



Montana Fish, Wildlife & Parks

1400 South 19th Ave
Bozeman, MT 59718

November 16, 2009

To: Park County Commissioners
Governor's Office, Mike Volesky, State Capitol, Room 204, PO Box 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, PO Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Metcalf Building, PO Box 200901, Helena, MT 59620-0901
Dept. of Natural Resources & Conservation, PO Box 201601, Helena, MT 59620-1601
Montana Fish, Wildlife & Parks:
Director's Office Parks Division Lands Section FWP Commissioners
Fisheries Division Legal Unit Wildlife Division Design & Construction
MT Historical Society, State Historic Preservation Office, PO Box 201202, Helena, MT 59620-1202
MT State Parks Association, PO Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., PO Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, PO Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, PO Box 595, Helena, MT 59624
George Ochenski, PO Box 689, Helena, MT 59624
Park County Commissioners, City/County Complex, 414 East Callender Street, Livingston, MT 59047
Richard D. & Gay W. Juhnke, 19 W Grannis Rd, Livingston, MT 59047
Dan R.Dinsdale, 458 Us Hwy 89 N, Livingston, MT 59047
Brad Palmer, 8 Bighorn Drive, Livingston, MT 59047
Wayne & Sterling Bowman, 106 South Yellowstone St, Livingston, MT 59074
Mildred Palmer, 345 US Highway 89 N, Livingston, MT 59047-9326
Katie Svoboda, ksvoboda@mt.gov
Campbell, Craig, ccampbell@mt.gov

Ladies and Gentlemen:

The enclosed Environmental Assessment (EA) has been prepared for a proposed perpetual easement and parking area development near the Shields River. Montana Fish, Wildlife & Parks (FWP) proposes to obtain a perpetual easement on an approximately one-acre parcel of State School Trust Land near the Shields River from the Montana Department of Natural Resources and Conservation (DNRC) for the Grannis Fishing Access Site (FAS).

Montana Fish, Wildlife & Parks invites you to comment on the attached proposal. If requested, FWP will schedule and conduct a public meeting on this proposed project. Public comment will be accepted until 5:00 p.m. on December 16, 2009. Comments should be sent to the following:

Grannis FAS Perpetual Easement
Montana Fish, Wildlife & Parks
1400 South 19th
Bozeman MT 59718

Or emailed to: tgarrett@mt.gov.

Sincerely,

Gerald Walker
Region Three Parks Manager

Draft
Environmental Assessment
GRANNIS FISHING ACCESS SITE
PROPOSED PERPETUAL EASEMENT & DEVELOPMENT



November 2009



***Montana Fish,
Wildlife & Parks***

In Coordination with



***Montana Department of
Natural Resources & Conservation***

**Grannis FAS Proposed Perpetual Easement and Development
Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST**

PART I. PROPOSED ACTION DESCRIPTION

- 1. Proposed state action:** Montana Fish, Wildlife & Parks (FWP) proposes to obtain a perpetual easement on an approximately one-acre parcel of State School Trust Land near the Shields River from the Montana Department of Natural Resources and Conservation (DNRC) for the Grannis Fishing Access Site (FAS).

The parcel is approximately 3½ miles north of Interstate 90 on Highway 89 and ½ mile south of Grannis. Currently, FWP has no fishing access sites on the Shields River. If acquired, FWP will develop a graveled parking lot for 4 – 6 vehicles near the entrance and put up regulation signs to inform the public and provide regular maintenance at the site (see Figures 1, 2 and 3.)

- 2. Agency authority for the proposed action:** The 1977 Montana Legislature enacted statute 87-1-605 which directs FWP to acquire, develop, and operate a system of fishing accesses. FWP has the authority to develop outdoor recreational resources in the state per 23-2-101 MCA: *“for the purpose of conserving the scenic, historic, archaeologic, scientific, and recreational resources of the state and providing their use and enjoyment, thereby contributing to the cultural, recreational, and economic life of the people and their health.”*

Furthermore, state statute 23-1-110 MCA and ARM 12.2.433 guides public involvement and comment for the improvements at state parks and fishing access sites, which this document provides. ARM 21.8.602 requires FWP to consider the wishes of users and the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the proposed project in relation to this rule. See Appendix 1 for HB 495 qualification.

- 3. Project sponsors:**
Montana Fish, Wildlife & Parks
1400 South 19th
Bozeman MT 59718
(406) 994-4042

Montana Department of Natural Resources & Conservation
Trust Land Management
2273 Boothill Court, Suite 110
Bozeman MT 59715
406-586-5243

4. Anticipated Timeline:

Public Comment Period: Mid-November – Mid-December 2009

Decision Notice Published: December 2009

FWP Commission Consideration for Approval: January 2010

Land Board Consideration for Approval: February 2010

5. Location:

Park County, Shields River, NE ¼ Section 16, Township 1 South, Range 10 East. The parcel is approximately 3½ miles north of Interstate 90 on Highway 89 and ½ mile south of Grannis. Currently, FWP has no fishing access sites on the Shields River. Highway 89 Bridge FAS is located on the Yellowstone River and is one mile north on Highway 89. Sheep Mountain is the next site down stream on the Yellowstone River from Highway 89 Bridge FAS, two miles north on Highway 89, then four miles east on County Road (see Figures 1, 2 and 3.)

Figure 1: Grannis FAS Proposed Perpetual Easement Location



Figure 2: Grannis FAS Topographic Map

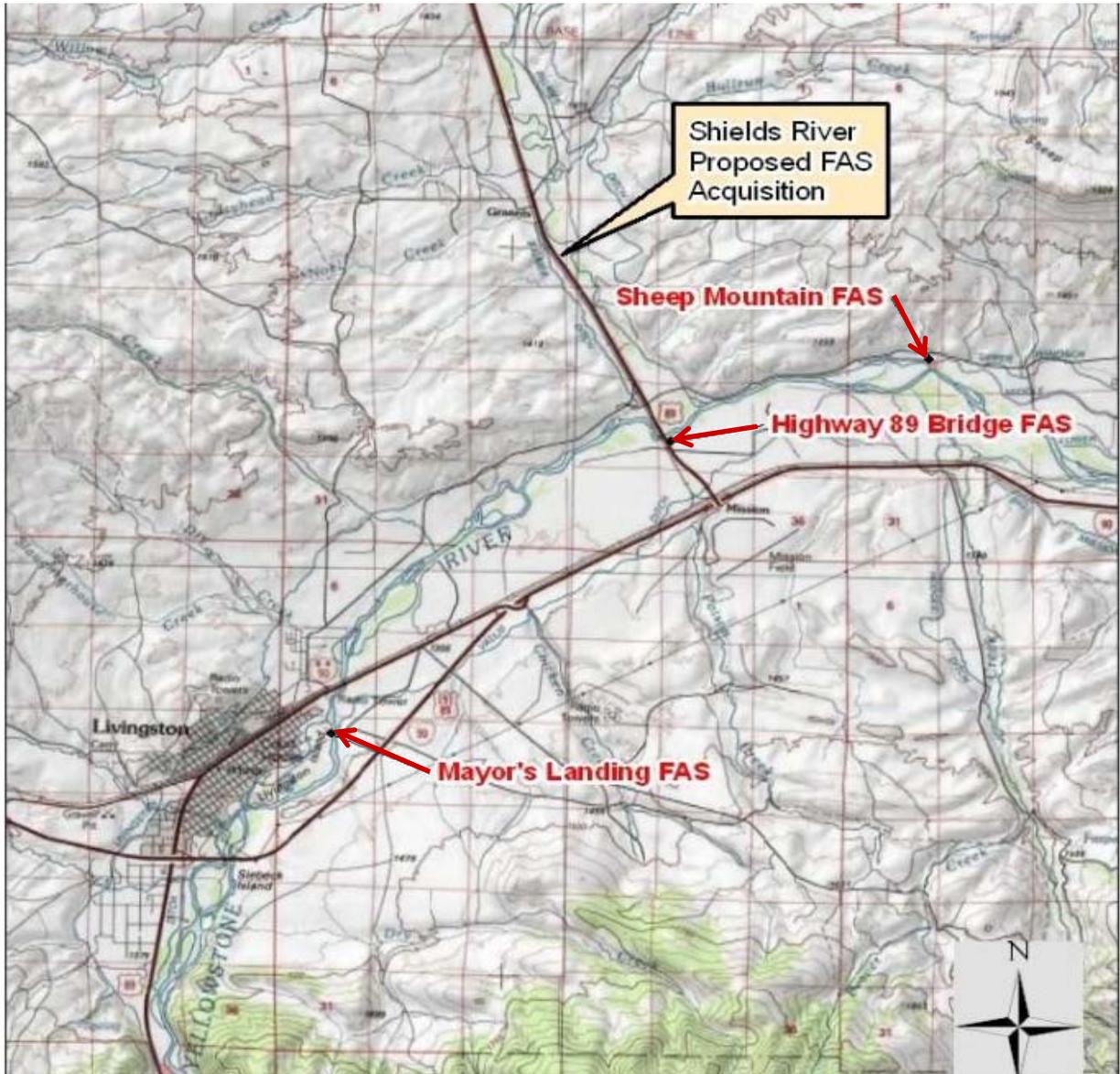
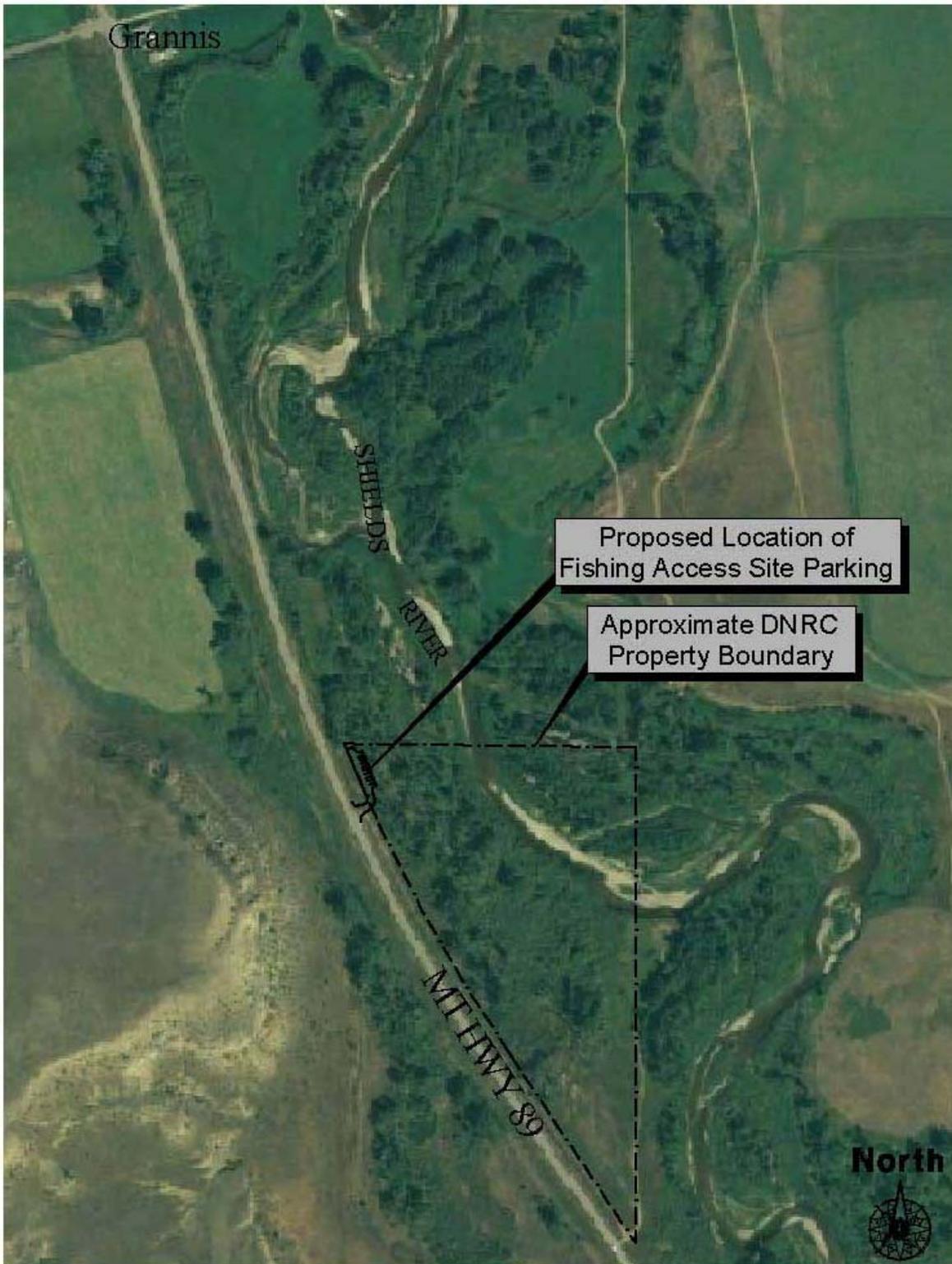


Figure 3: Grannis FAS Aerial View Map



6. Project size:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain/Riparian	<u>1.0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(b) Open Space/Woodlands/Recreation	<u>1.0</u>	Irrigated cropland	<u>0</u>
		Dry cropland	<u>0</u>
(c) Riparian Wetlands Areas	<u>0</u>	Forestry	<u>0</u>
		Rangeland	<u>0</u>
		Other	<u>0</u>

The entire parcel is in the 100-year Floodplain Zone A (per FEMA Map database).

7. Local, State or Federal agencies with overlapping or additional jurisdiction:

(a) **Permits:** All appropriate permits will be acquired prior to development.

(b) **Funding:**

MT FWP FAS Acquisition Account:	\$ 2,000
Region 3 Parks FAS Operations and Maintenance Funds:	
Weeds: (annual)	\$ 500
Maintenance: (annual)	\$ 500

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

Section 7-22-2154 (2), MCA requires a weed inspection by the county weed district before acquiring new land. See Appendix 2 for the Park County Inventory.

State Historic Preservation Office (SHPO) clearance for cultural and historic resources (Appendix 5).

8. Narrative summary of the proposed action:

Need and Benefits: FWP is proposing to acquire a perpetual easement from DNRC to obtain and develop the Grannis FAS approximately 3½ miles north of Interstate 90, east of Highway 89 and ½ mile south of Grannis. The proposed perpetual easement would affect approximately one-acre of the DNRC School Trust property consisting of the parking area only. The remaining portion of the property would continue under DNRC management (see Figure 3.)

Without active management, this DNRC School Trust parcel has accommodated public use for years, and the resource values within the site have been somewhat degraded by indiscriminate vehicle use. The perpetual easement and active management of the site by FWP would bring management expertise, regularly scheduled maintenance, and law-enforcement services to this currently unmanaged parcel. Other resource values would be protected by FWP as required by statute.

* 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.

The public has traditionally used the DNRC parcel for recreation purposes and access to the Shields River for bank fishing and wading. DNRC is not able to manage concentrated use and as a result could limit use, jeopardizing future public use of this property. The perpetual easement of this parcel would assure continued public access to the Shields River in this location.

Existing Environment: This reach of the Shields River supports fishing for brown trout, rainbow trout, Yellowstone cutthroat trout, and mountain whitefish. Other species in the river include longnose sucker, mottled sculpin, and white sucker. Total angling pressure along this section of the Shields River was estimated in 2007 at almost 900 fishing days, slightly down from 2005's survey recorded at just over 1100 fishing days.

The property consists of intermountain grassland dominated by riparian trees, primarily cottonwood, but also Douglas fir, willows, and riparian shrubs including juniper, chokecherry, snowberry, and wild roses. There are established areas of houndstongue, a category one noxious weed, on approximately 5% of the parcel. See Appendix 2 for Park County Weed Inventory.

Proposed Development and Management: FWP would

- establish a designated parking area
- install site usage signage
- establish and enforce site rules and regulations and a regular law enforcement presence include in the maintenance schedule of the surrounding FAS's
- implement FWP's Statewide Integrated Noxious Weed Management Plan to control the existing weeds on the parcel
- and apply FWP Commercial Use Rules to commercial outfitters who use the site for river access.

In the future when funding is available, one of the many established trails may be enhanced and a vault latrine may be installed.

9. Alternatives:

Alternative A: No Action

If no action were taken, this DNRC School Trust parcel would continue to be open to the public and resource values would continue to be degraded by indiscriminate vehicle use and general recreational use.

Alternative B: No Action - DNRC May Close the Site

If no action were taken to grant the easement, this DNRC School Trust parcel could be closed due to the degradation of the vegetation and soil caused by unmanaged use. DNRC may decide to allow access to the public by foot, but vehicle access may be prohibited.

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Preferred Alternative C: Proposed Action - FWP Obtains Perpetual Easement

In the preferred alternative, FWP would obtain a perpetual easement for the approximate one-acre parcel of land to establish a designated parking area that would provide continued public access to this stretch of the Shields River. FWP will put in regulatory signs as a fishing access site day use area. The proposed easement is expected to cost \$2,000.

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

FWP engineers would design the project and obtain all necessary state and federal permits. Adherence to the Statewide Integrated Noxious Weed Management Plan and required application records would be submitted to the Montana Department of Agriculture.

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PART II. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment. See Appendix 6 for the DNRC Checklist Environmental Assessment included to meet their MEPA requirements. Both of these checklists are included to demonstrate that both agencies are in agreement and compliance.

A. PHYSICAL ENVIRONMENT

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

The proposed perpetual easement acquisition and development will have a positive effect on existing soil patterns or structures.

- 1b. The uncontrolled/pioneered parking is degrading the vegetation causing compaction of the soil making revegetation less likely and potentially generating dust particulate. The preferred Alternative C mitigates these issues by providing a designated parking area.

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

2a. The proposed perpetual easement acquisition will have no effect on ambient air quality. If acquired, temporary amounts of dust may be generated during the construction work of the parking lot during the construction work of the parking lot. If additional materials are needed off-site, loading at the source site will generate minor amounts of dust. FWP will follow the Best Management Practices during all phases of construction to minimize risks and reduce dust. Alternative C, to obtain the easement and establish designated parking, in the long-term would improve dust and particulate issues by eliminating indiscriminate vehicle use.

Alternative A (no action) does not correct the dust and particulate issues generated by indiscriminate vehicle use and lack of a designated parking area. No Action Alternative B may address the dust if DNRC closes the site or restricts vehicles at the site.

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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				
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.)		NA				
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.)		NA				

The proposed perpetual easement acquisition will have no effect on surface water, drainage patterns, or floodwater routes. Development of a designated parking area if acquired, will not affect the water quality.

The entire parcel is in the 100-year floodplain, Zone A, per the FEMA map database.

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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				
b. Alteration of a plant community?			X		YES	4b.
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c.
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?		NA				

4b. This property consists of intermountain grassland dominated by riparian trees, primarily cottonwood, but also Douglas-fir and willows and riparian shrubs including juniper, chokecherry, snowberry, and wild roses as well as various grasses including smooth brome and crested wheatgrass. Because the public already uses the property, the acquisition should not significantly impact the plant community. Minimal vegetation would be removed during the construction of the designated parking area. However, eliminating indiscriminate parking positively impacts vegetation, and overall vegetative impact would be managed through site protection measures including signage and barriers to minimize disturbances to vegetation and promote revegetation of historically over-used spots.

4c. A search of the Montana Natural Heritage Program's (MNHP) species of concern database found no vascular or non-vascular plants of significance within the boundaries of the property to be acquired.

4e. There are established areas of houndstongue, a category one noxious weed, on approximately 5% of the parcel. If acquired, FWP would begin weed management in adherence with the Statewide Integrated Noxious Weed Management Plan using an integrated approach including chemical, biological, and mechanical methods. Weed management will facilitate the restoration of native vegetation and should prevent the spread of weeds. Vehicles will be restricted to the parking area which will be maintained as weed-free, and vehicles will not be allowed on undisturbed areas of the site where the weed infestation exists. See Appendix 2 for the Park County Weed Inventory.

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** 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.)		NA				
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.)		NA				

The proposed acquisition will have no bearing on the game and non-game species that frequent the property and is not considered critical habitat for any species according to FWP Region 3 wildlife biologist Tom Lemke and fisheries biologist Scott Opitz.

5f. A search of the Natural Resources Information System provided by the Montana Natural Heritage Program (MNHP) showed that no endangered species are in the vicinity of the property. However, the property is potential habitat for gray wolf and Yellowstone cutthroat trout. Neither the FWP wildlife biologists nor the fisheries biologist for the area has any concerns with the proposed acquisition impacting fish and wildlife in the area.

Gray wolves are listed as delisted and monitored in the Northwest Montana recovery area by USFWS, Sensitive by USFS, Special Status by BLM, in Tier 1 of the FWP Comprehensive Fish and Wildlife Conservation Strategy (CFWCS), and S3/G4 by MNHP. The ranking by MNHP indicates the species is potentially at risk of extirpation in the state and uncommon globally. In 2002, wolves met the recovery criteria set by the USFWS and are therefore biologically recovered. The gray wolf was officially delisted from the federal Endangered Species Act as of May 4, 2009. Montana's state laws, regulations, and management plan replace federal regulations. Gray wolves are protected and managed as a Montana species in need of management. Wolves occur in the Shields Valley, but their history has been that of sporadic, occasional use and relatively low numbers. There has been no documented livestock depredation by wolves or any wolf

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removals due to depredation in the Shields Valley. The only documented breeding wolf pack is the Lebo Peak pack located at the northeast end of the Crazy Mountains approximately 35-40 air miles northeast of the proposed site. This pack has approximately 6 members including a breeding pair. The majority of wolf sightings and observed tracks in the Shields have occurred in the Bridger and Crazy Mountain foothill habitats on both sides of the valley away from the lower elevation valley floor. This acquisition will have no impact on this group or any group of wolves. The wolf population in southwestern Montana is strong and increasing, and wolves may pass through just about any area including this site.

Yellowstone cutthroat trout are listed as Sensitive by the USFS and BLM, in Tier 1 of the Comprehensive Fish and Wildlife Conservation Strategy (CFWCS), and S2/G4T2 by MNHP. The ranking by MNHP indicates the species is at risk of extirpation in the state and uncommon globally but not rare. Yellowstone cutthroat trout are found throughout the Shields drainage and are present in low numbers in this area. Yellowstone cutthroat trout are protected under a catch and release only regulation for the entire Shields River and its tributaries. The acquisition will improve access for wade and bank anglers at this site. The public is already using this site for these purposes. The proposal may increase the number of anglers that fish this portion of the Shields River.

Please see Appendix 3 Montana Natural History Program (MNHP) Native Species Report for more information on these species. Tier I of the FWP CFWCS is the greatest conservation need. Montana Fish, Wildlife & Parks has an obligation to use its resources to implement conservation actions that provide direct benefit to these species. Species identified in this section have included the tier level to help identify those in greatest need of conservation.

Other more common wildlife species that occur in the immediate vicinity of the Grannis site include white-tailed deer, mule deer, turkeys, Hungarian partridges, pheasants, beavers, otters, muskrats, raccoons, red fox, coyotes, and striped skunks. On occasion, one could expect black bears and mountain lions to move through the riparian habitat along the Shields River. A wide variety of resident and migrant bird species use or move through the area on a seasonal basis to include red-tailed hawks, American kestrels, bald eagles, golden eagles, rough-legged hawks, osprey, great-horned owls, sandhill cranes, neotropical warblers, shorebirds, Canada geese, ducks, great blue herons, woodpeckers, and numerous songbirds. These species may not be common within this parcel but may use the parcel seasonally.

There are three active bald eagle nests close to the proposed Grannis FAS. The Heart K eagle nest is located on the Yellowstone River about 2.5 miles south of the proposed site was active in 2009 and produced two young. The Chadbourne eagle nest, located on the Shields River approximately 4.5 miles northwest of the proposed site, was active in 2009 and produced one young. The Sheep Mountain Eagle Nest, located on the Yellowstone River approximately 5 miles southeast of the proposed site, was active in 2009 and produced one young. Bald eagles have increased in the Yellowstone and Shields River in recent years. New territories/nests may develop in this general area.

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- 5g. The land is currently used by the public for wildlife viewing, picnicking, and hiking, and the river is used by anglers. The perpetual easement of the property should not negatively impact or stress wildlife populations if usage levels increase.

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B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Increases in existing noise levels?			X		YES	6a/b.
b. Exposure of people to severe or nuisance noise levels?			X		YES	6a/b.
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/b. The proposed perpetual easement will have no change in noise level or electrical levels and will not interfere with radio or television reception or operation. Adjacent landowners will be notified and should not be affected. Visitor use is not expected to increase noise levels as vehicles will be restricted to the parking area. During construction, equipment will cause a temporary increase in noise levels. Proximity to the highway will likely mask any increase in noise level at the construction site. If construction noise levels exceed a level deemed unsafe, all workers will be required to wear proper ear protection. FWP will follow the Best Management Practices during construction to minimize risks.

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

The proposed action would not alter or interfere with the productivity or profitability of the existing land use. The perpetual easement funding will go to the DNRC trust fund. Anglers currently use the river. FWP would continue to allow such activities. The property has been used some by the general public for picnicking, hiking, and wildlife viewing. FWP would continue to allow these activities. The property would be designated for day-use only. The land is intermountain grassland dominated by riparian trees and shrubs that serves as important habitat for a variety of mammals, birds, and fish.

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8. RISK/HEALTH HAZARDS	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Will the proposed action result in:	Unknown *	None	Minor *		
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)		NA				

8a. If acquired, FWP would begin weed management in adherence with the Statewide Integrated Noxious Weed Management Plan using an integrated approach including chemical, biological, and mechanical methods. Vehicles will be restricted to the parking area which will be maintained as weed-free. 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	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Will the proposed action result in:	Unknown *	None	Minor *		
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				

The perpetual easement is designed to protect the property while providing for continued recreation access. The public uses the property, and that access will likely continue. However, the parcel will be day-use only. Adjacent landowners will be notified of the proposed acquisition. Development includes a designated parking area, regulation and informational signs, and weed management.

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

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

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

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

10. 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				10b.
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources		X				
f. **Define projected maintenance costs.						10f.

10b. DNRC is exempt from property taxes, and under the perpetual easement FWP would also be exempt.

10f. Annual maintenance costs are expected to average \$1000 per year including litter removal, caretaker work, weed control, Parks staff, and Enforcement staff time. Maintenance costs are part of the Parks Operations and Maintenance budget.

Initial costs to add FWP signage for the highway approach, regulation, and information signs are estimated to cost approximately \$2000 including staff time and mileage.

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

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

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

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

** 11. AESTHETICS/RECREATION	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)		X				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.)		NA				

11c. The public access to the area will continue if the proposed perpetual easement is approved and will continue to be a destination for hiking, wildlife viewing, and fishing. See Appendix 4 for the Department of Commerce Tourism Report. The property would be designated for day-use only.

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

No groundbreaking activities that could disturb cultural resources are going to be initiated as part of the proposed perpetual easement. A cultural inventory was conducted, and SHPO clearance has been received. See Appendix 5 for SHPO concurrence. The proposed easement is within a portion of archaeological property. The portion of the site containing the proposed easement has been heavily disturbed as a result of several years of uncontrolled recreational/vehicular access. Issuance of the easement will establish a specific route (the most commonly used vehicular route through the western terminus of the site) and protect portions that may still be intact. Because an access road will not be constructed or improved (an existing trail will be selected and utilized as is) and because the flow of vehicular traffic and other unauthorized recreational activity will be concentrated after issuance of the easement, the proposed action should have a beneficial effect.

* 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.

SIGNIFICANCE CRITERIA

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

The proposed action will have no negative cumulative effects on the physical and human environments. When considered over the long-term, the proposed action poses significant positive effects towards the public's continued access of a scenic recreation area on the Shields River.

* 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 III. NARRATIVE EVALUATION AND COMMENT

The proposed action will have no negative cumulative effects on the physical and human environments. When considered over the long-term, the proposed action poses significant positive effects towards the public's continued access of a scenic recreation area of the Shields River near Grannis. The benefits of the easement and designated parking described in Alternative C best meet the objectives of FWP managing these important resources to assure the safety of visitors, as well as resource protection, enhancement, and maintenance.

The minor impacts that were identified in the previous section are small in scale and will not influence the overall environment of the immediate area. The natural environment will continue to exist to provide habitat to migratory and permanent wildlife species and will continue to be open to the public for access for fishing, hiking, and wildlife viewing. The property would be designated for day-use only. The proposed acquisition and minor development adding designated parking would have minimal impact on the local wildlife species that frequent the property and would have a neutral impact on the fishery since it is already used by the public.

The environmental analysis focuses on the perpetual easement of the property and the minor developments adding a designated parking area. An existing trail to the water may be improved as well as a vault latrine may be installed in the future when funding is available.

The proposed perpetual easement of the one-acre DNRC Madison River School Trust parcel would allow FWP to provide a designated parking area and provide continued public access to area anglers in addition to increasing other general public recreational opportunities.

PART IV. PUBLIC PARTICIPATION

1. Public Involvement:

The public will be notified by way of legal notices in the Livingston *Enterprise*, the Bozeman *Daily Chronicle*, and the Helena *Independent Record* in addition to a statewide press release. A public notice will also be posted on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov/publicnotices> and the DNRC webpage www.dnrc.mt.gov/About_Us/notices.asp. A direct mailing will be sent to adjacent landowners and interested parties. Additionally, copies will be available for public review at FWP Region 3 Headquarters and the DNRC Bozeman office. This level of public notice and participation is appropriate for a project of this scope having few minor impacts.

Public meetings to address questions for this EA can be arranged upon request within the comment period.

2. Duration of comment period.

A 30-day comment period is proposed as appropriate for the scale of this project. The comment period will extend for 30 days following publication in area newspapers. Comments will be accepted until 5pm December 16, 2009. Comments should be sent to Region 3 Fishing Access Site Coordinator Todd Garrett:

Mailed to: Grannis FAS Perpetual Easement
Montana Fish, Wildlife & Parks
1400 South 19th
Bozeman MT 59718

Emailed to: tgarrett@mt.gov

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.

Based upon the above assessment, which has identified a very limited number of minor impacts from the proposed action, an EIS is not required and an environmental assessment is the appropriate level of review.

2. **Person(s) responsible for preparing the EA:**

Pam Boggs
EA Coordinator
PO Box 200701
Helena, MT 59620-0701
pboggs@mt.gov

Todd Garrett
FAS Coordinator
1400 South 19th.
Bozeman, MT 59718
(406) 994-6987
tgarrett@mt.gov

Katie Svoboda
DNRC Bozeman Office Manager
2273 Boothill Court. Suite 110
Bozeman, MT 59715
(406) 586-5243
ksvoboda@mt.gov

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

Park County Weed District

Montana Department of Commerce – Tourism

Montana Department of Natural Resources and Conservation
State Trust Lands Management

Montana Department of Transportation
Right of Way Bureau

Montana Fish, Wildlife & Parks
Director's Office – Lands Outreach Unit
Director's Office – Legal Unit
Fish and Wildlife Division
Design & Construction Unit
Fisheries Bureau
Wildlife Bureau
Parks Division

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

State Historic Preservation Office

Appendices

- 1 HB 495 Project Qualification Checklist
- 2 Park County Weed Inventory
- 3 Montana Natural Heritage Program (MNHP) Native Species Report
- 4 Tourism Report – Department of Commerce
- 5 State Historical Preservation Concurrence Letter
- 6 DNRC EA Checklist

APPENDIX 1
HB495 PROJECT QUALIFICATION CHECKLIST

Date May 7, 2009

Person Reviewing Pam Boggs

Project Location: Shields River School Trust Parcel T1S, R10E, section 16 in Park County

Description of Proposed Work: Montana Fish, Wildlife & Parks is considering a perpetual easement acquisition of approximately one-acre parcel of DNRC School Trust Parcel 3.8 miles north on Highway 89 from Interstate 90, north of Livingston.

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. (Check all that apply and comment as necessary.)

- A. New roadway or trail built over undisturbed land?**
Comments: Improve an existing trail to the river, in the future.
- B. New building construction (buildings <100 sf and vault latrines exempt)?**
Comments: No new construction.
- C. Any excavation of 20 c.y. or greater?**
Comments: Parking lot may require excavation or may just be graveled.
- D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?**
Comments: New parking lot with approximately 4 - 6 spaces.
- E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?**
Comments: No shoreline alteration.
- F. Any new construction into lakes, reservoirs, or streams?**
Comments: No new construction.
- G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?**
Comments: SHPO clearance letter received. (Appendix 5.)
- H. Any new above ground utility lines?**
Comments: No new utility lines; will not interfere with existing utility lines in the area.
- I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?**
Comments: The property would be designated for day use only.
- 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 Park County Weed Inventory

Fish Wildlife and Parks
Region Three
1400 South 19th Ave
Bozeman, MT 59937

Regarding: Weed Inspection for FWP DNRC SHIELDS RIVER PERPETUAL EASEMENT & DEVELOPMENT. The site is a one-acre parcel approximately 3.8 miles north on Highway 89 from Interstate 90, north of Livingston.

Dear Jerry Walker,

On May 7, 2009, I visited this site on the Shields River near Grannis Montana along with FWP employees Todd Garrett, FAS Manager, Candace Duran, FWP Lands Division, and Pam Boggs, contracted EA preparer. It is my understanding that FWP is proposing to develop a parking area at this location and requested that Park County conduct a weed inspection. Before acquiring new lands, section 7-22-2154 (1), MCA, requires FWP to obtain a weed inspection by the county weed district.

Houndstongue, a category one noxious weed, is present at this site. Approximately 5 percent of the site is infested with houndstongue. Should FWP acquire an easement for this site, a weed management plan for this location will be added to the Park County Biennial Noxious Weed Management Operation Plan and Agreement.



Clay Williams
Park County Weed Coordinator

Appendix 3

Sensitive Plants and Animals in the area of the Shields River in the vicinity of Grannis

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 habitat for Yellowstone Cutthroat Trout and Gray Wolf. 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.

Sensitive Plants and Animals in the area of the Shields River in the vicinity of Grannis

1. **Canis lupus (Gray Wolf)**

Natural Heritage Ranks:

State: **S3**

Global: **G4**

Federal Agency Status:

U.S. Fish and Wildlife Service: **DM**

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Special Status**

FWP CFWCS Tier: **1**

Two Element Occurrence data reported of wolves in 2006 and in 1908 in the proximate area of this parcel.

FWP Wildlife biologist Tom Lemke indicated wolves occur in the Shields Valley, but their history has been that of sporadic, occasional use and relatively low numbers. There has been no documented livestock depredation by wolves or any wolf removals due to depredation in the Shields Valley. The only documented breeding wolf pack is the Lebo Peak pack located at the northeast end of the Crazy Mountains approximately 35-40 air miles NE of the Grannis site.

2. **Oncorhynchus clarkii bouvieri (Yellowstone Cutthroat Trout)**

Natural Heritage Ranks:

State: **S2**

Global: **G4T2**

Federal Agency Status:

U.S. Fish and Wildlife Service:

U.S. Forest Service: **Sensitive**

U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **1**

No Element Occurrence of this species reported in the Shields River.

FWP Fisheries biologist Scott Opitz indicated Yellowstone cutthroat trout are found through out the Shields drainage and are present in low numbers in this area. Yellowstone cutthroat trout are protected under a catch and release only regulation for the entire Shields River and its tributaries.

Information courtesy of Montana Natural Heritage Program.

Appendix 4
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, Tourism Development Specialist
Travel Montana-Department of Commerce
301 S. Park Ave.
Helena, MT 59601

Project Name: DNRC SHIELDS RIVER PERPETUAL EASEMENT & DEVELOPMENT

Project Description: Montana Fish, Wildlife & Parks (FWP) is considering purchasing a perpetual easement for a fishing access site from the Montana Department of Natural Resources and Conservation (DNRC) on an approximately one-acre parcel of State School Trust Land on the Shields River near Grannis. The site would be managed as a public recreation site to facilitate angling and other recreational activities. The parcel is approximately 3.8 miles north on Highway 89 from Interstate 90, north of Livingston. This will be the only Fishing Access Site on the Shields River. If acquired, FWP will develop a designated parking area and will provide regular maintenance at the site and put up regulation signs to inform the public. The site is used by the public for fishing, floating, waterfowl hunting, hiking, wildlife viewing.

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 has the potential to improve the quality and quantity of tourism and recreational opportunities.

Signature Carol Crockett, Visitor Services Manager Date 5/26/09

Appendix 5
State Historical Preservation Concurrence Letter



2009 100901
**Montana Fish,
Wildlife & Parks**

RECEIVED
OCT 08 2009
BY: SH PO

• Stan
• FWP/PAPX
• Grannis
Fishing Access,
Shields Riv
PA Co

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

RECEIVED

OCT 14 2009

DESIGN & CONSTRUCTION
DEPT. OF FISH, WILDLIFE & PARKS

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

RE: Grannis Fishing Access Site, Shields River, Park County, Montana

October 7, 2009

Dear Dr. Baumler:

The Department of Fish, Wildlife and Parks (FWP) is proposing development of a new approach, parking area and trail at the Grannis Fishing Access Site on the Shields River in Park County, Montana. The proposed undertaking is located on lands administered by FWP at approximately T1S R10E Section 16 as indicated in the enclosed report entitled *Grannis Fishing Access: A Class III Cultural Resource Inventory of a Proposed Approach, Parking Lot, and Trail to Shields River in Park County, Montana*. 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 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 Blain Fandrich of Ethnoscience, 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
Landscape Architect
Design & Construction Unit

CONCUR
MONTANA SHPO
DATE 10/09/09 SIGNED [Signature]

Encl.: report; CRABS form
cc: File 406C.1, Sara Scott

Appendix 6 DNRC CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Grannis Fishing Access Site (Shields River)
Proposed Implementation Date:	January 2010
Proponent:	Montana Fish, Wildlife & Parks (MTFWP)
Location:	Township 1S, Range 10E, Section 16
County:	Park
Trust:	Common Schools

I. TYPE AND PURPOSE OF ACTION

This Easement would be for a fishing access site, consisting of a parking area, located on 1 acre of School Trust Land along the Shields River south of Grannis.

DNRC is tasked with the management of the Trust Lands for the economic benefit of the trust beneficiaries, including management of dispersed recreational use as part of the recreational use permits, but is not well suited to managing concentrated recreational use. MTFWP is better suited to managing the concentrated recreational use associated with this site.

The land of this parcel has been used for recreation and access to the Shields River for fishing and wading. Due to accommodating these recreational purposes and careless vehicle use, the land has been degraded. The proposed easement would allow MTFWP to relocate/construct a parking area and grant them management to continue recreational activities at the site.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

FWP – Environmental Assessment

Montana Department of Transportation

Montana Natural Heritage Program website – Species of Concern

Patrick Rennie – DNRC Archaeologist

Brad Palmer – Lessee and adjacent landowner

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

Park County Weed District – Weed Inspection

Montana Department of Transportation – Easement from center line of Hwy 89 out 70 feet.

3. ALTERNATIVES CONSIDERED:

Grant Easement: Grant the easement for a fishing access site, consisting of a parking area, to MTFWP for management of recreational activities.

No Action: Do not grant the Easement for a fishing access site, consisting of a parking area, to MTFWP for management of recreational activities. Leaving the site as is, continuing to be degraded unmanaged use.

Close the Site: Do not grant the Easement and close the site that is currently being used for recreational activities due to the degradation caused by unmanaged use.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES* potentially impacted are listed on the form, followed by common issues that would be considered.
- Explain **POTENTIAL IMPACTS AND MITIGATIONS** following each resource heading.
- Enter "NONE" if no impacts are identified or the resource is not present.

4. **GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:**

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

Granting the easement should cause no further damage to geology and soil quality, stability, and moisture. The public will continue to use the site, but it will be under management and maintenance of MTFWP. The construction of a new parking lot will have localized soil disruption; this disruption will be less than one acre in size and will be adjacent to Highway 89.

5. **WATER QUALITY, QUANTITY AND DISTRIBUTION:**

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

Granting the easement should cause no damage to water quality, quantity and distribution. The public will continue to use the site, but it will be under management and maintenance of MTFWP.

6. **AIR QUALITY:**

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

None

7. **VEGETATION COVER, QUANTITY AND QUALITY:**

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

Granting the easement should not have a negative effect on vegetation cover, quantity and quality. The public will continue to use the site, but it will be under management and maintenance of MTFWP. Vegetation will be lost at the site of the new parking area; there should not be any negative effects to the overall vegetation of the section. A noxious weed management plan will be implemented.

8. **TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:**

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

Montana Natural Heritage Program listed three species (Gray Wolf, Bald Eagle, and Yellowstone Cutthroat Trout) of concern in Township 1S Range 10E. Due to the limited scope of the easement no impacts are expected on terrestrial, avian and aquatic life and habitats. The public will continue to use the site, but it will be under management and maintenance of MTFWP.

9. **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:**

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

With the current public use and the limited size of the site, the easement should have no effect on unique, endangered, fragile or limited environmental resources.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

The whole area within the easement has been heavily disturbed over the years from flood activity/meandering of the River and road construction work back in the early 1980's. There are no cultural resource concerns with issuing the easement.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

Granting the easement would relocate a parking area that is currently in use. The parking area and signage will be visible from the road.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

None

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

None

IV. IMPACTS ON THE HUMAN POPULATION
<ul style="list-style-type: none">• RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.• Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.• Enter "NONE" if no impacts are identified or the resource is not present.

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

None

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

Bowman, Wayne & Sterling, Ag and Grazing Lease # 1994, Total lease acres 314.
Palmer, Brad, Grazing Lease #641, Total lease acres 160.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

None

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

None

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

None

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

None

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

Public recreational activities will continue on this site if the easement is granted.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

None

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

None

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

No affect

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The easement would generate \$2,000 in revenue for the School State Trust Land

EA Checklist Prepared By:	Name: Katie Svoboda /s/	Date: 10/26/2009
	Title: Office Manager	

V. FINDING

25. ALTERNATIVE SELECTED:

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS

More Detailed EA

No Further Analysis

EA Checklist Approved By:	Name:
	Title:
Signature:	Date: