

Montana Fish and Wildlife Conservation Trust

HABITAT AND RECREATIONAL ACCESS PROJECT FORMS

1. Project Title: Ash Coulee Conservation Easement
2. Project Description: Montana Fish Wildlife and Parks (MFWP) proposes to purchase a perpetual conservation easement on 3,400 acres of deeded land 3.5 miles southeast of Hinsdale, MT in administrative Region 6. All 3,400 acres consist of grass and shrublands. The property, referred to as Ash Coulee, consists of one contiguous parcel. The ranch provides productive riparian, native shrub and mixed grassland habitats, all of which have been identified as state priority habitats. The area includes critical winter range for antelope and mule deer and is part of the Sage Grouse Connectivity Core Area.

Terms and conditions of public access will be outlined in the Conservation Easement document, to include the following:

- a. The public may hunt all species of game mammals and game birds of all sex and age classes on the Land, in accordance with the applicable hunting regulations adopted by the State of Montana. This public hunting right shall be administered in a manner consistent with all terms established.
 - b. When demand exists, the Landowner must allow a minimum number of hunter days for big game, upland and migratory bird hunting, and wildlife viewing days (minimum days will be established during easement establishment).
 - c. The Landowner, Landowner's immediate family, Landowner's shareholders, partners, employees, or immediate family of shareholders, partners, employees, and invited guests of the Landowner do not count towards satisfying the minimum number of hunting days allowed on the Land. The public access for hunting and wildlife viewing must be managed on a non-preferential and nondiscriminatory basis. The Landowner has the right to manage the distribution of hunters and viewers on the Land on account of reasonable concerns of Landowner, including but not limited to Landowner's safety, public safety, and the protection of livestock. In order to fulfill the provisions concerning access, and consistent with the terms, the Landowner may require the public to obtain written permission to hunt or view wildlife. Further, the Landowner may deny access to anyone who is not conducting or in the past has not conducted herself or himself in a prudent, responsible and safe manner or has trespassed or violated hunting laws.
3. Project Location: The Ash Coulee Project is located 3.5 miles southeast of Hinsdale, MT in Valley County, MFWP administrative Region 6 (see attached maps, figures 1 and 2). Ash Coulee lies adjacent to the MFWP Vandalia Wildlife Management Area, Bureau of Reclamation property,

Bureau of Land Management property, publicly accessible Department of Natural Resources and Conservation land, two properties enrolled in Block Management, and the recently acquired Buffalo Coulee Conservation Easement; when combined, these properties represent 8,914 contiguous acres of publicly accessible land.

4. Submitted By: Drew Henry, Glasgow Area Wildlife Biologist, Montana Fish, Wildlife and Parks, Glasgow, MT 59230. 1-406-228-3709 dhenry@mt.gov
5. Coordinated With: Sterling Carroll (current private landowner) 1-828-264-2521. Other affected land management agencies have been made aware of the project proposal. As progress is made, coordination efforts will ensue.
6. Project Type:*The proposed project is a perpetual conservation easement. This will provide free public recreational hunting access, wildlife viewing, and habitat improvements. Habitat improvements will include an area specific grazing system that follows MFWP grazing standards, and the protection of native habitats areas from impacts such as over grazing, farming or subdivision.
7. Management of Properties: This proposal involves the purchase of a perpetual conservation easement to be held by MFWP.

The general terms of an MFWP conservation easement typically consist of the following:

- a. The draining, filling, dredging, leveling, burning, ditching, diking, or reclamation of any natural or manmade wetland or riparian area are prohibited. However, wetland and riparian areas may be altered, restored, developed or enhanced as a part of a habitat restoration activity
- b. The destruction, removal, control or manipulation of native vegetation, planted nesting cover, or permanent cover is prohibited, except as part of or incidental to the agricultural activities and other land uses specifically allowed by the easement
- c. The legal or de facto subdivision and conveyance of the Land for any purpose and in any size is prohibited
- d. The Landowner will not transfer, encumber, sell, lease, or otherwise separate water rights from the Land.
- e. The use of herbicides, biological control agents, and pesticides in a manner other than as provided for is prohibited.
- f. The construction of roads in a manner other than as provided for is prohibited.
- g. The cultivation or farming of any portion of the Land is prohibited, except as provided for and except for habitat restoration or enhancement activities authorized pursuant to the terms of the easement.

- h. The sale or lease of access to the Land for hunting or fishing purposes, whether or not as a part of a commercial outfitting or guiding business, is prohibited.
 - i. The Landowner may not engage in, authorize, or contract for any exploration for or development and extraction of minerals, coal, ore, bentonite, oil and gas, other hydrocarbons, soils, rock, or similar materials, except as provided for in the easement.
 - j. The construction or placement of any structure or building on the Land is prohibited, other than as expressly allowed in the easement.
 - k. The establishment of a commercial feedlot is prohibited.
 - l. The use of the Land as a game farm, game bird farm, shooting preserve, fur farm, zoo or menagerie is prohibited.
 - m. Unless otherwise authorized, any industrial non-agricultural use or activity on the Land is prohibited.
 - n. The dumping or disposal of waste, refuse and debris on the Land is prohibited unless otherwise provided for in the easement.
 - o. Livestock grazing will follow MFWP grazing standards, which include scheduled season long deferment and yearlong rest treatments
8. Size of Project Area: The conservation easement project area consists of 3,400 deeded acres, all of which will be subject to free public hunting access, habitat improvement and restoration project types as described in number 6.
9. Implementation Schedule: The project has been given MFWP Commission approval to proceed with preliminary project planning and negotiations. Public scoping for the project has been completed, with all public comments received being in favor of the easement. The documents specific to this project, the Management Plan and the Conservation Easement Document, are nearing completion and are in final stages of editing in cooperation with the Landowner. Once these are completed, a 30-day public comment period on an Environment Analysis will take place, and an appraisal of the property will be ordered. A conservative time schedule, assuming the above tasks are completed prior to July 30, 2019, would mean the project could go in front of the FWP Commission in August 2019 for final approval. If this timeline is missed, the project would likely be heard by the Commission in October of 2019.
10. Total Project Cost: A conservative estimate of cost for the purchase of the conservation easement is \$952,000. Actual costs could likely be higher but will not be known until an appraisal is conducted and easement terms are finalized.

11. MFWCTF funds: MFWP requests funding support from MFWCTF for the amount of 15% of the total cost to purchase the conservation easement, which is estimated to be \$142,800.
12. Matching/Cooperator Funds:
 1. The Mule Deer Foundation: \$25,000
 2. The National Wild Turkey Federation: \$2,000
 3. The Hi-Line Sportsmen (Glasgow, MT sportsmen's club): \$1,000
13. Project Objective (s):
 1. Protect healthy blocks of very productive riparian, native shrub and plains grasslands habitats from conversion to other cover types
 2. Improve range condition by implementing a grazing system which adheres to MFWP grazing standards
 3. Improve water quality and riparian area health.
 4. Provide free public hunting access into perpetuity on the 3,400-acre property, as well as provide access to 130 acres of Bureau of Reclamation land that is currently inaccessible.
 5. Prevent any future change in ownership from inhibiting MFWP ability to positively impact the habitat on this property
 6. Protect the existing winter range for mule deer and antelope.
 7. Protect the identified sage grouse connectivity core area.

PROJECT PROPOSAL FORM (page two)

14. Project Strategies:

Through direct cooperation with the landowner, a conservation easement with corresponding documents will be written. Among these documents include the creation of a functional conservation easement Management Plan, which will include guidance on how to best achieve the above listed objectives.

15. Area Description:

- a. *See attached maps, Figures 1 and 2, for project location relative to other projects in the area, and for regional orientation
- b. Land Status: The land is privately owned. Fifty eight percent of the project area is made up of sagebrush steppe and sagebrush dominated shrubland and 42% of the area is considered lowland and prairie grassland. Approximately 4.5 miles of Ash Coulee Creek and riparian area also bisects the property.

16. Project Analysis:

a. Resource issues will be addressed through the completion of the above described project objectives and project strategies.

b. Public hunting and wildlife viewing will be required as part of this perpetual conservation easement. The minimum amount of hunting and viewing days per year that will be allowed will be determined during the negotiation and writing of the easement documents. The public access to this project will be publicized via the MFWP website, the MFWP Region 6 Facebook Page, as well as through local newspaper outlets. The area will be signed appropriately to identify boundaries. While hunter management via the MFWP Block Management Program is not a requirement through a MFWP easement (nor is it forbidden), the current landowner had elected to enroll this property in the Block Management Program for the 2018 hunting season. If this arrangement still exists at the time of the easement completion, it will likely continue in the Block Management Program, and will thus be signed appropriately, with hunting access maps available onsite and the property being printed in the Block Management Guide Book.

17. Existing Project Area Land Management: Existing land management on the 3400 acres of plains grassland/shrubland area is currently in the form of cattle grazing. The proposed easement project will look to establish a grazing system on these acres, likely with infrastructure improvements (water well, pipeline fencing, etc.), that will adhere to FWP grazing standards as described earlier.

18. Use of MFWCT Funds: These funds will be used to help cost share the expense of purchasing a perpetual conservation easement and/or share the expense of installing the grazing system infrastructure on 3,400 acres of deeded property in the Milk River breaks, southeast of Hinsdale, MT.

19. Project Monitoring: A baseline assessment of the vegetative community on the property will be completed. Vegetation monitoring plots and photo-point monitoring locations will be established throughout the property and will be monitored on an annual basis by MFWP and reported accordingly. Adherence to all of the established Easement Terms (such as grazing rotation) will be monitored annually by MFWP.

20. Additional comments: This is a resubmission of the Ash Coulee Project, which originally included acreage directly adjacent to the Milk River. The project scope has been re-worked to best assure public access to the entire property and a wise use of Habitat Montana and matching partner funding.

NOTE: If a project is selected, there will be a requirement to submit a minimum of 1 and no more than 4 digital color photographs of the project area prior to transfer of funds for the project. Digital photos may be submitted with the application package to satisfy this requirement. These photos will not be returned and will become the property of the Trust for use in publications highlighting successful projects and for promotional materials produced by the Trust.

***Please review the instructions for specific information required when the project application is for a Conservation Easement. Also please note the additional information requested as to how the access to this project will be publicly identified.**

Figure 1. Large scale map of the proposed conservation easement property, as well as other neighboring habitat conservation and access projects

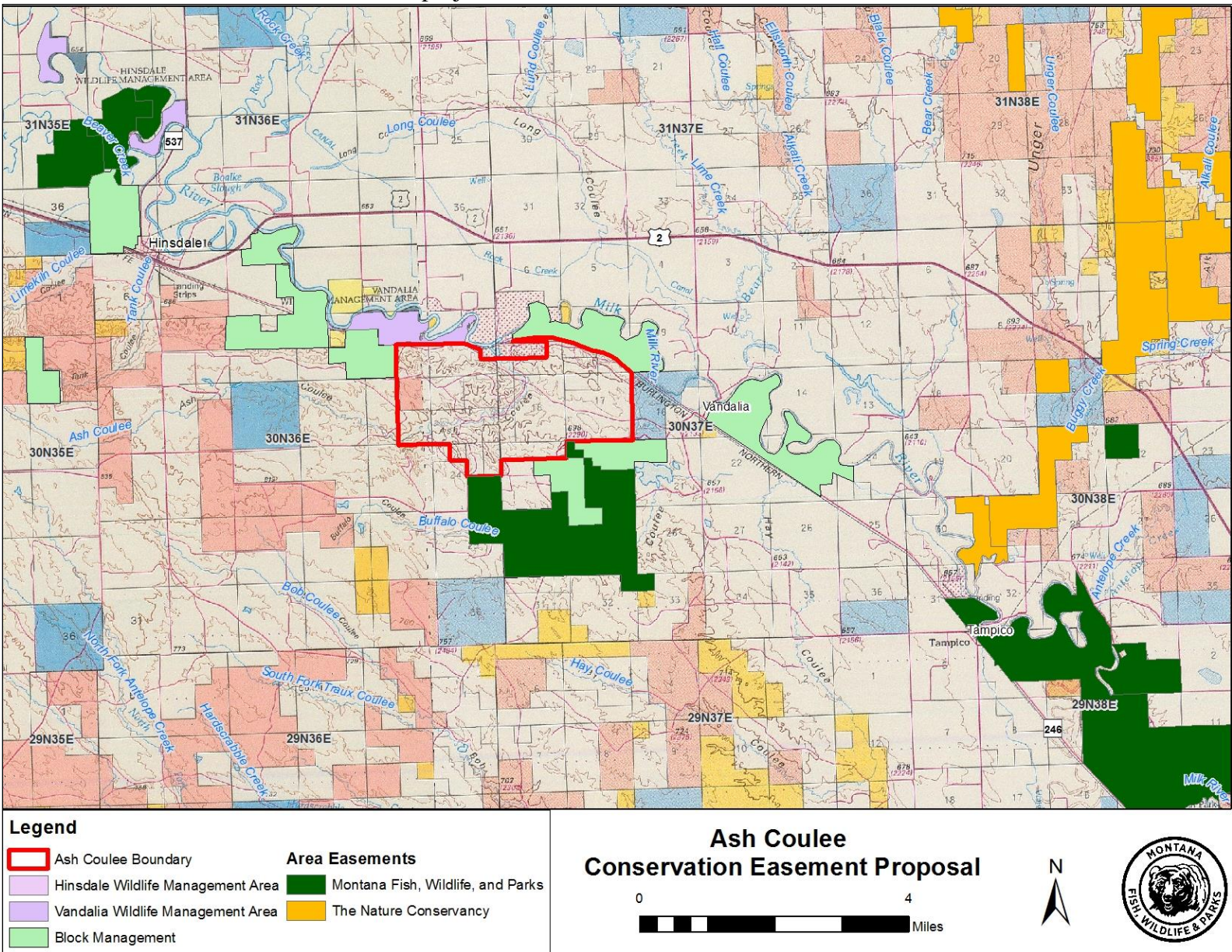


Figure 2. Aerial map of the proposed conservation easement property with proposed access roads, and parking areas; also showing the adjacent public lands, an existing conservation easement, and current block management areas.

