Draft
Environmental Assessment

Shields River
Proposed Fishing Access Site Acquisition

August 2005

Montana Fish, Wildlife & Parks

Shields River Proposed Fishing Access Site Acquisition
Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of proposed state action**: Montana Fish, Wildlife & Parks proposes to acquire through private donation 23.63 acres on the Shields River for a new Fishing Access Site (FAS). Proposed development on the property would include a parking area for up to six vehicles, access trails to the river, boundary fencing, barriers, signing, and a sealed vault latrine.

2. **Agency authority for the proposed action:** The 1977 Montana Legislature enacted statute 87-1-605, which directs Fish, Wildlife & Parks (FWP) to acquire, develop and operate a system of fishing accesses. The legislature established an earmarked funding account to ensure that this fishing access site function would be established.

3. **Name of project:** Shields River Proposed Fishing Access Site Acquisition.

4. **Name, address and phone number of project sponsor (if other than the agency):** Montana Fish, Wildlife, and Parks is the project sponsor**.**

5. **If applicable:**
   Estimated Date of Acquisition: December 2005.
   Estimated Construction/Commencement Date: No construction scheduled at this time.
   Current Status of Project Design (% complete): 25

6. **Location affected by proposed action (county, range and township):** The property that FWP proposes to acquire is located in Section 29, Township 1N, Range 10 E, in Park County. The legal description is: Remainder SW4SW4 Tract of COS 1934.

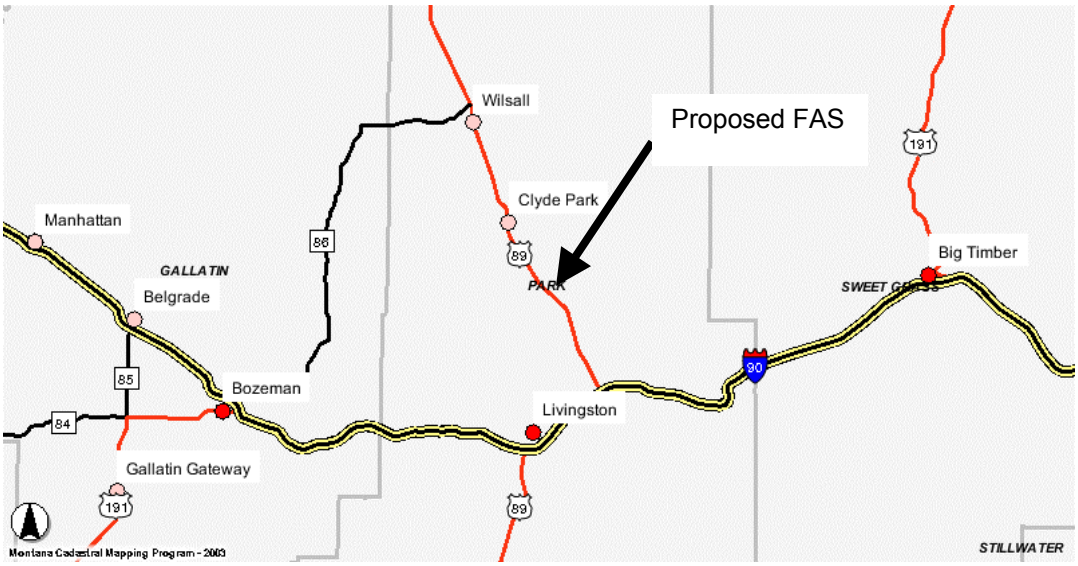

Figure 1. Area map with arrow showing approximate location of proposed FAS.

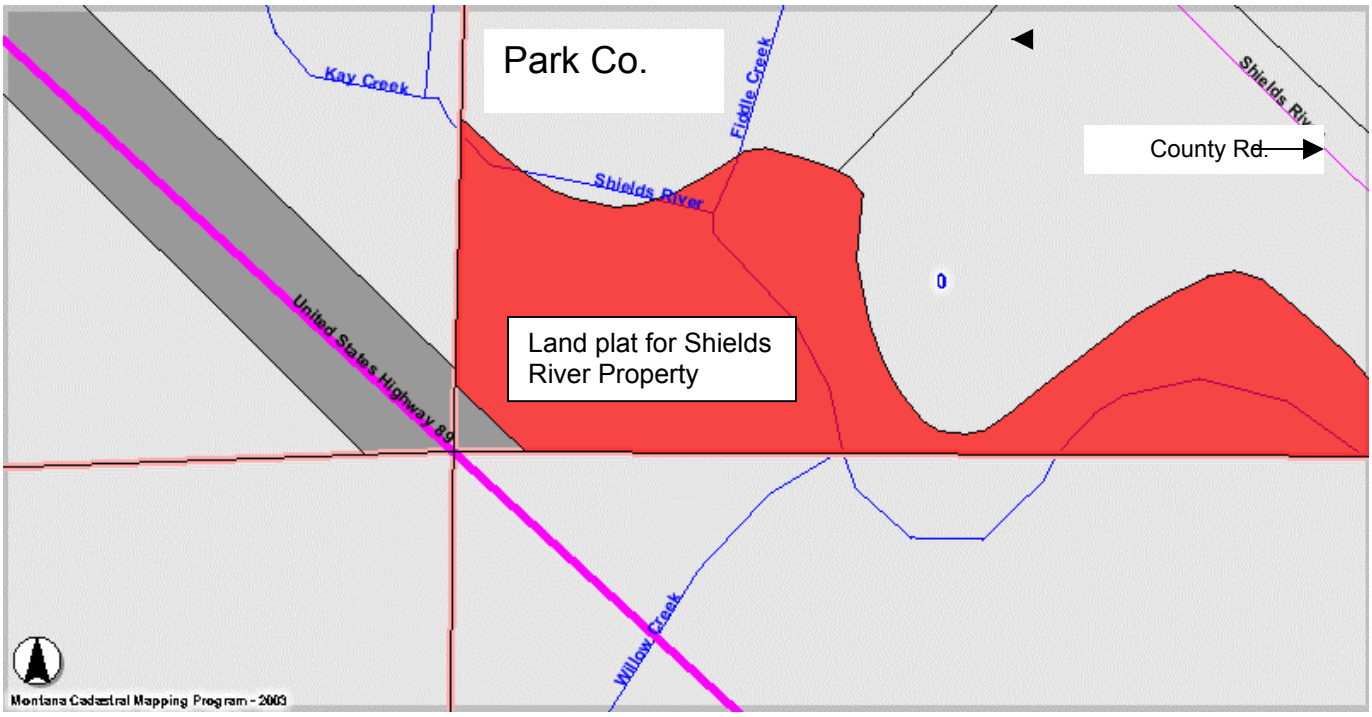

Figure 2. Shields River Property Map in red (river location approximate).

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

	Acres		Acres
(a) Developed:		(d) Floodplain	7
Residential	0		
Industrial	0	(e) Productive:	
		Irrigated cropland	0
(b) Open Space/Woodlands/Recreation	0	Dry cropland	0
		Forestry	0
(c) Wetlands/Riparian Areas	10	Rangeland	6
		Other	0

8. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) Permits: permits will be filed at least 2 weeks prior to project start.

Agency Name	Permit
Park County Sanitarian	Sealed Vault Latrine Permit
Mt Dept. of Transportation	Highway Approach Permit
	Sign Permit
	Encroachment Permit

(b) Funding:

Agency Name	Funding Amount
Private individual	Donation of 23 acres on Shields River
FWP Acquisition Fund	$10,000 (for 5-years of weed control)

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name	Type of Responsibility
N/A	

9. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action:

(NOTE: Include maps, site plans showing location and boundaries here and/or under #6 above.)

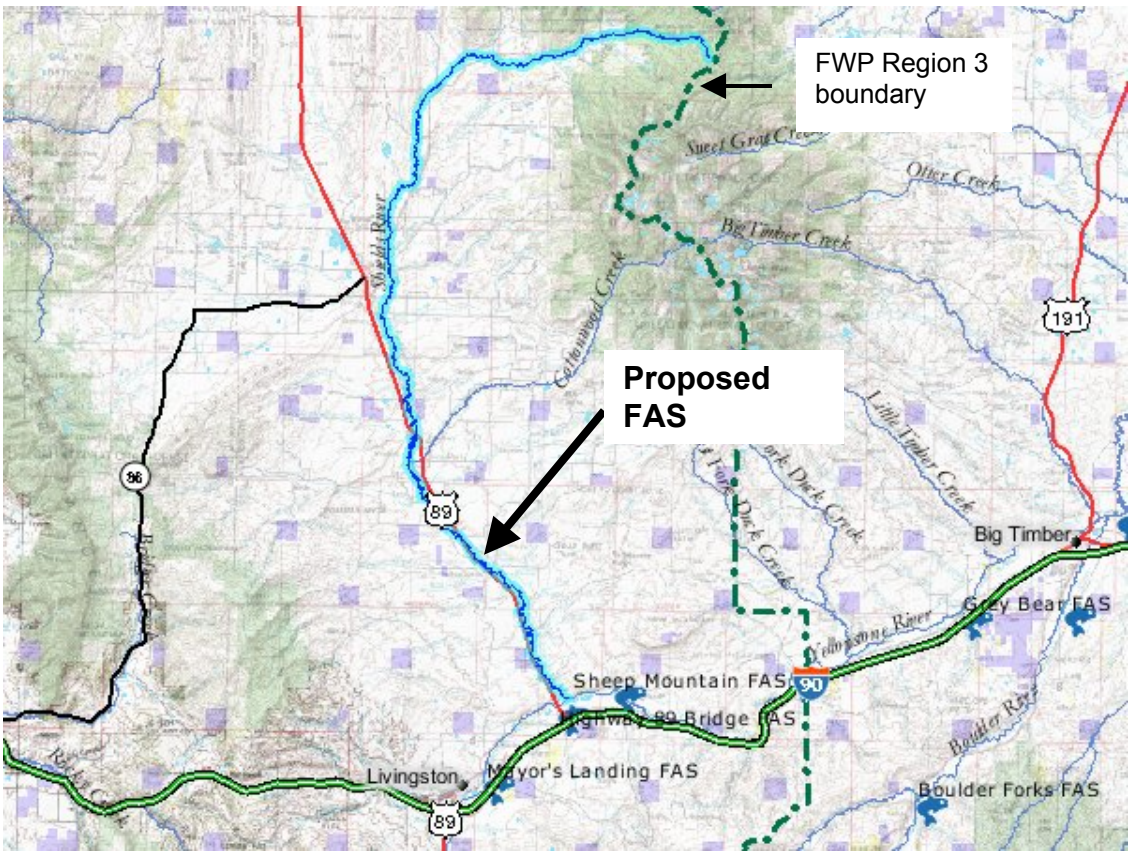

Figure 3. The Shields River and approximate location of proposed FAS.

The Shields River is a moderate-sized stream that drains the west slope of the Crazy Mountains and converges with the Yellowstone River; about 10 miles downstream from

Livingston within FWP Region 3 (see figures 3&4). Once the river leaves the mountains, it flows through a broad, arid, agricultural valley, with the Bridger Range forming a backdrop to the west and the Crazy Mountains to the east. Streamside vegetation is coniferous in the mountains, changing to willow, cottonwood, and riparian forbs and grasses in the downstream sections. The density of streamside vegetation varies greatly, making access quite difficult in some sections but easy in others. The Shields River is most floatable by watercraft for a short 3-5 week window in late spring; otherwise it is quite shallow and easy to wade across in almost any section.

Fishing pressure on the Shields River is extremely low, with an estimated 1,226 angler days logged in 2003 on the section between Clyde Park and its mouth. That section was ranked 51st in the Region and 242nd for the state in terms of fishing pressure. Upper sections are ranked even lower. The low visitation is probably due to a number of factors: low population density in the area, the proximity of better-known rivers such as the Yellowstone and Boulder, and the low availability of public access. The Shields River flows through private property for almost its entire length, even near its headwaters. Since there are no FASs on any section of the river, public access is limited to highway and county road bridge crossings and by permission of landowners.

The fishery in the Shields River is quite good, averaging 500-550 trout per mile. In the upper sections there are numerous small brook and Yellowstone cutthroat trout, and in the lower sections brown trout and rainbow are predominant. Mountain whitefish are also found throughout the river in healthy numbers.

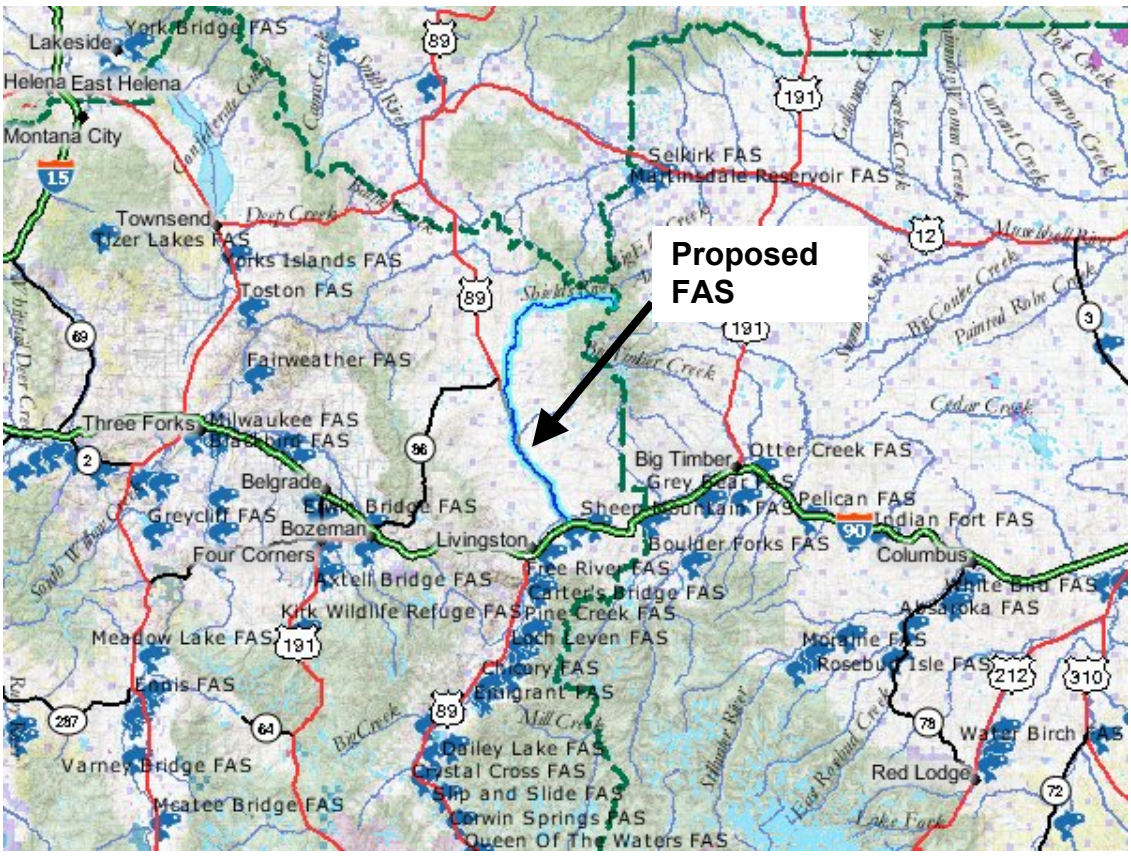

Figure 4. Approximate location of proposed FAS in relation to existing FASs.

Montana FWP proposes to accept the donation of a parcel of property from a private donor for inclusion in the Fishing Access Site (FAS) system. The property is 23.63 acres in size and borders the Shields River in Park County. This is a good opportunity for FWP to acquire an FAS at minimal cost and in an area with little public access. There are no other FASs on the Shields River, and the next closest FAS is the Highway 89 Bridge FAS on the Yellowstone River, about 17 road miles away (see Figures 3 &4). Figure 4 illustrates the under - representation of FASs in this part of Montana in comparison to other areas.

Some of the different habitat that is found on the property includes: mature cottonwood stands with thin understory; areas of thick shrubs and forbs; areas of very tall (over 6 ft.) riparian grasses; and a diverse wetland complex. The tract includes 6/10 mile of riverfront and several yards of Willow Creek. While vegetation is very dense throughout most of the property, it is thinner along most of the shoreline, so riverbank angling would be possible. The river contains several riffle-pool sequences in this section, so it would also be good for wade angling.

The only development currently on the property is an approach and highway pull-out where the tract abuts Hwy. 89 and some fences in poor repair. In conjunction with the acquisition, FWP proposes to add a small gravel parking area, a latrine, boundary fencing, and access trails to the river. The gravel parking area would hold up to six vehicles, which is bigger than the current pull-out, and would be located about 25 ft. off of the road. The improved highway access and parking area would significantly increase public safety. The latrine would be installed out of sight of the road but in close proximity to the new parking area, and would help safeguard the sanitation and aesthetics of the new FAS. The access trails are necessary because vegetation is extremely dense in many parts of the property, and anglers would have a difficult time pushing through the thick understory without a trail. Also, trails would help keep users oriented within the property, decrease unintentional trespassing, and provide routes to and from the parking area. A design plan is pending.

In recent years, the property has been mostly idle, which is one reason why vegetation is so thick. As a result, wildlife such as whitetail deer is plentiful and black bear and moose use the site at least occasionally. Numerous songbirds and a pair of nesting red-tailed hawks were observed during a site visit on July 19, 2005, and beaver dams were evident on Willow Creek within the property.

One aspect of the property that causes concern is the level of weeds on the property. On July 19, 2005, FWP staff met with the Park County Extension Agent and the Park County Weed Supervisor at the site to document the existing level of weeds on the property and to discuss control of those weeds should FWP acquire the property. Noxious weeds currently infest approximately 25% of the acreage. Leafy spurge is by far the most prevalent, followed by Canada thistle, musk thistle, hounds tongue, and spotted knapweed. Wild licorice and mullen are also common on the site, but are not considered to be noxious weeds. There was general agreement that it would cost about $10,000, spread over 5 years, to control the weeds on the property. If the land acquisition proceeds, funding for this weed control would come from the FWP FAS Acquisition Fund. Park managers would initiate the weed control plan as soon as possible after acquisition, and would post signs on the FAS informing the public of when weeds were being sprayed and how to limit the spread of noxious weeds. Aquatic-approved herbicides would be used whenever indicated, as well as biological control and some hand-

pulling. After the initial 5-year intensive control effort, FWP would conduct annual spraying as necessary to continue to control weeds on the property.

In sum, the offer of this parcel to FWP represents a rare opportunity to acquire an FAS at little cost on a quality fishery with little public access. The acquisition of this property for inclusion in the statewide FAS system would significantly add to public recreational opportunities in the area.

PART II. ENVIRONMENTAL REVIEW

1. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:

Alternative A: No Action

If no action is taken, the Shields River parcel would either remain under the present ownership or would be sold by the landowner to another private individual or group. Montana FWP would lose a rare opportunity to establish a Fishing Access Site on the Shields River, public access to which would continue to be very limited. Weeds on the parcel would not be eradicated and would likely increase in density on the parcel and possibly on adjoining properties.

Preferred Alternative B: Proposed Action

In the preferred alternative, FWP would accept donation of this property, initiate the 5-yr weed management plan immediately, and begin minor development of the site when funding became available, which would likely be in 2008 but could be earlier or later. The development would include the construction of a six-vehicle gravel parking area, installation of a single vault latrine, boundary fencing, access trails, and signs. The current highway pull-out is not large enough to accommodate the expected number of visitors, which could result in unsafe shoulder-parking, so the proposed parking area would improve public safety. A latrine would help safeguard the aesthetics and sanitation of the property, and the access trails and boundary fencing would facilitate movement within the FAS and reduce disorientation and unintentional trespassing.

Note: a detailed evaluation of the Proposed Action is included in Part VI. Environmental Review Checklist beginning on page 9.

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

Actions described in this environmental analysis do not regulate the use of private, tangible personal property, or real property under a regulatory statute adopted pursuant to the police power of the state; the actions do not involve the denial of an application for a permit or other permission; and the actions do not restrict the use of the regulated person's private property.

The actions of accepting a donation of land and developing it for a fishing access site do not place regulatory restrictions on private property and therefore do not require an evaluation of regulatory restrictions on private property.

PART III. NARRATIVE EVALUATION AND COMMENT

The Shields River is an important tributary to the Yellowstone River and is a high-quality fishery, although lesser-known and visited than many other southwest Montana waters. Game fish such as brown and rainbow trout and mountain whitefish exist in sufficient numbers to support greater fishing pressure than this section of river presently receives. The establishment of an FAS at this site would be in line with FWP's Six-Year Operation Plan for the Fisheries Program, which has as a stated goal to "identify waters in need of additional access and develop strategies to meet these needs" and to "pursue access opportunities to high-quality, non-floatable (small/medium) streams."

The proposed acquisition would increase public recreational opportunities in an area with little public access with no significant negative impacts.

PART IV. PUBLIC PARTICIPATION

1. **Describe the level of public involvement for this project if any, and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?**
   The public will be notified of the environmental analysis and comment process by way of a statewide press release and legal notices in the Livingston Enterprise and Bozeman Chronicle and by public notice on the Fish, Wildlife & Parks web page: **http://fwp.state.mt.us/publicnotices**.

   Individual notices will be sent to those that have requested one.

   No public meeting is scheduled at this time, but FWP would arrange one if requested.

2. **Duration of comment period, if any.**
   A 30-day comment period is open from August 24, 2005 to September 22, 2005. This level of public involvement is appropriate for this scale of project. Written comments should be sent to:

   Montana Fish, Wildlife & Parks
   c/o Shields River EA
   1400 South 19th Avenue
   Bozeman, MT 59718

   Or by e-mail to brrich@mt.gov

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)? If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment under MEPA, this environmental review found no significant impacts from the proposed acquisition of the Shields River property. In determining the significance of the impacts, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability the impact would occur or reasonable assurance that the impact would not occur, growth-inducing or growth inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value affected, and precedent that would be set as a result of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. Therefore, an EA is the appropriate level of review and an EIS is not required.

2. Name, title, address and phone number of the person(s) responsible for preparing the EA:

Bruce Rich	Allan Kuser	Linnaea Schroeer-Smith
Regional Fisheries Manager	Fishing Access Site Coordinator	Independent Contractor
1400 South 19th	1420 East 6th Ave	1027 9th Ave
Bozeman, MT 59718	Helena, MT 59620	Helena, MT 59601
(406) 994-3155	(406)444-7885	(406) 495-9620

3. List of agencies consulted during preparation of the EA:

Montana Fish, Wildlife & Parks
- Parks Division
- Wildlife Division
- Fisheries Division
- Design & Construction Bureau
- Lands Division

Montana State Historic Preservation Office (SHPO)
Montana Department of Commerce – Tourism
Montana Natural Heritage Program – Natural Resources Information System (NRIS)

PART VI. ENVIRONMENTAL REVIEW CHECKLIST

3. 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				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (attach additional pages of narrative if needed):

1b. The construction of the parking area would cause some soil disruption, displacement and compaction of soil, but the area affected would be very small.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

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			2a.
b. Creation of objectionable odors?		X				2b.
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 regs? (Also see 2a.)						
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (attach additional pages of narrative if needed):

2a. Minor and temporary dust and vehicle emissions would be created by heavy equipment during construction.

2b. Regular maintenance of the vault latrine would prevent offensive odors.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

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.)						
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. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (attach additional pages of narrative if needed):

3b. The proposed parking area would be located in an area with low slope (0-2%) and would also be very small in size, which would result in little to no surface runoff.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

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 positive			4a.
b. Alteration of a plant community?			X positive			4b.
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 positive			4e.
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?						
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Vegetation (attach additional pages of narrative if needed):

4a. The vegetation on the proposed acquisition property is diverse; including mature cottonwood stands, dense riparian shrubs and grasses, and numerous exotic weeds. Noxious weeds now account for about 25% of vegetation on the land. If FWP does accept the donation of the property, the existing noxious weeds would be largely eradicated over a 5-yr. time frame. As a result, the diversity, productivity and abundance of desirable plant species should increase.

4b. See comment 4a.

4e. See comment 4e.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 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			5b.
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			5g.
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.)						
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.)						
j. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Fish and Wildlife (attach additional pages of narrative if needed):

5b. The proposed action would significantly improve public access to this section of the Shields River, which would result in increased fishing pressure and game fish mortality. The FWP Livingston area Fisheries Management Biologist for FWP feels confident that the fishery in the river can support the expected increase in pressure. Game wardens regularly patrol all FASs to ensure angler compliance with State fishing regulations.

5f. There are no documented observations of any unique, rare, threatened or endangered species on this property. There are two species designated by the U.S. Forest Service as sensitive in the greater Shields River area. Greater sage-grouse (*Centrocercus urophasianus*) occur northwest of the property, but would be unlikely to be affected by the proposed acquisition and development. Yellowstone cutthroat trout (*Oncorhynchus clarki bouvieri*) migrate through the property seasonally to spawn in tributary headwaters, but are only resident in very low numbers. State fishing regulations allow for no harvest of cutthroat trout in the Shields River. These regulations would be posted and enforced to help protect this sensitive species. Please see Appendix 2 for more information.

5g. The development associated with this action would cause an increase in conditions that stress wildlife populations, as would the use of the property by recreationists and legal hunters. However, the proposed development is minimal and most of the conditions (noise, etc.) would be temporary. Public use of the parcel would be on-going, but visitation levels are not expected to be high, and any stress to resident wildlife would be minor.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

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			6a.
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				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Noise/Electrical Effects (attach additional pages of narrative if needed):

6a. There would be a temporary increase in noise level during construction of the parking area and installation of the latrine. Cars and trucks driven by visitors would cause low but recurring noise.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

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				7a.
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				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Use (attach additional pages of narrative if needed):

7a. The proposed project would not alter or interfere with the productivity or profitability of existing land use in the area.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

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			8a.
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)						
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Risk/Health Hazards (attach additional pages of narrative if needed):

8a. The MFWP Region 3 Weed Management Plan and the Park Co. Weed Board both call for integrated methods for managing weeds, including the use of chemical herbicides. The use of herbicides would be in compliance with application guidelines and conducted by people trained in safe handling techniques. Aquatic-approved herbicides would be used whenever indicated, as well as biological and mechanical methods. The vault latrine would be pumped as needed to manage collected human waste.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

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 positive			9c.
d. Changes in industrial or commercial activity?			X positive			9d.
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			X			9e.
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Community Impact (attach additional pages of narrative if needed):

9c. The proposed acquisition of this property for a public FAS would attract recreationists from the region, state, and other areas. This rise in tourism would likely result in a small increase in expenditures in nearby towns like Clyde Park and Wilsall.

9d. Please see comment 9c.

9e. If FWP does acquire the property, there would be a small increase in traffic along Hwy 89, and the increased hazard of vehicles turning into and out of the FAS entrance. However, the entrance is located on a long, level stretch of road with excellent sight distance, so this danger would be small.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

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 positive			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						10e.
f. **Define projected maintenance costs.						10f.
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Public Services/Taxes/Utilities (attach additional pages of narrative if needed):

10b. The proposed action would result in a slight increase in Park Co. tax rolls, as the property would be taxed at a higher rate under FWP ownership than the present.

10e. The cost of the actual acquisition would be $0, since the parcel is being donated by the current landowner. However, the weed management plan for the property would cost an estimated $10,000 spread over 5 years. These monies would come from the FAS Acquisition Fund (FWP).

10f. This site would be cared for by FWP's Livingston area caretaker, maintained and repaired by the Bozeman HQs maintenance staff and administered by Parks Managers in Bozeman. An additional .04 in FTE would be required for caretaker duties, as this site is on a new river and is somewhat remote. Total annual personnel costs (all staff) are estimated at $3,000 and operations/maintenance costs at $3,000.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 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 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.)						
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Aesthetics/Recreation (attach additional pages of narrative if needed):

11c. The proposed acquisition would increase public access to the Shields River, thereby improving recreational opportunities in the area and region. **Please see Tourism Report in Appendix 3.**

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

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				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.)						
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Cultural/Historical Resources (attach additional pages of narrative if needed):

12a. FWP would obtain clearance from SHPO when a design plan is completed for the proposed development.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	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				13a.
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.)						
g. ****For P-R/D-J, list any federal or state permits required.						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Significance Criteria (attach additional pages of narrative if needed):

13a. This EA found no significant impacts to the human or physical environment from the proposed action.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

APPENDIX 1
HB495
PROJECT QUALIFICATION CHECKLIST

Date August 8, 2005 **Person Reviewing** Linnaea Schroeer-Smith

Project Location: Shields River, Park County. Section 29, Township 1N., Range 10 E.

Description of Proposed Work: Montana Fish, Wildlife & Parks proposes to accept the donation of 23.63 acres along the Shields River in Park County from a private donor for inclusion in the statewide FAS system. Some minor development of the property is also proposed, including a gravel parking area for up to six vehicles, a vault latrine, boundary fencing, and access trails.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under HB 495 rules. (Please check _ all that apply and comment as necessary.)

[√] A. New roadway or trail built over undisturbed land?
Comments: Access trails would be constructed on the site leading from the parking area to several points along the riverbank.

[ ] B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments: None

[√] C. Any excavation of 20 c.y. or greater?
Comments: The construction of the parking area might require excavation of 20 c.y. or more.

[√] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: The proposed parking lot would be partially built on undisturbed land.

[ ] E. Any new shoreline alteration that exceeds a double wide boat ramp or handicapped fishing station?
Comments: None.

[ ] F. Any new construction into lakes, reservoirs, or streams?
Comments: None.

[ ] G. **Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?**
Comments: SHPO clearance would be sought before any development began.

[ ] **H.** **Any new above ground utility lines?**
Comments: None.

[ ] **I.** **Any increase or decrease in campsites of 25% or more of an existing number of campsites?**
Comments: None.

[√] **J.** **Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?**
Comments: If the proposed acquisition and development does occur, the use features of the property would change from agricultural to recreational.

If any of the above are checked, HB 495 rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

Appendix 2

Sensitive Plants and Animals in the Shields River Property Area

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (nhp.nris.state.mt.us/eoportal) indicates no known occurrences of federally listed threatened, endangered, or proposed threatened or endangered plant or animal species in the proposed project site.

Forest Service Sensitive Species

Forest Service sensitive species are species for which the Regional Forester has determined there is a concern for population viability range-wide or in the region. The following sensitive organisms are located in the greater Shields River property area.

1. ***Centrocercus urophasianus*** (Greater Sage-grouse)

State Rank: S3 Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.

Global Rank: G4 Uncommon but not rare (although it may be rare in parts of its range), and usually widespread. Apparently not vulnerable in most of its range, but possibly cause for long-term concern.

This sensitive species has been observed in the Canyon Creek area northwest of the proposed new FAS. Population data is unavailable. It is unlikely that the proposed action would affect this species, as inferred extent of this species range does not overlap with this parcel, and the type of habitat present on the property is not typically favored by greater sage-grouse.

2. ***Oncorhynchus clarki bouvieri*** (Yellowstone Cutthroat Trout)

State Rank: S2 At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state.

Global Rank: G2 Same as above.

Yellowstone cutthroat trout occur throughout the Shields River, but are uncommon in the section of river in the project area. Rather, they migrate through to spawn in tributary headwaters during breeding season.

Interested parties may contact MFWP Region 3 offices for a detailed map of sensitive species Element Occurrences (EOs).

Information courtesy of Montana Natural Heritage Program.

Appendix 3

TOURISM REPORT

MONTANA ENVIRONMENTAL POLICY ACT (MEPA)/HB495

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by HB495 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Victor Bjornberg, Tourism Development Coordinator
Travel Montana-Department of Commerce
PO Box 200533
1424 9th Ave.
Helena, MT 59620-0533

Project Name: Shields River Fishing Access Site Acquisition

Project Location: The property that FWP proposes to acquire is located in Section 29, Township 1N, Range 10 E., in Park County. The legal description is: Remainder SW4SW4 Tract of COS 1934.

Project Description: Montana Fish, Wildlife & Parks proposes to accept the donation of 23.63 acres along the Shields River in Park County from a private donor for inclusion in the statewide FAS system. Some minor development of the property is also proposed, including a gravel parking area for up to six vehicles, a vault latrine, boundary fencing, and access trails. There are no other FASs on the Shields River, and the next closest FAS is the Hwy 89 Bridge FAS 11 miles away at the confluence with the Yellowstone River.

1. Would this site development project have an impact on the tourism economy?
   NO **YES** If YES, briefly describe:

   As described, the project appears to improve the public access for recreation on the Shields River. It should have a positive impact on the area's tourism economy.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?
   NO **YES** If YES, briefly describe:

   The project appears to add to both the quality and quantity of recreation/tourism opportunities in the area.

Signature Victor A. Bjornberg, Tourism Development Coordinator, Travel Montana
Date: August 15, 2005