Montana Fish, Wildlife & Parks

490 North Meridian Road
Kalispell, MT 59901

Decision Notice
Pine Grove Pond Fishing Access Site Addition Acquisition
October 17, 2013

Proposal
The 13-acre Pine Grove Pond Fishing Access Site (FAS) was donated to Montana Fish, Wildlife & Parks (FWP) in December 2010. Located 3 miles northeast of Kalispell near the Whitefish River, the site has become very popular for family fishing, sustaining more than 30,000 visitor days in 2013. The FAS is currently separated from the Whitefish River by a narrow strip of private property. The land is signed but unfenced, so trespass has been an issue for those wishing to reach the river. A larger property, including that strip of land, went into foreclosure and reverted to the Whitefish Credit Union. The Credit Union was approached and agreed to donate the strip of land on the condition it remain largely undeveloped and closed to public motorized use. Acceptance of the donation of the property would allow public access to the Whitefish River for floating and fishing and would allow weed control to complement management on the FAS.

Agency Authority For Proposed Action
The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs FWP to acquire, develop, and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the FAS program would be implemented. Sections 23-1-105, 23-1-106, 15-1-122, 61-3-321, and 87-1-303, MCA, authorize the collection of fees and charges for the use of state park system units and FASs and contain rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110, MCA, and Administrative Rules of Montana (ARM) 12.2.433 guide public involvement and comment for the improvements at state parks and FASs.

Montana Environmental Policy Act (MEPA) Process
A draft environmental assessment (EA) was released on September 24, 2013, for 21 days of public comment through October 15, 2013. A total of ten comments (four electronic, one verbal and five written) were received. All comments were in favor of accepting the donation. Nine comments noted this would be a good addition to the FAS. One comment noted this would improve floating access on the Whitefish River. The adjacent landowner, who donated the existing FAS, identified the availability of the parcel and encouraged the Credit Union to donate the parcel.

Decision
This acquisition would provide needed access to the Whitefish River for floating and fishing, with 1,800 feet of river bank. This acquisition would provide for integrated weed control to better manage the FAS. This very generous offer by the Whitefish Credit Union adds value to an already popular and outstanding fishing access site. Therefore it is my recommendation to accept donation of the 5.39-acre Pine Grove Pond FAS Addition. Based on public and internal review, the draft EA will be adopted as the final EA.

James R. Satterfield, Jr.

Date: October 17, 2013

James R. Satterfield Jr., Ph.D.
Regional Supervisor

FINAL
ENVIRONMENTAL ASSESSMENT

PINE GROVE POND FISHING ACCESS SITE
PROPOSED ADDITION ACQUISITION

OCTOBER 2013

Montana Fish, Wildlife & Parks

Pine Grove Pond Fishing Access Site
Proposed Addition Acquisition
Final 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 accept the donation of 5.39 acres of land northeast of Kalispell, Montana, near the Whitefish River and adjacent to the Pine Grove Pond Fishing Access Site (FAS) for the purpose of improving site control and protection and to provide river access. At this time, the FAS does not reach the Whitefish River. The proposed addition parcel would access nearly 1,800 feet of river. The proposed addition would also benefit from the FAS's integrated weed management.

2. Agency authority for the proposed action:
The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs FWP to acquire, develop, and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the fishing access site program would be implemented. Sections 23-1-105, 23-1-106, 15-1-122, 61-3-321, and 87-1-303, MCA, authorize the collection of 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 Rules of Montana (ARM) 12.2.433 guide public involvement and comment for the improvements at state parks and fishing access sites, which this document provides.

3. Name of project:
Pine Grove Pond Fishing Access Site Proposed Addition Acquisition

4. Project sponsor:
Montana Fish, Wildlife & Parks, Region 1
490 North Meridian Road
Kalispell, MT 59901
(406) 752-5501

5. Anticipated Schedule:
Estimated public comment period: September-October 2013
Estimated decision notice: October 2013
FWP Commission and Land Board consideration: November 2013

6. Location:
The Pine Grove Pond Fishing Access Site Proposed Acquisition is located approximately three miles northeast of Kalispell, Montana, near the Whitefish River, two miles east of Highway 93 and ½ mile west of Highway 2 in Flathead County. The land is located in Section 29, Township 29 North, Range 21 West.

Figure 1. Pine Grove Pond Fishing Access Site Proposed Acquisition General Location

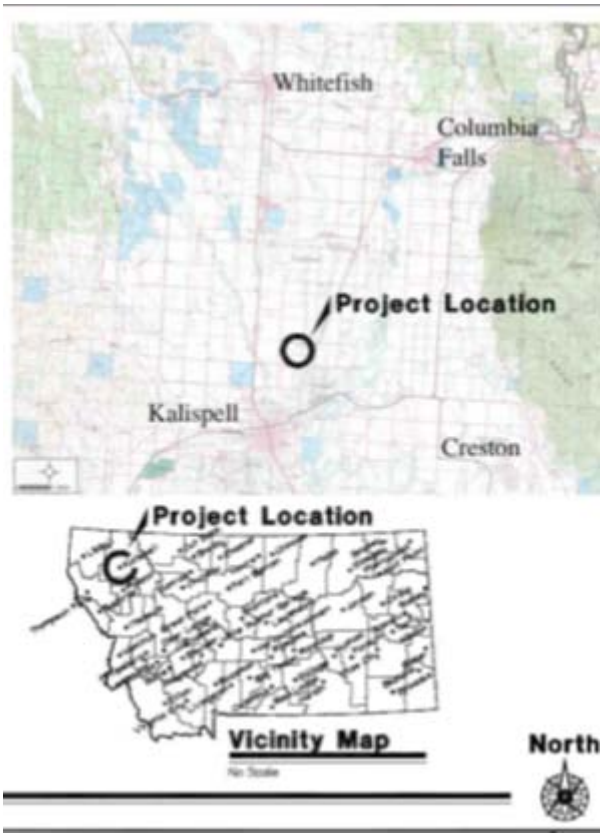
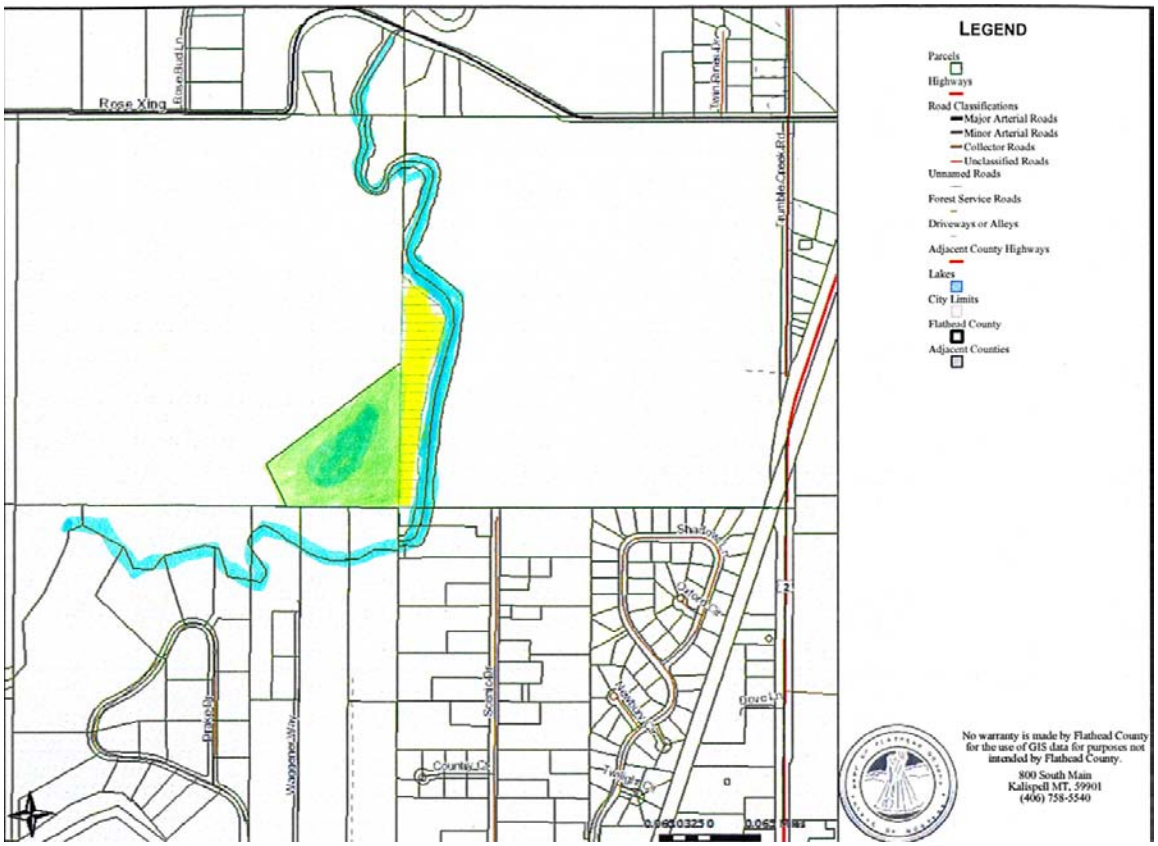

Whitefish
Columbia Falls
Project Location
Kalispell
Creston
Project Location
Vicinity Map
North

Figure 2. Pine Grove Pond Fishing Access Site Proposed Addition Acquisition

Note: Identification - Blue line is Whitefish River, green parcel is Pine Grove Pond FAS, and yellow parcel is proposed addition 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	5.39*	Dry cropland	0
		Forestry	0
(c) Wetlands/Riparian Areas	0	Rangeland	0
		Other	0

* Approximate acreages.

8. Local, state or federal agencies with overlapping jurisdiction:

(a) Permits: none required.

(b) Funding: This parcel would be donated by the current property owner.

(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. The weed inspection has been completed by Flathead County Weed District (Appendix C - Weed Inventory).

9. Narrative summary of the proposed action:

The proposed Pine Grove Pond FAS Addition is located on 5.39 acres between the Pine Grove Pond FAS and the Whitefish River and three miles northeast of Kalispell.

The vegetation found on the proposed acquisition property consists of upland grassland, and riparian shrub and woodland. Upland grasses consist of smooth brome, Kentucky bluegrass, needle-and-thread grass, cheatgrass, and Japanese brome. Riparian shrub and woodland vegetation consists of snowberry, chokecherry, hawthorn, black cottonwood, Douglas fir, ponderosa pine, and Rocky Mountain juniper. Common introduced species found on the property include smooth brome, Kentucky bluegrass, orchardgrass, cheatgrass, Japanese brome, alfalfa, and mustard. The most common noxious weeds found on the property include spotted knapweed, yellow toadflax, Canada thistle, and houndstongue.

Wildlife species whose habitat distribution overlaps the proposed acquisition area include white-tailed deer, mountain lion, moose, black bear, beaver, river otter, muskrats, small mammals (voles, shrews, and mice), bald eagles, osprey, pheasant, Hungarian partridge, raptors, waterfowl, and migratory and neotropical song birds.

Five FWP fishing access sites are located near the Pine Grove Pond FAS Proposed Addition: Whitefish River FAS, an undeveloped FAS three miles upstream on the Whitefish River, and four sites on the Flathead River: Old Steel Bridge/Shady Lane FAS, downstream 3.3 miles; Pressentine FAS, upstream 4.2 miles; Kokanee Bend FAS, upstream 7.6 miles; and Teakettle FAS, upstream 9.6 miles. Pine Grove Pond FAS is the closest fishing access site to the city of Kalispell, providing a close, accessible, and much needed recreational site for children and families near Kalispell.

This environmental analysis focuses solely on the acquisition of the property. Under the terms of the proposed donation, site improvements or development, other than placing a few picnic tables, would be prohibited. A primitive boat ramp does exist, and FWP would permit nonmotorized watercraft to use the site as a put-in or take-out location.

The acquisition of the 5.39-acre parcel would allow FWP to provide public access for fishing, wildlife viewing, and picnicking for families adjacent to the very popular Pine Grove Pond FAS, which sustains more than 20,000 visitor days per year. This addition would also allow access to and from the Whitefish River for canoeing, rafting, and kayaking. The land, if acquired, would be open to the general public for nonmotorized use. The FAS would be for day use only and no camping would be allowed. Noxious weeds would be controlled using the Statewide Integrated Management Plan. If acquired, regulation and informational signs would be installed.

PART II. ENVIRONMENTAL REVIEW

1. **Description and analysis of reasonable alternatives:**

Alternative A: No Action

If no action were taken, FWP would decline the opportunity to accept the donated parcel, and the landowner could retain or dispose of the property at their discretion. FWP would continue to manage the adjacent FAS for the benefit of the public and existing resources.

Alternative B: Proposed Action

FWP would accept the donation of the 5.39-acre tract of land in order provide public access to the Whitefish River and associated land for family fishing, wildlife viewing, and picnicking. Acquisition of this parcel would allow for integrated weed control to improve vegetative conditions on both the FAS and this parcel.

2. **Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**
The proposed donation comes with deed restrictions stipulating the public will be restricted to nonmotorized uses and no structures will be constructed on the parcel. These restrictions are consistent with existing and planned use of the site.

PART III. ENVIRONMENTAL REVIEW CHECKLIST

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

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT					
	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 geological 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 would have no effect on existing soil patterns, structures, productivity, fertility, erosion, compaction, or instability because no additional soil-disturbing activities are planned for the property by FWP.

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 13c.)		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				

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 would have no effect on surface water, drainage patterns, or groundwater and would not affect flood potential.

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				
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				4e.
f. For P-R/D-J, will the project affect wetlands or prime and unique farmland?		NA				

The proposed acquisition would have no negative impact on the vegetation found on the proposed FAS property and could positively impact the site by reducing the incidence of noxious weeds through the implementation of the Statewide Integrated Weed Management Plan.

4c. A search of the Montana Natural Heritage Program's (MNHP) Species of Concern database found no vascular or nonvascular plants of significance within the boundaries of the proposed acquisition property.

4e. The primary noxious weeds found on the property include spotted knapweed, yellow toadflax, houndstongue, field bindweed, and Canada thistle. If the acquisition were approved, FWP would initiate the Statewide Integrated Weed Management Plan using chemical, biological, and mechanical methods. Weed management would facilitate the restoration of native vegetation and prevent the spread of weeds. Vehicles would be restricted to the parking area and roadway of the adjacent FAS, which would be maintained as weed-free, and vehicles would not be allowed on undisturbed areas of the site other than for administrative uses.

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				

5b/5c. According to FWP game and nongame wildlife biologists, John Vore, Kent Laudon, and Chris Hammond, and a review of Natural Resource Program Mapper, wildlife species whose habitat distribution overlaps the proposed acquisition area include white-tailed deer, mountain lion, moose, black bear, beaver, river otter, muskrats, small mammals (voles, shrews, and mice), bald eagles, ospreys, kingfishers, pheasant, Hungarian partridge, raptors, waterfowl, and migratory and neotropical song birds. According to FWP Wildlife Biologist Chris Hammond, the acquisition of the 5.39-acre parcel near the Whitefish River three miles northeast of Kalispell and adjacent to the Pine Grove Pond FAS would have no negative impact on wildlife or wildlife habitat.

Common game fish species found in the Whitefish River, which borders 1,800 feet of the acquisition property, include rainbow trout and mountain whitefish. Species present, but in low numbers, include brook trout, bull trout, westslope cutthroat trout, largescale sucker, longnose sucker, peamouth, northern pike-minnow, redside shiner, and slimy sculpin. Northern pike are found in the lower river. According to recent surveys by FWP, the number of angler days per year in the Whitefish River between 1999 and 2011 averaged 1,509, with a low of 582 in 2005 and a high of 3,342 in 1999. The state ranking for this stretch of river ranged from 143 to 365 during this same period. The proposed acquisition is not expected to have any impact on the aquatic habitat or species of the Whitefish River. The site will be left in an undeveloped state. Therefore, the acquisition should have no impact on the fish or aquatic habitat of the Whitefish River.

5f. The Natural Resources Information System (NRIS) identified the bull trout as a federally threatened species and the westslope cutthroat trout as a sensitive species. Both are occasionally found in the Stillwater River. Bull trout and westslope cutthroat trout are rare in the stretch of the Whitefish River that is adjacent to the acquisition property. The acquisition should have no impact on their distribution or movement. (Appendix A - Native Species Report)

A search of the NRIS provided by the Montana Natural Heritage Program showed that the bald eagle, a species listed as recovered, delisted, and being monitored (DM) by the U.S. Fish and Wildlife Service, is found within two miles of the proposed acquisition property. The Montana Bald Eagle Management

Guidelines (2010) recommend a buffer of at least ½ mile for construction of access sites. According to Chris Hammond, FWP wildlife biologist, the proposed acquisition property falls outside of these recommended buffers for all bald eagle nests in the area and therefore is not likely to have a negative impact.

Congress ordered the US Fish and Wildlife Service to delist wolves in 2011, and wolves became a species in need of management under state law. According to Kent Laudon, FWP wolf specialist, and Chris Hammond, FWP wildlife biologist, the proposed acquisition property occurs within the known distribution of gray wolves, but there are no known wolf packs in the area or the immediate surrounding area. Ashley is the closest known pack, with its eastern territory edge about 13 miles to the east. Gray wolves are highly mobile, with large home ranges and extensive dispersal capabilities. Because Montana's wolf population is healthy, dispersing wolves could pass through just about anywhere and any activity of gray wolves in the project area would be transient in nature. Therefore, the proposed acquisition would not significantly impact gray wolves or pose a human safety concern (Appendix A - Native Species Report).

5g. The proposed acquisition and associated improvements are unlikely to stress or impact fish or wildlife populations in the future since the project is small in scope and is not near critical wildlife habitat for any species.

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 would not affect electrical levels and would not interfere with radio or television reception or operation. Adjacent neighbors would 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, the presence of which would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				

The property is currently undeveloped. The property is not currently used for commercial or agricultural purposes. The proposed acquisition would not take land out of agricultural production and would not alter or interfere with the productivity or profitability of the existing land use of the property.

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		Yes	8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a.)		NA				

8a. If acquired, FWP would address the noxious weeds on the property (Appendix C - Weed Inventory). The Statewide Integrated Weed Management Plan calls for an integrated method of managing weeds. The use of herbicides would be in compliance with application guidelines and applied by trained applicators. Weeds would also be controlled using mechanical or biological means to reduce the risk of chemical spills or water contamination.

9. COMMUNITY IMPACT Will the proposed action result in:						
	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		Positive	9c.
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			X		Yes	9e.

9c. The proposed project is likely to improve tourism in the area by increasing river access to the Whitefish River, which would benefit local retail and service businesses (Appendix B - Tourism Report).

9e. Establishing a public walk-in river access through the property may increase local river use, which could slightly increase vehicle trips per day on Rose Crossing Road, which could increase traffic hazards. Directional signs and any other measures deemed necessary would be taken to minimize safety hazards.

Acquisition of the proposed parcel would decrease the incidence of trespass onto the land located between the pond and the Whitefish River by people attempting to access the river who do not realize the parcel is privately owned. Informational and regulatory signs and FWP staff presence and law enforcement patrols would establish where the public has legal access.

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

The proposed project would have no impact on public services, taxes, or utilities.

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10b. There would be no change in the tax base since FWP would pay property taxes in an amount equal to that of a private individual.

10f. Annual maintenance costs are expected to average $142 per year including weed control and FAS and Enforcement staff time. Maintenance costs are part of the existing FAS Operations and Maintenance budget.

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		Positive	11c.
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails, or wilderness areas be impacted? (Also see 11a, 11c.)		NA				

11c. Acquisition of this property would allow for public river access for floating along with fishing, wildlife viewing, and picnicking, improving recreational opportunities and providing open space for families near the rapidly growing city of Kalispell.

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 12a.)		NA				

No additional groundbreaking activities that could disturb cultural resources would be initiated as part of the proposed acquisition.

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 action would have no cumulative effects on the biological, physical, and human environments. When considered over the long term, the proposed Pine Grove Pond FAS Addition would positively affect the community by providing open space and much needed river access recreational opportunities for family floating, fishing, wildlife viewing, and picnicking close to the rapidly growing city of Kalispell.

PART III. NARRATIVE EVALUATION AND COMMENT

The proposed action would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long term, the proposed Pine Grove Pond FAS addition would positively affect the community by providing open space and much needed river access recreational opportunities for family floating, fishing, wildlife viewing, and picnicking close to the rapidly growing city of Kalispell.

The minor impacts to the environment that were identified in the previous section are small in scale and would not influence the overall environment of the immediate area. The natural environment will continue to provide habitat to transient and permanent wildlife species and will be open to the public for access to the Whitefish River

Based upon the weed inventory conducted by the Flathead County Weed Control District, the proposed FAS property is relatively weed-free, with small amounts of spotted knapweed, yellow toadflax, Canada thistle, and houndstongue on the property. If acquired, FWP would initiate the Statewide Integrated Weed Management Plan using biological, chemical, and physical methods of weed control.

The proposed alternative will have no negative impact on the local wildlife species that frequent the property, will not increase negative conditions that stress wildlife populations, and is not considered critical habitat for any species. Even though the area is within the habitat of bald eagles, the proposed project is unlikely to impact this species. The Montana Bald Eagle Management Guidelines (2010) recommend a buffer of at least ½ mile for construction of access sites. The proposed acquisition property falls outside of these recommended buffers for all bald eagle nests in the area and therefore is not likely to have a negative impact on bald eagles.

While it is possible for wolves to travel through the project area, there are no known wolf packs in the surrounding area, none have been sighted in the area, and any wolf activity in the project area would be transient in nature. Therefore, it is unlikely that the proposed acquisition would impact gray wolves.

Five FWP fishing access sites are located near the Pine Grove Pond FAS Proposed Addition: Whitefish River FAS, an undeveloped FAS three miles upstream on the Whitefish River, and four sites on the Flathead River: Old Steel Bridge/Shady Lane FAS, downstream 3.3 miles; Pressentine FAS, upstream 4.2 miles; Kokanee Bend FAS, upstream 7.6 miles; and Teakettle FAS, upstream 9.6 miles. The Pine Grove Pond FAS Proposed Addition would be the closest fishing access site to the city of Kalispell, providing a close, accessible, and much needed recreational site for children and families near Kalispell.

This environmental analysis focuses solely on the acquisition of the property and existing development. Proposed deed restrictions for the donation would prohibit site development other than placement of a few picnic tables.

FWP has received preliminary approval from the FWP Commission to accept the donation. Final approval will be contingent upon public scoping and receiving final FWP Commission approval. Acquisition of the 5.39-acre parcel would allow FWP to provide a public river walk-in access for floating, fishing, wildlife viewing, and picnicking for families close to the rapidly growing city of Kalispell. The land, if

acquired, would be open to the general public for day use only. If acquired, regulation and informational signs would be posted.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on the Pine Grove Pond FAS Proposed Addition Acquisition:

- Two public notices in each of these papers: the *Daily Inter Lake,* the *Whitefish Pilot,* 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 EAs will be available at the FWP Region 1 Headquarters in Kalispell 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 1 issues.
- Notification of the availability 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.

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

2. Duration of comment period.

The public comment period will extend for 21 days. Written comments will be accepted until 5:00 p.m., October 15, 2013, and can be e-mailed to jvashro@mt.gov or mailed to the address below:

Pine Grove Pond Fishing Access Site Proposed Addition Acquisition
Montana Fish, Wildlife & Parks, Region 1
490 North Meridian Road
Kalispell, MT 59901
(406) 752-5501

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? No.

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant impacts from the proposed action; therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis. In determining the significance of the impacts, Fish, Wildlife & Parks assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur, or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact; the importance to the state and to society of the environmental resource or value affected; any

precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

2. Persons responsible for preparing the EA:

Jim Vashro
Region 1 Fisheries Manager
490 North Meridian Road
Kalispell, MT 59901
jvashro@mt.gov
(406) 752-5501

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

Flathead County Weed District
Montana Department of Commerce - Tourism
Montana Fish, Wildlife & Parks
- Fish and Wildlife Division
  - Fisheries Bureau
  - Wildlife Bureau
- Lands Unit

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

APPENDICES

A. Native Species Report - Montana Natural Heritage Program (MNHP)
B. Tourism Report - Department of Commerce
C. Weed Report - Flathead County

APPENDIX A

NATIVE SPECIES REPORT – MONTANA NATURAL HERITAGE PROGRAM
Sensitive Plants and Animals in the Pine Grove Pond Fishing Access Site
Proposed Acquisition 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 the federally listed threatened bull trout within two miles of the acquisition site in the Stillwater River. No other occurrences of federally listed endangered or threatened animal or plant species have been found within the vicinity of the proposed acquisition site. The search indicated that the project area is within the habitat for the westslope cutthroat trout, listed as sensitive by the U.S. Forest Service and U.S. Bureau of Land Management. MNHP has also recorded occurrences of bald eagles within two miles of the acquisition site on the Stillwater River. The bald eagle has been listed as DM (recovered, delisted, and being monitored) by the U.S. Fish and Wildlife Service. More information on these species is included below.

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 POWERHOUSE 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: **1**

Element Occurrence data was reported of bald eagle within two miles of the project area. Last observation date was 2005.

2. **Oncorhynchus clarkii lewisi (Westslope cutthroat trout)**

Natural Heritage Ranks	Federal Agency Status:
State: **S2**	U.S. Fish and Wildlife Service:
Global: **G4T3**	U.S. Forest Service: **Sensitive**
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **1**

Element Occurrence data was reported of westslope cutthroat trout within two miles of the project area on the Stillwater River. No observation dates were recorded and, according to

3. Salvelinus confluentus (Bull trout)

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

FWP CFWCS Tier: **1**

Element Occurrence data was reported of bull trout within two miles of the project area on the Stillwater River, approximately two miles west of the proposed FAS. No observation dates were recorded and, according to Jim Vashro of FWP, bull trout very rarely occur in the Stillwater River.

APPENDIX B

TOURISM REPORT

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

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Carol Crockett, Visitor Services Manager
Montana Office of Tourism-Department of Commerce
301 S. Park Ave.
Helena, MT 59601

Project Name: Pine Grove Pond FAS Addition

Project Description: The proposed project is to acquire by donation an additional 7.2 acres of private land that currently separates the Pine Grove Pond FAS from the Whitefish River. During this last year Pine Grove Pond FAS received in excess of 14,000 visitors. Acquisition of this parcel will allow unfettered public access, through previously owned private land, to the Whitefish River. Development on this additional parcel will be limited to picnic tables and fire rings.

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

1. Signature Carol Crockett, Visitor Services Manager Date September 18, 2013

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APPENDIX C

Flathead County Weed Inspection Report

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: Street Park (Pine Grove Pond Addition) FWP Region: 1
County: Flathead
Date of Property Inspection with County Weed Management District: 9/19/13
County Representative(s): Steve Robinson
FWP Staff: Jim Vashro
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):

I concur with the 2010 EA. Canada thistle is the predominate noxious weed. There's also a moderate amount of Yellow Toadflax that's scattered throughout the parcel. Some basic restoration or clearing of down trees, stumps and debris to allow ATV access will likely be needed. There's ample competitive vegetation and 90% noxious weed control can easily be achieved in a couple years.

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):

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: Steve Robinson Date: 9/20/13