

DRAFT

ENVIRONMENTAL ASSESSMENT

FWP Central Services Facilities Upgrades

FWP-SEA-ADM-R8-2025-001

April 30, 2025



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Environmental Assessment

The Montana Department of Fish, Wildlife and Parks (FWP) has prepared this Draft Environmental Assessment (EA) in accordance with the requirements of the Montana Environmental Policy Act (MEPA). Title 75, Parts 1-3, Montana Code Annotated (MCA). The purpose of an EA is to identify, analyze, and disclose the impacts of a proposed state action. This document may disclose impacts that have no required mitigation measures, or over which FWP, more broadly, has no regulatory authority.

Local governments, the federal government, and other state agencies may have authority over different resources and activities under separate regulations. FWP actions will only be approved if the proposed action complies with applicable regulations. FWP has a separate obligation to comply with any federal, state, or local laws and to obtain any other permits, licenses, or approvals required for any part of the proposed action.

This Draft EA was prepared for the following action:

PROJECT NAME: FWP Central Services Facilities Upgrades	
LOCATION: Helena, MT	COUNTY: Lewis and Clark
PROPERTY OWNERSHIP: <input type="checkbox"/> FEDERAL <input checked="" type="checkbox"/> STATE <input type="checkbox"/> COUNTY <input type="checkbox"/> PRIVATE	
EA PREPARER: Bardell Mangum	DATE ISSUED: April 30, 2025

I. Compliance with the Montana Environmental Policy Act

Before a proposed *project* may be approved, environmental review must be conducted to identify and consider potential impacts of the proposed project on the affected human environment (i.e., human population and physical environment affected by the project). The Montana Environmental Policy Act (MEPA) and its implementing rules and regulations require different levels of environmental review, depending on the proposed project, significance of potential impacts, and the review timeline. § 75-1-201, Montana Code Annotated (“MCA”), and the Administrative Rules of Montana (“ARM”) 12.2.430, General Requirements of the Environmental Review Process.

FWP must prepare an EA when:

- It is considering a “state-proposed project,” which is defined in § 75-1-220(8)(a) as:
 - (i) a project, program, or activity initiated and directly undertaken by a state agency;
 - (ii) ... a project or activity supported through a contract, grant, subsidy, loan, or other form of funding assistance from a state agency, either singly or in combination with one or more other state agencies; or
 - (iii) ... a project or activity authorized by a state agency acting in a land management capacity for a lease, easement, license, or other authorization to act.
- It is not clear without preparation of an EA whether the proposed project is a major one significantly affecting the quality of the human environment. ARM 12.2.430(3)(a));
- FWP has not otherwise implemented the interdisciplinary analysis and public review purposes listed in ARM 12.2.430(2) (a) and (d) through a similar planning and decision-making process (ARM 12.2.430(3)(b));
- Statutory requirements do not allow sufficient time for the FWP to prepare an EIS (ARM 12.2.430(3)(c));
- The project is not specifically excluded from MEPA review according to § 75-1-220(8)(b) or ARM 12.2.430(5); or
- As an alternative to preparing an EIS, prepare an EA whenever the project is one that might normally require an EIS, but effects which might otherwise be deemed significant appear to be mitigable below the level of significance through design, or enforceable controls or stipulations or both imposed by the agency

or other government agencies. For an EA to suffice in this instance, the agency must determine that all the impacts of the proposed project have been accurately identified, that they will be mitigated below the level of significance, and that no significant impact is likely to occur. The agency may not consider compensation for purposes of determining that impacts have been mitigated below the level of significance (ARM 12.2.430(4)).

MEPA is procedural; its intent is to ensure that impacts to the environment associated with a proposed project are fully considered and the public is informed of potential impacts resulting from the project.

II. Background and Description of Proposed Project

This section includes a short description of the proposed project including applicable background, the responsible party, the type of proposed action and the anticipated schedule of the proposed project.

Name of Project: FWP Central Services Facilities Upgrades

FWP owns and manages approximately 11.93 acres at 930 West Custer Avenue in Helena, Montana. The facility accommodates a combination of administrative and public service functions, including the Helena Area Resource Office (HARO), Montana Outdoors Magazine staff, FWP fleet management, procurement, and warehouse space for shipping, receiving and storage. Other facility uses include aquatic invasive species equipment management and Helena area parks and outdoor recreation maintenance shops.

FWP conducts facility condition assessments of department owned administrative facilities on a two-year cycle. Assessments have identified significant deferred maintenance recommendations for aging structures at this facility. Funding has been appropriated, and authority granted by the 68th Montana Legislature, to begin to address needed improvements at this facility.

The proposed project will, as current and future funding allow, remove and replace existing buildings at the Custer Avenue Facility and Helena Area Resource Office with new, more efficient buildings and site improvements. Improvements will consolidate office, public information, retail sales, maintenance shop and warehouse facilities. Proposed phases include:

- Demolish the Helena Area Resource Office and build a new fleet shop building containing heated automotive maintenance shop and fabrication space, and a self-contained, interior paint booth. Fleet Building will also include two-story office and meeting space to replace those offices currently housed in the existing shop buildings.
- Demolish existing maintenance shops and office buildings and replace with a two-story office building.
- Incrementally build individual unheated storage buildings with capability for future heating.
- Potentially demolish existing unheated storage warehouse and replace with new covered vehicle storage.
- Construct heated and unheated shop/storage space for aquatic invasive species program.
- Install fencing between public and staff areas.
- Develop improved parking and green space for public and staff use.

Affected Area / Location of Proposed Project

- Legal Description
 - Latitude/Longitude: 46.616993, -112.024706

- Section, Township, and Range: S18, T10 N, R03 W
- Town/City, County, Montana: Helena, Lewis and Clark, Montana
- Location Map

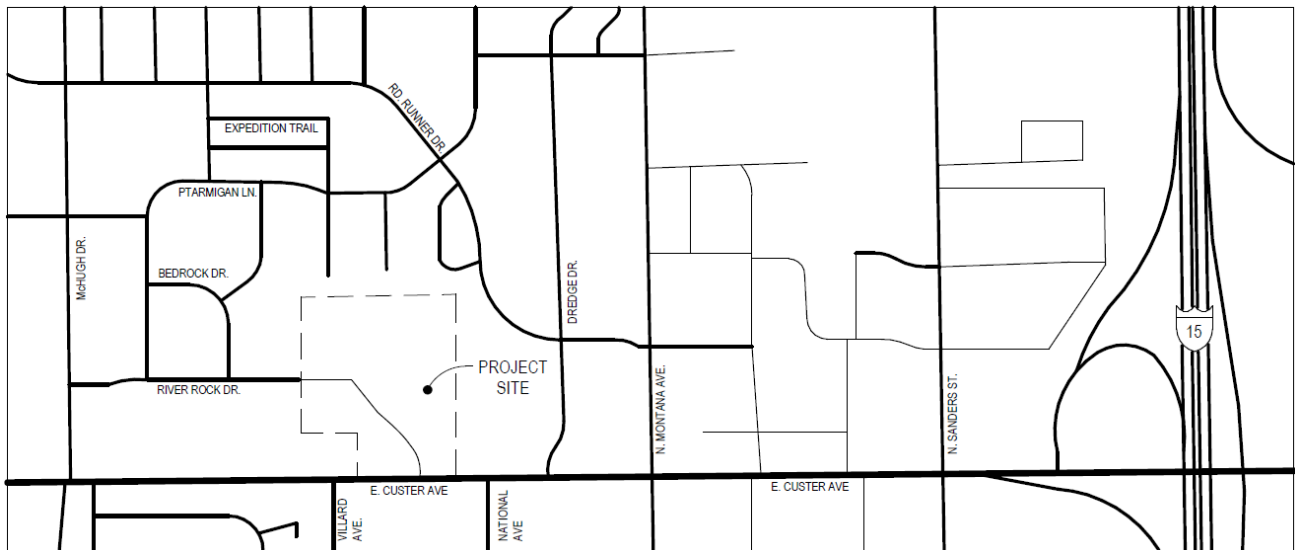


Figure 2.1. Vicinity Map

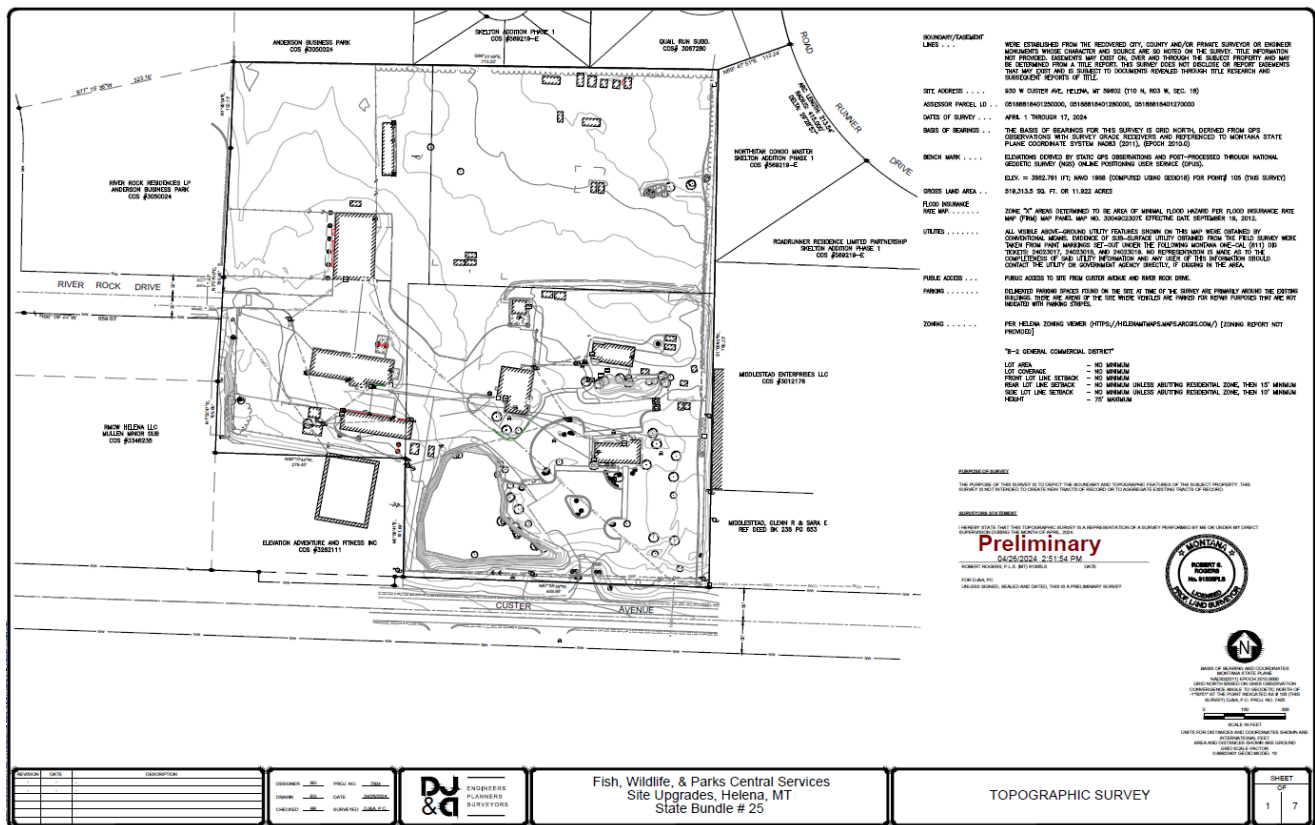


Figure 2.2. Existing Topographic Survey

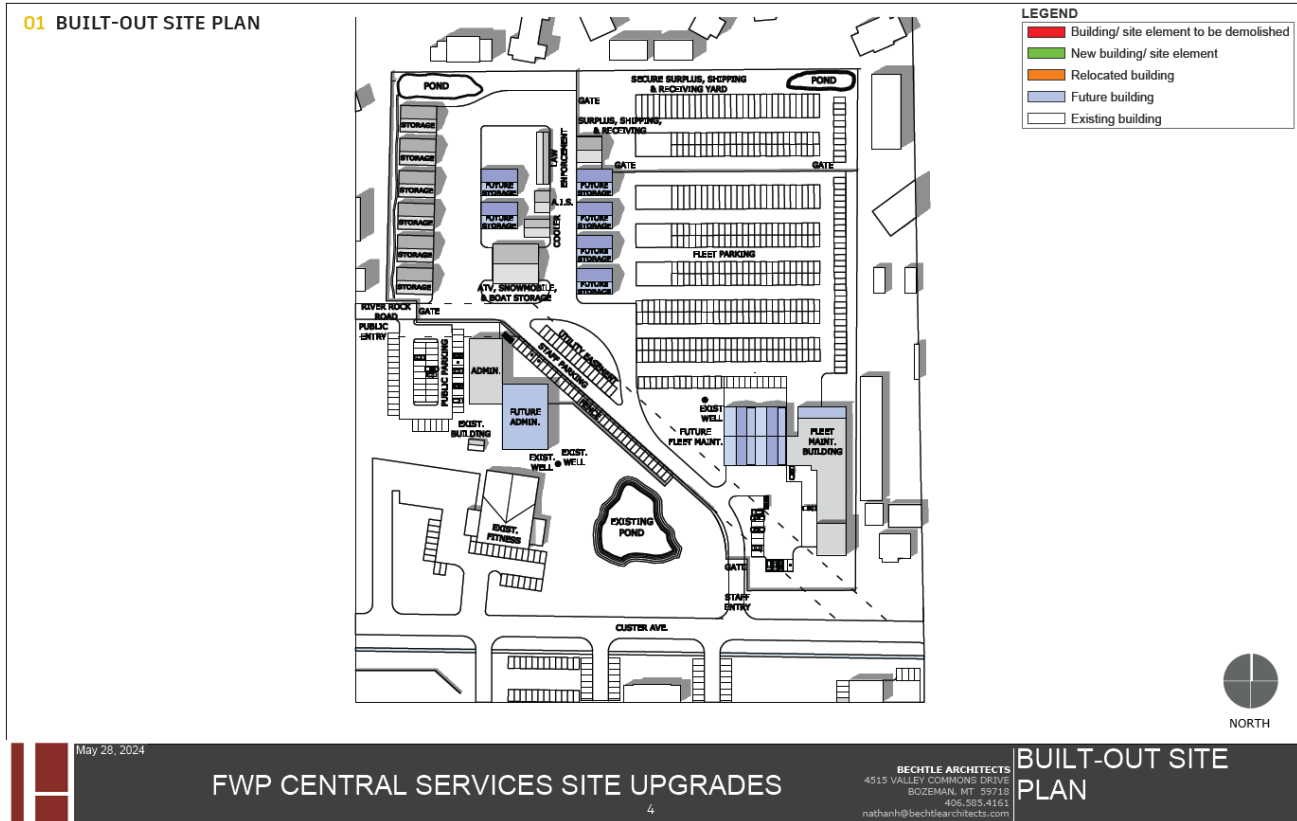


Figure 2.3. Proposed Built-Out Site Plan

III. General Setting of the Affected Environment

The Montana Department of Fish and Game purchased what is now the FWP Custer Avenue facility primarily in two segments during the 1950s. In 1951, 76.92 acres of what had been a dredging operation was acquired from Porter Brothers Corporation for \$10,000. An additional 4.64 acres were acquired from the Sisters of Charity of Leavenworth for \$1,000. A number of the existing buildings currently in use on the site were used by Porter Brothers in their operation prior to 1951. These buildings include the current Centralized Support Services offices, vehicle shop, welding shop, and Communication and Education Division offices. The property originally extended west to McHugh Lane and was composed largely of dredge piles. For a number of years, the site was used as a gravel source for private and public entities. Between 1989 and 1992, 62 acres were disposed of for development by private interests. (Stone Building and Log Building at Montana Department of Fish, Wildlife and Parks Custer Ave. Facility, Helena, Montana: A Cultural Resource Inventory and Evaluation; Mitzi Rossillon, Consulting Archaeologist, 2014).

The building currently housing the Helena Area Resource Office was originally built in the 1960s to house the new Parks Division. A combination of other site-built and prefabricated storage buildings have been added as needed.

The site is served by City of Helena sewer service which traverses the site by easement. FWP has the right to use the sewer system at no charge in exchange for the easement. City water is available from Custer Avenue and River Rock Drive. There are currently two existing wells on the facility, with one serving as a potable water

supply and the other limited to site irrigation only. Fire protection is provided by the city. An additional fire hydrant would need to be installed to extend service to the northeast corner of the site.

Existing buildings consist of metal buildings, wood framing and concrete masonry units. The older structures, primarily metal buildings converted to a variety of current uses, are highly inefficient and in need of major repair. Asbestos has been identified in at least one of the buildings currently containing offices, heated warehouse space and the vehicle shop. Biennial facility condition assessments have identified significant plumbing and heating issues as well as egress deficiencies.

The analysis area for direct, secondary, and cumulative impacts on the physical environment and human population resources analyzed by this Draft EA includes the City of Helena, with primary focus on transportation, businesses and residential neighborhoods immediately surrounding the FWP facility.

Physical Environment

The FWP Custer Avenue Facility is located in the north central portion of the Helena city limits at approximately 3,857 ft. in elevation. The City of Helena lies in the southernmost portion of Lewis and Clark County. The Helena Valley is an area of approximately 150 square miles, bounded by the Elkhorn Mountains to South, the Spokane Hills and Missouri River to the East, the North Hills to the North, and the Scratchgravel Hills to the West. Prickly Pear Creek and Silver Creek flow into Lake Helena at the northeast corner of the valley. Lake Helena drains to the northeast, through the Causeway Arm into Hauser Reservoir on the Missouri River. Tenmile Creek flows toward the northeast within 1.2 miles north of the project area and eventually into Prickly Pear Creek.

Historically, the ephemeral Last Chance Gulch ran through the western portion of the project parcel. The historic presence of Last Chance Gulch on the project site contributes to the soils and topography as the area was significantly impacted by placer mining and mining associated dredging (Rossillon 2014).

Human Population:

As of 2023, the population of Montana was estimated at 1,132,812 people. Approximately 75,011 people resided in Lewis and Clark County, with 34,464 of those residing within the city limits of Helena.

(<https://commerce.mt.gov/Data-Research/People-Housing/Population>)

Table 3.1 below summarizes population demographics for the area affected by the proposed project.

Race	Percent of Total Population (%)
White	88
Native American	2
Black	1
Hispanic	4
Asian	1
Other	4

Table 3.1 – Race demographic of the area affected by the proposed project. (data.census.gov; 2020 Decennial Census)

Economics:

In 2022, the median household income in the United States was \$74,755. In the State of Montana, median household income was lower at \$67,915. Median household income in Lewis and Clark County was slightly higher than the statewide average at \$72,491. (Small Area Income and Poverty Estimates (SAIPE) from U.S. Census Bureau – Compiled by the Montana Department of Commerce)

Land Ownership:

Land ownership immediately adjacent to the Custer Avenue facility is a mixture of commercial, multi-family residential, single-family residential and road frontage. Percentages for each are identified in the table below.

Table 3.2 below summarizes land ownership in the area affected by the proposed project and/or any alternatives to the proposed project.

Private Lands	% of Property Perimeter
Commercial	41
Multi-Family Residential	23
Single-Family Residential	25
Public Lands	% of Property Perimeter
Public Road Right-of-Way	11

Table 3.2 – Percentage of adjacent land ownership affected by the proposed project.

Agriculture:

Montana’s 57.6 million acres of land dedicated to farming and ranching is second only to Texas in the United States. 61.9% of the land in Montana is dedicated to farming and ranching. (*Montana Agricultural Facts 2023, April 2024*, USDA, National Agricultural Statistics Service, Montana Field Office) Obviously, the proportion is much less within the City of Helena (proportion unavailable). The nearest active agricultural land use is over 0.75 mile north of the project area.

Mining:

Mining figures very prominently in the history of the State of Montana and the City of Helena. The discovery of gold in 1864 in Last Chance Gulch is generally credited to four prospectors who would become known as the “Four Georgians”. After yielding likely \$7 million dollars, the original gold strike played out in the late 1860s. However, Helena remained and continued to grow, ultimately becoming the Montana State Capital. Mining in, or near, the project area was briefly revived in the mid-1930s through deeper dredging operations until 1943 (Rossillon 2014).

Recreation:

Outdoor recreation and tourism are major components of the Montana economy. The Helena area hosts a broad diversity of outdoor recreation opportunities including, fishing, hunting, camping, recreational trails, river recreation, boating, winter sports, and wildlife viewing. Operations at the Custer Avenue facility support each of these activities, statewide and locally, through the work performed by biologists, maintenance, communication and education, enforcement and administrative staff.

IV. Purpose and Need, Benefits of Proposed Project

The EA must include a description of the purpose and need or benefits of the proposed project. ARM 12.2.432(3)(b). Benefits of the proposed project refer to benefits to the resource, public, department, state, and/or other.

The purpose of this project is to replace aging buildings, increase staff and public safety, create program efficiencies, and improve stewardship of Department resources.

- “Good Neighbor” enhancements by improved architecture and better site planning, including moving active fleet maintenance operations as far as possible from adjacent residential areas.
- Improved interior traffic patterns and storage processes.
- Increased interior storage opportunities will protect department assets and improve overall site appearance.
- Updated facilities will improve energy efficiency and reduce deferred maintenance obligations.
- Staff and public safety will be increased by updated facilities and improved site planning.

If FWP prepared a cost/benefit analysis before completion of the EA, the EA must contain the cost/benefit analysis or a reference to it. ARM 12.2.432(3)(b).

	Yes*	No
Was a cost/benefit analysis prepared for the proposed project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* If yes, a copy of the cost/benefit analysis prepared for the proposed project is included in Attachment A to this Draft EA

V. Other Agency Regulatory Responsibilities

FWP must list any federal, state, and/or local agencies that have overlapping or additional jurisdiction, or environmental review responsibility for the proposed project, as well as permits, licenses, and other required authorizations. ARM 12.2.432(3)(c).

A list of other required local, state, and federal approvals, such as permits, certificates, and/or licenses from affected agencies is included in **Table 5.1** below. This information is also provided in *Section X, Cumulative Impacts Analysis*, as applicable, for any related past, present, and known future actions as they relate to the proposed action.

Table 5.1 provides a summary of state requirements but does not necessarily represent a complete and comprehensive list of all permits, certificates, or approvals needed. Rather, **Table 5.1** lists the primary state agencies with regulatory responsibilities, the applicable regulation(s) and the purpose of the regulation(s). Agency decision-making is governed by state and federal laws, including statutes, rules, and regulations, that form the legal basis for the conditions the proposed project must meet to obtain necessary permits, certificates, licenses, or other approvals. Further, these laws set forth the conditions under which each agency could deny the necessary approvals.

Table 5.1: Federal, State, and/or Local Regulatory Responsibilities

Agency	Type of Authorization (permit, license, stipulation, other)	Purpose
City of Helena, Building Division and Fire Department	Building Permits	Issuance of building permits ensure adherence to applicable building codes and regulations.
Montana Department of Environmental Quality (DEQ)	Storm Water Pollution Prevention Permit (SWPPP)	Permit obtained by General Contractor for construction activity over one acre, prior to construction.
Montana Department of Environmental Quality (DEQ)	Public Water System / Sewer System plan review	To ensure public safety when constructing or altering existing drinking water / waste water systems.
Montana Department of Environmental Quality (DEQ)	Asbestos Project Permit and/or Demolition Acknowledgment	To protect public health by ensuring appropriate handling of asbestos building materials.

VI. List of Mitigations, Stipulations

Mitigations, stipulations, and other *enforceable* controls required by FWP, or another agency, may be relied upon to limit potential impacts associated with a proposed Project. **Table 6.1** below lists and evaluates enforceable conditions FWP may rely on to limit potential impacts associated with the proposed Project. ARM 12.2.432(3)(g).

Table 6.1: Listing and Evaluation of Enforceable Mitigations Limiting Impacts

Are enforceable controls limiting potential impacts of the proposed action? If not, no further evaluation is needed.			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If yes, are these controls being relied upon to limit impacts below the level of significance? If yes, list the enforceable control(s) below			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Enforceable Control	Responsible Agency	Authority (Rule, Permit, Stipulation, Other)	Effect of Enforceable Control on Proposed Project	
Plan and Specification Approval, Permit Issuance, Enforcement Action, Fines	City of Helena, Building Division and Fire Department	Building Permit	To ensure staff and public safety by ensuring adherence to current jurisdictional building codes	
Plan and Specification Approval, Permit Issuance, Enforcement Action, Fines	Montana Department of Environmental Quality	Public Drinking Water Regulations	To ensure public safety when constructing or altering existing drinking water systems	
Plan and Specification Approval, Permit Issuance, Enforcement Action, Fines	Montana Department of Environmental Quality	Stormwater Construction Permit	To promote Pollution prevention associated with stormwater runoff during construction	
Permit Issuance, Enforcement Action, Fines	Montana Department of Environmental Quality	Asbestos Control Program	To protect public health by ensuring appropriate handling of asbestos building materials	

VII. Alternatives Considered

In addition to the proposed project (Alternative 2), and as required by MEPA, FWP analyzes the "No-Action" alternative (Alternative 1) in this EA. Under the "No Action" alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population (human environment) in the analysis area would occur. The "No Action" alternative forms the baseline from which the potential impacts of the proposed project can be measured.

	Yes*	No
Were any additional and reasonable alternatives considered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* If yes, a list and description of the other alternatives considered, but not carried forward for detailed review is included below

	Yes*	No
Were any additional alternatives considered and dismissed for cause?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* If yes, a list and description of the other alternatives considered, but not carried forward for detailed review, is included below

VIII. Terms Used to Describe Potential Impacts on the Physical Environment and Human Population

The impacts analysis identifies and evaluates **direct**, **secondary**, and **cumulative impacts**.

- **Direct impacts** are those that occur at the same time and place as the action that triggers the effect.
- **Secondary impacts** “are further impacts to the human environment that may be stimulated or induced by or otherwise result from a direct impact of the action.” ARM 12.2.429(18).
- **Cumulative impacts** “means the collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when these actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures.” ARM 12.2.429(7).

Where impacts are expected to occur, the impact analysis estimates the **extent**, **duration**, **frequency**, and **severity** of the impact. The duration of an impact is quantified as follows:

- **Short-Term:** impacts that would not last longer than the proposed project.
- **Long-Term:** impacts that would remain or occur following the proposed project.

The severity of an impact is measured using the following:

- **No Impact:** there would be no change from current conditions.
- **Negligible:** an adverse or beneficial effect would occur but would be at the lowest levels of detection.
- **Minor:** the effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource.
- **Moderate:** the effect would be easily identifiable and would change the function or integrity of the resource.
- **Major:** the effect would irretrievably alter the resource.

Some impacts may require mitigation. As defined in ARM 12.2.429, mitigation means:

- Avoiding an impact by not taking a certain action or parts of a project;
- Minimizing impacts by limiting the degree or magnitude of a project and its implementation;
- Rectifying an impact by repairing, rehabilitating, or restoring the affected environment; or
- Reducing or eliminating an impact over time by preservation and maintenance operations during the life of a project or the time period thereafter that an impact continues.

FWP may, as an alternative to preparing an EIS, prepare an EA whenever the action is one that might normally require an EIS, but effects which might otherwise be deemed significant appear to be mitigable below the level of significance through design, or enforceable controls or stipulations, or both, imposed by the agency or other government agencies.

For an EA to suffice in this instance, the agency must determine that all the impacts of the proposed action have been accurately identified, that they will be mitigated below the level of significance, and that no significant impact is likely to occur. The agency may not consider compensation for purposes of determining that impacts have been mitigated below the level of significance. ARM 12.2.430(4).

A list of any mitigation strategies including, but not limited to, design, enforceable controls or stipulations, or both, as applicable to the proposed project is included in **Section VI** above.

FWP must analyze impacts to the physical and human environment for each alternative considered. The proposed project considered the following alternatives:

- Alternative 1: No Action

Under the “No Action” alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population (human environment) in the analysis area would occur. The “No Action” alternative forms the baseline from which the potential impacts of the proposed project can be measured.

- Alternative 2: Proposed Project

Reference *Section II, Background and Description of Proposed Project* and *Section III, Purpose and Need, Benefits of the Proposed Project*.

IX. Determining the Significance of Impacts

If the EA identifies impacts associated with the proposed action FWP must determine the significance of the impacts. This determination forms the basis for FWP’s decision as to whether it is necessary to prepare an environmental impact statement. FWP considered the criteria identified in **Table 9.1** below to determine the significance of each impact on the quality of the physical and human environment. ARM 12.2.431.

The significance determination is made by giving weight to these criteria in their totality. For example, impacts identified as moderate or major in severity may not be significant if the duration is short-term. However, moderate or major impacts of short-term duration may be significant if the quantity and quality of the resource is limited and/or the resource is unique or fragile. Further, moderate or major impacts to a resource may not be significant if the quantity of that resource is high or the quality of the resource is not unique or fragile.

Table 9.1 Determining the Significance of Impacts

Criteria Used to Determine Significance	
1	<p>The severity, duration, geographic extent, and frequency of the occurrence of the impact</p> <p>“Severity” describes the density of the potential impact, while “extent” describes the area where the impact will likely occur, e.g., a project may propagate ten noxious weeds on a surface area of 1 square foot. Here, the impact may be high in severity, but over a low extent. In contrast, if ten noxious weeds were distributed over ten acres, there may be low severity over a larger extent.</p> <p>“Duration” describes the time period during which an impact may occur, while “frequency” describes how often the impact may occur, e.g., an operation that uses lights to mine at night may have frequent lighting impacts during one season (duration).</p>
2	The probability that the impact will occur if the proposed project occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur
3	Growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts
4	The quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources and values
5	The importance to the state and to society of each environmental resource or value that would be affected
6	Any precedent that would be set as a result of an impact of the proposed project that would commit FWP to future actions with significant impacts or a decision in principle about such future actions
7	Potential conflict with local, state, or federal laws, requirements, or formal plans

X. Cumulative Impacts Analysis

For the purposes of MEPA, "cumulative impact" means the collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when such actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures. ARM 12.2.429(7).

"Action" means a project, program or activity directly undertaken by the agency; a project or activity supported through a contract, grant, subsidy, loan or other form of funding assistance from the agency, either singly or in combination with one or more other state agencies; or a project or activity involving the issuance of a lease, permit, license, certificate, or other entitlement for use or permission to act by the agency, either singly or in combination with other state agencies. ARM 12.2.429(1).

Under the “No Action” alternative, the proposed project would not occur. Therefore, no cumulative impacts to the affected human environment would occur. The “No Action” alternative forms the baseline from which the potential impacts of the proposed project are measured. For the purposes of the proposed project, the cumulative impacts analysis applies to all resources analyzed under Alternative 2, Proposed Project. See section XII.A and XII.B of this Draft EA.

The proposed project would, as current and future funding allow, remove and replace existing buildings at the Custer Avenue Facility and Helena Area Resource Office with new, more efficient buildings. Improvements will consolidate office, public information, retail sales, maintenance shop and warehouse facilities. No significant adverse cumulative impacts would be expected because of the proposed project; however, cumulative impacts would occur.

The information below identifies past, present, and future actions (i.e., activities to be considered by the cumulative impacts analysis) related to the proposed action by location or generic type. Actions considered in these analyses were identified by FWP and other subject matter experts. Past and present actions are accounted for as part of the existing, or “baseline,” environmental conditions. MEPA is forward-looking, with analyses focused on the potential impacts of the proposed action with consideration for any past, present, or future related actions.

Related Past, Present, and Future State Actions:

Past, Present, and Future Related MEPA Review

The following list identifies environmental review conducted to assess potential impacts to the affected human environment from past, present, and known future related projects or actions. Past and present actions are accounted for as part of the existing, or “baseline,” environmental conditions of the affected human environment prior to approval and implementation of the proposed project, and any known future related project(s).

The proposed project will, as current and future funding allow, remove and replace existing buildings at the Custer Avenue Facility and Helena Area Resource Office with new, more efficient buildings. Improvements will consolidate office, public information, retail sales, maintenance shop and warehouse facilities. Proposed phases include:

- Demolish the Helena Area Resource Office and build a new fleet shop building containing heated automotive maintenance shop and fabrication space, and a self-contained, interior paint booth. Fleet Building will also include conditioned, two-story office and meeting space to replace those offices currently housed in the existing shop buildings.
- Demolish existing maintenance shops and office buildings and replace with a two-story office building.
- Incrementally build individual unheated storage buildings with capability for future heating.
- Potentially demolish existing unheated storage warehouse and replace with new covered vehicle storage.
- Construct heated and unheated shop/storage space for aquatic invasive species program.
- Install fencing between public and staff areas.
- Develop green space for public and staff use.

The purpose of this project is to replace aging buildings, increase staff and public safety, create program efficiencies, and improve stewardship of Department resources.

- “Good Neighbor” enhancements by improved architecture and better site planning, including moving active fleet maintenance operations as far as possible from adjacent residential areas.
- Improved interior traffic patterns and storage processes.
- Increased interior storage opportunities will protect department assets and improve overall site appearance.
- Updated facilities will improve energy efficiency and reduce deferred maintenance obligations.
- Staff and public safety will be increased by updated facilities and improved site planning.

FWP anticipates that cumulative impacts associated with the proposed project would be long-term in duration, negligible to moderate in severity and beneficial to the public user, staff and adjacent properties.

No previous project-specific environmental review documents have identified the potential for significant adverse impacts, including cumulative impacts, to the affected human environment. Therefore, preparation of an Environmental Impact Statement or EIS-level MEPA review was not required. With consideration for potential impacts from the proposed project, FWP determined that no significant adverse cumulative impacts would be expected because of the proposed project. For additional information see the resource-specific impacts analyses contained in the section of the

Draft EA titled “Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population,” for the proposed action and any alternatives to the proposed action.

XI. Alternative 1: No Action. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population

Under the “No Action” alternative, the proposed project would not occur. Therefore, no additional impacts to the physical or human environment in the analysis area would occur. The “No Action” alternative forms the baseline from which the potential impacts of the proposed Project can be measured.

XII. Alternative 2: Proposed Project. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population

A. Evaluation and Summary of Potential Impacts on the Physical and Human Environment

1. Terrestrial, Avian, and Aquatic Life and Habitats

Existing Environment/Baseline Conditions (No Action Alternative):

The Helena Area is comprised predominately of developed human land-use and its associated microclimates and habitat types. A smaller percentage of the outlying areas are composed of Rocky Mountain Lower Montane, Foothill, and Valley Grassland, Rocky Mountain Ponderosa Pine Woodland and Savanna, and Montana Sagebrush Steppe. A variety of terrestrial and avian species have been identified in the City of Helena. Of the 55 identified species of mammals, 10 are listed as species of concern. 46 of the 314 identified bird species are listed as species of concern, as well as 1 each of the 9 reptiles, 6 amphibians, and 13 fish. Each of these species of concern are identified in Part 8 of this evaluation (Montana State Library, Natural Resource Information System).

Direct Impacts:

Anticipated direct impacts to terrestrial, avian and aquatic life would be minor and short-term and limited to the period of construction. Direct impacts due to construction would include the operation of heavy equipment, removal of existing buildings, excavation and construction of new buildings. It is not anticipated that the on-site pond and associated vegetation would be directly impacted beyond short-term, construction related impacts.

Secondary Impacts:

Negligible to minor adverse secondary impacts to terrestrial, avian and aquatic life are anticipated due to the proposed project. It is anticipated that a number of mature trees and manicured landscaping, that may currently provide avian and terrestrial habitat, will be removed surrounding the existing Helena Area Resource Office. Following building construction, trees and landscaping will be established at least compliant with City of Helena landscaping codes and requirements. It is anticipated that surface drainage toward the existing pond may be altered, however, a significant increase in long-term surface flow quantity is not anticipated.

Cumulative Impacts:

No significant adverse cumulative impacts to terrestrial, avian and aquatic life are anticipated due to the proposed project.

2. Water Quality, Quantity, and Distribution**Existing Environment/Baseline Conditions (No Action Alternative):**

The project site is approximately 12 acres in size with an existing pond of approximately 0.42 acres in average surface area or 3.6% of the total site surface area. Approximately 73,000 square feet, or 14.4% of the total site, is paved with asphalt or concrete. There are approximately 30,000 square feet, 5.9% of the site, of building footprint with impervious roof coverings. The remaining 76.1% of the site consists of gravel, soil, manicured and unmanicured vegetation. FWP has maintained three monitoring wells on the site since May 2024 with average depths of 7.59' below adjacent grade. Following multiple observations, two wells at the north end of the property have remained dry. The third well, located directly north of the open pond has maintained a static groundwater elevation of 7.6' below adjacent grade.

Direct Impacts:

Anticipated direct impacts to water quality, quantity and distribution would be minor and short-term and limited to the period of construction. Direct impacts due to construction would include the operation of heavy equipment, removal of existing buildings, excavation and construction of new buildings. Stormwater drainage during construction would be mitigated through best management practices (BMP) and requirements of the Storm Water Pollution Prevention Permit (SWPPP) regulated by DEQ. It is not anticipated that the on-site pond and associated vegetation would be directly impacted beyond short-term, construction related impacts.

Secondary Impacts:

Negligible to minor adverse secondary impacts to water quality, quantity and distribution are anticipated due to the proposed project. Following building construction, trees and landscaping will be established at least compliant with City of Helena landscaping codes and requirements. It is anticipated that surface drainage toward the existing pond may be altered, however, a significant increase in long-term surface flow quantity is not anticipated. BMPs in place during construction would remain intact and maintained through terms established by the SWPPP. Increased storm water runoff due to future phases of construction would be mitigated on-site by the development of approved and regulated storm water management practices.

Cumulative Impacts:

No significant adverse cumulative impacts to water quality, quantity and distribution are anticipated due to the proposed project.

3. Geology and Soil Quality**Existing Environment/Baseline Conditions (No Action Alternative):**

The Helena Valley is an intermountain basin in the Northern Rocky Mountains bounded by the Belt Mountains and Helena Valley Fault to the north, the Spokane Hills and Spokane Hill Fault to the

northeast, and the Scratchgravel Hills and Silver Creek Fault to the northwest. The Bald Butte Fault Zone bisects Helena from southeast to northwest. The City of Helena lies at the base of Mount Helena and is underlain by Quaternary-aged alluvial fan and alluvial plain deposits. The project site is located in the west side of Helena in an area identified to have placer tailing deposits overlying the native alluvial soils. The alluvial deposits are characterized by depositional clay, sand, gravel, and cobbles. The alluvium in the project area is underlain by the Spokane Formation, a member of the Proterozoic-aged Belt Supergroup consisting of argillite, siltite, limestone, and quartz sandstone (Fleet Building Final Geotechnical Report, DOWL, November 2024). Through a series of 7 borings conducted at the site, DOWL observed, "The generalized soil profile encountered at the proposed construction site consists of approximately 12 feet of alluvial poorly graded sand and silty sand overlying 15 feet of alluvial clayey sand or sandy clay. Undocumented fill was observed in all seven boreholes and ranged in thickness from 2.5 to 4.0 feet below the surficial topsoil layer." (DOWL)

Direct Impacts:

FWP anticipates no direct impacts to geology or soil conditions.

Secondary Impacts:

FWP anticipates no secondary impacts to geology or soil conditions.

Cumulative Impacts:

FWP anticipates no cumulative impacts to geology or soil conditions.

4. Vegetation Cover, Quantity, and Quality

Existing Environment/Baseline Conditions (No Action Alternative):

The Helena Area is comprised predominately of developed human land-use and its associated microclimates and habitat types. A smaller percentage of the outlying areas are composed of Rocky Mountain Lower Montane, Foothill, and Valley Grassland, Rocky Mountain Ponderosa Pine Woodland and Savanna, and Montana Sagebrush Steppe. The project site includes an area of manicured landscaping and several mature trees and shrubs immediately surrounding the Helena Area Resource Office. A pond of approximately 0.45 acres, in the southcentral portion of the site, is bounded by unmanicured grasses, shrubs and trees. The remainder of the site consists of gravel parking area and unvegetated islands. The nearest active agricultural land use is over 0.75 miles north of the project area.

Direct Impacts:

No significant adverse direct impacts to vegetation cover, quantity and quality are anticipated due to the proposed project. It is anticipated that approximately 17 mature trees and shrubs, and other manicured landscaping, will be removed surrounding the existing Helena Area Resource Office. Following building construction, trees and landscaping will be established at least compliant with City of Helena landscaping codes and requirements. It is anticipated that surface drainage toward the existing pond may be altered, however, a significant increase in long-term surface flow quantity is not anticipated.

Secondary Impacts:

No significant adverse secondary impacts to vegetation cover, quantity and quality are anticipated due to the proposed project. It is anticipated that approximately 17 mature trees and shrubs, and other manicured landscaping, will be removed surrounding the existing Helena Area Resource Office. Following building construction, trees and landscaping will be established at least compliant with City of Helena landscaping codes and requirements.

Cumulative Impacts:

No significant adverse cumulative impacts to vegetation cover, quantity and quality are anticipated due to the proposed project.

5. Aesthetics

Existing Environment/Baseline Conditions (No Action Alternative):

With the exception of the Helena Area Resource Office and the Montana Outdoors offices, the majority of the buildings are industrial buildings of metal or wood framed construction with metal exteriors. The majority of the buildings date from between the 1980s and early 2000s. The Helena Area Resource Office and the Montana Outdoors offices were built in the late 1950s/early 1960s but have not been determined as eligible for listing on the National Register of Historic Places (NRHP). One building, a stone building, dates to the late 1860s and has been recommended as eligible for NRHP listing.

Direct Impacts:

Short-term, minor, direct adverse impacts to the site aesthetics would be a result of construction activities to demolish and remove existing buildings.

Secondary Impacts:

FWP anticipates long-term, moderately beneficial secondary impacts to the site and surrounding aesthetics by constructing new facilities with modern construction techniques, improved site circulation and facility appearance.

Cumulative Impacts:

FWP anticipates long-term, moderately beneficial cumulative impacts to the site and surrounding aesthetics by constructing new facilities with modern construction techniques, improved site circulation and facility appearance.

6. Air Quality

Existing Environment/Baseline Conditions (No Action Alternative):

No significant adverse impacts would be expected because of the proposed project. According to the Department of Environmental Quality (DEQ), air quality in the area affected by the proposed project is currently unclassifiable or in compliance with applicable national ambient air quality standards (NAAQS). Existing sources of air pollution in the area are limited and generally include fugitive dust associated with high wind events and exposed ground, vehicle travel on unpaved drives, vehicle exhaust emissions

and use of wood burning stoves and fireplaces during the winter months. No significant point-sources of air pollution exist in the area affected by the proposed project. No air quality restrictions exist for the affected area.

Direct Impacts:

No significant adverse direct impacts to air quality would be expected because of the proposed project. Unmeasured positive direct impacts to air quality would be expected because of the proposed project as painting operations currently conducted outside would be transferred to an interior paint booth, with advanced air filtration equipment. During the construction phase, removal of existing vegetation and the Helena Area Resource Office would be necessary to accommodate the newly constructed Fleet Building and interior drives and parking. The removal of existing vegetation and buildings would expose bare ground, which may result in adverse direct impacts to air quality during construction activities. More specifically, the movement of heavy machinery and materials over exposed ground during the construction phase would generate fugitive dust emissions, which may directly and adversely impact air quality. Further, vehicle exhaust emissions resulting from the operation of heavy equipment may directly and adversely impact air quality. However, because the construction phase of the proposed project would be short-term and no significant point-sources of air pollution currently exist within or in the vicinity of the proposed project, any direct adverse impacts to air quality would be short-term, negligible to minor, mitigated by dust control practices, as necessary, and consistent with existing impacts from vehicle travel over existing gravel drives and parking areas.

Secondary Impacts:

No significant adverse secondary impacts to air quality would be expected because of the proposed project. Unmeasured positive direct impacts to air quality would be expected because of the proposed project as painting operations currently conducted outside would be transferred to an interior paint booth, with advanced air filtration equipment. Following the completion of construction activities, the proposed project would not be expected to result in any additional adverse air quality impacts to the affected area. In fact, as a stated goal of the proposed project, FWP anticipates long-term, moderate, and beneficial impacts to air quality associated with the paving of interior drives and parking, and the resulting reduction of potential fugitive road dust emissions generated by visitor and staff vehicle traffic.

Cumulative Impacts:

No significant adverse cumulative impacts would be expected because of the proposed project.

7. Unique, Endangered, Fragile, or Limited Environmental Resources

Existing Environment/Baseline Conditions (No Action Alternative):

A search of the Montana Natural Heritage Program Database, a variety of terrestrial and avian species have been identified in the City of Helena. Of the 55 identified species of mammals, 10 are listed as species of concern, including Black-tailed Prairie Dog, Canada Lynx, Grizzly Bear, Hoary Bat, Little Brown Myotis, Long-eared Myotis, Long-legged Myotis, North American Porcupine, Silver-haired Bat, Spotted Bat, Western Pygmy Shrew, and Wolverine. 46 of the 314 identified bird species are listed as species of concern, as well as 1 each of the 9 reptiles, 6 amphibians, and 13 fish. Each of these species of concern are identified in Part 8 of this evaluation (Montana State Library, Natural Resource Information System).

Direct Impacts:

No significant adverse direct impacts to unique, endangered, fragile, or limited environmental resources would be expected because of the proposed project. The presence of any animal and/or plant species of concern, species of special status, species federally listed as threatened or endangered, or any lands classified as important or critical habitat located within or near the affected area were assessed through the Montana Natural Heritage Program. As noted above under the section titled “Existing Environment/Baseline Conditions (No Action Alternative),” 10 wildlife “species of concern,” including two species listed as “threatened” under the federal ESA have been identified within or within the vicinity of the City of Helena. Any adverse impacts to identified species would be expected to occur primarily during the construction phase of the proposed project. Following construction, some adverse direct impacts may occur due to the loss of existing, aging structures; however, any such long-term impacts would be negligible and consistent with impacts associated with existing infrastructure. Therefore, any adverse impacts to affected plant and animal species would be short-term, consistent with existing impacts within the existing state park, and negligible to minor.

Secondary Impacts:

No significant adverse secondary impacts to unique, endangered, fragile, or limited environmental resources would be expected because of the proposed project. Because the proposed project would occur within an existing state park, any adverse secondary impacts to identified species would be negligible and consistent with impacts associated with existing FHLSP-YB infrastructure. Overall habitat loss as result of road system and campground reconfiguration would result in less than one half acre of converted upland habitat. Therefore, any adverse secondary impacts would be negligible.

Cumulative Impacts:

No significant adverse cumulative impacts would be expected because of the proposed project.

8. Historical and Archaeological Sites

Existing Environment/Baseline Conditions (No Action Alternative):

In keeping with the Montana Antiquities Act and related regulations, all undertakings within FWP properties are assessed for their potential to affect cultural resources. Any temporary or permanent developments within the proposed project area will require prior cultural resource assessment. Where indicated, cultural resource inventories including pedestrian survey and/or subsurface testing will occur through consultation with the State Historic Preservation Office. The process for cultural resource inventory and consultation is outlined in Administrative Rules 12.8.501-12.8.510. FWP also consults with all Tribal Historic Preservation Offices affiliated with each property in accordance with FWP’s tribal consultation guidelines. The cultural resource inventory and consultation with the SHPO and relevant Tribal Historic Preservation Offices will determine whether cultural resource monitoring is required during implementation.

Direct Impacts:

No significant adverse direct impacts to historic and archaeological sites would be expected because of the proposed project. In keeping with the Montana Antiquities Act and related regulations (12.8.501-12.8.510), all undertakings on state lands are assessed by qualified heritage resource staff for their potential to affect cultural resources. The process for this assessment has included a cultural resource inventory and evaluation of cultural resources within or near the project area, in consultation with the

State Historic Preservation Office (SHPO). The cultural resource inventory and evaluation has identified one structure, a stone building dating to the late 1860s or early 1870s, which qualifies for individual listing on the National Register of Historic Places. FWP also consults with all Tribal Historic Preservation Offices (THPO) affiliated with each affected property in accordance with FWP's Tribal Consultation Guidelines. Cultural resources within or near the project area are recorded that are eligible for the National Register of Historic Places, they will be protected from adverse effects through adjustments to the project design. If additional cultural resources are unexpectedly discovered during project implementation, FWP will cease implementation, and contact FWP's Heritage Program and/or SHPO and affected THPOs for further evaluation. Therefore, no adverse direct impacts would be expected because of the proposed project.

Secondary Impacts:

No significant adverse secondary impacts to historic and archaeological sites would be expected because of the proposed project. In keeping with the Montana Antiquities Act and related regulations (12.8.501-12.8.510), all undertakings on state lands are assessed by qualified heritage resource staff for their potential to affect cultural resources. The process for this assessment has included a cultural resource inventory and evaluation of cultural resources within or near the project area, in consultation with the State Historic Preservation Office (SHPO). The cultural resource inventory and evaluation has identified one structure, a stone building dating to the late 1860s or early 1870s, which qualifies for individual listing on the National Register of Historic Places. FWP also consults with all Tribal Historic Preservation Offices (THPO) affiliated with each affected property in accordance with FWP's Tribal Consultation Guidelines. Cultural resources within or near the project area are recorded that are eligible for the National Register of Historic Places, they will be protected from adverse effects through adjustments to the project design. If additional cultural resources are unexpectedly discovered during project implementation, FWP will cease implementation, and contact FWP's Heritage Program and/or SHPO and affected THPOs for further evaluation. Therefore, no adverse direct impacts would be expected because of the proposed project.

Cumulative Impacts:

No significant adverse cumulative impacts would be expected because of the proposed project.

9. Demands on Environmental Resources of Land, Water, Air, and Energy

Existing Environment/Baseline Conditions (No Action Alternative):

Existing municipal utilities include electricity and natural gas. Buildings are heated with a combination of natural gas, forced air furnaces and natural gas fired unit heaters in shop areas. Potable water is provided by an on-site well with an associated water right of 20 Gallons Per Minute (GPM). A second well with an average production amount of 35-40 GPM provides irrigation water.

Direct Impacts:

No significant adverse direct impacts to demands on environmental resources of land, water, air, and energy would be expected because of the proposed project. New mechanical and electrical building systems will exceed current energy codes and will be significantly more efficient than systems in existing buildings. It is anticipated that the new facility would be connected to the City of Helena municipal water system for potable water requirements. The two existing wells would be maintained for

secondary and irrigation use. Fuel would be required to operate equipment and vehicles used to develop the proposed project. However, any adverse direct impacts to energy resources would be short-term and negligible, as the proposed project and associated construction activities are moderate and the construction phase would be relatively short; therefore, the amount of fuel necessary to complete the proposed project would be minimal. As identified previously through the analyses of potential direct impacts to water quality, quantity, and distribution; soil quality, stability, and moisture; vegetation cover, quantity, and quality; and air quality; some adverse impacts to the environmental resources of water, land, and air may occur because of the proposed project. However, as noted previously, any such impacts would be short- and long-term, negligible to minor, and adequately mitigated (see cited impacts analyses above). No other demands on the environmental resources of land, water, air, and energy would be expected because of the proposed project.

Secondary Impacts:

No significant adverse secondary impacts to demands on environmental resources of land, water, air, and energy would be expected because of the proposed project. No secondary impacts to energy would be expected because of the proposed project. As identified previously through the analyses of potential secondary impacts to water quality, quantity, and distribution; soil quality, stability, and moisture; vegetation cover, quantity, and quality; and air quality; some adverse and some beneficial secondary impacts to the environmental resources of water, land, and air may occur because of the proposed project. However, as noted previously, any such secondary impacts would be short- and long-term, negligible to minor, and adequately mitigated (see cited impacts analyses above). No other demands on the environmental resources of land, water, air, and energy would be expected because of the proposed project.

Cumulative Impacts:

No significant adverse cumulative impacts would be expected because of the proposed project. It is anticipated that electrical efficiencies will be significantly increased by replacement of aging infrastructure with higher performing facilities.

10. Access to and Quality of Recreational Activities

Existing Environment (No Action Alternative):

The Helena Area Resource Office is currently open to public access and provides point of sale services for licenses administered by FWP. Other public services include access to Block Management access maps and information, fish and wildlife harvest checks and tagging, and watercraft inspection for aquatic invasive species.

Direct Impacts:

The Helena Area Resource Office would be demolished during Phase I of the project to construct a new facility to house the Centralized Support Bureau, including fleet maintenance and services and internal procurement staff. Point of sale services and public access information, like Block Management, would be transferred to local commercial retailers, FWP Headquarters on the Montana State Capital Complex, or online at fwp.mt.gov. Other public services requiring face-to-face interaction, including fish and wildlife harvest checks and tagging, and watercraft inspection for aquatic invasive species, would be available at other buildings, most likely at Custer Avenue, by appointment or established scheduled hours of availability.

Secondary Impacts:

Point of sale services and public access information, like Block Management, would be transferred to local commercial retailers, FWP Headquarters on the Montana State Capital Complex, or online at fwp.mt.gov. Other public services requiring face-to-face interaction, including fish and wildlife harvest checks and tagging, and watercraft inspection for aquatic invasive species, would be accommodated in later phases of construction at Custer Avenue, by appointment or established scheduled hours of availability.

Cumulative Impacts:

No significant adverse cumulative impacts would be expected because of the proposed project.

11. Human Health and Safety

Existing Environment/Baseline Conditions (No Action Alternative):

Public access to the Custer Avenue Facility is limited to the Helena Area Resource Office. All buildings undergo biennial facility condition inventories. Identified deficiencies potentially affecting human health, safety and welfare are given the highest priority for annual maintenance funding. Asbestos has been identified in spaces utilized by FWP staff and efforts have been made to limit exposure by encapsulation or removal. A number of existing facilities do not meet current building codes and accessibility standards.

Direct Impacts:

It is anticipated that there would be negligible to minor, short-term potential impacts to human health and safety during the period of construction. Potential hazards to human health and safety would be mitigated by best management practices by the contractor and FWP staff during construction.

Secondary Impacts:

No significant adverse secondary impacts would be expected because of the proposed project. It is anticipated that human health and safety measures will be improved with improved facilities and site circulation which meet current codes and regulations.

Cumulative Impacts:

No significant adverse cumulative impacts would be expected because of the proposed project. It is anticipated that human health and safety measures will be improved with improved facilities and site circulation which meet current codes and regulations.

The proposed action would not result in significant adverse direct/secondary/cumulative climate change impacts. Any impacts of the proposed action would be consistent with current impacts (i.e., the no action alternative).

XIII. Private Property Impact Analysis (Takings)

The 54th Montana Legislature enacted the Private Property Assessment Act, now found at § 2-10-101. The intent was to establish an orderly and consistent process by which state agencies evaluate their proposed projects under the "Takings Clauses" of the United States and Montana Constitutions. The Takings Clause of the Fifth Amendment of the United States Constitution provides: "nor shall private property be taken for public use, without just compensation." Similarly, Article II, Section 29 of the Montana Constitution provides: "Private property shall not be taken or damaged for public use without just compensation..."

The Private Property Assessment Act applies to proposed agency projects pertaining to land or water management or to some other environmental matter that, if adopted and enforced without due process of law and just compensation, would constitute a deprivation of private property in violation of the United States or Montana Constitutions.

The Montana State Attorney General's Office has developed guidelines for use by state agencies to assess the impact of a proposed agency project on private property. The assessment process includes a careful review of all issues identified in the Attorney General's guidance document (Montana Department of Justice 1997). If the use of the guidelines and checklist indicates that a proposed agency project has taking or damaging implications, the agency must prepare an impact assessment in accordance with Section 5 of the Private Property Assessment Act.

Table 4: Private Property Assessment Act (Taking and Damaging Assessment)

PRIVATE PROPERTY ASSESSMENT CHECKLIST			
Does the Proposed Action Have Takings Implications under the PPAA?	Question #	Yes	No
Does the project pertain to land or water management or environmental regulations affecting private property or water rights?	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action result in either a permanent or an indefinite physical occupation of private property?	2	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action deprive the owner of all economically viable uses of the property?	3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action require a property owner to dedicate a portion of property or to grant an easement? (If answer is NO, skip questions 4a and 4b and continue with question 6.)	4	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a reasonable, specific connection between the government requirement and legitimate state interest?	4a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the government requirement roughly proportional to the impact of the proposed use of the property?	4b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the action deny a fundamental attribute of ownership?	5	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action have a severe impact of the value of the property?	6	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public general? (If the answer is NO, skip questions 7a-7c.)	7	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the impact of government action direct, peculiar, and significant?	7a	<input type="checkbox"/>	<input type="checkbox"/>
Has the government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?	7b	<input type="checkbox"/>	<input type="checkbox"/>
Has the government action diminished property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?	7c	<input type="checkbox"/>	<input type="checkbox"/>
Does the proposed action result in taking or damaging implications?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Taking or damaging implications exist if YES is checked in response to Question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to question 4a or 4b.			

If taking or damaging implications exist, the agency must comply with MCA § 2-10-105 of the PPAA, to include the preparation of a taking or damaging impact assessment. Normally, the preparation of an impact assessment will require consultation with agency legal staff.

Alternatives:

The analysis under the Private Property Assessment Act, §§ 2-10-101-112, MCA, indicates no impact. FWP does not plan to impose conditions that would restrict the regulated person's use of private property to constitute a taking.

XIV. Public Participation

Scoping

Scope is the full range of issues that may be affected if an agency implements a proposed action or alternatives to the proposed action. The scope of the environmental review is described through a definition of those issues, a reasonable range of alternatives considered, a description of the impacts to the physical and human environments, and a description of reasonable mitigation measures that would ameliorate the impacts. Scoping is the process used to identify all issues that are relevant to the proposed action.

Depending on the level of impact associated with a proposed action, the scoping process may include a request for public participation in the identification of issues.

Because FWP determined the proposed action will result in limited environmental impact, and little public interest has been expressed, FWP determined the proposed project did not meet the criteria for a public scoping meeting. Therefore, a public scoping meeting was not held for the proposed action.

Scoping also includes efforts to engage internal and affected external agencies. For the proposed project, these scoping efforts included queries to the following agency websites/databases/personnel:

- Montana State Historic Preservation Office (SHPO)
- Montana Department of Natural Resource and Conservation (DNRC)
- Montana Department of Environmental Quality (DEQ)
- Montana Department of Transportation (DOT)
- County Jurisdiction
- Montana Natural Heritage Program
- Montana Cadastral
- Montana Groundwater Information Center
- Montana Bureau of Mines and Geology
- US Department of the Interior
 - Fish and Wildlife Service
 - Bureau of Indian Affairs
- US Department of Agriculture
 - Natural Resource Conservation Service

Public Review of Environmental Assessments

The level of analysis in an EA will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. FWP is responsible for adjusting public review to match these factors (ARM 12.2.433(1)). For the proposed project, FWP determined the following public notice strategy will provide an appropriate level of public review:

- An EA is a public document and may be inspected upon request. Any person may obtain a copy of an EA by making a request to FWP.
- Public notice will be served on the Montana Fish, Wildlife and Parks website at: <https://fwp.mt.gov/public-notices>.
- Public notice will be served on the Montana Environmental Quality Council's or EQC MEPA website at: <https://leg.mt.gov/mepa/search/>.
- As applicable, copies will be distributed to neighboring landowners to ensure their knowledge of the proposed project and opportunity for review and comment on the proposed action.
- FWP maintains a mailing list of persons interested in a particular action or type of action. FWP will notify all interested persons and distribute copies of the EA to those persons for review and comment (ARM 12.2.433(3)).

Public notice announces availability of the Draft EA for public review, summarizes the proposed project, identifies the time-period available for public comment, and provides direction for submitting comments.

- **Duration of Public Comment Period:** The public comment period begins on the date of publication of legal notice in area newspapers (see above). Written or e-mailed comments will be accepted until 5:00 p.m., Mountain Time, on the last day of the public comment period for the proposed action, as listed below:

Length of Public Comment Period: 30 days

Public Comment Period Begins: April 30, 2025

Public Comment Period Ends: May 30, 2025

Comments must be addressed to the FWP contact listed below.

- **Where to Mail or Email Comments on the Draft EA:**

Name: Ryan Dorvall

Email: ryan.dorval@mt.gov

Mailing Address:

Montana Fish, Wildlife and Parks

Attn. Ryan Dorvall

PO Box 200701

Helena, MT 59620-0701

XV. Recommendation for Further Environmental Analysis

NO further analysis is needed for the proposed action	<input checked="" type="checkbox"/>
FWP must conduct EIS level review for the proposed action	<input type="checkbox"/>

XVI. EA Preparation and Review

	Name	Title
EA prepared by:	Bardell Mangum, PLA	FWP Design and Construction Bureau Chief
EA reviewed by:		