Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

December 14, 2010

To: Governor's Office, Mike Volesky, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Dept. of Natural Resources & Conservation, P.O. 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, P.O. Box 201202, Helena, MT 59620-1202
MT State Parks Association, P.O. Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923
Dillon Tribune, 22 S. Montana, Dillon, MT 59725
Helen Sorel, 4900 Bannack Road, Dillon, MT 59725
Kim & Nate Finch, 4700 Bannack Road, Dillon, MT 59725
Cindy Staszak, BLM, Montana State Office, 5001 Southgate Drive, Billings, MT 59101
Bannack Association, P O Box 1426, Dillon MT 59725
Dave L Prewett, PM 3-7-77 and PGM of Montana, 5905 Thorpe Rd, Belgrade MT 59714-8910
Beaverhead County Commissioners, 2 South Pacific St. STE #4, Dillon MT 59725
Larry Lakner, Beaverhead County Flood Plain Administrator, 2 South Pacific St. STE #4, Dillon MT 59725

Ladies and Gentlemen:

The enclosed Environmental Assessment (EA) has been prepared for the Bannack State Park Multi-use /All Weather Shelter Project. Montana Fish, Wildlife & Parks (FWP) proposes to build a multi-use/all weather shelter in the Group Use Area at Bannack State Park. The shelter will be built on a raised earthen pad to mitigate issues with building in a floodplain, and it will be approximately 40' x 60' and accommodate up to 100 visitors. The building will be specifically designed to blend into the park's historic setting, extend the season of use for special events, and it is believed that the facility will attract large user groups who in turn create collateral spending in the local communities.

This Draft EA is available for review in Helena at FWP's Headquarters, the State Library, and the Environmental Quality Council. It also may be obtained from FWP at the address provided above, or viewed on FWP's Internet website: http://www.fwp.mt.gov .

Montana Fish, Wildlife & Parks invites you to comment on the attached proposal. The public comment period will run from December 17, 2010 to January 18, 2011. Comments will be accepted until 5:00 p.m., January 18, 2011 and comments should be sent to the following:

Montana Fish, Wildlife & Parks
c/o Bannack All Multi-Use All Purpose Shelter Project
4200 Bannack Road
Dillon MT 59725

Or e-mailed to: dalec@mt.gov

Sincerely,

Jerry Walker
Region Three Parks Manager
Attachment

ENVIRONMENTAL ASSESSMENT

Bannack State Park
Multi-Use/All Weather Shelter Project

December 2010

Montana Fish, Wildlife & Parks

Bannack State Park Multi-Use/All Weather Shelter Project
MEPA/NEPA/HB495 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Proposed State Action:** Montana Fish, Wildlife & Parks (FWP) proposes building a multi-use/all weather shelter in the Group Use Area at Bannack State Park. The proposed shelter would be built on a raised earthen pad to mitigate issues with building in the floodplain. The shelter would be approximately 40' X 60" and accommodate up to 100 visitors. The Group Use Area sits on the south side of Grasshopper Creek and is connected to the historic town site via a footbridge. The facility would be designed to fit into the historic setting and a natural screen of cottonwood and willow surround the Group Use Area making the site virtually impossible to see from the town site and ensuring the view shed will be protected.

2. **Agency Authority for the Proposed Action**: Montana Statute 23-1-102 (4) gives FWP "jurisdiction, custody, and control of all state parks, recreational areas, public campgrounds, historic sites, and monuments."

3. **Name of Project**: Bannack State Park Multi-Use/All Weather Shelter Project.

4. **Project Sponsors:**

Bannack Association	Bannack Historic Masonic Lodge No. 3-7-77
Linda Mazejka	Dave Prewett
PO Box 1426	5905 Thorpe Rd
Dillon, MT 59725	Belgrade. MT 59714
406-834-3425	406-539-6372

5. **Estimated Timeline:**
   Estimated Construction/Commencement Date: Fall 2011
   Estimated Completion Date: Fall 2011
   Current Status of Project Design (% complete) 0

6. **Location Affected by Proposed Action**:
   Section 7, Township 8S, Range 11 W

   Bannack State Park is approximately 24 miles southwest of Dillon, Montana, off of Highway 287.

Substations
Bannack Cem
T7S
T8S
Hangmans
Campgrounds
Hope Placer Mine
Cemetery
Bannack
(Fmr Territorial Capitol)
BANNACK
STATE PARK
BANNACK
STATE PARK
TRANSMISSION
LINE
Mine
Mendocks Lode Mine
Wallace Lode Mine
Wadsms Lode Mine
Hillside Placer Mine
Priscilla Mine
Golden Leaf Mine
Excelsior Lode Mine
French Lode Mine
Grasshopper
WT

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

	Acres
(a) Developed:	
residential	0
industrial	0
(b) Open Space/Woodlands/Recreation	
(c) Wetlands/Riparian Areas	0
(d) Floodplain	.25
(e) Productive:	
irrigated cropland	0
dry cropland	0
forestry	0
rangeland	0
other	

8. Permits, Costs, and Overlapping Jurisdiction

(a) Permits:

Agency Name	Permit	Date Filed/#
Beaverhead County	Floodplain Permit	to be filed
Beaverhead County	Building Permit	to be filed

(b) Funding:

Agency Name	Funding Amount
Bannack Association	$20,000
Masonic Historic Lodge 3-7-77	$20,000
Bannack State Park Donation Account	$16,000
TIIP Grant	$65,000
Total	$121,000

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name	Type of Responsibility
State Historic Preservation Office (SHPO)	Cultural Artifact Determination

9. Narrative summary of the proposed action:

Montana Fish, Wildlife & Parks proposes building a multi-use/all weather shelter in the Group Use Area at Bannack State Park. In accordance with Action A8-2 of the park's Management Plan (2000), the shelter will "enhance" recreational opportunities "while maintaining the Bannack Experience." By creating a shelter outside the town site suitable for "interpretive, educational and recreational activities", FWP believes this facility would help "disperse" visitors throughout the park and help address Issue two "Visitor Management" of the Management Plan.

The shelter would be built on a raised earthen pad to mitigate issues with building in the flood plain. The shelter would meet ADA accessibility standards and be connected to the existing latrine by a concrete path.

Currently, the park has no covered facilities to host special events besides the church which was built in 1875. Issues surrounding protection and preservation of the building and the church's physical limitations limit the size and type of events the park can host. The new covered shelter would provide the park flexibility in the size and type of special events it can host, help protect the resource by moving some special events outside the historic town site, help to disperse visitors throughout the park, and provide school groups and visitors a shelter for picnicking and programs during periods of inclement weather.

10. Alternatives:

Alternative A: Proposed Action

In the preferred alternative, FWP would build a multi-use/all weather shelter in the Group Use Area at Bannack State Park. The shelter will be approximately 40' X 60' and accommodate approximately 100 visitors. The shelter would be built on a raised earthen pad to mitigate issues with building in a floodplain. The building would be specifically designed to blend into the park's historic setting, extend the season of use for special events, and it is believed that the facility will attract large user groups who in turn create collateral spending in the local communities.

Alternative B: No Action

If no action is taken the Park would continue to operate without any covered picnic facility and be limited to hosting events in the church, which has physical limitations and raises issues with the protection and preservation of the building.

PART II: ENVIRONMENTAL REVIEW

1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES **Will the proposed action result in:**	**IMPACT ∗**				**Can Impact Be Mitigated∗**	**Comment Index**
	Unknown ∗	**None**	**Minor ∗**	**Potentially Significant**		
a. ∗∗Soil instability or changes in geologic substructure?		X				1a
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?			X			1b
c. ∗∗Destruction, covering or modification of any unique geologic or physical features?		X				1c
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				1d

1a) The proposed action does not call for any excavation. The shelter would be built on a raised earthen pad which will not cause any change to the geological substructure.
1b) The site for the proposed action is floodplain and it is maintained as a lawn. The footprint of the raised earthen pad would reduce the size of the lawn by approximately .25 acres.
1c) The site for the proposed action was dredged for gold in the late 19th and early 20th centuries and since then nature has reclaimed the ground leaving no visual evidence of the work, so no unique geological or physical features would be affected.
1d) The proposed action would not result in any changes to the siltation, deposition or erosion patterns that affect Grasshopper Creek.

2. AIR **Will the proposed action result in:**	**IMPACT ∗**				**Can Impact Be Mitigated∗**	**Comment Index**
	Unknown ∗	**None**	**Minor ∗**	**Potentially Significant**		
a. ∗∗Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))			X			2a
b. Creation of objectionable odors?		X				
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 regulations? (Also see 2a)		N/A				

2a) Minor and temporary dust and vehicle emissions would be created during the project but the distance between the construction site and the town site should limit the impact on visitors and there would be no long term impact.

3. WATER Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				3a
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?			X			3c
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				3f
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)		N/A				
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		N/A				

3a) The site for the proposed action is approximately 200 ft. from the banks of Grasshopper Creek and the plans do not call for any excavation thus construction would not result in a discharge of any material into the surface water or cause an alteration of the quality of surface water .
3c) The site for the proposed action tends to be a settling area for flood waters and the earthen pad on which it would be built would protect the facility but it would not alter the waters course very much.
3f) The project does not call for any excavation so there would be no effect of the quality or quantity of groundwater.

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		No	4a
b. Alteration of a plant community?		X				
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?		N/A				
g. Other:						

4a/c) The proposed multi-use shelter site would require the covering over of approximately .25 acre of maintained lawn with dirt to provide a raised pad for the shelter and graded slopes for easy access. The location of proposed shelter would not require the removal or disturbance of existing trees or shrubs. The lawn area does not support any sensitive plant species, although four sensitive species (Hoary Phacelia, Taper-tip Desert parsley, Chicken Sage, and Beautiful Bladderpod) have been observed in other areas of the Park.
4e) Bannack State Park currently has infestations of knapweed. Disturbance of soils during the construction process and the increased use of the site if a new multi-use shelter is constructed could increase the spread of noxious weeds within the immediate use area. FWP utilizes the Statewide Integrated Noxious Weed Management Plan to control the noxious weeds within the Park by using chemical, biological and mechanical methods and would continue to implement these methods to the shelter area to decrease the spread of weeds to new areas within the Park.

** 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				5a
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				5e
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			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)		N/A				
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)		N/A				

5a) The site for the proposed action is floodplain, maintained as a lawn, and it sits back from the banks of Grasshopper Creek approximately 200' so in no way would this project affect critical fish or wildlife habitat.
5e) The shelter would be an open sided structure which would allow animals frequenting the park to pass right through and in no way should it restrict their movement.
5g) The noise caused by the construction for the shelter may slightly stress wildlife in the park, but the animals are accustomed to human activity (visitors, mowing, weed trimming), so the impact would be minimal and only last for the duration of the project.

See Appendix B for a list of sensitive species in the Bannack State Park area.

B. HUMAN ENVIRONMENT

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

6a) There would be a temporary increase in noise levels caused by the construction but it would be temporary only lasting the duration of the project.
6b) The park would be open during this period and visitors would be exposed to noise levels that may be described as a nuisance, but the distance between the construction site and the town site would minimize the impact, construction would take place in the fall to minimize impact, and it would only be temporary and last the duration of the project.

7. LAND USE Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X			7a
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?			X			7b
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				

7a) Groups reserving the shelter will be charged a fee and we believe that the construction of this facility would attract large user groups and actually increase the profitability of the Group Use Area.
7b) The proposed action does not conflict with the educational importance of the site and it would expand educational opportunities by creating a facility for educational programs and a place for groups to eat during inclement weather. Construction would take place in the fall to help minimize conflict with educational group visits.

8. RISK/HEALTH HAZARDS **Will the proposed action result in:**	**IMPACT ∗**				**Can Impact Be Mitigated ∗**	**Comment Index**
	Unknown ∗	**None**	**Minor ∗**	**Potentially Significant**		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
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)		N/A				

9. COMMUNITY IMPACT **Will the proposed action result in:**	**IMPACT ∗**				**Can Impact Be Mitigated ∗**	**Comment Index**
	Unknown ∗	**None**	**Minor ∗**	**Potentially Significant**		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?			X			
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				

9d) FWP expects this facility would attract large user groups who in turn may be looking for catering service or entertainment so it may have a positive effect on local business.

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 used of any energy source?		X				
e. **Define projected revenue sources						
f. **Define projected maintenance costs.						

10b) FWP believes the facility would attract large user groups who wish to hold special events, which in turn may generate more revenue for the park. In accordance with the Park's Division Bi-Annual Fee Rule, the shelter will rent for $75 per day. Collateral spending in local communities may cause an increase in camping which equates to an increase in bed tax revenue. Maintenance costs for the shelter should be minimal since the Bannack maintenance crew maintains the group use area on a daily basis. Maintenance costs are expected to be $500 per year.

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

11a) The facility is designed to blend into the historic setting of the park and the natural screen of cottonwood and willow help ensure protection of the view shed.
11c) FWP believes this facility would actually benefit the quality and quantity of recreational/tourism opportunities by providing protection for programs and picnicking during periods of inclement weather. A shelter would provide flexibility with the size and type of special events the park can host, and extend the season for special events. See Appendix C for the Montana Department of Commerce Tourism Report.

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

12a) The site for the proposed action is floodplain and it is maintained as a lawn. The site was dredged in the late 19th and early 20th centuries effectively destroying the remnants of the community of Yankee Flats which once stood in this approximate location. Because of issues with building in the floodplain the plans call for the shelter to be built on a raised earthen pad so there would be no excavation and buried objects would not be disturbed. FWP's Heritage Specialist has completed a survey of the proposed shelter location to ensure there are no historic artifacts present. This survey is attached as Appendix D.

SIGNIFICANCE CRITERIA

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

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

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

PART III. NARRATIVE EVALUATION AND COMMENT

Bannack State Park is one of Montana's most important historic and cultural resources, but its significance extends beyond our borders. The Park's national significance was recognized by the United States Department of Interior in 1962 when the site was declared a National Historic Landmark. Bannack was the site of the first major gold rush in what became Montana, the site of the first Territorial Capital, witness of Vigilante justice, but most importantly Bannack State Park symbolizes a community's struggle to survive. Efforts to preserve the town began in 1954 and today it is considered one of the best preserved ghost towns in the United States. Every year the Park attracts thousands of visitors from around the country and the world and we believe this facility would contribute to a positive visitor experience and lends itself to attracting large user groups whose collateral spending would benefit the local economy.

Currently, the park has no covered facilities to host special events besides the church which was built in 1875. Issues concerning protection and preservation of the building and the church's physical limitations limit the size and type of event the park can host. Section eight of park's Management Plan specifically calls for construction of a shelter in the Group Use Area as a means to "enhance" recreational opportunities. It also lends itself to address the issue of "dispersing visitors" in section two "Visitor Management" by creating a facility suitable for hosting "interpretive, educational and recreational activities." We believe this facility would provide the park flexibility in the size and type of events the park can host, help protect the resource by moving some special events outside the town site, help disperse visitors throughout the town site allowing them to experience Bannack, and provide school groups and visitors a shelter for picnicking and programs during periods of inclement weather.

This EA did not reveal any significant negative impacts to the physical and human environment stemming from the proposed action. No threatened or endangered species have been observed in the area and no unique physical features would be affected. In short, the proposed action would help make the park more user friendly, allow the park to host events too large or unsuitable for the current facilities, and help protect the resource by dispersing visitors throughout the park without creating any significant impact.

PART IV: EA CONCLUSION SECTION

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

   Based on an evaluation of primary, secondary, and cumulative impacts to the physical and human environment under the Montana Environmental Protection Act (MEPA), this environmental review found no significant impacts from the

proposed action of building a multi-purpose shelter. FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur, growth-inducing or inhibiting aspects of the impact, the importance to the state and to the society of the environmental resource or value affected, and precedent that would be set as a result of the proposed action that would commit FWP to future actions; and potential conflicts with local, state, or federal laws. Therefore, an EA is the appropriate level of review and an EIS is not required.

2. Public Involvement:

   The public would be notified by way of two statewide press releases and legal notices in the *Dillon Tribune, Montana Standard* and the *Helena Independent Record*, and by public notice on the FWP web page; http://fwp.mt.gov/publicnotices. Individual notices would be sent to the region's EA distribution list and to those that request one.

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

3. Duration of comment period:

   A 30 day comment period is proposed. This level of public involvement is appropriate for the scale of this project.

   Written comments will be accepted until 5:00 p.m., 01/18/2011 and can be e-mailed to dalec@mt.gov or mailed to the address below:

   Bannack State Park Multi-Use/All Weather Shelter Project
   Montana Fish, Wildlife & Parks
   4200 Bannack Road
   Dillon MT 59725

4. Persons responsible for preparing the EA:

Jerry Walker	Dale Carlson	John Phillips
Regional Parks Manager	Park Manager	Interpretive Ranger
1400 South 19th Ave	4200 Bannack Rd	4200 Bannack Rd
Bozeman, MT 59718	Dillon, MT 59725	Dillon, MT 59725
406-994-3552	406-834-3413	406-834-3413

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

   Montana, Fish, Wildlife & Parks
   - Parks Division
   - Wildlife Division

Fisheries Division
Land Division
Design & Construction Bureau
Montana State Historic Preservation Office
Montana Department of Commerce – Tourism
Montana Natural Heritage Program – Natural Resource Information System (NRIS)

ATTACHMENTS (Appendices)

A. HB 495 Checklist
B. Sensitive Plants and Animals in the Bannack State Park Area
C. Tourism Report – Department of Commerce
D. Heritage Resource Inventory of a Proposed Picnic Shelter at Bannack State Park.

APPENDIX A
HB495
PROJECT QUALIFICATION CHECKLIST

Date August 19, 2010 **Person Reviewing:** John Phillips

Project Location: Bannack State Park, Beaverhead County. Section 7, Township 8S, Range 11 W.

Description of Proposed Work: Montana Fish, Wildlife & Parks proposes building a multi-use/all weather shelter in the Group Use Area at Bannack State Park. The shelter would be built on a raised earthen pad to mitigate issues with building in the floodplain and it would consist of a 40' x 60' concrete pad, ruff hewn lumber construction, cedar shake gambrel roof, fireplace and removable fabric siding. The shelter would meet ADA accessibility standards and be connected to the existing latrine by a concrete path. The Group Use Area sits on the south side of Grasshopper Creek and provides easy access to the town site via a footbridge. The site is surrounded by a ring of cottonwood and willow making it nearly imperceptible to visitors and the facility is designed to fit into the historic setting thus ensuring protection of the view shed.

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

[ ] A. New roadway or trail built over undisturbed land?
Comments: None

[X] B. New building construction (buildings <100 SF) and vault latrines exempt)?
Comments: The facility will be about 2400 sf. and built on an earthen pad to mitigate issues with building in a floodplain.

[ ] C. Any excavation of 20 CY or greater?
Comments: None

[ ] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: None

[ ] E. Any new shoreline alteration that exceeds a double wide boat ramp or handicapped fishing station?
Comments: None

[ ] F. Any new construction into lakes, reservoirs, or streams?
Comments: None

[X]G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?
Comments: State Historic Preservation Office (SHPO) clearance will be sought before the project begins.

[ ] H. Any new above ground utility lines?
Comments: None

[ ] I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments: None.

[ ] J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?
Comments: None

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 B

Sensitive Plants and Animals in the Bannack State Park Area

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (nhp.nris.state.mt.us/eoportal) indicates no known occurrences of federally listed threatened, endangered, or proposed threatened or endangered plant or animal species in the proposed project site.

Species of Concern Terms and Definitions

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**) (NatureServe 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.

1. *Centrocercus urophasianus* (Greater Sage-grouse)

State: **S2**
Global: **G4**

U.S. Fish and Wildlife Service:
U.S. Forest Service: **Sensitive**
U.S. Bureau of Land Management: **Sensitive**

A documented lek occurs approximately 1.75 miles north of the proposed project site, but population data is unavailable. It is unlikely that the proposed action would affect this species, as inferred extent of this species range does not overlap with the town site.

2. *Oncorhynchus clarki lewisi* (Westslope Cutthroat Trout)

Natural Heritage Ranks:
State: **S2**
Global: **G4T3**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service:
U.S. Bureau of Land Management: **Sensitive**

Westslope Cutthroat do not inhabit this section of Grasshopper Creek and this project in no way should affect the creeks fish population.

3. *Buteo regalis* (Ferruginous Hawk).

Natural Heritage Ranks:
State: **S2B**
Global: **G4**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service:
U.S. Bureau of Land Management: **Sensitive**

This sensitive species has been regularly observed from 1977 through the present, in short-grass prairie habitat and brushy draws. The full extent of occupied breeding habitat is unknown, but most sightings have occurred in the Lima-Sweetwater breaks northwest of Dillon. It is unlikely that the proposed project would affect this species.

4. *Perognathus parvus* (Great Basin Pocket Mouse).

Natural Heritage Ranks:
State: **S2S3**
Global: **G5**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service:
U.S. Bureau of Land Management: **Sensitive**

This species was first observed at two survey sites east and west of Badger Pass in 1961. No current population information is available.

5. *Lepus californicus* (Black-tailed Jack Rabbit).

Natural Heritage Ranks:
State: **S2**

Federal Agency Status:
U.S. Fish and Wildlife Service:

Global: **G5**

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

This record is a summary of multiple observations in the area south of Bannack, with dates ranging from 1937-1997. The proposed project would be unlikely to affect this species, as all construction would occur on previously disturbed and heavily trafficked ground.

6. *Thelypodium sagittatum ssp.* *sagittatum* (Slender Thelypody).

Natural Heritage Ranks:
State: **S2**
Global: **G5**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service:
U.S. Bureau of Land Management: **Sensitive**

A specimen for this sensitive species was first collected during the tenth census of the United States Department of Forestry, Northwestern Territories, in 1880. No current population data for this species is available.

7. *Lesquerella pulchella* (**Beautiful Bladderpod).**

Natural Heritage Ranks:
State: **S2**
Global: **G5**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service: **Sensitive**
U.S. Bureau of Land Management: **Sensitive**

While this species has been observed in the Bannack area the proposed action will take in the semi-developed picnic area which is maintained as lawn and in no way should this facility affect this species.

8. *Sphaeromeria argentea* (Chicken Sage).

Natural Heritage Ranks:
State: **S3**
Global: **G3G4**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service:
U.S. Bureau of Land Management: **Sensitive**

While this species has been observed in the Bannack area the proposed action will take place semi-developed picnic area which is maintained as lawn and in no way should this facility affect this species.

9. *Lomatium attenuatum* (Taper-tip Desert-parsley).

Natural Heritage Ranks:
State: **S2**
Global: **G3**

Federal Agency Status:
U.S. Fish and Wildlife Service:
U.S. Forest Service:
U.S. Bureau of Land Management: **Sensitive**

Over 10,000 plants occur within the larger Bannack State Park area, but it is unlikely

that this project would affect this species, as proposed action will take place semi-developed picnic area which is maintained as lawn and in no way should this facility affect this species.

10. ***Astragalus scaphoides*** (Bitterroot Milkvetch).

Natural Heritage Ranks:	Federal Agency Status:
State: **S2**	U.S. Fish and Wildlife Service:
Global: **G3**	U.S. Forest Service: **Sensitive**
	U.S. Bureau of Land Management: **Sensitive**

Approximately 300 plants occur in 3 subpopulations about 2 1/2 miles from the proposed project site. There is sufficient distance between the element occurrence of this species and the Group Use Area where the proposed action will occur.

11. ***Phacelia incana*** (Hoary Phacelia).

Natural Heritage Ranks:	Federal Agency Status:
State: **S2**	U.S. Fish and Wildlife Service:
Global: **G3**	U.S. Forest Service: **Sensitive**
	U.S. Bureau of Land Management: **Sensitive**

Over 1000 plants occur in patches on ridge complex within Bannack State Park. The proposed action will occur in the Group Use Area which is maintained as lawn and in no way should it affect this species.

Interested parties may contact MFWP Region 3 offices for a detailed map of sensitive species Element Occurrences (EOs).

Information courtesy of Montana Natural Heritage Program.

APPENDIX C
TOURISM REPORT
MONTANA ENVIRONMENTAL POLICY ACT (MEPA)/HB495

The Montana Department of Fish, Wildlife and Parks have initiated the review process as mandated by HB495 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Carol Crockett, Visitor Service Manager
Montana Office of Tourism-Department of Commerce
PO Box 200533
301 S Park
Helena, MT 59620-0533

Project Name: Bannack State Park Shelter Project

Project Location: Bannack State Park, Beaverhead County. Section 7, Township 8S, Range 11W.

Project Description: Montana Fish, Wildlife & Parks (FWP) proposes building a multi-use/all weather shelter in the Group Use Area at Bannack State Park. The proposed shelter will be built on a raised earthen pad to mitigate issues with building in the floodplain. The Group Use Area sits on the south side of Grasshopper Creek and is connected to the historic town site via a footbridge. The facility is designed to fit into the historic setting and a natural screen of cottonwood and willow surround the Group Use Area making the site virtually impossible to see from the town site and ensuring the view shed will be protected.

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. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

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 quality and quantity of tourism and recreational opportunities. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

Signature Carol Crockett, Visitor Services Manager Date: December 14, 2010

2/93
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APPENDIX D

Heritage Resource Inventory of a Proposed Picnic Shelter at Bannack State Park, Beaverhead County, Montana

Sara Scott
Montana Department of Fish, Wildlife and Parks
Helena, Montana
November 2010

INTRODUCTION & PROJECT INFORMATION

Montana Fish, Wildlife and Parks (FWP) is proposing to construct a group use picnic shelter within existing picnic grounds at Bannack State Park located in Beaverhead County, Montana. Bannack State Park is 1623 acres in size and is located approximately 25 miles west of Dillon, Montana. The park is a National Historic Landmark which contains over 50 historic buildings that reflect the days of Montana's earliest gold strike in 1863. Over 30,000 people visit the park each year to step back in time and relish historic mining days gone by.

The feature attraction of Bannack is its main street lined with historic buildings that once served as hotels, banks, assay offices, post offices, restaurants and private residences. Just west of the park there is a campground and day-use picnic area (Figure 1). These facilities are located away from the main historic town and are adjacent to Grasshopper Creek which provides screening from the town site with its adjacent willows, cottonwoods and shrubs. The campground/day use area is accessible via a small bridge that crosses the creek. The proposed project is located in T8S, R11W, SW ¼ of section 6. These lands are located on the Bannack U.S.G.S. 7.5 minute series topographic maps. The new shelter will accommodate large groups and will help protect them from the often changing weather at the park which is situated at an elevation of over 6000 feet above msl. The new shelter will measure 30 „x 60" and will be constructed on roughhewn lumber with a cedar shingle gambrel roof.

BACKGROUND LITERATURE SEARCH

Several cultural resource studies have been conducted within Bannack NHL including research, survey and historic archaeological testing and monitoring work (Hall et al. 2009; Karsmizki 1987; Newell et al. 1982; Rossillon 1995). In 1984 and 1985, Karsmizki monitored several construction projects including the burial of a power line, the installation of fire detection and suppression systems and the movement of one historic building (Karsmizki 1987). In 1994, Rossillon conducted test excavations adjacent to six buildings, which were undergoing stabilization work. A total of six 50 x 50 cm units and one 50-x100 cm unit were excavated. Over 6500 artifacts were recovered along with 1300 bone fragments. Artifacts recovered include jar fragments, Chinese opium tins, Celadon bowl fragments, complete bottles, tools, and broken children's toys (Rossillon 1995).

Testing and mitigation work conducted by Western Cultural in June-July of 2008 and in June of 2009 indicates that buried artifacts surround the various buildings where building stabilization work occurred. Excavations were conducted adjacent to the Hotel Meade, Parsonage, Bath House, Keplers Cabin, the Daisy Ashworth and Marge Griffith Residences, and Building 13-5. Artifacts recovered include trade beads, a woman's garter, crucibles, a gun holster and bullets, buttons, beer, wine, and medicine bottles and a variety of ceramic fragments. The excavation work provided information relative to "a day in life" of historic miners and trades people who lived in the town of Bannack between 1864 and 1950.

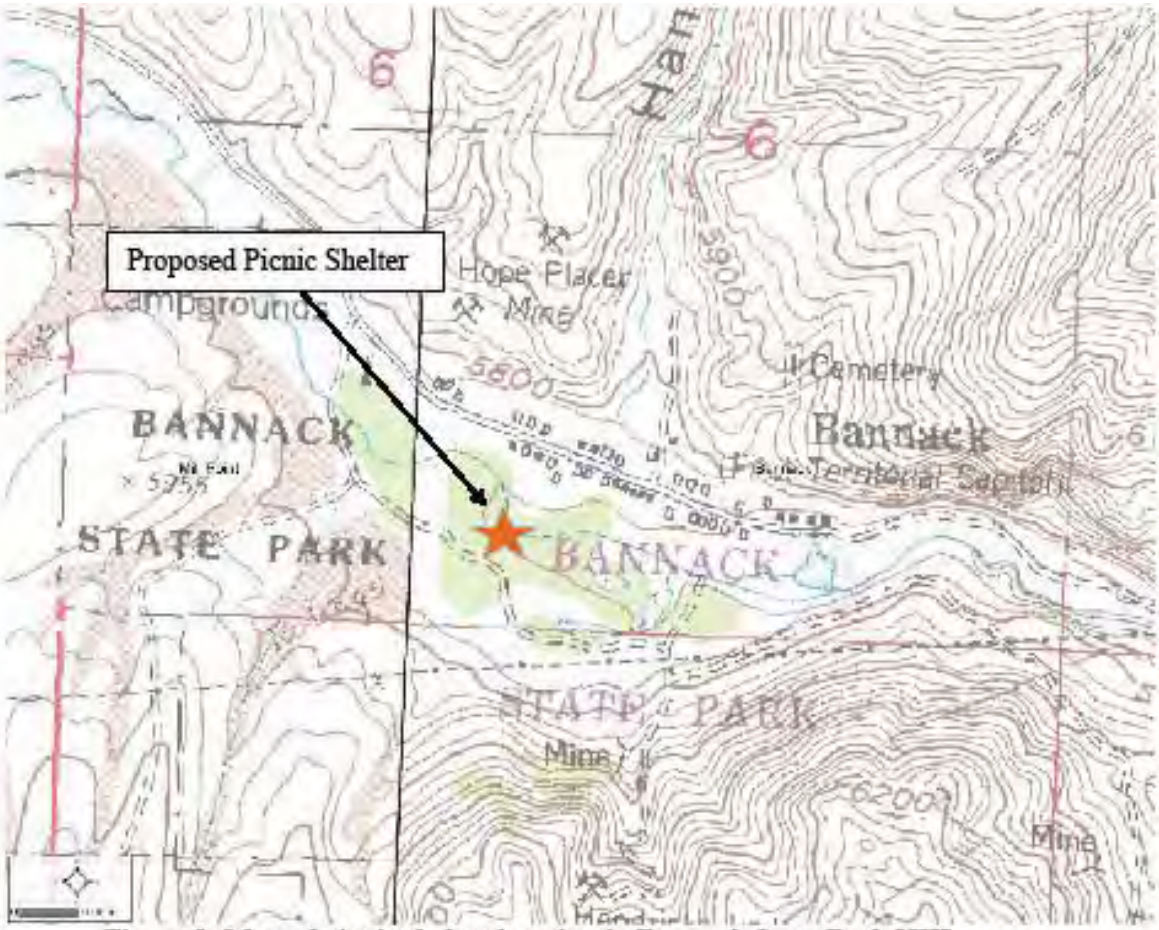

Figure 1. Map of picnic shelter location in Bannack State Park NHL.

SURVEY METHODS & RESULTS

A cultural resource survey of the proposed picnic shelter was conducted on July 8, 2010 by FWP heritage resources coordinator, Sara Scott. The area where the picnic shelter would be placed and the surrounding area was checked for the presence of historic or archaeological remains. The project area contained mowed grass and cottonwood trees. No artifacts were observed during the survey but surface visibility was low. Since the project lies within the floodplain of Grasshopper Creek it is likely that any remnants of historic sites have been washed away by high water in the spring. In early spring the day use area is frequently underwater. No artifacts or evidence of previous historic occupation or use was observed.

CONCLUSION

Based on the results of the field investigation, the proposed picnic shelter should have no impact on historic archaeological sites. In accordance with Montana Code Annotated (MCA) 22-3-435, if previously undiscovered archaeological or historic sites are discovered during project construction, construction should cease within the site area. FWP cultural resources staff or the Montana SHPO should be contacted and reasonable steps should be taken to ensure site preservation until cultural resource professionals can conduct an evaluation of site significance.

REFERENCES CITED

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