



Montana Fish, Wildlife & Parks

Region 2 Headquarters
3201 Spurgin Road
Missoula, MT 59804
Phone 406-542-5500

October 7, 2014

Dear Interested Citizen:

Enclosed you will find for your review the Draft Environmental Assessment (EA) for a Montana Fish, Wildlife & Parks (FWP) proposal to acquire fee title to 158 acres from the Five Valleys Land Trust, as an addition to FWP's adjacent 34,573-acre Fish Creek Wildlife Management Area (WMA), located south of Tarkio in Mineral County. The WMA addition would help protect important floodplain and upland habitat for sensitive species such as bull trout, westslope cutthroat trout, and Canada lynx, as well as numerous game and nongame species. The acquisition would include ½ mile of mainstem Fish Creek, additionally protecting the stream's associated wetland and riparian areas that also support important wildlife travel corridors.

FWP will hold a public hearing in Alberton on October 21st (Tuesday) at 6:30 p.m. at the Alberton Community Center (701 Railroad Ave) to discuss the proposed acquisition, answer questions, and take public comment.

The EA may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 406-542-5540; by emailing shrose@mt.gov; or by viewing FWP's Internet website <http://fwp.mt.gov> ("Public Notices," beginning October 8).

Comments may be made on FWP's website (webpage above) or may be directed to Sharon Rose at the mail, phone or email addresses above. Comments must be received by FWP no later than 5:00 p.m. on November 7, 2014.

As part of the decision making process under MEPA, I expect to issue the Decision Notice for this EA soon after the end of the comment period. The Montana Fish and Wildlife Commission has the final decision-making authority for FWP land acquisition proposals, and the Commission will be asked to render its decision on this proposal at its December meeting in Helena. Approval will also be necessary from the Montana Board of Land Commissioners.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Arnold". The signature is fluid and cursive, with the first name "Randy" being more prominent than the last name "Arnold".

Randy Arnold
Regional Supervisor

RA/sr

Draft
Environmental Assessment

FVLT Addition to
Fish Creek Wildlife Management Area

October 2014



**Montana Fish,
Wildlife & Parks**

Region 2 Office
3201 Spurgin Road, Missoula, MT 59804
Phone 406-542-5500

Draft Environmental Assessment CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

Montana Fish, Wildlife and Parks (FWP) proposes to acquire a 148-acre addition to its Fish Creek Wildlife Management Area (FCWMA), through a purchase from the Five Valleys Land Trust (FVLT). The property is currently a private inholding within the 34,573-acre FCWMA and is also bordered by Montana Department of Natural Resources and Conservation (DNRC) lands.

2. Agency authority for the proposed action:

FWP has the authority under state law (§ 87-1-201, Montana Code Annotated (MCA)) to protect, enhance, and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future, and to acquire land for this purpose (§ 87-1- 209, MCA).

3. Name, address and phone number of project sponsor (if other than the agency): None

4. Anticipated Schedule:

Public Comment Period: October 8--November 7, 2014

Decision Notice Published: November 13, 2014

Reviewed by Fish and Wildlife Commission: December 11, 2014

Reviewed by Montana Board of Land Commissioners: December 2014

5. Location affected by proposed action:

FCWMA and the proposed addition are located in FWP Administrative Region 2 in Mineral County (Figure 1). The property is located approximately 10 miles south of the community of Tarkio, Montana.

Legal description:

T14N, R24W, Section 31, NW1/4

6. Estimated project size:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u> 0</u>
Residential	<u> 0</u>		
Industrial	<u> 0</u>	(e) Productive:	
		Irrigated cropland	<u> 0</u>
(b) Open Space/ Woodlands/Recreation	<u>148</u>	Dry cropland	<u> 0</u>
		Forestry	<u> 0</u>
(c) Wetlands/Riparian Areas	<u> 25</u>	Rangeland	<u> 0</u>
		Other	<u> 0</u>

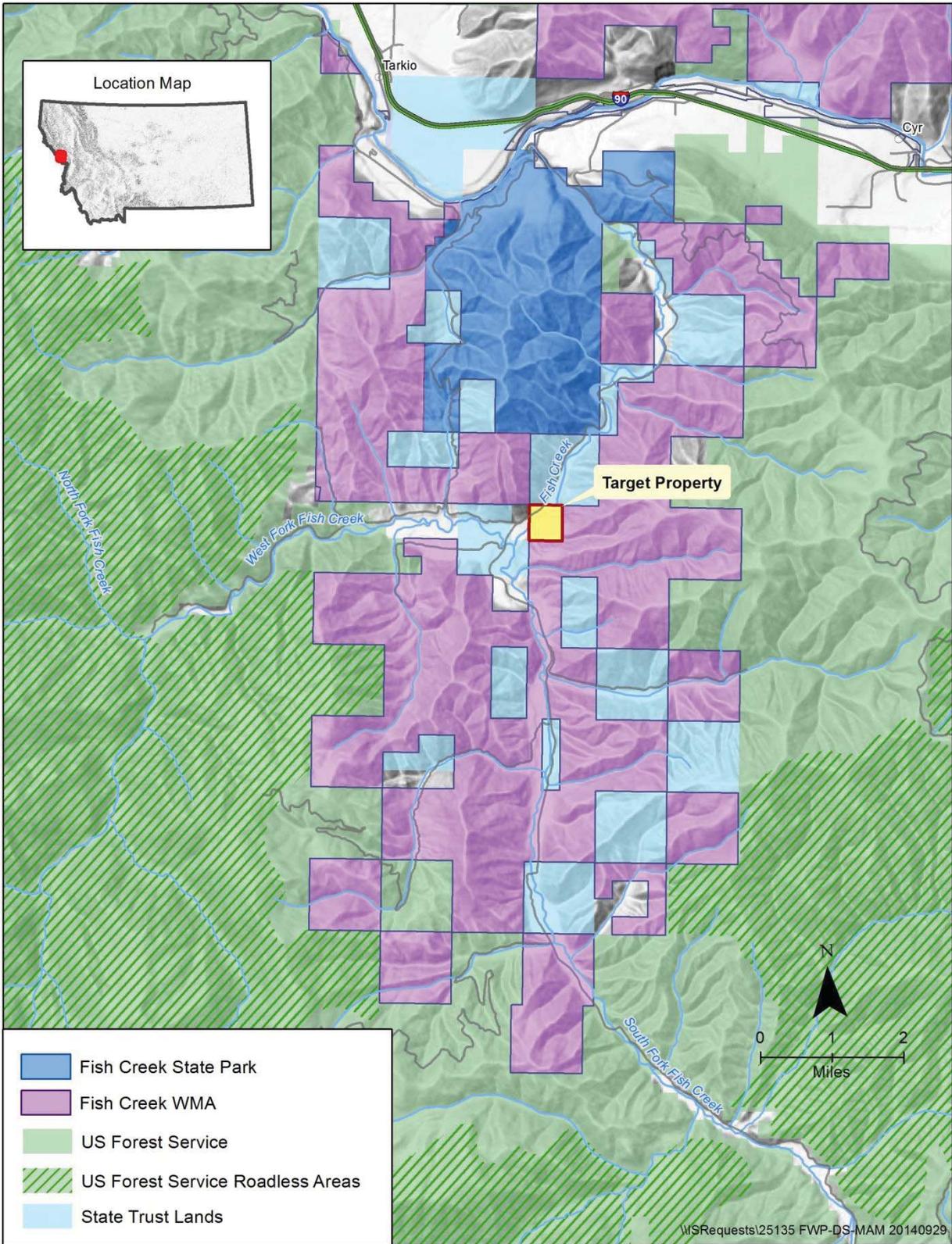


Figure 1. Location map of Fish Creek WMA and State Park and the proposed acquisition (“target property”).

8. Permits, Funding & Overlapping Jurisdiction.

(a) **Permits:** none required

(b) **Funding (proposed):**

US Fish & Wildlife Service (Pittman-Robertson)	174,075
FWP (Habitat Montana)	58,025
Thompson Falls Mitigation Fund	120,000
Westslope Trout Unlimited	<u>6,000</u>
	\$358,100

(c) **Other Overlapping Jurisdictional Responsibilities:**

<u>Agency Name:</u>	<u>Type of Responsibility</u>
Fish & Wildlife Commission	Acquisition approval
Montana State Land Board	Acquisition approval
State Historic Preservation Office	Cultural & historic resources
Mineral County Weed District	Weed inventory
US Fish & Wildlife Service	Threatened/endangered species

9. Narrative summary of the proposed action:

General Description of FCWMA

In 2010, FWP acquired 40,807 acres from The Nature Conservancy to form the Fish Creek WMA (34,573 acres) and Fish Creek State Park (6,235 acres)¹.

Fish Creek is the largest tributary watershed in the middle Clark Fork River region and is considered the most valuable stronghold for bull trout and other native fish. The upper drainage primarily is comprised of public lands, most of which are roadless and proposed wilderness areas managed by the U.S. Forest Service (USFS). The lower elevation tributaries and main stem tracts are owned by FWP, DNRC, and a limited number of small, private inholdings (Figure 1). This stream system supports the largest fluvial bull trout population in the middle Clark Fork River drainage and typically contains more redds than the rest of the tributaries in this region combined. An intact migratory corridor and rearing area in the main stem is vital to this bull trout population. The proposed acquisition parcel (“subject parcel”) contains approximately 0.5 mile of the main stem of Fish Creek and is located about 0.3-mile downstream from where the West Fork Fish Creek enters Fish Creek (area known as “Forks” after FWP’s Forks Fishing Access Site located there).

Fish Creek also is a popular, high quality trout fishery that supports more than 4,000 angler-days per year, with the majority of those angler days occurring on the main stem Fish Creek and lower portions of the West Fork of Fish Creek. This fishery is unique in that it is predominantly supported by westslope cutthroat trout (a Montana Species of Concern² or SOC), and angler pressure is focused in a relatively small area of the main stem from the Forks confluence downstream approximately 6 miles to the mouth of Fish Creek. Since acquisition of the Fish Creek WMA and State Park in 2010, angling pressure has more than doubled. Rapid increases in angler use and high conservation values prompted FWP to enact

¹ The Draft EA for The Fish Creek WMA and State Park acquisition may be viewed on FWP’s webpage at http://fwp.mt.gov/news/publicNotices/environmentalAssessments/acquisitionsTradesAndLeases/pn_0081.html. The Decision Notice (DN) is at http://fwp.mt.gov/news/publicNotices/decisionNotices/pn_0423.html and the revised DN is at http://fwp.mt.gov/news/publicNotices/decisionNotices/pn_0427.html

² A native animal breeding in Montana that is considered to be “at risk” due to declining population trends, threats to its habitats, and/or restricted distribution. The purpose of Montana’s SOC listing is to highlight species in decline and encourage conservation efforts to reverse population declines and prevent the need for future listing as Threatened or Endangered Species under the Federal Endangered Species Act.

more restrictive fishing regulations (e.g., artificial-lures only, catch-and-release only for most trout) in recent years to help protect native trout populations and the quality of the fishery.

The Fish Creek drainage is a very high-priority forest carnivore linkage zone (Servheen et al. 2003, American Wildlands 2008), with important upland and riparian habitats that provide seasonal and year-round use by a variety of species, especially wintering ungulates. There are approximately 182 wildlife species (57 mammals, 115 birds, 5 amphibians, and 5 reptiles) that biologists have either verified in the FCWMA or are likely to be found within the area.

The Fish Creek drainage provides significant winter range and other seasonal habitats for elk, mule deer, white-tailed deer, and moose. It also supports diverse populations of predators, furbearers and upland game birds, including black bear, mountain lion, wolf, mountain grouse, and wild turkey. Grizzly bear use of the area was documented in 2014 and is expected to increase in the future as this species continues to expand into historically occupied areas. The intact, productive riparian corridors of Fish Creek and its tributaries have exceptional habitat for white-tailed deer and moose, while the drier upland slopes provide forage and browse for mule deer. White-tailed deer and mule deer are abundant throughout the year. Moose also are observed quite often and are occasionally harvested within the subject property. In addition, Fish Creek provides significant hunter opportunity, with 1,546 hunters harvesting 91 animals (white-tailed deer, mule deer, elk, moose, and wolf) through the Fish Creek check station in 2012. Hunters also harvested 18 ruffed grouse, 2 dusky grouse and 1 spruce grouse. FWP personnel estimate >3,000 hunter-days annually within the drainage. The subject parcel is located in deer/elk hunting district (HD) 203³, lion management unit 202-203, bear management unit 200, and wolf management unit 200. The acquisition of the property would secure additional points of public access for hunters and anglers to FCWMA and DNRC lands.

Description of the Property

This property was formerly owned by Plum Creek Timber Company (PCTC), and is one of several inholdings that had been sold to private buyers prior to the Nature Conservancy's acquisition of the PCTC lands in Fish Creek. The property includes approximately 0.5-mile of Fish Creek and its associated riparian corridor (25 acres), as well as adjacent upland habitat for elk and other wildlife species. A hazardous materials survey completed by TetraTech (2014) for FVLT had the following description of the property:

Fish Creek flows from southwest to northeast through the northwestern portion of the property with Fish Creek Road approximately following this same trend to the northwest of the creek.

Fish Creek Road is at the toe of the hillside that comprises the northwest corner of the Site.

Between the road and Fish Creek is a grassy floodplain with few trees that slopes gently to the creek. On the southeastern side of the creek, the floodplain includes areas of unvegetated gravels and multiple side channels that likely flow during high water events. Adjoining the creek on the south/southwest is the toe of more steeply sloping, treed hillsides that comprise the majority of the Site.

The property is located immediately downstream of the Forks confluence of the South and West Forks of Fish Creek. The main stem of Fish Creek is on a portion of the key migratory corridor and sub-adult rearing area for fluvial bull trout. Confluence areas of drainages are especially important for travel corridors, and these areas often support wider riparian habitats than non-confluence areas. In addition to Fish Creek, the property includes approximately ½-mile of a small unnamed creek.

³ The extreme NW corner of the parcel--approximately 11 acres NW of Fish Creek Road--is in deer/elk HD 202.

When owned by PCTC, the subject parcel was subjected to some logging activities, as was the majority of the former PCTC lands in the WMA. The Fish Creek area (including portions of the WMA and SP) was impacted by forest fires in 2003 and 2005; however, the subject parcel was not affected by either fire. The habitat along the riparian area of the Fish Creek is comprised of lower montane riparian woodland and shrubland habitat, with an extensive black cottonwood gallery. Other species include but are not limited to snowberry, prickly rose, willow, wild red raspberry, black hawthorn, quaking aspen, and Engelmann spruce. Lower montane and foothill forests comprise a portion of the subject parcel and are dominated by Douglas-fir, ponderosa pine, and western larch (MNHP 2009). Lower montane-foothill and valley grassland and foothill deciduous shrubland dominates southerly facing slopes of the subject parcel and includes bluebunch wheatgrass, ninebark, and snowberry (MNHP 2009). A portion of this parcel has limited infestations of spotted knapweed.

The property includes riparian habitat and important montane forests that provide important seasonal ranges for elk, moose, mule deer and white-tailed deer (Figure 2). The property also supports diverse populations of a suite of other species, including black bear, mountain lion, wolf, and ruffed grouse. Montana Species of Concern (SOC) and Potential SOC that would benefit from this acquisition include bull trout, westslope cutthroat trout, western toad, flammulated owl, western screech-owl, golden eagle, bald eagle, northern goshawk, peregrine falcon, veery, great blue heron, porcupine, northern alligator lizard, hoary bat, silver-haired bat, little brown bat, fringed myotis, Cassin's finch, pileated woodpecker, Clark's nutcracker, varied thrush, evening grosbeak, Pacific wren, and rufous hummingbird. Two stops along the Fish Creek Breeding Bird Survey route are located on or adjacent to the property, with biologists detecting 77 species of birds along the route (Sauer et al. 2014).



Figure 2. Elk on the upland habitat of the proposed FVLT addition to FCWMA.

The width of the riparian habitat and numerous beaver ponds provide biologically rich and important feeding sites for bats, songbirds, and small carnivores, and potential breeding sites for amphibians. Since much of the Fish Creek drainage is dominated by narrow, steep-sided valleys, the wider and flatter West

Fork and Forks areas (as well as Fish Creek and South Fork Fish Creek) are especially valuable for wildlife in this landscape.

Currently, the property is not open to public access. Previously, when under PCTC ownership, it was open to hunting and other public recreation.

10. Description and analysis of reasonable alternatives:

Alternative A: No Action

Under the No Action Alternative, FWP would not purchase the property from FVLT. The property would likely be sold to another private party within five years, based on its location and natural resource values and the history of sales of other inholdings along Fish Creek since 2012.

FWP's acquisition of the Fish Creek WMA and State Park, winter road plowing on the nearby Fish Creek Road, and access to thousands of acres of public lands and the proposed Great Burn Wilderness makes the property extremely marketable. A small adjacent property with similar attributes sold earlier in 2014, and a residential home/cabin is being constructed there.

Land management activities on similar inholdings within the WMA indicate that private ownership carries large risk of further subdivision, riparian and channel encroachment, illegal water withdrawal, and general habitat degradation, as well as loss of public access. The properties are in Mineral County and are not zoned.

Alternative B: Proposed Action, Acquisition by Purchase of the Addition to the Fish Creek Wildlife Management Area

FWP proposes to purchase the 148-acre property (along the main stem of Fish Creek) from FVLT as an addition to the FCWMA. Appraised value of the property is \$350,000.

Acquisitions of this property would be consistent with the goals of the *Montana Comprehensive Fish & Wildlife Conservation Strategy* (MFWP 2005) to conserve two types of community types of greatest conservation need: riparian/wetlands (a terrestrial community type) and mountain streams (an aquatic community type). Riparian and wetland communities support the highest concentration of plants and animals in Montana, including the highest density and diversity of breeding birds relative to other habitats.

The property is an inholding within the 34,573-acre FCWMA. If approved, the property would be managed in concert with the WMA for the protection of important habitat for sensitive species, such as bull trout, Canada lynx, and numerous game and nongame species. Additionally, the proposed acquisition would also protect additional wetland and riparian areas that supports important wildlife travel corridors.

Management of the Addition under FWP Ownership

Management of the property would be under the guidance of the Fish Creek WMA and Fish Creek State Park Interim Preliminary Management Plan (MFWP 2009). General rules governing the WMA are:

1. A portion of Fish Creek WMA has a seasonal closure from December 2--May 14 annually. The proposed acquisition is not within the seasonal closure area and would be open to the public year-long under the current interim management plan.
2. Recreation opportunities include: fishing, hunting, hiking, horseback riding, and other non-motorized recreation.
3. Motorized vehicles must stay on designated roads.

4. There are mandatory food-storage requirements because of the presence of bears.
5. Use of fireworks is prohibited.
6. Trapping by FWP permission only.
7. Pack in/pack out all garbage.
8. No commercial hunting or angling outfitting is permitted on the WMA.

If acquired, FWP would work with FVLT, Trout Unlimited, and other partners on riparian habitat enhancement projects, similar to those completed in the past on Deer Creek and the South Fork of Fish Creek on the FCWMA.

11. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

The conservation and protection of threatened and endangered species, such as the bull trout (listed Federally as Threatened) and grizzly bear (Threatened) are under the jurisdiction of the US Fish and Wildlife Service under the 1973 Endangered Species Act (ESA). The wolverine is a Montana SOC, but was recently classified as “no listing”⁴ relative to the ESA.

⁴ The USFWS proposed the wolverine to be listed as Threatened in May 2014; in August 2014 the Regional Director (Mountain-Prairie Region) ordered that the rule to list be reversed. Its current status is “not listed”; per <http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=A0FA> and Federal Register <http://www.gpo.gov/fdsys/pkg/FR-2014-08-13/pdf/2014-18743.pdf> both accessed 28 September 2014.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

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

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				
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				

The proposed FWP acquisitions of the parcel would likely offer positive impacts to soil stability because FWP would protect the acres from future development and in the future, may initiate riparian habitat enhancement projects which would further stabilize soils from potential erosion.

No changes are anticipated that would alter soil stability, unique geologic or physical features, or expose people or property to a variety of ground failures. Surface mining for removal of gravel or other minerals would not be permitted, which is consistent with the prohibition of such activities within the WMA.

There are no mineral rights attached to the property.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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 of 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 regulations? (Also see 2a.)		X				

The ambient air quality of the parcel would not change if the proposed acquisition was approved since motorized access would remain limited to the existing roads, most recreation opportunities would be by foot within the parcel, and no development activities would be implemented within the parcel.

3. <u>WATER</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				
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			3f
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				3i
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.)		X				3l
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.)		X				

3f. FWP's acquisition would have no effect on existing quantity or flooding of natural surface waters or groundwater. The change in ownership may have a minor positive impact on water quality since FWP may implement riparian habitat enhancement projects with other partners on the property, similar to those that have been completed on Deer Creek and the South Fork of Fish Creek on the FCWMA. Additionally, the transfer of ownership to FWP would ensure no residential development and associated water-related improvements (e.g. septic systems, wells, etc.) occurred on this parcel that could impact the water quality in the future.

3i. A search of the Montana Department of Natural Resources and Conservation water rights database did not reveal any water rights attached with the property.

3l. The proposed acquisition would likely not impact a designated floodplain since FWP does not plan to initiate any changes to the creek's channel or shoreline vegetation. Although a FEMA Flood Insurance Rate Map is listed for the project area, map number 3001590016A is not available electronically or in print per Tim Read, Mineral County Floodplain Administrator (per. communication 7/3/14). Mr. Read did acknowledge a survey was completed in 2007 for the 148-acre property which determined portions of the parcel are within an approximated 100-year floodplain.

4. <u>VEGETATION</u> Will the proposed action result in?	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X			4a
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c
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?			X			4f

4a. The proposed action is expected to have a positive impact on existing native vegetation under FWP management because noxious weed infestations would be addressed by mechanical and chemical methods to deter them from spreading and riparian habitat enhancement projects may be initiated.

4c. There are no reported observations of sensitive plant species (threatened, endangered, or state species of concern) within the parcel (Montana Natural Heritage Program database 7/2/14).

4e. The proposed addition would be managed as part of the FCWMA and would be under the same weed control plan as the WMA. If the acquisition is approved, FWP would initiate the FWP's Statewide Integrated Noxious Weed Management Plan using an integrated approach to control noxious weeds on the property by using chemical, biological and mechanical methods. The implementation of these weed management methods was reviewed by the Mineral County Weed District when the WMA was originally established in 2010. Many of the old logging roads that are closed to the public, as well as roads open to the public are already infested by spotted knapweed.

4f. The proposed action is expected to have a positive impact on existing shrub and forested riparian and wetlands that are present within the property by protecting them from potential man-made disturbances in the future. Additionally once acquired, FWP would work with FVLT, Trout Unlimited, and other partners on riparian habitat enhancement projects, similar to those completed in the past on Deer Creek and the South Fork of Fish Creek on the FCWMA.

5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				5a
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X			Y	5e
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		Y	5g
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				5h
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.)		X				

5a. The proposed acquisition would expand the protection of important wildlife forest and riparian habitat and migration corridors within the Fish Creek drainage.

5e. The proposed acquisition would not create a barrier to the migration or movement of wildlife. There are no fences around or within the property.

5f/h. The proposed acquisition may have a positive impact on threatened, endangered, and state species of concern wildlife through the protection of important forest and riparian habitat, as well as known migration corridor with the Fish Creek drainage. Other game and nongame species would also benefit by the protection of habitats for forage, nesting, and general habitat.

The management of grizzly bears throughout the WMA would continue to be guided by FWP's Grizzly Bear Management Plan (MFWP 2006) for Western Montana which was developed in cooperation with the U.S. Fish and Wildlife Service, the U.S. Forest Service, National Parks Service, Bureau of Land Management, Blackfoot Tribe, and Confederated Salish and Kootenai tribes.

5g. The target property would be managed under the guidance of the Fish Creek WMA and Fish Creek State Park Preliminary Management Plan (MFWP 2009) that balances the needs of wildlife with public access. Recreational activities such as the hunting of game species would be permitted on the property as it is within the entire WMA. The proposed acquisition may increase conditions that stress wildlife populations since limited hunting was not permitted under previous ownership, after the property was previously sold by PCTC. Additional permitted recreational activities on the property would be consistent within the management of the larger WMA.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				

The proposed acquisitions would not increase noise above levels currently experienced in the area. Access to the property would continue to be via existing roads and recreational activities would be walk-in only and would not be considered a severe noise levels.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				

Currently, the property is open space and not actively managed for a specific purpose (e.g. forestry). Management of the property would be absorbed into the existing FCWMA, thus no impacts would occur since the property would continue to be managed as open space for the benefit of fish and wildlife species while providing opportunities for recreation.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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		Y	8a
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		Y	8d

No human health hazards are anticipated by the proposed acquisition. A hazardous materials survey was completed by TetraTech in 2014 at the request of FVLT. No hazardous materials were identified on the property.

8a/d. If acquired, FWP would implement an integrated method of managing existing and new noxious weeds on the property, identical to the methods used on the WMA. The use of herbicides would be in compliance with application guidelines and conducted by people trained in safe application techniques. Weeds may also be controlled using mechanical or biological means in certain areas to reduce the risk of chemical spills or water contamination.

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				

The proposed addition to the FCWMA would have no effect on local communities, increase traffic hazards, or alter the distribution of population in the area. The closest community is approximately 10 miles north (Tarkio) and is single family residences on adjoining properties.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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, 18s/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				10a
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				10c
d. Will the proposed action result in increased use of any energy source?		X				10d
e. Define projected revenue sources		X				
f. Define projected maintenance costs.						10f

10a/c/d. The proposed action would have no impact on public services or utilities. Minimal services would be needed beyond what FWP staff is currently providing at the WMA. FWP would be responsible for the following: site maintenance, weed control in cooperation with Mineral County Weed District, fish & wildlife law enforcement, and litter pick up on the parcel. FWP enforcement staff currently patrol the existing WMA and would also patrol the additional land and continue to cooperate with local law enforcement as necessary.

10b. FWP is required by law to pay taxes in an amount equal to that of a private individual. FWP would pay property taxes (approximately \$313) on the parcel when that exchange of ownership is completed.

10f. Initial costs to maintain the property would be minimal and any ongoing costs would be covered by the WMA's existing operating budget. In an effort to educate the public of acceptable and prohibited uses on the property, FWP would install boundary and signs as soon as possible once the acquisition is completed.

11. <u>AESTHETICS/RECREATION</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
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?		X				11c
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.)		X				

11c. The proposed acquisition would expand the number of acres available to hunters and other visitors to the WMA for non-motorized recreation, which be a positive benefit for area recreational opportunities. The current natural aesthetic values of the riparian/wetlands and forested uplands would be maintained and protected from any man-made disturbances in the future.

Recreational activities currently allowed on the WMA, such as hunting, hiking, etc., would be permitted on the parcel if the acquisition is approved.

12. <u>CULTURAL/HISTORICAL RESOURCES</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
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.)		X				12d

12d. A file search at the State Historic Preservation Office (SHPO) found there were no known recorded historic sites within property to be transferred to FWP nor were there any recorded historic sites located within the target parcel. SHPO believes there is a low likelihood cultural properties will be impacted by the proposed acquisition as long as there will be no new ground disturbance or alteration to structures over fifty years. Therefore, SHPO feels that a recommendation for a cultural resource inventory is unwarranted at this time. However, if cultural materials be inadvertently discovered, SHPO requests to be contacted so that the site can be investigated. See Appendix A for the SHPO determination letter.

SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				13a
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.)			X			13f
g. For P-R/D-J, list any federal or state permits required.		X				

13a. The proposed acquisition is expected to have no significant negative cumulative effects on the physical and human environments. Rather, purchasing the property would be a minor positive contribution to the habitat conservation efforts within the Fish Creek drainage. The protection of these acres expands riparian and forested habitats for numerous species for forage, shelter, nesting, and migration corridors.

13f. Limited public controversy may be generated by the proposed addition to the Fish Creek WMA.

PART III. NARRATIVE EVALUATION AND COMMENT

The proposed acquisition of FVLT's 148 acres along Fish Creek would allow FWP to conserve additional wildlife habitat and provide public access to hunters and recreationists in perpetuity within the drainage. Important riparian habitat for fisheries and terrestrial species would be protected and potentially improved under FWP management.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners about the opportunity to comment on this current EA, the proposed action and alternative:

- Legal notice will be published twice each in these newspapers: *Mineral Independent* (Plains), *Independent Record* (Helena), *Missoulian*.
- Public notice will be posted on FWP's webpage: <http://fwp.mt.gov> ("Public Notices"); the Draft EA will also be available on this webpage, along with the opportunity to submit comments online.
- A news release will be prepared and distributed to a standard list of media outlets interested in FWP Region 2 issues; this news release will also be posted on FWP's website <http://fwp.mt.gov> ("News," then "News Releases").
- Direct mailing or email notification to adjacent landowners and other interested parties (individuals, groups, agencies).
- A public hearing to explain the project, answer questions and take public comment will be held in Alberton on Tuesday, October 21, 2104 at 6:30 p.m. at the Alberton Community Center (701 Railroad).

Copies of this draft EA may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 406-542-5540; by emailing shrose@mt.gov; or by viewing FWP's Internet website <http://fwp.mt.gov> ("Public Notices," beginning October 8, 2014).

This level of public notice and participation is appropriate for a project of this scope with no significant physical or human impacts and only minor impacts that can be mitigated.

2. Duration of comment period:

The public comment period will extend for thirty (30) days. Comments must be received by FWP not later than 5:00 p.m. on November 7, 2014.

Comments may be made online on the EA's webpage, mailed to the FWP address below, or emailed to Sharon Rose at shrose@mt.gov :

MT FWP Region 2
Attn: Fish Creek WMA Addition
3201 Spurgin Road
Missoula, MT 59804

For questions about the project, please contact Mike Thompson by email at mthompson@mt.gov or by phone at 406-542-5516.

PART V. EA PREPARATION

- 1. Based on the significance criteria evaluated in this EA, is an Environmental Impact Statement (EIS) required? 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. Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment, no significant impacts from the proposed land acquisition were identified. In determining the significance of the impacts of the proposed project, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the importance to the state and to society of the environmental resource or value affected; any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

- 2. Persons responsible for preparing the EA:**
Rebecca Cooper, FWP MEPA Coordinator, Helena MT
- 3. List of agencies or offices consulted during preparation of the EA:**
Mineral County Environmental Health and Planning, Superior MT
Montana Fish, Wildlife & Parks:
 Fisheries, Missoula, MT
 Lands, Helena, MT
 Wildlife, Missoula, MT
Montana Natural Heritage Program, Helena, MT
Montana State Historic Preservation Office, Helena, MT

References

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- Montana Fish, Wildlife and Parks (MFWP). 2005. Montana's Comprehensive Fish & Wildlife Conservation Strategy. Helena MT. <<http://fwp.mt.gov/fishAndWildlife/conservationInAction/fullplan.html>> Accessed 14 September 2104.
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- Montana Fish, Wildlife and Parks (MFWP). 2009. Fish Creek State Park and Fish Creek Wildlife Management Area Preliminary Management Plan. Helena MT. http://fwp.mt.gov/news/publicNotices/environmentalAssessments/acquisitionsTradesAndLeases/pn_0081.html (Appendix B) Accessed 9 September 2014.
- Montana Natural Heritage Program (MNHP). 2009. Montana land cover/land use theme. Based on classifications originally developed by the University of Idaho, Sanborn and MNHP for the Pacific Northwest ReGAP project. Helena, Montana.
- Montana Natural Heritage Program MNHP).. 2014. Montana Animal Species of Concern, August 2014. <http://mtnhp.org/SpeciesOfConcern/Default.aspx>
- Sauer, J. R., J. E. Hines, J. E. Fallon, K. L. Pardieck, D. J. Ziolkowski, Jr., and W. A. Link. 2014. The North American Breeding Bird Survey, Results and Analysis 1966 - 2012. Version 02.19.2014 USGS Patuxent Wildlife Research Center, Laurel, MD. <http://www.mbr-pwrc.usgs.gov/bbs/bbs.html> Accessed 14 September 2014.
- Servheen, C. R., R. Shoemaker, and L. Lawrence. 2003. A sampling of wildlife use in relation to structure variables for bridges and culverts under I-90 between Alberton and St. Regis, Montana. Pp 331-341 *In* Proceedings from the International Conference of Wildlife Ecology and Transportation, 2003. <<http://www.icoet.net/downloads/03ICOETProceedings.pdf>> Accessed 9 September 2014.
- TetraTech. 2014. Phase I Environmental Site Assessment, Hulme--Fish Creek Property. Missoula, MT.

APPENDIX A



July 3, 2014

Rebecca Cooper
FWP
1420 E. 6th Ave
Helena MT 59601

RE: FISH CREEK WMA ADDITIONS. SHPO Project #: 2014070304

Dear Rebecca:

I have conducted a cultural resource file search for the above-cited project located in Sections 31, 35, T14N R24W, and Sections 35, 36 T14N R25W. According to our records there have been no previously recorded sites within the designated search locales. However, there have been a few previously conducted cultural resource inventories done in the areas. I've attached a list of these reports. If you would like any further information regarding these reports you may contact me at the number listed below.

As long as there will be no new ground disturbance or alteration to structures over fifty years of age we feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should structures need to be altered or if cultural materials be inadvertently discovered during this project we would ask that our office be contacted and the site investigated.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at dmurdo@mt.gov. I have attached an invoice for the file search. Thank you for consulting with us.

Sincerely,

Damon Murdo
Cultural Records Manager
State Historic Preservation Office

File: FWP/WILDLIFE/2014