

**FRANK LAKE
TRACT D**

FRANK LAKE - TRACT D

Introduction

The Frank Lake Fishing Access Site was acquired by FWP in 1980 when the seller/donor wished to have the property placed in public ownership in perpetuity. This property offers about 3,000 feet of Frank Lake frontage and access to the northern tip (about 1/8 mile) of Summerville Lake, approximately six miles south of Eureka, Montana.

The site sees little public use and has no improvements on the property. Trout fishing, boating, and picnicking are the primary recreational activities at the site. There is no boat ramp, but many people access the lake by way of a gravel ramp on the north end of the lake on FS property. Marty Watkins, Region 1 State Parks Manager, estimates that 500-1000 visitors utilize the Frank Lake FAS.

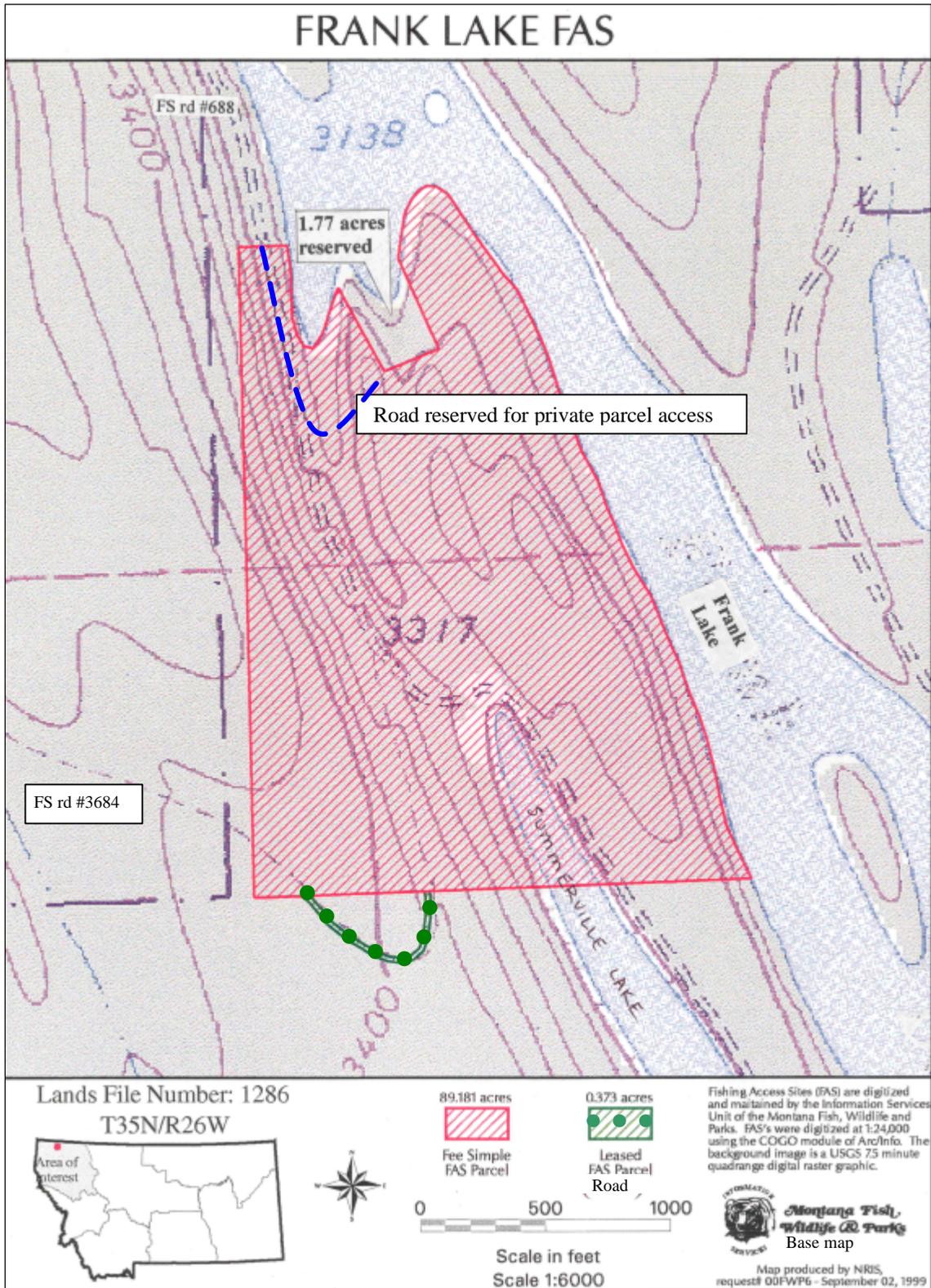
The Montana Statewide Angling Pressure estimates for 1997 credits 466 anglers visiting Frank Lake (+/- 195); visitation seemingly increased in 1999 with a total angling pressure estimate of 2,303 (+/- 640). This site was ranked 96th in FWP Region 1 use in 1997 and jumped to 38th in 1999, with 78 and 94% of the anglers being Montana residents, respectively.

The property is currently managed by FWP according to a set of 14 deeded restrictions, which generally state that the property shall be maintained in its present natural state (as of 1980) and the agency may construct and maintain facilities necessary for safe, regulated, sanitary and ecologically balanced use of the property for limited public recreation. If the exchange is not completed, the restrictions will remain and FWP will continue managing the site as in the past. If the Alberton Gorge Land Exchange is completed as proposed, the original landowner has agreed to remove all deed restrictions from the property at the closing of the exchange (Agreement to Release Covenants, Restrictions, and Provisions dated March 27, 2000).

It is proposed that Frank Lake Fishing Access Site will be transferred to the FS. This site in northwest Montana is adjacent to NFS land administered by the Kootenai National Forest. Management would be more efficient for this remote site, if absorbed into the FS, which has offices in nearby Murphy Lake, rather than maintained by FWP based out of Kalispell, over 50 miles south.

The Kootenai National Forest Plan (1987) states that, "Forest Service acquisitions will primarily be those which create more favorable access and/or use of public recreation opportunities and which provide critical wildlife habitat." Jeff Scussel, Kootenai Forest Planner, indicated (memos dated January 15 and 26, 2000) that this tract is identified for the purpose of improving public usage and consolidating National Forest land. It also provides valuable winter range. This acquisition is supported by the Kootenai National Forest Plan and is in the best interest of the public, according to Scussel.

MAP 6. Frank Lake FAS



The FS proposes to designate this tract as Management Area 21, consisting of areas of special interest (other) as outlined in the Forest Plan, because of its important fauna, recreational and cultural attributes, which are of public interest and require special management. The boreal (Western) toad, leopard frog and the common loon are found on the tract and are listed on the Regional Sensitive Species List. Frank Lake provides an outstanding rainbow trout fishery. The continuity of agency management will improve access for this sport fishery and maintain wildlife habitat.

The Murphy Lake Ranger District Archeologist, Nancy Anderson stated (personal communication with Sue Dalbey, June 21, 2000) that this area was extensively used in the early 1900's in the lumber industry. The Frank Lake tract is adjacent to a burned railroad trestle used for transporting logs to the Eureka Lumber Company. In addition, Anderson believes the site may contain remnants of historic portable sawmills, which were common during this time.

The following standards would apply to this area when incorporated into the National Forest System:

1. Public access, under FS management, would remain open.
2. Development in the near future would be limited to general maintenance to protect the resources and maintain roads.
3. This site would not be suitable for timber production.
4. Salvage harvest may be used on an infrequent basis to:
 - a. Prevent fuel accumulation;
 - b. Create desired species and age class mixtures as determined by wildlife and fisheries need;
 - c. Public safety; and
 - d. Creation of dispersed sites.
5. No salvage permitted in old-growth sites.

This site was acquired by partial donation from the owner and with Land and Water Conservation federal funding. Transfer of the property to the FS will be contingent upon approval from the National Park Service, who administers the LWCF funds.

Property Description

The Frank Lake property is accessible by a seasonal dirt road from Eureka from the north on FS system road #688; a short route northeast off the old Eureka/Fortine highway; or a third route northeast from Barnaby Lake.

Township 35 North, Range 26 West
Section 7: Lot 8 (1.779 acres reserved)
Section 18: Lot 2, and NE ¼ NW ¼
Lincoln County, Montana
Total acreage = 90.40 acres more or less

Note: FWP lands records indicate the site totals 88.88 acres; digitized FWP map above calculates 89.55 total acres; however, Kootenai NF Surveyor, Roger Green calculated the acreage shown in Certificate of Survey #133878 to arrive at a total of 90.40 acres and this acreage was used to determine the appraised value.

Reservation: None

Outstanding Right:

A tract of land situated, lying and being in the SW1/4 of sec. 7, T. 35 N., R. 26 W., P.M., MT., Lincoln County, Montana; containing 1.779 acres of land, more or less, and further reserving an easement for a private right-of-way for the purpose of obtaining access to the above-reserved real property; subject to and together with all existing easements of record.

Frank Lake is approximately one mile long and ¼ mile wide at its widest point, and is considered a good fishing lake by locals in both winter and summer. Summerville Lake is a shallow, no-fish bearing body of water. Elevation of the property ranges from 3,138' to approximately 3,480' above sea level. Approximately one-third of the property is steeply sloped, facing generally east. The remainder is gently sloped except for an 80 to 100 foot drop to the shoreline of Frank Lake. Douglas fir and western larch are the predominate species. The site has been logged to a low degree in the past. Nearly the entire tract is wooded and used for recreational purposes. (Frank Lake property appraisal report for FWP, by John R. Dittman, February 1980.)

ENVIRONMENTAL REVIEW

Physical Environment

Land Resources

The majority of the site is gently sloping, except for a 80-100 feet drop to the shoreline of Frank Lake. Steep hillsides rise from the west shore of Summerville Lake and along the westerly boundary of Government Lot 8, Section 7. The general soil characteristics are fine textured with pockets of sand and gravel (EA Engineering, Science and Technology, 1992).

(The following **minerals** information is from the Mineral Potential Report prepared for the Alberton Gorge Land Exchange and can be obtained from the U.S. Forest Service, Region 1 office in Missoula.)

The mineral estate on the Frank Lake tract is owned by FWP and will be transferred to the FS if the Alberton Gorge Land Exchange is completed.

Geology, Mineralization and Mineral Activity

The Frank Lake tract is located within the Northern Rocky Mountains physiographic province in the very northwestern corner of Montana. The parcel itself is located within the greater Rocky Mountain Trench which separates the Whitefish Range to the east and the Salish Range to the west. The entire area is underlain at depth by formations of the Precambrian Belt Series, the Wallace Formation and the Ravalli Group. The Wallace Formation is primarily light to dark gray, finely laminated argillite. The Ravalli Group in this area is primarily laminated argillites and thin beds of quartzite (Ross et. Al, 1963). Thick calcareous glacial and glaciofluvial deposits cover the entire parcel. Glacial material ranges primarily from sand to cobble size (Tincher, 2000).

Hard rock mineral activity has not occurred on the parcel, likely due to the extensive glacial cover. The nearest hard rock prospects occur several miles to the north and are small, isolated workings. There are no sand and gravel excavations on the parcel (Tincher, 2000) . This parcel is not a former patented mining claim and was donated to the State in 1980 with covenants attached, including a non-development covenant (Montana Department of Fish, Wildlife and Parks, 1999).

Mineral Occurrence and Development Potential

The geology of the Frank Lake tract, Precambrian Belt series metasedimentary rocks overlain by glacial material, is unfavorable for the occurrence or development of leasable and locatable mineral resources. The potential for occurrence of sand and gravel type resources is identified as high, however, the potential for their development is rated as low. The glacial deposits on the tract could be utilized for some construction types of applications, however, these deposits are extensive in the area and would likely be exploited easier on nearby private lands if a need arose. The existence of a no development covenant that was included with the parcel when it was acquired by the State would also make development of any type more difficult. [Note: This covenant will be released if the land exchange is completed, however, the area is proposed to be designated as a special interest area by the FS.]

Sue Dalbey contacted the Kootenai NF District Ranger, Ed Monnig, (June 16, 2000) who indicated that the FS has no plans to develop this tract or improve roads; therefore there would be no changes to soil instability or geologic substructure. No actions in the proposed land exchange are foreseen that would impact unique geologic or physical features of the area. No changes are anticipated that would result in soil disruption, displacement, erosion, compaction or over-covering, which could reduce productivity or fertility. Changes are not likely to occur in the siltation, deposition or erosion patterns that could modify the shore of Frank or Summerville Lakes. The public would not encounter any new risk of exposure to earthquakes, landslides, or ground failures.

Air

Air pollutants and ambient air quality should not increase as a result of the change in ownership. Objectionable odors, changes in air moisture, temperature patterns, local or regional climate are not anticipated. No actions are foreseen that would conflict with federal or state air quality regulations.

Water and Flood Plains

Frank Lake is locally known for an excellent rainbow trout fishery; loons have returned to nest there for nearly eight years. The FS and FWP are committed to limiting actions which would negatively affect water quality and adversely affect wildlife habitat.

The FS will not develop Frank Lake tract nor plan on future actions which would result in negative impacts to surface water and ground water quality or quantities. Management of the site will remain unobtrusive; no alterations are expected to the water temperature, dissolved oxygen, or turbidity. Amount of surface water, drainage patterns and rates of surface runoff and the magnitude of flood waters are expected to remain as they have historically. Risks for contamination of surface water and groundwater should remain unchanged.

The change of ownership will not affect other water users, or existing water rights or reservations, of which none are known. County and state water and sanitation regulations will apply; new developments will be subject to review and approval. No discharges are predicted that would affect federal or state water quality regulations.

The **flood plain** was estimated (7.5 acres) using the U.S. Department of Housing and Urban Development, Federal Insurance Administration; Flood Insurance Rate Map: Lincoln County, MT, Unincorporated Areas, Panel 245 of 1100; Community-Panel No. 300157 0245 B; effective date August 1, 1980 provided by Karl Christians, DNRC Flood Plain Management Section Supervisor. Approximately 4400 feet of shoreline averaging about 75 feet wide comprises the FAS 100-year flood plain. The tract includes a portion of Summerville Lake, which is in the 500-year flood plain. Kootenai National Forest Hydrologist Steve Johnson confirmed this analysis to Bo Stuart, Helena National Forest Hydrologist (Flood Plain & Wetland Evaluation, January 10, 2001).

Vegetation, Wetlands, Prime & Unique Farmlands

Vegetative cover on this tract is mixed second growth conifers. The east and northeast slopes are predominately Douglas fir, with western larch in the more exposed slopes. This Tract has had a minor amount of timber harvest (less than 10 acres) occurring around the 1920's (Don Tincher, Fortine Ranger District, Hazardous Materials Report, June 1, 2000). District Ranger Ed Monnig stated that this tract would fall under Management Area 21, thus limiting future timber harvest and other activities on the property, which would influence vegetative growth.

Geoff Vevera, Forestry Technician on the Murphy Lake District, supplied the following estimates of average **timber** volume. He is familiar with the property and used aerial photos to substantiate his estimates. Average volume per acre based on similar commercial FS timber sales is 8-12 thousand board feet (MBF). Using an average of 10 MBF for the parcel would give a total volume of 880 MBF.

Species Mix: 80% Douglas fir, 15% Larch, 5% Spruce/Lodgepole Pine

Size Class: 75% 8-14" size, 25% 14-20" size.

Estimated average tree size is 12". There are a few large Douglas-fir, Larch and Spruce.

The diversity, productivity or abundance of a plant species or plant community will not be impacted. Noxious weeds are not actively controlled by FWP on this remote tract. The low numbers of vehicles accessing this parcel help to limit the spread of noxious weeds. The FS would incorporate the site under their weed management program for the Kootenai National Forest.

The two plants listed under the federal Threatened and Endangered Species Act and their critical habitat will not be affected by this project. Water Howellia (*Howellia aquatilis*), listed as a threatened species, is found west of the Continental Divide, but was not listed in the search conducted for the area by the Montana Natural Heritage Program. Ute Ladies'-tresses (*Spiranthes diluvialis*), also considered threatened, is found in river meander wetlands east of the Continental Divide. Spalding's Catchfly (*Silene spaldingii*) is under the threatened status, and though this species is found in the Tobacco Valley, its range includes open grasslands with rough fescue or bluebunch wheatgrass (U.S. Fish & Wildlife Service Threatened and Endangered Species – Montana, web site; www.r6.fws.gov/mt4.html; May 23, 2000). The Frank Lake tract is timbered and does not provide suitable habitat for the Spalding's Catchfly.

The US Fish and Wildlife Service has also identified the slender moonwort (*Bortrychium lineare*) as a Candidate species, however, it has not been found in Lincoln County. It is found in meadows in conifer forests within Glacier and Lake Counties, east and south of the Frank Lake tract (US Department of the Interior, Fish and Wildlife Service, Threatened, Endangered and Candidate Species in Montana, Endangered Species Act. December 2002.).

Guenter Heinz, Kootenai NF Wildlife & Fisheries Biologist at Murphy Lake District Office, determined from aerial photographs and personal knowledge of the site, that no **wetlands** occur on the Frank Lake tract (personal communication with Sue Dalbey, 6/2/00). This analysis was confirmed by Kootenai NF Hydrologist Steve Johnson to Bo Stuart, Helena National Forest Hydrologist (Flood Plain & Wetland Evaluation, January 10, 2001).

This site is entirely timbered and has no agricultural land, therefore FWP projects that no **prime and unique farmland** will be impacted by the exchange of Frank Lake.

Fish & Wildlife

Transfer of Frank Lake to the FS, administered by the Kootenai National Forest, will not affect critical habitat or the diversity and abundance of fish, wildlife and non-game species in the area.

Fisheries management of Frank Lake will continue to be guided by FWP biologists based out of Libby. Fisheries biologist, Mike Hensler, stated in a telephone conversation with Sue Dalbey (August 13, 1999) that fish species listed under the Threatened and Endangered Species Act will not be affected by the proposed land exchange. Pallid and white sturgeon, and bull trout do not inhabit Frank Lake. Sturgeon chub and sicklefin

chub are not found west of the Continental Divide. The arctic grayling (fluvial population) is found in the Big Hole River.

Hensler stated that rainbow trout are the primary species in Frank Lake. Approximately 10,000, two to four inch rainbow are planted in the lake annually. This management plan would continue if ownership of the FAS is transferred to the FS. Wildlife and Fisheries Biologist for the Kootenai NF, Guenter Heinz, indicated to Sue Dalbey (telephone dialogue, June 2, 2000) that the lake is highly alkaline. The lake is fed by underground springs and has low oxygen levels in the winter. He speculates that two or three boats may be on the lake on a summer weekend or perhaps five a week. Ice fishing during the December to February season may recruit three to four people daily.

The following animals are federally listed under the Endangered Species Act (US Department of the Interior, Fish and Wildlife Service, Threatened, Endangered and Candidate Species in Montana, Endangered Species Act. December 2002.) and were considered in this environmental assessment. Many species are not present in this tract and may not be specifically discussed.

- Endangered - black-footed ferret, gray wolf, whooping crane, least tern, pallid sturgeon, white sturgeon (Kootenai River population), Eskimo curlew;
- Threatened - grizzly bear, bald eagle (proposed for delisting) piping plover, bull trout (Columbia River basin and St. Mary-Belly River populations), Canada lynx (contiguous U.S. population);
- Proposed Threatened - mountain plover;
- Candidates for listing as threatened or endangered - swift fox, sturgeon chub, sicklefin chub, arctic grayling (fluvial population), warm spring zaitzevian riffle beetle, black-tailed prairie dog.

The FWP Endangered Species Coordinator, Arnold Dood, reviewed the properties involved and found the following species may use the areas involved in the Alberton Gorge Land Exchange: peregrine falcon, bald eagle, gray wolf.

A search for threatened and endangered species by the Montana Natural Heritage Program (Natural Resource Information System) revealed that bald eagles have been recorded in the area and common loons nest on Frank Lake. A pair of eagles nested within the Frank Lake tract in 2002 and produced one eaglet (Guenter Heinz written communication to Sue Dalbey, March 5, 2003).

The information regarding loons was confirmed in Sue Dalbey's phone conversations with Lynn Johnson, Kootenai NF Wildlife Biologist (August 13, 2000), and also with Tim Thier, FWP Wildlife Biologist (August 10, 2000). Loons have been known to nest on the lake for the past 6-8 years, however nests have been unsuccessful in the last several years due to disturbance by boaters around the island location. Johnson also indicated that the leopard frog inhabits the area and is federally listed as sensitive. Wildlife and Fisheries Biologist for the Kootenai NF, Guenter Heinz, added that an amphibian survey conducted in the area revealed that the western toad or boreal toad, the spotted frog, and tiger salamander are found in this area. The salamander is not rare in the

U.S., but is a unique species for this area of Montana. (Personal communication with Sue Dalbey, June 2, 2000)

Biologist, Tim Thier, indicated that this tract, in combination with the surrounding area, provides winter range for whitetail deer, moose, mountain lions, and black bears. He has reports of gray wolves in the area and there is potential for use by lynx. Heinz indicated that ospreys are often sighted in the area.

Tim Thier advised that the proposed land exchange is not expected to negatively impact wildlife, including any federally listed or candidate species or their designated critical habitat as long as the level of recreational use remains low.

Human Environment

Noise & Electrical Effects

Noise levels are not expected to increase with the completion of the land exchange. No known changes to electrostatic or electromagnetic conditions are predicted. The remote locale of this tract should not affect radio or television reception.

Land Use

The productivity and profitability of the Frank Lake tract will not be affected if ownership transfers to the FS. The Kootenai National Forest Plan supports the transfer and use of the area will not change. Current ownership by FWP poses an inconsistency of a small portion of state land adjacent to NFS land. This parcel is remote and the proposed action will have little effect on residences. Private owners in the vicinity will retain access to their property through a road easement exchange.

Risk & Health Hazards

Limited visitation and human use of the property present little risk of explosion or release of hazardous substances in the event of an accident. This property would be absorbed into the Kootenai NF management plans and added to any existing emergency response plan they have in place, including wild fire responses. Chemical toxicants, which may be used, would likely be for the control of noxious weeds or fire control.

Don Tinch, Hydrologist of the Fortine Ranger District, Kootenai NF, inspected the site on June 1, 2000 for the potential of **hazardous materials; no indication of hazardous materials were found**. He observed approximately 10 acres that had been harvested to a minor degree for timber. No other improvements, utility lines, or unnatural topographic features were apparent.

Community Impact

The human population in the area is not expected to change significantly. The remote character of this tract will not affect the social structure of a community, the industrial or commercial activity in the area. The public will retain ownership of the property, and therefore retain access to the site. Patterns of human movement to, from and within the site are not expected to change. Few, if any, capital improvements at this site will be

developed, unless needed for the protection of the site or public safety. Road conditions will remain much the same. Many visitors access Frank Lake using the existing FS gravel boat ramp on the north shore. This detracts visitors from the FWP property, which has no facilities.

Taxes

Payments in lieu of taxes by FWP were \$38.80 in 1998. Total estimated payments to Lincoln County by the FS if the property is transferred, is estimated at \$196, which includes approximately \$9 in PILT revenue, and \$187 from the 25% Fund. Lincoln County would slightly gain revenue of approximately \$157, if the FS acquires Frank Lake.

Public Services, Utilities

The proposed action is not anticipated to change the level of governmental services required at the Frank Lake tract. Currently, the FWP provides few or no services. Utilities services are not available in the site. The FS will be responsible to provide any future services which will be limited to general maintenance to protect the recreational and cultural importance of the area.

The **roads** accessing the site are maintained primarily for a FS maintenance level two, for high clearance vehicles. The Frank Lake tract includes about 1.2 miles of internal road running the length of the property north-south. FWP has an easement across a road (approximately 0.2 miles) outside the southern property boundary to access the southwest corner of the property. This easement will be transferred to the U.S. if the exchange is completed.

No revenue is currently collected by FWP at this fishing access site. FWP maintenance costs are little to none. Ed Monnig, District Ranger at Murphy Lake, projects nominal budget increases will be required to maintain this parcel within the 300,000-acre-district. No revenue will be collected from the FS due to the acquisition of this tract. (Personal communication with Sue Dalbey, June 12, 2000.) Timber harvest will be restricted due to the Management Area 21 designation.

Few, if any, capital improvements at this site will be developed, unless needed for the protection of the site or public safety. Road conditions will remain much the same. Many visitors access Frank Lake using the existing FS gravel boat ramp on the north shore. Costs to maintain this site should be minimal.

Aesthetics & Recreation

Transfer of the Frank Lake property the FS will continue preservation of this scenic area and aesthetically pleasing recreational opportunity. It is close to Eureka and provides a valuable public resource for fishing, boating, picnicking and nature walks.

This tract is not in a designated wilderness area, nor is it part of a wild or scenic river or trail. It is proposed as Management Area 21 under the Kootenai NF Plan, which will protect this tract from future exploitation.

Cultural & Historical Resources

At the time of FWP purchase, in 1980, there were no historical or archaeological sites located on or near the site as listed in the National Registrar of Historic Places. FS has more stringent regulations regarding the handling of historic sites than does FWP. The responsibility of stewardship will be transferred to the FS and the site will be given the required cultural protection under federal law.

Kootenai National Forest Archeologist, Nancy Anderson, conveyed to Sue Dalbey (telephone dialogue June 21, 2000) that the Frank Lake tract is adjacent to a burned railroad trestle used around 1917-1919 to transport logs to the Eureka Lumber Company during their peak period of production. Portable sawmills were also utilized near that time period, and the Frank Lake tract may have remains of these operations. The Special Interest Designation will aid in protecting this historic resource for the public.

The Confederated Salish and Kootenai Tribes, Tribal Historic Preservation Office, were notified of this exchange in November 1999, and no objections were received.

Evaluation of Mitigation or other Control Measures

If a portion of the overall Alberton Gorge Land Exchange fails, this proposal to transfer Frank Lake FAS to the FS will likely fail as well.

The original owner from whom FWP purchased the property, placed several restrictions on the property at the time of purchase. The owner has signed a notarized release on these restrictions at the time of closing, thus giving the FS a clear, unrestricted title.