Montana Fish, Wildlife & Parks

Region 2 Office
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June 26, 2009

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Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704
*Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
*Dept. of Natural Resources & Conservation, P.O. Box 201601, Helena, MT 59620-1601
*Montana Fish, Wildlife & Parks:
Director's Office, Parks Division, Lands Section, FWP Commissioners, Fisheries Division, Legal Unit, Wildlife Division, Design & Construction
*MT Historical Society, State Historic Preservation Office, PO Box 201202, Helena, MT 59620-1202
MT State Parks Association, P.O. Box 699, Billings, MT 59103
*MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Landowners adjacent to proposed action
*Mailed electronically

Dear Interested Citizen:

The enclosed Decision Notice has been prepared for a roadside animal menagerie permit for Jessi Knudson and Augusto Castanedo to be headquartered at 2355 Swanson Meadows Road in Potomac, MT. The permit proposes to allow the possession of 35-40 exotic animals of 15 different species for exhibition purposes. The permit would be issued following inspection and approval of all cages associated with the facility. An Environmental Assessment (EA) for this proposed permit was available for public comment from April 28 through June 16, 2009. No public comments were received after posting the EA on the FWP website, publishing newspaper notifications of EA availability in the *Missoulian* and *Seeley Swan Pathfinder* newspapers, and sending copies of the EA to adjacent landowners.

It is my decision to proceed with the proposed permit. There are no changes to the Draft EA, and that EA and the attached Decision Notice shall constitute the Final EA for this action.

Sincerely,

Mack Long
Region 2 Supervisor

Enc: Knudsen & Castaneda Roadside Menagerie Decision Notice

Montana Fish, Wildlife & Parks

Knudsen & Castaneda Roadside Menagerie Permit
Potomac, Montana
Decision Notice

Proposed Action

Montana Fish, Wildlife and Parks (FWP) received an application dated March 2, 2009, from Jessi Knudsen and Augusto Castaneda to keep 35-40 exotic animals for purposes of exhibition. Exhibitions would be held off site, for the most part, with indemnity agreements required by FWP for any off-site exhibitions specifying exhibition conditions. The proposed roadside menagerie where the animals would be housed is located at 2355 Swanson Meadows Road in Potomac, MT.

FWP proposes to issue a roadside menagerie permit to Jessi Knudsen and Augusto Castaneda, whose home address is 2355 Swanson Meadows Road, in Potomac, MT. The permit will allow the possession of a number of exotic animals (Appendix B). The permit will be issued following inspection and approval of all cages associated with the facility.

The Licensee must be in compliance with all applicable FWP zoo/menagerie standards and regulations. It is the Licensee's responsibility to keep up with any changes in the laws or regulations.

Montana Environmental Policy Act

FWP assessed the impacts of this proposal to both the human and physical environments. These effects were disclosed in the Environmental Assessment (EA) to comply with the requirements of the Montana Environmental Policy Act.

An extended comment period was open from April 28, 2009 through June 16, 2009. Public notification of the proposed action was facilitated with the publication of a legal notice in the *Missoulian* (June 3) and *Seeley Swan Pathfinder* (Seeley Lake, June 11) newspapers and posting the EA on the FWP website (under Public Notices). Additionally, copies of the EA or notification of its availability were distributed to various agencies, interested groups/citizens, and adjacent landowners.

Comments Received on the Environmental Assessment

FWP received comments no concerning the proposal.

Final Environmental Assessment for Wild Animal Menagerie

Although minor impacts were identified, no potentially significant impacts to the human or physical environment were identified in the Draft EA or through public comment. Alternative 3, as described in the Draft EA was selected as the preferred alternative. That preferred alternative includes mitigation

measures to help assure that no impacts are derived from the issuance of this license. Therefore, the Draft EA, Alternative 3, and this Decision Notice will serve as the final document.

Mitigation Measures Included for this License

1. FWP has the right and responsibility under 87-4-806 MCA to conduct periodic inspections of menageries. Other state and local ordinances regarding animal welfare may also apply. In addition, inspections by the USDA will assure the welfare of the animals housed on site.

2. If the animals are exhibited offsite, FWP must ensure that the animals are transported to and from the exhibition locations in a suitable cage. Exhibitions offsite will require authorization from FWP and the applicant would be required to sign an indemnity agreement indemnifying FWP should any property damage or personal injury take place. (This is consistent with the FWP policy regarding offsite exhibition of roadside menagerie animals; see Appendix A.)

3. No public contact will be allowed with the animals covered under the menagerie permit unless authorized by FWP. (This is consistent with the FWP policy regarding offsite exhibition of roadside menagerie animals; see Appendix A.)

4. Addition of animals to this permit (beyond those listed in Appendix B) must be authorized by FWP.

Decision

Based on the information in the Draft EA, it is my decision to proceed with the proposed action. The proposed action is to issue a roadside menagerie permit to Jessi Knudson and Augusto Castaneda for the location at 2355 Swanson Meadows Road in Potomac, MT. The issuance of this permit is subject to final inspection upon completion of the project.

Based on the analysis in the EA and applicable laws, regulations and policies, I have determined that this action will not have significant effects on the human or physical environment. Therefore, an Environmental Impact Statement will not be prepared. If you have questions regarding this decision notice, please contact me at 3201 Spurgin Road, Missoula, MT, 59804 or phone 406-542-5500.

Mack Long
Region 2 Supervisor

6/27/09
Date

Appendix A.

Department of Fish, Wildlife & Parks
Exhibition Requirements for Roadside Menageries

- Requests for permission to take captive wildlife to shows, fairs, etc. must be received at least 10 working days (state working days) prior to the first date of departure. Failure to do so may result in denial of permission. This will allow the persons involved to prepare for the special circumstances involved with exhibitions.

- A request for exhibition must include a list of the animals to be exhibited; dates, times, and location of exhibition; a description of the enclosures or restraint to be used for exhibited animals; a listing of the personnel who will be involved with the exhibition; the licensee taking responsibility for the exhibition.

- An indemnity agreement is required for public exhibition of captive wildlife specifying the animals to be exhibited, dates of exhibition, and conditions under which the exhibition will be authorized. FWP will prepare the indemnity agreement indemnifying FWP. The licensee responsible for the exhibition must agree by signature to the conditions of the exhibition.

- If multiple exhibition sites are requested, complete information concerning dates, personnel involved, and animals exhibited must be submitted with the initial request.

- The applicant shall provide a current certificate of insurance to include personal injury and property damage coverage with combined single limits of a minimum of $1,000,000, aggregate per year, from an insurer with a Best's rating of A- or better. FWP must be made additional insured on the certificate. The certificate must be filed with FWP.

- The applicant taking primary responsibility for the exhibition must be a licensed roadside menagerie or wild animal menagerie operator who is in compliance with current FWP regulations for their licensed facility.

- Captive wildlife must be exhibited within enclosures capable of preventing escape of the animals. If animals are to be taken out of the enclosures for exhibition, a barricade providing a 4 foot separation from any member of the public must be employed. Only animals which are on a chain or leash and for which the trainer can demonstrate direct physical restraint may be exhibited outside of the enclosure.

- A barricade (rope or wire) will surround the primary enclosure or exhibition area to prevent direct public contact with the animals. Signs will be posted indicating that public contact is not allowed unless authorized.

- A representative of the licensee must be present at all times that the animals are being exhibited. If animals are left in the enclosures overnight, security must be provided by the applicant. The responsible individual (signature on the indemnity agreement) must

provide the names of the individuals assisting in overseeing the animals during exhibition.

- FWP may require additional stipulations as specific or changing circumstances occur regarding exhibition of captive wildlife outside of licensed facilities.

Appendix B.

Exotic Species Requested for the Knudsen-Castaneda Roadside Menagerie

- 1 Chinchilla (*Chinchilla langera*)
- 2 Sugar Glider (*Peteaurua breviceps*)
- 1 Rat (*Rattus norvegicus*)
- 1 Umbrella Cockatoo (*Cacatua alba*)
- 1 Lilac Crowned Amazon Parrot (*Amazona finschi*)
- 1 Red Lored Amazon Parrot (*Amazona autumnalis*)
- 2 Sun Conure (*Aratinga solstitialis*)
- 2 Pacific Parrotlet (*Forpus coelestis*)
- 5 Pigeon (*Columba livia*)
- 1 Columbia Tegu (*Tupinambus tequixin*)
- 1 Bearded Dragon (*Pagona vitticeps*)
- 1 Leopard Gecko (*Eublepharis macularius*)
- 1 African Pixie Frog (*Pyxicephalus adspersus*)
- 1 Red Footed Tortoise (*Geochelone carbonaria*)
- 1 Red Tailed Boa (*Boa constrictor*)
- 1 Mexican Black Kingsnake (*Lampropeltis getula nagrita*)
- 1 Corn Snake (*Elaphe guttata*)
- 1 Kenya Sand Boa (*Gongylophis colubrinus*)
- 1 Emperor Scorpion (*Pandinus imperator*)
- 2 Chilean Rose Haired Tarantula (*Grammostola rosea*)
- 10 Madagascar Hissing Cockroach (*Gromphadorhina portentosa*)
- 1 Sinaloan/Pueblan Milksnake (*Lampropeltis triangulum sinaloae*)
- 1 White Cheeked Turaco (*Tauraco leucotis)*
- 1 African pygmy hedgehog (*Atelerix albiventris x Atelerix algirus*)