



**MONTANA FISH, WILDLIFE & PARKS**

**Draft  
Environmental Assessment**

**Hell Creek State Park  
Proposed Lease Agreement with the  
United States Army Corps of Engineers**



**April 21, 2021**



# Draft Environmental Assessment CHECKLIST

## **PART I. PROPOSED ACTION DESCRIPTION**

1. **Type of proposed state action:** The proposed action is to enter into a 2-year no cost lease agreement with the Army Corps of Engineers for the operation and maintenance of Hell Creek Recreation Area. This action will allow FWP to transition out of managing the Hell Creek Recreation Area.

Under this proposed action FWP would work with the Little Shell Tribe during the upcoming lease term which has expressed interest in managing the federally owned recreation site in the future.

2. **Agency authority for the proposed action:** FWP has the authority under Section 23-1-102(1) (a) for this action.

3. **Name, address and phone number of project sponsor (if other than the agency):**

Montana Department of  
Fish, Wildlife and Parks  
1420 East 6<sup>th</sup> Ave  
Helena, MT 59601

4. **Anticipated Schedule:** Complete new lease agreement by May 1, 2021  
Estimated Construction Commencement Date: N/A  
Estimated Completion Date: N/A  
Current Status of Project Design (% complete): N/A

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

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

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	__0
Residential	__0		
Industrial	__0	(e) Productive:	
(existing shop area)		Irrigated cropland	__0
(b) Open Space/	__0	Dry cropland	__0
Woodlands/Recreation		Forestry	__0
(c) Wetlands/Riparian	__0	Rangeland	__0
Areas		Other	__337

**8. Permits, Funding & Overlapping Jurisdiction.**

**(a) Permits: N/A**

<u>Agency Name N/A</u>	<u>Permits</u>
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**(b) Funding:**

<u>Agency Name</u>	<u>Funding Amount</u>
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**(c) Other Overlapping or Additional Jurisdictional Responsibilities:**

<u>United States Army Corps of Engineers</u>	<u>Site Landowner / Lease Holder</u>
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**9. Narrative summary of the proposed action:**

Via a relatively short-term lease agreement, this proposal is intended to provide a seamless recreational experience for visitors to the Hell Creek Recreation area on Fort Peck Reservoir. Montana Fish, Wildlife and Parks (FWP) will continue management and operation of the recreational facilities as it has under the previous lease agreement for a period of approximately two additional years.

During the two-year period FWP will prepare to relinquish management of the site at the conclusion of the lease term. This will allow for the least interruption of the services provided to the public, while maintaining a high standard of care for the investments made to the recreational amenities at this federally owned site.

At the request of the current Administration, FWP will work with the Little Shell Tribe, which has expressed interest in managing the site so that they may become familiar with the operational requirements of the existing facilities.

Hell Creek State Park is an important public recreational site on the south side of Fort Peck Lake. The significant investments made over the years been in response to the recreational needs of visitors to the site. These improvements have also addressed important health and safety issues at the site.

FWP has had a long relationship with the U.S. Army Corps of Engineers (Corps) at the Hell Creek Site, with a formal relationship dating back to at least the 1960's. FWP wishes to help facilitate a smooth transition to another managing entity for this federally owned site.

During the term of the previous lease, significant capital investments were made on the 337-acre site. The greatest investment occurred in the latter half of the previous lease term and included: staff housing units, a maintenance building, comfort station, road and campsite upgrades, electrification of the public campground, and significant upgrades to in site infrastructure related to public safety (public water supply and wastewater disposal).

In addition to the investment in site improvements, staffing dedicated to the Hell Creek site has increased over the years. Currently, there are 2.91 FTE (full-time equivalent) assigned to the

park, FWP also frequently utilizes regional staff from Miles City and Helena staff to support enforcement, maintenance and administrative duties.

This proposal is consistent with both the mission of the FWP Parks Division and the ACOE as it will aid the ACOE in managing recreation opportunities within the Fort Peck Dam / Fort Peck Lake project area for the immediate future. Recreation development and management was authorized as a specific project purpose for Fort Peck in 1986 under the Water Resources Act (Public Law 99-662).

Additionally, this proposal is consistent with the ACOE objectives to support water-based recreational activities primarily through overnight and day use facilities including a campground, picnic area, trails and boat launching ramps and other secondary support facilities.

**10. Description and analysis of reasonable alternatives:**

**Alternative A:** No Action- FWP does not enter into a new a lease agreement with the United States Army Corps of Engineers to operate Hell Creek State Park. Under this alternative, FWP's lease to operate Hell Creek would expire on April 30. This would likely disrupt the public's use and enjoyment of the Fort Peck Hell Creek Recreation Area.

**Alternative B: Proposed Action:** FWP enters into a 2-year lease agreement for continued management of the Hell Creek Recreation Area as Hell Creek State Park. FWP works with the Little Shell Tribe to familiarize them with site management through approximately 2023. In order to insure a proper transition from FWP to the Tribe, the lease allows for two one-year extensions if necessary.

During the 2-year period FWP continues to manage the site and prepares to cease management operations at the conclusion of the lease term.

At the conclusion of two years FWP redirects resources from the Federally owned ACOE Hell Creek site to other state owned and FWP managed resources.

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

Stipulations for management of the site will be set forth in a lease agreement with an accompanying operational plan for the next two years. The term of the lease will be for two to four years with the option of two one-year renewal periods. Site management of the federal site will continue to be consistent with federal regulations and lease stipulations as prescribed by the ACOE.

## **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**

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Geology and soil quality, stability and moisture				X		
2. Air quality or objectionable odors				X		
3. Water quality, quantity and distribution (surface or groundwater)				X		
4. Existing water right or reservation				X		
5. Vegetation cover, quantity and quality				X		
6. Unique, endangered, or fragile vegetative species				X		
6. Terrestrial or aquatic life and/or habitats				X		
7. Unique, endangered, or fragile wildlife or fisheries species				X		
8. Introduction of new species into an area				X		
9. Changes to abundance or movement of species				X		

**B. HUMAN ENVIRONMENT**

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Noise and/or electrical effects				X		
2. Land use				X		
3. Risk and/or health hazards				X		
4. Community impact				X		
5. Public services/taxes/utilities				X		
6. Potential revenue and/or project maintenance costs				X		
7. Aesthetics and recreation				X		
8. Cultural and historic resources				X		
9. Evaluation of significance				X		
10. Generate public controversy				X		

### **PART III. NARRATIVE EVALUATION AND COMMENT**

### **PART IV. PUBLIC PARTICIPATION**

**1. Public involvement:**

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

- One statewide press release
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

This level of public notice and participation is appropriate for a project of this scope having no significant impacts to the human or physical environment.

**2. Duration of comment period:**

The public can comment on the EA online and at the Parks and Recreation Board public meeting on April 27th. To view a draft of the environmental assessment and to provide public comment, please visit [fwp.mt.gov](http://fwp.mt.gov) and click on “News and Public Notices.”

### **PART V. EA PREPARATION**

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

An EA is the appropriate level of analysis as this is an administrative action only which continues management of Hell Creek State Park.

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

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