Montana Fish, Wildlife & Parks

Region Three
1400 South 19th Avenue
Bozeman, MT 59718

October 25, 2012

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

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

MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202
MT State Parks Association, P.O. Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923
Jack Jones, 3014 Irene St., Butte, MT 59701

Ladies and Gentlemen:

The enclosed Environmental Assessment (EA) has been prepared for a land acquisition project involving purchase of 23.76 acres of land adjacent to the Dome Mountain Wildlife Management Area (WMA) at $1200 per acre for a total of $28,512.00. This project proposed to acquire the land as an addition to the Dome Mountain WMA. The parcel is located on Hepburn Mesa, which is heavily used by wintering elk, and is important for alleviating conflicts with livestock producers adjacent to the WMA. The benefit and purpose of this land acquisition is to conserve critical elk habitat and prevent potential development within elk wintering range. Additional benefits will include new recreational and hunting opportunities on this parcel which has previously been closed to public access. The area will be open to public hunting during the archery and general rifle seasons and provides opportunity for elk, deer and upland game birds.

It is my decision to proceed with the proposed project, with no changes to the Draft EA.

Questions regarding this Decision Notice should be mailed to:

Karen Loveless
Livingston Area Biologist
1400 South 19th Avenue
Bozeman, MT 59718
406-333-4211
Or e-mail to kloveless@mt.gov

Thank you for your interest.

Sincerely,

Patrick J. Flowers
Region Three Supervisor

Region Three
Montana Fish, Wildlife & Parks
1400 South 19th Avenue
Bozeman, MT 59718
October 24, 2012

DECISION NOTICE
DOME MOUNTAIN WILDLIFE MANAGEMENT AREA ADDITION

DESCRIPTION OF PROPOSED PROJECT

Montana Fish, Wildlife & Parks (FWP) proposed to purchase a small parcel of land adjacent to the Dome Mountain Wildlife Management Area (WMA) as an addition to the WMA for a purchase price of $28,000.

MONTANA ENVIRONMENTAL POLICY ACT PUBLIC PROCESS AND COMMENT

FWP is required to assess impacts to the human and natural environment by the Montana Environment Policy Act (MEPA). The Dome Mountain WMA addition and its impacts were documented by FWP in the EA to comply with MEPA.

Public comments were solicited for 32 days from September 21, 2012 through October 22, 2012. Legal notices regarding the proposed action were printed in the Bozeman Chronicle and the Livingston Enterprise, and posted on the FWP website.

One issue of significance was identified during the public comment period. A professional land surveyor brought to FWP's attention that there was a discrepancy in the Park County records for this parcel. The Park County Cadastral, the deed for the parcel, and the most current Certificate of Survey show the acreage to be 31.53 acres, however the original Certificate of Survey shows the parcel to be 23.76 acres. With some review of the records we are convinced that the actual acreage is 23.76. This amounts to approximately $1200 per acre for this purchase, not $900 per acre as described in the EA.

Land prices in Paradise Valley for parcels of this approximate size are currently listed at $10,000 per acre and higher and overall sales for land range $5,000 – $10,000 per acre. At $1200 per acre this parcel is priced well below market. The value of this parcel for conserving winter range for elk and other wildlife and preventing potential development on Hepburn Mesa is not affected by this discrepancy in acreage. The recommendation is to go forward with the purchase and address the error in the County records after the property has been acquired.

No other significant issues were generated during the EA review and/or public comment period to trigger further review.

SUMMARY OF PUBLIC COMMENT

During the public comment period 2 comments were received, 1 by email and 1 verbally. These 2 responses came from private individuals. The comments from each are summarized below:

A private individual submitted the following comment:
I support "Alternate B" the purchase of 31 acres adjacent to Dome Mountain Wildlife Management Area. Please "Thank the Cinnabar Foundation" for giving us the opportunity to buy this land at a great price!!!! Living only 10 miles away from Dome Mountain WMA, I truly know how much wildlife uses this Management Area. It is a treasure for all sorts wildlife and a great place to see Montana rangeland as it was hundreds of years ago.

A private individual who manages land adjacent to the WMA commented verbally that there were no concerns with this purchase by the ranch manager or landowner.

DECISION NOTICE

Utilizing the EA and public comment, a decision must be rendered by FWP which addresses the concerns and issues identified for this proposed action.

FWP's analysis supports acquiring the parcel for addition to the Dome Mountain WMA as proposed.

I find there to be no significant impacts on the human and physical environments associated with this project. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.

After review of this proposal, it is my decision to accept the draft EA as supplemented by this Decision Notice as final, and to recommend the acquisition of the parcel for addition to the Dome Mountain WMA.

The Final EA may be viewed on FWP's Internet website: http://www.fwp.mt.gov.
or obtained upon request from the Montana Fish, Wildlife & Parks, Region 3 Headquarters, 1400 South 19th Avenue, Bozeman MT 59718-5496 (994-4042).

Patrick J. Flowers
R3 Regional Supervisor

Date: 10/25/12