



Montana Fish, Wildlife & Parks

Region One
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Kalispell, MT 59901
(406) 752-5501
FAX: 406-257-0349
Ref:JS048-12
May 3, 2012

TO: * Governor's Office, Attn: Mike Volesky, PO Box 200801, Helena, 59620-0801
* Environmental Quality Council, PO Box 20, Helena, 59620-1704
* Dept. of Environmental Quality, Planning, Prevention & Assistance, PO Box 200901, Helena, 59620-0901
* Dept. of Environmental Quality, Permitting Compliance, PO Box 200901, Helena, 59620-0901
* Montana Fish, Wildlife & Parks, Director's Office – Reg Peterson, Legal Unit – Jessica Snyder; Rebecca Cooper
* Confederated Salish & Kootenai Tribes, PO Box 278, Pablo, 59855
* DNRC, PO Box 201601, Helena, 59620-1601 (Patty Greene)
* DNRC, Steve Frye, Kalispell
* Montana Historical Society, SHPO, 225 North Roberts, Veteran's Memorial Building, Helena, 59620-1201
* Montana State Library, 1515 East Sixth Ave., Helena, 59620-1800
* Adam McLane, Montana Environmental Information Center, PO Box 1184, Helena, 59624
George Ochenski, 4 Harrison Road, Helena, MT 59601
* Wayne Hirst, Montana State Parks Foundation, PO Box 728, Libby, 59923
* Montana State Parks Association, PO Box 699, Billings, 59103
* Joe Gutkoski, President, Montana River Action Network, 304 N 18th Ave., Bozeman, 59715
* Representatives Janna Taylor, Daniel Salomon, Scott Reichner, & Mark Blasdel
* Senators Carmine Bowbray & Verdell Jackson
Lake County Commissioners, 106 Fourth Avenue East, Polson, 59860

Ladies and Gentlemen:

Fish, Wildlife & Parks (FWP), Region One, is seeking public comment for a proposed action involving agricultural activities being performed by a private operator to supplement agency activities aimed at improving food and cover managed as wildlife habitat at the Ninepipe Wildlife Management Area in Lake County, Montana.

The draft is out for a 2-week public review through May 17, 2012. A copy is enclosed for your review. Please contact Wildlife Area Manager John Grant, Ninepipe WMA, 52928 Ninepipe Road, Charlo, MT 59824, (406) 644-2510, or e-mail to jgrant@mt.gov with questions or comments.

Sincerely,

Jim Satterfield Jr., Ph.D.
Regional Supervisor

Enclosure

c: Interested Parties

* E-mailed

Draft
Environmental Assessment
for
**Ninepipe Habitat
Enhancement**

May 2012



***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 proposed action involves agricultural activities being performed by a private operator to supplement agency activities aimed at improving food and cover managed as wildlife habitat.
2. **Agency authority for the proposed action:** Montana Fish, Wildlife & Parks
3. **Name of project:** Ninepipe Habitat Enhancement
4. **Name, address, and phone number of project sponsor (if other than the agency):** N/A
5. **Anticipated schedule:** The project would begin on or shortly after 15 July 2012, the earliest date that cutting of nesting cover is permissible on the WMA. Field work to compensate for the value of the hay crop harvested would commence soon thereafter potentially lasting until 1 October. Season two, in 2013, would have the same earliest start date of 15 July and end when the commensurate value is repaid in agricultural services on or before 1 October.
6. **Location affected by proposed action (county, range and township):** The proposed action would occur within the boundaries of the Ninepipe Wildlife Management Area in Lake County, Montana.

7. **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>40</u>
(b) Open Space/	<u>0</u>	Dry cropland	<u>160</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>
N/A	

(b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
N/A	Revenue Neutral

(c) Other overlapping or additional jurisdictional responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
N/A	

- 9. Narrative summary of the proposed action or project, including the benefits and purpose of the proposed action:** This proposal involves using the services of a private agricultural contractor to improve the condition of nesting habitat wherein a crop of hay is a by-product. By cutting and removing annual production of tame herbaceous vegetation, the stand maintains vigor, productivity, and resistance to invasion by noxious weeds, thereby increasing its function as habitat, prolonging its lifespan, and saving FWP maintenance and restoration costs. To compensate FWP for the value of the hay crop harvested and kept by the contractor, the contractor will provide additional agricultural services at other locations on the WMA in cooperation with FWP staff to improve habitat. The most significant activity will be cultivation, but likely will include picking rock, maintaining irrigation system, and mowing weeds. This will benefit the WMA by accomplishing additional wildlife habitat improvements without additional expense or labor for FWP.
- 10. Description and analysis of reasonable alternatives (including the no-action alternative) to the proposed action, whenever alternatives are reasonably available and prudent to consider, and a discussion of how the alternatives would be implemented:**

Alternative A: No Action - If the proposed action is not implemented, quality and thus function of nesting cover for ducks, pheasants, and other ground-nesting birds will deteriorate and noxious weeds will increase. Supplemental farming by contractor of food plots and new stands of nesting cover fields will not be done, which would negatively impact the workload and budget of Ninepipe WMA and potentially wildlife populations and hunter opportunities.

Alternative B: Proposed Action - The proposed action would utilize the time, fuel, and equipment of a private agricultural contractor to enhance wildlife habitat at Ninepipe WMA at no expense to FWP. This action would result in negligible environmental impacts associated with customary haying and farming activities carried out by FWP staff on the WMA and by operators on surrounding private lands.

PART II. PREDICTED ENVIRONMENTAL OUTCOMES

1. Evaluation of the impacts of the Alternatives, 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			A
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X			A
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				
f. Other:						

A – Common standard cultivation practices associated with farming will intentionally disturb surface soils to prepare sites for reseeding. Minimal wind and water erosion is unavoidable.

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 13c.)			X			A
b. Creation of objectionable odors?			X			A
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.)		X				
f. Other:						

A – Diesel exhaust and short-term dust will cause a temporary impact to air quality that will be localized within the WMA boundaries.

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			A
b. Changes in drainage patterns or the rate and amount of surface runoff?			X			B
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				
n. Other:						

A – Turbidity in temporary wetlands may increase in cultivated fields following uncommon heavy rainfall events.

B – Surface runoff that likely would increase slightly following cultivation and prior to reseeding will occur regardless of whether the proposed action is taken because treatments would be done by FWP staff rather than a contractor.

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

A – The proposed action will have a positive impact on the diversity, productivity, and abundance of plant species, as it is the primary purpose for the proposed action. The grasses and crops impacted by the proposed action will be more vigorous and productive.

E – This action is being proposed as a method to enhance vigor of desirable vegetation, making it more resistant to invasion and propagation of noxious weeds. Some seeds of noxious weeds will likely be transported off site in the hay crop.

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	N/A	A
c. Changes in the diversity or abundance of nongame species?				X	N/A	A
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			G
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				H
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				
j. Other:						

A – Impacts will be positive toward the diversity and abundance of wildlife species that currently inhabit the WMA. The proposed action has a principle objective of improving wildlife habitat.

G – Minimal segments of wildlife populations will be disturbed by some activities associated with the proposed action. Constraints on timing of activities will be enforced to minimize stress to wildlife.

H – No T&E species will be affected by the project.

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			A
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				
e. Other:						

A – The sounds from operating tractors and associated equipment will be audible while they are in use. Noise levels will be similar to what is created in the surrounding area and will be sporadic, short-term, and during daylight hours.

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. 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				
e. Other:						

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			A
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				
e. Other:						

A – Diesel fuel, motor oil, and antifreeze could be spilled in the event of an accident or mechanical failure. The maximum total amount spilled would be limited to the operating capacity of a tractor.

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				
f. Other:						

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. 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. An effect upon the local or state tax base and revenues?		X				
c. 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. An increased use of any energy source?			X			D
e. Define projected revenue sources		X				E
f. Define projected maintenance costs.		X				F
g. Other:						

D – Farming is energy intensive. There could be a slight increase in the use of fuel initially; however, any associated cost would be assumed by the contractor. In the long-run, energy will be conserved because much less power and fieldwork are needed to maintain healthy stands of grassy habitat than is needed to establish new stands after the old ones deteriorate from lack of removing annual growth.

E – The proposed action is revenue neutral.

F – No maintenance costs are expected. An intent of the proposal is to eliminate maintenance costs.

11. <u>AESTHETICS/RECREATION</u> 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				
e. Other:						

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 12a.)		X				
e. Other:						

The agricultural practices to be used in the proposed action will be the same customary practices used on the same sites for many decades. No previously undisturbed sites will be farmed. If previously undiscovered resources were discovered, FWP would consult with the State Historic Preservation Office for guidance and assistance.

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.)		X				
g. For P-R/D-J, list any federal or state permits required.		X				

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

No cutting of the hay crop will be allowed prior to 15 July each year, after the peak hatch date for most bird species inhabiting the area. No machinery will be permitted to operate if/when extreme risk of wildfire occurs.

PART III. NARRATIVE EVALUATION AND COMMENT

The proposed action is simply a new approach to fulfilling WMA goals of conserving and enhancing habitat for ducks and pheasants. Rather than being carried out entirely by FWP staff, a private contractor will assist. Impacts are either minor or positive. Any adverse impacts are an unavoidable component in the use of agricultural practices to manage wildlife habitat at Ninepipe WMA.

PART IV. PUBLIC PARTICIPATION

1. Describe the level of public involvement for this project, if any, and given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

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

- Two public notices in each of these papers: Lake County Leader & Char-Koosta
- One statewide press release
- Public notice on the Fish, Wildlife & Parks web site: <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, if any.

The public comment period will extend for 14 days, from May 3 through May 17, 2012. Written comments will be accepted until 5:00 p.m. on May 17, 2012, and can be mailed to the address below or e-mailed:

John Grant, Wildlife Area Manager
Ninepipe Wildlife Management Area
52928 Ninepipe Road
Charlo, MT 59824
(406) 644-2510
jgrant@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:

No significant impacts are expected.

- 2. Name, title, address, and phone number of the person(s) responsible for preparing the EA:**

John Grant, Wildlife Area Manager
Ninepipe Wildlife Management Area
52928 Ninepipe Road
Charlo MT 59824
406-644-2510

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

Montana Fish, Wildlife & Parks
Wildlife Division
Legal Bureau