Montana Fish, Wildlife & Parks

P.O. Box 1630, Miles City, MT 59301

Telephone (406) 234-0900 ~ Fax (406) 234-4368

February 4, 2014

To:

Governor's Office, Tim Baker, PO Box 200802, Helena, MT 59620*
Environmental Quality Council, Todd Everts, Capitol Bldg, Room 106, PO Box 201704, Helena, MT 59620 *
Montana Dept. of Environmental Quality, Bonnie Lovelace , PO Box 200901, Helena, MT 59620*
Montana Fish, Wildlife & Parks*:
-Director's Office (Coleen Furthmyre)
-Legal Unit (Kaedy Horne)
-Lands Section (Candace Durran)
-Fisheries Division (Jackie Windon)
-Wildlife Division (Laura Geary)
-Design & Construction (Paul Valle)
-Regional Information Officer's/ Office Managers/Reg Supervisors
Matthew Tourtlotte, MT FWP Commissioner, 940 Blonco Circle, Billings, MT 59105*
MT DNRC, Southern Land Office, Matt Wolcott, 1371 Rimtop Dr., Billings, MT 59105*
Montana Historical Society, State Preservation Office, Brian Shovers, PO Box 201202, Helena, MT 59620-1202
Montana Environmental Information Center, Adam McLane, PO Box 1184, Helena, MT 59624
Montana State Library, 1515 E. Sixth Ave, PO Box 201800, Helena, MT 59620
Janet Ellis, Montana Audubon Council, PO Box 595, Helena, MT 59624*
Montana Wildlife Federation, Dave Chadwick, PO Box 1175, Helena, MT 59624*
Treasure Co. Commissioners, Morris Spannagel, chair, 307 Rapelje, Hysham, MT 59038*
Rosebud/Treasure Wildlife Association, P.O. Box 262, Forsyth, MT 59327
Town of Hysham, P.O. Box 228, Hysham, MT 59038
Haveman Ranch LLC, neighbor, HC 72 Box 925, Hysham, MT 59038
Greg Lackman, neighbor, 38 Muri Rd, Hysham, MT 59038
(*sent electronically)

Ladies and Gentlemen:

Montana Fish, Wildlife and Parks (MFWP), Region 7, has completed an environmental assessment (EA) for the agricultural lease on a portion of **Isaac Homestead Wildlife Management Area** (WMA) near Hysham, MT. MFWP proposes to renew an agricultural (crop / hay) lease on 125 acres of the 1,169 acre WMA. The proposed lease will be for a 1-year period (April 1, 2014 – March 31, 2015). The purpose of the proposed lease is to provide cover and forage for wildlife, especially white-tailed deer and pheasants.

The EA can also be viewed on the FWP website at: fwp.mt.gov, then Recent Public Notices.
The public comment period will extend until **5:00 p.m., Friday, February 28, 2014.**
Written comments can be mailed or emailed to the address below:

Isaac Homestead WMA Agriculture Lease
Attn: Steve Atwood, FWP
P.O. Box 1630
Miles City, MT 59301
satwood@mt.gov

Thank you for your interest,

Brad Schmitz
Regional Supervisor, Region 7

Enclosure

Environmental Assessment
Amelia Island Wildlife Management Area
Agricultural Lease

February 2014

Montana Fish, Wildlife & Parks

Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

Montana Fish, Wildlife and Parks (MFWP) proposes to renew an agricultural (crop / hay) lease on 30 acres of the 86 acre Amelia Island Wildlife Management Area (WMA). The proposed lease will be for a 1-year period (April 1, 2014 – March 31, 2015). The purpose of the proposed lease is to provide cover and forage for wildlife, especially white-tailed deer and pheasants.

2. Agency authority for the proposed action:

MFWP has the authority under Section 87-1-210 MCA to protect, enhance, and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future. In addition, in accordance with the Montana Environmental Policy Act, MFWP is required to assess the impacts that any proposal or project might have on the natural and human environments. Further, MFWP's land lease-out policy, as it pertains to the disposition of interest in Department lands (87-1-209) requires an Environmental Assessment (EA) to be written for all new agricultural leases, lease extensions or lease renewals.

3. Anticipated Schedule:

Public Comment Period: February 7, 2014 – February 28, 2014
Decision Notice: March 7, 2014
FWP Commission Final Consideration: April, 2014
The agricultural lease will commence on April 1, 2014, and will expire on March 31, 2015.

4. Location affected by proposed action:

Amelia Island WMA in eastern Montana is located north of the town of Hysham along the Yellowstone River in Treasure County (Figure 1). Amelia Island WMA comprises 86 acres in Section 33 of T7N R36E and more particularly designated on the enclosed map for field locations. This proposal is relevant only to approximately 30 acres of irrigated crop land (see Appendix A).

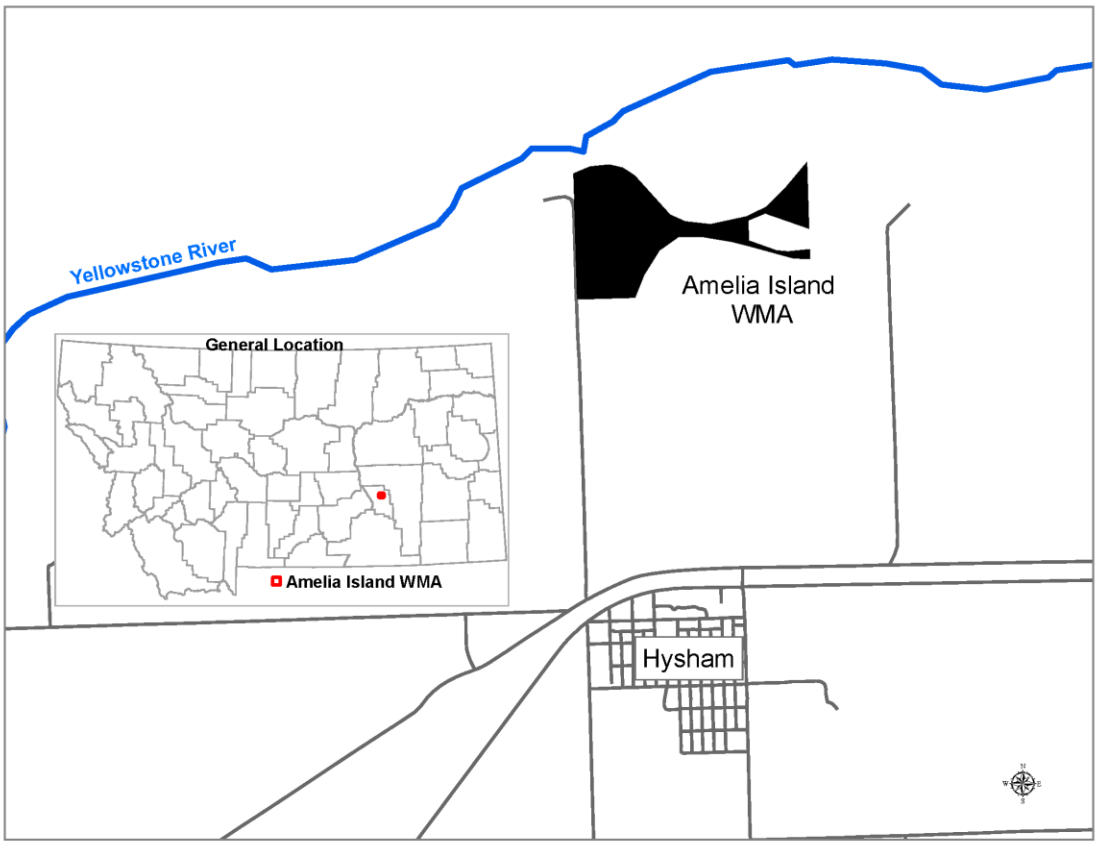


Figure 1. Amelia Island WMA in eastern Montana is located north of the town of Hysham along the Yellowstone River in Treasure County.

5. Project size:

The project size is approximately 30 acres of irrigated crop land.

Land Cover/Use	Acres		Land Cover/Use	Acres
(a) Developed			(d) Floodplain	0
Residential	0			
Industrial	0		(e) Productive	
(b) Open Space/Woodlands/Recreation	0		Irrigated Cropland Dry Cropland Forestry	30 0 0
(c) Wetlands/Riparian Areas	0		Rangeland Other	0 0

6. Permits, Funding & Overlapping Jurisdictions:

(a) Permits: None required
(b) Funding: N/A
(c) Other Overlapping or Additional Jurisdictional Responsibilities: None

7. Narrative summary of the proposed action:

The Amelia Island was obtained by MFWP in 1981 as a Fishing Access Site (FAS). With changes in Yellowstone River flow, by 2001, Amelia Island was no longer functional as an FAS and was converted to a Wildlife Management Area (WMA). The objective for Amelia Island WMA is to maintain a riparian/cropland complex in viable and healthy condition to benefit wildlife while enhancing public hunting opportunities. The fields in the proposed project area (Appendix A) have traditionally been utilized for agricultural production. The proposed action is to continue producing grain crops in these fields, leaving a portion standing, in order to increase forage, cover, and edge effects for the benefit of wildlife (primarily game species such as white-tailed deer, pheasants, wild turkeys and Canada geese). The proposed action directly affects only the irrigated crop land portions of the Amelia Island WMA (30 acres). Details and terms of the Amelia Island WMA agricultural lease are described in Appendix B.

8. Description and analysis of reasonable alternatives:

Alternative A: No Action: Agricultural lease will not be renewed and agricultural lands will not be cultivated. This alternative would require MFWP to commit resources to manage weeds on the previously cultivated 30 acres of farm fields. Wildlife would be negatively impacted by lack of wintering habitat and food resources.

Alternative B: Proposed Action: Agricultural lease will be renewed for 30 acres of cropland. Wildlife will benefit because high-quality wintering habitat and forage will be available. The lessee(s), MFWP and sportsmen will mutually benefit through the sharecrop agreement.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?			X			1b
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other		X				

1b. Farming activities can have both positive and negative impacts on soil structure and composition. No significant negative impacts are expected that would reduce soil productivity or fertility because the current lessee has demonstrated initiative to improve productivity by fertilizing and conditioning the soil, maintaining fields in good condition and has fulfilled all conditions/stipulations of previous leases using commonly accepted agricultural practices.

2. AIR Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions or pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		N/A				
f. Other		X				

The proposed action would not change the ambient air quality within or around the WMA. Any dust generated from crop management activities would be short in duration and limited to the plot area.

3. WATER Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?			X			3b
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		N/A				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		N/A				
n. Other		X				

3b. Cultivation includes diversion of water and potential minor impacts to ground water from leaching of fertilizer and runoff from ditch irrigation. However, the fields proposed for cultivation are bounded by riparian shrubs and grasses and do not directly border the Yellowstone River or its tributaries. Renewing

the lease will not result in any changes or impacts to surface water, ground water, runoff or other water rights.

4. VEGETATION Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				4e
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		N/A				
g. Other		X				

The fields proposed for cultivation have been used for agricultural production for several years. Continuing the agricultural lease for this area will have no net change on the vegetation diversity.

4e. The project area will be monitored for new or spreading weed infestations by the MFWP area biologist, the lessee, and Treasure County Weed District personnel. The lessee is responsible for weed control.

5. FISH/WILDLIFE Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?			X positive			5b
c. Changes in the diversity or abundance of nongame species?			X positive			5c
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. For P-R/D-J, will the project be performed in any area in		N/A				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		N/A				
j. Other		X				

5b/5c. The objective of this lease is to improve wildlife habitat, and to increase use of the area by wintering wildlife. Farming-related disturbance to wildlife will be minimal because all cultivation activities occur outside of the critical wintering period.

5f. One Montana bird Species of Concern (great blue heron), one Montana turtle Species of Concern (spiny softshell), and two Montana fish Species of Concern (blue sucker and sauger), are known to occur

in or along this section of the Yellowstone River valley. The proposed project should not have any adverse effects on these species because it is not expected to impact water quality or riparian habitats. All the fields proposed for cultivation have traditionally been used for agricultural production and none directly border the Yellowstone River. The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), prohibits human-induced disturbance that could induce abandonment of a known nest site. While bald eagles are occasionally observed on and around the Amelia Island WMA, no nests are currently known to be located on or adjacent to the WMA.

B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other		X				

The proposed action would have no effect on existing noise or electrical effects.

7. LAND USE Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other		X				

The proposed action would continue agricultural use of this portion of the WMA and would not conflict with other uses of the WMA (i.e. hunting, fishing, boating, hiking etc.).

8. RISK/HEALTH HAZARDS Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other		X				

The proposed action would not increase risks or health hazards at the WMA.

9. COMMUNITY IMPACT Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other		X				

The proposed action would have no impact on local communities, increase traffic hazards, or alter the distribution of population in the area.

10. PUBLIC SERVICES/TAXES/UTILITIES Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources		N/A				10e
f. **Define projected maintenance costs.		N/A				10f
g. Other		X				

The proposed action would have no impact on public services/taxes/utilities.

10b. MFWP is required by law to pay property taxes in an amount equal to a private individual. This project will not affect the tax base.

10e/f. There is no projected revenue. The lessee retains 75% of the small grains for his possession and use. The lessee shall leave 25% of the small grain left standing for wildlife use as such payment in full to the MFWP. Maintenance costs are minimal because the lessee is responsible for project implementation and maintenance.

11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)		X				
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		N/A				
e. Other		X				

The location of the proposed action has been used for the cultivation of crops for numerous years, the continuation of the agricultural lease would not alter any new areas within the WMA and not interfere with existing recreation activities at the WMA.

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		N/A				
e. Other		X				

No impacts to cultural or historical resources are anticipated.

C. SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		N/A				
g. For P-R/D-J, list any federal or state permits required.		N/A				
h. Other		X				

The proposed lease renewal is a continuation of the ongoing management of the WMA for the benefit of wildlife and public opportunities. No public controversy is anticipated.

PART III. NARRATIVE EVALUATION AND COMMENT

The Wildlife Division of MFWP acquired this property in 2001. Since that time MFWP has used an agriculture lease as a management tool to enhance wildlife habitat as well as public hunting opportunities while responsibly managing noxious weed on this property. As with previous lease agreements the proposed agricultural lease on the Amelia Island WMA will be used to maintain vegetative diversity and provide forage for pheasant, wild turkey, and white tailed deer. This proposed lease agreement the proposed project is not expected to have significant impacts on the physical or human environment. The project is expected to benefit wildlife habitat and populations on the WMA. The extent wildlife habitat objectives are being met with the agricultural lease will be evaluated and future management actions on Amelia Island WMA will incorporate these evaluations.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manner about the proposed action and alternatives considered, and how to comment on this EA:

- One public notice in each of these newspapers:
  Miles City Star and *Forsyth Independent Press*
- Public notice on the Fish, Wildlife & Parks web page: *http://fwp.mt.gov*.

Copies of this environmental assessment will be distributed to neighboring landowners and interested parties to ensure their knowledge of the proposed project. This level of public notice and participation is appropriate for a project of this scope having limited and very minor impacts, which can be mitigated.

2. Duration of comment period:

The public comment period will extend for 21 days. Written comments will be accepted until 5:00 p.m., February 28, 2014 and can be mailed to the address below:

Amelia Island WMA Agriculture Lease
Montana Fish, Wildlife & Parks
352 I-94 Business Loop
Miles City, MT 59301

Or email comments to: satwood@mt.gov

PART V. EA PREPARATION

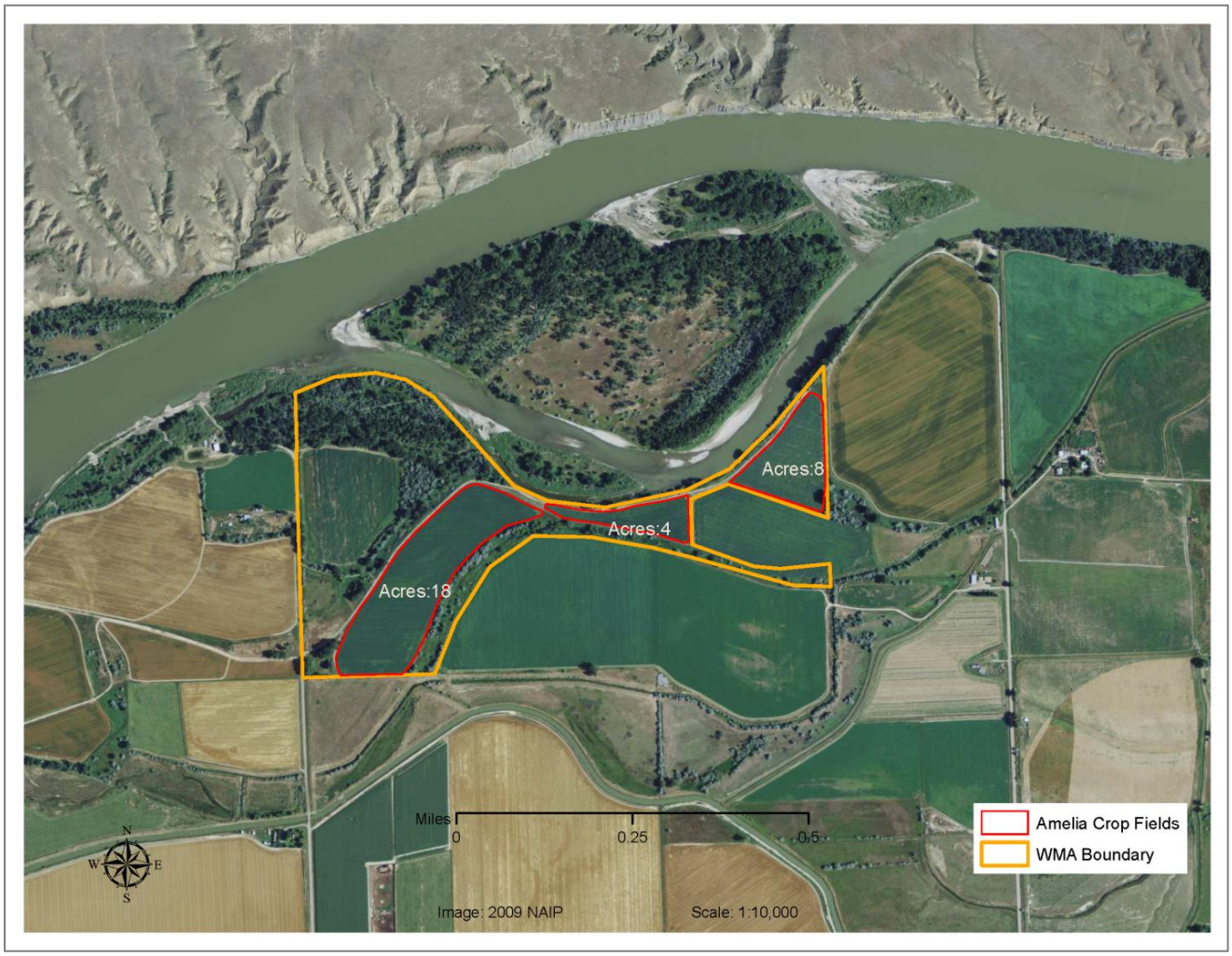
1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)?
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

No, an EIS is not required. It has been determined that no significant impacts to the physical and human environment will result due to the proposed action alternative, nor will there be significant public controversy over the proposed action; therefore, an EIS is not required.

2. Person responsible for preparing the EA:

Steve Atwood, MFWP Wildlife Biologist
352 I-94 Business Loop
Miles City, MT 59301
406-234-0940

APPENDIX A
Amelia Island WMA Agricultural Fields



APPENDIX B

Agricultural Production Plan – Amelia Island WMA

A one-year agricultural lease is proposed for approximately 30 acres of irrigated crop land within the Amelia Island WMA. The crop-fields proposed have been cultivated for agricultural purposes prior to MFWP acquiring the property and a similar agricultural lease to the one proposed has been successfully implemented on this property for over 10 years.

The specific type of grain crop the lessee intends to plant/harvest will be approved by the Forsyth area wildlife biologist prior to any cultivation. Crops are chosen based on their importance to wildlife as a cover and food resource.

Payment:
The lessee will harvest grain crops keeping 75% of the said crop for his/her own possession and use. The lessee will leave the remaining 25% in the field as payment to the MFWP, and for the benefit of wildlife. The Forsyth area wildlife biologist will determine the areas in which this one-fourth portion of crop is be left standing, prior to harvest.

Dates of Lease: April 1, 2014 to March 31, 2015.

Special Conditions and Terms:

1. The lessee shall remove all straw/bales produced on MFWP property within 60 days of the crop harvest.
2. Agricultural machinery will not be stored on MFWP property.
3. The plowing of field stubble post-harvest will be postponed until the spring of each year.
4. The lessee agrees to control weeds on all cultivated acres whether being harvested or left standing, using approved agricultural practices.
5. The lessee agrees to irrigate all cultivate acres whether being harvested or left standing, using approved agricultural practices.
6. Costs associated with fence maintenance and repair will be paid by the MFWP. However, any damage caused by the lessee will be repaired at his/her expense.
7. The cost of irrigation ~~costs~~ water used on the WMA will be paid by the MFWP. The lessee is responsible for the maintenance of irrigation water delivery systems on the WMA.