

Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

September 24, 2004

To: Governor's Office, Todd O'Hair, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Dept. of Natural Resources & Conservation, P.O. Box 201601, Helena, MT 59620-1601
Montana Fish, Wildlife & Parks:

Director's Office Parks Division Lands Section FWP Commissioners
Fisheries Division Legal Unit Wildlife Division Design & Construction

MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202
MT State Parks Association, P.O. Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
James 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
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923

RECEIVED

SEP 28 2004

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Ladies and Gentlemen:

The enclosed Environmental Assessment (EA) has been prepared for the proposed Black's Ford Fishing Access Site Acquisition. This EA proposes that Montana Fish, Wildlife & Parks (FWP) acquire 9.583 acres along the Madison River in Gallatin County to include in the Fishing Access Site Program. This land acquisition would include the current Black's Ford Fishing Access Site property as well as an additional 5.783 adjoining acres of riverfront property between Madison River Road and the Madison River. This acquisition would allow FWP to manage this high-use area more effectively.

This draft EA is available for review from FWP at the address provided above or viewed on FWP's Internet website: <http://www.fwp.state.mt.us>.

Montana Fish, Wildlife & Parks invites you to comment on the attached proposal. Public comment will be accepted until 5:00 pm on October 25, 2004. Comments should be sent to the following:

Montana Fish, Wildlife & Parks
c/o Black's Ford FAS Acquisition
1400 South 19th Avenue
Bozeman, MT 59718

Or e-mailed to: brrich@state.mt.us

Sincerely,

Patrick J. Flowers
Region Three Supervisor

Attachment

Environmental Assessment

BLACK'S FORD FISHING ACCESS SITE ACQUISITION

September 24, 2004



*Montana Fish,
Wildlife & Parks*

**Black's Ford Fishing Access Site Acquisition
Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of proposed state action:** Montana Fish, Wildlife & Parks (MFWP) proposes to acquire 9.583 acres along the Madison River in Gallatin County to include in the Fishing Access Site Program. Part of this tract (3.8 acres) is included in the current boundaries of Black's Ford Fishing Access Site, which FWP currently leases from the DeHaan family. The remaining 5.783 acres of the proposed purchase consists of a thin strip of riverfront property on the east side of the Madison River downstream from the FAS. Vesting ownership of this site in FWP will allow the state to manage this area more effectively. Both of these tracts will be purchased by fee title as one piece of property and will continue to be referred to as Black's Ford Fishing Access Site.

2. **Agency authority for the proposed action:** The 1977 Montana Legislature enacted statute 87-1-605 MCA, which directs Fish, Wildlife & Parks to acquire, develop and operate a system of fishing accesses. The legislature established a funding account to ensure that this function would be accomplished. Sections 12-8-213, 23-1-105, 23-1-106, 15-1-122, 61-3-321, and 87-1-303, MCA, authorize the collection fees and charges for the use of state park system units and fishing access sites, and contain rule-making authority for their use, occupancy and protection.

Section 23-1-110 MCA, or House Bill 495, and the guidelines established in 12.8.604 (ARM) (1) relate to changes in state park and fishing access site features or use patterns. The proposed acquisition will not change site features or historical use; therefore, Section 23-1-110 MCA is not initiated by the proposed fishing access site acquisition. See Attachment A.

3. **Name of project:** Black's Ford Fishing Access Site Acquisition

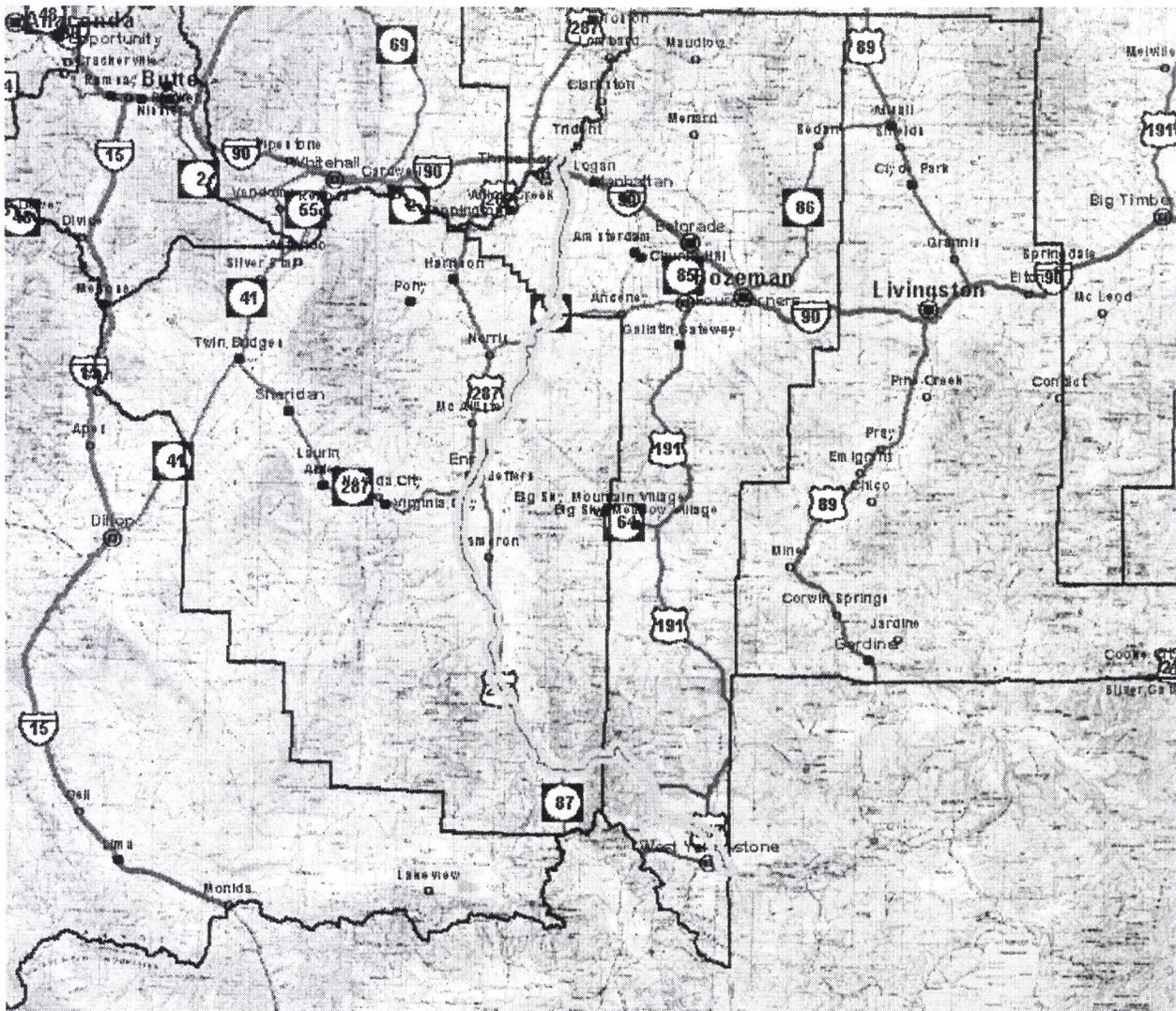
4. **Name, address and phone number of project sponsor (if other than the agency):**
Montana Fish, Wildlife and Parks is the project sponsor.

5. **If applicable:**

Estimated Construction/Commencement Date: not applicable.

Estimated Date of Sale: Winter 2004.

Current Status of Project Design (% complete): not applicable.

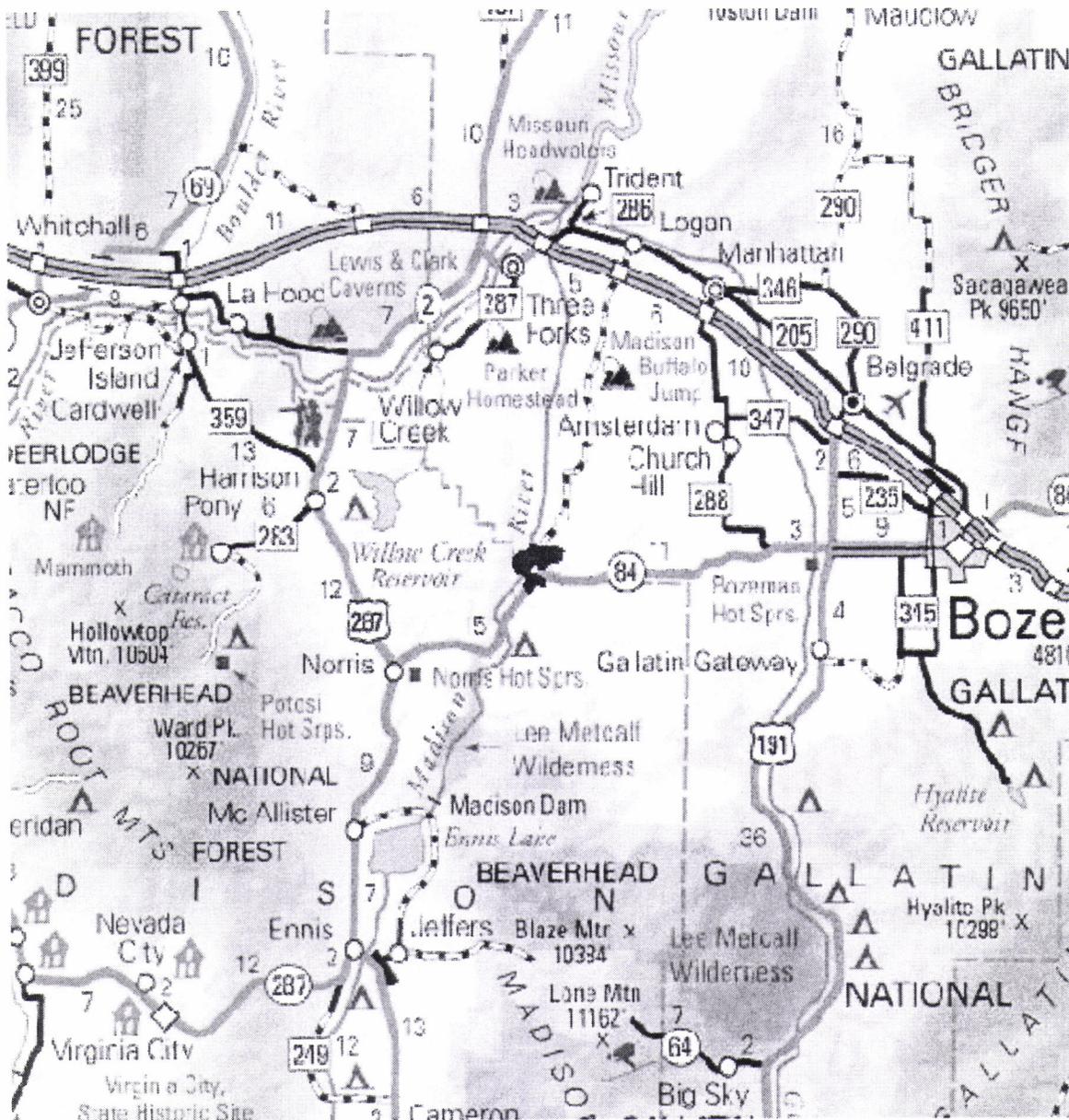


Map showing the Madison River (outlined) within the state of Montana.

- 6. Location affected by proposed action (county, range and township):** Black's Ford FAS is located in Gallatin County in the east half of Section 19, Township 2 South, Range 2 East. Black's Ford FAS can be reached from Bozeman by traveling 23 miles west on Highway 84 (Norris Road) or from Three Forks by traveling south on the Madison River Road. Black's Ford FAS is downstream from Ennis Reservoir just downstream of where the river flows through Bear Trap Canyon and enters the lower Madison River Valley.

The tract of land FWP proposes to purchase includes 3.8 acres in the main portion of the property (the parking area) and 5.7 acres in the river frontage between Madison River Road and the Madison River. Please refer to the property survey following in section 8. The river frontage tract is nearly level and sits 3-4 feet above river level. This land is very rocky and dominated by grasses and shrubs, with a few scattered trees, mostly cottonwoods. This part of the Madison River has not been surveyed for floodplain, but it is located approximately 15 miles below the Ennis Dam. Problem flooding is not anticipated unless there was an emergency need to open the dam to its maximum flow or dam failure, both of which are highly unlikely to occur.

Black's Ford has been a fishing access site for many years and is heavily used, especially in the summer. The FAS consists of a graveled parking area for up to 100 cars, two vault latrines, an overflow trailer parking area, and a boat ramp. The property has been leased by FWP since the early 1980's from the DeHaan family. The rental rate was \$500 per year in 2002 and 2003, and increased to \$1000 per year from 2004 to 2006, when FWP's current lease agreement expires. The lease includes only the 3.8 acre FAS and not the 5.7 acre river frontage portion.



Area Map. Black's Ford Fishing Access Site indicated by fish symbol.

7. 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>5.7</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(b) Open Space/Woodlands/Recreation	<u>3.8</u>	Irrigated cropland	<u>0</u>
(c) Wetlands/Riparian Areas	<u>0</u>	Dry cropland	<u>0</u>
		Forestry	<u>0</u>
		Rangeland	<u>0</u>
		Other	<u>0</u>

8. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) **Permits:** No permits are required for this project.

<u>Agency Name</u>	<u>Permit</u>
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(b) **Funding:**

<u>Agency Name</u>	<u>Funding Amount</u>
Montana Fish, Wildlife & Parks	\$80,000

(c) **Other Overlapping or Additional Jurisdictional Responsibilities:**

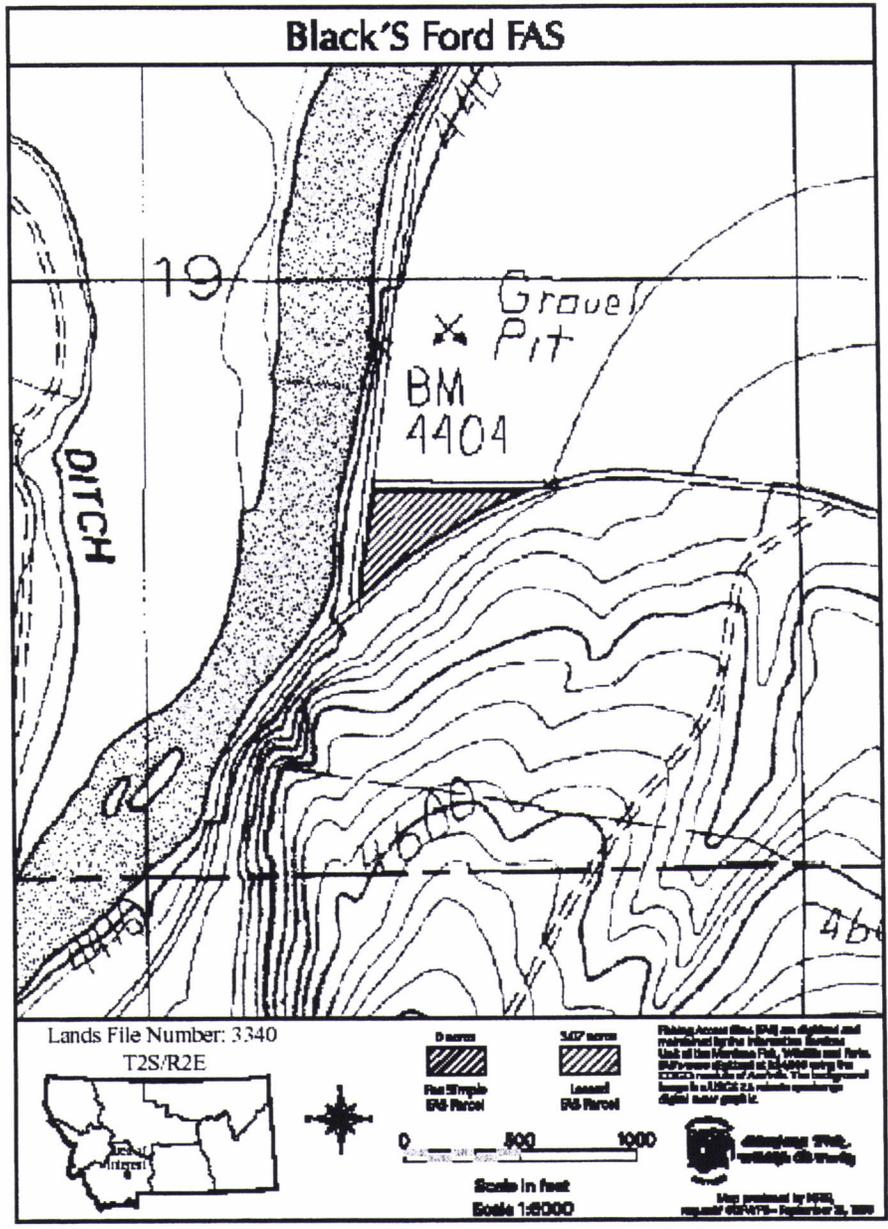
<u>Agency Name</u>	<u>Type of Responsibility</u>
N/A	

9. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action:

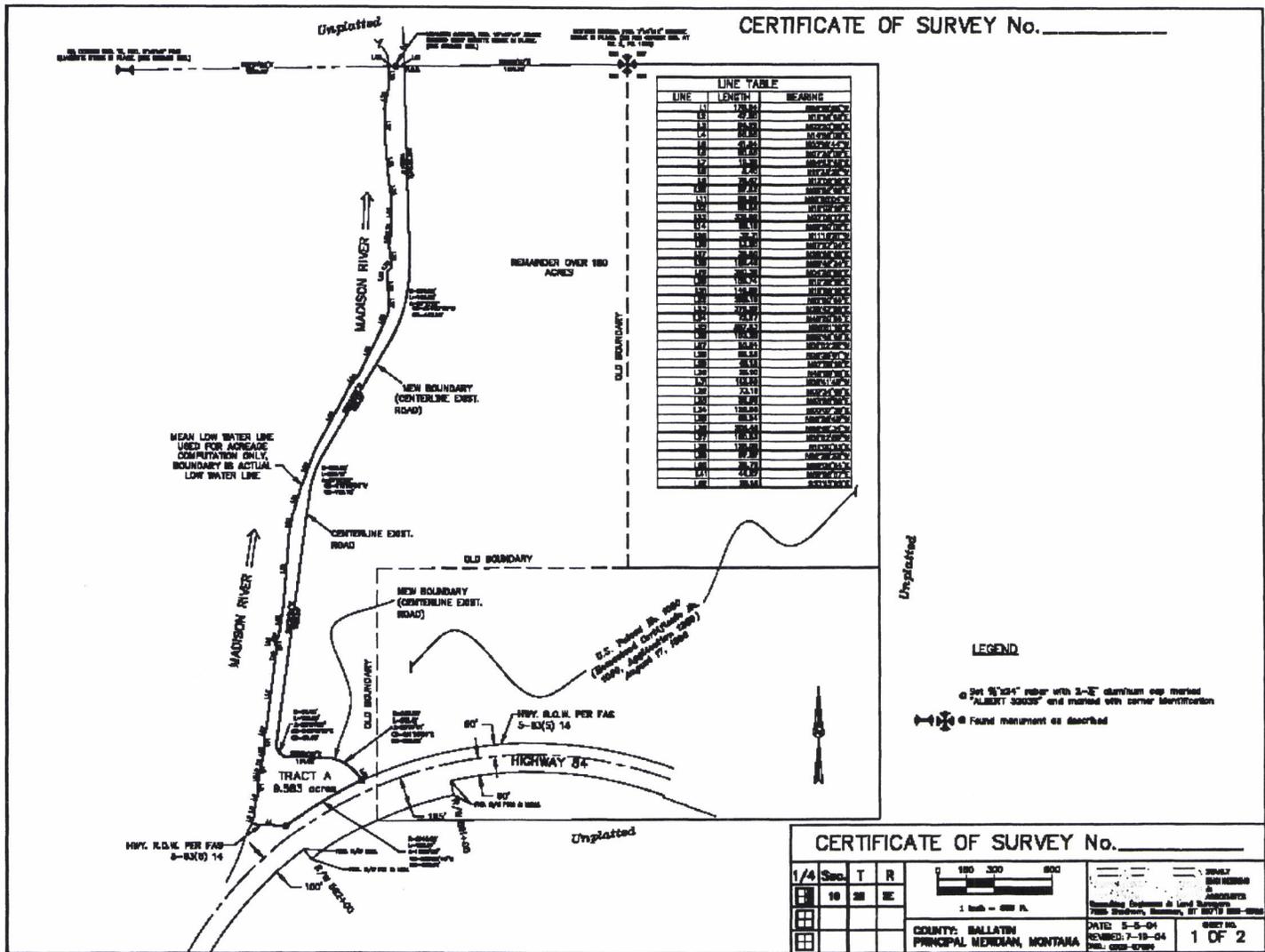
The purpose of the proposed acquisition is twofold: to permanently transfer ownership of Black's Ford FAS from the DeHaan family to Montana FWP, thereby allowing FWP to more effectively manage the FAS; and to improve the recreational value of Black's Ford FAS by adding a 3/4 mile strip of land bordering the river downstream from the parking area to be included in the FAS as a whole. The acquisition of this strip of land will allow anglers and recreational floaters to disembark from their boats above the high watermark, fish, rest, picnic, etc... without fear of trespassing on private property.

The proposed acquisition of Black's Ford FAS by FWP will make the most sense in the long run for all parties involved. The section of the Madison River from the mouth to Ennis supported 46,432 angler days in 2001, and it is almost certainly higher than that this year. This figure does not take into account a large number of recreational floaters who also use Black's Ford FAS to take out after floating through Bear Trap Canyon. Public recreational use on this popular stretch of the Madison River grows every year, and with that increased use comes a growing number of issues that can best be managed if FWP actually owns the FAS site rather than leases it.

(NOTE: Include maps, site plans showing location and boundaries here and/or under #6 above.)



Site map of Black's Ford FAS in current lease configuration, shown in stripes.



Survey of property that FWP proposes to purchase. Black's Ford FAS currently occupies the main section adjacent to the road. The thin section stretching downstream from the FAS would be new to FWP jurisdiction.



Photo looking upstream from Black's Ford FAS into Bear Trap Canyon. This stretch of river is extremely popular with anglers and floaters. Photo by Linnaea Schroeer-Smith

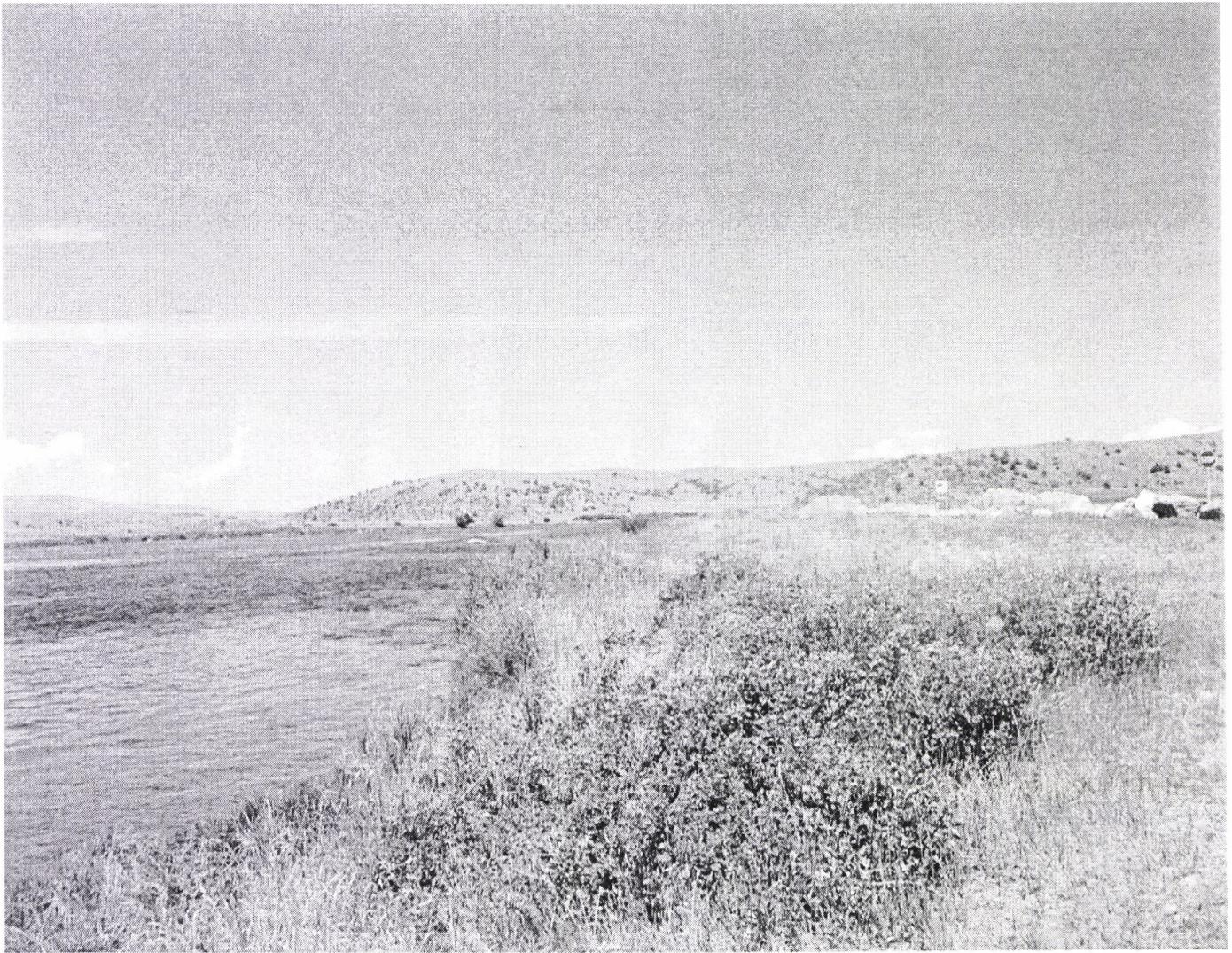


Photo looking downstream from the boat ramp at Black's Ford FAS. Part of the $\frac{3}{4}$ mile strip of riverfront property is shown in the foreground. Photo by Linnaea Schroeer-Smith.



Parking area at Black's Ford FAS Photo by Linnaea Schroeer-Smith



Black's Ford is a popular take out for anglers and recreational floaters.
Photo by Linnaea Schroeer-Smith

PART II. ENVIRONMENTAL REVIEW

- Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:**

Alternative A: No Action

If no action is taken, FWP would continue to lease Black's Ford FAS from the DeHaan family through the remainder of the current lease agreement, which expires in 2006. At that time, a new lease agreement would have to be brokered with the current owner. It is always possible that ownership of the DeHaan property might be transferred to someone who does not wish to lease the FAS tract to FWP, and the public would lose one of the most popular access sites in the state. Similarly, it is possible that the DeHaans would choose not to continue to lease that parcel to the state, or the two sides might not be able to come to a new lease agreement that is acceptable to both sides, both of which situations would have the result of the FAS being closed to the public. Alternative private land uses of this parcel, in the absence of FWP acquisition or continued lease, could include commercial or residential development by the private landowner, or sale to a new landowner for these purposes.

In addition, if the tract of riverfront land is not acquired by the state, it is foreseeable that floaters and anglers who use the bank will come into conflict with the landowner.

Preferred Alternative B: Proposed Action

Note: a detailed evaluation of the Proposed Action is included in Part VI. Environmental Review Checklist beginning on page 6.

The preferred alternative is for FWP to move ahead with the planned purchase of 9.58 acres from the DeHaan family for permanent inclusion into the Fishing Access Site Program. This purchase consists of the existing 3.8 acre Black's Ford FAS and the 5.78 acre riverfront strip. No additional construction or alteration of the FAS is proposed at this time.

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

Not applicable

PART III. NARRATIVE EVALUATION AND COMMENT

This analysis did not reveal any significant impacts to the human or physical environment.

The proposed project consists only of transfer of ownership from a private landowner to the State of Montana. No additional construction or improvements of any kind are included in this proposal. The 3.8 acres that comprises the current FAS will continue to be the focal point of users for parking, launching, and taking out of boats and tubes, etc... The 5.78 acre, narrow strip of land will be managed as a riparian/natural vegetation area with walk-in access only. The addition of this strip of land to FWP ownership will allow anglers a greatly expanded area to fish from the bank.

PART IV. PUBLIC PARTICIPATION

- 1. Describe the level of public involvement for this project if any, and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?**

The public will be notified by way of two statewide press releases in local newspapers and by public notice on the Fish, Wildlife & Parks webpage: <http://www.fwp.state.mt.us/publicnotices>

- 2. Duration of comment period, if any:**

The public comment period will extend for thirty days following the release of the EA. Comments will be accepted until 5:00 pm October 25, 2004. Comments may be e-mailed to brrich@state.mt.us or written comments may be sent to the following address:

Montana Fish, Wildlife & Parks
Attn: Black's Ford FAS EA
1400 South 19th Avenue
Bozeman, MT 59718

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.**

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis.

- 2. Name, title, address and phone number of the person(s) responsible for preparing the EA:**

Linnaea Schroeer-Smith
Independent Contractor
1027 9th Avenue
Helena, MT 59601
(406) 495-9620

Allan Kuser
Fishing Access Site Coordinator
MFWP
PO BOX 200701
Helena, MT 59601

Tom Greason
Manager
1400 South 19th Avenue
Bozeman, MT 59718

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

Montana Fish, Wildlife & Parks
Parks Division
Wildlife Division
Fisheries Division
Design & Construction Bureau
Lands Division

Montana State Historic Preservation Office (SHPO)

Montana Department of Commerce – Tourism

Montana Natural Heritage Program – Natural Resources Information System (NRIS)

PART VI. ENVIRONMENTAL REVIEW CHECKLIST

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

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (attach additional pages of narrative if needed):

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		X				
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (attach additional pages of narrative if needed):

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
- ** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- *** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- **** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

3. <u>WATER</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		X				
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				
n. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (attach additional pages of narrative if needed):

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
- ** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- *** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- **** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

4. <u>VEGETATION</u> Will the proposed action result in?	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Vegetation (attach additional pages of narrative if needed):

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
- ** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- *** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- **** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 5. FISH/WILDLIFE Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				
j. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Fish and Wildlife (attach additional pages of narrative if needed):

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Increases in existing noise levels?		X				
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Noise/Electrical Effects (attach additional pages of narrative if needed):

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Use (attach additional pages of narrative if needed):

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
- ** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- *** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- **** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Risk/Health Hazards (attach additional pages of narrative if needed):

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Community Impact (attach additional pages of narrative if needed):

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
- ** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- *** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- **** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?			X			10b.
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources						10e.
f. **Define projected maintenance costs.						10f.
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Public Services/Taxes/Utilities (attach additional pages of narrative if needed):

10b. Fish, Wildlife and Parks pays taxes “in a sum equal to the amount of taxes which would be payable on county assessment were it taxable to a private citizen” (MCA 87-1-603). Because the Black’s Ford FAS will now be a smaller individual parcel, and no longer part of a much larger ranch ownership, the tax rate is expected to be higher than previously charged, so the revenue received by Gallatin County for this property will increase slightly.

10e. The proposed project will be funded through Fishing License Revenue.

10f. Yearly maintenance costs for Black’s Ford FAS are expected to be approximately \$4,500.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
 ** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
 *** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
 **** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 11. <u>AESTHETICS/RECREATION</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Will the proposed action result in:	Unknown *	None	Minor *		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)		X				
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Aesthetics/Recreation (attach additional pages of narrative if needed):

12. <u>CULTURAL/HISTORICAL RESOURCES</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Will the proposed action result in:	Unknown *	None	Minor *		
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Cultural/Historical Resources (attach additional pages of narrative if needed):

SIGNIFICANCE CRITERIA

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
- ** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- *** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- **** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				
g. ****For P-R/D-J, list any federal or state permits required.		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Significance Criteria (attach additional pages of narrative if needed):

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
- ** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- *** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- **** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

Appendix A

23-1-110 MCA Project Qualification Checklist

Date: Aug 23, 2004

Person Reviewing:
Linnaea Schroeer-Smith, consultant
Schroeer-Smith Scientific Services

Project Location: Black's Ford FAS is located along the Madison River in Gallatin County. It can be reached by driving 18 miles south from Three Forks on the Madison River Road, or from Bozeman by traveling 23 miles west on Hwy 84 (Norris Road). Black's Ford lies within Township 2 South, Range 2 East, Section 19.

Description of Proposed Work: Currently, Montana Fish, Wildlife & Parks leases the 3.8 acres of land that Black's Ford FAS is situated on from the DeHaan family. FWP proposes to purchase this tract, plus an additional 5.78 acres of riverfront property extending north from the FAS for a total of 9.58 acres. This land will become a permanent part of the Fishing Access Site Program, and will be managed the same as when FWP was leasing the property. No additional construction or development of any kind is included in this proposal.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under 23-1-110 rules. (Please check all that apply and comment as necessary.)

A. New roadway or trail built over undisturbed land?

Comments: *No new roads are proposed.*

B. New building construction:

Comments: *No new building construction is proposed.*

C. Any excavation of 20 cubic yards or greater?

Comments: *No excavation is being proposed.*

D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 20% or more?

Comments: *No parking lots are proposed.*

E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station:

Comments: *No shoreline will be altered.*

F. Any new construction into lakes, reservoirs, or streams?

Comments: *None*

G. Any new construction in an area with National Registry quality artifacts (as determined by State Historical Preservation Office)?

Comments: *None*

[]H. Any new above ground utility lines?
Comments: *None*

[]I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments: *No campsites are planned.*

[]J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?
Comments: *Historical patterns of use will not be altered.*

Appendix B
Sensitive Plants and Animals in the Black's Ford FAS Area

A search of the Montana Heritage Program (MNHP) element occurrence database (nhp.nris.state.mt.us/eoportal) indicates no known occurrences of federally listed threatened, endangered, or proposed threatened or endangered plant species in the proposed project site.

Forest Service Sensitive Species

Forest Service sensitive species are species for which the Regional Forester has determined there is a concern for population viability range-wide or in the region. The following sensitive species has been located in the greater Black's Ford FAS area.

Spilogale gracilis—Western Spotted Skunk. One male specimen found and collected from Highway 84 on Jan 1 1978. Two unknown sex skunks trapped near Beartrap Canyon in January of 1985.

For complete map of element occurrence, please see attachment B.

Comments: The mapped occurrence polygon represents twice the maximum normal home range (7sq. km) for the species centered on or as close as possible to the original observation (a individual skunk found dead on Hwy. 84 in SE ¼ of Sec 9).

Courtesy of Montana Natural Heritage Program.

ATTACHMENTS

- A. Tourism Report – Department of Commerce
- B. Element Occurrence Map of Sensitive Species

09/03 sed

ATTACHMENT A
TOURISM REPORT
MONTANA ENVIRONMENTAL POLICY ACT (MEPA)/HB495

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by HB495 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Victor Bjornberg, Tourism Development Coordinator
Travel Montana-Department of Commerce
PO Box 200533
1424 9th Ave.
Helena, MT 59620-0533

Project Name: Black's Ford Fishing Access Site Acquisition

Project Description: Montana Fish, Wildlife, & Parks proposes to purchase 9.58 acres on the Madison River in Gallatin County. Part of this property (3.8 acres) is the actual FAS, which MFWP has been leasing from the landowner for over 30 years. The remaining 5.78 acres is contained in a thin strip of riverfront property connected to and extending north from the FAS for 3/4 mile. This proposal is limited to purchasing the property from the landowner; no new construction or development of any kind is being considered at this time.

1. Would this site development project have an impact on the tourism economy?

NO

YES

If YES, briefly describe:

Property purchase appears to provide benefits for long term public access to this area along the Madison River

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?

NO

YES

If YES, briefly describe:

It appears to improve both the quality and quantity of the tourism & recreation opportunities in this area.

Signature

Victor Bjornberg

Date

7-28-09

Montana Species of Concern Black's Ford FAS

Search Area

Biological Data
 Vertebrate animal
 Invertebrate animal
 Nonvascular Plant
 Other
 Vascular Plant

Conservation Easements

Special Designations
 Other special Areas (ACEC, RNA, PRIM)
 Research Natural Areas (all agencies)
 Wilderness (all agencies)
 Wild and Scenic Rivers (all agencies)
 Land

Bureau of Land Management
 Army Corps of Engineers & US Dept of Defense
 National Park Service
 US Forest Service
 Other US Dept of Agriculture
 US Fish & Wildlife Service
 Bureau of Indian Affairs Trust

Tribal
 State Trust
 Montana Fish, Wildlife, & Parks
 University & Institutions
 County & City
 Private Conservation
 Other private
 Water



Species locations depicted outside the search area have imprecisely known locations and may actually occur within the search area.

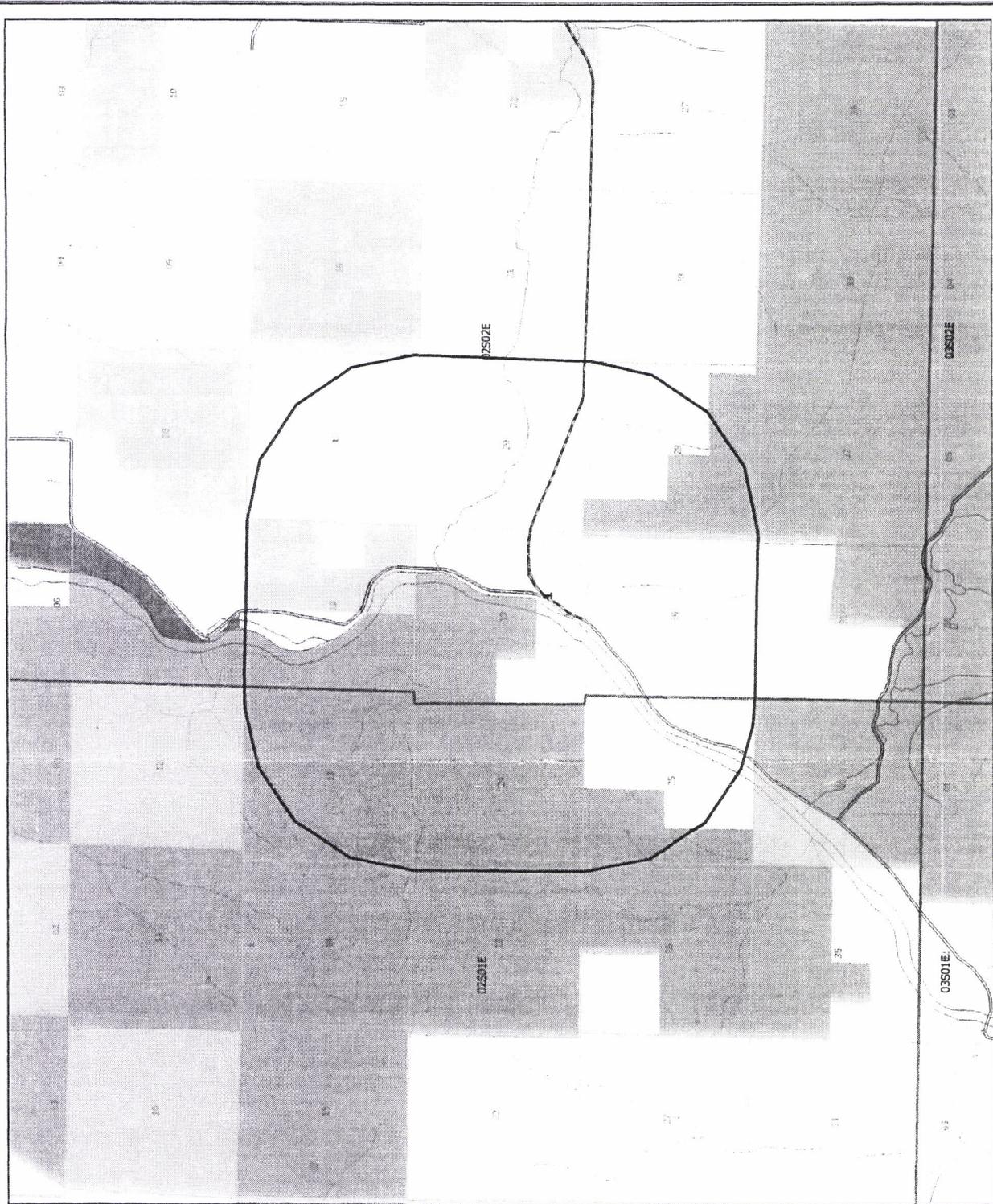
Not all legend items may occur on map.

Features shown on this map do not imply public access to any lands.

This map displays management status, which may differ from ownership. Refer to accompanying documentation for full explanation of map features.



MONTANA
**Natural Heritage
 Program**
 Natural Resource Information System
 Montana State Library
 Helena, MT 59602-1900
 (409) 444-6254 mnhp@state.mt.us



July 28 2004
 05m0005

Attachment B