Montana Fish, Wildlife & Parks

2300 Lake Elmo Drive
Billings, MT 59105
January 18, 2006

RECEIVED
JAN 20 2006
LEGISLATIVE ENVIRONMENTAL POLICY OFFICE

TO: Environmental Quality Council
Director's Office, Dept. of Environmental Quality
Montana Fish, Wildlife & Parks*
- Director's Office
- Parks Division
- Fisheries Division
- Wildlife Division
- Lands Section
- Design & Construction
- Legal Unit
- Regional Supervisors

Mike Volesky, Governor's Office *
Sarah Elliott, Press Agent, Governor's Office*
Montana Historical Society, State Preservation Office
Janet Ellis, Montana Audubon Council
Montana Wildlife Federation
Montana State Library*
George Ochenski
Montana Environmental Information Center
Wayne Hirst, Montana State Parks Foundation
FWP Commissioner Shane Colton*
Montana Parks Association (land acquisition projects)
Bob Raney (Parks EA's only)
Sharon Moore, DNRC Area Manager, Southern Land Office
County Commissioners
Other Local Interested People or Groups
* (Sent electronically)

Ladies and Gentlemen:

The enclosed draft Environmental Assessment (EA) has been prepared for renovation of the Indian Fort FAS boat ramp and a proposal to secure public use of an adjoining DNRC parcel, and is submitted for your consideration. Questions and comments will be accepted until February 20, 2006.

If you have questions or need additional copies of the draft EA, please contact Montana Fish, Wildlife & Parks at 247-2940. Please send any written comments to the following address:

Indian Fort Boat Ramp
C/O Montana Fish, Wildlife & Parks
2300 Lake Elmo Drive
Billings MT 59105 or
dhabermann@mt.gov

Thank you for your interest,

Douglas D. Habermann
Acting Regional Supervisor
Enclosure – Electronic recipients may request SHPO attachments not included with this document

Environmental Assessment

INDIAN FORT FISHING ACCESS SITE

RENOVATION

&

ACQUISITION

January 2006

Montana Fish, Wildlife & Parks

to explore the possibility of adding the property to Indian Fort FAS or in some other manner, formally managing the site for recreational use. These options would allow managers to better provide for day-users and campers, provide adequate boat access, regulate use, establish site protection measures, and address the weed problem on the site.

When MFWP became interested in purchasing this property in late 2003, it was unclear whether the site was owned privately or by the State. A Preliminary Geologic Interpretation and Determination of Ownership Status Report was conducted, and DNRC issued this report on June 30, 2004 (see Attachment D). This accretion study provided maps and aerial photographs as evidence that the property formed out of the Yellowstone River bed after the date of Montana statehood and, based on state and federal case law and Montana statutes, is owned by the State of Montana. Property management and administration is the responsibility of the DNRC Trust Land Management Division, which is charged with generating revenue for the state school trust account.

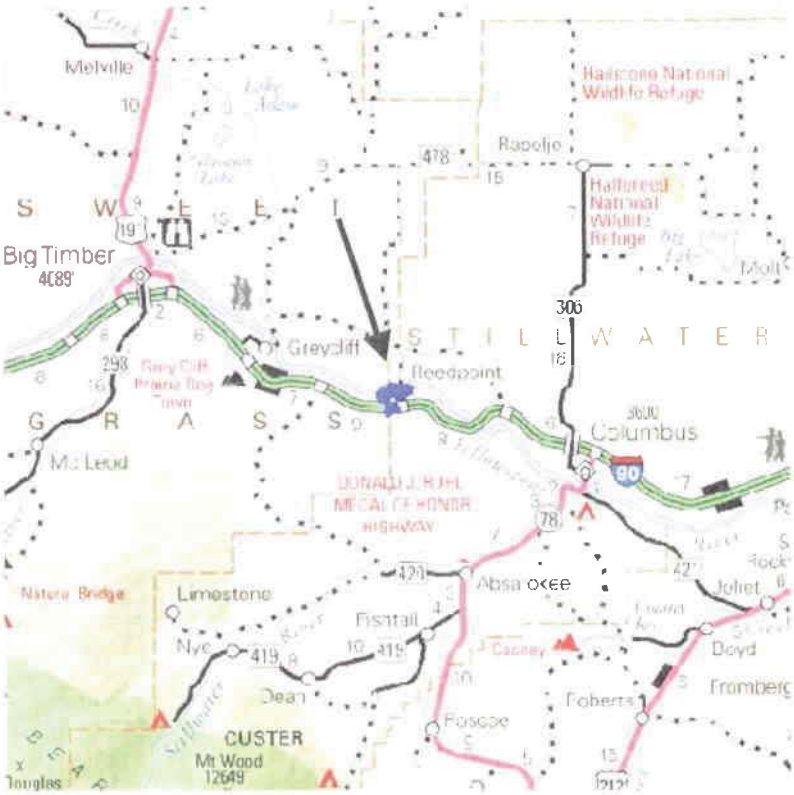


Figure 1.
Indian Fort FAS location is indicated by the blue fish and black arrow.

Noxious weeds such as Leafy Spurge, Canadian Thistle and Hound's Tongue are common through out this property and little management is evident. It is likely that weed seeds are being spread in Indian Fort FAS and downstream locations from the DNRC property. FWP would include this site in their current weed management program at Indian Fort FAS, which includes spring spraying, biological control of leafy spurge by a number of bio-control agents, and spot spraying and pulling by FWP personnel. These methods have been effective at Indian Fort FAS and should also be effective on the DNRC property should it be acquired.

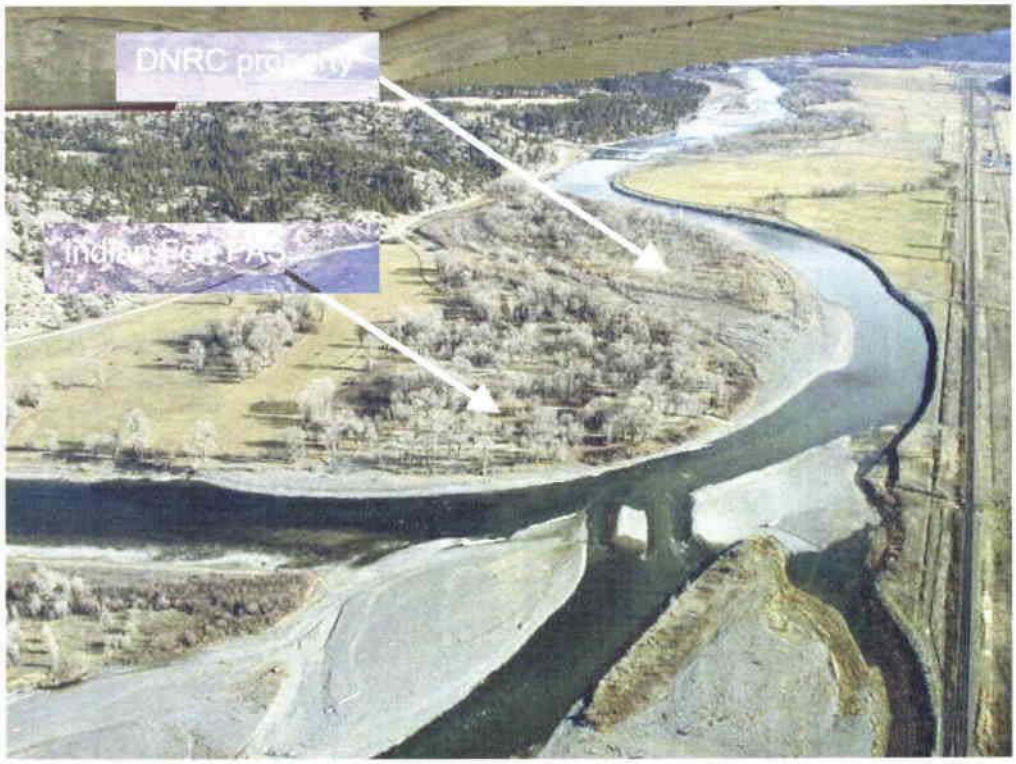


Photo 1. Aerial photo of Indian Fort FAS and adjacent DNRC land.

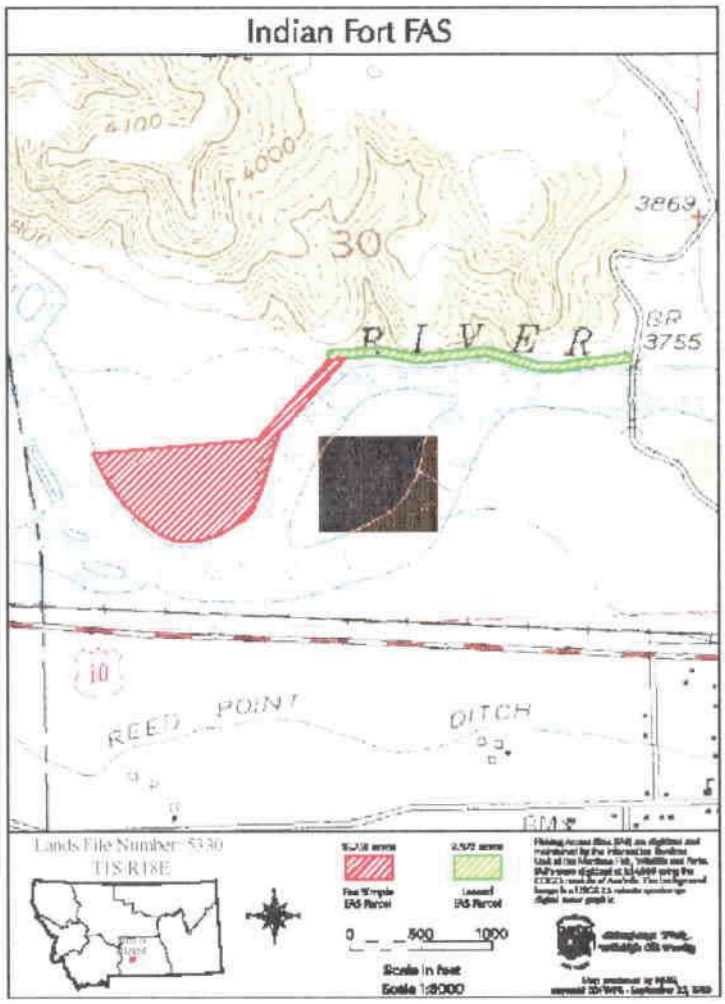


Figure 2. Site map of Indian Fort FAS. The large island (the DNRC parcel) has since accreted to the mainland, as seen in Photo 1.

In light of this information, MFWP proposes to pursue a legal agreement with DNRC under which MFWP will have recreational management control of the property. Some options would include a lease, land-use license or permanent recreational easement that grants management rights to MFWP while appropriately compensating the State school trust account for the value of the interest to be acquired by MFWP. Weed control and fencing would commence immediately, to curtail off-road travel and eradicate and control noxious weeds. Improvement of the existing access road, parking area and boat ramp would likely begin following completion of the use agreement.

The benefits of the proposed action would be the removal and replacement of an unusable and unsafe boat ramp, providing anglers and recreationists access to the Yellowstone River at a popular and pivotal location. Recreational management of the adjacent DNRC property associated with Alternative D would secure a site already used extensively by the public, thereby ensuring continued access. This would also provide a good boat ramp location, allow FWP to develop a small day-use area there and establish site control measures to prevent off-road vehicle use and the spread of noxious weeds.

Please see Part II for a complete discussion of alternatives.

Photo 2. Existing boat ramp, looking downstream.

Photo 3. Existing boat ramp, looking upstream.

PART II. ENVIRONMENTAL REVIEW

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:

Alternative A: No Action Note: A detailed evaluation of the Proposed Actions are included in Part VI., the Environmental Review Checklist.
If no action is taken, the boat ramp will remain unusable, and boaters will either avoid using Indian Fort FAS for put-in or take-outs or use pioneered sites on DNRC property. This unregulated use will continue to cause shoreline degradation and the spread of noxious weeds.

Alternative B:

In Alternative B, the existing boat ramp would be removed and a new ramp would be constructed at an upstream site on the north-channel (see photos 4 and 6). Engineers have proposed a 12 ft-wide ramp of cable-mat with 3 ft of each side anchored into the riverbed. A small (5 vehicle) parking lot, staging area, cattle guard relocation, fence modification and road realignment would also be part of the project (see figure 3). This area of the FAS is already developed, and construction would disturb very little new ground (see photo 5). Estimated project budget total would be **$25,000**.

Photo 4. Alternative B boat ramp location.

Photo 5. Looking into FAS from area where boat ramp would be located in Alternative B.

Department fisheries biologists predict that the north channel will eventually become the main channel for the river at this point, and the island south of this location will eventually accrete to the mainland to the south. Until that possibility occurs, however, boaters would have to be notified to take that side channel when coming downstream or paddle upstream briefly if they come via the south channel. One other drawback to this alternative is that the slope is very low—between 6% and 10% (see photo 4). The recommended grade for boat ramps is 12%-16%. This low grade would mean that drivers would have to back their trailers up about 130 feet. This distance has increased since this location was surveyed and **this option is no longer viable**. This could be retained as an option for the future, if the river channel changes in a favorable manner.

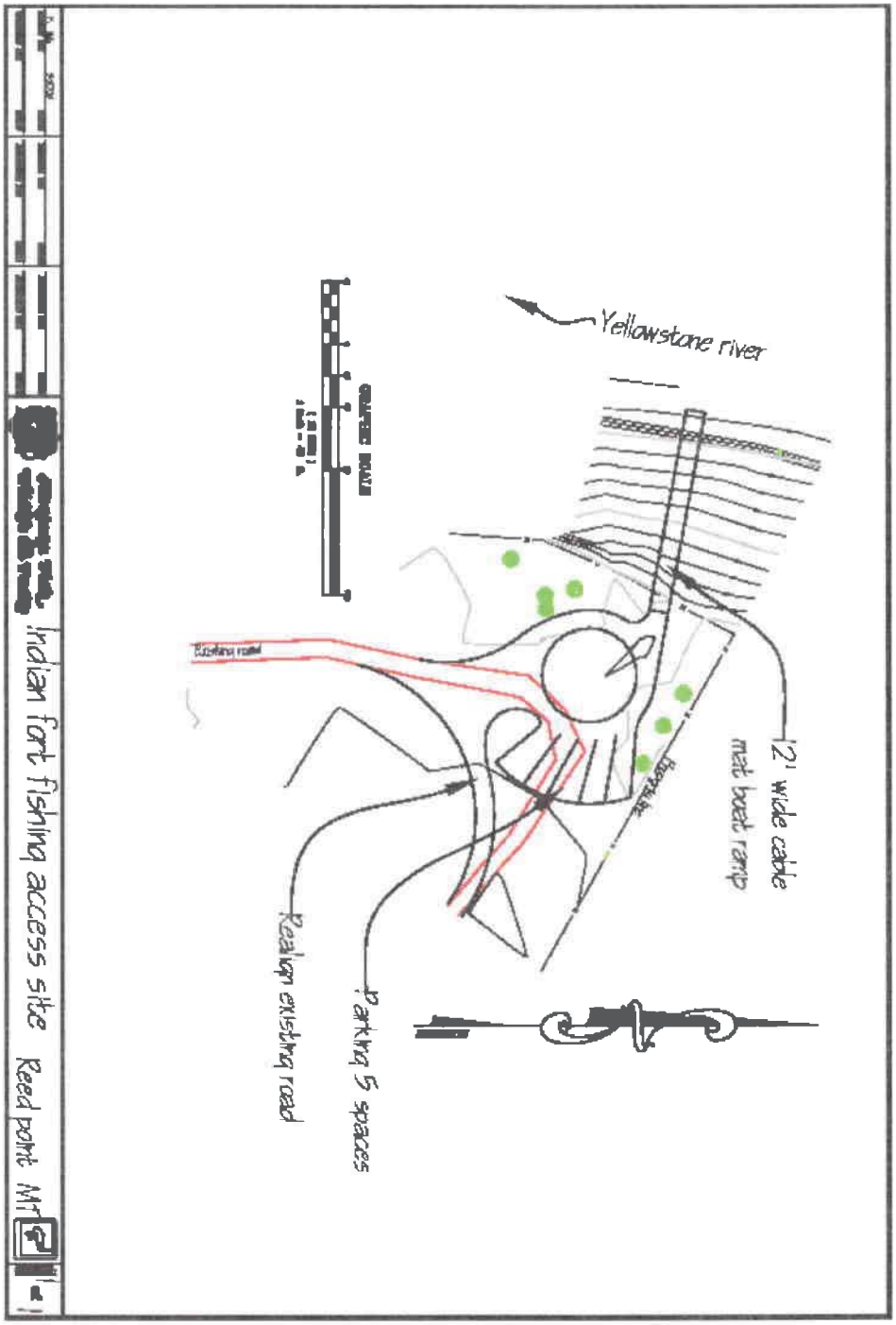


Figure 3. Concept plan for boat ramp in Alternative B.

Alternative C:

In Alternative C, the existing boat ramp would be removed and replaced in the same location (see photos 2,3,6 and 7). The existing concrete abutment would be removed and the grade would be lowered between the parking area elevation and the river by cutting down the bank. This would necessitate moving the cattle guard and associated fencing substantially back into the parking area, which therefore would have to be reworked. For the ramp, the upper section would likely be poured-in-place concrete and the lower section (near/in the river) would be gravel or cable-mat concrete. Cable mats have some

ability to conform to the changing features of a riverbank without becoming undermined. Also, if the river were to change extensively, the cable mat could be removed from the ramp and reused at the same or new location.

The benefits of this alternative are that the resulting grade would be good for a boat ramp, users are familiar with the location, and there is a vault latrine already in place there. The drawbacks to using this site for the new ramp are that the current is very strong there, necessitating considerable skill when launching from and especially loading onto a boat trailer. An option may be to orient the ramp slightly down-river to ease loading/unloading of watercraft at the site. The strong current also raises the possibility that the new boat ramp would be washed out in a high water event. The project estimate for Alternative C is **$25,000.** A concept plan for this alternative is pending.

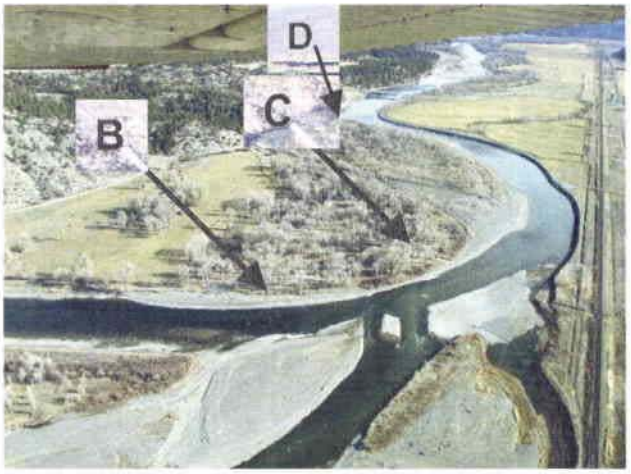


Photo 6. Approximate locations of boat ramps in alternatives B, C, and D.

Photo 7. The approach to the existing boat ramp.

Alternative D:

In Alternative D, the existing boat ramp would be removed and replaced and MFWP would also acquires and agreement, a lease, land-use license, or permanent easement of the adjoining 32-acre DNRC property and develop a portion of it for a day-use area as part of Indian Fort FAS. The public is already using this area extensively, and MFWP would like to respond to the perceived desire of the public to continue to have access to this area by adding it to Indian Fort FAS in perpetuity. Development at this site would include a vault latrine, an access road, a parking area for 4-6 vehicles, boundary fencing, some interior fencing, and boat access. The underlying rock at this location would permit a simple gravel ramp, which would lower the cost and allow for some flexibility in adjustment of the ramp to follow the movement of the river.

The benefits to this alternative are that the public would continue to have access to the property, but use would be regulated, and site protection measures, including weed control, could be established. Additional benefits would be the development of a day-use site and boat access on that property. The current is fairly slow at this location and thus more suitable to the launching of craft than the two upstream sites. Also, the river channel does not appear to be moving much at this point and a boat ramp installed here would likely be useable for many years. A network of pioneered roads already exists in the vicinity (see photo 8). Some of these existing roads would be removed from use and reclaimed.

Drawbacks to the location include the frequent occurrence of ice jams just upstream of the proposed site (see photo 9). Such ice jams could destroy a boat ramp if severe enough.

Photo 8. One of the many roads on the DNRC parcel.

Photo 9. Location of ice jams just downstream from the Alternative D location on DNRC land.

For this reason, a gravel ramp would be preferred, as it could be re-engineered at various intervals to accommodate a moving river channel over time. DNRC is required to generate the maximum amount to benefit education, so unless an alternative form of agreement is reached, acquisition cost would be tied to appraised value. An appraisal of the DNRC property has not been conducted, so no estimate of the cost of the acquisition is available. A rough estimate of the cost of a gravel access road, boat ramp, small gravel parking area and latrine is approximately **$16,000**.

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

There are no mitigation stipulations or requirements associated with the actions. Plans for mitigation discussed in part VI (such as adherence to BMP's) are associated with actions that would have a minor impact, and thus are not subject to specific requirements. Therefore, no evaluation is necessary. These actions do not involve permitting or granting of a license on which stipulations would be placed.

The proposed renovations and improvements have been designed to follow Best Management Practices (BMP's). Montana FWP engineering staff would oversee the completion of the project to ensure that construction meets state specifications, such as limiting soil and vegetation disturbance to the immediate project area, limiting changes in surface water runoff or drainage patterns once the project is completed, and seeding disturbed areas to aid in reclamation. The Stillwater County Sanitarian must approve the location and installation of the sealed vault latrine proposed in Alternative D.

3. Private Property Regulatory Restrictions:

Actions described in this environmental analysis do not regulate the use of private, tangible personal property, or real property under a regulatory statute adopted pursuant to the police power of the state; the actions do not involve the denial of an application for a permit or other permission; and the actions do not restrict the use of the regulated person's private property. The actions of accepting a donation of land and developing it for a fishing access site do not place regulatory restrictions on private property and therefore do not require an evaluation of regulatory restrictions on private property.

PART III. NARRATIVE EVALUATION AND COMMENT

Indian Fort FAS is an important point of access for the public to the Yellowstone River in Region 5. The lack of a usable boat ramp at this FAS has forced the public to concentrate their use at other FAS' in the area and to pioneer boat launches on adjacent DNRC property.

The department has alternatives that would restore access to the river with minimal environmental impact. This EA did not reveal any significant negative impacts to the physical and human environment. Most minor impacts could be mitigated. No threatened or endangered species have been located in the area, and no unique or physical features would be affected. The proposed renovations would greatly increase visitor enjoyment of the site.

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 web page: **http://fwp.state.mt.us/publicnotices** . Individual notices will be sent to those that have requested one.

2. **Duration of comment period, if any.**
   A 30-day comment period is proposed. This level of public involvement is appropriate for this scale of project.

PART V. EA PREPARATION

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

   No, an EIS is not required. Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment, this environmental review revealed no significant impacts from the actions. In determining the significance of the impacts, Fish, Wildlife and Parks assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact will occur or reasonable assurance that the impact will not occur, growth-inducing or growth inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value affected, any precedent that would be set as a result of an impact of the proposed action that would commit Fish, Wildlife and Parks to future actions; and potential conflicts with local, federal, or state laws. Therefore, an EA is the appropriate level of review and an EIS is not required.

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

Doug Habermann
Region 5 Park Supervisor
2300 Lake Elmo Dr
Billings, MT 59105
(406) 247-2940

Allan Kuser
Fishing Access Site Coordinator
1420 East 6th Ave
Helena, MT 59620
(406) 444-7885

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

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. 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			1b.
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				1d.
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):

1b. The removal and replacement of the old boat ramp, and construction of the associated parking areas and access roads would cause some soil disruption, displacement and compaction of soil. Any disturbed areas would be reseeded or otherwise reclaimed.

1d. The changes to a river's deposition and erosion patterns that the construction of a boat ramp might cause are negligible.

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			2a.
b. Creation of objectionable odors?			X		yes	2b.
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.)						
f. Other:		X				

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

2a. Minor and temporary dust and vehicle emissions would be created by heavy equipment during construction. Visitation would likely increase, therefore vehicle-created dust levels would increase slightly, but not to problem levels.

2b. If Alternative D is adopted; a single vault latrine would be installed. Regular latrine maintenance would help to minimize offensive odors.

3. WATER 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			3a
b. Changes in drainage patterns or the rate and amount of surface runoff?			X			3b
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.)						
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.)						
n. Other:		X				

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

3a. Minor and temporary turbidity would occur in the immediate area of the boat ramp removal and construction. Providing a workable boat ramp would have the positive effect of concentrating boat launching activities in one designated location, instead of being spread out over several pioneered areas, causing bank erosion and sedimentation.

3b. Proposed parking areas and new sections of road would be located in areas with low slope (0-2%) and sandy loam soils, resulting in little to no surface runoff.

4. VEGETATION 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			4a.
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 positive			4e.
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?						
g. Other:		X				

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

4a. The vegetation of Indian Fort FAS is dominated by mature cottonwood stands and grasses, with some riparian vegetation in low areas. There is very little understory. The renovations that MFWP is proposing would not cause significant changes to the diversity or productivity of the plant community. Some shrubs, grasses and forbs would be removed in Alternatives B, C, and D, and possibly some small trees in Alternative D, but such losses would be extremely minor and would not significantly affect their abundance within the FAS or greater area.

4e. If Alternative B or C is adopted; the removal of the old boat ramp and the construction of the new one would not lead to the spread of noxious weeds. FWP managers already have an effective weed management program in place at Indian Fort FAS, and the proposed renovations themselves would not affect the weed situation. However, if Alternative D is not adopted, uncontrolled noxious weeds from the adjacent DNRC property will continue to be spread on Indian Fort FAS property, leading to increased costs and the likelihood that weeds are being spread to downstream locations from the DNRC property. If Alternative D is adopted, the Department would immediately begin weed control measures on the DNRC property, including general spraying, biological control, spot spraying and hand pulling. Managers would also erect interior fencing and other physical obstacles to curtail off-road use of the property, thereby limiting the spread of weeds within the site. Noxious weeds are already monitored and controlled at Indian Fort FAS by FWP staff in accordance with methods outlined in the Region 5 Weed Management Plan and the Stillwater County Weed Board, and this control would continue after project completion.

** 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				5f.
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X		yes	5g.
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.)						
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.)						
j. Other:		X				

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

5f. A search of the Montana Natural Heritage Program Database did not yield any documented observations of endangered, threatened, or sensitive species on Indian Fort FAS or the adjoining DNRC property. Bald Eagles, a threatened species, are fairly common along the Yellowstone River and have been documented at upstream and downstream locations (please see Appendix 2). Because of the limited development proposed and the distance involved, the proposed development and acquisition would not be likely to adversely impact this species.

5g. The proposed improvements would likely cause an increase in site visitation, which could cause additional stress to wildlife populations. However, the proposed projects would concentrate visitors in designated areas, thus reducing stress to wildlife in remaining undisturbed areas and therefore minimizing any negative effects of these proposals.

B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS 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			6a.
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 Effects on Noise/Electrical Effects (attach additional pages of narrative if needed):

6a. There would be a temporary increase in noise level during removal and construction of the boat ramps and possible parking areas and road extensions, but it would not be excessive and would end after completion. No homeowners live close enough to the site to be affected. Likewise, there may be a very slight increase in noise associated with increased visitation to the site, but the overall noise level would still be very low and very unlikely to affect any homeowners in the area.

7. LAND USE 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				7a.
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):

7a. The proposed project would not alter or interfere with the productivity or profitability of existing land use in the area.

8. RISK/HEALTH HAZARDS 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		yes	8a.
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)						
e. Other:		X				

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

8a. The MFWP Region 5 Weed Management Plan calls for an integrated method of managing weeds, including the use of herbicides. The use of herbicides would be in compliance with application guidelines. Herbicides have been used at Indian Fort FAS in the past without incident, and the proposed development should not affect that record. Where appropriate, weeds would also be controlled using mechanical methods in certain areas. The latrine vault incorporated into Alternative D would be pumped as needed to manage collected human waste. There is a slight potential for petroleum products to enter the water from towing vehicles at the boat ramp.

In cooperation with Stillwater County and other partners, FWP has established thriving populations of spurge flea and long-horn beetles that have made a dramatic reduction of leafy spurge. This effort will continue and be expanded if the DNRC land is acquired.

9. COMMUNITY IMPACT 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 positive			9c.
d. Changes in industrial or commercial activity?			X positive			9d.
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			X			9e.
f. Other:		X				

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

9c. The proposed renovations and possible acquisition would make Indian Fort a more attractive site for boaters in the immediate and surrounding areas. Visitation would likely rise slightly as a result, which would result in increased expenditures in the town of Reedpoint on items such as gas, food, and other supplies. The increase would not be significant (please see attached Tourism Report).

9d. The rise in visitation to Indian Fort FAS might result in an increase in employment opportunities in the town of Reedpoint.

9e. The anticipated rise in visitation to the FAS prompted by the proposed project would lead to an equal increase in traffic on roads leading to the site. The entrance into the site is visible and this increase would not create a significant traffic hazard.

10. PUBLIC SERVICES/TAXES/UTILITIES 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				
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):

10e. The proposed project would be funded through State funding sources and federal motorboat funding if deemed appropriate.

10f. Projected maintenance costs vary by alternative. In Alternatives B and C, there would be very little additional costs incurred, as the caretaker time would be absorbed by the Region and additional weed control at those locations would be minimal--$40-$60 a year. In alternative D, weed control in the first year would be about $400 to deal with the high weed numbers, $250 in the second year, and $200 per year from then on to maintain control. The latrine pumping would cost approximately $300 per year, for a total of $700 in the first year, $550 in the second, and $500 from the third year on.

** 11. AESTHETICS/RECREATION 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 positive			11c.
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.)						
e. Other:		X				

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

11c. The proposed project at Indian Fort FAS would improve the recreational opportunities for the public by restoring boat access to the Yellowstone River at this location. See Attachment A for Tourism Report.

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT *				Can Impact 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				12a.
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.)						
e. Other:		X				

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

12a. According to SHPO records there have been no previously recorded historic or archaeological sites within the designated search locale. Please see Attachment B for clearance letter.

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE 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				13a.
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):

13a. This evaluation of the proposed project revealed no significant impacts to the human or physical environment.

APPENDIX 1
HB495
PROJECT QUALIFICATION CHECKLIST

Date March 24, 2005 **Person Reviewing** Linnaea Schroeer-Smith

Project Location: Indian Fort FAS, Stillwater County

Description of Proposed Work: Montana Fish, Wildlife & Parks proposes to renovate Indian Fort FAS by removing the old, unusable boat ramp and constructing a new boat ramp in one of three possible locations. Depending on which alternative is chosen, a small parking area and access road would also be developed. Also included in this EA is the possible acquisition of a 32-acre parcel directly east of the FAS owned by DNRC. If approved, MFWP would secure this parcel through a lease, land-use license, or permanent easement.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under HB 495 rules. (Please check _ all that apply and comment as necessary.)

[√] **A.** **New roadway or trail built over undisturbed land?**
Comments: A short (100) yard section of road is proposed in Alternative D. The roadbed would be built partly on undisturbed land and partly on disturbed land.

[ ] **B.** **New building construction (buildings <100 sf and vault latrines exempt)?**
Comments: None

[√] **C.** **Any excavation of 20 c.y. or greater?**
Comments: The construction outlined in alternatives B and D would likely entail excavation of 20 c.y. or greater of earth.

[√] **D.** **New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?**
Comments: The parking lot proposed in Alternative D would be partially built on developed land currently used informally by recreationists.

[ ] **E.** **Any new shoreline alteration that exceeds a double wide boat ramp or handicapped fishing station?**
Comments: The proposed boat ramp construction does not exceed this limit.

[√] **F.** **Any new construction into lakes, reservoirs, or streams?**
Comments: One boat ramp is proposed being constructed.

[ ] G. **Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?**
Comments: None.

10/99s
ed

[ ] **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: None.

[ ] **J.** **Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?**
Comments: No. If Alternative D is chosen and MFWP does acquire the DNRC land, the land would continue to be used as it has in the past—for access to the Yellowstone River.

If any of the above are checked, HB 495 rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

APPENDIX 2

Threatened and Sensitive Species in the Indian Fort FAS Area

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (nhp.nris.state.mt.us/eoportal) indicates the following occurrence of federally listed threatened, endangered, or proposed threatened or endangered plant or animal species in the greater area of the proposed project site.

Threatened Species

Haliaeetus leucocephalus (Bald Eagle). The Montana Natural Heritage Program database indicates that bald eagles occur in at least two places near the proposed project site. One occurrence is approximately ¾ of a mile upstream, the other occurrence is about 4 miles downstream. No other information about these populations such as number of individuals, date of last sighting, breeding status, etc. was available.

ATTACHMENTS

A. Tourism Report – Department of Commerce
B. Clearance Letter – State Historic Preservation Office
C. Threatened and Sensitive Species Map in the Indian Fort FAS area
D. Preliminary Geologic Interpretation and Determination of Ownership Status for Indian Fort Study Area, Yellowstone River, MT. (Cover, complete report available from DNRC or FWP – Region Five)

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: Indian Fort FAS renovations and acquisition

Project Location: The proposed project location is Indian Fort FAS, in Stillwater County, T1S R18 E Sec. 30, Lots 3, 4, 5, and 6.

Project Description: Montana Fish, Wildlife & Parks proposes to renovate Indian Fort FAS by removing the old, unusable boat ramp and constructing a new boat ramp in one of two possible locations determined in part by public input. The current boat ramp was washed out several years ago and has been unusable since. Montana FWP is also proposing to purchase adjacent DNRC property and add it to Indian Fort FAS, as the public has been using the property extensively and the Department would like to continue to provide public access while regulating use and establishing site-control measures.

1. Would this site development project have an impact on the tourism economy?
   NO **YES** If YES, briefly describe:

As described, the project appears to improve the opportunity for public use, visitor and resident, so that benefits can come from the tourism economy.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?
   NO **YES** If YES, briefly describe:

As described, the project appears to improve both the quality and quantity of opportunities and settings for recreation in this area. Public input on locations will be beneficial in assisting FWP to determine the most useful site to develop public access.

Signature (Victor Bjornberg) Date 4/11/05

MONTANA HISTORICAL SOCIETY

225 Nor[illegible] ✣ P.O. Box 201201 ✣ Helena, MT 59620-1201
✣ (406) 444-26[illegible] ✣ F[illegible] (406) 444-2696 ✣ www.montanahistoricalsociety.org ✣

RECEIVED
MAR 3 2005
DESIGN & CONSTRUCTION
DEPT. OF FISH, WILDLIFE & PARKS

March 28, 2005

Paul Valle
FWP
PO Box 200701
Helena MT 59620-0701

RE: INDIAN FORT FAS, REED POINT. SHPO Project #: 2005032801

Dear Mr. Valle:

I have conducted a cultural resource file search for the above-cited project located in Section 30, T1S R18E. According to our records there have been no previously recorded historic or archaeological sites within the designated search locale. There has been one previously conducted cultural resource inventory done in the area. Larry Lahren conducted a *Cultural Resource Inspections of the Indian Fort Fishing Access Site, Reed Point, Montana* in March 1979 (ST 6 9685). you would like any further information regarding the report you may contact me at the number listed below.

We feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should cultural materials be inadvertently discovered during this project we would ask that our office be contacted and the site investigated. Thank you for consulting with us.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at dmurdo@mt.gov.

Sincerely,

Damon Murdo
Cultural Records Manager

File: FWP/PARKS/2005

MONTANA
Natural Heritage
Program

P.O. Box 201800 • 1515 East Sixth Avenue • Helena, MT 59620-1800 • fax 406.444.0581 • tel 406.444.5354 • http://mtnhp.org

March 24, 2005

Linnaea Schroeer-Smith
Montana Department of Fish Wildlife and Parks
Helena, Montana 59620

Dear Linnaea,

I am writing in response to your request for information on plant and animal species of special concern in the vicinity of the Indian Fort FAS Improvements in Section 30, T01S, R18E, Stillwater County. We checked our databases for information in this general area and have enclosed 1 species of concern report and one map.

Please keep in mind the following when using and interpreting the enclosed information and maps:

(1) These materials are the result of a search of our database for species of concern that occur in an area defined by requested township, range and section with an additional one-mile buffer surrounding the requested area. This is done to provide you with a more inclusive set of records and to capture records that may be immediately adjacent to the requested area. Reports are provided for the species of concern that are located in your requested area with a one-mile buffer. Species of concern outside of this area may be depicted on the map but are not reported.

(2) On the map, polygons represent one or more source features as well as the locational uncertainty associated with the source features. A source feature is a point, line, or polygon that is the basic mapping unit of an EO Representation. The recorded location of the occurrence may vary from its true location due to many factors, including the level of expertise of the data collector, differences in survey techniques and equipment used, and the amount and type of information obtained. Therefore, this inaccuracy is characterized as locational uncertainty, and is now incorporated in the representation of an EO. If you have a question concerning a specific EO, please do not hesitate to contact us.

(3) This report may include sensitive data, and is not intended for general distribution, publication or for use outside of your agency. In particular, public release of specific location information may jeopardize the welfare of threatened, endangered, or sensitive species or communities.

(4) The accompanying map(s) display management status, which may differ from ownership. Also, this report may include data from privately owned lands, and approval by the landowner is advisable if specific location information is considered for distribution. Features shown on this map do not imply public access to any lands.

(5) Additional biological data for the search area(s) may be available from other sources. We suggest you contact the U.S. Fish and Wildlife Service for any additional information on threatened and endangered species (406-449-5225). Also, significant gaps exist in the Heritage Program's fisheries data, and we suggest you contact the Montana Rivers Information System for information related to your area of interest (406-444-3345).

(6) Additional information on species habitat, ecology and management is available on our web site in the Plant and Animal Field Guides, which we encourage you to consult for valuable information. You can access these guides at http://mtnhp.org. General information on any species can be found by accessing the link to NatureServe Explorer.

The results of a data search by the Montana Natural Heritage Program reflect the current status of our data collection efforts. These results are not intended as a final statement on sensitive species within a given area, or as a substitute for on-site surveys, which may be required for environmental assessments. The information is intended for project screening only with respect to species of concern, and not as a determination of environmental impacts, which should be gained in consultation with appropriate agencies and authorities.

I hope the enclosed information is helpful to you. Please feel free to contact me at (406) 444-3290 or via my e-mail address below should you have any questions or require additional information.

Sincerely,

Martin P. Miller
Montana Natural Heritage Program
martinm@mt.gov

MONTANA Natural Heritage Program
Natural Resource Information System
Montana State Library
PO Box 201800
Helena, MT 59620-1800
(406) 444-3009 mtnhp@state.mt.us

Species of Concern Data Report

Thursday, March 24, 2005

Visit http://mtnhp.org for additional information.

Haliaeetus leucocephalus

Map Label: 392

Common Name: Bald Eagle

Species of Concern (Y) / Potential Concern W): Y

Element Subnational ID: 11331

EO Number: 836

Description: Vertebrate Animal

Natural Heritage Ranks:

State: S3
Global: G4

Federal Agency Status:

U.S. Fish & Wildlife Service: LT, PDL
U.S. Forest Service: THREATENED
U.S. Bureau of Land Management: SPECIAL STATUS

Survey Site: Yellowstone River Corridor
Survey Date:
First Observation Date:
Last Observation Date:
Acreage: 53,590
Min Elevation Feet: 2,270
Max Elevation Feet: 6,800

EO Data

General Comment

General Description

Montana Species of Concern
Indian Fort FAS Improvements

Species of Concern

- Vascular Plant
- Nonvascular Plant
- Other Botanical
- Vertebrate Animal
- Invertebrate Animal
- Other Zoological
- Animal Inferred Extent

Land Management

- US Bureau of Land Management
- US Bureau of Reclamation
- US Fish and Wildlife Service
- National Park Service
- US Forest Service
- Other USDA
- Army Corps of Engineers
- Other Department of Defense
- Undifferentiated state
- DNRC (state trust lands)
- Montana Fish, Wildlife & Parks
- University, Institutions, MDT
- DNRC (water project lands)
- Local Government
- Bureau of Indian Affairs Trust
- Tribal Lands
- Plum Creek
- Private Land Trusts

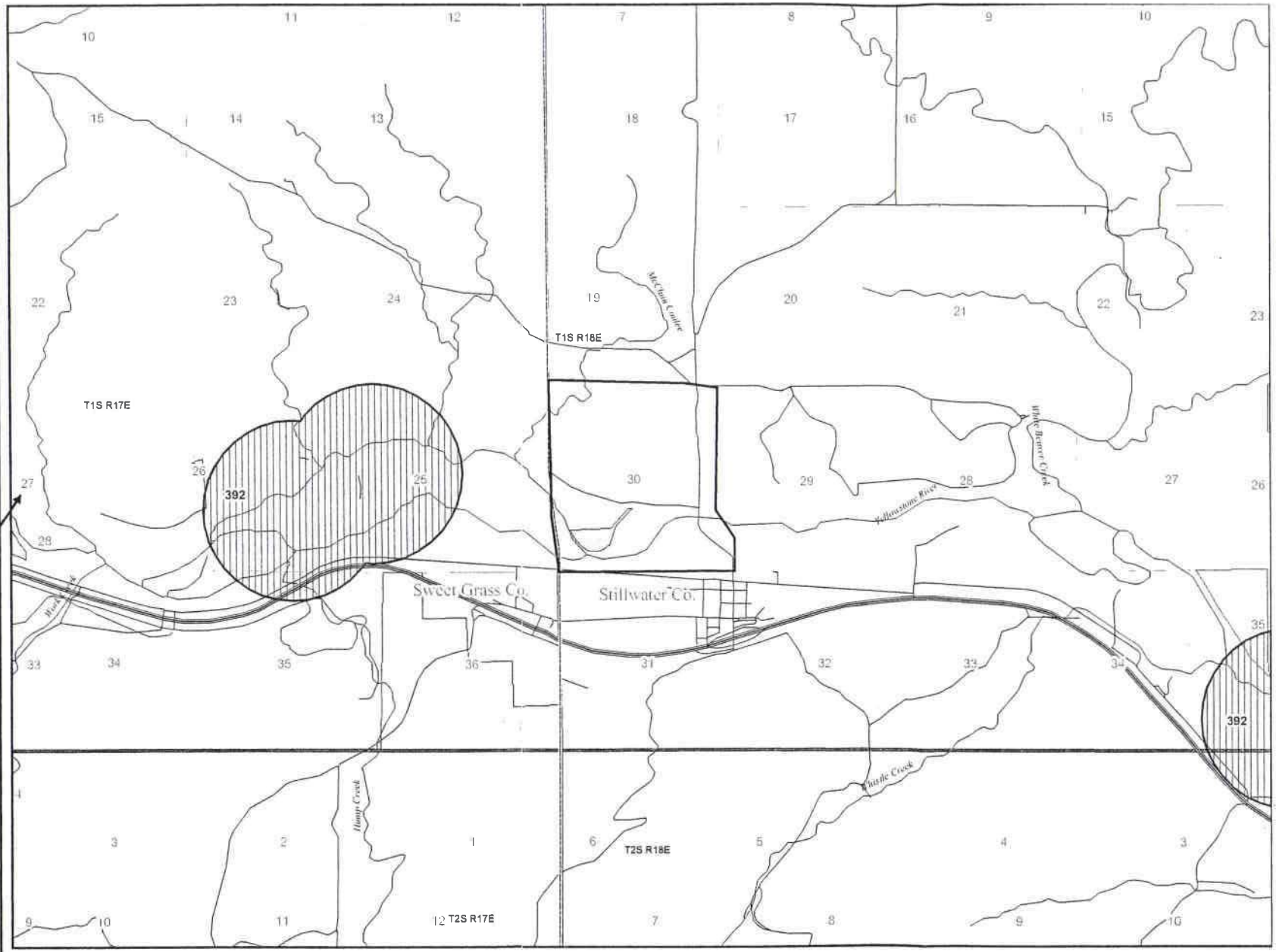
Not all legend items may occur on the map.

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

This map displays management status, which may vary from ownership.

Refer to accompanying documentation for full explanation of map features.

Montana Natural Heritage Program
Natural Resource Information System
Montana State Library
PO Box 201800
Helena, MT 59620-1800
(406) 444-3009 mnhp@state.mt.us



Map Document: (K:\APP_Request\Requests\05fwp0049\05fwp0049.mxd)
3/24/2005

Preliminary Geologic Interpretation and Determination of Ownership Status for Indian Fort Study Area, Yellowstone River, MT in part of S½ of Section 30, T1S, R18E, M.P.M., Stillwater County, Montana and part of Section 25, T1S, R17E, M.P.M. Sweet Grass County, Montana

By
Teresa Kinley, Geologist/Hydrologist

Minerals Management Bureau, Trust Land Management Division
Montana Department Of Natural Resources and Conservation
June 30, 2004

SUMMARY

This preliminary geologic report considers three landforms, IF1, IF2, and IF3, primarily in Section 30, T1S, R18E, Montana Principal Meridian (M.P.M.). Based on the available evidence, the State of Montana has an ownership claim to Indian Fort Island IF2 and accretions to this island. The approximate acreage in this area is 32 acres, more or less.

The available maps and aerial photographs provide evidence that island IF2 formed out of the Yellowstone River bed after the date of Montana statehood, November 8, 1889. Therefore, this island and accretions to it would be claimed by the MT-DNRC Trust Land Management Division based on Montana statutes and case law. Field work could provide additional evidence for the State's ownership claim and more specifically locate the boundary between state and private land. Field work would be necessary for a more definitive interpretation and determination for landform IF3 and part of landform IF1.