Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

April 13, 2009

To: Governor's Office, Mike Volesky, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Dept. of Natural Resources & Conservation, P.O. Box 201601, Helena, MT 59620-1601
Montana Fish, Wildlife & Parks:

Director's Office	Parks Division	Lands Section	FWP Commissioners
Fisheries Division	Legal Unit	Wildlife Division	Design &Construction

MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620
MT State Parks Association, P.O. Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
Silver Bow County Commissioners, 155 West Granite, Butte, MT 59701
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Bob Raney, 212 South 6th, Livingston, MT 59047
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923
Glenn Hockett, Gallatin Wildlife Association, 745 Doane Road, Bozeman, MT 59715
Tom Sather, Headwaters Fish & Game Association, P.O. Box 1941, Bozeman, MT 59771-1941
John Gatchell, Montana Wilderness Association, P.O. Box 635, Helena, MT 59624
William Fairhurst, Public Lands Access Association, P.O. Box 247, Three Forks, MT 59752
Skyline Sportsman Association, P.O. Box 173, Butte, MT 59701
Anaconda Sportsman Club, #2 Cherry, Anaconda, MT 59711
Jefferson Valley Sportsman Association, Don Drake, PO Box 255, Whitehall, MT 59759
State Land Coalition, Jack Atcheson President, 3210 Ottawa Street, Butte, MT 59701
State Land Coalition, Jack Jones, Vice President, 3014 Irene Street, Butte, MT 59701
Bill Tash, 1200 Hwy 178, Dillon, MT 59725
Janet Krivacek, U.S. Forest Service, 1820 Meadowlark Lane, Butte, MT 59701
George Grant Chapter of TU, PO Box 563, Butte, MT 59703
Pioneer Technical Services, Inc., Roger Gordon, PO Box 3445, Butte, MT 59702
Water & Environmental Technologies, David Erickson, 480 East Park Street, Suite 20, Butte, MT 59701 — **Deleted:** 1485 Continental Drive
Bill Peterson, 1055 Durant Canyon Road, Opportunity, MT 59711
Jack and Linda Erickson, 119490 German Gulch Road, Butte, MT 59750
Mark Craddock, 2143 Miles Crossing, Ramsay, MT 59748
Ken Duhame, 501 Browns Gulch, Butte, MT 59701

Ladies and Gentlemen:

The enclosed Decision Notice has been prepared for the Fleecer WMA-Erickson Ranch Land Exchange and Grazing Plan Environmental Assessment. Montana Fish, Wildlife & Parks (FWP) is proposing to approve the following actions on Fleecer WMA and a portion of the adjacent Erickson Ranch:

- Exchange one 40-acre parcel of state land (WMA) for one 40-acre parcel of the Erickson Ranch
- Establish a coordinated rest-rotation grazing plan for cattle on the WMA (~1200 acres) and a portion of native rangeland of the Erickson Ranch (~1500 acres) adjacent to the WMA
- Construct 6 miles of wildlife friendly fence and remove 3 miles of old fence within the WMA to define three grazing pastures
- Refurbish 2 existing stock water systems (water lines and tanks) and develop an additional stock water system (well, water lines, tank, solar power unit).

The establishment and maintenance of the proposed grazing plan would allow cattle to be utilized as a management tool to remove less palatable residual vegetation from previous years on the WMA and adjacent private land and stimulate regrowth of native grasses and forbs for the benefit of wintering wildlife. The Erickson Ranch would benefit from the availability of additional grazing areas for their cattle. The ability to manage big game winter range across the landscape, rather than just within the boundaries of the WMA, will allow FWP to more effectively manage wildlife populations and their habitat.

Four parties submitted comments over the 30-day comment period ending at 5:00 p.m. on April 3, 2009. Of the four respondents, three were in support of the proposed action as-is while one supported the project but had several stated concerns.

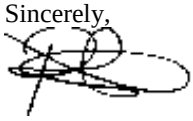
The Decision Notice may also be obtained from FWP at the address provided above, or viewed on FWP's Internet website: http://www.fwp.mt.gov.

It is my decision to proceed with the proposed project detailed in the Fleecer WMA-Erickson Ranch Land Exchange and Grazing Plan Environmental Assessment.

Questions regarding this Decision Notice should be mailed to:

Fish, Wildlife & Parks
Vanna Boccadori
1820 Meadowlark Lane
Butte, MT 59701
Or e-mailed to: vboccadori@mt.gov.

Sincerely,



Patrick J. Flowers
Region Three Supervisor

ENVIRONMENTAL ASSESSMENT DECISION NOTICE
for the
Fleecer WMA – Erickson Ranch Land Exchange and Grazing Plan

Montana Fish, Wildlife & Parks
Region 3, Bozeman
April 2009

Preface

Montana Fish, Wildlife & Parks (FWP) is proposing a multi-facet project to benefit wildlife and winter range habitat on the eastern portion of the Fleecer Wildlife Management Area (WMA) and on the adjacent Erickson Ranch. The establishment and maintenance of the proposed grazing plan would allow cattle to be utilized as a management tool to remove less palatable residual vegetation from previous years on the WMA and adjacent private land and stimulate regrowth of native grasses and forbs for the benefit of wintering big game species. The Erickson Ranch would benefit from the availability of additional grazing areas for their cattle. The ability to manage big game winter range across the landscape, rather than just within the boundaries of the WMA, will allow FWP to more effectively manage wildlife populations and their habitat.

Proposed Action

FWP is proposing to approve the actions described in the Fleecer WMA-Erickson Ranch Land Exchange and Grazing Plan Environmental Assessment. Specifically, the project proposes the following actions on the WMA and a portion of the adjacent Erickson Ranch:

- Exchange one 40-acre parcel of state land (WMA) for one 40-acre parcel of the Erickson Ranch
- Establish a coordinated rest-rotation grazing plan for cattle on the WMA (~1200 acres) and a portion of native rangeland of the Erickson Ranch (~1500 acres) adjacent to the WMA
- Construct 6 miles of wildlife friendly fence and remove 3 miles of old fence within the WMA to define three grazing pastures
- Refurbish 2 existing stock water systems (water lines and tanks) and develop an additional stock water system (well, water lines, tank, solar power unit).

Public Process and Comments

FWP is required by the Montana Environmental Policy Act (MEPA) to assess potential impacts of a proposed action to the human and physical environment. In compliance with MEPA, an

Environmental Assessment (EA) was completed for the proposed project by FWP and released for public comment on March 4, 2009.

Public comments on the proposed action were taken for 30 days (through April 3, 2009). Legal notices were printed in the *Montana Standard* (Butte) and the *Anaconda Leader.* The EA was also posted on the FWP webpage: http://fwp.mt.gov//publicnotices/.

Four parties submitted comments; three of those were on behalf of five groups and one was representing himself only. Of the four respondents, three were in support of the proposed action as-is while one supported the project but had several stated concerns.

The supporters of the Fleecer WMA-Erickson Ranch Land Exchange and Grazing Plan cited the following reasons for their support: 1) the mutual benefit to FWP and the Erickson Ranch with regards to the grazing plan; 2) the potential to improve big game winter range habitat across a broader landscape; and 3) that the parcels for the proposed land exchange are of equal assessed value and similar topography and vegetation.

Below is a summary of the comments received and FWP's response to them:

1) Request to coordinate an invasive plant control program.

   One comment was received under this category. The respondent, an employee of the Beaverhead-Deerlodge National Forest, Butte Ranger District, expressed interest in developing a coordinated invasive plant species control program with FWP and possibly the Erickson Ranch in this area.
   FWP response: FWP is amenable to this coordinated effort and will follow up on this suggestion.

2) Lack of quantitative evidence supporting the proposed action and its potential impacts to big game.

   One comment was received under this category. The respondent felt that the impacts to big game from the proposed action to implement a grazing plan on a WMA lacked support from quantifiable data.
   FWP response: While the Draft EA did not present specific information to support the assessment of impacts to big game populations when grazing plans are implemented on WMAs, quantifiable evidence of such does exist. Since the mid 1980's, grazing plans have been in place elsewhere on the Fleecer WMA and on the Mount Haggin WMA. Fixed photo points established at the onset of these grazing systems and repeated annually indicate that rest-rotation grazing on these WMAs has maintained or improved the amount or species composition of vegetation over the long-term and has helped to restore overused range conditions to those more amenable to wildlife populations, including big game species. Annual winter big game aerial surveys and ground surveys of Fleecer WMA near Divide, MT indicate that elk, antelope, and mule deer continue to use all portions of the WMA, even though a grazing plan has been in place there since 1988.

3) Lack of scoping process prior to issuance of the Draft EA

One comment was received under this category. The respondent noted that there was never a scoping a process conducted on this project prior to the issuance of the Draft EA. FWP response: While no formal scoping process was conducted on this project, Butte Area Wildlife Biologist discussed this project with local sportsmen's groups (Butte Skyline Sportsmen and Anaconda Sportsmen Association) prior to issuing the Draft EA. Both groups expressed early support for the project.

4) Commitment by FWP to implement a rigorous monitoring plan of the proposed grazing agreement.

One comment was received under this category. The respondent expressed support for the grazing plan and water developments contingent upon FWP's commitment to implement a statistically rigorous monitoring plan that will provide reliable data on elk and deer responses over the 3-year evaluation period before the grazing plan will be renewed.
FWP response: FWP has already begun implementation of such a monitoring plan. In 2007, fixed photo points and vegetation transects were established on the Fleecer WMA in the area of the proposed grazing plan and read to determine pre-treatment conditions. Photos will be taken from the fixed points every year and vegetation at the fixed transects will be evaluated on a 5-year basis, with the next reading to occur in 2012, prior to the end of the 3-year evaluation period. Annual big game winter surveys will continue to be flown over the area as they have been since the early 1980's. Pellet transects will be established across all pastures on the Fleecer WMA and the adjoining Erickson Ranch in the spring 2009 and will be read annually in the late spring after the snow has melted. These transects will provide data on big game winter use of these areas. FWP feels that data collected from each of these monitoring efforts will be sufficient to assess the effectiveness of the proposed grazing plan to providing benefits to wintering big game populations.

5) Surveys for nongame species.

One comment was received under this category. The respondent encourages FWP to initiate surveys of its properties to evaluate possibilities for enhancing non-game wildlife species.
FWP response: In an effort to be more comprehensive in our management of wildlife species, including non-game as well as game species, FWP's Region 3 recently hired a biologist to focus on non-game and other native wildlife species. One of the main responsibilities of this biologist will be to conduct small mammal and raptor surveys on the WMAs in Region 3 where grazing plans are in place. Surveys will commence this summer 2009, beginning with Wall Creek, Robb-Ledford, and Mount Haggin WMA, with the remainder of the WMAs with grazing plans to be completed in following years, including Fleecer-Erickson Ranch grazing plan.

6) Impacts to soil around water sources

One comment was received under this category. The respondent expressed concern for impacts to soil and vegetation where cattle concentrate around water sources and that such impacts should be monitored.
FWP response: FWP agrees that areas of cattle concentration should be monitored for long-term change and will establish permanent photo points at each water source in order to do so. To address an omission of impacts to vegetation, the following line has been added to the Final EA, Part II, Section 1-A, Table 4, footnote 4a/b:

> "In addition, some loss of vegetation where cattle concentrate around water sources is likely to occur."

7) Clarification on the Grazing Schedule

One comment was received under this category. The respondent correctly pointed out a discrepancy in the number of rested pastures on the Erickson Ranch per year. In the Draft EA, Part II, Section 1-B, Table 10, footnote 10e, it is stated that "one" pasture on the Erickson Ranch will be rested annually while the Grazing Schedule in Appendix A indicates that two pastures on the Ranch will be rested each year.
FWP response: The Grazing Schedule is correct and Footnote 10e in the Final EA has been edited to reflect this.

Final Environmental Assessment

Slight modifications to the Draft Environmental Assessment have been made as noted in the FWP response to comments above. The Draft Environmental Assessment, together with this Decision Notice, will serve as the final document for this proposal.

Decision

Based on the Environmental Assessment and public comment, it is my decision to approve the proposed action for implementation of the Fleecer WMA-Erickson Ranch Land Exchange and Grazing Plan.

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.

_____ _____

Patrick J. Flowers
Region 3 Supervisor
Montana Fish, Wildlife & Parks

Date

Final
Environmental Assessment

Fleecer WMA - Erickson Ranch
Land Exchange and Grazing Plan

March 2009

Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

Montana Fish, Wildlife & Parks (FWP) proposes the following actions on Fleecer Wildlife Management Area (WMA) and a portion of the adjacent Erickson Ranch along the eastern boundary of the WMA.

- Exchange one 40-acre parcel of state land (WMA) for one 40-acre parcel of the Erickson Ranch
- Establish a coordinated rest-rotation grazing plan for cattle on the WMA (~1200 acres) and a portion of native rangeland of the Erickson Ranch (~1500 acres) adjacent to the WMA
- Construct 6 miles of wildlife friendly fence and remove 3 miles of old fence within the WMA to define three grazing pastures
- Refurbish 2 existing stock water systems (water lines and tanks) and develop an additional stock water system (well, water lines, tank, solar power unit).

2. Agency Authority and Relevant Plan:

FWP has the authority to consolidate lands by exchange (MCA 87-1-209) that are suitable for game, bird, fish or fur-bearing animal restoration, propagation or protection; for public hunting, fishing, or trapping areas; and for state parks and outdoor recreation.

Mt. Haggin Wildlife Management Area Interim Management Plan (1980) - The interim management plan states MHWMA will be managed for dispersed outdoor recreation activities that are consistent with the area's ability to support such use without degradation of its natural resource values (wildlife, fisheries, vegetation, and cultural/historical resources). The plan describes activities that are aimed at protecting the basic soil, vegetation, and water resources of the WMA such as the implementation of a grazing system that will maintain or enhance wildlife and wildlife habitat.

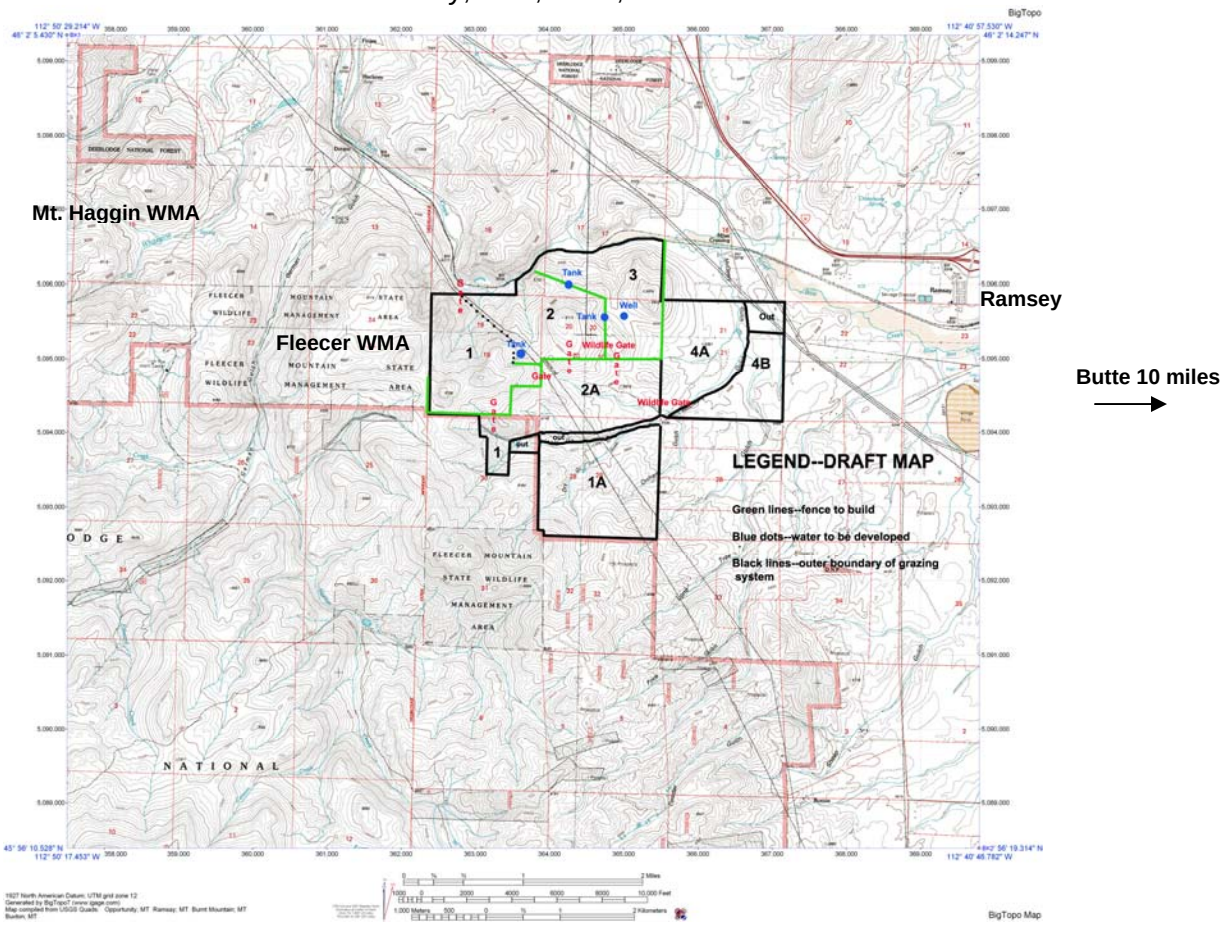
NOTE: There are three parcels to Fleecer WMA. The northernmost parcel is adjacent to Mt. Haggin WMA and is where the proposed action is to occur. This parcel is managed as a single unit with Mt. Haggin WMA, under the scope of the Mt. Haggin WMA Interim Management Plan.

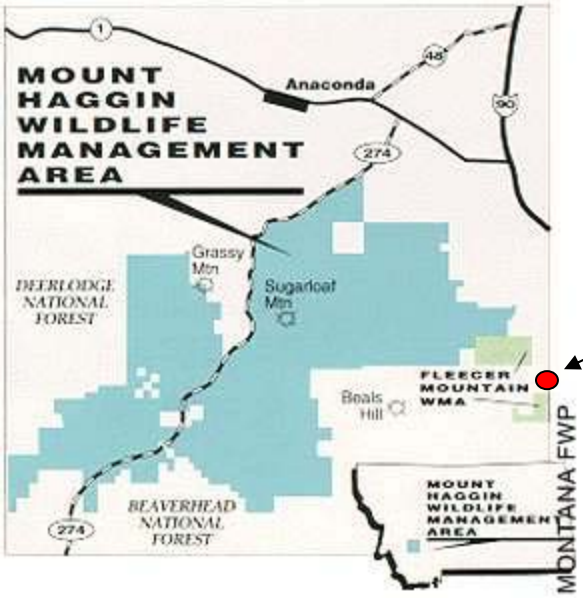
3. Anticipated Schedule:

Public Comment Period for EA: March 5 through April 3, 2009
Decision Notice Published: Early April
FWP Commission Meeting: May 14th
Land Board Meeting: May 18th (if applicable)
Begin Fieldwork (fencing and water systems): Summer 2009

4. Location:

The proposed project is located on that portion of the Fleecer Wildlife Management Area that is located in Silver Bow County, T3N, R9W, Sections 17 – 20.





Approximate location of properties

5. Project size:

	Acres		Acres
(a) Developed:		(d) Floodplain	0
Residential	0		
Industrial	0	(e) Productive:	
(existing shop area)		Irrigated cropland	0
(b) Open Space/ Woodlands/Recreation	0	Dry cropland	0
		Forestry	300
(c) Wetlands/Riparian Areas	0	Rangeland	900
		Other	0

6. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) Permits: None

(b) Funding for proposed project elements:

Land exchange – No costs involved since both properties are of equal assessed value.

Fencing – No costs since this element was originally included in the 2005 FWP Duhame property acquisition which was paid through the Natural Resource Damage Program (NRDP).

Water Systems (existing and new) – Costs for the refurbishments of the two existing water systems is anticipated at $5,000 for the replacement of storage tanks and piping. The costs for the establishment of a new water system, including the drilling of a new well and installation of water tank and piping, has been estimated at $31,000. The water system improvements will be paid by FWP funds.

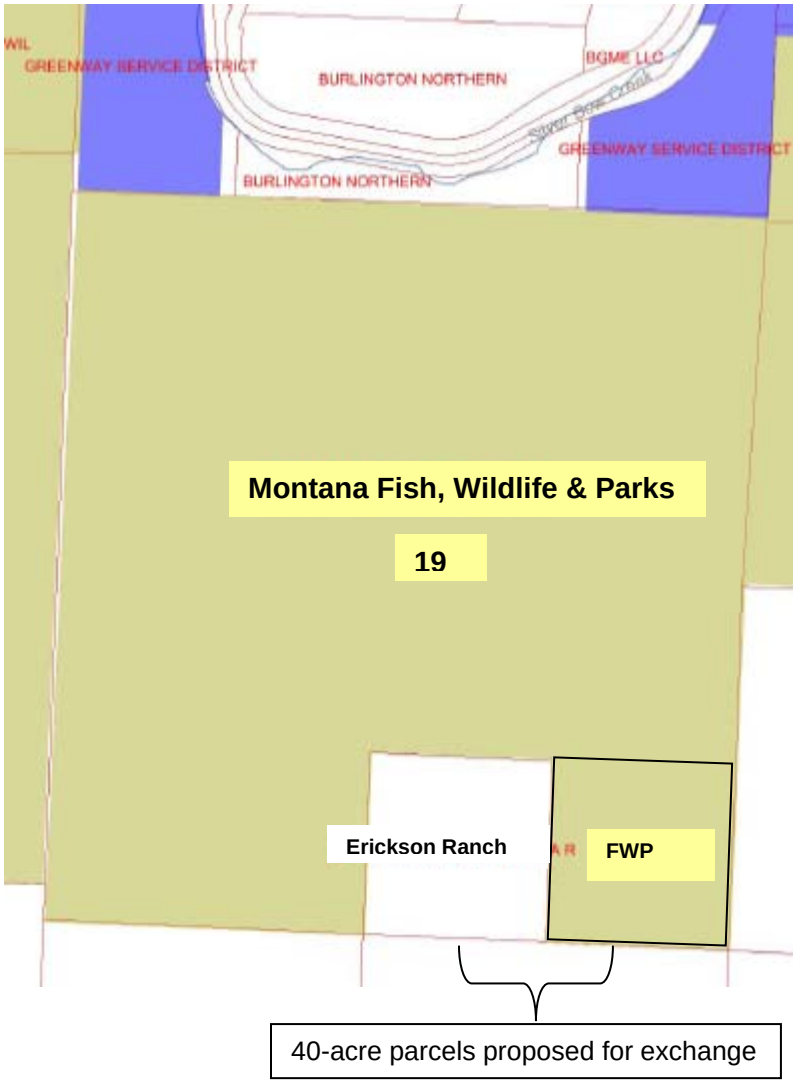
(c) Other Overlapping or Additional Jurisdictional Responsibilities:

State Historic Preservation Office

7. Narrative summary of the proposed action:

FWP's proposed action is a multi-facet project to benefit wildlife and winter range habitat on the eastern portion of the Fleecer Wildlife Management Area (WMA) and on the adjacent Erickson Ranch. The establishment and maintenance of a proposed grazing plan would allow cattle to be utilized as a management tool to remove less palatable residual vegetation from previous years on the WMA and adjacent private land, and stimulate regrowth of native grasses and forbs for the benefit of wintering wildlife. The Erickson Ranch would benefit from the availability of additional grazing areas for their cattle. The ability to manage big game winter range across the landscape, rather than just within the boundaries of the WMA, will allow FWP to more effectively manage wildlife populations and their habitat.

<u>Property Exchange</u>
The first component of the project is the exchange of 80 acres of native rangeland (40 acres from each party) between FWP and the Erickson Ranch that would consolidate the ownership boundaries of the parties within Section 19. The 40-acre parcels are adjacent to one another and are of similar topography and vegetation. See below for map of properties to be exchanged.



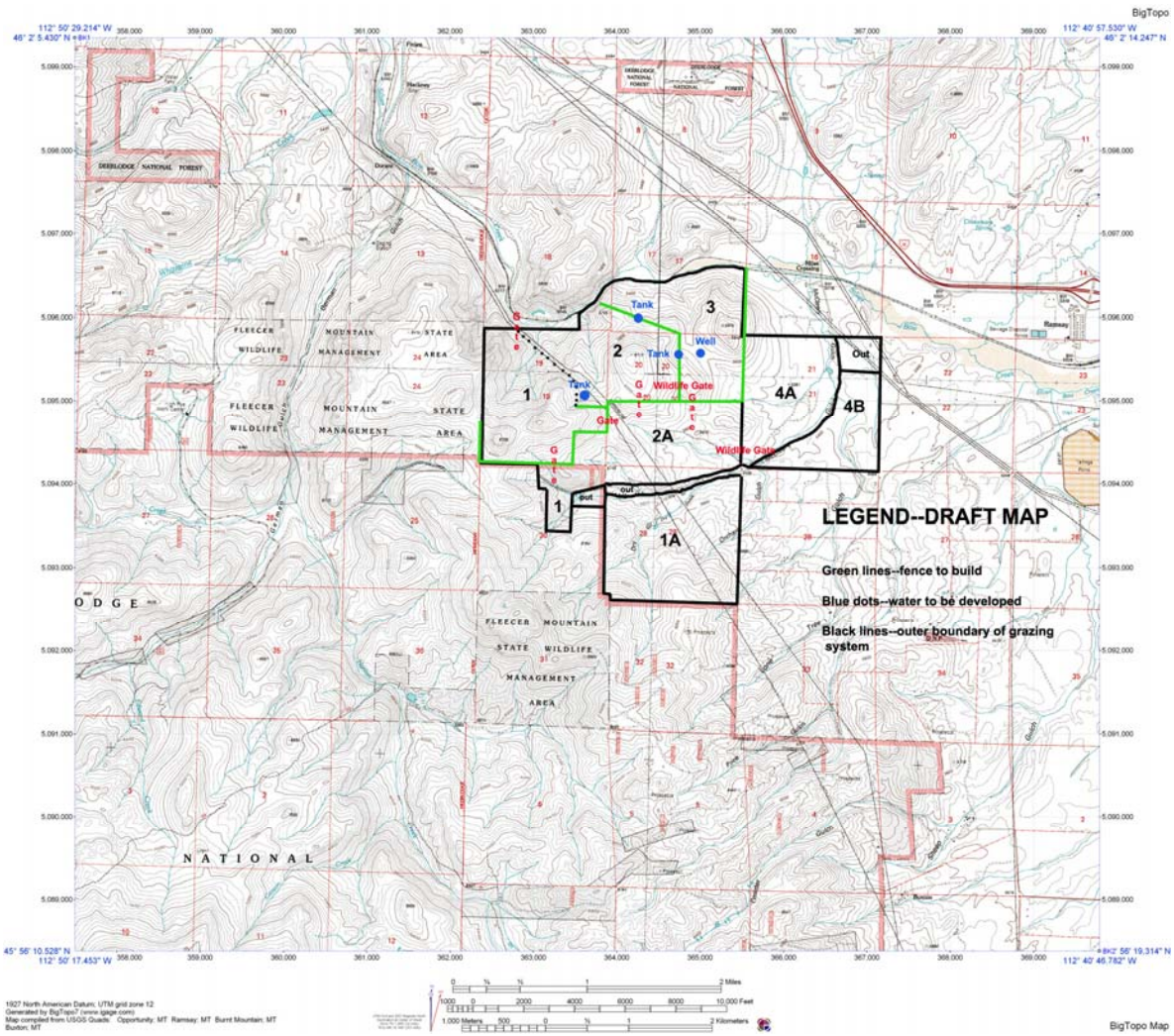
Consolidating land ownership in this manner would benefit both state and private interests, primarily by reducing the costs of establishing and maintaining pasture fencing (2,500 feet of fence will be eliminated). Additionally, the streamlining of pastures would promote better distribution of grazing pressure by cattle and minimize soil disturbance by livestock along fences.

Both properties are intermountain grassland habitat consisting of two major vegetative types: rabbitbrush/rough fescue meadows, and a small portion of Douglas fir/lodgepole pine forest. The elevation ranges from approximately 5,700 to 6,300 feet.

Shrublands, side hills, and south-facing slopes provide year-round forage for mule deer, supporting 50-80 animals in the winter. Top slopes contain grassy meadows that provide forage for 200-300 elk throughout the winter. Moose, black bear, mountain lion, bobcat, coyote, fox, badger, and mountain grouse also use the area as do a diverse group of small mammals, birds, amphibians and reptiles.

Grazing Plan and Improvements

The second component of the proposed project is for the establishment of a coordinated rest-rotation grazing plan across the WMA and adjacent private property that would incorporate 1,200 acres of the WMA surrounding and including the exchanged property and 1,500 acres of native rangeland on the adjacent Erickson Ranch. The Erickson Ranch would be allowed to graze cattle annually on the WMA from mid-May through October 1 in exchange for leaving two of their pastures rested each year for the benefit of wintering elk and other wildlife. The WMA and the Erickson Ranch would be divided into a series of pastures that would be scheduled for grazing in such a way that FWP's minimum standards for vegetative rest are met and forage is left on the ground for wintering big game, particularly elk. Cattle grazing would remove the accumulation of less palatable residual vegetation from previous years and promote regrowth that is more palatable to wintering big game. Livestock mineral supplements will be placed on the WMA in locations mutually agreed upon by FWP and the Ericksons; sites near water sources and erosive areas will be avoided. Since this would be an exchange of use within the context of a coordinated grazing system applied to both the WMA and the Erickson Ranch, FWP will not charge the Erickson Ranch a fee for grazing their cattle on the WMA. Refer to the following map of the proposed pasture layout and Appendix A for a draft of the grazing schedule.



The establishment of a grazing agreement between FWP and the Erickson Ranch will allow FWP to more effectively manage big game populations and their habitat across a broader landscape. Livestock will be used in a coordinated rest-rotation grazing system to improve vegetation conditions for wildlife across the winter range. The Erickson Ranch would benefit from the availability of additional grazing areas for their cattle and incorporating more rest into their pastures.

In order to implement the proposed grazing plan, 6 miles of new fencing is required along the southern and eastern boundaries of the WMA as well as interior pasture fencing (refer to map above for location of fencing needs). There are 3 miles of old fence that will be removed. Fencing will be built to “wildlife friendly” specifications. The 4-strand barbed wire fence is expected to have a maximum height of 42” and bottom wire 18” above ground. Such dimensions restrict livestock movement but allow wildlife to safely jump over or crawl under the fence.

The final element needed to implement the grazing plan deals with stock water systems. Two existing systems require improvement, and a third system needs full development (refer to map above for locations of stock water systems). The two existing systems (2 westernmost dots labeled “Tanks” on the map above) are spring-fed and have underground piping and storage

units. However, neither has received maintenance in many years while this property was in private ownership (the state acquired this property in 2006), and both are in major disrepair. Piping and storage tanks will need to be replaced and minor excavation work will need to be done to restore sufficient flow. The third system is necessary to meet resource needs of grazing livestock since no surface water is available in this area. It requires full development, including drilling a well, installing pipe and storage tanks, and installing a solar power unit to run the system (refer to Appendix A for estimate of costs). Geological assessments of the area indicate that water may be reached within 100' – 300'.

8. Alternatives:

Alternative A: No Action -
FWP would not pursue the property exchange with the Erickson Ranch nor would FWP move forward with a coordinated grazing management plan with the ranch. Since the grazing plan would not be implemented, improvements to the existing water system would not be executed. Construction of new fence along the WMA boundary and removal of old fence would continue.

FWP would continue to manage the property as part of the Fleecer and Mount Haggin WMAs for the benefit of wildlife. No cattle would be grazed on this portion of the WMA. The No Action alternative may be detrimental to local wildlife populations due to the reduction in the overall quality of forage on the WMA, inadequate vegetative rest of the private land pastures, and reduced tolerance of wildlife when elk and deer use private land as winter range.

Alternative B: Proposed Action -
FWP would pursue the 40-acre property exchange with the Erickson Ranch, implement a coordinated grazing plan on the eastern portion of the WMA and adjacent Erickson Ranch affecting approximately 2,700 total acres, install 6 miles of new fencing and remove 3 miles of old fence along the boundary and within the WMA, and rehabilitate two existing stock water systems as well as establish a new stock water system in the area included in the grazing plan.

The establishment and maintenance of the proposed grazing plan would allow cattle to be utilized as a management tool to remove less palatable residual vegetation from previous years on the WMA and adjacent private land and stimulate regrowth of native grasses and forbs for the benefit of wintering wildlife. The Erickson Ranch would benefit from the availability of additional grazing areas for their cattle on the WMA. The ability to manage big game winter range across the landscape, rather than just within the boundaries of the WMA, will allow FWP to more effectively manage wildlife populations and their habitat.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

The following analysis focuses on the potential impacts of Alternative B – Proposed Action. If Alternative A were implemented, the current management of the WMA would not change nor would the movements of wildlife (primarily elk) onto the Erickson Ranch during the winter, and management of the ranch's livestock business would continue as normal. The current level of forage found on the WMA would likely continue to be fair. The vegetation on the Erickson Ranch would continue to support the ranch's livestock needs, yet it would be under constant grazing pressure by either cattle or wildlife. The boundary between the Fleecer WMA and the Erickson Ranch in the southeast corner of Section 19 would continue to be an area where the migration of big game would cause stress between the parties because the wildlife would be competing with cattle for winter forage on private land. This situation would require FWP's intervention to herd elk back on to the WMA when requested.

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

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES 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		No	1a
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		No	1b
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				

1a and b. The drilling of the new well for the additional watering system, improvements to the existing watering systems, and installation of new fencing will require the use of construction equipment, which will displace a limited amount of soil. While the improvements are taking place, the movement of equipment within the WMA will likely displace additional soils and compact areas directly associated with the installation effort. Because of these disturbances, there is the potential for new erosion patterns to develop. FWP plans to reseed disturbed areas with native grasses and forbs at the completion of the construction and improvement activities to return the areas to their natural states and decrease the prospect of erosion from occurring. The small amount of cattle (70 AUMs) and the short grazing period (2 months) will not cause any measurable damage to soils except possibly where cattle concentrate to travel and locate water.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

2. AIR **Will the proposed action result in:**	**IMPACT ***					
	Unknown	**None**	**Minor**	**Potentially Significant**	**Can Impact Be Mitigated**	**Comment Index**
a. **Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)			x			2a
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 regulations? (Also see 2a.)		N/A				

2a. Use of construction and drilling equipment for the installation of the fencing and water systems could deteriorate the ambient air quality for a short duration. The air quality is expected to return to normal levels at the completion of the improvement efforts.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

3. **WATER** **Will the proposed action result in:**	**IMPACT ∗**					
	Unknown	**None**	**Minor**	**Potentially Significant**	**Can Impact Be Mitigated**	**Comment Index**
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					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. ∗∗∗∗For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		N/A				
m. ∗∗∗For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		N/A				

3g. Two existing stock water systems will be improved and a third system will be developed as part of the proposed project. The existing systems are fed by natural springs. The new water system will be supplied by water through a well. It is unknown if the amount of groundwater available within this portion of the WMA will be measurably affected by the development of the new system.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

4. VEGETATION 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			4a
b. Alteration of a plant community?			X			4b
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X			Yes	4e
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		N/A				

4a/b. The grazing design should increase productivity and abundance of most grass species located on the WMA, as well as on the portion of the Erickson Ranch included in the plan. Some loss in grass biomass may occur after cattle are moved through the WMA area but this is seen as temporary since the rest-rotation grazing schedule is designed to overall enhance vegetation productivity in the system. In addition, some loss of vegetation where cattle concentrate around water sources is likely to occur. Overall plant diversity within the affected area is not expected to change from pre-project levels.

4c. A search of the Montana Natural Heritage Program's (MNHP) species of concern did not identify any rare, threatened, or endangered plant species that are located within the affected area on the WMA or ranch property.

4e. Currently, there are established clusters of spotted knapweed and leafy spurge on the acreage included within the grazing plan. The grazing system is anticipated to reduce the spread of some noxious weed communities by increasing the productivity of several native grass species and timing the grazing of cattle on the WMA to coincide with the palatability of emerging weeds in the spring. In addition, FWP will continue to manage existing noxious weed infestations on its properties per the guidance of the 2008 FWP Integrated Noxious Weeds Management Plan.

Areas disturbed by the installation and construction efforts will be reseeded with native grasses and forbs to decrease the potential for noxious weeds from becoming established in new areas.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 5. FISH/WILDLIFE 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				
b. Changes in the diversity or abundance of game animals or bird species?			X			5b
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?			X		Yes	5e
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			5g
h. ****For P-R/D-J, 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.)		N/A				
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		N/A				

5b. The grazing system should improve the quality of habitat for wintering wildlife. Production of fall regrowth may cause an increase in the number of deer and elk on some portions of the WMA during the winter and spring seasons.

5e. Perimeter and interior fences will be established for this pasture system. To mitigate their impact, wildlife friendly fence designs will be employed so that wildlife can either pass above or below the barbed wire strands.

5f. No known rare, threatened, or endangered species are found on the portion of the WMA included in the project. The gray wolf, a federally listed endangered species, may use this area and have been detected nearby, but no direct adverse effects on this species are expected.

5g. Some resident game and nongame species, such as elk, mule deer, black bear, and various small mammals, will be affected by the noise and congestion generated by the proposed project for a limited time. These species will likely avoid the construction areas but will return to the area when the proposed improvements are completed and noise levels return to normal.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS **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 serve 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				

6a. There would be a temporary increase in noise levels within the affected portion of the WMA due to the addition of the construction equipment and contracting staff working on the installation of the fencing, new well, and watering systems. After the completion of the project, noise levels at the site will return to normal levels.

7. LAND USE **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				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
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				

The proposed improvements will not interfere with the current availability of the site for recreation activities nor negatively impact the Erickson Ranch's livestock operation. The exchange of properties is of equal aesthetic, agricultural, and assessed value.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

8. RISK/HEALTH HAZARDS 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. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		N/A				

Chemical spraying is part of FWP's integrated weed management program to manage noxious weeds. Certified professionals would utilize permitted chemicals in accordance with product labels and as provided for under state law.

9. COMMUNITY IMPACT 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				
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				

No impacts are anticipated since the overall activities of the Erickson Ranch will not change.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

10. PUBLIC SERVICES/TAXES/UTILITIES 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, 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:		X				
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				10e
f. **Define projected maintenance costs.			X			10f

10b. No local or state tax revenues will be decreased by this land exchange. FWP will make property tax payments to Silver Bow County in a sum equal to the amount assessed to a private citizen (MCA 87-1-603).

10e. Since this grazing plan proposes an exchange of use between Erickson Ranch cattle grazing on the WMA in exchange for two pastures of native rangeland on the Erickson Ranch to be rested annually for the benefit of wintering big game, primarily elk, FWP will not charge the Erickson Ranch any grazing fee.

10f. FWP anticipates only minimal maintenance costs for the fencing and water system improvements after their installation. Any future maintenance costs will be absorbed into the regular operation and maintenance accounts for the WMA.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 11. AESTHETICS/RECREATION 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 offensive site or effect that is open to public view?		X				11a
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				
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		N/A				

11a. Historically, these pastures have been grazed by cattle and will only be present for short periods of time each year (2 months annually). The WMA is located in a rural setting and the presence of cattle will not be something new for the public. Currently, the WMA and Erickson Ranch do allow hunting on their respective properties. Access for hunting will continue within the affected areas after the proposed property exchange and implementation of the grazing plan. The plan will be designed so that no cattle will be present on the WMA after the opening of the general big game hunting season.

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		N/A				

The State Historic Preservation Office (SHPO) was consulted as part of the review process. SHPO determined that there are a few previously recorded sites within the proposed acres where the fencing and water systems are to be located and that there is a low likelihood of cultural resource impacts.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

C. SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE **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. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		N/A				
g. ****For P-R/D-J, list any federal or state permits required.		N/A				

The proposed project will not conflict with any local, state, or federal regulations. Furthermore, no substantial controversy or public debate is expected by the implementation of the project's components since no adverse affects are anticipated and the completion of the project will benefit the Erickson Ranch, Fleecer WMA, and local wildlife populations and their habitat.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PART II. ENVIRONMENTAL REVIEW, CONTINUED

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

A grazing agreement signed by both parties will be the guiding document for the duration of the grazing plan on the acres designated on the Fleecer WMA and the Erickson Ranch. Upon receipt of FWP Commission approval, the plan will be valid for an initial 3-year period at which point the parties will meet to evaluate the value of the program and decide whether to continue the arrangement and/or adjust as needed. After the 3-year period, and provided both parties agree, the plan will be extended for an additional 10-year period.

PART III. NARRATIVE EVALUATION AND COMMENT

The proposed property exchange and establishment and maintenance of a coordinated grazing agreement between FWP and the Erickson Ranch would allow cattle to be utilized as a management tool to remove less palatable residual vegetation from previous years on the WMA and adjacent private land and stimulate regrowth of native grasses and forbs for the benefit of wintering wildlife. The Erickson Ranch would benefit from the availability of additional grazing areas for their cattle on the WMA. The ability to manage big game winter range across the landscape, rather than just within the boundaries of the WMA, will allow FWP to more effectively manage wildlife populations and their habitat.

The components of this project will not have significant impacts on the physical environment (i.e. geological features, fish and wildlife, and water resources) or the human environment (i.e. land use, recreation, and utilities). Most impacts identified in the previous pages are minor and are of short duration if associated with the disturbances created by the installation of the fencing, drilling of the well, and rehabilitation of the watering systems. Long-term consequences expected from the completion of the projects include improved overall habitat and range conditions for both wildlife and livestock.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

- Two public notices in the *Montana Standard* (Butte) and *The Ledger* (Anaconda)
- Public notice on the Fish, Wildlife & Parks web page: http://fwp.mt.gov.

In addition, copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts.

2. Comment period:

The public comment period will extend for (28) twenty-eight days. Written comments will be accepted until 5:00 p.m., April 3, 2009 and can be mailed to the address below:

Fleecer WMA-Erickson Ranch EA
Montana Fish, Wildlife and Parks
1820 Meadowlark Lane
Butte, MT 59701
Or email: vboccadori@mt.gov

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)? No
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.
Based upon the above assessment, which has identified a very limited number of minor impacts from the proposed action, an EIS in not required and an environmental assessment is the appropriate level of review.

2. Person(s) responsible for preparing the EA:

Vanna Boccadori
Wildlife Biologist
Montana Fish, Wildlife & Parks
1820 Meadowlark Lane
Butte, MT 59701
406-494-2082

Rebecca Cooper
MEPA Coordinator
Montana Fish, Wildlife & Parks
1420 E. 6th Ave.
Helena MT 59601
406-444-4756

Mike Frisina
Range Coordinator
Montana Fish, Wildlife & Parks
1820 Meadowlark Lane
Butte, MT 59701
406-782-2060

3. List of agencies consulted during preparation of the EA:

Montana Fish, Wildlife & Parks
Habitat Bureau, Legal Bureau, Wildlife Division
U.S. Department of Agriculture – Natural Resources Conservation Service

APPENDICES

A. Fleecer WMA-Erickson Ranch Draft Grazing Schedule
B. State Historic Preservation Office Correspondence

APPENDIX A

FLEECER WMA – ERICKSON RANCH DRAFT GRAZING SCHEDULE

Livestock grazing rotation schedule for the Fleecer WMA-Erickson Ranch grazing system, 2009-2018

	PASTURES						
YEAR	**P1**	**P2**	**P3**	**P1A**	**P2A**	**P4A**	**P4B**
2009	C	A	B	C	W	W1	C
2010	A	B	C	W	C	C	W1
2011	B	C	A	C	W	W1	C
2012	C	A	B	W	C	C	W1
2013	A	B	C	C	W	W1	C
2014	B	C	A	W	C	C	W1
2015	C	A	B	C	W	W1	C
2016	A	B	C	W	C	C	W1
2017	B	C	A	C	W	W1	C
2018	C	A	B	W	C	C	W1

C= rest for the year
A= grazing mid-May to seed-ripe (~July 25).
B= grazing from seed-ripe (~July 25) to October 1.
W1=grazing from October 1 to February 10th.
W= grazing from mid-April to mid-May.

APPENDIX B
State Historic Preservation Office Correspondence

January 20, 2009

Rebecca Cooper
FWP
1420 E. 6th Ave
Helena MT 59620

RE: ERICKSON EXCHANGE & GRAZING PLAN. SHPO Project #: 2009012002

Dear Rebecca:

I have conducted a cultural resource file search for the above-cited project. According to our records there have been a few previously recorded sites within the designated search locales. In addition to the sites there have been a few previously conducted cultural resource inventories done in the areas. I've attached a list of these sites and reports. If you would like any further information regarding these sites or reports you may contact me at the number listed below.

It is SHPO's position that any structure over fifty years of age is considered historic and is potentially eligible for listing on the National Register of Historic Places. If any structures are to be altered and are over fifty years old we would recommend that they be recorded and a determination of their eligibility be made.

As long as there will be no disturbance or alteration to structures over fifty years of age we feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should structures need to be altered or if cultural materials be inadvertently discovered during this project we would ask that our office be contacted and the site investigated.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at dmurdo@mt.gov <mailto:dmurdo@mt.gov>. Thank you for consulting with us.

Sincerely

Damon Murdo
Cultural Records Manager
State Historic Preservation Office