



DECISION NOTICE COAL CREEK CONSERVATION EASEMENT

October 21, 2019

DESCRIPTION OF PROPOSED PROJECT

Montana Fish, Wildlife and Parks (FWP) proposes to purchase two separate and distinct overlapping perpetual conservation easements totaling approximately 10,072.22 acres in Custer and Prairie Counties, Montana. The reason for two separate conservation easements, rather than one single conservation easement, is to take advantage of available funding sources. The first conservation easement, the Coal Creek Agricultural Land Easement, will utilize primarily Natural Resources & Conservation Service (NRCS) Agricultural Land Easements (ALE) funding for approximately 6,591.57 acres. The second conservation easement, the Coal Creek (FWP) Conservation Easement, will utilize Habitat Montana dollars to fund the remaining acres, but will encumber the entire property to ensure that the land remains in a single unit in the future. Based upon values determined by an independent appraiser the purchase of the two easements would not exceed \$3,693,000. The two Conservation Easements would function as a single, cohesive unit known as the Coal Creek Conservation Easement. The Coal Creek riparian zone consists of a large silver sagebrush bottom. Several seeps and springs dot the landscape in the hills and draws leading into Coal Creek, creating wetlands and mesic drainages. The southern portion of the Coal Creek Conservation Easement contains large tracts of sagebrush grasslands and scenic badlands, the northern portion of the property contains large tracts of ponderosa pine and juniper. **The Coal Creek Conservation Easement** provides excellent habitat for mule deer, is within designated core bighorn sheep range, and sage grouse general range. The property also supports white-tailed deer, wild turkeys, sharp-tailed grouse, pronghorn, and numerous nongame species. The Coal Creek Conservation Easement would protect healthy blocks of riparian and sagebrush habitats from conversion to other cover types, benefitting wildlife and agriculture, while also increasing public hunting and recreational opportunities.

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) PUBLIC PROCESS AND COMMENT

The Montana Environmental Policy Act (MEPA) requires FWP to assess impacts to the human and natural environment.

Formal public participation in the MEPA process was initiated with a public scoping process. Public scoping was conducted April 12-May 12, 2019, wherein the public was asked to identify any issues and concerns related to this Conservation Easement proposal. Copies of the scoping notice were mailed to neighboring landowners, interested parties, the Custer and Prairie County Commissioners, and DNRC and BLM staff. Notice of the public scoping period was placed in three newspapers (the Miles City Star, Terry Tribune, and the Helena Independent Record), and on the FWP website. A total of 2 comments were received during the scoping process and addressed in the draft Environmental Assessment (EA).

The draft EA was released to the public September 18, 2019 with a 30-day comment period ending October 17, 2019. Legal Notice of the EA release and comment period was published two times in each of the following newspapers: Miles City Star, Terry Tribune, and the Helena Independent Record. Public notice was placed on the FWP website. Direct mailing and/or email notification was provided to adjacent landowners, interested parties, Custer and Prairie County Commissioners, and DNRC and BLM staff. FWP employees offered to attend regularly-scheduled Custer and Prairie County Commission meetings. A public hearing was advertised and held at the FWP Region 7 Office, Miles City, Montana; three members of the public were in attendance; including the Custer County Planner and a representative from Senator Steve Daines' office. The Draft EA, the two easements and the management plan were available to interested parties by downloading from the FWP website. Hard copies were available at FWP R7 office in Miles City, from FWP Baker Biologist and available at the Public Hearing in Miles City.

SUMMARY OF PUBLIC COMMENT

A total of one comment was received through the public comment period representing the Montana Sportsmen's Alliance and expressing support for the Coal Creek Conservation Easement. The comment can be viewed at the end of this decision notice.

DECISION NOTICE

Utilizing the EA and public comment, a decision must be rendered by FWP which addresses the concerns and issues identified for this proposed action. FWP's analysis supports purchasing the two separate and distinct overlapping perpetual conservation easements encompassing approximately 10,072.22 acres in Custer and Prairie Counties, Montana that comprise the Coal Creek Conservation Easement.

I find there to be no significant impacts on the human and physical environments associated with this project. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.

After review of this proposal, it is my decision to accept the draft EA as supplemented by this Decision Notice as final, and to recommend proceeding with the proposed Coal Creek Conservation Easement, contingent on approval by the Fish and Wildlife Commission.

The Final EA may be viewed on FWP's Internet website: <http://www.fwp.mt.gov> or be obtained upon request from Montana Fish, Wildlife & Parks, Region 7, P.O. Box 1630, Miles City, MT 59301 or (406) 234-0900.



Brad Schmitz
FWP Regional Supervisor, R-7

Date: October 21, 2019

Montana Sportsmen ALLIANCE

Voice of Reason on Montana Fish and Wildlife Issues

October 15, 2019

Melissa Foster, FWP Wildlife Biologist
Montana Fish, Wildlife & Parks
P.O. Box 1630
Miles City, MT 59301

RE: Coal Creek Conservation Easement Environmental Assessment

Dear Ms. Foster;

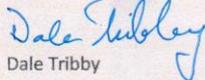
After reviewing the Environmental Assessment (EA) and Draft Management Plan for the Coal Creek Conservation Easement (CE), the Montana Sportsmen Alliance (MSA) enthusiastically endorses this CE.

This property is an outstanding parcel of wildlife habitat. The property provides a diversity of high quality habitats, supporting healthy populations of game and non-game wildlife. As written, significant hunter access (600 hunter days annually) will be required, providing hunters with the opportunity to pursue several game species. In addition, the Draft Management Plan identifies the areas of public access, which should result in less overcrowding and hunter dissatisfaction, while enabling the 600 annual hunter days to be achieved.

FWP has acquired CEs on many properties throughout Montana, all of which are a value to hunters and anglers. However, the Coal Creek CE property comprises some of highest quality and most diverse habitats which supports healthy populations of game and non-game wildlife. This is an awesome property.

We ask the FWP Commission to endorse and approve this acquisition.

Sincerely


Dale Tribby

MSA Leadership
John Borgreen, Great Falls
Steve Schindler, Glasgow
JW Westman, Park City
Robert Wood, Hamilton
Jeff Herbert, Helena
Joe Perry, Conrad
Sam Milodragovich, Butte
Dale Tribby, Miles City
Don Thomas, Lewistown
Doug Krings, Lewistown

Cc: FWP Commission
Martha Williams

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