

# Draft Environmental Assessment



**Willow Creek Addition Fee Title Acquisition**  
For Inclusion in Mount Haggin Wildlife Management Area

**January 2022**



## **PART 1: PROPOSED ACTION DESCRIPTION**

### **1. Type of Proposed Action**

Montana Fish, Wildlife and Parks (FWP) proposes to purchase in fee title an 829-acre parcel of private land adjacent to Mt. Haggin Wildlife Management Area (WMA). The parcel is located approximately 4 miles south of Anaconda along MT Highway 569 ("Mill Creek Highway"). The property is owned by Gayle and Roger Burnett. The owners have agreed to sell the property for \$2,700,000, which was the appraised value about 9 months ago. Due to the age of the original property valuation, the appraisal is currently being updated. If the re-appraisal establishes a value below \$2,700,00 then FWP and the owners will renegotiate the purchase price to account for the lower appraised value. If the re-appraisal establishes a value above \$2,700,000, the owners have agreed to donate any value above this amount to FWP. FWP would pay the \$2,700,000 purchase price using Habitat Montana and possibly other partner funds, including a \$258,400 grant from the Montana Fish and Wildlife Conservation Trust.

Upon purchase, this property would be incorporated into and managed as part of the Mt. Haggin WMA. It would be managed for its wildlife, fisheries, and recreational values. It would not be incorporated into any existing grazing leases on the WMA. Motorized travel would be limited to the existing county road along Willow Creek that crosses the property and public use of Mill Creek Road (State Highway 569). The property would be available for non-motorized public use outside of the winter closure December 2 through noon on May 15. All public use would be restricted during the winter closure for winter wildlife security, consistent with management on the adjacent portion of the WMA.

There are several improvements on the property. FWP is not proposing to purchase these. The owners have agreed to dispose of the improvements separate from the sale of the land to FWP. There is one water right associated with the property for a 34 GPM well for domestic use, which would transfer with the land if FWP completed this proposed acquisition. No other water rights or mineral rights were discovered or reported during the appraisal. Historic use of the property has been as recreational property with minimal agricultural use as seasonal grazing and irrigated crop land.

The property is not located within a zoned area. A covenant exists on the property that restricts subdivision to a minimum of 30-acre parcels, which could result in up to 27 parcels if the property were subdivided.

### **2. Purpose and Benefit of Proposed Action**

The proposed addition shares 2.5 miles of boundary with Mt. Haggin WMA and would contribute to the ecological function of the WMA. It contains big game winter range used heavily by mule deer and elk (Figure 1). It also contains excellent pronghorn fawning and summer range (Figure 2). Approximately 3 miles of perennial and intermittent streams flow through the property. Mill Creek crosses the northwest corner of the property and Willow Creek flows across about 1 mile of the southern end. Mill Creek is a priority to be sampled for Bull Trout and is slated for sampling in 2023. Genetics data has confirmed that pure strain westslope cutthroat trout occur in both bodies of water. The riparian habitat provided by these bodies of water sustain populations of moose, beaver, black bear, ruffed grouse, and numerous other small to mid-sized mammals, neotropical birds, bats, amphibians, and reptiles. Because of the diverse habitat ranging from forested mountain foothills, sagebrush, grasslands aspen groves and riparian, there is potential for numerous other game, non-game, and furbearing mammals and birds that occupy one, or rely on several habitat components, for parts or all of their annual requirements. The

property also borders private land to the east that is protected under a conservation easement held by FWP. This furthers the ecological integrity of this property.

The property is bordered to the north by a 5,000+ acre subdivision (Figure 3). Given current interest in Montana real estate, the recreational value of the property due to bordering the WMA, the easy access from Interstate 90 and MT Highways 1 and 569, and the proximity to the amenities of Anaconda, this property is prime for subdivision. The current landowners have recently been approached by developers showing interest in acquiring their property for this purpose. The covenant restricting subdivision to a minimum of 30-acre parcels is insufficient in preventing habitat loss and degradation.

Figure 1. Elk and mule deer sharing bitterbrush on winter range on the Willow Creek Addition property.

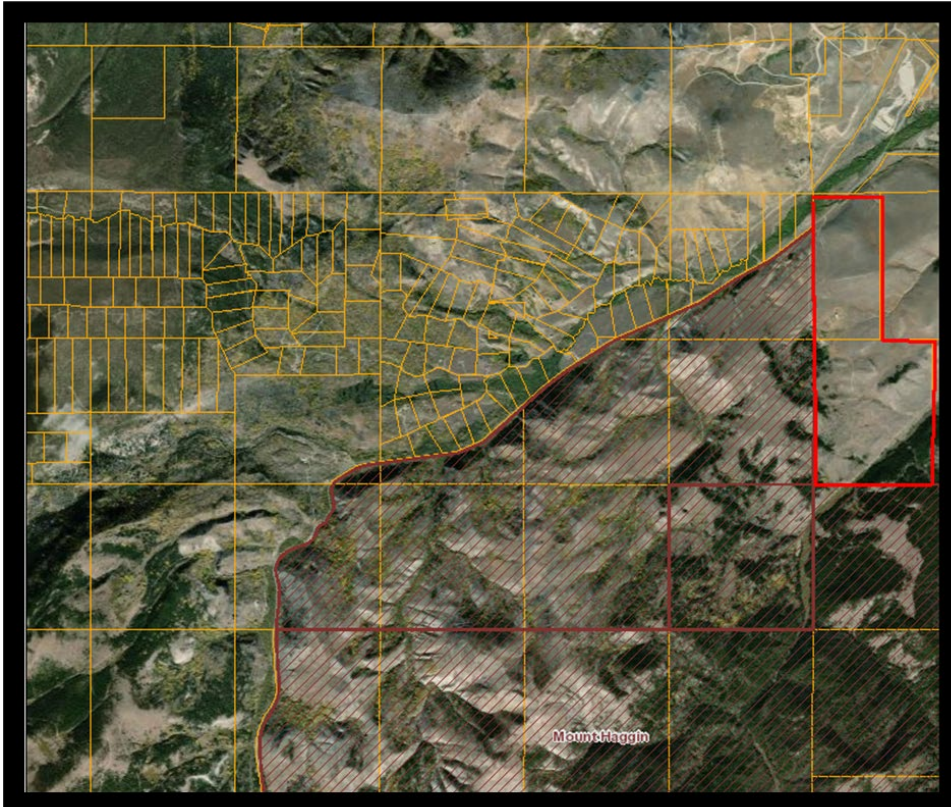




Figure 2. View of the vast Montane Grassland habitat on the Property. A herd of 20-30 antelope use this area for fawning and summer range.



Figure 3. Location of Willow Creek Addition (outlined in red) in relation to a 5000+ acre subdivision (outlined in yellow) that borders it and Mt Haggin WMA (brown hash).



### **3. Agency authority for the proposed action**

FWP has the authority under state law (Section 87-1-201, Montana Code Annotated) to protect, enhance, and regulate the use of Montana's fish and wildlife resources for the public benefit now and in the future.

In 1987, the Montana Legislature passed HB 526 (now known as the Habitat Montana Program) which earmarked hunting license revenues to secure wildlife habitat through lease, conservation easement, or fee title acquisition (87-1-241 and 242).

Montana's State Wildlife Action Plan (2015) guides conservation throughout the state by identifying community types and species with significant issues that warrant conservation attention. According to the plan, the Willow Creek Addition property is comprised primarily of two Tier 1 priority community types: 1) grassland which makes up 60% of the property and 2) sagebrush steppe which makes up 24% of the property. The plan directs that these community types be protected through conservation easements or fee title acquisitions funded by Habitat Montana and other funding sources.

This proposal was endorsed by the Montana Fish and Wildlife Commission on 15 December 2021, allowing FWP to proceed with this environmental analysis. Commission approval is required for all land projects proposed by the Department. The State Land Board must give final approval to any land project proposed by the Department involving more than 100 acres or \$100,000 in value.

### **4. Anticipated Schedule (dates may change)**

Public Scoping: 23 December 2021 – 23 January 2022

Comment Period of EA: 31 January – 01 March 2022

Open House at Butte Area Resource Office: 8 February 2022 5PM-6:30PM

Decision Notice: 8 March 2022

MT Fish and Wildlife Commission seeking final approval: 19 April 2022

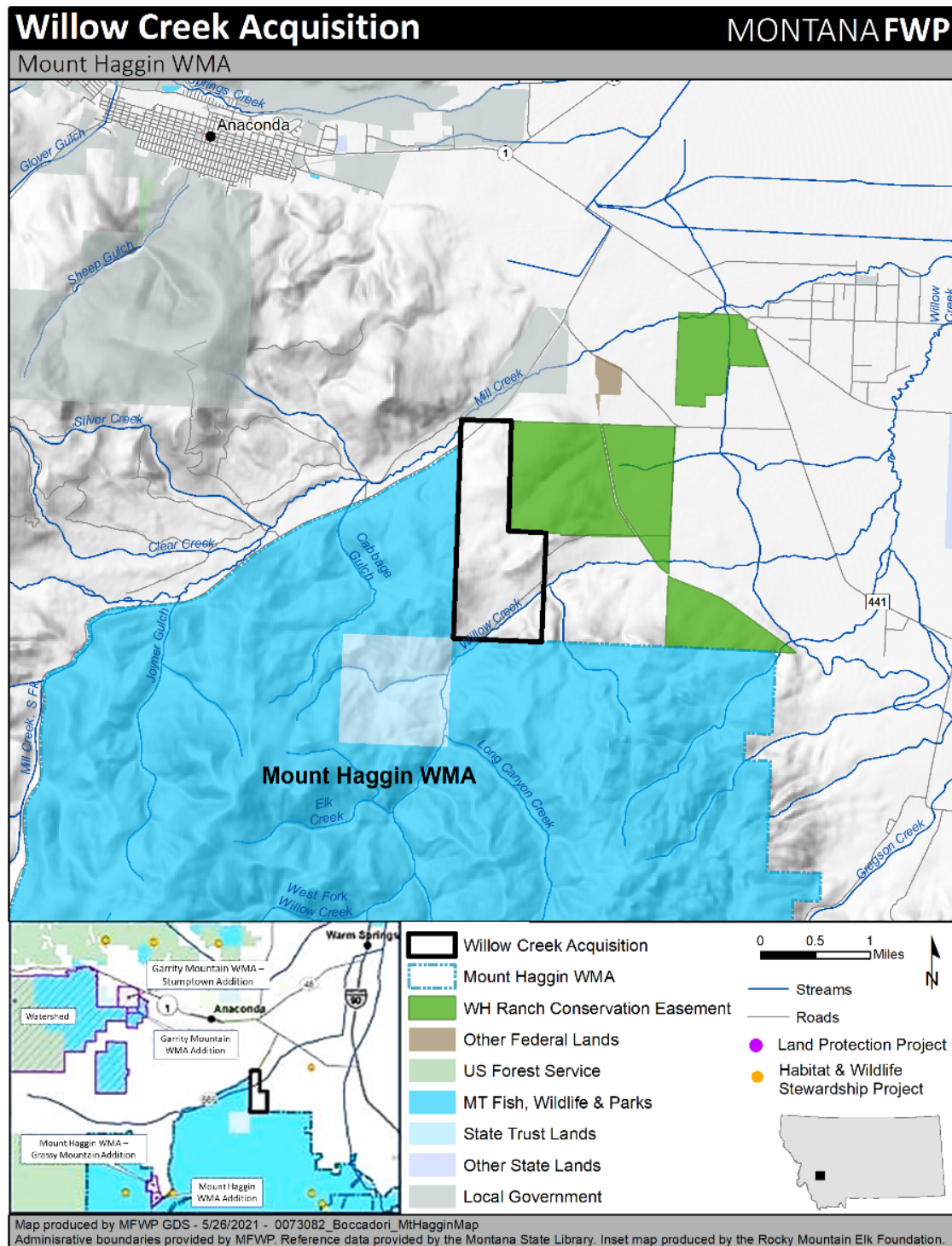
MT Land Board seeking final approval: May 2022

Completion of project: September 2022

### **5. Project Location**

The proposed addition to Mt. Haggin WMA is located in Deer Lodge County, 4 miles south of Anaconda along MT Highway 569 (Figure 4), T4N, R10W, Sections 19 and 30 (Figure 5). The 829-acre parcel is within FWP Administrative Region 3 in Deer/Elk Hunting District 341. Access to the property is from MT Highway 569 or Deer Lodge County Willow Creek Road.

Figure 4: Overview of Willow Creek Addition location relative to surrounding FWP wildlife management areas, conservation easement, and Anaconda, MT.





Topographic map of the Deer Lodge area. The map shows contour lines indicating elevation. A red rectangle highlights a specific area, and an orange rectangle highlights another area. The map includes labels for 'DEER LODGE', 'Creek', 'DITCH', 'Station', 'Gravel Pit', and 'Willow'. Elevation markers such as 5585, 5400, 5424, 5400, 5410, 5600, 5617, 5520, and 5400 are visible.

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>15</u>		
Industrial	<u>0</u>	(e) Productive:	
		Irrigated cropland	<u>50</u>
(b) Open Space/	<u>209</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>83</u>
(c) Wetlands/Riparian	<u>25</u>	Rangeland	<u>447</u>
		Other	<u>0</u>

## 7. Funding

FWP would pay the purchase price of \$2.7 million using Habitat Montana and possibly other partner funds, including a contribution from the Rocky Mountain Elk Foundation and Montana Fish & Wildlife Conservation Trust. The building improvements would be removed by the landowners. Fencing along the shared border of the WMA would be removed. Fences along the new border of the WMA would either be maintained and signed or, upon mutual agreement with adjacent landowners, be removed and replaced with WMA boundary signs only. This up-front work would be completed using FWP personnel and volunteers. A small increase in additional FWP staff time and operations budget would be required to manage this property as part of the existing WMA, including weed control, fence, and sign maintenance. Costs associated with near-term work will be paid for using some combination of Habitat Montana operations funds and Department of Justice's Natural Resource Damage Program funds designated through a memorandum of understanding to fund restoration work on that part of Mt. Haggin WMA within the Upper Clark Fork Watershed Superfund site.

## 8. Other Overlapping of Additional Jurisdictional Responsibilities:

US Environmental Protection Agency

- Ongoing site monitoring obligations related to stream contamination

Montana Department of Environmental Quality

- Ongoing site monitoring obligations related to stream contamination

Deer Lodge County

- Oversight of property transfer
- Weed inspection and management agreement

## PART II. ENVIRONMENTAL REVIEW

### 1. Description and analysis of reasonable alternatives

**Alternative A (No Action):** If no action is taken, FWP would not acquire the Willow Creek Addition. It is unclear what would happen to the property in that case. The current landowners could sell it to a commercial or residential developer, or to another conservation buyer. If the former, the public would almost assuredly lose access to the site, and the wildlife values of the property would be greatly diminished as development disrupts the ecological integrity of the property as it currently exists. Development would also conflict with adjacent WMA conservation values.

If no action is taken, FWP would lose an opportunity to add acreage to wildlife habitat and public recreation on state-owned Mt. Haggin WMA. As interest in Montana real estate increases, the potential for acquiring future publicly owned wildlife habitat and recreation sites in southwestern Montana diminishes.

### **Preferred Alternative B: Proposed Action**

In the preferred alternative, FWP would purchase fee title to the Willow Creek Addition property. Upon purchase, this property would be incorporated into and managed as part of the Mt. Haggin WMA. It would be managed for its wildlife, fisheries, and recreational values.



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

The Willow Creek Addition property is located within the Upper Clark Fork Watershed and the Superfund site. The existence of contaminated soil in the area requires FWP to work closely with the Department of Justice's Natural Resource Damage Program (NRDP), DEQ, and EPA to continue to mitigate that contamination in the future, probably for the next 10 years and possibly longer.

## 3. Private Property Regulatory Restrictions

Actions described in this environmental analysis do not regulate the use of private, tangible personal property, and therefore do not require an evaluation of regulatory restrictions on private property.

## PART III. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

### A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:		X				

<b>2. <u>AIR</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT</b>					
	<b>Unknown</b>	<b>None</b>	<b>Minor</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated</b>	<b>Comment Index</b>
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		X				
f. Other:		X				

<b>3. <u>WATER</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT</b>					
	<b>Unknown</b>	<b>None</b>	<b>Minor</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated</b>	<b>Comment Index</b>
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				

d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?			X positive			3g
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. <u>For P-R/D-J</u> , will the project affect a designated floodplain? (Also see 3c.)		X				
m. <u>For P-R/D-J</u> , will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				
n. Other:		X				

3g. If the state acquires this property, the property would no longer serve as a residence and the water right associated with the property for a 34 GPM well for domestic use would not be used, keeping this water in the ground.

4. <u>VEGETATION</u>  Will the proposed action result in?	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X positive			4a
b. Alteration of a plant community?			X positive			4a
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X			4a, 4e
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?			X positive			4f
g. Other:		X				

4a. If FWP gains ownership of this property, managers would likely initiate vegetation projects that improve existing habitat conditions. Examples of this include removal of conifer from bitterbrush and aspen stands and seeding bare areas with native vegetation seed.

4e. While a formal weed inventory of the property has not yet been completed, it is known that the property is heavily infested with spotted knapweed and leafy spurge. MCA 7-22-2154 requires FWP to get an inspection and approval of a weed management agreement from Deer Lodge upon purchase of the property. FWP would initiate a comprehensive long-term weed control program which could include spraying, biological control, and soil amendments.

4f. Depending on the existing condition of wetlands on the property, projects to improve habitat integrity may occur under FWP management.



5. <u>FISH/WILDLIFE</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?				X Positive		5a
b. Changes in the diversity or abundance of game animals or bird species?			X Positive			5b-c
c. Changes in the diversity or abundance of nongame species?			X Positive			5b-c
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?			X Positive			5e
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X		X	5g
h. <u>For P-R/D-J</u> , will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				
i. <u>For P-R/D-J</u> , will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				
j. Other:		X				

5a. Under FWP ownership, the ecological integrity of the WMA and the continued unobstructed passage of wildlife through this area would be maintained. Fisheries may propose improving stream conditions in Willow Creek as part of native trout restoration. This project would be evaluated through a separate environmental assessment.

5e. FWP would remove fencing from the shared boundary with the existing WMA. If amenable to adjacent landowners, FWP would remove fencing or modify existing fencing to allow for safe wildlife passage along shared borders with private landowners. Under FWP ownership, the property would not be subdivided and developed which would displace and impact current wildlife use of the area.

5g. Human activity might increase with FWP ownership, especially during fall hunting season. This would be mitigated by managing the property under the same winter closure restrictions as the adjacent WMA and limiting motorized use to the county road along Willow Creek and MT Highway 569 (Mill Creek Road).

## B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?		X				6a
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:						

6a. Daily noise level will decrease when the property is no longer used as a residence. Noise level may increase during fall hunting season since hunting would be allowed on the property under FWP ownership.

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

b. Conflict with a designated natural area or area of unusual scientific or educational importance?			positive			7b
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?			X		X	7d
e. Other:		X				

7a. The property has been used primarily as a recreation property since at least the early 2000's.

7b. FWP purchase of this property would be completely compatible with the adjacent Mt. Haggin WMA.

7d. Two adjacent landowners weighed in during the public scoping period. One was favorable to FWP acquiring this property while the other landowner was not in favor of it, stating that they did not want to border public land. This can be mitigated by ensuring the boundary of the property is adequately posted, that gates and fences are maintained, and that parking areas are provided at key access areas to the property so recreationists will not inhibit traffic flow on private property.

8. <u>RISK/HEALTH HAZARDS</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. <u>For P-R/D-J</u> , will any chemical toxicants be used? (Also see 8a)		X				
		X				

e. Other:						
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9. <u>COMMUNITY IMPACT</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?			X			9a
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?			X			
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				9e
f. Other:		X				

9a. If FWP acquires this property, it would not be developed for subdivision or commercial use, which could happen if FWP does not purchase it.

9e. FWP would install sufficient parking areas for the public to use when recreating on the property to prevent parking along roadways.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection,		X				



schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:						
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources		X				
f. Define projected maintenance costs.			X			10f
g. Other:						

10b. FWP would pay taxes on the property equal to that paid under private ownership.

10f. If purchased, FWP would invest in reducing weeds and getting the property up to our maintenance standards which would require small increase in operations and maintenance expenditure over the next 5 years. Additional costs will be paid for using some combination of Habitat Montana operations funds and Department of Justice's Natural Resource Damage Program funds designated through a memorandum of understanding to fund restoration work in that part of Mt Haggin WMA within the Upper Clark Fork Watershed Superfund site.

11. <u>AESTHETICS/RECREATION</u>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically		X				

offensive site or effect that is open to public view?						
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X positive			11c
d. <u>or P-R/D-J</u> , will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		X				
e. Other:		X				

11c. Local outdoor recreational opportunities would increase by adding 829 acres of wildlife/fisheries habitat to public ownership.

<b>12. <u>CULTURAL/HISTORICAL RESOURCES</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT</b>					
	<b>Unknown</b>	<b>None</b>	<b>Minor</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated</b>	<b>Comment Index</b>
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. <u>For P-R/D-J</u> , will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		X				
e. Other:		X				

# SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>  Will the proposed action, considered as a whole:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. <u>For P-R/D-J</u> , is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				
g. <u>For P-R/D-J</u> , list any federal or state permits required.		X				

## **PART IV. NARRATIVE EVALUATION AND COMMENT**

The proposed FWP purchase of the Willow Creek Addition property would conserve the wildlife and fisheries values of the parcel and increase public recreational opportunities. This EA found no significant impacts to the human or physical environment resulting from the Proposed Action.

## **PART V. PUBLIC PARTICIPATION**

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

Scoping was completed for this proposed action December 23, 2021 – January 23, 2022. Comments received during scoping were incorporated into this EA. Conservation groups, adjacent landowners, Deer Lodge County Commission, other state and federal agencies and other interested parties were notified. Two concerns were brought forward, both by adjacent landowners. One property owner brought to our attention the existing access agreement across the Willow Creek Addition property and the desire to work together to remove common boundary fences. The other landowner expressed concern over increased disturbance that would come from public ownership of the Willow Creek Addition property.

The public will be notified as follows to comment on this draft EA:

- An open house will be held from 5-6:30 PM on Tuesday February 8, 2022, at the Butte Area Resource Office, 1820 Meadowlark Lane, Butte.
- Two legal notices will be published in each: *Butte Montana Standard*, *Anaconda Leader*, and *Helena Independent Record*.
- A news release will be distributed to a standard list of media outlets interested in FWP Region 3 issues.
- Copies of this EA will be emailed or postal mailed to neighboring landowners, Deer Lodge County Commission, local conservation groups, and other interested parties, including over 200 on the Butte Area Wildlife Biologist's email distribution list.
- Public notice will be posted on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov> "News", then "Recent Public Notices"). The Draft EA will also be available on this website, along with the opportunity to submit comments online.
- Copies of the draft EA will be available at FWP Region 3 Headquarters and Butte Area Resource Office; by phoning 406-494-2082; or by emailing [vboccadori@mt.gov](mailto:vboccadori@mt.gov).

This level of public notice and participation is appropriate for a project of this scope having few physical and human impacts, many of which can be mitigated.

### **2. Public Comment Period**

The public comment period will extend for (30) thirty days beginning January 31, 2022. Comments will be accepted until 5:00 p.m. on March 1, 2022. Comments can be made in person at the open house, on the FWP website [www.fwp.mt.gov](http://www.fwp.mt.gov), emailed to [vboccadori@mt.gov](mailto:vboccadori@mt.gov) or mailed to:



FWP  
1820 Meadowlark Lane  
Butte, MT 59701  
Attn: Willow Creek Addition

## **PART VI. EA PREPARATION**

### **1. Based on the significance criteria evaluated in this EA, is an EIS required?**

No, an EIS is not required. Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment, this environmental review found no significant impacts from the proposed action. In determining the significance of the impacts of the proposed project, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value affected; any precedent that would be set as a result of an impact of the proposed action that would commit MFWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

### **2. Person responsible for preparing the EA**

Vanna Boccadori  
FWP Wildlife Biologist  
1820 Meadowlark Lane  
Butte, MT 59701

### **3. List of agencies consulted during preparation of the EA**

Montana Fish, Wildlife & Parks: Wildlife and Fisheries Divisions, Lands and Legal Sections, Responsive Management Unit  
Montana Department of Environmental Quality  
Montana Department of Justice – Natural Resource Damage Program