Environmental Assessment
Elk Island Wildlife Management Area
Agricultural Lease

January, 2013

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 152 acres of Elk Island Wildlife Management Area (WMA). The proposed lease will be for a 1-year period (April 1, 2013 – March 31, 2014). 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:

FWP 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, Montana Fish, Wildlife & Parks (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 (89-1-209) requires an Environmental Assessment (EA) to be written for all new grazing leases, lease extensions or lease renewals.

3. Anticipated Schedule:

Public Comment Period:	February 1 – February 22, 2013
Decision Notice:	February 25, 2014
FWP Commission Final Consideration:	April, 2013

The agricultural lease will commence on April 1, 2013, and will expire on March 31, 2014.

4. Location affected by proposed action:

Elk Island WMA in eastern Montana is located near the town of Savage along the Yellowstone River in Richland County. (Figure 1). Elk Island WMA comprises 1,585 acres in T20N R58E portions of sections 12-13, 21-24, 26, and 27 and T20N R59E portions of sections 7, 18, however this proposal is relevant only to approximately 152 acres in T20N R58 E, portions of sections 21, 22, 23, 26, and 27 (see map in Appendix B)

Figure 1. Elk Island WMA in eastern Montana is located near the town of Savage along the Yellowstone River in Richland County.

5. Project size: The project size is approximately 152 acres of farmland.

	Acres
(a) Developed	
Residential	0
Industrial	0
(b) Open Space/Woodlands/Recreation	0
(c) Wetlands/Riparian Areas	0
(d) Floodplain	0
(e) Productive	
Irrigated Cropland	152
Dry Cropland	0
Forestry	0
Rangeland	0
Other	

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:

Elk Island WMA was purchased by Montana Fish, Wildlife & Parks (MFWP) to maintain a woodland/cropland complex to benefit a diversity of wildlife while maximizing hunting opportunities, primarily for white-tailed deer and pheasants. The proposed action is to continue a share-crop agreement on 152 ac of the WMA with a long-time, competent lessee. The lessee will cultivate and retain a portion of the hay/grain crop harvest, leaving the remaining crop standing for wildlife use during winter months.

The benefit and purpose of the lease is to provide winter habitat and forage, primarily for wintering pheasants, deer, and turkeys. Standing crops also benefit migrating waterfowl and a variety of other wildlife species. The area is open to public hunting during all commission-approved seasons, and provides opportunity for deer, upland game bird, and waterfowl hunting.

The WMA has been under an agricultural lease with the same lessee since 2001. The lessee has shown initiative to utilize farming practices that increase the productivity of the land. These include fertilizing and conditioning the soil, treating of noxious weeds, and maintaining fields in good condition. The lessee has fulfilled all conditions of previous leases entered into with MFWP.

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 152 acres of farm fields. Wildlife would be negatively impacted by lack of wintering habitat and forage resources.

Alternative B: Proposed Action: Agricultural lease will be renewed for 152 ac of cropland. Wildlife will benefit because high-quality wintering habitat and forage will be available. The lessee, 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. Further, the proposed action is unlikely to result in changes to soil condition since agricultural activities have occurred at the location for greater than 40 years.

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				
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				

Cultivation includes diversion of water and potential minor impacts to ground water from leaching of fertilizer and runoff from ditch irrigation. However, the project area has been irrigated and cultivated for small grains and hay crops for a minimum 40 years, and irrigation canals/ditches were put in place long before MFWP purchased the lands. Therefore, renewing the lease will not result in any changes or impacts to surface water, ground water, runoff or other water rights. One farm field (field R, see Appendix B) is adjacent to the Yellowstone River. This field sustained severe flood damage in 2011 and was planted to wheat in 2012 to facilitate erosion control and prevent intrusion of noxious weeds. The field may continue to be in small grain production for 1-2 more years to restore the soil and facilitate weed control, and will then be planted to a dense nesting cover mix which will provide an excellent buffer between agricultural activities and the main river channel.

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				

Cultivation of these agricultural fields does not involve any conversion, rather a continuation of current use.

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

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				
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 wintering period.

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 will have no impact on 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 effect 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 will 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 in any way.

10e/f. There is no projected revenue. The lessee retains 75% of the small grains and 65% of irrigated hay for his possession and use. The lessee shall leave 25% of the small grain and 35% of the irrigated hay 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				

Since 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. Under the proposed action, no alteration of the current landscape would occur.

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 are anticipated to cultural or historic resources.

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 for public opportunities. No public controversy is anticipated.

PART III. NARRATIVE EVALUATION AND COMMENT

The proposed agricultural lease on Elk Island WMA will provide habitat and forage for wintering white-tailed deer, pheasants, turkeys, and a variety of other wildlife. The proposed project is not expected to have significant impacts on the physical or human environment. Identified impacts are expected to be minor and of short duration. The project is expected to benefit wildlife habitat and populations on the WMA.

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 current EA:

- One public notice in each of these papers: *Sidney Herald* and *The Glendive Ranger Review*;
- Public notice on the Fish, Wildlife & Parks web page: *http://fwp.mt.gov.*

Copies of this environmental assessment will be distributed upon request to any 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, many of which can be mitigated.

2. Duration of comment period:

The public comment period will extend for twenty-one (21) days. Written comments will be accepted until 5:00 p.m., February 22, 2013 and can be mailed to the address below:

Elk Island WMA Agricultural Lease
Montana Fish, Wildlife & Parks
P.O. Box 342
Wibaux, MT 59353

Or email comments to: mfoster@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:

Melissa Foster, MFWP Wildlife Biologist
P.O. Box 342
Wibaux, MT 59353
Office 406-796-5766
Cell 406-853-5682

APPENDIX A
LEGAL DESCRIPTION OF PROPOSED PROJECT AREA

That portion of Elk Island Wildlife Management Area

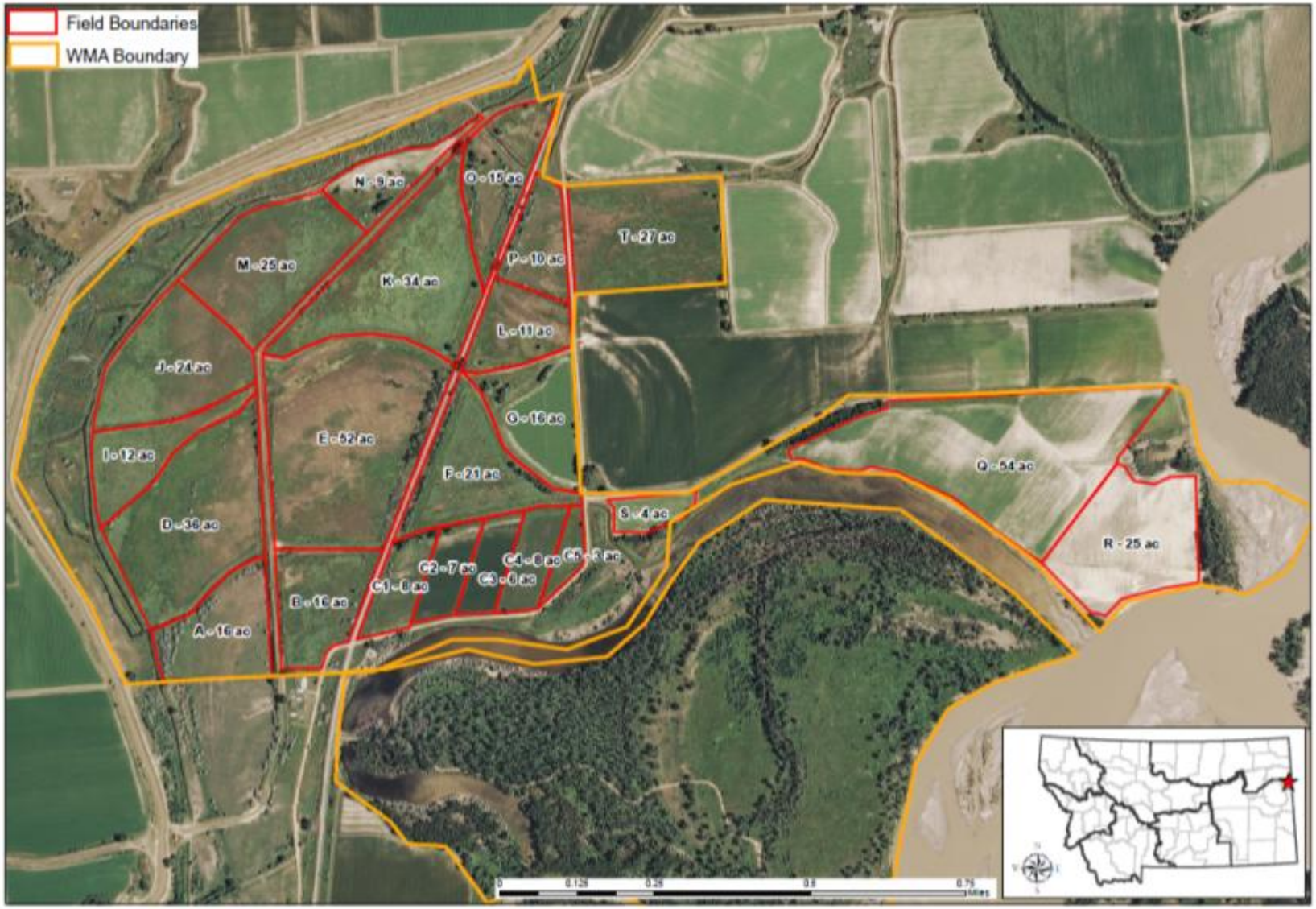
In Township 20 North, Range 58 East, M.P.M. in Richland County, Montana,

Section 21: All lying south and east of main canal. Excluding 2.31 acres in Section 21 as described in deed book A-32, page 158, records of Richland County.

Sections 22, 23, 26, and 27: Containing portions of Tract 1, and Tract 2, COS 27-770.

Fields B, C, F, G, Q, R, and S as shown in Appendix B (map of fields) and described in Appendix C (specific description of agricultural use allowed).

APPENDIX B
Elk Island WMA Agricultural Fields



APPENDIX C
LEASE CONDITIONS AND SPECIFIC DESCRIPTION OF AGRICULTURAL USE ALLOWED – 2013

Lease Conditions:

Cropped areas: Food plots will be planted or left standing in cropped fields (e.g., small grain, corn, pea, and bean). Total acreage in food plots will equal 25% of the total acreage of ground planted to crops. The specific type of crop the lessee intends to plant and harvest will be approved by the area wildlife biologist prior to any cultivation. Crops are chosen based on their importance to wildlife as a cover and food resource and their ability to improve soils or accomplish long-term habitat goals (e.g., weed eradication). Locations and types of food plots planted or left standing will be determined by the area wildlife biologist.

Irrigated hay acreage: MFWP retains 35% of irrigated hay acreage left standing for pheasant brood-rearing habitat and whitetail forage. For example, in a 100 acre alfalfa field, 35 acres would not be cut in any given year. The location of the alfalfa left standing would vary among years, and be determined by the area wildlife biologist.

Areas cut dry land hay: These fields were established as idle nesting/brood rearing habitat for upland birds. These areas are hayed intermittently for the expressed management purpose of weed control and grass/legume stand rejuvenation.

Weed control activities (clipping, spraying etc.) on all agricultural areas are the responsibility of the sharecropper.

Specific Description of Agricultural Use Allowed:

Field B (16 acres): Field was hayed in 2012, will remain idle in 2013

Fields C1, C2, C3, C4, & C5 (32 acres): Cropped or hayed

Field F (21 acres): Hayed after July 15

Field G (16 acres): Cropped or hayed

Field Q (54 acres): Field sustained some flood damage in 2011. Field was cropped in 2012 to facilitate weed eradication. Depending on the condition of the field at planting time, the field may be cropped in 2013 or portion of the field (approximately 25 acres) may be planted to a dense nesting cover/perennial food plot mix.

Field R (25 acres): Field flooded in 2011 and was planted to wheat as a cover crop/food plot in 2012. Depending on the condition of the field at planting time, it will be planted to a soil prep mix, small grain, or dense nesting cover/perennial food plot mix to continue post-flood soil rehabilitation, weed control, and erosion control.

Field S (4 acres): Will be planted to a food plot of small grain.