



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

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### **DECISION NOTICE for the Draft Environmental Assessment:**

#### **Elk Island WMA Agricultural Lease**

Region 7 Headquarters

PO Box 1630, Miles City, MT 59301

(406) 234-0900

#### DESCRIPTION OF PROPOSED ACTION:

Elk Island WMA was purchased by Montana Fish, Wildlife & Parks (MFWP) to maintain a woodland/cropland complex to benefit a diversity of wildlife while maximizing hunting opportunities, primarily for white-tailed deer and pheasants. The proposed action is to continue a share-crop agreement on 152 ac of the WMA with a long-time, competent lessee. The lessee will cultivate and retain a portion of the hay/grain crop harvest, leaving the remaining crop standing for wildlife use during winter months.

The benefit and purpose of the lease is to provide winter habitat and forage, primarily for wintering pheasants, deer, and turkeys. Standing crops also benefit migrating waterfowl and a variety of other wildlife species. The area is open to public hunting during all commission-approved seasons, and provides opportunity for deer, upland game bird, and waterfowl hunting.

The WMA has been under an agricultural lease with the same lessee since 2001. The lessee has shown initiative to utilize farming practices that increase the productivity of the land. These include fertilizing and conditioning the soil, treating of noxious weeds, and maintaining fields in good condition. The lessee has fulfilled all conditions of previous leases entered into with MFWP.

#### ALTERNATIVE TO PROPOSED ACTION:

##### Alternative A: No Action

Agricultural lease will not be renewed and agricultural lands will not be cultivated. This alternative would require MFWP to commit resources to manage weeds on the previously cultivated 152 acres of farm fields. Wildlife would be negatively impacted by lack of wintering habitat and forage resources.

##### Alternative B: Preferred Alternative

Agricultural lease will be renewed for 152 ac of cropland. Wildlife will benefit because high-quality wintering habitat and forage will be available. The lessee, MFWP and sportsmen will mutually benefit through the sharecrop agreement.

### PUBLIC REVIEW PROCESS:

FWP is required by the Montana Environmental Policy Act (MEPA) to assess potential impacts of its proposed actions to the human and physical environments, evaluate those impacts through an interdisciplinary approach, including public input, and make a decision based on this information. FWP released a draft environmental assessment (EA) for public review of this proposal (Elk Island Wildlife Management Area Agricultural Lease) on February 1, 2013 and accepted public comment until 5:00 P. M. on February 22, 2013.

Legal notice of the proposal and availability of the Draft EA was published in the *Glendive Ranger Review* and the *Sidney Herald*. Copies of the environmental assessment were distributed to neighboring landowners and interested individuals, groups, and agencies to ensure their knowledge of the proposed project. The EA was available for public review on FWP's web site (<http://fwp.mt.gov/>, "Recent Public Notices" and "Submit Public Comments") from February 1, 2013 through February 22, 2013. An FWP statewide news release was issued January 30, 2012 and posted on FWP's website (<http://fwp.mt.gov/>, "News Releases") the same day.

### SUMMARY OF PUBLIC COMMENT

FWP received 2 total comments representing 1 person and 1 group (the Gallatin Wildlife Association, Bozeman, Montana). Both comments requested clarification of the intent and justification for the proposed project but did not state support or opposition to the proposed project. Both comments can be viewed in their entirety in Appendix A.

### RESPONSE TO PUBLIC COMMENT

Below is a summary of comments and FWP responses. For ease of response, similar comments are grouped together if they express a similar view (comment numbers correspond to the numbering of the individual commenters and paragraphs in Appendix A).

#### Comment #1b:

1. There are no references to any scientific literature indicating positive or negative effects of agricultural food plots, artificial nesting cover, or rest-rotation grazing on white-tailed deer, ring necked pheasants or wild turkey.

#### Comment #1j:

4. Note, since cropped lands are shared with 25% of the crop unharvested, the unharvested acres will have to be 4 times as valuable (on a per-acre basis) as unmanipulated land before the sharecropping begins to be justified. Admittedly, this is an oversimplification and assumes that the harvested acres have zero value for a selected wildlife function, such as winter food for white-tailed deer. However, stubble fields or fall-plowed land has little wildlife value. The concept is justified and must be considered in evaluating the costs and benefits of the project and in comparing alternatives.

5. Likewise, the value of unharvested irrigated hay would have to be 2.8 times greater than unmanipulated land before the project begins to be justified.

6. Note that, in a given year, the wildlife value of a newly plowed and planted field may be almost zero; in exchange for 25% of the field being wildlife-useful for part of the year.

Comment #2b:

but the deer need varied forage, not just monoculture grass. Please manage for wildlife, not the ag/livestock industry.

*FWP Response: It has been well-documented in the scientific literature that agricultural food plots can be beneficial and even critical for overwinter survival, body condition, and reproduction in a variety of wildlife species (deer, upland game birds, waterfowl, etc.). This is particularly true during extreme winters, when overwinter mortality of wildlife can devastate wildlife populations in Montana. Wildlife commonly forage in both harvested and unharvested agricultural fields during fall and winter—the commenter is incorrect in his assumption that stubble fields have little wildlife value. Harvested fields provide little cover but valuable foraging areas. Fall plowed land can also provide forage (e.g., tubers, invertebrates, waste beets). Fall plowing has historically occurred on a small portion of WMA agricultural fields and has generally been done as part of a larger crop rotation/soil preparation plan designed to maintain the productivity of the soil long-term. Alfalfa fields comprise a small portion of the WMA (<5%) and provide valuable brood-rearing habitat, wildlife forage, and soil benefits. Agricultural crops and hayfields are beneficial to favored game species when adequate cover for fawning, nesting, brood rearing, and overwinter survival are abundant. A broader picture of landscape-level habitat is beyond the scope of this EA, which specifically addresses an agricultural lease on a small portion of the WMA. However, the mosaic of cropland, woodlands, shrublands, and grasslands present on the WMA provide ideal habitat for white-tailed deer, pheasants, and turkeys. Although upland game birds will nest in agricultural fields, abundant nesting cover is available on the WMA and nesting cover is not limiting to local upland game bird populations. Rather, winter severity and overwinter survival generally have the greatest impact on upland game bird populations in eastern Montana. An exhaustive literature search and citation are unnecessary for well-documented and ground-proven wildlife management principles and practices. Rest-rotation grazing is beyond the scope of this EA.*

Comment #1c:

2. Despite years of experience with agricultural share-cropping on WMAs (9 years on 7 Sisters, 12 years on Elk Island) no local wildlife data are presented for evaluating the effectiveness of this management technique for any of the three primary wildlife species.
3. There apparently are no plans for evaluating the effectiveness of renewed or new agriculture or grazing activities on any population characteristics of any of the primary wildlife species. When public resources are being committed, we believe management goals should be precisely stated and goal-achievement should be measured. This is necessary for real adaptive management. It is necessary to demonstrate value in the use of public resources.

*FWP Response: The area wildlife biologist annually surveys the WMA for white-tailed deer and pheasants as part of larger trend area surveys for both species. Whitetails and pheasants are abundant on the WMA, with densities similar to or exceeding densities in surrounding areas (based on communication with past and present area biologists). The*

*WMA annually receives significant hunting pressure yet hunter success rates are high (based on communication with sportsmen). The intent of the WMA is not to conduct research, rather to implement science-based practices to manage wildlife populations for the benefit of sportsmen. Rigorous research and data collection as suggested by the commenter would be extremely costly, unnecessary to achieve management goals, and would require landscape-level analyses that are beyond the scope of this EA, which specifically addresses an agricultural lease on a small portion of the WMA.*

Comment #1d:

4. Populations of the three primary wildlife species are complexly limited. That is, limiting factors vary greatly in space and time. However, there is very little or no discussion of habitat limitations for the three wildlife species in the project area. It seems that some habitats being created or maintained by leases on the WMAs are abundant on adjacent or nearby private lands. Will duplication of these habitats provide habitat that is limiting? Might other needed habitat types be scarcer on the area landscape? All four EAs provide broad, unsubstantiated statements regarding the values of the projects to the three primary wildlife species and to many species of “other wildlife”. More precise discussion of this issue is warranted. If it cannot be provided, the need for on-the-ground evaluation of these projects is emphasized.

*FWP Response: A broader picture of landscape-level habitat and spatiotemporal habitat needs of wildlife is beyond the scope of this EA, which specifically addresses an agricultural lease on a small portion of the WMA.*

Comment #1e:

5. Financial costs of alternatives are vague. Our experience is that these costs are often understated for managing private activities on our WMAs. Expected costs for weed control under the no-action alternative are not given. Personnel costs for managing and administering the projects are not provided. Costs of owning and maintaining irrigation equipment, (at least on Isaac Homestead WMA) fences and water use are not provided.

Comment #1f:

6. The alternative of converting these lands to natural vegetation is not explored or analyzed. There is no description of what natural vegetative succession, or wildlife benefits, will occur if any of these projects are not applied to our WMAs. The only implication given is that there will be “weeds”. This seems to be largely a simplification of natural succession used to justify the projects.

Comment #1k:

Please consider the above comments in evaluating the Seven Sisters agricultural lease. Since WMAs are relatively rare on the landscape, we must maximize their value in achieving our wildlife goals. Moreover, public funds and other resources should be used as efficiently and effectively as possible. We are under no illusion that this is a simple request.

*FWP Response: Weed control costs would depend on the extent and nature of infestations, and are therefore impossible to accurately calculate. The cost of herbicide plus equipment could easily exceed \$50/ac or >\$7,500 if the entire 150 acres needed treatment. Multiple*

*treatments would likely be necessary to control noxious weeds before vegetation reestablished, and is unlikely to result in high-quality wildlife habitat. Converting lands to natural vegetation through “natural” succession would likely result in a near-monoculture of exotic smooth brome grass, based on “natural” vegetation surrounding areas. Noxious weeds would indeed be an issue and weed control would be necessary (leafy spurge and Canada thistle are two weed species that are common in the area). Few wildlife benefits will result from the no action alternative—smooth brome has little value for upland game bird nesting habitat or whitetail forage. Monotypic stands lack diversity, and without robust forb and insect components grasslands generally decrease in wildlife value. Long-term plans for the proposed lease area do call for conversion of some areas to dense nesting cover while maintaining some land in agricultural production to provide winter food for wildlife. Stands of dense nesting cover also require management to prevent encroachment of smooth brome and other weeds. The proposed agricultural lease is the preferred alternative because it will provide critical winter food and cover for wildlife. Conducting management activities through the proposed sharecropping agreement is a fiscally conservative method of accomplishing wildlife goals. The lessee owns and operates all equipment and is responsible for weed control within the leased areas. Implementing habitat projects and planting food plots without the use of a sharecropper was not considered because it would be extremely costly, would require additional personnel, and would not be justified since both harvested and unharvested cropland areas provide wildlife benefits. Personnel costs would be similar under the no-action and preferred alternative—the area biologist would be required to determine management plans and monitor the area equally under each alternative. FWP does not maintain or own irrigation equipment (all fields are flood irrigated) or fences on the WMA. Costs for irrigation water are set and required to be paid to the Lower Yellowstone Irrigation District regardless of water use (i.e., even if no water is used, the assessed fee must be paid).*

Comment #1g:

1. Table 3 notes that diversion of water for irrigation will not result in any (bad) changes or impacts to surface water or runoff – because this diversion has been occurring for at least 40 years. The possibility that stream or river flows or water quality might be improved by ending this diversion is not addressed.

*FWP Response: Water is supplied by the Lower Yellowstone Irrigation Project, and ending the diversion altogether is outside the scope of this EA. If FWP were to avoid using water from irrigation ditches, no appreciable improvement in Yellowstone River water quality would be expected (given the small percent of diverted water currently being utilized on the WMA), but the quality of the local habitat would appreciably deteriorate.*

Comment #1h:

2. There is no discussion and comparison of the specific benefits to the three primary wildlife species from “small grain”, corn, peas, beans, alfalfa, or “perennial foods”.

*FWP Response: Each crop type has benefits for wildlife, soil health, and weed control. The preferred crop in a given field is dictated by conditions in that field. Crops must be rotated to prevent disease and improve soil health. Legumes fix nitrogen to benefit soil fertility.*

*Perennial food plots provide both food and cover, but may not be a good choice in areas where weed infestations are likely or areas with flood-damaged soils. Small grains may be preferred when weed control is a concern. A diversity of crop types is preferred for wildlife because none are nutritionally complete, yet all of the listed crops can provide a critical source of winter food, especially when used in combination.*

Comment #1i:

3. Nesting cover is often considered limiting to pheasant populations. Often, the best nesting cover includes residual cover from the previous growing season. Uncut hay fields and uncut natural grasses can provide nesting cover for at least several years without artificial manipulation. What has been the history (number of acres) of residual grass cover on the project area in recent years and what provisions are being made for residual grass cover in the next few years? (Most “specific” uses of fields are for “cropping or haying”. Most fields are not restricted from haying before July 15, during pheasant nesting.)

Comment #2a:

Ms. Foster, as I pointed out in the Seven Sisters WMA, you have conflicting statements about lease benefits involving haying, in your Elk Island grazing lease. "Mowing and haying can result in direct mortality of birds and destruction of nests." Not only does haying disturb the ground nesting bird population,

*FWP Response: In eastern Montana, winter survival is generally the factor that most limits pheasant populations. Abundant nesting cover is available on the WMA, however a broader picture of pheasant habitat is beyond the scope of this EA, which specifically addresses an agricultural lease on a small portion of the WMA. Dryland grass fields may be hayed after July 15 for the express purpose of manipulating vegetation to improve productivity for wildlife. This is conducted on an “as needed” basis, typically no more than once every three years. Irrigated alfalfa fields must sometimes be harvested prior to July 15 in order to remain economically feasible. Alfalfa plantings benefit soil, broods, and can provide high-quality forage for a variety of wildlife species. Alfalfa fields are not intended to provide nesting habitat, nor are they a dominant feature on the WMA. Mortality of hens and destruction of nests has been negligible on the WMA because alfalfa fields comprise <5% of the WMA and the lessee is mindful of local wildlife. The statement referenced in Comment #2a refers to early-season haying or mowing of large areas ( $\geq 100$  ac) of grassland nesting habitat, and is not comparable with haying small acreages of alfalfa prior to July 15.*

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 the agricultural lease of Elk Island 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 continuation of the agricultural lease for Elk Island WMA.**

The Final EA may be viewed on FWP's Internet website: <http://www.fwp.mt.gov> or be obtained upon request from Montana Fish, Wildlife and Parks, Region 7 Headquarters, P.O. Box 1630, Miles City, Mt. 59301 (406) 234-0900.



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Brad Schmitz  
Region 7 Supervisor

March 12, 2013

Date

**APPENDIX A  
PUBLIC COMMENTS – ELK ISLAND WMA AGRICULTURAL LEASE  
FEBRUARY 1-22, 2013**

Comment #	Comment
1	<p><b>From:</b> Glenn Hockett [glhockett@bresnan.net]  <b>Sent:</b> Tuesday, February 19, 2013 3:12 PM  <b>To:</b> Foster, Melissa  <b>Cc:</b> Northrup, Rick; GWA Board [glhockett@bresnan.net]  <b>Subject:</b> Elk Island WMA Livestock Lease</p> <p>Feb. 19, 2013</p> <p>Melissa Foster  Montana Fish, Wildlife &amp; Parks  P. O. Box 342  Wibaux, MT 59353  (mfoster@mt.gov)</p> <p><b>Subject:</b> Draft EA: Elk Island WMA Livestock Lease</p> <p>Dear Ms. Foster:</p> <p>a The Gallatin Wildlife Association (GWA) is a non-profit volunteer wildlife conservation organization representing hunters and anglers in Southwest Montana and elsewhere. Our mission is simply to protect habitat and conserve fish and wildlife. GWA supports sustainable management of all fish and wildlife populations through fair chase public hunting and fishing opportunities that will ensure these traditions are passed on for future generations to enjoy.</p> <p>We are commenting separately on this and three other current EAs for managing agricultural use or grazing on our public wildlife areas. These EAs have much in common. Consequently, our 4 letters contain much repeated information. The three WMAs, subjects of these four EAs, are outside our region of Montana and our members have little or no personal experience on the areas. Thus, we apologize if we are making any incorrect assumptions.</p> <p>We understand that the primary purposes of these WMAs are to support populations and facilitate hunting of white-tailed deer, ring necked pheasants and wild turkeys. Secondary purposes are to benefit a diversity of wildlife expected to inhabit the Yellowstone River valley.</p> <p>I Issues for all four EAs.</p> <p>b 1. There are no references to any scientific literature indicating positive or negative effects of agricultural food plots, artificial nesting cover, or rest-rotation grazing on white-tailed deer, ring necked pheasants or wild turkey.</p> <p>c 2. Despite years of experience with agricultural share-cropping on WMAs (9 years on 7 Sisters, 12 years on Elk Island) no local wildlife data are presented for evaluating the</p>

effectiveness of this management technique for any of the three primary wildlife species.

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## II Issues for Elk Island Agricultural Lease

g 1. Table 3 notes that diversion of water for irrigation will not result in any (bad) changes or impacts to surface water or runoff – because this diversion has been occurring for at least 40 years. The possibility that stream or river flows or water quality might be improved by ending this diversion is not addressed.

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i 3. Nesting cover is often considered limiting to pheasant populations. Often, the best nesting cover includes residual cover from the previous growing season. Uncut hay fields and uncut natural grasses can provide nesting cover for at least several years without artificial manipulation. What has been the history (number of acres) of residual grass cover on the project area in recent years and what provisions are being made for residual grass cover in the next few years? (Most “specific” uses of fields are for “cropping or haying”. Most fields are not restricted from haying before July 15, during pheasant nesting.)

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Sincerely,

Glenn Hockett

Volunteer President  
Gallatin Wildlife Association

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**From:** katqanna@gmail.com

**Sent:** Tuesday, February 19, 2013 9:37 PM

**To:** Foster, Melissa

**Subject:** Public Comment: Elk Island Wildlife Management Area Agricultural Lease Environmental Assessment

- a Ms. Foster, as I pointed out in the Seven Sisters WMA, you have conflicting statements about lease benefits involving haying, in your Elk Island grazing lease. "Mowing and haying can result in direct mortality of birds and destruction of nests." Not only does haying disturb the ground nesting bird population,
- b but the deer need varied forage, not just monoculture grass. Please manage for wildlife, not the ag/livestock industry.

Kathryn QannaYahu