



MONTANA FISH, WILDLIFE & PARKS

**Draft
Environmental Assessment**

**Water Birch Fishing Access Site
Camp Area Expansion**

2/12/2021

**Draft Environmental Assessment (EA)
CHECKLIST**

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action: Develop five camp sites for tent and RV recreationalists.

2. Agency authority for the proposed action:

Montana Fish Wildlife and Parks (FWP) under authority of the Montana Legislature which enacted MCA 87-1-605 directing FWP to acquire, develop and operate a system of fishing access sites (FAS). MCA 23-1-126 good neighbor policy provides guidance for projects to ensure maintenance is a priority over additional development or purchases. MCA 23-1-127 defines maintenance with inclusion of new road and camping sites as part of maintenance as guidance of MCA 23-1-126 is implemented. MCA 23-1-128 provides guidance for development within riparian areas which discourages motor vehicle camping within 25 feet of a river or stream bank. ARM rule 12.8.602 provides rules for actions considered significant including increase in campsites by 25% or more and road or trail development over undisturbed lands.

The environmental review process for FWP as established by the legislature is outlined in 12.2.4: Rules Implementing the Montana Environmental Policy Act. 12.2.432 Requires FWP to prepare an EA, regardless of its length or the depth of analysis, in a manner which utilizes an interdisciplinary approach. This approach includes review by other agencies with jurisdiction inclusive of State Historic and Preservation Office, Natural Heritage and others. It also allows for a routine action with limited environmental impact to use a standard checklist format environmental analysis (EA). 12.2.443 provides guidance for review of public comment and decision making. Additionally, MCA 23-1-110 requires public involvement for development or improvements in FAS sites with consideration for capacity, long term maintenance, and plans.

3. Anticipated Schedule:

EA for public review starts February 12, 2021
EA comment period ends March 18, 2021 12:00pm
Estimated Construction Commencement Date: 5/17/2021
Estimated Completion Date: 06/30/2022
Current Status of Project Design (% complete): 50%

4. Location affected by proposed action (county, range and township – included map):

Water Birch FAS is in Carbon County near Roberts Montana (Figure 1). It is in township 6S, range, 21E, section 7 and 18 with the entrance located on Highway 212 near Department of Transportation reference post 79 at latitude 45.31497, longitude -109.19431. Project area is in township 6S, range 21E, section 7 centered approximately at GPS location 45.31813, -109.19266.

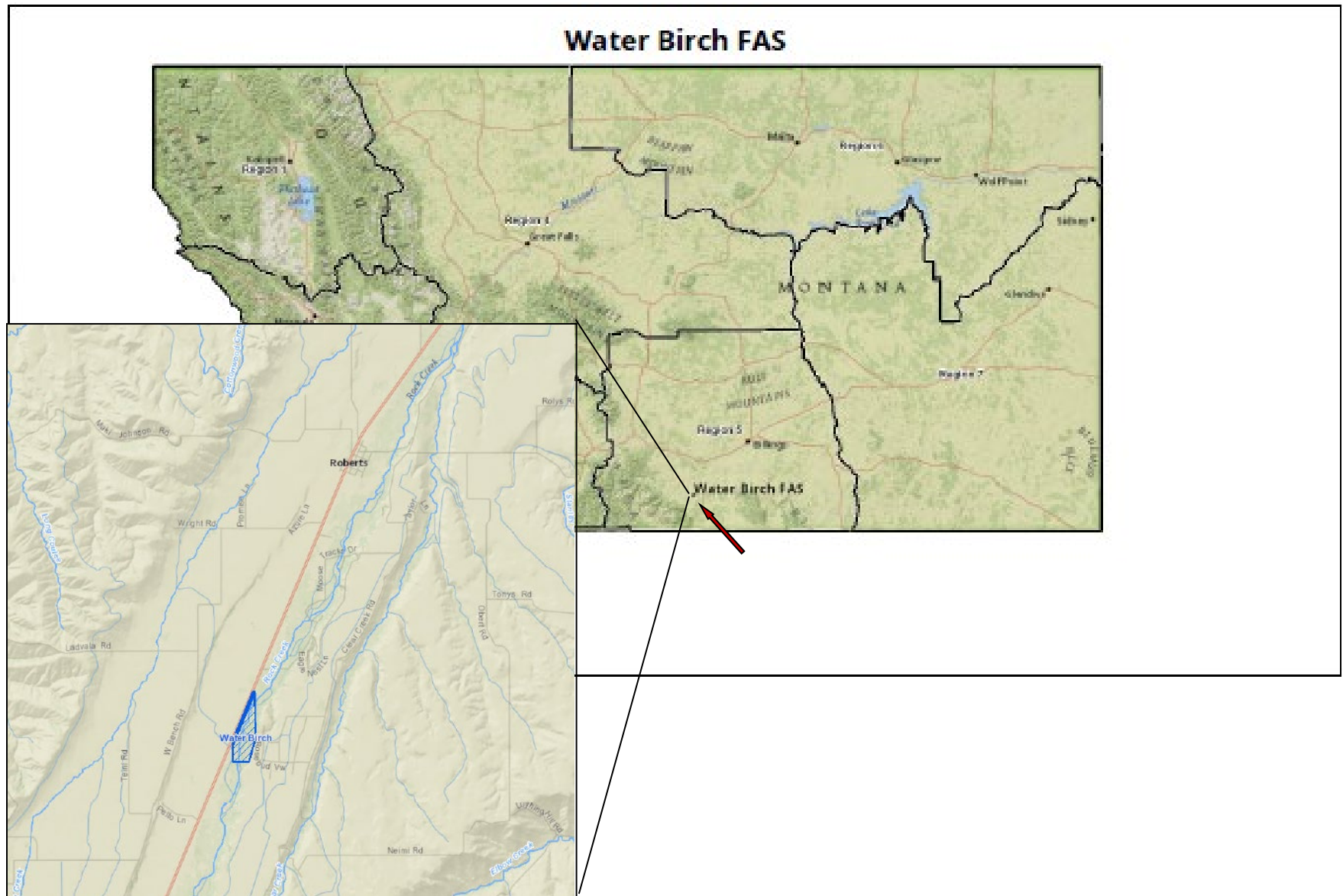


Figure 1. Water Birch FAS location

5. Project size -- estimate the number of acres that would be directly affected that are currently:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(existing shop area)		Irrigated cropland	<u>0</u>
(b) Open Space/	<u>1.05</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>0</u>	Rangeland	<u>0</u>
Areas		Other	<u>0</u>

6. Permits, Funding & Overlapping Jurisdiction.

(a) Permits: A review of Sage Grouse Core Areas and Floodplain permit.

(b) Funding: \$50,000.00

Agency Name Montana FWP

Funding Amount: \$50,000.00

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name Irrigation District Type of Responsibility Irrigation Ditch maintenance

7. Narrative summary of the proposed action:

Water Birch FAS has been and is an increasingly popular destination for anglers and campers. This site provides access to quality trout fishing in Rock Creek and is used by anglers year-round. Proximity to Red Lodge, Billings, Beartooth Highway, and Yellowstone National Park increases the use of the site particularly in summer months and nearly year-round use by campers. This area also serves as a day use site for many people traveling who are looking for a picnic area, rest stop, or to participate in other outdoor activities including birdwatching, dog walking, and angling to name a few.

Rock Creek channel migration occurred in and near Water Birch FAS over several years. The channel migration resulted in the loss of five of nine campsites and removal and replacement of one of the two latrines at the site.

This proposed action would develop five additional campsites to replace the five lost sites. The action would require construction of road and turnouts with much of the road built on an elevated railroad bed. The latrine that was moved to prevent loss of the structure into the stream would be moved to provide a latrine near the new camp sites. Additional work may include addition of a culvert in the irrigation ditch to allow enough area for the final turn around and campsite.

8. Description and analysis of reasonable alternatives:

Alternative A:

No Action. Cease efforts of the current plan. Manage site at reduced capacity.

Alternative B:

FWP considered camp site expansion near and within the four remaining campsite areas footprint. The space is available but was determined by staff that campers would unnecessarily be crowded. Overall cost would be similar as existing roads would be altered to provide new spacing with new roads developed for the additional campsites. The same amenities for the new sites would be provided such as picnic tables and fire rings. This alternative wasn't pursued to the depth as the preferred Alternative C. If Alternative C isn't selected but support for Alternative B is found to be preferred the plan would be developed and implemented.

Alternative C:

This is the preferred alternative. Drawings of the plans are in Appendix I. Under this alternative the campsites would be expanded parallel to Highway 212 to the north of the remaining campsites. The main road would be built on the abandoned railway roadbed with four pull-outs and one back-in campsite and a turnaround. A latrine would be moved from the south end of the site to a central location to serve the five campsites. A latrine serves the four other sites.

9. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

In order to make the turnaround area at the end wide enough to accommodate large RV's and travel trailers, we may need to install a culvert in the irrigation ditch canal. If not acceptable a modification of design would be necessary to avoid the ditch. We would need permission from the ditch managers for any action that may impact irrigation requirements. Changes at the site are not anticipated to require floodplain changes or impacts to sage grouse. No increase in FWP or county enforcement activities are anticipated as a result of restoring the FAS to a nine-camp site capacity.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Geology and soil quality, stability and moisture				X		
2. Air quality or objectionable odors				X		
3. Water quality, quantity and distribution (surface or groundwater)				X		
4. Existing water right or reservation					X	1
5. Vegetation cover, quantity and quality			X			2
6. Unique, endangered, or fragile vegetative species				X		3
6. Terrestrial or aquatic life and/or habitats				X		
7. Unique, endangered, or fragile wildlife or fisheries species				X		4
8. Introduction of new species into an area				X		
9. Changes to abundance or movement of species				X		

1. There is an area where the existing irrigation ditch may need to be placed in a culvert in order to make the turnaround area wide enough to accommodate campers.
2. Most of the work being done would be in the abandoned railroad bed that already goes through the entire area this would result in disturbance of existing grassy open areas of less than 0.55 acres. The turnaround area near the irrigation ditch may result in the loss of some small brush and grass of less than 0.01 acres.
3. No sensitive plants are known in this area based on Natural Heritage program review. FWP doesn't propose to remove large trees as part of the development. Campsites will be beyond 25 feet of the streambank and at the edge of the existing riparian area and not in wetland areas.
4. Three wildlife species of concern have been documented in or near this site based on Natural Heritage program review. No negative impacts are anticipated as a result of the project. *Ursus arctos*, grizzly bears are expanding and have been known to be in this fishing access site. Warnings are in place to visitors to place all food attractants safely in campers or vehicles.

Consideration of providing food storage containers for visitors are being discussed but have not been implemented at this time. *Ardea Herodias*, great blue herons have been documented in this area. These birds are generally accustomed to human activities. The riparian areas in the interior site will continue to support cover and stream access for herons. *Centrocercus urophasianus*, greater sage-grouse are not regular visitors to the site. The section line running through the site has the south end in general sage grouse habitat and in the north end which contains the proposed work are to be outside of the general sage grouse habitat. The proposed site is eight miles from the nearest documented lek with the site providing little to no quality habitat for sage grouse. As the FAS is in Sage Grouse general habitat despite the project area being outside of the Executive Order area an application to the Sage Grouse Initiative has been made to ensure no requirements for sage grouse are necessary.

B. HUMAN ENVIRONMENT

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Noise and/or electrical effects			X			5
2. Land use			X			6
3. Risk and/or health hazards				X		
4. Community impact				X		
5. Public services/taxes/utilities				X		
6. Potential revenue and/or project maintenance costs			X			7
7. Aesthetics and recreation						8
8. Cultural and historic resources	X					9
9. Evaluation of significance				X		
10. Generate public controversy				X		

5. There will be minor noise during construction that will only occur during normal working hours.
6. The land that we are proposing to develop is currently used for angler access to Rock Creek. The access for walk-ins will be available but in proximity of the campsites. The culvert over the ditch may allow improved walk-in access to the remaining northern portion of the FAS that is undeveloped. Developing camping spurs would allow for more people to camp at the FAS.
7. The cost of maintenance will be almost identical to what the site was before loss of the five other camp sites. No change in the total number of latrines or historic campsite numbers will result from this action.
8. The campsites would be visible from Highway 212 as are the other four sites. The new sites should not be visible due to trees and shrubs blocking views to the adjacent landowner residence or from the new subdivision to the east which is approximately 0.1 miles to the north and west and 0.2 miles east of the project area respectively.
9. The State Historic and Preservation Office requires a cultural resource inventory be conducted in order to determine whether sites exist and if they will be impacted by this project. The survey will occur concurrently with the comment period with FWP to follow recommendations.

PART III. NARRATIVE EVALUATION AND COMMENT

Overall, the loss of the five original sites has created a situation where people either double up on camping units in individual sites, or some have pioneered sites in grassy areas proposed for development. If we develop this section of the existing FAS, it will allow for five additional spaces for camping and river recreation and replace the five sites lost over the past decade. This may alleviate some of the crowding and double camping at this site and provide safe camping sites. No significant environmental or human effects are expected as a result of this project.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manner to comment on this current EA, the proposed action and alternatives:

- Two public notices in each of these papers: Carbon County News, Billings Gazette, and Independent Record (Helena)
- One statewide press release from the FWP Communications and Education Division
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.
- Region 5 maintains a list of contacts that desire to be sent EA notices. This list includes partner agencies, counties, Citizen Advisory Council members, and other interested individuals. The entities on this list will receive notice.

Copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

Duration of comment period:

The public comment period will extend for (34) thirty-four days from the initial news release. Comments will be accepted until 12:00 p.m., March 18, 2021 and can be mailed to:

Montana Fish Wildlife and Parks
Water Birch FAS
2300 Lake Elmo Drive
Billings, MT 59105

emailed to fwpreigion5pc@mt.gov **please use header “Water Birch FAS”.**

Comments or questions by phone can be directed to Ryan Taynton 247-2964 or Mike Ruggles 247-2961.

PART V. EA PREPARATION

- 1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)?
If an EIS is not required, explain why the EA is the appropriate level of analysis for
this proposed action.**

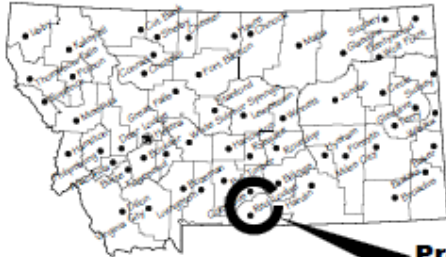

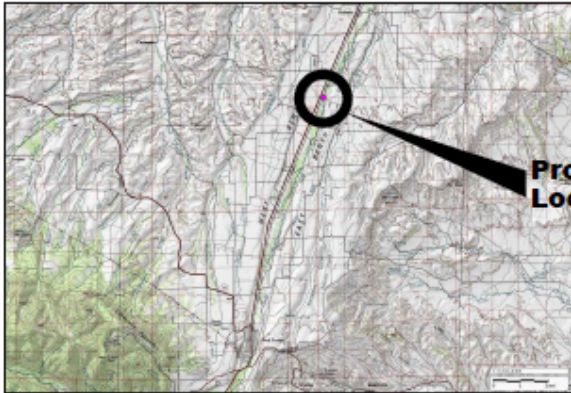


No. This development would occur in an area previously disturbed by a railroad, avoids actions within 25 feet of the streambank and is an area that has existing development for camping and day use activities. This meets objectives in the FAS program. No significant environmental or social issues are anticipated as a result of the project.

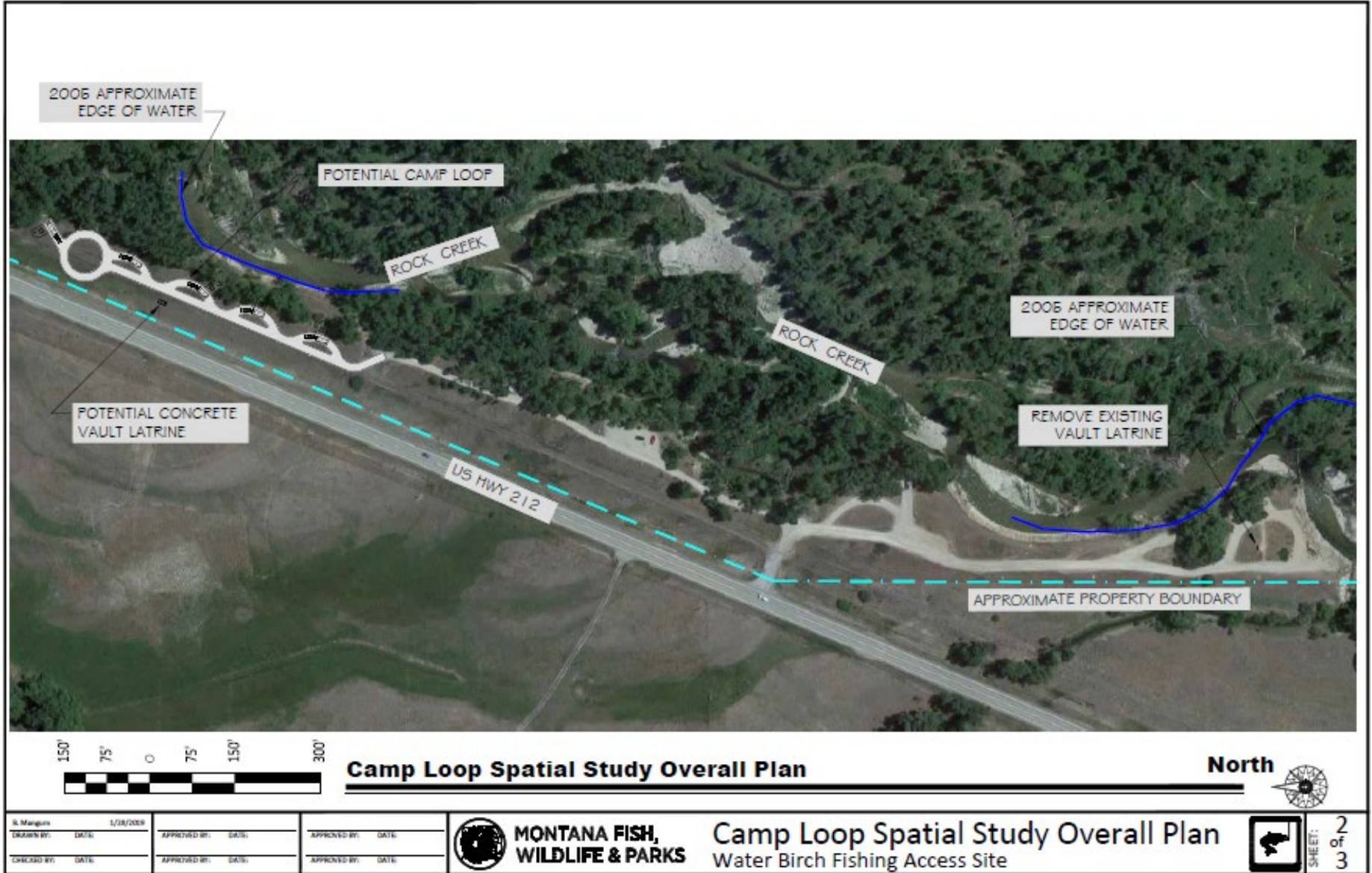
- 2. Person(s) responsible for preparing the EA:** Ryan Taynton Region 5 FAS program manager and Mike Ruggles regional fisheries manager.

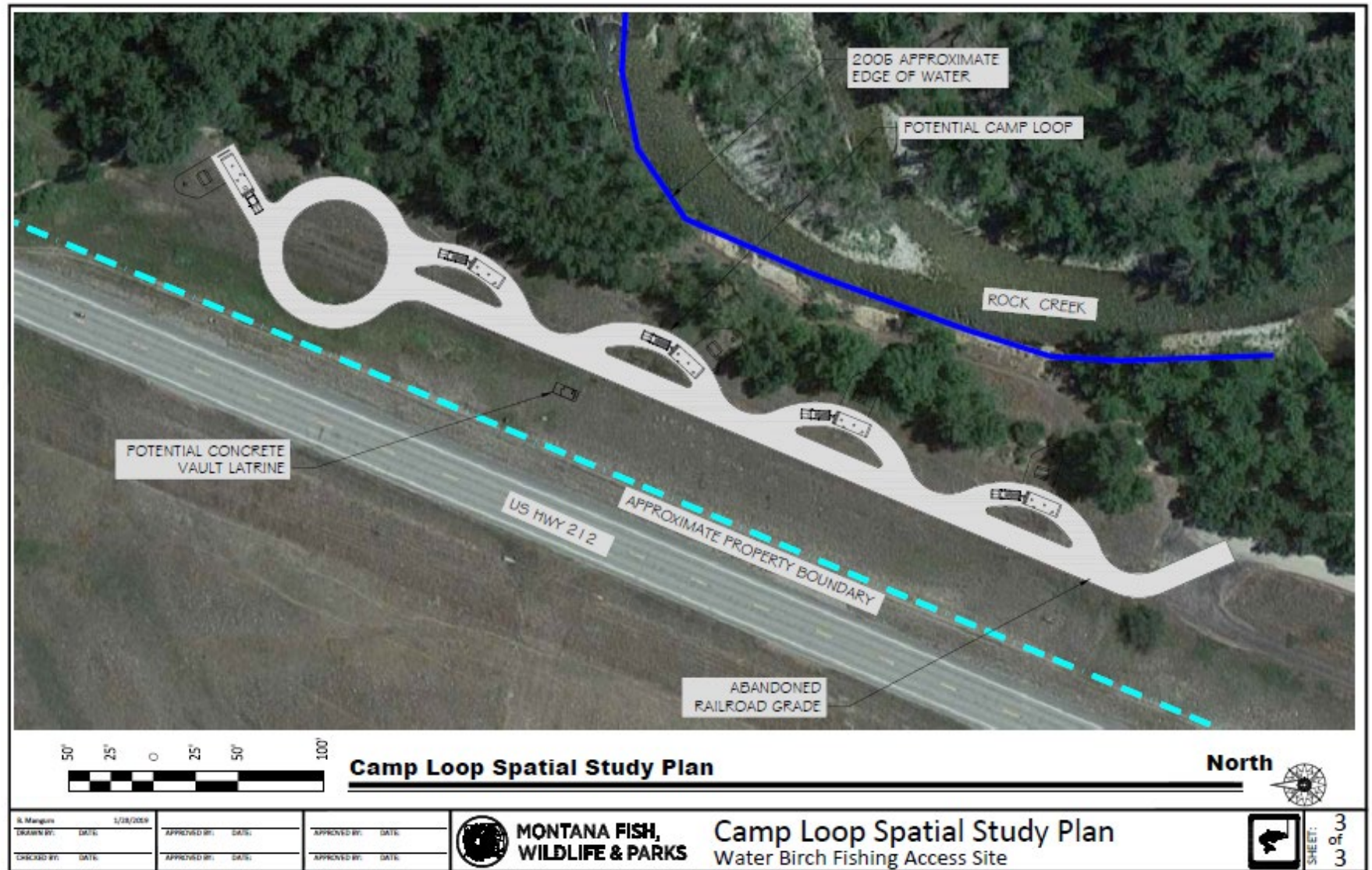
- 3. List of agencies or offices consulted during preparation of the EA:**

Consultation with the State Historic and Preservation Office, County Floodplain program, and the Sage Grouse Initiative will occur concurrently with the EA. Any required permits will be secured before the project is initiated. Information provided by FEMA for floodplain analysis (Appendix II), the Sage Grouse Initiative map (Appendix III), USFWS National Wetlands Inventory, and Montana Natural Heritage were incorporated into this document.

Appendix I Preliminary Site Plans

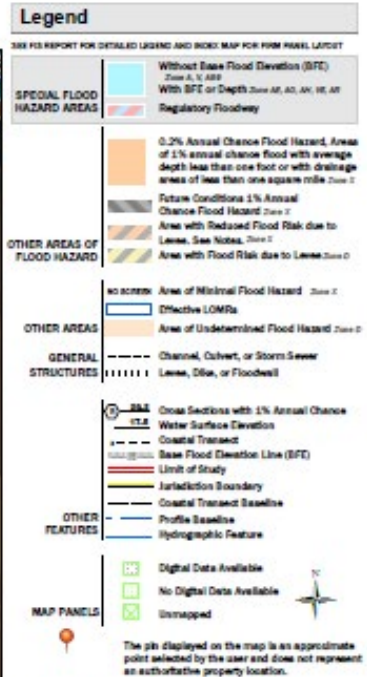
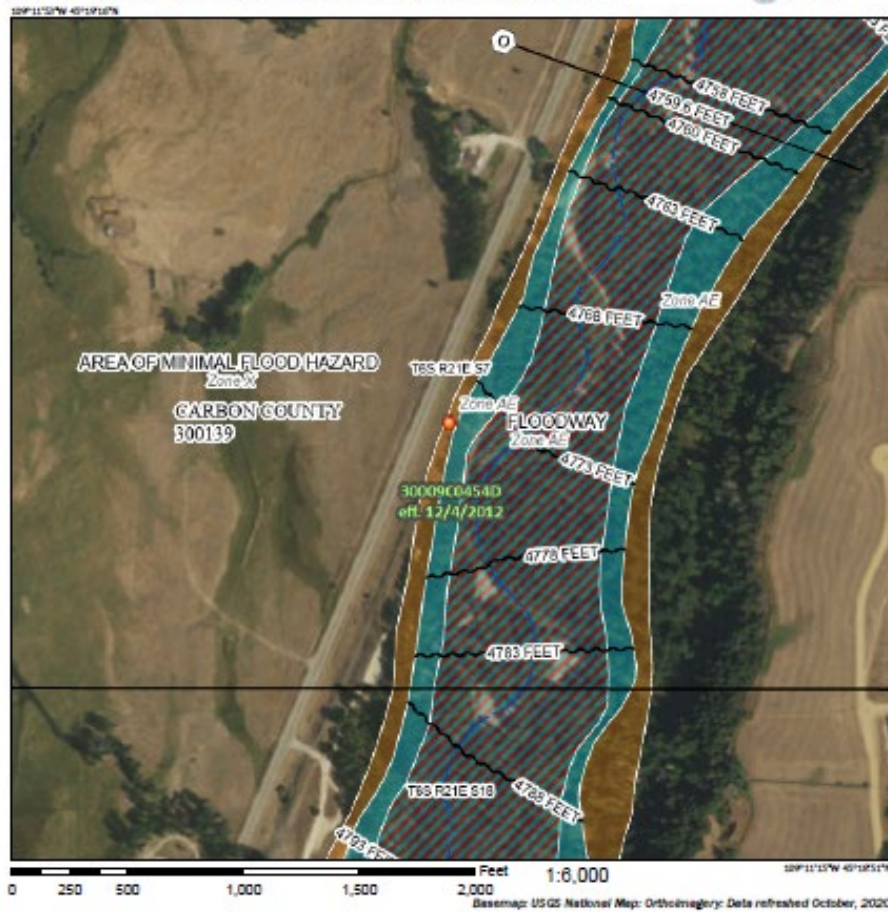
<p>SPATIAL STUDY OF A CAMP LOOP AT THE</p> <h1 style="margin: 0;">WATER BIRCH</h1> <h1 style="margin: 0;">FISHING ACCESS SITE</h1> <p>CARBON COUNTY , MONTANA</p>									
 <p>Location Map No Scale</p>	<p>North</p> 	 <p>Vicinity Map No Scale</p>							
<p>MONTANA FISH, WILDLIFE AND PARKS DESIGN AND CONSTRUCTION</p> <p><u>MAILING ADDRESS:</u> <u>PHYSICAL ADDRESS:</u> PO BOX 200701 1622 8th AVENUE HELENA, MT 59620-0701 HELENA, MT 59601 TEL 406.541.4000 FAX 406.541.4004 fwp.mt.gov/Doing_Business/Design/Construction</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; text-align: center;"> <h3 style="margin: 0;">DRAWING INDEX</h3> <ol style="list-style-type: none"> 1 COVER SHEET 2 CAMP LOOP SPATIAL STUDY OVERALL PLAN 3 CAMP LOOP SPATIAL STUDY PLAN </td> <td style="width: 30%; text-align: center; vertical-align: middle;"> <p>FOR INTERNAL APPROVAL NOT FOR BIDDING OR CONSTRUCTION</p> </td> </tr> </table>		<h3 style="margin: 0;">DRAWING INDEX</h3> <ol style="list-style-type: none"> 1 COVER SHEET 2 CAMP LOOP SPATIAL STUDY OVERALL PLAN 3 CAMP LOOP SPATIAL STUDY PLAN 	<p>FOR INTERNAL APPROVAL NOT FOR BIDDING OR CONSTRUCTION</p>				
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Appendix II Floodplain Map FEMA

National Flood Hazard Layer FIRMette

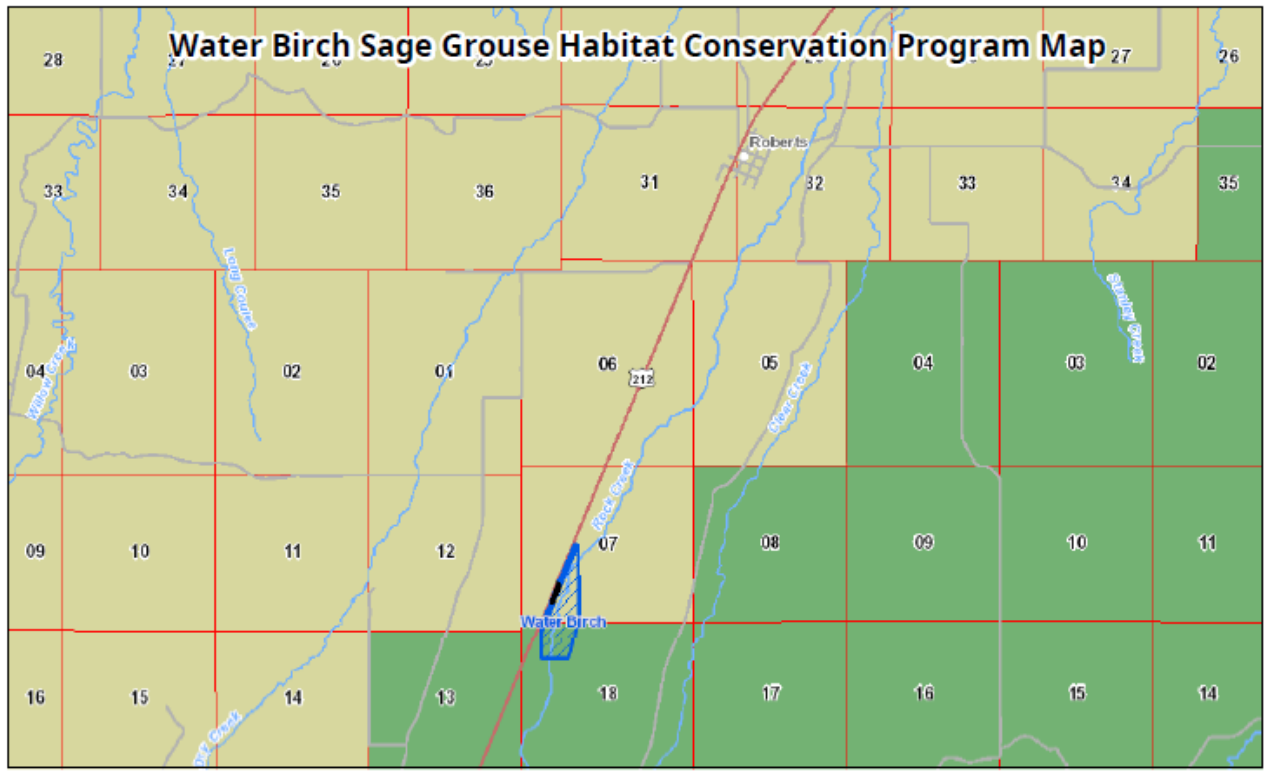


This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The base map shown complies with FEMA's base map accuracy standards.


The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/20/2021 at 9:26 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: base map imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodeled areas cannot be used for regulatory purposes.


Appendix III. Sage Grouse Reference Map



Fishing Access Sites (Parcels)

 Fishing Access Sites (Parcels)

Cities and Towns (Pop > 0)

 Cities and Towns (Pop > 0)

Rivers and Streams_MS4

Some layers may not appear in the legend due to page size limitations.

Printed from fwp.mt.gov
January 26, 2021
Scale: 1:72,224
0 0.5 1 2 mi
0 1 2 4 km

This map was generated from the Montana Fish, Wildlife & Parks (FWP) Internal FWP Mapper online mapping system. Data layers on this map may depict sensitive species level information. This map is not intended for distribution or use beyond work associated with FWP.