



**Montana Fish,
Wildlife & Parks**

2300 Lake Elmo Drive
Billings, MT 59105

December 29, 2009

TO: Environmental Quality Council
Director's Office, Dept. of Environmental Quality
Montana Fish, Wildlife & Parks*

Director's Office

Parks Division

Fisheries Division

Wildlife Division

Lands Section

Design & Construction

Legal Unit

Regional Supervisors

Mike Volesky, Governor's Office *

Sarah Elliott, Press Agent, Governor's Office*

Maureen Theisen, Governor's Office*

Montana Historical Society, State Preservation Office

Janet Ellis, Montana Audubon Council

Montana Wildlife Federation

Montana State Library

George Ochenski

Montana Environmental Information Center

Wayne Hirst, Montana State Parks Foundation

FWP Commissioner Shane Colton*

Montana Parks Association/Our Montana (land acquisition projects)

David Moore, DNRC Area Manager, Southern Land Office

County Commissioners

Other Local Interested People or Groups

* (Sent electronically)

Ladies and Gentlemen:

In accordance with the Montana Environmental Policy Act, Montana Fish, Wildlife and Parks (MFWP) is required to assess the impacts a proposal or project might have on the human and natural environments. Further, the MFWP's land lease-out policy, as it pertains to the disposition of interest in Department lands (89-1-209) requires that an EA be written for all new leases, lease extensions or lease renewals. This draft EA assesses the potential impacts from farming 28 acres of existing cropland on the newly acquired Clarks Fork of the Yellowstone FAS..

We would appreciate any comments, accepted through March 9, 2010 by 5:00 p.m., you might have regarding the draft EA.

If you have questions or need additional copies of the draft EA, please contact Montana Fish, Wildlife & Parks at 247-2940. Please send any written comments by mail to: Gary Hammond at Montana Fish, Wildlife & Parks, 2300 Lake Elmo Drive, Billings MT 59105; or by e-mail to ghammond@mt.gov.

Thank you for your interest,

Gary Hammond
Regional Supervisor

Enclosure

Environmental Assessment

Farming Lease EA for the Clarks Fork of the Yellowstone FAS - Carbon County, Montana

Prepared by

Gary Hammond

Montana Fish, Wildlife and Parks

February 2010



***Montana Fish,
Wildlife & Parks***

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

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

The project would involve drilling barley into the standing stubble, fertilizing, subsequent irrigation, and lastly, harvesting of said crop. Weed spraying would occur on the periphery of the crop, along the existing road and existing fences and ditches. Stubble height post-harvest would remain at a height of one foot.

2. Agency authority for the proposed action:

In accordance with the Montana Environmental Policy Act, Montana Fish, Wildlife and Parks (MFWP) is required to assess the impacts a proposal or project might have on the human and natural environments. This EA assesses the potential impacts from a farming operation on 28 acres of cropland at the newly acquired Clarks Fork of the Yellowstone FAS.

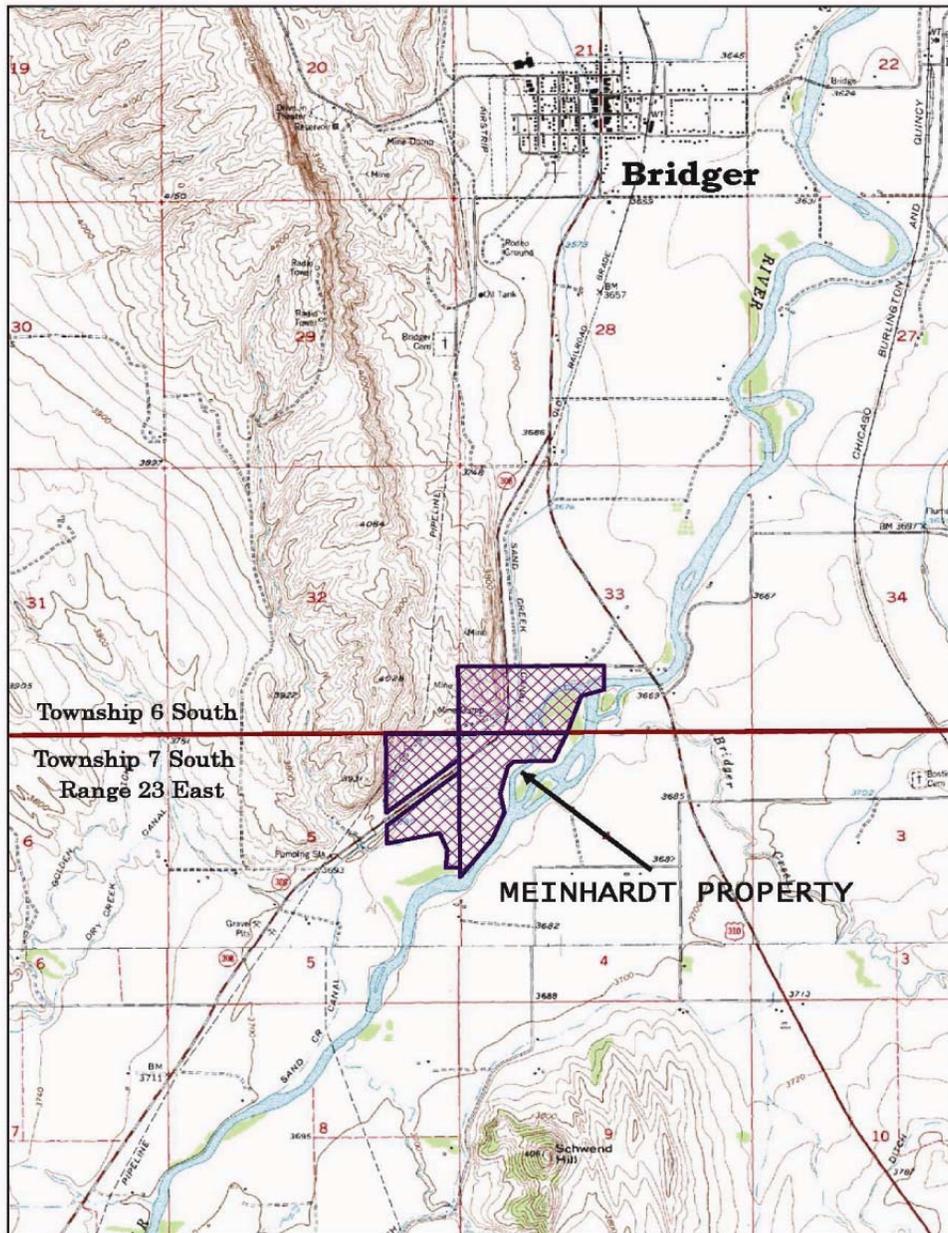
3. Anticipated Schedule:

Estimated Construction Commencement Date: March 2010

Estimated Completion Date: Fall 2010

Current Status of Project Design (% complete): Completed

4. Location affected by proposed action (county, range and township – included map):



1 inch equals 0.5 miles

The Clarks Fork of the Yellowstone FAS (CFYFAS) is located approximately 2 miles south of Bridger, Montana along the Clarks Fk. of the Yellowstone River. The CFYFAS includes 172 acres of land lying immediately west of the aforementioned river. Legal Description: T6SR23E Sec. 33, SWSW ¼.

5. Project size -- estimate the number of acres that would be directly affected that are currently:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(existing shop area)		Irrigated cropland	<u>28</u>
(b) Open Space/	<u>0</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>0</u>	Rangeland	<u>0</u>
Areas		Other	<u>0</u>

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

(a) **Permits:** permits will be filed at least 2 weeks prior to project start.

<u>Agency Name</u>	<u>Permits</u>
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NA

(b) **Funding:**

<u>Agency Name</u>	<u>Funding Amount</u>
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NA

(c) **Other Overlapping or Additional Jurisdictional Responsibilities:**

<u>Agency Name</u>	<u>Type of Responsibility</u>
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NA

9. Narrative summary of the proposed action:

B. PROJECT NEED

The 28 acres proposed for leasing has been farmed historically, and has produced various crops, including a variety of small grains, sugarbeets, and alfalfa. Additionally, weed control has been ongoing, although some limited distribution of various weed species persist. Last year, barley was produced on this 28 acres, and, after last fall's harvest, this site presently has no agricultural crop prepared for the upcoming season. FWP proposes to direct a lease agreement whereby a small grain crop is drilled into the existing barley stubble to produce an agricultural crop conducive to proper stewardship of this irrigated land, while providing a food basis for wildlife occupying the site.

10. Description and analysis of reasonable alternatives:

Alternative A: No Action

Alternative A: No Action Alternative - The No Action alternative would leave the ground that has been farmed for decades fallow. Significant weed issues would arise if nothing was done this spring. In the long term, we will begin to work toward a combination of permanent cover and food plots on the site.

Alternative B: Proposed Action - The project would involve drilling barley into standing stubble, with, subsequent irrigation, and lastly, harvesting of said crop. Weed spraying would occur on the periphery of the cropland, along the existing road, existing fences and ditches. Stubble height post-harvest would remain at a height of one foot to provide cover for upland game birds and migratory waterfowl. In the long term, we will begin to work toward a combination of permanent cover and food plots on the site.

PART II. 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				

b. Since the grain will be drilled into existing stubble, little disruption of the soil will occur.

d. the 28 acres has been farmed for many users, and the existing irrigation system produces little runoff or return flows into the system.

2. <u>AIR</u> 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			
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.)		NA				

The proposed action will produce minor effect on air quality since there would be no change in the level of activity on FWP-owned property. That will be restricted to the dust produced in the immediate vicinity of the seeding activity.

* 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. <u>WATER</u> 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?						
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				
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.)		NA				
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.)		NA				

a. Very limited return flows will occur, since the acreage in question is not located directly adjacent to the river.

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

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				
b. Alteration of a plant community?			x			
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				
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		NA				
g. Other:						

- b. The site will be planted with small grain this spring. In the future, FWP will work toward a combination of permanent cover and food plots.
- e. FWP met with the Carbon County weed coordinator and developed a weed plan as per the Good Neighbor Bill.

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** 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				
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				
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				
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.)		NA				
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.)		NA				

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** 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. <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				
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				

The proposed action will have no effect on existing noise level since there would be no change in the level of activity on FWP-owned property.

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				
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				

* 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. <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. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		NA				

Chemical spraying is part of FWP's weed management plan to limit the infestation of noxious weeds on its properties per the guidance of the 2008 Integrated Weed Management Plan. Weed treatment and storage and mixing of the chemicals would be in accordance with standard operating procedures.

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				
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				

The proposed action will have no effect on local communities, increase traffic hazards, or alter the distribution of population in the area.

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** 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. <u>PUBLIC SERVICES/TAXES/UTILITIES</u>	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
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				
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		NA				
f. **Define projected maintenance costs.		NA				

** 11. <u>AESTHETICS/RECREATION</u>	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		x				
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.)		NA				

The proposed action will have no effect on local recreation opportunities or the viewshed of the area because it is consistent with the historic agricultural uses of the site.

* 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.

12. <u>CULTURAL/HISTORICAL RESOURCES</u> 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.)		NA				

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

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

PART III. NARRATIVE EVALUATION AND COMMENT

Since the proposed farming project continues existing and historic farming practices on the site, there are no new impacts associated with this activity. In the long term, we will convert the site to a combination of permanent cover and food plots.

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:

- Public notices in each of these papers: Billings Gazette: Carbon County News
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

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, many of which can be mitigated.

2. Duration of comment period:

The public comment period will extend for (30) thirty days following the publication of the second legal notice in area newspapers. Written comments will be accepted until **5:00 p.m., March 9,2010** and can be mailed to the address below: MFWP Attn: Gary Hammond; 2300 Lake Elmo Drive; Billings Mt. 59105

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.
2. **Person(s) responsible for preparing the EA: Gary Hammond**
3. **List of agencies or offices consulted during preparation of the EA:**