CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Amelia Island Fishing Access Site Easement
Proposed Implementation Date:	Fall 2013
Proponent:	Montana Department of Fish, Wildlife & Parks
Location:	Section 32, Township 7 North, Range 36 East (Common Schools)
County:	Treasure County

I. TYPE AND PURPOSE OF ACTION

The Montana Department of Fish, Wildlife and Parks (FWP) has submitted an application for an easement for a new Fishing Access Site (FAS) on 1.8 acres of accreted land on the south shore of the Yellowstone River, north of Hysham. The land is located in Section 32-T7N-R36E in Treasure County. FWP acquired through donation an additional 4.8 acres that adjoins the State land and is proposing to construct a new FAS on the DNRC and FWP lands. The new FAS is proposed to include the construction of a designated parking area, a singlewide concrete boat ramp, concrete vault latrine, fencing, informational signs, and improvements to the access road. The FAS adjoins the existing FWP Amelia Island Wildlife Management Area (WMA) as well as Amelia Island, which is a State-owned island that FWP leases from DNRC (see attached Exhibit A).

FWP prepared the *Amelia Island Fishing Access Site Proposed Right-of-Way Easement Acquisition and Development Draft Environmental Assessment* that analyzed the easement acquisition as well as the development of the Fishing Access Site (FAS). This EA was released for public comment on 25 March 2013 and comments were accepted through 26 April 2013. A Decision Notice (DN) was issued on 28 May 2013 which adopted the preferred alternative of proceeding with the FAS development and easement acquisition. Within the remainder of this document, references to information from the FWP Draft EA are referring to that document unless otherwise noted. The FWP Amelia Island FAS Draft EA is available for review upon request at the DNRC Southern Land Office and the FWP Region 7 Headquarters in Miles City.

II. PROJECT DEVELOPMENT

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

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

No formal public scoping was performed by DNRC for this proposed project. As noted above, FWP provided a 30 day public comment period for their draft EA for the easement acquisition and site development, as well as providing notification to the public in the following manner:

- Two public notices in each of these papers: *the Hysham Echo, The Miles City Star, and the Helena Independent Record.*
- Public notice on the Fish, Wildlife & Parks web page: *http://fwp.mt.gov* .
- Draft EA's were available at the FWP Region 7 Headquarters in Miles City and the FWP State Headquarters in Helena.
- A news release was prepared and distributed to a standard list of media outlets interested in FWP Region 7 issues.
- Copies of this environmental assessment were distributed to neighboring landowners and interested parties to ensure their knowledge of the proposed action.

In addition, on 28 May 2013 FWP sent communication to interested parties regarding the Decision Notice that was issued for the Draft EA that adopted the preferred alternative.

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

Treasure Conservation District: 310 Permit
Treasure County: Floodplain Permit and Sanitation Permit
US Army Corps of Engineers: Section 404 Permit
Montana Department of Environmental Quality: 318 Permit

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Issue an easement for a Fishing Access Site to FWP on 1.8 acres of accreted land on the Yellowstone River and allow the construction of a formal, developed access to the river.

No Action Alternative: Deny the request by FWP for an easement for the establishment of a Fishing Access Site on accreted land on the Yellowstone River and allow the continuation of a pioneered boat launch and access to the state land or erect barricades to restrict access onto the accreted state land.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

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

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

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

The state land along the Yellowstone River currently has a pioneered parking area and boat ramp which contributes to soil instability and erosion. FWP is proposing to gravel the access road and create an established gravel parking area along with installing a concrete boat ramp. In addition, the disturbed areas would be re-seeded to minimize erosion into the Yellowstone River. No significant adverse impacts are anticipated by the implementing the proposed action.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

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

The proposed development of the Fishing Access Site would provide for re-seeding of existing disturbed areas that are currently being used for parking and boat launches. The new construction would contour the site to direct surface water away from the Yellowstone River and help reduce sedimentation. No significant adverse impacts are anticipated from the proposed action.

6. AIR QUALITY:

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

There will be some temporary, short-term disturbances of the ground which could result in dust as well as emissions from construction equipment. No significant adverse impacts to air quality are expected by implementing the proposed action.

7. VEGETATION COVER, QUANTITY AND QUALITY:

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

The state land currently has pioneered parking areas and a boat ramp and not much vegetative cover since motor vehicle use restrictions are not rigidly enforced at this site. The proposed action of issuing an easement will result in the construction of a graveled access road and parking area and concrete boat ramp while also re-seeding disturbed areas. These actions will benefit the site by restricting vehicle use to developed areas while re-establishing vegetation over the remainder of the state land. No significant adverse impacts to vegetative cover, quantity or quality are expected as a result of implementing the proposed alternative.

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8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:
Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

The following is excerpted from the FWP Amelia Island draft EA:

> *"Common wildlife species whose habitat distribution overlaps Amelia Island FAS include white-tailed deer, occasional elk and black bear, beaver, river otter, muskrat, mink, pheasant, sharp-tailed grouse, bald eagle, osprey, great blue heron, and waterfowl. A wide variety of resident and migratory bird species use or travel through the area on a seasonal basis, including Canada geese and a variety of other waterfowl and songbirds.*
>
> *According to Mike Backes, FWP Region 7 Fisheries Manager, and a review of Montana Fisheries Information System (MFISH), common game fish found in the Yellowstone River in the vicinity of Amelia Island FAS include sauger, smallmouth bass, channel catfish, walleye, and burbot. Common non-game species found in this stretch of the Yellowstone River include stonecat, bigmouth and smallmouth buffalo, common carp, emerald shiner, freshwater drum, goldeye, longnose dace, longnose sucker, river carpsucker, shorthead redhorse, and white sucker.*
>
> *The Yellowstone River is open to fishing year round. Recent surveys conducted by FWP show that the147-mile stretch of the lower Yellowstone River from the confluence of the Powder River to the confluence of the Big Horn River (river miles 147 – 294) supported an average of 18,955 angler days per year during 2003 – 2009, with a high of 20,458 in 2009 and a low of 15,632 in 2003. The state ranking for this stretch of river averaged the 34th most fished body of water in Montana and ranged from 28 to 39 during this same period. This stretch averaged the 2nd most fished river in FWP Region 7 and ranged from 1 to 3 during this same period."*

No significant adverse impacts to terrestrial, avian and aquatic life and habitats are expected to occur as a result of implementing the proposed alternative.

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9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:
Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

The following is excerpted from the FWP Amelia Island draft EA:

> *"A search of the Montana Natural Heritage Program (MNHP) element occurrence database indicates occurrences of bald eagle, ranked as Delisted and Monitored (DM) by the USFWS, and greater sage grouse, ranked as a Candidate (C) by the USFWS, within the vicinity of Amelia Island FAS. No other occurrences of federally ranked animal or plant species have been found within the vicinity of the proposed action site. The search indicated that great blue heron, long-billed curlew, Baird's sparrow, blue sucker, sauger, black-tailed prairie dog, and spiny softshell, Species of Concern, have been observed within 2 miles of Amelia Island FAS (Appendix B).*
>
> *According to Scott Denson, FWP Region 7 Wildlife Biologist, the proposed project is unlikely to impact bald eagle. The nearest bald eagle nests are approximately 2 miles downstream and 3 miles upstream of the FAS, which is well outside of the recommended 0.5 mile distance in the Montana Bald Eagle Management Plan, indicating the proposed action would have no effect on bald eagles. While bald eagles were officially delisted in 2007, the USFWS has jurisdiction protecting this species under the Bald and Golden Eagle Protection Act (BGEPA) and the Migratory Bird Treaty Act (MBTA).*

The proposed project is also unlikely to impact great blue heron. The nearest great blue heron rookery is approximately 20 miles from the FAS and great blue heron only occasionally use the backwater on the property, which dries up by mid-summer during most years. In addition, the proposed project is also unlikely to impact bald eagle or great blue heron as these species are accustomed to some level of disturbance in the area. The area surrounding the FAS has been disturbed by the Hysham Water Treatment Plant, nearby agricultural activities, proximity to Hysham, and pioneered recreational use of the site for years. In addition, nearby Amelia Island WMA receives heavy recreational use by hunters and wildlife viewers

According to Scott Denson, the proposed project is unlikely to impact greater sage-grouse, long-billed curlew, Baird's sparrow, or black-tailed prairie dog because the FAS does not provide habitat that would support these species. Spiny softshell turtle, often found along the river in the vicinity of the FAS, would not be directly impacted by the proposed project. The proposed project would also have no impact on anglers inadvertently catching and harming spiny softshell. Blue sucker and sauger, also Species of Concern, have been observed in this stretch of the Yellowstone River. According to Mike Backes, the proposed project would have only minor, temporary impacts to the river and would not impact these species.

Based on the above information, no significant adverse impacts to threatened or endangered species are expected from implementing the proposed alternative.

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10. HISTORICAL AND ARCHAEOLOGICAL SITES:
Identify and determine effects to historical, archaeological or paleontological resources.

The proposed action would allow for the improvement of an existing pioneered fishing access by allowing for the installation of improved parking and a concrete boat ramp. The SLO Land Use Planner performed a site inspection on 11April 2012 and did not note any cultural resources that required further investigation. In addition, FWP contacted the State Historic Preservation Office and received a concurrence from them that the project has a low likelihood of causing adverse impacts to cultural resources. Therefore, no adverse effects to state-owned Historic Properties are expected with the implementation of the proposed alternative.

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

The proposed alternative would result in the construction of a developed Fishing Access Site (FAS) with the changes on the Trust land being a gravel parking lot and a concrete boat ramp. The site currently contains a pioneered parking lot and boat ramp so the proposed action is not expected to have an adverse impact to the visual nature of the parcel. On the contrary it could improve the aesthetics of the site by providing for revegetation of the site and elimination of noxious weeds and controlling vehicle access outside of the FAS. The development of an official FAS could cause an increase in traffic to the site which could cause a minor increase in noise, etc. The FAS is located near the Hysham Water Treatment Plant, so there is already some traffic and noise in the area from this facility. No significant adverse impacts are expected by implementing the proposed alternative.

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12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:
Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No significant adverse impacts to environmental resources of land, water, air or energy are expected occur as a result of implementing the proposed alternative.

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

There are no other known projects on this parcel of Trust land that would require MEPA by the DNRC.

IV. IMPACTS ON THE HUMAN POPULATION

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

14. HUMAN HEALTH AND SAFETY:
Identify any health and safety risks posed by the project.

No significant adverse impacts to human health and safety are expected to occur as a result of implementing the proposed alternative.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:
Identify how the project would add to or alter these activities.

No significant impacts to industrial, commercial and agricultural activities and production are expected to occur as a result of implementing the proposed alternative.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:
Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed alternative will have not have a significant impact on the quantity and distribution of employment.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:
Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

The proposed action will have no adverse impact on tax revenue from the Trust land since it is exempt from property taxes.

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

The implementation of the proposed alternative is not expected to generate any additional demands on services provided by Treasure County.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:
List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

Treasure County does have an adopted Growth Policy that covers the entire County and the proposed alternative does not conflict with it. In addition, the subject property is not zoned by Treasure County.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:
Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The subject Trust land is utilized by recreationists due to the ability to access it from an existing road that accesses the Hysham Water Plant as well as from the Yellowstone River. The development of an official FAS at this site will increase the ability to utilize the Yellowstone River by boaters and provide another ingress/egress point. Implementation of the proposed alternative will positively impact the ability to access the Trust land and Yellowstone River.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:
Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

No significant adverse impacts to density and distribution of population and housing are expected to occur as a result of implementing the proposed alternative.

22. SOCIAL STRUCTURES AND MORES:
Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposed alternative.

23. CULTURAL UNIQUENESS AND DIVERSITY:
How would the action affect any unique quality of the area?

Implementation of the proposed alternative would not directly impact cultural uniqueness or diversity.

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

The Common Schools Trust will benefit by getting a one-time fee of $1,800 (1.801 acres x $1,000/acre) for the Easement area.

EA Checklist Prepared By:	**Name:**	Jeff Bollman, AICP	**Date:**	17 June 2013
	Title:	Area Planner, Southern Land Office		

V. FINDING

25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that an easement be granted to Montana Fish, Wildlife and Parks to allow the development of a new Fishing Access Site (FAS). The new FAS is proposed to include the construction of a designated parking area, a singlewide concrete boat ramp, concrete vault latrine, fencing, informational signs, and improvements to the access road.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The potential for significant adverse impacts to the Trust land is minimal due to nature of the proposed action which is to grant an easement for the establishment of a new Fishing Access Site. The site currently has a pioneered boat ramp and roads, so the proposed action will allow for the restriction of areas that can be accessed by motorized vehicles and will also re-contour the site so that the parking area does not drain directly into the Yellowstone River, construct a concrete boat ramp and re-seed all disturbed areas. Additionally, based on comments from FWP biologists, the proposed action would not cause significant adverse impacts to any

identified species of concern that may be on or around the subject property. The proposed alternative can be implemented in a manner that is consistent with the long-term sustainable natural resource management of the area while also generating revenue for the common school trust.

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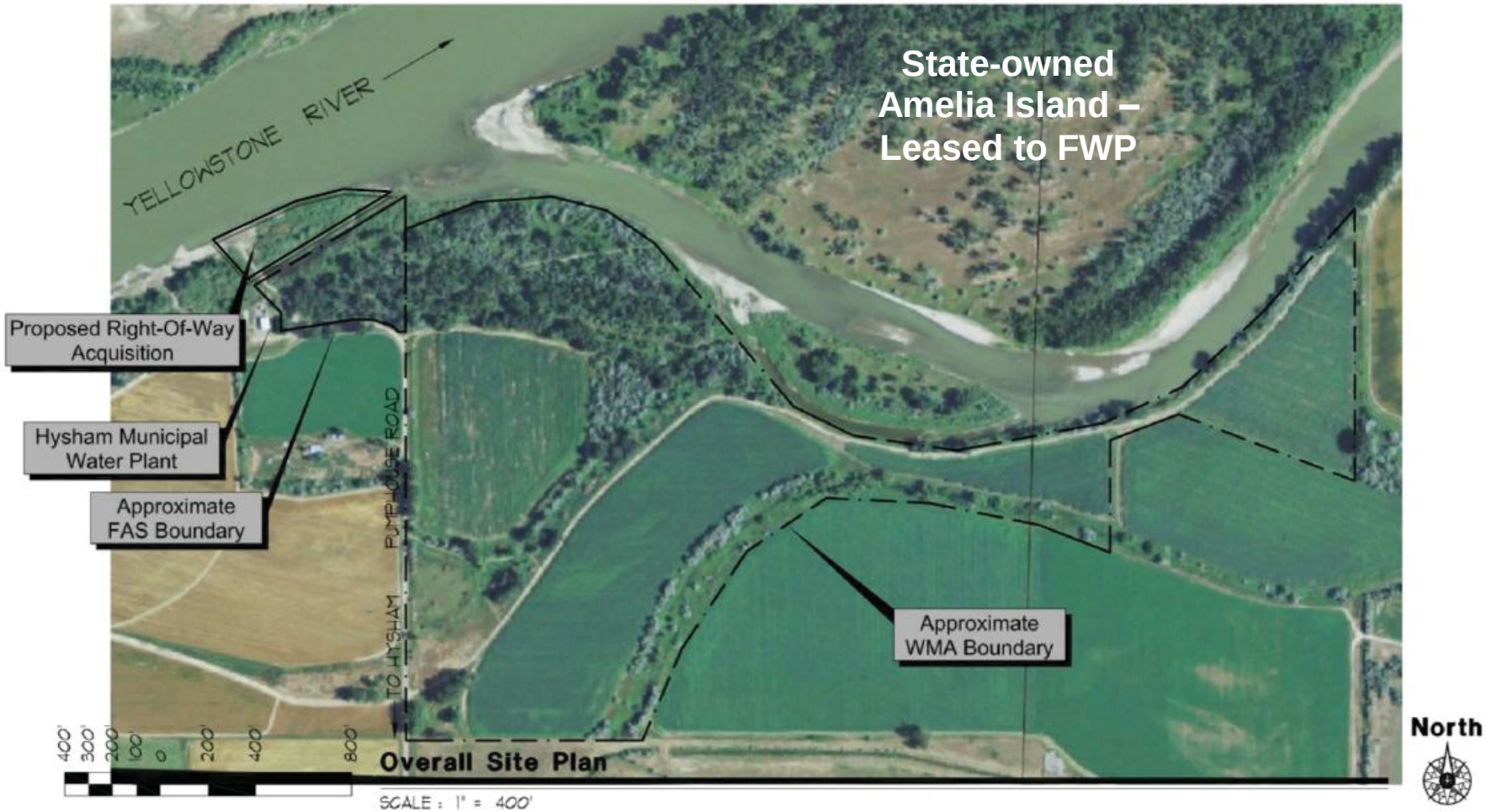
27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

[ ] EIS	[ ] More Detailed EA	[X] No Further Analysis

EA Checklist Approved By:	**Name:** Matthew Wolcott **Title:** Area Manager, Southern Land Office	
Signature: /s/ Matthew Wolcott		**Date**: June 19, 2013

Exhibit A – Site Plan and Right-of-Way Acquisition Illustration



Source: FWP Draft EA for Amelia Island Fishing Access Site Proposed Right-of-Way Acquisition & Development