

U.S. Department of the Interior Bureau of Land Management

Environmental Assessment DOI-BLM-MT-BO10-2019-0014-EA

April 2019

Belmont Land Acquisition

Case File Number: MTM-110558

Location:

Principle Meridian, Montana

T. 14 N., R. 15 W.,
sec. 6 All.

T. 14 N., R. 16 W.,
secs. 1 thru 5;
sec. 7, SE1/4SW1/4 and SE1/4;
sec. 8, N1/2, N1/2SW1/4, and N1/2SE1/4;
sec. 18, lots 2, 3 and 4, E1/2, E1/2NW1/4, and E1/2SW1/4;
sec. 19 All;
sec. 30, lots 1 and 2, NE1/4, and E1/2NW1/4.

T. 15 N., R. 16 W.,
sec. 14, W1/2SW1/4;
secs. 15, 21, and 22;
sec. 23, W1/2NW1/4 and W1/2SW1/4;
sec. 25, S1/2SW1/4;
sec. 26, W1/2 and SE1/4;
secs. 27, 28, 32, 33, 34, and 35;
sec. 36, W1/2 and SE1/4.

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CHAPTER 1: PURPOSE AND NEED FOR THE PROPOSED ACTION

Introduction & Background

This Environmental Assessment (EA) has been prepared to disclose and analyze the environmental consequences of the Belmont Land Acquisition. The EA is a site-specific analysis of potential impacts that could result with the implementation of a proposed action or alternatives to the proposed action. The EA assists the BLM in project planning and ensuring compliance with the National *Environmental* Policy Act (NEPA), and in making a determination as to whether any “significant” impacts could result from the analyzed actions. “Significance” is defined by NEPA and is found in regulation 40 CFR 1508.27. An EA provides evidence for determining whether to prepare an Environmental Impact Statement (EIS) or a statement of “Finding of No Significant Impact” (FONSI). If the decision maker determines that this project has “significant” impacts following the analysis in the EA, then an EIS would be prepared for the project. If not, a Decision Record may be signed for the EA approving the selected alternative, whether the proposed action or another alternative. A Decision Record (DR), including a FONSI statement, documents the reasons why implementation of the selected alternative would not result in “significant” environmental impacts (effects) beyond those already addressed in Garnet Resource Management Plan (*January 10, 1986*).

In January of 2015, the Clearwater Blackfoot LLC. (now Montana Checkerboard LLC.) acquired 117,152 acres from Plum Creek Timber Company in the Blackfoot River Valley which is also part of Montana’s Crown of the Continent. This acquisition is known as the Clearwater-Blackfoot Project. The land is owned by the Clearwater Blackfoot LLC, and managed by the Montana Chapter of The Nature Conservancy (TNC) to sustain clean water, wildlife habitat and outdoor recreation. Together with the Blackfoot Community Project, Montana Legacy Project, and the Clearwater Blackfoot Project, TNC’s Plum Creek Timber Co. acquisition is now a total of 528,883 acres in Western Montana.

BLM participation in the Blackfoot Community Project has resulted in the acquisition of 12,378 acres of land in the Marcum Mountain and Chamberlain Creek areas of Powell County and in the Montana Legacy Project is the acquisition of Morrison Mountain in Missoula County with a total of 3,032 acres of land.

BLM in 2016 acquired approximately 5446 acres (Sunflower-Belmont Land Acquisition) as part of the Clearwater Blackfoot project.

Proposed Action

Acquire the approximately 13,000 acres of land within the Lower Blackfoot-Belmont area.

Purpose and Need

The purpose and need for the proposed land acquisition would increase the amount of public lands available for recreational opportunities. Recreation use is increasing in this area due to the proximity to Missoula. This proposal would maintain the working lands with active Forestry and Fuels programs as well as continued grazing. The proposal would form a larger consolidated block of public land as the proposal is adjacent to existing BLM managed lands. The efficiency and effectiveness of all resource management on BLM land will increase with the consolidation of ownership.

Decision to be Made

The Decision to be made is to acquire or not acquire non-federal land from Clearwater Blackfoot LLC. (now Montana Checkerboard LLC.) in the Lower Blackfoot, Belmont area.

Conformance with Resource Management Plan

The proposed action is in conformance with the Garnet Resource Area Resource Management Plan, approved January 1986 as amended.

The Garnet RMP establishes Land Ownership Adjustment criteria for evaluating land acquisition opportunities. The RMP also categorized lands within the Field Office into retention and non-retention areas and provides that land to be acquired by BLM ordinarily must be located in or adjacent to these retention areas. The parcels proposed for acquisition are adjacent to existing BLM lands which the RMP categorizes for retention.

The RMP Land Ownership Adjustment Criteria relevant to this proposed action are:

- **Areas Containing Important Features**

Areas that have important wildlife features include threatened and endangered species habitat, prime fisheries habitat, big game seasonal habitat, waterfowl and upland game bird habitat, and habitat for sensitive species including raptors and other nongame species. Areas that have important recreational and cultural features include hunting and fishing sites, snowmobile trails, and areas that contribute significantly to the interpretive potential of cultural resources already in public ownership. Areas that have important watershed features include strategic tracts along rivers, streams, lakes, ponds, and springs.

The lands proposed for acquisition contain significant elk, moose, mule deer and white-tailed deer winter and summer range. They are located in critical linkage zones for big game species as well as occupied habitat for grizzly bear (threatened), Canada lynx (threatened), and designated Canada lynx critical habitat. Habitat for terrestrial sensitive species is present. These lands contain important habitat for bull trout (threatened), bull trout critical habitat, and aquatic sensitive species. The proposed action would have a positive effect on Aquatic and wildlife resources.

- **Areas Important to BLM Programs:**

These areas include tracts of public land that are consolidated enough to make management of their resources cost effective, and have physical and legal access. Access generally should allow for public use but, at the least, should allow administrative access to manage the resources. Access to private lands would not be restricted without coordinating first with the private landowner. Areas usually contain a combination of multiple use values and have characteristics that facilitate BLM priorities on the national, state, and local level. Areas may have improvements that represent public investments; be encumbered by R&PP leases, withdrawals, mining claims, etc. or be managed by cooperative agreements with other agencies.

The land proposed for acquisition is adjacent to existing BLM managed lands and will form a larger consolidated block of public land. The efficiency and effectiveness of all resource management on BLM land will increase with the consolidation of ownership. All of the land possesses either public or administrative access.

- **Areas Important to the Economy:**

These areas include tracts having mineral potential and lands that contribute significantly to the stability of the local economy by virtue of federal ownership.

The lands acquired may contribute to local economy, such as, but not limit to, timber management, grazing and continued public access helps to maintain recreational activities.

The proposed acquisition is in conformance with the Garnet RMP.

Relationship to Statutes, Regulations, other plans, or other NEPA documents.

The proposed land acquisitions would be conducted under authority of Section 205 of the Federal Land Policy and Management Act (FLPMA) of 1976.

The proposed acquisitions would help with the Secretary's goals to:

- Making America Great Through Shared Conservation Stewardship by working with our partners to promote multiple-use on public lands;
- Serving the American Family by being good neighbors, supporting traditional land uses such as grazing, and providing access to hunting, fishing, and other recreational opportunities; and
- Getting America Back to Work by promoting job creation and supporting working landscapes.

The BLM is currently revising the Garnet Resource Area RMP, 1986. During public envisioning (2016) and public scoping period (Dec.2016-Feb 2017) the public identified acquisitions in this vicinity as highly valuable. The BLM released preliminary alternatives in January 2018 (<http://1.usa.gov/21RNCPG>) under all of the preliminary alternatives, acquisitions would continue to be allowed.

Public Involvement

Public scoping for this project was conducted by posting the proposed action on the National Environmental Policy Act (NEPA) notification log. Refer to Chapter 4 of this EA for a more complete summary of the scoping comments received and consultation/coordination.

Site specific resource concerns were identified by the BLM through the preliminary review process conducted during the internal scoping period. The BLM focuses its analysis on issues that are truly significant to the action in question, rather than amassing needless detail” (40 CFR 1500.1(b)). Issues have a relationship with the proposed action; are within the scope of analysis; and are amenable to scientific analysis.

Resource Issues Identified for Analysis (Resource Issues)

Internal and external scoping identified the issues that are considered in this analysis.

The interdisciplinary team reviewed the proposed action and determined the following issues that would have an effect on a particular resources.

Issue 1- Would the newly acquired public lands contain important resources; be important to the economy; and would the newly acquired lands enhance access?

Issue 2 – Would the County Revenues; Tax revenues to local taxing districts be reduced?

CHAPTER 2: The Proposed Action and Alternatives

Introduction

The interdisciplinary team explores and evaluates all reasonable alternatives that meet the underlying purpose and need for action. The alternatives were developed based upon National and State BLM direction and policy, existing conditions and resource issues. Resource issues are discussed in Chapter 1.

Alternative A (No Action)

The proposed action would not be implemented and the BLM would not acquire the subject property. The properties would remain in private ownership, subject to State and county laws and regulations related to land use, zoning and development.

The No Action Alternative is required to be analyzed as set forth in CEQ and applicable BLM implementing regulations and 40 CFR 1502.14 (d). Under the no-action alternative, BLM would not acquire the proposed lands

Alternative B (Proposed Action)

Acquire the approximately 13,000 acres of land within the Lower Blackfoot-Belmont area. This acquisition would be by direct purchase from Clearwater Blackfoot LLC. (now Montana Checkerboard LLC.) at no more than the approved appraised value. Purchase would be funded through the Land and Water Conservation Fund, which have been appropriated by Congress on a project basis. Acquisition would include all of the property owner's title interests in the property, including any appurtenant access or water rights.

Development and implementation of site specific projects on the acquired lands would be subject to the provisions of federal land management regulations for BLM-administered lands. This includes review of project proposals under the National Environmental Policy Act (NEPA), the Endangered Species Act, and applicable public involvement requirements.

It is likely that acquisitions would be done in stages, rather than all at once.

AFFECTED ENVIRONMENT/ENVIRONMENTAL IMPACTS

Introduction

The Affected Environment section describes the existing conditions and trends of resource issues and environmental elements (i.e., the physical, biological, social, and economic values and resources) that may be affected by implementing an alternative. This chapter also describes the changes to those resources that would occur if the No Action, Proposed Action, and any alternatives were implemented.

General Setting

The proposed acquisition is located in Western Montana in the Lower Blackfoot Corridor, 24 miles east of Missoula. All acres are located in Missoula County

Relevant Past and Ongoing Actions

BLM in 2016 acquired approximately 5446 acres (Sunflower-Belmont Land Acquisition) as part of the Clearwater Blackfoot Project (CBP).

Forest Service is also in the early process of acquiring approximately 29,000 acres of land as part of the CBP.

Methodology and Analytical Assumptions

The effects analysis is based on scientific literature, professional judgment, experience, and field measurements. This analysis is organized by resource issues where the estimated effects from implementing alternatives are described. The analysis focuses on the resource impact indicator(s) identified for each resource issue in Chapter 1.

The Forest Service and TNC proposed acquisition is reasonably foreseeable, but the management of those lands is not yet known.

Resource Issues Brought forth for Analysis

Resource Issue 1- *Would the newly acquired public lands contain important resources; be important to the economy; and would the newly acquired lands enhance access?*

Affected Environment

The Blackfoot watershed system possesses exceptional wetlands, riparian, grasslands, and forestland vegetation associations. These ecosystems possess exceptional biodiversity and high scenic value. The proposed acquisition supports community-based conservation efforts to build resiliency in these ecosystems. Building ecological resiliency includes maintaining intact, interconnected lands, and restoring fragmented or degraded (but restorable) habitats.

Alternative A (No Action)

The proposed action would not be implemented and the BLM would not acquire the subject property. The properties would remain in private ownership, subject to State and county laws and regulations related to land use, zoning and development.

Alternative B (Proposed Action)

Newly acquire lands would be managed as adjacent BLM lands.

Access

All of the parcels possesses either public or administrative access.

Cultural

The proposed acquisition of lands would be beneficial for National Register eligible cultural resources, specifically cultural resources such as Bitterroot brush, Camas and spring board larch stumps representing the broad use of the area for historic logging; and culturally modified trees by Native Americans representing prehistoric campsites, food extraction and/or prehistoric trails.

Cultural Recourses located on the parcels would have protection under the Antiquities Act and the Archaeological Resources Protection Act. Future BLM management actions following acquisition will require compliance of Section 106 of the National Historic Preservation Act, as amended, increasing protection of both known and as yet undiscovered sites.

Livestock Grazing

The proposed land acquisition includes two active grazing leases currently with TNC. Both grazing leasees have active grazing leases on adjoining BLM-managed lands. The leases will be combined with the current grazing lease once the TNC lease expires.

Livestock grazing, the proposed land acquisition will be managed in accordance with CFR 4110.1-1 which states, "Where lands have been acquired by the Bureau of Land Management through purchase, exchange, Act of Congress or Executive Order, and an agreement or the terms of the act or Executive Order provide that the Bureau of Land Management shall honor, existing grazing permits or leases, such permittees or lessees are governed by the terms and conditions in effect at the time of acquisition by the Bureau of Land Management, and are not subject to the requirements of CFR 4110.1". In summary, terms and conditions, fees, and other requirements contained within the TNC grazing lease shall remain in effect until its expiration. Near the time of the expiring lease, BLM will update a rangeland health

assessment, and assess livestock grazing for these BLM lands through the NEPA process with public involvement.

Mineral and Energy Resources

For much of the subject property, the mineral estate has been severed from the surface estate by previous owners. In other words, approximately 12,760 acres (98%) of the mineral estate would remain under private or state ownership under this proposed acquisition. The following table (Table 1) displays the legal land description of the parcels that would be subject to private subsurface minerals:

Table 1. Summary of Subsurface Ownership

Township	Section	Subdivision	Reserved/Owner
T. 14 N., R. 15 W., P.M.M.	6	lots 1, 2, 5, 6, and 8-12	Oil & Gas/BP America Production Co. All Other Minerals/WRH Nevada Properties, LLC
T. 14 N., R. 16 W., P.M.M.	1-5	all	
	7	SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$	
	8	N $\frac{1}{2}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$	
	18	lots 2, 3, and 4; E $\frac{1}{2}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$	
	19	all	
	30	lots 1 and 2; NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$	
T. 15 N., R. 16 W., P.M.M.	21 & 22	all	
	23	W $\frac{1}{2}$ SW $\frac{1}{4}$ & W $\frac{1}{2}$ SW $\frac{1}{4}$	
	25	S $\frac{1}{2}$ SW $\frac{1}{4}$	
	26	W $\frac{1}{2}$ & SE $\frac{1}{4}$	
	27, 28, & 32-35	all	
T. 14 N., R. 15 W., P.M.M.	6	lots 3, 4, & 7	
T. 15 N., R. 16 W., P.M.M.	15	all	Oil & Gas/ Meridian Oil, Inc. All Other Minerals/Meridian Minerals Co.
T. 15 N., R. 16 W., P.M.M.	36	W $\frac{1}{2}$ & SE $\frac{1}{4}$	All Minerals/State of Montana

Also within the proposed acquisition, approximately 240 acres of mineral estate are currently under federal ownership and subject to interminable “temporary” segregation from mineral entry due to the parcels being involved with a previous land exchange. These parcels are located in T.15 N., R. 16 W., sec. 14 W $\frac{1}{2}$ SW $\frac{1}{4}$; sec. 25 SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$. Resolving the segregation is outside the scope of this Environmental Assessment; Recommendation to open or withdraw the segregated mineral estate would require a land use plan decision with either the subsequent opening order or withdrawal order completed under a separate process.

With the exception of mineral materials that are managed primarily through contracted sale (such as sand, gravel, landscaping stone), the acquired lands would be subject to mineral leasing (43 CFR 3503.13) as a result of the proposed acquisition.

Recreation

The proposed land acquisition would ensure that these lands remain available for recreational opportunities. Due to prior and present landowner’s “open lands” policies, recreationists have come to view the subject lands as if they are publicly owned. This proposed acquisition would ensure the lands are public and continue to be available for recreation opportunities. The 13,000 acres of acquired lands would be added to the adjacent Special Management Recreation Area (SRMA). The primary recreation uses in this area include hunting, mountain biking, hiking, and snowmobiling. Additional recreation uses in the area includes, but are not limited to, cross country skiing, dispersed camping, horseback riding, and fishing.

Recreation use is increasing in this area. It is included in Hunting District 283 which is a popular destination given its proximity to Missoula.

Travel Management

The proposed parcels would be managed the same as the previous landowner, which would be “limited motorized” under the BLM. Limited motorized could include limited use to specific trails, time limits, season of use, etc. Existing site specific routes designations would remain in place until the BLM’s Missoula Travel Plan for this area is updated through the NEPA process with public involvement.

Visuals

A visual resource inventory (VRI) of the parcels was conducted in 2015. The acquisition area contains VRI class 2 and 3 lands (see map). The BLM acquired lands will be managed in a manner that maintains the long term visual resource inventory class 2 and 3 until the Garnet Resource Area RMP is amended or revised; the plan would then establish desired future condition of visual resources and identify visual resource management (VRM) classes.

Wildlife and Aquatics

The watershed serves as a buffer and linkage zone for wildlife moving in and out of the Bob Marshall/Scapegoat Wilderness Complex, along the Continental Divide and between the Clark Fork River drainage and the Garnet Range. The parcel contains occupied habitat for grizzly bear (threatened) habitat, occupied Canada lynx (threatened) habitat, and Canada lynx critical habitat. Belmont creek contributes to critical Bull Trout Habitat and also has westslope cutthroat trout (sensitive). With the proposed acquisition BLM would be acquiring approximately four miles of Belmont Creek and three miles of Burnt Creek. The proposed action would have a positive effect on aquatic and wildlife resources.

The proposed action would increase the amount of excellent wildlife habitat managed by the BLM in the Lower Blackfoot Watershed. Special Status Species, such as threatened, endangered, and sensitive species inhabit the lands. The area is occupied grizzly bear and Canada lynx habitat, and designated Canada lynx critical habitat. The gray wolf and wolverine (sensitive species) inhabit the area as well as other sensitive species such as the great gray owl, flammulated owl, and golden eagle. Big game and upland game birds also inhabit the area along with it being summer and winter range for elk, moose, white-tailed and mule deer. You will find Ruffed grouse, dusky grouse, and spruce grouse, Migratory birds and bird and mammal species of Special Concern (Montana Department of Fish, Wildlife, and Parks). Habitat is diverse and includes conifer forests, mountain parks, and riparian communities.

Future BLM management actions following acquisition require compliance with Section 7 of the Endangered Species Act for listed threatened and endangered species. BLM policy is to protect, manage and conserve sensitive species and their habitats such that Bureau actions would not contribute to the need to list any of the species.

Other

Future management emphasis for the acquired lands would be directed toward managing big game habitats, protecting T&E/Sensitive species and their habitats, managing recreational opportunities, maintaining and/or improving healthy forests, protecting wetlands and riparian areas.

BLM actions may include but not limited to weed control measures, recreation facilities, and forest management treatments such as planting, thinning, and harvest, prescribed fire, erosion control measures.

Development and implementation of site specific projects on the acquired lands would be subject to the provisions of federal land management regulations for BLM-administered lands. This includes review of project proposals under the National Environmental Policy Act (NEPA), and applicable public involvement requirements.

Cumulative Impact Analysis

Cumulative impacts consider the relevant past, present, and reasonably foreseeable future actions. Each resource/resource use generally has its own geographic scope and temporal scopes, but these can be concurrent among some resources. The geographic scope is based on the resource's natural boundaries, not jurisdictional ones. The temporal scope is based on the duration of the effects of the alternative, not the timeframe of the actions taken within the alternative. Past and present actions are typically summarized in the Affected Environment.

The geographic scope of the cumulative impacts is the Clearwater Blackfoot Project area. The temporal scope of cumulative impacts is over the next 10-15 years.

Resource Issue 1- *Would the County Revenues; Tax revenues to local taxing districts be reduced?*

Affected Environment

The 13,000 acres of lands proposed for acquisition in Missoula County has a 2018 assessed market value of approximately \$4,990,074. These lands generated approximately \$14,600 of tax revenue for local taxing districts in 2018.

Alternative A (No Action)

Revenues to local taxing districts would not change.

Alternative B (Proposed Action)

Tax revenues to local taxing districts would normally be reduced by approximately \$14,600 per year since lands acquired by the United States are exempt from paying property taxes. However, there would be no effect on Payment In Lieu of Taxes (PILT) payments received by Missoula County. Missoula County payments under the PILT formula are limited by the county population and are not affected by land ownership acreage changes

CHAPTER 4: CONSULTATION AND COORDINATION

Introduction

Notice of this project was posted in the NEPA Register on the BLM's ePlanning website on April 29, 2019 https://eplanning.blm.gov/epl-front-office/eplanning/lup/lup_register.do.

Persons, Groups, and Agencies Consulted

The BLM coordinated with the Confederated Salish and Kootenai Tribes on June 25, 2018. The BLM provided information and collaborated with the Tribe during these meetings.

Public Engagement

The BLM participated in the Blackfoot Challenge community meetings from February 2015 until March 2019 and will continued to do so. The Blackfoot Challenge hosted these meetings with the intention of sharing information and obtaining public feedback on the acquisitions in the Clearwater/Blackfoot project. The BLM provided information and was available to answer any questions by the public and other agencies. Participants at these community meetings include members of the general public, other agencies (federal, state, local), timber organizations, recreation groups, and other non-profits. Approximately 30-50 participants would attend these meetings.

List of Preparers

Steve Bell	Rangeland Specialist
Chuck Bridgeman	Assistant Field Manager
Maria Criag	Outdoor Recreation Planner
Ernie McKenzie	Fisheries Biologist
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Lonna Sandau	Realty Specialist
Jim Sparks	Wildlife Biologist
Maggie Ward	NEPA Planner

REFERENCES

2015 Revision by Montana DNRC based on original MSU Extension Forestry publication EB 158.

43 CFR 2800.

U.S. Department of the Interior, Bureau of Land Management (BLM). 1986. Garnet Resource Area Record of Decision and Approved Resource Management Plan. Missoula Field Office. Missoula, Montana.

U.S. Department of the Interior, Bureau of Land Management and Office of the Solicitor (editors). 2001. The Federal Land Policy and Management Act, as amended. U.S. Department of the Interior, Bureau of Land Management Office of Public Affairs, Washington, D.C. 69 pp.

ATTACHMENTS

Maps