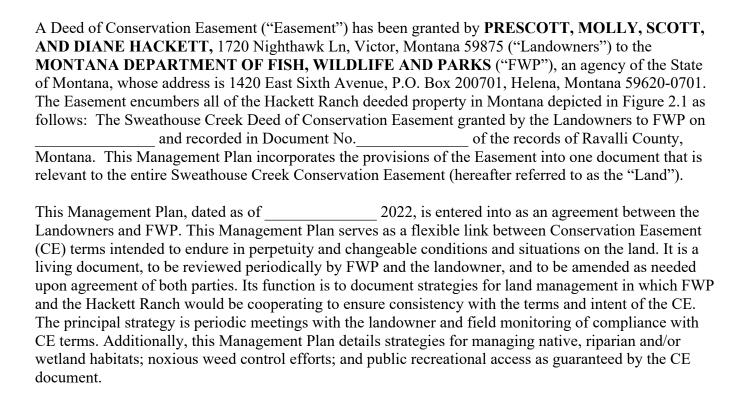
Sweathouse Creek Conservation Easement Management Plan







I. Introduction

The purpose of the Sweathouse Creek Conservation Easement is to perpetually preserve and protect the conservation and agricultural values of the land, particularly the habitat the land provides for wildlife and fish species. The Hackett family offered for sale a conservation easement (CE) on their property, reflecting the landowner's desire to perpetually maintain and protect the family's ranching and farming lifestyle, while maintaining and/or enhancing wildlife habitats and recreational access.

The land included in this Management Plan is identified by the Department and the landowner as "Sweathouse Creek CE". This land encompasses 549 deeded acres and is located approximately 3.5 miles west of Victor (Figure 1), adjacent to the Bitterroot National Forest. The Land provides year-round habitat in varying degrees for seven big-game species: elk, mule deer, white-tailed deer, moose, black bear, wolf, and mountain lion. Mountain goats are present further up the Sweathouse Creek drainage, and they and the occasional bighorn sheep may use the property. The Land also provides quality upland game bird habitat for wild turkey and mountain grouse. A wide variety of nongame species use the mosaic of habitats on the property, including several rare species and many Species of Greatest Conservation Need (SGCN, also known as Species of Concern). A list of SGCN confirmed or potentially present on the Land is provided in Appendix A. The habitats on the Land are beneficial in maintaining huntable and viewable populations of game and non-game species, both migratory and resident.

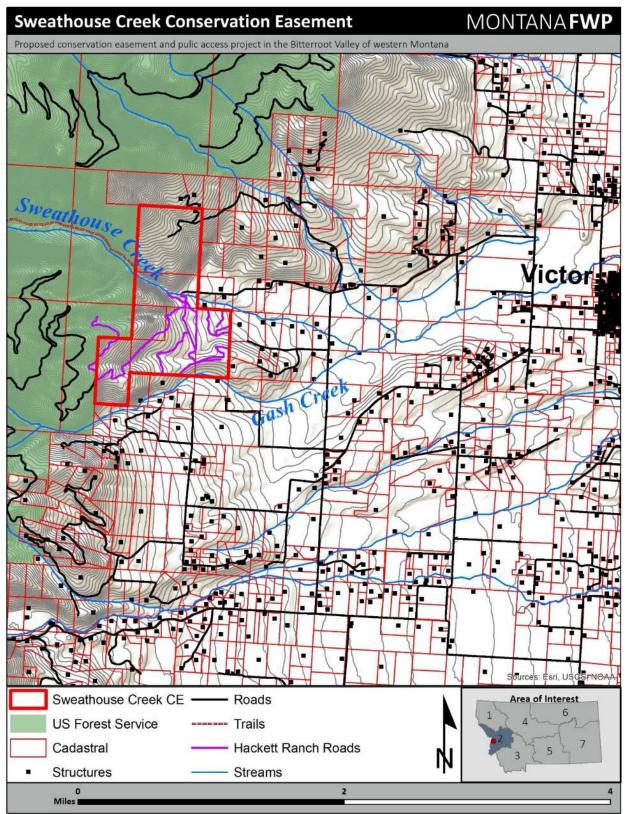


Figure 1. Vicinity map of the Sweathouse Creek Conservation Easement west of Victor, Montana in the Bitterroot Valley. Black squares denote homes on surrounding private lands.

The Sweathouse Creek CE lies entirely within the Bitterroot-Clark Fork Riparian Corridor, identified in the 2015 State Wildlife Action Plan (SWAP) as a Tier I Terrestrial Focal Area due to its importance to migratory birds and as a breeding area for great blue herons and Lewis's woodpeckers. According to the SWAP, "though there is opportunity for restoration, it may be difficult and come at a high cost due to the

large number of landowners in this Focal Area. The diverse recreational use is high, but likely is below what resources could support because of private land ownership." While no Bitterroot River floodplain habitat exists on the conservation easement, the critical ecological connection between the large, protected landscape of the Bitterroot Mountains and the broad Bitterroot River floodplain is dependent on maintaining open space and wildlife habitat in the Bitterroot Valley foothills represented by the Land.

Approximately 77% of the Land is made up of Tier 1 Community Types as identified by the 2015 SWAP, including (Level 2 Landcover):

- 46% Montane Grassland
- 20% Conifer-dominated forest and woodland (xeric-mesic)
- 7% Floodplain and Riparian
- 3% Deciduous Shrubland
- Approximately 9% is used for hay production and much of the ranch is available for cattle grazing (not all is currently used as such)

The property is also included in the "Anaconda Range to Big Hole, Bitterroot, and Upper Clark Fork Watersheds" Big-Game Habitat Priority Area identified by Secretarial Order 3362. Secretarial Order 3362 seeks to identify and protect critical migration corridors for ungulates and other wildlife in increasingly fragmented landscapes. The Bitterroot Valley has experienced explosive growth in recent decades that has severely limited connectivity between large blocks of wildlife habitat in the Priority Area, and this fragmentation is expected to continue.

The property contains approximately 3/4 mile of Sweathouse Creek and 1/4 mile of Gash Creek. Gash Creek eventually flows into Sweathouse Creek, which flows into the Bitterroot River (see Figure 2). In Sweathouse Creek, fisheries crews have documented presence of bull trout, westslope cutthroat trout, and Columbia slimy sculpin, along with nonnative brook trout, brown trout, and rainbow trout. They have also documented Rocky Mountain tailed frog and western toad.

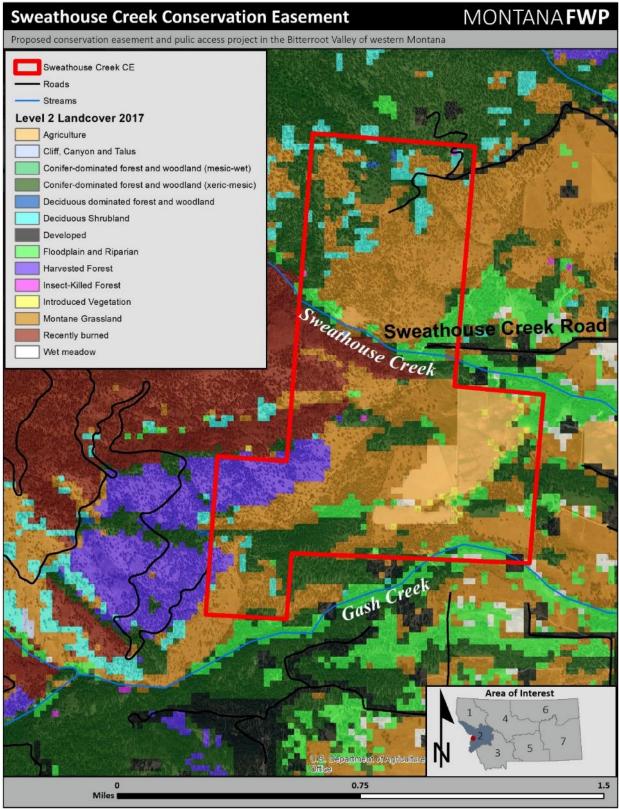


Figure 2. Level 2 Landcover types identified on the Sweathouse Creek Conservation Easement. The majority of the property falls under montane grassland, with smaller portions of conifer-dominated forest and woodland (xeric-mesic), harvested forest, agriculture, floodplain and riparian, and recently burned.

II. GOALS, OBJECTIVES, AND STRATEGIES

Goal 1: By implementation of FWP easement terms, the quality and amounts of native habitats and wildlife presence currently found on the Land shall be maintained without displacing current private land use.

<u>Objective 1:</u> Allow the Landowners to conduct forest management activities per section II.D of the conservation easement.

Strategy: The Landowners may, with prior approval from the Department, conduct timber management activities toward improving or maintaining wildlife habitat and forest health. Any request to perform forest management activities must be accompanied by a timber management plan prepared by a qualified forester or other qualified natural resource professional. Landowner and the Department will mutually determine the completeness of the plan and its adherence to the general and specific intentions of this Easement prior to approval and initiation of any timber harvest. The Landowner may sell the rights to harvest timber for a specific forest management action if authorized and approved by the Department.

<u>Objective 2:</u> Maintain and/or enhance existing native and wildlife-friendly plant communities, as well as agriculture habitats.

Strategy 2a: To perpetually define and ensure sound grazing practices, this easement requires a grazing system which incorporates complete rest of native, riparian, and wetland habitats in given years and/or portions of a given year. This shall be accomplished via implementation of a grazing management plan, provided in Appendix B. The grazing plan will implement a rest-rotation grazing system that meets or exceeds the FWP Minimum Grazing Standards (Exhibit C in the CE Deed document).

Strategy 2b: As part of maintaining and/or improving native plant communities, invasive plant (weed) maintenance is permitted and encouraged under this management plan. The landowner currently conducts some of this maintenance via aerial chemical application (spraying), which will be allowed to continue under this management plan as long as this method of application does not cause significant negative impacts to native plant communities.

Strategy 2c: In conjunction with conservation easement terms, the landowner has the right to construct, remove, maintain, repair, or replace fences, provided they do not significantly impact wildlife habitat or wildlife movement on and/or through the land. Any new fence construction or repairs must comply with FWP's wildlife-friendly fencing guidelines (Appendix C). Land maintenance, including but not limited to, fence construction and repair, water development and repair, noxious weed control, and necessary existing road repair, shall be the responsibility of the landowner.

Goal 2: Provide guaranteed free public recreational and hunting access opportunities.

<u>Objective 1:</u> Use public hunting for the dual purpose of providing public hunting opportunity and managing game populations on the Land.

Strategy: At the time this management plan was put into effect, the Land provided year-round habitat and season-long hunting opportunity for elk, mule deer, white-tailed deer, moose, wolf, black bear, mountain lion, upland birds, and wild turkeys. The game species present and the abundance of those species may change through time due to changing distributions of wildlife in the region, variable weather conditions, and changing habitat conditions on the Land and the broader landscape. The Landowners will provide hunter access for all legal species and sex of game animals for the duration of all Fish and Wildlife Commission-approved general seasons.

The Landowners have chosen to manage public access to the land with unlimited walk-in access with no permission required. If landowner wishes to change this access mechanism at some point in the future, they may do so but this management plan shall be amended and signed by both parties to reflect this proposed change before it is implemented.

The property is located within FWP's Deer/Elk Hunting District 240. Hunting access is currently managed through the FWP Block Management Program, and the Land is known as the Hackett Ranch Block Management Area (BMA) #7 (Figure 3). This BMA is open during established hunting seasons (including shoulder seasons, as printed in each year's hunting regulations), and is open for all legally available game species. All hunters must sign in at the sign-in box daily before hunting commences so that hunter use of the land can be appropriately tracked by the Region 2 Hunting Access Program. The public access location and parking areas, in addition to a weapons restriction area for livestock and ranching activities, are identified in Figure 3. For further information on other BMA hunting rules and regulations please see most current map for this BMA provided by the FWP Region 2 Hunting Access Program.

If both the Landowners and FWP determine that hunting limitations are warranted for a certain species and/or sex of game animal (for example, a sudden and unexpected concentration of elk on the property and the potential for shoot-out situations from an influx of hunters), and FWP provides the Landowners with written approval, then the Landowners may limit the species and/or sex of game taken on the Land. The Landowners will never be required to limit hunting for any species/sex of game animal because general season hunting is the primary tool to prevent game damage problems. Wild game populations fluctuate over time and may exceed FWP or Landowners' management objectives. If public hunting during normal Commission-approved hunting seasons is insufficient to prevent game damage issues, additional game damage assistance and prescribed hunts may be provided on an "as needed" basis, upon agreement of both FWP and the Landowners.

Trapping will be allowed on the property during Commission-approved trapping seasons for licensed trappers. A total of one trapper will be allowed on the property at any given time. Permission to trap will be granted by the landowner to assure only one trapper is operating on the Land during a given season and so the landowner can outline any areas where trapping may not be permitted (e.g., near surrounding residences, areas where cattle may congregate, etc.).

Objective 2: Provide year-round public access to the Sweathouse Creek Trail.

Strategy: Landowner agrees to permit parking in the "designated parking area" on an area not less than 1/4 acre. Landowner must permit parking from 1 hour before sunrise to 1 hour after sunset but is under no obligation to provide overnight parking or camping.

Landowner acknowledges the existence of the traditional "Sweathouse Trail" from the parking lot, past the gravel pit area, and west to the National Forest boundary. Landowner agrees not to obstruct or block this trail and its public use except as may temporarily be required while conducting authorized activities on the Land, such as road repair, logging, or headgate and ditch maintenance. Use of the gravel pit as authorized under the CE document shall not constitute a legitimate reason to close or block the trail. Landowner further agrees to permit FWP or U.S. Forest Service (USFS) to clear the trail of downed logs and debris in accordance with USFS trail maintenance standards.

As per CE terms, the Landowner may deny access to, or expel from the land, any person not conducting, or who has not in the past conducted, themselves in a prudent, responsible, and safe manner and denial of access for this reason shall not be deemed preferential or discriminatory.

<u>Objective 3:</u> Minimize the potential for conflict between public access and ranching operations, and between public access and wildlife management goals.

Strategy: The Landowners are not required to allow other recreational activities on the Land in conjunction with or separate from hunting, fishing, hiking, or wildlife watching. Examples of such activities include but are not limited to the following: rock climbing, bicycling, camping, drone flying, video filming, frisbee throwing, horse riding or packing, and collection of fossils and artifacts. The Landowners or FWP may prohibit hiking and wildlife watching activities that interfere with ranching operations or wildlife management goals. This includes any activities that have the potential to decrease habitat or forage quality or quantity and those that have the potential to disturb livestock or wildlife. If a conflict arises between hiking and wildlife watching opportunities and public hunting opportunity, the public hunting opportunity will take precedence. The use of dogs on the Land for any purpose other than legal hunting is at the discretion of the Landowners.

In times when the U.S. Drought Monitor (http://droughtmonitor.unl.edu/) indicates D3-D4 drought on a scale from D0 (Abnormally Dry) to D4 (Exceptional Drought), the Landowners may close the Land to public access due to fire danger. In times where drought is less severe, but fire danger is great, or for other legitimate reasons, the Landowners may temporarily close all or a portion of the Land to public access with prior documented approval from FWP.

Public motorized travel shall be restricted to Sweathouse Creek Road (County Road 4520) terminating at the parking area shown in Figure 3, and a private ranch road referred to as the "Gash Creek Road". Both roads are shown in Figure 3. No parking is allowed along the Gash Creek Road and this road is only to be used by the public to access the BNF road system. Public motor vehicle use is not allowed on any other private ranch roads on the property. Users are required to leave all gates as found and not park in any way that obstructs travel.

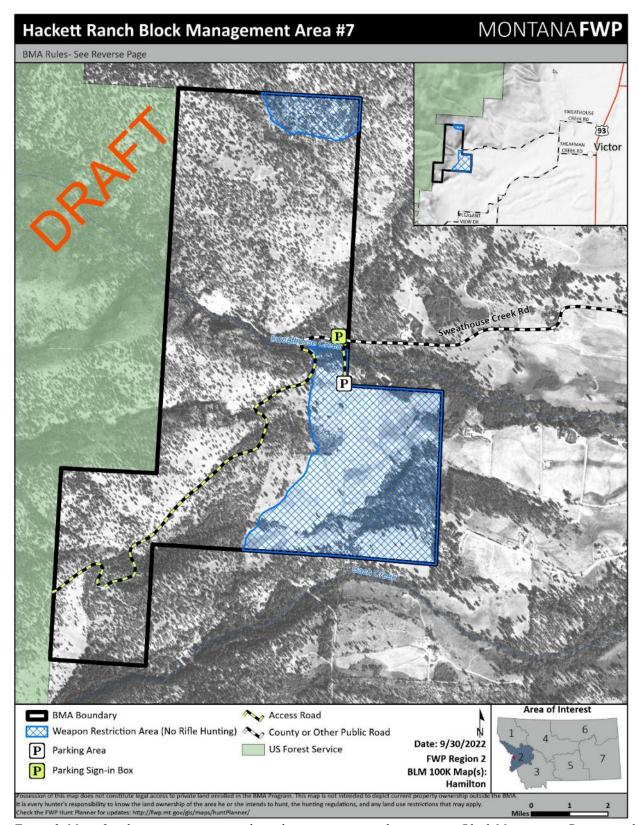


Figure 3. Map of parking areas, access roads, and weapons restricted areas as per Block Management Program rules.

III. OVERALL FWP/HACKETT RANCH SWEATHOUSE CREEK CONSERVATION EASEMENT COMPLIANCE

Annual monitoring will be conducted to determine compliance with the FWP easement terms on the entire property. Monitoring visits shall be conducted by FWP, preferably with the landowner(s), to assess Management Plan effectiveness and to review landowner compliance with easement terms. The landowner is encouraged to thoroughly familiarize themselves with the Deed of Conservation Easement terms and Management Plan and refer to such documents or contact FWP with any questions or concerns in order to avoid non-compliance.

In addition to compliance monitoring, FWP may establish vegetation monitoring plots to determine condition and long-term trends in vegetation and soil cover. FWP will contact the Landowners prior to establishing plots and prior to making subsequent vegetation monitoring visits.

Final Management Plan Approved By:

Prescott Hackett, Hackett Ranch	Date	
Molly Hackett, Hackett Ranch	Date	
Scott Hackett, Hackett Ranch	Date	
Diane Ressler-Hackett Hackett Ranch		

APPENDIX A – SPECIES OF GREATEST CONSERVATION NEED ASSOCIATED WITH THE SWEATHOUSE CREEK CONSERVATION EASEMENT

Species	Type	MT Status	Confirmed	Suspected	Possible	
Bull Trout	Fish	S2	X			
Westslope Cutthroat Trout	Fish	S2	X			
Lewis's Woodpecker	Bird	S2	X			
Western Toad	Amphibian	S2	X			
Black Rosy Finch	Bird	S2		X		
Gray-crowned Rosy Finch	Bird	S2		X		
Coeur d' Alene Salamander	Amphibian	S2			X	
Dwarf Shrew	Mammal	S2			X	
Clark's Nutcracker	Bird	S3	X			
Evening Grosbeak	Bird	S3	X			
Cassin's Finch	Bird	S3	X			
Brown Creeper	Bird	S3	X			
Pileated Woodpecker	Bird	S3	X			
Pacific Wren	Bird	S3	X			
Veery	Bird	S3	X			
Varied Thrush	Bird	S3	X			
Bobolink	Bird	S3	X			
Great Blue Heron	Bird	S3	X			
Northern Goshawk	Bird	S3	X			
Golden Eagle	Bird	S3	X			
Bald Eagle	Bird	S3	X			
Peregrine Falcon	Bird	S3		X		
Loggerhead Shrike	Bird	S3		X		
Western Skink	Reptile	S3		X		
Northern Alligator Lizard	Reptile	S3		X		
Wolverine	Mammal	S3		X		
Fisher	Mammal	S3		X		
Little Brown Myotis	Mammal	S3		X		
Townsend's Big-eared Bat	Mammal	S3		X		
Hoary Bat	Mammal	S3		X		

Flammulated Owl	Bird	S3		X
Boreal Owl	Bird	S3		X
Western Screech-owl	Bird	S3		X
Northern Hawk Owl	Bird	S3		X
Great Gray Owl	Bird	S3		X
Pygmy Shrew	Mammal	S3		X
Preble's Shrew	Mammal	S3		X
Hoary Marmot	Mammal	S3		X
Yuma Myotis	Mammal	S3		X

APPENDIX B – SWEATHOUSE CREEK CONSERVATION EASEMENT GRAZING MANAGEMENT PLAN AND GRAZING ROTATION EXAMPLE MAPS

Sweathouse Creek Conservation Easement Grazing Management Plan

Land Unit Description

The Sweathouse Creek Conservation Easement encompasses 549 acres. The western, upland portion of the ranch comprises the bulk of the native range, which includes steep topography and forested slopes and meadows. The south and eastern portions of the ranch comprise the bulk of the tame, non-native range as well as active hay production fields. The ranch contains approximately 334 acres of native range and approximately 216 acres of non-native range and hayfields.

Sweathouse Creek bisects the property, and a short section of Gash Creek traverses the southern boundary of the ranch. Various springs and marshes exist and provide additional watering sites for livestock. Portions of the property are also sub-irrigated and depending on subsurface water levels productivity of some areas for forage can fluctuate, depending on the year. Irrigation is sourced via flumes from Sweathouse Creek and Gash Creek.

There are two primary roads that bisect the property, as well as other side trails associated with logging. The roads do not affect grazing on the ranch.

The upland portions of the ranch are included as part of an active Forest Service allotment, which is held by the landowner.

Current Management Narrative

Primary agricultural management on the ranch includes hay production and livestock grazing. In forested areas, the landowner is actively restoring the range on the ranch. Conservation efforts include restoration of meadows from cheatgrass and other invasive weed infestations, an in-house forest management plan that includes thinning trees for long-term forestry health and reducing conifer encroachment to restore existing aspen stands.

Most of the hay production occurs in the Upper and Lower Hayfields (Figure B1), although some haying does occur in the other tame and non-native pastures. Typically, between 30 and 40 cow-calf pairs are brought to the ranch during the middle of May for spring grazing. Once summer arrives, the herd is split up, with roughly half the cattle returning to other properties owned by the landowners and between 15 and 20 pairs remaining on the subject property until they are taken home for weaning in October.

Planned Management Narrative

The Sweathouse Creek Conservation Easement comprises native and tame vegetation. The upland portions of the ranch comprise mainly native range and forested mountains and are associated with a Forest Service allotment. The bulk of the agricultural operations occur in the pastures comprising mainly tame species and are located in meadows in the lower elevations on the eastern portions of the property.

Upland Native Pastures

There are 2 pastures in the uplands that are associated with the Forest Service allotment. They are called The Range, and North of Sweathouse (Figure B1). These two pastures comprise approximately 334 acres collectively.

The upland pastures will be managed in cooperation with the Forest Service allotment. The allotment allows for grazing to occur between July and October. Therefore, no livestock will graze these native pastures during the growing season. When grazing occurs, it will only occur during the post seed-ripe

period of the year. As part of the conservation easement grazing plan, the North of Sweathouse pasture will be available for grazing periodically. The Range pasture will be grazed in a rotation with the tame pastures. However, the only time period The Range pasture will be included in the rotation will be during the post seed-ripe period. So, when scheduled, grazing on The Range pasture will only occur after mid-July. See Table B1 for pasture names and rotational grazing schedule.

Non-Native Pastures and Hayfields

There are 6 pastures and 2 hayfields associated with the bulk of agricultural operations on the ranch (Figure B1). These pastures and fields comprise approximately 215 acres collectively and are primarily irrigated tame grasses and hay. The pastures are called Bottom Flat, Swamp, Below Fuzzy's Ditch, Side Hill, Behind the Old Hayshed, and Orchard. The hayfields are called Upper Hayfield and Lower Hayfield.

The tame pastures and hayfields will be grazed on a rotational basis, where the landowner will follow FWP grazing standards for non-native pastures that includes early- and deferred-grazing treatments. Grazing schedules for these pastures will begin mid-May and end during the month of October.

Because the tame pastures are primarily irrigated fields and pastures, this grazing plan will include flexibility to rotate livestock through these pastures at the landowner's discretion within the overall grazing schedule (mid-May to October). Discretion will include three factors: 1) duration of time needed to utilize the grass forage, 2) timing of use which will depend on current irrigation effectiveness, and 3) amount of green growth available.

While the overall grazing schedule will mimic that of a deferred-grazing system, the general grazing schedule for a specific pasture in this system will progress from being grazed earlier in a particular year to being grazed progressively later in subsequent years. The pasture grazed last in a given year will be rested completely from grazing the next year. The pasture rested in a given year will be the first pasture grazed the next year (Table B1). Individual maps demonstrating a grazing rotation example for 7 years are provided at the end of this Appendix.

There is degraded pasture located above the canal in Upper Hayfield. In this portion of the pasture, the landowner also intends to implement short-term, high-intensity grazing, utilizing temporary electric fence, to promote productivity of desired vegetation, and reduce presence of weeds.

The two hayfields will be managed through haying and grazing on a rotational basis with the other pastures. Each year, one hayfield will be hayed, and the other will be grazed. This schedule will alternate annually between the two hayfields. When scheduled for grazing, timing will be coordinated with the grazing rotation of the other pastures (Table B1).

Table B1: Grazing Schedule for Sweathouse Creek Conservation Easement: Note – this is an example schedule...the actual, finalized schedule would be based on which pastures were grazed/rested during the year prior to implementation of this plan.

	Native Pastures		Non-Native Pastures					Hay Fields		
	North of Sweathouse	The Range	Bottom Flat	Swamp	Below Fuzzy's Ditch	Side Hill	Behind the Old Hayshed	Orchard	Upper Hayfield	Lower Hayfield
Year 1	Late	Late	Last	Yes	Yes	Yes	Yes	First	Rest	Yes
Year 2	Rest	Late	First	Last	Yes	Yes	Yes	Yes	Yes	Rest
Year 3	Rest	Late	Yes	First	Last	Yes	Yes	Yes	Rest	Yes
Year 4	Late	Late	Yes	Yes	First	Last	Yes	Yes	Yes	Rest
Year 5	Rest	Late	Yes	Yes	Yes	First	Last	Yes	Rest	Yes
Year 6	Rest	Late	Yes	Yes	Yes	Yes	First	Last	Yes	Rest
Year 7	Late	Rest	Last	Yes	Yes	Yes	Yes	First	Rest	Yes

Yes: Grazing allowed sometime between May 15 and October 15. Grazing would occur progressively later in the season each subsequent year at the landowner's discretion. For hayfields, grazing will occur after the hayfield is harvested.

First: First pasture grazed, starting May 15.

Last: Last pasture grazed, ending October 15.

Late: Grazing allowed sometime after seed-ripe, which will start approximately July 15 and end no later than October 15.

Rest: Completely rested from livestock grazing.

NOTE: When scheduled for grazing, pastures are not required to be grazed.

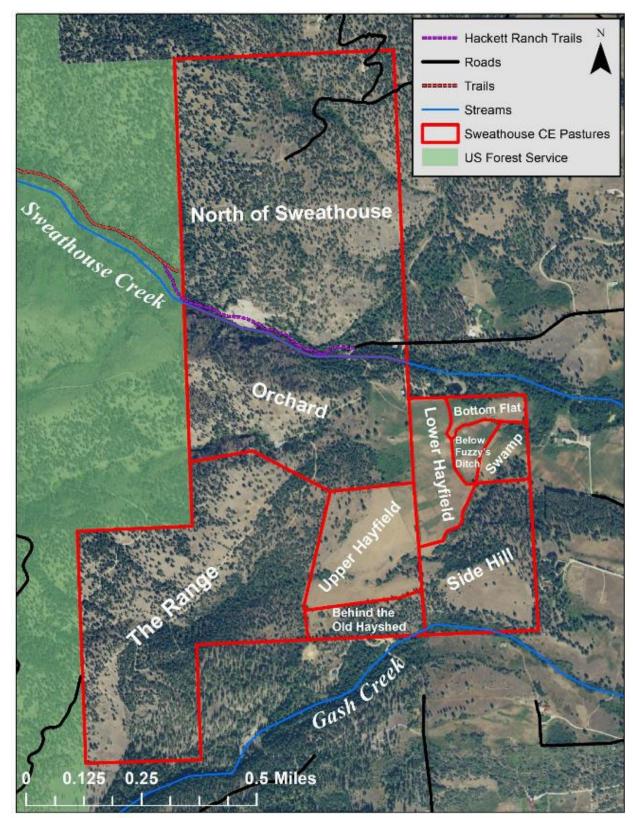


Figure B1. Sweathouse Creek Conservation Easement pasture names and layout.

Stocking Rate

The maximum stocking rate will ultimately be determined by the operator's ability to conform to the grazing system. In other words, the livestock numbers may increase as long as the plan can be followed, and livestock movement dates are not compromised. This approach is consistent with the reality that, for most conservation easement projects, the primary use of the land is agricultural.

One of the main objectives on the ranch includes improving historically degraded agriculture ground. As one of the tools being used in this effort, the landowner may implement short-duration, high-intensity grazing methods within the scheduled grazing rotation.

Salt and Mineral Management

The placing of mineral blocks within riparian areas is strongly discouraged. Supplements will be placed away from riparian areas, wetlands, and roads. Rocky (stable soil) areas on ridge tops or in conifer forested areas are preferred sites.

Range Improvements

No range improvements will be required to implement this grazing plan. Pastures described are already existing. The landowner maintains pasture fences and when necessary has relocated them to use pastures more effectively and to minimize the potential for negative ecological impacts.

The landowner will be able to continue ongoing efforts to distribute livestock grazing within pastures via water developments, including maintaining irrigation ditches and distributing watering troughs away from riparian areas within the tame pastures at the landowner's discretion.

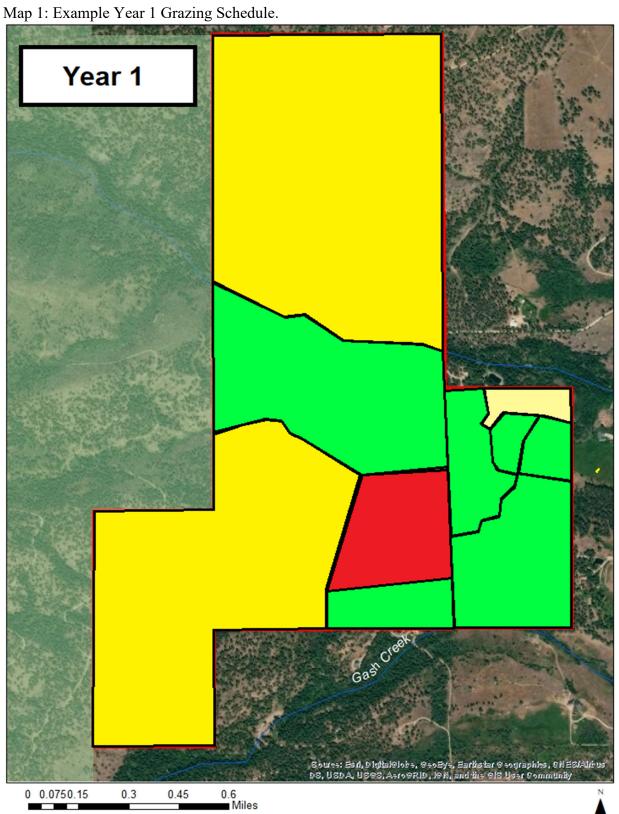
There are several aspen/willow stands on the ranch. They are primarily located within the non-native pastures and hay fields. The landowner will use temporary electric fencing to exclude cattle from the aspen/willow stands at periodic intervals in a coordinated effort with the grazing schedules. Aspen/willow stands will be fenced to exclude cattle for two consecutive years during the years when the pasture in which the aspen/willow stands are found is scheduled for grazing.

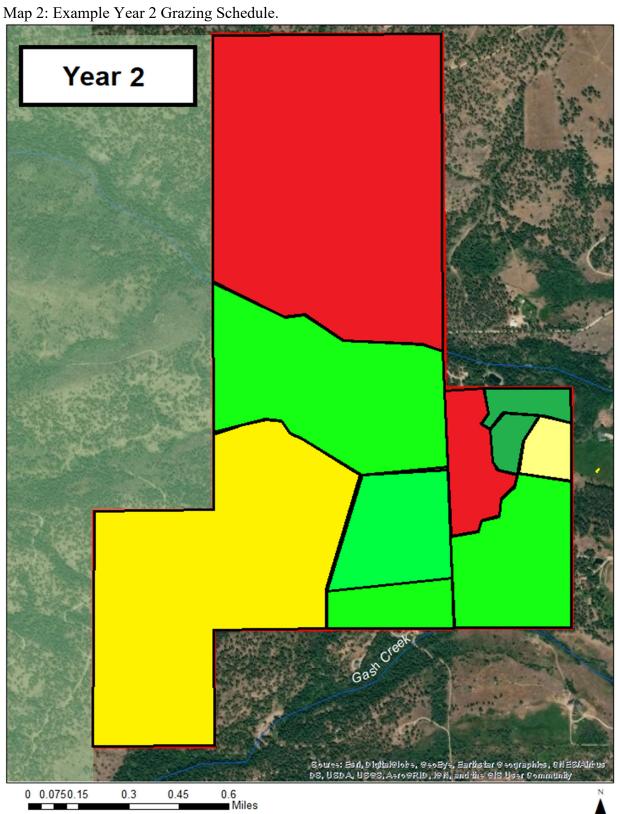
How the grazing plan addresses Fish and Wildlife Objectives

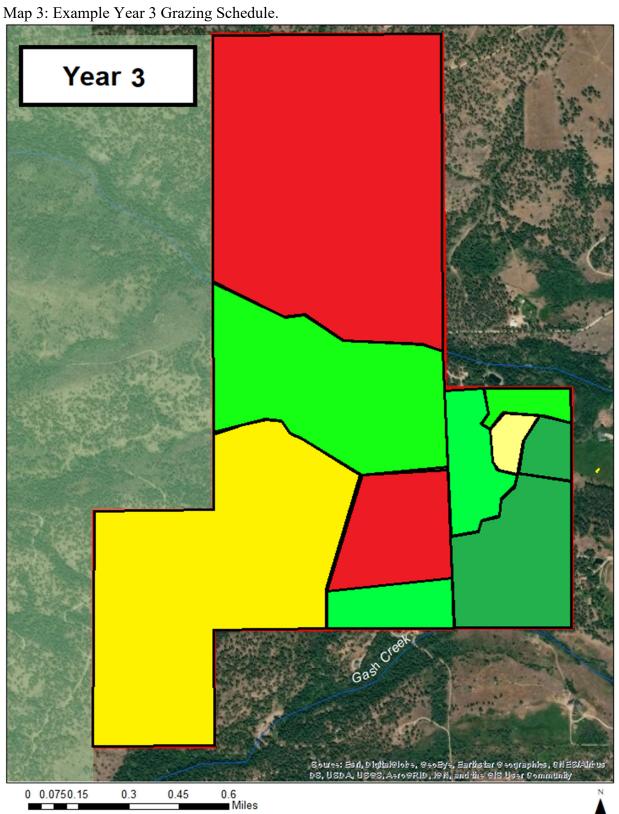
The objective of this grazing plan is to improve and maintain wildlife habitat while allowing continued agricultural use of the property. Adherence to this plan will maintain and improve habitat for a variety of wildlife, including game and nongame species.

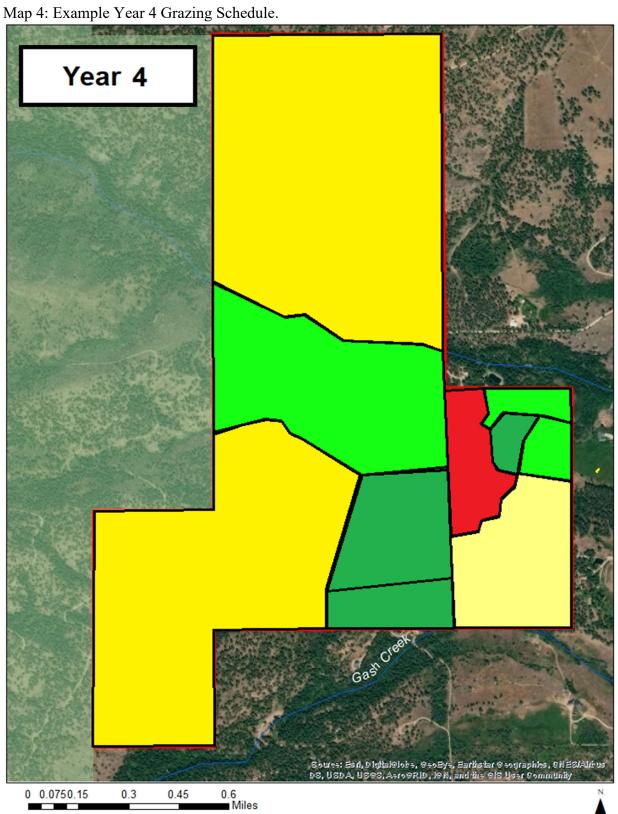
The pastures, meadows, and upland habitat on the Sweathouse Creek property are important winter range for elk and mule deer. The rest-rotation system, alongside continued weed treatments, will promote forage production and availability across the pastures and encourage wildlife grazing on rested and treated pastures. This grazing plan will provide sufficient time for recovery and replacement of deciduous species while providing suitable flexibility to prevent these species from spreading into meadows. These strategies will benefit game species as well as a wide variety of nongame species (e.g., songbirds, woodpeckers, amphibians, small mammals).

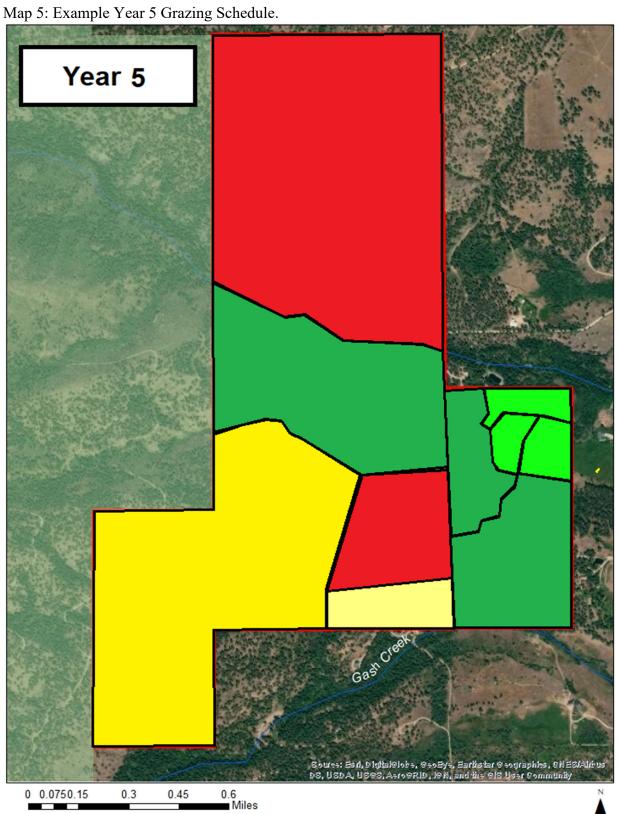
Continued improvements in water supply for livestock, alongside riparian protection, will reduce erosion and sedimentation, benefiting fish species downstream in the Sweathouse and Gash Creek drainages.



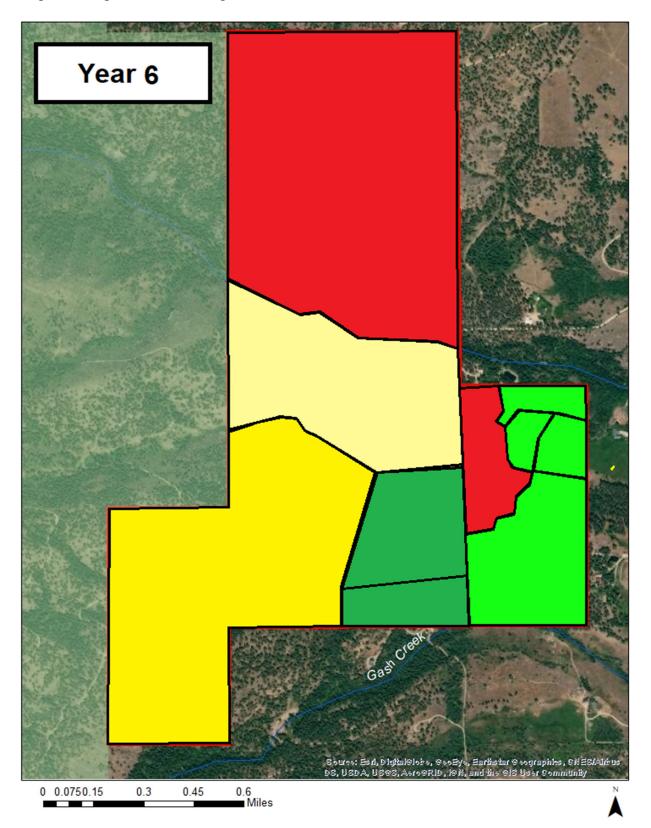




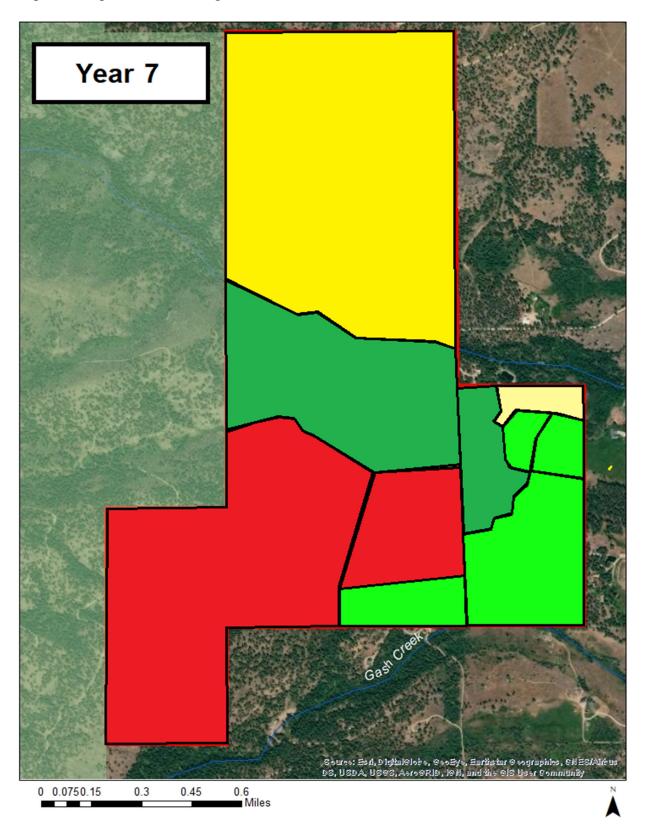




Map 6: Example Year 6 Grazing Schedule.



Map 7: Example Year 7 Grazing Schedule.



APPENDIX C – WILDLIFE-FRIENDLY FENCE GUIDELINES

The complete guidelines will be published in the Sweathouse Creek Conservation Easement (CE) held by the Landowner and the Department. Other copies of the Management Plan will contain a link to access these guidelines: http://fwp.mt.gov/fishAndWildlife/livingWithWildlife/

