Montana Fish, Wildlife & Parks

Decision Notice for Blackfoot Clearwater WMA and Two Creek Ranch Cooperative Habitat Management Agreement EA

Prepared by:
Montana Fish, Wildlife and Parks
Region 2 Wildlife
3201 Spurgin Road
Missoula, MT 59804
May 7, 2013

DESCRIPTION OF PROPOSED ACTION

Montana Fish, Wildlife & Parks (FWP) proposes to enter into a 6-year Cooperative Habitat Management Agreement (hereafter, Management Agreement or Lease), involving 1,050 acres of FWP land within the Blackfoot Clearwater WMA (BCWMA), with the Two Creek Ranch (TCR, Lessee) in Powell County.

Prescribed rotational grazing of tame-grass agricultural hay fields on the BCWMA (which make up the vast majority of FWP grass proposed for lease) would periodically remove residual vegetation, increase succulent spring/fall re-growth, and would not significantly reduce forage available to elk and deer during winter. The Lessee would implement a three-pasture rotational grazing system on 1,000 acres of adjacent privately managed native grass pastures. These pastures are critical elk and deer winter range; this grazing system would maintain and improve winter habitat for a highly valued migratory elk herd. The Lessee annually provides public hunting access to these and other Ranch lands. The Lessee would also agree to construct wildlife-friendly fence along Cottonwood Creek, remove decrepit barbed-wire fence (converting most fencing to temporary electric), install off-creek water developments, and treat noxious weeds on the WMA.

This lease proposal represents a continuation of a 10-year history of Cooperative Habitat Management Agreements with the Lessee. FWP's non-native agricultural fields would either be grazed on a two-year (early/late) rotation or be hayed annually during the late season. The southern (partially native) WMA pastures would only be grazed one season every three years. The Lessee's native-grass pastures would be grazed in a three-pasture rest-rotation grazing system ensuring rest during two of three growing seasons. Lessee would also provide significant in-kind services including fence removal and maintenance, water development, riparian fencing, and noxious weed treatment.

FWP would provide an annual maximum of 415 AUMs having a market value of $8,466. Lessee would agree to provide in-kind use of his private land and services to FWP in lieu of monetary payment.

ALTERNATIVES CONSIDERED TO THE PROPOSED ACTION

No Action: FWP would *not* enter into a 6-year Cooperative Habitat Management Agreement, involving 1,050 acres of FWP's BCWMA land, with the Two Creek Ranch. One thousand acres of native elk winter range adjacent to the BCWMA would be grazed at the landowner's discretion and to maximize agricultural production. The Lessee would not provide fencing improvements, water developments, or weed treatments on the BCWMA.

The proposed stocking levels and grazing system were prepared and approved by FWP range management specialists. If the no action alternative were to be selected, the grazing lease with TCR would not be renewed, and FWP would not obtain benefits such as improved fall re-growth and winter forage quality for elk and deer on the WMA as well as improved range condition on private pastures that provide important native elk and deer winter range.

MONTANA ENVIRONMENTAL POLICY ACT PROCESS

FWP is required to assess impacts to the human and physical environment under the Montana Environmental Policy Act (MEPA). The Blackfoot Clearwater WMA and Two Creek Ranch Cooperative Habitat Management Agreement proposal and its effects were documented by FWP in a Draft Environmental Assessment (EA).

PUBLIC REVIEW PROCESS

FWP is required by MEPA to assess potential impacts of its proposed actions to the human and physical environments, evaluate those impacts through an interdisciplinary approach, including public input, and make a decision based on this information. FWP released a draft environmental assessment (EA) for public review of the Blackfoot Clearwater WMA and Two Creek Ranch Cooperative Habitat Management Agreement proposal on April 11, 2013 and accepted public comment until 5:00 P. M. on May 3, 2013. This comment period was more than 21 days.

Legal notice of the proposal and availability of the Draft EA was published once each in the *Blackfoot Valley Dispatch* (Lincoln, April 11), *Independent Record* (Helena, April 10), *Missoulian* (April 10), Seeley *Swan Pathfinder* (April 11), and *Silver State Post* (Deer Lodge, April 10) newspapers.

FWP mailed 6 copies of the EA (and sent approximately 34 email notifications of the EA's availability) to interested individuals, groups and agencies. The EA was available for public review on FWP's web site (http://fwp.mt.gov/, "Recent Public Notices" and "Submit Public Comments") from April 11 through May 3, 2013. An FWP statewide news release was issued April 12 and posted on FWP's website (http://fwp.mt.gov/, "News Releases") the same day.

SUMMARY OF PUBLIC COMMENT

FWP received no comments regarding this proposal.

FINDING OF NO SIGNIFICANT IMPACT

FWP has reviewed the EA and applicable laws, regulations, and policies and has determined that this action will not have significant effect on the human environment. Therefore, I conclude that the EA is the appropriate level of analysis and the preparation of an Environmental Impact Statement is not necessary.

DECISION

Based on the analysis in the Draft EA and lack of public comment opposing or suggesting changes to the Proposed Action, I have selected the "Proposed Action" alternative. I recommend to the Montana Fish, Wildlife & Parks Commission that it approve the proposed 6-year Cooperative Habitat Management Agreement between FWP (involving 1,050 acres of FWP land) with the Two Creek Ranch, including implementation of grazing management systems on FWP and private land, fence improvements, water developments, and weed treatment services.

CONCLUSION

By notification of this Decision Notice, the draft EA is hereby made the final EA. The finding of selection for the "Proposed Action" alternative is the product of this Decision Notice.

Pat Saffel
Region 2 Acting Supervisor
Montana Fish, Wildlife and Parks
3201 Spurgin Road
Missoula, MT 59804

5/7/13
Date