

RECEIVED

DEC 23 2013

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE



**Montana Fish,
Wildlife & Parks**

2300 Lake Elmo Drive
Billings MT 59105
December 17, 2013

TO: Environmental Quality Council
Director's Office, Dept. of Environmental Quality
Montana Fish, Wildlife & Parks*
 Director's Office
 Parks Division
 Fisheries Division
 Wildlife Division
 Lands Section
 Design & Construction
 Legal Unit
 Regional Supervisors
Tim Baker, Governor's Office *
Judy Beck, Press Agent, Governor's Office *
Montana Historical Society, State Preservation Office
Janet Ellis, Montana Audubon Council *
Montana Wildlife Federation *
Montana State Library *
George Ochenski *
Montana Environmental Information Center *
Wayne Hirst, Montana State Parks Foundation *
FWP Commissioner Matt Tourtlotte*
Montana Parks Association/Our Montana (land acquisition projects)
Matt Wolcott, DNRC Area Manager, Southern Land Office *
Stillwater County Commissioners *
Adjacent Landowners
Other Local Interested People or Groups
* (Sent electronically)

Ladies and Gentlemen:

The enclosed draft environmental assessment (EA) proposal has been prepared for your review. The purpose of this proposal is to purchase a public easement on one mile of existing road that

leads from the Wheat Basin County Road to the northeast corner of Big Lake Wildlife Management Area (BLWMA). The BLWMA is owned and managed by Montana Fish, Wildlife and Parks (MFWP) and is located in deer/elk Hunting District 500, Region 5, headquartered out of Billings, MT. The proposed easement will provide legal public road access in perpetuity to the north east portion of BLMA. The east shore and north shore provide quality waterfowl hunting opportunities but access is very difficult. Hunters and recreationists have encouraged MFWP to seek an access route to the north and east side of BLWMA. This proposed access would provide vehicular access making this area much more accessible to waterfowl hunters and recreationists. In the future FWP will also create a small graveled parking spot where this access road enters BLWMA.

The cost of the easement is approximately \$10,000, funded by hunting license revenues through the Access Public Lands program administered by MFWP.

The public comment period will extend through 5:00 PM, January 3, 2014. Written comments can be mailed or emailed to the address below:

Ray Mulé
C/O Montana Fish, Wildlife & Parks
2300 Lake Elmo Drive
Billings MT 59105 or
rmule'@mt.gov

Thank you for your interest,



Gary Hammond
Region 5 Supervisor
Enclosure

Draft Environmental Assessment

BIG LAKE WMA NORTH ACCESS ROAD EASEMENT



REGION 5 ACCESS PUBLIC LANDS PROJECT

December 17, 2013



PART I. INTRODUCTION AND PROPOSED ACTION:

The purpose of this proposal is to purchase a public easement on one mile of road that leads to the north east corner of Big Lake Wildlife Management Area (BLWMA). The BLMA is owned and managed by Montana Fish, Wildlife and Parks (MFWP) and is located in deer/elk Hunting District 500, Region 5, headquartered out of Billings, MT. The proposed easement will provide legal public road access in perpetuity to the BLMA. The cost of the easement is approximately \$10,000, funded by hunting license revenues through the Access Public Lands program administered by MFWP.

In November 2012, MFWP acquired 1,110 acres along the eastern boundary of BLWMA. This brought most of the lake shoreline into MFWP ownership and management and brought the total acreage of the WMA to approximately 3,228 acres. The WMA has two public access points along its west side. However, access to the east shore and east side of the WMA is by boat or waders only when the basin fills with water. The east shore and north shore provide quality waterfowl hunting opportunities but access is very difficult. During the public comment process for the 2012 acquisition described above, hunters encouraged FWP to seek an alternative access route to the north and east side of BLWMA. This proposed access would provide vehicular access to the north east corner of the WMA. Thus, making the east side and north end much more accessible to waterfowl hunters and recreationists. In the future, FWP will also gravel a small parking area where the road enters the BLWMA. FWP will also maintain the road by adding gravel or grading if needed. No other improvements are planned for this site.

A traversable road currently exists running down the north/south section line. The road is currently used for ranch operations and by hunters or recreationists who have received permission to use the road from one or both landowners. The west half of the road is owned by Ron Dannenberg. The east half of the road is owned by Ray Karls. In the summer of 2013, MFWP personnel approached Ron Dannenberg and Ray Karls about this issue. Both landowners indicated they were willing to sell a permanent public easement on the one mile of road that leads from the Wheat Basin county road to the north east corner of BLWMA. Since that time, terms have been agreed upon, and the project is ready to be finalized. Completion of this EA, a MFWP Decision Notice, and approval by the MFWP Commission are required to finalize the project.

Project General Location: The project is located in MFWP, Region 5, approximately 25 miles northwest of Billings and 6 miles west of Molt, in Stillwater County (Fig. 1).

Project Area Legal Description: The specific location of the proposed easement is the gravel road running north/south between sections T2N R22E S19 and T2N R22E S20 (Figure 2). The proposed easement is 60ft. wide (30 ft on east side and 30 ft on west side of the section line). The road easement is one mile long.

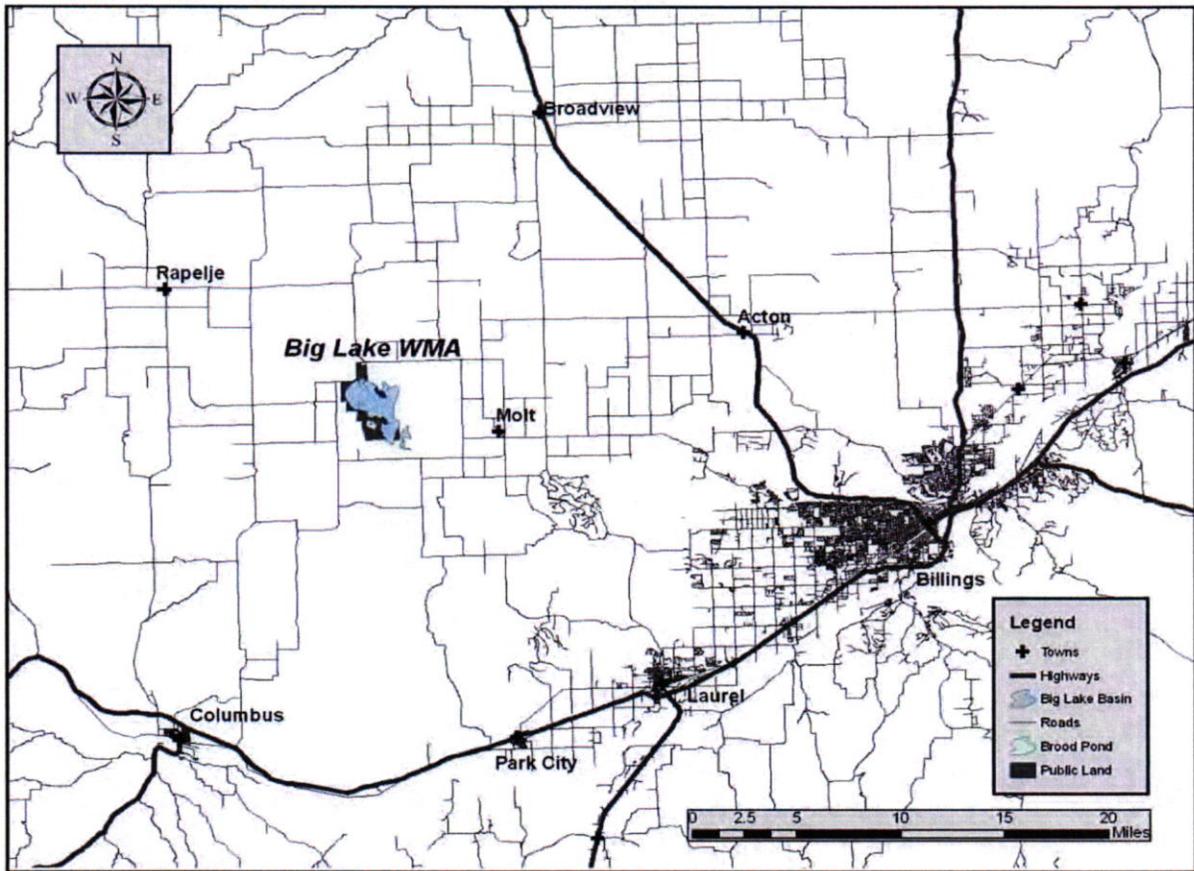


Figure 1. General location of Big Lake WMA and the easement project. Big Lake WMA is located approximately 25 miles northwest of Billings and six miles west of Molt, MT.

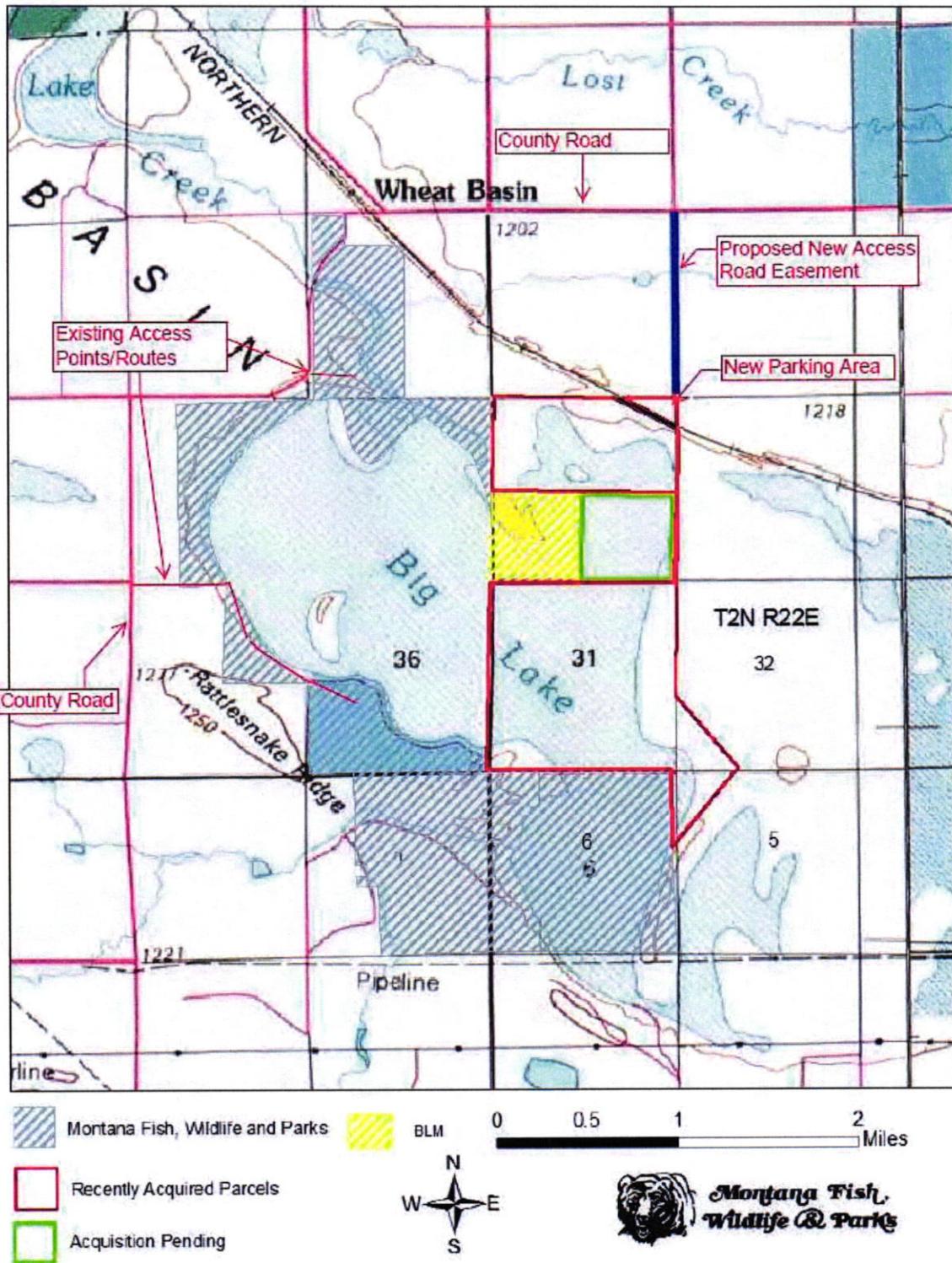


Figure 2. Specific location of the proposed Big Lake WMA north access public road easement project. The thick blue line is the proposed public road easement providing access to the north east corner of Big Lake WMA from Wheat Basin Rd.

Project Objectives: FWP was able to secure an administrative access into the new parcels purchased in 2012 through the adjacent ranch to the east at the time of purchase. However, this route is long and winding, it is also not traversable in a vehicle during wet conditions. The objective of this project is to increase public access for the purpose of waterfowl hunting and other recreation such as bird watching to the north end and east side of Big Lake WMA. This road easement and associated parking area will increase public access to this area to create more opportunities as well as help disperse the hunting pressure throughout BLWMA. The area around Big Lake WMA is unique in that many of the surrounding landowners are in Block Management creating a large block of hunting opportunity as well as non-consumptive recreation opportunities on the WMA.

PART II: ALTERNATIVES

Alternative A: MFWP will purchase a perpetual one-mile long public road easement through the Dannenberg and Karl's properties providing a public access route from Wheat Basin Road to the north east corner of BLWMA.

Alternative B: No Action – No public access route will be available to the north and east shores of BLWMA. Public access will remain by foot or boat from existing access points along the west side of BLWMA.

PART III: ENVIRONMENTAL REVIEW CHECKLIST

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

PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		Yes	1
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

1. Minor over-covering of soil may occur when gravel is added to create a small parking area at the end of the road and for road maintenance. Gravel will prevent soil ruts and reduce weed spread.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regulations? (Also see 2a.)		X				
3. <u>WATER</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		X				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				

4. <u>VEGETATION</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in?						
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X		Yes	2
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				
g. Other:		X				

2. Minor risk of increasing noxious weeds caused by road graveling/maintenance and increased public traffic on the road. This will be mitigated by controlling weeds as needed.

5. <u>FISH/WILDLIFE</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				

HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Increases in existing noise levels?		X				
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

7. <u>LAND USE</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				

8. <u>RISK/HEALTH HAZARDS</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				

9. <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		Yes	3

3. There may be an increase in public use on this road. Increased public use will be mitigated by MFWP road maintenance and weed control along the easement.

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. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:			X		X	4
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources						5
f. Define projected maintenance costs.						6

4. MFWP will be responsible for road maintenance and weed control along the easement.

5. MFWP Access Public Lands program or WMA maintenance funds.

6. Should not be a significant amount of dollars.

11. <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				

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		X				

SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?			X		Yes	7
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				
g. For P-R/D-J, list any federal or state permits required.		X				

7. It is possible that some neighbors may object if they think that additional public use may increase weeds or damage the road. Mitigated by explaining MFWP will be responsible for road maintenance and weed control along the easement.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

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

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

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

2. Comment period:

The public comment period will extend through 5:00 PM, January 3, 2014. Written comments can be mailed or emailed to the address below:

Mail:

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

Email:

rmule'@mt.gov

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, an EIS is NOT required.
2. Person responsible for preparing this EA:

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