



Montana Fish, Wildlife & Parks

P.O. Box 1630, Miles City, MT 59301

Telephone (406) 234-0900 ~ Fax (406) 234-4368

October 17, 2012

To:

Governor's Office, Sheena Wilson, PO Box 200802, Helena, MT 59620*

Environmental Quality Council, Capitol Bldg, Room 106, PO Box 201704, Helena, MT 59620 *

Montana Dept. of Environmental Quality, Bonnie Lovelace, PO Box 200901, Helena, MT 59620*

Montana Fish, Wildlife & Parks*:

-Director's Office (Coleen Furthmyre)

-Wildlife Division (Laura Geary)

-Legal Unit (Jessica Snyder)

-Design & Construction (Paul Valle)

-Lands Section (Heather Noel)

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-Fisheries Division (Beth Giddings)

Shane Colton, MT FWP Commissioner, 335 Clark, Billings MT 59101*

MT Dept of Natural Resources & Conservation, Eastern Land Office, PO Box 1794, Miles City MT 59301 *

Montana Historical Society, State Preservation Office, PO Box 201202, Helena, MT 59620-1202

Montana Environmental Information Center, PO Box 1184, Helena, MT 59624

Montana State Library, 1515 E. Sixth Ave, PO Box 201800, Helena, MT 59620

Janet Ellis, Montana Audubon Council, PO Box 595, Helena, MT 59624*

Montana Wildlife Federation, PO Box 1175, Helena, MT 59624*

Richland County Commissioners, 201 W. Main, Sidney, MT 59270*

Dave Harris, David Seitz*, Bill Harper, neighbors

Thomas Henderson, P.O. Box 62, Crane, MT 59217, neighbor

Ronald D. Linker, 5517 24th Ave S., Minneapolis, MN, 55417, neighbor

Richland Co. Pheasants Forever, George Biebl, 608 3rd St SE, Sidney, MT 59270

Dave Haverkamp, NRCS, 2745 W. Holly St, Sidney, MT 59270*

Sidney Area Chamber of Commerce & Agriculture, 909 S. Central Ave, Sidney, MT 59270*

Greg Mohr, Region 7 CAC member, 1809 14th St. SW, Sidney, MT 59270*

Emilie Boyles-Montana East Radio News*

(*sent electronically)

Ladies and Gentlemen:

Montana Fish, Wildlife and Parks (FWP), Region 7, has completed an environmental assessment (EA) for the Seven Sisters Wildlife Management Area Addition project. FWP proposes to purchase by fee title approximately 981 acres of riparian habitat and associated crop land acreage along the Yellowstone River near Crane, Montana, for addition to the existing 560-acre Seven Sisters Wildlife Management Area (WMA).

The EA can also be viewed on the FWP web site at: fwp.mt.gov, then Recent Public Notices.

The public comment period will extend until **5:00 p.m. Thursday, November 8, 2012.**

Written comments can be mailed or emailed to the address below:

Montana Fish, Wildlife & Parks
Attn: Brad Schmitz
P.O. Box 1630
Miles City, MT 59301
brschmitz@mt.gov

Thank you for your interest,

A handwritten signature in black ink, appearing to read "Brad Schmitz", written in a cursive style.

Brad Schmitz
Region 7 Regional Supervisor

Enclosure

Draft Environmental Assessment

Seven Sisters Wildlife Management Area Addition



October 2012



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

***Draft Environmental Assessment
Seven Sisters Wildlife Management Area Addition***

PART I. PROPOSED ACTION DESCRIPTION

1. Type of Proposed Action: Land Acquisition

Montana Fish, Wildlife and Parks proposes to purchase by fee title approximately 981 acres of riparian habitat and associated crop land acreage along the Yellowstone River near Crane, Montana, for addition to the existing 560-acre Seven Sisters Wildlife Management Area (WMA). The property to be acquired consists of an undeveloped 710-acre island parcel located on Seven Sisters Island and a 271-acre mainland parcel comprised of a mixture of riparian habitat and managed farm land.

- 2. Agency authority for the proposed action:** Montana Fish, Wildlife and Parks has the authority under state law (§ 87-1-201, Montana Code Annotated (MCA)) to protect, enhance, and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future, and to acquire land for this purpose (§ 87-1-209, MCA). In 1987, the Montana Legislature passed HB526 which earmarked hunting license revenues to secure wildlife habitat through lease, conservation easement, or fee-title acquisition (§ 87-1-241 and 242, MCA). The Habitat Montana Program, developed as a result of this legislation, provides direction for all FWP's wildlife habitat acquisition programs.

- 3. Name of Project:** Seven Sisters WMA Addition

- 4. Project Sponsor:**
Montana Fish, Wildlife & Parks Region 7
Industrial Site West
PO Box 1630
Miles City, MT 59301
(406) 234-0900

5. Anticipated Timeline:

Public Comment Period:	October 17 – Thursday, November 8, 2012
Decision Notice:	November 12, 2012
FWP Commission Final Consideration:	December 10, 2012
State Land Board Final Consideration:	December 17, 2012

6. Location:

The property is located in Richland County, approximately ten miles south of Sidney, about ¼ mile east of State Highway 16, in the vicinity of the community of Crane. The Yellowstone Valley Railroad borders the west edge of the mainland parcel. The property includes a large island in the Yellowstone River directly south and upstream of the existing Seven Sisters WMA.

The property comprises land in Township 21 North, Range 58 East, Richland County, and includes aliquot parts, lots or accreted lands in the following sections: 13, 14, 15, 22, 23, 24, 26, and 27.

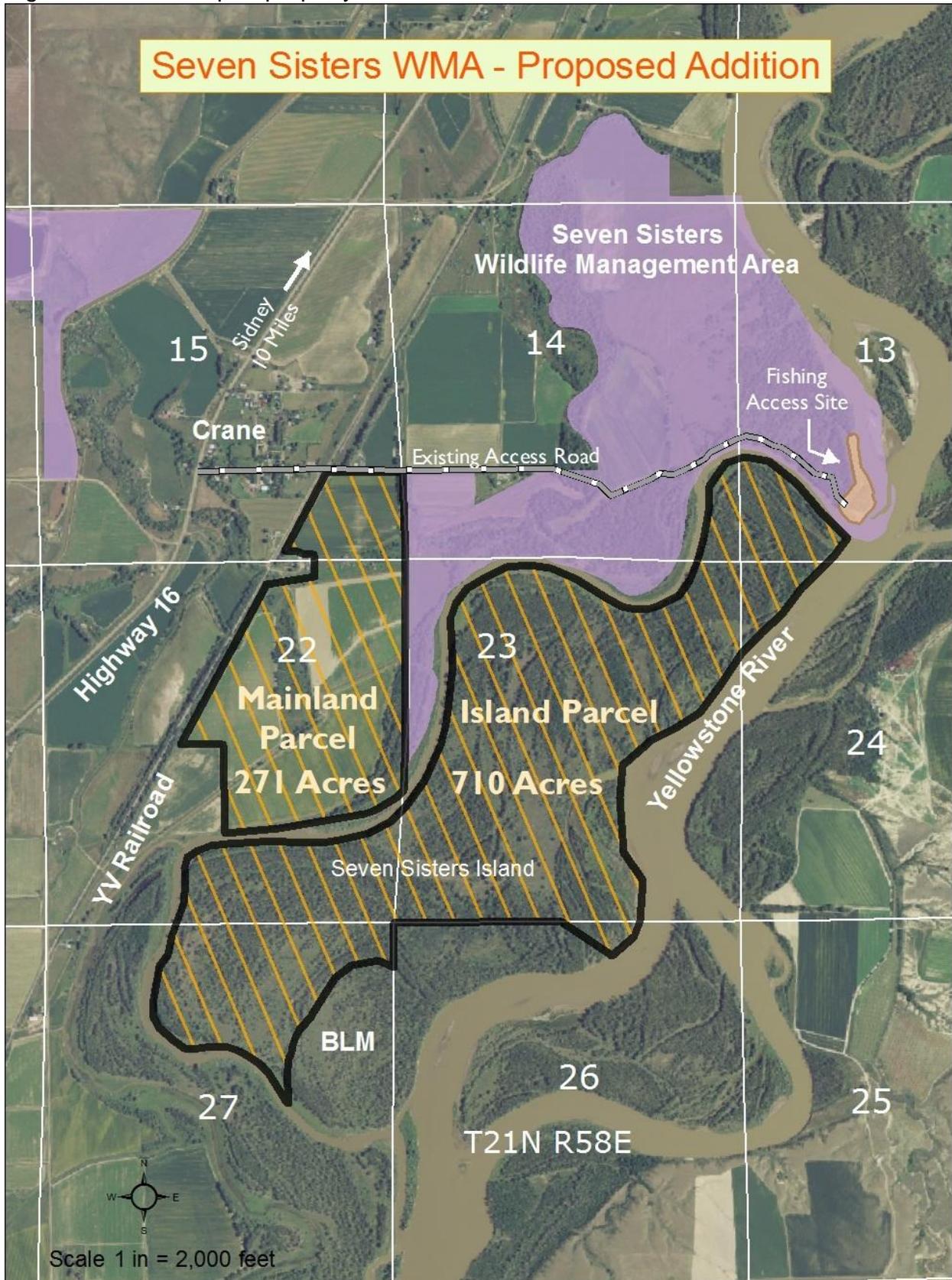
Please refer to the following location map and aerial map in Figures 1 and 2, respectively.

Figure 1: Location Map. Montana Highway Map showing approximate location of proposed addition to Seven Sisters Wildlife Management Area.



Figure 2 (next page): Aerial Map showing the approximate boundaries of proposed mainland parcel and island parcel to be acquired along the Yellowstone River, and existing Seven Sisters Wildlife Management Area and Fishing Access Site.

Figure 2. Aerial Map of property.



7. Project Size:

Approximately 981 acres are proposed for acquisition, consisting of a 710-acre island parcel and a 271-acre mainland parcel. Acreage listed below is more than the total to be acquired, as some lands fall into multiple categories.

The entire property is in the 100-year floodplain, though precise flood elevations have not been determined. (Federal Emergency Management Agency Flood Insurance Rate Map, Richland County, Montana and Incorporated Areas, Panels 1250 and 1275; map numbers 30083C1250C and 30083C1250C; Effective Date June 4, 2007)

Wetlands have not been surveyed on the ground; however, the US Fish and Wildlife Service National Wetlands Inventory database identified linear stretches of riparian wetlands along the southwestern edges of the island.
(<http://www.fws.gov/wetlands/>)

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain/Riparian	<u>710</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(b) Open Space/Woodlands/Recreation	<u>710</u>	Irrigated cropland	<u>271</u>
		Dry cropland	<u>0</u>
(c) Riparian Wetlands Areas	<u>1 to 5</u>	Forestry	<u>0</u>
		Rangeland	<u>0</u>
		Other	<u>0</u>

8. Local, State or Federal agencies with overlapping or additional jurisdiction:

(a) Permits:

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
N/A		

(b) Funding:

Habitat Montana Fund (hunting license money)	up to	\$1,285,000
State Wildlife Grant (federal grant)	up to	<u>\$ 200,000</u>
Total Purchase Price –		\$1,285,000

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name:</u>	<u>Type of Responsibility</u>
Richland County Weed District	weed inventory (attached)
FWP Commission	purchase approval
Montana State Land Board	purchase approval

9. Narrative summary of the proposed action:

Montana Fish, Wildlife and Parks (FWP) proposes a fee-title purchase of approximately 981 acres in Richland County, using a combination of Habitat Montana funds (hunting license dollars) and State Wildlife Grant funds; the exact amount from each source has not been determined. The property is adjacent to Seven Sisters Wildlife Management Area (see Figure 2 above), and would be included within and managed as part of the WMA. The total purchase price is \$1,285,000, as established by independent appraisal.

Acquisition and management of this site would expand and enhance the functionality of the WMA for wildlife habitat connectivity and recreation. The acquisition increases public access to more than a mile of main stem Yellowstone River and another mile of side channel, and provides for recreational use of 981 acres on the island and mainland. River access is provided by foot from nearby parking areas, or by a boat ramp located at the existing two-acre Fishing Access Site (FAS) adjacent to the WMA.

Features

Approximately 797 acres (81% of the property) is native Yellowstone River riparian habitat. Native vegetation includes plains cottonwood, green ash and juniper stands with a mixture of buffaloberry, chokecherry and snowberry thickets. Belts of Russian olive and willow are also present along the river and the irrigation canals.



The majority of the irrigated cropland (184 acres) is currently managed for sugar beets, wheat and pea production. Much of the cropland is flood irrigated with water supplied from the Lower Yellowstone Irrigation District. A pump with small housing does assist in irrigating about 50 acres. Current annual fees of \$7,000 would pay for irrigation rights on the property.

No buildings or other structures (excepting pump house above) are included with the property. Fences around the perimeter and along some crop lines are in various conditions.

Road access on the western property boundary would be included in the transaction, but this road would be used for only FWP administrative purposes. This would provide access for crop production activities, site management and emergency access. Other developed or pioneered roads within the property would remain closed to public vehicles except to provide access to designated parking areas.

The current landowner would retain oil and gas rights under the entire property. However, any exercise of these rights associated with the island parcel would be permanently restricted by a deed provision to 'no surface occupancy,' thus prohibiting exploration or development activities on the Seven Sisters Island. Oil and gas rights on the mainland parcel are currently leased to a third party, and development of a single well in the northern part of that mainland parcel is anticipated in 2013. The footprint of this well is anticipated to be less than five acres, and the site would be reclaimed following the end of the exploration and/or development activities.

FWP would acquire all of the landowner's hard rock mineral rights, along with the rights to gravel and other surface materials, to protect the integrity of the land surface.

Management Objectives and Wildlife Values

This proposal meets two of FWP's three major objectives for the Wildlife Division: habitat protection and enhancement, including the Habitat Montana priority of conserving riparian habitat, and promoting public recreational access. If this parcel was purchased, management would be included in and coordinated with the goals outlined in the existing Seven Sisters WMA Management Plan (see addendum in Appendix A). These goals include continued growth and development of existing riparian cottonwood zones, wetlands and natural areas. Much of the crop land in production (about 184 acres of the 271 mainland parcel) would likely remain in crop production. This may be through a share-cropping arrangement with a local private agricultural operator. The share-crop arrangement would be opened for public bid. In this type of arrangement, the operator would retain a portion of the crop for commercial benefit and leave a portion of the crop in the field for wildlife food (winter food plot) and cover. The remainder of the property would be managed for dense nesting cover, brood rearing, and hiding cover for the benefit of resident wildlife.

This property within the Lower Yellowstone River focus area consists chiefly of prime cottonwood riparian community type, a type identified as greatest conservation need, according to FWP's Comprehensive Fish and Wildlife Conservation Strategy.

The proposed acquisition and management has the following goals, in keeping with the Comprehensive Strategy, Region 7 priorities, and public opportunities:

- Develop long-term riparian and wildlife best management practices while sustaining recreational resources;
- Modify riparian practices such that riparian vegetation is allowed to recover;
- Work toward protection and enhancement of riparian areas;
- Promote productive cottonwood stands in river corridors;
- Improve public recreation opportunities.

This property holds valuable habitat for many of the 127 vertebrate species that have been documented in the lower Yellowstone River. The pallid sturgeon, a federally listed species, has been observed in this section of the Yellowstone River, along with 12 State Species of Concern and 11 Tier 1 species listed in the Comprehensive Strategy as species in Greatest Need of Conservation. See attached *List of Species Known or Expected to Occur Along the Lower Yellowstone River* (Appendix B)

Recreational Access

The property proposed for acquisition is accessible off Montana Highway 16 by a good gravel county road, which is also the current main access road for the Seven Sisters WMA. This property also provides access to the Yellowstone River. The landowners have historically allowed limited free public access for various recreational activities, including: big game hunting, bird and waterfowl hunting, boating, fishing, trapping, wildlife watching and rock collecting (agate picking).

Existing roads would serve both areas, and vehicles would be limited to designated roads; the remainder of the WMA would be open to walk-in or boat-in access. Parking would be designated and signed in areas that currently show evidence of use and/or are proximate to high-use areas. About ¼ mile of existing two-track road would be graded and graveled to access a parking area on the north edge of the acquired property. A foot bridge would also be improved to provide better walk in access.

The property would be open to public hunting as allowed under FWP hunting regulations. White-tailed deer, pheasant, turkey and waterfowl are species commonly hunted in this habitat. A safety zone would be established and signed around the 5-acre home site on the northwest border of the mainland parcel to improve safety during hunting activities. A review of existing Block Management areas along the Yellowstone River, and considering that the property is adjacent to the Seven Sisters WMA, suggests a minimum of 700 hunter days per year could occur on the property, with opportunities for bow, shotgun, or rifle hunting for species such as: upland birds, waterfowl, turkey and deer.

Overall use has nearly tripled over the last year or two primarily from area oilfield activity and an influx of associated workers. Visitation for both WMA properties and the FAS combined is estimated to be about 25-30,000 visits annually, based on current use observations and other FWP sites in the area. This influx of use is largely related to unhoused workers from the Bakken oilfield boom seeking a place to stay (camping),

rather than a tremendous increase in recreational interest in Seven Sisters Wildlife Management Area.

Overnight camping would be limited to designated parking areas with a seven-day limit and occupancy required daily. Vehicles would not be allowed on the island or off of designated routes. All other Seven Sisters WMA regulations would apply also to this property, such as prohibitions on the use of fires, fireworks, littering, and vandalism.

Fencing around the perimeter of the mainland parcel would be repaired or installed as needed, and boundary identification signs would be hung every quarter mile to reduce trespass on neighboring private land. Trespass hunting has been a significant problem on the property. Adding the property to the Seven Sisters WMA would provide more distinct boundaries, comprised of roads, the railroad and the river. When combined with proposed signing and fencing, the proposed land acquisition may reduce trespass and impacts to neighbors, both due to the enlarged public access area and distinct boundaries between public and private lands. There are no plans for any fencing on Seven Sisters Island parcel. On the mainland parcel, the existing fence that separates the existing WMA from the now-private mainland parcel would be removed to ease wildlife and public movement, once the land is acquired by FWP.

The boat ramp at the adjacent Seven Sisters FAS provides close access to both the main stem Yellowstone River and the side channel creating the large island. Anglers commonly fish for paddlefish, catfish, sauger, walleye, and goldeye. Boaters could access the island for hunting or other recreational pursuits using the boat ramp at Seven Sisters FAS. Small boats may be able to hand launch from designated parking areas to access the island or side channel. Bank anglers can walk in to the side channel from a variety of locations.

The following FWP sites provide access along the Yellowstone River upstream (south) and downstream (north) of Seven Sisters WMA and the proposed land acquisition:

- Intake FAS – 93 acres – 24 miles upstream
- War Dance Island WMA – 12 acres – 19 miles upstream
- Elk Island WMA – 1510 acres – 7 miles upstream
- Seven Sisters WMA – 560 acres – existing Fishing Access Site
- F Island WMA – 119 acres – 4 miles downstream
- Sidney Bridge FAS – 2 acres – 10 miles downstream
- Diamond Willow FAS – 82 acres – 17 miles downstream

10. Description and analysis of reasonable alternatives:

Alternative A: No Action

Under the No Action Alternative, FWP would not purchase the property. Wildlife would not benefit from a larger habitat connecting riparian along the river with crop land and forage. Trespass hunting would likely continue. The property would likely be sold to another buyer and the public would likely lose access to this land and the Yellowstone River for a variety of hunting and recreational activities. Furthermore, wildlife habitat may diminish if a new owner initiates intensive land management activities and thus impacts the predominant natural habitat on the property.

Preferred Alternative B: Proposed Action

FWP proposes to purchase approximately 981 acres to manage in concert with the adjacent Seven Sisters WMA. Through the Proposed Action, FWP would secure permanent public access to this land and an additional reach of the Yellowstone River. Management would protect and enhance the cottonwood riparian community, and produce crops and cover on some or all of the developed agricultural land to support resident wildlife.

Alternatives Eliminated from Further Study

Partial Property Purchase. During negotiations, the landowner and FWP discussed various possible land-acquisition scenarios; however, the landowner decided to sell the entire property as proposed in this EA. Thus, other combinations of parcels or alternate acquisition configurations are not being considered.

Conservation Easement. An alternative to purchasing fee-title ownership would be to purchase a conservation easement on the property. The landowner, however, was not interested in continuing to own the property, so a conservation easement was not a viable option and is not an alternative considered in the scope of this EA.

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

Biological Resources: The proposed acquisition conserves and enhances a wetland/riparian and cropland complex along the lower Yellowstone River which is highly diverse and productive wildlife habitat. At least 127 vertebrate species are known to use this type of habitat.

This proposal is a unique opportunity to stem trends that tend to be detrimental to wildlife habitat and public recreation opportunities. The quality of the habitat along the Yellowstone River valley varies due to population growth and housing developments; clearing for beets and grain production; over-grazing, especially in winter; and housing developments. The proposal to continue current agricultural practices, food plots and native habitat would protect and enhance a

very valuable wildlife habitat mosaic. The property will be jointly managed according to the values and methods in the Seven Sisters WMA management plan with minor enhancements (see Appendix A).

Property management would continue and enhance year-round habitat for a variety of native species of neotropical migratory birds, endemic songbirds, a host of small mammals, and bats. FWP acquisition would maintain a large stretch of Yellowstone River corridor which is important habitat for migratory wetland birds during the summer reproductive season and annual migration. Two active bald eagle nests are located along the Yellowstone River within two miles of the property and winter use is common. The property would continue to provide year-round habitat for white-tailed deer, pheasants and wild turkey.

Weed Management

If FWP acquires the land, the department would incorporate the property into the Statewide Integrated Weed Management Plan, which manages weeds using mechanical, biological and chemical methods as determined to be most appropriate and effective to address local weed problems. The Richland County Weed Supervisor has reviewed the property and provided input to manage weeds (see Appendix C). FWP often contracts weed control efforts with the local county which has licensed applicators, equipment and knowledge to assist. State herbicide-use laws and regulations are followed. Application records are submitted to the Montana Department of Agriculture and available upon request, as required. The current landowner has worked to control weeds on the crop land, but less aggressively in the riparian areas.

Increased use at the site may lead to a slight increase of weed infestations; however, FWP would limit vehicle usage to the designated access roads. This would confine the potential introduction of weeds to areas that are hardened, readily visible and manageable. The island offers additional challenges in weed control due to seed sources upstream transported daily and during flood events. Costs to effectively combat weeds would be higher due to the logistics of transporting crews, chemical and equipment to an island, as well as the cautions required when treating weeds near water. The island, however, may be a prospect for biological weed control, mechanical, or other weed control methods.

Recreational Use and Public Safety

Fencing, signing and FWP enforcement activities would limit vehicle travel to designated routes and reduce the creation of pioneered roads. Unauthorized off-road travel impacts vegetation, spreads weeds and often leads to additional pioneered roads. Designated parking areas would provide walk-in access to the property. Vehicles would not be allowed on the island. No shooting/safety zones would be delineated and signed around homes or other high-use areas to improve public safety during hunting seasons. Camping would follow existing Seven Sisters WMA regulations, which currently limits stays to seven days and require occupancy during every 24-hour period. These regulations are intended

to prevent use of the WMA for long-term residency by area workers, yet provide for public hunting and recreational uses of the WMA.

Summary

In recent decades, land-use and ownership changes along the lower Yellowstone River have resulted in reduced acreage of prime riparian wildlife habitat and the loss of lands available for public recreational opportunities. The proposed land acquisition by FWP and inclusion into the Seven Sisters WMA is a logical way to protect valuable riparian habitat and public recreation opportunities along the Yellowstone River. The purchase of this property by FWP would ensure that conservation values, wildlife habitat, and public recreational access would remain intact in perpetuity.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

The analysis of the physical and human environments discussed on the following pages is limited to Preferred Alternative B, Proposed Action. The potential impacts of Alternative A, No Action are impossible to define since the potential sale is left to the discretion of the current owners and land management options at the discretion of the next owner.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
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				

The proposed FWP acquisition would likely offer positive impacts to soil stability, and reduce siltation, deposition, and erosion patterns due to the intent to allow cottonwood riparian zones to regenerate and portions of crops to stay in the field for winter food plots. As with current farming practices, there may be temporary disruption or displacement when planting crops for food plots. No changes are anticipated that would alter soil stability, unique geologic or physical features, or expose people or property to a variety ground failures.

The landowner would retain oil and gas rights to the property; thus petroleum exploration and production would proceed on the mainland. Well development on a portion of the mainland agricultural land is anticipated in 2013, and this would be expected to disrupt soils and vegetation on five acres or less, including an access road to the drilling site. No mineral development will be allowed on the island parcel. Surface mining for removal of gravel or other minerals would not be provided for on either the island or the mainland parcel.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
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				

Due to similar management practices and enhanced riparian and wetlands conservation, air quality is not expected to change.

3. <u>WATER</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
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				

FWP acquisition of the property and management as a WMA would have no effect on existing quality, quantity or flooding of natural surface waters or groundwater. The minor ground improvements proposed, such as delineating existing parking areas with signs, grading and gravelling, existing routes, gates and perimeter fencing would not impact surface drainage or runoff. There are sufficient buffer zones and vegetation surrounding roads and parking areas, that typical precipitation events would be absorbed. Additional roads are not intended, as the site would accommodate walk-in use only.

The entire property is within the 100-year floodplain. Due to increased public use, more people may be exposed to floodwaters when they occur. If road conditions are flooded, FWP commonly closes sites to reduce public danger and road degradation. Main land fencing would reduce the risk of people attempting to illegally access the island by vehicle when waters are low in the side channel.

Irrigation rights would transfer to FWP with no change in allocated volume. These rights stem from Lower Yellowstone Irrigation District ditch. Crop lands on the property have typically been

flood irrigated by gravity and aided by a pump. This practice would likely continue with perhaps some modifications to meet the new management focus of raising food plots and habitat restoration efforts.

4. <u>VEGETATION</u> Will the proposed action result in?	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X positive			4a.
b. Alteration of a plant community?			X positive			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			4d.
e. Establishment or spread of noxious weeds?			X positive			4e.
f. Will the project affect wetlands, or prime and unique farmland?			X positive			4f.

Currently, the native riparian habitat is mostly an intact functioning riparian system with dense stands of plains cottonwood, willow, green ash and juniper stands and a mixture of buffaloberry, chokecherry and snowberry thickets. When combined with the proposed cropland complex, the addition offers a highly diverse landscape and productive wildlife habitat.

Impacts to the plant community would be limited through site protection measures, including signs, fencing and parking area delineation to preclude off-road traffic. Management would promote walk-in use; vehicles would be limited to designated parking areas and established roads. Motorized vehicles would not be allowed on the island, even during times of low water.

There would be no significant changes to agricultural production as irrigated crop production would continue to provide some commercial crop production with some crop remaining in the field for wildlife food and cover.

4a. The property would be managed similarly, but with a higher emphasis on conserving existing riparian vegetation and certain agricultural crops in an effort to provide additional wildlife forage and habitat.

4b. FWP would evaluate alternative solutions for cropland in an effort to provide food plots for resident wildlife, expand riparian habitat, and improve nesting cover. Certain plant communities offer prime wildlife habitat and will be conserved or enhanced.

4c. Management as proposed would likely benefit potential vegetative species of concern due to reduced vehicle travel and disturbance, weed control efforts and land management practices that conserve and enhance native riparian growth. In a database search conducted

by the Montana Natural Heritage program, two Montana species of concern were recorded in the vicinity of the subject property: Prairie goldenrod and Silky prairie clover. The Montana Field Guide describes habitat for both species in dryer grasslands or sandy sites, not riparian zones. Neither species is federally listed.

4d. A small reduction in agricultural production to market may be seen in an effort to provide more cover and food plots for wildlife. These practices would leave wider buffer zones along ditches and certain portions of field crops.

4e. This parcel currently has infestations of Canada thistle and leafy spurge. The Richland County Weed Report is included in Appendix C. The proposed acquisition would not induce the expansion of noxious weeds in the area. If the acquisition is approved, FWP would initiate the Statewide and R-7 Weed Management Plans using an integrated approach to control the noxious weeds on the property by using chemical, biological and mechanical methods. In addition, Region 7 has cooperative agreement with the Richland County Weed District to manage weeds along roadways and interior lands. Weeds have likely been introduced historically through past flood events and perhaps some vehicle traffic.

Controlling weeds on the island would be a challenge due to the continual recurrence of flooding events which transport weed seeds from upstream. The feasibility and cost effectiveness of a weed control program here would be considered with consultation from the County Weed District and agency weed control specialists. Biological controls have been successful in other areas and may provide a reasonable alternative.

FWP would aggressively manage weeds on the mainland to facilitate the restoration of native vegetation and high crop yield. In addition, motorized vehicles would be restricted to existing designated roads, which would help prevent the spread of noxious weeds. Because FWP already manages the Seven Sisters WMA, the adjacent addition would be easily integrated into current management and cooperative weed control efforts with Richland County.

4f. Wetlands are identified along the southwestern edges of the island parcel according to the U.S. Fish & Wildlife Service Wetlands Inventory Mapping website. FWP habitat protection and enhancement management practices would not negatively impact these wetlands.

According to the USDA Natural Resources Conservation Service National Cooperative Soil Survey, nearly all of the property soils are classified as prime farmland if irrigated. The crop lands are dominated by Lohler and Havrelon silt loams or silty clays. The majority of the irrigated cropland is currently in beet, wheat or pea production. The 710 acres of island parcel is classified as Cherry, Havrelon and Trembles soils that are occasionally flooded, and this parcel has not been farmed. Some grazing may have occurred historically. Conservation practices on the property will maintain the quality of these soils and potential farmlands.

** 5. FISH/WILDLIFE	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Will the proposed action result in:	Unknown *	None	Minor *		
a. Deterioration of critical fish or wildlife habitat?			X positive			5a.
b. Changes in the diversity or abundance of game animals or bird species?			X positive			5b.
c. Changes in the diversity or abundance of nongame species?			X positive			5c.
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?			X positive			5e.
f. Adverse effects on any unique, rare, threatened, or endangered species?			X positive			5f.
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			5g.

The Yellowstone River riparian corridor is key to maintaining stable white-tailed deer, pheasant, turkey, furbearer and native species populations primarily because of the winter habitat located there. Most of the surrounding uplands lack suitable winter habitat components, so this habitat is key to maintaining huntable, populations of these important game species. It also provides habitat for many more nongame species, both migratory and resident.

The proposed acquisition would protect and enhance a highly diverse and productive wildlife habitat area. The property provides year round habitat for a variety of native species of neotropical migratory birds, endemic songbirds, a host of small mammals, and bats. The Yellowstone River provides important habitat for migratory wetland birds during the summer reproductive season and annual migration. American kestrels, northern harriers, red-tailed hawks, Swainson's hawks, and common nighthawks are fairly common. Belted kingfishers, American white pelicans and great blue herons are also found along the Yellowstone River. Two active bald eagle nests are located along the Yellowstone River within 2 miles of the property and winter use is common. The properties provide year round habitat for white-tailed deer, pheasants and wild turkey.

As per a search by the Montana Natural Heritage Program, there is also potential for federally endangered species such as the Whooping crane, Least tern, and Pallid sturgeon, in the area. Other species of concern in Montana that may occupy the property or this reach of the river at least seasonally, include: the Veery, Loggehead shrike, Paddlefish, Shortnose gar, Northern redbelly dace, Sturgeon chub, Sicklefing chub, Blue sucker, Sauger, Hoary bat, Meadow jumping mouse, and Spiny softshell. A full list of species known to occur along the Yellowstone River corridor can be found in the Appendix B.

5a. As described above, current wildlife habitat would be protected and additional habitat would be developed.

5b/c. The addition of food plots, increased cover, dense nesting habitat and protection of existing riparian and wetland habitats is expected to increase the diversity and abundance of native game and non-game species.

5d. FWP has no intentions to introduce new species to this area; nor is the risk considered to be greater for new species being inadvertently or purposefully introduced by the public if the proposed acquisition is completed.

5e. FWP management of the Seven Sisters WMA and the new addition would be combined and therefore enlarging the footprint of the WMA. A fence currently dividing these properties would be removed, thus eliminating a minor wildlife barrier. Some fencing is needed to manage public use and vehicle travel. Fencing along the railroad track would be repaired or rebuilt as needed. Fencing can be installed in ways that minimize the impacts on wildlife passage, such as raising the bottom wire or using smooth wire. The larger property and management practices would provide connectivity between wildlife habitats from upland, forage and riparian zones, with fewer barriers.

5f. The Least Tern, Pallid Sturgeon, Paddlefish, Sturgeon Chub, Blue Sucker, Sauger, Meadow Jumping Mouse, and the Spiny Softshell all may occur in the vicinity. The Least Tern and Pallid Sturgeon are listed as "Endangered" and the remaining species are classified as sensitive. All these species may pass through this parcel or occur in this reach of river, and would benefit from the acquisition and proposed conservation focused management. Plans are to maintain this habitat type in its present intact state and improve habitat and cover, resulting in benefits to many species.

5g. FWP management of the property combined with the Seven Sisters WMA would provide opportunities for hunting whitetail deer, upland pheasants, and waterfowl as allowed by annual hunting regulations in Region 7. Regional biologists analyze game animal populations annually and the effects of habitat enhancement efforts, hunting and other factors. Acquiring the additional 981 acres allows more flexibility to positively affect animal health and manage populations.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
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				

Public use of a WMA does not typically create major noise other than during hunting seasons when rifles or shotguns are fired. The homes nearest the parcel are along the property's western and northern boundaries. Shooting is not allowed from the roadways. Hunting is a traditional and common activity in the area and would not be considered a severe or nuisance noise levels. Safety zones would be established where appropriate; fencing and signs would delineate the WMA boundaries. These precautions would help keep shooting for hunting purposes in the designated WMA and away from residences.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X			7a.
b. Conflict with a designated natural area or area of unusual scientific or educational importance?			X positive			7b.
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				

Management of the property would be absorbed into the existing Seven Sisters WMA, thus no conflicts are anticipated due to similar existing management on these adjacent lands. FWP would work to manage use on the WMA in ways that minimizes conflicts with neighbors, such as providing adequate parking, fencing and signage that the public can easily recognize public/private land boundaries.

7a. The 184 acres of cropland proposed for acquisition would be managed very similarly to current practices for some commercial production with additional wildlife habitat and forage. The proposed crop share arrangement may slightly reduce profitability in the future if more emphasis is placed on habitat and wildlife winter food. This would be negotiated with the operator. In some cases, changes in productivity may be negligible depending on the crop, the seasonal growing conditions, the agreement negotiated, and public interest in farming this parcel.

7b. The Yellowstone River riparian zone provides a diverse and productive habitat. Conserving this habitat would maintain and conserve natural areas for over 100 species and retain opportunities to study this ecosystem.

8. <u>RISK/HEALTH HAZARDS</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Will the proposed action result in:	Unknown *	None	Minor *		
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		Yes	8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				8b.
c. Creation of any human health hazard or potential hazard?		X				

8a. If acquired, the Statewide and R-7 weed management plans call for an integrated method of managing weeds. The use of herbicides would be in compliance with application guidelines and conducted by people trained in safe application techniques. Weeds may also be controlled using mechanical or biological means in certain areas to reduce the risk of chemical spills or water contamination. Public vehicles would be limited to designated roads and parking areas, thus the risk of contamination from random vehicle leaks is very minimal.

8b. The public would be using the same access routes currently used for the Seven Sisters WMA. FWP works closely with county emergency response teams to respond to public accidents. An administrative access road would be maintained along the western edge of the cropland to better access the southern portion of the parcel. FWP staff and boats would assist with emergencies by river. Vehicles will continue to cross the railroad tracks to access public and private properties.

Richland County has seen a large increase in the number of emergency responses over the last year, according to the *Sidney Herald*. This is primarily due to the influx of people associated with the area oil industry development. The proposed land acquisition is not expected to have a significant impact on the county emergency response teams due to several factors: 1) limited improvement and therefore limited additional parking/camping on the mainland parcel; 2) recent restrictions to overnight use; 3) no vehicle access to the island; and 4) increased enforcement by FWP game wardens, along with periodic biologist presence in the immediate area to better manage use.

No additional human health hazards are anticipated by the acquisition. Improved fencing and oversight may reduce the risks when drivers attempt to illegally cross the river at low water periods to reach the island.

9. COMMUNITY IMPACT Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?			X		yes	9a.
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				9c.
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				

9a. The fee title acquisition would provide additional recreational access. Access would be walk-in only and vehicles would be limited to existing roads. One or more parking areas may be established near the access roads as necessary to manage visitor levels and decrease potential resource impacts.

Visitation may increase somewhat due to the additional acreage open to public recreation. Use of the adjacent Seven Sisters WMA and the FAS has nearly doubled in the last one to two years. Staff observations and comparisons to other sites along the Yellowstone River indicate that approximately 25-30,000 people would visit the Seven Sisters WMA annually. This increase seems to stem from the influx of people and lack of housing for those affiliated with the oil field development. The increased visitation would not be directly due to the addition of more public land for wildlife habitat or for hunting, fishing and wildlife viewing activities typically seen at WMAs, but more for camping, and a mix of day use activities not directly related to traditional WMA use.

FWP enforcement presence would increase in the near future due to the filling of a vacant FWP Warden position. Use numbers may continue to increase somewhat with the proposed acquisition, but minimizing new road access, signs, boundary fences and effective enforcement of WMA regulations should help limit improper or illegal uses of the site.

9c. The proposed acquisition would not alter the social structure or employment in the area.

Please refer to the Socio-Economic Assessment in Appendix D.

10. PUBLIC SERVICES/TAXES/UTILITIES	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
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			10a
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						10e.
f. Define projected maintenance costs.						10f.

10a. After initial improvement costs, such as fencing and signing, minimal services would be needed beyond what FWP staff are currently providing at Seven Sisters WMA. FWP would be responsible for these services, including: future fence maintenance, weed control in cooperation with Richland County Weed District, fish & wildlife law enforcement, and litter pick up on the site. FWP enforcement staff currently patrol the existing WMA and would also patrol the additional land and continue to cooperate with local law enforcement.

10b. FWP is required by law to pay property taxes in an amount equal to that of a private individual. FWP would continue to make the annual tax payments based on the assessment provided by Richland County (currently \$1,625). Additionally, FWP would pay the Lower Yellowstone Irrigation District its annual assessment of approximately \$7,000 for the water used for crop land irrigation.

10e. FWP is not expected to gain revenue from the proposed acquisition. A possible share crop lease may be entered to continue farm practices, provide wildlife habitat and wildlife winter forage. Typically there is no net gain in this arrangement as the lease value or profit is often invested in the parcel. FWP would evaluate various habitat management alternatives and their cost effectiveness.

10f. Initial costs to maintain this property would be higher than subsequent annual costs. In an effort to manage public use and limit trespass on neighboring properties, FWP would invest approximately \$20,000 in fencing, road and parking area improvements, gates, footbridge, and signs. Annual weed control and upkeep of the above items would likely cost several thousand dollars. Because the Seven Sisters WMA is adjacent to the property proposed for acquisition, management costs would be less than at a new isolated property. The area biologist and local FWP Warden (based in Crane) are already traveling to the site and monitoring the area. The acquisition would require some redirection of some of the Glendive biologist's time to implement the on-the-ground management applications and habitat enhancements including developing new plantings, fencing and improvement of the food plots. The majority of this time commitment will be short-term and the project should not require significantly more daily management effort than is being expended now.

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
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?			X positive			11c.

11c. The property is accessible off Montana Highway 16 by a good gravel county road. The landowners have historically allowed limited free public access for various recreational activities including hunting, fishing, trapping and agate picking. FWP acquisition would allow more public access – limited only by stay limits, parking and other management regulations common to public property and resource conservation. After reviewing the existing Block Management areas along the Yellowstone River and taking into account that the property is adjacent to the Seven Sisters WMA, Region 7 staff suggests a minimum of 700 hunter days per year could occur on the property.

This is a unique opportunity to purchase Yellowstone River bottomland and frontage, and to expand the footprint of an existing WMA for public use and enjoyment. The property offers excellent opportunities for wildlife viewing, berry and agate picking, hiking, photography, and nature study.

Recently, several Yellowstone River properties in the area have sold to parties that have closed public access for recreational activities. This trend has increased in recent years and is expected to accelerate. A change in ownership would likely reduce FWP's ability to conserve and enhance habitat on this property and potentially lose public access to several miles of Yellowstone River and side channel, access and outstanding upland recreational hunting opportunities.

FWP ownership of the property would help minimize recreational conflicts with neighbors due to enlarging the WMA, creating more definitive property boundaries with signing and more enforcement presence.

12. CULTURAL/HISTORICAL RESOURCES	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
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				

The continuation of hunting and recreation and some degree of crop production as proposed, would continue the historic activities and similar cultural values held in this area. Areas proposed for surface disturbance, such as graveling existing parking areas, fencing, and farming have been disturbed previously for similar uses. The proposed projects do not include excavation, but simply over covering (gravel). The FWP cultural resource liaison and/or State Historic Preservation Office would be consulted prior to the proposed improvements.

SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
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 positive			
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				

The proposed acquisition is expected to have no significant negative cumulative effects on the physical and human environments.

The Yellowstone River riparian corridor is key to maintaining stable white-tailed deer, pheasant, turkey, furbearer and native species populations primarily because of the winter habitat located there. Most of the surrounding uplands lack suitable winter habitat components, so this habitat is key to maintaining huntable populations of these important game species. It also provides habitat for many more nongame species, both migratory and resident. The recent mineral development and private property sales in the region indicate that there is risk of losing this valuable habitat and public access. Traditional landowners along the Yellowstone River continue to receive increasing pressure to sell their land for recreational purposes, and the outlook for any continued public recreational use of the property would be doubtful, if it is not acquired by FWP.

PART III. NARRATIVE EVALUATION AND COMMENT

The proposed acquisition on the Yellowstone River would allow FWP to conserve and enhance wildlife habitat and provide public access to hunters and recreationists in perpetuity. As housing and industrial developments expand to this region, pockets of native riparian vegetation become more valuable to provide habitat for cover and forage to maintain wildlife populations for recreation and hunting activities.

The proposed land acquisition would have no significant negative cumulative effects on the physical and human environments. When considered over the long-term, this action poses positive effects for conserving unique cottonwood riparian zones and the public's continuing access to a scenic reach of the Yellowstone River. In combination with the continued crop land management, this mosaic of wildlife habitat is a prime resource.

The minor impacts that were identified in the previous section are small in scale and would not influence the overall environment of the immediate area. The natural environment would continue to exist to provide habitat to transient and permanent wildlife species. If acquired, the WMA would be open to the public for access to the river for bank and wade fishing, floating activities, deer hunting, upland game bird hunting, waterfowl hunting, trapping, hiking, wildlife viewing, berry and agate picking.

PART IV. PUBLIC PARTICIPATION

1. Public Involvement:

The public will be notified in the following manner about the proposed action and alternative considered, and how to comment on this current EA:

- One Public Notice in each of these papers: *Sidney Herald*, *Billings Gazette*, and *Helena Independent Record*;
- One statewide press release;
- Public hearing October 30 from 7:00 pm to 9:00 pm at the Ag Extension Building, 1499 North Central Avenue, Sidney, MT
- Direct mailing to adjacent landowners and interested parties;
- Public notice on the FWP web page: <http://fwp.mt.gov>.
- Copies will be available for public review at FWP Region 7 Headquarters.

This level of public notice and participation is appropriate for a project of this scope, and having few limited physical and human impacts. A public hearing is required by Habitat Montana projects as per MCA 87-1-241 (2). The Richland County Commissioners are also provided direct notification of the proposed acquisition as required.

2. Duration of comment period

The public comment period will be open and comments **received by 5:00 pm, Thursday, November 8, 2012** (21 days) and can be mailed to:

Seven Sisters WMA Addition
Montana Fish, Wildlife & Parks, Region 7 Headquarters
PO Box 1630 - Industrial Site West
Miles City, MT 59301

Or email comments to: brschmitz@mt.gov

PART V. EA PREPARATION

1. **Based on the significance criteria evaluated in this EA, is an EIS required? NO.**
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

No, an EIS is not required. Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment, this

environmental review found no significant impacts from the proposed land acquisition. In determining the significance of the impacts of the proposed project, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the importance to the state and to society of the environmental resource or value affected; any precedent that would be set as a result of an impact of the proposed action that would commit MFWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

2. Persons responsible for preparing this EA:

Scott Denson, R7 Wildlife Manager, Miles City
Melissa Foster, R7 Biologist, Glendive
Hugh Zackheim, Lands Program Manager, Helena
Sue Dalbey, Dalbey Resources LLC, Glasgow

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

- Richland County Weed District
- Montana Fish, Wildlife & Parks
 - Wildlife Bureau
 - Lands Section
- Department of Natural Resources Floodplain Mapping website
- U.S. Fish & Wildlife Service Wetlands Inventory Mapping website
- Natural Resources & Conservation Service Soil Inventory website

APPENDICES

- A. Seven Sisters WMA Management Plan Addendum
- B. List of Species Known or Expected to Occur Along the Lower Yellowstone River
- C. Richland County Weed Inspection and Report
- D. Socio-Economic Assessment

APPENDIX A
Seven Sisters WMA Management Plan Addendum
SEVEN SISTERS WILDLIFE MANAGEMENT AREA MANAGEMENT PLAN ADDENDUM

Introduction

This document is intended to provide management direction for the Seven Sisters Wildlife Management Area (WMA) addition. The addition will be included in the existing Management Plan for the Elk Island Wildlife Recreation Area And The Seven Sisters Wildlife Recreation Area, 1990. Both these areas have been renamed as Wildlife Management Areas.

The Goals, Objectives and Strategies as stated in the management plan are the same for the new addition. The main management goal for the Seven Sisters WMA and the addition is to maximize hunting opportunity, primarily for white-tailed deer (*Odocoileus virginianus*) and pheasants (*Phasianus colchicus*) consistent with maintaining wildlife populations and habitat on the area in a viable, healthy condition.

Project Description

The property comprises land in Township 21 North, Range 58 East, Richland County, and includes aliquot parts, lots or accreted lands in the following sections: 13, 14, 15, 22, 23, 24, 26 and 27. Approximately 981-acres are proposed for acquisition, consisting of a 710-acre island parcel and 271-acre mainland parcel.

Management Strategies

1. The entire addition will be managed as a walk-in only area with access from the parking area located on the Seven Sisters WMA North of the 271-acre mainland parcel. Access to the 710-acre island parcel would be from the Yellowstone River or across the river channel from the mainland parcel. Existing roads and trails will be managed as maintenance access.
2. The agricultural land on the mainland portion will be managed as cropland to benefit wildlife and included in the agreements with the present or future lessees. Crops and cover mixtures will be determined by the local Wildlife Biologist to sustain wildlife populations with emphasis on white-tail deer and pheasants.
3. The overall strategy is to manage this new acquisition as an addition to the existing Seven Sisters WMA including the naming on future signs. The management plan for the entire area including the new parcel will be rewritten in 2013 and will be available for public review.

APPENDIX B

List of Species Known or Expected to Occur Along the Lower Yellowstone River

American coot	Downy woodpecker
American crow	
American gold finch	Eastern fox squirrel
American kestrel	Eastern kingbird
American redstart	Eastern screech owl
American robin	European starling
American white pelican*	
Antelope	Field sparrow
Badger	Gadwall
Bald Eagle +	Gray catbird
Baltimore oriole	Gray partridge
Bank swallow	Great blue heron
Barn swallow	Great horned owl
Beaver	Green-winged teal
Belted kingfisher	
Big brown bat	Hairy woodpecker
Black-and-white warbler	Hayden's shrew
Black billed magpie	Hoary bat
Black capped chickadee	Horned lark
Black-headed grosbeak	House wren
Blue jay	
Blue sucker*+	Interior least tern*+
Blue-winged teal	
Bobcat	Killdeer
Boreal chorus frog	
Brown-headed cow bird	Lark sparrow
Brown thrasher	Least flycatcher
Bull snake	
Burbot +	Least weasel
	Little brown myotis
Canada goose	Long-eared myotis
Caspian tern*	Longtail weasel
Cedar waxwing	
Chipping sparrow	Mallard
Clay-colored sparrow	Masked shrew
Common grackle	Meadow jumping mouse*
Common nighthawk	Meadow vole

Common yellowthroat
 Cooper's hawk
 Cottontail
 Coyote

 Deer mouse
 Dickcissel
 Northern flicker
 Northern harrier
 Northern leopard frog*+

 Painted turtle
 Paddlefish* +
 Pallid sturgeon# +
 Porcupine

 Raccoon
 Red-eyed vireo
 Red fox
 Redheaded woodpecker
 Red-necked phalarope
 Red-sided garter snake
 Red-winged blackbird
 Richardson's ground squirrel
 Ring-necked pheasant
 Rock dove
 Rough-legged hawk
 Ruby-crowned kinglet

 Sauger* +
 Sharp-tailed grouse
 Short-eared owl
 Silver-haired bat
 Song sparrow
 Southern red-backed vole
 Snapping turtle* +
 Spiny softshell turtle* +
 Spotted sandpiper
 Spotted towhee
 Sturgeon chub* +
 Swainson's hawk*
 Swainson's thrush

Mink
 Mountain bluebird
 Mourning dove
 Mule deer
 Muskrat

 Tree swallow

 Vesper sparrow
 Walleye
 Warbling vireo
 Western harvest mouse
 Western kingbird
 Western meadowlark
 Western small-footed myotis
 Western wood pewee
 White-breasted nuthatch
 White-tailed deer
 Wild turkey
 Wilson's snipe
 Wood duck
 Woodhouse's toad

 Yellow-breasted chat
 Yellow-headed blackbird
 Yellow warbler

#Listed Threatened/Endangered Species (1 spp.)

*Montana State Species of Concern (12 spp.)

+ Tier 1 Species – Comprehensive Fish & Wildlife Strategy (11 spp)

APPENDIX C

FWP Land Acquisition – Weed Inspection and Report

COMPLIANCE CHECKLIST FOR SECTION 7-22-2154, MCA

*FWP Regional Staff: Please return this form to
FWP Lands Bureau, P.O. Box 200701, Helena, MT 59620*

Property Name: Sorenson FWP Region: 7

County: Richland

Date of Property Inspection with County Weed Management District: 7/19/12

County Representative(s): Dick Zoanni

FWP Staff: Melissa Foster

County Weed Management District - Inspection Report (Please attach weed inspection report or use the space below to describe noxious weeds present on the property, including observations of weed distribution and abundance):

Canada Thistle is prevalent in this area with areas of leafy spurge near drainage. I would describe the thistle infestation as heavy. Islands have leafy spurge, Canada thistle, and houndstongue located previously. We are unable to control these areas.

Noxious Weed Management Agreement (Please attach applicable weed management agreement or use the space below to indicate how noxious weeds on the property will be managed when the property is under FWP ownership. Indicate if property will be included in an FWP county or regional weed management plan):

all access trails and shoulders will be controlled. Also, all open areas clear of tree cover will be controlled. Would recommend a private applicator with sprayer boats to be hired to control this area if desired. In my opinion, this would not be cost-effective →

County Weed Management District Representative: I have inspected the property, and reviewed the weed situation with a representative of Montana Fish, Wildlife & Parks. I concur with FWP's weed management plan for the property, as presented above and/or described in the attached information.

Signed: Dick Zoanni

Date: 7/19/2007

(Weed Report continued from back side of original)

Since there is a constant influx of seeds coming down the river.

Note- On site weed inspection was conducted 7/19/2012; Signature date was incorrectly dated 2007.

APPENDIX D

**SEVEN SISTERS ISLAND
WILDLIFE MANAGEMENT AREA ADDITION**

SOCIO-ECONOMIC ASSESSMENT

MONTANA FISH, WILDLIFE AND PARKS

OCTOBER 2012

I. INTRODUCTION

House Bill 526, passed by the 1987 Legislature and encoded in Sections 87-1-241 and 87-1-242, Montana Code Annotated (MCA), established policies and funding for the Habitat Montana program through which Montana Fish, Wildlife and Parks (FWP) acquires interests in land to secure, develop and maintain wildlife habitat. Acquisitions can be by fee title, conservation easement, or lease. In 1989, the Montana legislature passed House Bill 720, requiring that FWP prepare a socioeconomic assessment for Habitat Montana acquisitions. The purpose of the socioeconomic assessment is to evaluate any “significant potential social and economic impacts” of the acquisition on local governments, employment, schools, and local businesses.

This socioeconomic assessment addresses Montana Fish, Wildlife and Parks’ proposed purchase of approximately 981 acres in Richland County, to be managed as an addition to FWP’s existing Seven Sisters Wildlife Management Area.

II. PHYSICAL AND INSTITUTIONAL SETTING

A. Property Description

The Seven Sisters Wildlife Management Area (WMA) is located about 10 miles south of Sidney, Montana, along the Yellowstone River in Richland County. FWP acquired its 560-acre property through separate transactions in 1974 and 1981. This WMA, located on the mainland west shore of the river, generally consists of riparian cottonwood forest, along with about 80 acres of managed cropland.

The proposed addition to the Seven Sisters WMA consists of two privately owned tracts: the 710-acre Seven Sisters Island and a 271-acre mainland parcel that borders the existing WMA. The island is predominantly native vegetation, while the mainland parcel is approximately 1/3 native vegetation and 2/3 cropland.

A detailed description of the property and relevant maps are included in the Environmental Assessment.

B. Habitat and Wildlife Populations

The island parcel of the proposed Seven Sisters WMA Addition is dominated by cottonwood and green ash forest, along with wetlands, meadows and riparian shrubs. The mainland parcel includes upland patches of cottonwood forest/shrub habitat, along with a strip of cottonwood forest along the river shoreline. Its central portion is crop land, irrigated from a canal managed by the Lower Yellowstone Irrigation District.

Both parcels represent highly productive habitat for a variety of wildlife, with game species including white-tailed deer, mule deer, pheasant and waterfowl. Important seasonal populations of neotropical migrant birds, along with species such as beaver, mink, fox and the occasional river otter, add to the property's desirability for public wildlife viewing activities. A detailed description of the habitat and wildlife found on this property is included in the Environmental Assessment.

C. Current Use

The existing Seven Sisters WMA is open to public recreational uses, including hunting, fishing and wildlife viewing. Boat access to the Yellowstone River access is provided through 2-acre FWP fishing access site adjoining the WMA. Camping has generally been allowed at the WMA, subject to a 14-day limit. However, visitation has tripled over the past eighteen months, with many documented instances of unhoused oil field and energy development workers attempting to live at the site, completely unrelated to outdoor recreational opportunities. This dynamic increase in visitor numbers and type of use has caused FWP to reduce the stay limit to 7-days, with daily occupancy required, in the interests of site conservation and public safety.

The privately owned Seven Sisters Island tract that is proposed for addition to the WMA is in a largely natural state. This land has not been managed for crops or livestock grazing for many years. Hunting has been provided by permission of the landowners. However, trespass hunting has been a significant problem due the island's proximity to the existing FWP wildlife management area and its accessibility to boaters on the Yellowstone River.

About 180 acres of the 271-acre mainland tract that is proposed for addition to the WMA consists of irrigated crop land. This land is leased by the landowners to another private operator who raises sugar beets, wheat, and peas. The cropland is served by irrigation water from the Lower Yellowstone Irrigation District. No livestock grazing occurs on the property at the present time.

Property improvements consist only of limited fencing, and there are no residences or other buildings on the proposed WMA addition.

III. SOCIAL AND ECONOMIC IMPACTS

Land Management and Government Services:

The proposed land acquisition will add approximately 981 acres to the existing wildlife management area. More than 80% of this acreage is currently managed as undeveloped habitat, with no grazing, crop production, fee hunting or other economic return. Under FWP management, this acreage will continue to be managed as open space and habitat.

No change in local government services is anticipated for the property, and there will be no residences or permanent residents. FWP game wardens who patrol the existing Seven Sisters WMA will also patrol the additional land and will continue to cooperate with local law enforcement.

FWP has a weed management agreement in place with the Richland County Weed District, specifying respective roles in control efforts for noxious weeds on FWP lands in the county. Specifically for the Seven Sisters WMA the agreement calls for weed district personnel to treat noxious weeds along roads and paths to reduce the spread of weeds off-site and to stop new infestations before they spread. Weed infestations in the interior of the WMA are also treated, depending on the severity of infestation, weed district time and personnel constraints, and accessibility for equipment. The additional lands to be acquired for the WMA will be subject to this agreement.

Economic Activity:

The financial impacts to local businesses (i.e., income and employment) are addressed by looking at the change in expenditures associated with the activities this property currently provides, compared to the activities that would occur under FWP's proposed land acquisition.

FWP acquisition of these 981 acres will make this currently private land available for public recreation, thus increasing opportunities for hunting, wildlife viewing, and (depending on management direction) river floating/camping. These uses can be expected to provide a minor boost to regional economic activity (such as food/lodging and sporting equipment sales) associated with hunting, floating and other outdoor recreation.

Under FWP management, much or all of the 180 acres of existing crop land on the mainland tract will continue to be irrigated and managed for crop production. This farming activity is likely to be administered through a share-cropping arrangement with a local private agricultural operator, through which the operator retains a portion of the crop for commercial benefit and leaves a portion of the crop in the field for wildlife food and cover.

Because the land is currently leased by the landowner to a private operator for similar management, there will be no significant difference in economic return in comparing the current situation and the situation under FWP ownership. It is possible that the acreage of crop land may be reduced over time if FWP management emphasizes development of additional natural habitat. However, FWP experience with its other river-bottom WMA's has shown the wildlife benefits of continued crop land management. Additionally, FWP plans to retain the water shares from the Lower Yellowstone Irrigation District by continuing to use those shares for productive crop irrigation. As a result, no significant change in agricultural productivity is anticipated.

In sum, FWP ownership of the property could have a minimally positive impact on local economic activity through improved public recreational opportunities and the resulting effect on local businesses that provide related goods and services. FWP's agricultural management will

generally continue the status quo. The additional FWP land will require no additional public services, except some additional weed control efforts consistent with the existing agreement.

Property Taxes:

The sale of the fee title land and subsequent title transfer to FWP will not change the tax revenue that Richland County currently collects on this property because, under Section 87-1-603, MCA, FWP is required to pay “to the county a sum equal to the amount of taxes which would be payable on county assessment of the property were it taxable to a private citizen.” Current property taxes on the 981 acres are approximately \$1,625 annually, and FWP will continue to make these payments based on the assessment provided by Richland County. Additionally, FWP will pay the Lower Yellowstone Irrigation District its annual assessment of approximately \$7,000 for the water used for crop land irrigation.

IV. FINDINGS AND CONCLUSIONS

Montana Fish, Wildlife and Parks’ fee title acquisition of approximately 981 acres for addition to the Seven Sisters Wildlife Management Area will provide long term protection of wildlife habitat, maintain the rural open space integrity of the area, continue cooperative private agricultural practices, and provide additional public recreation opportunities.

Overall, the acquisition will not have any “significant potential social and economic impacts.” Rather, FWP ownership of the property is expected to have a minimally positive impact on local economic activity through improved public hunting opportunities and through continuation of cooperative agricultural operations. Placing this land in FWP ownership will not require any additional local government services. The land acquisition will not cause a reduction in county tax revenues on this property, nor will it reduce proceeds to the Lower Yellowstone Irrigation District.