

# HABITAT MONTANA

## REPORT TO THE 67<sup>th</sup> MONTANA LEGISLATURE

JANUARY 2021



W-Bar Ranch Conservation Easement (Image: B. Skone)



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## OVERVIEW

This report provides the history of Habitat Montana and summarizes Habitat Conservation projects completed by Montana Department of Fish, Wildlife and Parks (FWP) from January 1, 2019 to December 31, 2020 using HB 526 (also referred to as the “Habitat Montana Program”) and other funding sources. Habitat Montana was originally established through legislation passed by the 1987 Montana Legislature (MCA 87-1-241 et seq.). A program rule (ARM 12.9.511) further directs FWP to apply Habitat Montana administrative rules to all of FWP’s wildlife habitat acquisition programs, where appropriate.

Between January 1, 2019 and December 31, 2020, FWP invested in 69,957 acres of conservation through a combination of conservation easements and fee title acquisition (Tables 1 and 2). This includes 9 new conservation easement properties totaling 68,411 acres and 7 fee title projects totaling 1,546 acres. These projects were completed (and are scheduled to be completed by the end of December 2020) using a variety of funding sources totaling \$29,950,278, including \$12,459,450 of HB526 (Habitat Montana) funds.

Specific to Habitat Montana Program funding – as of the end of December 2020, 59 properties involving 339,194 acres of wildlife habitat have been protected through conservation easements, costing \$51.9 million in Habitat Montana funds. This includes projects scheduled to close in Table 1. Fee title acquisitions purchased through the program total 130,877 acres (70 transactions involving 33 wildlife management areas or other sites), costing \$50.1 million in Habitat Montana funds. On average, across the span of the program, for every dollar of Habitat MT expended, an additional ~\$1.15 was contributed from other partners or programs or by landowner donation. Habitat Montana-funded projects by area are 63% easements, 25% fee title, and 12% lease.

In total, the Wildlife Division is responsible for 562,515 acres in conservation easements, 387,836 acres in fee title, and 64,298 acres of leases/rights of way (associated with Wildlife Division-managed lands).

## HISTORY OF HABITAT MONTANA

The Montana Department of Fish, Wildlife and Parks has been involved with conserving key wildlife habitats since 1940, with the initial purchase of 1,004 acres of crucial elk winter range along the east foothills of the Little Belt Mountains for \$4.50/acre, known today as the Judith River Wildlife Management Area. This set the stage for emphasizing the value of habitat conservation in Montana, which continues today for FWP and a broad array of conservation partners. During these early years, there was no specific funding source to purchase, conserve, and manage important wildlife habitats. When key habitats were for sale and dollars were available, land was acquired and became part of the Department’s system of wildlife management areas, ensuring these habitat areas would continue to support critical wildlife needs, related recreation opportunities, and other values for generations.

## House Bill 526

A fundamental concern dating back to the 1940s, but still true today, is the interest in keeping priority wildlife populations abundant through conservation of key seasonal habitats. Conserving wildlife habitat and providing compatible outdoor recreation are considered by many citizens to be important endeavors that support Montana's way of life. In the 1980s, conservationists discussed the possibility of setting aside consistent funding for the Department for purchasing priority habitats when they became available and, of equal importance, to provide consistent funding for managing properties once acquired.



**Aspen groves, part of the Garrity Mountain Wildlife Management Area near Anaconda (Image: T. Ritter).**

The 1987 Montana Legislature saw the introduction of HB 526, which would be funded with hunting license fees. The debate was between those who did not want the Department buying land and those who saw habitat conservation as the foundation for maintaining priority wildlife populations. The compromise by the legislature was authority given to the Department to purchase interests in land, with the legislature directing the agency to attempt conservation easements or lease before fee title acquisition. Fee title purchase was still allowed because the legislature understood the landowner would determine which method was in their best interest.

HB 526 became reality and is currently generating about \$3 million per year for conserving important wildlife habitats. Approximately 92% of revenue for this program comes from nonresident hunting licenses. Discussed in more detail under **Managing Conservation Lands**, Habitat Montana also generates about \$900,000 annually for conducting maintenance work.



## Early Years to Present Day

From the very beginning of Habitat Montana, FWP tried to implement the intent of the legislation, but its success was limited. The reason was twofold: first, the Department was unfamiliar with conservation easements and needed to develop its expertise in implementing this conservation tool; and second, landowners were skeptical of easements. These two problems no longer exist.

The first year that Habitat Montana funding was available, the Department purchased two properties in fee title, the Robb Ledford Wildlife Management Area (WMA) and an addition to the Blackfoot-Clearwater WMA.



**Canada lynx captured on a remote camera on Marshall Creek Wildlife Management Area near Seeley Lake (Image: T. Chianelli).**

In 1989, the second year of operation, two additional WMAs were purchased. A major effort to acquire a conservation easement on the Brewer Ranch changed to a fee title purchase at the request of the landowner. The Department assured the FWP Commission that easement terms would be placed on the Brewer property and then sold. This happened five years later.



**Recently installed pedestrian bridges on Canyon Ferry Wildlife Management Area near Townsend (Image: K. McDonnell).**

In 1990, FWP purchased its first wildlife conservation easement (160 acres adjacent to Dome Mountain Wildlife Management Area). In 1992, FWP made an agreement with a landowner to enter into a five-year management agreement which both parties intended to lead to a conservation easement, which did happen in 1998.

A major threshold was crossed in 1994 with the success of

exchanging the Brewer property, with easement terms in place, for an easement on the Page/Whitham property north of Fort Peck Reservoir. Interest by the agricultural community accelerated with the involved landowner answering many questions from interested landowners. Since then, FWP has had a variety of conservation easement project proposals to select from.

The 1991 Legislature directed FWP to review its habitat program. The Department hired two consultants, Econ, Inc. to look at FWP administrative functioning for the program, and Canyon Consulting, Inc., to evaluate public participation in the program.

In September 1992, Canyon Consulting recommended implementing a policy that defined the public benefits to be derived from the habitat program. The Commission adopted policies through the administrative rule making (ARM) process, directing FWP to provide the following public benefits (ARM 12.9.510):

- Conserve and enhance land, water, and wildlife
- Contribute to hunting and fishing opportunities
- Provide incentives for habitat conservation on private land
- Contribute to non-hunting recreation
- Protect open space and scenic areas
- Promote habitat-friendly agriculture
- Maintain the local tax base, through payments in lieu of taxes for real estate, while demonstrating that productive wildlife habitat is compatible with agriculture and other land uses.

One of Econ's main recommendations, to develop a comprehensive statewide plan, was completed in 1994, the 'Statewide Habitat Plan, an implementation of FWP Commission Habitat Montana Policy'.

In 1993, the Wildlife Division Administrator asked for a habitat mapping effort from the Regional Wildlife Managers to discern which habitats were the most at risk. The habitats defined in the Statewide Plan are 1) Montane Forest, 2) Intermountain Grassland, 3) Riparian/Wetland, 4) Shrub-Grassland, 5) Prairie Forest, and 6) Prairie Grassland. In a display of unanimity, every region identified **Intermountain Grassland, Riparian/Wetland, and Shrub-Grassland** as the habitats most in



**A pool and extensive riparian habitat along Warm Springs Creek, part of the Stumptown Addition to Garry Mountain Wildlife Management Area near Anaconda (Image: T. Ritter).**

need of attention. Intermountain Grasslands are choice areas for residential development. Such subdivisions can disrupt winter range for wildlife as well as affect wildlife movements, migration routes, and genetic connectivity. Riparian and wetland habitats comprise less than 5% of the state but are highly productive habitats. Many species of wildlife depend on these habitats in some stage of their life cycle. Because of site productivity, riparian habitats in particular are often subject to

conversion to other uses. Sagebrush-grasslands have diminished across the West, including in Montana. This is a habitat of special concern. Montana is a leader in sagebrush conservation in a state where half of these habitats are in private ownership. Priority habitats of the program have remained largely the same and are further detailed in the current State Wildlife Action Plan for Montana published in 2015. This document can be downloaded from the FWP website: <http://fwp.mt.gov/fishAndWildlife/conservationInAction/actionPlan.html>

In 1998, the FWP Commission asked for an internal audit of the department's conservation easements. This was divided into two sections, a review of the legal aspects of the easements, and a review of the rigor of the baseline inventory reports. Fifteen easements were chosen by the legal audit contractor, Knight, Masar and Harris, Attorneys at Law. The contractor working on baselines did likewise. The audit, delivered in 1999, showed no major problems with the easements and associated baselines. In 2000, the other 15 easements were reviewed, again with no major problems. The primary author of the report, Robert Knight, came before the Commission to answer questions. He said the language and form of the easements were up to date and there were no specific problems. Department staff from the Wildlife Division, Legal Unit, and Lands Unit work regularly on updating and formulating new conservation easement language to adapt to changing concerns, continued experience, and improvements in conservation easement standards.

A broad base of public support resulted in the 2005 Legislature removing the sunset provision for HB526, making Habitat Montana permanent. The program has resulted in substantial conservation accomplishments, which are summarized in the **Overview** section of this report.



**Wildlife Management Areas, such as the Marshall Creek WMA near Seeley Lake, provide high-value wildlife habitat while also supporting public recreation that is compatible with the primary purposes of the WMA. Marshall Creek is popular for hunting and fishing, but also supports camping, wildlife viewing, huckleberry picking, and even snowmobiling (Image: R. Northrup).**

Over the program's history, FWP's work on wildlife land projects has varied. Early efforts using Habitat Montana funds focused on expanding existing wildlife management areas such as the Blackfoot-Clearwater (deer and elk winter range), Judith River (elk winter range) and Ninepipe (wetlands/waterfowl and pheasant habitat) or acquiring new WMA's such as Robb/Ledford (elk winter range), Dome Mtn.(elk winter range), and Mt. Silcox (bighorn sheep winter range). Gradually, the focus shifted toward conservation easements on important habitat types including sagebrush-grassland (Brewer, South Ranch, Fluss, Cowell, Peters); riparian



(Hirsch, Bice, Hart); and intermountain grassland (Keogh, Maher, Bolin, and Sieben Rattlesnake Creek) as examples.

With the establishment of the Forest Legacy Program in Montana (see **Forest Legacy Program** section for more information), FWP broadened the scope of habitat conservation to include high priority forest lands that are at risk of conversion. This has resulted in a number of predominantly forested lands enrolled in FWP conservation easements, including the Thompson-Fisher, North Swan, Kootenai Forestlands, and Haskill Basin.

Since the start of Habitat Montana in 1987, the state legislature has adopted statutes with specific requirements for land acquisition and conservation easement processes. FWP's wildlife land processes include the following program and statutory requirements (this list does not include negotiation, due diligence, and other real estate transaction steps): 1) internal request for habitat proposals; 2) proposal ranking and initial selection using standardized ranking criteria; 3) concurrence from the FWP Director; 4) initial endorsement by the Fish and Wildlife Commission; 5) conduct public scoping (for projects of 640 acres or larger); 6) develop a Management Plan for the property; 7) work with the county weed coordinator to assure weed management compliance on fee title projects; 8) develop a Montana Environmental Policy Act (MEPA) environmental assessment that includes analyses of potential impacts to social/economic values, neighboring properties, tax revenue, government services, employment opportunities, local schools, and private businesses; 9) make documentation available to adjacent landowners as well as the general public; 10) notify the affected county commission with project details and analysis materials; 11) conduct a public hearing during the public review period; 12) publish a decision notice; 13) if the project remains viable, present the project for final approval to the Fish and Wildlife Commission and, where required, the State Board of Land Commissioners.

## Partner Support

Habitat Montana came into existence from a need felt by the people of Montana. Montanans cherish their wildlife and outdoor opportunities. Montana hunters, outdoor recreationists, and conservation organizations have long considered the Habitat Montana Program essential to their interests, and without their support this program would not exist today. Conservation organizations have often partnered with FWP to protect tracts of important habitat for their mutual conservation benefit. Partners include: Private Landowners; The Nature Conservancy; Rocky Mountain Elk Foundation; Ducks Unlimited; Pheasants Forever; Vital Ground; National Wild Turkey Federation; Mule Deer Foundation; Trout Unlimited; Safari Club International; Cinnabar Foundation; The Trust for Public Land; The Conservation Fund; The Confederated Salish-Kootenai Tribes; US Forest Service; US Bureau of Land Management; US Fish and Wildlife Service; USDA Natural Resources and Conservation Service; Bonneville Power Administration; Montana Fish and Wildlife Conservation Trust; National Fish and Wildlife Foundation; Blackfoot Challenge; Montana Wildlife Federation; NorthWestern Energy; PPL-Montana; Butte Skyline Sportsman Association; Anaconda Sportsmen Club; Montana Audubon; Five Valleys Land Trust; Flathead Land Trust; Bitter Root Land Trust; and many other organizations. The program has a committed constituency that values enduring conservation.



**Information board at the new trailhead to the Haskill Basin Conservation Easement lands, near Whitefish, commemorating a vibrant partnership that has advanced conservation and accessible outdoor recreation (Image: J. Valle).**

## Forest Legacy Program

The Forest Legacy Program is administered by the US Forest Service (USFS) in partnership with state agencies. Montana has greatly benefited from this program since its start in the state in 2000. Assigned to FWP by Governor Racicot, the program has complemented Habitat Montana by broadening FWP's scope of priority habitats, to also include forestlands of high habitat importance.

With over a decade of experience implementing Habitat Montana, taking on state administration of the Forest Legacy Program was a natural fit for FWP. Forest Legacy's purpose is to conserve privately-owned "working forests" of national significance, primarily through conservation easements. The program serves to keep forests intact and managed for sustainability, supporting forest products, wildlife habitat, clean water and air, and public recreation. Since participating in the program, Montana has been very successful competing



**Tour of the Kootenai Valley Conservation Easement with staff from Stimson Lumber Company and the Forest Legacy Program, part of a 5-year Montana program review conducted in 2018 (Image: R. Northrup).**

nationally to fund projects, primarily in northwest Montana. To date (with the scheduled addition of the Lost Trail Conservation Easement), the program has helped fund 220,568 acres of FWP conservation easements and 17,570 acres of fee title acquisitions in the form of wildlife management area lands. FWP updated the Montana Forest Legacy Program *Assessment of Need* in 2020, replacing the original 2000 publication. Funding partners for these forest projects have included The Trust for Public Land, The Nature Conservancy, US Fish and Wildlife Service, Rocky Mountain Elk Foundation, F.H. Stoltze Land and Lumber Co., Stimson Lumber Co., Bonneville Power Administration, SPP Montana, Fish and Wildlife Conservation Trust, and many other organizations and landowners.

## Benefits Associated with Wildlife Habitat Conservation

The intent of Habitat Montana and its associated funding sources, including Forest Legacy, is to conserve wildlife habitat in a manner that recognizes and supports traditional agricultural uses of the land (ARM 12.9.508 et seq.). For over 30 years, Habitat Montana projects have demonstrated how wildlife and agriculture can coexist and even benefit each other. FWP is employing a number of "working lands" measures on Wildlife Management Areas to enhance wildlife habitat productivity while directly benefiting agriculture and local communities. These include:

- Local producers lease farm ground on various Wildlife Management Areas (WMAs) across the state to produce grain and hay crops while assisting with food plots, weed control, and cover restoration.
- Neighboring ranchers lease WMA grasslands for grazing livestock in a manner that provides habitat diversity, enhances palatability of exotic grasses (such as brome grass), and establishes “cooperative grazing systems” with neighboring lands to improve cover and forage over a larger area, restoring plant communities, benefiting wildlife and livestock.
- WMAs provide 37 farming and grazing leases to local producers, involving nearly 100,000 acres of WMA grazing lands and 2,300 acres of farm ground. Another 91,000 acres of adjacent rangelands are incorporated into cooperative grazing systems.
- Forest management prescriptions on WMAs are implemented to directly enhance habitat functions while also benefiting contract foresters, logging companies, and wood product mills.



**Stream restoration work associated with French Creek on the Mt. Haggin Wildlife Management Area, near Anaconda. These stream channels were reactivated with flowing water after years of being dry due to historic changes in the system’s hydrology (Image: J. Payne).**

Although FWP’s core purpose with Habitat Montana and related programs has been voluntary incentive-based strategic habitat conservation, the benefits of conservation easement projects are often broader, including: public access to outdoor recreation secured and enhanced; soil and water conserved; landscape-scale ecological functions sustained; watershed quality maintained and improved for communities, fisheries, and other downstream users; species subject to listing under the federal Endangered Species Act are delisted or avoid listing; conservation easement projects have helped keep ranchers on the land, supporting rural and agriculture-based lifestyles; conservation easements have averted urban-sprawl in fire-prone forest settings and associated costs related to forest and fire management issues; rural business and agricultural economies have been supported and enhanced; the wood products industry has benefitted by retaining and supporting sustainable working forests; scenic open-space values have been preserved; and other less tangible quality-of-life benefits have been maintained or enhanced for now and future generations.



Consistent with the Mission and Goals of Habitat Montana (ARM 12.9.508 et seq.), FWP wildlife management areas and conservation easements support durable wildlife habitat benefits, are managed to be compatible with wildlife and agriculture, and support economic and cultural values, while enhancing Montana's quality of life for present and future generations.



**A prescriptive grazing system on the Blackleaf Wildlife Management Area near Choteau has been in place since 1990 (Image: K. Johnson).**

## MANAGING CONSERVATION LAND PROJECTS

Ongoing management of conservation lands is a critical function supported in part by Habitat Montana. The following sections provide information on maintenance and taxation of FWP wildlife lands and monitoring and managing conservation easements.

*Land Maintenance:* Twenty percent of the Habitat Montana revenue is used for operation and maintenance of all FWP wildlife lands. According to statute (87-1-242, MCA), 50% of these funds are deposited in the Habitat Trust Account. The remaining 50% and interest from the Habitat Trust Account are available for funding maintenance projects, totaling approximately \$900,000 annually in recent years. The majority of these funds are used to meet the intent of the



**Bridge replacement (2020) on Threemile Wildlife Management Area near Florence, funded using Habitat Montana and Forestry Program dollars (Image: J. Parke).**

Good Neighbor Policy (23-1-126(2), MCA) including fence maintenance, road maintenance, and weed control on FWP fee ownership lands. FWP funding from non-earmarked hunting license revenue, Pittman Robertson funds, state and federal grants, and donations are also used to pay for operations and management costs of WMAs, totaling well over \$1 million that are in addition to Habitat Montana funding. Each year the Wildlife Division completes an average of 15 large maintenance and construction projects at a cost of approximately \$550,000.



**Before and after public access road repairs (2020) to Smith River Wildlife Management Area, near White Sulfur Springs (Image: D. Yakoweshen).**



The 2009 legislature passed a measure that allowed FWP to invest income from forest treatments back into forestry work on FWP lands. Led by a full-time forester, the Wildlife Division has since planned and implemented a number of forestry projects on Mt. Haggin, West Kootenai, Woods Ranch, Mt. Silcox, Marshall Creek, Threemile, Sun River, and Blackfoot Clearwater WMAs. These and anticipated future projects serve to enhance wildlife habitat and address fuel and forest health issues. A separate forestry report by FWP is available for the 2021 Legislative Session.



**Thinning out young trees and removing conifers that have expanded onto grasslands of the Blackfoot Clearwater WMA (2019-20), improving deer and elk wintering habitats, while benefiting an array of non-game species (Image: J. Parke).**

*Taxes:* For Wildlife Division lands, FWP pays to the county in which the land resides “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” (MCA 87-1-603). For tax year 2019, FWP paid \$478,282 in tax payments on Wildlife Division lands.

*Conservation Easement Monitoring:* Approximately \$25,000 of Habitat Montana funding helps pay for annually monitoring each conservation easement to assure easement compliance and to work with landowners on any issues that may arise. The major terms in FWP conservation easements involve both *protection* and *management* of the Land.

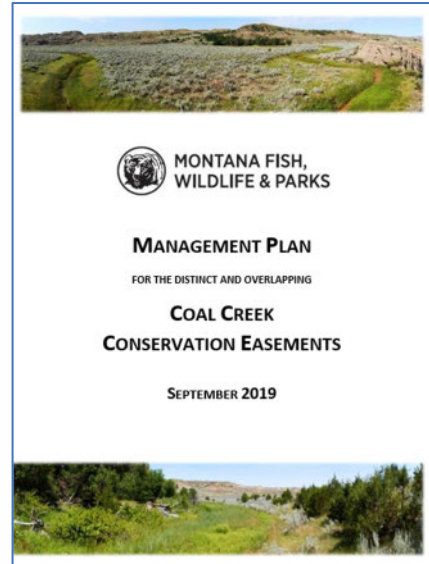
- **Protection:** This refers to easement terms such as subdivision and building limitations on the land; normal farming practices continue, but no new conversion of native habitats to tillage agriculture is allowed; and only commercial activities that are compatible with the conservation values are allowed. Mining or other



**Vegetation monitoring transect on an FWP conservation easement, designed to detect long term changes in plant species abundance and composition (Image: R. Northrup).**

mineral extractions are addressed in the easement with the goal of minimizing impacts to the conservation values.

- **Management:** This refers to day-to-day practices agreed to in a management plan that assure vegetation, soils, water, and other habitat features are conserved as a part of ongoing agricultural activities, and recreation is maintained at an appropriate level to serve the public good while avoiding conflicts. Management often includes developing and implementing livestock grazing systems, access plans for the recreating public, and habitat restoration. Initial improvements necessary for implementing management plans are often paid for in part using Habitat Montana funds (e.g., parking lots, gates, fences, stock water systems). Once improvements are in place, the ongoing management of conservation easements by FWP is monitoring, maintaining regular communication with landowners, updating management plans as needed, working with and informing new landowners of easement terms, and working on periodic compliance issues.



**Example of an FWP conservation easement management plan, covering management topics that are likely to need adjustment over time, such as with changes in ownership or operating practices.**



## 2019-2020 WILDLIFE LAND PROJECTS – HABITAT MONTANA AND OTHER FUNDING SOURCES

The following section summarizes all FWP wildlife conservation easement and fee title projects completed during calendar years 2019 and 2020. The funding sources vary among projects, of which some do not include Habitat Montana funding. A more detailed narrative summary of each land project follows in the order listed (Tables 1 and 2).

**Table 1. Wildlife conservation easements (WCE) purchased through the Fish, Wildlife and Parks’ Wildlife Division during calendar years 2019 and 2020. Some projects include a Landowner donation, which is not included as part of the purchase cost. The Agricultural Land Easement (ALE) program provides federal funding for conservation easements through the USDA Natural Resources Conservation Service. Table 1 continues on the next page.**

Transaction Date	Site Name	Type	Purchase Cost	Funding Source	Acres
September 30, 2019	Kootenai Forestlands CE	WCE	\$6,230,000	Forest Legacy (USDA) - \$6,000,000 National Fish and Wildl. Fndn. - \$230,000 Landowner Donation - \$2,070,000	22,295
April 16, 2020	Coal Creek (ALE)	WCE	\$2,373,000	Natural Resource Conservation Service - \$1,779,750 Habitat Montana - \$593,250	<i>part of the below acreage</i>
April 16, 2020	Coal Creek (FWP)	WCE	\$1,320,000	Habitat Montana - \$1,320,000	10,072
September 3, 2020	Ash Coulee	WCE	\$772,000	Habitat Montana - \$722,000 MT Fish & Wildlife Cons. Trust - \$50,000	3,400
October 8, 2020	Lone Tree	WCE	\$5,093,591	Habitat Montana - \$4,258,591 Sheep License Auction Fund - \$760,000 MT Fish & Wildlife Cons. Trust - \$75,000	11,285
October 30, 2020	W-Bar	WCE	\$2,195,000	Pittman Robertson - \$1,646,250 Habitat Montana - \$548,750	6,751
March 14, 2019	Keogh*	WCE	\$213,000	Habitat Montana - \$213,000	--
Tentative to close by Dec. 31, 2020	Everson Bench	WCE	\$640,000	Habitat Montana - \$310,000 Access Public Lands - \$310,000 Safari Club International Great Falls - \$20,000	1,733
Tentative to close by Dec. 31, 2020	Lost Trail	WCE	\$4,150,000	Forest Legacy (USDA) - \$3,135,000 Habitat Montana - \$965,000 MT Fish & Wildlife Cons. Trust - \$50,000	7,256

Transaction Date	Site Name	Type	Purchase Cost	Funding Source	Acres
Tentative to close by Dec. 31, 2020	Whiskey Ridge	WCE	\$2,142,148	Habitat Montana - \$1,239,216 Sheep License Auction - \$760,932 NorthWestern Energy - \$50,000 Wild Sheep Foundation - \$25,000 Montana Wild Sheep Foundation - \$25,000 MT Fish & Wildlife Cons. Trust - \$37,000 Safari Club International Great Falls - \$5,000	4,619
Tentative to close by Dec. 31, 2020	Wolf Creek	WCE	\$490,988	Habitat Montana - \$490,988	1,000
<b>Total Acreage</b> of WCEs completed during calendar years 2019 and 2020, including WCEs tentative for completion by December 31, 2020					68,411

\*The Keogh WCE was restated with improved conservation language.

**Table 2. Fee title land acquisitions completed through the Fish, Wildlife and Parks' Wildlife Division during calendar years 2019 and 2020.**

Transaction Date	Site Name	Type	Purchase Cost	Funding Source	Acres
April 19, 2019	Canyon Creek <i>Cartan Addition</i>	WMA	\$470,000	MT Fish & Wildlife Cons. Trust - \$470,000	221
April 19, 2019	Canyon Creek <i>Palmquist Addition</i>	WMA	\$55,000	MT Fish & Wildlife Cons. Trust - \$55,000	6
May 1, 2019	Dome Mountain <i>Addition</i>	WMA	\$550,755	Habitat Montana - \$550,755 Landowner Donation - \$819,245	160
May 3, 2019	Garrity Mountain – <i>YT Timber Addition</i>	WMA	\$416,296	Natural Resource Damage Program- \$266,296 Montana Fish & Wildlife Conservation Trust - \$100,000 Habitat Montana - \$50,000	154
September 18, 2019	Mt. Haggin – <i>Schmeller Add'n</i>	WMA	\$464,000	Habitat Montana - \$439,000 Rocky Mountain Elk Foundation - \$25,000	161
June 22, 2020	Mt. Haggin – <i>Grassy Mountain Add'n</i>	WMA	\$658,900	Habitat Montana - \$658,900	244
October 30, 2020	Garrity Mountain – <i>Stumptown Addition</i>	WMA	\$1,715,600	Natural Resource Damage Program- \$1,465,600 Habitat Montana - \$100,000 Rocky Mountain Elk Foundation - \$100,000 Montana Fish and Wildlife Conservation Trust - \$75,000	600
<b>Total Acreage</b> of fee title acquisitions completed during calendar years 2019 and 2020					1,546

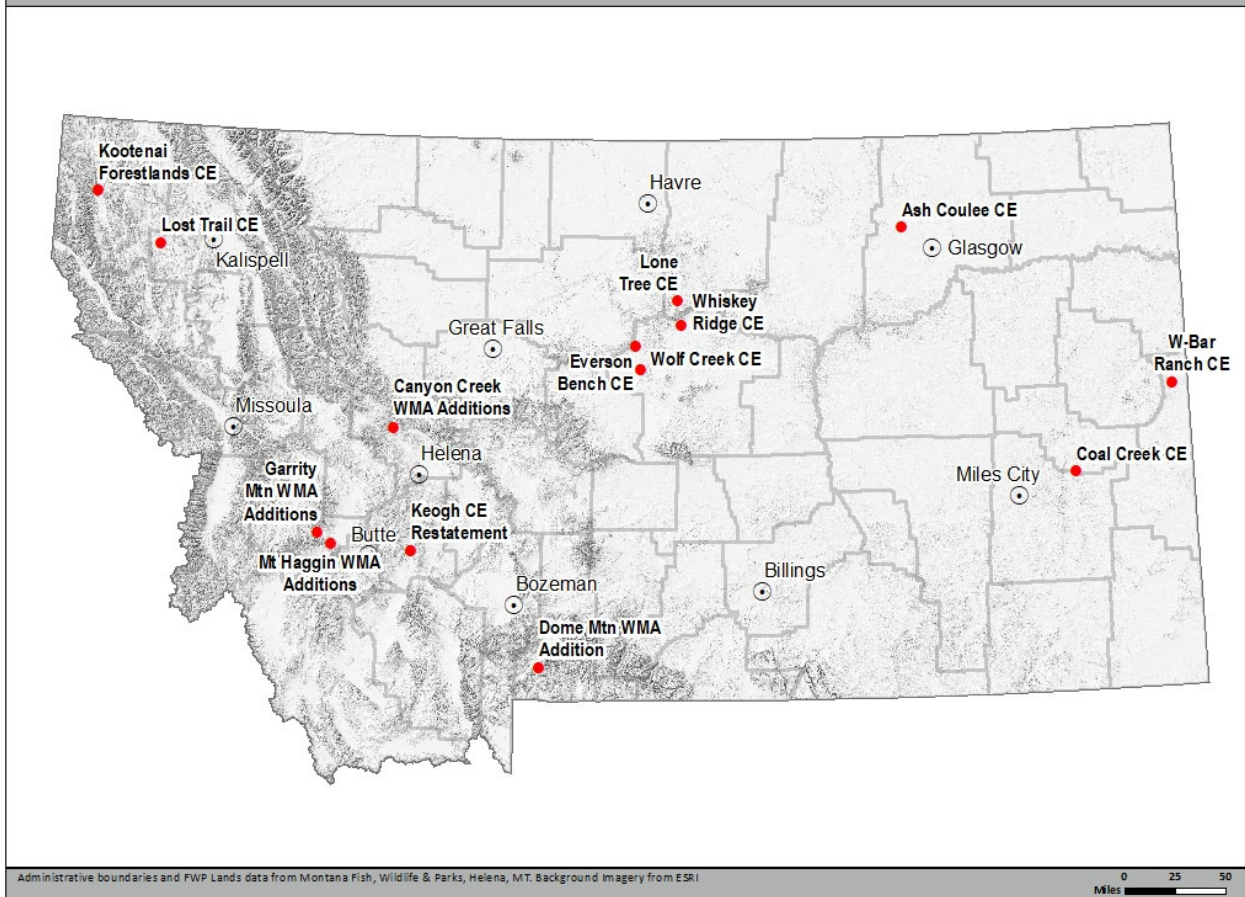


Figure 1. General location of wildlife land projects completed and tentatively scheduled for completion during calendar years 2019 and 2020.

## CONSERVATION EASEMENTS

### Kootenai Forestlands Conservation Easement

The 22,295-acre Kootenai Forestlands project involves timberlands owned by Stimson Lumber Company that are intermingled with Kootenai National Forest Lands near Libby. The project precludes development of these forests while allowing the landowner to continue sustainable forest management in a manner that supports fish and wildlife habitat, landscape connectivity, and public recreation access. Wildlife benefiting from this project include deer, elk, moose, bear, lion, wolf, forest grouse, and 43 species of concern. These include the federally listed species Canada lynx, grizzly bear, and bull trout. This area is part of an international network of critical lands providing genetic connectivity among five small populations of grizzly bears. The project includes 42 miles of stream and associated riparian habitats, including over 14 miles of spawning habitat for westslope cutthroat trout. Guaranteed access to recreation includes hunting, hiking, fishing, wildlife watching, berry picking, snowmobiling, cross country skiing, and other outdoor activities. This project also is likely to save on future fire protection costs as there will be no housing developments within this checkboard ownership, but instead there may be opportunities for collaborative forest management across this landscape. Keeping these lands as “working forests” has direct economic benefits to the local area, supporting wood product production and recreation economies.

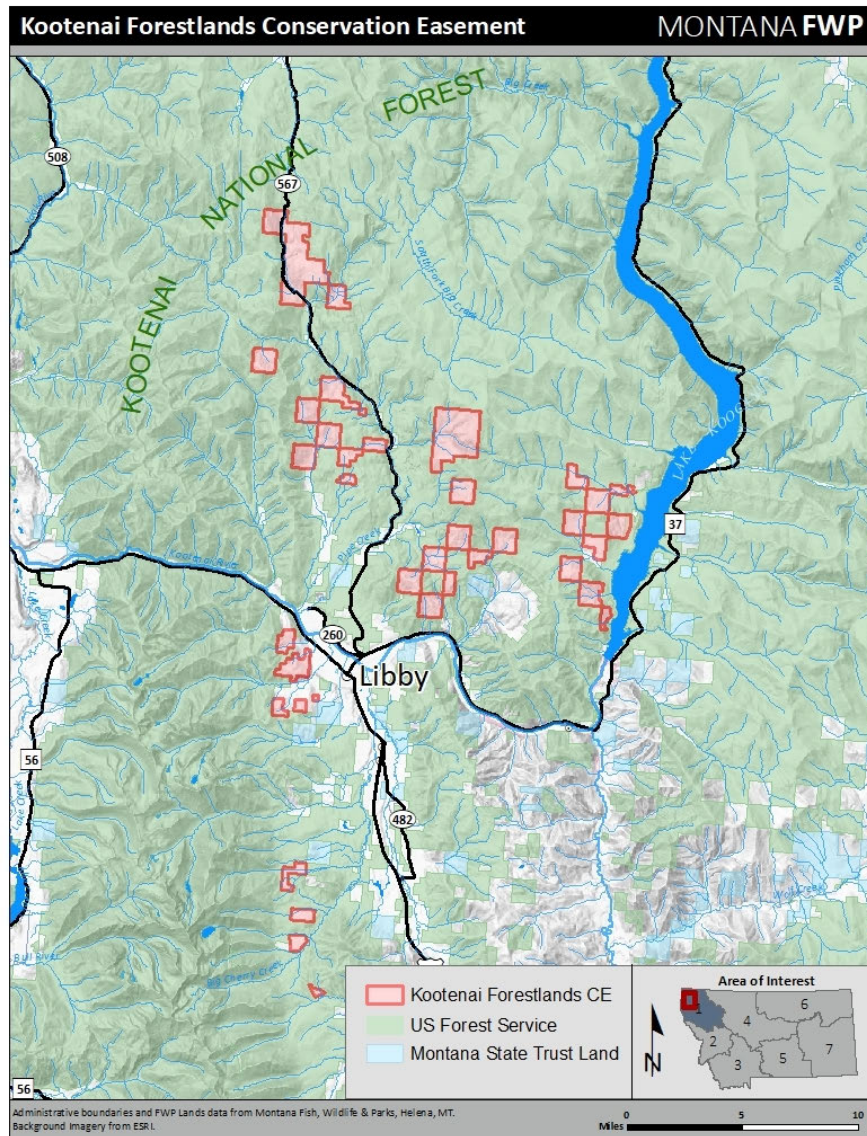
**Habitat:** Coniferous Forest, Riparian, Wetland, Stream

**Partners:** Stimson Lumber Company, The Trust for Public Land, National Fish and Wildlife Foundation



**Figure 2. Pipe Creek provides spawning habitat for the federally listed bull trout. An example of the 42 miles of stream/riparian habitat within the Kootenai Forestlands Conservation Easement (Image: K. Annis).**





**Figure 3. Lands making up the 22,295-acre Kootenai Forestlands Conservation Easement, Lincoln County.**

### **Coal Creek Conservation Easement**

The Coal Creek project comprises two separate conservation easements held by FWP in Prairie and Custer Counties, about 12 miles south of Terry. The first easement, funded in part by the USDA Natural Resources Conservation Service’s Agricultural Land Easement (ALE) program, is overlaid with the larger second easement that encompasses the entire ranch (10,072 acres). The larger conservation easement ensures the ranch remains as one unit and implementation of the easement terms are laid out in one management plan. This project protects and enhances a large expanse of silver sagebrush bottomlands along 5.5 miles of Coal Creek, several spring-fed wetlands, sagebrush grasslands, badlands, and ponderosa pine hills while enhancing livestock grazing practices and retaining farming of cropland areas. The diversity of habitats supports numerous game and

nongame species, including 21 species of concern. These lands provide critical mule deer winter range, core bighorn sheep, and sage-grouse habitat. Public hunting opportunity is guaranteed, providing access to antelope, whitetail deer, wild turkeys, and sharp-tailed grouse.

**Habitat:** Sagebrush Grasslands, Prairie Stream, Riparian, Wetland, Ponderosa Forest

**Partners:** Landowner, USDA Natural Resources and Conservation Service



Figure 4. Silver sagebrush grasslands, brush-filled coulees, seeps, and riparian habitats of the Coal Creek Conservation Easement (Image: M. Foster).

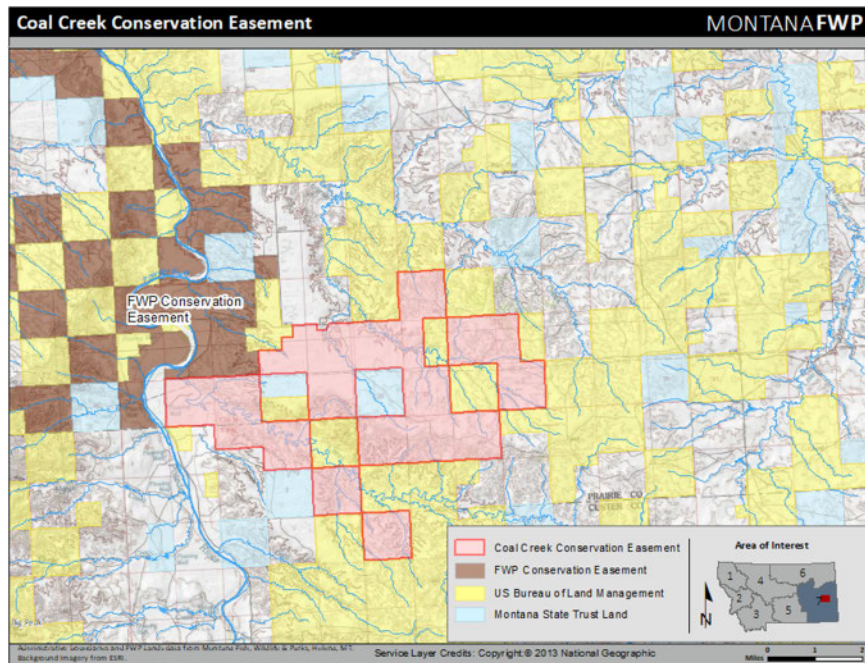


Figure 5. Lands making up the 10,072-acre Coal Creek Conservation Easement located 12 miles south of Terry, Prairie and Custer Counties. The Fluss Ranch Conservation Easement is adjacent property to the northwest.



## Ash Coulee Conservation Easement

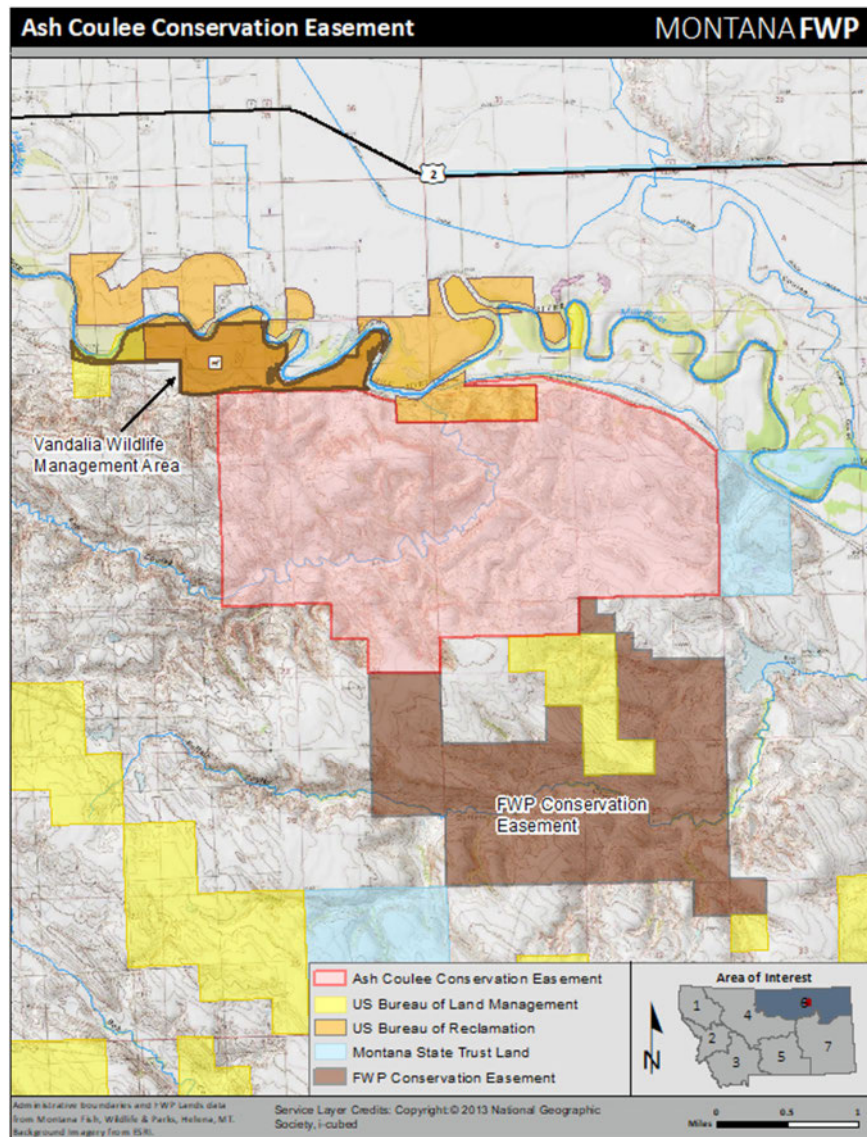
The Ash Coulee Conservation Easement encompasses 3,400 acres in Valley County, about 5 miles southeast of Hinsdale. The easement conserves a combination of prairie, shrub grassland, and breaks habitats associated with the Milk River. The property is critically important for wintering migratory antelope and serves as a key linkage between summer and winter ranges for migratory sage-grouse, while providing year-round habitat for white-tailed and mule deer, sharp-tailed grouse, and gray partridge. Fifteen species of concern also occur in association with these conserved habitats. These native grasslands will continue to be managed as cattle grazing lands and will incorporate infrastructure improvements to enhance the grazing rotation schedule, benefitting the vegetation, wildlife habitat, livestock, and the ranching operation. Public hunting access is also ensured in perpetuity.

**Habitat:** Shrub Grassland, Riparian, Breaks

**Partners:** Landowner, Montana Fish and Wildlife Conservation Trust



**Figure 6. The Ash Coulee Conservation Easement provides critical winter range for antelope and mule deer and is part of the sage-grouse connectivity core area between silver sagebrush habitats to the north and the big sagebrush landscape to the south (Image: D. Henry).**



**Figure 7. Lands making up the 3,400-acre Ash Coulee Conservation Easement, 5 miles southeast of Hinsdale, Valley County. The Buffalo Coulee Conservation Easement, administered by FWP, is the labeled property to the south.**

### **Lone Tree Conservation Easement**

The 11,285-acre Lone Tree Conservation Easement is located about 47 miles south of Havre in Blaine County. The property provides year-round habitat for bighorn sheep, mule deer, antelope, sage-grouse, sharp-tailed grouse, and a diversity of non-game species, including a number of grassland species of concern. The conservation easement enhances wildlife habitat, particularly for grassland species, by seeding marginal croplands back to permanent grassland cover. The property will continue to operate as a cattle ranch, implementing a grazing system that supports healthy vegetation, forage and cover for wildlife, and sustainability for livestock grazing. Public hunting and other recreational opportunities, including access to a large block of public lands, are also guaranteed as a result of this project.

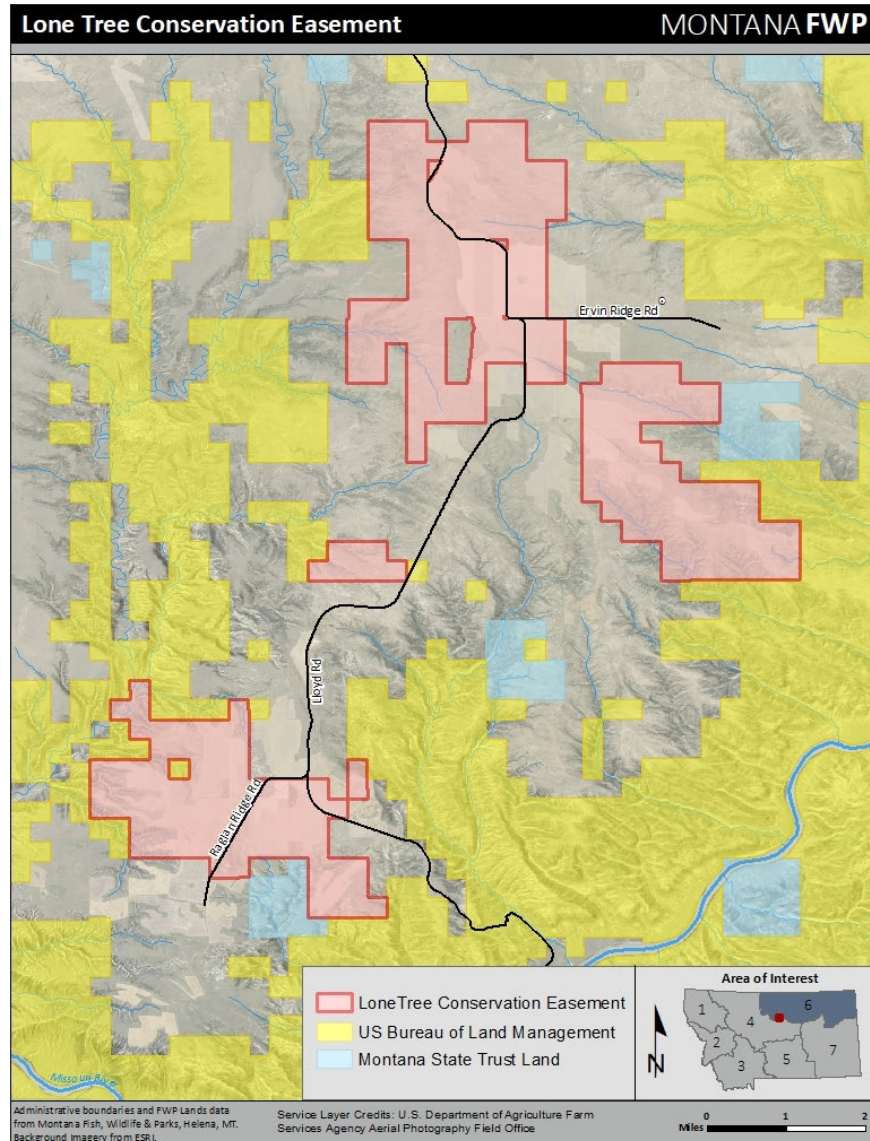


**Habitat:** Shrub Grassland, Mixed Grassland, Breaks

**Partners:** Landowner, Montana Fish and Wildlife Conservation Trust



**Figure 8. The shrub grassland and breaks habitats associated with the Lone Tree Conservation Easement provide year-round habitat for mule deer, antelope, elk, sage-grouse, and bighorn sheep, while supporting many species of ground nesting birds and other non-game (Image: S. Hemmer).**



**Figure 9. Lands making up the 11,285-acre Lone Tree Conservation Easement, 47 miles south of Havre, Blaine County.**

### **W-Bar Ranch Conservation Easement**

More than 21 miles of riparian habitat associated with Beaver and Dry Creeks, tributaries to the Little Missouri, run through the 6,751-acre W-Bar Ranch Conservation Easement. These lands provide year-round habitat for mule and white-tailed deer, wild turkey, sharp-tailed grouse, gray partridge, antelope, native and introduced game fish, and a diversity of nongame wildlife including 24 species of concern. The conservation easement protects the land against conversion of native habitats to tillage agriculture or subdivision development while continuing as a working cattle ranch. The conservation easement includes improvements to grazing management that will benefit vegetation, watershed health, wildlife cover and forage, and livestock grazing values. The easement also ensures the land will continue to be available for public hunting opportunities for big

game, waterfowl, and upland game birds, as well as fishing for walleye, channel catfish, and northern pike in Beaver Creek.

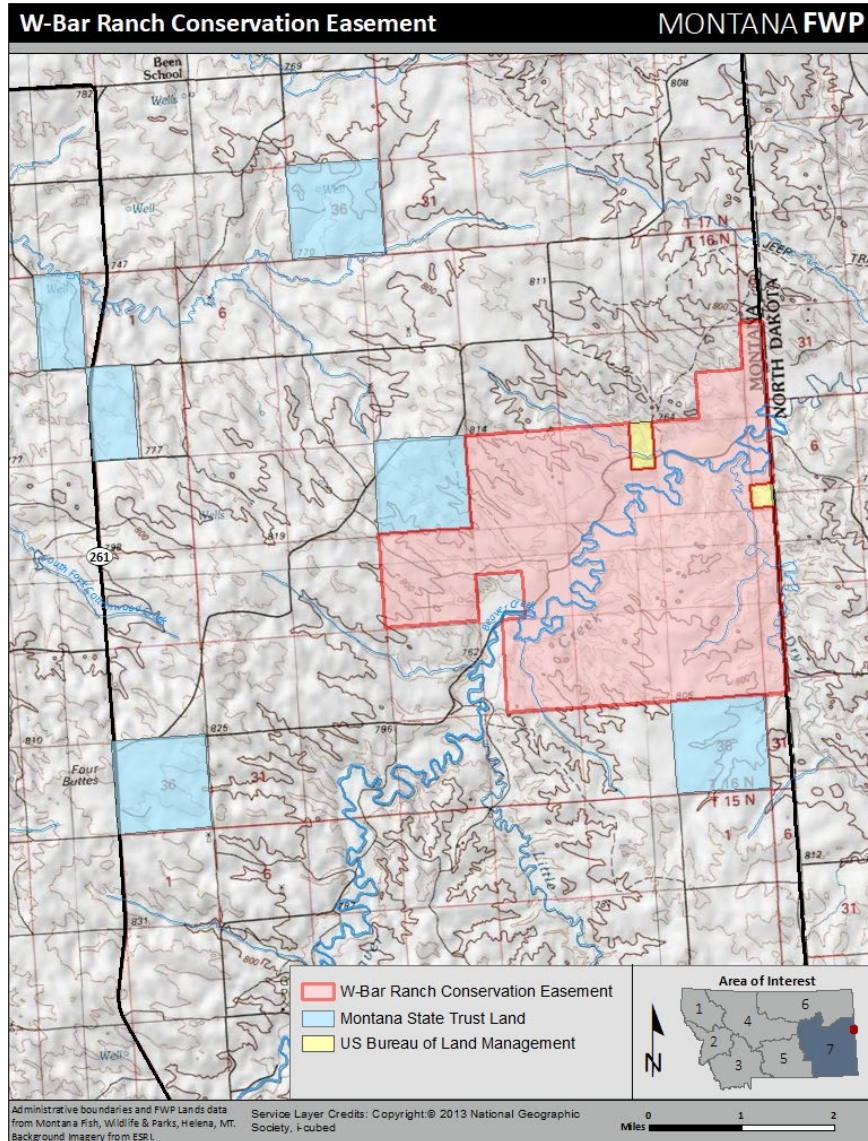
**Habitats:** Mixed Grasslands, Shrub Grassland, Prairie Stream, Riparian

**Partners:** Landowner



**Figure 10. Beaver Creek flows through the length of the W-Bar Conservation Easement, providing summer and winter habitat for many native wildlife species including mule deer, white-tailed deer, sharp-tailed grouse, wild turkey, and a variety of species of bark-foraging birds (Image: B. Skone).**





**Figure 11. Lands making up the 6,751-acre W-Bar Ranch Conservation Easement, 10 miles northeast of Wibaux, Wibaux County.**



## Keogh Conservation Easement Restatement

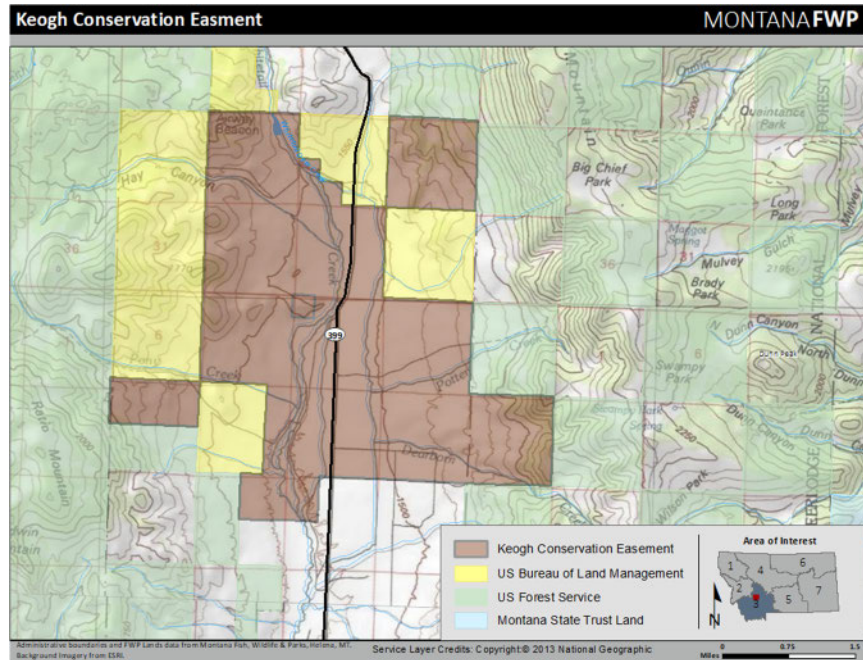
FWP purchased the 7,106-acre Keogh Conservation Easement, north of Whitehall in the Whitetail Valley in 1996. The easement included language that allowed the land to be divided and sold into 160-acre or larger parcels as long as the land remained in agricultural use and subject to terms of the conservation easement. This agricultural subdivision language was commonly used in 1990s and early 2000s era conservation easements but was discontinued in more recent agreements. For some conservation easements, this language has caused problems as properties have split multiple times, placing additional demand on FWP staff, increased susceptibility of stewardship violations, and complicating resource management and public access. With development occurring adjacent to the conservation easement, pressure was growing to sell off portions of the ranch as small grazing parcels. The landowner negotiated with FWP to remove the subdivision language, strengthening the overall value of the conservation easement.

**Habitat:** Sagebrush Grassland, Stream, Riparian, Coniferous Forest

**Partners:** Landowner



**Figure 12. Big game winter range and connectivity habitat, making up part of the 7,106-acre Keogh Conservation Easement. This conservation easement was restated during the reporting period (Image: V. Boccadori).**



**Figure 13. Lands that make up the 7,106-acre Keogh Conservation Easement, located 10 miles north of Whitehall, Jefferson County. The easement was originally completed in 1996 and was restated with improved conservation measures during the reporting period.**

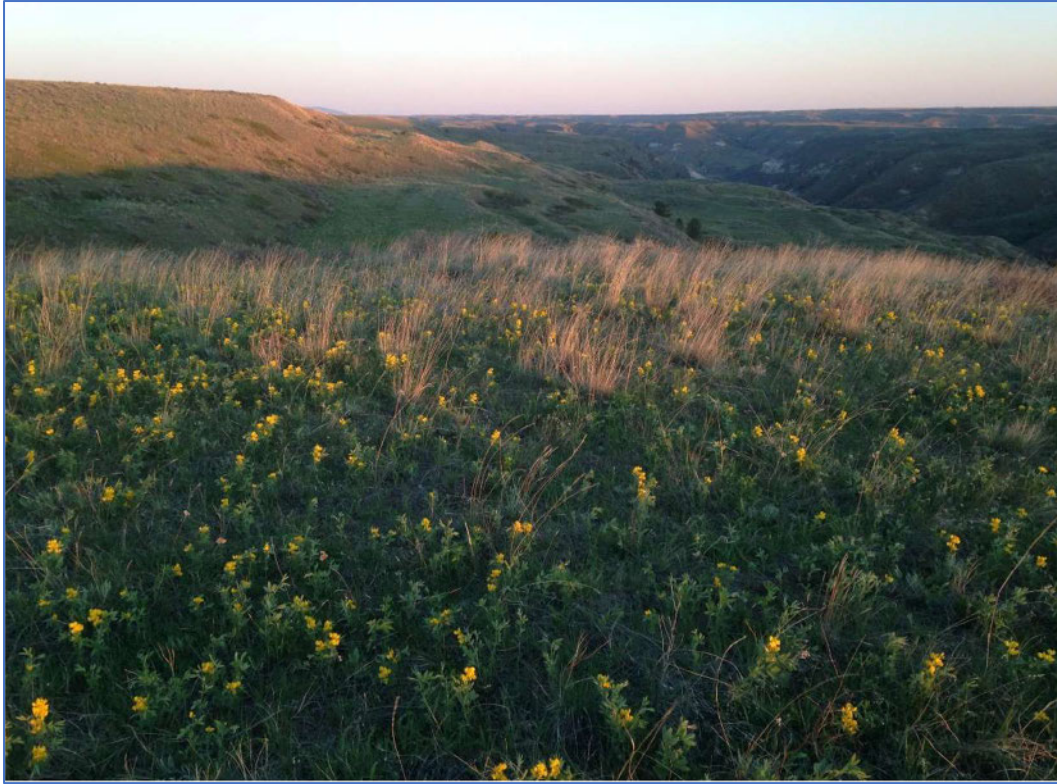
### **Everson Bench Conservation Easement**

(Tentative completion by December 31, 2020)

The anticipated Everson Bench project would provide 1,733 acres of a productive mix of cropland, breaks, and sagebrush grassland habitats located 14 miles northeast of Denton. The property is situated above Arrow and Coffee Creeks, which are known as some of the most productive mule deer habitats in central Montana. The property also supports pronghorn, sharp-tailed grouse, gray partridge, ring-necked pheasant and as many as 27 species of grassland bird, mammal, and reptiles of concern. The property supports considerable hunting opportunity for its size and is a key access point to about 9,000 acres of BLM and DNRC lands that are otherwise isolated from public accessibility. The conservation easement includes a public parking area with unfettered access across the conservation easement for accessing public lands.

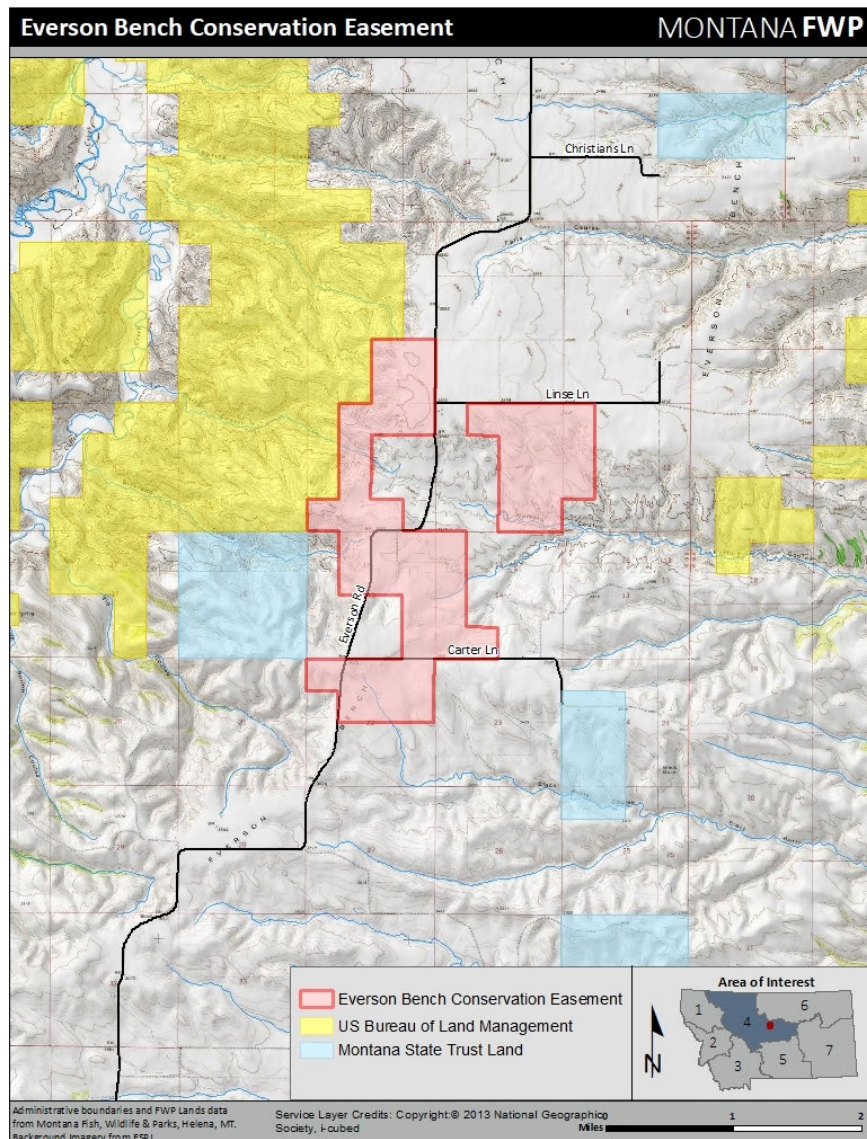
**Habitat:** Cropland, Sagebrush Grassland, Breaks

**Partners:** Landowner, Safari Club International Great Falls Chapter, Rocky Mountain Elk Foundation



**Figure 14. Tentatively scheduled for completion in December 2020, the Everson Bench Conservation Easement property and associated breaks habitat dropping down into BLM lands (Image: S. Andersen).**





**Figure 15. Tentatively scheduled for completion in December 2020, lands making up the 1,733-acre Everson Bench Conservation Easement project and adjacent public lands, 14 miles northeast of Denton, Fergus County.**

## Lost Trail Conservation Easement

(Tentative completion by December 31, 2020)

Forest lands immediately south of the Lost Trail National Wildlife Refuge are anticipated to be protected from subdivision and development as a result of the 7,256-acre Lost Trail Conservation Easement. These forests, intermingled with rough fescue meadows provide year-round habitat for elk, deer, moose, black bear, mountain lion, forest grouse, and wild turkey. The conservation lands support an estimated 38 species of concern, including the federally listed grizzly bear and Canada lynx. This area also serves as a key linkage for migratory elk that summer on the Flathead National Forest to the north and winter on Flathead Reservation to the south. The Lost Trail property serves a similar linkage for grizzly bears, wolves, and lynx that move between blocks of intact habitat in



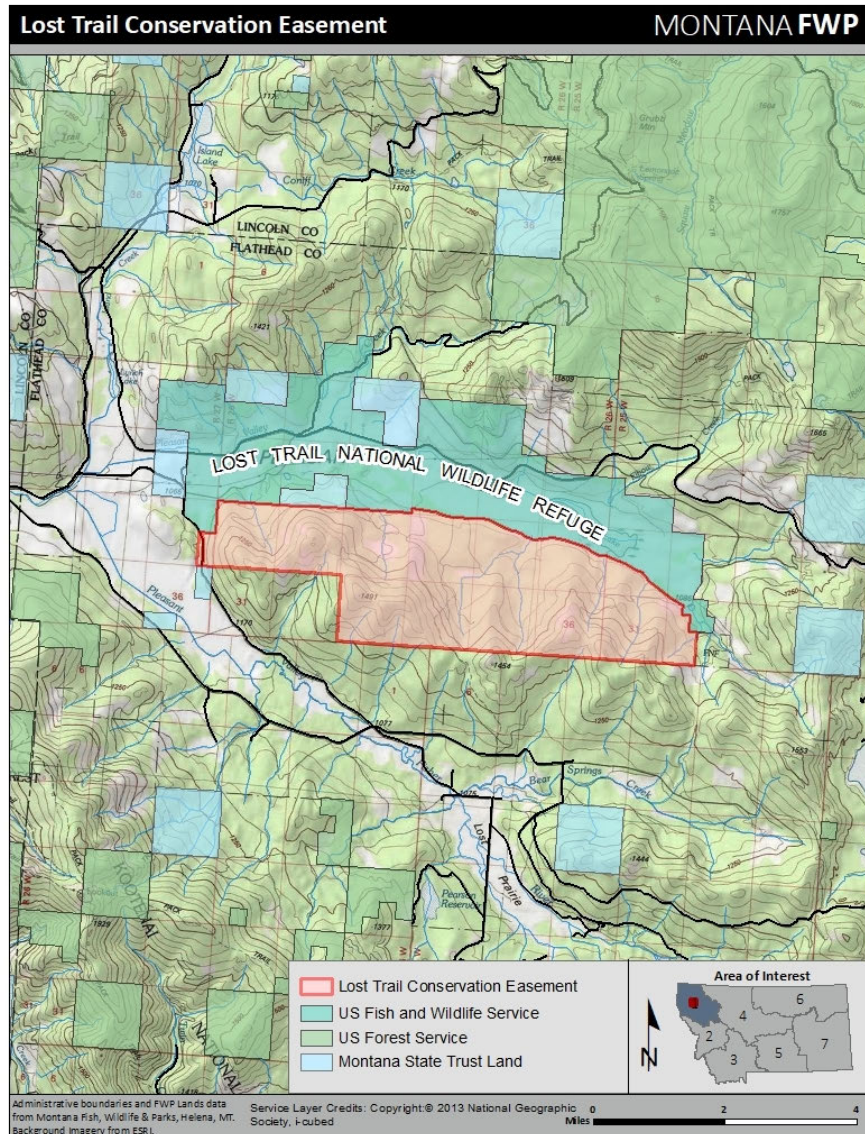
this part of the state. Under the conservation easement, this land would continue to be managed as a sustainable working forest, providing wood products and livestock grazing, while also supporting extensive public recreation opportunities. This area is a very popular walk-in elk hunting destination in northwestern Montana.

**Habitat:** Coniferous Forest, Intermountain Grassland

**Partners:** SPP Montana, The Trust for Public Land, US Forest Service, Montana Fish and Wildlife Conservation Trust



**Figure 16. Dredger Ridge above Dahl Lake. Tentatively scheduled for completion in December 2020, the Lost Trail Conservation Easement project comprises the ridge slopes draining into Dahl Lake, which is part of the Lost Trail National Wildlife Refuge (Image: Chris Boyer – kestralaerial.com).**



**Figure 17. Tentatively scheduled for completion in December 2020, lands making up the 7,256-acre Lost Trail Conservation Easement project, 25 miles west of Kalispell, Flathead County.**

### **Whiskey Ridge Conservation Easement**

(Tentative completion by December 31, 2020)

Bighorn sheep, mule deer, elk, antelope, wild turkeys, sage- and sharp-tailed grouse, and many non-game species, including more than 40 birds, mammals, reptiles, and amphibians recognized as species of concern occur on and around the Whiskey Ridge Conservation Easement. This 4,619-acre property is located adjacent to the Missouri River Breaks about 9 miles north of Winifred in Fergus County. Under the terms of this conservation easement, wildlife habitats cannot be developed, converted, or tilled, and the management plan includes grazing improvements that will enhance wildlife habitats while supporting native plant community health and livestock grazing



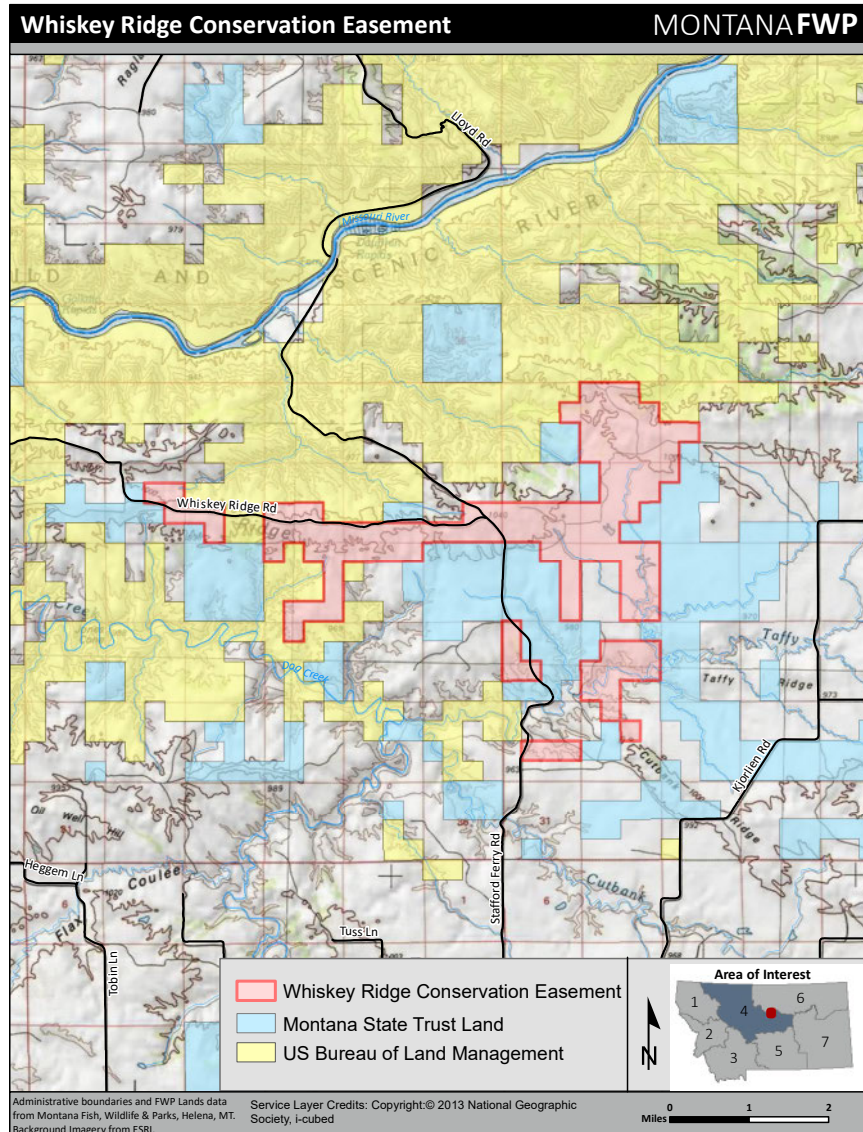
sustainability. The conservation easement guarantees public access for hunting and other forms of recreation.

**Habitats:** Sagebrush Grassland, Coniferous Woodland, Breaks, Cropland, Riparian

**Partners:** Landowner, Montana and National Wild Sheep Foundation, NorthWestern Energy, Montana Fish and Wildlife Conservation Trust, Safari Club International Great Falls Chapter



**Figure 18. The upper end of coulees on the Whiskey Ridge Conservation Easement and adjacent hay ground provide year-round habitat for mule deer, bighorn sheep, elk, wild turkeys, and sharp-tailed grouse (Image: S. Andersen).**



**Figure 19. Lands making up the 4,619-acre Whiskey Ridge Conservation Easement, 9 miles north of Winifred, Fergus County.**

### **Wolf Creek Conservation Easement**

(Tentative completion by December 31, 2020)

The 1,000-acre Wolf Creek property comprises a productive mix of native, planted, and farmed habitats that tie into nearly 15,000 acres of continuous land open to the public – from Wolf Creek to the Judith River. This conservation easement supports pheasants, mule and white-tailed deer, sharp-tailed grouse, gray partridge, ring-necked pheasant, wild turkey, elk, pronghorn, and a host of non-game species. Pheasants Forever, Inc. has owned this property since 2008 and its volunteers have invested considerable energy and expense into enhancing and improving the overall productivity of the property, particularly for game birds, while also continuing to produce grain and hay crops. The conservation easement will help ensure existing wildlife habitats and land uses are



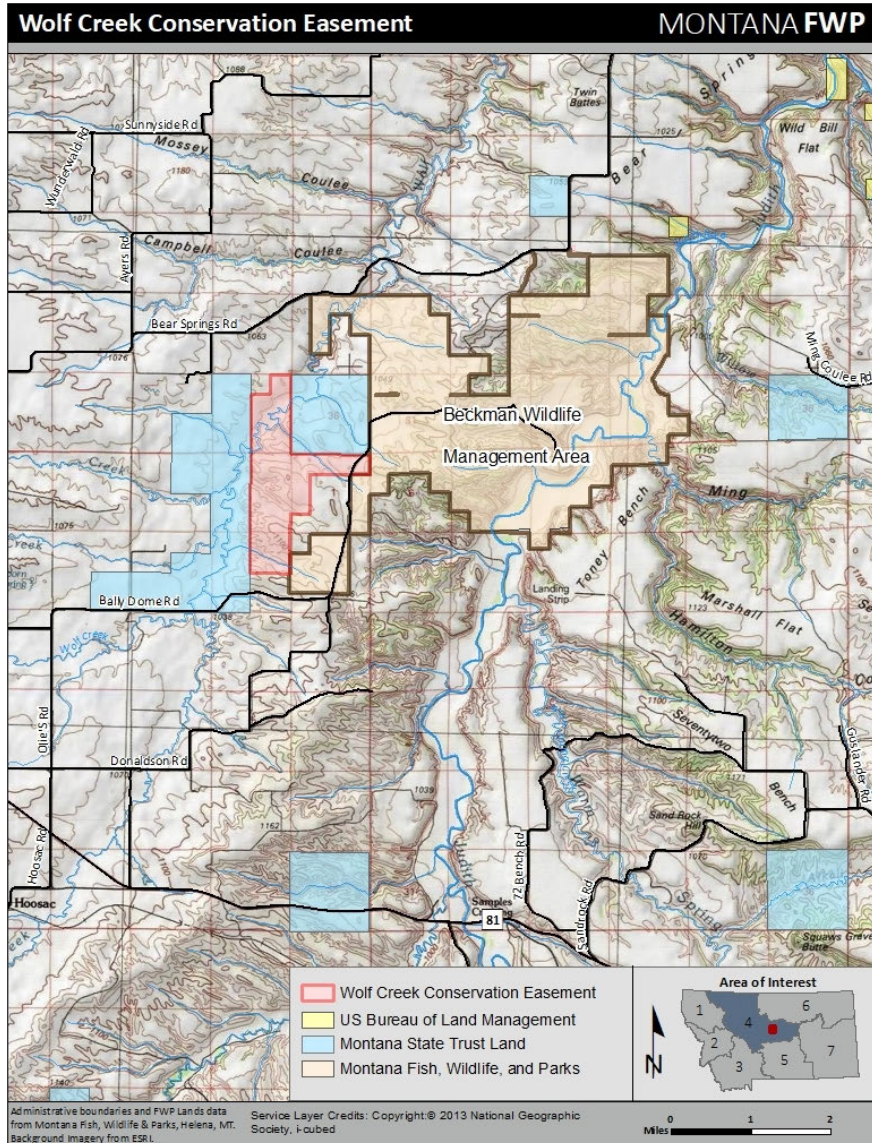
retained while also maintaining public access for hunting and other compatible forms of recreation in perpetuity.

**Habitats:** Sagebrush Grassland, Prairie Stream, Riparian, Deciduous Woodland, Shrubland, Cropland, Shrub and Cover Plantings

**Partners:** Pheasants Forever, Inc., Central Montana Chapter of Pheasants Forever



**Figure 20. Wolf Creek flood plain of the Wolf Creek Conservation Easement. These lands provide a mix of native grass and shrublands, tillage agriculture, and enhanced uplands, supporting a variety of game and non-game species and considerable hunting opportunity (Image: C. Roberts).**



**Figure 21. Overview of the 1,000-acre Wolf Creek Conservation Easement property in association with Beckman Wildlife Management Area and DNRC Trust Lands, 8 miles east of Denton, Fergus County.**

## FEE TITLE ACQUISITIONS

### Canyon Creek WMA Additions

The Canyon Creek Wildlife Management Area is located 32 miles northwest of Helena in Lewis and Clark County. FWP purchased two additions to the Canyon Creek Wildlife Management Area, referred to as the Cartan Addition (221 acres) and Palmquist Addition (6 acres). The Cartan property comprised a package of two parcels – a 56-acre parcel and a 165-acre parcel. One of the Palmquist parcels and the Cartan parcel are along the Lincoln Highway (Hwy 279) and abut the WMA, making them likely properties for residential development, which could have directly impacted wildlife habitat values on the WMA. The third parcel is south of the WMA, adjacent to the Grady Conservation Easement, also administered by FWP. These additions to the WMA provide habitat for deer, elk, moose, black bear, and forest grouse as well as species of concern, including grizzly bear, Canada lynx, and westslope cutthroat trout. These strategically located additions also support hunting, fishing, and other forms of public recreation.

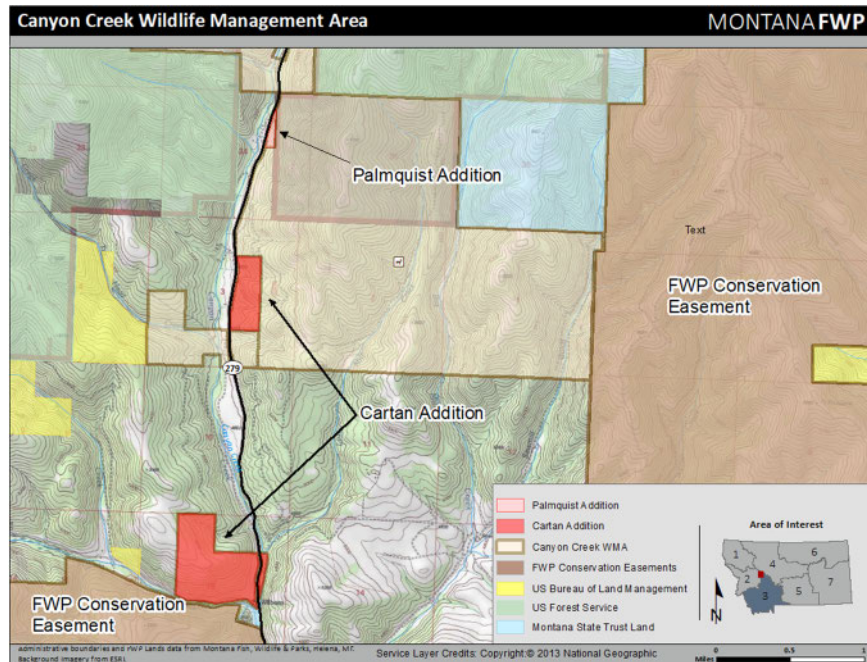
**Habitat:** Conifer Forest, Intermountain Grassland, Stream, Riparian

**Partners:** Montana Fish and Wildlife Conservation Trust



**Figure 22. A meadow on the Cartan Addition to Canyon Creek Wildlife Management Area, supporting year-round habitat for elk and other big game and associated hunting and fishing opportunities (Image: J. Sika).**





**Figure 23. Overview of the two additions to Canyon Creek WMA, totaling 227 acres, 32 miles northwest of Helena, Lewis and Clark County. Portions of two FWP conservation easements are included in this map – the Grady Conservation Easement to the southwest and the Sieben Rattlesnake Creek Conservation Easement to the east.**

### **Dome Mountain WMA Addition**

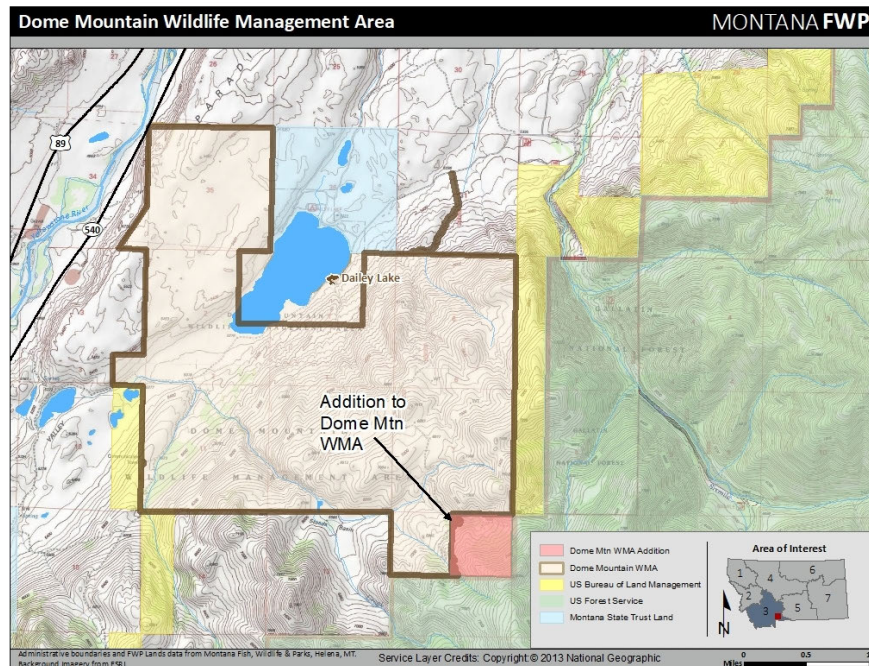
The Dome Mountain Wildlife Management Area is located 14 miles north-northwest of Gardiner and Yellowstone National Park, in Park County. The WMA was originally purchased because of its critically important elk winter range, supporting over 3,000 elk. The WMA also supports many species of concern including grizzly bear, Canada lynx, and wolverine and provides public hunting opportunities for elk, deer, moose, wolf, and black bear. A 160-acre private inholding that included a year-round access right of way was purchased by FWP as an addition to the WMA. The inholding had the potential for conflicting with operation and functions of the WMA, particularly related to security for wintering elk and public hunting conflicts. Adding this parcel to the WMA helps ensure long term integrity of this elk wintering habitat.

**Habitat:** Conifer Forest, Intermountain Grassland; Aspen

**Partners:** The Conservation Fund, Rocky Mountain Elk Foundation



**Figure 24. Productive aspen and intermountain grassland habitats associated with the addition to the Dome Mountain Wildlife Management Area. Purchasing this strategic inholding helped ensure the conservation values of the WMA remain intact (Image: The Conservation Fund).**



**Figure 25. Overview of the addition to Dome Mountain Wildlife Management Area, totaling 160 acres about 14 miles north of Gardiner, Park County.**



## **Garrity Mountain WMA YT Timber Addition and Stumptown Addition**

The Garrity Mountain Wildlife Management Area was originally purchased in 2001 to secure important elk winter range while also benefiting a number of other species including bighorn sheep, black bear, ruffed grouse, mule and white-tailed deer, and 20 species of concern. Over time strategic parcels have been added to the property to expand the conservation footprint or provide a buffer of protection to the WMA. During the past two years, two parcels were added to the WMA as follows, both of which were subject to being developed, which would have affected the conservation values of the WMA.

The **YT Timber Addition** comprises a 154-acre parcel of important fish and wildlife habitat that connects the Garrity Mountain WMA to a public road, while also supporting a bighorn sheep migration corridor from the Flint Mountain Range to Garrity Mountain WMA. The parcel includes 0.7 miles of Warm Springs and Barker Creeks, supporting the federally listed bull trout as well as westslope cutthroat trout and a diversity of neotropical bird species associated with the riparian habitats. This addition provides hunting, fishing, and hiking opportunities while improving public accessibility to this part of the WMA.

The **Stumptown Addition** comprises a 600-acre parcel with 0.7 miles of Warm Springs Creek and critical elk and deer winter range and calving habitat. These habitats are part of a larger winter range area extending up slope on the WMA. This addition includes extensive aspen groves that are highly valued by many game and nongame species, including moose, elk, deer, bear, ruffed grouse, and many other bird and small mammal species. This addition will be a popular area for hunting, wildlife viewing, and fishing opportunities.

**Habitats:** Conifer Forest, Aspen, Intermountain Grassland, Stream, Riparian

**Partners:** Rock Mountain Elk Foundation, Natural Resource Damage Program, Montana Fish and Wildlife Conservation Trust, Montana Chapter of the Wild Sheep Foundation



**Figure 26. Warm Springs Creek and big game winter range foothill habitats, parts of the Stumptown Addition to the Garrity Wildlife Management Area (Images: T. Ritter).**



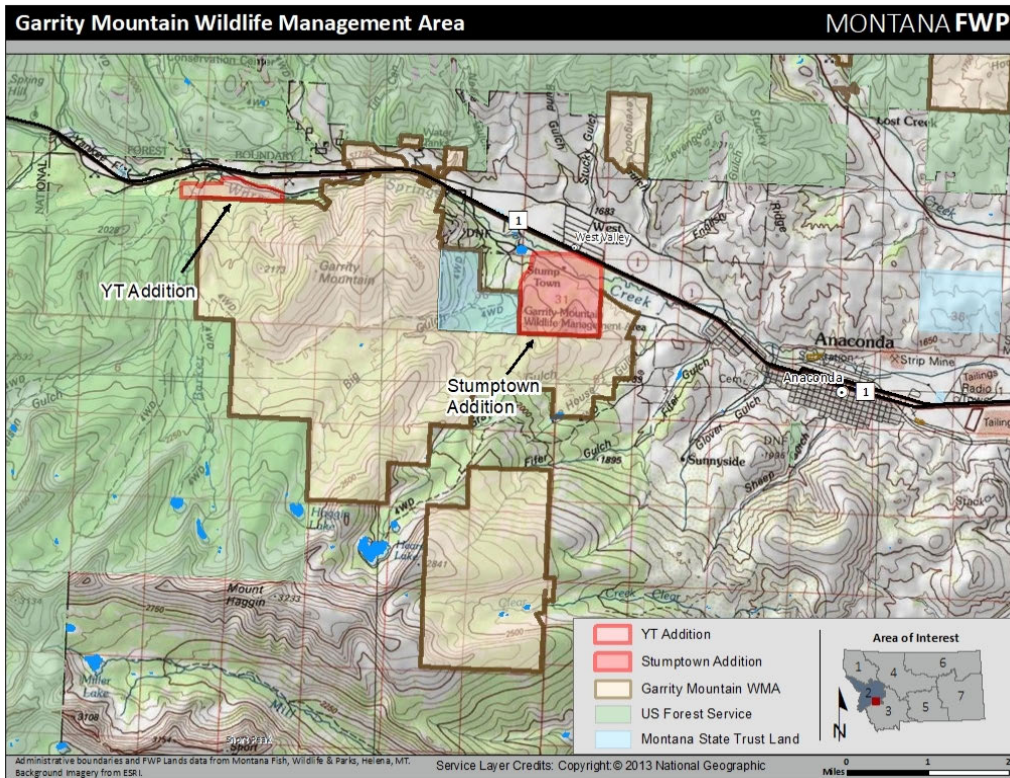


Figure 27. Overview of two additions to Garry Mountain WMA, totaling 754 acres, Deer Lodge County.

### Mount Haggin WMA Schmeler Addition and Grassy Mountain Addition

The Mount Haggin Wildlife Management Area, with the north boundary about 3 miles south of Anaconda in Butte/Silver Bow and Deer Lodge Counties, was originally purchased in 1976 for its extensive, high value recreation and fish and wildlife habitats including summer and winter range for deer, elk, and moose and many other game, furbearer, and non-game species, along with extensive streams, beaver ponds, and riparian habitats. The area, which straddles the Continental Divide, is popular for hunting, fishing, camping, hiking, cross country skiing, and wildlife viewing. Two strategically located adjacent properties came on the market and were purchased by FWP during the reporting period. Both properties were purchased because of their intrinsic values but also to avoid possible developments immediately adjacent to priority wildlife habitats on the WMA. Both of the additions provide expanded public access for hunting, fishing, trapping, wildlife-watching and other recreational opportunities while helping to maintain the overall integrity of the WMA. These additions are as follows.

The 160-acre **Schmeler Addition** shares two sides with the WMA and contributes to the ecological function of the WMA and surrounding Beaverhead-Deerlodge National Forest. It is part of the migration pathway for mule deer and elk, connecting winter range on the west side of the Continental Divide to calving/fawning areas and summer range east of the divide. Wet meadows, aspen and willow stands provide year-round habitat for moose, beaver, black bear, ruffed grouse,

and numerous other small mammals, neotropical birds, amphibians, and reptiles. Oregon Creek, which runs along the western portion of the property supports brook trout.

The 244-acre **Grassy Mountain Addition** shares a common border with the WMA and also adjoins the Schmeller Addition, described above. This property includes 1 mile of riparian and wetland habitat associated with Oregon Creek and serves as part of a migration corridor for mule deer and elk along with calving/fawning areas and summer range. The mix of habitats supports an array of other game, furbearer, and non-game wildlife species.

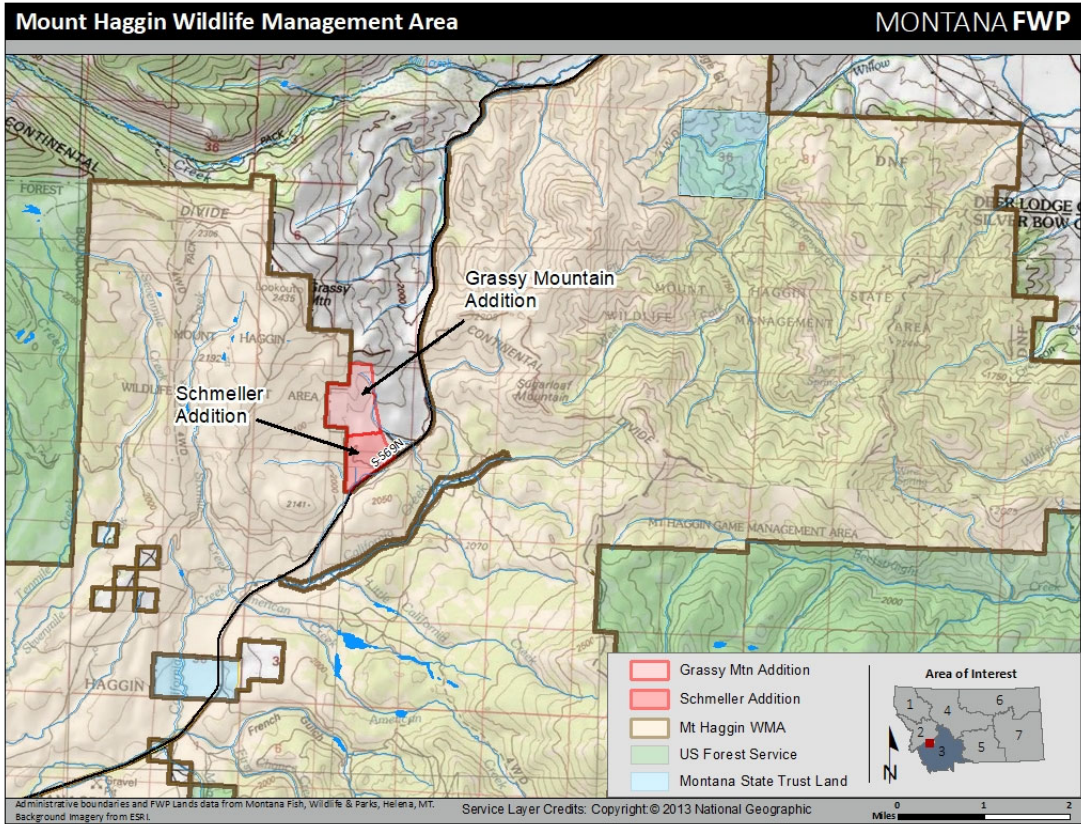
**Habitats:** Conifer Forest, Aspen, Intermountain Grassland, Stream, Riparian

**Partners:** Rock Mountain Elk Foundation



**Figure 28. Productive fish and wildlife habitats associated with the Grassy Mountain and Schmeller additions to Mount Haggin Wildlife Management Area (Image: V. Boccadori).**





**Figure 29. Overview of two additions to the Mount Haggin WMA totaling 404 acres, Silver Bow County.**







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