

Draft Environmental Assessment

Big Lake Wildlife Management Area-South Side Addition
Fee Title Acquisition



July 11, 2022



**MONTANA FISH,
WILDLIFE & PARKS**

Draft Environmental Assessment

MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

Montana Department of Fish, Wildlife and Parks (FWP) proposes to purchase in fee title approximately 115-acres of private land adjacent to Big Lake Wildlife Management Area ("WMA" or "Big Lake WMA"). The property is in Stillwater County, approximately 23 miles northwest of Billings in FWP Region 5. The property is owned by T Bar J Ranch, Inc. Upon purchase, this property would be incorporated into and managed as part of the Big Lake WMA.

Big Lake WMA is part of the Big Lake Wetland Complex in South Central Montana. The purpose of the WMA is to provide quality waterfowl nesting and migration staging habitat. This unique prairie wetland habitat provides for a diverse assemblage of species, including waterfowl, shorebirds, upland birds, grassland birds, antelope, mule deer, prairie dogs, and other native species populations. The area is predicted to provide habitat for at least 11 "Species of Concern". Therefore, these habitats are beneficial in maintaining huntable and viewable populations of game and non-game species, both migratory and resident.

The WMA provides excellent waterfowl hunting opportunities. Upland bird, and big game hunters seeking antelope and mule deer also find frequent success here. During spring and summer, the WMA is a popular area for local birders and birding groups. Recreationists enjoy the area from land or by using canoes and kayaks to traverse more remote parts of the WMA. Motorized watercraft are allowed for lawful hunting purposes.

Because of shallow waters and periodic wet/dry cycles, the lake does not support fish or fishing opportunities.

2. Agency authority for the proposed action:

FWP has the authority to purchase or acquire by lease, agreement, or gift, lands that are suitable for game, bird, fish or fur-bearing animal restoration, propagation or protection; for public hunting, fishing, or trapping areas; and for state parks and outdoor recreation, per MCA 87-1-209.

FWP would primarily use state Migratory Bird Wetland Program funds to purchase this property. These funds, derived from migratory game bird hunting license fees are for "protection, conservation, and development of wetlands in Montana" Installing a fence and long-term maintenance costs associated with the acquisition would be accomplished by FWP using general hunting license, Habitat Montana, or other funds.

The Migratory Bird Stamp Act, enacted by the Montana Legislature in 1985, authorizes FWP to use funds from migratory bird hunting licenses “...for the protection, conservation, and development of wetlands in Montana” (MCA 87-2-411). A citizen-based Wetlands Protection Advisory Council, also established in 1985 through MCA 2-15-3405, provides program oversight and is responsible for reviewing and advising FWP on funding proposals. Wetland Advisory Council members approved spending funds on this land acquisition project in January 2022.

3. Name, address and phone number of project sponsor:

Montana Department of Fish, Wildlife and Parks
Region 5 Billings Headquarters
2300 Lake Elmo Dr.
Billings, MT 59105

4. Anticipated Schedule:

Fish and Wildlife Commission Endorsement: December 14, 2021
Draft Environmental Assessment: July 6, 2022
Public Comment Period of EA: July 11, 2022-August 14, 2022
Decision Notice: August 24, 2022
Fish and Wildlife Commission final review: December 16, 2022 (date subject to change)

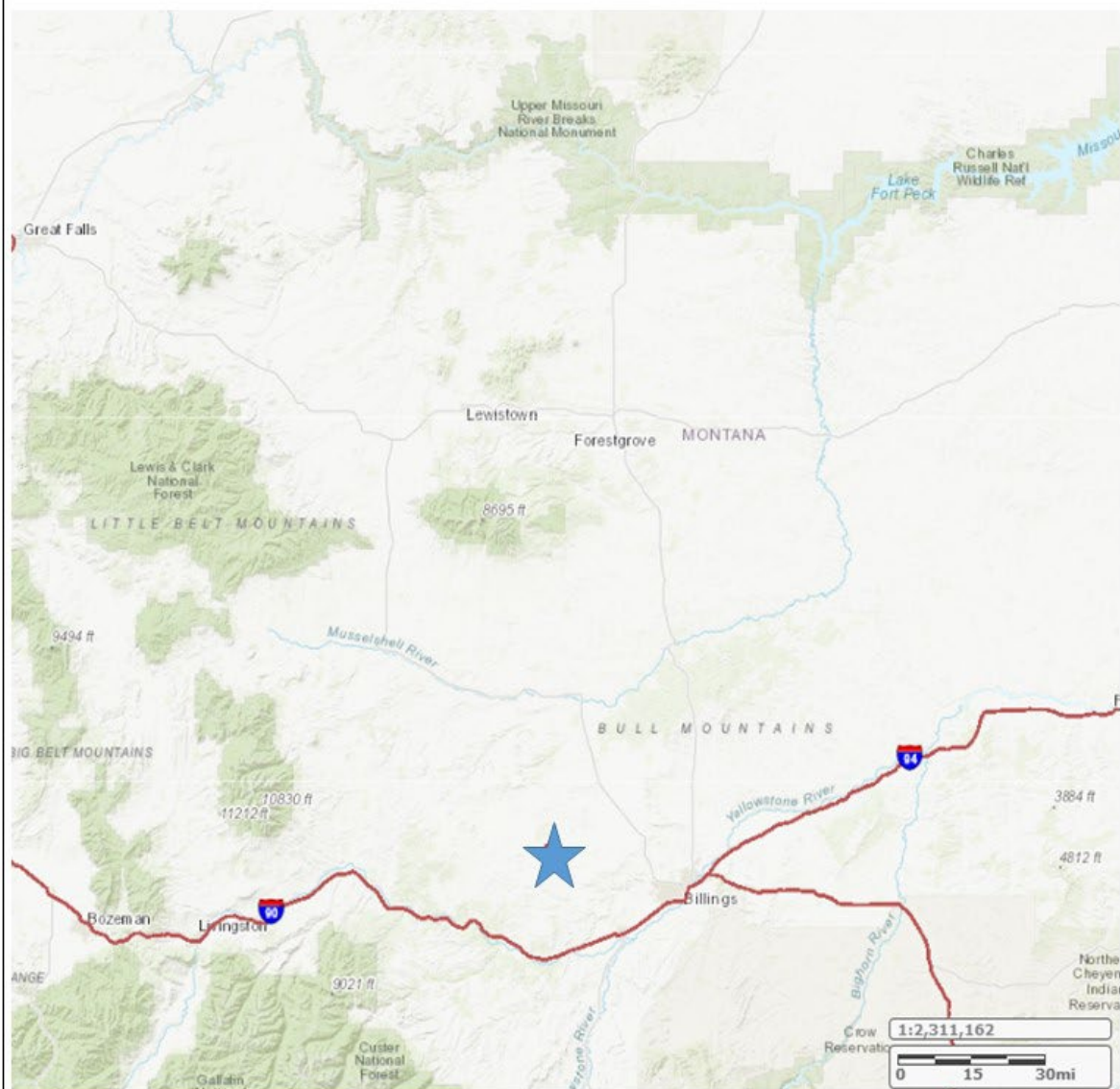
5. Location affected by proposed action (county, range and township – included map):

The proposed addition to Big Lake WMA is located in Stillwater County, approximately 18 miles north of the Yellowstone River and 23 miles northwest of Billings (Figure 1, 2). It is located in the northeast corner of section 7, T1N, R22E (Figure 3).

Figure 1 . Big Lake WMA Vicinity Map

MONTANAFWP

Big Lake WMA located in South Central Montana, FWP Region 5.



Big Lake Wildlife Management Area

Map produced by: FWP Region 5 Wildlife Division

Administrative boundaries and FWP Lands data from Montana Fish, Wildlife & Parks, Helena, MT.

Figure 2. Big Lake WMA Boundary and Proposed Addition

MONTANAFWP

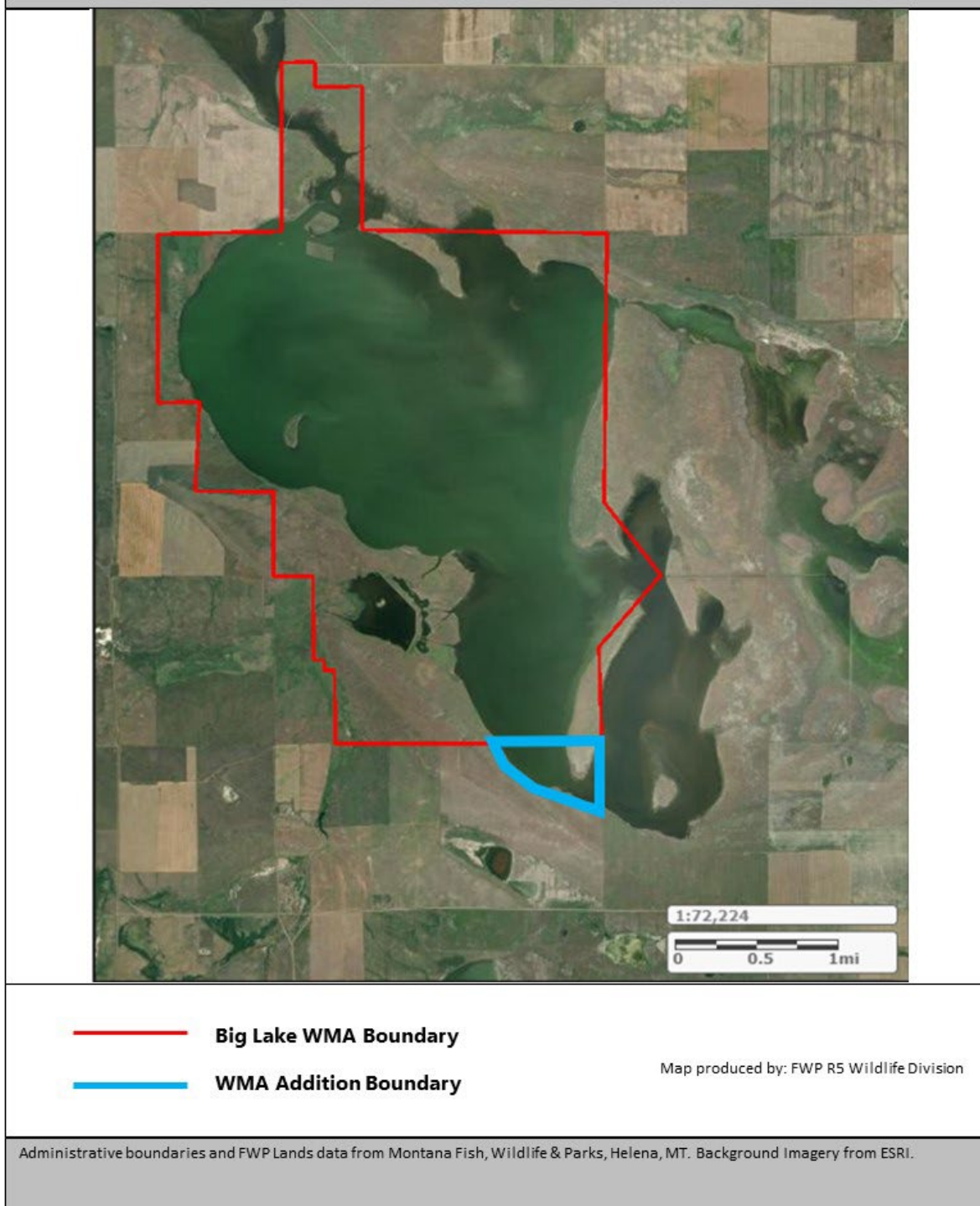


Figure 3. Big Lake WMA South Side Addition (T1N, R22E, Section 7). MONTANAFWP



Proposed New WMA boundary/fence line



Flooded fence planned for removal

Map produced by: FWP R5 Wildlife Division

Administrative boundaries and FWP Lands data from Montana Fish, Wildlife & Parks, Helena, MT. Background Imagery from ESRI.

6. Project size -- estimate the number of acres that would be directly affected that are currently:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(existing shop area)		Irrigated cropland	<u>0</u>
(b) Open Space/	<u>0</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>80</u>	Rangeland	<u>35</u>
Areas		Other	<u>0</u>

7. Permits, Funding & Overlapping Jurisdiction.

(a) Permits:

None anticipated

(b) Funding:

FWP would use state Migratory Bird Wetland Program funds to pay the appraised value of the property and associated due diligence and closing costs. The appraised value is \$805.54 per acre, for a total of \$93,000 and due diligence and closing costs are estimated at \$10,000. The cost of fence work and materials as well as long-term maintenance would be provided by FWP primarily with general hunting license and Habitat Montana funds.

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency</u>	<u>Responsibility</u>
Montana Fish and Wildlife Commission	Purchase Approval
Stillwater County Weed District	Weed Plan Approval

8. Narrative summary of the proposed action:

Background. Big Lake WMA is part of the Big Lake Wetland Complex in South Central Montana located in Stillwater County, about 23 miles northwest of Billings in FWP Region 5. The purpose of the WMA is to provide quality waterfowl nesting and migration staging habitat. The surrounding landscape is a fragmented patchwork of agricultural production, traditional grazing land, native grasslands, and scattered saline wetlands. Currently, Big Lake WMA consists of 3,086 acres owned by FWP. Within the WMA lies an additional 166 acres of U.S. Bureau of Land Management and 188 acres of Montana Department of Natural Resources and Conservation land. These lands surround an additional 1,347 acres of historical lakebed. The WMA is publicly accessible via two access points along the northern boundary. The west access road provides a third access

option to the west side and southern part of the WMA.

This unique prairie wetland habitat complex provides for a diverse assemblage of species, including waterfowl, shorebirds, upland birds, grassland birds, antelope, mule deer, prairie dogs, and other native species populations. The area supports habitat for at least 11 species of concern. These habitats are beneficial in maintaining huntable game species and viewable populations of non-game species, both migratory and resident. FWP has also worked with Ducks Unlimited, Inc. to establish several wetland habitat improvements to enhance waterfowl and shorebird habitats.

The upland areas of Big Lake WMA and the proposed parcel are a mixture of native grasses, including western wheatgrass and needle-and-thread, along with a variety of nonnative grasses and forbs. Submergent aquatic vegetation in the lake is mainly sago pondweed, which is excellent forage for ducks, American coots, and swans, and provides nesting substrate for eared grebes. The shallow wetlands provide large expanses of diverse aquatic forage creating critical stopover habitat for migrating waterfowl and shorebirds.

Over the past 27 years Big Lake has had sufficient water to provide for moderate to substantial waterfowl production and migration staging habitat in 18 years (65% of years). Since the removal of Hailstone Dam in 2010, significant water has been present in Big Lake for 11 of the last 12 years. This suggests that the additional inflow may be sufficient to maintain Big Lake water levels throughout longer periods.

Proposed Action. The Department proposes to purchase in fee title approximately 115 acres of private land adjacent to Big Lake WMA. The proposed addition is currently owned by T Bar J Ranch Inc., which owns the entirety of section 7. The value of the property has been appraised at \$93,000. FWP would pay the appraised value using State Migratory Bird Wetland Program funds.

Currently, the boundary of this part of the WMA runs through a portion of Big Lake basin. When flooded, this segment of boundary fence is inundated, causing chronic fence maintenance issues and associated livestock intrusion (Figures 4-5). By FWP acquiring this parcel, a new boundary would be established mostly on upland sites, which would substantially reduce maintenance needs, both for FWP and the neighboring ranch.

Upon purchase, this property would be incorporated into and managed as part of the Big Lake WMA for its wildlife and recreational values, bringing the total WMA size to approximately 4,787 acres. New fencing is also proposed along what would be the new addition boundary to help protect nesting waterfowl as well as the landowner's livestock. Water salinity can sometimes reach levels sufficient to cause health concerns for livestock. The WMA uplands provide important nesting cover for waterfowl and other upland nesting birds. Although domestic livestock grazing is used as a tool for accomplishing specific wildlife habitat objectives on some other WMAs, it doesn't fit for the habitat objectives associated with these nesting cover needs.

No structures exist on the proposed addition, and no water rights or deed restrictions would be transferred to FWP. There are no maintained roads or other improvements on the property.

Acquisition of this parcel is important to the long-term successful management of Big Lake WMA. Water levels and wetland extent fluctuate dramatically from year to year depending on local precipitation. This proposed addition to the WMA would ensure livestock can be effectively excluded from the WMA regardless of water level fluctuations, bringing stability for the landowner and FWP.

Figure 4. Big Lake WMA boundary fence destroyed by fluctuating water levels.



Figure 5. Intrusive cattle on Big Lake WMA that cannot currently be effectively excluded due to fence damage from fluctuating water levels.



The WMA addition would be managed under the existing Big Lake WMA management Plan. Plan components include annual weed control actions, road, fence, and sign maintenance. Cattle grazing does not occur on the WMA. Grazing is not planned for the addition. No homes, barns, roads, or other structures are present. The purchase will bring stability to a chaotic fencing scenario around fluctuating water levels. The proposed addition would improve management efficiency and reduce long term maintenance cost and time obligations for FWP and the neighboring landowner.

9. Description and analysis of reasonable alternatives:

Alternative A: No Action – FWP would not acquire the Big Lake WMA South Side Addition Property

Under the No Action Alternative, FWP would not acquire the property from T Bar J Ranch.

The property would continue to be managed as rangeland for livestock production. The WMA boundary fence would continue to be a challenge for maintenance and for effectively excluding cattle from the WMA, as well as for protecting nesting habitat from substantial cattle grazing. Additional and ongoing effort and expense would be needed from the neighboring landowner and FWP to manage livestock. Habitat impacts would occur on the WMA due to livestock removing nesting and security cover when present.

Much of this land is saline wetland basin habitat. It is of low grazing or agriculture value.

Alternative B: Proposed Action – FWP would purchase in fee title the proposed South Side Addition to Big Lake WMA.

FWP would use state Migratory Bird Wetland Program funds to pay the appraised value of the property and associated due diligence and closing costs. The appraised value is \$805.54 per acre, for a total of \$93,000 and due diligence and closing costs are estimated at \$10,000. The cost of fence work and materials as well as long-term maintenance would be provided by FWP primarily with general hunting license and Habitat Montana funds.

10. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

The proposed addition would be incorporated into Big Lake WMA and managed according to the existing WMA Management Plan. A new fence, 0.8 miles in length, would be constructed along the new parcel boundary. FWP would install boundary signs in accordance with FWP WMA boundary sign policy every 500 feet along the property boundary. Approximately 1.0 mile of existing WMA fence that is flooded along the current boundary, would be removed when water fluctuations allow. This up-front work would be completed using contractors hired by FWP or FWP maintenance crews. New fence construction, boundary sign installation and weed control are estimated to cost approximately \$14,000. Removal of existing fence is estimated to cost approximately \$5,000 and would be funded through the Habitat Montana Program and possibly other funding sources.

No impacts to adjacent private lands are anticipated. The proposed action is not expected to have any impact on local schools or local government services. No impacts to private businesses supplying goods and services to the community are anticipated.

FWP would implement noxious weed management with guidance from the FWP *Statewide Integrated Noxious Weed Management Plan* (June 2008) and would use properly prescribed chemicals on a prioritized basis. Biological agents, mowing, pulling, and/or other methods would be researched and used where chemical control is inappropriate. No public motorized use would occur on the property to minimize the introduction and spread of noxious weeds.

Minimal additional FWP staff time would be required to manage this addition, including fence maintenance and weed control, as it would be managed as part of the existing WMA.

Historic Sites: No destruction or alteration of any site, structure, or object of prehistoric, historic, or paleontological importance is anticipated while under FWP ownership. FWP's proposed acquisition would likely have a positive effect on any cultural or historical resources by securing and managing them in public ownership. By Montana law (MCA 22-3-433), all state agencies are required to consult with SHPO on the identification and location of heritage properties on land owned by the state that may be

adversely impacted by a proposed action or development project (construction sites). If any projects arise in the future that would require ground disturbance, FWP would therefore consult with SHPO prior to such activities and these actions would be covered in a separate Environmental Assessment.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

The analysis of the physical and human environments discussed on the following pages is limited to Alternative B, the proposed action.

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

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				
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				

2. <u>AIR</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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 of 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 regulations? (Also see 2a.)		X				

3. <u>WATER</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				
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.)		X				
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.)		X				

4. <u>VEGETATION</u> Will the proposed action result in?	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				4c
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?		X				
g. Other:						

4c. No plant species of concern have been identified by Montana Natural Heritage for the existing wildlife management area or township.

4e. A comprehensive survey for noxious weeds was conducted in cooperation with the Stillwater County Weed Department supervisor on June 2, 2022. A small patch of Canada Thistle was found in the northwest corner of the parcel along the shoreline. No other noxious weeds were identified. Weed control of this property will be incorporated into the weed management for Big Lake WMA.

5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
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 which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				
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.)		X				

5.f. There are no listed U.S. Fish and Wildlife Service threatened or endangered species or critical habitat known to be present on the property. A list of wildlife Species of Concern (SOC) that are either known to occur or predicted to occur on or near the property is provided in Table 2. Under FWP management, wildlife values, including threatened and endangered species, would be conserved, and where possible, the productivity of soils, water, and vegetation will be conserved.

Table 2. Animal Species of Concern list for the Big Lake WMA vicinity – Montana Natural Heritage Program

Species Group	Common Name	Scientific Name
Mammals	Black-tailed Prairie Dog	<i>Cynomys ludovicianus</i>
Mammals	Hoary Bat	<i>Lasiurus cinereus</i>
Birds	Baird's Sparrow	<i>Centronyx bairdii</i>
Birds	Black-necked Stilt	<i>Himantopus mexicanus</i>
Birds	Burrowing Owl	<i>Athene cunicularia</i>
Birds	Chestnut-collared Longspur	<i>Calcarius ornatus</i>
Birds	Ferruginous Hawk	<i>Buteo regalis</i>
Birds	Greater Sage-Grouse	<i>Centrocercus urophasianus</i>
Birds	Loggerhead Shrike	<i>Lanius ludovicianus</i>
Birds	McCown's Longspur	<i>Rhynchophanes mccownii</i>
Amphibians	Great Plains Toad	<i>Anaxyrus cognatus</i>

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?			X			6s
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				

6.a. There would be increased use of the area by recreationists, but most of this use would be walk-in based recreation and would not impact noise levels. Most recreational use is expected to occur during hunting season. However, use is expected to be intermittent and dispersed over a large area, and therefore this impact is considered negligible. There are no residences that would be affected by the noise.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				8a8c, 8d
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				8a 8c, 8d
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)			X			8a, 8c, 8d

8.a. & c. Chemical spraying is part of FWP's weed management plan to limit the infestation of noxious weeds on its properties per the guidance of the FWP *Statewide Integrated Noxious Weed Management Plan* (June 2008). Weed treatment and storage and mixing of the chemicals would be in accordance with standard operating procedures. Certified professionals would use permitted chemicals and apply them in accordance with product labels and as provided for under law.

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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				10a
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		X				
f. Define projected maintenance costs.			X			10f

10a. FWP would continue maintenance including fire risk mitigation and wildlife law enforcement on the property. FWP currently monitors and patrols in the area and would include the proposed addition to the WMA.

10b. By law, FWP pays the equivalent of taxes to counties equal to the amount that a private landowner would be required to pay per MCA 87-1-603. There would be no change in taxes received by Stillwater County as a result of the proposed action.

10f. There would be no significant increase to FWP maintenance costs or personnel time with the addition of this property to the existing WMA. Additional maintenance costs would be covered through existing funding and staff resources. Over time, FWP expects the proposed action to reduce maintenance costs by moving a portion of the boundary fence out of the wetland basin.

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				11a
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 Positive			11c
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.)		X				

11.a The proposed action would have no effect on any scenic vista or the viewshed of the area or other aesthetic character because no developments would be implemented on this property under FWP ownership and the viewshed would be protected in perpetuity.

11.c The proposed action could increase recreation to the site, as the property would be in public ownership.

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?			X			12a
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.)		X				

12.a. Ground disturbance from new fence construction could be a potential impact. No destruction or alteration of any site, structure, or object of prehistoric, historic, or paleontological importance is anticipated while under FWP ownership. FWP's proposed acquisition could have a positive effect on any cultural or historical resources by securing and managing them in public ownership. By Montana law (MCA 22-3-433, all state agencies are required to consult with SHPO on the identification and location of heritage properties on land owned by the state that may be adversely impacted by a proposed action or development project (construction sites).

SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
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.)		X				
g. For P-R/D-J, list any federal or state permits required.		X				

PART III. NARRATIVE EVALUATION AND COMMENT

This proposed acquisition would conserve native wetland habitats and enhance recreational opportunities in perpetuity. Habitat quality on the existing WMA could improve, benefiting waterfowl and upland birds. No development of structures or roads, aside from fencing, would occur on the land. The purchase would alleviate chronic fence maintenance needs for the landowner and FWP. The purchase would further FWP's desire to be a good neighbor with our adjacent private landowners. No significant negative impacts are expected to occur with the proposed action.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

- Two public notices in each of these papers: _Billings Gazette & Stillwater County News
- One statewide FWP news release
- Public notice on the FWP web page: <http://fwp.mt.gov>.
- Public notice in the Helena Independent Record

Scoping:

Per MCA 87-1-218: Lands proposed for acquisition under MCA 87-1-209 that are fewer than 640 acres are not required to complete a public scoping process.

Copies of this environmental assessment will be distributed to the 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 minimal impacts, which can be mitigated.

2. Duration of comment period:

The public comment period will extend for at least (30) thirty days. Written comments will be accepted until 5:00 p.m., August 14, 2022, and can be mailed or emailed to the addresses below:

Montana FWP Region 5
Attn: Big Lake WMA Addition Comments
2300 Lake Elmo Drive.
Billings MT. 59105-3998

Comments can be emailed to fwpreion5pc@mt.gov Please use subject line, "**Big Lake WMA Addition**".

PART V. EA PREPARATION

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

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action. An EIS is not required. Based on the assessment above, which has identified a very limited number of minor impacts from the proposed action that can be mitigated, an EIS is not required, and an environmental assessment is the appropriate level of review.

2. **Person(s) responsible for preparing the EA:**
Justin Paugh, FWP Region 5 Wildlife Biologist, Big Timber, MT Justin Paugh,
jpaugh@mt.gov

3. **List of agencies or offices consulted during preparation of the EA:**

Montana Department of Fish, Wildlife and Parks:
Habitat Bureau, Helena
Land and Water Unit, Helena
Wildlife Bureau: Billings Regional Office, Helena
Parks and Recreation Bureau, Billings
Stillwater County Weed Department, Columbus