

In an effort to reduce conflicts with the neighboring landowner, enhance recreational opportunities, and reduce resource degradation, FWP proposes to improve the parking and boat launching facilities at Boulder Forks FAS. Proposed improvements include; extending the existing access road, developing a gravel boat ramp on the Boulder River, developing a new designated parking area, improving the existing parking area, and installing fencing around the existing pioneered boat launch. FWP proposes to improve camping facilities when funds become available.

Any questions should be directed to Cleve Schuster (406-247-2964) or Ken Frazer (406-247-2961). Written comments should be addressed to: Boulder Forks FAS Proposed Improvement Project, Montana Fish, Wildlife & Parks, 2300 Lake Elmo Drive, Billings, MT 59105. All comments must be received by December 30, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read "Barb Beck", with a stylized flourish at the end.

Barb Beck
Regional Supervisor

Draft Environmental Assessment

BOULDER FORKS FISHING ACCESS SITE PROPOSED IMPROVEMENT



NOVEMBER 2015



***Montana Fish,
Wildlife & Parks***

**Boulder Forks Fishing Access Site
Proposed Improvement
Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

The 72-acre Boulder Forks Fishing Access Site (FAS) has been a popular recreational site along the Boulder River since its acquisition by Montana Fish, Wildlife and Parks (FWP) in 1976 and provides quality recreational opportunities for fishing, non-motorized boating, and floating. The FAS also provides incidental recreational opportunities for hunting, camping, picnicking, and wildlife viewing. In an effort to reduce conflicts with the neighboring landowner, enhance recreational opportunities, and reduce resource degradation, FWP proposes to improve the parking and boat launching facilities at Boulder Forks FAS. Proposed improvements include; extending the existing access road, developing a gravel boat ramp on the Boulder River, developing a new designated parking area, improving the existing parking area, installing an additional concrete vault latrine, and installing fencing around the existing pioneered boat launch. FWP proposes to improve camping facilities when funds become available.

2. Agency authority for the Proposed Action:

The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs 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 of 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 guide public involvement and comment for improvements at state parks and fishing access sites, which this document provides.

ARM 12.8.602 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:

Boulder Forks Fishing Access Site Proposed Improvement Project

4. Project sponsor:

Montana Fish, Wildlife and Parks, Region 5
2300 Lake Elmo Drive
Billings, MT 59105

5. Anticipated Schedule:

Estimated Public Comment Period: December 2015
Estimated Decision Notice: January 2016

Estimated Commencement Date: Spring 2016
Estimated Completion Date: Spring/ summer 2016
Current Status of Project Design (% complete): 35%

6. **Location:**
Boulder Forks FAS is located at the confluence of the West Boulder and Boulder Rivers on Highway 298, 16 miles southwest of Big Timber, Montana in Sweet Grass County, Section 15, Township 2 South, Range 13 East (Figures 1 and 2).

Figure 1. General Location of Boulder Forks FAS

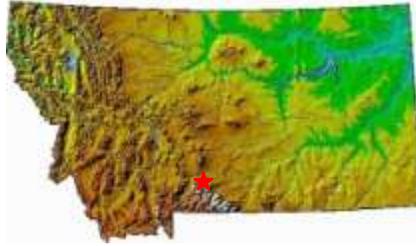


Figure 2. Highway Location of Boulder Forks FAS

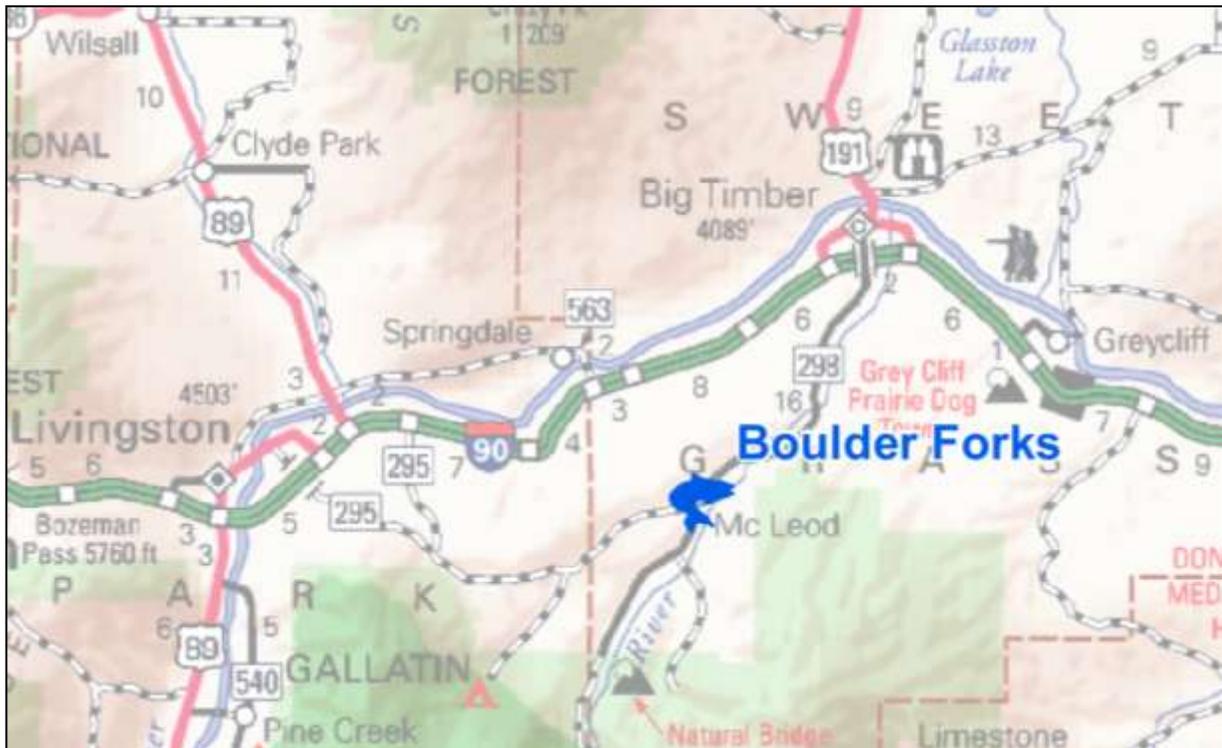


Figure 3. Boulder Forks FAS Parcel Map

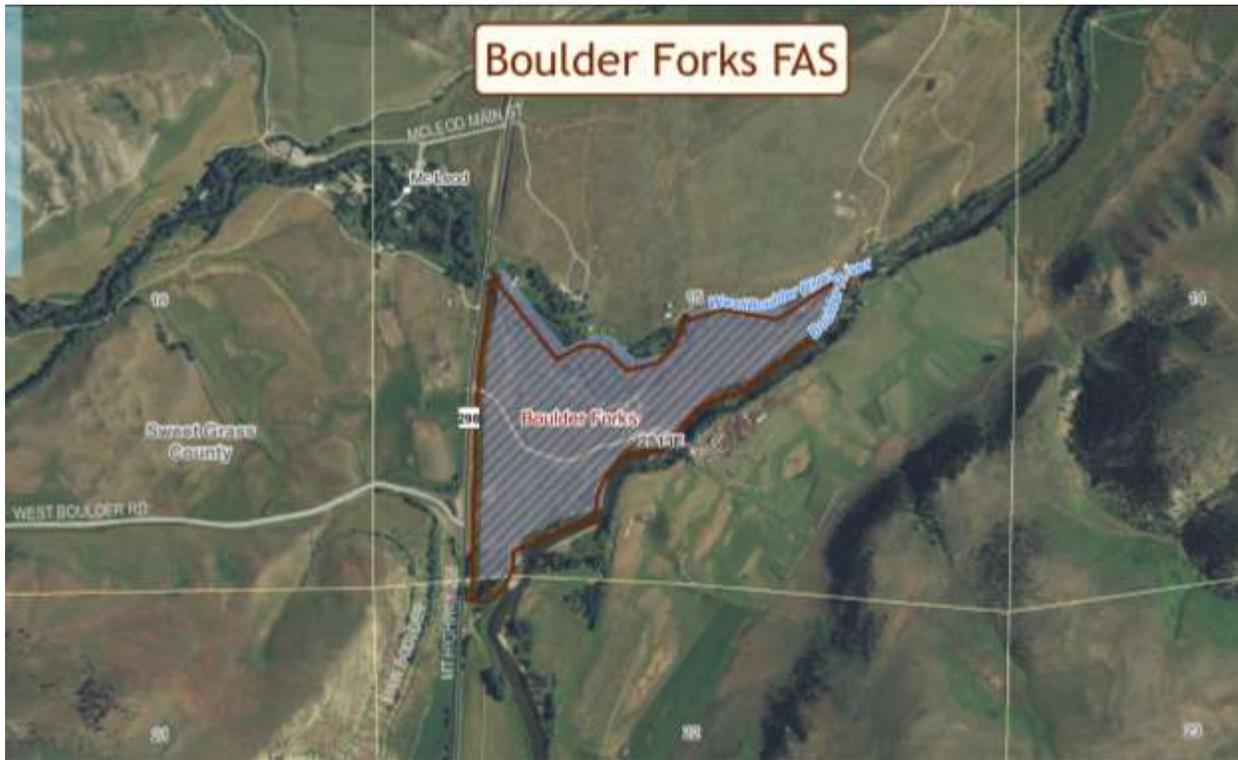


Photo 1. Pioneered Boat Launch and Staging Area at Boulder Forks FAS



Figure 4. Location of Neighboring Property and Pioneered Boat Launch and Staging Area

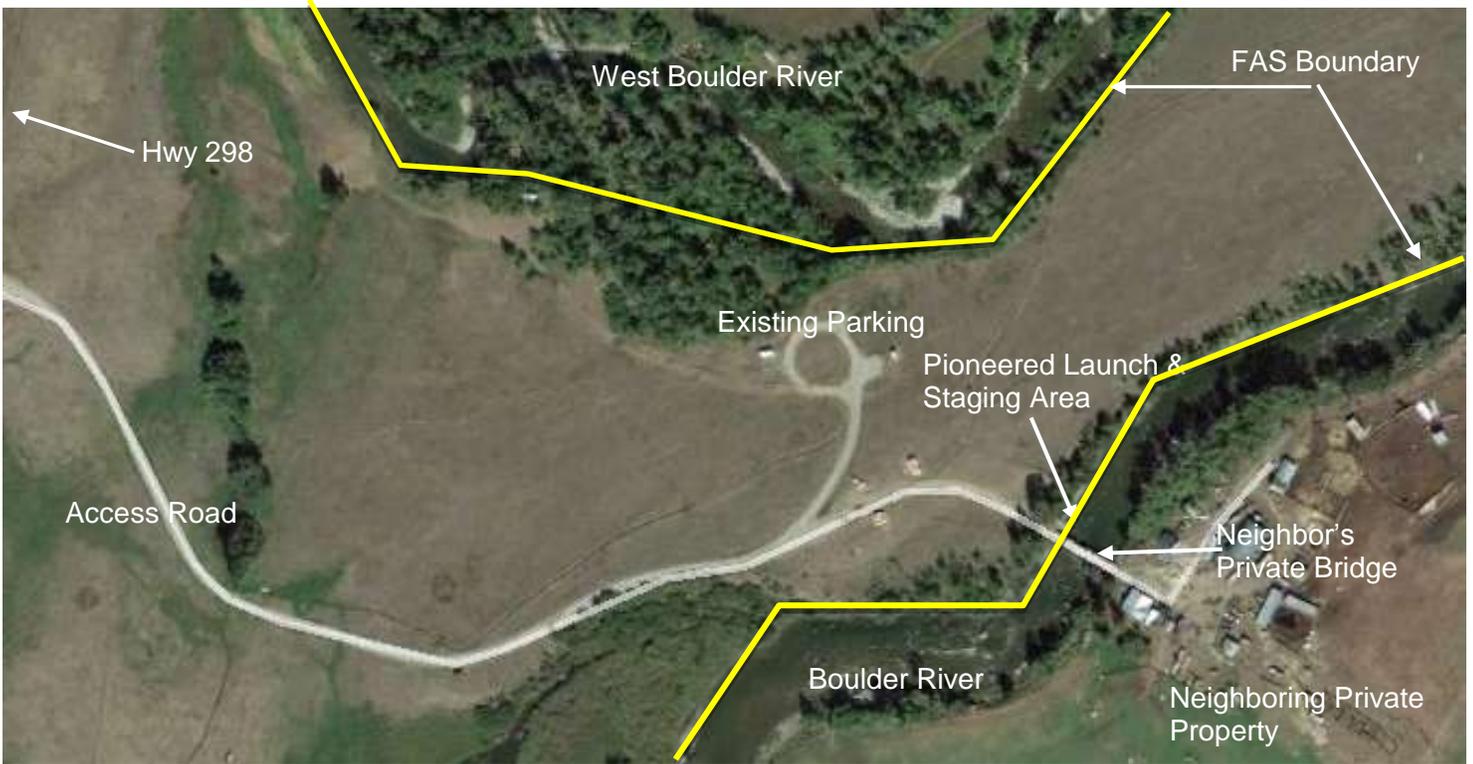
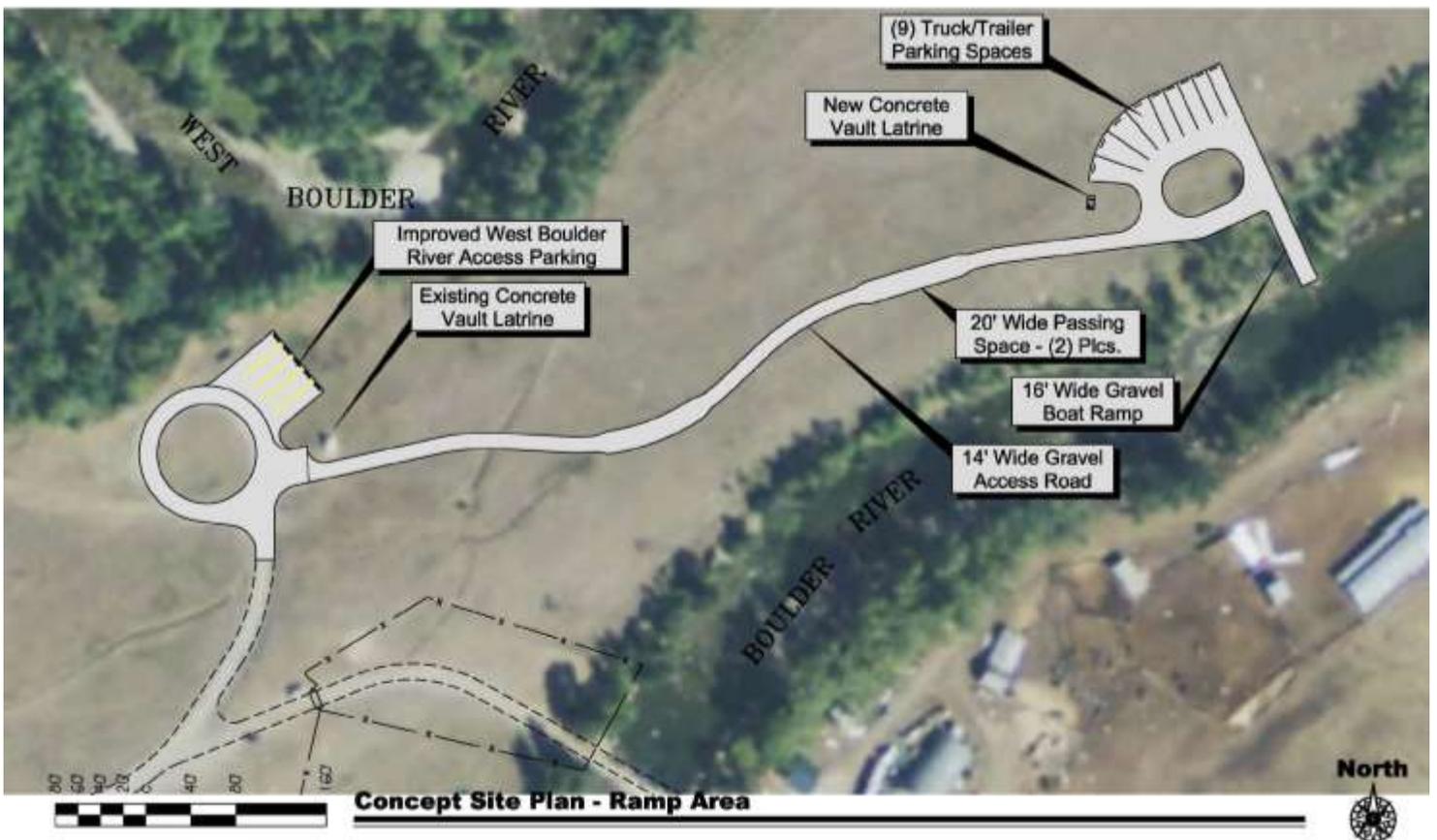


Figure 4. Boulder Forks FAS Preliminary Concept Site Plan



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

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(b) Open Space/	<u>6</u>	Irrigated cropland	<u>0</u>
Woodlands/Recreation		Dry cropland	<u>0</u>
(c) Wetlands/Riparian	<u>1</u>	Forestry	<u>0</u>
Areas		Rangeland	<u>0</u>
		Other	<u>0</u>

8. Permits, Funding & Overlapping Jurisdiction.

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

<u>Agency Name</u>	<u>Permits</u>
Sweet Grass County	Floodplain Permit and Sanitation Permit
Montana Dept. of Environmental Quality	318 Short Term Water Quality Standard for Turbidity
Montana Fish, Wildlife & Parks (FWP)	124 Montana Stream Protection Act
US Army Corps of Engineers	404 Federal Clean Water Act

(b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
Montana Fish, Wildlife & Parks Site Protection Fund	\$72,705

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
Montana Natural Heritage Program	Species of Concern (<i>Appendix B</i>)
State Historic Preservation Office	Cultural Clearance
Sweet Grass County Weed District	Weed Management Coordination

9. Narrative Summary of the Proposed Action:

The scenic Boulder River originates in the rugged, high elevations of the Beartooth Mountains in the Gallatin National Forest. It flows down 7,300 feet and 60 miles through mixed conifers, deciduous trees, shrubs, grassland, and agricultural land to join the Yellowstone River at Big Timber. Most of its drainage lies within the Absaroka-Beartooth Wilderness. The upper 22.5 miles of the Boulder River cuts through a glacial valley, flowing clear, cold and fast in a spectacular sub-alpine setting. As the river runs north, its gradient lessens, resulting in clean gravels, riffles, runs, and deep pools. Below Natural Bridge and Boulder Falls, the Boulder River meanders through agricultural land to its confluence with the East Boulder River. Its final 28 miles to the mouth are somewhat steeper and strewn with boulders and cobbles. The Boulder, East Boulder, and West Boulder rivers and their many tributaries provide a wide diversity of fisheries habitats and recreational opportunities while supporting an agricultural economy. The system is part of the habitat required by fish from the Yellowstone River. It is subject to extreme runoffs, droughts, wildfires, mass wasting of soils and rock, and the impacts of agriculture, land development and channelization. Upper portions of the Boulder River are designated as "Scenic" and have been considered for "Wild and Scenic River" Classification. In addition to agriculture, the Boulder River is important for recreational use along its entire length and is heavily used for fishing, non-motorized boating, floating, hunting, and wildlife viewing.

Boulder Forks FAS is located on the confluence of the West Boulder and Boulder Rivers approximately 40 miles downstream of the Boulder River headwaters in the Absaroka-Beartooth Wilderness Area. The Boulder River is open to angling year-round along its entire length and use by anglers is heavy. According to recent surveys of the Boulder River by FWP, the average angler days per year from 2005 to 2013 on the 37-mile stretch from the mouth near Big Timber (river mile 0) to Boulder Falls (Natural Bridge) (river mile 37) was 16,417, with a low of 13,959 in 2013 and a high of 18,190 in 2011. The regional ranking for this stretch of river averaged the 7th most fished body of water, and ranged from 3 to 11 for the same period. The state ranking for this stretch of river averaged the 45th most fished body of water out of more than 1,400 stream reaches, lakes and reservoirs in Montana surveyed annually by FWP. Boulder Forks FAS (river mile 20) and Big Rock (river mile 5) are the only FWP managed FAS's on the Boulder River. Boulder Forks FAS is frequently used as a put-in site for floaters.

Vegetation on Boulder Forks FAS is diverse with five Ecological Systems found on the FAS, as defined by the Montana Natural Heritage Program (MNHP). The most common plant species found on Boulder Forks FAS include black cottonwood, Douglas-fir, lodgepole pine, Wood's rose, chokecherry, snowberry, sandbar willow, red-osier dogwood, western wheatgrass, slender wheatgrass, bluebunch wheatgrass, orchardgrass, smooth brome, and Kentucky bluegrass. Though cheatgrass, a species classified as regulated by the Montana Department of Agriculture, is found throughout the FAS, the only noxious weeds, as classified by the Montana Department of Agriculture, are scattered, small concentrations of spotted knapweed, Canada thistle, houndstongue, and leafy spurge. A search of the MNHP Montana Species of Concern database found that small yellow lady's-slipper, a Montana Plant Species of Concern, was observed within the vicinity of Boulder Forks FAS in 1904.

Wildlife species found in the vicinity of Boulder Forks FAS include white-tailed and mule deer, elk, moose, black bear, wolves, mountain lion, red fox, coyote, badger, beaver, northern river otter, American mink, 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, bald eagle, golden eagle, osprey, American white pelican, great horned owl, great blue heron, gray (Hungarian) partridge, sharp-tailed grouse, and a variety of other raptors, waterfowl, and songbirds. According to the MNHP, no species listed as Threatened or Endangered by the US Fish and Wildlife Service (USFWS), are found in the vicinity of Boulder Forks FAS. Golden Eagle, a Montana Animal Species of Concern, has been observed in the vicinity of Boulder Forks FAS (*Appendix B*). Common game fish found in this stretch of the Boulder River include brown trout, rainbow trout, and mountain whitefish. Other fish species found in this reach include mountain sucker, longnose sucker, mottled sculpin, and longnose dace.

The 72-acre Boulder Forks FAS has been a popular recreational site since its acquisition by FWP in 1976. Existing facilities at the FAS include: a gravel access road with a fork leading to the neighboring property; a gravel loop road with unimproved parking along the loop; a pioneered river access to the West Boulder River; a pioneered boat launch on the Boulder River; a pioneered staging area for the pioneered boat launch; five primitive campsites; one concrete vault latrine; one cattle guard on the access road leading to the neighboring property; barrier rock; boundary and riparian fencing; and directional, informational and regulatory signs. Primitive camping is currently allowed on the site without a fee and hunting is allowed during established hunting seasons for shotgun and archery hunting only. The neighboring landowner holds a road easement for the FAS access road, which is owned and maintained by FWP, in order to access their property. A previous owner of the FAS

property granted the easement.

When FWP initially acquired the property in the mid 1970's for the purpose of establishing a FAS, wade angling was the primary anticipated use of the site. As a result, site development did not include a boat ramp. In more recent years, floating has increased in popularity and the relatively obscure Boulder Forks FAS was discovered. Due to the lack of a designated boat ramp the public pioneered a primitive launch and parking area for rafts and other non-motorized watercraft and an unimproved staging area next to the access road and bridge to the neighboring property (Photo 1). This has resulted in conflicts with the neighboring landowner, congested boat launching, degradation of riparian vegetation, and erosion of the streambank. In addition, vehicle parking is often insufficient and random on unimproved areas along the existing loop road, with the public sometimes parking on or sufficiently close to the access road as to impede transit by the neighboring landowner particularly when moving large farm equipment and / or livestock.

In an effort to reduce conflicts, enhance recreational opportunities, and reduce resource degradation, FWP proposes to improve the parking and boat launching facilities at Boulder Forks. FAS improvements would include: 1) construction of a new 14-foot access road with several 20-foot passing spaces extending northeast approximately 900 feet from the existing parking area; 2) development of a new parking area to accommodate approximately nine truck/trailer vehicles; 3) construction of a 16-foot wide, gravel boat ramp on the Boulder River approximately 800 feet downstream of the pioneered boat launch; 4) installation of an additional concrete vault latrine near the new parking area; 5) improvement of the existing parking area; 6) installation of fencing to restrict vehicle access to the existing pioneered Boulder River launch; 7) installation of barrier rock to control vehicle movement; and 8) installation of informational and directional signs. In addition, the pioneered boat launch and staging area would be rehabilitated and re-vegetated with native riparian plants. FWP proposes to improve camping facilities when funds become available.

The property would continue to be managed under existing FWP public use regulations. Management of the FAS includes routine maintenance, control of vehicles, regulation of hunting and camping, and other accepted FWP recreation area management policies. Protection of the natural resources, the health and safety of visitors, and consideration of neighboring properties are being considered and incorporated into improvement plans for this site. Extension of the access road, construction of a gravel boat ramp and a designated parking area, and improvement of the existing parking area would reduce user conflicts with the neighboring landowner, enhance visitor use of this site, reduce resource degradation, and provide long-term protection of the resources. Shotgun and archery hunting and overnight camping would be allowed but off-road vehicle use would not be allowed. The Proposed Action at Boulder Forks FAS would reduce landowner conflicts and improve recreational opportunities on the scenic and popular Boulder River.

10. Description and analysis of reasonable alternatives:

Alternative A: No Action.

If no action was taken and public use of the FAS was not redirected from the neighbor's bridge, visitor conflicts with the neighboring landowner would continue. Resource degradation would continue to be an issue at the FAS as erosion of the pioneered boat launch and staging area, sedimentation of the river, and degradation of native riparian vegetation would continue. Vehicle parking would continue to be inconvenient and inefficient, with vehicles often blocking other vehicles. The situation would continue to be a public safety hazard for those using the parking lot during times of heavy visitation. FWP

would continue to provide general maintenance of the site and would continue to implement the Statewide Integrated Weed Management Plan using chemical, biological, and mechanical methods to control weeds on the property.

Alternative B: Proposed Action.

In an effort to reduce conflicts with the neighboring landowner, enhance recreational opportunities, and reduce resource degradation, FWP proposes to improve the parking and boat launching facilities at Boulder Forks FAS. Proposed improvements include; extending the existing access road, developing a gravel boat ramp on the Boulder River, developing a new designated parking area, improving the existing parking area, installing an additional concrete vault latrine, and installing fencing around the existing pioneered boat launch. FWP proposes to improve camping facilities when funds become available.

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

FWP would employ Best Management Practices (BMP), which are designed to reduce sediment delivery to waterways during construction. FWP would develop the final design and specifications for the Proposed Action. All county, state and federal permits listed in Part I 8(a) above would be obtained by FWP as required. A private contractor selected through the State's contracting processes would complete the construction.

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. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		X				1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		Yes	1b.
c. Destruction, covering or modification of any unique geologic or physical features?		X				1c.
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		Yes Positive	1d.
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

- 1a. The Proposed Action would not affect existing soil patterns, structures, productivity, fertility, or instability. Soil and geologic substructure would remain stable during and after the proposed work.
- 1b. During construction, some minor modifications to the existing soil features would be required for the construction of the access road, boat ramp, and parking area. All disturbed areas would be seeded with a native seed mix to minimize erosion, decrease sediment delivery to the Boulder River, and the spread of noxious weeds. The FAS is managed for recreation and wildlife habitat and is not under commercial agricultural production. The Proposed Action would not affect soil productivity or soil fertility. FWP BMP would be followed during all phases of construction to minimize erosion.
- 1c. No unique geologic or physical features would be altered by the Proposed Action.
- 1d. Erosion of the pioneered boat launch and staging area are causing sedimentation of the Boulder River in the vicinity of the FAS and degradation of native riparian vegetation. The development of a designated boat ramp and re-vegetation of pioneered and unimproved areas would reduce erosion of those surfaces and reduce sedimentation of the river. Minor amounts of sediment may enter the river during construction of the access road, parking area, and boat ramp. However, upon completion, erosion and sedimentation to the river would be reduced from previous levels.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)			X		Yes	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 regulations? (Also see 2a.)		X				2e.

- 2a. Dust may be temporarily generated during construction of the access road, boat ramp, parking area, and parking area improvements. If additional materials were needed off-site, loading at the source site would generate minor amounts of dust. FWP would follow FWP BMP during all phases of construction to minimize risks and reduce dust that may bother FAS users and neighboring residences. See *Appendix D* for the BMP. There would be a temporary increase in diesel exhaust from equipment used during construction. If the Proposed Action were implemented, odors from diesel exhaust would dissipate rapidly. These impacts would be short term and minor.
- 2b. The latrines would continue to be regularly maintained by FWP staff to minimize objectionable odors.
- 2e. The proposed project would have no impact on air quality in the vicinity of Boulder Forks FAS and would not result in any discharge that could conflict with federal or state air quality regulations.

3. <u>WATER</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X		Yes	3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?			X		Yes Positive	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		Yes	3d.
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		Yes	3h.
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)			X		X	3l.
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)			X		Yes Positive	3.m.

- 3a. The proposed improvements may cause a temporary, localized increase in turbidity in the Boulder River. FWP would obtain a Montana Department of Environmental Quality (DEQ) 318 Authorization Permit for Short Term Water Quality Standard for Turbidity. FWP BMP would be followed during all construction (*Appendix D*).
- 3b. Rehabilitation and re-vegetation of the pioneered Boulder River boat launch and staging area, and improvement of the unimproved parking area would reduce erosion from those surfaces and reduce sedimentation of the river, thus improving the water quality in the immediate area. The Proposed Action would be designed to minimize any effect on surface water, surface runoff, and drainage patterns. FWP BMP would be followed (*Appendix D*). The new gravel boat ramp is not expected to contribute sediment to the river.
- 3d. There may be a minor, temporary increase of runoff during construction. FWP BMP would be followed (*Appendix D*).

- 3h. The use of heavy equipment during construction may result in a slight risk of contamination from petroleum products and a temporary increase in sediment delivery to the river. FWP BMP would be followed during all phases of construction to minimize these risks (*Appendix D*).
- 3l. According to the Sweet Grass County Floodplain Administrator, the proposed project site on Boulder Forks FAS is partially located within a designated floodplain, as shown on the Federal Emergency Management Agency (FEMA) Digital Map #30097C0800B, Panel 0800B, effective date May 18, 2015. The proposed boat ramp is located within the floodway and a portion of the proposed parking area is located within the 100-year floodplain. Permits from FWP, Montana Department of Environmental Quality (DEQ), the US Army Corps of Engineers, and Sweet Grass County will be obtained to insure the proposed project will be in compliance with federal, state, and county floodplain and water quality regulations.
- 3m. All impacts to water quality resulting from construction would be temporary. Water quality of the river could improve as a result of the proposed project by reducing sedimentation into the river from surface and riverbank erosion.

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		Yes Positive	4a.
b. Alteration of a plant community?		X				4b.
c. Adverse effects on any unique, rare, threatened, or endangered species?			X		Yes	4c.
d. Reduction in acreage or productivity of any agricultural land?			X		Yes	4d.
e. Establishment or spread of noxious weeds?			X		Yes	4e.
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				4f.
g. Other:						

- 4a. The Proposed Action would have no impact on the plant diversity or productivity of the FAS and would have a minor impact on plant abundance. A minimal number of trees and shrubs would be removed during construction. Because the construction area is small, impacts from construction would be minor. Any area disturbed during construction and all pioneered areas would be reseeded with a native seed mix. Construction of the Proposed Action would disturb a relatively small area that has been disturbed by public use for years.

The development of a designated parking area and boat ramp and rehabilitation and re-vegetation of pioneered areas would reduce ongoing and future degradation of riparian vegetation. The proposed project would have an overall beneficial impact on the FAS plant communities.

- 4b. Vegetation on Boulder Forks FAS is diverse, with five Ecological Systems found on the FAS. *Rocky Mountain Lower Montane Foothill and Valley Grassland* and *Rocky Mountain Lower Montane-Foothill Riparian Woodland and Shrubland* are the dominant Ecological Systems found on the FAS with small areas of *Rocky Mountain Subalpine-Montane Mesic Meadow*; *Alpine-Montane Wet Meadow*; *Rocky Mountain Montane Douglas-fir Forest and Woodland*; *Rocky Mountain Lodgepole Pine Forest*; and *Montane Sagebrush Steppe*, as defined by the MNHP. The most common plant species found on Boulder Forks FAS include black cottonwood, Douglas-fir, lodgepole pine, Wood's rose, chokecherry, snowberry, sandbar willow, red-osier dogwood, western wheatgrass, slender wheatgrass, bluebunch wheatgrass, orchardgrass, smooth brome, and Kentucky bluegrass.

Only scattered, small concentrations of noxious weeds are found on Boulder Forks FAS, including spotted knapweed, Canada thistle, houndstongue, and leafy spurge. Cheatgrass is found throughout the FAS. Though not classified as a noxious weed by the State of Montana, cheatgrass is classified as a regulated species by the State of Montana and has the potential to pose a threat to riparian plant communities on the river. Common mullein, also found on the FAS, is not classified as a noxious weed by either the State of Montana or Sweet Grass County, but is classified as a Designated Noxious Weed by neighboring Stillwater County and has the capability of rapid spread and invasion of lands.

- 4c. A search of the MNHP Montana Species of Concern database found that small yellow lady's-slipper, a Montana Plant Species of Concern, was observed within the vicinity of Boulder Forks FAS as recently as 1904. The proposed project would have no impact on small yellow lady's-slipper since the plant has not been observed in the area since 1904.
- 4d. Because the FAS is not under commercial agricultural production, the proposed project would have no impact on the productivity or profitability of agricultural production on the FAS.
- 4e. Leafy spurge, Canada thistle, and spotted knapweed are the most common noxious weeds found in the vicinity of the Proposed Action. Soils disturbed during construction could colonize with weeds. Disturbed areas would be reseeded with a native reclamation seed mix where necessary to reduce the establishment of weeds. In conjunction with the Sweet Grass County Weed Department, FWP would continue implementing the Statewide Integrated Weed Management Plan using chemical, biological, and mechanical methods to control weeds on the property. Weed management would also include the establishment of native vegetation to prevent the spread of weeds. Vehicles would be restricted to the parking areas and access roads, which would be maintained as weed-free, and vehicles would not be allowed on undisturbed areas to minimize the spread of noxious weeds. Weed control costs for Boulder Forks FAS in 2014 was approximately \$1,000, which included spraying by both FWP and Sweet Grass County Weed Department. FWP estimates that weed control will cost approximately \$1,100 in 2016.
- 4f. According to a search of the Natural Resource Conservation Service (NRCS) Web Soil Survey on September 2, 2015, approximately 4 acres of the proposed project site is classified as Prime Farmland if Irrigated and approximately 3 acres is classified as Not Prime Farmland. The site has not been under agricultural production since FWP acquired the property in 1976. A search of the MNHP wetland-mapping program on September 2, 2015 found that MNHP has not completed wetland mapping for the vicinity of Boulder Forks FAS, though, based on a site visit of the area and floodplain information, it is unlikely that a wetland is located on the proposed project site. Even though the proposed boat ramp is

located within the Boulder River floodway, this site is dominated by riparian forest vegetation.

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

5a. This stretch of the Boulder River and the vicinity around the FAS is not considered critical habitat for any fish or wildlife species, so the Proposed Action would have no impact on any critical fish or wildlife habitat.. The proposed improvements are designed to minimize impacts to wildlife habitat. Few trees or shrubs would be removed for construction of the boat ramp and every effort would be made to preserve all large healthy trees.

5b/5c. Wildlife species found in the vicinity of Boulder Forks FAS include white-tailed and mule deer, elk, moose, black bear, wolves, mountain lion, red fox, coyote, badger, beaver, northern river otter, American mink, 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, bald eagle, golden eagle, osprey, great horned owl, great blue heron, gray (Hungarian) partridge, sharp-tailed grouse, and a variety of other raptors, waterfowl, and songbirds. According to Justin Paugh, FWP Region 5 Wildlife Biologist, the proposed project would have no impact on wildlife or wildlife habitat.

Common game fish found in this stretch of the Boulder River include brown trout, rainbow trout, and mountain whitefish. Other fish species found in this reach include mountain sucker, longnose sucker, mottled sculpin, and longnose dace. It is possible for Yellowstone cutthroat trout and brook trout to be found in this stretch, though these species have not been detected during FWP surveys since 2004. According to Jason Rhoten, FWP Region 5

Fisheries Biologist, the proposed project is not expected to have any impact on the aquatic habitat or fish species of the Boulder River.

- 5f. A search of the MNHP element occurrence database indicates no occurrences of species listed as Threatened or Endangered by the USFWS within the vicinity of Boulder Forks FAS. The search indicates that golden eagle is the only Montana Animal Species of Concern that has been observed on or near Boulder Forks FAS (*Appendix B*). According to Justin Paugh, golden eagles are frequently observed in the vicinity of the FAS though the nearest golden eagle nest is located over nine miles south of Boulder Forks FAS. Bald eagles are also common in the area though the nearest bald eagle nest is over nine miles north of the FAS. There are also no great blue heron rookeries in the vicinity of the FAS. As a result, the proposed project would not impact golden eagle, bald eagle, or great blue heron nesting. According to Justin Paugh, even though black bears and wolves occasionally move through the area, construction of the proposed project and any subsequent increase in public use would not adversely impact any of these species as they are likely accustomed to some level of disturbance. The area has been disturbed by nearby highways, agricultural use, and has had heavy recreational use by for years.

According to Abigail Nelson, FWP Wolf Management Specialist, Boulder Forks FAS is within the habitat of the gray wolf. Currently there are no radio-collared packs that have home ranges that overlap the project area. While it is possible for wolves to travel through the project area, none have been recently sighted in the immediate area of Boulder Forks FAS. The wolf population in Montana is strong and wolves may pass through just about any area including this site. According to Abigail Nelson, FWP has no concerns with this project impacting gray wolves and no adverse impacts are anticipated from the proposed project on the wolf population.

- 5h. A search of the MNHP element occurrence database indicates that there have been no occurrences of any plant or animal species listed as Endangered or Threatened by the USFWS in the vicinity of Boulder Forks FAS. Golden eagle, a Montana Animal Species of Concern, has been observed in the vicinity of Boulder Forks FAS as recently as 2014, according to the MNHP. According to Justin Paugh, Boulder Forks FAS does not provide critical habitat for golden eagle and FWP does not feel that the proposed project will impact golden eagle.
- 5i. No wildlife species would be imported or exported to the area as a result of the proposed development. This project only involves the improvement of the FAS and will not promote the introduction or spread of invasive species.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?			X		Yes	6a.
b. Exposure of people to serve or nuisance noise levels?			X		Yes	6b.
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				

6a. Construction would cause a temporary, minor increase in noise levels at the project site. Any increase in noise levels at the construction site would be short term and minor.

6b. Three residences are located within ½ mile of Boulder Forks FAS and five additional residences are located between ½ and ¾ mile of the FAS. The minor and temporary increase of noise levels during construction may disturb nearby neighbors and visitors. FWP would follow the guidelines of the good neighbor policy, all of which would mitigate increased noise levels and would attempt to limit construction to periods of low visitation to minimize disturbance to others.

There could be a minor increase in visitor use as a result of the improved launching and parking facilities, which could increase noise levels and disturb nearby neighbors. The FAS would be managed and regulated to minimize noise disturbance to neighbors.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				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 Positive	7c.
d. Adverse effects on or relocation of residences?			X		Yes Positive	7d.

7a. Land use would not change at Boulder Forks FAS so the proposed project would have no impact on the productivity or profitability of the FAS.

7c. The Proposed Action is intended to redirect visitor use away from the bridge area and reduce land use conflicts with the neighboring landowner.

The Proposed Action would likely result in increased use of the 8-Mile Bridge on Highway 298 by visitors that launch boats and rafts at Boulder Forks FAS. Visitors frequently take out at 8-Mile Bridge, located about seven miles downstream of the FAS, where parking is currently limited. Parking could become even more limited upon completion of the Proposed Action, possibly creating traffic and safety issues during the few weeks of the year when the river is high enough to support rafts and boats.

- 7d. The Proposed Action would move the concentration of recreational activity away from the primary point of access to the neighboring private property thus likely resulting in fewer conflicts and improved access conditions for the neighbor.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	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)			X		Yes	8d.

- 8a. Physical disturbance of the soil during construction would encourage the establishment of additional noxious weeds on the site. In conjunction with the Sweet Grass County Weed District, FWP would continue implementing an integrated approach to control noxious weeds, as outlined in the FWP Statewide Integrated Noxious Weed Management Plan. The integrated plan uses a combination of biological, mechanical, and herbicidal treatments to control noxious weeds. The use of herbicides would be in compliance with application guidelines to minimize the risk of chemical spills or water contamination and would be applied by people trained in safe handling techniques.

There is a minor and temporary risk of fuel or oil from heavy equipment accidentally releasing into the river during construction. Contractors would have absorbent materials on site to minimize any hydrocarbon releases, as well as conduct startup inspection of all hydraulic lines and cylinder seals daily to reduce the potential for a release. FWP would follow FWP BMP during all phases of construction to minimize risks (*Appendix D*).

- 8c. The proposed project would improve public safety by improving boat launching facilities, providing adequate parking, and improving traffic flow, thereby minimizing vehicle conflicts with the neighboring landowner and between visitors.

- 8d. The use of herbicides to control noxious weeds could result in temporary water contamination from an inadvertent spill. The use of herbicides would be in compliance with application guidelines, outlined in the FWP Statewide Integrated Noxious Weed Management Plan, to minimize this risk and would be applied by people trained in safe

handling techniques.

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 Action may improve recreational use of the area by improving boat launching and parking facilities. This would benefit local retail and service businesses (*Appendix C - Tourism Report*).
- 9d. There would be no change in commercial use of the site.
- 9e. The Proposed Action would have little or no impact on traffic on Highway 298. Vehicle traffic and congestion on the FAS's access road would decrease as the public is redirected away from the pioneered ramp to a new parking area and boat ramp.

	IMPACT
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10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u>	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
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 Action would have no impact on public services or utilities. The proposed improvements would require periodic maintenance by FWP and the site would continue to be patrolled by FWP.
- 10b. The Proposed Action would have no effect on the local and state tax base and revenue.
- 10e. Overnight camping at the pioneered campsites would continue to be allowed with no fee and, therefore, no income would be generated from camping fees.
- 10f. Annual operating, maintenance, and personnel expense for fiscal year 2015 is estimated to total approximately \$8,500. Annual maintenance, operation, and personnel expenses for 2016 are estimated to be approximately \$9,000.

11. <u>AESTHETICS/RECREATION</u>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
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				11b.
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.)		X				11d.

- 11a/b. The Proposed Action would not affect the aesthetic values of the FAS. The boat ramp would be visible from the Boulder River and from the residence across the river. Re-vegetating the riverbank near the pioneered boat launch with native vegetation would improve the aesthetic value of the area.
- 11b. The site is already developed and the Proposed Action would have no effect on the aesthetic character of the neighborhood or community.
- 11c. The Proposed Action may improve recreational use of the area by the general public and outfitters by 1) reducing user conflicts with the neighboring landowner; 2) improving the recreational facilities of the FAS; 3) increasing and improving parking facilities; and 4) improving traffic flow through the FAS. This could benefit local retail and service businesses (*Appendix C - Tourism Report*).
- 11d. No designated wild or scenic rivers, trails, or wilderness areas would be impacted by the proposed improvements.

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

12a/d. Prior to acquisition in 1976, a cultural resource inventory was completed and FWP concluded that there was a low likelihood of adverse impacts to cultural resources if the property was acquired and developed as then proposed. FWP is contracting with a cultural resource specialist to conduct a new cultural resource assessment to determine whether the Proposed Action would impact cultural resources. Concurrence with the State Historic Preservation Office (SHPO) would be sought before construction begins. If cultural materials are discovered during construction, work would cease and SHPO would be contacted for a more in-depth investigation.

SIGNIFICANCE CRITERIA

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

During construction of the Proposed Action, there may be minor and temporary impacts to the physical environment, but the impacts would be short-term and the improvements would benefit the community and recreational opportunities over the long-term. 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 would reduce landowner conflicts and positively impact the public's recreational use of Boulder River, an important, popular, and heavily used recreational river. The proposed improvements would likely result in increased use at 8-Mile Bridge by floaters and boaters, where parking is limited.

- 13f. Boulder Forks FAS is a very popular and heavily used FAS. The proposed project is designed to reduce landowner conflicts and improve recreational facilities on the site and is not expected to generate organized opposition or substantial public controversy.
- 13g. The U.S. Army Corps of Engineer 404 Federal Clean Water Act is the only federal permit required for the proposed development. The Montana DEQ 318 Short Term Water Quality Standard for Turbidity and the FWP 124 Montana Stream Protection Act are the only state permits required for the proposed development. In addition, a Sweet Grass County Floodplain and Sanitation Permit would also be required.

PART III. NARRATIVE EVALUATION AND COMMENT

During construction of the proposed project, there may be minor and temporary impacts to the physical environment, but the impacts would be short-term and the improvements would benefit the community and recreational opportunities over the long-term. 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 would reduce landowner conflicts and positively impacts the public's recreational use this stretch of the Boulder River, an important, popular, and heavily used recreational river. However, the proposed improvements would likely result in increased use at 8-Mile Bridge by floaters and boaters, where parking is limited.

The minor impacts to the environment that were identified in the previous section are small 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 river access.

The Proposed Action would not impact the local wildlife species that frequent the property and the project would be designed to avoid conditions that stress wildlife populations. Though golden eagle, bald eagle, great blue heron, wolves, and black bear have been observed within the vicinity of the FAS, it is unlikely that the Proposed Action would have any impact on these species or their habitat. None of these species are known to nest in the vicinity of Boulder Forks FAS and these species are likely accustomed to disturbances from recreation, agriculture, and residential development that have occurred in the area for years.

Soils disturbed during construction could colonize with weeds. Disturbed areas would be reseeded with a native reclamation seed mix where necessary to reduce the establishment of weeds. In conjunction with Sweet Grass County Weed Control District, FWP would continue implementing the Statewide Integrated Weed Management Plan using chemical, biological and mechanical methods to control weeds on the property.

The proposed improvements of Boulder Forks FAS are intended to minimize conflicts with the neighboring landowner and reduce resource degradation. In addition, the proposed improvements would improve recreational opportunities for fishing, boating, and floating on the very popular and scenic Boulder River.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on the Boulder Forks FAS Proposed Improvement Project, the Proposed Action and alternatives:

- Two public notices in each of these papers: *the Big Timber Pioneer*, *the Billings Gazette*, and *the Helena Independent Record*.
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.
- Draft EA's will be available at the FWP Region 5 Headquarters in Billings 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 Region 5 issues.
- Copies of this environmental assessment will be distributed to neighboring landowners

and interested parties to ensure their knowledge of the Proposed Action.

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., December 30, 2015 and can be emailed to kfrazer@mt.gov or mailed to the addresses below:

Boulder Forks FAS Proposed Improvement Project
Montana Fish, Wildlife & Parks, Region 5
2300 Lake Elmo Drive
Billings, MT 59105

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 positive or 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:

Cleve Schuster
Region 5 Fishing Access Site Manager
2300 Lake Elmo Drive
Billings, MT 59105
cschuster@mt.gov
(406) 247-2956

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
Design and Construction
Lands Unit

Legal Unit
Fisheries Division
Wildlife Division
Montana Natural Heritage Program – Natural Resources Information System (NRIS)
Montana Historic Preservation Office

APPENDICES

- A. MCA 23-1-110 Qualification Checklist
- B. Native Species Report - Montana Natural Heritage Program
- C. Tourism Report – Department of Commerce
- D. Fish, Wildlife and Parks Best Management Practices

APPENDIX A

23-1-110 MCA PROJECT QUALIFICATION CHECKLIST

Date: July 28, 2015

Person Reviewing: Andrea Darling

Project Location: Boulder Forks FAS is located at the confluence of the Boulder and West Boulder Rivers on Highway 298, 16 miles southwest of Big Timber, Montana in Sweet Grass County, Section 15, Township 2 South, Range 13 East.

Description of Proposed Work: In an effort to reduce conflicts with the neighboring landowner, enhance recreational opportunities, and reduce resource degradation, FWP proposes to improve the parking and boat launching facilities at Boulder Forks FAS. Proposed improvements include; extending the existing access road, developing a gravel boat ramp on the Boulder River, developing a new designated parking area, improving the existing parking area, installing an additional concrete vault latrine, and installing fencing around the existing pioneered boat launch. FWP proposes to improve camping facilities when funds become available.

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: Yes, the new access road, boat ramp, and parking area would be built over undeveloped land that has been previously disturbed by agriculture and recreation.
- B. New building construction (buildings <100 sf and vault latrines exempt)?**
Comments: No building construction.
- C. Any excavation of 20 c.y. or greater?**
Comments: Yes, for the new access road, boat ramp, and parking area.
- D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?**
Comments: Yes, the new parking area would increase parking capacity and would be constructed over undeveloped but previously disturbed land
- 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: Yes, the new boat ramp would be constructed on the bank of the Boulder River.
- G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?**
Comments: A cultural resource inventory will be conducted and SHPO concurrence will be sought.
- H. Any new above ground utility lines?**
Comments: No new utility lines.
- I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?**
Comments: No new campsites would be constructed.
- J. Proposed project significantly changes the existing features or use pattern, including effects of a series of individual projects?**
Comments: No. The proposed project would not affect existing features or use patterns.

APPENDIX B

NATIVE SPECIES REPORT – MONTANA NATURAL HERITAGE PROGRAM Sensitive Plants and Animals in the Vicinity of Boulder Forks 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 Threatened, Endangered, or other species federally ranked by the US Fish and Wildlife Service (USFWS) have been found in the vicinity of Boulder Forks FAS. The search indicates that golden eagle, a Montana Animal Species of Concern, has been observed on or near Boulder Forks FAS. Small yellow lady's slipper, a Montana Plant Species of Concern, was observed in the vicinity of Boulder Forks FAS in 1904. More information on these species is included below.

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 is 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.

FWP 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 ANIMALS IN THE VICINITY OF BOULDER FORKS FISHING ACCESS SITE

1. **Aquila chrysaetos (Golden Eagle)**

Vertebrate animal- Bird

Natural Heritage Ranks

State: **S3**

Global: **G5**

FWP CFWCS Tier: **2**

Habitat- Grasslands

Federal Agency Status:

U.S. Fish and Wildlife Service: **BGEPA; MBTA; BCC**

U.S. Forest Service:

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

Element Occurrence data was reported of golden eagle within the project area. Last recorded observation date was 2014.

2. **Cypripedium perviflorum (Small Yellow Lady's-slipper)**

Vascular Plant

Natural Heritage Ranks

State: **S3S4**

Global: **G5**

FWP CFWCS Tier:

Habitat-

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management:

Element Occurrence data was reported of small yellow lady's-slipper within the vicinity of the project area. Last recorded observation date was 1904.

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:

Jeri Duran, Bureau Chief
Montana Office of Tourism
301 S. Park Ave.
Helena, MT 59601

Project Name: Boulder Forks Fishing Access Site Proposed Improvement Project

Project Description: In an effort to reduce conflicts with the neighboring landowner, enhance recreational opportunities, and reduce resource degradation, FWP proposes to improve the parking and boat launching facilities at Boulder Forks FAS. Proposed improvements include; extending the existing access road, developing a gravel boat ramp on the Boulder River, developing a new designated parking area, improving the existing parking area, installing an additional concrete vault latrine, and installing fencing around the existing pioneered boat launch. FWP proposes to improve camping facilities when funds become available.

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

Yes, as described, this 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 Jeri Duran, Bureau Chief Date July 17, 2015

APPENDIX D
MONTANA FISH, WILDLIFE AND PARKS
BEST MANAGEMENT PRACTICES

10-02-02

Updated May 1, 2008

I. **ROADS**

A. **Road Planning and location**

1. Minimize the number of roads constructed at the FAS through comprehensive road planning, recognizing foreseeable future uses.
 - a. Use existing roads, unless use of such roads would cause or aggravate an erosion problem.
2. Fit the road to the topography by locating roads on natural benches and following natural contours. Avoid long, steep road grades and narrow canyons.
3. Locate roads on stable geology, including well-drained soils and rock formations that tend to dip into the slope. Avoid slumps and slide-prone areas characterized by steep slopes, highly weathered bedrock, clay beds, concave slopes, hummocky topography, and rock layers that dip parallel to the slope. Avoid wet areas, including seeps, wetlands, wet meadows, and natural drainage channels.
4. Minimize the number of stream crossings.
 - a. Choose stable stream crossing sites. “Stable” refers to streambanks with erosion-resistant materials and in hydrologically safe spots.

B. **Road Design**

1. Design roads to the minimum standard necessary to accommodate anticipated use and equipment. The need for higher engineering standards can be alleviated through proper road-use management. “Standard” refers to road width.
2. Design roads to minimize disruption of natural drainage patterns. Vary road grades to reduce concentrated flow in road drainage ditches, culverts, and on fill slopes and road surfaces.

C. **Drainage from Road Surface**

1. Provide adequate drainage from the surface of all permanent and temporary roads. Use outsloped, insloped or crowned roads, installing proper drainage features. Space road drainage features so peak flow on road surface or in ditches will not exceed their capacity.
 - a. Outsloped roads provide means of dispersing water in a low-energy flow from the road surface. Outsloped roads are appropriate when fill slopes are stable, drainage will not flow directly into stream channels, and transportation safety can be met.
 - b. For insloped roads, plan ditch gradients steep enough, generally greater than 2%, but less than 8%, to prevent sediment deposition and ditch erosion. The steeper gradients may be suitable for more stable soils; use the lower gradients for less stable soils.

- c. Design and install road surface drainage features at adequate spacing to control erosion; steeper gradients require more frequent drainage features. Properly constructed drain dips can be an economical method of road surface drainage. Construct drain dips deep enough into the sub-grade so that traffic will not obliterate them.
 2. For ditch relief/culverts, construct stable catch basins at stable angles. Protect the inflow end of cross-drain culverts from plugging and armor if in erodible soil. Skewing ditch relief culverts 20 to 30 degrees toward the inflow from the ditch will improve inlet efficiency.
 3. Provide energy dissipators (rock piles, slash, log chunks, etc.) where necessary to reduce erosion at outlet of drainage features. Cross-drains, culverts, water bars, dips, and other drainage structures should not discharge onto erodible soils or fill slopes without outfall protection.
 4. Route road drainage through adequate filtration zones, or other sediment-settling structures. Install road drainage features above stream crossings to route discharge into filtration zones before entering a stream.
- D. Construction/Reconstruction
1. Stabilize erodible, exposed soils by seeding, compacting, riprapping, benching, mulching, or other suitable means.
 2. At the toe of potentially erodible fill slopes, particularly near stream channels, pile slash in a row parallel to the road to trap sediment. When done concurrently with road construction, this is one method to effectively control sediment movement and it also provides an economical way of disposing of roadway slash. Limit the height, width and length of these “slash filter windrows” so not to impede wildlife movement. Sediment fabric fences or other methods may be used if effective.
 3. Construct cut and fill slopes at stable angles to prevent sloughing and subsequent erosion.
 4. Avoid incorporating potentially unstable woody debris in the fill portion of the road prism. Where possible, leave existing rooted trees or shrubs at the toe of the fill slope to stabilize the fill.
 5. Place debris, overburden, and other waste materials associated with construction and maintenance activities in a location to avoid entry into streams. Include these waste areas in soil stabilization planning for the road.
 6. When using existing roads, reconstruct only to the extent necessary to provide adequate drainage and safety; avoid disturbing stable road surfaces. Consider abandoning existing roads when their use would aggravate erosion.
- E. Road Maintenance
1. Grade road surfaces only as often as necessary to maintain a stable running surface and to retain the original surface drainage.
 2. Maintain erosion control features through periodic inspection and maintenance, including cleaning dips and cross-drains, repairing ditches, marking culvert inlets to aid in location, and clearing debris from culverts.
 3. Avoid cutting the toe of cut slopes when grading roads, pulling ditches, or

plowing snow.

4. Avoid using roads during wet periods if such use would likely damage the road drainage features. Consider gates, barricades or signs to limit use of roads during wet periods.

II. RECREATIONAL FACILITIES (parking areas, campsites, trails, ramps, restrooms)

A. Site Design

1. Design a site that best fits the topography, soil type, and stream character, while minimizing soil disturbance and economically accomplishing recreational objectives. Keep roads and parking lots at least 50 feet from water; if closer, mitigate with vegetative buffers as necessary.
2. Locate foot trails to avoid concentrating runoff and provide breaks in grade as needed. Locate trails and parking areas away from natural drainage systems and divert runoff to stable areas. Limit the grade of trails on unstable, saturated, highly erosive, or easily compacted soils
3. Scale the number of boat ramps, campsites, parking areas, bathroom facilities, etc. to be commensurate with existing and anticipated needs. Facilities should not invite such use that natural features will be degraded.
4. Provide adequate barriers to minimize off-road vehicle use

B. Maintenance: Soil Disturbance and Drainage

1. Maintenance operations minimize soil disturbance around parking lots, swimming areas and campsites, through proper placement and dispersal of such facilities or by reseeding disturbed ground. Drainage from such facilities should be promoted through proper grading.
2. Maintain adequate drainage for ramps by keeping side drains functional or by maintaining drainage of road surface above ramps or by crowning (on natural surfaces).
3. Maintain adequate drainage for trails. Use mitigating measures, such as water bars, wood chips, and grass seeding, to reduce erosion on trails.
4. When roads are abandoned during reconstruction or to implement site-control, they must be reseeded and provided with adequate drainage so that periodic maintenance is not required.

III. RAMPS AND STREAM CROSSINGS

A. Legal Requirements

1. Relevant permits must be obtained prior to building bridges across streams or boat ramps. Such permits include the SPA 124 permit, the COE 404 permit, and the DNRC Floodplain Development Permit.

B. Design Considerations

1. Placement of boat ramp should be such that boats can load and unload with out difficulty and the notch in the bank where the ramp was placed does not encourage bank erosion. Extensions of boat ramps beyond the natural bank can also encourage erosion.

2. Adjust the road grade or provide drainage features (e.g. rubber flaps) to reduce the concentration of road drainage to stream crossings and boat ramps. Direct drainage flow through an adequate filtration zone and away from the ramp or crossing through the use of gravel side-drains, crowning (on natural surfaces) or 30-degree angled grooves on concrete ramps.
3. Avoid unimproved stream crossings on permanent streams. On ephemeral streams, when a culvert or bridge is not feasible, locate drive-throughs on a stable, rocky portion of the stream channel.
4. Unimproved (non-concrete) ramps should only be used when the native soils are sufficiently gravelly or rocky to withstand the use at the site and to resist erosion.

C. Installation of Stream Crossings and Ramps

1. Minimize stream channel disturbances and related sediment problems during construction of road and installation of stream crossing structures. Do not place erodible material into stream channels. Remove stockpiled material from high water zones. Locate temporary construction bypass roads in locations where the stream course will have a minimal disturbance. Time the construction activities to protect fisheries and water quality.
2. Where ramps enter the stream channel, they should follow the natural streambed in order to avoid changing stream hydraulics and to optimize use of boat trailers.
3. Use culverts with a minimum diameter of 15 inches for permanent stream crossings and cross drains. Proper sizing of culverts may dictate a larger pipe and should be based on a 50-year flow recurrence interval. Install culverts to conform to the natural streambed and slope on all perennial streams and on intermittent streams that support fish or that provide seasonal fish passage. Place culverts slightly below normal stream grade to avoid culvert outfall barriers. Do not alter stream channels upstream from culverts, unless necessary to protect fill or to prevent culvert blockage. Armor the inlet and/or outlet with rock or other suitable material where needed.
4. Prevent erosion of boat ramps and the affected streambank through proper placement (so as to not catch the stream current) and hardening (riprap or erosion resistant woody vegetation).
5. Maintain a 1-foot minimum cover for culverts 18-36 inches in diameter, and a cover of one-third diameter for larger culverts to prevent crushing by traffic.