

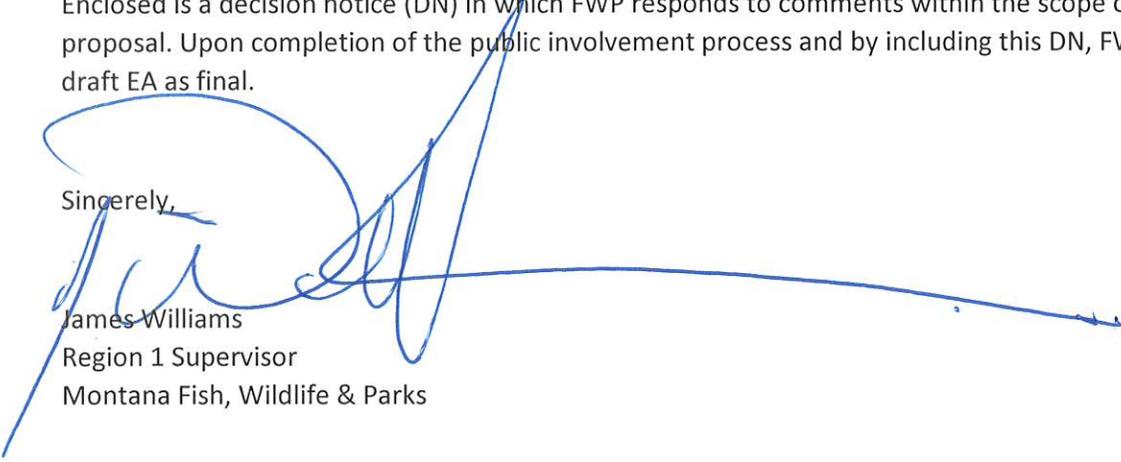


Region One 490 North Meridian Road Kalispell, MT 59901
DECISION NOTICE
And
Finding of No Significant Impact
for the
Somers Beach State Park Beach Erosion Structure Proposal

Thank you for your review and comments on the Draft Environmental Assessment (EA) for the Montana Fish, Wildlife and Parks (FWP) proposal to develop an erosion control structure at Somers Beach State Park (SBSP). This proposal is intended to mitigate severe erosion and conserve wetlands along the park's shoreline on Flathead Lake.

Enclosed is a decision notice (DN) in which FWP responds to comments within the scope of this proposal. Upon completion of the public involvement process and by including this DN, FWP accepts the draft EA as final.

Sincerely,



James Williams
Region 1 Supervisor
Montana Fish, Wildlife & Parks

Description of Proposed Project

FWP is proposing to construct an erosion control structure along the north shore of Flathead Lake at SBSP. The proposed dynamic equilibrium and gravel beach structure is similar to those installed at other eroding sites along the lakeshore. This beach is designed to halt erosion and collect sediments, detritus and coarse woody debris without isolating the adjacent wetlands. It is also intended to minimize impacts to the shoreline from recreational use at the new state park. To complete this project a temporary road constructed of logs and gravel would be built from the agricultural field to the shoreline. Access to the construction site on the west side of the park would be via Burnell Avenue.

Montana Environmental Policy Act (MEPA) Process and Public Involvement

FWP released a draft environmental assessment (EA) for public review on January 7, 2022 and asked for public comment through 5:00 p.m. on January 24, 2022. FWP held a virtual public meeting on January 18, 2022, at 6:00 p.m. FWP ran legal ads describing the proposed project, the availability of the draft EA, and the public hearing information in the Flathead Beacon, Daily Inter Lake, and Helena Independent Record. FWP also mailed postcards to neighboring landowners. Email notifications were sent to anyone who submitted public comment on any of the previous FWP projects involving Somers Beach State Park. The draft EA was posted on FWP's official website and was also available at the Region One headquarters in Kalispell and online for people with internet access or through internet service at public libraries.

The EA evaluated the potential impacts of the following alternatives:

Alternative A: No Action

Under the no action alternative, FWP would not develop an erosion control structure. Under this scenario, wave action would continue to erode SBSP degrading the wetlands adjacent to the lake.

Preferred Alternative B:

In the preferred alternative, FWP would construct gravel beach erosion control structures and a temporary access road as described in this EA.

Alternative C: Rip rap

In this alternative all work proposed in Alternative B would be completed and the Section 1 beach would extend eastward onto BNSF property. Instead of creating a temporary haul road to access the east side of SBSP, the materials would be transported over the lakebed along the BNSF shoreline. This alternative was dismissed because FWP does not own contiguous shoreline to be able to transport materials from the established access to the eastern reaches of the FWP beach, and this option is not part of the previously approved permitting.

Alternative D:

In this alternative oversized angular rock would be used to construct a riprap revetment spanning the beach at SBSP. This alternative would result in a stabilized shoreline but would not provide the ecological or recreational benefits of a gravel beach. Additionally, this approach could concentrate wave and longshore energy onto neighboring properties. This alternative was dismissed due to potential negative impacts, minimal ecological benefits, and low compatibility with recreation.

Summary of Public Comment

FWP received 14 written responses via email on the proposed project, and FWP staff reviewed the submissions to identify comments. A comment was defined as a specific issue or impact.

The following is a synopsis of public input received during the comment period and FWP's response to those comments organized by subject matter:

I. Support voiced for the proposed action listed within the environmental assessment:

- Dear Fish Wildlife & Parks Commission,
I support the plan to stop the erosion at Somers Beach State Park. If it looks half as good, as the other areas that have been done, it will be great!
- I have read the Environmental Assessment for the Somers Beach State Park Erosion Control Structure and applaud your timely and appropriate plan for the property.
- Addressing erosion and beach dynamics at Somers Beach State Park in advance and before further public use is essential. The previous owners' research and planning is invaluable in developing a plan for stabilizing this varied Flathead Lake shoreline and its contemplated uses. While I have read the planning document, I cannot speak to the specifics of the details. However, I am fully in favor of proceeding with a professionally designed and engineered approach to this special section of Flathead Lake shoreline.
- I'd like to add my comments in support of the FWP efforts to control erosion at Somers Beach. It will be wonderful to improve the water quality in the long term by reducing sedimentation from the eroding shoreline and improve the usability of the shoreline at the site.
If it is at all possible, I think it would be advisable to request that the proposed temporary road used to access the shoreline be made into a permanent trail to the shoreline for pedestrian access. Access to the shoreline will be crucial as a state park. It makes logical sense to me to utilize the temporary road footprint for permanent access that directs the public on a designated footpath. This will alleviate risk of trampled wetlands as people navigate their way to the beach and lake's edge as well as save cost of building a new trail. I appreciate FWP's efforts to advance this initiative.
- Flathead Wildlife, Inc. is the largest and oldest sportsmen and women organization in northwest Montana. Our goals include protecting and enhancing our hunting and fishing heritage, protecting and enhancing wildlife habitat, protecting public access and involving youth in the outdoors.
Flathead Wildlife supports Alternative B (preferred and proposed action) to construct a dynamic equilibrium beach along the shore of Somers Beach State Park to control erosion as supportive of our organization's goals.
Flathead Wildlife supported acquisition of Somers Beach State Park as an important addition to Flathead Lake access, as a great site for family recreation and as wildlife habitat. The Park now needs to be protected before it can be developed to accommodate human and wildlife use.

The shoreline of Flathead Lake is subject to enhanced erosion due to summer lake levels being held abnormally high by the construction and operation of Seli's Ksanka Qlisp'e Dam. The lake shoreline has not equilibrated to the enhanced water levels, erosion at Somers Beach State Park approaches 1 meter per year. That erosion threatens use of the site, threatens wildlife habitat within the site and contributes sediments that could affect Flathead Lake water quality.

Dynamic equilibrium beaches have been successful at several locations along the north shore and around Flathead Lake at stabilizing erosion with a structure that uses natural processes to attenuate wave dynamics and accumulate materials that support and encourage associated wetlands. The structure will also be user friendly for park users to walk along the shoreline and to swim, wade or launch non-motorized watercraft.

Flathead Wildlife supports Alternative B.

II. Support voiced for the proposed action listed within the environmental assessment with specific concerns:

- I finally had a chance to review the EA and echo DEQ's concerns about ensuring BNSF property adjacent to Flathead Lake is not impacted. I believe the proposed construction activities outlined in the EA are designed to minimize impact to the BNSF owned lakefront property and appreciate FWP's efforts to mitigate these concerns. In my review, I did not find a figure showing the placement of the temporary road that will need to be installed for the eastern project site. FWP might want to consider presenting this figure during the January 18 meeting if the route has been determined. In addition, several hundred truckloads will be required to transport material on site for this construction project. This has a short term negative impact on the community and FWP should present the route its contractor plans to use to bring material on to the site as well as any proposed engineering controls that might be employed to minimize disruption to the community during material staging.
- Stevie, and other concerned parties...
As a resident of Flathead Valley for 33 years, & 26 of those precious years in the Old Company Town of Somers (looking out over this acreage of New Park), I am quite familiar with this area & Sandy Beach. I've witnessed extreme erosion on this North Shore thru these years, especially after the HUGE windstorm from the south about 8-10 yrs ago (?)
I am glad something is being done to address the erosion before thousands of people/dogs are 'unleashed' to trample this precious open space/wildlife corridor habitat.
I hope & TRUST those in charge understand & respect the importance of the large driftwood logs, & stumps that dot the Sandy Beach & Shoreline. Waterfowl rest on these pieces, most of which have been in place longer than I. So PLEASE leave them in place, undisturbed. ThankU
Concerning the root wad/trunk, rock, etc. for erosion control, I have concerns of trash collecting in this tangle of rip rap. I PRAY this will be a DAY USE ONLY State Park (lands

that SHOULD have transferred to the adjoining Waterfowl lands), & that Conscious Consideration of the environmental impacts/effects on wildlife remain a Top Priority.

- Thank you for the opportunity to review the erosion control environmental assessment. The erosion control plan appears to be consistent with what has worked well at other locations on Flathead Lake.
The DEQ's main concern is to ensure that the BNSF property is not impacted, especially the portion which contains the swamp pond.
It is critical to insure no heavy vehicle traffic, W to E or E to W, across the BNSF lakebed (at low water levels) property. Heavy vehicle traffic could mobilize residual subsurface creosote material. It is understood that only section 1 of this project would be accessed via Burnell Ave. It is understood that sections 2-5 of this project would be accessed via a temporary N/S road East of the BNSF property.
- I reviewed the proposed action for beach erosion mitigation at the Somers Beach State Park. I support the proposed work. Two minor comments:
 - *:I ask that the contract work be managed so as not to negatively impact ongoing recreation use at the site.
 - * I ask that contract work be managed to minimally impact local residents.Thank you for the opportunity to comment.

FWP Response: There would be temporary impacts to the immediate community associated with construction work. FWP will work with the project manager to minimize these impacts to the degree possible. For public safety there would need to be short-term impacts to recreational users while equipment is operating. FWP believes that these temporary impacts will be highly beneficial to the long-term use and enjoyment of SBSP.

FWP and its contractors will diligently avoid BNSF property and the associated remediation work associated with sub-surface contamination.

A map of the eastern temporary haul road location is included in this decision notice.

III. **Opposition voiced for the proposed action listed within the environmental assessment:**

- Please do not destroy the nice sandy beach! Making it gravel will require wearing shoes to play in the water. They did that to the public swim area at Lake Kookanus and the kids hate it! Having a sandy beach like Whitefish Lake is what makes this such a wonderful spot. I grew up playing at the Somers beach until it became private. I was so excited to hear it was open to the public and I could take my grandson there to make sand castles. Are you going to ruin that by making it a gravel pit? Where is all the money coming from? Is this really necessary?

FWP Response:

FWP feels that mitigating erosion through the construction of a dynamic equilibrium beach is essential to conserving valuable shoreline and associated wetlands. The SBSP property is the last remaining shoreline that continues to erode at a rate of approximately 1 m year. Building

gravel beaches as shore protection structures has been a permissible and accepted approach to the problem of shoreline erosion in Flathead Lake for nearly 3 decades now beginning in 1989 when the first perched-gravel beach was built in the lake. Approximately 2.5 miles of eroding shoreline composing the North Shore of the lake has been stabilized by building gravel beaches. These shorelines are now dynamically stable and undergoing a natural restoration process as new aquatic and riparian vegetation recolonize the area associated with the beaches. (Lorang 1991).

IV. Concerns or issues associated with the proposed action

Thank you for the opportunity to comment on Montana Fish, Wildlife & Parks' (MFWP) Draft Environmental Assessment (EA) for its Erosion Structure Proposal for Somers Beach State Park. BNSF Railway Company (BNSF) is an adjacent property owner and has long supported the idea of increased public access along the North Shore of Flathead Lake and, to that end, has a history of working with MFWP on potential uses of BNSF owned real property in the area to support Park functions. At this time, we understand MFWP is not seeking access to or use of the BNSF property as part of the Park. BNSF has reviewed the EA and is seeking some clarifications to allow it to evaluate potential impacts to BNSF's property. First, it is not clear what access route would be used by MFWP to access the shoreline on the east side of the BNSF lakefront property. Is access needed from BNSF for the road being constructed on the east side of BNSF's lakefront property? For the west side, we understand that MFWP intends to use Burnell Avenue. Will MFWP's anticipated use require any improvements or modifications to the existing roadway? The EA does not appear to address the potential for encountering contaminated soil, groundwater or sediments. MFWP should prepare a contingency plan detailing how it will manage any contaminated soil, groundwater or sediments it encounters during its proposed work. Finally, what precautions will MFWP take to ensure no inadvertent entry onto BNSF property will occur during construction, including potential for inadvertent entry to the beach area? As we have mentioned in prior comments, the US Fish & Wildlife Service had previously recognized that BNSF had successfully restored the BNSF lakefront area commonly known as the Swamp Pond and that this property must be protected to preserve the wetland resource values of this reclaimed area. BNSF has fenced a portion of this area to prevent trespassing and potential associated damage to the restored wetland that could be caused by third-party entry. BNSF is committed to working cooperatively with MFWP in ensuring that the MFWP work does not diminish the resource values achieved through BNSF's prior restoration of the Swamp Pond.

FWP Response: There are no modifications or improvements to Burnell Ave planned for the erosion control project. The road would remain gated except when construction traffic is present. The contractor would be instructed to not enter BNSF property, and property boundaries will be clearly marked for assurance.

Since there is no excavation proposed, FWP believes the likelihood of encountering contaminated soils is highly unlikely. As a precaution, FWP will work with DEQ and EPA to develop a containment plan prior to project initiation.

A map of the eastern temporary haul road location is included in this decision notice.

V. Input on Type and Level of Development at the Park for consideration in a future Environmental Assessment regarding the long-term development of the site.

- Does the SBSP plan include the ability to roll (on a dolly) small sailboats from the parking lot to the water? For this purpose, I would define a small sailboat as no greater than 15 feet in length, although some might like to stretch this to 16 ft.
- I PRAY this will be a DAY USE ONLY State Park (lands that SHOULD have transferred to the adjoining Waterfowl lands), & that Conscious Consideration of the environmental impacts/effects on wildlife remain a Top Priority.
- I Do Not appreciate the use of Burnell Avenue access to lake for the placement of rip rap for several reasons. I am highly allergic to diesel fumes, the wear & tear on the fairly new roadbed of Burnell Ave. (which was altered/raised up to 5 ft. in height a few years ago, & a Dirt road beyond the gate. If/when damage to road & tree branches, etc. take place, I Trust the areas will be restored/ pruned to a reasonable condition, in a timely manner.
- Please Please Please always remember, Somers is a nice quiet peaceful friendly trusting Community, & we want it to remain a wonderful place to live... NOT BECOME A ZOO

FWP Response: Several very thoughtful comments were received that are beyond the scope of the erosion control proposal but are germane to the subsequent long-range design planning effort that will follow. FWP intends to conduct a public process in 2022 to gather public input on the long-term development and function of the park. These comments will be included for consideration at that time.

VI. Other comments received.

- Is it “course woody debris”? Or “COARSE woody debris”
Please clarify intent

FWP Response: Please excuse the spelling error. The project would use coarse woody debris.

DECISION AND RECOMMENDATION

Based upon the Draft EA and the applicable laws, regulations, and policies, I have determined that the proposed action will not have negative effects on the human and physical environments associated with this project. Therefore, I conclude that the EA is the appropriate level of analysis, and the preparation of an Environmental Impact Statement is unnecessary.

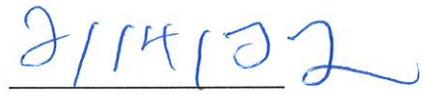
I have decided to implement Alternative B. In the preferred alternative, FWP would construct gravel beach erosion control structures and a temporary access road as described in this EA.

By notification of this Decision Notice (DN), the draft EA is hereby made the final EA. FWP will begin work at SBSP in 2022.

In accordance with FWP policy, an appeal may be made by any person who has either commented in writing to the department on the proposed project, or who has registered or commented orally at a public meeting held by the department on the proposed project, or who can provide new evidence that would otherwise change the proposed plan. An appeal must be submitted to the Director of FWP in writing and must be postmarked or received within 30 days of this decision notice. The appeal must describe the basis for the appeal, how the appellant has previously commented to the department or participated in the decision-making process, and how the department can provide relief. The appeal should be mailed to: Director, MT Fish, Wildlife & Parks, PO Box 200701, (1420 East 6th Avenue,) Helena, MT 59620-0701.



James Williams
Region 1 Supervisor
Montana Fish, Wildlife & Parks


Date

TEMPORARY ACCESS ROUTES FOR CONSTRUCTION OF SOMERS BEACH STATE PARK BEACH EROSION STRUCTURE

