Montana Fish, Wildlife & Parks

4600 Giant Springs Road
Great Falls, MT 59405

March 15, 2005

To:
Governor's Office, PO Box 200801, Helena, MT 59620
Dept of Environmental Quality, Capitol Building, Helena, MT 59620
Montana State Library, PO Box 201800, Helena, MT 59620
Montana State Parks Association, PO Box 699, Billings, MT 59103
Montana State Parks Foundation, PO Box 728, Libby, MT 59923
Montana Environmental Information Center, PO Box 1184, Helena, MT 59624
State Historical Preservation Office, 1410 8th Ave, Helena, MT 59620
Montana Audubon Council, PO Box 595, Helena, MT 59624
George Ochenski, PO Box 689, Helena, MT 59624
FWP Commissioners: Victor Workman, Tim Mulligan, Steve Doherty, John Brenden, Shane Colton
Fish, Wildlife & Parks: Director's Office, Parks Division, Legal Unit, Website

Ladies and Gentlemen:

The attached Environmental Assessment (EA) weighs the impacts of a Fish, Wildlife & Parks (FWP) proposal to acquire 3+ acres of land at the upper (north) entrance to Ulm Pishkun State Park. This acquisition will preserve open space and the scenic view of the State Park from the Goetz County Road.

No development of this land is anticipated.

The proposal states that the land will be purchased from the Eustance Ranch, Inc. FWP has a $10,000 purchase agreement with the seller valid through Thursday, June 30, 2005.

Funds for this acquisition would come from the Parks Acquisition Account approved by the 2003 Legislature.

Comments will be accepted for a 30 day period through Wednesday, April 13, 2005.

Questions and comments should be directed to Roger Semler, Region 4 Parks Manager, Fish, Wildlife & Parks, 4600 Giant Springs Road, Great Falls, MT 59405; phone (406) 454-5859.

We appreciate your interest.

Sincerely,

Mike Aderhold
Region 4 Supervisor

Draft
Environmental Assessment

Ulm Pishkun State Park
Acquisition of a 3 Acre Property

March 4, 2005

Montana Fish, Wildlife & Parks

Ulm Pishkun State Park, Land Acquisition
Draft Environmental Assessment
MEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action

Montana Fish, Wildlife and Parks (FWP) propose to acquire approximately 3 acres of land at the upper jump entrance at Ulm Pishkun State Park. This area has cultural and archaeological significance relating to prehistoric Native American use of the Ulm Pishkun buffalo jump. This acquisition will secure long-term access to the top of the jump and protect approximately 3 acres from future development at a crucial entrance location, protect wildlife and native grassland habitat, and provide additional recreational opportunities for the public. Most importantly it will preserve the open space and scenic vista from the Goetz County Road entrance to the south across jump area.

The amount to be paid by FWP to the Landowner for the Property has been agreed upon between the parties to be $10,000.The Landowner, Eustance Ranch, Inc. currently has its ranch property adjacent to the park listed for sale. Eustance Ranch has considerately offered to separate and sell this small piece of the ranch to FWP in order to allow it to become part of the park. FWP has a purchase agreement with the seller that is valid until June 30, 2005. The funds are available through the Parks Acquisition Account (Earned Revenue) via the 2003 Legislative Session.

2. Agency authority for the proposed action

FWP undertakes this action by authority of MCA 23-1-102, defining FWP powers and duties regarding the acquisition of lands by fee or donation as state historical sites and recreational areas. The department may cooperate with other federal or local agencies to acquire, plan, establish, and maintain parks as authorized by MCA 23-1-107. MCA 87-1-209 and 87-1-301 authorize the FWP Commission to approve all land acquisitions.

Section 23-1-110 MCA, or House Bill 495, and the guidelines established in 12.8.604 (ARM) (1) relate to changes in state park and fishing access site features or use patterns. The proposed acquisition will not change site features; therefore, House Bill 495 is not initiated by the proposed parkland acquisition. See Attachment A.

3. Name of project: Ulm Pishkun State Park Land Acquisition, Eustance Ranch, Inc. Property.

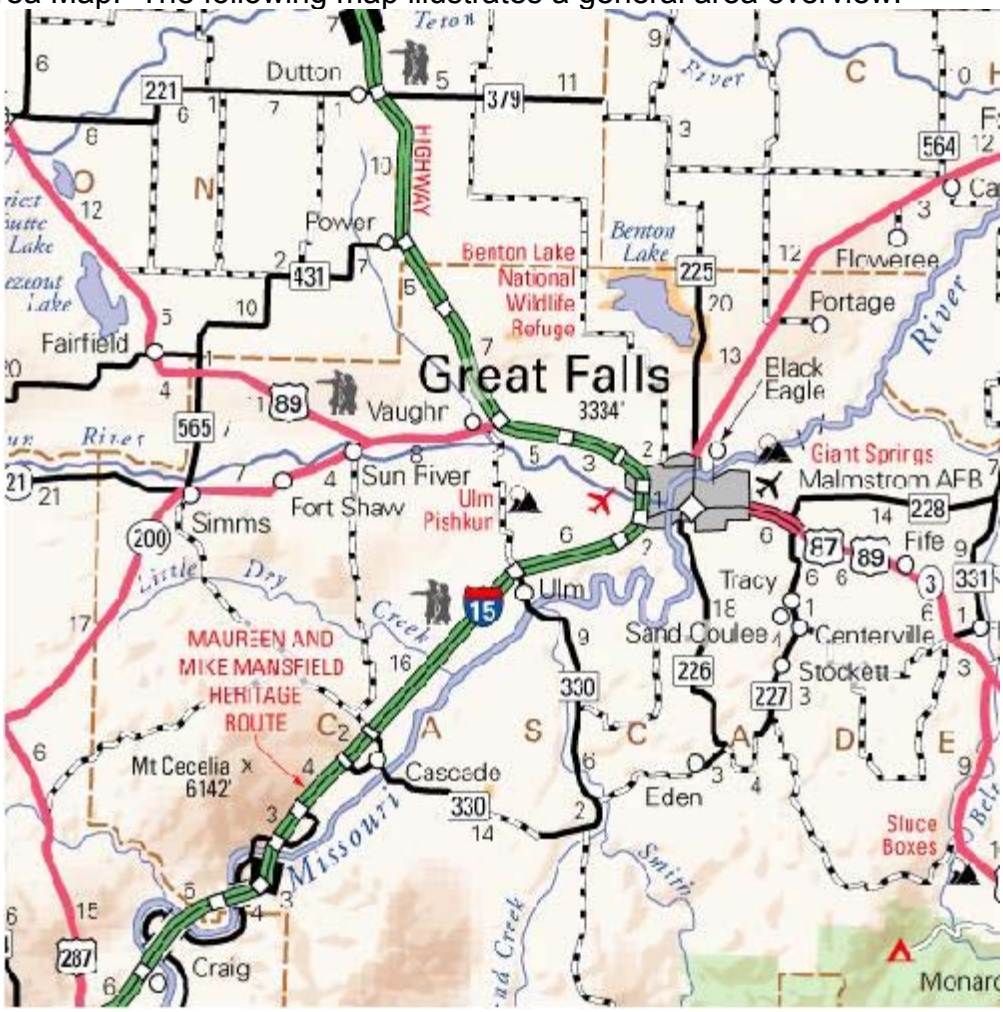
4. Name, address and phone number of project sponsor (if other than the agency): Montana Fish, Wildlife, and Parks are the project sponsor**.**

5. Estimated Completion Date: May 2005.

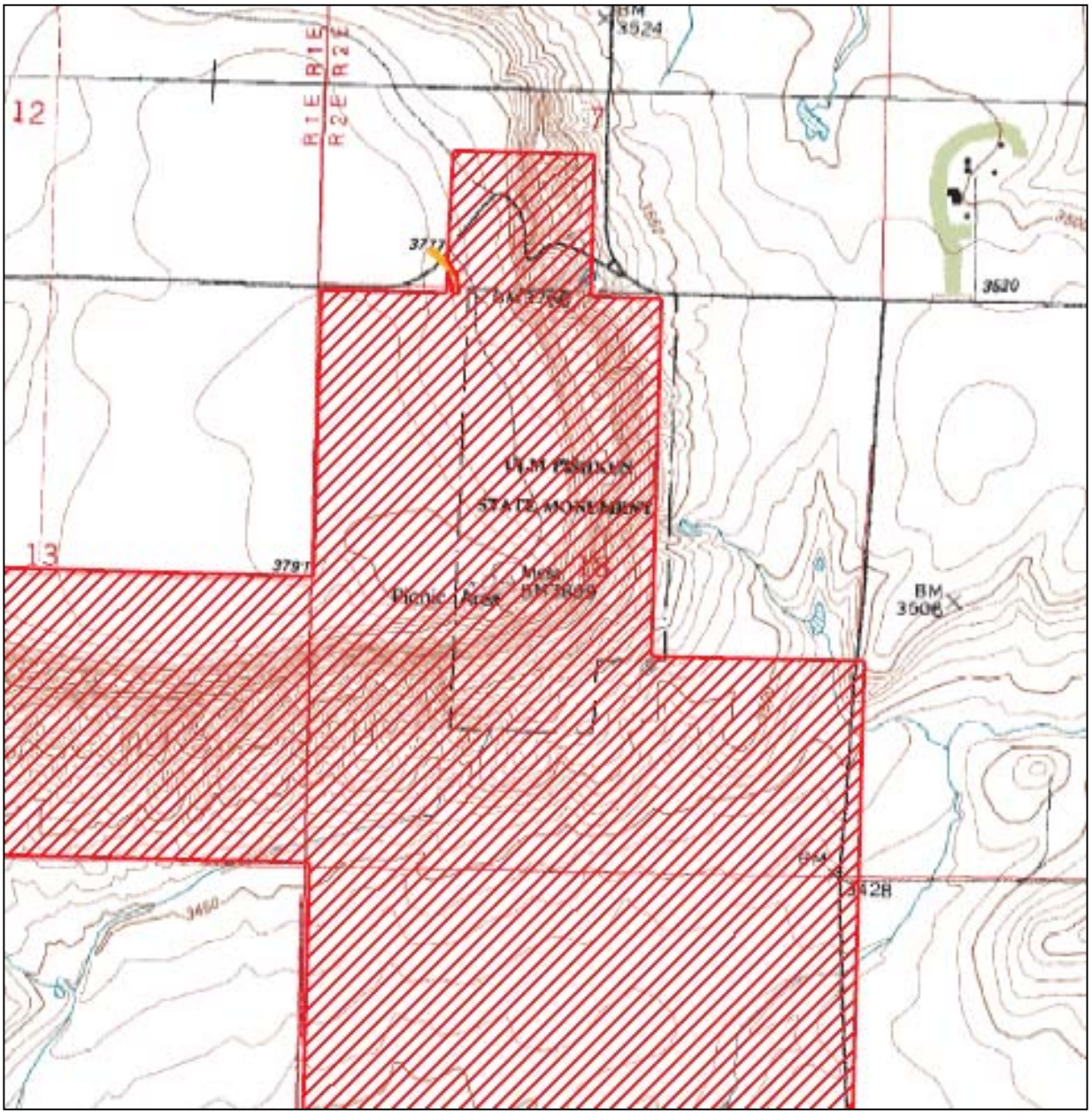
6. Location affected by proposed action (county, range and township):
The subject property is located adjacent to the existing Ulm Pishkun State Park at the top of the buffalo jump, off of Goetz Road. The current park entrance road for public access to the top of the jump bisects the property. Eustance Ranch granted an easement for the entrance road in 1992 to FWP.

<u>Legal Description:</u>
The land consists of approximately 3 acres located in the SW1/4 of the SW1/4 of Section 7, T20 North, R2 East, Cascade County, Montana. Registered Surveyor Robert S. Spangler of Thomas, Dean and Hopkins completed a land survey in December 2004. The final Certificate of Survey filing is pending the outcome of this Environmental Assessment.

Area Map: The following map illustrates a general area overview:



Site Map: The following map illustrates the specific subject property:



7. Project size -- estimate the number of acres that would be directly affected that are currently: (total tract size = approximately 3 acres)

Type of Land	Acres
(a) Developed:	0
Residential	0
Industrial	0
(b) Open Space/Woodlands/Recreation	0
(c) Wetlands/Riparian Areas	0
(d) Floodplain	0
(e) Productive:	
Irrigated cropland	0
Dry cropland	0
Forestry	0
Rangeland	3
Other agriculture related	0

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

(a) Permits: none.

(b) Funding:

.

Amount: $10,000

Agency Name: Montana Fish, Wildlife and Parks

Source: Parks Earned Revenue, 2003 Legislative Appropriation

(c) Other Overlapping or Additional Jurisdictional Responsibilities:
Cascade County – approval of certificate and survey and approval of property transfer

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

The purpose of the proposed land acquisition is to preserve public access to the top of the jump via the acquisition of approximately 3 acres adjacent to the existing Ulm

Pishkun State Park. The land is covered in native grasses and has historical and cultural resource values.
Preservation of the subject property as part of Ulm Pishkun State Park would secure long-term access and help maintain its unique historical significance and natural integrity for future generations. Acquisition of this property will secure long-term access to the top of the jump off of Goetz Road, thus enhancing area recreational opportunities for visitors and local residents.

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

Fish, Wildlife and Parks	Parks Division
	Wildlife Division
	Land Section
	Legal Unit

PART II. ENVIRONMENTAL REVIEW

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

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Soil instability or changes in geologic substructure?		X				1a.
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				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				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:		X				

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

1a. No development on the subject tract is planned at this time; therefore, no changes in soil stability or geologic substructure will occur.

1c. Preservation of the parcel will ensure that future research can be conducted for potential cultural and historical resources.

2. AIR Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				2a.
b. Creation of objectionable odors?		X				
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				
f. Other:						

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

2a. Ambient air quality is not anticipated to change due to the subject acquisition. The addition of the subject tract to the existing state park land will not result in an increase in the number of visitors or vehicles, thus impacts to air quality are not expected. The vast number of visitors will come to the vicinity despite the acquisition of the subject properties, because of the existing Ulm Pishkun State Park and general importance of the area to Native American culture and history.

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

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

3a. Acquisition of the subject tract will prevent residential or other development of the tract, which could potentially alter surface water quality, water drainage patterns, and floodwaters routes, and surface water volumes. The change in ownership will prevent potential overgrazing or additional septic systems to the area, which could degrade surface water quality.

3i. There are no water rights associated with this acquisition.

4. VEGETATION Will the proposed action result in?	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				4a.
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?			X		no	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				
g. Other:_____		X				

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

4a. The intent of placing the tract under public ownership is to preserve the access road to the top of the jump and to preserve the historic natural character of the land; therefore, no impacts to the plant species are anticipated at this time. Any future development will be subject to environmental review and public comment. This tract is currently not infested with noxious weeds. Public ownership of the tract will ensure active weed control and preservation of native grassland.

4d. The subject tract consists of agricultural rangeland, which would no longer be used for livestock pasture.

4e. Vehicles, wildlife, and humans can transport weed seed. Though vehicles will not access the tract except on the existing roadway, increased human use of the park could increase introduction and spreading of noxious weeds. FWP and Cascade County have established weed management programs, and will expand efforts to control and noxious weeds on the newly acquired tract.

4f. Changing ownership of the tract from private to FWP will help preserve grasslands that occur on this tract.

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

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

5a. The tract consists of upland native grasslands with no surface water, thus impact to fisheries will not be a factor.

5f. FWP Wildlife Biologist Graham Taylor discussed the proposed acquisition with Roger Semler and noted that a variety of small, non-game mammals frequent this rangeland habitat including: prairie dogs, coyotes, badger, field mice, shrews, voles, rabbits, etc. Antelope and Deer are the primary game animal to use this area. Raptors including Hawks and Golden Eagles are common in this habitat. Species of special concern that benefit from protecting this habitat include the Burrowing Owl. Taylor emphasized that all the aforementioned species would benefit from the subject property acquisition.

5g. Increased human activity may slightly stress wildlife during the summer visitor season. This can be mitigated when the managing entities work with the local biologist to develop a plan for the site to limit impacts on wildlife or limit activity in specific areas during certain times of the year. Any site development will undergo a separate environmental assessment.

B. HUMAN ENVIRONMENT

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

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

6a. An increase in visitation or motor vehicles is not expected as a result of this acquisition.

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

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

7a. The purpose of the acquisition is to preserve the access road to the top of the jump and to conserve these lands from development. As the subject tract is incorporated into the Ulm Pishkun State Park, productivity and profitability will change from primarily agricultural use to open space and historical, and educational use. Specific use of these lands will be determined through the management planning process.

7b. The acquisition of the subject tract will preserve a significant crossroads in Native American history and part of a key area in Montana documented by the Lewis and Clark expedition.

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

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

8a. FWP and Cascade County cooperate to implement the FWP Region 4 Weed Management Plan. This integrated plan (biological, mechanical and chemical) has protocols to combat weeds and protect park visitors, wildlife and water quality during and after application.

8b. An emergency response and evacuation plan will be part of the overall park management plan designed by the managing entities in cooperation with the Cascade County Sheriff's Department, the local FWP Warden, and local public safety agencies.

9. COMMUNITY IMPACT Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?			X			9a.
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				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:		X				

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

9a. Visitation (human density) to the subject tract will increase very slightly as the tract becomes absorbed into the park and known to the public.

9c. Visitation is expected to increase to the local geographic area due to the upcoming Lewis and Clark Bicentennial celebration. Acquiring this land secures long-term access to the top of the jump and adds the potential for significant archaeological and cultural studies, and education and interpretation venues for many individuals and organizations. Increased visitation to the geographic area may stimulate seasonal or permanent employment opportunities within the community.

10. PUBLIC SERVICES/TAXES/UTILITIES Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:			X		yes	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		Yes	10e.
f. Define projected maintenance costs.			X		yes	10f.
g. Other:_____		X				

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

10a. Due to the acquisition by a state agency and the transition from private property to a state park, there will be an increase for public safety and law enforcement by Cascade County or FWP law enforcement. The small scale of the acquisition and lack of planned development also will limit any additional public safety needs.

10b. The proposed action would remove 3 acres of land from the Cascade County tax rolls. The tract would be considered part of the Ulm Pishkun State Park and would be exempt from local taxes.

10e. Acquisition of the tract would be by fee title. Ulm Pishkun State Park charges non-resident visitor entry fees. Fees may also be collected for special events or programs. The non-resident State Park Passport will be honored.

10f. Future maintenance costs to the proposed acquisition tract will be borne by FWP. Maintenance for the acquired property will primarily include weed control, litter, mowing and trimming. When or if other future improvements would be made, maintenance would be minor compared to other more developed areas in the park.

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

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

11a. The primary goal of acquiring the tract is to secure the access route to the top of the jump and to maintain the cultural, historical and open space character of the area. Minor site improvements may include fencing. These improvements will have little affect on the aesthetics of the area. Acquiring the proposed tract adds protection to the existing State Park by providing open space and visual vastness allowing visitors to better understand past cultural uses of the area and enjoy the vast scenic vistas provided in the park.

11b. The aesthetic character of the area is not expected to change.

11c. The acquisition of this tract will increase the quality and quantity of recreational and tourism opportunities. Private development will be precluded on a cultural and native grassland site, and by enlarging the State Park; visitors will be able to better understand the cultural significance and natural history of the park. The park will also continue to provide opportunities to enjoy scenic vistas, picnicking, wildlife viewing, educational tours, etc. The addition of this tract will help visitors understand the use of the area by Native Americans.

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

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

12a. The primary purpose of the proposed action is to preserve the cultural and historical significance of these sites. Acquisition of the tract by a state agency with a mission to preserve historic properties will least likely alter the site as compared to continuing under private ownership with the imminent threat of development.

12d. Concurrence from the State Historic Preservation Office has not been requested at this time because transferring private property into state agency ownership affords greater protection to historic and cultural resources than when under private ownership and no improvements are planned at this time.

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

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

PART II. ENVIRONMENTAL REVIEW (CONTINUED)

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

Alternative A: No Action - FWP does not acquire the tract
If FWP does not acquire the subject property, long-term access to the top of the jump may not be available, thus impacting the public's ability to enjoy the cultural and physical attributes of the park. The current owner has its ranch property listed for sale and although relationships between the owners and the park have remained positive in the past, a change in ownership could impact the aesthetics of the park entrance at this location and visitors may not be welcome off the established right of way easement. The site has natural attributes valuable to wildlife, open space, and public activities. The property may contain significant historical and cultural information about our past. Once disturbed, the potential for meaningful archaeological investigations is greatly hindered. Much of the historic, archaeological and natural values of the properties would be lost under this alternative.

Alternative B: Preferred Alternative - FWP acquires the tract as proposed
Acquiring the tract would secure long-term access to the top of the jump, preserve open space and allow public access for a variety of recreational and cultural pursuits. FWP is the logical recipient agency for tract due to their mission and experience in preserving historical sites. The existence and proximity of Ulm Pishkun State Park provides for the infrastructure for the tract and can easily tie in with existing management plans and field studies. Widespread local and national cooperation and awarded grants make this a winning situation for the public.

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

FWP and Cascade County have established weed management programs, which will continue efforts to control and eradicate noxious weeds.

No change in park visitor activity is expected as a result of this action. Once the subject tract is incorporated into the Ulm Pishkun State Park, productivity and profitability will change from a ranching emphasis to historical, educational, and visitor services related industry.

An emergency response and evacuation plan will be part of the overall park management plan designed by the Region 4 Parks Division in cooperation with the Cascade County Search and Rescue, the local FWP Warden, and local protection agencies.

Access to the subject property will be permitted, but limited to non-motorized activities, except for the portion of property bisected by the road accessing the top of the buffalo jump.

PART III. NARRATIVE EVALUATION AND COMMENT

The protection of culturally and historically significant lands is imperative to our national culture. If these lands are disturbed by housing developments, the archaeological information is lost, as well as the public's opportunity to explore and learn about the use of this area by Native Americans. In addition, the Ulm Pishkun State Park can act as a stimulus to the Ulm Community.

The analysis of acquiring the tract reveals few impacts, all of which are minor. Most negative impacts can be mitigated and many impacts are positive. The transfer from private to state agency ownership assures greater preservation of historic and cultural resources and public access to intact natural environments. Ground disturbance, such as residential development, on the subject tract would jeopardize the useful information that can be learned from the tract by archaeological and geophysical studies. FWP ownership helps to ensure protection for unique habitats, such as native grasslands and the flora and fauna common to that habitat.

PART IV. EA CONCLUSION SECTION

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.

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. Acquiring the tract poses few minor impacts and substantial benefit to the local natural and human environment. The EA process provides adequate protection and opportunity for public review and comment for this action.

2. Describe the level of public involvement for this project if any, and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

This Environmental Assessment provides the public the opportunity to comment on the proposed action.

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

- One legal notice in each of these papers: Great Falls Tribune, Cascade Courier, and Helena Independent Record
- Public Notice on the Fish, Wildlife & Parks web page: *http://fwp.state.mt.us*

- EA posted on the Ulm Pishkun State Park web page: http://fwp.state.mt.us/parks/parksreport.asp?mapnum=15
- Direct mailing of the EA or notification postcards to interested parties.

Further public comment will be taken at the FWP Commission meeting in May if the Decision Notice recommends approval based on the public comment received on this EA.
The opportunities for public input listed above are adequate for the proposed action and since few negative environmental impacts have been identified.

3. Duration of comment period, if any.

The public comment period will extend for thirty (30) days following publication of the legal notice. Written comments will be accepted until 5:00 p.m., **Wednesday, April 13, 2005** and can be mailed to the address below:

Ulm Pishkun State Park
Montana Fish, Wildlife and Parks
4600 Giant Springs Road
Great Falls, MT 59404

Or email comments to: *rsemler@mt.gov*

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

Roger Semler
Regional State Parks Manager
MT Fish, Wildlife & Parks
4600 Giant Springs Road
Great Falls, MT 59404
406-454-5859

ATTACHMENT

A: 23-1-110 MCA Exemption Form

ATTACHMENT A
23-1-110 MCA Exemption Form
Ulm Pishkun State Park, Eustance Ranch Inc. Property Acquisition

Use this form when a park improvement or development project meets the criteria identified in 12.8.602 (1) ARM, but determined to NOT significantly change park features or use patterns.

State Park or Fishing Access Site Project Description: Montana Fish, Wildlife and Parks (FWP) proposes to acquire 3 acres of land by fee title which are associated with historical Native American use near Ulm, Montana.

The project does not significantly change park or fishing access site features or use patterns. The reasons for exemption across from the appropriate item are provided below.

12.8.602 (ARM) (1)	**Reason for Exemption**
(a) Roads/trails	No new roads/trails
(b) Buildings	No new buildings
(c) Excavation	None
(d) Parking	No new parking
(e) Shoreline alterations	None
(f) Construction into water bodies	None
(g) Construction w/impacts on cultural artifacts	None
(h) Underground utilities	No new utilities
(i) Campground expansion	None

Some activities considered that do not significantly impact site features or use patterns are: signing, fencing, barriers, road grading, garbage collection, roadside mowing, and noxious weed control.