



4600 Giant Springs Rd.
Great Falls, MT 59405
August 11, 2026

Dear Interested Parties:

Montana Fish, Wildlife & Parks (FWP) is proposing to purchase and manage a term conservation easement (CE) on 3,652 acres owned by Jamie and Lisa Gilbert south of Moore, MT. This proposed term CE, called the "Hannah Ranch term Conservation Easement," will protect and conserve an area of prairie/mountain foothills on the west end of the Big Snowy Mountains in deer/elk hunting district (HD) 411 for 99 years. This CE will also guarantee free public hunting access on these deeded lands as well as nonmotorized access through the property to adjoining USFS lands for its duration. The Hannah Ranch term CE would include similar terms as other FWP perpetual CEs, but rights conveyed to FWP, with one exception, would end after 99 years.

As explained in the Draft Environmental Assessment (EA), the CE contains an additional component; an access easement from a parking area on the northeast corner of the property to the national forest boundary. This easement would be 15 feet wide, approximately 0.53 miles long and provide year-round pedestrian access to the national forest in an area with little existing access. At the request of the landowners, this easement will be perpetual; i.e., it will remain once the 99-year term of the CE is up.

In its original Draft EA, FWP failed to mention that this component of the CE would be permanent. This corrected Draft EA is being released with an additional 10-day public comment period to make that correction. In addition, the original Draft EA misreported the purchase price of the CE as \$3,562,000. As reported in the attached corrected Draft EA, the purchase price is \$3,491,000.

FWP is currently seeking public review and comment on the Draft EA for this proposed term CE. The Draft EA, corrected Draft EA and associated documents, including the Draft Deed of Conservation Easement and Draft Management Plan may be obtained at FWP's website <https://fwp.mt.gov/news/public-notices>. The 10--day supplemental public review and comment period will be August 12 – August 21, 2026.

Comments may be made by mail or e-mail to the addresses below. Comments must be received by FWP no later than 5 p.m. on August 21, 2026.

Hannah Ranch term CE c/o Sonja Andersen
Montana Fish, Wildlife & Parks
PO Box 938
Lewistown, MT 59457
or email comments to: sandersen@mt.gov

As part of the decision-making process under the Montana Environmental Policy Act (MEPA), I expect to issue a Decision Notice for this EA soon following the end of the supplemental comment period. The corrected Draft EA will be considered as final if no substantive comments are received by the deadline listed above. The Montana Fish and Wildlife Commission and the Montana Land Board will have the final decision-making authority over this proposed term CE.

Thank you for your interest and involvement,

Sincerely,

A handwritten signature in black ink that reads "Jason Rhoten". The signature is written in a cursive, flowing style.

Jason Rhoten
Montana Fish, Wildlife & Parks Region
4 Supervisor
Great Falls, MT 59405
jrhoten@mt.gov
(406) 454-5840

Corrected DRAFT ENVIRONMENTAL ASSESSMENT

Hannah Ranch Term Conservation Easement (FWP-SEA-WLD-R4-26-02)

August 11, 2026



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The proposed Hannah Ranch term CE is a traditional ranching operation located at the foothills of the Big Snowy Mountains.



Woody draws (deciduous shrubland) on the O'Brien Place of the proposed Hannah Ranch term CE.



Environmental Assessment

Montana Department of Fish, Wildlife & Parks (FWP) has prepared this Draft Environmental Assessment (EA) in accordance with the requirements of the Montana Environmental Policy Act (MEPA). Title 75, Parts 1-3, Montana Code Annotated (MCA). The purpose of an EA is to identify, analyze, and disclose the impacts of a proposed state action. This document may disclose impacts that have no required mitigation measures, over which FWP, more broadly, has no regulatory authority.

Local governments, the federal government, and other state agencies may have authority over different resources and activities under separate regulations. FWP actions will only be approved if the proposed action complies with applicable regulations. FWP has a separate obligation to comply with any federal, state, or local laws and to obtain any other permits, licenses, or approvals required for any part of the proposed action.

This Draft EA was prepared for the following action:

PROJECT NAME: Hannah Ranch Term Conservation Easement	
LOCATION: ≈17 miles west of Lewistown	COUNTY: Fergus
PROPERTY OWNERSHIP: ☐ FEDERAL ☐ STATE ☐ COUNTY ☒ PRIVATE	
EA PREPARER: Sonja Andersen	DATE ISSUED: 06-29-26

II. Compliance with the Montana Environmental Policy Act

Before a proposed *project* may be approved, environmental review must be conducted to identify and consider potential impacts of the proposed project on the affected human environment (i.e., human population and physical environment affected by the project). The Montana Environmental Policy Act (MEPA) and its implementing rules and regulations require different levels of environmental review, depending on the proposed project, significance of potential impacts, and the review timeline. § 75-1-201, Montana Code Annotated (“MCA”), and the Administrative Rules of Montana (“ARM”) 12.2.430, General Requirements of the Environmental Review Process.

FWP must prepare an EA when:

- It is considering a “state-proposed project,” which is defined in § 75-1-220(8)(a) as:
 - (i) a project, program, or activity initiated and directly undertaken by a state agency;
 - (ii) a project or activity supported through a contract, grant, subsidy, loan, or other form of funding assistance from a state agency, either singly or in combination with one or more other state agencies; or
 - (iii) a project or activity authorized by a state agency acting in a land management capacity for a lease, easement, license, or other authorization to act.
- It is not clear without preparation of an EA whether the proposed project is a major one significantly affecting the quality of the human environment. ARM 12.2.430(3)(a));
- FWP has not otherwise implemented the interdisciplinary analysis and public review purposes listed in ARM 12.2.430(2) (a) and (d) through a similar planning and decision-making process (ARM 12.2.430(3)(b));
- Statutory requirements do not allow sufficient time for the FWP to prepare an EIS (ARM 12.2.430(3)(c));
- The project is not specifically excluded from MEPA review according to § 75-1-220(8)(b) or ARM 12.2.430(5); or,
- As an alternative to preparing an EIS, prepare an EA whenever the project is one that might normally require an EIS, but effects which might otherwise be deemed significant appear to be mitigable below the level of significance through design, or enforceable controls or stipulations or both imposed by the agency or other

government agencies. For an EA to suffice in this instance, the agency must determine that all the impacts of the proposed project have been accurately identified, that they will be mitigated below the level of significance, and that no significant impact is likely to occur. The agency may not consider compensation for purposes of determining that impacts have been mitigated below the level of significance (ARM 12.2.430(4)).

MEPA is procedural; its intent is to ensure that impacts to the environment associated with a proposed project are fully considered and the public is informed of potential impacts resulting from the project.

III. Background and Description of Proposed Project

This section includes a short description of the proposed project, including applicable background, the responsible party, the type of proposed action, and the anticipated schedule of the proposed project.

Name of Project: HANNAH RANCH TERM CONSERVATION EASEMENT

Montana Department of Fish, Wildlife & Parks (FWP) proposes to purchase a 99-year Conservation Easement (CE) to protect 3,652 acres of important wildlife habitat, provide public access to CE deeded and adjoining public lands, and ensure the land continues to be used for traditional agricultural practices.

The proposed Hannah Ranch term CE (Figure 1; also referred to as “Hannah Ranch,” or “the property”) is located approximately 6 miles south of Moore and 17 miles southwest of Lewistown, MT in Fergus County (Figure 2). The land is located within FWP Administrative Region 4, in deer/elk hunting district (HD) 411. The landowners, Jamie and Lisa Gilbert, seek to conserve open-space, wildlife habitat, agricultural values, and recreational access on their property by selling a term conservation easement to FWP.

Included in the CE is 15 foot wide access easement approximately 0.53miles in length. (See Exhibit D of the EA.) This access easement will begin at a parking area on the far northeast end of the Hannah Ranch and run south along an eastern fence line. It then jogs east a short distance to where it intersects national forest property. The easement will provide year-round walk-in access to the national forest. At the request of the landowners, who wish to leave a permanent legacy, this element of the CE will be **perpetual** rather than the remainder of the CE which will terminate after 99 years.

Figure 1. The proposed Hannah Ranch term Conservation Easement project area.

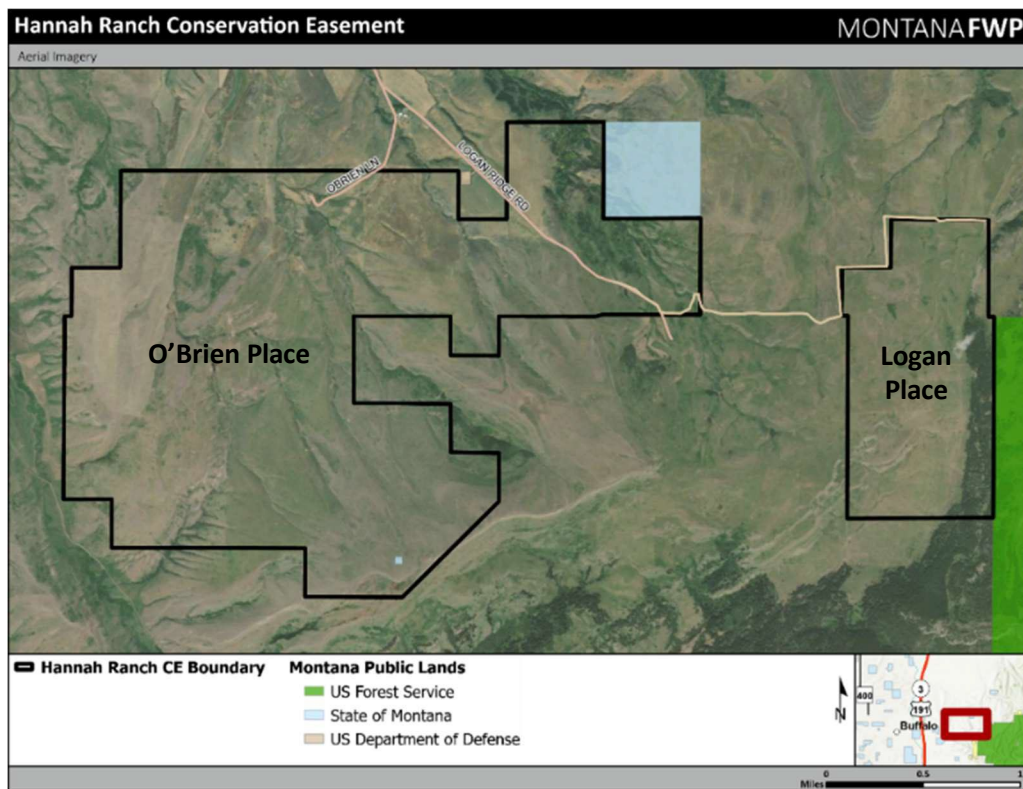
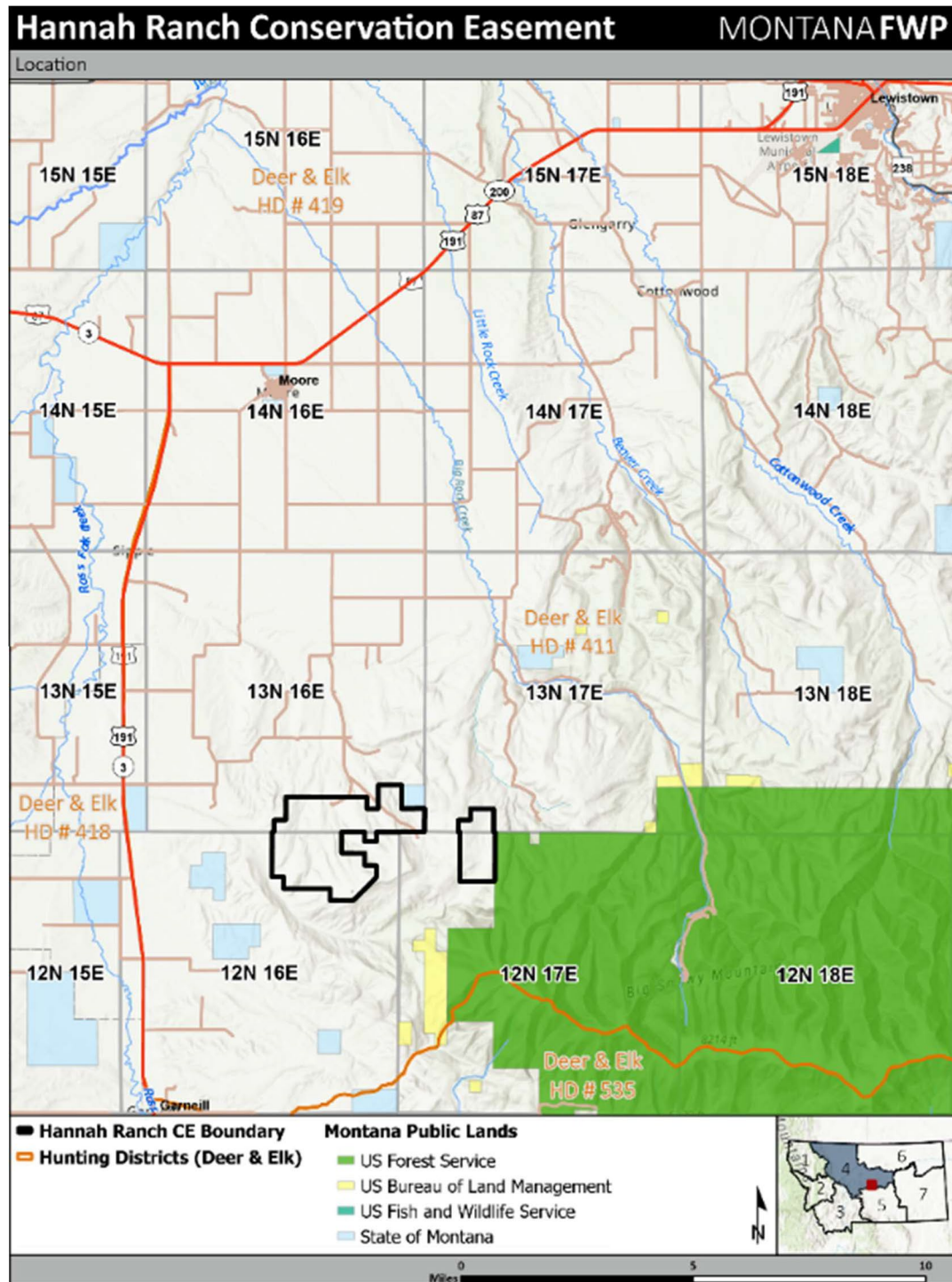


Figure 2. The proposed Hannah Ranch term Conservation Easement location relative to Lewistown, MT.



The Hannah Ranch lies within a Tier I State Wildlife Action Plan (SWAP) Terrestrial Focal Area, the Snowy Mountains Focal Area (Figure 3). Portions of the CE also lie within the Tier II Judith River Redbelly Distribution Aquatic Focal Area. Implementing conservation actions in any Tier I or Tier II Focal Area provides tremendous value for Montana (FWP 2015). The property is comprised of ≈73% Tier I Community Types as identified by the

2015 SWAP (FWP 2015). These community types include lowland/prairie grassland, montane grassland, sagebrush-steppe/sagebrush-dominated shrubland, deciduous shrubland, conifer-dominated forest and woodland, deciduous-dominated forest and woodland, and floodplain/riparian. Numerous small drainages on the property ultimately feed into Ross Fork Creek, which flows into the Judith and Missouri Rivers. Historic and current land use of this 5th generation working ranch is primarily livestock (cattle) grazing; former cropland on portions of the proposed term CE has been converted back into tame grasses.

The Hannah Ranch provides important year-round and winter range habitat for a variety of big game species—elk, mule deer, white-tailed deer, pronghorn, moose, mountain lion, and black bear. Sharp-tailed grouse, Hungarian partridge, ruffed grouse, and Merriam’s wild turkey also inhabit the property along with numerous nongame species, including potentially 50 Species of Concern (SoC; see proposed Hannah Ranch CE Management Plan, Appendix A). Notably, ≈1,000 elk that inhabit the western end of the Big Snowy Mountains use the property as part of their calving, summer, and wintering habitat. The Hannah Ranch term CE would include typical terms as other, perpetual, FWP CEs; additionally, as noted above, as part of the CE deed, the landowners will grant unfettered, perpetual, year-round walk-in access to the adjoining U.S. Forest Service (USFS; Helena-Lewis & Clark National Forest) lands for 99 years, where currently very limited access exists (Figure 4).

Figure 3. Tier I and Tier II Focal Areas overlapping the proposed Hannah Ranch Term Conservation Easement

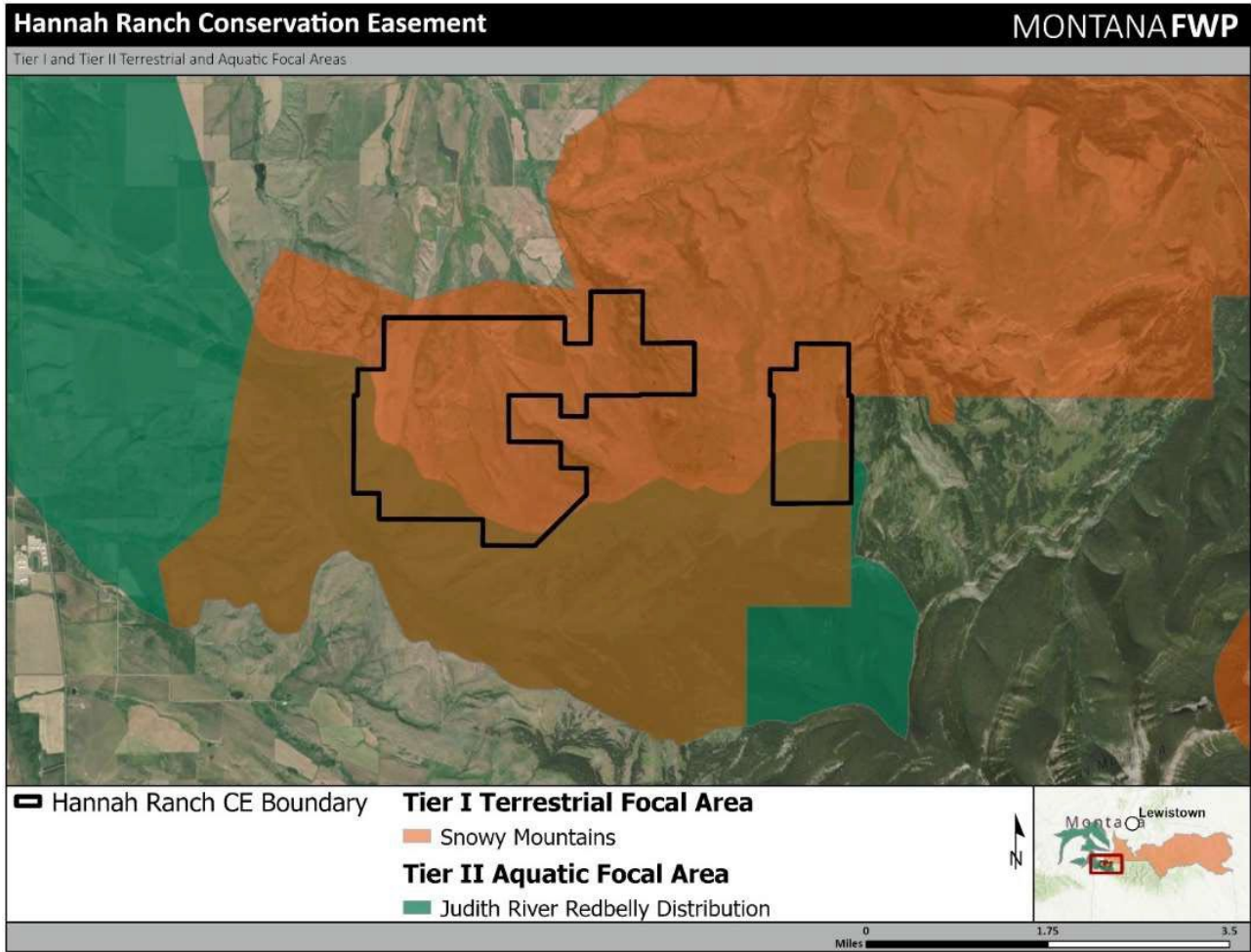
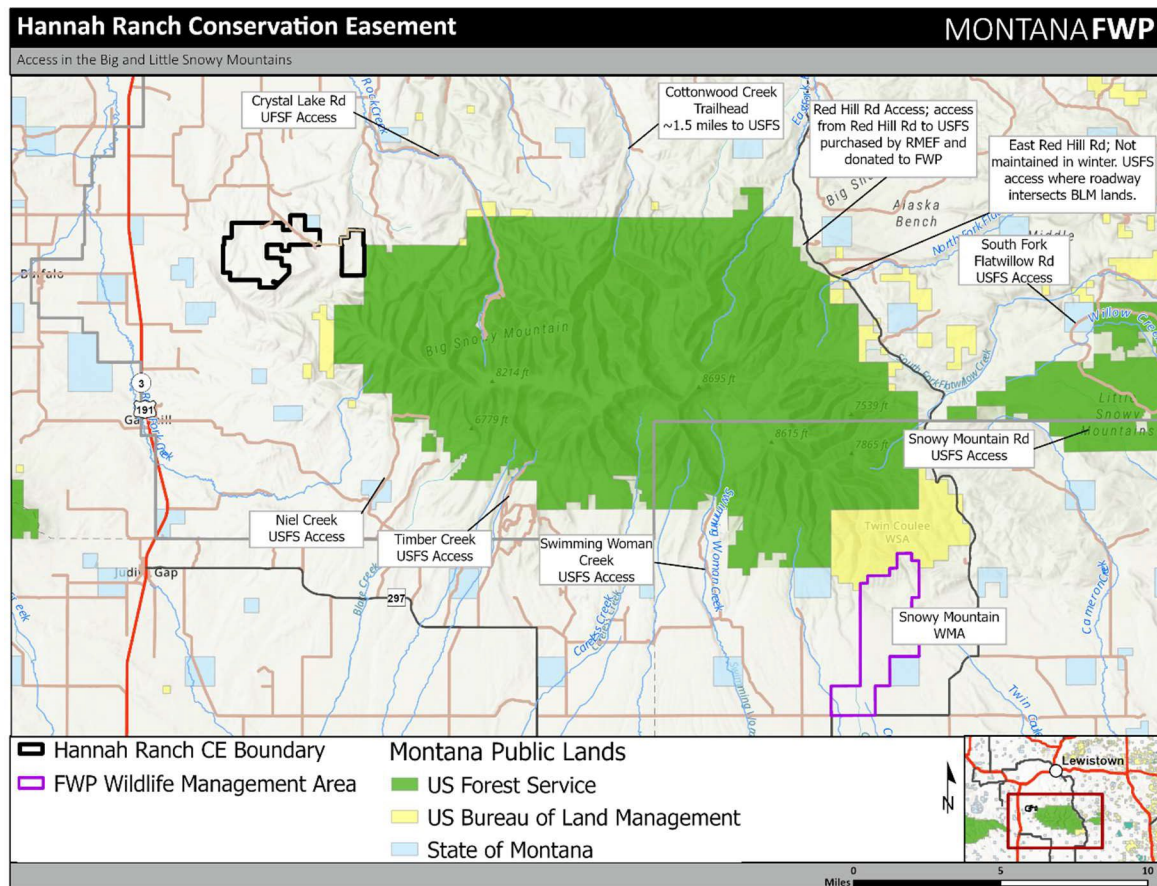


Figure 4. Current access points to U.S. Forest Service lands in the Big and Little Snowy Mountains, in relation to the proposed Hannah Ranch Term Conservation Easement.



Hannah Ranch deeded lands have significant agricultural values and native plant communities, natural and scenic open-space, and public recreational opportunities. These “Conservation Values” are treasured by the people of Montana and worthy of conservation.

The value of a perpetual CE as determined by an independent appraisal is \$3,675,000. The purchase price for the 99-year term CE is \$3,491,250, which is 95% of the appraised value of a perpetual easement. If approved, funds for this purchase would come from FWP’s Habitat Montana Program. In addition, FWP has agreed to a 50% cost-share for improved grazing system water infrastructure and fence modification as called for in the associated Management Plan and discussed below in Section XIII(A)(2). FWP’s portion of the project cost is estimated to be \$220,000 and Habitat Montana Operation and Maintenance funds are available and have been set aside for these upgrades.

Anticipated Project Schedule:

EA release and Public Comment Period:	June 29, 2026 – July 28, 2026
Corrected EA release and Supplemental Public Comment Period	August 12, 2026-August 21, 2026
Recommended decision to the Fish and Wildlife Commission:	August 2026
FWP Fish & Wildlife Commission Review of Project & Decision:	August 2026
Montana Land Board Review of Project & Decision:	October 2026
Project Closing:	December 2026

Elk use proposed Hannah Ranch CE lands for calving, summer, and winter range habitat.



Affected Area / Location of Proposed Project – Legal Description

- **Latitude/Longitude:** 46.84109, -109.64987
- **Section, Township, and Range:**
 - **The Logan Place:**
 - Township 12N, Range 17E, Section 5: E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$
 - Township 13N, Range 17E, Section 32: SW $\frac{1}{4}$,
 - Township 13N, Range 17E, Section 31: SE $\frac{1}{4}$ SE $\frac{1}{4}$
 - **The O'Brien Place:**
 - Township 12N, Range 16E, Section 10: N $\frac{1}{2}$ NE $\frac{1}{4}$
 - Township 12N, Range 16E, Section 11: NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$
 - Township 12N, Range 16E, Section 12: NW diagonal portion of the NW $\frac{1}{4}$
 - Township 12N, Range 16E, Section 1: NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
 - Township 12N, Range 16E, Section 2: S $\frac{1}{2}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$
 - Township 12N, Range 16E, Section 3: E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$
 - Township 13N, Range 16E, Section 33: SE $\frac{1}{4}$ SE $\frac{1}{4}$
 - Township 13N, Range 16E, Section 34: S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$
 - Township 13N, Range 16E, Section 35: S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW diagonal portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$
 - Township 13N, Range 16E, Section 36: W $\frac{1}{2}$, SE $\frac{1}{4}$

- **Town/City, County, Montana:** Moore, Fergus County
- **Location Map:** (see Figures 1 and 2, above)

IV. General Setting of the Affected Environment

The analysis area for direct, secondary, and cumulative impacts on the physical environment and human population resources analyzed by this Draft EA includes a portion of private land in Fergus County Montana. The proposed Hannah Ranch term CE is located along the western foothills of the Big Snowy Mountains and encompasses 3,652 acres divided into two parcels: the Logan Place (680 acres) and the O'Brien Place (2,972 acres).

Physical Environment:

From a 100,000-foot view of the surrounding area that encompasses the proposed Hannah Ranch term CE, Fergus County contains several island mountain ranges: the Big and Little Snowy Mountains which form the southern border, and the Judith Mountains and North and South Moccasins in the center. To the north, it is bounded by the Missouri River and associated river breaks, with expansive sagebrush grassland and agricultural lands in between. Arrow Creek and the Judith River are two major drainages flowing northerly into the Missouri River. Elevations range between 2,251 and 8,648 ft, and while diverse topography lends towards diverse soil types, Fergus County Conservation District (FCCD) describes the area as dominated largely by clayey, silty, shallow soils (FCCD 2020). The area receives average annual precipitation of 12 to 14 inches on the plains and 18 to 30 inches in the mountains (FCCD 2020).

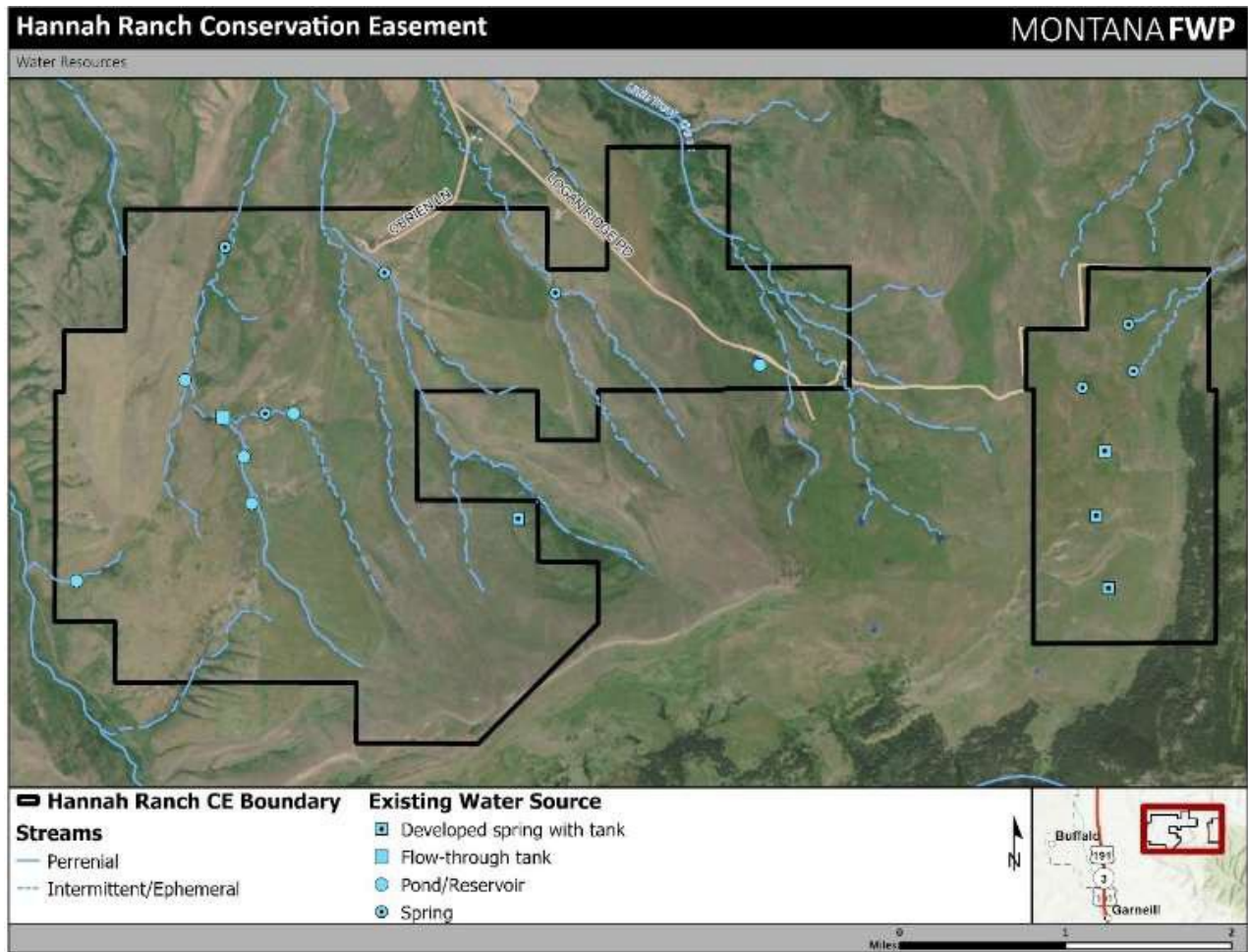
The proposed Hannah Ranch term CE ranges in elevation from 4,625 feet to 6,100 feet and contains 35 different soil types, including some considered "farmland of statewide importance" as identified by the Natural Resources Conservation Service (NRCS 2024). Prevailing soils on the property include variations of loams and stony loams. Soil types that are represented throughout the proposed area at greater than 5% occurrence are included in Table 1 and together comprise almost 70% of the property (NRCS 2024).

Table 1. Soil classifications that comprise >5% of the proposed Hannah Ranch term Conservation Easement

Soil Classification	Approximate Acreage	Percentage
Sheegee-Skaggs very stony loams, 2 to 15% slopes	556	14.5%
Teton-Adel loams, 8 to 15% slopes	373	9.7%
Bitton-Winifred-Castner complex, 15 to 60% slopes	347	9.0%
Skaggs-Sheegee very stony loams, 15 to 60% slopes	261	6.8%
Teton-Cheadle loams, 8 to 15% slopes	255	6.6%
Cheadle stony loam, 4 to 25% slopes	229	6.0%
Little Horn-Skaggs stony loams, 4 to 15% slopes	208	5.4%
Kildor-Skaggs-Hanson complex, 15 to 45% slopes	204	5.3%
Castner complex, 4 to 25% slopes	198	5.2%
Total	2,631	68.6%

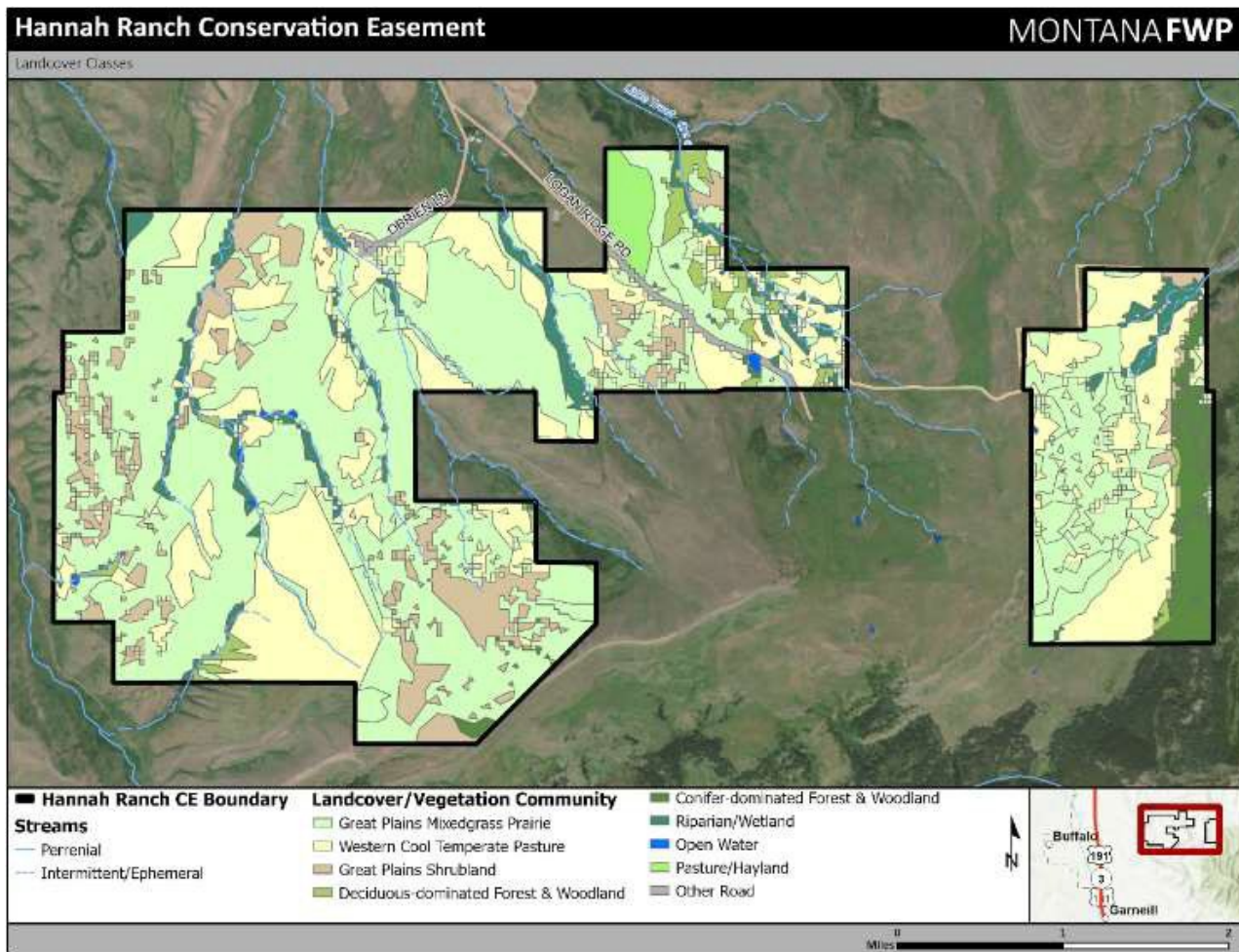
Numerous upper reaches of perennial streams bisect the proposed Hannah Ranch term CE; these include Little Trout Creek, the West Fork of Big Rock Creek, and Buffalo Creek. These streams and tributaries allow for numerous culverts, ponds, reservoirs, wetlands, groundwater wells, and springs (Figure 5).

Figure 5. Streams and water resources present on the proposed Hannah Ranch term Conservation Easement.



The proposed Hannah Ranch term CE is comprised of ≈73% native vegetation and ≈27% non-native vegetation, with no cultivated crops on CE lands (Table 2, Figure 6). The property comprises a transition zone between lowland/prairie grassland and mixed conifer forest making up the Big Snowy Mountain foothills. Dominant grass species on the prairie include field timothy (*Phleum pratense*), western wheatgrass (*Pascopyrum smithii*), and Idaho fescue (*Festuca idahoensis*), whereas common snowberry (*Symphoricarpos albus*) and shrubby cinquefoil (*Potentilla fruticosa*) are the dominant shrubs in this community (Campbell and Wirth 2023). Shrublands occur throughout the O'Brien Place on mainly west-facing draws and hillsides. Common shrub species include fireberry hawthorn (*Crataegus chrysocarpa*), chokecherry (*Prunus virginiana*), western snowberry (*S. occidentalis*), creeping juniper (*Juniperus horizontalis*), common juniper (*J. communis*), skunkbrush sumac (*Rhus trilobata*), wood's rose (*Rosa woodsii*), white spiraea (*Spiraea betulifolia*), currant (*Ribes* spp.), silver buffaloberry (*Shepherdia argentea*), russet buffaloberry (*S. canadensis*), and serviceberry (*Amelanchier alnifolia*; Campbell and Wirth 2023). Elk and deer rely heavily on the Hannah Ranch's woody draws for bedding and security cover.

Figure 6. Vegetation communities found on the proposed Hannah Ranch term Conservation Easement.



The deciduous forest system occurs on the benches and swales near Little Trout Creek—forming dense patches in areas where there is adequate soil moisture. This system is largely dominated by quaking aspen (*Populus tremuloides*), containing many of the above-listed shrubs as well as Rocky Mountain maple (*Acer glabrum*; Campbell and Wirth 2023). Like shrubland, these areas are heavily utilized by big game and cattle. The conifer-dominated system is primarily Douglas fir (*Pseudotsuga menziesii*) with ponderosa pine (*Pinus ponderosa*) and lodgepole pine (*P. contorta*). In addition to the other shrubs listed, common species in this community type also include kinnikinnick or red bearberry (*Arctostaphylos uva-ursi*) and Oregon grape (*Mahonia repense*; Campbell and Wirth 2023).

The Hannah Ranch contains both palustrine and riverine wetland and riparian systems; the numerous man-made ponds have created additional, smaller wetlands that are heavily utilized by cattle. Riparian and wetland systems serve as important links between terrestrial and aquatic ecosystems, providing critical habitat for numerous game and nongame species. Dominant tree and shrub species in these wetland/riparian communities include black cottonwood (*P. balsamifera*), narrowleaf cottonwood (*P. angustifolia*), sandbar willow (*Salix exigua*), and red-osier dogwood (*Cornus sericea*; Campbell and Wirth 2023).

Table 2: Vegetation Types and Community Types found on the proposed Hannah Ranch term Conservation Easement

Vegetation Type	Montana Natural Heritage Program Type/Sub-Communities	Acreage	%
Lowland/Prairie Grassland	Great Plains Mixedgrass Prairie (includes Northern Rocky Mountain Lower Montane, Foothill, and Valley Grassland, Rocky Mountain Subalpine-Montane Mesic Meadow)	2002	54%
Sagebrush Steppe & Sagebrush-dominated Shrubland	Big Sagebrush Steppe (includes Intermountain Basins Big Sagebrush Steppe, Intermountain Basins Montane Sagebrush Steppe)	48	1.3%
Deciduous Shrubland	Great Plains Shrubland and Great Plains Wooded Draw & Ravine (includes Northern Rocky Mountain Montane-Foothill Deciduous Shrubland)	270	7.3%
Deciduous-dominated Forests & Woodlands	Aspen Forest and Woodland, and Aspen and Mixed Conifer Forest (includes Inter-Mountain Basins Aspen-Mixed Conifer Forest & Woodland)	75	2.0%
Conifer-dominated Forests & Woodlands	Rocky Mountain Dry-Mesic Montane Mixed Conifer Forest (includes Middle Rocky Mountain Montane-Douglas Fir Forest & Woodland, Northern Rocky Mountain Dry-Mesic Montane Mixed Conifer, Northwestern Great Plains-Black Hills Ponderosa Pine Woodland & Savanna, Rocky Mountain Foothill Limber Pine-Juniper Woodland, Rocky Mountain Lodgepole Pine Forest)	128	3.5%
Wetland/Riparian	Great Plains Riparian (includes Western Great Plains Open Freshwater Depression Wetland, Rocky Mountain Alpine-Montane Wet Meadow, Open Water)	166	4.5%
Introduced Vegetation	Introduced Upland Vegetation (Annual & Biennial Forbland and Annual Grassland; includes Western Cool Temperate Pasture and Hayland)	968	26%

In addition to the common grasses of the mixed-grass prairie, the proposed Hannah Ranch term CE contains numerous other graminoid and forb species. Grasses and sedges include bluebunch wheatgrass (*Agropyron spicata*), thickspike wheatgrass (*Elymus lanceolatus*), Kentucky bluegrass (*Poa pratensis*), Sandberg's bluegrass (*P. secunda*), prairie junegrass (*Koeleria macrantha*), blue gramma (*Bouteloua gracilis*), spreading bentgrass (*Agrostis scabra*), slender wildrye (*E. trachycaulus*), blue wildrye (*E. glaucus*), threadleaf sedge (*Carex filifolia*), wooly sedge (*C. pellita*), Nebraska sedge (*C. nebrascensis*), and common spikerush (*Eleocharis palustris*; Campbell and Wirth 2023). Important forbs include fringed sagewort (*Artemesia frigida*), Missouri goldenrod (*Solidago missouriensis*), arrowleaf balsamroot (*Balsamorhiza sagittata*), red clover (*Trifolium pratense*), field pennycress (*Thalaspi arvense*), western yarrow (*Achillea millefolium*), yellow sweet-clover (*Melilotus officinalis*), American licorice (*Glycyrrhiza lepidota*), bull thistle (*Cirsium vulgare*), dotted gayfeather (*Liatris punctata*), milkvetch (*Astragalus spp.*), sticky geranium (*Geranium viscosissimum*), and many others (Campbell and Wirth 2023).

Noxious weeds and other exotic plant species are present on the proposed Hannah Ranch term CE, including houndstongue (*Cynoglossum officinale*), Canada thistle (*C. arvense*), cheatgrass (*Bromus tectorum*), crested wheatgrass (*A. cristatum*), spotted knapweed (*Centaurea stoebei*), leafy spurge (*Euphorbia esula*), field bindweed (*Convolvulus arvensis*), and common tansy (*Tanacetum vulgare*; Campbell and Wirth 2023). A variety of forb species can be found on the proposed Hannah Ranch term CE.

A variety of forb species can be found across vegetation types on the proposed Hannah Ranch term CE.



Deciduous dominated forest and woodland flanked by riparian area on the proposed Hannah Ranch term CE.



Human Population:

The human population surrounding the proposed Hannah Ranch term CE project area is on the rise. The closest town to the property, Moore, has a population of 194 (Fergus County 2022). Between 2020 and 2023, Fergus County's population grew from 11,446 to 11,772 (2.8% growth; U.S. Census Bureau). Lewistown, the county seat, grew 3.3% from 5,955 to 6,149 during the same time period (U.S. Census Bureau). In comparison, Montana has experienced a 4.5% growth rate between 2020 and 2023, increasing from 1,084,225 to 1,137,233 in July 2023 (U.S. Census Bureau).

Economics:

The median household income in Fergus County between 2019 and 2023 was \$59,731. Comparatively, the median household income during the same time period for Montana and the U.S. as a whole, was \$69,922 and \$78,538, respectively (U.S. Census Bureau). Household income in Fergus County is 15% and 24% below Montana's and the national median income levels, respectively.

Fergus County's economy has recently employed 5,735 people, primarily in education, health care, and social assistance (25%; Fergus County 2022). Agriculture, forestry, fishing, hunting, and mining employed 16% of the county, while retail trade employed another 14% (Fergus County 2022). Overall, and relevant to the proposed Hannah Ranch term CE, agricultural operations have experienced a decline of 40% between 1960 and 2014 (Fergus County 2022).

Land Ownership:

Landownership in Fergus County consists of nearly 24% publicly owned land and 76% private land. The Bureau of Land Management (BLM) is the largest public land manager in the county (12%), which includes a portion of the Upper Missouri Breaks National Monument (UMBNM). U.S. Forest Service lands in the Snowy Mountains comprise ≈3% of the county, while the Charles M. Russell National Wildlife Refuge (CMR), administered by the U.S. Fish & Wildlife Service (USFWS) comprises ≈2% along the northern boundary of the county. Montana DNRC manages almost 6% of the county's land. Montana FWP also owns and manages the Beckman WMA and numerous Fishing Access Sites in Fergus County (<1%).

Approximately 10% of the private land in Fergus County is owned by nonresident, absentee landowners (Fergus County 2022). Generally, these landowners purchase land for recreational purposes and rarely establish roots in

Figure 7. Private land conservation easements in Fergus County, MT.



The general vicinity of the proposed Hannah Ranch term CE is composed mainly of private land, with limited parcels of Montana DNRC School Trust lands. The Logan Place lies adjacent to Helena-Lewis & Clark National Forest lands. A large portion of these forest lands comprise the Big Snowy Wilderness Study Area (WSA). Land uses in the immediate vicinity of the proposed Hannah Ranch term CE are farming and livestock grazing on private land. In addition to DNRC and USFS lands adjoining the property, the U.S. Department of Defense utilizes a missile site at the eastern boundary of the O'Brien Place, and the State of Montana owns a 1-acre exclusion of land for a communication tower near the O'Brien's southern border.

Agriculture:

Agriculture plays an important role in central Montana's economy, with 78.8% of county lands designated as "agricultural" (Fergus County 2022). Additionally, Fergus County ranks 3rd in Montana for total agricultural product sold, and 1st for livestock, poultry, and associated products (Fergus County 2022).

Specific to the proposed Hannah Ranch term CE, historic land use included farming and livestock grazing. The Hannah family were among the first settlers in the area, originally homesteading circa 1883. (For reference, the town of Moore was founded circa 1903.) Currently, proposed Hannah Ranch term CE lands are used to raise yearling cattle.

Yearling steers being rotated to a different pasture on the proposed Hannah Ranch term CE.



Timber/Wood Products:

Timber/wood products in Fergus County represent a minor component of Fergus County's economy, and the bulk of timber harvest occurs on private lands. Between 2002 and 2023, overall timber harvest in Fergus County has decreased from a high of 18,166 thousand board feet (MBF) in 2004 to 3,741 MBF in 2023 (BBER 2024). Timber harvest on private and DNRC lands is likely driven by a mix of commercial, fuels reduction, and stewardship needs, whereas timber harvest on BLM lands includes commercial harvest, fuel wood, special forest products, and stewardship contracting (BBER 2024).

On the proposed Hannah Ranch term CE, one commercial timber sale occurred on the Logan Place approximately 25 years ago. Other than the occasional tree removal associated with agricultural operations (i.e.,

building or maintaining fence), there has not been any timber sales or significant tree removal on the property since. Some adjacent properties to the south to include BLM lands have had timber removal conducted over the last decade to reduce fuels and improve habitat for elk (BLM; personal communication).

Mining:

Fergus County contains a rich mining history, and gold explorations continue in some areas of the Judith Mountains (Fergus County 2022). While the Judith River formation is known to have coal resources, there are no active or prospecting coal permits, and the county also has 34 gas-producing and 2 oil-producing wells (Fergus County 2022). Specific to the proposed Hannah Ranch term CE, no past or present mining operations have occurred, and no borrow pits, excavation, or extraction areas have been identified within the CE boundary (Campbell and Wirth 2023). The mineral rights are retained by a third party.

Recreation:

Outdoor recreation is important to the culture and economy of Fergus County. The USFS in the Big and Little Snowy Mountains, adjacent to the proposed Hannah Ranch term CE, provides the bulk of public land outdoor recreation opportunities in the southern portion of the county, while the UMBNM, other BLM, and the CMR comprise the majority of public lands along the northern border. Across Fergus County, FWP owns 11 Fishing Access Sites as well as the 6,640-acre Beckman WMA outside of Denton. Just outside of Fergus County along the southeastern edge of the Big Snowies, FWP recently-purchased the 5,676-acre Big Snowy WMA in Golden Valley County on the south side of the Big Snowies.

A term CE on the Hannah Ranch would provide walk-in access to adjacent USFS lands in the Big Snowy Mountains for 99 years.



Hunting and fishing are the primary local and tourist attractions in Fergus County. Access to private and public lands for these activities is an ongoing issue (Fergus County 2022). While the amount of publicly accessible lands stays largely the same through time, demand and the number of people accessing these lands continues to increase. At the same time, access to private lands for recreation is also decreasing with shifting land uses from traditional agricultural to recreational. Therefore, maintaining or increasing access to both public and private lands is important to the residents and visitors of Fergus County, as well as all Montanans. One of the goals in the Fergus County Growth Policy (2022) states, “improve and maintain access to accessible public lands.” The Hannah Ranch term CE would help accomplish the county’s goal.

At present, limited access points exist to USFS lands of the Big and Little Snowy Mountains, particularly on the northern side having only two access points across the nearly 20-mile span (Figure 4). On the far east side of the Big Snowy Mountains, there are four points along Red Hill Road (State Highway 238) which intersect BLM that adjoins the USFS, as well as an access point owned by FWP. There is no public access on the far western end of the Big Snowies. Crystal Lake Road is >4 miles away from the Hannah Ranch boundary, and the topography in between the proposed Hannah Ranch and Crystal Lake Road is rugged. A term CE on the Hannah Ranch would provide the only reasonable public access point to the far west end of the Big Snowy Mountains.

V. Purpose and Need, Benefits of Proposed Project

The EA must include a description of the purpose and need or benefits of the proposed project. ARM 12.2.432(3)(b). Benefits of the proposed project refer to benefits to the resource, public, department, state, and/or other.

Conservation easements are voluntary, binding agreements between a landowner and another entity, in this case, FWP, wherein FWP purchases certain uses (rights) of the land in order to protect its Conservation Values. The Deed of CE is then recorded at the County Courthouse (i.e., Fergus) and remains with the property. While this CE is not perpetual (except for the National Forest access easement), it represents a commitment to protect conservation and recreational values for a significant period of time. FWP CEs only encumber deeded private lands. Developing and implementing CEs require ongoing partnerships between FWP and participating private landowners with the primary intent of:

- conserving and enhancing important wildlife habitats,
- maintaining traditional agricultural land uses, and
- providing free public recreational access.

Hannah Ranch provides significant agricultural values, wildlife habitat, native plant communities, natural and scenic open space, and public recreational opportunities, all collectively termed as “Conservation Values”. These values are important to the people of Montana and worthy of conservation. The landowners and FWP specifically intend that the Hannah Ranch term CE afford public hunting opportunities for both recreational and wildlife management purposes.

The proposed Hannah Ranch term CE would provide conservation and enhancement of high-quality native habitats, maintain traditional agricultural uses, and improve public access to a unique and important area. Easement terms would prevent any use interfering with these conservation values, such as subdivision, development (outside of two pre-identified 5-acre building envelopes), tillage, or other destruction of native vegetation. An additional purpose of the proposed Hannah Ranch term CE, as stated in the Draft Deed of CE, is to keep the land in *“active Agricultural Production in a manner consistent with the Conservation Values, to protect the productive natural resources of the state, to maintain the agriculture and agriculture-related economy of the state, and to assure continued production of food and agricultural products while preserving open space, plant diversity, soil health, water quality, and a resilient landscape vital to successful wildlife populations.”*

If FWP prepared a cost/benefit analysis before completion of the EA, the EA must contain the cost/benefit analysis or a reference to it. ARM 12.2.432(3)(b).

	Yes*	No
Was a cost/benefit analysis prepared for the proposed project?	☐	☒

* If yes, a copy of the cost/benefit analysis prepared for the proposed project is included in Attachment A to this Draft EA

VI. Other Agency Regulatory Responsibilities

FWP must list any federal, state, and/or local agencies that have overlapping or additional jurisdiction, or environmental review responsibility for the proposed project, as well as permits, licenses, and other required authorizations. ARM 12.2.432(3)(c).

A list of other required local, state, and federal approvals, such as permits, certificates, and/or licenses from affected agencies is included in **Table 3** below. This information is also provided in *Section X, Cumulative Impacts Analysis*, as applicable, for any related past, present, and known future actions as they relate to the proposed action.

Table 3 provides a summary of state requirements but does not necessarily represent a complete and comprehensive list of all permits, certificates, or approvals needed. Rather, **Table 3** lists the primary state agencies with regulatory responsibilities, the applicable regulation(s) and the purpose of the regulation(s). Agency decision-making is governed by state and federal laws, including statutes, rules, and regulations, that form the legal basis for the conditions the proposed project must meet to obtain necessary permits, certificates, licenses, or other approvals. Further, these laws set forth the conditions under which each agency could deny the necessary approvals.

Table 3: Federal, State, and/or Local Regulatory Responsibilities

Agency	Type of Authorization (permit, license, stipulation, other)	Purpose
Fergus County	MCA 76-6-206	Review of proposed conservation easement by local planning authorities (Fergus County Commissioners).
Fergus County	Stipulation	Written support to pursue and proceed with CEs in the county.
FWP	FWP's Minimum Standards for Grazing	Guidance for developing cattle grazing plans on FWP WMAs and Conservation Easements to achieve rangeland habitat objectives.
FWP	State Wildlife Action Plan (SWAP)	Guidance for conservation of Montana Species of Greatest Conservation Need and Community Types of Greatest Conservation Need; helps prioritize FWP CEs.
FWP	Baseline Inventory Hannah Ranch Conservation Easement	Assessment of habitat conditions, developments, and infrastructure to serve as baseline for easement monitoring into the future.

VII. List of Mitigations, Stipulations

Mitigations, stipulations, and other *enforceable* controls required by FWP, or another agency, may be relied upon to limit potential impacts associated with a proposed Project. **Table 4** below lists and evaluates

enforceable conditions FWP may rely on to limit potential impacts associated with the proposed Project. ARM 12.2.432(3)(g).

Table 4: Listing and Evaluation of Enforceable Mitigations Limiting Impacts

<i>Are enforceable controls limiting potential impacts of the proposed action? If not, no further evaluation is needed.</i>			Yes ☐	No ☒
<i>If yes, are these controls being relied upon to limit impacts below the level of significance? If yes, list the enforceable control(s) below</i>			Yes ☐	No ☒
Enforceable Control	Responsible Agency	Authority (Rule, Permit, Stipulation, Other)	Effect of Enforceable Control on Proposed Project	
n/a	n/a	n/a	n/a	

VIII. Alternatives Considered

In addition to the proposed project (Alternative 2), and as required by MEPA, FWP analyzes the "No-Action" alternative (Alternative 1) in this EA. Under the "No Action" alternative, the proposed project would not occur. Therefore, no immediate, direct additional impacts to the physical environment or human population (human environment) in the analysis area would occur. The "No Action" alternative forms the baseline from which the potential impacts of the proposed project can be measured.

	Yes*	No
Were any additional and reasonable alternatives considered?	☐	☒

* If yes, a list and description of the other alternatives considered, but not carried forward for detailed review is included below

	Yes*	No
Were any additional alternatives considered and dismissed for cause?	☒	☐

* If yes, a list and description of the other alternatives considered, but not carried forward for detailed review, is included below

Other Alternatives Not Carried Forward for Detailed Analysis:

In addition to the proposed project (Alternative 2) and No Action (Alternative 1), FWP analyzed the following alternative:

Alternative 3: Pursue a 30- or 40-year FWP Habitat Conservation Lease in lieu of a CE. In addition to offering CEs, FWP has a Habitat Conservation Lease program. Similar to CEs, the lease program is a voluntary, incentive-based program between FWP and private landowners in which the landowner commits to specific land management practices (mainly, no subdivision, development, sodbusting, or destruction of native vegetation). However, rather than in perpetuity or 99-years, lease agreements have a term length of 30 or 40 years.

The landowners were offered a term Habitat Conservation Lease. The landowners determined that this program does not fit their needs or desires in the long-term stewardship of their property. Therefore, FWP dismissed Alternative 3 and did not carry it forward in analysis.

Alternative 4: Pursue a perpetual CE. Conservation easements offered by FWP are typically perpetual, meaning the protections offered would remain on the land in perpetuity. Due to some opposition to perpetual CEs, FWP

was concerned that final approval for this CE would be denied, accordingly FWP dismissed Alternative 4 and did not carry it forward in this analysis.

IX. Terms Used to Describe Potential Impacts on the Physical Environment and Human Population

The impacts analysis identifies and evaluates **direct**, **secondary**, and **cumulative impacts**.

- **Direct impacts** are those that occur at the same time and place as the action that triggers the effect.
- **Secondary impacts** “are further impacts to the human environment that may be stimulated or induced by or otherwise result from a direct impact of the action.” ARM 12.2.429(18).
- **Cumulative impacts** “means the collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when these actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures.” ARM 12.2.429(7).

Where impacts are expected to occur, the impact analysis estimates the **extent**, **duration**, **frequency**, and **severity** of the impact. The duration of an impact is quantified as follows:

- **Short-Term**: impacts that would not last longer than the proposed project.
- **Long-Term**: impacts that would remain or occur following the proposed project.

The severity of an impact is measured using the following:

- **No Impact**: there would be no change from current conditions.
- **Negligible**: an adverse or beneficial effect would occur but would be at the lowest levels of detection.
- **Minor**: the effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource.
- **Moderate**: the effect would be easily identifiable and would change the function or integrity of the resource.
- **Major**: the effect would irretrievably alter the resource.

Some impacts may require mitigation. As defined in ARM 12.2.429, mitigation means:

- Avoiding an impact by not taking a certain action or parts of a project;
- Minimizing impacts by limiting the degree or magnitude of a project and its implementation;
- Rectifying an impact by repairing, rehabilitating, or restoring the affected environment; or
- Reducing or eliminating an impact over time by preservation and maintenance operations during the life of a project or the time period thereafter that an impact continues.

FWP may, as an alternative to preparing an EIS, prepare an EA whenever the action is one that might normally require an EIS, but effects which might otherwise be deemed significant appear to be mitigable below the level of significance through design, or enforceable controls or stipulations, or both, imposed by the agency or other government agencies. For an EA to suffice in this instance, the agency must determine that all the impacts of the proposed action have been accurately identified, that they will be mitigated below the level of significance, and that no significant impact is likely to occur. The agency may not consider compensation for purposes of determining that impacts have been mitigated below the level of significance. ARM 12.2.430(4).

A list of any mitigation strategies including, but not limited to, design, enforceable controls or stipulations, or both, as applicable to the proposed project is included in **Section VI** above. FWP must analyze impacts to the

physical and human environment for each alternative considered. The proposed project considered the following alternatives:

- **Alternative 1: No Action**

Under the “No Action” alternative, the proposed project would not occur. Therefore, no immediate, direct additional impacts to the physical environment or human population (human environment) in the analysis area would occur. The “No Action” alternative forms the baseline from which the potential impacts of the proposed project can be measured.

However, under the “No Action” alternative, depending upon whether or not the property sells, there could be adverse, major or minor, secondary and/or cumulative impacts. Where these possibilities exist and can be addressed by purchase of a CE, they are addressed under Alternative 2: Proposed Project.

- **Alternative 2: Proposed Project – FWP purchases a 99-year term CE on the Hannah Ranch**

Reference *Section II, Background and Description of Proposed Project* and *Section III, Purpose and Need, Benefits of the Proposed Project* for more information related to the proposed action.

X. Determining the Significance of Impacts

If the EA identifies impacts associated with the proposed action FWP must determine the significance of the impacts. This determination forms the basis for FWP’s decision as to whether it is necessary to prepare an environmental impact statement. FWP considered the criteria identified in **Table 5** below to determine the significance of each impact on the quality of the physical and human environment. ARM 12.2.431.

The significance determination is made by giving weight to these criteria in their totality. For example, impacts identified as moderate or major in severity may not be significant if the duration is short-term. However, moderate or major impacts of short-term duration may be significant if the quantity and quality of the resource is limited and/or the resource is unique or fragile. Further, moderate or major impacts to a resource may not be significant if the quantity of that resource is high or the quality of the resource is not unique or fragile.

Table 5: Determining the Significance of Impacts

Criteria Used to Determine Significance	
1	The severity, duration, geographic extent, and frequency of the occurrence of the impact “ Severity ” describes the density of the potential impact, while “ extent ” describes the area where the impact will likely occur, e.g., a project may propagate ten noxious weeds on a surface area of 1 square foot. Here, the impact may be high in severity, but over a low extent. In contrast, if ten noxious weeds were distributed over ten acres, there may be low severity over a larger extent. “ Duration ” describes the time period during which an impact may occur, while “ frequency ” describes how often the impact may occur, e.g., an operation that uses lights to mine at night may have frequent lighting impacts during one season (duration).
2	The probability that the impact will occur if the proposed project occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur
3	Growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts

4	The quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources and values
5	The importance to the state and to society of each environmental resource or value that would be affected
6	Any precedent that would be set as a result of an impact of the proposed project that would commit FWP to future actions with significant impacts or a decision in principle about such future actions
7	Potential conflict with local, state, or federal laws, requirements, or formal plans

XI. Cumulative Impacts Analysis

For the purposes of MEPA, “cumulative impact” means the collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when such actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures. ARM 12.2.429(7).

“Action” means a project, program or activity directly undertaken by the agency; a project or activity supported through a contract, grant, subsidy, loan or other form of funding assistance from the agency, either singly or in combination with one or more other state agencies; or a project or activity involving the issuance of a lease, permit, license, certificate, or other entitlement for use or permission to act by the agency, either singly or in combination with other state agencies. ARM 12.2.429(1).

Under the “No Action” alternative, the proposed project would not occur. Therefore, no cumulative impacts to the affected human environment would occur. The “No Action” alternative forms the baseline from which the potential impacts of the proposed project are measured. For the purposes of the proposed project, the cumulative impacts analysis applies to all resources analyzed under Alternative 2, Proposed Project. See section XII.A and XII.B of this Draft EA.

The proposed project would preserve and enhance the conservation values of the land, keep the land in active agricultural production, and improve public access to a unique and important area of central Montana. No significant adverse cumulative impacts would be expected because of the proposed project; however, cumulative impacts could still occur. No other FWP or other-entity-held CEs exist adjacent to or within the immediate vicinity of the Hannah Ranch. However, the property lies adjacent to a USFS Wilderness Study Area (WSA), which is managed to preserve the large and diverse area within the Big Snowy Mountains, protect wildlife habitat, provide non-motorized public recreational opportunities, and undergo evaluation for potential future designation as a fully protected wilderness area; yet no further designation has occurred since the initial Montana Wilderness Study Act of 1977. The proposed Hannah Ranch CE is also adjacent to other private land family ranches. Together, these lands provide a broad expanse of habitat conservation and traditional agriculture. A term CE on the Hannah Ranch maintains these same values on the project area for 99 years, builds upon the existing WSA, and demonstrates the value of private landowner partnerships with FWP and the public that could be leveraged in future conservation efforts. Long-term, major, beneficial cumulative impacts could be expected because of the proposed project.

The information below identifies past, present, and future actions (i.e., activities to be considered by the cumulative impacts analysis) related to the proposed action by location or generic type. Actions considered in these analyses were identified by FWP and other subject matter experts. Past and present actions are accounted for as part of the existing, or “baseline,” environmental conditions. MEPA is forward-looking, with analyses

focused on the potential impacts of the proposed action with consideration for any past, present, or future related actions.

Related Past, Present, and Future State Actions:

Past, Present, and Future Related MEPA Review

The following list identifies environmental review conducted to assess potential impacts to the affected human environment from past, present, and known future related projects or actions. Past and present actions are accounted for as part of the existing, or “baseline,” environmental conditions of the affected human environment prior to approval and implementation of the proposed project, and any known future related project(s).

- None; not applicable

As noted, none of the project-specific environmental review documents cited above identified the potential for significant adverse impacts, including cumulative impacts, to the affected human environment. Therefore, preparation of an Environmental Impact Statement or EIS-level MEPA review was not required, and each project was approved through EA-level MEPA review. With consideration for potential impacts from the proposed project, FWP determined that no significant adverse cumulative impacts would be expected because of the proposed project. For additional information see the resource-specific impacts analyses contained in the section of the Draft EA titled “Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population,” for the proposed action and any alternatives to the proposed action.

Permits, Leases, Licenses, and other Authorizations

The following list identifies...

- None; not applicable

Memorandums of Understanding and other Formal Agreements

The following list identifies...

- None; not applicable

Guiding Documents

Further, several guiding documents inform, have informed, and will continue to inform actions such as the proposed action. These guiding documents outline strategies and considerations for taking management action and addressing any potential impacts from such management actions. These guiding documents, and affected regulatory entities, include the following:

- None; not applicable

Again, the guiding documents identified above outline strategies and considerations for taking management action to address potential adverse impacts from such management actions and thereby ensure the proposed project is conducted in a manner consistent with limiting the potential for adverse cumulative impacts. Therefore, no significant adverse cumulative impacts would be expected because of the proposed project. For additional information see the resource-specific impacts analyses contained in section XII.A and XII.B of this Draft EA.

XII. Alternative 1: No Action. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population

Under the “No Action” alternative, the proposed project would not occur. Therefore, no additional, immediate and direct impacts to the physical or human environment in the analysis area would occur. The “No Action” alternative forms the baseline from which the potential impacts of the proposed Project can be measured.

However, under the “No Action” alternative, depending upon whether or not the property sells, there could be adverse, major or minor, secondary and/or cumulative impacts, including but not limited to:

- terrestrial, avian, and aquatic life and habitats;
- water quality, quantity, and distribution;
- soil quality, stability, and moisture;
- vegetation cover, quantity, and quality;
- aesthetics;
- demands on environmental resources of land, water, air, and energy;
- access to and quality of recreational and wilderness activities;
- agricultural production; demands for government services; and
- industrial, agricultural, and commercial activity;

due to subdivision and development, destruction or degradation of native vegetation from sodbusting or poor future grazing practices, conversion of land use from traditional agriculture to recreation, etc. Where these possibilities exist and can be addressed by purchase of a CE, they are addressed again under Alternative 2: Proposed Project.

Under the “No Action” alternative, FWP would not purchase a term CE on the Hannah Ranch. The land would continue to be managed as a working cattle ranch, but there would be no guarantee of long-term land conservation and public access. Current or future Landowners may decide to develop or sell the affected property in the near-term, depending on their priorities and market conditions, which may endanger open space and important habitat for development, and reduce the likelihood of public access to affected area private lands and adjacent public lands in the future.

XIII. Alternative 2: Proposed Project. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population

A. Evaluation and Summary of Potential Impacts on the Physical Environment

1. Terrestrial, Avian, and Aquatic Life and Habitats

Existing Environment/Baseline Conditions (No Action Alternative): The Hannah Ranch supports a diverse array of wildlife species with range distributions overlapping the property including numerous small and large mammals (43), birds (60), reptiles (8), amphibians (5), and fish (12; Campbell and Wirth 2023, Montana Natural Heritage Program [MNHP] 2024a). Fifty (50) of these species are listed as state SoC (MNHP 2024b, Hannah Ranch CE Management Plan, Appendix A). The proposed Hannah Ranch term CE provides year-round habitat for big game species (elk, mule deer, white-tailed deer, pronghorn, moose, black bear, mountain lion), furbearers (beaver, bobcat, muskrat), upland game birds (sharp-tailed grouse, Hungarian partridge, Merriam’s wild turkey, ruffed grouse), among others. The property also provides critical winter range for multiple big game species. See

Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Mule deer are among the species that rely on proposed Hannah Ranch term CE lands for year-round habitat.



Direct Impacts: No adverse direct impacts to terrestrial, avian, and aquatic life and habitats would be expected because of the proposed action. The proposed term CE and associated Management Plan would allow the Landowners to continue to practice sustainable agriculture (cattle production) while protecting important habitats for 99 years. Because the proposed Hannah Ranch term CE has historically been used as a working cattle ranch, any direct impacts to terrestrial, avian, and aquatic life and habitats would be consistent with current and historical impacts.

Conservation Easement terms prevent subdivision, development, destruction of native vegetation, and conversion to non-agricultural uses, thereby preventing habitat loss, degradation, and fragmentation. Any of these could occur on the property in the near future without CE protections. A term CE on the Hannah Ranch ensures the property maintains high-quality wildlife habitat for 99 years. Therefore, long-term, beneficial, direct impacts to terrestrial, avian, and aquatic life and habitats would be expected because of the proposed project.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. Implementation of a grazing system would generally maintain and/or improve grassland habitats and benefit terrestrial, avian, and aquatic life for the long term. Certain pastures would be prescribed more

intensive, early-season grazing to reduce the abundance of non-native cool-season “increaser” grass species to the eventual benefit of native warmer-season, “decreaser” grass species. While rotational grazing may temporarily reduce upland bird nesting cover in some pastures, it would also benefit perennial grasses and forbs, keeping them in a more productive state through time, and thereby improving existing conditions for wildlife. Additional water infrastructure would generally improve the riparian habitats by shifting cattle to the uplands. Any short-term, adverse impacts to certain wildlife species as a result of cattle grazing would be consistent with historical impacts.

As stated above, numerous big game species use Hannah Ranch for seasonal or year-long habitat. While the Landowners currently allow some free public hunting, the Deed of CE includes terms allowing for a minimum of 400 hunter days/year on deeded lands. Therefore, there may be secondary impacts to some species’ distributions and presence on deeded lands as a result of hunter disturbance and/or hunter harvest. These impacts can be beneficial or adverse depending on wildlife management objectives, landowner perceptions, and hunter preferences. Because hunting seasons and quotas/bag limits are set by FWP to ensure healthy and sustainable populations, and hunting seasons occur for only a portion of the year, any adverse impacts would be minor and short-term. Because elk are currently abundant on this and neighboring properties, increased hunting pressure from additional free public access as a result of this term CE may improve elk management across this localized area, resulting in long-term, beneficial impacts.

Sale of the land without a CE, including the access terms on the CE, which could occur under the “No Action” Alternative may result in reduced wildlife management efficiency across the area, further contributing to over-objective populations of big game, especially elk. Over-objective big game populations are more likely to suffer die-offs due to range degradation, bad winters, drought, disease, etc., or cause considerable economic damage to private lands. If this were to occur, there could be adverse, moderate-to-major, and short- or long-term secondary impacts.

A term CE on the Hannah Ranch ensures the property maintains high-quality terrestrial, avian, and aquatic habitats for 99 years, and allows for more effective wildlife management during that time. Long-term, major, and beneficial secondary impacts to terrestrial, avian, and aquatic life and habitats would be expected because of the proposed project as it would conserve habitat quality for 99 years.

Cumulative Impacts: No significant adverse cumulative impacts would be expected due to the proposed project. Long-term major beneficial cumulative impacts to terrestrial, avian, and aquatic habitats would be expected because of the proposed project. See Section XI, Cumulative Impacts Analysis, for more detailed information related to the affected environment.

2. Water Quality, Quantity, and Distribution

Existing Environment/Baseline Conditions (No Action Alternative): The Hannah Ranch contains ≈62 miles of perennial, intermittent, or ephemeral streams (Figure 5). These include the upper reaches and tributaries of Little Trout Creek, Buffalo Creek, and the West Fork of Big Rock Creek. Little Trout Creek and Buffalo Creek flow northwesterly, eventually draining into Ross Fork Creek, whereas the West Fork Big Rock Creek flows north into Rock Creek, another Ross Fork Creek Tributary. Coinciding with these streams exist wetland and riparian areas and numerous natural and man-made ponds, reservoirs, and springs. While these small streams and associated wetland/riparian areas make up a small proportion of the proposed Hannah Ranch CE, they are disproportionately important as wildlife habitat and to the ecological system as a whole. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Multiple streams, springs, ponds, and reservoirs provide water for cattle and riparian habitat for a host of wildlife species.



Direct Impacts: No significant, adverse impacts would be expected because of the proposed project. The quantity of water used by cattle would be consistent with current and historical levels in the affected area. Existing surface water resources located on the proposed Hannah Ranch term CE would be used for watering livestock. New water infrastructure would also be required to implement a grazing system as described in the proposed Hannah Ranch CE Management Plan, Appendix C.

Cattle grazing may temporarily increase runoff of sediment and manure into nearby streams due to their presence, trampling of soils, and removal of vegetation. Proposed water developments could increase sediment and turbidity during construction. New water storage sites (tanks) would remain permanent fixtures, but disturbed areas (i.e., from digging pipelines) would be expected to heal quickly, resulting in no long-term impacts to springs or riparian areas. Water tanks, located in upland sites, would become available for grazing livestock, thereby limiting direct impacts to natural water sources above what already occurs. New infrastructure is designed to disperse cattle away from existing springs and streams.

Short-term, adverse impacts to natural water sources on the proposed Hannah Ranch term CE could occur when livestock and/or when equipment is present while installing the new water infrastructure. However, because the property has historically been used for cattle grazing without the benefit of improved infrastructure, any direct impacts would be short-term, consistent with historical impacts, and negligible to minor.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The proposed term CE would prohibit the conversion of native vegetation to cropland or non-agricultural uses which could otherwise lead to increased runoff and soil erosion and have adverse impacts on water resources in the affected area for 99 years. Maintaining or improving range conditions and residual cover from a grazing system would maintain or increase water infiltration into soils, reducing runoff from the uplands, and maintain or improve water quality during summer and fall periods. Construction and operation of the proposed water system would reduce reliance on natural riparian areas historically used for watering cattle. This would result in a long-term reduction of sediment run-off and associated water turbidity as well as less deposition of wastes or manure in streams, springs, and ponds.

Without CE protections, or under the “No Action” alternative, conversion of native vegetation to farm ground or non-agricultural uses may cause direct, short- and long-term, adverse impacts to soils, in turn affecting water quality. Removal of native grasses and shrubs, with their deep root systems, leaves soil more susceptible to wind

and water erosion, increasing sedimentation of nearby streams. If this were to occur, impacts would be adverse, moderate or major, and short- or long-term.

Cumulative Impacts: No significant adverse cumulative impacts would be expected due to the proposed project. Long-term, major beneficial cumulative impacts to water quality, quantity, and distribution would be expected because of the proposed project. See Section X, Cumulative Impacts Analysis, for more detailed information related to the affected environment.

3. Geology

Existing Environment/Baseline Conditions (No Action Alternative): The proposed Hannah Ranch term CE includes gentle to moderately steep, undulating foothills and hilltops interspersed with swales and small drainages. The drainages on both the O'Brien and Logan Place slope north/northwest and feed into Ross Fork Creek, which ultimately flows into the Judith River.

The foundations of the Big Snowy Mountains formed during the Mississippian Period, when much of the region was submerged beneath a shallow sea (Reeves 1930). Layers of sediment, including limestone, sandstone, and shale accumulated over time. The Big Snowies are geologically unique; unlike nearby island ranges like the Judiths, Moccasins, and Crazies, which were formed as a result of volcanic activity, they were uplifted and folded into an anticline, creating their distinctive, dome-like structure (Reeves 1930). The western foothills of the Big Snowies represent a transition zone between the dramatic, predominately limestone mountain core and the surrounding sandstone and alluvial plains.

The geology of the Big Snowy Mountains influences local soil types and vegetation, which in turn has land use implications. Moving north, west, and south from the mountains, soils transition from predominately stony loams to clayey loams. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment. Soils and vegetation are described in further detail under Section XII, Parts 4 and 5 (below).

Direct Impacts: No significant adverse direct impacts would be expected because of the proposed project. No direct impacts to geology would be expected considering the proposed term CE would not be expected to change land use practices immediately following implementation of the CE. The proposed term CE would not directly affect the geologic surface of affected areas.

Hannah Ranch has historically been used for livestock production. Considering primary land use would remain, any potential impacts to geology in the affected area would be consistent with historical impacts. Ground disturbances would be limited to burying pipeline. Any adverse impacts to bedrock and soil profile are expected to be small, temporary, and occur only during installation of new water infrastructure. Once completed, no direct effects to the soils and geology would be expected, except when the systems need maintenance. Any adverse, direct impacts from maintenance activities would be short-term and negligible.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The proposed term CE and associated Management Plan prohibit mineral exploration or extraction other than limited materials (i.e., gravel) needed by the surface rights landowner for agricultural operations or in limited instances by Fergus County for road maintenance (at this time, there are no known gravel sources on the property). The term CE and Management Plan will require the landowner to seek FWP approval to extract gravel from the property if it exists. However, the mineral estate is severed from the surface rights. The proposed term CE would not restrict access or the opportunity for developers of the mineral estate for mining, prospecting, or

exploration activities. Overall, mineral potential evaluation indicates that there is a low potential for the occurrence or development of mineral resources. Therefore, it would be expected the proposed term CE would have long-term, moderate, and beneficial secondary impacts to geology resources considering the landowner would be prohibited from extracting mineral resources, gravel pit development would be limited to the uses described above, and the low overall potential for the occurrence or development of mineral resources by an outside party.

Without CE protections, or under the “No Action” alternative, there would be no measures in place to prevent mineral exploration or extraction in the near future. Long-term, moderate-to-major, adverse secondary impacts could occur due to these activities. The proposed term CE would limit gravel extraction (if applicable) for use on the property by the surface owner but would not restrict mineral development options by third party mineral owners.

Cumulative Impacts: No significant adverse cumulative impacts would be expected due to the proposed project. Long-term, minor beneficial cumulative impacts to geology would be expected because of the proposed project. Subsurface minerals under third party ownership would be unaffected by this proposal. See Section X, Cumulative Impacts Analysis, for more detailed information related to the affected environment.

4. Soil Quality, Stability, and Moisture

Existing Environment/Baseline Conditions (No Action Alternative): There are at least 35 soil classifications comprising the proposed Hannah Ranch term CE. Soil types that are represented throughout the proposed area at greater than 5% occurrence, as identified by the NRCS, are included in Table 1 and make up almost 70% of the property. Historical activities that could have impacted soil resources include livestock grazing and farming.

Soil moisture is influenced by temperature and precipitation. Average temperatures in the project area range from well below freezing during mid-winter, to moderately hot during mid-summer. Weather records for Moore indicate average low and high annual temperatures ranging from 13.7 to 81.0°F, respectively, and an average 15.5 inches of precipitation and 52 inches of snow annually. Based on weather reports, the wettest months for the area are May and June. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Direct Impacts: No significant adverse direct impacts would be expected because of the proposed project. Soil quality may be affected by livestock grazing. Cattle disturb soil surfaces via hoof action, which can introduce organic matter into the soil and provide pockets for rain and snow to accumulate. Forage digestion can further introduce organic nutrient cycling into the soil. Conversely, areas where livestock congregate over long periods of time can result in soil compaction, reducing soil capacity for water infiltration and nutrient cycling. Proposed grazing strategies are expected to promote nutrient cycling when livestock are present, while rest treatments would prevent significant damage to these resources. These impacts are consistent with current and historic use, but the beneficial impacts would be exacerbated given implementation of a grazing system as described in the proposed Hannah Ranch CE Management Plan, Appendix C.

Ground disturbances would be limited to burying pipelines. Impacts to bedrock and soil profile are expected to be small, temporary, and occur only during installation of new water infrastructure. New infrastructure designed to move cattle away from existing springs and streams, in addition to an implemented grazing system, will ultimately improve bank (soil) stability, vegetation, and water quality in the long term. Once completed, no direct effects to the soils and geology would be expected, except for when the systems need maintenance. Short- and long-term, minor, and beneficial direct impacts to soils would be expected immediately and ongoing

following implementation of the term CE considering that land use practices (livestock grazing) would remain the same. Any adverse, direct impacts would be short-term and negligible.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The proposed grazing strategies would be expected to increase species diversity and plant productivity by reducing plant litter and trampling seeds and residual vegetation material into the soil, thus promoting nutrient cycling, water infiltration, organic build-up, and overall soil health. In contrast, left unmanaged, cattle grazing can cause adverse impacts to grassland systems, including reduced productivity of grasslands and reduced soil health. Reducing productivity of grasslands can also result in increased areas of bare soil, which in addition to erosion, allows for establishment and expansion of less desirable plants. Periodic maintenance of water development structures may temporarily disrupt soil, especially in regard to any replacement or repairs of pipes that could be buried underground. However, any impacts from maintenance are expected to be short-term and minor.

Without the CE restrictions, or under the “No Action” Alternative, conversion of native vegetation to farm ground or non-agricultural uses would cause, short- and long-term, adverse secondary impacts to soils. Removal of native grasses and shrubs, with their deep root systems, leaves soil more susceptible to wind and water erosion. Water erosion also results in increased sedimentation of nearby streams. Development-related activities (clearing, excavating, and building) also irrevocably disturb and compact soil, disrupt natural drainage patterns, and contribute erosion and runoff. Native grasses contribute a significant amount of organic matter into the soil, whereas annual crops contribute little in comparison, and buildings contribute none. Potential secondary impacts of the “No Action” alternative could be adverse, moderate to major, and short- or long-term depending on whether or not and how long the area remained converted.

The CE and associated Management Plan would restrict such disturbance and require the landowner continue to maintain native shrubs and vegetation to protect soils against erosion, maintain streambank stability and riparian soil protection, and limit gravel pit construction (outside of certain allowable uses) leading to reduced soil disturbance and improved soil health over time. The proposed term CE would place limitations on future uses of the property that could otherwise adversely impact soil resources, such as native vegetation conversion to cropland and residential development, for 99 years. Long-term, moderate, and beneficial secondary impacts to soils would be expected because of the proposed project.

Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project. The proposed term CE would also limit gravel extraction for use on the property by the surface owner but would not restrict mineral development options by third party mineral owners. Long-term, minor beneficial cumulative impacts to soil quality, stability, and moisture would be expected because of the proposed project. Subsurface minerals under third party ownership would be unaffected by this proposal. See Section X, Cumulative Impacts Analysis, for more detailed information related to the affected environment.

5. Vegetation Cover, Quantity, and Quality

Existing Environment/Baseline Conditions (No Action Alternative): The Hannah Ranch is comprised of a transition zone between prairie grassland and mixed conifer forest making up the Big Snowy Mountain foothills, which contain numerous native trees, shrubs, grasses, and forbs across these broader community types. The grassland system is largely comprised of rhizomatous native grasses and a high diversity of native perennial forbs. Native shrubland vegetation can be found along slopes, floodplains, and ravines, with denser shrub cover associated with intermittent or ephemeral streams. The deciduous forest system occurs on the benches and swales near Trout Creek and the tributaries of Big Rock Creek—forming dense patches in areas where adequate

soil moisture exists. The coniferous forest on Hannah Ranch occurs primarily on the far eastern edge of the Logan Place, along the montane foothills of the Big Snowies. The Hannah Ranch contains both palustrine and riverine wetland and riparian systems; the numerous man-made ponds have created additional, smaller wetlands.

Noxious weeds and other exotic plant species are present on the proposed Hannah Ranch term CE. Landscapes subject to livestock grazing or other disturbances (e.g., along roads, man-made ponds, tanks, fence lines) are at higher risk for noxious weeds. The term CE would require the landowners to continue to manage noxious weeds following county standards. The landowners actively manage and spray noxious weeds on a regular basis, following best management practices to reduce overgrazing and monitoring known weed concentrations. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Vegetation cover and quality are influenced by soil type, weather, and land use. The Hannah Ranch is currently managed well; in normal precipitation years ample vegetation remains in the area post-grazing.

Direct Impacts: No significant, adverse direct impacts to vegetation would be expected because of the proposed project. Terms in the 99-year CE and Management Plan specifically restrict the destruction of trees, shrubs, and native vegetation outside of normal agricultural practices, so important woody components of rangelands would be perpetually maintained. Grazing may impact the diversity, productivity, and abundance of vegetation, resulting in both beneficial and adverse direct impacts on vegetation productivity and diversity depending on how it is managed. Short-term impacts would be expected while livestock are present and vary by plant species; grazing pressure that is rotated seasonally may temporarily reduce vegetation cover (by design). As part of the proposed grazing strategies, long periods of rest would be scheduled, to allow plants ample time to replenish root reserves. However, these would also be consistent with historical impacts and current use. Any adverse, direct impacts would be mitigated by implementation of a grazing system (as described in the proposed Management Plan, Appendix C) and the landowners' continued management of noxious weeds.

Infrastructure development and construction may adversely impact certain plant species in localized areas. New water tanks and/or storage water storage sites would remain permanent fixtures, but disturbed areas (i.e., from digging pipelines) would be expected to heal within a growing season, resulting in no long-term impacts to vegetation. Because of the relatively small footprint associated with infrastructure development and the short timeframe needed to complete such activities, any adverse, direct impacts would be short-term and minor. New watering infrastructure, in addition to an implemented grazing system, will ultimately improve bank stability, vegetation, and water quality in the long term.

No significant adverse direct impacts would be expected because of the proposed project. The proposed term CE and associated Management Plan would allow the landowners to continue to practice sustainable livestock grazing per current management for 99 years. Therefore, long-term, minor, beneficial direct impacts to vegetation cover, quantity, and quality would be expected because of the proposed project considering that land use practices would remain the same.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. Changes in the timing, duration, and intensity of livestock grazing may cause subsequent changes to grazed plant communities. Proposed grazing strategies would be expected to stimulate plant growth, palatability, and change green-up timing in the affected areas. Increasing and maintaining graminoid and forb species diversity would also be expected. More intensive, early-season grazing in pastures dominated by introduced grasses should cause a reduction in these species and an increase in native species plant

composition. These changes would be expected to benefit livestock and wildlife by improving the quality and quantity of preferred forage.

Proposed water developments would be expected to further facilitate effective grazing strategies by providing additional flexibility in the timing, duration, and intensity of livestock grazing. Such protections would not otherwise be possible when riparian areas, streams, ponds, and reservoirs are the only source of water. As a result, achieving grazing treatments in the uplands while reducing livestock impacts on riparian habitats would be further realized by the proposed project and benefit the riparian/wetland vegetation communities.

Public access via Logan Ridge Road to the USFS boundary, as well as public access to deeded Hannah Ranch CE lands during the hunting season has the potential to introduce and spread noxious weeds, a concern brought up during public scoping. Two parking areas will be established to contain vehicular traffic, with walk-in only access allowed beyond those locations. Landowners will continue to control and manage noxious weeds as part of their general activities, including at parking areas. Any potential establishment or spread of noxious weeds from cattle grazing or public recreational access would be mitigated by annual weed monitoring followed by chemical and/or biological treatment according to county regulations. The proposed term CE would not affect the landowner's ability to control noxious weeds but instead, by retaining intact native plant communities for 99 years. A term CE may indirectly help protect against or reduce the spread of noxious weeds. Adverse secondary impacts to native vegetation from the introduction of noxious weeds, beyond what already exists on the property, would be short-term, minor, and mitigated by the Landowner's weed management activities.

The proposed term CE would maintain or improve vegetation resources by preventing tillage agriculture, subdivision development, herbicide treatments targeting native plants, renovation of plant communities to domestic pastures, removal of riparian vegetation for other uses, concentrated feedlot operations, etc., any of which could occur under the "No Action" Alternative for 99 years. Under these circumstances, long-term, moderate-to-major, adverse secondary impacts could occur. The term CE and Management Plan terms prohibit the removal of native trees and shrubs except as needed for the ordinary course of maintaining fences, roads, and utility lines, or controlling conifer encroachment (with prior approval of FWP). Noxious weed control would remain the responsibility of current and future landowners. Overall, the term CE is anticipated to maintain and improve vegetation management over its duration. Therefore, long-term, moderate, beneficial secondary impacts to vegetation cover, quantity, and quality are anticipated for 99 years.

Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project. Long-term, minor, and beneficial cumulative impacts to vegetation cover, quantity, and quality would be expected because of the proposed project for 99 years. See Section X, Cumulative Impacts Analysis, for more detailed information related to the affected environment.

6. Aesthetics

Existing Environment/Baseline Conditions (No Action Alternative): The proposed Hannah Ranch term CE offers an expansive viewshed between the Big Snowy Mountains, Little Belt Mountains, and the town of Moore. Local topography within CE lands consists of gentle-to-moderately steep foothills and hilltops delineated by swales and drainages. The O'Brien Place is primarily undulating grassland and woody draws fanning out to the north-northwest, while the Logan Place is largely a moderately steep, northwestern facing forested slope to the east with broad, undulating grassland foothills and ridges throughout. Steep cliffs making up the canyons of Buffalo Creek can be seen from the Logan Place as the creek emerges from USFS lands.

The open space on or surrounding the Hannah Ranch allow for unobstructed views of these mountain ranges, in addition to the Judiths, the Moccasins, the Crazies, and on clear days, the Bears Paw and Highwoods. Topographical relief within the proposed CE is approximately 1,500 feet, with elevations ranging from 4,625 and 6,100 feet.

The proposed Hannah Ranch term CE offers multiple viewsheds of the Big Snowy Mountains and rural character of the area, looking to the north, east, south, and west.



The proposed Hannah Ranch term CE's surrounding landscape is predominately natural and rural in character. Man-made features related to the area's main land use (cattle grazing) consist of fences, two-track roads, and stock- watering ponds, wells, and tanks. Other man-made features associated with historic homesteading remain on the property, including an abandoned residence, barns, sheds, old building materials, vehicles, fencing, and the remnants of a historic cabin (Campbell and Wirth 2023). There are no paved roads on or near the property. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Direct Impacts: No significant, adverse direct impacts would be expected because of the proposed project. Domestic livestock and signs of livestock use on the Hannah Ranch may be objectionable to some segments of the public however livestock have historically used the affected property for grazing, and cattle are a part of the area's, and Montana's, overall character. Therefore, any impacts would be consistent with historical use and the existing aesthetic nature of the Hannah Ranch. Overall, any direct impacts to aesthetics from cattle presence or grazing would be negligible to minor and consistent with historical impacts.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The proposed CE would maintain aesthetic values by protecting wildlife habitat and preventing cropland conversion or residential development in the affected area, preserving its scenic qualities and open space for 99

years. Long-term, major, and beneficial secondary impacts to aesthetics would be expected because of the proposed project. Without the CE restrictions, or under the “No Action” Alternative, conversion of native vegetation to farm ground or non-agricultural uses could cause, short- and long-term, minor to major, adverse secondary impacts to aesthetics.

Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project. The proposed Hannah Ranch CE would protect unobstructed views of numerous scenic resources for 99 years. Therefore, long-term, major, and beneficial cumulative effects to aesthetics would be expected because of the proposed project. See Section X, Cumulative Impacts Analysis, for more detailed information related to the affected environment.

7. Air Quality

Existing Environment/Baseline Conditions (No Action Alternative): According to the Montana Department of Environmental Quality (DEQ), air quality in the area affected by the proposed project is currently unclassifiable or in compliance with applicable National Ambient Air Quality Standards (NAAQS). Existing sources of air pollution in the area are limited and generally include fugitive dust associated with high-wind events and exposed ground, vehicle travel on unpaved roads, and vehicle exhaust emissions; the latter two are rarer occurrences given the rural nature of the area. Wildfires in Montana and surrounding western states seasonally impact air quality over a broad area, to sometimes include the proposed Hannah Ranch term CE project area. No significant point-sources of air pollution exist in the area affected by the proposed project. No air quality restrictions exist for the affected area. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Direct Impacts: No significant, adverse direct impacts to air quality would be expected because of the proposed project. Air quality in the area affected by the proposed project is currently unclassifiable or in compliance with applicable National and Montana Ambient Air Quality Standards (NAAQS/MAAQS). Further, no significant point sources of air pollution exist in the area affected by the proposed project. Existing sources of air pollution in the area are limited and consistent with historic use, therefore, any impacts to air quality would be short-term, negligible, and consistent with existing impacts.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The proposed term CE would place limitations on future uses of the property such as industrial or residential development, which could otherwise adversely impact air quality. Smoke from prescribed and wildfire events would continue to occasionally impact the airshed. Because air quality in the affected area is currently unclassifiable or attaining compliance with NAAQS, the proposed project would not be expected to cause or contribute to a violation of the applicable NAAQS for particulate matter (TSP, PM₁₀, PM_{2.5}). Long-term, moderate, and beneficial secondary impacts to air quality would be expected because of the proposed project. Conversely, without CE protections as under the “No Action” Alternative, development activities and increased vehicular traffic associated with those activities would coincide with increased fugitive dust and vehicle exhaust emissions.

Cumulative Impacts: Under the proposed Hannah Ranch term CE, current land use activities would continue and thus no significant, adverse cumulative impacts would be expected because of the proposed project. Overall, the proposed project would be expected to contribute to maintaining current air quality in the greater airshed, and therefore, long-term, minor, and beneficial cumulative effects to air quality would be expected because of the proposed project. See Section X, Cumulative Impacts Analysis, for more detailed information related to the affected environment.

8. Unique, Endangered, Fragile, or Limited Environmental Resources

Existing Environment/Baseline Conditions (No Action Alternative): A complete list of the 50 Species of Concern and Threatened or Endangered species (ESA-listed) that have been observed or are thought to occur in the affected area is included in Appendix A of the proposed Hannah Ranch CE Management Plan. The proposed Hannah Ranch term CE lies within a Tier I Terrestrial Focal Area, the Snowy Mountains Focal Area, and portions of the proposed CE also lie within the Tier II Judith River Redbelly Distribution Aquatic Focus Area. The property is also comprised of ≈73% Tier I Community Types. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected existing environment.

Direct Impacts: No significant adverse direct impacts would be expected because of the proposed project. The proposed term CE and associated Management Plan would allow the landowners to continue to practice sustainable livestock grazing while protecting any unique, endangered, fragile, or limited environmental resources that may inhabit or use the affected area. Long-term, minor, and beneficial direct impacts to these resources would be expected because of the proposed project considering that land use practices would remain the same.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The proposed term CE would ensure the project area would not be subdivided for residential development and/or other uses that may adversely affect unique, endangered, fragile, or limited environmental resources for 99 years; any of which could occur much sooner under the “No Action” Alternative. Conservation of the Land Values would be expected to increase habitat quality for wildlife, including any other ESA-listed or SoC concern that may inhabit or use the affected area. Long-term, moderate-to-major, and beneficial secondary impacts to unique, endangered, fragile, or limited environmental resources would be expected because of the proposed project.

Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project. Implementing conservation actions in any Tier I or Tier II Focal Area provides tremendous value for Montana (MFWP 2015), and as stated above, conserving and enhancing wildlife habitats within the proposed Hannah Ranch term CE could benefit up to 50 SoC in addition to numerous other wildlife species for 99 years. Long-term, moderate-to-major, and beneficial cumulative impacts to unique, endangered, fragile, or limited environmental resources would be expected because of the proposed project. See Section X, Cumulative Impacts Analysis, for more detailed information related to the affected environment.

9. Historical and Archaeological Sites

Existing Environment/Baseline Conditions (No Action Alternative): Prehistorical and historical use of the Fergus County area was by Native American tribes including the Blackfeet and Gros Ventre. Additionally, there were homesteaders, pioneers, trappers, and other travelers through the area. All these groups used lands within Fergus County and there are known and unknown historical, archaeological, and other sites of importance.

Specifically on the Hannah Ranch, there are several abandoned buildings and structures in the northern part of the O’Brien Place as well as remnants of a small, historic cabin in the central portion of the Logan Place. The O’Brien structures include a two-story house, three barns, and approximately five sheds, encompassed by numerous fences, corrals, and gates (Campbell and Wirth 2023). Miscellaneous items are scattered around the abandoned residential building which may someday hold historical or archaeological significance. The residence was last occupied in the 1970s, but the corrals are still occasionally used to hold cattle and horses. According to

the landowners, no formal paleontological or archaeological studies have been completed on the property. The Montana State Historic Preservation Office (SHPO) has inventoried and noted historical sites present in Sections 35 and 36 on the proposed Hannah Ranch term CE as well as in other sections surrounding the property. While the Montana State Antiquities Act (MCA 22-3-421 through MCA 22-3-442) requires that any project on state-owned lands must consult with the Montana State Historic Preservation Office, projects on private lands do not. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Direct Impacts: No significant adverse direct impacts would be expected because of the proposed project. Further, the proposed term CE would not change current land use. The landowners would address any historical or archaeological sites if they are discovered, as cultural resources would continue to be subject to applicable state and local regulations.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. No ground disturbing activities would be anticipated in the area(s) around the abandoned buildings or historical cabin, and the proposed term CE would place limitations on near-term, future uses of the property that may otherwise cause additional surface disturbance (outside of installing new water infrastructure), potentially damaging cultural resources. Therefore, long-term, minor, and beneficial secondary impacts to historical and archaeological sites would be expected because of the proposed project.

Cumulative Impacts: The Proposed Action would not result in any ground or historical resource disturbing activities. Terms of the 99-year CE would keep enrolled lands from tillage or other ground-disturbing developments that could otherwise impact such resources. No significant adverse cumulative impacts would be expected because of the proposed project. The proposed CE would place limitations on near-future uses of the property, limiting surface disturbance. Therefore, long-term, minor, and beneficial cumulative impacts to historical and archaeological sites would be expected because of the proposed project.

10. Demands on Environmental Resources of Land, Water, Air, and Energy

Existing Environment/Baseline Conditions (No Action Alternative): Much of the proposed project area, is considered rural and relies on the resources of the land and water for agricultural operations and livelihood. Both land and water are used for recreational opportunities throughout the project area as well. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected existing environment.

Direct Impacts: No significant, adverse direct impacts would be expected because of the proposed project. Current land use and the associated impacts on environmental resources would not change following implementation of the proposed term CE, considering the Hannah Ranch has historically been used for livestock production and would continue to be so. Via term CE implementation and a grazing system, the proposed project would conserve and manage highly productive, diverse plant communities that provide high-quality forage and cover for native wildlife species while remaining in productive agriculture for 99 years. Some impacts to the environmental resources of land, water, air, and energy may occur because of the proposed project. However, any such impacts would be consistent with current and historical impacts and mitigated through dedicated post-grazing rest periods, restrictions on conversion and destruction of native vegetation, continued management of noxious weeds, and limitations or restrictions on surface disturbance. Finally, a limited amount of increased fuel use would be required for installation of new water infrastructure, but any impacts to the environmental resource of energy would be short-term and negligible. Overall, any direct impacts would be

short- and long-term, beneficial, and negligible to minor. No other impacts to demands on the environmental resources of land, water, air, and energy would be expected because of the proposed project.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. Terms of the proposed term CE would place limitations on near-future uses of the property that would otherwise place greater demands on environmental resources, such as residential development or conversion to cropland, which could occur under the “No Action” Alternative. No utilities would be constructed to support residential development on the property or nearby private lands in the near term. Therefore, any secondary impacts would be major, long-term, and beneficial.

Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project. The proposed term CE would place limitations on near-future uses of the property that could otherwise increase demands on environmental resources for 99 years. Therefore, moderate, long-term, and beneficial cumulative impacts to the demands on the environmental resources of land, water, air, or energy would be expected because of the proposed project. See Section X, Cumulative Impacts Analysis, for more detailed information related to the affected environment.

B. Evaluation and Summary of Potential Impacts of the Proposed Project on the Human Environment

1. Social Structures and Mores

Existing Environment/Baseline Conditions (No Action Alternative): Agriculture, and in particular cattle ranching, are a primary driver of Fergus County’s economy and constitute a culturally accepted way of life. Outdoor recreation, particularly hunting and fishing, are also predominant activities and economically important in both Fergus County and Montana as a whole. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected existing environment.

Direct Impacts: No significant, adverse direct impacts would be expected because of the proposed project. The proposed project would continue to support its current land use, which is primarily livestock production, and therefore, the agricultural way of life on the project area. Further, terms of the CE would ensure ongoing agricultural practices are conducted in a sustainable manner. Public access to USFS lands and deeded CE lands as a result of the CE would increase and enhance recreational opportunities in the area. Many Montanans and those visiting the state for outdoor recreation hold wildlife habitat conservation in high regard, such as that provided by the proposed term CE. Therefore, the proposed project would not adversely impact any pre-project social structures, customs, values, and conventions in the project area. Based on continuing agricultural traditions and enhanced recreational opportunities, long-term, minor to moderate, beneficial impacts could be expected because of the proposed project for 99 years.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The property does not currently support residential, industrial, or other commercial and agricultural development or operations. Further, unlike the “No Action” Alternative, the proposed CE would prevent near-future conversion of the property to non-agricultural uses such as residential development for 99 years, which could in turn lead to changes to pre-project social structure and mores. Therefore, long-term, minor, and beneficial secondary impacts would be expected because of the proposed project.

Cumulative Impacts: No significant adverse cumulative impacts would be expected due to the proposed project. Long-term, minor, beneficial cumulative impacts to social structures and mores would be expected because of

the proposed project since a term CE on the proposed Hannah Ranch ensures the land will remain in agricultural production and help support outdoor recreation for the term of the CE. See Section X, Cumulative Impacts Analysis, for more detailed information related to the affected environment.

2. Cultural Uniqueness and Diversity

Existing Environment/Baseline Conditions (No Action Alternative): Fergus County is not an exceptionally diverse county; ≈95% of county residents are white (non-Hispanic). See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected existing environment.

Direct Impacts: No significant adverse direct impacts would be expected because of the proposed project. The proposed project would not be expected to result in any new or changed employment opportunities in the affected area. As such, the proposed project would not be expected to result in the relocation of people into or out of the affected area. Therefore, no impacts to pre-project cultural uniqueness and diversity would be expected because of the proposed project.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. No secondary impacts to cultural uniqueness or diversity would be expected because of the proposed project.

Cumulative Impacts: No significant adverse cumulative impacts would be expected due to the proposed project. See Section X, Cumulative Impacts Analysis, for more detailed information related to the affected environment.

3. Access to and Quality of Recreational and Wilderness Activities

Existing Environment (No Action Alternative): Limited public access to BLM, USFS, and State lands exists in HDs 411 and 535 (Figure 4). More access is available to USFS lands on the south side of the Big Snowy Mountains and in the Little Snowy Mountains, both in HD 535, than to the north side of the Big Snowy Mountains in HD 411. Two access points exist across the north end; Crystal Lake Road and the Cottonwood Creek Trailhead, which is a ≈1.5-mile access easement across private lands to the USFS boundary. On the far east side of the Big Snowy Mountains, there are four points along Red Hill Road (State Highway 238) which intersect BLM adjoining the USFS, in addition to an access point owned by FWP. There is no public access on the far western end of the Big Snowies; Crystal Lake Road is >4 miles away from the Hannah Ranch boundary, with rugged, heavily timbered topography in between. Dry Pole Creek which cuts between the two points and is flanked by a series of cliffs, making it difficult to cross directly from Crystal Lake Road to the west without first climbing almost to the divide. Multiple, deep coulees and thick forest form an unrealistic traverse for most recreationists between the nearest existing public access points and the USFS adjacent to the proposed Hannah Ranch term CE. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Direct Impacts: No significant, adverse direct impacts would be expected because of the proposed project. Improvement to public access and quality recreational opportunities would be expected considering that public hunting access is guaranteed per CE terms. Additionally, year-round, unfettered walk-in access to adjacent USFS lands as granted by the term CE will provide new, additional access and recreational opportunities to public land and an area managed for its wilderness character. Long-term, major beneficial impacts to access and the quality of recreation would be expected because of the proposed project.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The Big Snowy WSA, administered by the USFS, lies adjacent to the proposed Hannah Ranch CE, and CE terms would provide for year-round, unfettered, walk-in access to those lands for 99 years. The proposed CE would ensure long-term, free public access to the affected lands and adjacent public lands for 99 years. Further, CE terms prohibit residential development or other uses that would otherwise exclude public access for 99 years. In the event the property is sold; the terms of the CE would remain on the land for the term of the CE. Also, in the future, the Management Plan, in which access terms are described, could be revised, but must continue to provide at least the equivalent recreation opportunity and conservation values as outlined in the Deed of CE. Any changes/modifications to the Management Plan would have to be mutually agreed upon by the Landowner and FWP. Therefore, long-term, major, and beneficial secondary impacts to access and the quality of recreation would be expected because of the proposed project.

During public scoping, several adjacent landowners expressed concerns about public recreational access on and across the proposed Hannah Ranch CE to USFS lands. These concerns pointed out potential trespassing issues, noxious weeds, road maintenance, and elk distribution issues with increased hunter pressure. As public access for hunting and recreation becomes more limited across Montana, new access points tend to receive a significant amount of attention and use. Other FWP CEs in Fergus County receive heightened public use during the first few years, but this use levels out over time. To minimize issues of trespass onto neighboring properties, boundary signs would be posted along the exterior of the land, and particularly at any problem areas identified by neighboring landowners. Additionally, while the hunting/public access rules, as stated in the Management Plan, do not require hunters to carry GPS, the rules encourage them to do so and clarify that it is the user's responsibility to know where they are in relation to neighboring lands. Maps and rules would also be provided to the public in the future should the proposed project be completed. In addition to signage/boundary markers placed on Hannah Ranch term CE lands, it is generally the responsibility of the private landowner to post their own property boundaries with adjacent public lands. Given the landowners currently allow public access to the property, and some other landowners in the area do the same, public hunting access on and across private lands, and the responsibility of the hunter to know where they are and follow rules and regulations, is not novel.

Any adverse secondary impacts as a result of increased access or to the quality of recreational or wilderness activities would be short-term and negligible to minor.

Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project. The proposed CE would allow the public to access the project area and adjacent USFS lands, representing an improvement in access and quality of recreational and wilderness activities over the existing conditions for a 99-year term. Therefore, long-term, major, and beneficial cumulative impacts would be expected because of the proposed project.

4. Local and State Tax Base and Tax Revenue

Existing Environment/Baseline Conditions (No Action Alternative): The 3,752-acre proposed Hannah Ranch CE is classified as "Vacant Land – Rural" and "Agricultural and Timber Properties." The appraised value of these lands for property tax purposes is approximately \$409,516.63 (Montana Cadastral). See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Direct Impacts: No significant adverse direct impacts would be expected because of the proposed project. The landowner(s) would continue to own the affected property and continue to be responsible for property tax payments, which contribute to the overall tax base and tax revenues of Fergus County. No change to the type of

use on the property is expected and therefore, no impacts to the existing local tax base or tax revenues would be expected because of the proposed project.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The proposed CE would restrict development for 99 years, which may preclude near-future increases in gross tax revenues if, for example, the land was to be developed for residential, commercial, or industrial uses. However, the costs of providing infrastructure and services to a new development—road maintenance, utilities, emergency services, etc., could cancel out or outweigh additional revenue from changing tax classification associated with changing land use.

Additionally, the proposed term CE would support ongoing contributions to the local economy and associated tax base and tax revenues from the livestock, tourism, and outdoor recreation industries for 99 years. Long-term secondary impacts to the local tax base would be expected because the proposed project would preclude future industrial, commercial, and some agricultural activities, not including grazing activities. Similarly, Montana's tax code allows for many properties purchased by non-traditional, "recreational" landowners to continue to claim agricultural uses on their land. In these cases, the lands could see reduction in agricultural output, additional development for second homes, additional requirements for local services, with no additional tax base. Any impacts would be long-term, negligible to moderate, and beneficial or adverse depending upon the existing economy and the types of developments that may occur if the term CE was not in place.

Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project. However, due to the open space preservation that occurs due to CEs, properties adjacent to lands encumbered by a CE experience an increase in property value, which generally results in an increase in property tax revenues (Grebenc 2001). The proposed term CE may or may not impact the tax base on lands adjacent to the project area and any impacts to the tax base on adjacent lands would be long-term, negligible to moderate, and beneficial or adverse depending upon the existing economy and the types of developments on surrounding properties. No significant adverse cumulative impacts would be expected because of the proposed project.

5. Industrial, Commercial, and Agricultural Activities and Production

Existing Environment/Baseline Conditions (No Action Alternative): No industrial or commercial activities currently occur on the proposed Hannah Ranch term CE. The Hannah Ranch is a working cattle ranch. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Direct Impacts: No significant adverse direct impacts would be expected because of the proposed project. The proposed term CE would not change current land use, and agricultural production would be expected to remain the same or similar following implementation of the term CE. Therefore, no impacts to pre-project industrial or non-livestock-related agriculture commercial activities or production would be expected because of the proposed project.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The term CE would allow the landowners to continue managing the property as a working cattle ranch. Terms of the CE would prohibit development for residential, non-livestock-related agriculture, or industrial purposes. Terms of the CE could adversely impact any future production related to activities limited by the CE, such as growing crops that require sodbusting, livestock feed lots, or large, commercial gravel pits. These activities do not currently occur on the affected property and would be prevented for the term of the CE.

Therefore, long-term, moderate, and adverse secondary impacts to industrial, non- and limited-livestock-related agricultural commercial activities and production would be expected because of the proposed project.

Given the pace of residential development in Montana, without a term CE, the lands could be sold, subdivided, and/or developed for residential/commercial use. If this were to occur, the production of agricultural products would be reduced. Impacts to agricultural products if development were to occur would be long-term, moderate to major, and adverse depending upon the types of developments that may occur if the term CE was not in place.

Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project. Current land use, agricultural production, would be expected to remain the same or similar following implementation of the term CE. No cumulative impacts to pre-project industrial, commercial, or agricultural activities or production would be expected because of the proposed project. The proposed term CE would prohibit the conversion of working lands in the project area to other uses such as residential development for the term of the CE, in which case there would be significant, long-term, moderate to major, and adverse depending upon the types of developments that may occur if the term CE was not in place.

6. Human Health and Safety

Existing Environment/Baseline Conditions (No Action Alternative): See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Direct Impacts: No significant adverse direct impacts would be expected because of the proposed project. The proposed term CE would not change current land use; therefore, the proposed project would not change the risks to health and human safety associated with the livestock or recreation industries. Therefore, no direct impacts would be expected because of the proposed project.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The proposed term CE would prevent conversion of the property to non-agricultural uses such as residential development for the term of the CE. Some secondary beneficial impacts may be realized by preventing an increase in traffic associated with residential development. Therefore, long-term, negligible, and beneficial secondary impacts would be expected because of the proposed project.

Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project. Long-term, negligible, and beneficial cumulative impacts would be expected because of the proposed project.

7. Quantity and Distribution of Employment

Existing Environment/Baseline Conditions (No Action Alternative): The proposed Hannah Ranch term CE is a family-run ranch with one full-time employee and additional hired help as needed. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Direct Impacts: No significant adverse direct impacts would be expected because of the proposed project. The proposed term CE would not change current land use in the affected area. Therefore, agricultural employment opportunities would be expected to remain the same or similar and no direct impacts would be expected because of the proposed project.

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The proposed term CE would prevent conversion of working ranches to other uses, such as residential development, for the term of the CE. If the affected area were not protected by a term CE, the lands could be subdivided and sold to other interests in the near term, thereby limiting or eliminating jobs associated with agriculture. Therefore, long-term, moderate, and beneficial secondary impacts would be expected because of the proposed project.

Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project. The proposed term CE would prevent conversion of a working ranch in the project area to other uses, such as residential, or non-livestock-related agriculture. It is possible that if the property were used for something other than a working ranch, that either an increase or decrease in demand for certain private businesses supplying goods and services to the community could occur depending on future use of the property. The same would be true for future employment opportunities within the county, which could increase or decrease depending on a change in future management of the property. Overall, long-term, moderate beneficial cumulative impacts on the quantity and distribution of employment in the surrounding counties are anticipated considering that current employment opportunities would not be lost due to land use conversion for the term of the CE.

8. Density and Distribution of Human Population and Housing

Existing Environment/Baseline Conditions (No Action Alternative): The proposed Hannah Ranch term CE does not contain existing occupied housing; the landowners and employee(s) live off proposed CE lands. Two, five-acre building envelopes, one on the Logan Place and one on the O'Brien Place, are written into the Deed of CE to allow for two housing sites should the current or future landowners want to add limited housing on the property. Other than these two building envelopes, there are some abandoned buildings (two-story house and three barns) on the O'Brien Place and remnants of a historic cabin on the Logan Place. No additional housing or human population exists on proposed Hannah Ranch term CE lands.

There is an overall lack of affordable housing in Fergus County and in Montana in general. Additionally, many homes in Fergus County are older (45% built prior to 1940) and in need of repair or improvements (Fergus County 2022). Housing in general in Fergus County is in high demand, and Moore in particular has been identified as a town in need of additional housing (Fergus County 2022). Moore, like other towns in Fergus County, are surrounded by agricultural lands that without conversion, are unavailable for development. 'Affordable' housing most often exists as multi-family properties as opposed to single-family units (Fergus County 2022), and while agricultural lands around the proposed Hannah Ranch term CE, if sold, could face a high risk of development, the likelihood of "affordable" housing being built in these areas vs. within city/town limits is low. Generally, new, rural housing developments are built in the form of more expensive "ranchette" type houses and not considered affordable to many local residents. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Direct Impacts: No significant, adverse direct impacts to the distribution and density of population and housing would be expected because of the proposed project. The proposed Hannah Ranch term CE would prohibit subdivision and housing development outside of two pre-established five-acre building envelopes for the term of the CE and would not result in the movement of existing or new population into or out of the affected area. Therefore, no impacts to the distribution and density of population and housing in the affected area would be expected because of the proposed project.

Secondary Impacts: No secondary impacts to the density and distribution of human population and housing would be expected to occur because of the proposed project. Without CE protections, lands within the proposed Hannah Ranch term CE could be sold, subdivided, and developed in the near term, resulting in an increase in housing. However, while housing development could occur, it would unlikely be considered “affordable” housing or in the form of multi-family units. The term CE would not impact development on adjacent lands considering that the landowner’s retained rights would include road access and utility management. Therefore, no significant change to the distribution and density of housing would be expected because of the proposed project. Therefore, no significant, adverse secondary impacts would be expected because of the proposed project.

Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project. The proposed term CE would, for 99 years, reduce subdivision potential and the likelihood of development of affordable, multi-family housing in the project area, identified as a need in Fergus County, is low, even without CE protections. A term CE on the Hannah Ranch would nonetheless prevent– for the term of the CE– development and subdivision of more modern, single-family or recreational housing that could otherwise occur and is on the rise in Montana.

9. Demands for Government Services

Existing Environment/Baseline Conditions (No Action Alternative): Minimal demand for government services exist on the proposed Hannah Ranch term CE lands. Logan Ridge Road which crosses the O’Brien Place and provides access to the Logan Place and USFS lands beyond is a county road, but currently not maintained. See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

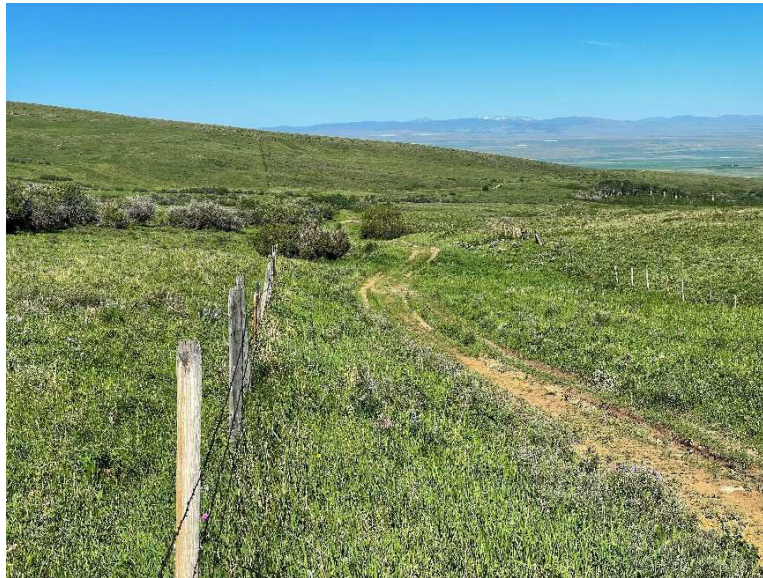
Direct Impacts: No significant adverse direct impacts would be expected because of the proposed project. The proposed Hannah Ranch term CE would not change current land use practices and related demands for government services immediately following implementation of the CE. No adverse direct impacts to the demands for government services are anticipated as a result of the proposed project.

Logan Ridge Road is already a county road that experiences some local traffic. Completion of a term CE on the Hannah Ranch, with public access to deeded CE lands and adjacent USFS lands, will ultimately result in an increase of vehicular traffic on Logan Ridge Road. This road is currently unmaintained, impassible when wet, and often drifted in by snow during winter months. The proposed Hannah Ranch term CE would be completed without any assumption or request that Fergus County would maintain or improve Logan Ridge Road in the future. Parking areas on the Hannah Ranch term CE would be equipped with signage warning hunters of variable and sometimes impassible road conditions. The landowners, per terms in the Hannah Ranch CE Management Plan, maintain the right to restrict vehicular access on Logan Ridge Road for the purposes of accessing the Logan Place and/or USFS lands beyond in light of variable road conditions (although walk-in access would still be permitted).

Secondary Impacts: No significant adverse secondary impacts would be expected because of the proposed project. The proposed term CE would ensure that the demand for public services within the project area remain low by prohibiting residential development outside of two building envelopes. Other services provided by local and state governments such as schools, sanitation, and safety would not be affected by the proposed project because the affected land would remain a working ranch and no significant residential development would occur in the near future, nor would it result in the need for new facilities to provide residential utilities. The term CE would require FWP staff time for monitoring and enforcement, ensuring that the purposes of the easement

are met. Considering that the term CE would prohibit residential development outside of two small building envelopes, long-term, moderate, and beneficial secondary impacts to demands for government services via not contributing to an increase of such, would be expected because of the proposed project.

Logan Ridge Road is currently an unmaintained county road, that becomes inaccessible when wet or during periods of drifting snow.



Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project. The proposed CE would ensure that the demand for public services in the project area and surrounding lands remains low by prohibiting residential development outside of two small building envelopes and no expectations of maintenance or improvements to Logan Ridge Road. Some additional FWP staff resources would be required for monitoring and if necessary, enforcement of CE terms. Overall, long-term, moderate, and beneficial cumulative impacts would be expected because of the proposed project.

10. Locally Adopted Environmental Plans and Goals

Existing Environment/Baseline Conditions (No Action Alternative): See Section VIII, General Setting of the Affected Environment, for more detailed information related to the affected environment.

Direct Impacts: No direct impacts to locally adopted environmental plans and goals would be expected to occur. Therefore, no significant, adverse direct impacts would be expected because of the proposed project.

No significant adverse direct impacts would be expected because of the proposed project. The proposed term CE would not change current land use practices; therefore, ranching and tourism would continue to support existing local land use policy. Therefore, no direct impact on locally adopted environmental plans and goals would be expected because of the proposed project. FWP is unaware of any other locally adopted environmental plans or goals that may be directly impacted by the proposed project.

Secondary Impacts: No significant, adverse secondary impacts would be expected because of the proposed project. FWP is unaware of any other locally adopted environmental plans or goals that may be impacted by the

proposed project. Therefore, no additional secondary impacts to locally adopted environmental plans and goals would be expected because of the proposed project.

No significant adverse secondary or cumulative impacts would be expected because of the proposed project. The proposed term CE would complement growth policies in Fergus County considering that it would maintain ranching industry jobs as well as public access and associated tourism opportunities for 99 years. The applicable requirements of § 76-6-206, MCA, ensures the opportunity for local planning authorities to review the proposed CE and determine compliance with local growth policies. The CE and Management Plan will be provided to Fergus County Commissioners for review during the public comment period.

Cumulative Impacts: No significant adverse cumulative impacts would be expected because of the proposed project.

XIV. Private Property Impact Analysis (Takings)

The 54th Montana Legislature enacted the Private Property Assessment Act, now found at § 2-10-101, MCA. The intent was to establish an orderly and consistent process by which state agencies evaluate their proposed projects under the “Takings Clauses” of the United States and Montana Constitutions. The Takings Clause of the Fifth Amendment of the United States Constitution provides: “nor shall private property be taken for public use, without just compensation.” Similarly, Article II, Section 29 of the Montana Constitution provides: “Private property shall not be taken or damaged for public use without just compensation...”

The Private Property Assessment Act applies to proposed agency projects pertaining to land or water management or to some other environmental matter that, if adopted and enforced without due process of law and just compensation, would constitute a deprivation of private property in violation of the United States or Montana Constitutions.

The Montana State Attorney General's Office has developed guidelines for use by state agencies to assess the impact of a proposed agency project on private property. The assessment process includes a careful review of all issues identified in the Attorney General's guidance document (Montana Department of Justice 1997). If the use of the guidelines and checklist indicates that a proposed agency project has taking or damaging implications, the agency must prepare an impact assessment in accordance with Section 5 of the Private Property Assessment Act.

Private Property Assessment Act (Taking and Damaging Assessment)

PRIVATE PROPERTY ASSESSMENT CHECKLIST			
Does the Proposed Action Have Takings Implications under the PPAA?	Question #	Yes	No
Does the project pertain to land or water management or environmental regulations affecting private property or water rights?	1	☒	☐
Does the action result in either a permanent or an indefinite physical occupation of private property?	2	☐	☒
Does the action deprive the owner of all economically viable uses of the property?	3	☐	☒
Does the action require a property owner to dedicate a portion of property or to grant an easement? (If answer is NO, skip questions 4a and 4b and continue with question 5.)	4	☐	☒

Is there a reasonable, specific connection between the government requirement and legitimate state interest?	4a	☐	☐
Is the government requirement roughly proportional to the impact of the proposed use of the property?	4b	☐	☐
Does the action deny a fundamental attribute of ownership?	5	☐	☒
Does the action have a severe impact of the value of the property?	6	☐	☒
Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public general? (If the answer is NO, skip questions 7a-7c.)	7	☐	☒
Is the impact of government action direct, peculiar, and significant?	7a	☐	☒
Has the government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?	7b	☐	☒
Has the government action diminished property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?	7c	☐	☒
Does the proposed action result in taking or damaging implications?		☐	☒
Taking or damaging implications exist if YES is checked in response to Question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to question 4a or 4b.			
If taking or damaging implications exist, the agency must comply with MCA § 2-10-105 of the PPAA, to include the preparation of a taking or damaging impact assessment. Normally, the preparation of an impact assessment will require consultation with agency legal staff.			
Alternatives: The analysis under the Private Property Assessment Act, §§ 2-10-101-112, MCA, indicates no impact. FWP does not plan to impose conditions that would restrict the regulated person's use of private property to constitute a taking.			

XV. Public Participation

Scoping

Scope is the full range of issues that may be affected if an agency implements a proposed action or alternatives to the proposed action. The scope of the environmental review is described through a definition of those issues, a reasonable range of alternatives considered, a description of the impacts to the physical and human environments, and a description of reasonable mitigation measures that would ameliorate the impacts. Scoping is the process used to identify all issues that are relevant to the proposed action.

Depending on the level of impact associated with a proposed action, the scoping process may include a request for public participation in the identification of issues.

Scoping provides an opportunity for public and agency involvement during the early planning stages of the analysis. The intent of the scoping process is to gather comments, concerns, and ideas from those who have an interest in or who may be affected by the *Proposed Action*. Several strategies were used to inform the public about and solicit comments on the *Proposed Action*. These strategies included:

- FWP Press release
- FWP proposed action to all media outlets
- Notice to interested parties
- Notice to adjacent landowners
- Notice and in-person meeting with Fergus County Commissioners

A press release initiating the 30-day scoping period was issued on January 10, 2023, to inform the public about and solicit comments on a proposal for FWP to purchase a perpetual CE on the Hannah Ranch. During this scoping period, FWP received 23 comments.

Fifteen comments expressed general support to pursue a CE on the Hannah Ranch based on the habitat and wildlife conservation values, perpetual habitat protection and public recreational access included with FWP CEs, and particularly access to USFS lands with this proposed CE, especially given limited recreational access in the area in general. Additionally, there was support for the continued use of Habitat Montana to seek permanent, perpetual CEs that help working landowners and traditional agriculture.

Another 7 scoping comments warranted a response that are addressed in the EA or below. These comments are provided verbatim:

- *"I am the manager of a neighboring ranch and I have a few concerns about this easement:
- what is the FWP plan for weed management on this easement? With increased access on that land it's going to bring a lot more weeds into the area.
- what is FWP plan for the increased trespassing that is going to occur? We deal with a pile of trespassing already with limited access to that forest service which butts up to BLM. And that's where most of the trespassing takes place."*

FWP response: FWP CEs do not prohibit the landowner from taking measures to control noxious weeds; landowners maintain that responsibility regardless of CE encumbrances. Noxious weeds are further discussed in the Draft Deed of CE (Section II.C.13), the Management Plan (Appendix D), and in this EA (Section XII.A.5).

Hunting and recreational access will be limited to two access points, where small gravel parking areas would be constructed. This would also help contain the spread of noxious weeds and facilitate control of noxious weeds in localized areas. To help prevent trespassing, boundaries will be marked, however hunters and recreationists are responsible for knowing private property boundaries. With a new access area as provided by this CE, there will likely be a heavier enforcement presence in this area as well to mitigate trespass issues that occur and/or get called in. Public hunting and recreational access is addressed in the Draft Deed of CE (Section II.B.5), the Management Plan (Appendix D), and in this EA (Section XII.B.3).

- *"I wish to voice my support for including public access to the forest service property. Opening public access to the west of the Big Snowies will be huge. New access to inaccessible substantial federal acres is important. Please ensure the access is available to all members of the public as much of the year as possible. The details of the access must maximize the value to all public recreationists. This is a great opportunity to provide unrestricted access to additional public lands. The details of the access are important. A well-defined and easily accessible connection to the entire Big Snowies will be a*

great win. I do not want to be limited to a challenging climb to get the forest service access. the more people that can access this area the bigger the win for everyone."

FWP response: Access on and across Hannah Ranch CE lands as well as to the USFS lands were negotiated during development of the draft Deed of CE and Management Plan. Logan Ridge Road, the county road that provides legal access to the CE, is a seasonal road, so unfettered, year-round access by vehicle would be unrealistic. Additionally, the area beyond the USFS boundary is a Wilderness Study Area (WSA), where no motorized access is allowed. The landowners and FWP have agreed to two access points, one on the Logan Place and one on the O'Brien Place. Accessibility by vehicle to the parking area on the Logan Place will be dependent on road conditions and walking or use of an ATV or similar vehicle may be necessary during certain times of year. Public hunting and recreational access is addressed in the Deed of CE (Section II.B.5), the Management Plan (Appendix D), and in the EA (Section XII.B.3).

- *"I am writing this letter in response to the potential conservation easement for the Hannah ranch in the Snowy mountains. I have a few concerns and would like them addressed*
 1. *I want to make sure that all access and parking is completely on the Hannah Ranch*
 2. *I want to state that there are no implied or granted easements through the Horan Ranch to any other property.*
 3. *I am concerned that this may further degrade the road we use to access our property.*
 4. *I do not believe that parts of the road that is currently used to access this area is a county road and I do not grant permission for an easement on my property.*
 5. *I want to make sure that this will not become a summertime camping and SUV recreation area.*
 6. *Will the area continue to have the noxious weeds addressed on an annual basis."*

FWP response: Access on and across Hannah Ranch CE lands (to include camping on CE lands) as well as to the USFS lands were negotiated as part of this CE proposal, and the extent of that access, while reasonable, was still up to the landowner (which happens regardless of whether or not FWP purchases a CE). Title work completed prior to the release of the scoping notice indicates that the Logan Ridge county road does provides legal public access to the Hannah Ranch boundary, however as it is a seasonal road, unfettered, year-round access by vehicle would be unrealistic. Public hunting and recreational access is addressed in the Draft Deed of CE (Section II.B.5), the Management Plan (Appendix D), and in this EA (Section XII.B.3).

Relevant to noxious weeds, hunting and recreational access will be limited to two access points, where small gravel parking areas would be constructed. FWP CEs do not prohibit the landowner from taking measures to control noxious weeds; landowners maintain that responsibility regardless of CE encumbrances. This would help contain the spread of noxious weeds and facilitate control of noxious weeds in localized areas. Noxious weeds are further discussed in the Draft Deed of CE (Section II.C.13), the Management Plan (Appendix X), and in this EA (Section XII.A.5).

- *"I'm from Tn and have family in Moore Montana and go to Montana every year when I get drawn for tags. I currently hunt a few adjoining properties to this ranch. I view this as a good thing as it would secure access to the snowies. The elk are hit or miss on this ranch. You have to be at the right place at the right time. The only downside to this will be the additional hunting pressure on the elk by the public. This will keep them pushed over on 3 bar and on Janelle Bergums where access is limited to the public. The road would also need to be fixed as it's a fair weather road now. The road plugs with snow right past the silo missile base. We've seen elk in the past up on the ridge but no way to access them due to snow drifts. Let me know if you have any questions. Will be glad to help."*

FWP response: The primary purpose of the proposed Hannah Ranch CE is to protect 3,652 acres of important wildlife habitat, provide public hunting and public access to CE and public lands, and ensure the land continues to be used for cattle grazing and other traditional agricultural practices. While elk are known to use the property throughout the year, there is no guarantee that elk will always be present, regardless of hunter pressure. Elk harvest success is not a guaranteed result of a CE on the Hannah Ranch, but such a CE allows for increased public access and a greater opportunity to hunt and harvest elk and other game. While there will likely be additional hunters in the localized area, additional access to private lands, which this proposed term CE would provide, may help mitigate hunter pressure in the hunting district as a whole.

The landowners and FWP have agreed to two access points, one on the Logan Place and one on the O'Brien Place. The access point on the Logan Place will only be available for parking seasonally; during other times of year when the road is impassible those wishing to access the Logan Place or USFS beyond will need to park at the O'Brien Place and walk or use an ATV, snowmobile, etc. Public hunting and recreational access is addressed in the Deed of CE (Section II.B.5), the Management Plan (Appendix D), and in the EA (Section XII.B.3).

- *"I am writing you in support of the Hannah Ranch CE. I think this would be a huge benefit to the public, and I believe this would provide even more benefit access-wise than the recently acquired Big Snowy WMA, since the access to the west end of the Big Snowies is very difficult. Since this is winter range for deer and elk, I believe it should be closed to the public from December to April."*

FWP response: Access on and across Hannah Ranch CE lands (during the hunting season and outside of the hunting season) as well as to the USFS lands were negotiated as part of this CE proposal. A minimum of 400 hunter days will be provided on Hannah Ranch CE lands, but recreational access outside of FWP-established hunting seasons will be at the landowner's discretion. Public hunting and recreational access is addressed in the Deed of CE (Section II.B.5), the Management Plan (Appendix D), and in this EA (Section XII.B.3).

- *"Three Bar Ranch, Inc. (Three Bar) would be supportive of the proposed Conservation Easement on the Hannah Ranch in Fergus County (CE), provided that CE would not adversely affect, either directly or indirectly, the present or future value, use, operation or management or the value of Three Bar."*

The proposal raises serious concerns about the future pressure (human and wildlife) that Three Bar may experience, either directly along the shared border or indirectly by way of or through the USFS, BLM or other private land bordering on Three Bar. Three Bar already experiences moderate levels of unwanted hunting and recreational trespass. Increased public access by way of the CE would clearly increase the pressure and opportunity for greatly increased levels of trespass. The public view of a public (CE) right of access versus private access, in our experience, will significantly affect the amount and the type of trespass. Policing and managing trespass in Montana and Fergus County are very difficult. Fines are very low, convictions are very rare, the trespassers are often armed, and the area is remote.

During hunting season, there will be long stretches of border (more than 6 miles) across which hunters will be tempted to shoot, tempted to pursue, and tempted to trespass.

Additional public access for recreation, hunting, trapping, etc. will create and exacerbate wildlife pressure on Three Bar Ranch. Elk herds will be chased more frequently, and they will cross, damage and cause repair on both border fences and internal fences. Mixed cattle and missing cattle will result.

The wildlife mix on both sides of the fence will be altered. Non-game animals and birds may be shot across the fence. Increased public access will increase this pressure, lawful or not.

Increased public access threatens to spread noxious weeds like leafy spurge, hounds tongue, knapweed and other easily transported, and difficult-to-control weeds. Our recent experience working with the BLM supports this. Weed control can be extremely expensive, so even a small risk is significant.

Increased public access may seriously increase fire risks, depending on the activities and the degree of fire danger (smoking, drought, vegetation/fuel, wind, vehicle use, etc.).

Three Bar currently offers significant free public access for cow elk hunting (through a drawing process) and allows limited for-fee access for bull elk hunting. The CE proposal may impact our ability to support either of these activities.

Both the USFS and the BLM allow public access and are unwilling to help enforce trespass violations from hunting or other recreation activities. Therefore, this enforcement falls on the landowner (Three Bar) and either FWP if trespass involves hunting or the Fergus County Sheriff if the trespass is recreational/non-hunting. [DeleteAs stated above, the penalties for trespass are very low, and it is difficult to catch, charge or convict trespassers. When we do catch trespassers, they are often belligerent and armed. These situations can be dangerous.Delete] Additional pressure from the CE may increase the risk to our employees, family and guests.

The border fence between Three Bar and the proposed CE may not always be on the legal border between the properties. Conflicts may evolve along the border because of the CE. We strongly request that a legal?official? survey be done along the CE boundaries at least where they border Three Bar property.

Here is a preliminary list of potential remedies for the issues we have raised above:

- *Limit public access for hunting or recreation purposes that will ensure acceptable border pressure. Keep the pressure low.*
- *Survey the Border*
- *Provide ample signage, gate locks from the CE and the USFS/BLM indirect access border*
- *Require the public to acknowledge and sign an access agreement as to activities along the Three Bar Border: no shooting over or crossing the border; no border patrolling*
- *Prohibit disruption ranching activities, hunting or recreation on the Three Bar side of the border*
- *Prohibit hazing of game across the border in either direction*
- *Prohibit shooting non-game animals or predators (foxes, coyotes, bobcats, lions, bears) within a minimum distance inside the CE (or none at all).*
- *Require walk-in only. No vehicles, bicycles, electric vehicles, UTV's ATV's etc along the border.*
- *Limit usage and/or activities during times of high fire danger.*
- *Provide enforcement help of a significant nature (resources/funds/special fines/fees/deposit)*
- *Offer assistance to reduce trespassing – across the border or indirectly through BLM/USFS*
- *Assist with the control of noxious weeds that may result along the border or with increased pressure*

- *Mitigate damage to fence lines due to increased movement of elk and deer.*
- *Provide additional Landowner Bull Elk Tags for Three Bar or some other mitigation for potential Three Bar business impact.”*

FWP response: CE terms affecting the Hannah Ranch do not apply to properties outside of these deeded lands, thus effects to neighboring properties should be minimal. Access on and across Hannah Ranch CE lands (during the hunting season and outside of the hunting season) as well as to the USFS lands were negotiated as part of this CE proposal. Regardless of whether or not a CE is placed on the Hannah Ranch, the landowners reserve the right to allow any amount of access on and across their deeded lands as they wish.

With implementation of a CE, to better help prevent trespassing, boundaries will be marked, however hunters and recreationists are still responsible for knowing private property boundaries. With a new access area as provided by this CE, there will also likely be a heavier enforcement presence in this area to help mitigate trespass issues that occur and/or get called in. Given the partnership between these landowners and FWP, greater FWP enforcement presence, signage, and assistance (i.e., parking areas to mitigate spread of noxious weeds), could better manage and mitigate hunting access and public presence in this area than if no term CE was completed. Public hunting and recreational access is addressed in the Deed of CE (Section II.B.5), the Management Plan (Appendix D), and in the EA (Section XII.B.3). Access terms address the requirements of hunter reservations, means of access (e.g., walk-in only), the landowners’ rights to prohibit access during periods of high fire danger, etc. are included in the Management Plan.

Concerns about “*disruption ranching activities, hunting or recreation on the Three Bar side of the border*” are already addressed with existing private property laws, and hazing wildlife is illegal with or without CE encumbrances on the proposed Hannah Ranch term CE.

Relevant to noxious weeds, hunting and recreational access will be limited to two access points, where small gravel parking areas would be constructed. FWP CEs do not prohibit the landowner from taking measures to control noxious weeds; landowners maintain that responsibility regardless of CE encumbrances. This would help contain the spread of noxious weeds and facilitate control of noxious weeds in localized areas. Noxious weeds are further discussed in the Draft Deed of CE (Section II.C.13), the Management Plan (Appendix D), and in this EA (Section XII.A.5).

Regarding the other remedies, including “*Prohibit shooting non-game animals or predators (foxes, coyotes, bobcats, lions, bears) within a minimum distance inside the CE (or none at all),*” per CE terms “the right to public hunting access shall not include hunting of varmints, predators (coyotes, wolves, bears, and mountain lions), and other non-game species.” However, the landowners reserve the right to hunt varmints, predators (coyotes, wolves, bears, and mountain lions), and other non-game species in accordance with FWP-established regulations or allow such outside of the CE, as any other private landowner would regardless of a CE on their property.

For “*Mitigate damage to fence lines due to increased movement of elk and deer,*” FWP CEs do not prohibit the landowner from maintaining fences. The landowners would continue to work with neighbors to maintain fences with or without CE encumbrances.

Finally, regarding “*Provide additional Landowner Bull Elk Tags for Three Bar or some other mitigation for potential Three Bar business impact*” FWP does not have the authority to issue additional landowner bull

elk tags from a perceived potential impact as a result of a CE. If a landowner wishes for bull elk permits, they already receive additional opportunities via Landowner Preference and Elk Hunting Access Agreements programs.

- *"I have reviewed the public notice and as a landowner on the south side of the proposed easement I have the following concerns that should be carefully considered in the environmental review.*
 - *Need to carefully consider the impacts of the increased numbers of people and traffic in this remote location. Increasing intensity of human uses increases stormwater issues on roads and trails and also increases the spread of non-native plant species and weeds.*
 - *The Proposal did not include specific parcels that are being considered as part of the Conservation Easement making it difficult to determine the full impact of the proposal. Please list the parcels in future studies.*
 - *I am concerned about the traffic patterns and parking that are being considered for this project, currently an area does not exist and building roads or vehicle parking for public access creates impacts on the environment.*
 - *Access to my parcel is through an unrestricted access agreement that was purchased from Hannah Ranch. As an agreement that predates the consideration of the Conservation Easement the access and future access and property rights need to be protected.*
 - *Due to the remoteness of this area property lines are not always clearly evident. In fact, there is no boundary fence between the property that I own and the area of the proposed conservation easement. If this project is approved, clear property boundaries need to be constructed between the proposed conservation easement land and the land of the neighboring property owners. In some cases fences and other means need to be installed.*
 - *Lastly, during the fall hunting season there is already a large influx of people in the area and often private property is accessed without permission from forest service land. FW&P staff needs to clearly plan and communicate how the conditions of the easement will be monitored and enforced, and how property rights of adjacent landowners are going to be protected."*

FWP response: Environmental impacts of a term CE on the Hannah Ranch were evaluated and reported in this draft EA. A map of the proposed Hannah Ranch CE was provided in the original scoping notice, however legal descriptions are also reported in this Draft EA (Section II) and Draft Deed of CE (Exhibit A). MFWP is aware that the Logan Ridge county road is a seasonal road and thus unfettered, year-round vehicular access will not be realistic and negotiated hunting and recreational access with the landowners with this in mind. A CE on the Hannah Ranch does not have any legal/easement impacts on or to adjacent properties. To help prevent trespassing, boundaries will be marked, however hunters and recreationists are responsible for knowing private property boundaries. With a new access area as provided by this CE, there will likely be a heavier enforcement presence in this area to help mitigate trespass issues that may occur and/or get called in. Public hunting and recreational access is addressed in the Deed of CE (Section II.B.5), the Management Plan (Appendix D), and in the EA (Section XII.B.3).

All comments and FWP responses from the scoping period are available upon request from the FWP contact listed below.

Scoping also includes efforts to engage internal and affected external agencies. For the proposed project, these scoping efforts included queries to the following agency websites/databases/personnel:

- Montana State Historic Preservation Office (SHPO)
- Montana Department of Natural Resource and Conservation (DNRC)
- Montana Department of Environmental Quality (DEQ)

- County Jurisdiction
- Montana Natural Heritage Program
- Montana Cadastral
- Montana Bureau of Mines and Geology
- Forest Service
- Natural Resource Conservation Service

Additional sources cited in this EA include:

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Public Review of Environmental Assessments

The level of analysis in an EA will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. FWP is responsible for adjusting public review to match these factors (ARM 12.2.433(1)). For the proposed project, FWP determined the following public notice strategy will provide an appropriate level of public review:

- An EA is a public document and may be inspected upon request. Any person may obtain a copy of an EA by making a request to FWP.
- Public notice will be served on the Montana Fish, Wildlife and Parks website at: <https://fwp.mt.gov/public-notices>.
- Public notice will be served on the Montana Environmental Quality Council's or EQC MEPA website at: <https://leg.mt.gov/mepa/search/>.
- As applicable, copies will be distributed to neighboring landowners to ensure their knowledge of the proposed project and opportunity for review and comment on the proposed action.
- FWP maintains a mailing list of persons interested in a particular action or type of action. FWP will notify all interested persons and distribute copies of the EA to those persons for review and comment (ARM 12.2.433(3)).

Public notice announces availability of the Draft EA for public review, summarizes the proposed project, identifies the time-period available for public comment, and provides direction for submitting comments.

- **Duration of Public Comment Period:** The public comment period begins on the date of publication of legal notice in area newspapers (see above). Written or e-mailed comments will be accepted until 5:00 p.m., Mountain Time, on the last day of the public comment period for the proposed action, as listed below:

Length of Public Comment Period:	30 days
Public Comment Period Begins:	June 29, 2026
Public Comment Period Ends:	July 28, 2026

Corrected EA release and Supplemental Public Comment Period	August 12, 2026-August 21, 2026
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Comments must be addressed to the FWP contact listed below.

- A public informational meeting was held at 6:00pm on July 21 at the BLM Office, 920 NE Main, Lewistown, MT.

- **Where to Mail or Email Comments on the Draft EA:**

Name: SONJA ANDERSEN

Email: sandersen@mt.gov; if using e-mail, please put "Hannah Ranch CE" in the subject line

Mailing Address: Hannah Ranch Conservation Easement
c/o Sonja Andersen
PO Box 938
Lewistown, MT 59457

XVI. Recommendation for Further Environmental Analysis

NO further analysis is needed for the proposed action	☒
FWP must conduct EIS level review for the proposed action	☐

XVII. EA Preparation and Review

	Name	Title
EA prepared by:	Sonja Andersen	Lewistown-area Wildlife Biologist
EA reviewed by:	Kevin Rechkoff	FWP Chief of Operations
EA reviewed by:	Cory Loecker	Region 4 Wildlife Manager
EA reviewed by:	Jason Rhoten	Region 4 Supervisor
EA reviewed by:	Alan Zackheim	FWP Attorney