Draft
Environmental Assessment

PRICKLY PEAR CREEK FISHING ACCESS SITE PROPOSED ACQUISITION

June 2013

Montana Fish, Wildlife & Parks

Prickly Pear Creek Fishing Access Site
Proposed 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 (FWP) proposes to acquire approximately 36 acres of land in Lewis and Clark County, Montana along Prickly Pear Creek for the purpose of establishing a fishing access site (FAS). Prickly Pear Land Trust, the current landowner, has offered to donate the property in fee title to FWP.

2. **Agency authority for the Proposed Action:**
   The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs Montana Fish Wildlife and Parks (FWP) to acquire, develop and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the fishing access site program would be implemented. Section 87-1-303, MCA, authorizes the collection fees and charges for the use of fishing access sites, and contains rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110, MCA, and Administrative Rules of Montana (ARM) 12.2.433 guides public involvement and comment for the improvements at state parks and fishing access sites, which this document provides.

   ARM 12.8.604 requires the Department to consider the wishes of the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the proposed action in relation to this rule. See Appendix A for HB 495 qualification.

3. **Name of project:**
   Prickly Pear Creek Fishing Access Site Proposed Acquisition

4. **Project sponsor:**
   Montana Fish, Wildlife and Parks, Region 4
   4600 Giant Springs Road
   Great Falls, MT 59405
   (406) 454-5840

5. **Anticipated Schedule:**
   Estimated Public Comment Period: June-July, 2013
   Estimated Decision Notice: July 2013
   FWP Commission and Land Board Consideration: August 2013

6. **Location:**
   The proposed Prickly Pear Creek FAS is located along Prickly Pear Creek 3.5 miles northeast of Helena north of Olsen Road in the Helena Valley in Lewis and Clark County.

The land is located in SE1/4 Section 9 Township 10 North, Range 3 West (Figure 1 and 2).

Figure 1. General Location of the Prickly Pear Creek FAS Proposed Acquisition.

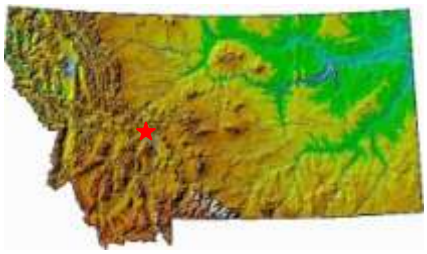


Figure 2. Highway Map Location of the Prickly Pear Creek FAS Proposed Acquisition.

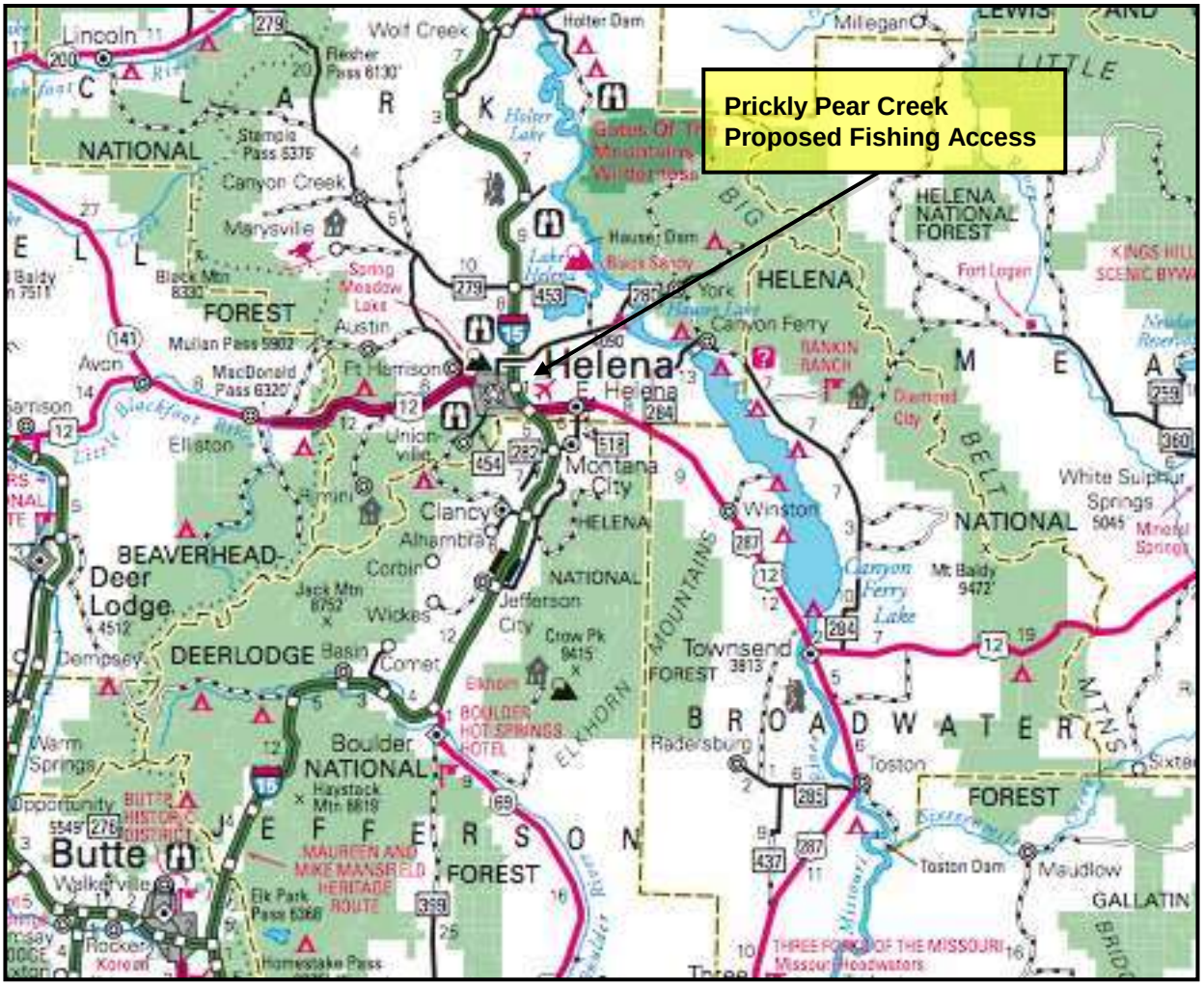
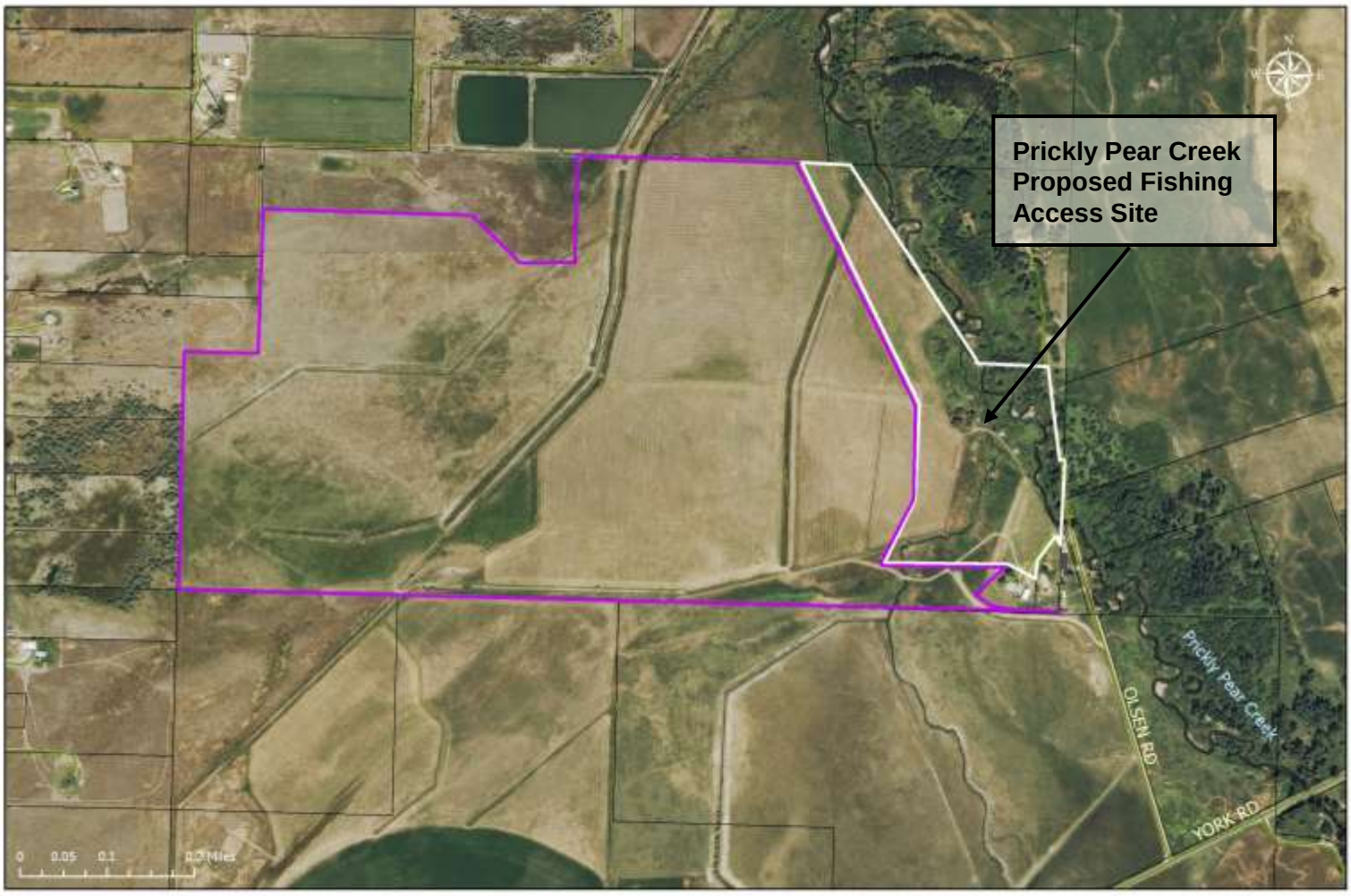


Figure 3. Prickly Pear Creek FAS Proposed Acquisition Parcel Map.



Aspen Trails Ranch Conservation Easement and Public Open Space Project

Conservation Easement Parcel
Potential Open Space Parcel

Map Prepared By:
Andrea Silverman
July 2012

PRICKLY PEAR LAND TRUST
Connecting Land and People

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

	Acres		Acres
(a) Developed:		(d) Floodplain	0
Residential	0		
Industrial	0	(e) Productive:	
		Irrigated cropland	0
(b) Open Space/ Woodlands/Recreation	0	Dry cropland	0
		Forestry	0
(c) Wetlands/Riparian Areas	14.2	Rangeland	21.4
		Other	0

8. Permits, Funding & Overlapping Jurisdiction.

(a) Permits: None required.

(b) Funding: Property is being donated to FWP.

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name	Type of Responsibility
Natural Heritage Program	Species of Concern (Appendix B)
Lewis and Clark County Weed District	Weed Management Coordination

Section 7-22-2154 (1), MCA requires a weed inspection by the county weed district before acquiring new land. Lewis and Clark County Weed District completed the weed inspection on March 15, 2013 (Appendix D).

9. Narrative summary of the proposed action:

Prickly Pear Creek originates in the Elkhorn Mountains and flows north along Interstate 15, through the small towns of Clancy, Montana City and East Helena, continues through agricultural farmlands, pastures and small rural subdivisions in the Helena Valley, and finally enters Lake Helena. The creek is home to a variety of fish species including brook, brown, rainbow, and westslope cutthroat trout. Decades of timber harvest, mining, smelting, industrial activity, transportation systems, and water withdrawal for agriculture and other uses have taken a heavy toll on Prickly Pear Creek. Legacy mining impacts contaminated ground water and the creek was chronically dewatered due to over-allocation of surface water rights. As a result, the EPA listed Prickly Pear Creek as not meeting a number of federal environmental standards, and the creek went dry in places in most years. Through conservation efforts by various organizations, such as the Clark Fork Coalition and the State of Montana, stream-flow volumes have improved, allowing connectivity of flows throughout the irrigation season and restoration of approximately 2 miles of fish and wildlife habitat.

Prickly Pear Creek flows through the Helena Valley within a few miles of the City of Helena. Currently, public recreational opportunities to streams in the Helena Valley are limited. There are four FASs managed by FWP in the Helena Valley, including Helena Valley Reservoir FAS (8 miles east of Helena on the Helena Valley Regulating Reservoir); Lake Helena FAS (7 miles north of Helena on Lake Helena); Causeway FAS (7 miles

north of Helena on Hauser Reservoir); and York Bridge FAS (13 miles northeast of Helena on Hauser Reservoir). There are no FASs on Prickly Pear Creek and the only public access to Prickly Pear Creek is available in isolated locations off old Highway 15 near Montana City and the Ash Grove Cement Plant, on unmarked DNRC school trust land, and the Montana Law Enforcement Academy grounds. The establishment of a dedicated FAS on Prickly Pear Creek would provide public access over a larger reach on Prickly Pear Creek, may reduce pressure on nearby FASs by redistributing recreational use, and would provide additional diversification of recreational opportunities in the Helena Valley in close proximity to Helena.

FWP proposes to acquire approximately 36 acres of land in Lewis and Clark County, Montana along Prickly Pear Creek, incorporating a small portion of the historic Stansfield Lake lakebed, for the purpose of establishing a fishing access site (FAS). Stansfield Lake would provide no fishing opportunities or access to water. Prickly Pear Land Trust, the current landowner, has offered to donate the property in fee title to FWP. Structures currently located on the property include a driveway partially shared with the neighboring landowner; irrigation ditches, water intakes, and buried irrigation lines, and an abandoned farmstead. The abandoned farmstead includes a house, garage, stone icehouse, calving shed, chicken coop, hay shed, three other sheds, and three collapsed structures and corrals. In order to remove a public safety hazard, all of the structures on the property, with the exception of the stone icehouse, would be removed by Prickly Pear Land Trust prior to acquisition by FWP. The driveway would continue to be shared with the neighboring property for approximately 25 feet. Right of way access has been perfected to the parcel.

Common wildlife species found in the vicinity of the proposed FAS include white-tailed and mule deer, pronghorn, black bear, mountain lion, fox, coyote, badger, beaver, muskrat, American mink, raccoon, skunk, and a variety of small mammals. A wide variety of resident and migratory bird species use or travel through the area on a seasonal basis, including Canada geese, sandhill crane, golden eagle, osprey, Hungarian partridge, ruffed grouse, and a variety of other raptors, waterfowl, and songbirds. Common game fish found in this reach of Prickly Pear Creek include rainbow trout and brown trout.

No animal or plant species listed as Threatened or Endangered by the U.S. Fish and Wildlife Service (USFWS) have been observed within the vicinity of the proposed acquisition. The search found that bald eagle, delisted and being monitored by the USFWS, was observed within the proposed acquisition area as recently as 2000. The search also indicated other bird Species of Concern that have been observed in the vicinity of the proposed acquisition, including great blue heron, long-billed curlew, Lewis's woodpecker, pinyon jay, Clark's nutcracker, veery, Brewer's sparrow, bobolink, and Cassin's finch (Appendix B). A search of the MNHP element occurrence database found two vascular plant Species of Concern that have the potential to occur within the vicinity of the proposed acquisition, including small yellow lady's slipper and wedge-leaf saltbush. No wetlands are recorded by MNHP on the proposed acquisition; a spring creek and man-made channels are located on the property.

Vegetation types found on the proposed acquisition are Wooded Riparian and Special Use Pasture. Common plants found in the Wooded Riparian include black cottonwood, crack willow, mountain alder, whiplash willow, sandbar willow, Wood's rose, and western snowberry. The Special Use Pasture has been heavily influenced by human management and has been cultivated with perennial grasses and forbs for the purpose of livestock grazing and hay production. Common plants found in these areas include quackgrass,

smooth brome, tall fescue, Kentucky bluegrass, intermediate wheatgrass, alfalfa, and Canada thistle.

The acquisition of this 36-acre parcel along Prickly Pear Creek would allow FWP to preserve this stretch of riparian and open-space habitat and provide public access to Prickly Pear Creek in the Helena Valley for fishing, picnicking, hiking, and wildlife viewing. The land, if acquired, would be open to the general public. If acquired, regulation and informational signs including highway approach signs would be installed. Future plans if the site is acquired may include a trail that could be part of a larger trail system and restoration of the spring creek.

The property would be managed under existing FWP public use regulations. Management of the proposed acquisition would include routine maintenance, control of vehicles and firearms, hours of use by the public, and other accepted FWP recreation area management policies. Protection of the natural resources, the health and safety of visitors, and consideration of neighboring properties would all be considered and incorporated into development plans for this site. The FAS would be for day use only and no overnight camping, night time activities, or ATV's would be allowed on the site. In addition to providing public access to the Prickly Pear Creek for fishing, the proposed acquisition would also improve recreational opportunities for picnicking, walking, and wildlife viewing and fill a need for recreation opportunities on Prickly Pear Creek close to Helena.

This environmental analysis focuses solely on the acquisition of the 36-acre parcel along Prickly Pear Creek. If FWP were to initiate new development of the property for a fishing access site, a separate environmental assessment would be completed and the public would have the opportunity to comment on proposed developments.

10. Description and analysis of reasonable alternatives:

Alternative A: No Action.
If no action were taken, Prickly Pear Land Trust could retain or dispose of the property at their option, but FWP would lose the opportunity to obtain this property and provide safe, public access to Prickly Pear Creek.

Alternative B: Proposed Action.
FWP would accept the donation of a 36-acre tract of land along Prickly Pear Creek in order to establish a FAS and provide public access to Prickly Pear Creek for fishing, picnicking, walking, and wildlife viewing.

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

There are no mitigation, stipulations, or other controls associated with the actions. Therefore, no evaluation is necessary

PART II. ENVIRONMENTAL REVIEW CHECKLIST

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**					
	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				

The proposed acquisition would have no effect on existing soil patterns, structures, productivity, fertility, erosion, compaction, or instability. If the property is developed as a FAS in the future, there could be minor, localized effects on soils.

2. AIR **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.)		NA				

The proposed acquisition would have no effect on ambient air quality. If the property is developed as a FAS in the future, there could be minor, localized increases to the existing particulate levels as a result of increased traffic to the site.

3. WATER 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				3a.
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.)		NA				
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.)		NA				

3a. The proposed acquisition would have no effect on surface water, drainage patterns, surface run-off, flooding, groundwater, or surface or groundwater quality.

In 2010, the Environmental Protection Agency conducted a water quality assessment status for Prickly Pear Creek and classified the stream as “Impaired” for agriculture, aquatic life, cold water and warm water fisheries, drinking water, industrial uses, and primary contact recreation. The causes of impairment related to past mining and industrial use of the watershed and included streamside and vegetative alterations, ammonia, metals, nutrients, physical substrate alterations, and sedimentation. The improvement of water quality in Prickly Pear Creek continues to be a high priority for the Montana Department of Environmental Quality and other conservation organizations. However, these efforts have no direct association with the proposed action disclosed in this environmental assessment.

4. VEGETATION 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				4a.
b. Alteration of a plant community?		X				4b.
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?		NA				
g. Other:		NA				

4a./4b. The proposed acquisition would have no impact on the plant diversity, composition, or abundance of the site and would not alter the plant community.

The MNHP classifies the plant communities on the acquisition property as “Rocky Mountain Lower Montana, Foothill, and Valley Grassland” and “Northern Rocky Mountain Lower Montana Riparian Woodland and Shrubland” and is generally described as Special Use Pasture and Wooded Riparian. The Special Use Pasture has been heavily influenced by human management and has been cultivated with perennial grasses and forbs for the purpose of livestock grazing and hay production.

The Wooded Riparian type is found along Prickly Pear Creek. Common plants within this type include black cottonwood, crack willow, mountain alder, green ash, whiplash willow, sandbar willow, Wood’s rose, American black currant, bittersweet nightshade, western snowberry, quackgrass, smooth brome, meadow foxtail, redtop, and Kentucky bluegrass. Common introduced species in the Wooded Riparian type includes smooth brome, Kentucky bluegrass, quackgrass, tall fescue, redtop, meadow foxtail, common dandelion, alfalfa, leafy spurge, and Canada thistle. The Special Use Pasture type is found on the remainder of the property. Common plants found in this type include quackgrass, smooth brome, tall fescue, Kentucky bluegrass, intermediate wheatgrass, alfalfa, Canada thistle, and musk thistle.

4c. A search of the MNHP element occurrence database found two vascular plant Species of Concern that have the potential to occur within the vicinity of the proposed acquisition. Small yellow lady’s slipper was last observed in the vicinity of the proposed FAS in 1891 and wedge-leaf saltbush was last observed in the vicinity of the project area in 1899. The proposed action would have no effect on unique, rare, threatened, or endangered species that may be present.

4e. Acquisition of the site for an FAS will not change noxious weed conditions on the parcel. The most common noxious weeds found on the property include Canada thistle, leafy spurge, and spotted knapweed. Musk thistle and common mullein, invasive species

listed as noxious weeds by Lewis and Clark County, are also found on the proposed acquisition site. If the property were acquired by FWP, FWP would begin implementing the Statewide Integrated Weed Management Plan using chemical, biological and mechanical methods in conjunction with Lewis and Clark County Weed District. Weed management would facilitate the preservation and, where necessary, the restoration of native vegetation to prevent the spread of weeds. Vehicles would be restricted to the parking area and roadway, which would be maintained as weed-free, and vehicles would not be allowed on undisturbed areas of the site.

Soils disturbed during the removal of structures could colonize with noxious weeds. Disturbed soils would be seeded with a native species mix to minimize the spread of noxious weeds.

5. FISH/WILDLIFE **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				5a.
b. Changes in the diversity or abundance of game animals or bird species?			X		Yes Positive	5b.
c. Changes in the diversity or abundance of nongame species?		X				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				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.)		NA				
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.)		NA				

5a. The proposed action would have no impact on any critical fish or wildlife habitat. This stretch of Prickly Pear Creek and the vicinity around the proposed acquisition is not considered critical habitat for fish or wildlife.

5b/5c. According to Jenny Sika, FWP Region 3 Wildlife Biologist, and the MNHP, common wildlife species whose habitat distribution overlaps the proposed acquisition include white-tailed and mule deer, pronghorn, black bear, mountain lion, fox, coyote, badger, beaver, muskrat, American mink, raccoon, skunk, and a variety of small mammals. A wide variety of resident and migratory bird species use or travel through the area on a seasonal basis, including Canada geese, sandhill crane, golden eagle, osprey, Hungarian partridge, ruffed grouse, and a variety of other raptors, waterfowl, and songbirds. According to Jenny Sika, the acquisition of the 36-acre-parcel along Prickly Pear Creek would have no negative impact

on wildlife or wildlife habitat. Rather, wildlife habitat would be improved by the reestablishment of riparian vegetation through the cattle grazing management strategies on the property.

According to Eric Roberts, FWP Region 4 Fisheries Biologist, and a review of Montana Fisheries Information System (MFISH), common game fish found in this reach of Prickly Pear Creek include rainbow trout and brown trout. Other fish species commonly found in this reach include white sucker, longnose sucker, sculpin, and mottled sculpin. Species that could potentially be found in this reach include walleye and brook trout. Westslope cutthroat trout, a Species of Concern, is found in the tributaries of Prickly Pear Creek above the proposed project. There is a remote possibility that westslope cutthroat trout could be found in the lower reaches of Prickly Pear Creek near the proposed acquisition in the future. The proposed acquisition would not impact the aquatic habitat or species of Prickly Pear Creek. Future management actions could enhance the aquatic and riparian features of the property.

Prickly Pear Creek is open to fishing for all species from the third Saturday in May through November 30. Because Prickly Pear Creek is not large enough to be floatable, all anglers fish from the streambank or wade into the stream. According to recent surveys by FWP, the average angler days per year from 2003 to 2009 for Prickly Pear Creek was 1,981, with a low of 1,691 in 2005 and a high of 2,207 in 2003. The state ranking for Prickly Pear Creek averaged the 184th most fished body of water in Montana and ranged from 167 to 204 during this same period. Prickly Pear Creek averaged the 37th most fished body of water in FWP Region 4 and ranged from 34 to 40 during this same period.

5f. A search of the MNHP element occurrence database indicates no occurrences of any animal or plant species listed as Threatened or Endangered by the U.S. Fish and Wildlife Service (USFWS) within the vicinity of the proposed acquisition. The search found that bald eagle, delisted and being monitored by the USFWS, and classified as Sensitive by the U.S. Forest Service and U.S. Bureau of Land Management, was observed within the proposed acquisition area as recently as 2000. The MNHP recorded that Great blue heron, a Species of Concern, was observed in 2010 on the proposed acquisition site and as recently as fall 2012 by Biologists with Westech Environmental Services, Inc. The search also indicated other bird Species of Concern that have been observed in the vicinity of the proposed acquisition, including long-billed curlew, Lewis's woodpecker, pinyon jay, Clark's nutcracker, veery, Brewer's sparrow, bobolink, and Cassin's finch (Appendix B). No animal species of concern are known to nest on the proposed acquisition site.

According to Claire Gower, FWP Region 3 Non-Game Wildlife Biologist, the proposed project is unlikely to impact bald eagles. The nearest bald eagle nest is downstream of the proposed acquisition and well outside of the recommended 0.5-mile distance in the Montana Bald Eagle Management Plan, indicating that the proposed action would have no effect on bald eagles. While bald eagles were officially delisted in 2007, the USFWS has jurisdiction protecting this species under the Bald and Golden Eagle Protection Act (BGEPA) and the Migratory Bird Treaty Act (MBTA). Although great blue heron was observed on the property as recently as fall 2012, there is no great blue heron rookery on the FAS or close enough to anticipate impacts. The proposed acquisition would likely have a positive impact on great blue heron, Lewis's woodpecker, veery, bobolink, and long-billed curlew in the future. As riparian and grassland plant communities on the property improve as a result of restricted/managed livestock grazing, and enhanced habitat for these species. The proposed acquisition would have no impact on Cassin's finch, pinyon jay, and Brewer's sparrow, as the proposed acquisition property does not provide habitat for these species.

According to Nathan Lance, FWP Wolf Management Specialist, there is no known wolf activity in the area around the Helena Valley or the proposed acquisition area, nor has there been in prior years. While there may be individuals that could potentially move through the area, and there are occasional reports of wolf activity in the mountains to the north and west of the Helena Valley, it is unlikely that a wolf pack would persist in the area due to the high potential for livestock and human conflicts. Wolf pack territories cover hundreds of square miles and wolves are very flexible in their habitat use. Even if there were wolves in the area, the acquisition of the proposed FAS would not have a significant or measurable effect on wolves and their habitat use.

5g. The proposed acquisition and any future development is not anticipated to stress or impact fish or wildlife populations in the future. Potential future management actions could improve habitat and reduce stress to populations

B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS **Will the proposed action result in:**	**IMPACT**					
	Unknown	**None**	**Minor**	**Potentially Significant**	**Can Impact Be Mitigated**	**Comment Index**
a. Increases in existing noise levels?					Yes	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				6d.

6a. Visitor use could increase noise levels and disturb nearby neighbors. However, no camping would be allowed and a noise buffer created by the riparian vegetation would minimize noise disturbance.

6d. The proposed acquisition would have no change in electrical levels and would not interfere with radio or television reception or operation.

7. LAND USE **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		No	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		Yes	7c.
d. Adverse effects on or relocation of residences?		X				7d.

7a. A neighboring rancher currently grazes cattle on the property. FWP would manage livestock grazing on the property to enhance riparian vegetation to benefit native grasses and forbs and to minimize the spread of noxious weeds. The proposed action would likely reduce the livestock carrying capacity on the portion of the property proposed for acquisition.

7c. FWP would restrict livestock grazing on the property to increase plant vigor, to benefit native grasses, forbs, shrubs, and trees, and to prevent conflicts between cattle and visitors to the property.

7d. The proposed acquisition would have no adverse effects or cause relocation of nearby residences.

8. RISK/HEALTH HAZARDS **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				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		Yes Positive	8c.
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		NA				

8a. The proposed action of acquiring the property would not increase the risk of explosion or release of hazardous substances.

8c. An abandoned farmstead, including a house, garage, a stone icehouse, calving shed, chicken coop, hay shed, three other sheds, and three collapsed structures and corrals, were located on the property. Some of the structures have already been removed. In order to remove a public safety hazard, all of the structures on the property, with the exception of the stone icehouse, would be removed by Prickly Pear Land Trust prior to acquisition by FWP. Any trash near the farmstead would also be removed prior to FWP acquisition or before the site would be opened to the public.

In 2012, Energy Laboratories conducted an analysis of the soils adjacent to Prickly Pear Creek in the vicinity of the outbuildings to evaluate potential contamination of the soils from past agricultural practices or leakage of contaminants from abandoned vehicles, implements, and tanks. The results of this analysis indicate that the concentration and variety of hydrocarbons in the soils are consistent with naturally occurring hydrocarbon concentrations found in local floodplain soils and that there is no soil contamination from petroleum products or other chemicals.

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

9c. The proposed acquisition is likely to improve recreational use of the area by providing additional recreational opportunities for fishing, picnicking, wildlife viewing, and walking. This would benefit local retail and service businesses in the nearby city of Helena (Appendix C - Tourism Report).

9d. There is currently no commercial or industrial use of the property. If acquired by FWP, commercial and industrial activities would not be allowed on the property in the future.

9e. The proposed acquisition would have little or no impact on traffic patterns. Any impacts to traffic would be minor on the dead end road.

10. PUBLIC SERVICES/TAXES/UTILITIES 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				10e.
f. Define projected maintenance costs.		X				10f.

10a. The proposed acquisition would have no impact on public services or utilities. The property would require periodic maintenance by FWP and would be patrolled by FWP and existing Lewis & Clark County Sherriff's Office staff.

10b. There would be no change in the tax base since FWP would pay property taxes in an amount equal to that of a private individual.

10e. Because the property would be operated for day use only no revenue would be generated from camping fees.

10f. Projected annual operating, maintenance, and personnel expense for fiscal year 2014 is estimated to total approximately $300-$700. Assuming future development, projected annual operating, maintenance, and personnel expense for future years would increase to approximately $1,000 to $1,800 per year. Of that total, $300 to $700 is for weed control, $300 for latrine maintenance if installed, and $400 to $800 for grounds keeping.

11. AESTHETICS/RECREATION **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		Yes Positive	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				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.)		NA				

11a/b. The proposed action would improve the aesthetic values of the property by removing dilapidated and collapsed structures in unsightly disrepair. In addition, by managing grazing, riparian plant communities and streambanks would be restored to more natural conditions. FWP envisions the proposed FAS to be for day use only, with no camping allowed, and with future development of a small parking area, a vault latrine if deemed necessary, boundary fencing, and directional, regulatory and interpretive signs. A trail has also been proposed as a future development.

11c. Acquisition of this property would allow for public use for fishing, picnicking, walking, and wildlife viewing, improving recreational opportunities and obtaining public access to Prickly Pear Creek, which has been a high priority for FWP.

12. CULTURAL/HISTORICAL RESOURCES 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.)		NA				

12a. No groundbreaking activities that could disturb cultural resources would be initiated as part of the proposed acquisition. A clearance from the State Historic Preservation Office (SHPO) would be obtained before any groundbreaking activity was initiated in the future.

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE 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.)		NA				
g. For P-R/D-J, list any federal or state permits required.		NA				

The proposed action would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long-term, the proposed action positively impacts the public's recreational use of Prickly Pear Creek, a historic stream and recreational opportunity close to Helena.

PART III. NARRATIVE EVALUATION AND COMMENT

The proposed acquisition would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long-term, the proposed acquisition positively impacts the public's access of Prickly Pear Creek, a historic stream and recreational opportunity close to Helena.

The impacts to the environment identified in the previous section are minor in scale and would not influence the overall environment of the immediate area. The natural environment would continue to provide habitat to transient and permanent wildlife species and would be open to the public for stream access and other uses.

The proposed action would not adversely impact the local wildlife species that frequent the property nor increase stress to wildlife populations. In fact, the proposed action is anticipated to improve habitat for some wildlife species that frequent the Helena Valley by improving riparian habitat. The property is not considered critical habitat for any species.

A weed inventory has been conducted by the Lewis and Clark County Weed Control District; the most common noxious weeds found on the property include Canada thistle, leafy spurge, and spotted knapweed. Musk thistle and common mullein, listed as noxious weeds by Lewis and Clark County, are also found on the property. If acquired, FWP would implement actions through the Statewide Integrated Weed Management Plan using biological, chemical and physical methods of weed control.

Prickly Pear Creek is currently open to fishing for all species from the third Saturday in May through November 30. According to recent surveys by FWP, the average angler days per year from 2003 to 2009 for Prickly Pear Creek was 1,981, with a low of 1,691 in 2005 and a high of 2,207 in 2003. If FWP were to acquire the 36-acre parcel and develop it as a FAS, it would be the only FAS on Prickly Pear Creek owned by FWP and one of only five FASs in the Helena Valley. It is possible that an additional FAS in the Helena Valley could increase visitor use on Prickly Pear Creek.

This environmental analysis focuses solely on the acquisition of the property. If FWP were to initiate new development of the property for a FAS, a separate environmental assessment would be completed and the public would have the opportunity to comment on proposed developments.

The proposed acquisition of the 36-acre parcel along Prickly Pear Creek would allow FWP to provide public access for anglers, picnickers, wildlife viewers, and other recreationists to Prickly Pear Creek, increasing public recreational opportunities in the Helena Valley close to Helena and providing access to a stream that has been a high priority for FWP and the public.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on the Prickly Pear Creek FAS Proposed Acquisition, the proposed action and alternatives:

- Two public notices in *the Helena Independent Record.*
- Public notice on the Fish, Wildlife & Parks web page: *http://fwp.mt.gov/news/publicNotices/*
- Draft EA's will be available at the FWP Region 4 Headquarters in Great Falls, and the

FWP State Headquarters in Helena.

- A news release will be prepared and distributed to a standard list of media outlets interested in FWP Regions 4 issues.
- Post cards or letters will be sent to neighboring landowners and interested parties to ensure their knowledge of the proposed action. Copies of this environmental assessment will be distributed to them upon request.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

If requested within the comment period, FWP will schedule and conduct a public meeting on this proposed action.

2. Duration of comment period:

The public comment period will extend for (30) thirty days. Written comments will be accepted until 5:00 p.m., 14 July, 2013 and can be emailed to gliknes@mt.gov or mailed to the address below:

Prickly Pear Creek Fishing Access Site Proposed Acquisition
Attn: George Liknes
Montana Fish, Wildlife & Parks, Region 4
4600 Giant Springs Road
Great Falls, MT 59405

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? 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 impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis. In determining the significance of the impacts, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value effected, any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

2. Person(s) responsible for preparing the EA:

George Liknes
Region 4 Fisheries Manager
4600 Giant Springs Road
Great Falls, MT 59405
gliknes@mt.gov
(406) 454-5855

Andrea Darling
FWP EA Contractor
39 Big Dipper Drive
Montana City, MT 59634
apdarling@gmail.com

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

Montana Department of Commerce – Tourism
Montana Fish, Wildlife & Parks
- Lands Unit
- Legal Unit
- Fisheries Division
  - Design and Construction Bureau
- Wildlife Division

Montana Natural Heritage Program – Natural Resources Information System (NRIS)

APPENDICES

A. MCA 23-1-110 Qualification Checklist
B. Native Species Report - Montana Natural Heritage Program
C. Tourism Report – Department of Commerce
D. Lewis and Clark County Weed Control District Weed Inventory

APPENDIX A

23-1-110 MCA PROJECT QUALIFICATION CHECKLIST

Date: March 20, 2013 **Person Reviewing:** Andrea Darling

Project Location: The proposed Prickly Pear Creek FAS is located along Prickly Pear Creek 3.5 miles northeast of Helena on Olsen Road in the Helena Valley in Lewis and Clark County. The land is located in SE1/4 Section 9 Township 10 North, Range 3 West.

Description of Proposed Work: Montana Fish, Wildlife & Parks (FWP) proposes to acquire approximately 36 acres of land in fee title in Lewis and Clark County, Montana along Prickly Pear Creek 3.5 miles northeast of Helena for the purpose of establishing a fishing access site (FAS). Prickly Pear Land Trust, the current landowner, has offered to donate the property in fee title to FWP.

The following checklist is intended to be a guide for determining whether a proposed action or improvement is of enough significance to fall under 23-1-110 rules. (Please check all that apply and comment as necessary.)

[ ] A. New roadway or trail built over undisturbed land?
Comments: No new trails or roadways.

[ ] B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments: No new construction.

[ ] C. Any excavation of 20 c.y. or greater?
Comments: No excavation.

[ ] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: No.

[ ] E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?
Comments: No.

[ ] F. Any new construction into lakes, reservoirs, or streams?
Comments: No.

[ ] G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?
Comments: No.

[ ] H. Any new above ground utility lines?
Comments: No.

[ ] I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments: No campsites.

[ ] J. Proposed project significantly changes the existing features or use pattern, including effects of a series of individual projects?
Comments: No.

APPENDIX B

NATIVE SPECIES REPORT
MONTANA NATURAL HERITAGE PROGRAM
Sensitive Plants and Animals in the Vicinity of The Proposed Prickly Pear Creek Fishing Access Site

Species of Concern Terms and Definitions

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (http://nris.mt.gov) indicates no occurrences of any animal or plant species listed as Threatened or Endangered by the U.S. Fish and Wildlife Service (USFWS) within the vicinity of the proposed acquisition. The search found that bald eagle, delisted and being monitored by the USFWS, and classified as Sensitive by the U.S. Forest Service and U.S. Bureau of Land Management, was observed within the proposed acquisition area as recently as 2000. The search by MNHP also indicated other bird Species of Concern with status ranking that have been observed in the vicinity of the proposed acquisition, including great blue heron, long-billed curlew, Lewis's woodpecker, pinyon jay, Clark's nutcracker, veery, Brewer's sparrow, bobolink, and Cassin's finch. Two vascular plants with status ranks were observed in the project area in the 19th Century.

Montana Species of Concern. The term **"Species of Concern"** includes taxa that are at-risk or potentially at-risk due to rarity, restricted distribution, habitat loss, and/or other factors. The term also encompasses species that have a special designation by organizations or land management agencies in Montana, including: Bureau of Land Management Special Status and Watch species; U.S. Forest Service Sensitive and Watch species; U.S. Fish and Wildlife Service Threatened, Endangered and Candidate species.

Status Ranks (Global and State)

The international network of Natural Heritage Programs employs a standardized ranking system to denote global (**G** -- range-wide) and state status (**S**) (Nature Serve 2003). Species are assigned numeric ranks ranging from 1 (critically imperiled) to 5 (demonstrably secure), reflecting the relative degree to which they are "at-risk". Rank definitions are given below. A number of factors are considered in assigning ranks -- the number, size and distribution of known "occurrences" or populations, population trends (if known), habitat sensitivity, and threat. Factors in a species' life history that make it especially vulnerable are also considered (e.g., dependence on a specific Pollinator).

U.S. Fish and Wildlife Service (Endangered Species Act)- Terms and Definitions

LE. Listed endangered: Any species in danger of extinction throughout all or a significant portion of its range.

LT. Listed threatened: Any species likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

C. Candidate: Those taxa for which sufficient information on biological status and threats exists to propose to list them as threatened or endangered.

DM. Recovered, delisted, and being monitored - Any previously listed species that is now recovered, has been delisted, and is being monitored.

BGEPA. The Bald and Golden Eagle Protection Act of 1940 (BGEPA) prohibits anyone, without a permit issued by the Secretary of the Interior, from taking bald or golden eagles, including their parts, nests, or eggs. The BGEPA provides criminal and civil penalties for persons who take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof.

MBTA. The Migratory Bird Treaty Act (MBTA) implements four treaties that provide for international protection of migratory birds. The statute's language is clear that actions resulting in a "taking" or possession (permanent or temporary) of a protected species are a violation of the MBTA.

BCC. Birds of Conservation Concern 2008. The 1988 amendment to the Fish and Wildlife Conservation Act mandates the U.S. Fish and Wildlife Service to identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act

Status Ranks	
Code	**Definition**
G1 S1	At high risk because of extremely limited and/or rapidly declining numbers, range, and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.
G2 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.
G3 S3	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.
G4 S4	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.
G5 S5	Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

MFWP Conservation Need. Under Montana's Comprehensive Fish and Wildlife Conservation Strategy of 2005, individual animal species are assigned levels of conservation need as follows:

Tier I. Greatest conservation need. Montana FWP has a clear obligation to use its resources to implement conservation actions that provide direct benefit to these species, communities and focus areas.

Tier II. Moderate conservation need. Montana FWP could use its resources to implement conservation actions that provide direct benefit to these species communities and focus areas.

Tier III. Lower conservation need. Although important to Montana's wildlife diversity, these species, communities and focus areas are either abundant or widespread or are believed to have adequate conservation already in place.

Tier IV. Species that are non-native, incidental or on the periphery of their range and are either expanding or very common in adjacent states.

SENSITIVE PLANTS AND ANIMALS IN THE VICINITY OF THE PROPOSED PRICKLY PEAR CREEK FISHING ACCESS SITE

1. **Ardea herodias (Great Blue Heron)**
   Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S3**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**:**
	U.S. Bureau of Land Management:

   FWP CFWCS Tier: **3**

   Element Occurrence data was reported of great blue heron within the project area. Last recorded observation date was 2008.

2. **Haliaeetus leucocephalus (Bald Eagle)**
   Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S4**	U.S. Fish and Wildlife Service: **DM; BGEPA; MBTA; BCC**
Global: **G5**	U.S. Forest Service: **Sensitive**
	U.S. Bureau of Land Management: **Sensitive**

   FWP CFWCS Tier: **2**

   Element Occurrence data was reported of bald eagle within the project area. Last recorded observation date was 2009.

3. **Numenius americanus (Long-billed Curlew)**
   Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S3B**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**:**
	U.S. Bureau of Land Management: **Sensitive**

   FWP CFWCS Tier: **2**

   Element Occurrence data was reported of long-billed curlew within 2 miles of the project area. Last recorded observation date was 2009.

4. **Melanerpes lewis (Lewis's Woodpecker)**
   Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S2B**	U.S. Fish and Wildlife Service:
Global: **G4**	U.S. Forest Service**:**
	U.S. Bureau of Land Management:

   FWP CFWCS Tier: **2**

   Element Occurrence data was reported of Lewis's woodpecker within 2 miles of the project area. Last recorded observation date was 1995.

5. **Gymnorhinus cyanocephalus (Pinyon Jay)**
Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S3**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**:**
	U.S. Bureau of Land Management:

FWP CFWCS Tier: **2**

Element Occurrence data was reported of pinyon jay within 1 miles of the project area. Last recorded observation date was 1994.

6. **Nucifraga columbiana (Clark's Nutcracker)**
Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S3**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**:**
	U.S. Bureau of Land Management:

FWP CFWCS Tier: **1**

Element Occurrence data was reported of Clark's nutcracker within 1 miles of the project area. Last recorded observation date was 2001.

7. **Catharus fuscescens (Veery)**
Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S3B**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**:**
	U.S. Bureau of Land Management:

FWP CFWCS Tier: **2**

Element Occurrence data was reported of veery within the project area. Last recorded observation date was 2009.

8. **Spizella breweri (Brewer's Sparrow)**
Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S3B**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**:**
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **2**

Element Occurrence data was reported of Brewer's sparrow within the project area. Last recorded observation date was 2001.

9. **Dolichonyx oryzivorus (Bobolink)**
Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S3B**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**:**

U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **3**

Element Occurrence data was reported of Brewer's sparrow within the project area. Last recorded observation date was 2001.

10. Haemorhous cassinii (Cassin's Finch)

Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S3**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**:**
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **2**

Element Occurrence data was reported of Brewer's sparrow within 2 miles of the project area. Last recorded observation date was 1993.

11. Atriplex truncata (Wedge-leaf Saltbush)

Vascular Plants

Natural Heritage Ranks	Federal Agency Status:
State: **S2**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**:**
	U.S. Bureau of Land Management:

FWP CFWCS Tier:

Element Occurrence data was reported of wedge-leaf saltbush within the project area. Last recorded observation date was 1899.

12. Cypripedium parviflorum (Small Yellow Lady's-slipper)

Vascular Plants

Natural Heritage Ranks	Federal Agency Status:
State: **S3S4**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**: Sensitive**
	U.S. Bureau of Land Management:

FWP CFWCS Tier:

Element Occurrence data was reported of small yellow lady's-slipper within the project area. Last recorded observation date was 1891.

APPENDIX C

TOURISM REPORT

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 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:

Carol Crockett, Visitor Services Manager
Travel Montana-Department of Commerce
301 S. Park Ave.
Helena, MT 59601

Project Name: Prickly Pear Creek Fishing Access Site Proposed Acquisition

Project Description: Montana Fish, Wildlife & Parks (FWP) proposes to acquire approximately 36 acres of land in fee title in Lewis and Clark County, Montana along Prickly Pear Creek 3.5 miles northeast of Helena for the purpose of establishing a fishing access site (FAS).

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

Yes, as described, the project has the potential to positively impact the tourism and recreation industry economy if properly maintained. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

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

Yes, as described, the project has the potential to improve quality and quantity of tourism and recreational opportunities if properly maintained. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

Signature Carol Crockett, Visitor Services Manager Date January 28, 2013

APPENDIX D
STANSFIELD LAKE FISHING ACCESS SITE
WEED INVENTORY

COMPLIANCE CHECKLIST FOR SECTION 7-22-2154, MCA

FWP Regional Staff: Please return this form to
FWP Lands Bureau, P.O. Box 200701, Helena, MT 59620

Property Name: Aspen Trails Fishing Access Site FWP Region: 4

County: Lewis and Clark

Date of Property Inspection with County Weed Management District: 3/15/13

County Representative(s): Larry Hoffman

FWP Staff: _____

County Weed Management District - Inspection Report (Please attach weed inspection report or use the space below to describe noxious weeds present on the property, including observations of weed distribution and abundance):

Musk thistle, leafy spurge, common mullin, Canada thistle and spotted knapweed.

Noxious Weed Management Agreement (Please attach applicable weed management agreement or use the space below to indicate how noxious weeds on the property will be managed when the property is under FWP ownership. Indicate if property will be included in an FWP county or regional weed management plan):

Addition: Recommend managing the noxious weeds in early spring of 2013 before any construction or movement of soils to reduce the spread - early bud stage.

County Weed Management District Representative: I have inspected the property, and reviewed the weed situation with a representative of Montana Fish, Wildlife & Parks. I concur with FWP s weed management plan for the property, as presented above and/or described in the attached information.

Signed: Larry Hoffman Date: 3/15/13