

MULTI-RESOURCE MANAGEMENT PLAN

Haskill Basin Watershed Conservation Easement

By Paul McKenzie
Lands and Resource Manager
F.H. Stoltze Land and Lumber Company

With input by Montana Fish, Wildlife & Parks and
The City of Whitefish

This Multi-Resource Management Plan (the "MRMP"), dated as of Feb 1, 2016, is entered into by **F.H. Stoltze Land & Lumber Co.**, a Montana corporation, whose principal address is PO Box 1429 Columbia Falls, MT 59912, (hereinafter referred to as the "Landowner" or "Stoltze"), the **Montana Department of Fish, Wildlife & Parks**, whose address is 1420 East Sixth Avenue, P.O. Box 200701, Helena, Montana 59620-0701 (hereinafter referred to as the "Department") and the **City of Whitefish**, whose address is 1005 Baker Street, P.O. Box 158, Whitefish, Montana 59937-0158 (hereinafter referred to as the "City").

This MRMP is being entered into pursuant to Deed of Conservation Easement granted by Stoltze to the Department and City on February 16, 2016 and recorded in ~~Book~~ 201600003054, Page of the records of Flathead County, Montana, (the "Easement").

A portion of the funding for the Easement is being provided through the Forest Legacy Program ("FLP"), which is administered by the U.S. Forest Service pursuant to Section 1217 of Title XII of the Food, Agriculture, Conservation and Trade Act of 1990 (16 USC Section 2103C) created "to protect environmentally important private forest lands threatened with conversion to non-forest uses".

A portion of the funding for the Easement is provided by the City of Whitefish to ensure water quality and quantity to the residents and visitors of Whitefish.

The primary intents of this Easement are:

To effect the purpose of the FLP in accordance with the provisions of Title XII of the Food, Agriculture, Conservation and Trade Act of 1990 (16 U.S.C. 2103c), by protecting environmentally important forest areas that are threatened by conversion to non-forest uses, protecting important scenic, cultural, fish, wildlife, recreational resources and riparian areas, protecting the capacity of the Land to produce economically valuable forestry products – all while allowing the Landowner and its successors and assigns to continue conducting sustainable commercial timber and resource management activities.

To protect important habitat for native wildlife and fish species. To this end, the United States Fish & Wildlife Service (USFWS), pursuant to the Endangered Species Act, is providing additional funding for the Easement through its Section 6 Habitat Conservation Plan Land Acquisition Grants Program, which is specifically designed to help states conserve important habitat for federally listed and at-risk species.

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Department Acknowledgement: 201600003054
City Acknowledgement: JAD

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To perpetuate the Land as forest land; to ensure the long term, sustainable, professional management of the forest resources through forestry activities permitted hereunder; and to provide for commercial production of forest products in a manner compatible with the conservation of water quality, fish and wildlife habitat, recreation and other Conservation Values (as defined in the Easement).

To satisfy a number of needs of, and provide a multiplicity of benefits to the residents and visitors of Whitefish, including (i) the protection and preservation of the City's water supply, including the primary source drinking water supply for the City's municipal water system, (ii) the aesthetic protection of the scenic backdrop to the City, (iii) the preservation of important wildlife and fish habitat, (iv) the securing of nearby and accessible recreational opportunities, and (v) the preservation of sustainable timber harvesting, along with all of the associated local job and economic benefits that come with such benefits.

This MRMP identifies and describes the objectives and actions that Stoltze will take to protect, manage, maintain, and enhance soil, water, range, aesthetic quality, recreation and public access, timber, fish, and wildlife resources in a manner compatible with Landowner objectives. As such, it is intended to help meet the requirements of the FLP to protect environmentally important forest areas that are threatened by conversion to non-forest uses as well as the requirements of the HCP Land Acquisition Grants Program, and to ensure management consistent with the Standards of Sustainability of the American Tree Farm System as further described below.

I. GENERAL DESCRIPTION

The Land that is the subject of the Easement and this associated MRMP consist of 3,020 acres in northwestern Montana, near the City of Whitefish (the "Land"). The Land is intermingled with other private land, State Forest lands managed by the Montana Department of Natural Resources and Conservation ("DNRC"), and public lands administered by the U.S. Forest Service, Flathead National Forest.

The Land is located primarily north and east of the City of Whitefish and are dissected by the Haskill Creek drainage. The Land consists of 10 whole or partial sections. All of the Land is located within Flathead County.

The Land is forested valley bottoms and mountains that have been managed for timber production over the last 100+ years. Elevations vary from approximately 3,500 to 5,500 feet. Haskill Creek and its tributaries cross the property. The Land contains outstanding fisheries and habitat, and spawning grounds (provided by Haskill Creek, 1st Creek, 2nd Creek, 3rd Creek, 4th Creek, and 5th Creek) for a variety of fish species, including, but not limited to, westslope cutthroat trout. Currently, the Land comprises approximately ninety percent (90%) of the source drinking water for the City. The Land also includes numerous tributaries, streams and riparian wetland areas.

Forestland dominates the landscape. It is a mixed conifer forest with all Montana commercial timber species represented. The current forest is well stocked with vigorous growing stock of

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native mixed species. The desired condition for the forest is through sustainable harvest to maintain a diversity of stand structure, age class and species mix with a preference for uneven aged stand conditions where ecological conditions permit. Dominant species are Douglas-fir, western larch, true firs, Engelmann spruce and western red cedar. Ponderosa pine, white pine, and lodgepole pine can also be found in most of the area. Limited amounts of cottonwood and aspen can be found along creeks and near wetland areas and paper birch is evident on many north-facing slopes. The timbered stands vary in age from young regeneration to commercial saw timber.

II. FOREST MANAGEMENT

Stoltze's objective is long term forest stewardship which will fully utilize its resources through innovative forestry management and harvest techniques. Wise stewardship and good business practices go hand in hand. Stoltze manages its land in accordance with its Stewardship Forestry Principals included in the Stoltze Tree Farm Management Plan. This Tree Farm Management Plan guides management activities, which are planned and implemented by professional foresters and trained contractors in ways that continue to protect riparian area and important scenic, cultural, fish, wildlife, and recreational resources on the Land.

The management goal is to practice sustainable forestry to meet the needs of the present while maximizing growth for future generations and meet the challenges of changing times. Managing for the four tenets of the American Tree Farm System, wood, water, wildlife and recreation has proven to be a good goal for over 100 years of Stoltze land management and the Tree Farm Management Plan outlines specific measures to insure that these important four tenants will continue to guide forest management practices on the land into the future. This plan will be updated periodically to maintaining flexibility necessary to adapt management to new information, technology and changing ecological, social and regulatory conditions.

Stoltze commits to managing the Land in accordance with good and sound silvicultural practices consistent with the American Tree Farm System (ATFS) program certification requirements as outlined in the American Forest Foundation *2015-2019 Standards of Sustainability for Forest Certification* (ATFS). ATFS is the United States' oldest family forest certification program. In 1941, ATFS began promoting responsible forest management on our nation's private forests. The Tree Farm sign is the sign of good stewardship. ATFS certification gives family woodland owners confidence and validation that they are doing right by their land. Stoltze maintains certification, in good standing, and will make a copy of this conformance available to the Department following each audit.

As part of the commitments to sustainable forest management, Stoltze also agrees to the following guidelines and metrics within this MRMP to measure their activities. These guidelines and metrics are not intended to restrict fiber production but to provide measures to ensure the MRMP objectives are met. If Stoltze's forest practices are found to vary from these guidelines on a landscape level, the Liaison Committee, established by the Easement, will develop, and insure that Stoltze implements, a plan to bring the practices into compliance.

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The ATFS program is a comprehensive system of principles, objectives, and performance measures that integrates the perpetual growing and harvesting of trees with the protection of wildlife, plants, soil and water quality. The participation in the program requires an independent verification process, which Stoltze has incorporated into their management of the Lands.

Stoltze's foresters and the independent contractors who work for Stoltze are committed to good stewardship. In order to operate on the Lands, contractors must participate in formal Best Management Practices ("BMP") and Streamside Management Zone ("SMZ") training. Stoltze will continue to manage the Land in a responsible manner in compliance with this MRMP and ATFS standards as they exist now or are updated in the future.

III. OTHER RESOURCES

In accordance with the Forest Legacy Program and Stoltze's Tree Farm Management Plan, outlined below, the following describes Stoltze's objectives and actions for various resources.

A. Soil

Stoltze will maintain soil and site productivity by implementing Montana State Best Management Practices minimizing soil disturbance to the extent practical and, when possible, by retaining an appropriate amount of harvest residues for soil nutrient and soil structure enhancement.

B. Water

Stoltze will implement voluntary Montana Forestry BMP's. All forest owners in Montana are required to comply with the Streamside Management Zone law, and applicable Federal Standards under the Clean Water Act. The Landowner commits to additional conservation measures outlined in this MRMP.

C. Range

None of the Land is managed as rangeland. Grazing may be allowed for weed control or other land management purposes consistent with the protection and maintenance of the Conservation Values of the Land.

D. Aesthetic Quality

Stoltze recognizes aesthetic values along the Whitefish Face area and will consider aesthetic impacts by managing these areas within the Land by using appropriate design standards and harvest methods.

E. Public Recreation

The Easement gives the public the general right of access to the Land in perpetuity for the responsible use of the Land for legal non-commercial recreation including but not limited to hunting, fishing, trapping, hiking, trail running, cross country skiing, berry picking, wildlife viewing, and subject to all applicable Montana laws and regulations. Public access for mechanized uses, both motorized and nonmotorized, is also allowed but is restricted to the existing road network. The public use of the Land is subject to certain open lands policies incorporated into this MRMP (Exhibit A) and certain rights of Landowner and Grantees to

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restrict or suspend public access and recreation, as more fully set forth below and in the Easement. The Department and City agree to assist the landowner in enforcement of the policies and restrictions outlined herein to ensure continuance of the conservation values of the Land.

The Parties intend to preserve the public's perpetual, general right of access to the Land along with the Easement. Public access may be temporarily suspended in accordance with Section C 6 (a), (b), and (c) of the Easement.

F. Habitat Conservation Objectives and Implementation.

ATFS *Standards of Sustainability* include specific standards for Air, Water and Soil Protection; Fish, Wildlife and Biodiversity; Forest Aesthetics and Protection of Special sites. The Standard contains Performance Measures and Indicators specific to these objectives. The Stoltze Tree Farm Management Plan and Wildlife BMP's also provide guidance for wildlife habitat management in conjunction with other land management objectives. Stoltze commits to implementing all of these measures on the Land, in addition to the Best Management Practices outlined in this MRMP. Standards in this MRMP may exceed those found in the Wildlife BMP's, when that is the case, the standards in this document will apply on the Land covered under this MRMP.

G. Fish and Wildlife

Stoltze manages its resources while considering fish and wildlife through judicious control of road access, timber harvest management, and cooperation with state and federal fish and wildlife agencies. Canada lynx and grizzly bear are both federally protected species while a pure strain of cutthroat trout also resides within the Lands. Management of Stoltze lands under the ATFS program has proven to be a successful strategy in maintaining the variety and security of habitats necessary to support viable populations of these species within the Land and surrounding area. Continued management under ATFS guidance will provide similar habitat conditions into the future.

In addition to the above, the Land is important for elk, deer, moose, black bear, wolverine, pine marten, grouse, songbirds, cavity-nesting birds, and a variety of other native and migratory wildlife species. Stoltze recognizes the value and importance of maintaining or enhancing fish and wildlife habitat to ensure stable populations. The Land shall be managed in accordance with Stoltze's Tree Farm Management Plan, which include provisions to maintain or enhance biodiversity. In consideration of the particular wildlife habitat values of the Lands, Stoltze shall apply the practices as set forth below:

- 1 Riparian zones and non-forested wetlands, including bogs, fens, and marshes, shall be identified prior to implementing forest management activity in a harvest unit. The draining, filling, dredging, or destruction of any wetland area or any other activity that has significant adverse impacts on a wetland is prohibited except as allowed under forest management practices described in the Easement.
- 2 Riparian areas will be defined and managed in accordance with State of Montana Streamside Management Zone (SMZ) law. In addition, the following best management practices will be

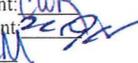
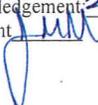
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applied on 1st, 2nd, 3rd, 4th, 5th creeks and the main stem of Haskill creek and associated wetlands adjoining such streams.

- a) 50 foot (or 100 foot when extended for slope) no equipment zones will be marked and maintained before management activities prohibited within SMZ's occur on adjoining lands.
 - b) On stream segments where there is evidence of movement of the active stream channel, buffer width will be measured from the outermost lateral extent of the channel migration zone and fully encompass associated wetland areas as defined in the SMZ law.
 - c) All deciduous hardwood trees, trees less than 8" DBH, shrub and forb vegetation will be retained to the greatest extent possible within the entire SMZ.
 - d) Harvest prescriptions within the SMZ shall favor bank trees, trees leaning towards the stream, trees with snag recruitment potential and ensure trees of the larger size classes are represented in a ratio similar to or greater than the pre harvest conditions.
 - e) Tree removal within the SMZ shall not exceed 50% of the pre harvest condition per the SMZ law. Additionally, minimum merchantable tree retention will be 10 trees per 100 lineal feet of stream within the first 25' width of SMZ and 5 trees per 100 lineal feet of stream in the second 25' width of SMZ buffer for a total minimum retention of 15 trees per 100 lineal feet of stream within the entire buffer width.
- 3 Stoltze shall use uneven-aged forest management practices in riparian zones and around wetlands when stand conditions allow. Wetland buffer management around isolated wetlands of one-half acre in size or larger will include:
- a. No skidding through wetlands, unless during frozen ground conditions where the integrity and function of the wetland is maintained;
 - b. Minimizing disturbance to shrubs and non-merchantable trees within 50 feet of the wetland edge;
 - c. Directional felling of merchantable trees away from the wetland;
 - d. Favor retention of trees that are leaning into the wetland and wildlife trees within 50' of wetland boundaries. Wildlife trees include standing dead trees, green trees with broken tops and/or trees with appreciable decay within their interior;
 - e. Utilize skidding practices for trees felled within 50 feet of the wetland that minimize ground disturbance;
 - f. For the purposes of this section, the term wetland is interpreted as defined in the Montana Streamside Management Zone law. Shallow lakes and ponds, usually with emergent vegetation as a conspicuous feature, are included in the wetland definition;
- 4 Implementation of above policies will be reviewed annually by FWP and Stoltze and these measures may be modified as additional scientific information or technology becomes available, and as the results of these measures are monitored and reviewed for effectiveness, provided that each party agrees to the adaptations.

H. Minerals

Stoltze owns limited mineral resources on the Lands. The Easement provides the Landowner with limited rights to extract sand, gravel, and rock in accordance with provisions that minimize

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impacts and ensure restoration of disturbed areas as per specific Montana Department of Environmental Quality permit operating plans and the specific terms and conditions outlined in the Easement. The Easement prohibits Stoltze from exploring for, developing, mining, producing or otherwise extracting any minerals, oil, natural gas, coal-bed methane or other hydrocarbon resources on or under the surface of the Lands. It also prohibits Stoltze from conveying any interest in mineral rights to another party for purposes of mineral exploration, development, production or extraction.

I. Outfitting/Organized/Commercial Recreation

The Easement authorizes the types of commercial and organized recreation uses allowed on the Lands. Stoltze currently authorizes winter cross country ski trail grooming with two licenses. Any future provision agreed upon by the Department, City, and Stoltze to allow commercial outfitting, organized recreation or other commercial recreational uses shall be signed and appended as an exhibit to this MRMP to the extent required by the Easement. Commercial recreational uses cannot be exclusive to permitted users nor reduce or diminish the public's general ability to access or utilize the Land for dispersed recreation. Agreements for construction, use and maintenance of recreational improvements such as trail corridors, access points or other improvements shall be approved by all parties and attached as an exhibit to the MRMP. Minor issues arising between commercial, organized and public users will be addressed through the Liaison Team described in the conservation easement.

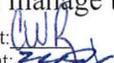
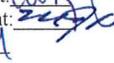
J. Weed Management

Stoltze will manage noxious weeds in compliance with State law and best management practices, implementing an integrated pest management philosophy to meet weed control goals. Control will include a combination of chemical, mechanical and biological controls as appropriate to meet conservation goals.

IV. PLAN GUIDELINES and SELECTED METRICS

Stoltze agrees to the following guidelines and metrics to measure its activities under this MRMP and to ensure that MRMP objectives are met. It is understood that as circumstances change and new knowledge is obtained, that these guidelines and metrics may need to be adapted and modified. Accordingly, the parties agree to work cooperatively to adjust these metrics over time so as to continue to meet the spirit and intent of this MRMP.

- A. Management activities on the Land will be conducted in a manner consistent with Stoltze's Tree Farm Management Plan. Stoltze commits to periodic external ATFS or other comparable audit of the Lands, as specified in current ATFS standards and to review audit recommendations with the Liaison Committee to determine if changes should be implemented. Issues of non-compliance will be addressed and remedied as directed in the audit and consistent with the easement.
- B. If sites are selected, Stoltze will participate in State BMP audits on the Lands. Results of these audits will be discussed at the annual Liaison Team meetings, and Stoltze will take actions to correct any departures.
- C. Stoltze recognizes cottonwood and aspen stands and individual trees provide unique wildlife habitats and will manage to provide this critical habitat in historically appropriate levels. The

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commercial harvest of cottonwood and aspen trees should be limited to that necessary to maintain the health of or promote new cottonwood or aspen stands. Management will strive to maintain cottonwood and aspen stands at essentially the same or greater levels as is established in the baseline survey as ecological and climate conditions allow.

- D. Landowner shall retain snags to the greatest extent possible for wildlife habitat diversity where not in conflict with contractor or public safety or other land management objectives. All snags greater than 15 inches DBH that do not pose a safety hazard or fire concern shall remain uncut. Those snags greater than 15 inches DBH that must be cut, but do not have a merchantable value shall be left within the harvest unit. On a landscape level, snags should be managed with the goal of an overall density of 2 snags per acre greater than 15 inches DBH. Concentrating snags in riparian areas, around wetlands and other areas where long term snag persistence is not in conflict with public or contractor safety is encouraged. When sufficient snags do not exist within a harvest unit, management activities will retain an average of 3 trees per acre of harvest unit of size and species most suitable for long term snag recruitment. Landowner is not responsible for the unauthorized felling, removal or destruction of snags conducted by the public on the Lands.
- E. Stoltze preferred stand structure is uneven-aged, mixed species with high within stand diversity. Use of even-aged management techniques, including clear cut, seed tree, and shelterwood prescriptions should be limited and based on silvicultural needs. Harvest units with these prescriptions will not exceed 40 acres in size and should be generally non-contiguous with areas that have similar treatments within the previous 5 years. With notice to Department, this standard can be exceeded in instances where wildfire, insect or disease activity, wind throw or other natural event dictates such silvicultural treatment is appropriate on a larger scale.
- F. Whenever practical, preserve fruit, nut, and berry producing shrubs and trees.
- G. Management shall strive to maintain downed woody debris to an average of 2 pieces/acre greater than 10 inches diameter and 6 feet or longer. Snags, trees, and logs should be concentrated near streams, wet areas, or other sensitive sites or highly erosive landscapes when such sites exist, otherwise dispersed throughout the unit to maximize the beneficial effects of these resources to wildlife.
- H. Comply with all applicable state and federal laws.
- I. Use only logging contractors who have been trained through Montana Logging Association to a level of Accredited Logging Professional.
- J. Catastrophic events such as fire, disease, and insect infestation may require modifications of the above guidelines and such situations need to be addressed by the Liaison Committee.

V. EASEMENT MONITORING AND REPORTING REQUIREMENTS

The Easement is intended to maintain the "status quo" by providing for perpetual and responsible forest management on the Lands. The Easement will restrict the development rights on the Lands, which will preclude residential and commercial development not associated with resource management. It also provides for perpetual public access to these areas for non-commercial recreation in accordance with attached Exhibit A subject to provisions of Section III hereof.

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The Department and City will monitor the Landowner's compliance with the terms of the Easement and MRMP on at least an annual basis through scheduled field inspections, water quality testing in Haskill Creek, use of flights or remote sensing, and meetings. The Department will notify the Landowner prior to each annual monitoring visit. Department employees will be allowed motorized access behind gates or closures only with permission from the Landowner and only while on-duty conducting official business of the Department.

The City will access the city utility easements, monitor for water quantity and quality, and will maintain drinking water intakes, pipeline and other improvements that serve as a source of municipal water supply for the City.

A Liaison Team representing the Department, City, and Stoltze will be established to deal with management issues that may arise over time. An annual meeting will be held, open to the public and consistent with Montana's open meetings laws. It is expected that this MRMP will be amended over time to better represent then current knowledge and conditions on the ground.

In order to track compliance with the terms of the Easement and MRMP, the Landowner will annually provide a report to the Department that summarizes the following information:

- A. Acres harvested by silvicultural method.
- B. Silvicultural treatments.
- C. Road construction or road closure changes; and
- D. Current status of excavation sites (i.e. active vs. inactive) in order to monitor re-vegetation and weed control commitments.

In addition, the Landowner will include the following information in the annual report as these reports are completed or received by the Landowner:

- A. Copies of ATFS and state BMP audits as they are periodically completed, including any actions taken to meet audit recommendations.

Any amendment to this MRMP must have the consent of all parties and must be in writing and signed and acknowledged by the parties. If there is any inconsistency between the terms of this MRMP and the Easement, the terms of the Easement control. The Department and City will keep a current MRMP in their files and will make the then current MRMP available to successors in interest to the Lands.

LANDOWNER:

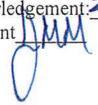
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DEPARTMENT:

MONTANA DEPARTMENT OF FISH, WILDLIFE
AND PARKS

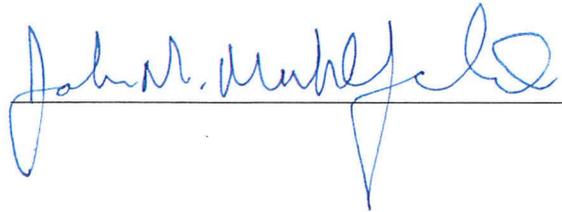
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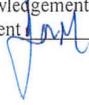
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Exhibit A
F.H. Stoltze Land & Lumber Company
Open Lands Policies

F.H. Stoltze Land & Lumber Company is a forest management company that allows use of its property as a *NEIGHBORLY ACCOMMODATION*. Use can be terminated. Roads are periodically subject to closure. Gated roads are closed to all passenger vehicles. Please treat these private lands with respect and use caution.

WHILE RECREATING ON STOLTZE LANDS PLEASE RESPECT THE FOLLOWING POLICIES:

- DO NOT BLOCK GATES. Vehicles blocking gates will be towed at owner's expense.
- Users must obtain permission from adjoining private landowners to access Stoltze lands where legal public access such as a county road does not exist.
- No firewood, bough or tree cutting without written permission.
- Vandalism and theft of company property will not be tolerated, violators will be prosecuted.
- No dumping or littering.
- No unauthorized passenger vehicles behind gates.
- Stoltze permits usage of off highway vehicles (OHV) on established road systems only. No motorized vehicle use is allowed off of existing road systems. Examples of allowable motorized vehicles are 4-wheelers, side by sides, motorbikes, and snowmobiles.
- Stay off road systems when roads are soft and subject to rutting and damage.
- No recreational shooting within ¼ mile (1320 feet) of a residence.
- No trail building or construction of any permanent structures is allowed.
- No campfires during periods of "High" or greater fire danger as posted by the Montana DNRC rating system. Make sure all fires are "dead out".
- No commercial use without permit.
- Furbearer trapping and recreational wolf trapping by written permission only.
- No camping over 7 days.

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