

# **DRAFT**

# **ENVIRONMENTAL ASSESSMENT**

**MEADOW LAKE FISHING ACCESS SITE**

**CAMPGROUND IMPROVEMENTS**

**(FWP-CEA-POR-R3-25-006)**

**March 20, 2025**



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# Checklist 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). 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 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 all 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.

## 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 human 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

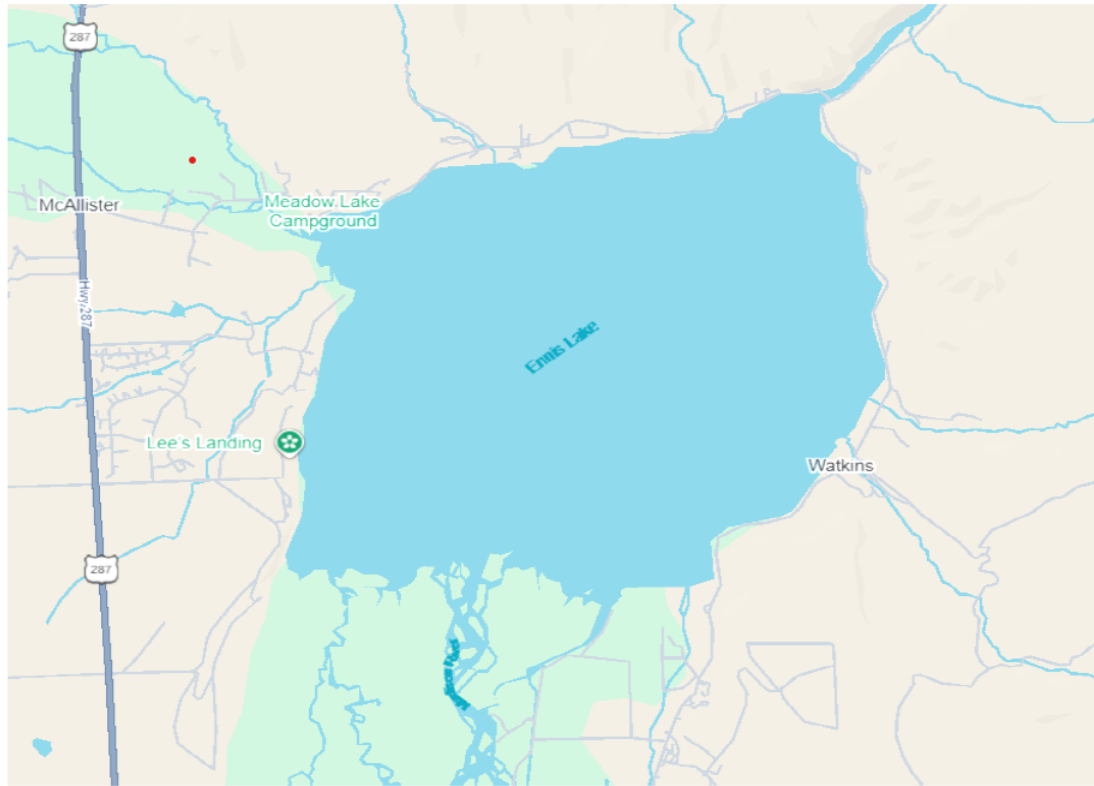
**Name of Project:** Meadow Lake Fishing Access Site (FAS) Campground Improvements

Meadow Lake FAS is located 6 miles north of Ennis, MT, along the north shore of Ennis Lake and is approximately 8 acres in size. This site has 10 camping spots with one vault latrine and is a popular spot for walk in boat access to the lake. Recreation use has significantly increased across FWP fishing access sites, particularly those that have camping available. Meadow Lake FAS is a popular FAS site in the Madison River corridor due to the proximity of Ennis, Bozeman, Big Sky, and West Yellowstone.

FWP is proposing to expand existing camping and recreational opportunities at Meadow Lake FAS by adding 5 additional camping sites and a new rollout dock for hand launching personal watercraft. To help support this additional infrastructure, there will updates to the road including an expansion of the loop to accommodate more campsites along with a new ingress/egress to allow for one-way traffic access to the site which will be safer for the visitors to use. The project also includes the development of a new day use parking area to access the new boat launch, and an additional ADA vault latrine to accommodate the new campsites.

### **Affected Area / Location of Proposed Project:**

- Legal Description
  - Latitude/Longitude: 45 4'42" N, 117 7'10" W
  - Section, Township, and Range: S34, T04S, R01
  - Town/City, County, Montana: Ennis, Madison County, Montana
- Location Map



Area of Interest



Figure 1: Location of Meadow Lake Fishing Access Site

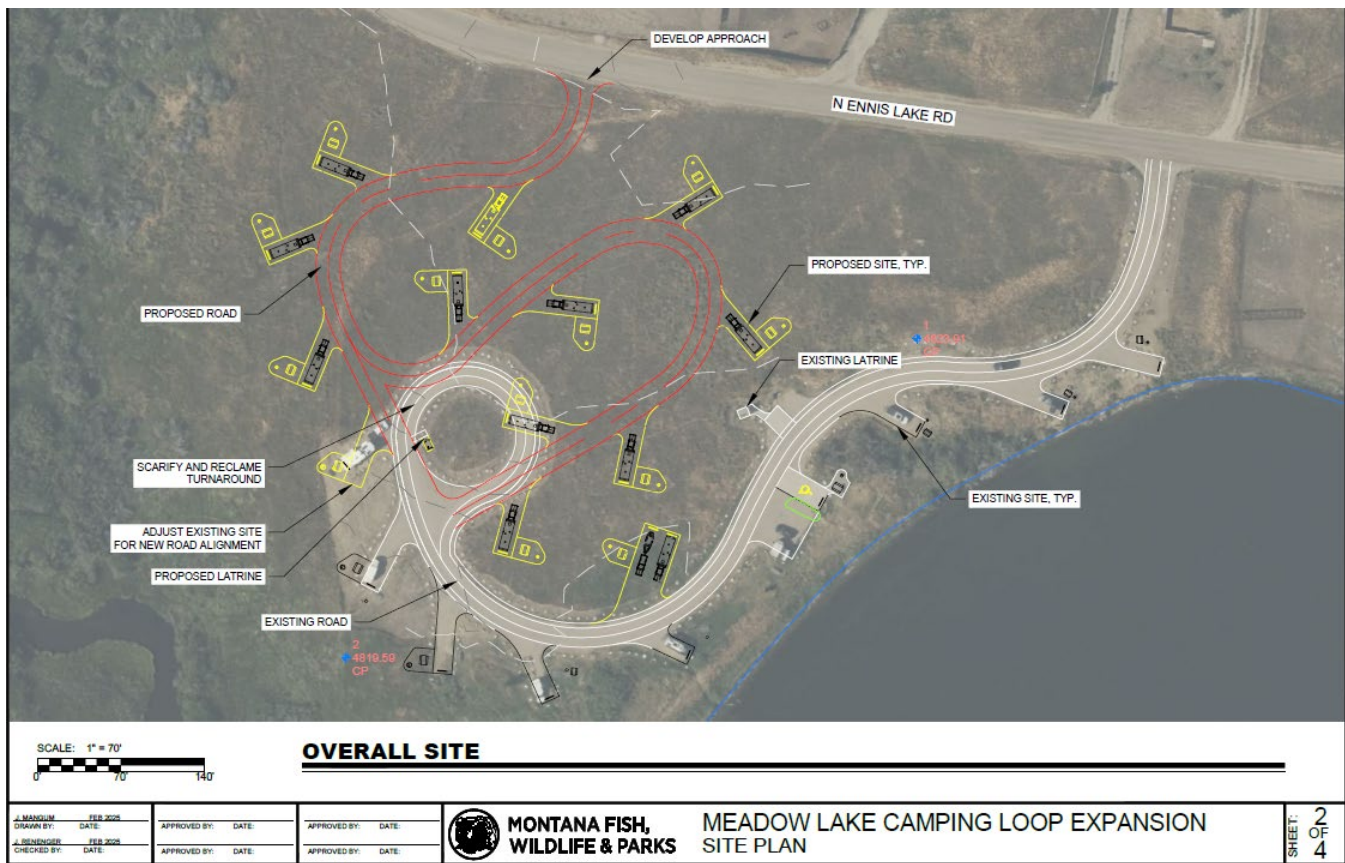


Figure 2: Site plan for proposed developments



Figure 3: Map showing property boundaries

### III. Purpose and Need

*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.*

Meadow Lake FAS is managed by FWP through a property easement and cooperative management agreement with Northwestern Energy. The Federal Energy Regulatory Commission (FERC) issued Northwestern Energy (formerly Montana Power Company) a license to operate the Missouri-Madison Hydroelectric Project 2188 in September 2000. Article 426 of the license outlines provisions for recreation management within Project 2188. This project is part of the effort to meet those licensing requirements for recreational use of and improvements placed on the property.

The proposed project is a major upgrade to the existing FAS and includes improvements for a new day use area along with increasing the number of available campsites from an existing 7 to a total of 12 sites. An additional vault latrine will help to keep up with the increased use from additional campsites and the designated day use area. Improved road access with a designated entry/exit to the site will help address any traffic safety concerns. Operation and maintenance will be maintained within the existing regional budget.

Day use and overnight camping at Meadow Lake FAS are very popular with the recreating public, and as such places a high maintenance demand on the current site. The high level of use has also resulted in occasional noncompliance with site rules. The addition of more campsites and an official day use parking area and personal watercraft boat access will help alleviate these issues and give the public more opportunity to recreate at this site. This project will improve overall access by creating a day use area that includes a developed trail to the lake.

This will ease foot traffic on the existing shoreline and help decrease erosion that will result in maintaining proper fish habitat. The addition of a new dock will allow people to have a more stable area to unload a canoe or fish.

**Project Funding:** FWP did not prepare a cost/benefit analysis for this proposed project. The project would utilize the following funding sources and amounts.

**Funding sources for development of the potential Craig FAS overflow parking lot.**

Entity	Amount
Missouri-Madison River Fund Grant	\$78,896
Northwestern Energy	\$40,640
FWP	\$40,640
<b>Total:</b>	<b>\$160,176</b>

#### IV. 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 1** below. **Table 1** provides a summary of requirements but does not necessarily represent a complete and comprehensive list of all permits, certificates, or approvals needed for the proposed project. 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 1: Federal, State, and/or Local Regulatory Responsibilities**

Agency	Type of Authorization (permit, license, stipulation, other)	Purpose
Madison County	Septic permit	Installation of a sealed vault latrine
FWP Heritage Program; Montana State Historic Preservation Office (SHPO)	Cultural assessment/Survey	Identification of historic and/or archaeological sites located within or near the proposed project area
Federal Energy Regulatory Commission (FERC)	Project No. 2188; Article 426	Provisions for recreation management

#### V. 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. The table 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 2: 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	
Identification and Protection of Cultural Resources	FWP Heritage Program in consultation with State Historic Preservation Office	Montana Antiquities Act	In keeping with the Montana Antiquities Act all undertakings on state lands are assessed for their potential to affect cultural resources. This project would be evaluated according to the process for cultural resource inventory outlined in Administrative Rules 12.8.501-12.8.510, and in consultation with the State Historic Preservation Office and tribal historic preservation offices affiliated with each property in accordance with FWP's Tribal Consultation Guidelines.	

## VI. Alternatives Considered

*In addition to the proposed project, and as required by MEPA, FWP analyzes the "No-Action" alternative 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 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.*

Under the "No Action" alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population 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 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

## VII. Summary of Potential Impacts of the Proposed Project 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:** *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.*

*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. 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 environment or human population 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. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population**

See **Table 3** (Impacts on Physical Environment) and **Table 4** (Impacts on Human Population) below.

## VIII. 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. 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).

FWP is unaware of any future related actions that would cumulatively impact the affected human environment with consideration for the proposed project and/or any past and present actions. For the purposes of the proposed project, the cumulative impacts analysis applies to all resources analyzed under Alternative 2, Proposed Project. See Tables 3 and 4 of this Draft EA.

**Table 3 - Potential Impacts of Proposed Project on the Physical Environment**

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Terrestrial, avian, and aquatic life and habitats	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There would be no significant adverse impacts to terrestrial, avian, and aquatic life and habitats from the proposed project. The proposed project would add a new road section to access the Fishing Access site. Construction activities associated with the proposed project will temporarily prevent certain wildlife from using the affected area. No net habitat loss will occur as the old roadbed will be decommissioned after the new road section is constructed. Therefore, all impacts to terrestrial, avian, and aquatic life and habitats would be short-term and negligible.
Water quality, quantity, and distribution	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to water quality, quantity, and distribution would be expected because of the proposed project. Any impacts would be consistent with, but likely would not exceed, the level of turbidity generated by high water events experienced during spring runoff. Any impacts to water quality, quantity and distribution would be short-term, consistent with existing natural impacts, and negligible.
Geology	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to geology would be expected because of the proposed project. The proposed project would result in ground disturbance to facilitate construction of the site; however, no unique geologic formations are located within the affected area. Therefore, ground disturbance associated with the proposed project would not affect any geologic features, and no impacts to geology would be expected from the proposed project.
Soil quality, stability, and moisture	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	During the construction of the project, soil stability and moisture could be impacted. No construction or routine maintenance activities would be performed during

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
									periods when the soil is too wet to adequately support construction equipment. Soil quality would remain the same during the duration of the project. Standard soil stability practices would be adhered to during the duration of the project. All disturbed areas during the construction of the project would be reseeded using reseeding practice standards. Impacts to soil quality, stability, and moisture during the project would be short-term and minor.
Vegetation cover, quantity, and quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Vegetation cover, quantity, and quality would only be disturbed in the areas of road, campsite, and parking area construction. The remaining vegetation cover, quantity, and quality would remain in its current state. All soil removed of vegetation during construction would be reseeded using reseeding practice standards. Impacts to vegetation in the affected areas would be short term and minor.
Aesthetics	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Aesthetics of the area during the construction of the site would be affected with construction equipment staging. The aesthetics of the area during construction would be short term and negligible. The long-term aesthetics of the area after the completion of the project would be minor. All installed facilities of the project would be built to blend in with the environment, and it has been a long-time standard of the department to minimize the impacts on aesthetics of the natural environment.
Air quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to air quality would be expected because of the proposed project. Air quality in the area affected by the proposed project is currently unclassifiable or in compliance with applicable National and Montana ambient air quality standards (NAAQS/MAAQS). The proposed project constitutes development of a parking area and campsites that when

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
									completed would not result in additional new air quality disturbance in the affected area. Further, no significant point-sources of air pollution exist in the area affected by the proposed project. Existing sources of air pollution in the area is limited and generally include unpaved county roads (fugitive dust source), vehicle exhaust emissions, and various agricultural practices (vehicle exhaust emissions and fugitive dust). Fugitive dust and vehicle exhaust emissions resulting from the movement of heavy equipment and materials for the proposed project could impact air quality. However, any impacts to air quality would be short-term, consistent with existing impacts, and negligible.
Unique, endangered, fragile, or limited environmental resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to any unique, endangered, fragile, or limited environmental resources would be expected due to the proposed project. The presence of any animal and/or plant species of concern and/or any Threatened or Endangered species located within the affected area were assessed. The proposed project would occur entirely within existing FWP land, and any adverse impacts to affected species would be short-term and negligible with the listed stipulation of construction timing.
Historical and archaeological sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to historical and/or archaeological sites would be expected due to the proposed project. In keeping with the Montana Antiquities Act and related regulations (ARM 12.8.501-12.8.510), all projects on state lands are assessed by a qualified archaeologist or historian for their potential to affect cultural resources. The process for this assessment may include a cultural resource inventory and evaluation of cultural resources within or near the project area, in consultation with the State Historic

PHYSICAL ENVIRONMENT		Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource		None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
										Preservation Office. FWP also consults with all Tribal Historic Preservation Offices affiliated with each property in accordance with FWP's Tribal Consultation Guidelines. If cultural resources within or near the project location are recorded and are eligible for the National Register of Historic Places, they would be protected from adverse impacts through adjustments to the project design or cancellation of the project if no design alternatives are available. If cultural resources are unexpectedly discovered during project implementation, FWP would cease implementation and would contact FWP's Heritage Program for further evaluation. Therefore, no impacts to any historical and archaeological sites would be expected because of the proposed project.
Demands on environmental resources of land, water, air, and energy		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to demands on the environmental resources of land, water, air, and energy would be expected due to the proposed project. Fuel may be required to operate equipment used for the construction phase of the proposed project. However, any impacts would be limited by the anticipated short timeline for the construction phase of the proposed project and, as such, the amount of fuel used would be relatively limited. Therefore, any impacts to the demands for energy would be short-term and negligible. As identified previously through the analyses of potential impacts to water quality, quantity, and distribution; soil quality, stability, and moisture; vegetation cover, quantity, and quality; and air quality; some impacts to the environmental resources of land water, and air could occur because of the proposed project. However, any such impacts would be short-term and negligible or minor (see cited impacts analyses

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	

above). No other impacts would be expected because of the proposed project.

**Table 4 - Potential Impacts of Proposed Project on the Human Population**

HUMAN POPULATION	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Social structures and mores	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Cultural uniqueness and diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to cultural uniqueness and diversity would be expected due to the proposed project. The proposed project would construct an expanded parking area and additional camping sites. This action would not result in any relocation of people into or out of the affected area. Therefore, no impacts to the existing cultural uniqueness and diversity of the affected area would be expected because of the proposed project.

HUMAN POPULATION		Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource		None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Access to and quality of recreational and wilderness activities		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to access and quality of recreational and wilderness activities would be expected due to the proposed project. No wilderness areas currently exist in the affected area; therefore, no impacts to wilderness recreation activities would occur because of the proposed project. The proposed project would construct a new hand boat launch and expand camping infrastructure at the FAS. Because the proposed project would improve the access and recreational opportunities at the remodeled FAS, it would likely increase the quality of the recreational experience. Therefore, any impacts would be long-term, beneficial, and minor. Noise, odors, and fugitive dust resulting from construction activities could briefly impact the quality of the recreational experience for some individuals. After the construction phase is complete, no additional impacts would occur. Negative impacts during construction would be short-term and minor.
Local and state tax base and tax revenues		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to demands on local and state tax base and tax revenues would be expected due to the proposed project. The proposed project would construct a new hand boat launch, expand camping infrastructure at the FAS, increase use of the site, and possibly increase state and local tax revenues from the sale of fuel and other items to visitors. During the construction phase of the project, tax revenue could be generated through the sale of supplies and/or equipment needed to complete the project. Any impacts would be short-term and negligible. Further, the project may result in a minor increase in tourism to the area. Minimal increased tourism could result in beneficial, long-term, and minor impacts to the local tax base.

HUMAN POPULATION		Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource		None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Agricultural or Industrial production		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to agricultural or industrial production would be expected due to the proposed project. The affected area is an existing FAS and is not used for agricultural or industrial production. Because the affected area is not used for agricultural or industrial production, the proposed project would not impact such practices.
Human health and safety		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to human health and safety would be expected due to the proposed project. Affected government staff and/or contractors hired to complete the project may realize increased risk to human health and safety during construction activities; however, FWP would require affected staff and/or contractors to operate in a safe manner and utilize best management practices, including the use of available and appropriate safety precautions. Therefore, any potential adverse impacts to staff or contractors completing the work would be short-term and negligible. Human health and safety would likely improve for users of the FAS as the project would increase access to recreation facilities and the opportunity for outdoor activity. Therefore, any impacts would be long-term, minor, and beneficial.
Quantity and distribution of employment		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to quantity and distribution of employment would be expected due to the proposed project. Contractors would be hired to complete this small project, however since it would be completed in a short amount of time any impacts would be short-term and negligible.
Distribution and density of		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to distribution and density of population and housing would be expected due to the proposed project. The proposed project is

HUMAN POPULATION		Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Resource		None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
population and housing										not expected to result in the movement of existing or new populations into or out of the affected area. Therefore, no impacts would be expected because of the proposed project.
Demands for government services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to demands for government services would be expected due to the proposed project. The proposed project would result in a net gain of infrastructure. If completed, FWP staff time would increase to monitor the area for maintenance needs, resource damage, and enforcement. The time commitment to complete work at the site would increase, so additional long-term demands for government services would be expected because of the proposed project, but the impact would be minor. Other local and county government services would increase because of the increased use of the site, those services would include but are not limited to emergency services. No significant demands on other government services should be expected with the increased recreational use. Therefore, impacts on other government services would be long term but minor. During construction, additional FWP staff time would be required to administer the project; however, those demands would be short-term and negligible because the project shouldn't take too long to complete. Therefore, any impacts during construction would be short-term and negligible.
Industrial, agricultural, and commercial activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to demands on industrial, agricultural, and commercial activity would be expected due to the proposed project. The proposed project would improve the infrastructure at the FAS and would not disturb or otherwise impact any industrial, agricultural, or commercial properties or operations in the affected area. Therefore, no impacts would be

HUMAN POPULATION	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Resource									expected because of the proposed project.
Locally adopted environmental plans and goals	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to locally adopted environmental plans and goals would be expected due to the proposed project. The goal of the proposed project is to improve access to existing recreation facilities and increase recreation opportunity, so no new impacts to environmental plans and goals would occur.
Other appropriate social and economic circumstances	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to other appropriate social and economic circumstances would be expected due to the proposed project. The proposed project would be expected to improve public access and recreational opportunities. The impact to the local economy due to the improved recreational access is expected to be minimal. Therefore, any impacts from the proposed project to other appropriate social and economic circumstances would be long-term, minor and beneficial.

**Table 5: Determining the Significance of Impacts on the Quality of the Human Environment**

<p>If the EA identifies impacts associated with the proposed project FWP must determine the significance of the impacts. ARM 12.2.431. This determination forms the basis for FWP's decision as to whether it is necessary to prepare an environmental impact statement. An impact may be adverse, beneficial, or both. If none of the adverse effects of the impact are significant, an EIS is not required. An EIS is required if an impact has a significant adverse effect, even if the agency believes that the effect on balance will be beneficial. ARM 12.2.431.</p> <p>According to the applicable requirements of ARM 12.2.431, FWP must consider the criteria identified in this table to determine the significance of each impact on the quality of the human environment. 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.</p>	
<b>Criteria Used to Determine Significance</b>	
1	The <b>severity, duration, geographic extent, and frequency</b> of the occurrence of the impact

	<p><b>“Severity”</b> describes the density of the potential impact, while <b>“extent”</b> 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><b>“Duration”</b> describes the time period during which an impact may occur, while <b>“frequency”</b> 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

## IX. Private Property Impact Analysis (Takings)

*The 54<sup>th</sup> 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 6: Private Property Assessment (Takings)**

PRIVATE PROPERTY ASSESMENT ACT (PPAA)			
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 5)	4	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a reasonable, specific connection between the government requirement and legitimate state interest?	4a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the government requirement roughly proportional to the impact of the proposed use of the property?	4b	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>
Has the government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?	7b	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>
<b>Does the proposed action result in taking or damaging implications?</b>		<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 through -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.

## X. Public Participation

*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)). Because FWP determines the proposed action will result in limited environmental impact, and little public interest has been expressed, FWP determines 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. If the document is out-of-print, a copying charge may be levied (ARM 12.2.433(2)).*
- *Public notice will be served on the Montana Fish, Wildlife and Parks website at: <https://fwp.mt.gov/news/public-notices>. Public notice will announce the availability of the Draft EA, summarize its content, and solicit public comment.*
- *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 Draft EA to those persons for review and comment (ARM 12.2.433(3)).*
- *FWP issues a biweekly press release containing all FWP public commenting opportunities.*
- ***Duration of Public Comment Period:*** *The public comment period begins on the date the Draft EA is published on FWP's website. Written or e-mailed comments will be accepted until 5:00 p.m., MST, on the last day of public comment period, as listed below:*

**Length of Public Comment Period:** 15 days

**Public Comment Period Begins:** March 20, 2025

**Public Comment Period Ends:** April 4, 2025

Comments must be addressed to the FWP contact, as listed below.

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

Name: MARK FILONCZUK

Email: mark.filonczuk@mt.gov

Mailing Address:

Montana Fish, Wildlife and Parks

1400 S. 19<sup>th</sup> Ave

Bozeman, MT 59718

## XI. Recommendation for Further Environmental Analysis

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

## XII. EA Preparation and Review

	<b>Name</b>	<b>Title</b>
<b>EA prepared by:</b>	Mark Filonczuk	Recreation Manager
<b>EA reviewed by:</b>	Linnaea Schroeer	R3 Recreation Manager