



Montana Fish, Wildlife & Parks

2300 Lake Elmo Drive
Billings, MT 59105

April 30, 2008

TO: Environmental Quality Council
Director's Office, Dept. of Environmental Quality
Montana Fish, Wildlife & Parks*

Director's Office
Parks Division
Fisheries Division
Wildlife Division

Lands Section
Design & Construction
Legal Unit
Regional Supervisors

Mike Volesky, Governor's Office *
Sarah Elliott, Press Agent, Governor's Office*
Maureen Theisen, Governor's Office*
Montana Historical Society, State Preservation Office
Janet Ellis, Montana Audubon Council
Montana Wildlife Federation
Montana State Library
George Ochenski
Montana Environmental Information Center
Wayne Hirst, Montana State Parks Foundation
FWP Commissioner Shane Colton*
Montana Parks Association/Our Montana (land acquisition projects)
David Moore, DNRC Area Manager, Southern Land Office
County Commissioners
Other Local Interested People or Groups

* (Sent electronically)

Ladies and Gentlemen:

The enclosed draft Environmental Assessment (EA) has been prepared for the acquisition of 3.74 acres along the Stillwater River north of Absarokee for a new Fishing Access Site (FAS), and is submitted for your consideration. Improvements will include an access road, boat launch, parking, and bathroom facilities. Questions and comments will be accepted until **May 30, 2008**. There will be a Public Meeting on **May 12, 2008** at 7:00 pm at the Columbus City Hall Courtroom, 408 E 1st Avenue North in Columbus.

If you have questions or need additional copies of the draft EA, please contact Montana Fish, Wildlife & Parks (FWP) at 247-2940. Please send any written comments by mail to: Doug Habermann at FWP, 2300 Lake Elmo Drive, Billings MT 59105; or by e-mail to dhabermann@fwp.mt.gov. The draft EA may be viewed on the FWP home page at fwp.mt.gov under recent public notices.

Thank you for your interest,

Gary Hammond
Regional Supervisor

Enclosure

**Draft
Environmental Assessment**

**Riverside Inn Fishing Access Site
Acquisition and Development**

March 2008



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

Environmental Assessment MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of proposed state action:** Purchase via fee title 3.74 acres of land along the Stillwater River, north of Absarokee, Montana for a new fishing access site. Develop access road, parking, boat launching and bathroom facilities for a day use access site.

2. **Agency authority for the proposed action:**
FWP has the authority to develop outdoor recreational resources in the state per 23-2-101 MCA.

Furthermore, state statute 23-1-110 MCA and ARM 12.2.433 guides public involvement and comment for the improvements at state parks and fishing access sites, which this document provides.

ARM 21.8.602 requires the Department to consider the wishes of users and the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the proposed project in relation to this rule.

3. **Name of project:** Riverside Inn Fishing Access Site Acquisition and Development

4. **Project sponsor:**
Montana Fish, Wildlife & Parks
2300 Lake Elmo Drive
Billings, MT 59105
406-247-2940

5. **Estimated Schedule of Events:**
Environmental Assessment:
Public Comment Period: May, 2008
Decision Notice Published: June, 2008
Acquisition:
FWP Commission Final Approval: June, 2008
State Land Board Approval: June, 2008
Development:
Percentage of Design Completed: 50%
Anticipated Completion of Improvements: Initial – Summer, 2008

6. **Location:**
Stillwater County, T3S R19E, Lot 7 of Section 30 and Lot 1 of Section 31

9. Summary of the proposed action:

Need and Benefits

The Stillwater River has been a popular destination for years for anglers, floaters and other recreationists due to its beautiful whitewater, good fishery and its proximity to the population center of Billings. It also has been developed for summer cabins along many parts of its length, starting in the 1960's. Recently, the pace of development has increased with not just seasonal cabins but also numerous sub-divisions and expansion of the small communities of Absarokee, Fishtail, Luther and Columbus. This change in both land use and recreation demand has increased the need for public access and recreation management along the Stillwater River. Conflicts have occurred between recreationists and residents, with increased pressure on traditional access points with little developed facilities, such as roadsides and bridge crossings.

The location of this proposed action, called Riverside Inn in recognition of the old Riverside Inn, is approximately 1.5 miles north of the City of Absarokee. At this point, the North Stillwater Road leaves State Highway 78, crosses and then parallels the Stillwater River on the north (or west) side upstream to the Johnson and Spring Creek Bridges. The Absaroka FAS, at Johnson Bridge, serves as a popular access point. In 2007, an agreement between FWP, Stillwater County, the Stillwater County Conservation District and a private landowner improved parking and reduced conflicts near Johnson Bridge. Below Johnson Bridge, Rosebud Creek enters the Stillwater, adding substantially to its flows. During a normal water year, floating above the Rosebud is difficult and restricts the ability to enjoy fishing and floating down to the next public access at Whitebird FAS, 7.2 miles below the mouth of the Rosebud and approximately 8.5 miles below Absaroka FAS.

The Montana Department of Transportation (MDOT) replaced the Riverside Bridge in 2004. The location of the new bridge is a short distance upstream from the original bridge's location in order to improve line of sight distances and to widen the county road. (See *Appendix A* for location map.)

The new bridge affected a traditional location for access to the river. At the location of the original bridge, the general public could access the Stillwater River via land next to the bridge's embankments. The design of the new bridge limits access to the river with no parking along the road's margins and difficult physical access along the restricted right-of-way. The old bridge right of way on the north side was abandoned and the south side, although still part of the county road system, now ends at the river. Currently, the general public wanting to fish or float has very limited parking options that can at times cause safety hazards and conflicts with adjacent homeowners when driveways are blocked.

The proposed project by Montana Fish, Wildlife & Parks (FWP) to acquire 3.74 acres adjoining the old county road and develop a graveled parking area and vault latrine will eliminate the congestion and safety hazards produced by recreationalists accessing the Stillwater River at the old bridge site. Additionally, the site will provide an intermediate access between FWP Absaroka and Whitebird Fishing Access Sites (FAS), 2.4 miles upstream and 6.1 miles downstream, respectively. The location of the proposed new FAS would accommodate those floaters who want to enjoy a shorter float than traveling the entire distance between the two existing FWP FAS's as well as provide other fishing and floating options up or downstream.

Based on annual visitor statistics for similar fishing access sites along the Stillwater River (i.e. Fireman's Point FAS), it is possible the new Riverside FAS could receive 20,000 visits a year.

Existing Environment

The acreage identified for the new FAS is the former Riverside Inn property, located approximately 1.5 miles north of Absarokee on the river side of Hwy 87. The parcel is primarily a grass field with cottonwood trees of various ages along its' northern, eastern, and western borders. The Roadhouse irrigation ditch, which cuts through the southern third of the property, is active in the spring and summer seasons. It too has some cottonwoods along its edges.

Initially, the current owners desired to retain the home and a small portion of the land surrounding for a seasonal residence. They have subsequently decided to sell the entire parcel including the residence, which includes the house, garage, concrete storage building and yard area.

Proposed Development

The anticipated development of the FAS by FWP would include construction of a graveled access road, a parking area with approximately 16 single-vehicle and 15 double-vehicle parking spaces, as well as a designated launch area and installation of a vault toilet and signage. See *Appendix A* for a Concept Plan. Funding is available to complete the majority of these improvements during 2008.

Initial development would retain the house. The house was originally a portion of the Riverside Inn. According to the State Historic Preservation Office, although the building is over 50 years old and has historic elements, the integrity of the structure has been altered to the point where it no longer represents the historic events which it is associated with. Options for the house include removal, utilization for administrative purposes such as housing for the area fisheries biologist or seasonal staff, the potential for a rental cabin for recreationists or a combination of these.

The preliminary design locates the access road to the recreation area as entering the property from the old county road instead of Hwy 87. MDOT is in final planning stages to reconstruct the portion of Hwy 87 next to the proposed FAS which will substantially change the alignment and raise the roadbed approximately ten feet. FWP is working with MDOT on both pre- and post-construction designs to best fit with the existing and new roadways and will consult with adjoining neighbors on the same. The highway construction is tentatively planned for 2010, depending on funding, resolving ROW issues and other road priorities.

Maintenance

The new FAS is expected to require routine maintenance for the vault toilet, litter removal, and weed control. The regional office located in Billings would provide management and required maintenance of this site. Maintenance of the house, garage and other existing developments would depend on their retention and purpose. Use as a rental would provide opportunities for revenue to assist in maintenance.

10. Alternatives:

Alternative A: No Action

If FWP declines the opportunity to purchase the described property, the Thompson family will likely look for a different buyer to purchase the home and acreage. The new owner may not support the general public's effort to access the Stillwater River from the short county access road, which is in front of the home's driveway.

Conflicts between neighboring landowners and river recreationalists could continue, and potentially unsafe conditions would persist.

Alternative B: The acquisition of the Riverside Inn property

The acquisition of the acreage adjacent to the Stillwater River will provide the public with an additional recreational site under the management of FWP along this popular river. The site is strategically located below the mouth of Rosebud Creek and between the Absaroka FAS (2.4 miles upstream) and the Whitebird FAS (6.1 miles downstream). This site will provide anglers additional opportunity for bank fishing and an additional put-in or take-out area on the river.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

The analysis of the physical and human environments discussed on the following pages is limited to Alternative B. The reason for this is because the potential impacts of Alternative A are difficult to define since the final decision regarding the potential sale is left to the discretion of the current owners and to the next owner if is sold to another party other than FWP.

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

A. PHYSICAL ENVIRONMENT

| 1. <u>LAND RESOURCES</u> 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 | | | 1b. |
| c. **Destruction, covering or modification of any unique geologic or physical features? | | X | | | | |
| d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake? | | X | | | | |
| e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard? | | X | | | | |

- 1b. The potential acquisition of the new fishing access site and its subsequent development will likely require the displacement of some soil to accommodate the vault latrine, access road, and parking lot. The current topography of the site will necessitate the addition of material for the access road to decrease the slope and angle in which vehicles would be entering the property from the old county road.

Preliminary design for the improvements calls for the placement of a culvert or small bridge over the irrigation ditch to protect it from vehicle traffic and possible erosion.

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

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

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

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

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

2b. Minor and temporary dust and vehicle emissions would be created by construction equipment during the creation of the new parking area, installation of the vault latrine, and the establishment of a new access road.

The location of a vault latrine will be based on the potential of objectionable odors for both neighbors and recreationists. The design is effective at venting and dispersing odors. It will provide a public restroom in a heavily used recreational corridor, reducing the potential for recreationists trespassing or offending residents along the river.

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

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

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

| 3. <u>WATER</u> 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 | | | 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 | | yes | 3h |
| 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.) | | X | | | | |
| 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.) | | X | | | | |

3a. Some limited, temporary turbidity will be generated during river access construction.

3h. The latrine will meet county sanitation requirements so that no contamination of groundwater will occur. It will be maintained by FWP to meet visitor expectations for cleanliness and ensure efficiency. If the house and existing septic system are not removed, they will need to meet county sanitation requirements for whatever purpose utilized.

The acquisition of the property by FWP and the property's development into a fishing access site will have no affect to water resources adjacent to the site since the site will only accommodate bank fishing and floating. Development of the site does not include any improvements that influence the river's flow.

A small portion of shoreline of the proposed site is within the 100-year floodplain but the improvements, except the river launch access area, will not be located within this zone.

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

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

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| 4. <u>VEGETATION</u> Will the proposed action result in? | IMPACT * | | | | | |
|--|----------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)? | X | | | | | 4a |
| b. Alteration of a plant community? | | X | | | | |
| c. Adverse effects on any unique, rare, threatened, or endangered species? | | X | | | | 4c |
| d. Reduction in acreage or productivity of any agricultural land? | | X | | | | |
| e. Establishment or spread of noxious weeds? | | | X | | yes | 4e |
| f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland? | | X | | | | 4f |

- 4a. The preliminary concept plan for the development of the FAS does not call for the removal of any of the existing cottonwood trees. However, it may be necessary to remove a limited number of trees when the development effort begins in order to accommodate construction equipment. The overall abundance of plant species on the parcel will not be significantly impacted.
- 4c. A search of the Montana Natural Heritage Program's (MNHP) species of concern database found no vascular or non-vascular plants of significance within the boundaries of the property to be acquired.
- 4e. Currently, the property has a limited infestation of spotted knapweed and thistle. The proposed development of the fishing access site and its usage by the public could lead to the additional spread of noxious weeds on the property. If the acquisition and its' subsequent development were approved, FWP would initiate an integrated weed management plan to manage any noxious weeds. This plan would be coordinated with the Stillwater County Weed Supervisor, whom FWP has worked with successfully for many years.
- 4f. There are not designated wetlands or prime farmland to be affected by the proposed acquisition or subsequent development of the FAS (USDA Natural Resources Conservation Service Soil Database and U.S. Fish & Wildlife Service Online Wetland Mapper). A small percentage of the property is classified as Farmland of Statewide Importance, which identifies the location's soil as best suited for food, feed, or forage. This area not likely to be changed by the proposed development since it is limited to the shoreline and the southeastern corner of the property and those areas are not targeted for the locations of any of the improvements.

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

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

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

| ** 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 | | | | |
| c. Changes in the diversity or abundance of nongame species? | | X | | | | |
| d. Introduction of new species into an area? | | X | | | | |
| e. Creation of a barrier to the migration or movement of animals? | | X | | | | 5e |
| f. Adverse effects on any unique, rare, threatened, or endangered species? | | X | | | | 5f |
| g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)? | | X | | | | |
| 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.) | | X | | | | 5h |
| 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.) | | X | | | | |

5e. The boundaries of the property are already fenced and will continue to be that way under FWP ownership. There will be no new impediments to the movement of animals through the parcel. However, it is likely that wildlife will chose to not travel through the FAS when it is being used.

5f/h. A search of the Montana Natural Heritage database revealed two sensitive species know to be generally distributed in the vicinity of the proposed new FAS. The two species identified were the Bald Eagle and Common Sagebrush Lizard. There are no threatened or endangered species found to be in the area of the parcel.

There are two active bald eagle nests near the Whitebird FAS, which is 6.1 miles downstream from the proposed new fishing access site. Eagles are known to use the river corridor year-round for forage and a travel route. The proposed new FAS will pose no threat nor impact the eagles that use the river area (assessment of Allison Begley, FWP Non-game Wildlife Biologist).

The site identified for acquisition does not support the habitat necessary for the Common Sagebrush Lizard to be present.

The proposed acquisition and development of the FAS will have no bearing on the game that frequents the property (assessment of Shawn Stewart, FWP Wildlife Biologist.)

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

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

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

B. HUMAN ENVIRONMENT

| 6. <u>NOISE/ELECTRICAL EFFECTS</u> 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 | | Yes | 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 | | | | |

- 6a. The will be a increase of noise levels at the site during the construction process and the ambient noise levels are expected to be higher than before the construction due to the area becoming accessible to the public. FWP will take steps to decrease noise heard by the adjacent homes by planting natural barriers (e.g. trees and shrubs) in key locations to deflect sounds from the new parking area and access road. Development will be located away from the site boundaries to provide as much buffer as possible.

| 7. <u>LAND USE</u> 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. Conflicted 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 | | Yes | 7d |

- 7a. The establishment of a formal FAS will provide floaters and anglers the opportunity to park away from Hwy 87 and county roads, currently used by those wanting to access the river at this location. This should improve safety and eliminate conflicts when those accessing the river block access to local residences.

As discussed in 6a, some neighbors may hear noises generated by people using the fishing access site for bank fishing and floating activities. Vegetation and fencing will be utilized as necessary to shield neighbors from noise and direct sight of the parking area and vault latrine. Overnight camping will be prohibited to restrict late night use and vehicles will be restricted to graveled roads and parking areas.

Boundary fences including boundary markers will be maintained by FWP to decrease the possibility of trespassing onto adjacent properties.

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
- ** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
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- **** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

| 8. <u>RISK/HEALTH HAZARDS</u> 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 | | X | 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) | | | X | | X | 8d |

8a/d. Chemical spraying is part of FWP's integrated weed management program to manage noxious weeds. Certified professionals would utilize permitted chemicals in accordance with product labels and as provided for under law. Construction equipment will avoid entering the river during launch construction.

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- *** 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.

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

- 9d. A close neighbor to the proposed FAS has provided access for commercial floats on the Stillwater River as well as other services. Commercial operators may choose to take out their rafts at the FAS; if so they are required to obtain a FWP Commercial Use Permit. This new access point would ensure access for the future for both private and commercial recreationists regardless of other arrangements. Commercial and private recreational use of the Stillwater River adds income to the local communities of Absaroka and Columbus. At least two float outfitters and close to 80 fishing outfitters operated on the Stillwater in 2006.
- 9e. As acknowledged in 7a, currently those wanting to access the river via the county road (North Stillwater Road) park along the road's edge or on the old bridge ROW. Parked cars can cause congestion and periodically block access to neighboring houses. The proposed fishing access site's parking should alleviate congestion along the road and improve local resident safety.

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

| 10. PUBLIC SERVICES/TAXES/UTILITIES Will the proposed action result in: | IMPACT * | | | | | |
|---|----------|------|-------|-------------------------|-------------------------|---------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify: | | X | | | | |
| b. Will the proposed action have an effect upon the local or state tax base and revenues? | | X | | | | |
| c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications? | | X | | | | |
| d. Will the proposed action result in increased use of any energy source? | | X | | | | |
| e. **Define projected revenue sources | | | | | | 10e |
| f. **Define projected maintenance costs. | | | | | | 10f |

- 10e. The proposed purchase will be paid through Access Montana funds. FWP may gain some revenue from those commercial outfitters accessing the river from the FAS when they pay for a Commercial Use Permit. Currently, the Montana Board of Outfitters has nearly 80 registered outfitters using the Stillwater River.
- 10f. Since the proposed project would be a new regional fishing access site (FAS), anticipated additional maintenance costs to the region's budget is expected to be \$1,000 for latrine pumping, weed control, and routine general maintenance. The new FAS would be added to the maintenance schedule of the nearby FASs of Absaroka, Whitebird, and Swinging Bridge, which are also on the Stillwater River.

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| ** 11. <u>AESTHETICS/RECREATION</u> | IMPACT * | | | | | |
|--|-----------------|-------------|--------------|--------------------------------|--------------------------------|----------------------|
| | Unknown | None | Minor | Potentially Significant | Can Impact Be Mitigated | Comment Index |
| 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 | | | | |
| 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 | | | | 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.) | | X | | | | |
| e. Other: | | X | | | | |

11c. The public access to this stretch of the Stillwater River will be reestablished so that public safety is ensured and conflicts with neighboring landowners are minimized. See *Appendix D* for Tourism Report.

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

12d Both the Riverside Inn and Roadside Ditch have been recorded as cultural sites. In addition, cultural resource inventories have been previously conducted in the area. SHPO has been consulted, and an inventory will be completed before any site development takes place.

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

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

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

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

SIGNIFICANCE CRITERIA

| 13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> 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.) | | X | | | | |
| g. ****For P-R/D-J, list any federal or state permits required. | | X | | | | |

Some controversy is anticipated because the proposed project is in a primarily residential area, and one of the neighbors provides limited river access to some commercial floaters. Both recreationists and residents have had conflicts in the past over recreational use in this location. This acquisition is intended to reduce these conflicts and create a better situation for all than currently exists.

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

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

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

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

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

Final plans and specifications for the project will be developed by FWP engineering staff in consultation with MDOT. All state and federal permits will be obtained by FWP. A private contractor selected through the State's competitive bid process will complete construction. Final inspection will be the responsibility of the FWP Design and Construction Bureau.

State pesticide use laws and regulations will be followed. Application records will be submitted to the Montana Department of Agriculture as required, and these records will be available upon request.

PART III. NARRATIVE EVALUATION AND COMMENT

The intention of FWP to acquire 3.74 acres along the Stillwater River north of Absarokee will meet the needs of anglers and floaters for a safe and convenient access point to the river at a new FAS. A dedicated parking area and established raft launch will alleviate congestion and reduce traffic hazards caused by recreationalists parking along the old county road and blocking residential driveways.

Although the proposed development of the site is anticipated to have some minor impacts to the property's vegetation, neighboring residences, and commercial activities on the river, the proposed action (acquisition and development) is expected to have no significant negative cumulative effects on the physical and human environments. When considered over the long-term, this action poses significant positive effects for the public's continuing access to a scenic recreation area of the Stillwater River while decreasing conflicts that exist with those accessing the river under current conditions.

The proposed project was reviewed, and its anticipated impacts were compared with those noted in 23-1-110 MCA (ARM 12-8-601-608) to determine if the improvements would significantly change park or FAS features or use-patterns (e.g. construction of new roads, large excavations, above-ground utilities, shore alterations, etc.). Since this is a new fishing access site, which will change the current use of the property from a grazing pasture to a public parking area with dedicated access point to the river, the physical landscape of the parcel will see significant changes as the proposed improvements are installed and established. To meet the requirements of these rules, public involvement will be executed through the channels outlined in the following section.

PART IV. PUBLIC PARTICIPATION

1. Public Involvement:

The public will be notified in the following manner about the proposed action and alternatives and how to comment on this current EA:

- Two public notices in each of these papers: *Helena Independent Record*, *Billings Gazette*, and *Stillwater County News*;
- One statewide press release;
- Direct mailing to adjacent landowners and interested parties;
- Public notice on the FWP web page: <http://fwp.mt.gov>.

- A public meeting at the Columbus City Hall (408 East 1st Avenue North) Courtroom on May 12, 2008, at 7:00 pm.

Copies will be available for public review at FWP Region 5 Headquarters.

This level of public notice and participation is appropriate for a project of this scope, i.e. having few limited physical and human impacts.

2. Duration of comment period.

The public comment period will extend for (30) thirty days following the publication of the second legal notice in area newspapers. Written comments will be accepted until **5:00 p.m. May 30, 2008**, and can be mailed to the address below:

Riverside FAS Acquisition & Development
Montana Fish, Wildlife & Parks
Region 5 Headquarters
2300 Lake Elmo Drive
Billings, MT 59105

Or email comments to: dhabermann@mt.gov

PART V. EA PREPARATION

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

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

2. Persons responsible for preparing the EA:

Doug Habermann
Regional Parks Manager
Montana Fish, Wildlife & Parks
2300 Lake Elmo Drive
Billings, MT 59105
406-247-2954

Rebecca Cooper
MEPA Coordinator
Montana Fish, Wildlife & Parks
1420 E. 6th Ave., Helena MT 59601
406-444-4756

3. Agencies/organizations consulted during preparation of the EA:

Montana Board of Outfitters

Montana Fish, Wildlife & Parks

 Fisheries Division

 Lands Bureau

 Legal Unit

 Parks Division

 Wildlife Division

Montana Department of Commerce – Tourism

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

Montana State Historical Preservation Office

Stillwater County Commissioners

Stillwater County Planning Department

APPENDICES

A. Map of property to be acquired

B. Tourism Report – Department of Commerce

C. Concept Map of Development Plan (separate file)



Property outlined in red

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, Tourism Development Specialist
Travel Montana-Department of Commerce
301 S. Park Ave.
Helena, MT 59601

Project Name: Riverside Fishing Access Site (FAS) Acquisition and Development

Project Description: To purchase via fee title approximately 3 acres along the Stillwater River approximately 3 miles northeast of Absarokee, Montana for the development of a new fishing access site. The site would be strategically located between the Absarokee FAS 2.4 miles upstream and the Whitebird FAS 6.1 miles downstream. The proposed acquisition and subsequent improvements would replace a public access point along the river, which was lost when the adjacent bridge was replaced a couple of years ago.

The development of the fishing access site would include a vault toilet and establishment of a new access road to a new 20-vehicle parking area. The Riverside FAS would be open for day-use only.

1. Would this site development project have an impact on the tourism economy?

NO

YES

If YES, briefly describe:

As described, the project has the potential to positively impact the tourism and recreation industry.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?

NO

YES

If YES, briefly describe:

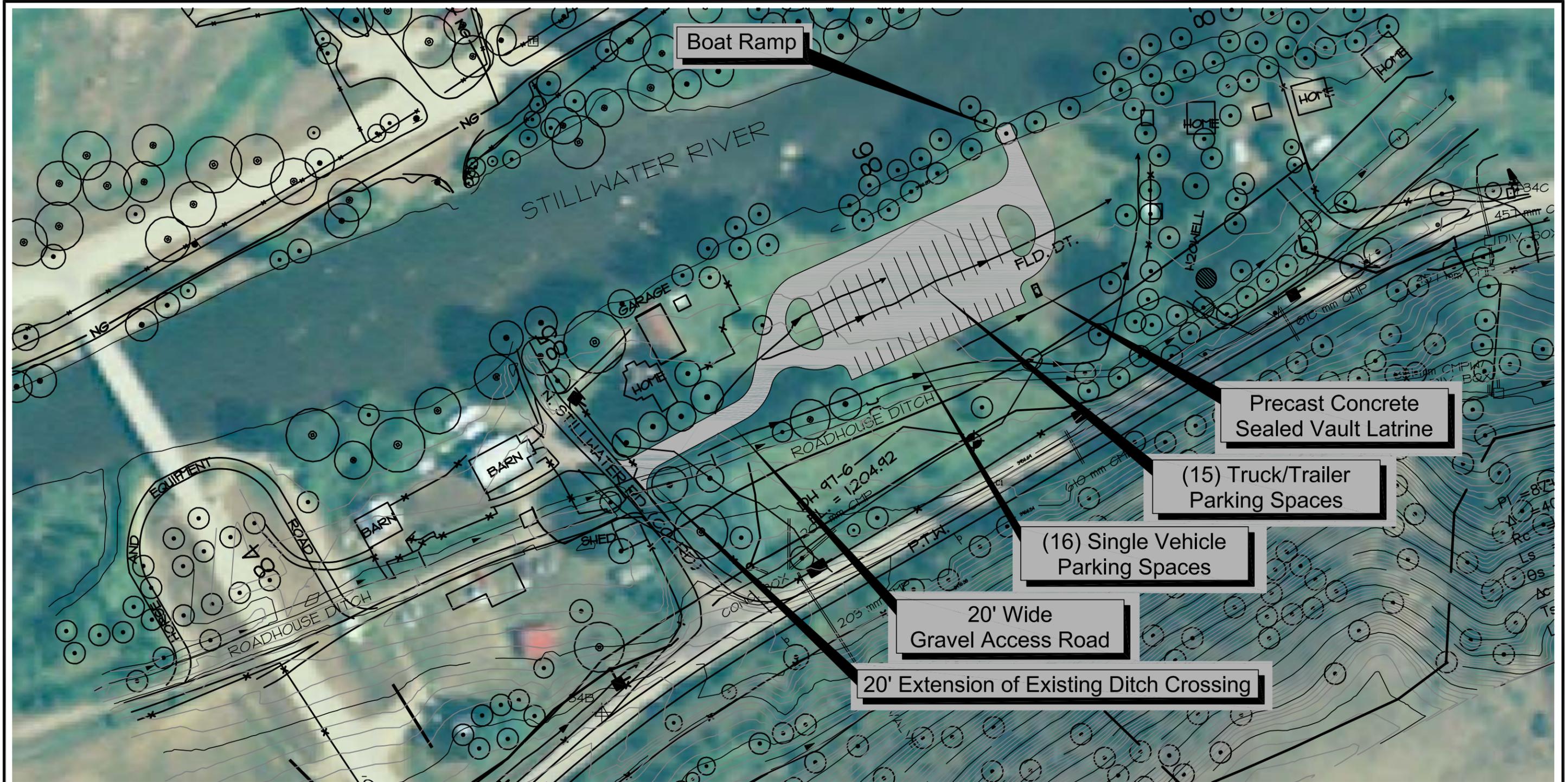
As described, the project would improve the quality and quantity of tourism and recreation opportunities.

Signature _____

Carol Crockett

Date _____

1-3-06



Boat Ramp

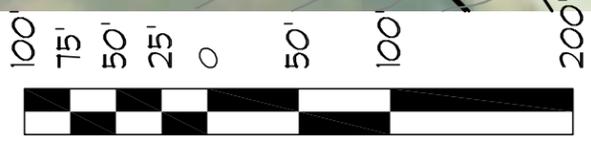
Precast Concrete Sealed Vault Latrine

(15) Truck/Trailer Parking Spaces

(16) Single Vehicle Parking Spaces

20' Wide Gravel Access Road

20' Extension of Existing Ditch Crossing



Preliminary Concept Site Plan

SCALE : 1" = 100'

| | | | | | |
|------------------------|-------------------------|--------------|-------|--------------|-------|
| B. Mangum DRAWN BY: | April 25, 2008 DATE: | REVISD BY: | DATE: | APPROVED BY: | DATE: |
| CHECKED BY: | DATE: | APPROVED BY: | DATE: | APPROVED BY: | DATE: |



Riverside FAS
Potential Acquisition - Interim Site Development