



Cost-Share Proposal Form for NorthWestern Energy (NWE) Project 2188 TAC Funds

Project 2188 (Madison-Missouri River) License Protection, Mitigation and Enhancement (PM&E) projects are required to offset impacts to river resources from the continued operation of one or more of NWE's nine hydro developments (Hebgen, Madison, Hauser, Holter, Black Eagle, Rainbow, Cochrane, Ryan and Morony Dams). PM&E projects need to be prioritized toward in-river or on-the-ground measures that directly benefit fisheries and/or wildlife populations and their habitats:

Priority 1: 2188 License projects which meet License Article requirements and PM&E for fisheries or wildlife populations or their habitats within the main stem Madison River (Hebgen Reservoir to Three Forks) or Missouri River (Hauser Reservoir to Fort Peck Reservoir)

Priority 2: 2188 License projects which meet License Article requirements and PM&E for fisheries or wildlife populations or their habitats in primary tributaries or on adjacent lands and, in doing so, provide PM&E for Madison River (Hebgen Reservoir to Three Forks) or Missouri River (Hauser Reservoir to Fort Peck Reservoir) resources.

Priority 3: 2188 License PM&E projects which meet License Article requirements by providing scientific or other tangible PM&E benefits to Madison-Missouri River fisheries or wildlife populations or their habitats. These projects must be located in the greater Missouri River drainage upstream from Fort Peck Reservoir, but not necessarily located on the main stem Madison River or Missouri River or their adjacent lands or primary tributaries.

All TAC project proposals must include the following information:

Project Title: **Missouri River Open Lands Preservation Easement**

Date: **October, 27, 2021**

Explain how this Project addresses a specific Project 2188 License Article(s): **The proposed project would offset and mitigate impacts of river resources by the 2188 Projects by placing a permanent, recorded easement on a 72-acre parcel just south of Great Falls. It will protect about 0.27 miles of Missouri River frontage, as well as the associated riparian and upland areas containing native plants. It specifically addresses Articles 416, 417, and 423.**

Provide justification for Priority 1, 2 or 3 (above) that you selected: **The proposed project would fall under Priority 1 since it meets 2188 License Article requirements and PM&E for both fisheries and wildlife habitat on the mainstem Missouri River between Holter Dam and Black Eagle Reservoir.**

Project Sponsor (submitted by): **Alan Rollo & George Liknes of Missouri River Open Lands Preservation Inc.**

Location of Proposed Project: **S23, T20N, R03E in W½SE¼ LTS 6-7**

The project is located on the southwest edge of Great Falls outside the city limits at T20N, R3E S 23. Government lots 6 & 7, Cascade County, Montana.

Geocode (in decimal degrees ex 46.89743) **Approximate Center of Parcel = Lat; 47.468467° Long: -111.324389°**

Approximate Corners:

SE Corner: 47.464975°, -111.322041° (The SE Corner includes 5.74 acres that likely would not be included in the easement since it is encumbered under an existing lease.

SW Corner: 47.464929°, -111.327271°

NW Corner: 47.472121°, -111.327312°

NE Corner: 47.472137°, -111.324389°

Geocode: **02-3015-23-3-01-01-0000**

Total Project Cost: **Estimated at \$1,049,748.00**

TAC Funds (Cost-Share) Requested for Project: **\$10,000.00**

- I. Introduction; brief statement of project to be completed with pertinent background information.

The project sponsor is working in cooperation with Cascade County, who would hold a perpetual easement, on 72 acres managed by the Montana Department of Natural Resources and Conservation School Trust Lands Division (DNRC). DNRC and state law requires a local or state government entity to hold an easement such as this that would protect habitat and allow public access for this type of conservation project on Trust Management Lands. Completion of the project will allow for maintaining the natural riparian as well as upland grassland habitat and continued public access on the very edge of Great Falls. It ensures one of the last pieces of public lands with over a quarter mile of Missouri River frontage upstream from Great Falls remains available for the public to use for this and future generations in a natural state. The land has walk-in access to the Missouri River with public access on 3 sides – North, West and South. Species of animals that have been observed on the parcel include mule and whitetail deer, fox, geese, mallard ducks, North American racer, coyotes, eagles, redtail hawks and numerous other birds, including the western meadowlark. Walleye anglers have been observed from the banks of the parcel in the spring and fall.

Most of the land cover is native vegetation, including native bunch grasses, shrubs and forbs. This piece of DNRC land does not allow motorized vehicle use but is heavily used by the public at large. The only possible improvements that may be included in the easement is to harden one or two small parking areas and hardening some of the existing trails to prevent resource damage when used by the public during wet conditions. All these maintenance conditions and protective measures to maintain the existing habitat would be included in the easement negotiated by DNRC, Cascade County and the project sponsor before the expenditure of TAC funds for the purchase would occur.

This land includes a stable rocky beach along the northern end of the parcel with riparian vegetation dominating the bank of the Missouri River to the south. Across the channel is a naturally vegetated island, Taylor Island, owned by the City of Great Falls. The terms and conditions of the public access to the DNRC parcel include unlimited walk-in use, no motorized use, and no use of firearms. If this land is not conserved through an easement in the near future, DNRC plans to actively pursue development, and all of the natural characteristics will be permanently harmed or entirely eliminated. Manicured lawns down to the water's edge and the loss of open space may be the result. The project sponsor believes this project fits the primary intention of the 2188 PM&E for fisheries and wildlife habitat within the main stem Missouri River and would appreciate your consideration of awarding the funding request to conserve this unique parcel of land.

- II. Objectives; explicit statement(s) of what is intended to be accomplished.

The Project Sponsor will use the funds to pay for a required appraisal and for the purchase of an easement on approximately 72 acres to protect conservation values, habitat, and public recreational opportunity in perpetuity on DNRC school trust land just south of Great Falls that includes approximately 0.27 miles of Missouri River frontage. NWE Fisheries MoTAC and WildTAC funds would be combined with other private funding sources to finance the purchase. Securing these funds are critical early in the process to be used as match for NAWCA, LWCF, and other grants so this area of the Missouri River floodplain, benches, and uplands are preserved in a natural setting. In the event that funds from other partners are not secured in the timeframe allowed by DNRC's process, the project sponsor agrees that MoTAC funds be released for other projects.

The primary purpose of this action is to preserve the integrity of the associated native habitats in addition to hydrologically maintaining a natural radius of curvature of the Missouri River on the parcel which is on an outside bend of the river channel. From a wildlife and natural habitat perspective, the parcel also complements the city owned Taylor Island which is located just east of the parcel. The project's need is also linked to threats directed towards native habitats, which includes residential subdivision, commercial development along with associated detriments such as hardening and stabilizing banks after removal of native vegetation, and noxious weed encroachment. This parcel should be maintained as open space in its natural condition since the majority of riparian and shrub grassland habitats along the Missouri River have been converted to housing developments or to grain and domestic hay production. This project will protect riparian areas which are identified as a Community Type of Greatest Conservation Need in Montana FWP's Comprehensive Fish & Wildlife Management Strategy.

Another primary result of this project is guaranteed recreational and wildlife viewing access. Although the project is on DNRC school trust land, guaranteed access to the property and this area of the Missouri River would likely be limited if the property is developed.

- III. Methods; description of how Project objectives will be accomplished.
Missouri River Open Lands Inc., as project sponsor, has established and facilitated communications regarding the easement project proposal with the Cascade County Commission and DNRC's Central Land Office Trust Land Program Manager. Easement final approval must also be obtained from the State Board of Land Commissioners. The project sponsor has been and will continue to reach out to elected officials to obtain support for the proposed project. The project sponsor will also continue to explore every opportunity to obtain additional funding sources to match funding received from NWE 2188 programs.
- IV. Schedule; when the Project work will begin and end.
Montana DNRC has proposed making the parcel available for development, and we anticipate the issuance of an official notice in late 2021. Before entertaining development proposals, DNRC, by law, must allow a time for people or groups to come forward with a "conservation interest", which according to administrative rule, means a primary land use for open space, preservation of habitat, natural areas, parks, or related public purposes.
The process for conservation interests is as follows:
- **DNRC formally opens the period for allowing letters of intent and will publish a legal notice and send scoping letters to local and state conservation organizations.**
 - **An interested organization or group will have 60 days to submit a letter of intent to the DNRC showing intent to put forward a conservation proposal.**
 - **The organization or group then has 45 days from the end of the 60-day period to formally apply to DNRC for the easement.**
 - **After formal application the organization or group has 12 months to "secure" the conservation use. As a practical matter this probably means to raise money.**
 - **The DNRC has the right to approve or deny any proposal for a conservation use and the Land Board must approve the proposed easement.**
- Once the official notice is provided by DNRC, the timeline shows that the process would take approximately 15.5 months at the quickest. DNRC also has the option to grant an extension that would allow for additional fund raising for an additional 12 months.**
- V. Personnel; who will do the work? Identify Project leader or principal investigator.
The primary project contact is Alan Rollo. Other members of the group currently include Jean Clary, Mike Enk, Lisa Flowers, Joshua Granger, Wayne Green, George Liknes, Shelley Liknes, Morgan Marks, Doug Ormseth, and Leonard Ormseth.

VI. Project budget must include amounts for the following:

- Direct Labor – **In-kind volunteer time – 10 people – 200 hours per person @ \$20/hr = \$40,000**
- Travel and Living - **\$0.00**
- Materials – **Plains Cottonwood 175 cu in container plant - 20 @ \$8.00 each = \$160.00**
- Other Direct Expenses: **Recording Fees - \$58.00**
- Other Direct Expenses: **Survey - \$3,600.00**
- Other Direct Expenses: **Easement Application Fee - \$50.00**
- Other Direct Expenses: **Appraisal - \$5,000.00**
- Other Direct Expenses: **Review of Easement language by Conservation Easement Expert Attorney – Estimated 4 hours @ \$220/hr = \$880.00**
- Other Direct Expenses: **Purchase of easement from DNRC by Cascade County - \$1,000,000.00**
- Direct Overhead* - **\$0.00**
- All cost-share sources and amounts, including estimation of “in-kind” contributions
- Funding Secured to the date of this application: **Private individual donations of cash - \$14,439.00**
- **Additional funding will be requested through grant applications from the Land and Water Conservation Fund State Grants through Montana FWP, NAWCA grants, NWE WildTAC, NWE River Fund, national and local foundations, local businesses, social media informational campaign, and donations from individuals in the community.**

***NorthWestern Energy TAC funds will not be used for agency overhead on projects that do not fund personnel. Applications for materials and equipment should not contain overhead.**

VII. Deliverables; describe work product (reports, habitat restoration, etc.) which will result from this Project. How will “success” for this project be monitored or demonstrated?
The deliverable and success of the project would be the recording of an easement held by Cascade County encumbering the parcel to preserve the existing Missouri River frontage, riparian and upland habitat and to allow non-motorized public access in perpetuity.

VIII. Cultural Resources. Cultural Resource Management (CRM) requirements for any activity related to this Project must be completed and documented to NWE as a condition of any TAC grant. TAC funds may not be used for any land-disturbing activity, or the modification, renovation, or removal of any buildings or structures until the CRM consultation process has been completed. Agency applicants must submit a copy of the proposed project to a designated Cultural Resource Specialist for their agency. Private parties or non-governmental organizations are encouraged to submit a copy of their proposed project to a CRM consultant they may have employed. Private parties and non-governmental organizations may also contact the NWE representative for further information or assistance. Applications submitted without this section completed, will be held by the TAC, without any action, until the information has been submitted.

Summarize here how you will complete requirements for Cultural Resource Management:

The proposed project involves purchasing an easement on DNRC school trust lands to prevent development of the area and maintain the habitat of the natural banks, riparian vegetation and upland areas. Funds awarded to the project would be used to purchase the easement and pay for the required appraisal to determine the value of the easement. No ground disturbing activities would occur with this funding. Additionally, there are no buildings or structures within the proposed easement area. Consequently, no cultural resource analysis would be needed for the purchase of the easement. DNRC’s archaeologist will be involved in the MEPA process and a cultural resources inventory will be completed before plantings of any trees occur. That report will be provided to NWE.

IX. Water Rights. For projects that involve development, restoration or enhancement of wetlands, please describe how the project will comply with the Montana DNRC’s “Guidance for Landowners and Practitioners Engaged in Stream and Wetland Restoration Activities”, issued by the Water Resources Division on 9 March 2016.

Summarize here how you will comply with Montana water rights laws, policies and guidelines:
Montana water rights are not associated with the easement parcel and the protection of the area would not result in development, restoration or enhancement of wetlands, but rather protection and preservation. There will be no diversion, impoundment or withdrawal of water as part of the funding request. Any native tree plantings that would be temporarily irrigated for establishment would use water from an existing legal source and hauled to the site using non-motorized equipment. The consumptive use of planted riparian trees would not substantially increase the naturally occurring evapotranspiration in the riparian area and may actually decrease it slightly after it established a canopy coverage, thus no water right is needed.

All TAC Project proposals should be 7 pages or less and emailed (as a WORD file) to each of:

- Andrew.Welch@NorthWestern.com
- Jon.Hanson@Northwestern.com
- Grant.Grisak@Northwestern.com

Further questions about TAC proposals or Project 2188 license requirements or related issues may be addressed to:

Andy Welch

Manager, Hydro License Compliance

Andrew.Welch@NorthWestern.com

☎ 406-444-8115

📠 406-565-7549

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Figure 1. Aerial of the proposed 72-acre easement parcel outlined in blue.