

MEPA/NEPA/HB495 GENERIC CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

Montana Fish, Wildlife & Parks proposes to accept an access easement for the public across two stretches of Plum Creek Timber Company (PCTC) roads and a recreational site easement on two separate Bureau of Indian Affairs (BIA) tracts of land on Hubbart Reservoir.

2. Agency authority for the proposed action:

MCA 23-2-101

3. Name of project:

Hubbart Reservoir Public Access Easements

4. Name, address, and phone number of project sponsor (if other than the agency):

Mike Brown, Safety of Dams Coordinator and Roads Program Manager,
Confederated Salish and Kootenai Tribes, P.O. Box 278, Pablo, MT 59855, (406)
676-2600

Vic Andersen, Plum Creek Timber Company, 2050 Highway 2 West, P.O. Box
8990 Kalispell, MT 59904-2409, (406) 751-2408

5. If applicable:

Estimated construction/commencement date: Spring 2005

Estimated completion date: Fall 2005

Current status of project design (% complete): N/A

6. Location affected by proposed action (county, range, and township):

Flathead County, T25N R24W

7. Project size: Estimate the number of acres that would be directly affected that are currently:

(a) Developed:
residential _ acres
industrial _ acres

(c) Wetlands/Riparian
Areas _ acres

(b) Open Space/Woodlands/
Recreation 5-10 acres

7/14/05

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

Montana Fish Wildlife & Parks (MFWP) will acquire a right-of-way easement to Hubbart Reservoir from Plum Creek Timber Company (PCTC). This will provide the general public legal vehicular access (approximately four miles of road) from the end of a county road through PCTC lands to Bureau of Indian Affairs (BIA) lands on Hubbart Reservoir. MFWP would also acquire a recreational site easement from BIA for public use on the two parcels. The two BIA parcels are currently the two most heavily used public access points on the reservoir. One of the PCTC access roads is currently the most heavily used by the public. The other PCTC road that is included under the easement is currently closed to public use by a berm, but would be opened if the currently used access were closed to public use in the future. Although the only action MFWP will take is to accept the access easements, there are a number of related actions taken by the cooperators in the project, namely PCTC, BIA, and Confederated Salish and Kootenai Tribes (CSKT). This environmental assessment (EA) regards MFWP acquiring the easements from PCTC and BIA and acknowledges impacts of some of the related actions not taken by MFWP, specifically the road surface improvements and construction of a short section of road.

The project is part of a cooperative effort between PCTC, BIA, CSKT, and MFWP. The cooperators are working on a number of activities, including road improvements, surveying land ownership boundaries and roads, and granting the access easements. Work is largely funded by mitigation moneys provided by BIA for losses associated with a drawdown of the reservoir for a dam safety inspection in 2004. BIA is providing road improvements, surveying, and an easement to MFWP. PCTC is providing road improvements and will grant an easement for public vehicular access across two sections of road owned by PCTC to MFWP.

Hubbart Reservoir is a 483-acre reservoir on the Little Bitterroot River, west of Kalispell. The dam is owned and operated by BIA/CSKT, although it is off the Flathead Indian Reservation. The reservoir was drained for a safety inspection in 2004 resulting in loss of popular kokanee salmon and rainbow trout fisheries. BIA owns small parcels of land scattered around the reservoir. Most of the lands around and adjacent to the reservoir are owned by PCTC. The project does not create new access to the reservoir. Currently PCTC is allowing public access into the BIA and PCTC lands. These easements will guarantee public access and recreational use in perpetuity.

10. Listing of any other local, state or federal agency that has overlapping or additional jurisdiction:

(a) Permits:

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
None		

PART II. ENVIRONMENTAL REVIEW

A. Evaluation of the Impacts of the Proposed Action Including Secondary and Cumulative Impacts on the Physical and Human Environment:

PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACTS				Can Impacts Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant*		
a. Soil instability or changes in geologic substructure?		X				See number 1a. below
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X			See number 1b. below
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. Other:		X				

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

1a. Although MFWP acquiring right of way easements from PCTC and BIA will not directly impact soil stability, PCTC and BIA are making road improvements, as part of the larger cooperative effort that should improve road and soil stability.

1b. There will be some temporary soil disturbance during road construction and a permanent dedication of some land to a road surface. The short new section of road replaces a highly erosive section of road, which will be returned to a vegetated surface.

PHYSICAL ENVIRONMENT

2. <u>AIR</u> Will the proposed action result in:	IMPACTS				Can Impacts Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant*		
a. Emission of air pollutants or deterioration of ambient air quality?		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. Other:		X				

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

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

PHYSICAL ENVIRONMENT (continued)

3. <u>WATER</u> Will the proposed action result in:	IMPACTS				Can Impacts 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, turbidity or pathogens?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?			X		Yes	See number 3b. below
c. Alteration of the course or magnitude of flood water 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 the risk of contamination of surface or groundwater?		X				
i. Violation of the Montana Non Degradation Statute?		X				
j. Effects on any existing water right or reservation?		X				
k. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
l. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
m. Other:		X				

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

3b. The new short section of road will replace a steep, highly erosive section of road, improving road drainage and reducing soil erosion.

PHYSICAL ENVIRONMENT (continued)

4. <u>VEGETATION</u> Will the proposed action result in:	IMPACT				Can Impacts 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			See number 4b. below
c. Adverse effects on any unique, rare, threatened, or endangered plant species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X			See number 4e. below
f. Other:		X				

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

4b. Trees and vegetation will be removed for the construction of the new road section. The old road section will be returned to vegetation.

4e. There is potential for noxious weeds to establish in the newly disturbed roadway. PCTC owns and manages these lands and roadways and will continue to do so.

PHYSICAL ENVIRONMENT

5. <u>FISH/WILDLIFE</u> 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 non-game 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. Other:		X				

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

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

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			See number 6a. below
b. Exposure of people to serve 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 Noise/Electrical Effects (Attach additional pages of narrative if needed):

6a. There will be a temporary increase in machinery noise during road improvement work.

HUMAN ENVIRONMENT

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 Resources (Attach additional pages of narrative if needed):

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

HUMAN ENVIRONMENT (continued)

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				See number 8c. below
d. Other:		X				

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

8c. The new section of road will replace a section of steep switchbacks that were very hazardous and the site of several accidents.

HUMAN ENVIRONMENT

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 an attachment with a narrative explanation describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

HUMAN ENVIRONMENT (continued)

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. 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		Yes	See number 10a. below
b. Have an effect upon the local or state tax base and revenues?		X				
c. 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. Result in increased used of any energy source?		X				
e. Other:		X				

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

10a. By acquiring the easements, MFWP may be responsible for some maintenance of access sites. Although no improvements to accesses are proposed at this time, in the future there may be needs for improvements such as barrier construction, pit toilets, or boat ramps. These may be funded by MFWP, BIA, both agencies, and/or other sources. MFWP wardens currently patrol the area and will continue to be required to in the future.

HUMAN ENVIRONMENT

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant*		
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			See number 11c. below
d. Other:						

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

11c. Accepting the easements will provide improved and guaranteed public access and use of the currently used areas.

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

HUMAN ENVIRONMENT (continued)

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT				Can Impacts Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant*		
a. Destruction or alteration of any site, structure or object of prehistoric, historic, or paleontological importance?		x				See number 12a. below
b. Physical change that would affect unique cultural or historic values?		x				
c. Effects on existing religious or sacred uses of a site or area?		x				
d. Other:		x				

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

12a. The Tribal Preservation Office of CSKT has conducted a review of cultural and historical sites of the project area and approved the project moving forward.

SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT				Can Impacts 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 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. Other:		x				

Narrative Description and Evaluation of the Summary Evaluation of Significance (Attach additional pages of narrative if needed):

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

PART II. ENVIRONMENTAL REVIEW (Continued)

1. 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:

The no-action alternative would result in the current condition where PCTC and BIA would allow public access as they see fit without any guarantee of future public access and use. No other alternatives were analyzed or are reasonable and available.

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

None

PART III. NARRATIVE EVALUATION AND COMMENT:

The project does not create more access than currently exists; it only provides a guarantee that there can be future public access and use of the area. This results in a benefit to the recreational public that fish and use the Hubbart Reservoir area.

PART IV. EA CONCLUSION SECTION:

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 EIS is required. There are no significant impacts from this project, and it is not socially controversial. The project does not change current use opportunities, but only provides a guarantee that public access and use can occur in the future.

2. 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?

Public involvement includes working with the landowners and managers in the project area, including the Plum Creek Timber Company, Bureau of Indian Affairs, and the Confederated Salish and Kootenai Tribes. The Montana Fish, Wildlife & Parks Commission will make the decision whether or not to accept the easements in an open public meeting. No other public involvement is proposed. This level of involvement is appropriate due to the lack of environmental impacts, project complexity, and social controversy.

3. Duration of comment period if any: 15 days.

7/14/05

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

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