

**Montana Department
of
Fish, Wildlife & Parks**



P.O. Box 1630
Miles City, MT 59301
April 22, 1996

TO: Governor's Office, Glen Marx, Room 204, State Capitol, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, Capitol Bldg, Rm 106, P.O. Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Directors Office, Cogswell Building, P.O. Box 200901, Helena, MT 59620-0901
Dept. of Fish, Wildlife and Parks - Directors Office, Parks Division, Fisheries Division, Wildlife Division, Lands Section, Design and Construction, Legal Unit, FWP Commissioners
Montana Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202
Montana State Library, 1515 E. 6th Ave., P.O. Box 201800, Helena, MT 59620
Jim Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Custer County Commissioners, Courthouse, 1010 Main St., Miles City 59301

Ladies and Gentlemen:

The enclosed Environmental Assessment has been prepared for the Moon Creek Fishing Access Site acquisition and maintenance and is submitted for your consideration.

The scope of the proposed action has been determined to be sufficient to initiate the HB 495 process. Both the Montana Environmental Policy Act and HB 495 report considerations are included in the following document. The specific items required in HB 495 are identified on the EA checklist and addressed in the comments for those respective sections.

Any questions or comments on this project should be addressed to the undersigned by May 27, 1996.

Sincerely,

Phillip A. Stewart

Phillip A. Stewart
Regional Fisheries Manager
(406) 232-4365

**MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS
FISHERIES DIVISION**

Environmental Assessment and HB 495 Document

Moon Creek Fishing Access Site Acquisition

General Purpose: The 1977 Montana Legislature enacted statute 87-1-605 which directs the Department to acquire, develop and operate a system of fishing accesses. The legislation established an earmarked funding account to insure that this function would be accomplished. The Moon Creek site will fill in a gap in a series of fishing access sites on the lower Yellowstone River.

I. Location of Site

The Moon Creek Fishing Access Site is located on approximately one acre of privately held land in Section 23 of Township 7 North and Range 45 East on the Yellowstone River in Custer County approximately 12 miles southwest of Miles City. The only access is from the Moon Creek Exit on I-94, then by county road 2.5 miles north to the Burlington Northern Railroad tracks, then 0.5 miles northwest on private property to the site.

II. Need for the Acquisition

The total estimated fishing pressure in Montana has increased to over two million angler days per year. The fishing access site program now has in excess of 300 sites distributed across the state in all major drainages. This program is an essential component of fisheries management in Montana because a large fraction of total angler use is at or through fishing access sites.

The Moon Creek site is located within reach "2" of the Yellowstone River (Bighorn River to Powder River). The reach received over 12,000 angler days in 1993. The proposed new site will probably receive between 500 and 800 angler days of use annually. For this reach of the Yellowstone River the Department's goal is a fishing access site each 10-12 river miles. The Moon Creek site is located very close to 12 river miles upstream of an existing fishing access site at Miles City, and will quite nicely fill in a "gap" in the regional fishing access site system.

III. Scope of Project

This project will not require any new physical disturbance to the site. A gravel boat ramp and parking area were constructed several years ago by the owner of the site. The Department will acquire a lease to the existing site. The lease agreement provides for maintenance of the existing boat ramp, parking area and access road by the site owner. Public use will be allowed during the ice-free season. The Department will install informational signs.

IV. Environmental Impact Checklist

See the attached checklist.

V Explanation of Minor Impacts to the Physical Environment

4. Vegetative Cover

Maintaining the boat ramp and parking area will require periodic blading and prevent a permanent plant from forming. Since the boat ramp and parking area have been in existence for several years, this will not be a new effect.

5. Aesthetics

HB 495 requires consideration of the sites capacity for development. Site aesthetics will not be appreciably changed by Department acquisition. Recreationists will have an additional access point from which to use the river. From their perspective, aesthetics will be improved.

9. Historical and Archeological Sites

There are no known historical or archeological sites on the property. Any present below the surface will not be disturbed because the Department will not further modify the site.

IV. Explanation of Minor Impacts to the Human Environment

6. Quantity and Distribution of Community and Personal Income HB 495 Requirement - Tourism

Only personal income will be affected. The lease payment to the landowner will be \$2000 per year. This will constitute only a small addition to his income. See the section below entitled "Industrial and Commercial Activity.

7. Access to and Quality of Recreational Activities

The Department's lease will maintain and possibly slightly increase use of the Yellowstone River in the vicinity of the site by boaters and anglers. Information will be made available to the public only from the Department's Miles City Office. This will prevent use from increasing to the point the recreational quality decreases.

10. Demands for Government Services

The Department will not incur any added maintenance responsibility. The owner of the site will maintain the facilities. Having begun the lease will create some public expectation that it will continue. This will not

be a problem as the lease cost is low and maintaining angler access is a Department objective.

11. **Commercial Activity - HB 495 Requirement - Impacts on Tourism**

Acquisition of the lease by the Department will have little or no effect on tourism. Only local information concerning the site will be available to the public. Site use is expected to not increase significantly. The site is not large enough to constitute a major attraction.

15. **HB 495 Requirement - Describe how this project relates to the entire Fishing Access Site system as a whole.**

The new site is small and well within the conservative intent of the entire system. Nothing is proposed at this site that constitutes a divergence from past management. This site fits very well within the regional goal of providing access to the Yellowstone River at intervals of 10-12 miles and with the Department goal of maintaining and improving public access to fisheries resources.

IV. **Discussion and Evaluation of Reasonable Alternatives**

1. **The "No action" alternative**

Without the proposed action by the Department, this site could be lost for any public use. The landowner is presently providing access at his own expense and may not be willing to continue that arrangement indefinitely.

2. **The Proposed Alternative**

The proposed action is a Department effort to maintain and improve public access to fisheries resources. It will result in public access to the Yellowstone River for boats in an area where boat launching facilities are in short supply, improved relations with the landowner, very minimal additional disturbance to the site and increased angler satisfaction.

3. **Locate a different site in the vicinity that will provide similar opportunities.**

It is very unlikely that such a site could be found. Even if it did become available it is unlikely that public boat launching facilities could be provided without considerable site development expense and stream bank disturbance.

VII. Environmental Assessment Conclusion Section

- 1. Is an EIS required? No.**

This review has clearly demonstrated that the impacts associated with the acquisition are not significant. The net result will be positive for the human environment and neutral for the physical environment.

- 2. Describe the level of public involvement - HB 495 requires statewide and local announcement.**

There is no reason to expect any controversy over the proposed acquisition. A simple request for public comment will suffice. The draft EA is being made available for public review. Legal notices will be printed in the Miles City Star and Helena Independent Record on April 25 and May 2, 1996.

- 3. Duration of Comment period.**

Public comments will be accepted through May 27, 1996.

- 4. Name, title, address and phone number of the person responsible for preparing the EA/HB 495 document.**

Phillip A. Stewart
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Montana Dept. of Fish, Wildlife & Parks
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Miles City, MT 59301
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DEPARTMENT OF FISH, WILDLIFE AND PARKS
 1420 E 6th Ave, PO BOX 200701, Helena, MT 59620-0701
 (406) 444-2535

ENVIRONMENTAL ASSESSMENT

Project Title Aquisition of Moon Creek Fishing Access Site Lease

Division/Bureau Fisheries - Parks

Description of Project The Department will acquire a lease to approximately one acre on the Yellowstone River in NW1/4 SW1/4 Section 23, T7N, R45E in Custer County. This site contains a gravel boat ramp and parking area built by the owner. The Department's lease will allow public use for boating and fishing. No additional physical modifications will be made to the site other than to install informational signs. The owner will maintain the boat ramp, parking area and access road.

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

	MAJOR	MODERATE	MINOR	NONE	UNKNOWN	COMMENTS ON ATTACHED PAGES
1. Terrestrial & aquatic life and habitats				X		
2. Water quality, quantity & distribution				X		
3. Geology & soil quality, stability & moisture				X		
4. Vegetation cover, quantity & quality			X			X
5. Aesthetics				X		HB 495 Site Capacity
6. Air quality				X		
7. Unique, endangered, fragile, or limited environmental resources				X		
8. Demands on environmental resources of land, water, air & energy				X		
9. Historical & archaeological sites				X		HB 495 Site Feature

POTENTIAL IMPACTS ON HUMAN ENVIRONMENT

	MAJOR	MODERATE	MINOR	NONE	UNKNOWN	COMMENTS ON ATTACHED PAGES
1. Social structures & mores				X		
2. Cultural uniqueness & diversity				X		
3. Local & state tax base & tax revenue				X		
4. Agricultural or industrial production				X		
5. Human health				X		
6. Quantity & distribution of community & personal income			X			HB 495 Tourism
7. Access to & quality of recreational and wilderness activities			X			X
8. Quantity & distribution of employment				X		
9. Distribution & density of population & housing				X		
10. Demands for government services			X			HB 495 Maintenance
11. Industrial & commercial activity				X		HB 495 Tourism
12. Demands for energy				X		
13. Locally adopted environmental plans & goals				X		
14. Transportation networks & traffic flows				X		
15. Site Specific Modification System wide				X		HB 495

Other groups or agencies contacted or which may have overlapping jurisdiction None

Individuals or groups contributing to this EA Phil Stewart - Montana Department of Fish, Wildlife & Parks.

Recommendation concerning preparation of EIS Not required

EA prepared by : Phil Stewart

Date: 4-22-96