



DECISION NOTICE
Isaac Homestead Wildlife Management Area Addition
FWP-DN-WILD-R7-24-005

May 13, 2024

ACTION

Decision Notice (DN). Montana Fish, Wildlife & Parks (FWP) shall prepare a DN for the proposed action. The DN must identify the agency decision, the reasons for the decision, and any special conditions surrounding the decision or its implementation. With this action, FWP hereby adopts the Draft Environmental Assessment or Draft EA as final, without modification, and approves the Proposed Action: to purchase the 414-acre addition to the existing Isaac Homestead Wildlife Management Area (WMA).

AUTHORITY: MONTANA ENVIRONMENTAL POLICY ACT

According to the applicable requirements of the Montana Environmental Policy Act or MEPA and its implementing rules and regulations, before a proposed action can be approved, environmental review must be conducted to identify, consider, and disclose any potential impacts of the proposed action on the affected human environment. The level of environmental review will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. The agency is responsible for adjusting public review to match these factors. *Title 75, Chapter 7, Parts 7 through 3, Montana Code Annotated (MCA)*.

Based on these factors, FWP determined a Checklist EA constitutes the appropriate level of review for the proposed action. Therefore, to assess and disclose potential impacts of the proposed action, FWP prepared a Draft Checklist EA for public review and comment.

Further, FWP must consider any substantive comments received in response to an EA and proceed in accordance with one of the following steps: determine the EA did not adequately reflect the issues raised by the proposed action and issue an Environmental Impact Statement or EIS; determine the EA did not adequately reflect the issues raised by the proposed action and issue a supplemental EA; or determine the Draft EA adequately addressed the issues raised by the proposed action and make a final decision, with appropriate modification resulting from the analysis provided in the Draft EA and the analysis of public comment received.

With consideration for all public comments received, FWP determined the level of environmental review provided by the Draft EA is adequate, without modification, and an EIS is not required.

PUBLIC PARTICIPATION PROCESS

The Draft EA was initially made available for public review and comment beginning on February 21, 2024. On February 27th, the EA was removed from the FWP website to allow for the completion of a certified land survey. Based upon the land survey, the parcel acreage was adjusted from 412 to 413.929. The Draft EA was again made available for public review and comment beginning on April 5, 2024, through May 5, 2024. On April 5, 2024, the Draft EA was posted on FWP's Public Notice webpage: <https://fwp.mt.gov/news/public-notice>. The Draft EA was also made available for public review on the Environmental Quality Council or EQC website: <https://leg.mt.gov/mepa/search/>, by individual request, and through notice to identified interested parties.

FWP received 15 comments during the public comment period (see *Public Comment and FWP Response* below).

DESCRIPTION OF PROPOSED ACTION

FWP proposes to purchase approximately 414 acres of land ("the Property") that currently fits between east and west parcels of the Isaac Homestead Wildlife Management Area. The Isaac Homestead WMA, first established in 1969, is situated along the Yellowstone River, 4 miles west of Hysham, in Treasure County, and is divided into two, mutually inaccessible parcels. As currently situated, the west unit is larger and is accessible via county roads. The east unit historically was accessible via an access road which ran along the bank of the Yellowstone River. However, the river channel migrated north into a steep embankment, completely washing away that route. Currently, the public is only able to access the east parcel of the Isaac Homestead WMA via the Yellowstone River, utilizing FWP fishing access sites (FASs) located upstream or downstream of the WMA. Accessing from the upstream FAS is challenging as there is a diversion dam that limits passage by watercraft. This proposed acquisition would make the WMA into one publicly accessible unit.

The Property's upper bench comprises Great Plains mixed grass prairie and sagebrush steppe dominated by Wyoming big sagebrush and western wheatgrass. The bench also includes about 37 acres of seasonally inundated depressional wetlands. The south side of the bench breaks off into woody draws containing Rocky Mountain juniper, snowberry, skunkbush sumac, and chokecherry. The river bottom habitat includes approximately 1 mile of riverfront and associated riparian with an overstory of plains cottonwood and an understory of sandbar willow, Woods' rose, western wheatgrass, and smooth brome. In addition to native habitats, the Property includes about 46 acres of irrigated cropland.

The mosaic of upland, wetland, cropland, and riparian habitats provides for a diverse assemblage of notable wildlife species including mule deer, white-tailed deer, pronghorn, Merriam's turkey, many waterfowl species, ring-necked pheasant, sharp-tailed grouse, and others. In addition, the Property hosts, or has the potential to host, several "species of concern" including greater sage-grouse, great blue heron, black-tailed prairie dog, spiny softshell turtle, little brown myotis, and many other species. The Property is within a sage-grouse core area.

If approved, the new WMA would be managed under and incorporated into FWP's Administrative Region 7 WMA Management Plan. As a WMA with a guiding management plan, the Property would

be managed to conserve and improve habitat conditions for all wildlife species present, such as mule and white-tailed deer, Merriam’s turkey, ring-necked pheasant, migratory waterfowl, sharp-tailed grouse, and a suite of non-game species including several species of concern.

Isaac Homestead WMA management practices would include the following:

- habitat enhancement projects
- noxious weed control
- fence maintenance
- other improvement projects as they arise.

Further, management of the Property as part of the WMA would allow the Yellowstone River to conduct its natural processes, such as flooding and cottonwood regeneration, thereby enhancing existing wildlife habitat. Additionally, the proposed acquisition of the affected Property would provide boat-in and walk-in access for anglers, hunters, hikers, wildlife viewers, and the public at large.

The Montana Outdoor Legacy Foundation purchased this parcel through the Montana Fish and Wildlife Conservation Trust to help bridge the acquisition for FWP. If approved, FWP would purchase the parcel at the appraised value of \$900,000.00. Funding for the acquisition would be derived from a combination of Habitat Montana and Migratory Bird Wetland Program funds. The proposed project is scheduled to go in front the Fish and Wildlife Commission for final approval June 20,2024. Public comments for the Fish and Wildlife Commission will be accepted through May 27, 2024. The commission will consider comments, including comments on the EA, before deciding to approve during the June meeting.

PURPOSE AND NEED

In addition to establishing one contiguous WMA, this proposal would: 1) conserve and enhance Yellowstone River riparian, wetland, and sagebrush-steppe habitats, 2) expand public recreational opportunities along the Lower Yellowstone River, and 3) expand opportunity for a cooperative farming lease in partnership with a local agricultural producer.

The proposed project represents a rare opportunity for FWP to acquire a property with high quality wildlife habitat and sought after recreational opportunity along the Yellowstone River. The proposed project would increase the conservation footprint of the affected area and provide new public access and recreational opportunities, thereby helping to fulfill FWP’s objective is to conserve critical wildlife habitat and provide the public with access and recreational opportunities to achieve our mission to “Steward fish, wildlife, parks, and recreational resources for the public, now and into the future.”

ALTERNATIVES ANALYZED

Alternative 1: No Action

In addition to the proposed Project, and as required by MEPA, FWP analyzed the "No-Action" alternative. Under the No-Action alternative, the proposed action would not occur. Therefore, no additional impacts to the human environment would occur. The No Action alternative forms the baseline from which the potential impacts of the proposed action may be measured.

Under the "No Action" alternative, public access to the east unit of the Isaac Homestead WMA would not be secured in perpetuity, 414 acres of habitat along the Yellowstone River would not be protected and public outdoor recreational opportunity on this Property would not be secured.

Alternative 2: Proposed Action

Under the Proposed Action, public access to the east unit of the Isaac Homestead WMA would be secured in perpetuity, 414 acres of habitat along the Yellowstone River would be protected and public outdoor recreational opportunity on this Property would be secured.

PUBLIC COMMENT AND FWP RESPONSE

FWP received substantive public comment on the Draft EA. A substantive public comment was defined as the identification of a specific issue or impact. In some cases, multiple individuals provided the same or similar comment; these comments were summarized, categorized, listed once, and a single FWP response is provided below. The following constitutes a synopsis of public input received and FWP's response to those comments.

In total 15 public comments were received. All the public comments received during the public comment period were supportive of the proposed action. The following provides a representative sample of the public comments received and FWP's response(s).

FWP received comments with language similar to the two listed comments below:

"As a Montana resident I am in favor of the addition to the Isaac Homestead. I typically hunt this property every year and specifically have hunted the addition in question while it was a BMA. It would be a great property to solidify the access to public land, hunting opportunities and making the Homestead a contiguous piece of property".

and

"I have hunted/ recreated on both of those pieces of the wma and would like to see them connected.

Purchasing the piece of private and making it one larger wma would be ideal for public use."

FWP Response: Your comment regarding the Environmental Assessment (EA) for the proposed addition to the Isaac Homestead Wildlife Management Area near Hysham was received and was conserved in the proposed project's EA decision notice. Thank you for taking to the time to comment and participate in this process. The proposed project is scheduled to go in front the Fish and Wildlife Commission for final approval June 20,2024. Public comments for the Fish and Wildlife

Commission will be accepted through May 27, 2024. The commission will consider comments, including comments on the EA, before deciding to approve during the June meeting.

DECISION

Based on the environmental review provided in the Draft EA, FWP review of public comments received on the Draft EA, and in accordance with all applicable laws, rules, regulations, and policies, FWP determined the Proposed Action will not have significant adverse impacts on the human environment and constitutes a reasonable and appropriate strategy to achieve the identified objectives. Therefore, preparation of an EIS is unnecessary. FWP hereby adopts the Draft EA as final and approves the proposed action.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Schmitz", written in a cursive style.

Brad Schmitz
Region 7 Regional Supervisor