

**Draft Environmental Assessment**  
**Stuart Mill Bay Fishing Access Site:**  
**Proposed sale of 0.09-acre portion**

August 2021



Region 2  
Montana Fish, Wildlife & Parks  
3201 Spurgin Road, Missoula, MT 59804

# **Stuart Mill Bay Fishing Access Site: Proposed sale of 0.09-acre portion**

## **Draft Environmental Assessment CHECKLIST**

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

#### **1. Type of proposed state action**

Montana Fish, Wildlife and Parks (FWP) proposes to sell (in fee title) a small 0.09-acre parcel (hereafter, parcel) of land in its approximately 362-acre Stuart Mill Bay Fishing Access Site (FAS) to an adjacent landowner (Bowman Neely, purchaser). The FWP parcel includes an existing roadway linking Georgetown Lake Road (a county road) and the purchaser's property, and the purpose of the sale would be to (potentially) provide additional access for the purchaser to his property along Georgetown Lake Road. (Granting encroachment permits to use a road coming off a county road to connect to a landowner's property is the purview of Granite County and beyond the scope of this proposal.) The FAS is located along the southeast shore of Georgetown Lake in Deer Lodge County.

#### **2. Agency authority for the proposed action**

- § (Section) 87-1-209(3)(a) of the Montana Code Annotated (MCA) states (in part), "the department, with the consent of the commission . . . , may dispose of lands . . . . The department, with the consent of the commission . . . , may convey department lands and water rights for full market value to other governmental entities or to adjacent landowners without regard to the requirements of subsection (3)(b) or (3)(c) if the land is less than 10 acres or if the full market value of the interest to be conveyed is less than \$20,000."
- Administrative Rules of Montana (ARM) 12.2.428 through 12.2.433 establish procedures for implementing the Montana Environmental Policy Act (MEPA) in conjunction with EAs and public involvement for proposed FWP actions.

#### **3. Name, address and phone number of project sponsor, if other than the agency: None**

#### **4. Anticipated Schedule**

Public Comment Period: August to September 2021

Decision Notice: September 2021

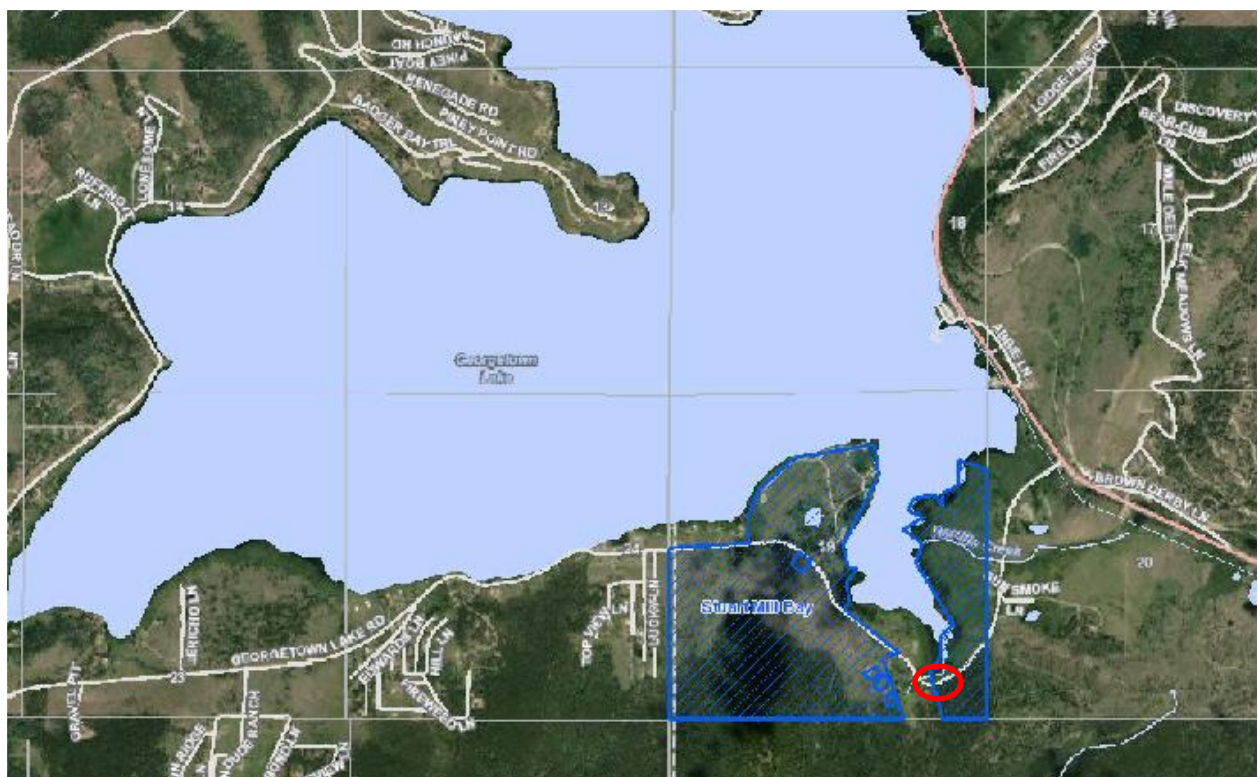
Reviewed by Fish & Wildlife Commission (for project approval): tentatively scheduled for October 28 2021 Commission meeting.

#### **5. Location/s affected by proposed action**

FWP's Stuart Mill Bay FAS currently includes approximately 362 acres along Georgetown Lake in Deer Lodge County, approximately 15 miles south of Philipsburg and 15 miles west of Anaconda (Figure 1). The FAS is located along the southeast shore of Georgetown Lake, and is accessed by driving west off MT Highway 1 onto Georgetown Lake Road (Figure 2). The FAS includes a portion of Township 5 North, Range 13 West; Section 19 SE 4 of SE4. The Proposed Action is to sell a 0.09-acre portion of the FAS to an adjacent landowner (Figures 3, 4, 5).

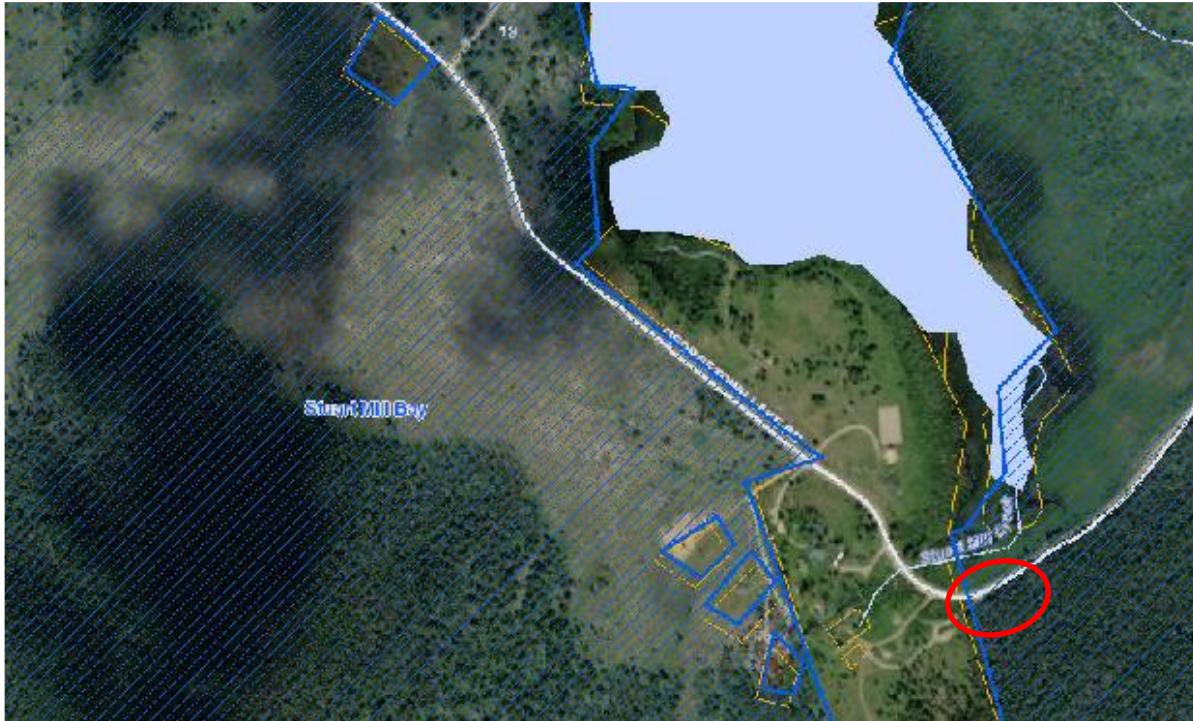


**Figure 1.** Location of Stuart Mill Bay FAS, west on Anaconda in Deer Lodge County.



**Figure 2.** Location of Stuart Mill Bay FAS (blue hatch-lined area) in Deer Lodge County (just west of the boundary with Granite County) on Georgetown Lake. The red oval indicates approximate location of the proposed sale parcel.

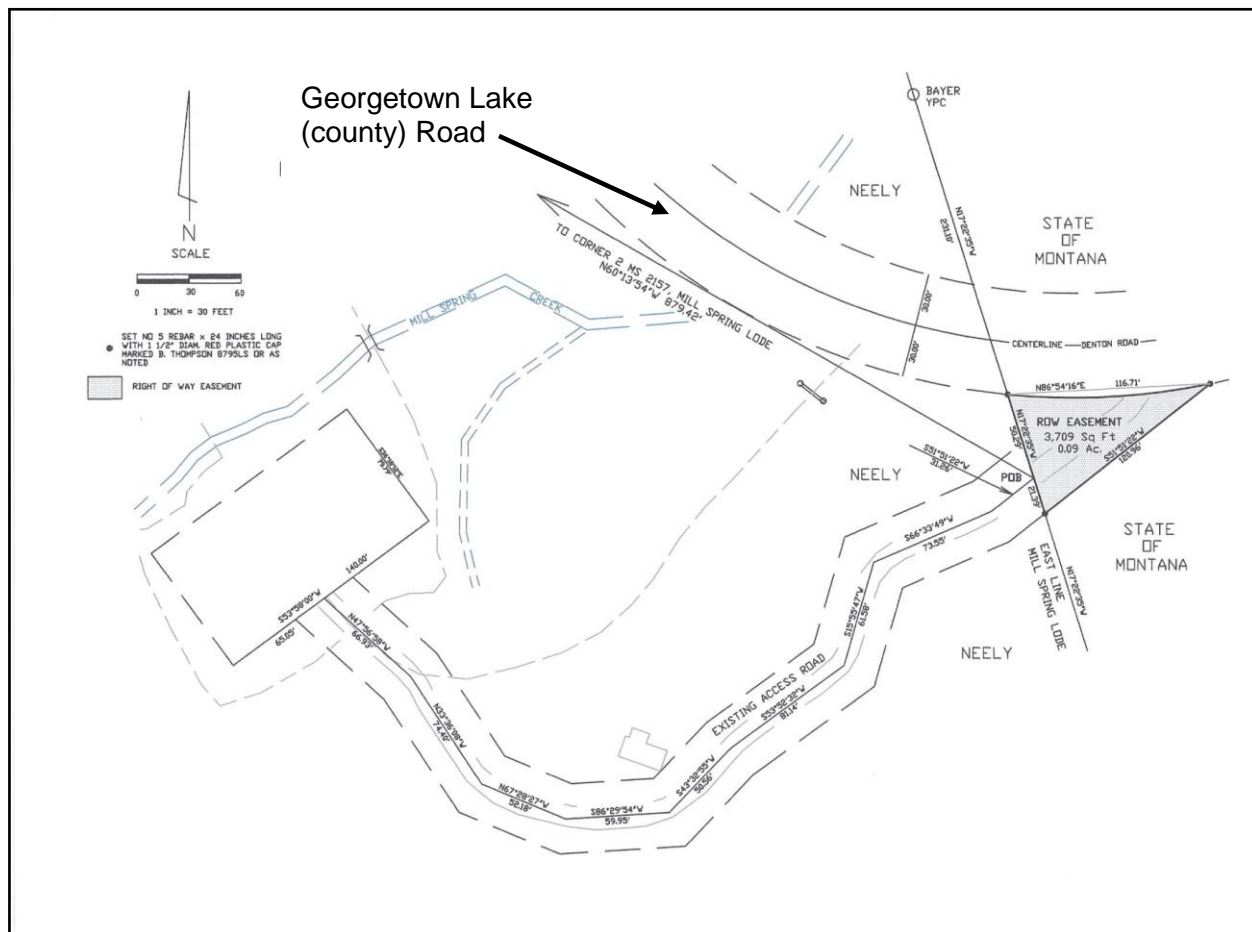




**Figure 3.** Southern portion of Stuart Mill Bay FAS (blue hatch-lined area) with private (Neely) property located between the west and east portions of the FAS. The red oval indicates approximate location of the proposed sale parcel. Property lines are approximate.



**Figure 4.** Detail of the location of the proposed parcel of FWP land in Stuart Mill Bay FAS to sell to the adjacent landowner. The orange line is the approximate property boundary between private land on the left (west) and FWP land on the right (east).



**Figure 5.** Proposed 0.09-acre parcel (shaded area labeled ROW EASEMENT on this figure, based on a 2014 land survey) of Stuart Mill Bay FAS land proposed for sale to the adjacent landowner.

**6. Project Size:** Estimated 0.09 acre

Land Type	Affected Area (estimated in acres)	Land-type Total (acres)
<b>a. Developed:</b>		
Residential	0	
Industrial	0	
Other: road	0.09	<b>0.09</b>
<b>b. Open Space/ Woodlands/ Recreation</b>	0	<b>0</b>
<b>c. Wetlands/ Riparian Areas</b>	0	<b>0</b>
<b>d. Floodplain</b>	0	<b>0</b>
<b>e. Productive:</b>		
Irrigated Cropland	0	
Dry Cropland	0	
Forestry	0	
Rangeland	0	
Other	0	<b>0</b>
<b>Total</b>		<b>0.09</b>

## 7. Permits, Funding and Overlapping Jurisdiction

- a. **Permits:** None
- b. **Funding:** None
- c. **Other Overlapping Jurisdictional Responsibilities:**

<u>Agency Name</u>	<u>Type of Responsibility</u>
FWP Fish & Wildlife Commission	Project Approval

## 8. Selling Price

The proposed price of the possible sale to the purchaser is \$6,053.04. This amount was derived from an average of the assessed value of several nearby small tracts. The average per-acre value was reduced by 25% to reflect the fact that, standing alone, the 0.09-acre tract would not be buildable. A formal appraisal was not obtained because it would be virtually impossible to find comparable sales and the price of the appraisal would be very high relative to the value of the land.

## 9. Narrative summary of the proposed action

Montana Fish, Wildlife and Parks (FWP) proposes to sell (in fee title) a small 0.09-acre parcel of land in its 362-acre Stuart Mill Bay Fishing Access Site (FAS) to an adjacent landowner (current owner Bowman J. Neely Revocable Trust; hereafter, Bowman Neely, purchaser, or adjacent landowner). The FAS is located along the southeast shore of Georgetown Lake in Deer Lodge County and is roughly divided north to south by Georgetown Lake Road (hereafter, county road). The small FWP parcel includes an existing roadway linking the county road and the purchaser's property; the roadway could potentially provide additional access to the purchaser's property along Georgetown Lake Road. (Granting encroachment permits to use a road coming off a county road to connect to a landowner's property is the purview of Granite County and beyond the scope of this proposal.)

### Background and History

In March 2003, FWP acquired approximately 363<sup>1</sup> acres of privately owned land (in 2 separated parcels) in the vicinity of Stuart Mill Bay on Georgetown Lake, for the purpose of establishing a Fishing Access Site and Wildlife Management Area (WMA) and providing fish and wildlife habitat and associated public recreation. The WMA designation was later dropped to simplify naming and managing this FWP site, but the upland portion of the FAS (south of the county road) is still managed primarily for wildlife and associated recreation. FWP acquired the FAS using funding from the Natural Resource Damage Program (NRDP).

Upon FWP acquisition, the FAS property included 4 existing, small private inholdings in the western portion of the FAS (all south of the county road, Figures 2, and 3). The FAS is also divided into a western and an eastern portion, with the adjacent landowner and Stuart Mill Bay separating the 2 portions.

The 0.09-acre parcel FWP proposes to sell to the adjacent landowner includes a short road segment (approximately 78-feet long) that traverses the parcel, linking the county road with that landowner's property. An aerial photograph from 1947 shows the road segment in existence, and it was presumably in use at that time or earlier. From the east, it entered the property and then it looped west a short distance through the private property and back to the county road. At various times historically, this has been referred to (and/or asserted to be) an old (or abandoned) mining road, a portion of the older county road, an access road, a right-of-way, and a driveway. For the purposes of this draft EA, FWP refers to this road segment across the proposed sale parcel as the roadway.

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<sup>1</sup> In 2008, two small boundary relocations with adjacent private property owners (one with an FAS inholder and one with an adjacent landowner) reduced the FAS acreage to approximately 362 acres.

In 2014, the previous adjacent landowner (Diana Neely) requested a right-of-way easement for use of the roadway across the 0.09-acre FWP parcel to link to a private inholding (Stokke lot) within her property. After posting a draft EA<sup>2</sup> for the proposal and a public review and involvement process, FWP gained further understanding, including that Stokke already had legal access to his property via one of the other 3 existing access roads into/out of Neely's property. For this and other reasons, FWP denied the 2014 ROW easement/ access request. FWP then placed large boulders across the roadway, blocking its use as access to the adjacent private property.

Currently, the adjacent landowner (Bowman Neeley) now also owns the private (Stokke) inholding as well as the original Neely property. Neely proposes to purchase the small FWP parcel in order to use its associated 78-foot roadway as the eastern entrance/exit to the portion of his property located south of the county road. He indicates that Stuart Mill Spring and its associated stream and intermittent riparian areas divide the southern portion of his property, roughly west and east. Acquiring the roadway on the FWP parcel could allow him an access road to his property that bypasses (or relocates away from) the wet areas.

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

### **Alternative A: No Action**

Under the No Action Alternative A, FWP would not sell a 0.09-acre parcel of land in Stuart Mill Bay FAS to the adjacent landowner (Bowman J. Neely Revocable Trust). The land and road portion on the parcel would remain in FWP ownership and continue to be available to the public for limited parking and minimal functional recreation.

### **Alternative B: Sell (in fee title) a 0.09-acre parcel of SMB FAS to the adjacent landowner (Proposed Action)**

Under Alternative B, the Proposed Action, FWP would sell a 0.09-acre parcel of land in Stuart Mill Bay FAS to the adjacent landowner (Neely). The FWP parcel includes an existing roadway linking Georgetown Lake Road (a county road) and the purchaser's property, and the purpose of the sale would be to (potentially) provide additional access for the purchaser to his property along Georgetown Lake Road. (Granting an encroachment permit to use a road coming off a county road to connect to a landowner's property is the purview of Granite County and beyond the scope of this proposal.)

While a transfer to private ownership would not preclude the future owner from allowing public use, it is expected that public parking and recreational opportunity would be reduced or eliminated on the 0.09-acre parcel.

### **Alternative considered but eliminated from further analysis: Sell a right-of-way easement on the 0.09-acre parcel to the adjacent landowner**

Under the right-of-way (ROW) alternative, FWP would sell to the adjacent landowner, a ROW easement (including for vehicular travel) along the 0.09-acre parcel for their use as (additional) access to the private property. For the ROW alternative to function, the roadway would likely need to be kept clear of obstruction—including parked vehicles--which would preclude allowing the public to park along the existing road portion. The portion of the parcel unencumbered by roadway is minimal and not expected to provide practical recreational use for the public. Thus, granting a ROW easement would be expected to effectively discontinue public parking and use of the parcel, which would have a similar effect as selling the parcel in fee title.

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<sup>2</sup> Originally posted on FWP's website, the draft EA and its Decision Notice are now available upon request from Region 2 FWP office (ask for regional comments coordinator).

## **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. <b><u>LAND RESOURCES</u></b>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?			X			<b>1b</b>
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			X			<b>1d</b>
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other (list)		X				

**1b.** There is an existing roadway (including a drainage culvert) on the 0.09-acre FWP parcel proposed for sale, and a gate has been installed on the private property across the roadway. If the Proposed Action were chosen, the purchaser proposes to use the roadway for some level of access to his private land beyond. Existing soil features could be further impacted if the roadway were to be widened or further hardened, but that would be contingent upon the private landowner's actions. The Proposed Action would not affect soil productivity or fertility over any large area.

**1d.** Future use and/or improvement of the roadway on the parcel for vehicular access could lead to some reduction in vegetation cover and increased bare (roadway) ground. Such impacted area could result in increased erosion and potential sediment delivery to riparian areas, but the FWP parcel does not include the channel of a stream or bed or shore of a lake. The possible impacts of that activity are not expected to exceed that of the existing public use of the parcel.



2. <b>AIR</b>  Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. <u>For P-R/D-J projects</u> , will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a)		X				
f. Other		X				

3. <b><u>WATER</u></b>  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				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of flood water or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. <u>For P-R/D-J</u> , will the project affect a designated floodplain? (Also see 3c)		X				
m. <u>For P-R/D-J</u> , will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		X				
n. Other:		X				

<b>4. <u>VEGETATION</u></b>  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			<b>4a</b>
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				
e. Establishment or spread of noxious weeds?			X			<b>4e</b>
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				
g. Other:		X				

**4a.** Under the proposed action, future use of the roadway and parcel could result in minor impact to the vegetation in the immediate area if use (and/or development) is increased compared to existing public use.

**4e.** Under the proposed action, future use of the roadway and parcel could result in increased establishment or spread of noxious weeds, compared to existing public use. Weed control would become the private landowner's responsibility, in accordance with any county regulations and state laws.

<b>5. FISH / WILDLIFE</b>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				5b
c. Changes in the diversity or abundance of nongame species?		X				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				
i. <input type="checkbox"/> 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				

**5b,c,f.** The proposed acreage is small and does not contain enough of any important habitat type in the area that the proposed action would be expected to negatively impact any animal species, including federally Threatened or Endangered species or Montana Species of Concern (SOC).

## B. HUMAN ENVIRONMENT

<b>6. NOISE &amp; ELECTRICAL EFFECTS</b>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Increases in existing noise levels?		X				
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				

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

<b>8. <u>RISK / HEALTH HAZARDS</u></b>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
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				
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				<b>8c</b>
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other:		X				

**8c.** The Proposed Action would transfer ownership of the 0.09-acre parcel to an adjacent landowner. Future use of the parcel's roadway for vehicular access could increase the number of vehicles entering/exiting Georgetown Lake (county) Road at that point near/along the curve in the county road, including vehicles slowing down or stopping on the county road prior to entry. Future vehicular access at the parcel is subject to other government process and falls outside the purview of this EA. (I.e., if the private landowner wishes to use the parcel's roadway off Georgetown Lake Road as access to their property, they would need to apply for and obtain an encroachment permit for county road ROWs from Granite County. That permit has conditions, including obtaining any other needed permits, e.g., state or federal stream permits, etc.)



<b>9. <u>COMMUNITY IMPACT</u></b>  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				
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				<b>9e</b>
f. Other:		X				

**9e.** Please see item **8c** (above).

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

**10b.** This purchase is not expected to reduce the tax revenues that Deer Lodge County collects on this property. FWP is required by § 87-1-603(1), MCA, to pay "to the county in a sum equal to the amount of taxes that would be payable on county assessment of the property if it was taxable to a private citizen." While the sale of 0.09 acre of the 356-acre FAS might lead to a tiny decrease in the amount that FWP pays Granite County (in lieu of property taxes on the parcel), that 0.09 acre addition to the purchaser's existing land would then be subject to county assessment.

<b>11. <u>AESTHETICS / RECREATION</u></b>	<b>IMPACT</b>					
	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				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)			X			<b>11c</b>
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				

**11c.** The Proposed Action would transfer ownership of 0.09-acre parcel of State-owned property to a private party. The parcel currently provides non-designated (undeveloped) parking for one to three vehicles for walk-in recreational access to the southern (upland) portion of the FAS, as well as the southernmost point of Stuart Mill Bay. Limited (1-2 car) parking opportunity also exists along Georgetown Lake Road a short distance to the east as well as the west of the proposed sale parcel.

While a transfer to private ownership would not preclude the future owner from allowing parking, it is expected that public parking opportunity would be reduced or eliminated, and thus no longer assured at this site. Parking could occur along the County Road right-of-way or at the developed portion of the FAS, which is located approximately ½-mile to the west (FAS entrance is Stuart Mill Bay Road, north off the county road).

<b>12. CULTURAL / HISTORICAL RESOURCES</b>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
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				
e. Other:		X				

### SIGNIFICANCE CRITERIA

<b>13. SUMMARY EVALUATION OF SIGNIFICANCE</b>	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which 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				

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

The Proposed Action—sale of a 0.09-acre parcel of FWP to an adjacent landowner--would allow that landowner to legally access their property using an existing roadway crossing FWP property, which links Georgetown Lake Road to a roadway on their land. Because of the location of this parcel on the perimeter of the FAS and the small acreage involved, the proposed sale would not materially affect the FAS or diminish the value of the FAS property. The minor loss of public parking would be expected to be partially offset by parking along the county road. Proceeds from the sale of this parcel would be returned to the Natural Resource Damage Program (NRDP) and may be redirected to the benefit of the remaining Stuart Mill Bay FAS.

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

#### **1. Public involvement**

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

- Legal notices will be published once each in each of these newspapers: *Anaconda Leader*, *Independent Record* (Helena), *Missoulian*, and *Philipsburg Mail*.
- Public notice will be posted on FWP's webpage: <http://fwp.mt.gov> ("News & Public Notices" at top of webpage). The Draft EA would also be available on this webpage.
- Copies would be available at the FWP Region 2 Headquarters in Missoula and the FWP State Headquarters in Helena.
- A news release would be prepared and distributed to a standard list of media outlets interested in FWP issues; this news release would also be posted on FWP's website <http://fwp.mt.gov> ("News").
- Direct mailing or email notification would be made to adjacent landowners and other interested parties (individuals, groups, agencies) to ensure their knowledge of the proposed project.

Copies of this draft EA may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 406-542-5540; by emailing [shrose@mt.gov](mailto:shrose@mt.gov); or by viewing FWP's Internet website <http://fwp.mt.gov> ("Public Notices").

FWP will hold a **field tour** for the proposal **on September 2 at 4:00 p.m. at Stuart Mill Bay FAS.**

Directions: From MT Highway 1 west of Anaconda, turn west (between mm 24 and 25) onto Georgetown Lake Road and drive approximately 1.4 mile to the entrance to the FAS; then drive in a few hundred feet to the parking lot on the right.

This level of public notice and participation is appropriate for a project of this scope with no significant physical or human impacts and only minor impacts that can be mitigated.

#### **2. Duration of comment period**

The public comment period will extend for thirty (30) days following publication of the legal notice in the *Missoulian*. **Comments must be received by FWP no later than September 30, 2021.**

Comments may be emailed to Sharon Rose at [shrose@mt.gov](mailto:shrose@mt.gov), or mailed to the FWP address below:

Region 2 FWP  
Attn: SMB EA  
3201 Spurgin Rd  
Missoula, MT 59804

## **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.**

No, an EIS is not required. Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment, no significant impacts from the proposed acquisition were identified. In determining the significance of the impacts of the proposed project, 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 importance to the state and to society of the environmental resource or value affected; 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. Persons responsible for preparing the EA**

FWP Headquarters Office, Helena, MT  
Dustin Ramoie, FAS Coordinator, Fisheries Division  
Bill Schenk, Lands Bureau

FWP Region 2 Office, Missoula, MT  
Randy Arnold, Regional Supervisor  
Sharon Rose, Regional Comment Coordinator  
Pat Saffel, Regional Fisheries Manager  
Torrey Ritter, Regional Nongame Wildlife Biologist  
Mike Thompson, Regional Wildlife Manager  
Rory Zarling, Regional Fishing Access Site Manager

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

Montana Fish, Wildlife & Parks:  
Lands Bureau, Helena, MT  
Fisheries Division, Helena, MT  
Wildlife Division, Missoula, MT