DRAFT ENVIRONMENTAL ASSESSMENT

OLSON-HAYMAKER ROAD EASEMENT

REGION 5 ACCESS PUBLIC LANDS PROJECT

August 12, 2011

Montana Fish, Wildlife & Parks

PART I. INTRODUCTION AND PROPOSED ACTION:

The purpose of this proposal is to purchase a public easement on ½ mile of the road that leads to the Haymaker Wildlife Management Area (HWMA) and associated United States Forest Service (USFS) lands. The HWMA is owned and managed by Montana Fish, Wildlife and Parks (MFWP) and is located in deer/elk Hunting District 540, Region 5, headquartered out of Billings, MT. The USFS lands are part of the Lewis and Clark National Forest. The proposed easement will provide legal public road access in perpetuity to the HWMA and adjacent USFS lands in the Little Belt Mountains of central Montana. The cost of the easement is approximately $50,000, funded by hunting license revenues through the Access Public Lands program administered by MFWP.

The HWMA was originally purchased in 1957. Minor land trades were made in 1958 and 1963 leaving the size of the property at 4,950 acres. Following years of low elk use, 3,440 acres were traded for the Selkirk Fishing Access Site (FAS) in 1965. Sometime before 1980, a 150-acre grazing lease in place since 1961 was discontinued, leaving the WMA at its present size of 1,360 acres. When land was traded for the Selkirk FAS, a sixty-foot easement for a public road through Sections 28, 33, and 34 along the route of the existing road was retained. This 60-foot easement stopped ½ mile short of the existing county road. This problem was discovered in 1987, and the documentation was gathered by FWP Lands Agent Don Malisani.

Currently, there is a good-will public road access allowed by the Olson family across their property to the HWMA and USFS lands. The Olsons participate in MFWP's Block Management Program, and believe that the public should have the right to access public lands and wildlife. Although in the short-term it does not appear that this good-will access is at risk, it is prudent to be proactive and secure this access in perpetuity. In the summer of 2009, MFWP personnel approached John Olson about this issue, and he indicated that the Olson family might be willing to sell a permanent public easement on the ½ mile of road that leads from the county road to the existing road easement. Since that time, terms have been agreed upon, and the project is ready to be finalized. Completion of this EA, a MFWP Decision Notice, and approval by the MFWP Commission are required to finalize the project.

Project General Location: The project is located in MFWP, Region 5, approximately 21 miles northeast of Harlowton, along Morrisy Coulee. The easement would secure perpetual public access to the HWMA and the Lewis and Clark National Forest (Fig. 1).

Project Area Legal Description: The specific location of the proposed easement is in Township 10N, Range 12 E, SW 1/4 Section 35 (Fig. 2). The land is owned by the Olson family of Harlowton, MT. The closest legal public accesses on the south side of the Little Belts are located 8 and 7 miles to the east and west, respectively of the proposed easement (Fig. 3). The access to the east does allow for travel within the USFS boundary to the HWMA along very rough two-track roads. The access to the west of the proposed project does not allow for travel to the HWMA.

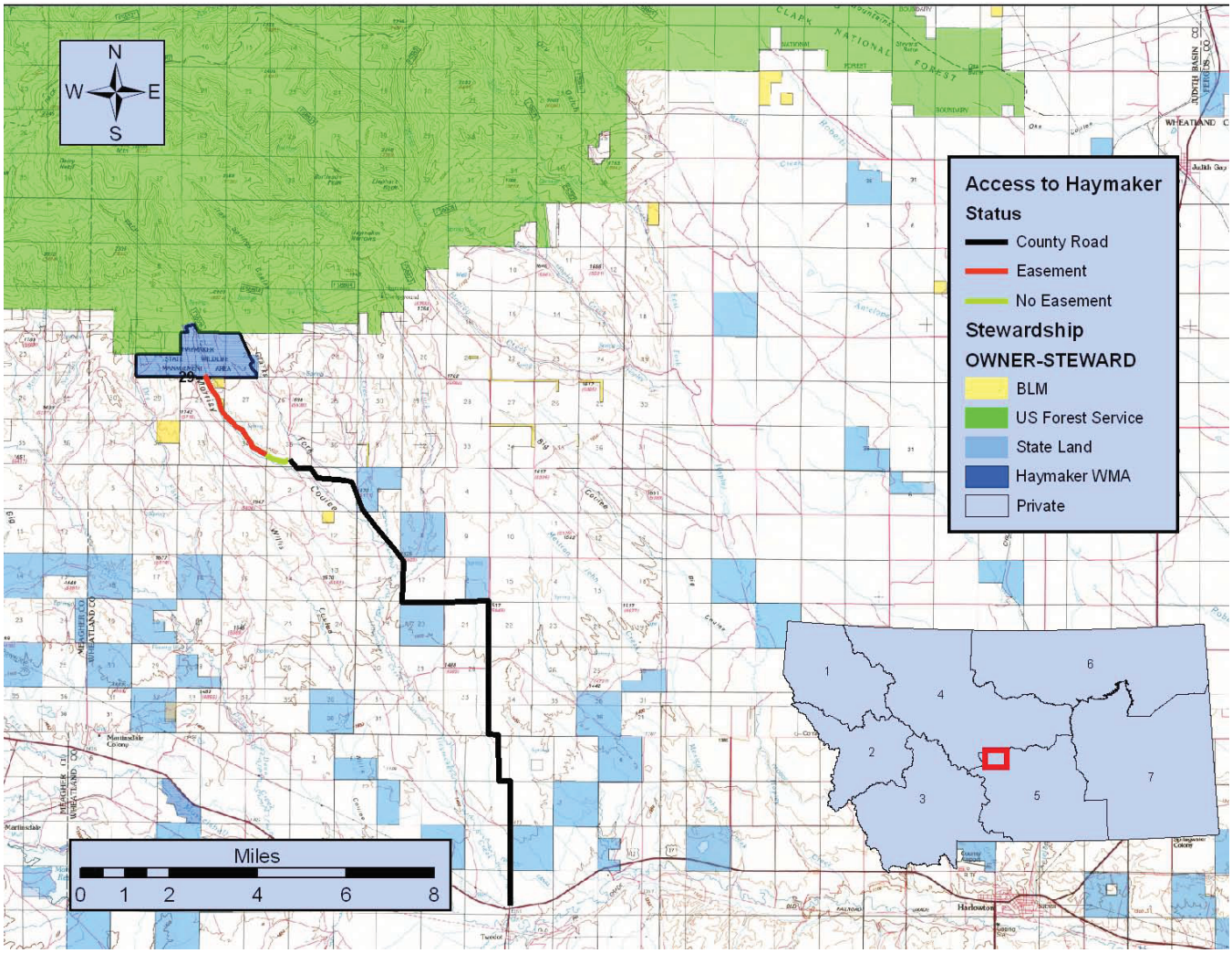

Figure 1. General location of the Olson-Haymaker public road easement project. The thick red line is the existing public road easement, the thick black line is the county road, and the thick green line is the proposed public road easement connecting the two.

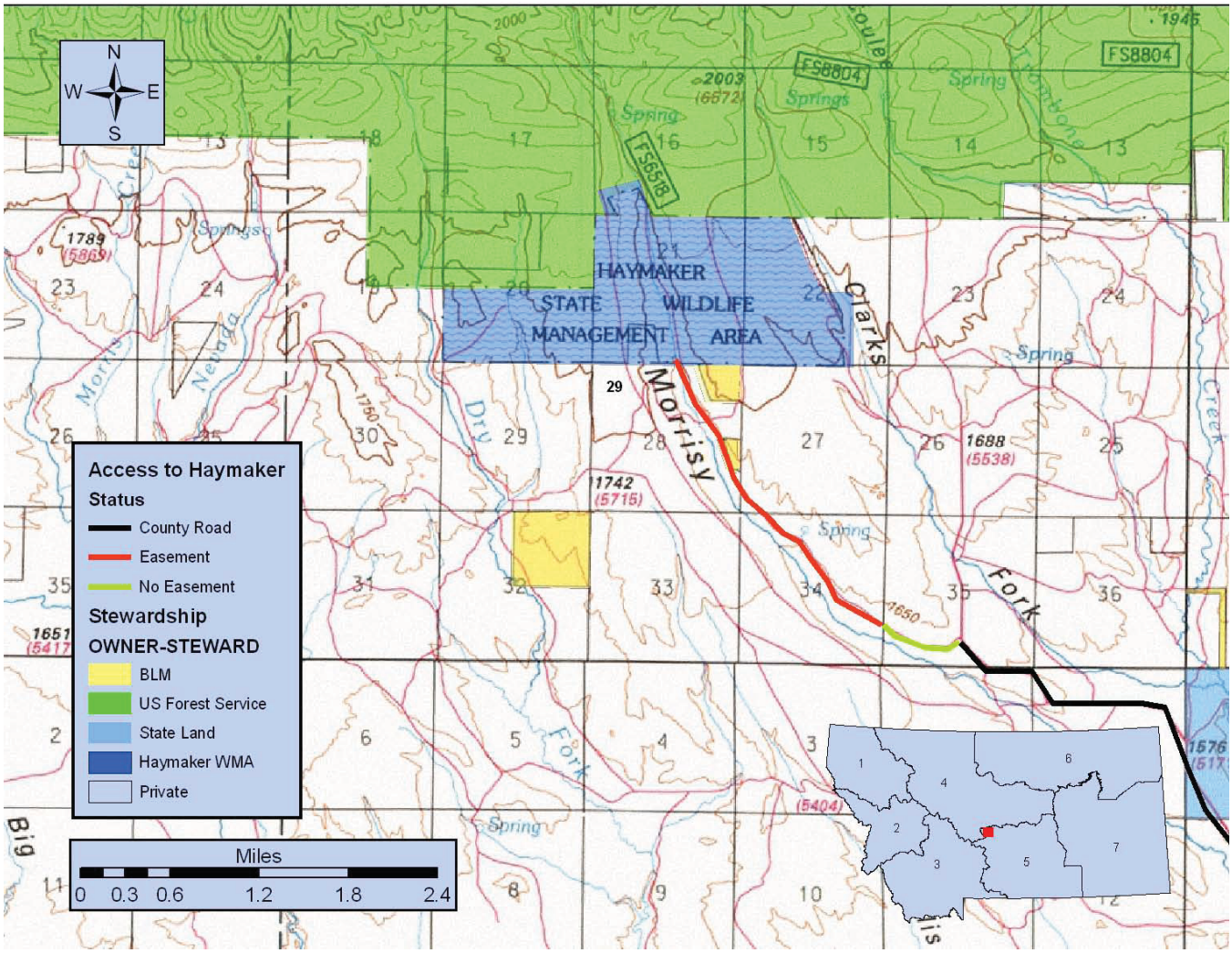

Figure 2. Specific location of the Olson-Haymaker public road easement project. The thick red line is the existing public road easement, the thick black line is the county road, and the thick green line is the proposed public road easement connecting the two.

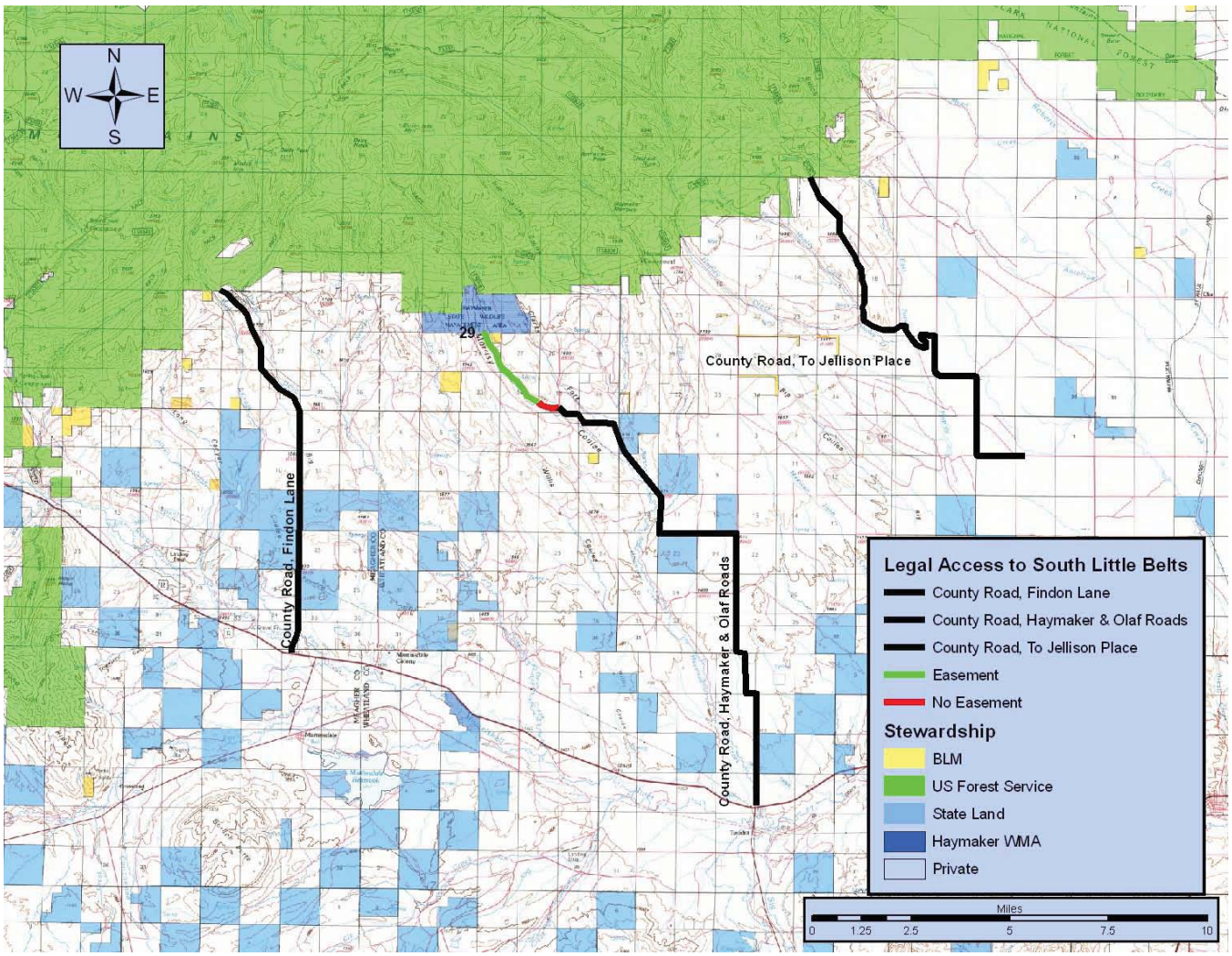

Figure 3. Proposed public road easement relative to other current public access routes to the South Little Belts. Thick black lines are county roads, the thick green line is the existing public road easement, and the thick red line is the proposed public road easement.

Project Objectives: Secure permanent public road access to the HWMA and the USFS lands adjacent to the WMA. The easement would allow for the current uses of the road to continue in perpetuity. In addition, several cattle guards will be installed along the road to minimize the number of gates that have to be opened and closed. This area provides access for hunting of elk, deer, antelope, and black bear, along with hiking, camping, and wildlife viewing in a beautiful mountain-foothill environment. Although it is difficult to determine exactly, it is estimated that this easement will provide recreational access in perpetuity to the 1,320-acre HWMA, and approximately 23,000 thousand acres of USFS lands (Fig. 4).

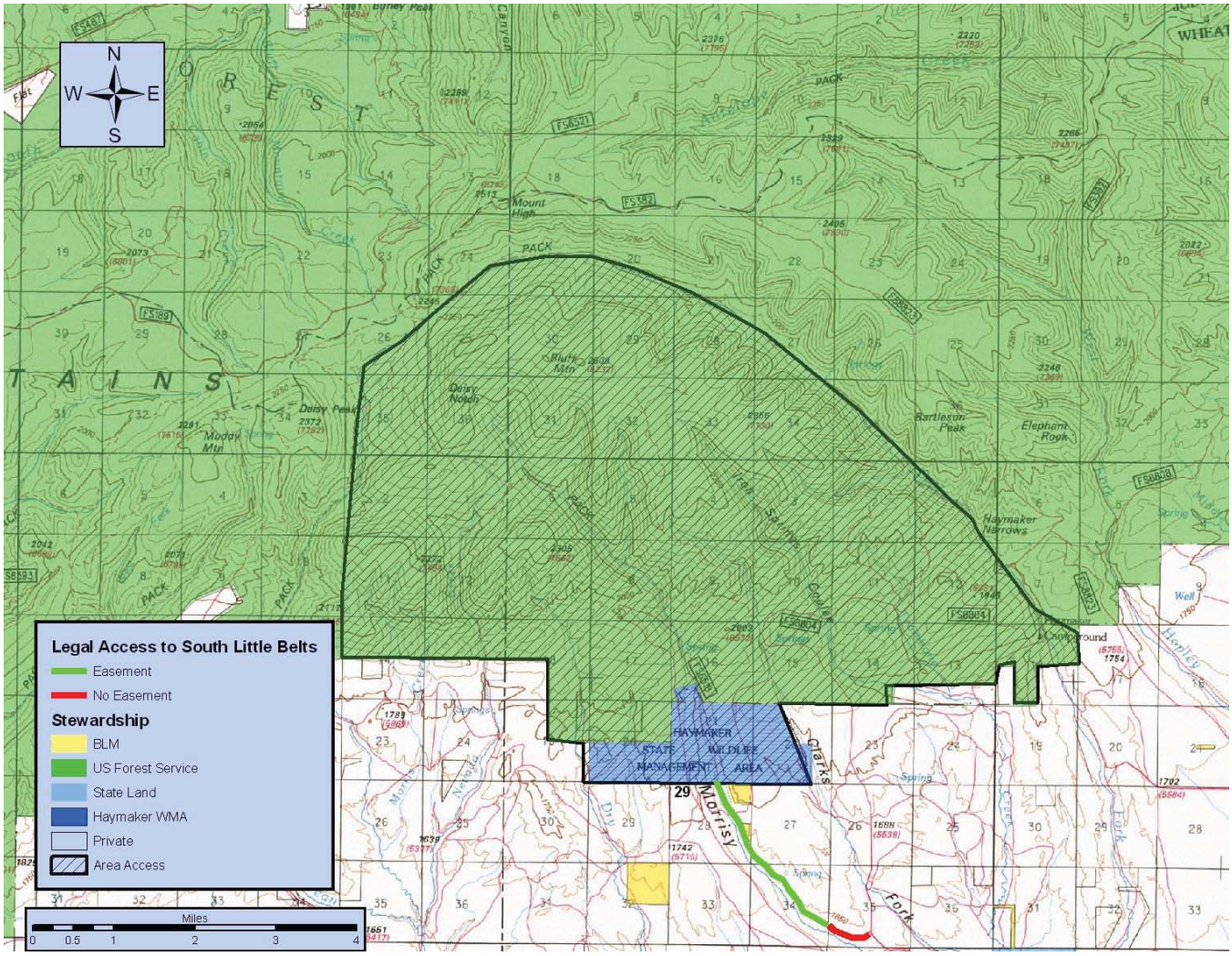

Figure 4. Area most likely to receive use by recreationists using the Olson-Haymaker public road easement. The thick green line is the existing public road easement and the thick red line is the proposed public road easement. The crosshatched area enclosed by the thick black line is the area estimated to be used by the recreating public through the proposed public road easement.

PART II: ALTERNATIVES

Alternative A: MFWP will purchase a perpetual ½-mile long public road easement through the Olson property connecting to the county road and the existing public road easement that leads to Haymaker WMA

Alternative B: No Action – public road access to Haymaker WMA will remain as good-will by the Olson family

PART III: ENVIRONMENTAL REVIEW CHECKLIST

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

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				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		Yes	1
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				

1. Minor temporary disturbance to soil caused by the installation of cattle guards. Mitigated by returning topsoil to disturbed areas.

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				
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.)		X				

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				
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.)		X				
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.)		X				

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				
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		Yes	2
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				
g. Other:		X				

2. Minor risk of increasing noxious weeds caused by disturbing the soil during installation of cattle guards. Will be mitigated by controlling weeds as needed.

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.)		X				
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.)		X				

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				
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

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. Conflict 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				

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)		X				

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		Yes	3

3. The project is designed to maintain the current type and level of public use, but in perpetuity. There may be a slight increase in public use if some in the public become aware of this access route who may not be aware that there is currently good-will access allowed. Increased public use will be mitigated by MFWP road maintenance and weed control along the easement.

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		X	4
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						5
f. Define projected maintenance costs.						6

4. MFWP will be responsible for road maintenance and weed control along the easement.
5. MFWP Access Public Lands program or WMA maintenance funds.
6. Should not be a significant amount of dollars.

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				
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.)		X				

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.)		X				

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		Yes	7
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				
g. For P-R/D-J, list any federal or state permits required.		X				

7. It is possible that some neighbors may object if they think that additional public use may increase weeds or damage the road. Mitigated by explaining that the project is intended to maintain the current level and type of public use, but in perpetuity, and that MFWP will be responsible for road maintenance and weed control along the easement.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified that this EA is available for review and comment as follows:

- Public notices in the following newspapers:
  - Billings Gazette
  - Helena Independent Record
  - The Times Clarion (Harlowton)
- Public notice on the Fish, Wildlife & Parks web page: *http://fwp.mt.gov*
- Copies of this EA will be distributed to adjacent landowners, USFS, Wheatland County, and other interested parties to ensure their knowledge of the proposed project.

Since completion of this project will result in continuation of the current uses of the road, it is anticipated that there will be only minor impacts that can be mitigated. Thus, this level of public notice and participation is appropriate.

2. Comment period:

The public comment period will extend for (14) fourteen days. Written comments will be accepted until 5:00 PM, August 26, 2011, and can be mailed or emailed to the address below:

Mail:
Montana Fish, Wildlife & Parks
2300 Lake Elmo Drive
Billings, MT 59105
Attn: Ray Mule'

Email:
rmule'@mt.gov

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, an EIS is NOT required.

2. Person responsible for preparing this EA:

   Ray Mule'
   Region 5 Wildlife Program Manager
   Billings, MT 59105
   406-247-2960