

Decision on Mt. Haggin

Montana government officials still are waiting for a U.S. Interior Department decision on whether the state will be allowed \$1 million from a contingency fund of the U.S. Bureau of Outdoor Recreation (BOR). The money is needed to put together a purchase of most of the Mt. Haggin Ranch acreage, near Anaconda.

The state is to buy just over 54,000 acres of the ranch for \$2.9 million. That sum would be paid by the \$1 million from the BOR, plus a \$450,000 contribution from the state Fish and Game Department to be matched with an equal amount from the federal government. An additional \$1 million would be provided by the Nature Conservancy, a national conservation group.

In addition, the Mt. Haggin Ranch purchase involves the U.S. Forest Service, which would buy almost 59,000 acres for another \$2.1 million.

The ranch acreage is valued because most of it is pristine alpine country that is threatened by division into "ranchettes." Purchase of it would limit development to recreational uses, such as hiking, fishing, hunting or cross-country skiing.

The transaction would be significant not only because it would preserve a primitive area, but also because of the acreage involved. Both the Fish and Game Department and the Forest Service purchases would be among the largest ever in Montana for those agencies.

Most people, both in state government and in conservation groups, expect the Interior Department's decision on the BOR contingency fund to be favorable. Let's hope they aren't unpleasantly surprised.

Nature Conservancy

The Nature Conservancy, referred to in the above editorial and in news articles about the Mt. Haggin Ranch purchase, is an organization that merits further attention. It has, in cooperation with the state Fish and Game Department and the U.S. Forest Service, put the ranch land transaction together.

The Nature Conservancy, in existence for 25 years, is said to be the largest private conservation group dealing in land. It has been responsible for acquiring about 900,000 acres of land. Yet few people here know much about it.

Tom Horobik, president of the Montana Wilderness Association, explains that in the state the conservancy is a "fairly new arrival." It has done extensive work in the East and on the West Coast.

The conservancy is a national non-profit corporation that works to preserve environmentally important areas. It does this in three ways:

—It accepts land as gifts, from individuals and corporations;

—It identifies a threatened area, buys it and manages it as a preserve, and

—It purchases land and holds it for governmental agencies to repurchase later. This is where the Nature Conservancy provides its biggest service, since it can move more quickly to buy land than can the government.

In addition to working for purchase of the Mt. Haggin Ranch, the conservancy is working in the

Gallatin Valley. Also in Montana, it has:

—Purchased land on behalf of the Forest Service in the Crazy Mountains,

—Purchased an acreage with Ponderosa pine and Douglas fir in the Lubrecht experimental forest for use by the University of Montana forestry school,

—Purchased the Beartooth Ranch in Cascade and Lewis and Clark counties for use as a state wildlife area, and

—Purchased 98 acres of flat meadow in Sweetgrass County to protect a habitat for the rare black-tailed prairie dog.

One other important project: The conservancy has worked in Missoula County to create a river conservation and recreation management plan to protect land along the Blackfoot River for 47 miles.

Those people unfamiliar with the Nature Conservancy should not be surprised. It works quietly, without much publicity, especially when it is considering an area to purchase. It does not want to encourage land speculation, which could push the price out of the conservancy's reach.

The conservancy provides an invaluable service to government agencies involved with land transactions. But its primary service is to the American public by helping identify and protect those areas where preserving plant and animal life would be more beneficial than commercial or residential development.

March 16, 1976

Mr. James H. Posewitz, Administrator
Environment and Information Division
Montana Department of Fish and Game
Helena, Montana 59601

Dear Jim,

I have reviewed the Draft Environmental Impact Statement for the Acquisition of the Mt. Haggin Ranch (FG-27) dated January 9, 1976 and the addendum to that dated February 18, 1976 which serves as the final EIS.

The draft statement fully complies with the requirements of the Montana Environmental Policy Act.

As you recall, Loren Bahls, Don Hyyppa, you, and I met on February 11, 1976 to review the process the Department of Fish and Game should undertake on preparing a final EIS. The draft EIS was widely circulated, a full hearing was conducted in Anaconda on February 2 and comments were entertained until February 10, 1976. At our meeting we reviewed with you the nature of the comments received both at the hearing and by mail. We emphasized that what the final EIS should contain is a description of the action to be taken, clear replies to substantive issues raised either at the hearing or by mail, and incorporation into the final document of any new, pertinent information obtained from persons reviewing the draft EIS. If, in the Department's judgment, these items could be handled satisfactorily (i.e., nothing was discovered that significantly altered the contents of the draft, then the draft could constitute the final), it need not be reissued as a final EIS, and an addendum responding to the issues raised and outlining clearly the action to be taken would comply with MEPA. This is consistent with Rule IV(3)(f) and (g) of the EQC's Uniform Rules for Environmental Impact Statements, approved by the Council on May 29, 1975:

- (f) If the lead agency has given full and good faith consideration to the environment in its plans, if this is reflected in favorable comments from reviewers, and if the draft environmental impact statement represents the fullest possible compliance with the Act, the draft environmental impact statement may be seen as satisfying the requirement for a detailed statement. If the draft environmental impact statement is sufficient, the lead agency must submit to the Environmental Quality Council one copy of all comments received on the draft environmental impact statement and at public

Mr. James H. Posewitz
March 16, 1976
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hearings, together with agency responses to comments, and formal notification of the final agency decision on the proposed action. Lead agencies must furnish the same information to all commenting parties.

- (g) The lead agency shall determine, taking into account all comments received on the draft environmental impact statement or at public hearings, whether a final environmental impact statement is required for compliance to the fullest extent possible with the Act.

We have reviewed your addendum to FG-27 and believe that it represents "good faith" compliance with the requirements of the Act and serves adequately as the final EIS in the Mt. Haggin Ranch acquisition.

The Department's excellent analysis of the acquisition issues and the discussion of the manner by which the Department intends to manage the facility should strengthen significantly the State's case for obtaining BOR funds.

Best regards,

JOHN W. REUSS
Executive Director

JWR/mb

STATE OF MONTANA

Office Copy
PC



DEPARTMENT OF

FISH AND GAME

Helena, Montana 59601
February 18, 1976

RECEIVED

FEB 20 1976

ENVIRONMENTAL QUALITY

Mr. John Reuss, Executive Director
Environmental Quality Council
Helena, Montana 59601

Dear John:

On January 9 the Montana Department of Fish and Game circulated a draft environmental impact statement for the acquisition of the Mt. Haggin Ranch. This impact statement was identified as FG-27 and distributed to the individuals and agencies identified on the attached mailing list.

In addition, a public hearing was held in Anaconda on February 2 for the purpose of taking additional testimony relative to the draft environmental impact statement. Following this distribution and hearing, a summary of, and response to, comments received was prepared on February 11, 1976 - a document which is also attached. This summary of comments and responses to comments has also been distributed to all individuals on the original mailing list for their information.

We are presently of the opinion that none of the comments received was of such substance or volume as to require the preparation of a final impact statement; therefore, as discussed with you and your staff, we have concluded that a final impact statement need not be drafted and circulated.

Since we have your tentative concurrence on this decision, we will assume that your office agrees with this conclusion.

Sincerely,

James A. Posewitz
James A. Posewitz, Administrator
Environment and Information Division

JAP/sd
Encs

cc: U. S. Forest Service
Bureau of Outdoor Recreation

DISTRIBUTION

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 Silver Bow Archers, 1033 Lexington, Butte 59701, Attn: Ray McCardle, President (1)
 Silver Tip Bowmen, 933 Gladys, Missoula 59801, Attn: Clarence Lester, President (1)

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Adjacent Land Owners/Purchase Property

Lost Creek

John Vanisko, Route 1, Deer Lodge 59722 (1)
 Don Tamcke (Bros.), Route 1, Deer Lodge 59722 (1)
 Penelope Cofirm, Route 1 S., Deer Lodge 59722 (1)
 Patricia Vanisko, RFD 1, Deer Lodge 59722 (1)
 Ted and Lorenzo Jacobson, RFD 1, Deer Lodge 59722 (1)
 Gary J. Launderville, RFD 1, Deer Lodge 59722 (1)
 Albert Wagner, Antelope Gulch, Anaconda 59711 (1)
 Robert W. Riley, Route 1, Anaconda 59711 (1)
 Clifford Galle, Lost Creek, Anaconda 59711 (1)
 George Havens, Lost Creek, Anaconda 59711 (1)
 Elisa Andreoli, 609 West 3rd, Anaconda 59711 (1)
 Ed Dallasserra, Cable Road, Anaconda 59711 (1)
 Russell Jones, Box 13, West Valley, Anaconda 59711 (1)
 Joe Verlanic, 414 Hickory St., Anaconda 59711 (1)

Burlington Northern

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 800 3rd Ave., Seattle, Washington 98104 (1)

Continental Divide

H. E. Furgeson, Jr., P. O. Box 640, Anaconda 59711 (1)
 Charles S. Ralston, Jr., Wise River 59762 (1)
 Dell Bacon, Wise River 59762 (1)
 Raymond and Hazel Spangler, Care of 170 West Granite,
 Butte 59701 (1)
 Richard and Margaret M. Downing, P. O. Box 600, Deer
 Lodge 59722 (1)
 Robert and Juanita Periman, PO Box 104, Butte 59701 (1)
 Arthur, William H. and Geraldine Peterson, Gregson
 Springs via Star Route, Butte 59701 (1)
 Frank McGuinness, RFD 1, Box 70, Butte 59701 (1)
 George and Angela Clayton, Care of Mrs. Frank Tonkin,
 2610 Kossuth, Butte 59701 (1)
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Ralph Cooper
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Don Hyyppa
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Jim Ford
LeRoy Ellig
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Roger Fliger
Dick Johnson
Keith Seaburg
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Don Anderson, Mgr., Public Hearings Unit, Dept. of Highways, Helena 59601
George Chaffee, Box 124, Clancy 59634
Ted Baker, Wyoming Game and Fish, Box 1589, Cheyenne, Wyoming 82002

Persons added to mailing list as result of public hearing in
Anaconda on February 2, 1976:

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Bob Raisch, 1041 West Galena, Butte 59701
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B. L. Calvert, 515 W. Gold, Butte 59701
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Daryel Dye, 722 Cedar, Anaconda 59711
Loyal Johnson, 907 W. 4th St., Anaconda 59711
Sally Morrison, 420 Maple, Anaconda 59711
John Larsen, 1938 Garrion, Butte 59701
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Larry D. Rattray, 613 Alder, Anaconda 59711
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Ray Bacon, Wise River 59762
Bruce Bacon, Star Route, Twin Bridges 59754
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Charles L. Ouldhouse, 20 Washoe Park, Anaconda 59711
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Continuation of mailing list - persons added as result of public hearing in Anaconda on February 2, 1976:

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Phil Ralston, Wise River 59762

George Kortum, 313 E. Front, Anaconda 59711

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John Fabich, West of Anaconda, Anaconda, MT 59711

MONTANA DEPARTMENT OF FISH AND GAME
Helena, Montana 59601

ATTACHMENT TO FG-27
Environmental Impact Statement for the
Acquisition of the Mount Haggin Ranch

Summary of Comments and Responses to Comments

February 11, 1976

DISTRIBUTION

The original distribution of the draft statement was 167 copies. In addition, 23 were sent upon request and 63 were available and distributed at the public hearing. Total distribution was approximately 253 copies.

COMMENTS AND RESPONSES

The public hearing was held in Anaconda on February 2, 1976. Approximately 150 people attended.

A total of 32 written communications were received as comments through February 11, 1976. Of these, 20 supported the proposed acquisition; 4 were against it; 5 were from individuals with some common interest in the property or who had suggestions about the future management and operations efforts after the acquisition. The other 3 were from other agencies which provided routine minor corrections or suggestions for additions to the statement. The most significant was from the U. S. Forest Service who helped draft the statement and whose comments are discussed later. A number of the letters supporting the proposal (and one which opposed) were from representatives of large organizations who spoke for their membership. Support also included a 500 name petition which was presented at the hearing. Another petition containing 30 names in support of the acquisition was received later. During the hearing, 13 people spoke in favor of and 4 spoke against the proposed action. Others provided additional information or asked questions.

Of the total 8 people who expressed opposition to the acquisition, only one called into question the completeness or accuracy of the draft statement. Other opponents to the acquisition were concerned about the negative impacts of the action which were already acknowledged in the draft statement.

Specifically, the challenge to the draft itself was that it did not address the market value of the lost carrying capacity of the ranch (2,250 animal unit-beef).

The draft does, in fact, address this loss, but in a different form; i.e., (1) Lost tax revenue; (2) Lost employment; (3) Lost income from ranch employees; (4) Expenditures for ranch operations; and (5) Secondary losses to the local economy from (2) above.

The revenue which would have been received from the lost beef in addition to employment, taxes and operation costs, specifically profits, would go to the out-of-state owner and would not accrue to, or be spent in, Deer Lodge County.

Listed below are the objections voiced by those who opposed the acquisition (but not the validity of the draft statement). Each objection is followed by a response.

1. Objection: Private land will be taken from the tax rolls, thereby increasing the tax burden on the remaining taxpayers.

Response: This is true. The extent of that loss is thoroughly discussed in the draft.

2. Objection: A high percentage of land in Deer Lodge County will be placed in public ownership. It is felt that increasing public ownership from 34 to 58 per cent of the land area puts too much of a burden on the remaining tax base.

Response: The draft was explicit on this point as well. Overwhelmingly, the majority of the respondents felt the benefits outweighed this adverse effect.

3. Objection: This purchase would be an unwise expenditure of large amounts of public funds.

Response: The weight of support seems to indicate overwhelming support for that expenditure.

4. Objection: The purchase would be harmful to the ranching by reducing available grazing area and as a result market beef.

Response: Again, this trade-off was covered in the draft. The point about beef profits was clarified above.

5. Objection: Elk (game animals) and hunters use the land now anyway and therefore the acquisition is not necessary.

Response: The draft addresses this consideration in pointing out that private ownership does not assure this condition for the future. In addition, important winter elk range will be available for management to increase herd productivity after acquisition.

6. Objection: Potential loss of grazing in the Deep Creek drainage caused one person to respond unfavorably.

Response: As the draft points out, grazing will be permitted only where it is beneficial to the range and to wildlife. There probably will be a reduction in domestic stock grazing.

7. Comment: Enter instead into agreements with private owners to provide recreation access. Spend money to improve hunter/landowner relations.

Response: This is part of the overall statewide strategy of the Department of Fish and Game. It is not a viable option on this property because the potential private owner's attitude is not known at this time.

Suggestions were offered for the management of the property after the acquisition. They include:

1. Close coordination between agencies and adjacent property owners.
2. Careful regulation of recreation access, hunting seasons and game harvests.
3. Minimum recreational developments.
4. Rest-rotation grazing agreements.
5. Buying additional lands, especially the wet lands near Warm Springs.
6. Careful protection of historic and cultural values.
7. Reclassification of State Land Board inholdings to recreational purposes. Three sections are involved.

All of the above, except for number 7 which was overlooked, were addressed in the draft. Comment number 7 will be further addressed through negotiations with the Department of State Lands.

The environmental impact statement process revealed two previously unknown (to the agencies) parties who have interests in the property:

1. One was the operator of a small silica mine in the Lost Creek Unit. His mineral rights will be respected. They do not go with the property to the agencies.
2. The other was a family who retains the right to build a summer home and the right to hunt and fish on approximately 160 acres on the Continental Divide Unit. Those rights will be thoroughly investigated and if valid, respected.

In both cases, the agencies will actively work with these two parties and efforts made to establish mutually satisfactory arrangements for management of the properties.

Representatives of the U. S. Forest Service had the following comments:

1. It is highly probable that the timber contract with Louisiana Pacific would not be renewed after 1988. This would reduce timber production except for select cutting for management purposes after that time.
2. It should be emphasized that it is not known at this time how much acreage, if any, would be available for grazing livestock. Grazing will be allowed when it is considered beneficial for range or wildlife management purposes. Public notice will be given concerning any intent to lease Fish and Game or U. S. Forest Service lands.
3. Clarification that the Forest Service 25 per cent fund is calculated from net receipts, not gross receipts and that, therefore, would be less 25% of \$50,000. Net receipts subtract costs of reforestation and stand improvement.

FINAL STATEMENT

On the basis of the comments received, the draft statement appears to be adequate. The draft, together with these additional remarks, is therefore being circulated as the FINAL STATEMENT.

Copies of all correspondence and the hearing transcript may be viewed at the office of: James A. Posewitz, Administrator
Environment and Information Division
Montana Department of Fish and Game
Sam W. Mitchell Building
Helena, Montana 59601

PROPOSED ACTION

The U. S. Forest Service and the Department of Fish and Game, as a result of the environmental impact statement process, have determined that the proposed acquisition is a proper action which would be in the public interest, and after having waited the required 60 days from the initiating of the process (March 12) intend to acquire the described lands.

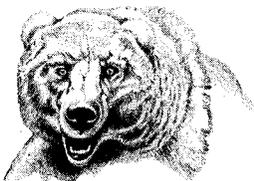
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STATE OF MONTANA



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APR 22 1975

ENVIRONMENTAL QUALITY
COUNCIL

Helena, Montana
April 21, 1975

To: All Recipients of "Agency Impact Determination
(Negative Declaration) for the Acquisition of
the Mount Haggin Ranch"

Please be advised that the April 25, 1975, response deadline has been deferred indefinitely.

Early response indicates that the proposed action is considered by many to be significant enough to warrant wider distribution and increased opportunity for comment from agencies, industry and the general public.

You will be notified when a new schedule has been established and advised as to how your input may be contributed. You will have a generous amount of time to prepare your response after you receive the new schedule.

The new schedule will also contain an updated and much expanded mailing list.

Sincerely,

Ashley C. Roberts
Administrator
Recreation and Parks Division

ACR:DDH:op