



Environmental Assessment Decision Notice
Amelia Island Wildlife Management Area Agricultural Lease
Montana Fish, Wildlife & Parks
March 11, 2020

DESCRIPTION OF PROPOSED ACTION

The 191-acre, Amelia Island Wildlife Management Area (WMA) was obtained by Montana Fish, Wildlife & Parks (FWP) in 1980 using hunting license and Pittman-Robertson Wildlife Restoration funds. The management goal of this property is to protect existing riparian habitat and maintain a mosaic of native and cropland habitat for the benefit of white-tailed deer and pheasant, thereby providing recreational opportunity for sportsmen.

The 48 acres of the WMA associated with the proposed agricultural lease were cultivated prior to acquisition. The proposed management action would be limited to these irrigated fields allowing the lessee to cultivate and harvest a crop in a portion (approximately 75%) of the cropland. In return, the lessee would be required to cultivate and leave standing annual habitat plots in the remaining portion (approximately 25%) of the cropland for the benefit of wildlife.

ALTERNATIVE TO PROPOSED ACTION

Alternative A: No Action: Agricultural lease would not be renewed; agricultural lands would be left idle and noxious weeds would likely replace crops and habitat plots. This alternative would require FWP to commit resources from other programs and efforts to manage noxious weeds on 48 acres of irrigated ground previously managed by a lessee. If winter habitat is not present on the WMA, wildlife may utilize neighboring private lands more, potentially resulting in more game damage issues.

Alternative B: Proposed Action: Agricultural lease would be renewed; wildlife would benefit from wintering habitat and forage created in the cultivated areas especially in the unharvested areas left for wildlife. FWP would not use limited resources controlling noxious weeds in the of existing cultivated fields.

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 (Amelia Island Wildlife Management Area Agricultural Lease) on January 31, 2020 and accepted public comment until February 28, 2020.

Legal notice of the proposal and availability of the draft EA was published in the *Billings Gazette*, *Helena Independent Record* and *Forsyth Independent Press*. Copies of the Environmental Assessment were provided 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 website (<http://fwp.mt.gov/>, "Recent Public Notices" and "Submit Public Comments"). An FWP statewide news release was issued and posted on FWP's website (<http://fwp.mt.gov/>, "News Releases").

SUMMARY OF PUBLIC COMMENT

FWP received one comment through the public comment period. The comment opposed the proposed management action. A copy of the comment is found in the Attachment.

RESPONSE TO PUBLIC COMMENT

Comment One A: Side bars should be in place on the application of fertilizers and herbicides/pesticides, opposed to FWP paying the costs of maintaining fences, irrigation fees and the continued cultivation of irrigated farm fields. A copy with redacted personal information is provided in the Attachment.

FWP's response to comment one:

Thank you for your comment. The comment was detailed and thoughtful.

It is important to note the primary management goal of the Amelia Island WMA is to provide hunting opportunity for white-tailed deer and pheasants, consistent with maintaining wildlife populations and habitats on the area in a viable, healthy condition. It is also important to note that most of the WMA is in idle or "native" cover and is not part of the agriculture lease. The lease agreement is specific to 48 acres (~25%) of the WMA.

It has been well-documented in scientific literature that agricultural food/habitat plots are beneficial and even critical for overwinter survival, body condition and reproduction in a variety of wildlife species (specifically the species of primary management emphasis). This is particularly true during extreme winters, when overwinter mortality of wildlife can severely impact wildlife populations in Montana. Wildlife commonly forage in both harvested and unharvested agricultural fields during fall and winter. Harvested fields provide little cover but valuable foraging areas. 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. Agricultural crops are beneficial to the favored game species when habitat for fawning, nesting, brood rearing, and overwinter survival are adequate. 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 quality habitat for white-tailed deer and pheasants. An exhaustive literature search and citation are unnecessary for well-documented and ground-proven wildlife management principles and practices.

It is FWP's position that if these areas, that have been farmed for over a century were left idle, noxious weeds would likely be an issue and weed control would be necessary. Leafy spurge, Canada thistle and salt cedar are weed species that are common in the area. Multiple treatments would likely be necessary to control noxious weeds before perennial vegetation reestablished. Based on experience of managing properties along the Yellowstone River, a monoculture of smooth brome would occur. Smooth brome provides hiding cover but has little value for upland game bird nesting habitat or whitetail forage. Long-term plans for the WMA include conversion of some areas to a perennial mix of grasses and forbs, while a portion will be cultivated to provide winter habitat for wildlife. Stands of dense nesting cover also require management to prevent encroachment of smooth brome and other weeds. If favorable conditions to cottonwood reestablishment occur, such as ice-scouring, a preferred management action would be to idle that area to promote cottonwood regeneration.

Conducting management activities through the proposed sharecropping agreement is a fiscally responsible method of accomplishing wildlife management goals on the WMA. Implementing habitat projects and planting food plots without a lessee would be more costly. The lessee owns and operates their equipment and brings knowledge, skills and experiences acquired through decades of farming. The lessee was selected through a competitive process for their conservation minded farming techniques and commitment to public access.

There is an inaccuracy in the Environmental Assessment. FWP does not pay for the maintenance and operation of an irrigation pump on Amelia Island WMA because there is no such infrastructure on site. The cultivated fields are flood irrigated with irrigation pipe supplied by the lessee. 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). The 48 acres of irrigated land on the WMA operates as part of a larger system of agriculture along the Yellowstone River watershed. Given the small percentage of diverted water on the WMA, it is unlikely water quality in the Yellowstone River would improve if irrigation ceased on the WMA. Without irrigation, the quality of the local wildlife habitat would likely deteriorate. FWP maintains the boundary fences on the WMA to exclude livestock that are present on neighboring land thereby preserving wildlife habitat.

In conclusion, FWP recognizes that other methods of habitat management may yield more conservation values on this WMA. However, those practices would come with increased expenses and would reduce funding for habitat conservation efforts elsewhere. Considering the low cost and quality of habitat values produced, FWP believes the collaborative cost-share agreement (agriculture lease) is the appropriate management option at this time.

FWP is in the process of developing management plans for Amelia Island and other WMAs. Those plans will be available for public review and comment.

DECISION NOTICE

In accordance with the Environmental Assessment process, a decision must be rendered by FWP which addresses the concerns and issues identified for this proposed action. 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 Environmental Assessment as supplemented by this Decision Notice and changes herein as final, and to recommend proceeding with the proposed Amelia Island WMA agricultural lease.

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

Brad Schmitz

A handwritten signature in black ink, appearing to read 'Brad Schmitz', written in a cursive style.

FWP Region 7 Supervisor

Attachments

Public comment with personal information redacted

Public Comment: Opposed Proposed Management Action

From: [REDACTED]
To: [Atwood, Steve](#)
Subject: [EXTERNAL] Amelia Island WMA comments
Date: Sunday, February 16, 2020 1:57:32 PM

Steve -

Here are my comments on the proposed extension of the ag lease for Amelia Island WMA. To put it simply, at a minimum there should be strict side-bars on the application of fertilizers and herbicides/pesticides on this publicly-owned land, especially since the irrigation comes from and returns to the Yellowstone River. As a life-long hunter/angler, it was my license fees and excise taxes that paid for this land and I do not want to see it degraded by continued agricultural use, which even your own EA admits will occur through pollution of groundwater and ditch runoff -- to say nothing of the loss of native riparian vegetation and cottonwoods that should rightfully be growing here.

For instance, in the EA, it states:

3b. Cultivation includes diversion of water and potential minor impacts to ground water from leaching of fertilizer and runoff from ditch irrigation.

I guess you expect the public to just take your word on the "minor" impacts since you presented exactly ZERO scientific analysis to back up that claim. When's the last time FWP monitored groundwater or the ditches for chemical composition of the runoff/leachate? Never, I would guess. Yet it is well known that herbicides cause injury and death to aquatic species including invertebrates, amphibians, and fish. Unless and until actual scientific analysis takes place, your statement cannot be verified as true and, as such, makes its inclusion in the Environmental Analysis totally irrelevant.

The lessee is responsible for weed control in the cultivated areas.

OK, and what, exactly is the lessee going to use to control the weeds in cultivated areas and how is it going to be applied? Again, you provide ZERO information to the public to weigh the risks of potentially high level use of herbicides and pesticides on the lease. Not only do both have the ability to impact the water and surrounding vegetation, but they may also cause the kinds of testicular deformation documented in pesticide/herbicide use areas in the Bitterroot. Moreover, there are many native plants that

Public Comment Continued:

would undoubtedly recolonize the area if the use of pesticides and herbicides was stopped. Again, no mention of this in your EA, which severely diminishes its validity as a public information environmental analysis.

The objectives of this lease are to improve wildlife habitat and increase use of the area by wintering wildlife. Farming-related disturbance to wildlife would be minimal because all cultivation activities occur outside of the critical wintering period.

Surely you know that wildlife will use this area outside of the "wintering period" since it's basically in a riparian area of the Yellowstone River. Will fawns be able to hide in a bare, cultivated field? Nope. How about birds? Nope. Gophers? Maybe, if the lessee doesn't poison them, which has not been addressed in the EA. Again, you simply make a statement and expect the public to take it as gospel without truly analyzing the actual wildlife potential of the land. And that says nothing about what or how many wildlife may be crippled or killed during harvest operations since you don't even bother to tell the public exactly what crops are going to be planted there.

All the fields proposed for cultivation have traditionally been used for agricultural production and none directly border the Yellowstone River.

"Traditionally" seems to be stretching the actual length of time this land has been plowed, cultivated and used for ag production. Even your own document states "The fields proposed for cultivation have been used for agricultural production for several years." "Several years" is hardly a "traditional" use of the land. Yet, once again you fail to provide any historical use of the land by wildlife that could be expected to return to that truly "traditional" use were the ag lease to be terminated. The simple truth is, as is evident in the photo, that were this WMA NOT cultivated it would be covered in cottonwoods and riparian vegetation that would provide truly "traditional" use of the land by a huge variety of wildlife common to cottonwood bottomlands.

The proposed action would not increase risks or health hazards at the WMA.

I don't know how one can say the application of herbicides and pesticides and perhaps even poisons (for gophers) would not increase risks or health hazards at the WMA. While you state: **The proposed action would**

Public Comment Continued:

continue agricultural use of this portion of the WMA and would not conflict with other uses of the WMA (i.e. hunting, fishing, boating, hiking etc.). Again, without a shred of scientific evidence to back you up -- and considerable existing evidence that herbicides and pesticides DO in fact pose risks and health hazards to humans (just read the labels) -- you simply state "no problem." How, I wonder, do you know when someone, perhaps a child with parents, decides to hike through the area soon after the application of herbicides/pesticides/or poisons? Since you also don't state when and or how the fertilizers and weed control chemicals will be applied, how do you know if won't be aerially? Further, what "riparian" vegetation you say surrounds the field won't be damaged by the herbicides? Generally speaking, the common ag herbicides kill broadleaf plants since they target weeds primarily. What, no broad leaf plants on the WMA to consider?

Finally, the EA "contract" states:

FWP agrees to:

- a. Maintenance and repair of fences.**
- b. Maintenance and operation of the irrigation pump.**
- c. Pay irrigation costs fees associated with the Yellowstone Irrigation District annual assessment.**

This is almost unbelievable to a Montana sportsman that we should use our hunting and fishing license fees and federal excise taxes to not only maintain the fences (presumably to keep crops safe), but the maintenance and operation of the irrigation pump and the fees associated with the Yellowstone Irrigation District's annual assessment.

Yet, despite happily off-loading these fees and costs on to sportsmen and women, the EA couldn't specify exactly what those costs are going to be. Not a single estimate. And what do we get out of it? A few acres of crop stubble that's supposed to off-set these costs through the theoretical wildlife benefits it provides.


In short, this is a pitiful example of a state agency "jumping through the hoops" of the legally-required action under the Montana Environmental Policy Act (MEPA) without providing a shred of scientific analysis to back up its claims.

Considering the gross inadequacy of the Environmental Assessment, I am

Public Comment Continued:

opposed to the project, opposed to paying the costs for private ag operations, opposed to the conversion of what should be a real wildlife habitat by continuing to use it as cultivated fields. These are public lands, bought and paid for with public funds for the purpose of a Wildlife Management Area -- not a field of any manner of domestic agricultural crop (and the ones listed -- but not limited -- vary widely in their requirements for everything from water to chemical/fertilizer treatment.)

Please enter my opposition in the record and look forward to your decision notice wherein you are supposed to answer the public's concerns -- especially since you surely did not do that in this non-Environmental Assessment.


Helena, Montana

End of Public Comment