



Montana Fish, Wildlife & Parks

PARTIAL ASSIGNMENT OF SOURDOUGH CREEK CONSERVATION EASEMENT

Decision Notice

Montana Fish, Wildlife & Parks
Region 3
August 23, 2013

Proposed Action

The proposed action is for Montana Fish, Wildlife and Parks (FWP) to assign administration of a 1.3-acre parcel of the 230-acre Sourdough Creek Conservation Easement to the Gallatin Valley Land Trust (GVLT). The 1.3-acre parcel is a portion of the public parking area for the Mystic Lake trailhead and does not provide natural habitat features for fish or wildlife. The property will continue to be managed for public parking.

The assignment of the conservation easement to GVLT is expected to be followed by GVLT's donation of 5.9 acres of land, including the 1.3-acre parcel, to the U.S. Forest Service. This will be accompanied by the assignment of the conservation easement on this parcel to the Forest Service. The Forest Service manages the trailhead area and thousands of acres of adjoining land including the Mystic Lake trail. The proposed land transfer will consolidate ownership and management of this important public recreation area.

Montana Environmental Policy Act

FWP assessed the impacts of this proposal to both the human and physical environments. These effects were disclosed in the Environmental Assessment (EA) to comply with the requirements of the Montana Environmental Policy Act.

A 30-day comment period was open from the July 19, 2013, release date of the EA through August 16, 2013. The EA was distributed to about 35 individuals and organizations. The EA

was posted on the FWP website, at the State Library and the Environmental Quality Council, and a legal notice of the proposed action was published in the Bozeman Daily Chronicle and Helena Independent Record.

Comments Received on the Environmental Assessment

FWP received 5 comments, consisting of 3 in support and 2 neutral. The four substantive points made in these public comments are reviewed below.

1. Bozeman Water Treatment Plant: “consolidation of ownership and management of this area will benefit both the public and operations of the City of Bozeman Water Treatment Plant. The City accesses the Sourdough Water intake through this property. The Forest Service is experienced and competent in the management of trailhead facilities.”
2. Bridger Ski Foundation: “Bridger Ski Foundation has an agreement with the USFS to groom this trail in winter and we access it from the Trailhead parking lot. Consolidating ownership will allow the Forest Service to more effectively administer this trail corridor. This is one of the most used public areas in the Gallatin National Forest and is very important for public recreation summer and winter. The Forest Service is the right agency to own and administer this trailhead and agreeing to transfer this Conservation Easement from Montana Fish Wildlife and Parks to GVLТ will allow this to happen.”
3. City of Bozeman: “The City concurs with the overall benefit of the proposed action as stated on page three of the EA. As you know, the City owns property in the Sourdough Creek watershed including facilities used to collect and transfer water to the Sourdough Water Treatment Plant. This plant provides the majority of potable water to the City. As this partial assignment does not affect the City’s access to its lands and facilities the City is supportive of the transfer.”
4. Gallatin County Commission: A letter from the Commissioners notes that the county holds a road and parking easement in the trailhead area, and also holds a public road right of way in Sourdough Canyon Road from Nash Road north to at least a portion of Section 17, T3S, R6E. The road and parking easement at the trailhead area was granted to Gallatin County by GVLТ to allow for county maintenance of the parking area and this portion of the road. The letter stated that Gallatin County “has the ability to change its management of that portion of Sourdough Canyon Road regarding its obligation to assure public access.”

FWP Response: FWP is appreciative of Gallatin County’s important role in maintaining the Sourdough Canyon Road and the trailhead parking area, thus providing outstanding recreational opportunities to county residents and others who use the Mystic Lake trailhead and adjoining area. The proposed action and the anticipated subsequent land transfer from GVLТ to the Forest Service will not affect the county’s rights under its road and parking lot easements.

Final Environmental Assessment

No significant impacts to the human or physical environment were identified in the Draft EA or through public comment. Therefore, the draft EA and this Decision Notice will serve as the final document.

Decision

Based on the information in the Draft EA, it is my decision to proceed with the proposed action. The proposed action is to assign administration of a 1.3-acre parcel of the 230-acre Sourdough Creek Conservation Easement to the Gallatin Valley Land Trust.

Based on the analysis in the EA and applicable laws, regulations and policies, I have determined that this action will not have significant effects on the human or physical environment. Therefore, an Environmental Impact Statement will not be prepared. If you have questions regarding this decision notice, please contact me at (406) 994-4042, 1400 South 19th Avenue, Bozeman, MT 59718, or at pflowers@mt.gov.

A handwritten signature in black ink, appearing to read 'P. J. Flowers', with a large, sweeping flourish at the end.

Patrick J. Flowers
Region Three Supervisor