Draft Environmental Assessment
Isaac Homestead Wildlife Management Area
Agricultural Lease

January 31, 2020

Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

Montana Fish, Wildlife and Parks (FWP) proposes to renew an agricultural lease on the Isaac Homestead Wildlife Management Area (WMA). The proposed lease would be for a 5-year period (May 1, 2020 – May 1, 2025). The objective of the proposed lease is to provide enhanced wildlife habitat and to increase wintering use of wildlife on the WMA.

2. Agency authority for the proposed action:

FWP has the authority under Section 87-1-210 MCA to protect, enhance, and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future. In addition, in accordance with the Montana Environmental Policy Act, FWP is required to assess the impacts that any proposal or project might have on the natural and human environments. Further, FWP's land lease-out policy, as it pertains to the disposition of interest in Department lands (87-1-209) requires an Environmental Assessment (EA) to be written for all new agricultural leases, lease extensions or lease renewals.

3. Anticipated Schedule:

January 31, 2020: Begin 30-day public comment period
February 28, 2020: End 30-day public comment period
March 6, 2020: Release the Decision Notice
April 23, 2020: Fish and Wildlife Commission final consideration
May 1, 2020: Agriculture lease starts
May 1, 2025: Agriculture lease expires

4. Location affected by proposed action:

Isaac Homestead WMA is located west of Hysham along the Yellowstone River in Treasure County (Figure 1). Isaac Homestead WMA comprises 1,169 acres in T6N, R35E portions of sections 10-11, 14-15, and more particularly designated and described as shown in Book 12, pages 271 and 618 and Book 13, pages 235 and 245 of Deeds in the office of the Clerk and Recorder of Treasure County, Montana. This proposal affects only the 345 acres of irrigated crop land (Appendix A).

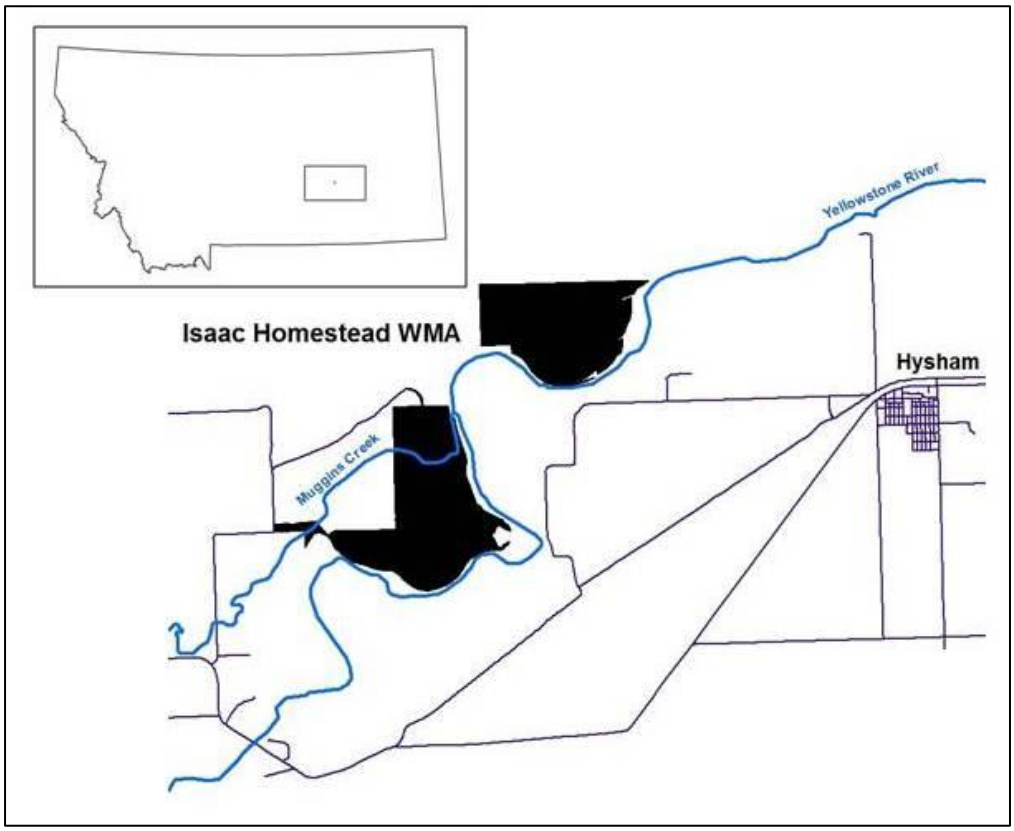


Figure 1. Isaac Homestead WMA in eastern Montana is located west of Hysham along the Yellowstone River in Treasure County.

5. Project size:

The project size is approximately 345 acres of irrigated crop land.

Land Cover/Use	Acres		Land Cover/Use	Acres
(a) Developed			(d) Floodplain	0
Residential	0			
Industrial	0		(e) Productive	
(b) Open Space/Woodlands/Recreation	0		Irrigated Cropland Dry Cropland Forestry	345 0 0
(c) Wetlands/Riparian Areas	0		Rangeland Other	0 0

6. Permits, Funding & Overlapping Jurisdictions:

(a) Permits: None required
(b) Funding: N/A
(c) Other Overlapping or Additional Jurisdictional Responsibilities: None

7. Narrative summary of the proposed action:

The Isaac Homestead WMA property was obtained by FWP using hunting license and Pittman-Robertson Wildlife Restoration funds to protect existing riparian habitat and maintain woodland/cropland complexes

for the benefit of white-tailed deer and pheasant, thereby providing recreational opportunity for sportsmen. The fields in the proposed project area were in agricultural production prior to acquisition. The proposed actions would be limited to these fields (Appendix A) and continue the management prescription of producing crops in the already established fields. A portion of the crops would be left standing for the benefit of wildlife. Details and terms of the Isaac Homestead WMA agricultural lease are described in Appendix B.

8. Description and analysis of reasonable alternatives:

Alternative A: No Action: Agricultural lease would not be renewed and agricultural lands would not be cultivated. This alternative would require FWP to commit resources to manage weeds on the previously cultivated 345 acres of farm fields. Wildlife would be negatively impacted by lack of wintering habitat and food resources. 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 for 345 acres of cropland. Wildlife would benefit from wintering habitat and forage created in the farmed areas especially in the unharvested areas left for wildlife. The lessee(s), FWP and sportsmen would mutually benefit through the share-crop agreement.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?			X			1b
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other		X				

1b. Farming activities can have both positive and negative impacts on soil structure and composition. The proposed activities are not expected to reduce soil productivity or fertility. The current lessee has demonstrated initiative to soil health and has fulfilled all conditions/stipulations of previous lease agreements using commonly accepted agricultural practices.

2. AIR Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions or pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		N/A				
f. Other		X				

The proposed action would not change the ambient air quality within or around the WMA. Any dust generated from crop management activities would be short in duration and limited to the plot area.

3. WATER Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?			X			3b
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		N/A				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		N/A				
n. Other		X				

3b. Cultivation includes diversion of water and potential minor impacts to ground water from leaching of fertilizer and runoff from ditch irrigation. However, the fields proposed for cultivation are bounded by riparian shrubs and grasses and do not directly border the Yellowstone River or its tributaries. Renewing the lease would not result in any changes or impacts to surface water, ground water, runoff or other water rights.

4. VEGETATION Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				4e
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		N/A				
g. Other		X				

The fields proposed for cultivation have been used for agricultural production for several years. Continuing the agricultural lease for this area would have no net change on the vegetation diversity.

4e. The project area would be monitored for new or spreading weed infestations by the FWP area biologist, the lessee, and Treasure County Weed District personnel. The lessee is responsible for weed control.

5. FISH/WILDLIFE Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?			X positive			5b
c. Changes in the diversity or abundance of nongame species?			X positive			5c
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. For P-R/D-J, will the project be performed in any area in		N/A				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		N/A				
j. Other		X				

5b/5c. 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.

5f. Species of concern known to occur in or along this section of the Yellowstone River valley include great blue heron, spiny softshell turtle, blue sucker and sauger. The proposed project is not expected to have any adverse effects on these species and is not expected to impact water quality or riparian habitats. All the fields proposed for cultivation have traditionally been used for agricultural production and none directly border the Yellowstone River. The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), prohibits human-induced disturbance that could induce abandonment of a known nest site. While bald

eagles are observed on and around the Isaac Homestead WMA, no nests are currently known to be located on the WMA.

B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other		X				

The proposed action would have no effect on existing noise or electrical effects.

7. LAND USE Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other		X				

The proposed action would 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.).

8. RISK/HEALTH HAZARDS Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other		X				

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

9. COMMUNITY IMPACT Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other		X				

The proposed action would not impact local communities, increase traffic hazards, or alter the distribution of population in the area.

10. PUBLIC SERVICES/TAXES/UTILITIES Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources		N/A				10e
f. **Define projected maintenance costs.		N/A				10f
g. Other		X				

The proposed action would have no impact on public services/taxes/utilities.

10b. FWP is required by law to pay property taxes in an amount equal to a private individual. This project would not affect the tax base.

10e/f. There is no projected revenue for FWP. The lessee would be allowed to cultivate and harvest up to 75% of cultivated acres for his possession and use. The lessee would be required to leave a minimum of 25% of the cultivated acres unharvested for wildlife use as payment in full to FWP. Maintenance costs to FWP are reduced because the lessee is responsible for much of the project implementation and maintenance.

11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)		X				
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		N/A				
e. Other		X				

The location of the proposed action has been used for the cultivation of crops for numerous years. The continuation of the agricultural lease would not alter any new areas within the WMA or interfere with existing recreation activities on the WMA.

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		N/A				
e. Other		X				

No impacts to cultural or historical resources are anticipated.

C. SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		N/A				
g. For P-R/D-J, list any federal or state permits required.		N/A				
h. Other		X				

The proposed lease renewal is a continuation of the ongoing management of the WMA for the benefit of wildlife and public opportunities. No public controversy is anticipated.

PART III. NARRATIVE EVALUATION AND COMMENT

For over three decades, FWP has used an agriculture lease as a management tool to enhance wildlife habitat, public hunting opportunities, and manage noxious weeds on the Isaac Homestead WMA. The proposed agricultural lease would be used to maintain vegetative diversity and provide forage primarily for pheasants and white-tailed deer. This proposed action is not expected to have significant impacts on the physical or human environment. The proposed action is expected to benefit wildlife habitat and populations on the WMA and would be evaluated and incorporated in future management on Isaac Homestead WMA.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manner about the proposed action and alternatives considered, and how to comment on this EA:

- Two public notices in each of these newspapers: *Billings Gazette, Helena Independent Record, Forsyth Independent Press* and *Hysham Echo*, as well as a public notice on the Fish, Wildlife & Parks web page: *http://fwp.mt.gov*.

Copies of this environmental assessment will be distributed to neighboring landowners and interested parties to ensure their knowledge of the proposed project. This level of public notice and participation is appropriate for a project of this scope having limited and very minor impacts, which can be mitigated.

2. Duration of comment period:

The public comment period will extend for 30 days. Written comments will be accepted until February 28, 2020 and can be sent to the respective addresses below:

Isaac Homestead WMA Agriculture Lease
c/o Steve Atwood
Montana Fish, Wildlife & Parks
P.O. Box 1630
Miles City, MT 59301

or

Email comments to:
satwood@mt.gov

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)?

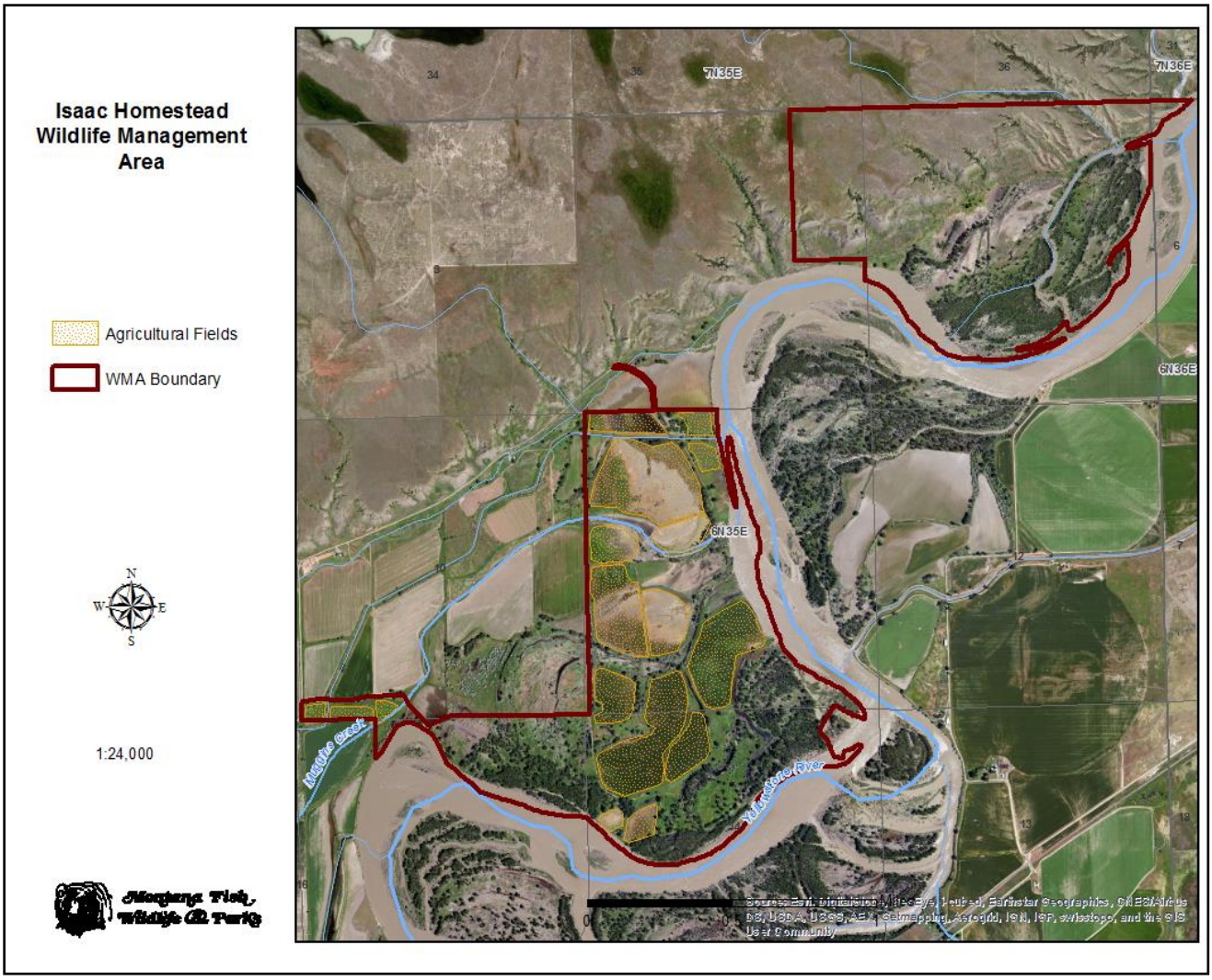
No, an EIS is not required. It has been determined that no significant impacts to the physical and human environment would result due to the proposed action alternative, nor would there be significant public controversy over the proposed action; therefore, an EIS is not required.

2. Person responsible for preparing the EA:

Steve Atwood, FWP Wildlife Biologist
P.O. Box 1630
Miles City, MT 59301
406-234-0942

APPENDIX A: Legal Description

That portion of approximately 345 irrigated acres, on which have been previously cultivated, on the Montana Fish, Wildlife and Parks (FWP) owned Isaac Homestead Wildlife Management Area (WMA) in Treasure County, Montana. These said acres being in the S1/2 of Section 10, the N1/2 of Section 15, NW1/4 of Section 14, W1/2, W1/2, SE1/4 of Section 11, T6N, R35E and more particularly designated and described as shown in Book 12, pages 271 and 618 and Book 13, pages 235 and 245 of Deeds in the office of the Clerk and Recorder of Treasure County, Montana.



APPENDIX B: Use of Premise and Special Conditions

Rental Agreement:

In lieu of a cash rental payment the lessee agrees to terms and services as outlined below:

1. The Lessee agrees to:
   a. Obtain approval from FWP staff regarding the type and location of crops prior to cultivation. Such crops may include but are not limited to wheat, barley, sugar beets, corn and alfalfa.
   b. Cultivate, irrigate and harvest up to 75% of cultivated areas for their own possession and use.
   c. Cultivate, irrigate and leave standing 25% of cultivated areas for the benefit of wildlife as payment to FWP in locations predetermined by FWP staff.
   d. Leave stubble standing until the spring of each year. It is acknowledged that sugar beets may be a part of the Lessee's standard crop rotation. With prior approval from FWP, the Lessee may fall prep a field(s) if said field(s) is scheduled to produce beets the following spring.
   e. Control weeds on cultivated areas using approved agricultural practices.

2. 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.

3. Any damage caused by the lessee would be his/her responsibility.