



Montana Fish, Wildlife & Parks

RR 1 - 4210
Glasgow, MT 59230
November 17, 2004

Environmental Quality Council
Montana Department of Environmental Quality
Montana Fish, Wildlife & Parks
Parks Division
Fisheries Division
Wildlife Division
Conservation & Education Division
Design & Construction Bureau
Commission Secretary
Regional Office Managers
Director's staff
Legal Unit
Law Enforcement Division

Montana State Library, Helena
MT Environmental Information Center
Montana Audubon Council
State Historic Preservation Office
U.S. Fish & Wildlife Service
Blaine County Commissioners
Blaine County Planner
Blaine County Museum
John Brenden (MFWP Commission)
Darlyne Dascher

RECEIVED

NOV 22 2004

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Ladies and Gentlemen:

Please find enclosed a Draft Environmental Assessment (EA) Narrative and Checklist prepared for the proposed action by Montana Fish, Wildlife & Parks (MFWP) to allow the National Park Service to acquire 160 acres of MFWP property at the Bear Paw Battlefield. This property proposed for administrative exchange is located 16 miles south of Chinook, Montana.

Please submit any comments that you have by 5:00 P.M., December 10, 2004 to the MFWP Region 6 Parks Manager, Woody Baxter, at the address listed above.

Thank you for your interest on this project.

Sincerely,

Jim Satterfield
by skm

Jim Satterfield
Regional Supervisor

DRAFT

Bear Paw Battlefield Environmental Assessment Narrative and Checklist

This document addresses the environmental impacts of a proposed land exchange of the Bear Paw Battlefield Unit of the Nez Perce National Historical Park, also referred to as the Chief Joseph Battlefield of the Bear Paw Park.

Proposal:

It is proposed that 160 acres of property currently owned by the State of Montana Fish, Wildlife & Parks (MFWP) would be acquired by the United States Department of Interior, National Park Service (Park Service). The proposed property to be exchanged is located 16 miles south of Chinook, Montana, in the historical Bear Paw Battlefield area.

The legal description: Township 30 North, Range 19 East:
Section 12, NW $\frac{1}{4}$
Section 1, SE $\frac{1}{4}$ SW $\frac{1}{4}$
all in Blaine County, Montana

The two parties associated in this administrative exchange agree that the public interest can best be served through unified development, single administration and sole ownership, all by the Park Service. MFWP deems that the Park Service has special knowledge and experience in planning, developing and administering such historic areas for the public enjoyment and other beneficial purposes, including the conservation of cultural resources. Currently, the Park Service administers all other historical sites within the Nez Perce National Historical Park trail system.

The details of the proposed administrative exchange includes the following:

- MFWP would transfer the described acreage at the Bear Paw Battlefield to the National Park Foundation (NPF).
- In turn, ultimately, NPF would transfer the property to the Park Service.
- NPF would provide the appraised value of \$25,000 to be included as part of the *Brush Lake acquisition by MFWP. (*Brush Lake is located approximately 31 miles southeast of Plentywood, Montana. MFWP is in the process of acquiring property around the lake in order to establish a state park.)

Impacts:

MFWP regards this proposed administrative exchange to have no significant impacts; therefore this Environmental Assessment is the appropriate level of analysis. (See Montana Environmental Policy Act - MEPA checklist, starting on page 2.)

DRAFT

Alternatives:

Alternative A: MFWP maintains ownership of described property (No Action Alternative)

This alternative would continue both existing ownership and current operation procedures. Specifically, this involves MFWP, as the landowner, leasing the area to the Park Service, who would continue operations and maintenance of the historical site. But in order for the Park Service to expand their current operations and construct improvements to the site, with the use of public monies, it is imperative for them to be sole/deeded owners of the described property. Therefore, it is unlikely that the Parks Service could feasibly expand their current operations at the Battlefield under this alternative.

Alternative B: Parks Service would become owner and primary administrator of described property.

Under this option, MFWP would transfer the described acreage at the Bear's Paw Battlefield to the National Park Foundation (NPF). In turn, NPF would transfer the property to the Park Service. As the deeded owner of the of the described 160 acres, the Park Service, with congressional approval would be able to create improvements that would provide more recreational opportunities and historical education to the park's visitors.

MEPA CHECKLIST

PHYSICAL ENVIRONMENT

1. LAND RESOURCES 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 <u>None</u>						

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

DRAFT

PHYSICAL ENVIRONMENT

2. AIR 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-I projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a)		X				
f. Other <u>None</u>						

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

DRAFT

PHYSICAL ENVIRONMENT

3. WATER	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
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-I, will the project affect a designated floodplain? (Also see 3c)		X				
m. For P-R/D-I, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		X				
n. Other: <u>None</u>						

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

DRAFT

PHYSICAL ENVIRONMENT

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-I, will the project affect wetlands, or prime and unique farmland?		X				
g. Other: <u>None</u>						

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

DRAFT

PHYSICAL ENVIRONMENT

5. FISH/WILDLIFE	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
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-I, 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-I, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		X				
j. Other: None						

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

DRAFT

HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
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: None						

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

HUMAN ENVIRONMENT

7. LAND USE	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
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: None						

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

DRAFT

HUMAN ENVIRONMENT

8. RISK/HEALTH HAZARDS	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
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 plans or creates a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-I, will any chemical toxicants be used? (Also see 8a)		X				
e. Other: <u>None</u>						

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

HUMAN ENVIRONMENT

9. COMMUNITY IMPACT	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
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: <u>None</u>						

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

DRAFT

HUMAN ENVIRONMENT

10. PUBLIC SERVICES/TAXES/UTILITIES	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
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				
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 used of any energy source?		X				
e. Define projected revenue sources						10.e.
f. Define projected maintenance costs.		-none-				
g. Other: None						

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

10.e. MFWP would transfer the described acreage at the Bear's Paw Battlefield to the National Park Foundation (NPF). In turn, ultimately, NPF would transfer the property to the Park Service. NPF would provide the appraised value of \$25,000 to be included as part of the *Brush Lake acquisition by MFWP. (*Brush Lake is located approximately 31 miles southeast of Plentywood, Montana. MFWP is in the process of acquiring property around the lake in order to establish a state park.)

DRAFT

HUMAN ENVIRONMENT

11. AESTHETICS/RECREATION	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
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?			X			11.c.
d. For P-R/D-I, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)						
e. Other: None						

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

11c. The quality and quantity of the recreation/tourism at this site would be altered. Both would be positively impacted due to the potential improvements with the ownership of this property being transferred to the National Park Service.

HUMAN ENVIRONMENT

12. CULTURAL/HISTORICAL RESOURCES	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
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-I, will the project affect historic or cultural resources?		X				
e. Other: None						

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

DRAFT

HUMAN ENVIRONMENT

13. SUMMARY EVALUATION OF SIGNIFICANCE	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources, which 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-I, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		X				
g. For P-R/D-I, list any federal or state permits required.						

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

Name, title, address and telephone number of the person(s) responsible for preparing this MEPA Checklist:

Woody Baxter
 Regional Parks Manager
 Montana Fish, Wildlife & Parks
 R.R 1-4210
 Glasgow, MT 59230
 Phone #: 406-228-3707
 e-mail: gwbaxter@state.mt.us

APPENDICES

(Please call 406-228-3707 for copies of appendices)

- A. Location Map
- B. Site Map