



**Montana Fish,
Wildlife & Parks**

Ent

54078 US Hwy 2 West
Glasgow, MT 59230

November 26, 2012

Governor's Office – Sheena Wilson
Montana State Library, Helena
Montana Department of Environmental Quality
Montana Fish, Wildlife and Parks Director's Office
Fish and Wildlife Division
Parks Division
Lands Section
Communication & Education Bureau
Commission Secretary
Legal Unit
Montana DNRC, Northeastern Land Office
Environmental Quality Council
MT Environ. Information Center
State Historic Preservation Office
Chouteau County Commissioners

Chouteau County Planner
MFWP Commissioner, Ron Moody
Representative Roy Hollandsworth
Senator Llew Jones
Bradley Dugdale, Attorney at Law
Harold Brende
Ronnie Briese
Roger Debruyker
D & J Robertson Farms
Humphrey Limited Partnership
K & E Brothers
Lazy B M LTD Partnership
Georgia Reichelt
Virgelle Ventures Inc
Dianna Webster

Dear Interested Party:

You recently received documents relating to the proposed action of Montana Fish, Wildlife & Parks (MFWP) accepting the donation of 1,050 acres of property for a Wildlife Management Area located approximately 13 miles southwest of Big Sandy. The property is located along the Missouri River and consists primarily of native grasslands, badlands, and riparian habitats.

The primary purpose of this proposal is to conserve and enhance native areas that provide important habitat for game and nongame species and to provide additional recreational opportunities for the general public. This habitat provides critical winter range for mule deer. Protecting and enhancing the existing habitat is expected to increase use by game animals, including mule deer, white-tailed deer, antelope, sharp-tailed grouse, and Hungarian partridge along with a variety of native nongame species of birds, fish, reptiles, amphibians, and small mammals.

Through the public comment effort that ran from October 17 through November 9, 2012 and the public hearing that was held, written or verbal comments were received from 10 individuals. The majority of the comments that were received supported the proposal (7), one comment opposed the acquisition, while the remaining two comments did not support or oppose the proposal.

The Decision Notice is available for review at the Region 6 FWP headquarters in Glasgow and at the FWP Havre area office. The Decision Notice is also available upon request by contacting the FWP Havre Area Office at 265-6177 or on the FWP website at <http://fwp.mt.gov/news/publicNotices>.

Several issues were raised during the comment period; they are all addressed in the Decision Notice with additional explanation. Based on the quality of fish and wildlife habitat and public access benefits, as well as, a majority of public support for the project, it is my recommendation through the attached Decision Notice to accept the donation of this property to create Spring Coulee WMA, subject to approval by the MFWP Commission and the State Land Board.

The Commission will be asked to accept the donation of this property on a conference call scheduled for 9:00 AM on December 10, 2012. The public will be afforded an opportunity to listen to and provide comment during the conference call at all Regional Headquarters and at the Great Northern Inn in Havre, Montana. If you have any further questions regarding this proposal, please contact Scott Hemmer at the Havre Area Office at 265-6177.

Thank you very much for your interest in this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patrick Gunderson", followed by a horizontal line extending to the right.

Patrick Gunderson
Region Six Supervisor



Decision Notice

Proposed Land Acquisition: Spring Coulee Wildlife Management Area

Montana Fish, Wildlife and Parks
Region 6
54078 Hwy 2 West
Glasgow, MT 59804
406-228-3700

November 26, 2012

Proposed Action

Montana Fish, Wildlife, and Parks (FWP) is proposing to accept the donation of 1,050 acres of property from Braun Farms. The property is located along the Missouri River, 13 miles southwest of Big Sandy in Choteau County. The property would be used to establish a Wildlife Management Area.

The acquisition and management of this property would help meet the following goals:

- Permanently protect and enhance fish and wildlife resources.
- Protect the native habitats present on the property.
- Increase public access and recreational opportunity.

This property consist almost entirely of intact native habitats, a large portion of which are riparian, shrub-grassland, and mixed grass prairie habitats of high conservation priority for FWP based on the Montana Comprehensive Fish and Wildlife Conservation Strategy. The property provides important winter range for mule deer and habitat for upland birds. The property would provide primary hunting opportunities for mule deer and upland birds and secondary hunting opportunities for white-tailed deer, and antelope. The native habitats found on the property would also provide habitat for a variety of grassland songbirds, raptors, reptiles, amphibians, and other nongame species and Species of Concern.

Montana Environmental Policy Act (MEPA) Process

FWP prepared a draft environmental assessment (EA) pursuant to MEPA. FWP is required to assess the impact of the proposed action to the human and physical environment as directed by MEPA. FWP also prepared a management plan and socio-economic assessment pursuant to the 1987 act of the Montana

Legislature known as House Bill 526. FWP mailed 12 copies of the EA to surrounding landowners and county commissioners and sent 11 notifications of the EAs availability to other individuals, agencies, and interested parties. The EA was open for a 24 day public comment period from October 17th-November 9 at 5:00 pm. The EA was also available for public review on the FWP website (fwp.mt.gov/news/publicNotices).

Legal notices of the Spring Coulee WMA EA were published twice in the Great Falls Tribune (10/26 & 10/30) and in the Havre Daily News (10/25 & 10/30). The proposed acquisition and the related public hearing were also publicized by stories in the Billings Gazette and on local radio stations.

A public hearing to explain the proposal, answer questions, and take public comments was held on October 30th, 2012 in Havre at the Hill County Electric Community Room. There were 65 people in attendance at the meeting; seven individuals reported they were in attendance for the Spring Coulee WMA acquisition.

Summary of Public Comment

FWP received one verbal comment at the public hearing. FWP also received 9 written comments. Seven of the comments received (70% of the total comments) were in support of the acquisition. The comments received in support of the acquisition mostly cited the increased recreational access and opportunity that would be provided by the acquisition and the benefit of preserving the wildlife value of the area. There were 2 individuals that did not directly support or oppose the acquisition, but provided comments regarding the acquisition or proposed management plan. There was one individual that was opposed to the acquisition (10% of the total comments). All of the comments submitted were from individuals, there were no comments received from governmental or nongovernmental organizations.

FWP Responses to Public Comments

There were several comments and concerns raised that are addressed below

Comment 1 -- “I believe you have understated the cost to the state and the county not to mention the cost to state tax payers for FWP to manage and patrol it”

The projected maintenance costs for fencing, weed control, and signing of the property are estimates. FWP is able to increase funding for these activities if needed. As mentioned in the EA, there would be no significant impact to Chouteau County property tax revenue since 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.” Management of this property will be done without any current increase in FWP personnel.

Comment 2 -- “A viable alternative that would serve the same purpose as laid out in the Draft EA is to consider seeking a conservation easement on the property”

FWP Response: Conservation easements are another option for protecting habitat and providing recreational access that FWP has utilized many times in the past. A conservation easement would

reduce some of the costs incurred by FWP related to maintenance of the property. However, a conservation easement would limit FWP's management ability for the property and was not the landowner's preferred method for protecting the habitat on this property.

Comment 3 -- "I believe the public meeting that is being held seeking comment should be held in the county where the WMA is proposed"

The public hearing for this action was held in the FWP Region that the proposed WMA would be located in and managed by.

Comment 4 -- "FWP would need to fence their property line if the adjacent landowners decide they want to graze their land"

FWP response: If neighboring landowners choose to start grazing their properties, FWP would work with the landowners to ensure that the necessary property boundaries were fenced and maintained.

Comment 5 -- "If the land is acquired it needs to have perfect fences"

FWP Response: A large portion of the property is not currently fenced. FWP will work with neighboring landowners to ensure that the placement of current boundary fences is acceptable to both these landowners and FWP.

Comment 6 -- "There are National Parks for wildlife. You are taking agricultural opportunities away from young ranchers and farmers."

FWP Response: This property is being acquired for the benefit of wildlife and native habitats. However, this property will be managed as a Wildlife Management Area and will have different management practices and provide different recreational opportunities than a state or national park. FWP recognizes that the acquisition of this property will prevent the potential future purchase of this property by other parties including new farming and ranching operations.

Comment 7 -- "You need to put roads in if you are going to get it"

FWP Response: The management plan for this property is to manage for non-vehicular recreation and there are currently no plans for construction of roads. The property would initially only be accessible from the Missouri River so FWP sees no immediate need for construction of new roads.

Decision

Based on the Environmental Assessment we have determined that the proposed action will not have significant effects on the human and physical environment associated with this action. Therefore an environmental assessment (EA) is the appropriate level of analysis for this project.

The acquisition of these 1,050 acres by FWP will help conserve and enhance the variety of game and non-game species present and valuable grassland, riparian, and shrub-grassland habitats. The

acquisition of the property will also provide recreational opportunities for hunting, fishing, wildlife viewing, and floating the Missouri River.

After review of this proposal and the public comments submitted, it is my decision to accept the Decision Notice and Draft Environmental Assessment as final and to recommend the acquisition of this property for the creation of the Spring Coulee Wildlife Management Area.

The Final EA will be available for public viewing on the Montana Fish, Wildlife, and Parks website at: <http://fwp.mt.gov/news/publicNotices>. Copies of the EA may also be obtained by contacting the Fish, Wildlife and Parks Havre Area Office, 2165 Hwy 2 East, Havre, MT 59501 (406-265-6177).

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Pat Gunderson
Region 6 Supervisor