



Montana Fish, Wildlife & Parks

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1400 So. 19th
Bozeman, MT 59718

November 20, 2000

TO: Governor's Office, Julie Lapeyre, Room 204, State Capitol, P.O.200801, Helena, MT 59620-0801
Environmental Quality Council, Capitol Building, Room 106, P.O Box 201704, Helena, MT 59620
Dept. Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Montana Fish, Wildlife & Parks

Director's Office
Parks Division
Fisheries Division
Wildlife Division
Lands Section
Design & Construction Bureau
Legal Unit
FWP Commissioners
Dennis Flath

MT Historical Society, State Historic Preservation Office, POB 201202 Helena, MT 59620-1202

MT State Parks Association, P.O. Box 699, Billings, MT 59103

MT State Library, 1515 E. Sixth Ave., POB 201800, Helena, MT 59620

James Jensen, Montana Environmental Information Center, POB 1184, Helena, MT 59624

Janet Ellis, Montana Audubon Council, POB 595, Helena, MT 59624

George Ochenski, POB 689, Helena, MT 59624

Gallatin County Commissioners, Gallatin County Courthouse, 311 West Main, Bozeman, MT 59715

Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771

Wildlife Federation, P.O. Box 1175, Helena, MT 59624

Wayne Hurst, P.O. Box 728, Libby, MT 59923

Glen Hockett, 745 Doane Road, Bozeman, MT 59715

Bob Raney, 212 So. 6th, Livingston, MT 59047

Skyline Sportsman's Assoc., Box 173, Butte, MT 59701

Anaconda Sportsman's Club, #2 Cherry, Anaconda, MT 59711

Jefferson Valley Sportsman's Assoc., P.O. Box 663, Whitehall, MT 59759

Prickly Pear Sportsman's Assoc., 1721 Virginia Dale St., Helena, MT 59601

Jack Atcheson, State Land Coalition, 3210 Ottawa St., Butte, MT 59701

Ladies and Gentlemen:

The enclosed Environmental Assessment (EA) has been prepared for the Cherry River Fishing Access Site Improvement Project.

The comment period will be from November 20, 2000 until 5:00 p.m. December 20, 2000. Send any comments you may have to: Fish, Wildlife & Parks, Cherry River FAS Improvements, 1400 So. 19th, Bozeman, MT 59718, or e-mail tgreason@montana.edu.

Sincerely,

Patrick J. Flowers
Regional Supervisor

**Draft
Environmental
Assessment**

for the

**Cherry River
Fishing Access Site
Improvement**

NOVEMBER, 2000



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

MEPA/NEPA/HB495 CHECKLIST ENVIRONMENTAL ASSESSMENT

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of Proposed State Action** Reclaim existing entrance, construct new entry, parking area, sealed vault latrine, jack-leg fence, nature trails and foot bridge, erect approach signs.

2. **Agency Authority for the Proposed Action** The 1977 Montana Legislature enacted statute 87-1-605, which directs Fish, Wildlife & Parks to acquire, develop and operate a system of fishing accesses. The legislature established an earmarked funding account to ensure that this function would be accomplished.

3. **Name of Project** Cherry River Fishing Access Site Improvement

4. **Name, Address and Phone Number of Project Sponsor (if other than the agency)**
Sponsored by Fish, Wildlife & Parks (FWP)

5. **If Applicable:**

Estimated Construction/Commencement Date Spring 2001

Estimated Completion Date Spring 2001

Current Status of Project Design (% complete) 50%

6. **Location Affected by Proposed Action (county, range and township)**

The Cherry River Fishing Access Site (FAS) can be reached by traveling north on 7th Street (Highway 10) in Bozeman, approximately 1 mile north of the Interstate 90, Gallatin County, Montana; T1S, R5E, Section 36 NE $\frac{1}{4}$ and a small portion of Section 25 (48.5 acres). This fishing access site consists of two parcels, one of which is proposed to remain unaltered (near the golf course accessed from Springhill Road in Sections 26 NE $\frac{1}{4}$ and 25 NW $\frac{1}{4}$ (26.4 acres).

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

<p>(a) Developed:</p> <p>residential..... <u>0</u> acres</p> <p>industrial <u>0</u> acres</p>	<p>(d) Floodplain <u>1/4</u> acres</p>
<p>(b) Open Space/Woodlands/ Recreation <u>5</u> acres</p>	<p>(e) Productive:</p> <p>irrigated cropland..... <u>0</u> acres</p> <p>dry cropland <u>0</u> acres</p> <p>forestry <u>0</u> acres</p> <p>rangeland..... <u>0</u> acres</p> <p>other..... <u>0</u> acres</p>
<p>(c) Wetlands/Riparian Areas <u>1/4</u> acres</p>	

8. **Map/site plan: attach an original 8 1/2" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.**

Please refer to Appendix 2, Site Location Map, and Appendix 3, Site Plan.

9. **Narrative Summary of the Proposed Action or Project including the Benefits and Purpose of the Proposed Action.**

Cherry River FAS was purchased in 1992 from a conservation minded resident that wanted to ensure the availability for open recreation areas and wildlife habitat along the East Gallatin River. Soon after acquisition, FWP developed two large ponds using the natural warm spring that flows through the property and planted the then furrowed ground with a beneficial seed mix including birds-foot tree foal, a valuable legume for bird forage. This area is heavily used by a large variety of waterfowl, white-tailed deer, and recreationists, who park and walk the minimally improved nature trail looping around the two ponds or fish the river.

It is proposed to move the entrance road approximately 500 feet northwest of the current entrance to allow for better visibility and safety. The current entrance is close to a major bend in the road, and is proposed to be removed, scarified and planted with a grass mix. A new gravel parking area will be delineated allowing nine vehicles to park. Approach signs will be placed 1000 feet in either direction of the entrance and one at the entrance. There are no signs identifying the site, now. A jack-leg fence is proposed to encircle the parking and entryway to eliminate off-road travel. A new sealed vault latrine will maintain sanitary, healthful conditions to accommodate an expected increase in visitation. These facilities will be consolidated in one area near the highway.

The existing trail is mowed a couple times annually and fence posts erected periodically to help identify the trail. Another section of trail is proposed to include a trail along the north and east perimeter. When vegetation is in full growth, it is difficult to navigate without a predetermined trail. This would also direct visitors away from the ponds during waterfowl nesting periods. This option would require a footbridge to cross the narrow warm spring at the southeastern boundary of the parcel to merge with an existing sanitary sewer easement road parallel to Highway 10, which would adjoin the parking area. FWP recommends that the trails be covered with a surface treatment, such as gravel or wood chips. Trail improvements would occur after the capital improvements are completed.

This additional trail construction proposal is also important in that it will provide a potential connecting link and "hub" with future trail planning which may be conducted and implemented by the City of Bozeman, Gallatin County and/or Gallatin Valley Land Trust (GVLTL). As open space disappears around Bozeman, it is essential that public access and trails along the East Gallatin River corridor be protected and enhanced. FWP is committed to "partnering" in these efforts. Additionally, future needs for increased parking for trail users may necessitate expanding the proposed parking area at a later date. This potential action is also proposed as part of the preferred alternative.

10. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) Permits: Permits will be filed 3-4 weeks prior to construction.

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
Gallatin Co. Sanitarian	sealed vault septic system permit	
Gallatin County	weed plan	
Gallatin County (&/or MT Dept of Transportation)		Highway Approach Permit

(b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
FWP	\$30,000

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
State Historic Preservation Office	cultural resources clearance

11. List of Agencies Consulted during Preparation of the EA:

- FWP Parks Division
- Design and Construction Division
- Fisheries Division
- Montana Natural Heritage Program

PART II. ENVIRONMENTAL REVIEW

PHYSICAL ENVIRONMENT

<u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
►a. Soil instability or changes in geologic substructure?		X				1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?			X		yes	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				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other <u> n/a </u>						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

1a. Soil and geologic substructure will remain stable during and after the proposed action.

1b. Installation of the new approach and entry road will disrupt, displace, compact and cover soil, which was intentionally seeded with wildlife cover and forage when FWP purchased the property. The old entrance will be scarified and returned to production, only a small net impact will occur due to the new entry and slightly larger new parking area. A grass or other vegetation mix will be planted in all disrupted areas immediately after construction. The new trails will compact and cover soils, which will eliminate vegetative production. This impact is considered minor because of the vegetation density and 3 feet wide, linear nature of the trail.

1c. No unique geologic or physical features will be altered with the proposed project. The site was farmed prior to FWP ownership; therefore soils have been previously moved and altered across the site.

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

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

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

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

PHYSICAL ENVIRONMENT

2. <u>AIR</u> Will the proposed action result in:	IMPACT [☆]				Can Impact Be Mitigated [☆]	Comment Inde
	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 regs? (Also see 2a)		n/a				
f. Other _____ n/a _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

2a. Some minor and temporary amounts of dust will be generated during construction of the new entry road, parking area and latrine. Removal of vegetation surrounding the project will be limited and seeded immediately after construction to minimize dust.

- ☆ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- ▶ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- ◆ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ◆◆ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PHYSICAL ENVIRONMENT

3. <u>WATER</u> 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				
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-I, will the project affect a designated floodplain? (Also see 3c)		n/a				3l.
◆m. For P-R/D-I, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		n/a				
n. Other: <u>n/a</u>						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

3a. The proposed construction is not expected to impact water quality due to the distance of construction from the water resources, the level nature of the property, and limited amount of construction. Standard road construction techniques will be utilized to properly accommodate drainage.

3l. Karl Christians, Department of Natural Resources and Conservation Floodplain Management Section Supervisor, confirmed to Sue Dalbey that the area proposed for construction is not within the 100-year floodplain as shown on the Federal Insurance Administration, Flood Hazard Boundary Map (personal communication August 1, 2000).

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

PHYSICAL ENVIRONMENT

4. <u>VEGETATION</u> Will the proposed action result in:	IMPACT [☆]				Can Impact Be Mitigated [☆]	Comment Index
	Unknown [☆]	None	Minor [☆]	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X		Partially	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				4d.
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: <u>n/a</u>						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

4a. The abundance of plants will decrease slightly; however, this area was farmed prior to FWP ownership at which time the existing species were specifically planted. The old entrance area will be scarified and seeded to partially balance the loss of vegetation caused by the new entrance and parking area. Improvements to the existing trail and construction of new trails will also decrease the abundance of the plant species common to the site.

4c. A data search conducted by the Montana Natural Heritage Program did not reveal any unique, rare, threatened or endangered plant species on the parcel. There are two species identified within approximately a mile of the area, however, which are critically imperiled in Montana because of extreme rarity, but are globally secure: Dwarf purple monkeyflower (*Mimulus nanus*) and Slender wedgegrass (*Sphenopholis intermedia*).

4d. Though this property was once farmed, it is not used for productive agricultural land under FWP ownership, therefore no change in productivity will occur due to the construction.

4e. Noxious weeds are a problem on the property and are difficult to control with traditional methods due to the area's high water table. FWP does implement the Regional Weed Plan using an integrated plan, and the agency cooperates with local herbicide dealers to control weeds with innovative methods. The site is mowed annually to avoid some use of herbicides. The site currently hosts poison hemlock, common tansy, thistle and knapweed. Areas disturbed by the proposed construction will be prone to the establishment of noxious weeds, but will be planted with a grass mix immediately after construction to impede potential weed growth. Ongoing weed control efforts (biological, mechanical and chemical) by FWP Region 3 will target disturbed areas and continue across the parcel.

- ☆ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- ▶ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- ◆ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
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PHYSICAL ENVIRONMENT

▶ 5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?						
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				
g. Increase conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X		Yes	5g.
♦♦h. For P-R/D-I, 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-I, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		n/a				
j. Other: <u>n/a</u>						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

fish and wildlife habitat has been significantly enhanced since FWP acquired the property. Construction of two ponds has greatly increased use by transient and nesting waterfowl. A large variety of small non-game wildlife uses the area, including songbirds, amphibians. Thick brush corridors line the east and western property boundaries, which provide shelter for larger white-tailed deer. Brook trout inhabit the upper pond, which spawn in the supplying channel. Rainbow and brown trout inhabit the East Gallatin River.

5c. Some non-game, small wildlife may be displaced due to the new construction. No species of concern were identified on the parcel from a database search by the Montana Natural Heritage Program search. "A stonefly" was listed in an adjacent section, however it is listed as apparently secure globally, yet imperiled because of rarity in Montana. The proposed construction will not directly impact the water habitat needed for a stonefly, however increased angler use may impact this species.

5g. The nature trail expansion will slightly stress wildlife such as white-tailed deer on the parcel. Because of the dense vegetation, however, it is anticipated that visitors will stay on the designated trail, rather than wander through dense wildlife cover. Site regulations do limit the activities of dogs. Pets must be on a leash and training is not allowed in the ponds. This also limits the impacts to wildlife.

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- ♦ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- ♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u>	IMPACT [☆]				Can Impact Be Mitigated [☆]	Comment Index
	Unknown [☆]	None	Minor [☆]	Potentially Significant		
Will the proposed action result in:						
a. Increases in existing noise levels?			X			6a.
b. Exposure of people to serve 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				
e. Other: <u>n/a</u>						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

6a. Temporary increases in noise levels can be expected during the construction of proposed items due to use of heavy equipment (i.e. backhoe, grader, etc.) to complete the proposed project.

HUMAN ENVIRONMENT

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

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

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- ▶ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
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HUMAN ENVIRONMENT

8. <u>RISK/HEALTH HAZARDS</u>	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
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)		n/a				
e. Other: n/a						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

8a. The FWP Region 3 Weed Management Plan calls for an integrated method of managing weeds, including the use of herbicides. The use of chemicals on this site, however, is limited due to the high water table. Use of weed controlling chemicals will be in compliance with application guidelines and by people trained in safe application techniques.

HUMAN ENVIRONMENT

9. <u>COMMUNITY IMPACT</u>	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?			X		Yes	9a.
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 positive			9e.
f. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

9a. Visitation at this FAS is expected to increase due to the popularity of outdoor recreation and its proximity to Bozeman. In addition, the increased accessibility and site identification signs will notify the public that this is public property, which is not obvious, now. The amount of increased visitation is not expected to significantly alter the site resources. The proposed improvements will help to protect the site from indiscriminate dispersed use.

9e. Relocating the site entrance will increase visibility and reduce the risk of traffic turning off or onto the Highway.

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

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> 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			10a.
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
▶ e. Define projected revenue sources						10e.
▶ f. Define projected maintenance costs.						10f.
g. Other: _____ n/a _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

10a. If the proposed project is implemented, FWP will supply increased maintenance to the site in the form of periodic minor road grading and pumping of the vault septic system. The site will incorporate the "Pack it in/Pack it out" theory for garbage disposal, therefore, solid waste disposal will not greatly increase. The proposed site improvements, overall, require low maintenance and will be beneficial in keeping the site sanitary and healthful. These are common maintenance requirements at fishing access sites.

10e. The funding for the proposed project will come from the FWP Fishing Access Site, Site Protection account. Total funding budgeted for the proposed project is \$30,000.

10f. It is estimated that the site will require approximately \$2000 in annual maintenance costs.

- ☆ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
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HUMAN ENVIRONMENT

11. <u>AESTHETICS/RECREATION</u>	IMPACT [☆]				Can Impact Be Mitigated [☆]	Comment Index
	Unknown [☆]	None	Minor [☆]	Potentially Significant		
Will the proposed action result in:						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?			X		Yes	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? (Attach Tourism Report)			X positive			11c.
◆d. For P-R/D-I, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		n/a				
e. Other: <u>n/a</u>						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

This site has the potential to be a popular recreation site due to its proximity to town and subdivisions surrounding the parcel, including a new housing development adjacent to the eastern boundary. The project has a low profile, except for the latrine, which has an aggregate finish, which blends well with the area. The dense brush bands on the western boundary line shields the neighbor from the impacts of anticipated increase in use and the physical development.

11a. The site is clearly visible from Highway 10, but FWP proposes a quality jack-leg fence around the parking area, rather than a less aesthetically desirable option of fencing material. It is anticipated that this alternation will be more pleasing than the existing combinations of fencing. The latrine will be prominent in the flat landscape, but does include natural finishes, which lessen the visual impact.

11c. The proposed improvements offer increased recreational opportunities for a greater number of people, increased trail distance, and increased angler access. Please refer to Appendix 4 to review the Tourism Report from the Department of Commerce.

- ☆ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
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- ◆◆ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

12. <u>CULTURAL/HISTORICAL RESOURCES</u>	IMPACT [*]				Can Impact Be Mitigated [*]	Comment Index
	Unknown [*]	None	Minor [*]	Potentially Significant		
Will the proposed action result in:						
➤ a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				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)		X				12a.
e. Other: <u>n/a</u>						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

12a. Because of the agricultural use of the land and alteration of any cultural sites prior to FWP ownership, the proposed project is not expected to destroy or alter any site of prehistoric or historic or paleontological importance. The State Historic Preservation Office was notified and concurrence was received to proceed with construction of a similar project at the same location. The letter from SHPO, dated September 19, 1994, is included as Appendix 5. FWP Cultural Compliance Coordinator Paul Valle stated to Sue Dalbey (personal communication on July 26, 2000), that Parcel 2 referenced in the letter, refers to the parcel currently proposed for construction, and there is low likelihood of archaeological materials at this site. (Parcel 1 is located nearly one mile west of Parcel 2, adjacent to Springhill Road and south of the golf course, and will not be altered under this project.) Please refer to the Site Location Map, Appendix 2.

HUMAN ENVIRONMENT

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>	IMPACT [*]				Can Impact Be Mitigated [*]	Comment Index
	Unknown [*]	None	Minor [*]	Potentially Significant		
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources, which 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)		n/a				
◆◆ g. For P-R/D-J, list any federal or state permits required.						see Part I, #10

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- ⊛ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- ◆ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ◆◆ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

2. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action, whenever alternatives are reasonably available and prudent to consider, and a discussion of how the alternatives would be implemented:

Alternative A. No Action

The current entry road poses safety concerns due to its proximity to the corner at the southeastern edge of the property. The entry is gravel, visibility is difficult for ingress or egress. The parking area is quite small, but because the site is not identified with road signs, visitation is low. This area has seen an increase population in the last ten years, and the demand for recreational opportunities is increasing as well. This is a valuable recreation and wildlife viewing site that is adjacent to town, yet unknown by many. It is FWP's responsibility to provide these opportunities and make the public aware of its availability.

Alternative B. Improve the Existing Facilities

The entry road could be improved by paving the apron off the highway, adding a new fence and gravel in the existing parking lot. This does not address the overall safety of visitors entering and leaving the site on a steep entry road and with limited visibility of approaching cars. Parking is random and due to the small area, occasionally becomes congested. This alternative does not utilize the potential for increased recreational opportunities.

Alternative C. Proposed Action: Move Entry, Delineate new parking area, install latrine and new trails area.

This alternative moves the site entry away from the corner on Highway 10, allowing for better visibility and a more gradually sloping entry road. Over half the site is not utilized for recreation. A primitive or slightly improved trail would enhance the recreational opportunities at the site with low impacts, and could help direct people away from nesting waterfowl in the spring. It would also provide another access to the East Gallatin River for anglers. The intent of this action is to provide a safe and healthful facility for visitors, improve recreational opportunities, and yet limit impacts to wildlife and vegetation.

Alternative D. Major Development including paved walks, comfort station, and picnic shelter.

This alternative would develop the park into more of an urban park setting providing paved parking, picnic shelters, and fully accessible paths. Visitation and public demand do not seem justify this degree of development at this time. This would also impact wildlife to a greater degree, particularly during waterfowl nesting season.

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

FWP wildlife biologists and park managers will observe the use on the parcel to ensure limited impacts to wildlife, particularly during critical seasonal use, such as nesting periods. Site regulations may be altered to protect the resources, such as closing certain trails during these nesting periods, to provide a larger buffer between visitors and wildlife.

Chemicals used to manage weeds will be used sparingly due to the high water table. Mowing will continue and other ways investigated to manage weeds effectively.

4. Based on the significance criteria evaluated in this EA, is an EIS required? NO If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

This environmental review revealed no significant negative impacts from the proposed action, therefore an Environmental Assessment is the appropriate level of analysis.

5. Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

The public has not been involved until this time, in which public comment is requested for 30 days to help guide the decisions of FWP.

6. Duration of comment period if any:

Thirty (30) days following the publication of the legal notice. Written comments will be accepted until 5:00 p.m., December 20, 2000 and can be mailed or e-mailed to the address below:

Montana Fish, Wildlife & Parks
Cherry River FAS
1400 S. 19th Ave.
Bozeman, MT 59718
E-mail Address: tgreason@montana.edu

7. Name, title, address and phone number of the Person(s) Responsible for Preparing the EA:

Sue Dalbey
Independent Contractor
Dalbey Resources
926 N. Lamborn
Helena, MT 59601
(406) 443-8058

Tom Greason
Parks Maintenance Supervisor
Montana Fish, Wildlife & Parks
1400 S. 19th Ave.
Bozeman, MT 59718
(406) 994-6987

Jerry Walker
Regional State Parks Manager
Montana Fish, Wildlife & Parks
1400 S. 19th Ave.
Bozeman, MT 59718
(406) 994-3552

PART III. NARRATIVE EVALUATION AND COMMENT

The negative impacts from the proposed actions are temporary and/or minor, of which many can be mitigated. All disturbed areas will be graded and seeded after construction. No unique cultural, geologic, or physical features will be affected. Wetlands will not be affected. The SHPO has determined that no historic or cultural resources will be disrupted.

The minimal, low profile improvements planned for this site will enhance the visitor's recreational opportunities and experience, as well as protecting the site from environmental deterioration and limiting the impacts to the wildlife.

APPENDICES

1. HB495 Qualification Checklist
2. Site Location Map
3. Site Plan
4. Tourism Report – Department of Commerce
5. Clearance Letter – State Historic Preservation Office (SHPO)

APPENDIX 1
HB495
PROJECT QUALIFICATION CHECKLIST

Date: August 1, 2000

Person Reviewing: Sue Dalbey, consultant
Dalbey Resources

Project Location: The Cherry River Fishing Access Site (FAS) can be reached by traveling north on 7th Street (Highway 10) in Bozeman, approximately 1 mile north of the Interstate 90, Gallatin County, Montana; T1S, R5E, Section 36 NE¼ and a small portion of Section 25 (48.5 acres).

Description of Proposed Work: Reclaim existing entrance, construct new entry, parking area, sealed vault latrine, jack-leg fence, nature trails and foot bridge, erect approach signs.

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.) Capital Construction projects - prepared by D & C; Force Account projects - prepared by Region.

- A. New roadway or trail built over undisturbed land?
Comments: *This property and adjacent road and sewer right-of-ways have been disturbed in the past for agricultural or road or sanitary system building purposes.*
- B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments: *Only one pre-built, sealed vault latrine will be installed.*
- C. Any excavation of 20 c.y. or greater?
Comments: *Demolition of the existing entry road grade, construction of the new entry road and parking area will require moving approximately 100 c.y., but most will be used on site.*
- D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: *A new parking lot will be delineated to provide off road parking for nine vehicles and a turn around culdesac, which will nearly double parking area.*
- 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*

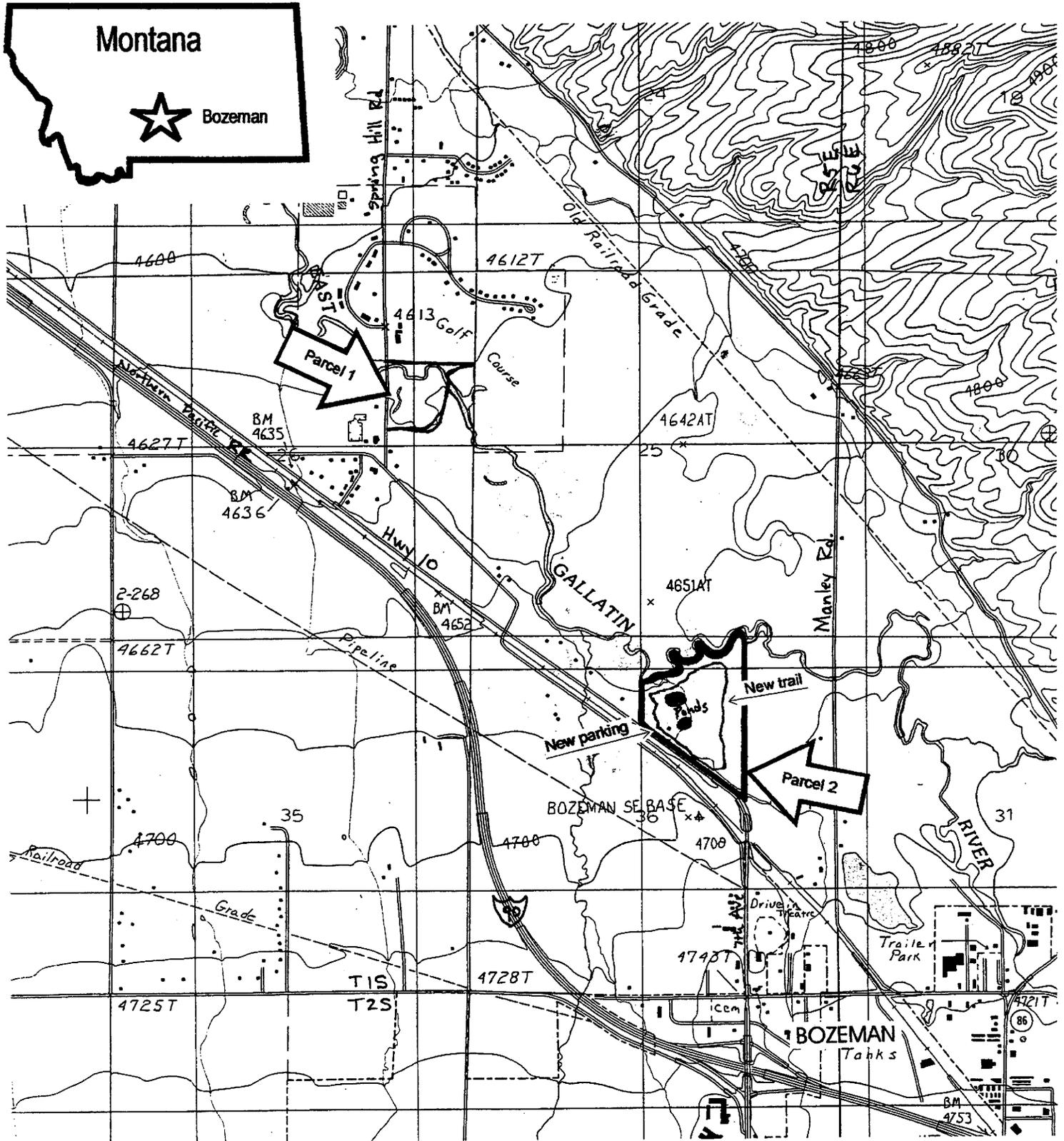
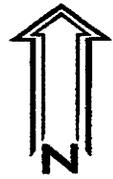
- G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?
Comments: *None (See Appendix 5 of the Draft EA)*
- H. Any new above ground utility lines?
Comments: *None*
- I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments: *None: this site will allow day use only.*
- J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?
Comments: *Use will remain similar.*

If any of the above are checked, HB 495 rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

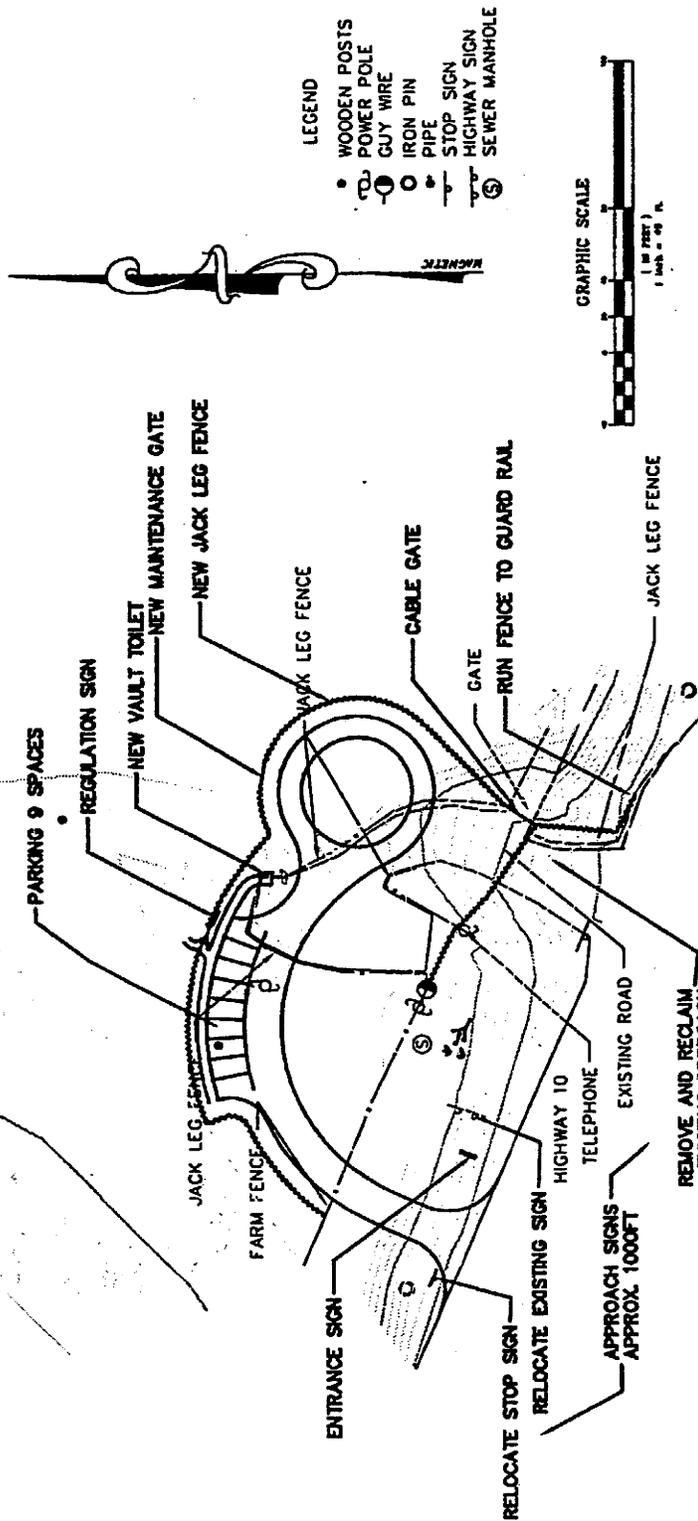
APPENDIX 2 SITE LOCATION MAP CHERRY RIVER FISHING ACCESS SITE

1987 Bozeman, MT Quadrangle; Scale 1:24,000; 20' contour intervals
T1S, R5E, Sections 25 and 36
Gallatin County, Montana

Entire site=74.9 acres - approximate property boundaries shown
Parcel 1 (remain unaltered) = 26.4 acres; Parcel 2 (proposed development) = 48.5 acres



APPENDIX 3 SITE PLAN



- LEGEND**
- WOODEN POSTS
 - POWER POLE
 - GUY WIRE
 - IRON PIN
 - PIPE
 - STOP SIGN
 - HIGHWAY SIGN
 - ⊗ SEWER MANHOLE





**Montana Fish
Wildlife & Parks**

**CHERRY RIVER FAS
NEAR BOZEMAN, MT**

FWP

R. RICE & P. VALLI DRAWN BY: _____ DATE: _____	P. VALLI REVISED BY: _____ DATE: _____	1758 8000 DATE: _____	REMOVE AND RECLAIM EXISTING APPROACH
CHECKED BY: _____ DATE: _____	APPROVED BY: _____ DATE: _____	APPROVED BY: _____ DATE: _____	APPROVED BY: _____ DATE: _____

**APPENDIX 4
TOURISM REPORT
MONTANA ENVIRONMENTAL POLICY ACT (MEPA)/HB495**

The Montana Department of Fish, Wildlife and Parks has 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:

Victor Bjornberg, Tourism Development Coordinator
Travel Montana-Department of Commerce
PO Box 200533
1424 9th Ave.
Helena, MT 59620-0533

Project Name: Cherry River Fishing Access Site Improvement

Project Description: Reclaim existing entrance, construct new entry, parking area, sealed vault latrine, jack-leg fence, nature trails and foot bridge, erect approach signs.

1. Would this site development project have an impact on the tourism economy?
(circle one) NO YES If YES, briefly describe:

The project, as described, would improve access, safety and usability of the site for visitors and wildlife. It would appear to have a positive impact by improving an existing public facility.

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

As described, the project appears to improve the quality of this public facility.

Signature Victor A. Bjornberg Date 7-25-00

APPENDIX 5
CLEARANCE LETTER



State Historic Preservation Office
Montana Historical Society

1410 8th Avenue • PO Box 201202 • Helena, MT 59620-1202 • (406) 444-7715 • FAX (406) 444-6575

RECEIVED

September 19, 1994

SEP 21 1994

Paul Valle
Cultural Resources Coordinator
MDFW&P
POB 200701
Helena, MT 59620-0701

DESIGN & CONSTRUCTION
DEPT. OF FISH, WILDLIFE & PARKS

RECEIVED

RE: Cherry River FASs, parcel 1 and 2, GA Co.

SEP 28 1994

Paul:

FISHERIES DIV.
DEPT. FISH, WILDLIFE & PARKS

We have reviewed Dori's inventory report as per your request. We agree with her recommendations regarding parcels 1 and 2. There is apparently a very low likelihood of archaeological materials remaining within parcel 2, on the basis of Dori's inventory, despite the fact that it looks like a perfect place for a site.

Dori makes a very clear case for the need for additional inventory at parcel 1, should it be funded in the future. We are concerned that if heavy equipment is used to scrape off the dense vegetation - little would be left to inventory. How would you intend to increase surface visibility without ground disturbance in the event the project is funded? The landform certainly looks likely for prehistoric resources.

Thanks for requesting our comments.

Stan Wilmoth, Ph.D.
Archaeologist

File: MDFW&P/Cherry River FAS