

MEPA/NEPA/HB495 CHECKLIST

Blackfoot Clearwater WMA and Vannoy Ranch Cooperative Habitat Management Agreement

PART I. PROPOSED ACTION DESCRIPTION

1. Type of Proposed State Action

Montana Fish, Wildlife & Parks (FWP) proposes to enter into a 6-year Cooperative Habitat Management Agreement (hereafter, Management Agreement or Lease), involving 15 acres of FWP land in Missoula County, with the Vannoy Ranch (hereafter, Vannoy or Lessee). This FWP land is managed as part of the Blackfoot Clearwater Wildlife Management Area (BCWMA).

2. Agency Authority for the Proposed Action

FWP purchased lands managed as the Blackfoot Clearwater Wildlife Management Area in a series of transactions between 1948 and 2010. The Montana Code Annotated (MCA) authorizes FWP to acquire and operate land and to enter into leases: *The department may develop, operate, and maintain acquired lands or waters: . . . (b) as land or water suitable for game, bird, fish, or fur-bearing animal restoration, propagation, or protection* (§ 87-1-209(2), MCA). *The department is authorized to enter into leases of land under its control in exchange for services to be provided by the lessee on the leased land* (§ 87-1-209(7), MCA).

3. Name of Project

Blackfoot Clearwater WMA-Vannoy Ranch Cooperative Habitat Management Agreement

4. Name, Address and Phone Number of Project Sponsor (if other than the agency)

Montana Fish, Wildlife, & Parks, Region 2, PO Box 1288, Seeley Lake, MT 59868 (406-210-9830), Attn: Jay Kolbe

5. If Applicable:

Estimated Construction/Commencement Date 6/1/2013

Estimated Completion Date 10/15/2018

Current Status of Project Design (100% complete)

6. Location Affected by Proposed Action (county, township, range and section)

A 15-acre parcel in Missoula County: SW ¼ of Section 4, Township 14 North, Range 14 West (Figure 1)

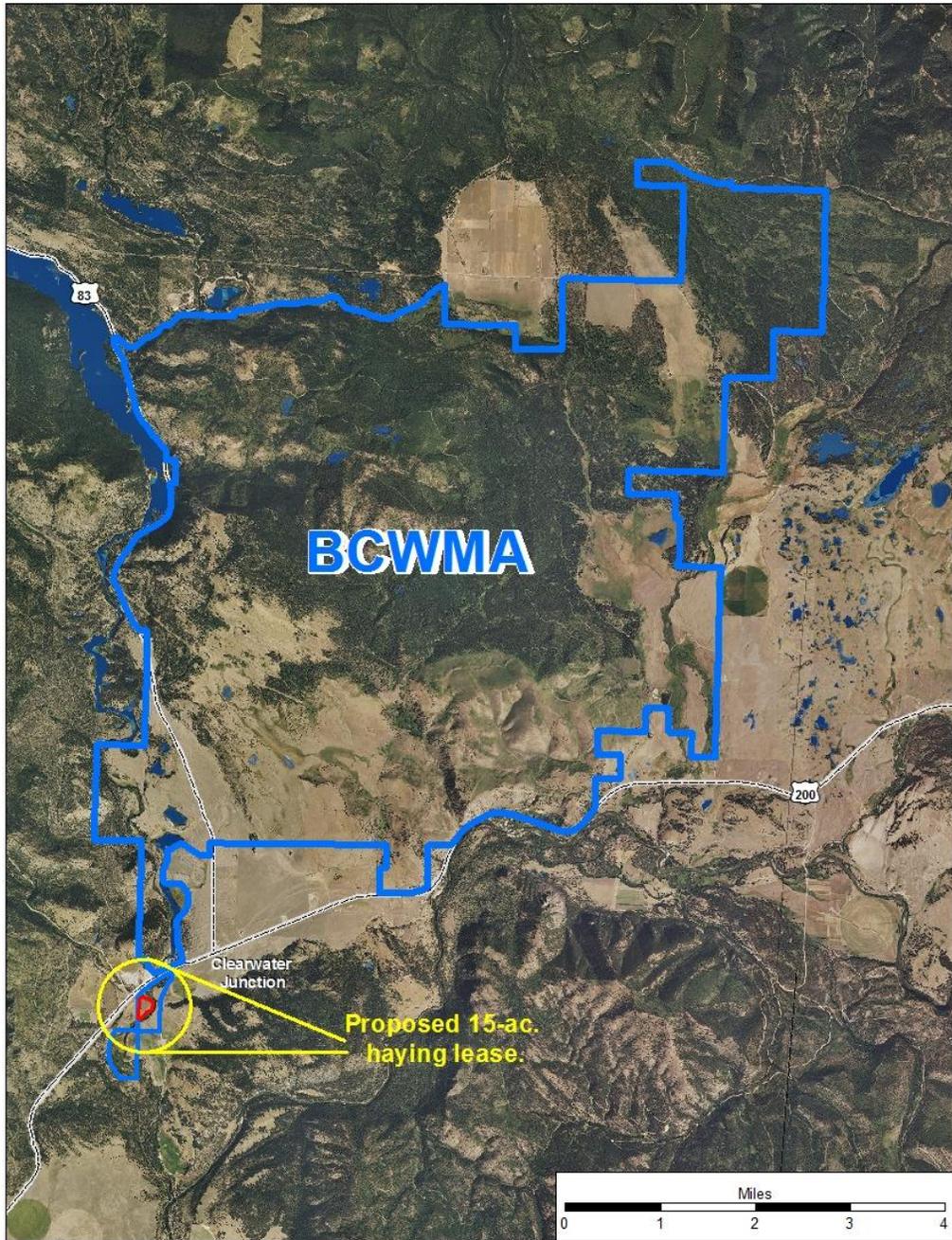


Figure 1. Location of the FWP-owned pasture (in relation to the greater Blackfoot Clearwater WMA) that would be subject to the proposed BCWMA-Vannoy Ranch Cooperative Habitat Management Agreement.

7. Project Size: Estimate the number of acres that would be directly affected:

Approximately 15 acres of FWP-owned land within the Blackfoot-Clearwater WMA.

8. Map/site plan: See Figure 2.



Figure 1. FWP-owned hay pasture that would be subject to the proposed BCWMA-Vannoy Ranch Cooperative Habitat Management Agreement.

9. Narrative Summary of the Proposed Action or Project including the Benefits and Purpose of the Proposed Action.

The proposed action is to enter into a share-crop agreement with the Vannoy Ranch (Tom Vannoy) which would allow annual late-season haying of a 15-acre pasture within a unit of the Blackfoot Clearwater WMA in exchange for maintenance and habitat restoration services (primarily noxious weed treatment) on this pasture and nearby BCWMA land.

The primary objective of the BCWMA is to maintain productive plant communities that provide the best possible habitat and forage for native wildlife. Before FWP acquired the property (Figure 2), the subject pasture was tilled, irrigated, and planted to small grains and non-native tame grasses. The pasture has not been farmed or irrigated in recent decades and is now heavily infested with noxious weeds (primarily spotted knapweed). Without treatment, the pasture has matured to become rank, minimally productive vegetation that is generally unpalatable for native ungulates.

Late-season haying would remove cured decadent vegetation and stimulate succulent spring and fall re-growth favored by elk and deer. Haying would also facilitate effective noxious weed herbicide application. FWP proposes to allow the lessee to annually hay the pasture during late summer (after August 15) which would allow grass seeds to ripen and shatter. Late haying also retains functional cover for ground nesting birds and spring/summer ungulate forage. Initially we estimate that the field would produce 6-10 tons of marginal-quality hay. Hay quality and quantity are expected to rapidly increase following initial weed treatments and invigorated regrowth.

The lessee would use his equipment to cut, bale, and transport hay. He would document and provide an accounting of the tonnage of hay produced each year. In exchange for use of the hay, the lessee would deliver in-kind services, primarily noxious weed treatment and herbicide, equivalent to ½ the local market value for the hay produced the previous year—the initial obligation would be \$500. FWP’s representative and the lessee would meet during on or around May 1 each year to specifically plan work to be done the following summer. The lessee may contract weed treatment and produce an invoice as proof of service or conduct prescribed treatments himself. FWP would credit the lessee at a rate of \$40/hour (time and equipment) and for actual value of herbicide and adjuvants used. Lessee is responsible for producing annual treatment maps and completing required weed treatment forms.

This lease would extend for 6 years (2013-2018), would be monitored annually by FWP biologists, and can be terminated by either party at any time.

10. List of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) Permits:

Agency Name	Permit	Date Filed/#
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Not Applicable

(b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
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Not Applicable

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
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U. S. Fish and Wildlife Service--FWP is accountable to the Service to ensure that management practices on properties acquired with Federal Aid (such as the BCWMA) are compatible with the purpose for the acquisition; i.e., to provide big game habitat.

11. List of Agencies Consulted During Preparation of the EA:

Not Applicable

PART II. ENVIRONMENTAL REVIEW

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> Would 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				
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 (list)		x				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

2. <u>AIR</u> Would 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 of pollutants?		x				
e. For P-R/D-J projects, would the project result in any discharge which would conflict with federal or state air quality regs? (Also see 2a)		x				
f. Other		x				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

3. <u>WATER</u> Would 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 flood water 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, would the project affect a designated floodplain? (Also see 3c)		X				
m. For P-R/D-J, would the project result in any discharge that would affect federal or state water quality regulations? (Also see 3a)		X				
n. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

4. <u>VEGETATION</u> Would 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			4.a
b. Alteration of a plant community? c. Adverse effects on any unique, rare, threatened, or endangered species?			x			4.b
d. Reduction in acreage or productivity of any agricultural land?		x				
e. Establishment or spread of noxious weeds?		x				
f. For P-R/D-J, would the project affect wetlands, or prime and unique farmland?		x				
g. Other:		x				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

4.a, 4.b. Tame non-native grasses within the treated pasture would be invigorated and become more productive. Both haying and herbicide application would substantially reduce the prevalence of noxious weeds within the pasture and in other areas treated by the lessee as per the terms of the proposed lease.

5. <u>FISH/WILDLIFE</u>	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Would the proposed action result in:						
a. Deterioration of critical fish or wildlife habitat?		x				
b. Changes in the diversity or abundance of game animals or bird species?			x			5.b
c. Changes in the diversity or abundance of nongame species?			x			5.c
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, would the project be performed in any area in which T&E species are present, and would the project affect any T&E species or their habitat? (Also see 5f)			x			5.h
I. <input type="checkbox"/> For P-R/D-J, would the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		x				
j. Other:		x				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

5.b. Increased succulent spring/fall regrowth and the reduction of unpalatable noxious weeds would increase use of the subject parcel by deer and elk.

5.c. Annually deferring haying until late summer would allow grasses to structurally mature and provide habitat for ground nesting birds.

5.h Grizzly bears are commonly observed near the subject pasture. Implementation of the Proposed Action would not affect grizzlies.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Would 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:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

7. LAND USE	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Would the proposed action result in:						
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			x			7.a
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: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

7.a Implementation of the Proposed Action would increase the number of cattle the lessee can raise and sell, thus increasing the profitability of his overall ranching operation..

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8. RISK/HEALTH HAZARDS Would 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, would any chemical toxicants be used? (Also see 8a)		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

9. COMMUNITY IMPACT	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Would the proposed action result in:						
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:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

10. PUBLIC SERVICES/TAXES/UTILITIES Would the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Would 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. Would the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Would 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. Would the proposed action result in increased used of any energy source?		X				
e. Define projected revenue sources		X				
f. Define projected maintenance costs.			X			10.f
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

10. Hay would to be exchanged for services in-kind; no State funds would be generated

11. <u>AESTHETICS/RECREATION</u>	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Would 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? (Attach Tourism Report)		X				
d. For P-R/D-J, would any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

12. <u>CULTURAL/HISTORICAL RESOURCES</u>	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Would 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, would the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)		X				
e. Other:						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE Would the proposed action, considered as a whole:	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 which 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 would 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				
g. For P-R/D-J, list any federal or state permits required.		x				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

PART II. ENVIRONMENTAL REVIEW (continued)

Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:

The only reasonable alternative would be “No action.” If the no action alternative were to be selected, the pasture would not be hayed and FWP would not obtain the benefit of improved spring/fall re-growth. Treatment of weeds within and near the pasture would occur on a regionally prioritized basis and at FWP’s sole expense.

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

The Management Agreement would be monitored by FWP wildlife biologists and potentially terminated if its terms were to be violated per the explicit terms of the FWP-approved lease.

PART III. NARRATIVE EVALUATION AND COMMENT

FWP’s analysis the Proposed Action did not identify any potential significantly negative environmental impacts. FWP expects that if the Proposed Action is implemented, wildlife habitat quality on the BCWMA would improve.

PART IV. NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT (EIS)

**Based on the significance criteria evaluated in this EA, is an EIS required? Yes or No?
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:**

No. Based upon the checklist EA, which has identified a limited number of minor impacts from the proposed action and no significant negative impacts, an EIS is not required and an environmental assessment is the appropriate level of review.

PART V. PUBLIC PARTICIPATION

Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

Duration of comment period if any:

The Blackfoot-Clearwater Citizen Advisory Council was active in the development of earlier Cooperative Habitat Management Agreements. FWP is currently seeking public comment on this proposal.

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

- One statewide press release, which also will be posted on FWP’s website <http://fwp.mt.gov> (“News,” then “News Releases”);
- One legal notice in each of these newspapers: *Blackfoot Valley Dispatch* (Lincoln), *Independent Record* (Helena), *Missoulian*, *Seeley Swan Pathfinder*, and *Silver State Post* (Deer Lodge);

- Direct mailing or email notification to landowners and interested parties (individuals, groups, agencies);
- Public notice on the FWP web page: <http://fwp.mt.gov> (“Submit Public Comments,” then “FWP Lands,” then “Acquisitions, Trades & Leases”) where comments may be submitted.

Copies of this draft environmental assessment may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 406-542-5540; by emailing fwprg22@mt.gov; or by viewing FWP's Internet website <http://fwp.mt.gov> (“Recent Public Notices,” beginning April 10).

Comments may be made online on the EA's webpage or may be directed by mail to the FWP address above or by email to shrose@mt.gov. Comments must be received by FWP no later than 5:00 p.m. on May 3, 2013.

Given the local focus and relative simplicity of this proposed action, a minimum 21-day public comment period and subsequent Commission action are appropriate.

PART VI. EA PREPARATION

Name, title, address and phone number of the Person(s) Responsible for Preparing the EA:

Jay Kolbe
PO Box 1288
Seeley Lake, MT 59868
406-210-9830