



DECISION NOTICE WHISKEY RIDGE CONSERVATION EASEMENT

Region 4 Headquarters
4600 Giant Springs Rd.
Great Falls, MT 59405
(406) 454-5840

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVE CONSIDERED:

Proposed Action

Montana Fish, Wildlife & Parks (MFWP) is proposing to purchase and manage a conservation easement (CE) on 4,306 acres owned by David Bergum and 313 acres owned by David Bergum, Ryan Hagen, and Daniel Hagen north of Winifred, MT. This proposed CE, called the “Whiskey Ridge Conservation Easement,” will protect and conserve in perpetuity ~ 4,619 deeded acres of mixed sagebrush-grassland habitat adjoining the Missouri River Breaks in deer/elk hunting districts (HDs) 417 and 426. It also includes terms to minimize the spread of disease between domestic sheep and the Southern Missouri River Breaks (HD 482) bighorn sheep herd.

This CE will also guarantee free public access for hunting and other recreational pursuits on these deeded CE lands, satisfying MFWP’s objectives in providing access and recreational opportunities to the public.

No Action

For the No Action Alternative, MFWP would not purchase the proposed Whiskey Ridge CE. Dave Bergum would continue to manage the Land as a working cattle ranch, but there would be no guarantee of permanent conservation and public access on the Land, especially if the property were to be sold. Additionally, the Landowner may decide to diversify his interests by running domestic sheep, and disease transmission among wild sheep and domestics may occur as a result.

MONTANA ENVIRONMENTAL POLICY ACT PUBLIC PROCESS:

MFWP is required by the Montana Environmental Policy Act (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. MFWP released a draft Environmental Assessment (EA) for public review of the proposed action on August 25, 2020 and accepted public comment until 5:00 P. M. on September 24, 2020.

Notice of the proposal and availability of the Draft EA was published in the *Lewistown News Argus* and the *Great Falls Tribune*. Copies of the EA were distributed to Fergus County Commissioners, neighboring landowners, interested individuals, groups, and agencies to ensure their knowledge of the proposed project. The EA was also available for public review on MFWP's web site (<http://fwp.mt.gov/>, "Recent Public Notices" and "Environmental Assessments") for the duration of the comment period. MFWP also issued a News Release.

SUMMARY OF PUBLIC COMMENT:

FWP received 38 total written comments via email and 1 via written mail. A breakdown of the comments is as follows: 38 were in support of the proposed action (purchase of the conservation easement), 0 supported the No Action Alternative, and 1 did not specify.

In their support, comments referenced the benefits of expanded perpetual public access, the benefits to sportsmen and women of Montana and people of Montana in general, the protection of the Land's Conservation Values, maintaining the lands in private ownership, the continuance of agricultural practices (i.e., the proposed grazing system and continuing to utilize farmed hay ground), the quality native habitat and scenic values, and the protection and mitigation of disease concerns for the wild sheep population. Many commenters also expressed gratitude for the landowners in their willingness to allow public access and work with the Department on this easement.

The one non-supportive comment expressed concerns over increased traffic during hunting and other seasons with the land becoming a CE, and wear and tear on the county roads, particularly Whiskey Ridge Road. Primarily for that reason it was in opposition to the proposed CE.

RESPONSE TO COMMENTS:

All but one comment expressed support for the proposed Whiskey Ridge CE. In response to the one opposing comment concerning increased road wear-and-tear and public use, the current landowners have traditionally allowed access to the deeded lands and Mr. Bergum has been enrolled in MFWP's Block Management Program for several years. The adjacent public lands (including Monument lands) already receives a relatively high level of use during hunting season and other periods.

As a CE, it is expected that use will not increase significantly from what is already occurring outside of possibly higher temporary use the first few years due to novelty. The hunting and recreational use rules outlined in the Draft Management Plan will provide some measure of accountability and tracking for users accessing CE lands via sign-in and reservation requirements in perpetuity, compared to the situation prior to the lands being enrolled in Block Management. Signage and additional patrolling of the area has been and will also occur with the lands in CE. Furthermore, MFWP is not responsible for county road maintenance and is not legally authorized to allocate funds for such.

DECISION:

In reviewing all the public comment, evaluating the environmental effects, and other relevant information, I recommend that MFWP pursue the completion of the Whiskey Ridge

Conservation Easement Project and recommend that the Fish & Wildlife Commission approve the proposed action as well.

Through the MEPA process, MFWP found no significant impacts on the human or physical environments associated with this proposal. Therefore, the EA is the appropriate level of analysis, and an environmental impact statement is not required.

After review of this proposal, it is my decision to accept the draft EA as supplemented by this Decision Notice and the summary/response to public comment contained herein. In combination, these documents constitute the Final EA. MFWP believes the completion of this project is in the best interests of working agricultural landscapes, fish and wildlife, and public recreation.



Gary Bertellotti
Region 4 Supervisor



Date

Public Comment Received on the Draft Environmental Assessment:

From: jwilly_@hotmail.com <jwilly_@hotmail.com>
Sent: Tuesday, August 25, 2020 3:38 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

Comment in support the acquisition of this CE and the subsequent increase in public access.

From: ryanpearson44@gmail.com <ryanpearson44@gmail.com>
Sent: Tuesday, August 25, 2020 4:00 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I am in favor of this CE. This is a fantastic opportunity to continue to preserve and protect an incredible area of Montana.

From: stephenjones045@gmail.com <stephenjones045@gmail.com>
Sent: Tuesday, August 25, 2020 4:39 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I fully support the acquisition.

From: tricityinc@aol.com <tricityinc@aol.com>
Sent: Wednesday, August 26, 2020 7:54 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

This is a great deal for Montana sportsmen, thanks for your hard work, please pursue. Brad Lencioni president of the Great Falls Chapter of SCI.

From: cockrell123@gmail.com <cockrell123@gmail.com>
Sent: Wednesday, August 26, 2020 7:57 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I am in favor of the Whiskey Ridge conservation easement bt Montana FWP.

Paul Cockrell

From: neffa3@gmail.com <neffa3@gmail.com>
Sent: Wednesday, August 26, 2020 8:37 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

This is a great opportunity to increase access in an area that is truly a unique sportsman's paradise. I fully support the acquisition of this CE.

From: Adventurewestproductions@gmail.com <Adventurewestproductions@gmail.com>
Sent: Wednesday, August 26, 2020 8:59 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I support the Whiskey Ridge Conservation easement.

From: marcsvee@gmail.com <marcsvee@gmail.com>
Sent: Wednesday, August 26, 2020 9:44 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I fully support this conservation easement. It is great that private landowners are presented an opportunity to preserve and protect their hard earned land in a way that is mutually beneficial to them and the public.

From: dgagner33@gmail.com <dgagner33@gmail.com>
Sent: Wednesday, August 26, 2020 3:19 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

Thank you for bringing forth this proposal, I think it'd be a great addition for all sportsmen. This area suffers tremendously from lack of access, so this would be a great step in the right direction. I would love to see this go through.

Dan Gagner
Helena, MT

From: knowlesmontana@juno.com <knowlesmontana@juno.com>
Sent: Thursday, August 27, 2020 10:43 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I am for any action that creates public access AND I am impressed with how FWP thoughtfully considers AG use combined with Wildlife needs. randy knowles, Region 4 CAC member

From: Jimmy Lewis <jimmylewismontana@gmail.com>
Sent: Thursday, August 27, 2020 3:09 PM
To: Andersen, Sonja
Subject: [EXTERNAL] Attn: Whiskey Ridge Conservation Easement

I support the creation of the Whiskey Ridge Conservation Easement.

Thank you,

Jimmy Lewis
320 Middle Cottonwood Lane
Bozeman, MT 59715
406-580-8466

From: Robert Sanders <rsanders@ducks.org>
Sent: Thursday, August 27, 2020 3:52 PM
To: Andersen, Sonja
Cc: Loecker, Cory
Subject: [EXTERNAL] RE: Whiskey Ridge Conservation Easement Letter of Support

Dear Ms. Andersen,

Ducks Unlimited heartily supports the proposal to establish the Whiskey Ridge Conservation Easement as described in your scoping document. We applaud the hard work that Montana Fish, Wildlife and Parks and others have put into this effort and strongly support the acquisition of this property. We encourage the Montana Wildlife Commission, the State Land Board and other decision making entities to approve this acquisition that serves to benefit both wildlife and the citizens of the state of Montana.

Sincerely,

Bob Sanders

Bob Sanders
Manager of Conservation Programs - Montana
P.O. Box 183, Elliston, MT 59728
406-492-2002
rsanders@ducks.org
www.ducks.org [ducks.org]

From: Dborgreen@gmail.com <Dborgreen@gmail.com>
Sent: Friday, August 28, 2020 1:49 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I strongly support the Whiskey Ridge CE. The area has a very high conservation and recreation value. Protecting these would be valuable to Montana citizens and sportsmen and women.

From: Gunnison05@gmail.com <Gunnison05@gmail.com>
Sent: Saturday, August 29, 2020 8:25 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

Please get this conservation easement approved. Thanks

From: otisranch@wispwest.net <otisranch@wispwest.net>
Sent: Sunday, August 30, 2020 6:50 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

Dear Fish Wildlife & Parks Commission,
I support the purchase of the Whiskey Ridge CE. Everything I read in the EA sounds like a win/win for the public and the landowner. The improvements will benefit the landowner and the wildlife habitat for many years. Please Thank the landowner for offering this CE to the people of the State of Montana, and letting the public use this land in the past.
Thank You Bert Otis

From: dpfauski@gmail.com <dpfauski@gmail.com>
Sent: Monday, August 31, 2020 4:45 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

This would be an exceptional area for outdoor enthusiasts to enjoy the breaks especially with road access. I would encourage this access work.

From: mbackes@midrivers.com <mbackes@midrivers.com>
Sent: Monday, August 31, 2020 8:18 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I was fortunate to draw a ram tag to hunt bighorn sheep on this proposed conservation easement in 2019. I became intimately aware of the extremely limited access opportunities that otherwise plague this hunting district. Nearly every access route by two track road to public land is blocked by narrow tracts of private land. The high dollar value placed on sheep hunting and frequency of the governors auctioned tag being used in this hunting district has resulted in access being restricted to a couple of county roads and via the river. Outfitters have leased nearly every tract of private land accessing the public land for at least the first four weeks of season or have driven up the cost of access fees beyond the average persons means. Furthermore, the vast majority of sheep reside on public land that is just beyond the private property gate. I was actually very fortunate to harvest a trophy ram by accessing Dog Creek via David Bergum's private property. His land and the proposed conservation easement more than doubles the access options to otherwise inaccessible public lands including at least three major drainages that support bighorn sheep. Thus, the importance and perpetual benefits to the public by this easement is unparalleled by any other proposed easement in Montana. I also met and spoke with David while hunting and was impressed with his desire to allow public hunting and share the opportunity with others. Being enrolled in block management was a great fit for his desires and ranching lifestyle. Please do what you can to ensure David's continued ownership of his land and the public benefits he and the state will provide for perpetuity via this easement. The benefits to future hunters from completing this easement are nearly impossible to comprehend until you have the opportunity to enjoy a once in a lifetime hunting experience for bighorn sheep in the Missouri River breaks.

Thank you to the landowners (David, Ryan and Daniel) and FWP staff for working together for the benefit of others, to continue the hunting heritage in Montana, and making the State one of the best to live in!

From: Glenn Elison <glennelison@gmail.com>
Sent: Tuesday, September 1, 2020 8:12 AM
To: Andersen, Sonja
Subject: [EXTERNAL] Whiskey Ridge Conservation Easement

I fully support the acquisition of the Whiskey Ridge conservation easement. I am personally familiar with the area from hunting, hiking and other recreation in the immediate area. This easement will be a boon to wildlife and the public's improved and increased recreational use of the area. With declining public access to private lands, conservation easements that provide public access and use are an important tool to perpetuate our hunting heritage.

Glenn Elison

From: shookstermt@gmail.com <shookstermt@gmail.com>
Sent: Wednesday, September 2, 2020 5:11 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I fully support Montana fwp to make this purchase.
Josh Shook
Bozeman Mt

From: slfitte@yahoo.com <slfitte@yahoo.com>
Sent: Thursday, September 3, 2020 4:09 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

This is so great! What an asset and will help tie the public lands together and provide much needed access in the area. Please go forward with this easement! Thanks to all involved!

From: jasonsnyder71@icloud.com <jasonsnyder71@icloud.com>
Sent: Friday, September 4, 2020 5:55 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

Good afternoon,

Thank you for the opportunity to comment on the Whiskey Ridge Conservation Easement EA. I am very familiar with this area. I feel this conservation easement should be a very high priority for the department. This area would provide high quality public access to bighorn sheep in the Missouri Breaks. Public access in this area has long been a concern, and this would provide a prime opportunity to at least partially remedy this. I am a firm believer in entering cooperative agreements with willing

landowners, particularly in areas of high value wildlife habitat such as the Missouri Breaks.

I fully support this Conservation Easement proposal

Thank you for your efforts on this project.

Jason Snyder

From: ddshockley@aol.com <ddshockley@aol.com>
Sent: Saturday, September 5, 2020 8:59 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

Please complete this easement!

From: jtkconner@q.com <jtkconner@q.com>
Sent: Saturday, September 5, 2020 9:43 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I support the Conservation Easement proposal for the Whiskey Ridge Conservation Easement. I have hunted this area many times and this is long overdue.

From: white.derek44@gmail.com <white.derek44@gmail.com>
Sent: Saturday, September 5, 2020 5:49 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

As someone who hunts the Missouri Breaks I support the Whiskey Ridge easement. This is excellent habitat that should be protected. In addition, it is important to secure public access to elk in HD 417, where elk are often inaccessible to the general public.

From: JAKEZAUCHE@GMAIL.COM <JAKEZAUCHE@GMAIL.COM>
Sent: Wednesday, September 9, 2020 10:08 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

This is a great opportunity that should be pursued!

From: RANDY182@MSN.COM <RANDY182@MSN.COM>
Sent: Wednesday, September 9, 2020 1:24 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I support the purchase of the Whiskey Ridge Conservation Easement. I have hunted this BMA in the past, and it provides incredible access to the Upper Missouri River Breaks Monument. Having permanent access to this land in place is a fantastic opportunity.

From: bret.lian@gmail.com <bret.lian@gmail.com>
Sent: Wednesday, September 9, 2020 2:14 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I strongly support the proposal to purchase and manage a conservation easement (CE) on 4,306 acres owned by David Bergum and 313 acres owned by David Bergum, Ryan Hagen, and Daniel Hagen north of Winifred, MT. Please do so.

Thank you,
Bret Lian

From: mhg4556@gmail.com <mhg4556@gmail.com>
Sent: Thursday, September 10, 2020 4:48 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

September 10, 2020

Sonya,

Thank you for the opportunity to review and comment on the Whiskey Ridge Conservation Easement Draft EA.

I support the proposed action of this EA for FWP to acquire a conservation easement on this property owned. I have recreated on this property and am familiar with it.

The following are reasons I support this effort ?

It is quality native habitat

It would make access to adjacent BLM and state lands easier

It has incredible scenic values

Sincerely,
Mike Getman
Lewistown, MT 59457

From: henmt1@comcast.net <henmt1@comcast.net>
Sent: Friday, September 11, 2020 8:44 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I strongly support your proposal to acquire a Conservation Easement on the Bergum Ranch lands on and near Whiskey Ridge. This project will provide valuable access to both private lands and thousands of acres of public lands that could be blocked. I also agree with supporting ranchers who support the department's access programs such as Block Management. It's a good win:win project for Central Montana.

Harvey Nyberg

From: wolf28_00@hotmail.com <wolf28_00@hotmail.com>
Sent: Monday, September 14, 2020 9:59 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

Awesome Idea, more access anywhere is a huge benefit for everyone involved. Especially on a conservation easement, protected and accessible...DOUBLE THUMBS UP !!!

From: c_merker@yahoo.com <c_merker@yahoo.com>
Sent: Thursday, September 17, 2020 8:30 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

Living in Lewistown we love the breaks for so many reasons. This CE will make it easier and more enjoyable to recreate in this marvelous country. Please do make it happen.
Chris and Diann Merker in Lewistown

From: rjfisherwi@gmail.com <rjfisherwi@gmail.com>
Sent: Thursday, September 17, 2020 11:15 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

I am in favor of the Whiskey Ridge Conservation Easement. I believe the wildlife in Montana need large areas of connected land to migrate and thrive. We need to conserve what land is remaining to protect it for future generations and wildlife. Joanne In Great Falls MT

From: tristan.higgins@gmail.com <tristan.higgins@gmail.com>
Sent: Thursday, September 17, 2020 8:37 PM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

This is good. Do the CE.

From: rmacgowan@gmail.com <rmacgowan@gmail.com>
Sent: Friday, September 18, 2020 11:06 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

What a great opportunity - 110% in favor - yes to purchasing and managing and providing more public access!!! Thank you!!

From: craigroberts@midrivers.com <craigroberts@midrivers.com>
Sent: Saturday, September 19, 2020 5:06 PM
To: Andersen, Sonja
Subject: [EXTERNAL] Proposed Whiskey Ridge CE

Hi Sonja

I support Montana Fish, Wildlife and Parks moving forward with the purchase of the proposed Whiskey Ridge Conservation Easement in Fergus County.

Craig E. Roberts

From: grahamtaylor6139@gmail.com <grahamtaylor6139@gmail.com>
Sent: Monday, September 21, 2020 6:57 AM
To: Andersen, Sonja
Subject: Public Comment: Whiskey Ridge Conservation Easement Draft Environmental Assessment

Please register my full support for the proposed Whiskey Ridge CE and this EA. One glance at a map of the area displays the interconnected nature of these private acres with intermingled State (DNRC) and federal (BLM) lands. This CE will tie together productive wildlife habitat and offer future land management opportunities for enhancement of same. And potential public access to and thru these acres abounds. Let any Easement access terms be straight forward and not burdensome on the hunter or recreationist.

Authorization to begin negotiations should be granted by F & W Commission.



Protecting Montana's wildlife,
land, waters and hunting & fishing
heritage for future generations.

September 2, 2020

Sonja Andersen
Montana Fish, Wildlife, & Parks, Region 4
333 Airport Rd
Lewistown, MT 59457

Attn: Whiskey Ridge Conservation Easement Draft Environmental Assessment

Dear Sonja Andersen,

The Montana Wildlife Federation (MWF) is our state's oldest and largest state-based wildlife conservation organization. We were formed in 1936 when hunters joined landowners to restore depleted wildlife in Montana, and for 84 years we have worked on key issues affecting wildlife, habitat and access.

MWF is strongly supportive of the proposed 4,619 acre Whiskey Ridge Conservation Easement (CE) north of Winifred, MT. This crucial piece of private land adjoins the Missouri River Breaks and encompasses portions of both hunting districts (HD) 417 and 427. This land is home to several species of nongame as well as substantial populations of elk, bighorn sheep, mule deer, pronghorn, and turkey. By protecting this property, significant portions of the southern Missouri Breaks will be opened up to public access and bighorn populations within HD 482 will become more accessible for hunters. Eastern Montana has notably less public land and access, which makes conservation easements, such as this one, of paramount importance to helping Montanans experience nature. Additionally, this project would not be possible without the Habitat Montana Fund and the crucial money it provides for these easements across Montana.

MWF commends the Department of Fish, Wildlife & Parks as well as the current landowners, David Bergum, Ryan Hagen, and Daniel Hagen, for working together to protect our great outdoors. Thank you for the opportunity to comment and voice support of this project. If you have any questions, or if we can be of any assistance, please contact our Western Montana Field Coordinator, Eric Clewis, at eclewis@mtwf.org

Sincerely,

Frank Szollosi
Executive Director
Montana Wildlife Federation

attn: Sonja Anderson & Montana Fish, Wildlife and Parks
We have a concern relating to the CE that
Montana Fish, Wildlife and Parks are proposing
with David Bergum, Ryan Hagen and Daniel Hagen
on their property north of Winifred.

Our experience with hunting season in the
past is that it brings a lot of traffic on the
road on Whiskey Ridge. The hunters don't seem
to care how much damage they do to the road
driving it in all kinds of weather with no regard
to the fact that we suffer the consequences after
they tear up the road.

It seems the conservation easement would
attract more traffic and probably for a longer
period of the year.

Our point being the fact that the county has
the cost of maintaining the road and repairing
the damage done by the hunters and MFWP have
not been willing to share in the cost of repairing
the damage done by hunters.

In all fairness it seems that MFWP should
share in maintaining Whiskey Ridge Road, which
would include grading, graveling, plowing snow and
mowing the roadsides.

We are asking Montana Fish, Wildlife and Parks
to consider putting money in their budget for
road maintenance in the areas heavily impacted
by hunters.

Thanks for your consideration:

Sincerely,

Wilson & Nancy Stule