational opportunities.

- Develop and provide educational interpretive programs that promote and inspire responsible outdoor recreation, preservation of important natural and cultural resources, and appreciation of park values.
- Promote tourism by providing new resources and recreational opportunities that could benefit the local communities and nonresident visitors to this region.
- Potentially continue agricultural production on some of the lands acquired.
- Manage as a cooperative and combined WMA and state park

1.3 Location

Located 7 miles south of Kalispell on Montana Hwy 82, the property is located on the main road (Montana Hwy 82) between Bigfork and Kalispell. The town of Somers is approximately three miles to the east. The property falls within FWP administrative Region One. See Appendix A for an overview map of property and property boundaries.

1.4 Land Ownership

The property in this proposal consists of 160-180 acres of private land held by two landowners on the North Shore of Flathead Lake.

1.5 Legal Descriptions

TR 1D in NW ¼ and N ½ SW ¼, S21, T27N, R20W
TR 2 in W ½ NW ¼ and N ½ SW ¼, S21, T27N, R20W

1.6 Application to Access Montana State Parks Program

Multiple recreational opportunities and access to public lands are all consistent with the State Parks "Access Montana" legislation. Potential for scenic trails, a state park aligned with the Flathead Lake WPA, and access to a large block of public land are purposes for which Parks Access Montana Funds may be utilized. FWP's Parks Division is authorized by MCA 23-1-102 and 23-1-107, wherein FWP authority and duty is defined regarding the acquisition of lands by fee or donation as state historic sites and recreation areas.

1.7 Application to FWP Habitat Montana Programs

Habitat Montana is the Wildlife Division program created by the 1987 Montana Legislature (HB526) to provide means to protect and enhance important ecological and wildlife habitats throughout Montana. It features three important habitat types as those in most need of protection. They include intermountain foothill, sagebrush-grassland, and riparian/wetland habitat types. The properties proposed for acquisition have been used for dryland hay and/or crop production, but can be restored to functional grasslands through planting of native or native-lake species. They also include 10 acres of wetlands, a priority habitat for the Habitat Montana program. Because the croplands provide an important food source for migratory birds, food plots may be established to support migratory waterfowl and upland game birds.

1.8 Application for FWP Comprehensive Fish & Wildlife Management Strategy

The North Shore falls within a Tier One Focus Area (Flathead River Valley), which is one of the state's geographic areas of "Greatest Conservation Need" according to Montana's 2005 Comprehensive Fish & Wildlife Conservation Strategy (Comprehensive Strategy)(see http://fwp.mt.gov/specieshabitat/strategy/default.html). The North Shore area supports at least 6 Tier I and 33 Tier II wildlife species as identified in this Strategy. The proposed land acquisitions also contains at least two of the three habitat types identified by the Comprehensive Strategy for the Flathead Terrestrial Focus Area: 1) Grasslands (or potential grassland types) and 2) Riparian/Wetlands. The third type, Salt Flats (alkaline wetlands), are scattered nearby just north of this project area.

These parcels in particular are important for nesting and/or migratory waterfowl, including mallards, northern pintails, Canada geese, trumpeter and tundra swans, and bald eagles. The proposed project lands are highly productive and likely once consisted of native palouse prairie, intermixed with natural glaciated and river slough wetlands, cottonwood forests, and riparian shrublands adjacent to the largest natural freshwater lake west of the Mississippi. The existing native vegetation along the North Shore includes a variety of cottonwood, ponderosa pine, birch, willow, and red-osier dogwood mixed with cattail/reed canary grass marshes, temporary wetlands, and small emergent ponds.

The 160-180 acres to be purchased with the project have been used for hay and crop production and can be restored to functional grassland through planting of native or native-like species. Because the croplands provide an important food source for migratory birds, food plots may be established to support migratory waterfowl and upland game birds.

Appendix C is the species list from the Comprehensive Strategy for the Flathead Valley Terrestrial Focus Area. In Tier I (Greatest Conservation Need) and II (Moderate Conservation Need), 6 of the 10 Tier One species occur or are likely to occur on the property, and 33 of the 61 species listed as Tier II occur or are likely to occur on the property.

1.9 Authority

The following laws and rules are applicable to the proposed action:

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

The Habitat Montana program authorized by MCA 87-1-241 (12.9.509 ARM) seeks to acquire properties in order to: 1) conserve land, water, and wildlife; 2) contribute to

hunting and fishing opportunities; 3) contribute to nonhunting recreation; 4) protect open space and scenic areas; and 5) maintain the local tax base through continued payments of property taxes.

FWP has the authority to purchase lands (MCA 87.1.209) that are suitable for game, bird, fish, or fur-bearing animal restoration, propagation, or protection; for public hunting, fishing, or trapping areas; and for state parks and outdoor recreation.

1.10 Management Considerations

Two divisions (Wildlife and Parks) of FWP are working together to assist in the management of and are providing the funds for the proposed acquisition. FWP has developed an interim management plan that provides information on how FWP proposes to protect the natural/cultural resources within the property and provide compatible educational and recreational opportunities over the next 3-5 years, and describes long-term vision and objectives. FWP recognizes that a more detailed site-specific plan will be developed in the future, with public and community input, and will be subject to future draft EA and public review processes.

2.0 ALTERNATIVES

2.1 Alternative A – Proposed Action:

FWP proposes to purchase 160-180 acres of land from 1-2 willing private landowners pending final funding approvals and availability. The property is anticipated to be the first phase of the purchase of this new state park/WMA along the North Shore of Flathead Lake. Approximately 25 acres will be dedicated to future site development, with the rest of the property managed for dispersed recreation such as hiking, bird watching, hunting, skiing, etc. The Parks and Wildlife Divisions, in consultation with the USFWS, will develop and jointly implement a public access and habitat/land management plan for both Parks and Wildlife lands, including weed management, trail location, hunting habitat and areas, closed areas, etc. In the future, depending on lands acquired, the project may include a small administrative site, which would provide visitor information and on-site staff to managed the area.

2.2 Alternative B – No Action:

Under the No-Action Alternative, FWP would not purchase this property.

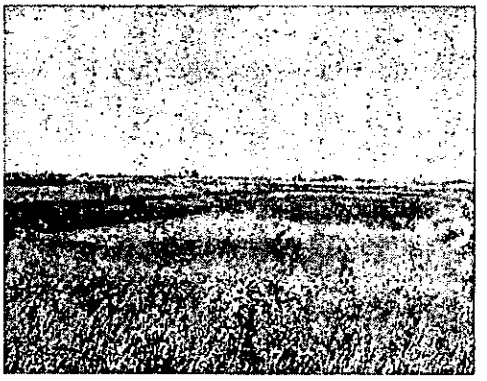
3.0 AFFECTED ENVIRONMENT

3.1 Habitat

This project area currently contains primarily agricultural hay and cropland (or potential grassland types), a small man-made pond (Fig. 2), and about 10 acres of wetlands associated with an old Flathead River channel. It adjoins the federal Flathead Lake WPA

for just over ½ mile, which contains extensive wetlands and stands of aspen, cottonwood, and ponderosa pine. The proposed project lands are highly productive. They likely once consisted of native palouse prairie, intermixed with natural glaciated and river slough wetlands, cottonwood forests, and riparian shrublands adjacent to the largest natural freshwater lake west of the Mississippi. The existing dominant vegetation along the North Shore currently includes a variety of ponderosa pine, cottonwood, birch, willow, and red-osier dogwood shrub mixed with cattail marshes, temporary wetlands, and small emergent ponds.

Figure 2. Views of land along the WPA boundary and excavated pond on properties proposed for acquisition.



The North Shore of Flathead Lake provides many important and unique natural resource values. The wetlands and shoreline provide buffers to nearby uplands that help maintain high water quality in Flathead Lake, one of the clearest lakes in the world. 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 during spring and fall. The North Shore has little development, provides excellent views of the lake, provides excellent bird-watching opportunities, and could be improved to provide extraordinary bird and wildlife habitat values. The Flathead Lake WPA already protects a significant portion of this area.

The North Shore is also an important area of connectivity across the Flathead Valley. Over the years, landowners have reported elk, mountain lions, and bears in this area. Grizzly bears have been observed just north of the North Shore along the Flathead River. Given the level of development occurring in the Flathead, in the future this may be one of the few remaining areas of connectivity that would allow wildlife to potentially move between the Swan and Salish Mountains.

Figure 3. View of potential lands to be acquired showing agricultural lands that could be managed for wetlands, nesting habitat, and food plots.