DRAFT
ENVIRONMENTAL ASSESSMENT

EIGHT MILE FORD FISHING ACCESS SITE
PROPOSED PROPERTY ADDITION ACQUISITION

January 2010

Montana Fish, Wildlife & Parks

Eight **Mile Ford**

Fishing Access Site
Proposed Property Addition Acquisition
Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

Montana Fish, Wildlife & Parks (FWP) proposes to purchase approximately three acres of land adjacent to the southern boundary of the existing 26-acre Eight Mile Ford Fishing Access Site (FAS) on the Madison River. The site is located along County Route 249, four miles south of Ennis, Montana. The purchase of this additional acreage is necessary because the boat ramp and a portion of the ramp access road were inadvertently built on land owned by the Granger Ranch. This trespass situation remained unnoticed from the time the boat ramp was built in the 1970s until early 2009, when the landowner discovered it and brought it to FWP's attention. To resolve the situation, the Granger Ranch has offered to sell to FWP the land on which the boat ramp and a portion of the access road are located plus the adjacent wetland. The purchase price will be based upon a value of $10,650 per acre as has been determined by an independent appraisal commissioned by FWP. This yields an estimated total of about $32,000 for the land pending a survey that will determine the precise parcel size.

2. Agency authority for the proposed action:

The 1977 Montana Legislature enacted statute 87-1-605, Montana Code Annotated (MCA), which directs FWP to acquire, develop, and operate a system of public fishing accesses. The legislature earmarked a funding account to support the fishing access site program. Sections 23-1-105, 23-1-106, 15-1-122, 61-3-321, and 87-1-303, MCA, authorize the collection fees and charges for the use of state park system units and fishing access sites, and contain rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110 MCA and Administrative Rule of Montana (ARM) 12.2.433 guide public involvement and comment for the improvements at state parks and fishing access sites.

ARM 12.8.602 requires the Department 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 A for HB 495 qualification.

3. Name of project:

Eight Mile Ford Fishing Access Site Proposed Property Addition Acquisition

4. Project sponsor:

Montana Fish, Wildlife and Parks, Region 3
1400 South 19th Avenue
Bozeman, MT 59718
406-994-4042

5. Anticipated Schedule:

Public Comment Period: January 2010 – February 2010
Decision Notice Published: March 2010
Consideration for Approval by Montana Fish, Wildlife and Parks Commission: April 2010

6. Location:

Eight Mile Ford FAS is located on the Madison River 55 miles from the mouth, in Section 20 Township 6 South Range 1 West. Eight Mile Ford FAS is located between Varney Bridge FAS (5 miles upstream) and Burnt Tree Hole FAS (two miles downstream). It is located in Madison County, about four miles south of Ennis, Montana, on County Route 249.

Figure 1. Approximate Location of Eight Mile Ford Fishing Access Site

Figure 2. Eight Mile Ford Fishing Access Site Location

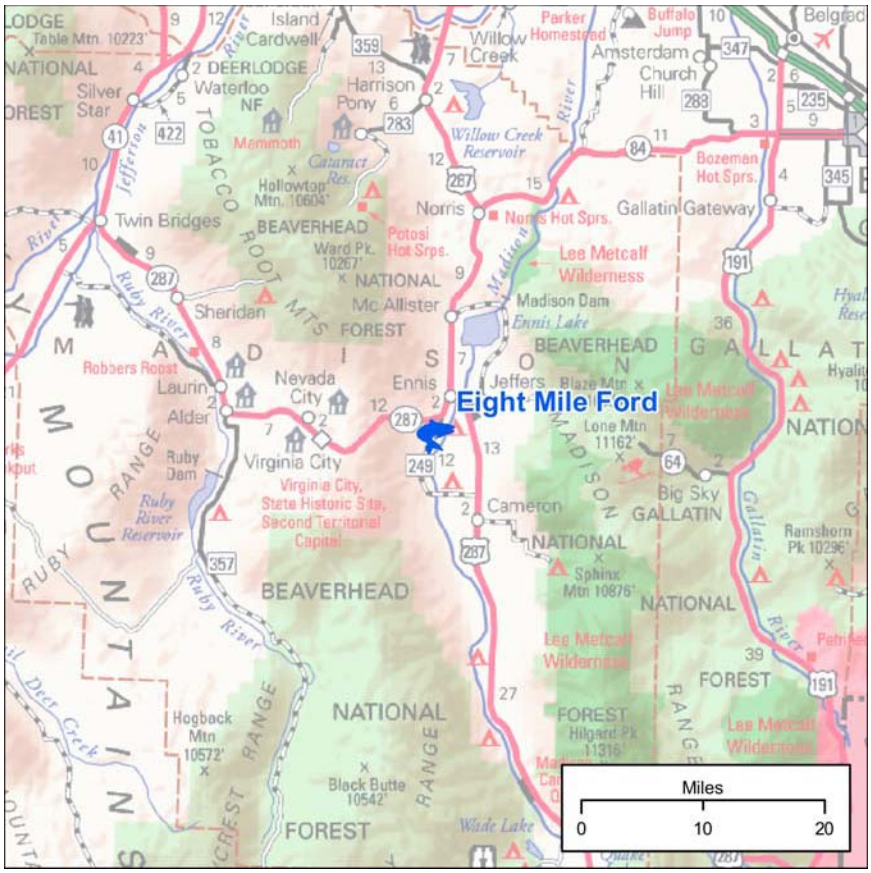

Figure 3. Eight Mile Ford Fishing Access Site Aerial Photo.

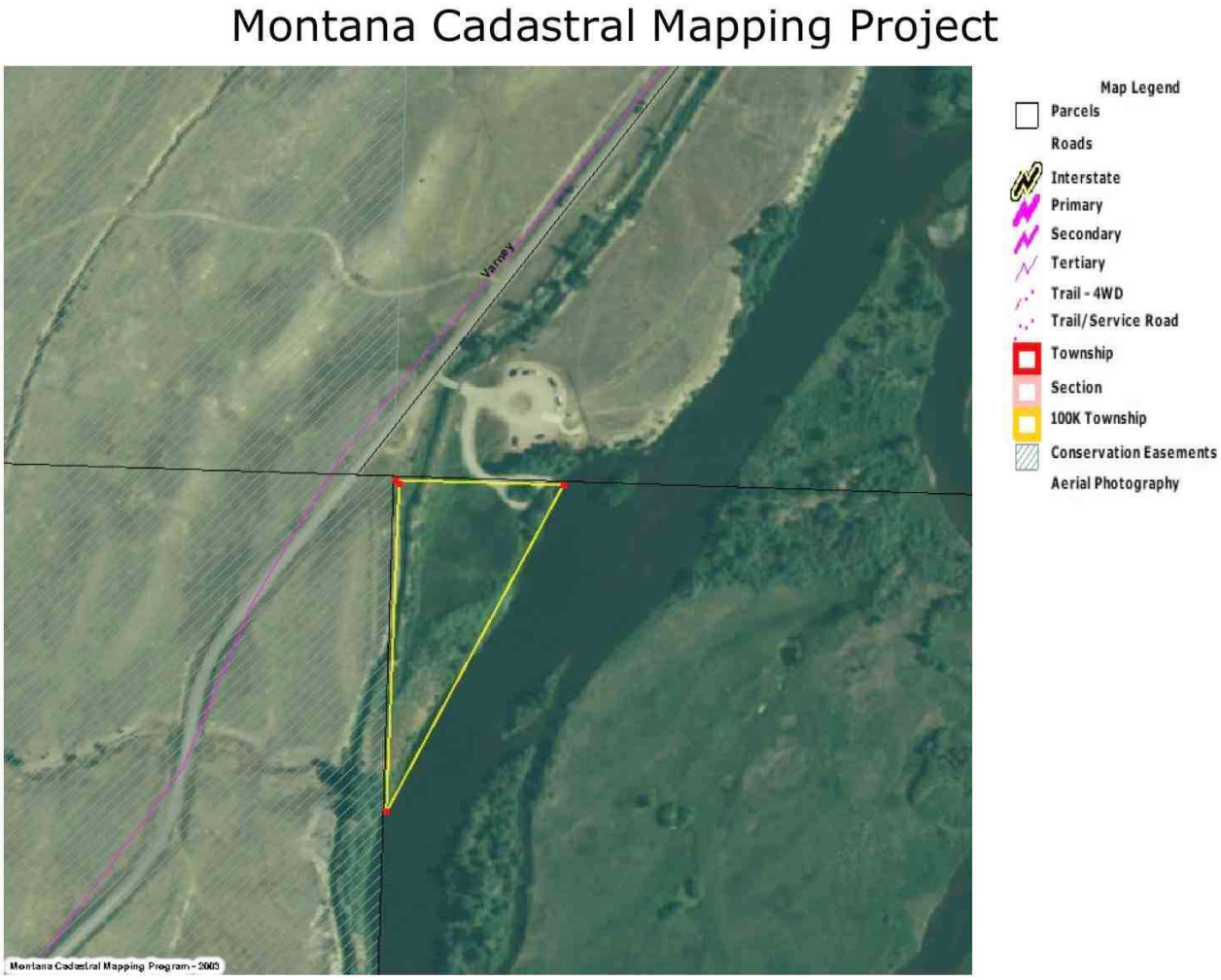

Figure 4. Eight Mile Ford FAS Proposed Property Addition Acquisition Parcel

7. Project size:

	Acres		Acres
(a) Developed:		(d) Floodplain	0
Residential	0		
Industrial	0	(e) Productive:	
		Irrigated cropland	0
(b) Open Space/ Woodlands/Recreation	0	Dry cropland	0
		Forestry	0
(c) Wetlands/Riparian Areas	3.0	Rangeland	0
		Other	0

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

(a) Permits: None required.

(b) Funding: FWP FAS Acquisition Account: $32,000 (estimated)

(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, which has been conducted by Madison County Weed District (See Appendix E)

9. Narrative summary of the proposed action:

The Madison River originates in Yellowstone National Park at the junction of the Firehole and Gibbon rivers and flows in a northerly direction for 132 miles to Three Forks, Montana, where it joins the Jefferson and Gallatin rivers to form the Missouri River. From its source in the Park, the Madison flows across a high conifer-forested plateau, its journey interrupted by two man-made impoundments: Hebgen Reservoir, located one and one-half miles below the park boundary, and Ennis Reservoir, 58 miles downstream from Hebgen. Just below Hebgen, the Madison feeds Quake Lake, a natural lake formed by an earth slide during a major earthquake in 1959. From Ennis Reservoir, the Madison flows through Bear Trap Canyon before entering the lower Madison River valley for its final 18 miles.

The Madison River is one of Montana's premier wild trout rivers. Due to its national reputation, heavy fishing pressure, good access, high scenic value, and excellent wild trout populations, it has been classified as a "Blue Ribbon" trout stream. The Madison River is also the home of "wild trout management" where the results of a then-controversial study in the early 1970's introduced a shift in management emphasis nationwide from stocking trout to "wild trout management" emphasizing natural (in-stream) reproduction, population monitoring, harvest regulation, and habitat protection. A number of challenges exist to wild trout fisheries in the Madison River including whirling disease, increased angling pressure, and drought.

Recent surveys conducted by FWP show that the stretch of the Madison River where Eight Mile Ford FAS is located (river miles 45 - 107) supports over 100,000 angler days per year, making this stretch of river the most heavily used in Montana. Approximately two-thirds of those anglers are nonresident, contributing significantly to the local tourist economy. Game fish opportunities in the river include brown trout, rainbow trout, and mountain whitefish. Other game species found in low numbers are Arctic grayling and brook trout.

The topography of the 26-acre Eight Mile Ford FAS includes a bench approximately 20 feet above the west bank of the Madison River, portions of two different islands within the main channel of the river, and portions of both the main and side channels of the Madison River. Vegetation types found include moist shrub land and deciduous forest on the river banks and islands consisting primarily of narrowleaf cottonwood, willow, and red-osier dogwood with upland grassland on the remaining portions of the FAS consisting of a combination of native and introduced grasses and shrubs.

The topography of the proposed acquisition site, located adjacent to the southern border of Eight Mile Ford FAS, is generally level with the river. It is primarily a wetland covered

by cattails and sedges with deciduous forest and moist shrub land along the riverbank. Trace amounts of spotted knapweed, Canada thistle, and houndstongue were found on this parcel during the weed inspection conducted by Madison County Weed Board on October 14, 2009 (See Appendix E). 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.

Eight Mile Ford FAS is one of 14 FWP managed fishing access sites on the Madison River. Eight Mile Ford FAS is located between Varney Bridge, five miles upstream, and Burnt Tree Hole, two miles downstream. Eight Mile Ford FAS is one of nine FAS's located between river miles 45 to 107, the most popular and heavily used stretch of river in Montana. As a result, this FAS is very popular for anglers, boaters, floaters, and other recreationists. Camping is not allowed at Eight Mile Ford FAS, so there is no revenue generated from camping. Average annual operations and personal services costs for fiscal year 2010 are approximately $2,000.

The acquisition of this three-acre parcel adjacent to Eight Mile Ford FAS, currently owned by the Granger Ranch, would allow FWP to provide permanent public access to the boat ramp and access road and preserve this wetland habitat. If acquired, the land would be open to the public, and regulation and informational signs would be posted.

10. Description and analysis of reasonable alternatives:

Alternative A: No Action

FWP would not purchase the land on which the existing boat ramp and part of the access road are located and the adjacent wetland from the Granger Ranch. Because the Preferred Action is correcting a problem, there will be subsequent issues that FWP will be required to address in the event that the property is not purchased. Some possible consequences are addressed below.

a. No Action- Lease property indefinitely from Granger Ranch.
The current landowners are not willing to lease the land. This alternative would also open FWP up to the possibility of dealing with uncooperative landowners in the future. The cost of leasing the land over the life of the FAS could also far exceed the purchase price of the land. As a result, FWP is not exploring this option any further.

b. No Action- Move boat ramp onto land currently owned by FWP.
Considering the topography of Eight Mile Ford FAS, the location of the existing boat ramp is the only feasible location. As a result, FWP is not exploring this alternative any further.

c. No Action- Remove the boat ramp from the Eight Mile Ford FAS or close the FAS entirely.
This FAS is located on the most heavily used stretch of river in Montana. Eight Mile Ford FAS is also a heavily used FAS for anglers, boaters, and floaters, and is in a good location for putting in and taking out boats and rafts. If the boat ramp or FAS were closed, it would put even greater pressure on other already heavily used FAS's on the Madison River. As a result, FWP is not exploring this alternative any further.

d. No Action- Wait for the landowner to pursue legal alternatives.
Taking no action may prompt the Granger Ranch, the current landowner, to take legal action to be compensated for the use of their land. This could place FWP at risk of an expensive lawsuit and loss of trust and respect by the public. Again, this could cost

substantially more than the purchase price of the land and is not considered a viable alternative.

Preferred Alternative B: Proposed Action

FWP would purchase the three-acre parcel of land adjacent to the southern boundary of Eight Mile Ford FAS from the Granger Ranch. The purpose of this acquisition is to provide continued, permanent public access to the boat ramp and access road currently located on private property and to preserve the adjacent wetland habitat. The three-acre parcel has been appraised at $10,650 per acre and the total cost, subject to a survey confirming the precise parcel size, would be about $32,000.

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

Section 7-22-2154 (2), MCA requires a weed inspection by the county weed district before acquiring new land, which has been conducted by Madison County Weed District (See Appendix E)

PART II. 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 *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. **Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X			.	

The proposed acquisition will have no impact on soil patterns or structures.

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** 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.

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

The proposed acquisition will have no effect on ambient air quality.

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3. WATER Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
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 acquisition will have no effect on surface water, drainage patterns, or floodwater routes.

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4. VEGETATION Will the proposed action result in?	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				4a
b. Alteration of a plant community?		X				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				4e.
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		NA				

4a. Three plant communities are found at Eight Mile Ford FAS. The riverbanks and islands are covered by a combination of deciduous forest and moist shrubland while the bench and areas along the entrance road are dominated by upland grass. The riverbanks and islands are dominated by narrowleaf cottonwood, red-osier dogwood, and willow. The upland bench and entrance road are dominated by a combination of native and introduced grasses and native shrubs including blue grama, needle-and-thread, smooth brome, cheatgrass, crested wheatgrass, prickly pear, and rabbitbrush, The most common exotic species found at the FAS include smooth brome, crested wheatgrass, and cheatgrass. Common noxious weeds include spotted knapweed, Canada thistle, and houndstongue with knapweed most commonly found on the drier sites along the access roads and the bench, and Canada thistle and houndstongue found on moister soils along the river and wetland (Appendix D).

The proposed acquisition parcel is dominated by narrowleaf cottonwood, red-osier dogwood, willow, serviceberry, and Wood's rose along the riverbank, boat ramp, and part of the access road. Cattail, bulrush, and sedges dominate the wetland and reed canarygrass and wildrye are found along the irrigation ditch.

4b. The proposed acquisition will positively affect the wetland by protecting this fragile and important plant community from future development.

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

4e. The Weed Inspection conducted by the Madison County Weed Board on October 14, 2009, as required by Section 7-22-2154, MCA, identified only trace amounts of spotted knapweed, houndstongue, and Canada thistle on the proposed acquisition site (Appendix E). Madison County Weed Board, under contract with FWP, currently treats noxious weeds along the riverbank and the areas around the boat ramp and access roads. These areas will continue to be managed for noxious weeds by Madison County Weed Board under the FWP Statewide Integrated Noxious Weed Management Plan.

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** 5. FISH/WILDLIFE Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				5b.
c. Changes in the diversity or abundance of nongame species?		X				5c.
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				

Even though the proposed three-acre acquisition site is located within a Montana Audubon designated Important Bird Area and near active bald eagle nests, the proposed acquisition will have no affect on the game and non-game species that frequent the property according to FWP wildlife biologists Bob Brannon, Claire Gower, Tom Hinz, and Mike Ross.

5b/5c. Wildlife species whose habitat distribution area includes Eight Mile Ford FAS include white-tailed and mule deer, elk, pronghorn, mountain lion, moose, black bear, wolf, river otter, muskrat, Columbia spotted frog, blue grouse, sharptail grouse, Hungarian partridge, osprey, trumpeter swan, great blue heron, and bald eagle. It is unlikely that there would be changes in the diversity or abundance of game or nongame animals or birds in the project area as a result of the property acquisition since the public already uses the site.

5f. Montana Natural Resource Information System (NRIS) identified four species of concern in the vicinity of Eight Mile Ford FAS: bald eagle, Sprague's pipit, Brewer's sparrow, and gray wolf. Montana Audubon has also designated the area as an Important Bird Area. According to Claire Gower and Tom Hinz of FWP and NRIS, bald eagles are found in the project area year round, and a number of active bald eagle nests are found in the vicinity of the proposed acquisition as monitored by U.S. Forest Service biologist Jay Fredericks. Three bald eagle nests are located within four miles of the proposed acquisition site: the Odell nest one mile north of the proposed site, Blaine Spring nest one mile south, and Robie nest four miles north. Adult and young bald eagles regularly hunt and catch trout within the O'Dell Creek wetland restoration area a short distance upstream from the proposed acquisition site. According to FWP biologist Tom Hinz, public recreation associated with the acquisition would not negatively affect the eagles because there are many potential nesting trees in the vicinity, the mobility of the birds to move along the river to feed, sometimes in response to disturbance and sometimes in the normal course of foraging, there is no change in land use, and the public has used the area for years.

Trumpeter swans have been noted in the area since the 1950's. The Madison River upstream of Ennis Lake hosts wintering trumpeter swans and transients during summer. It is anticipated that restored wetlands on the Granger Ranch

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and adjacent ranches will attract nesting trumpeter swans within the next few years. There are no wetlands conducive to trumpeter swan nesting or foraging within the proposed acquisition area, and the proposed acquisition should have no effect on their habitat. A large great blue heron rookery is located four miles north of the acquisition site, and the area supports osprey and other raptors. The proposed acquisition will not affect these species.

The NRIS report identified a species occurrence of Sprague's pipit approximately 2.5 miles south of the FAS in 2003. The NRIS also reported one species occurrence of Brewer's sparrow within 0.5 miles of the FAS in 2003. The proposed acquisition is unlikely to have any impact on the Sprague's pipit or Brewer's sparrow because these species are primarily upland species, there is no development planned, and the public currently uses the site.

The NRIS reported one species occurrence location of gray wolf approximately 1.5 miles southeast of the FAS. Although wolves move through the area, there is no pack activity in the project area and the proposed project will have no negative or positive influences on wolves. The project should have little impact on all aquatic species because no development is planned, and the public already heavily uses the area. See Appendix B Sensitive Plant and Animal Species in the Eight Mile Ford FAS area for more information on these species.

5g. The acquisition of the wetland will have a positive impact on wildlife species by protecting the wetland habitat from future development. The proposed acquisition will have no negative impacts to wildlife because the public already heavily uses the site.

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B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Increases in existing noise levels?		X				
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

The proposed acquisition will not affect noise or electrical levels and will not interfere with radio or television reception or operation. Adjacent landowners will be notified and should not be affected.

7. LAND USE Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflict 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 acquisition will not alter or interfere with the productivity or profitability of the existing land use. Anglers, boaters, waterfowl hunters, and other recreationists currently use the boat ramp and access road. The remainder of the three-acre parcel is wetland and unsuitable for agriculture or building and provides wildlife habitat.

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8. RISK/HEALTH HAZARDS Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor*	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		NA				

The proposed acquisition will not affect public risks or health hazards on the property. FWP actively manages noxious weeds on the area around the boat ramp and access road in conjunction with Madison County Weed Board and will continue to use an integrated approach to control any new occurrence of noxious weeds as outlined in the FWP Statewide Integrated Noxious Weed Management Plan. The integrated plan uses a combination of biological, mechanical, and herbicidal treatments to control noxious weeds.

9. COMMUNITY IMPACT Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
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 purpose of the fee title acquisition is to acquire legal ownership of the boat ramp and access road and protect the adjacent wetland for wildlife habitat. The public uses the property and that access will continue. Adjacent landowners will be notified of the proposed acquisition. No development is planned at this time other than to manage weeds.

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10. PUBLIC SERVICES/TAXES/UTILITIES Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
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		NA				
f. **Define projected maintenance costs.		X				

The proposed acquisition will have no impact on public services, taxes, or utilities. The payment of property taxes will change from the private landowner to FWP. The boat ramp and access road are currently maintained by FWP as part of Eight Mile Ford FAS, and no changes in annual operating expenses are anticipated. Average annual operating and personal expenses for fiscal year 2010 are approximately $2,000.

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** 11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
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				
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				

The proposed acquisition of the three-acre parcel will not affect the recreational opportunities of Eight Mile Ford FAS or the parcel since the public currently uses the area. However if the parcel is not purchased, the recreational opportunities on the parcel and on Eight Mile Ford FAS will be drastically altered.

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
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				

Though cultural artifacts have been found on Eight Mile Ford FAS, no groundbreaking activities that could disturb these cultural resources will be initiated as part of the proposed acquisition. FWP would get clearance from the State Historic Preservation Office (SHPO) before any development would be initiated in the future.

* 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. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
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 acquisition positively affects the public's continued, permanent access of a popular recreation area on the Madison River and the permanent protection of the adjacent wetland for wildlife habitat.

* 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 positively affects the public's continued, permanent access of a popular recreation area on the Madison River and the permanent protection of the adjacent wetland for wildlife habitat.

The boat ramp and access road will continue to be open to the public for fishing, boating, and wildlife viewing. The natural environment of the wetland will continue to exist to provide habitat to resident and migratory wildlife species and will be open to the public for fishing, waterfowl hunting, and wildlife viewing.

The proposed alternative will have little impact on the local wildlife species that frequent the property, will not increase negative conditions that stress wildlife populations, and the three-acre parcel is not considered critical habitat for any species.

The environmental analysis focuses solely on the acquisition on the property. If FWP were to initiate new development of the property, a separate environmental assessment would be completed, and the public would have the opportunity to comment on proposed improvements.

In the event that FWP does not purchase the three-acre parcel from the Granger Ranch, FWP would be required to take one or more other actions to address the trespass situation. Four potential actions are possible if the property is not purchased, which FWP has evaluated and rejected as feasible alternatives.

FWP explored leasing the land on which the boat ramp and access road are located indefinitely from the Granger Ranch, the current landowner. However, the Granger Ranch is not interested in leasing the land. In addition, this alternative would open FWP up to the possibility of dealing with uncooperative landowners in the future. The cost of leasing the land over the life of the FAS could far exceed the purchase price of the land.

FWP explored moving the boat ramp onto land currently owned by FWP. However, the topography of Eight Mile Ford FAS and the configuration of the Madison River make the location of the existing boat ramp the only feasible location.

FWP explored removing the boat ramp from Eight Mile Ford FAS or closing the FAS entirely. However, this FAS is located on the most heavily used stretch of river in Montana. Furthermore, Eight Mile Ford FAS is a heavily used FAS for anglers, boaters, and other recreationists and is in a good location for putting in and taking out boats and rafts. If the boat ramp was removed or the FAS closed completely, it would put even greater pressure on other already heavily used FAS's on the Madison River.

Taking no action, i.e. not purchasing the property yet leaving the boat ramp and access road in their current location, may prompt the Granger Ranch to take legal action to be compensated for the use of their land. This could place FWP at risk of an expensive lawsuit and loss of trust and respect by the public. This action could cost FWP substantially more than the purchase price of the land.

The proposed acquisition of the three-acre parcel adjacent to Eight Mile Ford FAS would allow FWP to keep the boat ramp and access road open to the public and to preserve

the wetland habitat for wildlife. FWP believes that this land purchase would best meet the needs of the public and the landowner at this important recreational site.

PART IV. PUBLIC PARTICIPATION

1. Public involvement.

The public will be notified in the following manners to comment on the Eight Mile Ford FAS proposed acquisition:

- Two public notices in each of these papers: *the Bozeman Daily Chronicle, the Madisonian* and the *Helena Independent Record*
- Public notice on the Fish, Wildlife & Parks web page: *http://fwp.mt.gov*.
- Direct notice will be given to adjacent landowners.
- Draft EA's will be available at the FWP Region 3 Headquarters in Bozeman and the FWP State Headquarters in Helena.
- A news release will be prepared and distributed to a standard list of media outlets interested in FWP Region 3 issues.

Copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

2. Duration of comment period, if any.

The public comment period will extend for (30) thirty days following the publication of the second legal notice in area newspapers. Written comments will be accepted until 5:00 p.m., February 18, 2010, and can be e-mailed to mwainwright@mt.gov or mailed to the address below:

Eight Mile Ford Fishing Access Site Proposed Property Addition Acquisition
Montana Fish, Wildlife & Parks
1400 South 19th Avenue
Bozeman, MT 59718

If requested within the comment period, FWP will schedule and conduct a public meeting on this proposed project.

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

2. **Persons responsible for preparing the EA:**

Molly Wainwright
River Recreation Manager
1400 South 19th Avenue
Bozeman, MT 59718
mwainwright@mt.gov
406-994-4042

Andrea Darling
FWP EA Contractor
39 Big Dipper Drive
Clancy, MT 59634
apdarling@gmail.com

Jerry Walker
Regional Parks Manager, Region 3
1400 South 19th Avenue
Bozeman, MT 59718
gwalker@mt.gov
406-994-4042

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

Madison County Weed Board
Montana Department of Commerce – Tourism
Montana Fish, Wildlife & Parks
- Director's Office - Lands Outreach Unit
- Director's Office – Legal Unit
- Fish & Wildlife Division
- Parks Division

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

APPENDICES

A. MCA 23-1-110 Qualification Checklist
B. Montana Natural Heritage Program (MNHP) Native Species Report
C. Tourism Report – Department of Commerce
D. Eight Mile Ford FAS 2007 Weed Inventory
E. Eight Mile Ford FAS Weed Inspection and Report – Compliance Checklist for Section 7-22-2154 MCA

APPENDIX A

23-1-110 MCA

PROJECT QUALIFICATION CHECKLIST

Date: November 30, 2009 **Person Reviewing:** Andrea Darling

Project Location: Eight Mile Ford FAS is along the Madison River about four miles south of Ennis, Montana in Madison County, Section 20 Township 6 South Range 1 West.

Description of Proposed Work: Montana Fish, Wildlife & Parks proposes to acquire three acres adjacent to the southern boundary of Eight Mile Ford FAS, south of Ennis, Montana.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under 23-1-110 rules. (Please check ✓ all that apply and comment as necessary.)

[ ] **A. New roadway or trail built over undisturbed land?**
Comments: No new roadways or trails.

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

[ ] **C. Any excavation of 20 c.y. or greater?**
Comments: No excavation.

[ ] **D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?**
Comments: No new parking construction.

[ ] **E. Any new shoreline alteration that exceeds a double-wide boat ramp or handicapped fishing station?**
Comment: 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: No construction.

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

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

If any of the above is checked, 23-1-110 MCA 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 B

SENSITIVE PLANTS AND ANIMALS IN THE EIGHT MILE FORD 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 occurrences of bald eagle, a federally listed threatened animal species, no occurrences of federally listed endangered animal species and no occurrences of threatened or endangered plant species in the proposed project area. The search also indicated that the project area is within the habitat for gray wolf, Sprague's pipit and Brewer's sparrow. 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.

MFWP Conservation Need. Under Montana's Comprehensive Fish and Wildlife Conservation Strategy of 2005, individual animal species are assigned levels of conservation need as follows:

Tier I. Greatest conservation need. Montana FWP has a clear obligation to use its resources to implement conservation actions that provide direct benefit to these species, communities and focus areas.

Tier II. Moderate conservation need. Montana FWP could use its resources to implement conservation actions that provide direct benefit to these species communities and focus areas.

Tier III. Lower conservation need. Although important to Montana's wildlife diversity, these species, communities and focus areas are either abundant or widespread or are believed to have adequate conservation already in place.

Tier IV. Species that are non-native, incidental or on the periphery of their range and are either expanding or very common in adjacent states.

SENSITIVE PLANTS AND ANIMALS IN THE VICINITY OF EIGHT MILE FORD FAS

1. **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: **Sensitive**

FWP CFWCS Tier: **I**

Element Occurrence data was reported of bald eagle in the proximate area of this parcel. Last observation date was 2005.

2. **Anthus spragueii (Sprague's Pipit)**

Natural Heritage Ranks	Federal Agency Status:
State: **S3B**	U.S. Fish and Wildlife Service:
Global: **G4**	U.S. Forest Service:
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **II**

A single element occurrence data of Sprague's Pipit in the proximate area of this parcel was reported in 2003.

3. **Spizella breweri (Brewer's Sparrow)**

Natural Heritage Ranks	Federal Agency Status:
State: **S3B**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service:
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **II**

A single element occurrence of Brewer's Sparrow in the proximate area of this parcel was reported in 2003.

4. Canis Lupus (Gray Wolf)

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

FWP CFWCS Tier: **I**

Element Occurrence data was reported of gray wolf in the proximate area of this parcel. Last observation date was 2006.

APPENDIX C
TOURISM REPORT

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

Montana 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, Visitor Services Manager
Travel Montana-Department of Commerce
301 S. Park Ave.
Helena, MT 59601

Project Name: EIGHT MILE FORD FAS PROPOSED PROPERTY ADDITION ACQUISITION

Project Description: Montana Fish, Wildlife & Parks (FWP) proposes to acquire approximately three acres of land adjacent to the southern boundary of Eight Mile Ford FAS on the Madison River located off Varney Road, four miles south of Ennis, Montana. The boat ramp and a portion of the ramp access road were inadvertently built on land owned by the Granger Ranch. The owners of the Granger Ranch have offered to sell that piece of land plus the adjacent wetland, for a total of three acres, to FWP. The purchase price will be based upon the appraised price of $10,650 per acre for a total of approximately $32,000 for the three-acre parcel. Eight Mile Ford FAS is located between Burnt Tree Hole FAS (two miles downstream) and Varney Bridge FAS (five miles upstream) on the most heavily used stretch of river in Montana. FWP proposes to acquire the parcel in fee title. If acquired, FWP will continue to provide regular maintenance, control weeds and put up regulation signs to inform the public. The site is used by the public for fishing, boating, hunting, and 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.

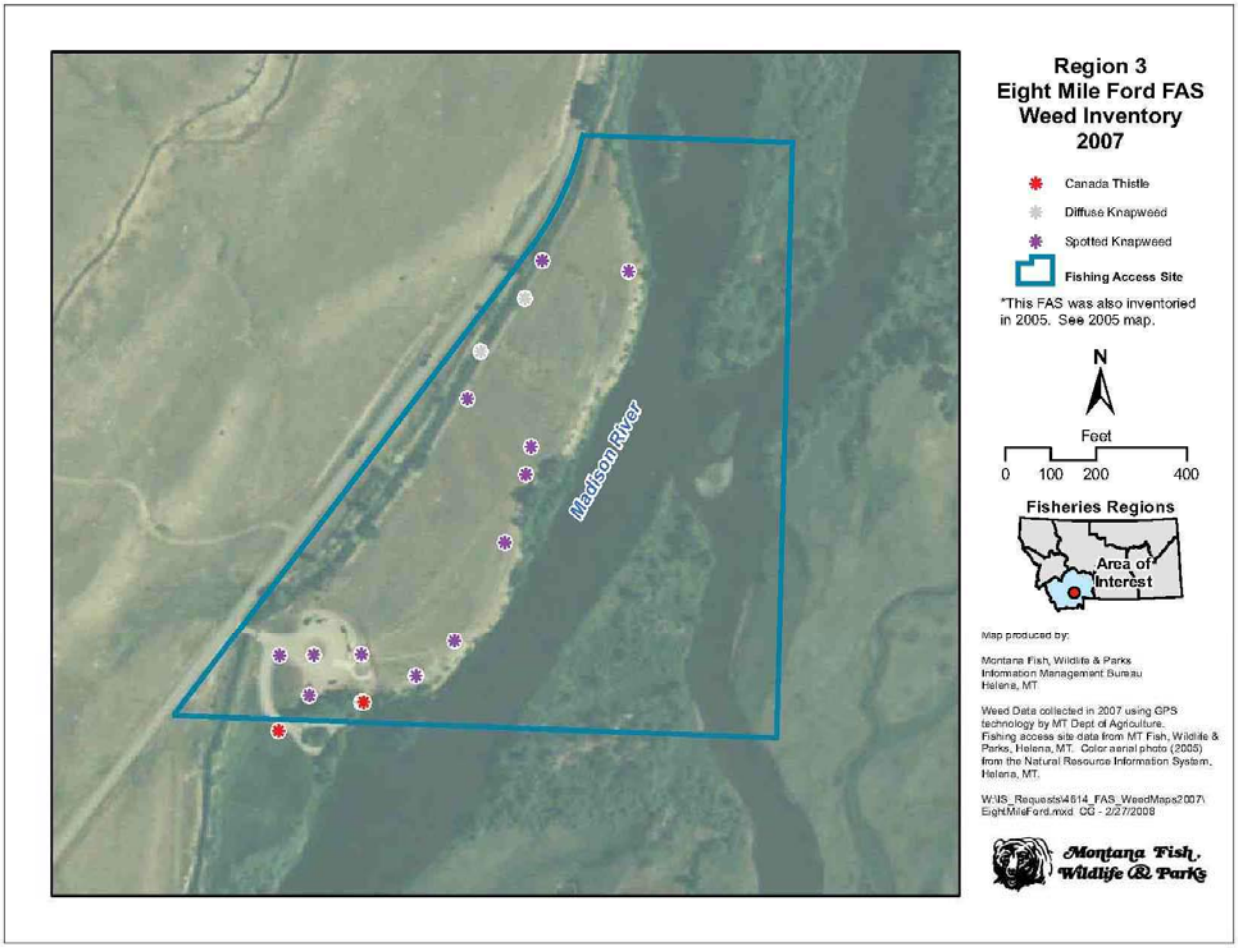
2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?
   NO **YES** If YES, briefly describe:

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 10/21/2009

APPENDIX D

EIGHT MILE FORD FAS 2007 WEED INVENTORY



APPENDIX E

FWP Land Acquisition – Weed Inspection and Report

COMPLIANCE CHECKLIST FOR SECTION 7-22-2154, MCA

FWP Regional Staff: Please return this form to
FWP Lands Bureau. P.O. Box 200701. Helena. MT 59620

Property Name: 8-mile FWP Region: 3

County: Madison

Date of Property Inspection with County Weed Management District: 10-14-09

County Representative(s): Margie Edsall

FWP Staff: Andrea Darling Jeff Weinwright

County Weed Management District - Inspection Report (Please attach weed inspection report or use the space below to describe noxious weeds present on the property, including observations of weed distribution and abundance):

Spotted Knapweed : Trace

houndstongue : Trace

Canada Thistle : Trace

Noxious Weed Management Agreement (Please attach applicable weed management agreement or use the space below to indicate how noxious weeds on the property will be managed when the property is under FWP ownership. Indicate if property will be included in an FWP county or regional weed management plan):

Madison County Weed Board has an agreement w/FWP to treat noxious weeds. County will treat site with available funding from FWP

County Weed Management District Representative: I have inspected the property, and reviewed the weed situation with a representative of Montana Fish, Wildlife & Parks. I concur with FWP's weed management plan for the property, as presented above and/or described in the attached information.

Signed: Margie M. Edsall Date: 10-14-09