Draft
Environmental Assessment

POINDEXTER SLOUGH
Fishing Access Site
Development Project

June 2008

Montana Fish, Wildlife & Parks

Poindexter Slough Fishing Access Site
Development Project
Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Proposed state action:**
Montana Fish, Wildlife & Parks proposes to improve parking facilities at the Poindexter Slough Fishing Access Site (FAS). The Beaverhead River runs through this site. The proposed project includes development of a new parking area, signage and fence repair north of Highway 91. In the future, if funding allows, a cattle guard will be added near the entry of the new parking lot as well as a new vault latrine.

2. **Agency authority for the proposed action:** The 1977 Montana Legislature enacted statute 87-1-605, which directs Fish, Wildlife & Parks (FWP) to acquire, develop and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the fishing access site program would be implemented.

3. **Name of project:** Poindexter Slough FAS Development Project

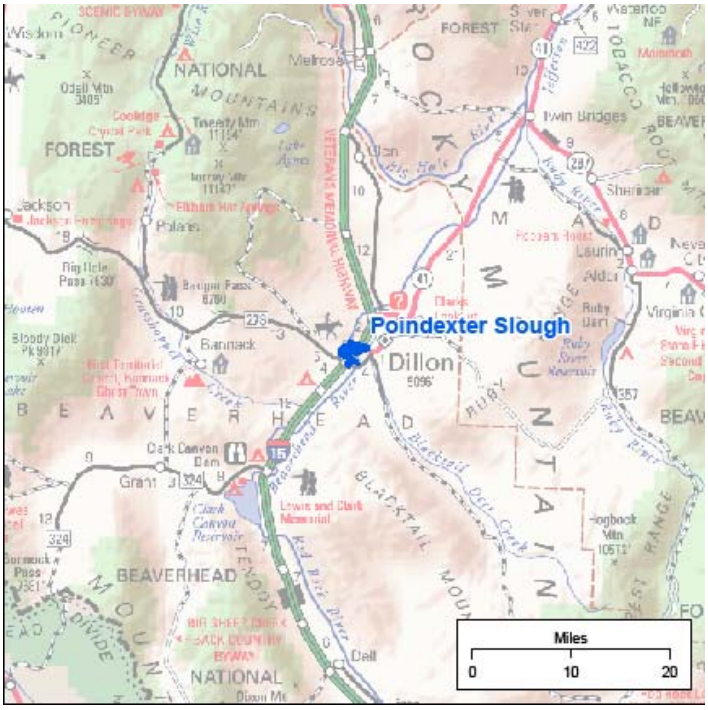
4. **Name, address and phone number of project sponsor:**
Montana Fish, Wildlife, & Parks
1400 South 19th
Bozeman MT 59718-5496
406-944-3552.

5. **Anticipated Schedule:**
Estimated Construction/Commencement Date: Fall 2008
Estimated Completion Date: Fall 2008
Current Status of Project Design (% complete): 35%

6. **Location:** Poindexter Slough FAS is located in Beaverhead County, T7S, R9W, sections 34 and 35. The site is approximately 3 miles south of Dillon on Montana Highway 91.

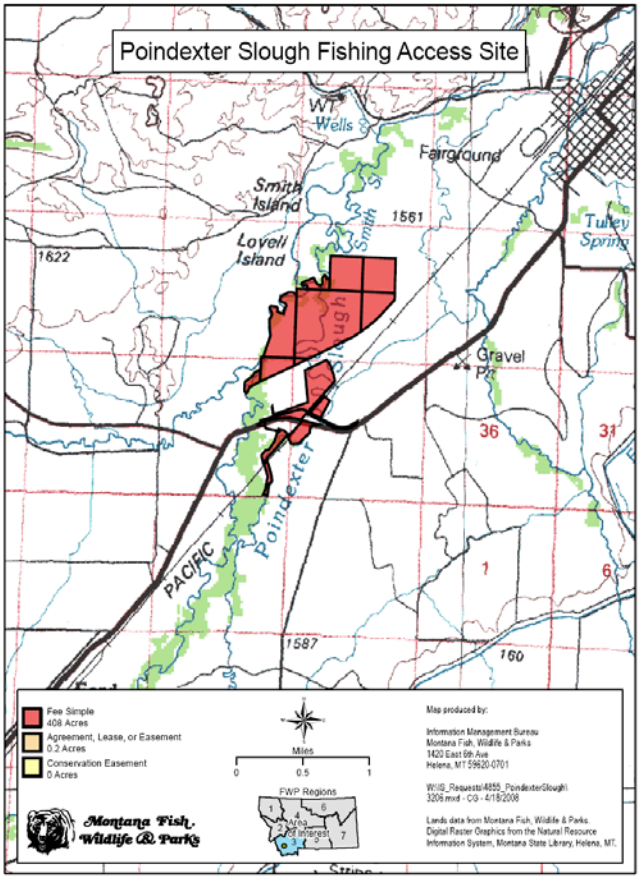
Figure 1
Approximate location of the Poindexter Slough FAS

Figure 2
Poindexter Slough
FAS Location



The Poindexter Slough FAS site consists of multiple parcels totaling 408 acres. Due to the size of this site and the division of the parcels due to highways and roads, railroad tracks, and private land parcels among the FWP property, the proposed improvements should alleviate the need to trespass and cross railroad tracks to access the water at the Poindexter Slough FAS north of Highway 91.

Figure 3:
Poindexter Slough
Parcel Map



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

	Acres		Acres
(a) Developed:		(d) Floodplain	0
Residential	0		
Industrial	0	(e) Productive:	
		Irrigated cropland	0
(b) Open Space/Woodlands/Recreation	.44	Dry cropland	0
		Forestry	0
(c) Wetlands/Riparian Areas	0	Rangeland	0
		Other	0

8. Local, State or Federal agencies with overlapping or additional jurisdiction.

(a) Permits: permits will be filed at least 2 months prior to project start.

Agency Name	Permit
Beaverhead County	Flood Plain Permit
Beaverhead County	Sanitation Permit *

* Note the sanitation permit would be applied for in the future when funding allows for a vault latrine to the proposed new parking area.

(b) Funding:

Agency Name	Amount
Montana Fish, Wildlife & Parks	$25,000

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

The Poindexter Slough Fishing Access Site is located approximately 3 miles south of Dillon on Highway 91. The Poindexter Slough spring creek and the Beaverhead River run through this site. This site includes two parking areas, one on each side of the highway. The existing parking lot north of the highway is to the east of the railroad tracks and the proposed project area is to the west of the tracks. The location of the existing parking lot to the north of the highway requires visitors to walk across the railroad tracks to access the water. The new parking lot will provide safer access to the water without trespassing across the railroad tracks. The proposed project includes establishing a new parking area, highway and regulation signage, and fence repair along the broken areas bordering the FAS property. The new lot will provide better direct access to the water.

The purpose of the proposed development is to improve the safety of recreationists visiting this site. The proposed development will provide better public access to area anglers in addition to increasing other general public recreational opportunities with the additional parking area near Poindexter Slough and the Beaverhead River.

Figures 4 and 5 show the preliminary site plan and the relation of the railroad to the parking area and a close up view of the preliminary work plan in the proposed parking lot.

Figure 4 Poindexter Slough Overall Concept Plan

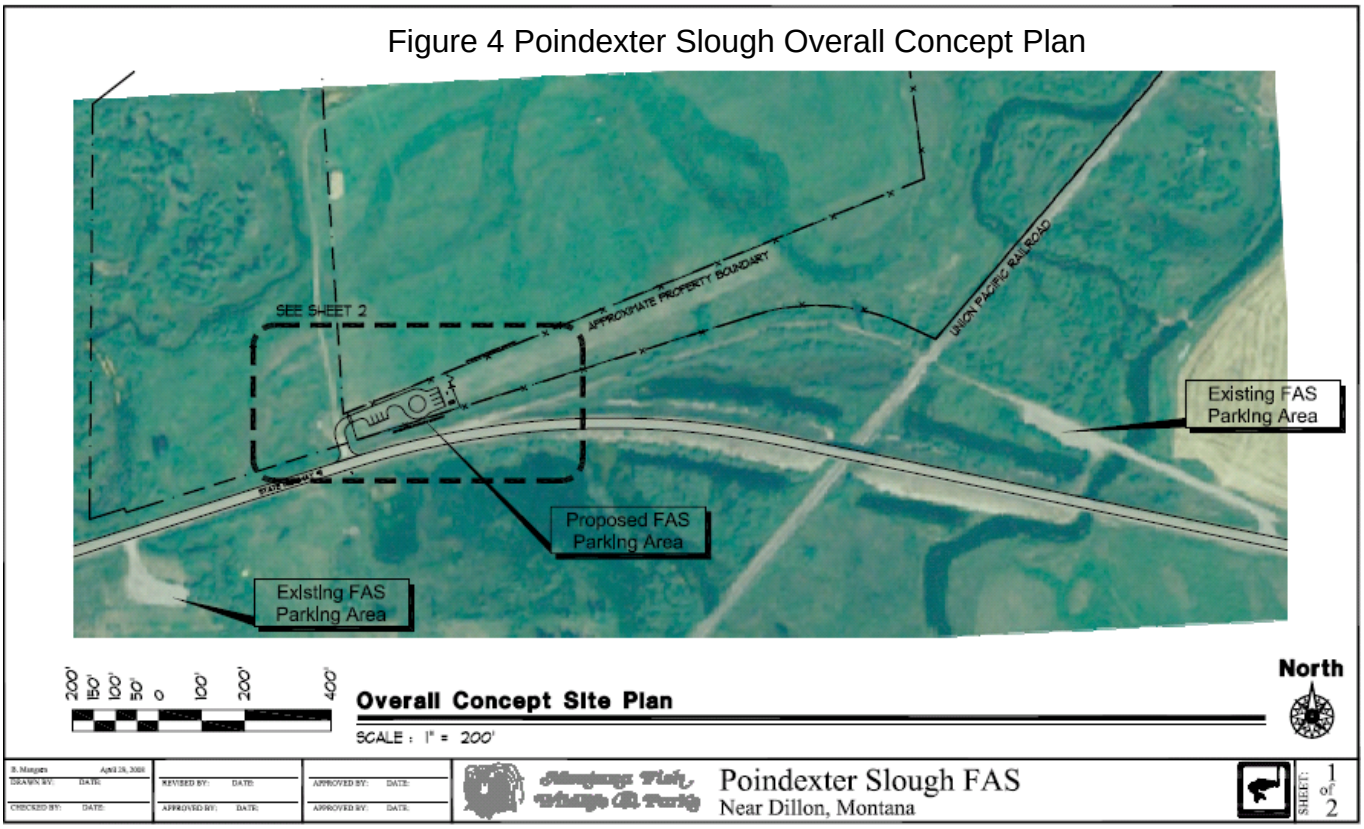
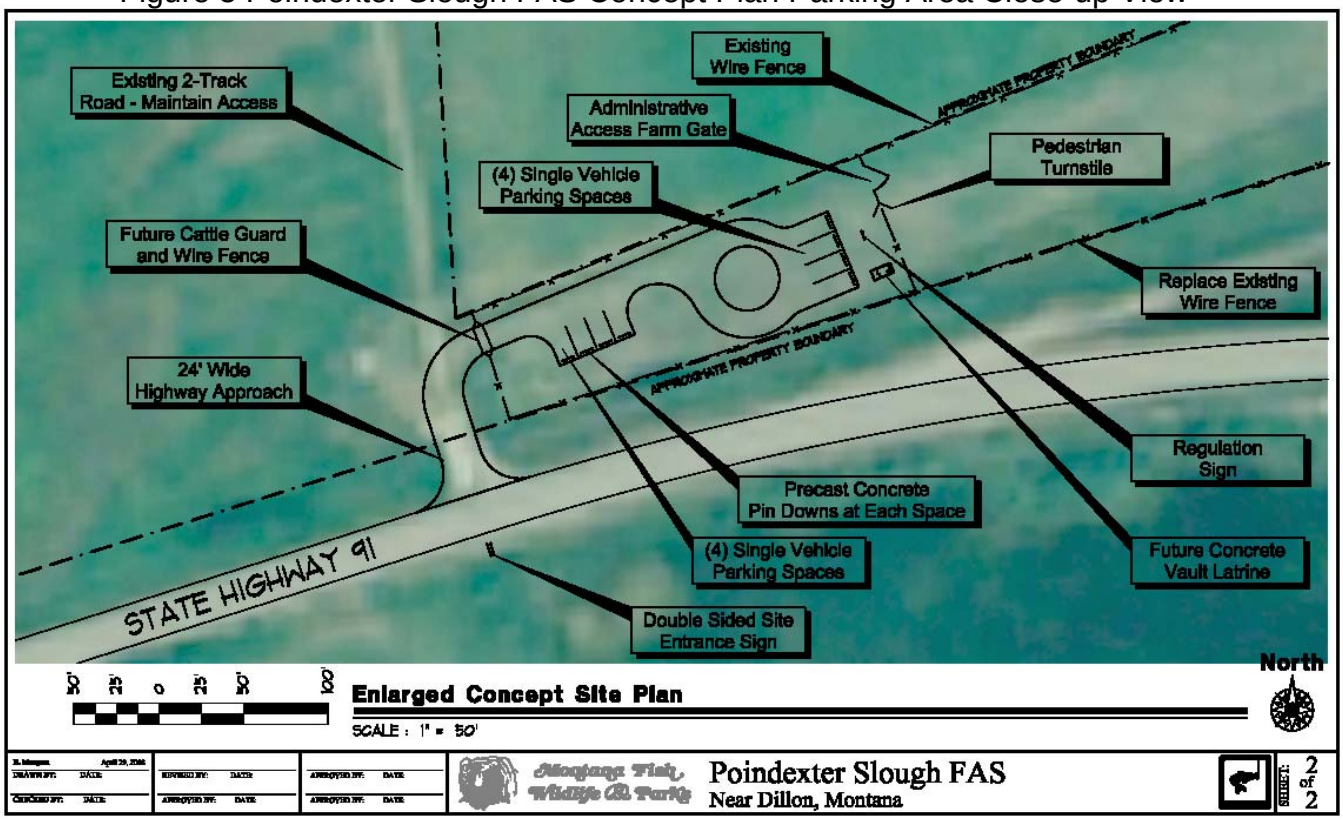


Figure 5 Poindexter Slough FAS Concept Plan Parking Area Close-up View



In the future as funding allows, additional work proposed includes adding a cattle guard across the entry way to the new parking lot to prevent unwanted cattle and horses from entering the parking area as well as the addition of a vault latrine for the convenience of the visitors using the new parking lot at Poindexter Slough FAS.

The Union Pacific (UP) Railroad has posted no trespassing signs to keep people off their right-of-way and from crossing the tracks. However, people continue to cross the tracks in order to access the water. UP contacted FWP Enforcement staff and regional staff to address the trespassing and safety concerns for access at this site. The proposed new parking lot addresses the concerns by providing access to the water without trespassing across the railroad tracks.

Figure 5
Poindexter Slough
Train on Tracks

The benefits of the proposed project include safer access to the water for users at the Poindexter Slough FAS and an additional parking area. These improvements will provide safer public access to a high-quality fishery and the establishment of site protection measures. The development of the Poindexter Slough FAS would add to safe public recreational opportunities in the region. The existing parking lot north of the highway will remain open for access to other parts of the FAS used by visitors.

The state and regional rankings for Poindexter Slough FAS are in the top 5% for fishing pressure of FWP managed bodies of water. The proposed development would increase public recreational opportunities with no significant negative impacts and has positive impact by improving the safety of anglers accessing the Poindexter Slough FAS north of Highway 91. Poindexter Slough FAS fishing pressure is ranked 43rd (out of 1025) in FWP Region 3 and 212th (out of 4493) for the state for the number of angler days (1589 in 2005). Montana FWP would like to provide safer public access to area anglers with the addition of a new parking area to the north of Highway 91 that will allow access to Poindexter Slough without trespassing through the railroad right-of-way.

The fishing pressure for Poindexter Slough FAS is shown in Figure 6 below. The number of angler days on the Poindexter Slough FAS varies in part due to the water level and the flow from the Beaverhead River into the slough.

Figure 6
Poindexter Slough FAS FWP Use Estimates

Montana Fish Wildlife & Parks			
Statewide Angling Use Estimates			
Poindexter Slough FAS			
Year	**Angler Days**	**State Rank**	**Regional Rank**
1982	1791	232	51
1983	1607	251	51
1984	1038	270	57
1985	1399	239	54
1989	1874	723	150
1991	721	313	64
1993	1098	242	46
1995	1714	204	38
1997	3014	145	30
1999	2932	159	32
2001	4095	125	27
2003	2757	155	33
2005	1589	212	43

The Beaverhead River angler days contributes to the fishing pressure (angler days) on Poindexter Slough FAS as the FAS cannot be segregated from the total river pressure. The total modern pressure on the river generally exceeds 40,000 angler days per year under normal flow regimes according to the FWP Fisheries Biologist for the area. The total annual pressure generally exhibits more than 60% non-resident participation, so it is not just being used by the residents of Dillon or Montana in general.

This proposed project establishing a new parking area for Poindexter Slough FAS is consistent with long-term goals set by the Montana Fish, Wildlife & Parks agency staff to maintain public fishing access sites in such a way as to protect the site as well as providing for the public's safety and enjoyment of angling and water-based recreation.

PART II. ENVIRONMENTAL REVIEW

1. Description and analysis of reasonable alternatives:

Alternative A: No Action

If no action were taken, the Poindexter Slough FAS parking area would continue to lead to a trail that is used by visitors to cross the railroad tracks to access the water. No action will result in FAS anglers trespassing to access the water and may result in unsafe access to the water.

Alternative B: Proposed Action

In the preferred alternative, FWP would establish a new parking area, as well as a regulation sign, a highway sign and fence repair along the FAS property boundary. This new parking area provides access to the water without having to cross the railroad tracks, resulting in safer access to the water. The benefits of the proposed action include safer access to the water for anglers at the FAS in addition to more parking and safe access for other public recreational opportunities in the area. These improvements will provide safer public access to a high-quality fishery and the establishment of site protection measures.

The proposed work is budgeted at $25,000. In the future as funding allows, additional work includes adding a cattle guard across the entry way to the new parking lot to prevent cattle and horses from entering the parking area as well as the addition of a vault latrine for the convenience of the visitors using the new parking lot at Poindexter Slough FAS.

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 other controls associated with the actions. Therefore, no evaluation is necessary.

3. Private Property Regulatory Restrictions:

Actions described in this environmental analysis do not regulate the use of private, tangible personal property, and therefore do not require an evaluation of regulatory restrictions on private property.

PART III. ENVIRONMENTAL REVIEW CHECKLIST

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		Yes	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				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

1b. Soil would be disturbed and covered during the construction of the parking area. Disturbed areas not covered by parking lot or road would be re-seeded or otherwise reclaimed. Negative impacts can be mitigated by the adherence to Best Management Practices (BMP's) during all phases of construction. See Appendix 5 for the BMP's.

In the future when funding allows, a vault latrine will be placed within the new parking area. Negative impacts can be mitigated by the adherence to the Best Management Practice's (BMP's) during all phases of construction. See Appendix 5 for the BMP's.

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

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

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

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

2. 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		No	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.)		X				

2a. Minor and temporary dust and vehicle emissions will be created by heavy equipment during construction of the parking lot and approach.

2b. A vault latrine may be installed in the future if funding allows and will be maintained regularly to avoid offensive odors. A sanitation permit will be obtained in the future prior to installation.

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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				
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				3h.
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		X				
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				

It is unlikely that the proposed project would result in any discharge into adjacent surface water. FWP would ensure that Best Management Practices were employed during construction to minimize that risk. See Appendix 5 for the Best Management Practices.

3h. In the future when funding allows, a vault latrine will be added to the project area. FWP will follow the Best Management Practices during all phases of construction to minimize risks associated with the vault latrine.

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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		No	4a.
b. Alteration of a plant community?			X		No	4b.
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		Yes	4e.
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				

4a. The proposed project total area for the new parking area is approximately 0.44 acres and would require the removal of approximately 0.24 acre of vegetation for the parking lot and road leading to the new lot. Vegetation in the project area is composed mostly of native and non-native grasses. These plant species are common and abundant locally and regionally. The overall effect would not be significant.

Figure 7
Vegetation to be removed
For new parking area

4b. Please see comment 4a.

4e. Canada thistle, spotted knapweed and hounds-tongue have been identified at this FAS, but at relatively low densities. Disturbed soils at the edges of the proposed parking lot could become colonized by noxious weeds and will be monitored. The entire site will be actively managed for noxious weeds under the FWP Region Three Weed Management Plan which utilizes mechanical, chemical, and biological methods to prevent and control noxious weeds.

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

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

5f. A search of the Natural Resources Information System provided by the Montana Natural Heritage Program showed that the project area is within gray wolf, bald eagle, bobolink, and ferruginous hawk habitat. Adjacent to the FAS, closer to Dillon, is pygmy rabbit habitat. The FWP Wildlife Manager for the area did not have any concerns on the impact of wildlife in the area with the additional parking area in the proposed project.

Wolves were removed from the federal Endangered Species List in late March 2008. However, legal challenges are already underway. FWP is committed to maintaining a secure, recovered population and will manage for 400 or more wolves. Today, 422 wolves inhabit Montana in about 73 packs and 39 breeding pairs. The FWP Montana Interim Wolf Management Areas with 2007 Pack locations shows no wolf packs in this general area.

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

No bald eagle nests have been observed in the project area, although it is likely that they utilize habitat within the area to some degree. FWP staff have observed bald eagles in flight in this area.

No bobolinks or bobolink nests have been observed in the project area, although it is likely that they utilize habitat within the area to some degree.

No ferruginous hawk nests have been observed in the project area, although it is likely that they utilize habitat within the area to some degree as ferruginous hawks have been observed in flight by FWP staff in the area.

Please see Appendix 2 for more information on these species.

5g. The increased presence of recreationists on the property could cause stress to wildlife populations. Since the site is well-used by the public, limited added stress may result. However, visitation would not be expected to ever be high, and most wildlife species present on the parcel are probably accustomed to human presence given the site's proximity to Dillon.

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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				

6a. There would be a temporary increase in noise level during construction that would end after completion of the project. Adjacent landowners will be notified and should not be affected.

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				
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				

The proposed action would not alter or interfere with the productivity or profitability of the existing land use, nor does it conflict with a designated natural area or area of unusual scientific or educational importance.

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

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

8. 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)		X				

8a. The FWP Region 3 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 and conducted by people trained in safe handling techniques. Weeds would also be controlled using mechanical or biological means in certain areas to reduce the risk of chemical spills or water contamination.

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				
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		Yes	9e.

9e. The new parking area will lead to safe access to the river and slough and should result in decreased trespassing crossing the railroad tracks to access the water at the old parking area. This new parking area should improve the visitor experiences and visitor safety at this site. The effects to transportation will have a positive impact.

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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.

10e. The estimated budget of the proposed improvements is $25,000 for the preferred Alternative B. The revenue source is an account set aside for Fishing Access Sites funded with license money.

10f. Poindexter Slough Fishing Access Site annual maintenance costs are expected to average $2800 including pumping of the latrine at the original parking area and for all parking areas includes litter removal, caretaker work, weed control, etc. Maintenance costs are part of the Parks Operations and Maintenance budget.

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

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

** 11. 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		yes	11a.
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		yes	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.)		X				

11a. The proposed project will add a developed road and parking lot where none now exists. The parking lot will be primarily visible from the highway. The site provides public access and is in the public view. Annual maintenance for this FAS includes caretaker work and weed control which should mitigate the effects of the use of the area.

11c. The proposed project will improve recreational opportunities and will increase the quality of recreation at this site. There may be a moderate increase in the quantity of visitors due to the improvements. Visitors may continue to use the old parking area to access other parts of the FAS, but those seeking access to the river would be likely to use the new access to avoid the railroad tracks. See Appendix 3 for the Department of Commerce Tourism Report.

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

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

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

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

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.)		X				

12a. The proposed action would not destroy or alter any site, structure or object of historic importance. The State Historic Preservation Office (SHPO) clearance has been obtained for the proposed project. Please see clearance letter in Appendix 4.

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

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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				

13a. This EA found no significant impacts to the human or physical environment from the proposed action.

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

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

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

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

PART IV. NARRATIVE EVALUATION AND COMMENT

The Poindexter Slough FAS is located three miles south of Dillon on Montana Highway 91 on the Beaverhead River 53 miles from the mouth on the right hand side as you face down stream. Corrals FAS is the next access site upstream from Poindexter Slough. Poindexter Slough is one of six managed sites on the Beaverhead River. The Beaverhead River is 75 miles long from the mouth of the river to the headwaters.

The proposed project establishes a new parking lot to provide safer access to the water without trespassing to cross the railroad tracks. The proposed project includes new signage and repairing the fence line in the areas it has fallen down bordering the FAS property line. The repaired fence will deter the anglers from using the old pathway and would encourage anglers to use the new parking lot with the direct access to the water.

The purpose of the proposed development is to improve the safety of recreationists visiting this site. These improvements will provide safer public access to a high-quality fishery and the establishment of site protection measures. Montana FWP would like to provide safer public access to area anglers with the addition of a new parking area to the north of Highway 91 that will allow access to the FAS without trespassing or crossing railroad tracks.

PART V. 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 press releases in the *Helena Independent Record,* the *Dillon Tribune*, and *Montana Standard.* A public notice will also be posted on the Fish, Wildlife & Parks web page: **http://fwp.mt.gov/publicnotices** . Individual notices will be sent to the neighboring landowners to ensure their knowledge of the proposed project. This level of public notice and involvement is appropriate for the scope of this project with limited impacts, many of which can be mitigated.

2. **Duration of comment period:**
   A 30-day comment period is proposed as appropriate for the scale of project. The comment period will extend for 30 days following the publication in area newspapers. Comments will be accepted until 5pm July 21, 2008. Send comments to:

Mailed to:	Emailed to:	Phoned to:
Jerry Walker Regional Parks Manager FWP Region 3 1400 South 19th Bozeman MT 59718-5496	gwalker@mt.gov	Jerry Walker at 406-994-3552

PART V. EA PREPARATION

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

Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment, this environmental review found no significant impacts from the proposed action. 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 would occur, or reasonable assurance that the impact would not occur. FWP assessed the 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 FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, 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:

Jerry Walker
Region 3 Parks Manager
1400 South 19th
Bozeman MT 59718-5496
406-994-3552

Pam Boggs
FWP EA Coordinator
PO Box 200701
Helena MT 59620-0701
406-444-5203

Allan Kuser
FWP FAS Coordinator
1420 East 6th Ave
Helena MT 59620
406-444-7885

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

Montana Fish, Wildlife & Parks
- Field Services Division, Design & Construction Bureau **and** Lands Bureau
- Enforcement Division
- Fisheries Division
- Parks Division
- Wildlife Division

Montana State Historic Preservation Office (SHPO)
Montana Department of Commerce – Tourism
Montana Natural Heritage Program – Natural Resources Information System (NRIS)

Appendices

1 HB495 Project Qualification Checklist
2 Montana Natural Heritage Program (MNHP) Native Species Report
3 Tourism Report – Department of Commerce
4 Clearance Letter – State Historic Preservation Office
5 Best Management Practices Final FAS BMP's – Department of Fish, Wildlife & Parks

Appendix 1

HB495
PROJECT QUALIFICATION CHECKLIST

Date April 4, 2008 **Person Reviewing** Pam Boggs

Project Location: Poindexter Slough FAS, Township 7 South, Range 9 West, sections 34 and 35 in Beaverhead County

Description of Proposed Work: Montana Fish, Wildlife & Parks proposes to develop new river access at the Poindexter Slough Fishing Access Site, including new highway signs, parking for four vehicles and an overflow parking area for another four vehicles. The existing highway approach will be flattened and improved.

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.)

[x] A. New roadway or trail built over undisturbed land?
Comments: Gravel surface road will be constructed over undisturbed land for access to a new parking area. Please see comment 1b, page 7, and comment 4a, page 10, for further discussion of this impact.

[ ] B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments: No

[x] C. Any excavation of 20 c.y. or greater?
Comments: Access to the new parking area will require excavation of .24 acre of undeveloped grassland area, following proper regulations and permitting. Please see comment 1b on page 7.

[x] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: The proposed parking area would be constructed using .24 acre of undisturbed land. Please see comment 1b on page 7, and comment 4a on page 10.

[ ] E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?
Comments: No

[ ] F. Any new construction into lakes, reservoirs, or streams?
Comments: No.

Appendix 1
(continued)

HB495
PROJECT QUALIFICATION CHECKLIST
(continued)

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

[ ] H. **Any new above ground utility lines?**
Comments: No

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

[ ] J. **Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?**
Comments: No

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

Sensitive Plants and Animals in the Poindexter Slough FAS Area

Species of Concern Terms and Definitions

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (http://nris.mt.gov) indicates no known occurrences of federally listed threatened, endangered, or proposed threatened or endangered plant species in the proposed project site. The search did indicate the project area is within gray wolf, bald eagle, bobolink and ferruginous hawk habitat. Adjacent to the FAS, closer to Dillon, is pygmy rabbit habitat. Please see the next page for more information on these species.

Montana Species of Concern. The term **"Species of Concern"** includes taxa that are at-risk or potentially at-risk due to rarity, restricted distribution, habitat loss, and/or other factors. The term also encompasses species that have a special designation by organizations or land management agencies in Montana including: Bureau of Land Management Special Status and Watch species; U.S. Forest Service Sensitive and Watch species; U.S. Fish and Wildlife Service Threatened, Endangered and Candidate species.

Status Ranks (Global and State)

The international network of Natural Heritage Programs employs a standardized ranking system to denote global (**G** -- range-wide) and state status (**S**) (Nature Serve 2003). Species are assigned numeric ranks ranging from 1 (critically imperiled) to 5 (demonstrably secure), reflecting the relative degree to which they are “at-risk”. Rank definitions are given below. A number of factors are considered in assigning ranks -- the number, size and distribution of known “occurrences” or populations, population trends (if known), habitat sensitivity, and threat. Factors in a species’ life history that make it especially vulnerable are also considered (e.g., dependence on a specific pollinator).

Status Ranks

Code	Definition
G1 S1	At high risk because of extremely limited and/or rapidly declining numbers, range, and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.
G2 S2	At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state.
G3 S3	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.
G4 S4	Uncommon but not rare (although it may be rare in parts of its range), and usually widespread. Apparently not vulnerable in most of its range, but possibly cause for long-term concern.
G5 S5	Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

Appendix 2
(continued)

Sensitive Plants and Animals in the Poindexter Slough FAS Area

1. Canis lupus (Gray Wolf)

Natural Heritage Ranks:	Federal Agency Status:
State: **S3**	U.S. Fish and Wildlife Service: **Endangered**
Global: **G4**	U.S. Forest Service: **Endangered**
	U.S. Bureau of Land Management: **Special Status**

Today, 422 wolves inhabit Montana in about 73 packs and 39 breeding pairs. No element occurrence of wolves were identified in the proximate area of the FAS.

2. *Haliaeetus leucocephalus* (Bald Eagle)

Natural Heritage Ranks:	Federal Agency Status:
State: **S3**	U.S. Fish and Wildlife Service: **DM**
Global: **G5**	U.S. Forest Service: Threatened
	U.S. Bureau of Land Management: **Special Status**

No element occurrence of the bald eagles were identified in the area.

3. *Dolichonyx oryzivorus* (Bobolink)

Natural Heritage Ranks:	Federal Agency Status:
State: **S2B**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service:
	U.S. Bureau of Land Management:

No element occurrence of bobolinks were identified in the area.

4. Buteo regalis (Ferruginous Hawk)

Natural Heritage Ranks:	Federal Agency Status:
State: **S2B**	U.S. Fish and Wildlife Service:
Global: **G4**	U.S. Forest Service:
	U.S. Bureau of Land Management: **Sensitive**

No element occurrence of the ferruginous hawk were identified in the area.

Information courtesy of Montana Natural Heritage Program.

Appendix 3
TOURISM REPORT
MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 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:

Carol Crockett
Travel Montana-Department of Commerce
301 S. Park Ave.
Helena, MT 59601

Project Name: Poindexter Slough Fishing Access Site Development

Project Description:
Montana Fish, Wildlife & Parks proposes to develop the facilities at the Poindexter Slough FAS. This site is located three miles south of Dillon on Highway 91. The Beaverhead River runs through this site. There are currently two parking lots, one to access the water on the north side of the highway and one to access the water on the south side of the highway. The existing parking lot north of the highway is to the right of the railroad tracks and the proposed project area is to the left of the tracks. The existing parking lot requires visitors to cross the tracks to access the water. The Union Pacific Railroad has posted no trespassing signs to keep people from crossing the tracks, however, people continue to cross the tracks in order to access the water. Following development, parking at the old site will continue but the new parking area will allow access to the water without trespassing and eliminating the safety concerns of crossing the tracks.

The proposed project includes development of a new parking area with 8 parking spaces, as well as a new highway sign. This development project will enhance visitor experience to the area and is expected to increase visitor satisfaction and safety.

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

Yes, as described, the project has the potential to positively impact the tourism and recreation industry economy.

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

Yes, as described, the project could improve the quality and quantity of the tourism and recreational opportunities.

Signature Carol Crockett Date April 24, 2008

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7/98sed

Appendix 4

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Montana Fish, Wildlife & Parks

2007 SHPO

Stan
FWP-Parks
Poindexter Slough
Fishing Access Site
Improvements

1420 East Sixth Avenue
P.O. Box 200701
Helena, Montana 59620-0701

Dr. Mark Baumler, SHPO
State Historical Preservation Office
P.O. Box 201202
1410 8th Avenue
Helena, Montana 59620-1202

RE: Poindexter Slough Fishing Access Site Improvements

December 27, 2007

Dear Dr. Baumler:

The Department of Fish, Wildlife and Parks (FWP) is proposing improvements at the Poindexter Slough Fishing Access Site in Beaverhead County, Montana. The proposed undertaking is located on lands administered by FWP at approximately T7S R9W Sections 34 & 33 as indicated in the enclosed report. In response to previous consultation Damon Murdo requested an inventory of the project area. Pursuant to regulations found at 36 CFR 800 we request SHPO review of the enclosed inventory and the eligibility determinations stated below.

FWP believes that the Area of Potential Effect (APE), as defined in the enclosed report, adequately considers all reasonable potential effects to Historic Properties from this proposed undertaking. We also believe that the report prepared by David M. Ferguson, of GCM Services, Inc., for FWP is adequate and we agree with his methods. We agree with the consultant's recommendations of eligibility and that, due to the low likelihood of adverse impacts to cultural resources, the project should be allowed to proceed as proposed.

We request your concurrence on the adequacy of the enclosed report and the low likelihood of adverse impacts to cultural resources. Please feel free to contact Bardell Mangum at (406) 841-4012 or by e-mail at bmangum@mt.gov if you have any questions or concerns regarding the proposed project.

Sincerely,

Bardell Mangum, RLA
Assistant Cultural Resources Coordinator
Design & Construction Bureau

Encl.: report; CRABS form

cc: File 713.1

CONCUR
MONTANA SHPO
DATE 12/28/07 SIGNED

RECEIVED
DEC 31 2007
DESIGN & CONSTRUCTION
DEPT. OF FISH, WILDLIFE & PARKS

Appendix 5

MONTANA FISH, WILDLIFE AND PARKS
BEST MANAGEMENT PRACTICES FOR FISHING ACCESS SITES

Updated May 1, 2008

I. ROADS

A. Road Planning and location

1. Minimize the number of roads constructed at the FAS through comprehensive road planning, recognizing foreseeable future uses.

    a. Use existing roads unless use of such roads would cause or aggravate an erosion problem.

2. Fit the road to the topography by locating roads on natural benches and following natural contours. Avoid long, steep road grades and narrow canyons.

3. Locate roads on stable geology including well-drained soils and rock formations that tend to dip into the slope. Avoid slumps and slide-prone areas characterized by steep slopes, highly weathered bedrock, clay beds, concave slopes, hummocky topography, and rock layers that dip parallel to the slope. Avoid wet areas, including seeps, wetlands, wet meadows, and natural drainage channels.

4. Minimize the number of stream crossings.

    a. Choose stable stream crossing sites. “Stable” refers to streambanks with erosion-resistant materials and in hydrologically safe spots.

B. Road Design

1. Design roads to the minimum standard necessary to accommodate anticipated use and equipment. The need for higher engineering standards can be alleviated through proper road-use management. “Standard” refers to road width.

2. Design roads to minimize disruption of natural drainage patterns. Vary road grades to reduce concentrated flow in road drainage ditches, culverts, and on fill slopes and road surfaces.

C. Drainage from Road Surface

1. Provide adequate drainage from the surface of all permanent and temporary roads. Use outsloped, insloped or crowned roads, installing proper drainage features. Space road drainage features so peak flow on road surface or in ditches will not exceed their capacity.

a. Outsloped roads provide means of dispersing water in a low-energy flow from the road surface. Outsloped roads are appropriate when fill slopes are stable, drainage will not flow directly into stream channels, and transportation safety can be met.

b. For insloped roads, plan ditch gradients steep enough, generally greater than 2%, but less than 8%, to prevent sediment deposition and ditch erosion. The steeper gradients may be suitable for more stable soils; use the lower gradients for less stable soils.

c. Design and install road surface drainage features at adequate spacing to control erosion; steeper gradients require more frequent drainage features. Properly constructed drain dips can be an economical method of road surface drainage. Construct drain dips deep enough into the sub-grade so that traffic will not obliterate them.

2. For ditch relief/culverts, construct stable catch basins at stable angles. Protect the inflow end of cross-drain culverts from plugging and armor if in erodible soil. Skewing ditch relief culverts 20 to 30 degrees toward the inflow from the ditch will improve inlet efficiency.

3. Provide energy dissipators (rock piles, slash, log chunks, etc.) where necessary to reduce erosion at outlet of drainage features. Cross-drains, culverts, water bars, dips, and other drainage structures should not discharge onto erodible soils or fill slopes without outfall protection.

4. Route road drainage through adequate filtration zones, or other sediment-settling structures. Install road drainage features above stream crossings to route discharge into filtration zones before entering a stream.

D. <u>Construction/Reconstruction</u>

1. Stabilize erodible, exposed soils by seeding, compacting, riprapping, benching, mulching, or other suitable means.

2. At the toe of potentially erodible fill slopes, particularly near stream channels, pile slash in a row parallel to the road to trap sediment. When done concurrently with road construction, this is one method to effectively control sediment movement and it also provides an economical way of disposing of roadway slash. Limit the height, width and length of these “slash filter windrows” so not to impede wildlife movement. Sediment fabric fences or other methods may be used if effective.

3. Construct cut and fill slopes at stable angles to prevent sloughing and subsequent erosion.

4. Avoid incorporating potentially unstable woody debris in the fill portion of the road prism. Where possible, leave existing rooted trees or shrubs at the toe of the fill slope to stabilize the fill.

5. Place debris, overburden, and other waste materials associated with construction and maintenance activities in a location to avoid entry into streams. Include these waste areas in soil stabilization planning for the road.

6. When using existing roads, reconstruct only to the extent necessary to provide adequate drainage and safety; avoid disturbing stable road surfaces. Consider abandoning existing roads when their use would aggravate erosion.

E. Road Maintenance

1. Grade road surfaces only as often as necessary to maintain a stable running surface and to retain the original surface drainage.

2. Maintain erosion control features through periodic inspection and maintenance including cleaning dips and cross-drains, repairing ditches, marking culvert inlets to aid in location, and clearing debris from culverts.

3. Avoid cutting the toe of cut slopes when grading roads, pulling ditches, or plowing snow.

4. Avoid using roads during wet periods if such use would likely damage the road drainage features. Consider gates, barricades or signs to limit use of roads during wet periods.

II. RECREATIONAL FACILITIES (parking areas, campsites, trails, ramps, restrooms)

A. Site Design

1. Design a site that best fits the topography, soil type, and stream character while minimizing soil disturbance and economically accomplishing recreational objectives. Keep roads and parking lots at least 50 feet from water; if closer, mitigate with vegetative buffers as necessary.

2. Locate foot trails to avoid concentrating runoff and provide breaks in grade as needed. Locate trails and parking areas away from natural drainage systems and divert runoff to stable areas. Limit the grade of trails on unstable, saturated, highly erosive, or easily compacted soils

3. Scale the number of boat ramps, campsites, parking areas, bathroom facilities, etc. to be commensurate with existing and anticipated needs. Facilities should not invite such use that natural features will be degraded.

4. Provide adequate barriers to minimize off-road vehicle use

B. Maintenance: Soil Disturbance and Drainage

1. Maintenance operations minimize soil disturbance around parking lots, swimming areas and campsites, through proper placement and dispersal of such facilities or by reseeding disturbed ground. Drainage from such facilities should be promoted through proper grading.

2. Maintain adequate drainage for ramps by keeping side drains functional or by maintaining drainage of road surface above ramps or by crowning (on natural surfaces).

3. Maintain adequate drainage for trails. Use mitigating measures, such as water bars, wood chips, and grass seeding, to reduce erosion on trails.

4. When roads are abandoned during reconstruction or to implement site-control, they must be reseeded and provided with adequate drainage so that periodic maintenance is not required.

III. RAMPS AND STREAM CROSSINGS

A. Legal Requirements

1. Relevant permits must be obtained prior to building bridges across streams or boat ramps. Such permits include the SPA 124 permit, the COE 404 permit, and the DNRC Floodplain Development Permit.

B. Design Considerations

1. Placement of boat ramp should be such that boats can load and unload with out difficulty and the notch in the bank where the ramp was placed does not encourage bank erosion. Extensions of boat ramps beyond the natural bank can also encourage erosion.

2. Adjust the road grade or provide drainage features (e.g. rubber flaps) to reduce the concentration of road drainage to stream crossings and boat ramps. Direct drainage flow through an adequate filtration zone and away from the ramp or crossing through the use of gravel side-drains, crowning (on natural surfaces) or 30-degree angled grooves on concrete ramps.

3. Avoid unimproved stream crossings on permanent streams. On ephemeral streams, when a culvert or bridge is not feasible, locate drive-throughs on a stable, rocky portion of the stream channel.

4. Unimproved (non-concrete) ramps should only be used when the native soils are sufficiently gravelly or rocky to withstand the use at the site and to resist erosion.

C. Installation of Stream Crossings and Ramps

1. Minimize stream channel disturbances and related sediment problems during construction of road and installation of stream crossing structures. Do not place erodible material into stream channels. Remove stockpiled material from high water zones. Locate temporary construction bypass roads in locations where the stream course will have a minimal disturbance. Time the construction activities to protect fisheries and water quality.

2. Where ramps enter the stream channel, they should follow the natural streambed in order to avoid changing stream hydraulics and to optimize use of boat trailers.

3. Use culverts with a minimum diameter of 15 inches for permanent stream crossings and cross drains. Proper sizing of culverts may dictate a larger pipe and should be based on a 50-year flow recurrence interval. Install culverts to conform to the natural streambed and slope on all perennial streams and on intermittent streams that support fish or that provide seasonal fish passage. Place culverts slightly below normal stream grade to avoid culvert outfall barriers. Do not alter stream channels upstream from culverts unless necessary to protect fill or to prevent culvert blockage. Armor the inlet and/or outlet with rock or other suitable material where needed.

4. Prevent erosion of boat ramps and the affected streambank through proper placement (so as to not catch the stream current) and hardening (riprap or erosion resistant woody vegetation).

5. Maintain a 1-foot minimum cover for culverts 18-36 inches in diameter, and a cover of one-third diameter for larger culverts to prevent crushing by traffic.