



Montana Fish, Wildlife & Parks

DECISION NOTICE Acquisition of Long Property (Proposed Blue-eyed Nellie West WMA) & Ternes Donation August 17, 2005

Proposal

Montana Fish, Wildlife and Parks (FWP) proposes to purchase fee title and accept management responsibilities for an approximately 97-acre parcel (currently held by John Long), 11 miles west of Anaconda in Deer Lodge County. The land is composed of several government lots and a portion of the Fred Brown Placer patented mining claim and is located in T.5N, R.12W, sections 22 (SE1/4) and 23 (SW1/4). The land lies 300 meters west of the existing 6-acre Blue-eyed Nellie Wildlife Management Area (WMA). This acquisition would be funded from Bighorn Sheep License funds administered through the Habitat Montana program as well as from donations from the Foundation for North American Wild Sheep (FNAWS), the Anaconda Sportsman's Club and the Safari Club.

The purpose of this proposal is to preserve critical habitat for the Lost Creek bighorn herd. This parcel of open grassland is used by bighorn sheep year round--it is vital winter range and a movement corridor. Bighorn cross the property to access water at Warm Springs Creek and to move between extensive public lands in the Pintler and Flint Creek Ranges (FWPs' Garrity Mountain WMA and Forest Service lands along Stucky Ridge). Under this proposal Montana Fish, Wildlife and Parks would acquire the last, large, undeveloped tract connecting Garrity Mountain Wildlife Management Area with Forest Service lands that have been historically used by the Anaconda sheep herd. The area receives a tremendous amount of wildlife viewing due to its easy access and proximity to Highway 1.

During the public hearing held to discuss the acquisition proposal, County Commissioner Wayne Ternes offered to donate approximately one acre of his property to the existing wildlife management area. Because this offer is consistent with the original proposal and the environmental impacts resulting from this donation would not change the analysis presented in the Montana Environmental Policy Act (MEPA), the Environmental Assessment (EA) is hereby amended to include the addition of this donation.

Montana Environmental Policy Act Process

FWP prepared an Environmental Assessment pursuant to MEPA. FWP made this document available during a 30-day public comment period that began on June 14, 2005 and ended on July 13, 2005. FWP advertised the public comment period on the proposed project by legal notice entitled "Public Comment Sought" (Appendix A) in the following newspapers (date of publication): the *Independent Record* (June 12, 2005), *Montana Standard* (June 12, 2005),

Anaconda Leader (June 10, 2005), *Missoulian* (June 12, 2005), and the *Great Falls Tribune* (June 12, 2005). This document was available in its entirety on FWP's Internet web site (www.fwp.mt.gov).

A public hearing regarding this acquisition was conducted by FWP in Anaconda on June 29, 2005 at 6:30 pm at the Ancient Order of Hibernians Hall (AOH), and was attended by twenty-five citizens.

FWP distributed copies of the draft EA before the comment period began, at the public meeting in Anaconda, and responded to additional requests as they were received. A copy of the EA was sent to 9 adjacent landowners, as well as the following persons or organizations for review:

Governor's Office, Attn: Mike Volesky, P. O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, P.O. Box 201704, Helena, MT 59620-1704

*Department of Environmental Quality, P.O. Box 200901, Helena, MT 59620-0901

*Department of Natural Resources & Conservation, P.O. Box 201601, Helena, MT 59620-1601

*Montana Fish, Wildlife & Parks:

Website, Commission Secretary, Division Secretaries, Regional Office Managers, Region 2 Information Officer

*State Historic Preservation Office, P. O. Box 201202, Helena, MT 59620-1202

*Montana State Library, P.O. Box 201800, Helena, MT 59620-1800

Montana Environmental Information Center, Attn: Jim Jensen, P.O. Box 1184, Helena, MT 59624-1184

Deerlodge Ranger District, 1 Hollenbeck Rd., Deer Lodge, MT 59722

Skyline Sportsmen, P. O. Box 173, Butte, MT 59703

Anaconda Sportsmen, 2 Cherry, Anaconda, MT 59711

Montana Natural Heritage Center, P.O. Box 201800, Helena, MT 59620-1800

Montana Audubon Society, P.O. Box 595, Helena 59624-0595

Montana Stock growers, 420 North California, Helena, MT 59601

Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624-1175

Deer Lodge County Weed Supervisor, 800 South Main, Anaconda, MT 59711

Deer Lodge County Commissioners, 800 South Main, Anaconda, MT 59711

*Mailed electronically

Summary of Public Comment

Twenty-five citizens and three FWP personnel attended the public hearing on June 29, 2005 in Anaconda. Seven individuals testified at the hearing, including representatives from the Anaconda Sportsmen's Club, the Skyline Sportsmen's Club in Butte, the Foundation for North American for Wild Sheep (FNAWS), an Anaconda-Deerlodge County Commissioner, and a member of the Deer Lodge County Planning Board. All spoke in favor of the project. Jim Weatherly (vice-president of FNAWS) read from a letter from the Montana Chapter that was strongly in favor of the purchase; all others in attendance also indicated that they were in favor of the project. A sampling of comments from the hearing follows:

- “The bighorn sheep have a long history of use of this property for winter habitat and for access to sheep habitat south of Highway 1 . . . There are only positive impacts from preserving this property for the people of Montana.”
- “I would say that I agree with all the comments . . . all of us that live here understand the significance of this property. It is kind of unique in that it is . . . in the natural corridor . . .”
- “. . . this [purchase] is a case where it should be done right away to save that important corridor, otherwise it gets chopped up and the corridor is lost.”
- “This is really a special thing. . . Usually you have to travel a long way to see the sheep and they [are] not that accessible . . . I would really love to see this land purchased . . .”

Two people submitted written comments during the comment period; they also voiced support. “I am completely in favor of the purchase of the 92 plus acres west of Anaconda to be set aside for wildlife habitat,” emphasized one, “Continued development (ranchettes) west of town threatens . . . habitat now used by wildlife.”

No comments against the proposal were heard or received during the comment period.

In addition to the comments received during the MEPA process, Senate Bill 529 (2005 Montana Legislature) requires noxious weed inspections and weed management agreements for certain land transfers to non-federal public agencies. Sharon Rigby, Anaconda-Deer Lodge Weed Coordinator, inspected the property in July 2005 at the request of FWP. The results of her inspection were presented to the County Weed Board and a draft Noxious Weed Management Plan was prepared that is intended to eliminate noxious weeds on the property over the next five years. This plan will be finalized if the project acquisition proposal is approved and will become part of the Purchase Agreement between FWP and landowners as required by SB 529.

Decision

Utilizing the Environmental Assessment and public comment, a decision must be rendered by FWP, which addresses the concerns and issues identified for the proposed project. In light of public comments and internal agency review, I accept the draft Environmental Assessment as final except that it is expanded to include the Ternes donation of approximately one acre. The proposed acquisition and donation received support from all in attendance at the public hearing in Anaconda as well as two individuals who wrote letters of support, and no other comments have been received.

FWP recognizes the value of acquiring critical wildlife habitat when the opportunity arises. With the approval of this acquisition and donation the properties' value as wildlife habitat will be preserved and enhanced and the threat of development will be nullified. No adverse effects are expected on the diversity or abundance of game species, non-game species or threatened and endangered species. Public access and recreational opportunities would be enhanced.

In consideration of these facts, I am pleased to recommend that the Montana Fish, Wildlife and Parks Commission approve the acquisition of the Blue-eyed Nellie West Wildlife Management Area and accept the donation of approximately one acre adjacent to the wildlife management area as proposed.

/s/ Mack Long

8-17-2005

Mack Long
Regional Supervisor
Region 2 Montana Fish, Wildlife & Parks
3201 Spurgin Road.
Missoula, MT 59804

Date

Appendix A.

PUBLIC COMMENT SOUGHT

Montana Fish, Wildlife & Parks (FWP) seeks public review of its proposal to acquire a 96.26-acre private parcel nearby the Blue-eyed Nellie Wildlife Management Area (WMA), west of Anaconda in Deer Lodge County. The purpose would be to acquire critical winter range for bighorn sheep and mule deer. A draft environmental assessment (EA) has been prepared for this proposal. FWP will hold a public hearing in Anaconda on June 29 (Wednesday) at 6:30 PM at the Ancient Order of the Hibernarians Hall. The EA may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 542-5500; by emailing vschmautz@mt.gov; or by viewing FWP's Internet website www.fwp.mt.gov ("Recent Public Notices," beginning June 14). Region 2 FWP must receive comments no later than July 13, 2005.