

**DRAFT**

**ENVIRONMENTAL ASSESSMENT**

**CHECKLIST**

**Newlan Creek Reservoir Fishing Access Site Lease  
Agreement and Improvement Project  
(FWP-CEA-POR-R4-25-002)**

**Date of Issuance**

**1/29/2025**



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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:** Newlan Creek Reservoir Fishing Access Site Lease Agreement and Improvement Project

Montana Fish, Wildlife and Parks (FWP) has managed public recreation through a no-cost lease agreement on 466 acres of the north shore of Newlan Creek Reservoir, near White Sulphur Springs Montana, since September 3<sup>rd</sup>, 1997. FWP has leased the property from the Meagher County Newlan Creek Water District (Lessor) for the purpose of establishing a fishing access site (FAS) and has developed infrastructure during the term of this lease to accommodate overnight camping, boat launch, vault toilets, picnicking, roads, and parking areas. Over the course of the lease, Newlan Creek Reservoir FAS has become an increasingly popular recreation site offering camping, swimming, recreational boating, angling, wildlife watching, hunting, and other forms of outdoor recreation. The current lease will expire on February 1<sup>st</sup>, 2025, which has allowed FWP and the Lessor to discuss the future of the site. FWP and the Lessor would like to move forward with another long-term lease and further develop the property to provide for public safety, enhanced public experience, operational efficiency, and natural resource stewardship. FWP has developed a concept improvement plan, which will be discussed in greater detail below, and will have an ask in the 2025 legislative session to secure funds for the project. To bridge the gap between the end of the current lease and the end of the 2025 legislative session (when FWP would know if funds have been secured to complete the improvement project) FWP and the Lessor have agreed to a lease amendment to allow continued management of the site through February 1, 2026. If funds are secured in the 2025 legislative session for the improvement project, FWP and the Lessor propose to enter into a new 25-year no-cost lease agreement for the purpose of retaining and further developing the Newlan Creek Reservoir FAS. If funds for the improvement project are not secured via the 2025 legislative session, FWP and the Lessor would have 1 year on the lease extension which would provide time to discuss future management of the site. Both the proposed 25-year lease agreement and the proposed improvement project will be analyzed within the scope of this Environmental Assessment.

### **Improvement project goals:**

Improve the camping experience: Between 1997 and 2013 FWP developed camping areas in loops A, B, and C (on the west end of the reservoir) that consisted of level gravel camping pads with established fire rings and picnic tables. Graveled roadway loops were also developed in these areas with road grades and parking angles appropriate for towing camper units through the site (see Appendix A for past development costs and scope of work). FWP is looking to expand these camping improvements to Loops D and E (figures 8 and 9) by developing leveled gravel camping pads with established fire rings and picnic tables, as well as constructing loop roads through the camping areas that would be compatible with towing camping trailer units through the campground. The proposed developments would be consistent with the previously developed camping areas in loops A, B, and C. Creating developed camping spaces would allow for improved compliance with and enforcement of FAS rules and regulations, by clearly establishing sites that are occupied and paid for, which is a desire of FWP and the Lessor. Camping in these undeveloped portions of the FAS is currently unmanaged, can be congested, and difficult to enforce FAS regulations. Impacts to the natural resources has been an ongoing concern. Developing designated camping spots would improve the visitor experience and mitigate the resource impacts occurring on the property.



**Figure 1:** Newlan Creek Reservoir FAS with congested camping in the undeveloped portions of the FAS.

Improve and restore natural resource conditions: A significant concern of FWP and the Lessor has been the ongoing resource degradation to the property resulting from public recreation. In areas that are currently developed with established roads and gravel camping pads, the erosion has been minimal, and the native vegetation has been allowed to re-establish. In the undeveloped areas, erosion persists along the shoreline and the impacts from vehicles traveling on unestablished roads have created muddy conditions, impacts to vegetation growth, sediment runoff, and numerous holes that have been created by visitors attempting to level camping trailers. FWP and the Lessor have interest in mitigating these resource impacts while also maintaining the areas as a campground by developing leveled and graveled camping spaces and a gravel loop road through the camping areas (see figures 8 and 9).





**Figure 2:** Vegetation and other natural resource impacts to loop “D” can be seen in this aerial view that have occurred primarily from vehicle use on undeveloped roads.



**Figure 3:** Vegetation and other natural resource impacts to loop “E” can be seen in this aerial view that have occurred primarily from vehicle use on undeveloped roads.



Establish designated day use areas: There has been an expressed desire from the Lessor to provide increased space for designated day use activities such as swimming, picnicking, boating, and fishing that would not compete with space for those who are camping, especially on busy summer weekends. Creating day use only areas within the FAS would provide space, especially for those who live locally, to recreate at the FAS. To minimize the amount of camping opportunity that would be lost, FWP proposes establishing day use areas on the small peninsulas on the east end of the reservoir, while maintaining the existing developed camping loops and adding two additional camping loops on the remaining large peninsulas. Additionally, FWP proposes to develop the day use space in figure 10 to include ADA accessibility, a picnic shelter, a gate to accommodate lake access for small, motorized and non-motorized boat launching, and improved parking. The existing vault toilet would be relocated to accommodate the improved design and ADA accessibility to the vault toilet. The proposed improvements would allow for ADA access from the parking area to the picnic shelter and the vault toilet.

Alleviate congestion and improve safety at the boat ramp: The boat ramp area experiences congestion and safety concerns during the busy summer months (figure 4). The area currently has conflicting uses occurring within the parking space including camping, day use parking, and boat trailer parking. The multiple uses create a situation that leads to congestion and conflict (figures 4 and 5). FWP proposes to eliminate the two camping spots that compete with the parking space and expand the existing parking lot to accommodate increased parking for day use vehicles, especially those towing a boat trailer (figure 7).



**Figure 4:** Parking Space around the boat ramp is limited and often congested. With the presence of camping within the designated parking area, the main parking spaces are often occupied by camping units taking several spaces which displaces vehicles from parking in the parking spaces, as seen above.





**Figure 5:** Allowing camping within the boat ramp parking areas displaces 5-7 parking spaces for vehicles that must find alternative parking space such as on the side of the road or out along the main county road as seen in the photo above.

Improve and update FWP's signage: As part of the improvement project, FWP proposes to implement a new signage plan for the FAS that would improve the visitor's ability for wayfinding and navigation around the property, clarify and emphasize rules and regulations for the site, and provide updated graphics and visuals for those who visit the FAS. This signage plan would be consistent with FWP's new statewide signage plan and guidelines.

**Proposed Project Developments:**

To address concerns from the public, the Lessor, and FWP about natural resource impacts, law enforcement challenges, congestion, and safety concerns, FWP proposes to develop the property to meet the goals listed above. FWP has developed the following conceptual design for the proposed developments.





**Figure 6:** Overview map of Newlan Creek Reservoir FAS with project areas highlighted.



**Figure 7: Proposed improvements in loop A**

Project area “A” includes the previously established camping areas that are level and graveled. The proposed improvements include removing 2 campsites located within the existing boat ramp parking area and expanding the parking area to accommodate more vehicles and boat trailer parking. A welcome kiosk with a map for wayfinding within the FAS, rules and regulations, and other information will be installed along the entrance to the FAS off the main Newlan Creek Road. The launch area would be expanded to allow for easier launching of watercraft. Stairs would be added from the bottom parking/boat ramp area to the upper bathroom to allow for easier access as the existing dirt hillside is slick and difficult to climb, especially in wet conditions.

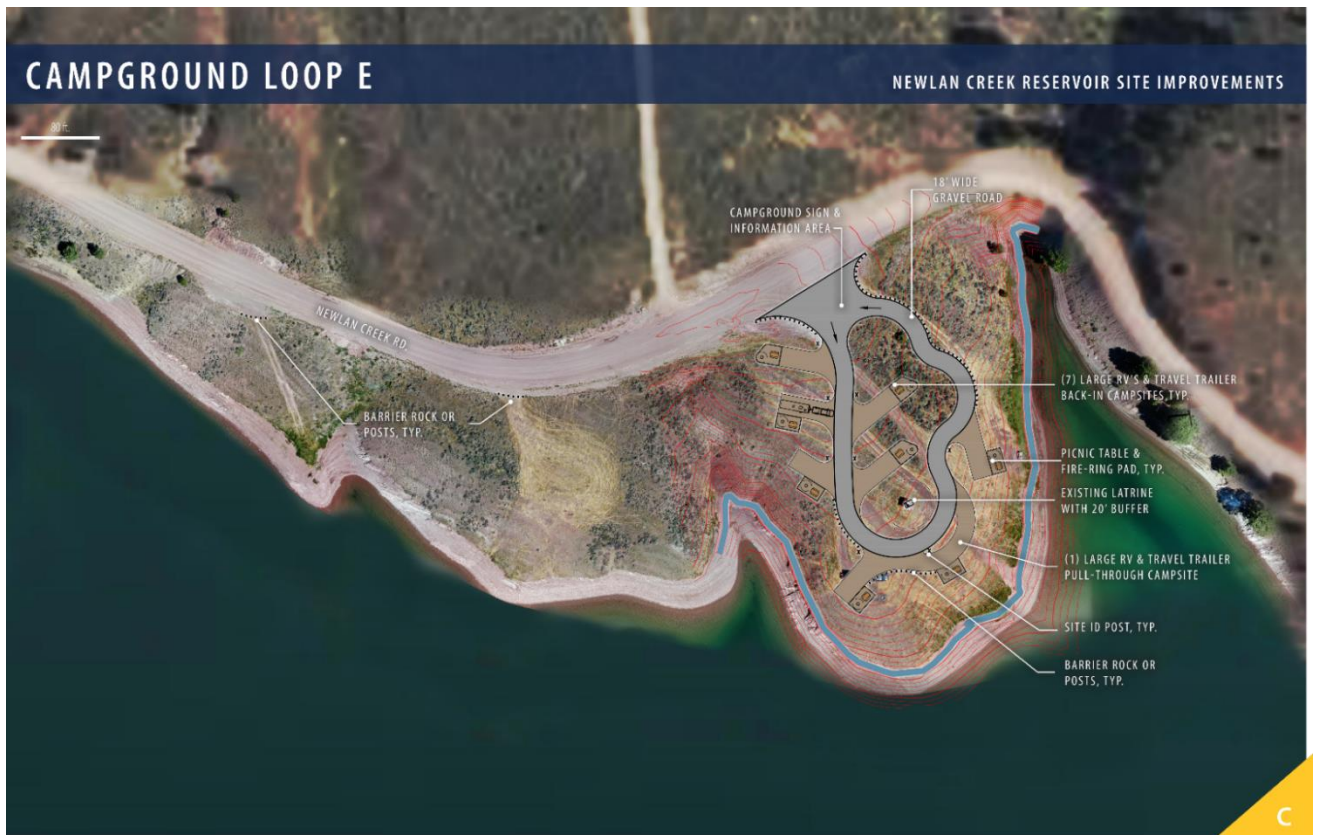




**Figure 8:** Proposed improvements in loop D

Project area “B” currently has a vault toilet and no additional developments. The proposed developments include establishing approximately 13 level and graveled campsites with fire rings and picnic tables. A gravel loop would be developed allowing vehicles to easily navigate through the campground. Vehicle travel would be confined to the graveled developed roads and campsites, allowing vegetation to reestablished in the currently impacted areas. Signage to establish waterfront access points within the campground for campsites on the inside of the loop without adjacent water access may be installed. The topography of the area limits the development of additional campsites in this loop. Parking or camping on vegetation would be prohibited and barriers would be installed at certain locations to mitigate unlawful off-road use.





**Figure 9:** Proposed improvements in loop E

Project Area “C” currently has a vault toilet and no additional developments. The proposed developments include establishing approximately 8 level and graveled campsites with fire rings and picnic tables. A gravel loop would be developed allowing vehicles to easily navigate through the campground. Vehicle travel would be confined to the graveled developed roads and campsites, allowing vegetation to reestablish in the currently impacted areas. Signage to establish waterfront access points within the campground for campsites on the inside of the loop without adjacent water access may be installed. The topography of the area limits the development of additional campsites in this loop. Parking or camping on vegetation would be prohibited and barriers would be installed at certain locations to mitigate unlawful off-road use.



**Figure 10:** Proposed improvements in the day use areas

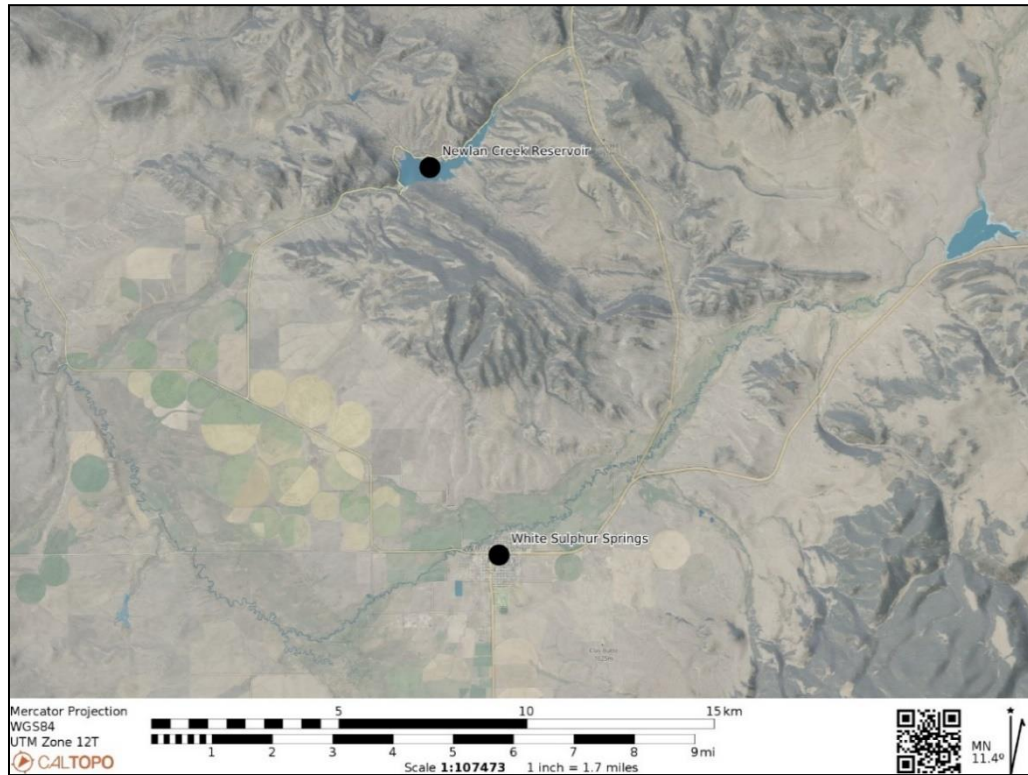
Project Area “D” consists of 2 separate areas, the northeastern most site near the inlet of Newlan Creek and a site further to the southwest. Currently camping is unregulated in these areas, however, as part of the proposed improvement project, these locations would transition to day use only. The southwestern site (left side of figure 10) currently has a vault toilet and no other developments. The proposed developments in this area would include a graveled parking lot with a covered picnic shelter on a concrete pad that overlooks the reservoir and trail leading from the parking lot to the picnic area. The existing vault toilet would be relocated to allow for the proposed developments. The picnic shelter and the vault toilet would be ADA accessible via the trail. The proposed developments would also consist of a locking cable gate that would be opened during the winter months to allow for winter motorized travel onto the ice for the purposes of ice fishing. During the summer months this area could accommodate lake access for small, motorized and non-motorized boat seeking to launch on the upper end of the reservoir as emergency response or authorized uses. In the northeastern area (right side of figure 10), the proposed developments consist of establishing a graveled day use parking area. Significant erosion on Newlan Creek has occurred over the years. Establishing a designated day use parking area would reduce the impact and mitigate the resource impacts within this area. Because the area is located within the floodplain, a permanent vault toilet would not be permitted, however, a seasonal porta-potty could be installed at the location during peak angling times which occurs during the kokanee spawn when anglers target these fish moving upstream.

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

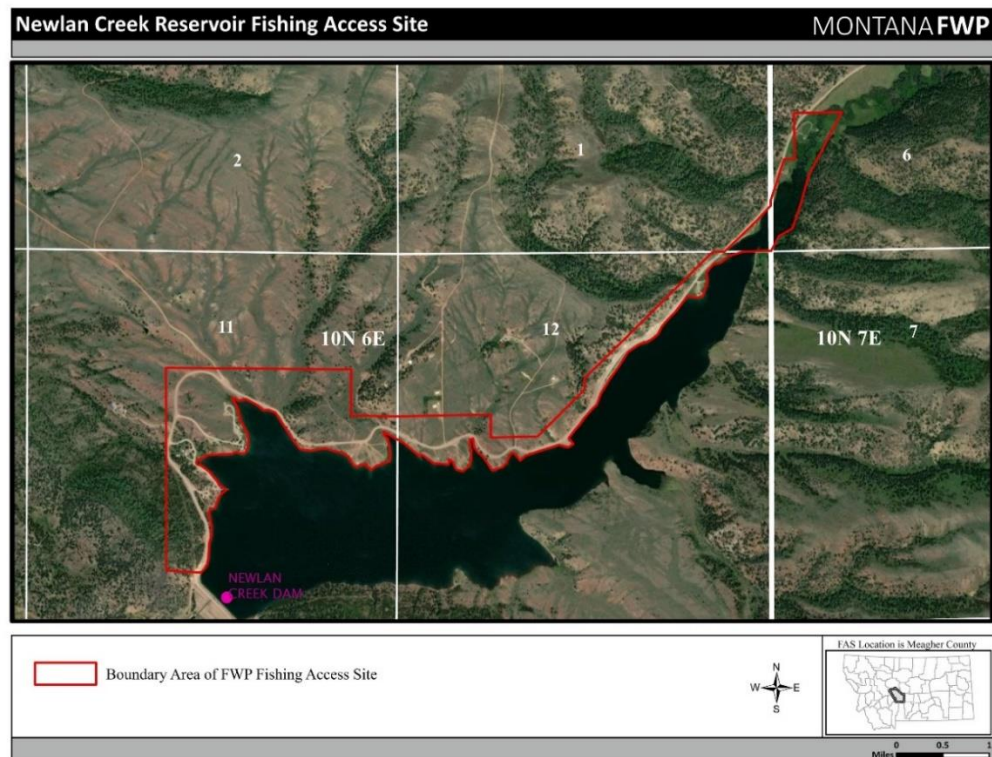
- Legal Description
  - Latitude/Longitude: 46.64225, -110.92896
  - Section, Township, and Range: T10N, R6E, Sec. 1,11,12, and T10N, R7E, Sec. 6
  - Town/City, County, Montana: White Sulphur Springs, Meagher County, Montana



- Location Map



**Figure 11:** Newlan Creek Reservoir is located north of White Sulphur Springs, MT



**Figure 12:** Boundary map of proposed Newlan Creek Reservoir FAS Lease Agreement and scope of EA.



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.*

The purpose of the proposed long-term lease agreement and the improvement project would be the continued management of the property as a public fishing access site as well as further development of the property to meet management objectives of FWP and the Lessor. The Lessor and FWP both desire the continued operation of the site as a public fishing access site and recognize the need to address resource and management issues while also improving recreational offerings.

The Benefits of the proposed long-term lease and the improvement project include:

- Long-term public access to Newlan Creek Reservoir and the associated lands through the fishing access site designation.
- Improve the camping experience.
- Improve and restore natural resource conditions.
- Establish designated day use areas.
- Alleviate congestion and improve safety at the boat ramp.
- Improve and update FWP’s signage.

Fishing access site leases are subject to the approval of the Fish and Wildlife Commission. Should this lease move forward, it would be an agenda item at the April Commission meeting. Funds for the Newlan Creek Reservoir Fishing Access Site Improvement Project will be requested at the 2025 legislative session. If the long-term lease is established and funds for the improvement project are secured, the cultural compliance survey could begin in 2025/2026, and the developments would likely occur in 2026/2027.

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

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
Meagher County	Floodplain Permit	A floodplain permit is required for projects within the floodplain. Portions of the development associated with the proposed park may be in the floodplain.
Montana Fish and Wildlife Commission	Lease Approval	The Montana Fish and Wildlife Commission sets policies and provides direction for the management of Fishing Access Sites.
FWP Heritage Program; Montana State Historic Preservation Office	Cultural Assessment/Survey	By Montana law (22-3-433 MCA), all state agencies are required to consult with the State Historic Preservation Office to identify heritage properties on land owned by the state that may be adversely impacted by a proposed action or development project.

## 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**

<i>Are enforceable controls limiting potential impacts of the proposed action? If not, no further evaluation is needed.</i>			<b>Yes</b> <input checked="" type="checkbox"/>	<b>No</b> <input type="checkbox"/>
<i>If yes, are these controls being relied upon to limit impacts below the level of significance? If yes, list the enforceable control(s) below</i>			<b>Yes</b> <input checked="" type="checkbox"/>	<b>No</b> <input type="checkbox"/>
Enforceable Control	Responsible Agency	Authority (Rule, Permit, Stipulation, Other)	Effect of Enforceable Control on Proposed Project	
Cultural Resource Protection	Montana State Historic Preservation Office/FWP Heritage Program	Cultural Assessment and Inventory	A cultural resource inventory will be completed prior to any construction of the project. If cultural resources are unexpectedly discovered during project implementation, FWP will cease implementation, and contact FWP's Heritage Program for further evaluation.	
Noxious Weeds	FWP	FWP Integrated Noxious Weed Management Plan	Limit the potential for noxious weed infestation	

## 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.

If the No Action alternative is selected, FWP would not enter into a 25 year no cost lease agreement with the Meagher County Newlan Creek Water District for the management of Newlan Creek Reservoir Fishing Access Site. The proposed improvement project would not proceed, and the benefits of the proposed action would not be realized. The undeveloped areas would remain undeveloped, the natural resource and other management issues would continue, and the property would not offer day use areas for the public. FWP management of the property would continue until the short-term lease amendment expires in February of 2026. The future management of the property, which includes most of the infrastructure at the site, would be unknown.

	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

## 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 lease agreement and 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.

If the No Action alternative is selected, FWP would not enter into a 25 year no cost lease agreement with the Meagher County Newlan Creek Water District for the management of Newlan Creek Reservoir Fishing Access Site. The proposed improvement project would not proceed, and the benefits of the proposed action would not be realized. The undeveloped areas would remain undeveloped, the natural resource and other management issues would continue, and the property would not offer day use areas for the public. FWP management of the property would continue until the short-term lease amendment expires in February of 2026. The future management of the property, which includes most of the infrastructure at the site, would be unknown.

- **Alternative 2: Proposed Lease Agreement and Project. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population**

*See Cumulative Impacts Analysis, Table 3 and Table 4 below.*

## **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					
Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
Terrestrial, avian, and aquatic life and habitats	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Lease Agreement:</u></b>  No significant adverse impacts to terrestrial, avian, and aquatic life and habitats would be expected from the proposed project. The proposed lease agreement constitutes a term of 25 years. The Montana Natural Heritage Program classifies the land cover of the proposed leased location as Shrubland, Steppe and Savanna Systems (55%), and Forest and Woodland Systems (24%). Long-term, negligible, and adverse impacts to the abundance and movement of terrestrial and avian species would be expected during hours when FAS-users are actively engaged at the site. Human-wildlife conflicts, especially conflicts with bears which may be attracted to food and garbage left by recreationists, may occur as a result of establishing an FAS at Newlan Creek Reservoir. The current regulations require visitors to pack out what they pack in. To mitigate human-wildlife conflicts, in 2024, the Fish and Wildlife Commission adopted a food storage requirement at Newlan Creek Reservoir FAS that requires visitors to store their food and attractants properly at night and while not occupying their camp. Therefore, any impacts to terrestrial, avian, and aquatic life and habitats would be long-term, negligible, adverse, and consistent with current impacts at the existing FAS under the existing, expiring, lease agreement.</p> <p><b><u>Development:</u></b>  No significant adverse impacts to terrestrial, avian, and aquatic life and habitats would be expected from the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding</p>

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	
									recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas. The Montana Natural Heritage Program classifies the land cover of the proposed project location as Shrubland, Steppe and Savanna Systems (55%), and Forest and Woodland Systems (24%). Short-term, negligible adverse impacts to the abundance and movement of terrestrial and avian species would be expected during the construction phase of the proposed project. Following construction, long-term, negligible, and adverse impacts to the abundance and movement of terrestrial and avian species would be expected during hours when FAS-users are actively engaged at the site. Therefore, any impacts to terrestrial, avian, and aquatic life and habitats would be short-term, long-term, negligible, adverse, and consistent with current impacts at the existing FAS.
Water quality, quantity, and distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Lease Agreement:</u></b></p> <p>No significant adverse impacts to water quality, quantity and distribution would be expected because of the proposed lease agreement.</p> <p><b><u>Development:</u></b></p> <p>No significant adverse impacts to water quality, quantity and distribution would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas. The proposed project would not require the use of new water resources, nor would it significantly affect the distribution or quality of any existing water resources in the affected area. The addition of the crushed</p>



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	
									gravel camping pads, ADA Day Use Area, and additional graveled parking spaces may cause impacts to area drainage; however, these developments should address the erosion that has occurred because of the pioneered roads throughout the site. Therefore, any impacts from the proposed project to water quality, quantity, and distribution would be long-term, negligible, adverse, and beneficial.
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"/>	<p><b><u>Lease Agreement:</u></b> No significant adverse impacts to geology would be expected because of the proposed project. No unique geologic formations are located within the FAS; therefore, no impacts to geology would be expected because of the proposed lease agreement.</p> <p><b><u>Development:</u></b> No significant adverse impacts to geology would be expected because of the proposed project. No unique geologic formations are located within the FAS; therefore, no impacts to geology would be expected because of the proposed project.</p>
Soil quality, stability, and moisture	<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"/>	<p><b><u>Lease Agreement:</u></b> No significant adverse impacts to soil quality, stability, and moisture would be expected because of the proposed lease agreement.</p> <p><b><u>Development:</u></b> No significant adverse impacts to soil quality, stability, and moisture would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas.</p>

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	
										<p>The project area includes a soil profile of Whitlash-Sixteenmile complex consistent with shallow well drained soil that formed in colluvium or residuum from hard sedimentary bedrock, Catlinsprings-Dalys complex consistent with shallow, well drained soils that formed in colluvium or residuum derived from argillite, sedimentary or fine-grained igneous rocks, and Mannixlee-Clinton complex (far east portion of project for parking log development along Newlan Creek) consistent with very deep, moderately well drained soils formed in loess according to the Natural Resources Conservation Service Web Soil Survey Map. Construction of the proposed project would result in impacts to soil compaction in the areas where the graveled road and trails would be developed. Concentrating camping to designated graveled pads would also reduce the impacts to the soil quality and stability along the shoreline. Therefore, any impacts from the proposed project to soil quality, stability, and moisture would be long-term, minor, adverse, and beneficial.</p>
Vegetation cover, quantity, and quality		<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"/>	<p><b><u>Lease Agreement:</u></b></p> <p>No significant adverse impacts to vegetation cover, quantity and quality would be expected because of the proposed lease agreement. The Montana Natural Heritage Program classifies the land cover of the proposed leased location as Shrubland, Steppe and Savanna Systems (55%), and Forest and Woodland Systems (24%). Public use of the site would lead to increased opportunity for noxious weeds to spread and take root. FWP would manage noxious weeds and would use the most effective means, depending on species and location, to eradicate identified noxious weeds. A lease agreement would also allow for public travel and recreation on the site which would lead</p>

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	
									<p>to increased soil compaction and vegetation loss on undeveloped areas. Therefore, any impacts from the proposed project to vegetation cover, quantity, and quality would be long-term, minor, adverse, beneficial and consistent with current impacts at the existing FAS. The proposed developments would seek to mitigate these impacts.</p> <p><b>Development:</b>  No significant adverse impacts to vegetation cover, quantity and quality would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas. The Montana Natural Heritage Program classifies the land cover of the proposed project as Shrubland, Steppe and Savanna Systems (55%), and Forest and Woodland Systems (24%). The construction of the campsites, parking areas, bathroom relocation, and picnic shelter would have long-term, minor, and adverse impacts to the vegetation cover by disturbing and covering existing vegetation with graveled campsites, parking areas, and picnic shelters according to the design plan. Care would be taken in the development of the project to avoid disturbing woody vegetation and existing trees. Public use of the site would lead to increased opportunity for noxious weeds to spread and take root. FWP would manage noxious weeds and would use the most effective means, depending on species and location, to manage identified noxious weeds. The proposed project would also develop designated graveled roads and graveled camping spaces which would reduce travel off designated</p>

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	
									roadways and reduce impacts and disturbance to vegetation from vehicles. Therefore, any impacts from the proposed project to vegetation cover, quantity, and quality would be long-term, minor, adverse, and beneficial.
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"/>	<p><b><u>Lease Agreement:</u></b></p> <p>No significant adverse impacts to aesthetics would be expected because of the proposed lease agreement. The property has been managed by FWP for the previous 27 years as a FAS. As mentioned previously, the area has experienced natural resource impacts that could detract from the area's aesthetics however, the development component of this project would work to correct those impacts and improve aesthetics. Entering into a new lease agreement would allow for public recreation at the site which may have long-term, minor, and adverse impacts to the aesthetics.</p> <p><b><u>Development:</u></b></p> <p>No significant adverse impacts to aesthetics would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user experience, reducing the degree of resource impacts, and restoring impacted areas. There would be short-term, minor, and adverse impacts to site aesthetics during the construction phase due to increased levels of noise during working hours and the presence of equipment, construction materials and workers. Installation of designated camping sites, an ADA picnic shelter, and increased parking near the boat ramp would provide long-term, minor, and beneficial impacts to the FAS. The development of designated roads and campsites would</p>



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	
									limit natural resource impacts and allow native vegetation to re-establishing, improving area aesthetics. Therefore, any impacts from the proposed project to aesthetics would be short-term, long-term, minor, adverse, and beneficial.
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"/>	<p><b><u>Lease Agreement:</u></b></p> <p>No significant adverse impacts to air quality would be expected because of the proposed lease agreement.</p> <p><b><u>Development:</u></b></p> <p>No significant adverse impacts to air quality would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user experience, reducing the degree of resource impacts, and restoring impacted areas. Air quality in the area affected by the proposed project is currently unclassifiable or in compliance with/attainment for the 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 roads (fugitive dust), vehicle exhaust emissions, and various agricultural practices (vehicle exhaust emissions and fugitive dust). No significant point-sources of air pollution exist in the area affected by the proposed project. Fugitive dust emissions resulting from the construction of the gravel roads, parking spaces, and trails may adversely impact air quality. However, no air quality restrictions exist for the affected area and the proposed project would not be expected to cause or contribute to a violation of the applicable NAAQS for particulate matter (fugitive dust). Additionally, FWP does not anticipate that the use of the site would increase</p>

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	
									as a result of the improvement project as camping would be limited to the number of designated spaces. Therefore, any impacts from the proposed project to air quality would be short-term, negligible, and adverse.
Unique, endangered, fragile, or limited environmental resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Lease Agreement:</u></b> No significant adverse impacts to unique, endangered, fragile, or limited environmental resources would be expected because of the proposed lease agreement.</p> <p><b><u>Development:</u></b> No significant adverse impacts to unique, endangered, fragile, or limited environmental resources would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user experience, reducing the degree of resource impacts, and restoring impacted areas. Species of concern and Threatened or Endangered species observed in or nearby the affected area include:</p> <ul style="list-style-type: none"> <li>• Westslope Cutthroat Trout (<i>Oncorhynchus lewisi</i>) Global Rank: G4 State Rank: S2</li> <li>• Cassin's Finch (<i>Haemorhous cassinii</i>) Global Rank: G5 State Rank: S3</li> <li>• Physaria klausii (Divide Bladderpod) Global Rank: G3 State Rank: S3</li> <li>• Evening Grosbeak (<i>Coccothraustes vespertinus</i>) Global Rank: G5 State Rank: S3</li> <li>• Pileated Woodpecker (<i>Dryocopus pileatus</i>) Global Rank: G5 State Rank: S3</li> <li>• Bobolink (<i>Dolichonyx oryzivorus</i>) Global Rank: G5 State Rank: S3</li> <li>• Wolverine (<i>Gulo gulo</i>) Global Rank: G4 State Rank: S3</li> </ul>

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	
									This list does not constitute a complete list of wildlife and plant species possible on the FAS. The construction of graveled campsites, increased parking, and a day use shelter could displace some species however, the areas where these improvements would be located have traditionally been utilized by recreationists. Therefore, any impacts from the proposed project to unique, endangered, fragile, or limited environmental resources would be long-term, negligible, adverse, and consistent with current impacts at the existing FAS.
Historical and archaeological sites	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to historic and archaeological sites would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas. In keeping with the Montana Antiquities Act and related regulations (ARM 12.8.501-12.8.510), all undertakings 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 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 area are recorded and are eligible for the National Register of Historic Places, they will 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

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	
									implementation, FWP would cease implementation and contact FWP's Heritage Program for further evaluation. This FAS, proposed lease agreement, and proposed project is on private land and is managed by FWP under a proposed 25-year lease agreement.
Demands on environmental resources of land, water, air, and energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Lease Agreement:</u></b></p> <p>No significant adverse impacts to demands on environmental resources of land, water, air, and energy would be expected because of the proposed lease agreement.</p> <p><b><u>Development:</u></b></p> <p>No significant adverse impacts to demands on environmental resources of land, water, air, and energy would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas. The affected land would remain an FAS and would not place additional demands on the environmental resources of land, water, and air. Fuel would be required to operate equipment and vehicles used to develop and maintain the proposed project. Therefore, any impacts from the proposed project to demands on environmental resources of land, water, air, and energy resources would be short-term, long-term, negligible, and adverse.</p>

**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
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Social structures and mores	<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"/>	<p><b><u>Lease Agreement:</u></b> No significant adverse impacts to social structures and mores would be expected because of the proposed lease agreement.</p> <p><b><u>Development:</u></b> No significant adverse impacts to social structures and mores would be expected because of the proposed project. The proposed project constitutes improvements with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas. Therefore, no adverse impacts to existing social structures and mores in the affected area would be expected because of the proposed project.</p>
Cultural uniqueness and diversity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Lease Agreement:</u></b> No significant adverse impacts to cultural uniqueness and diversity would be expected because of the proposed lease agreement. Entering into a new 25-year lease agreement to manage the property as a FAS, would bring people to the reservoir for outdoor recreation opportunities. Therefore, any direct impacts from entering into a lease agreement at the property on cultural uniqueness and diversity would be short to long-term (proposed lease term is 25 years), negligible to moderate, and beneficial.</p> <p><b><u>Development:</u></b> No significant adverse impacts to cultural uniqueness and diversity would be expected because of the proposed</p>



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	
									project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas. The proposed project would not be expected to result in any relocation of people in to or out of the affected area. Therefore, no impacts to existing cultural uniqueness and diversity of the affected area would be expected because of the proposed project.
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"/>	<p><b><u>Lease Agreement:</u></b></p> <p>There would be no significant adverse impacts to the access to and quality of recreational and wilderness activities from the proposed lease. The subject site is not located in or adjacent to a wilderness area. Entering into a lease agreement to manage the property as a FAS would allow recreation opportunities to the public. FWP manages Newlan Creek Reservoir as a fishery that offers angling opportunity to the public through the FAS. Additionally, the FAS can be utilized by the public for camping, picnicking, swimming, and various forms of water recreation. Entering into a new 25-year lease agreement would allow for continued angling on the reservoir. FWP stocks fish and manages the current populations for public recreation. Appendix B shares recent fisheries data and information related to Newlan Creek Reservoir from FWP.</p> <p><b><u>Development:</u></b></p> <p>There would be no significant adverse impacts to the access to and quality of recreational and wilderness activities from the proposed project. The proposed project constitutes improvements to an existing FAS under a previous lease agreement with the goal of adding</p>

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	
									<p>recreational amenities to improve user experience, reducing the degree of resource impacts, and restoring impacted areas. No wilderness areas exist within the proposed project area; therefore, no impacts to access to and quality of wilderness activities would occur. Noise, odors, and fugitive dust resulting from construction activities could adversely impact the quality of the recreational experience for some users of the FAS. However, any adverse impacts would be short-term and minor, and once the construction phase is completed, no additional adverse impacts would be expected. As part of the proposed project, hardened designated camping spaces with new fire rings and picnic tables as well as day use picnic shelters would be constructed at the FAS. The proposed project would enhance the quality of these activities, encourage more desirable use of the FAS, and reduce the impacts to the resource that are currently present at the FAS. The development of designated camping spaces will result in reduced camping opportunity for the public however, the public would realize an improved camping experience and reduced resource impacts. Therefore, any impacts from the proposed project to the access to and quality of recreational and wilderness activities would be short-term, long-term, minor, adverse, and beneficial.</p>
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Lease Agreement:</u></b></p> <p>No significant adverse impacts to the local and state tax base and tax revenue would be expected because of the proposed project. The lease agreement would provide recreational opportunity for the public which is expected to increase state and local tax revenues from the sale of fuel, supplies and/or outdoor recreation equipment from visitors to the area. Therefore, any impacts from the</p>

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	
									<p>proposed lease agreement to local and state tax base and tax revenues would be long-term (25-year lease term), negligible, and beneficial.</p> <p><b>Development:</b> No significant adverse impacts to the local and state tax base and tax revenue would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas. The proposed project would be expected to increase state and local tax revenues from the sale of fuel, supplies and/or equipment needed to complete the project. Therefore, any impacts from the proposed project to local and state tax base and tax revenues would be short-term, negligible, and beneficial.</p>
Agricultural or Industrial production	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Lease Agreement:</b> No significant adverse impacts to agricultural or industrial production would be expected because of the proposed lease agreement. Any direct impacts to industrial, commercial, and agricultural activities and production associated with the acquisition and development of the property would be long-term, negligible, adverse and consistent with current impacts at the existing FAS.</p> <p><b>Development:</b> No significant adverse impacts to agricultural or industrial production would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas.</p>

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	
									No agricultural or industrial production currently occurs at the FAS and no change in land use would occur because of the proposed project. Therefore, no impacts to agricultural or industrial production would be expected because of the proposed project.
Human health and safety	<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"/>	<p><b><u>Lease Agreement:</u></b> No significant adverse impacts to human health and safety would be expected because of the proposed lease agreement.</p> <p><b><u>Development:</u></b> No significant adverse impacts to human health and safety would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas. An important part of the proposed project would be increased boat trailer parking and reduced congestion around the boat ramp. This would reduce safety concerns and conflicts with traffic approaching the ramp area that is currently utilized for day use and camping, with limited parking for boat trailers. Therefore, any impacts from the proposed project on human health and safety would be long-term, minor, and beneficial.</p>
Quantity and distribution of employment	<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"/>	<p><b><u>Lease Agreement:</u></b> No significant adverse impacts to the quantity and distribution of employment would be expected because of the proposed lease agreement.</p> <p><b><u>Development:</u></b> No significant adverse impacts to the quantity and distribution of employment would be expected because of</p>

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	
									<p>the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas. Some impacts to the local quantity and distribution of employment may be realized because contracted services would be used to develop the proposed project. Improved recreational opportunities may result in higher use and an associated increase in demands for local services. Increased demands for services could result in increased need for seasonal or long-term local employment. Because the proposed project area is already experiencing a high level of use, any increase in employment necessary to accommodate higher use would be limited. Therefore, any impacts from the proposed project to the quantity and distribution of employment would be short-term, long-term and negligible to minor.</p>
Distribution and density of population and housing	<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"/>	<p><b><u>Lease Agreement:</u></b> No significant adverse impacts to the distribution and density of population and housing would be expected because of the proposed project. The property is currently managed as an FAS and a new lease agreement would have no additional changes or impacts to the distribution and density of population and housing.</p> <p><b><u>Development:</u></b> No significant adverse impacts to the distribution and density of population and housing would be expected because of the proposed project. The proposed project constitutes improvements with the goal of adding recreational amenities to improve user experience, reducing the degree of resource impacts, and restoring</p>



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	
									impacted areas. The proposed project would not be expected to result in the movement of existing or new populations into or out of the affected area. Therefore, no impacts to the distribution and density of population and housing needs 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b><u>Lease Agreement:</u></b> No significant adverse impacts on the demands for government services would be expected because of the proposed lease agreement. Under the previous lease, the site was managed as an FAS and the new lease would likely have little change to the demands for government services. The lease agreement would allow for public recreation at the site which would create additional needs for law enforcement, maintenance, and other FWP staff, as well as county, and local agency presence. FWP staff have devoted time to the potential lease agreement of the property. FWP staff has held multiple meetings with the Lessor to negotiate a lease agreement. FWP staff have developed concept plans, and estimates associated with the site development proposal as well as this environmental assessment. Therefore, any direct impacts on the demands for government services associated with the acquisition of the property would be short-term, long-term, minor, and adverse.</p> <p><b><u>Development:</u></b> No significant adverse impacts on the demands for government services would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring</p>

HUMAN POPULATION	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
									impacted areas. The proposed improvements may place additional demands on FWP staff for upkeep of the improved facilities and added services associated with improvements to the existing FAS. Therefore, any impacts from the proposed project on demands for government services would be long-term, minor, and adverse.
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"/>	<p><b><u>Lease Agreement:</u></b> No significant adverse impacts to industrial, agricultural, and commercial activity would be expected because of the proposed project. FWP would work closely with the Lessor to ensure no impacts to any Industrial, agricultural, and/or commercial activity occur at the site. Therefore, no impacts to industrial, agricultural, and commercial activity would be expected because of the proposed project.</p> <p><b><u>Development:</u></b> No significant adverse impacts to industrial, agricultural, and commercial activity would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas. The proposed project area is currently privately owned and managed by FWP as a FAS through a lease agreement. FWP works closely with the Lessor to ensure no impacts to any Industrial, agricultural, and/or commercial activity occur at the site. Therefore, no impacts to industrial, agricultural, and commercial activity would be expected because of the proposed project.</p>
Locally adopted environmental plans and goals	<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"/>	<p><b><u>Lease Agreement:</u></b> No significant adverse impacts to locally adopted environmental plans or goals would be expected because of the proposed lease agreement.</p>

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	
									<p><b><u>Development:</u></b></p> <p>No significant adverse impacts to locally adopted environmental plans or goals would be expected because of the proposed project. The proposed project constitutes improvements to an existing FAS with the goal of adding recreational amenities to improve user-experience, reducing the degree of resource impacts, and restoring impacted areas. The affected property is currently, and would remain, a designated FAS. FWP is unaware of any other locally adopted environmental plans or goals that might be impacted by the proposed project. Therefore, any impacts from the proposed project on locally adopted environmental plans and goals would be long-term, minor, and beneficial.</p>
Other appropriate social and economic circumstances	<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"/>	<p><b><u>Lease Agreement:</u></b></p> <p>No significant adverse impacts would be expected because of the proposed lease agreement. FWP is unaware of any other appropriate social and economic circumstances that might be impacted by the proposed project. Therefore, no impacts would be expected because of the proposed lease agreement.</p> <p><b><u>Development:</u></b></p> <p>No significant adverse impacts would be expected because of the proposed project. FWP is unaware of any other appropriate social and economic circumstances that might be impacted by the proposed project. Therefore, no impacts would be expected because of the proposed project.</p>

**Table 6: Determining the Significance of Impacts on the Quality of the Human Environment**

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.

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.

**Criteria Used to Determine Significance**

1	<p>The <b>severity, duration, geographic extent, and frequency</b> of the occurrence of the impact</p> <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



## VIII. 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 7: Private Property Assessment (Takings)**

PRIVATE PROPERTY ASSESSMENT 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>
Is the government requirement roughly proportional to the impact of the proposed use of the property?	4b	<input 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"/>
<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.

## IX. 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:** 1/29/2025

**Public Comment Period Ends:** 2/12/2025

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

Name: CANNON COLEGROVE

Email: [cannon.colegrove@mt.gov](mailto:cannon.colegrove@mt.gov)

Mailing Address:

FWP Region 4 HQ

Attn: Newlan Creek Reservoir FAS

4600 Giant Springs Rd.

Great Falls, MT 59405

## X. 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"/>

## XI. EA Preparation and Review

	<b>Name</b>	<b>Title</b>
<b>EA prepared by:</b>	Cannon Colegrove	Recreation Manager
<b>EA reviewed by:</b>	Alex Sholes	Regional Recreation Manager
	Jason Rhoten	Regional Supervisor, Region 4
	Jason Mullen	Regional Fisheries Manager
	Anne Marie Johnson	FWP Land Agent
	Jay Kolbe	Wildlife Biologist
	Brandi Skone	Nongame Wildlife Biologist

## Appendix A

### Capital Improvement Projects

Year	Project	Costs
1997	<b>Concrete Latrine Installation</b>	<b>\$5,833</b>
2001	<b>Overall Site Improvement</b> This project was completed in 2001 by Mockel Precast and excavation and was designed by Northland Engineering. There were additional small fees for the EA, permitting, advertising, signing, and printing. The general scope of work was to install boat launch, roads, parking, signing, and drainage. The work included site clearing, salvaging topsoil, excavation, base course, top surfacing, signing, grading existing roads, revegetation, rip rap, drainage swales, barrier rocks, culvert pipes, timber stairs, and permitting.	<b>Construction Cost</b> <b>\$52,552.50</b>  <b>Design Cost</b> <b>\$13,880.00</b>  <b>Additional Latrines</b> <b>\$18,476.00</b>
2013	<b>Overall Site Improvement</b> This project was completed in 2013 by Rehbein Enterprises and was designed by Pioneer Technical Services. The general scope of work of the project was to improve existing gravel roads and campsites, construct new gravel camp sites and relocate an existing concrete vault latrine. The project included installation of check dams, excavation, removing existing unwanted two track roads, installing subbase and road-mix, pipe culverts, rip rap, relocating a vault latrine, relocate timber stairways, barrier rocks, installation of concrete wheel stops, installing signing, and revegetating the construction area.	<b>Construction Cost</b> <b>\$110,200.50</b>  <b>Design Cost</b> <b>\$36,295.00</b>

**Total Capital Improvement Funds Invested:    \$237,237.00**



## Appendix B

### Montana Fish, Wildlife and Parks Angler Data and Fish Stocking Information for Newlan Creek Reservoir

#### Pressure

Angler days on Newlan Creek Reservoir from the FWP statewide pressure survey.

Name	Year	Angler days	Resident angler days	Nonresident angler days
Newlan Creek Reservoir	2023*	6535*	6144*	391*
Newlan Creek Reservoir	2021	5269	4939	330

\*2023 results are preliminary

Newlan Creek Reservoir rank 125<sup>th</sup> in the state and 19<sup>th</sup> in Region 4 in angler days.

The following information is from a creel report draft based on a creel conducted for the entire year of 2021. It also included Lake Sutherlin.

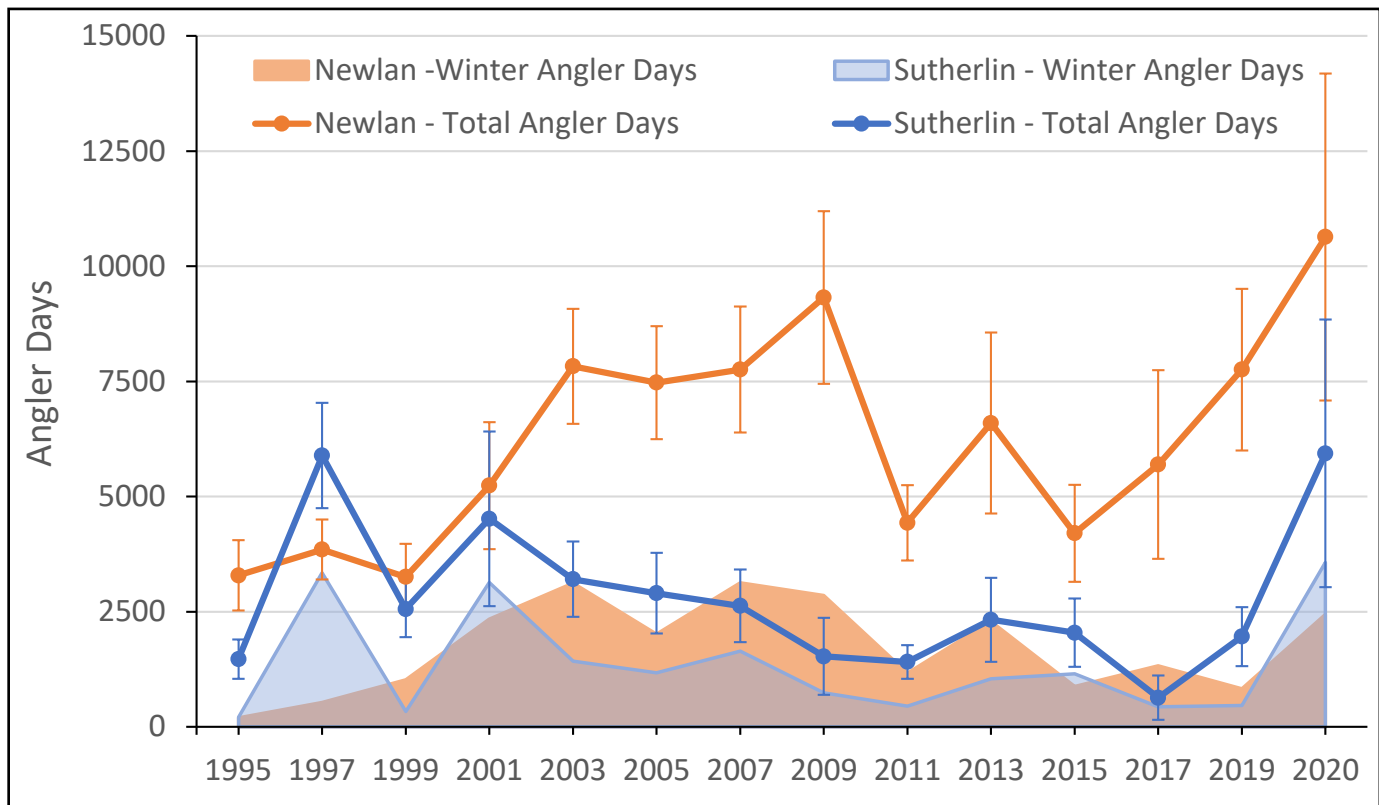
Estimated number and percentage of angler hours (AH) fished at Newlan Reservoir and Lake Sutherlin from January 1, 2021 through December 31, 2021.

	Newlan		Sutherlin	
	AH	Percent	AH	Percent
Total	16464	100.0%	6525	100.0%
Ice	6834	41.5%	2346	36.0%
Open water total	9630	58.5%	4179	64.0%
Open water shore	5298	55.0%	2006	48.0%
Open water motorboat	3695	38.4%	2088	50.0%
Open water non-motorized boat	637	6.6%	85	2.0%
Spring	4620	28.1%	2206	33.8%
Summer	4144	25.2%	1835	28.1%
Fall	910	5.5%	149	2.3%
Winter	6790	41.2%	2335	35.8%
Weekday	6930	42.1%	3363	51.5%
Weekend	9534	57.9%	3162	48.5%

Estimated angler days for Newlan Creek Reservoir and Lake Sutherlin from 1995 through 2020 (McFarland et al. 1997-2008; MFWP 2011, 2019, 2021; Selby et al. 2015, 2017; League and Caball 2022, League and Caball 2023). Angler days estimated from this study are indicated in the row “2021 creel”.

Year	Newlan Creek Reservoir			Sutherlin Reservoir		
	Total Angler Days	Res	Non-Res Angler Days	Total Angler Days	Res	Non-Res Angler Days
		Angler Days			Angler Days	
2021 creel	4761	-	-	2088	-	-
2021	5269	4939	330	4501	4120	381
2020	10,634	10,279	354	5,937	5,029	909
2019	7,755	7,551	204	1,959	1,595	364
2017	5,694	4,979	715	633	633	0
2015	4,203	3,514	689	2,043	1,818	225
2013	6,595	5,621	974	2,324	2,324	0
2011	4,430	4,077	353	1,409	1,253	156
2009	9,321	8,550	771	1,529	1,480	49
2007	7,757	7,672	85	2,626	2,529	97
2005	7,472	6,831	641	2,901	2,818	83
2003	7,827	7,371	456	3,205	2,907	298
2001	5,236	5,137	99	4,516	4,119	397
1999	3,255	3,114	141	2,556	2,442	114
1997	3,848	3,781	67	5,888	5,544	344
1995	3,288	3,195	93	1,470	1,350	120

Estimated angler days for Newlan Creek Reservoir and Sutherlin Reservoir from 1995 through 2020 (McFarland et al. 1997-2008; MFWP 2011, 2019, 2021; Selby et al. 2015, 2017; League and Caball 2022). Total estimated angler days (+/- Standard Deviation) is depicted by the orange line for Newlan Creek Reservoir



**Recent stocking records for Newlan Creek Reservoir from 2007 through 2024.**

Year	Rainbow Trout (Rb) strains				Westslope Cutthroat (WCT)	Total Rb and WCT	Brown Trout	Kokanee
	Gerrard	Eagle	Arlee x Erwin	Arlee				
2024				20,032		<b>20032</b>		3,837
2023		27,730		8,797	10,000	<b>46527</b>		7,518
2022	18,117	--	--	29,725	--	<b>47,842</b>	8,285	10,003
2021	9,798	32,960	--	--	5,200	<b>47,958</b>	--	10,005
2020	15,026	--	--	30,205	10,000	<b>55,231</b>	--	9,986
2019	15,901	30,000	--	--	--	<b>45,901</b>	--	10,000
2018	16,002	--	--	30,088	--	<b>46,090</b>	--	10,000
2017	24,730	13,348	--	--	--	<b>38,078</b>	--	10,000
2016	25,173	20,000	--	--	--	<b>45,173</b>	1,353	10,019
2015	25,039	20,052	1,000	--	--	<b>46,091</b>	--	20,048
2014	--	20,000	--	--	10,000	<b>30,000</b>	--	5,089
2013	--	--	1,170	30,360	10,000	<b>41,530</b>	--	--
2012	--	--	--	--	5,400	<b>5,400</b>	4,588	--
2011	--	43,164	--	--	--	<b>43,164</b>	9,196	--
2010	--	--	--	34,503	9,000	<b>43,503</b>	--	--
2009	--	30,000	--	--	10,000	<b>40,000</b>	--	--
2008	--	30,000	--	--	12,500	<b>42,500</b>	--	--
2007	--	30,050	--	--	10,000	<b>40,050</b>	9,509	--

**Stocking plan for Newlan Creek Reservoir from 2025 through 2029.**

Year	Rainbow Trout (Rb) strains				Westslope Cutthroat (WCT)	Total Rb and WCT	Brown Trout	Kokanee
	Gerrard	Eagle	Arlee x Erwin	Arlee				
2029		10,000		10,000	10,000	<b>30000</b>		3,800
2028				40,000		<b>40000</b>		3,800
2027		10,000		10,000	10,000	<b>30000</b>	15,000	3,800
2026				40,000		<b>40000</b>		3,800
2025		10,000		10,000	10,000	<b>30000</b>		3,800