Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

September 10, 2013

To: Governor's Office, Tim Baker, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620
Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Dept. of Natural Resources & Conservation, P.O. Box 201601, Helena, MT 59620-1601
Montana Fish, Wildlife & Parks:

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

MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620
MT State Parks Association, P.O. Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923
Jack Jones, 3014 Irene St., Butte, MT 59701
Jack Atcheson, 2309 Hancock Avenue, Butte MT 59701
Beaverhead Conservation District, 420 Barrett Street, Dillon, MT 59725
U.S. Army Corp of Engineers, 1520 E 6th Avenue, Helena, MT 59601
U.S. Fish and Wildlife Service, 585 Shepard Way, Suite 1, Helena, MT 59601
U.S. Fish and Wildlife Service, 420 Barrett Street, Dillon, MT 59725
Big Hole Watershed Committee, Box 21, Divide, MT 59727
Montana Trout Unlimited, P.O. Box 7186, Missoula, MT 59807
Dan Vermillion, FWP Commissioner, 13 Kindsfather Dr., Livingston MT 59047
Earnest and Colleen Bacon, 2215 Fishtrap Creek Road, Wisdom, MT 59761
Dept. of Natural Resources and Conservation, 730 N. Montana Street, Dillon, MT 59725-9424
George Grant Chapter of Trout Unlimited, P.O. Box 563, Butte, MT 59703
Skyline Sportsmen, P.O. Box 173, Butte, MT 59703
Anaconda Sportsmen, 2 Cherry, Anaconda, MT 59711

Ladies and Gentlemen:

The enclosed draft Environmental Assessment (EA) has been prepared for improvements to the 718-acre Fairweather Fishing Access Site (FAS), which has been a popular recreational site since its acquisition by Montana Fish Wildlife and Parks (FWP) in 1972. The FAS is located along the Missouri River 16 miles north of Logan, Montana. The site provides quality recreational opportunities for fishing, boating, floating, hunting, picnicking, and wildlife viewing. Due to changing flows of the Missouri River and winter ice jams, river currents have undercut, scoured, and eroded the boat ramp and launch staging area. As a result, boat launching has become difficult and unsafe.

FWP proposes to construct a new boat ramp in a more protected location, move the launch staging area, and move and expand the parking area. FWP will continue to manage the site for day use only.

The comment period for this EA runs from September 10, 2013 through October 10, 2013. Written comments can be mailed, emailed or delivered in person to the address below, and must be received no later than 5:00 p.m. on October 10, 2013. Please include your name and address with any comment.

Montana Fish, Wildlife & Parks – Region 3
Attn: Fairweather Fishing Access Site proposed Improvement
1400 S. 19th Avenue
Bozeman, MT 59718

Email: rheagney@mt.gov

If you have any questions about the proposal, please call Ray Heagney at (406) 994-4042.

Thank you for your interest.

Sincerely,
Patrick J. Flowers

Region Three Supervisor

Attachment

Draft Environmental Assessment

FAIRWEATHER
FISHING ACCESS SITE
PROPOSED IMPROVEMENT

SEPTEMBER 2013

Montana Fish, Wildlife & Parks

Fairweather Fishing Access Site
Proposed Improvement
Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of proposed state action:**
   The 718-acre Fairweather Fishing Access Site (FAS) has been a popular recreational site since its acquisition by Montana Fish Wildlife and Parks (FWP) in 1972. The FAS is located along the Missouri River 16 miles north of Logan, Montana. The site provides quality recreational opportunities for fishing, boating, floating, hunting, picnicking, and wildlife viewing. Due to changing flows of the Missouri River and winter ice jams, river currents have undercut, scoured, and eroded the boat ramp and launch staging area. As a result, boat launching has become difficult and unsafe. FWP proposes to construct a new boat ramp in a more protected location, move the launch staging area, and move and expand the parking area.

2. **Agency authority for the Proposed Action:**
   The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs Montana Fish Wildlife and Parks (FWP) to acquire, develop and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the fishing access site program would be implemented. Section 87-1-303, MCA, authorizes the collection fees and charges for the use of fishing access sites, and contains rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110, MCA, and Administrative Rules of Montana (ARM) 12.2.433 guides public involvement and comment for the improvements at state parks and fishing access sites, which this document provides.

   ARM 12.8.602 requires the Department to consider the wishes of 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 Action in relation to this rule. See Appendix A for HB 495 qualification.

3. **Name of project:**
   Fairweather Fishing Access Site Proposed Improvement Project

4. **Project sponsor:**
   Montana Fish, Wildlife and Parks, Region 3
   1400 South 19th Avenue
   Bozeman, MT 59718

5. **Anticipated Schedule:**
   Estimated Public Comment Period: September 2013
   Estimated Decision Notice: October 2013
   Estimated Commencement Date: Fall 2013
   Estimated Completion Date: Fall, Early Winter 2013
   Current Status of Project Design (% complete): 35%

6. **Location:**

Fairweather FAS is located on the Missouri River 16 miles north of Logan, Montana in Gallatin County, Section 12, Township 3 North, Range 2 East (Figure 1 and 2).

Figure 1. General Location of Fairweather FAS.

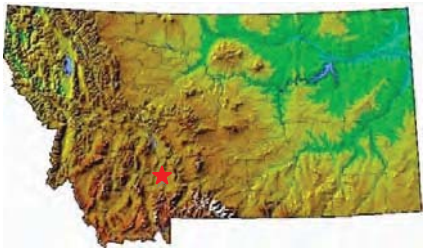


Figure 2. Highway Location of Fairweather FAS.

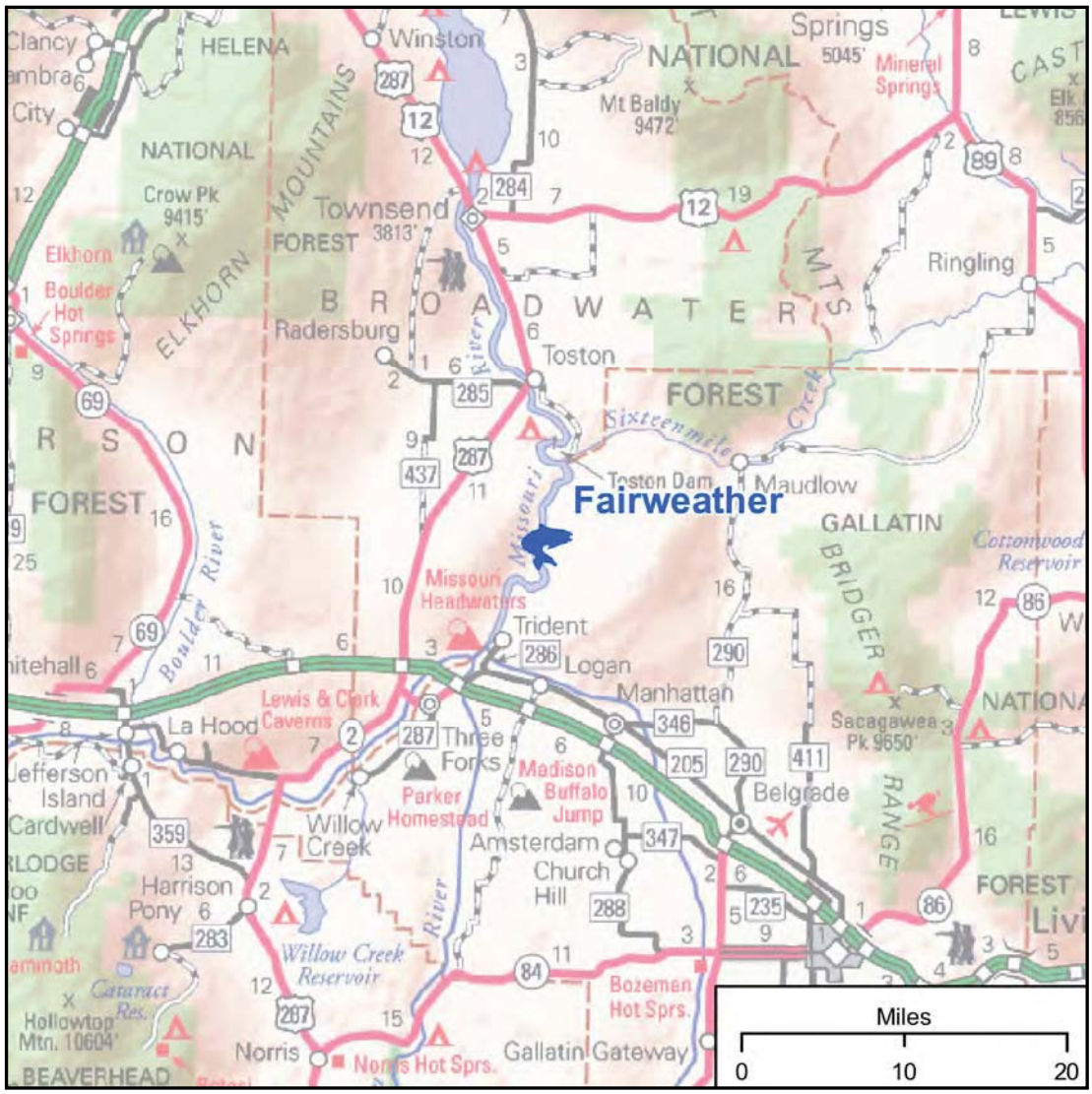


Figure 3. Fairweather FAS Parcel Map.

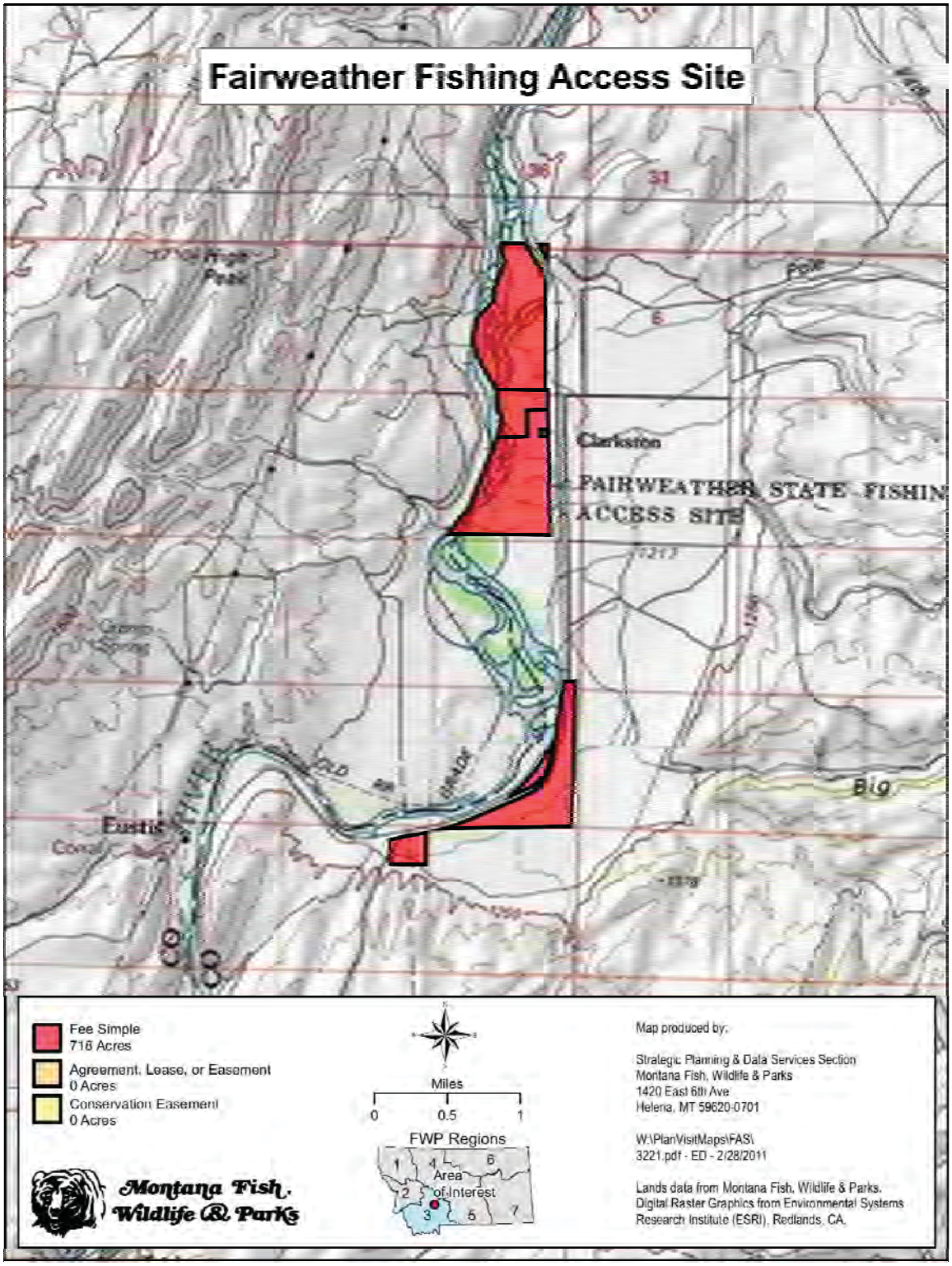
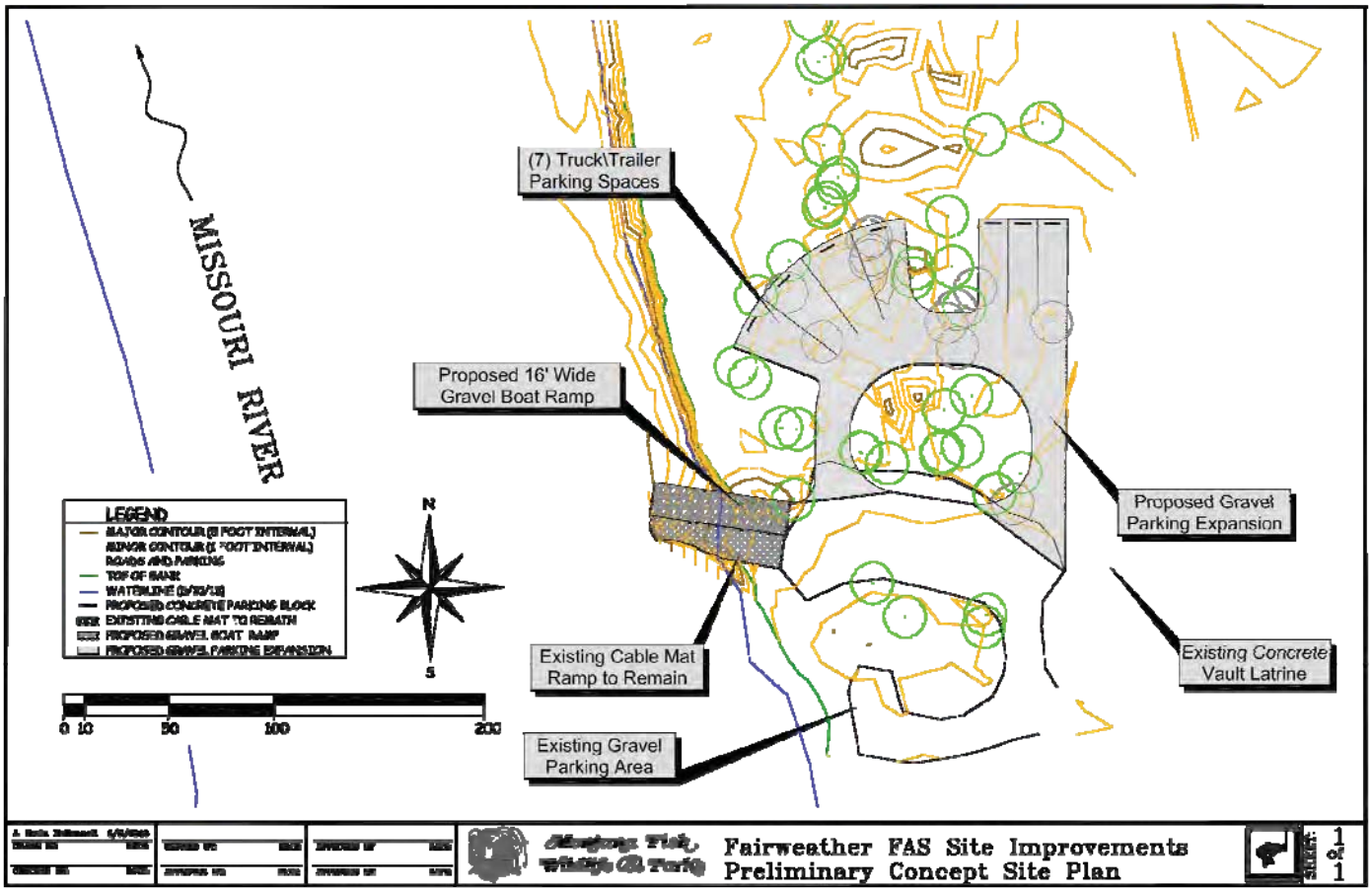


Photo 1. Undercut Boat Ramp Due to Changes of the Missouri River Currents.

Photo 2. Undercut, scoured, and Eroded Riverbank and Launch staging area.

Figure 4. Fairweather FAS Proposed Improvement Preliminary Concept Plan.



7. Project size -- estimate the number of acres that would be directly affected that are currently:

	Acres		Acres
(a) Developed:		(d) Floodplain	0
Residential	0		
Industrial	0	(e) Productive:	
		Irrigated cropland	0
(b) Open Space/ Woodlands/Recreation	0	Dry cropland	0
		Forestry	0
(c) Wetlands/Riparian Areas	2	Rangeland	0
		Other	0

8. Permits, Funding & Overlapping Jurisdiction.

(a) Permits: Permits would be filed at least 2 weeks prior to project start.

Agency Name	Permits
Gallatin County	Floodplain Permit and Sanitation Permit
Montana Dept. of Environmental Quality	318 Short Term Water Quality Standard for Turbidity

Montana Fish, Wildlife & Parks (FWP)	124 Montana Stream Protection Act
US Corps of Engineers	404 Federal Clean Water Act

(b) Funding:

Agency Name	Funding Amount
Montana Fish, Wildlife & Parks Site Protection Fund	$25,000
PPL River Fund Grant	$40,000
	$65,000

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name	Type of Responsibility
Natural Heritage Program	Species of Concern (Appendix B)
State Historic Preservation Office	Cultural Clearance (Appendix E)
Gallatin County Weed District	Weed Management Coordination

9. Narrative Summary of the Proposed Action:

The Missouri River is the longest river in North America and an historic and important waterway of the United States. Though the Missouri River drainage rises from the Rocky Mountains of western Montana and Wyoming, the river officially begins near the town of Three Forks, Montana at the confluence of the Jefferson and Madison Rivers. The Missouri River is joined by the Gallatin River one mile downstream, and flows over 2,300 miles before entering the Mississippi River near St. Louis, Missouri. From its beginning, the river flows wide and deep and for over 12,000 years people have depended upon the Missouri River and its tributaries as a source of sustenance and transportation. Today the river is also important for recreational use along its entire length through Montana and is heavily used for boating, floating, fishing, hunting, wildlife viewing, hiking, and picnicking.

Fairweather FAS is located on the Missouri River 11 miles downstream of its headwaters at the confluence of the Jefferson and Madison Rivers. The Missouri River, one of the most popular trout streams in the United States, is open to angling year-round along its entire length in Montana, and use by anglers upstream of Great Falls is heavy. According to recent surveys by FWP, the average angler days per year from 2003 to 2011 on the 23-mile stretch from the Missouri River headwaters (river mile 2312) to the Toston Dam (river mile 2289) was 1,748, with a low of 1,413 in 2003 and a high of 2,160 in 2009. The regional ranking for this stretch of river averaged the 41st most fished body of water, and range from 37 to 47 for the same period. The state ranking for this stretch of river averaged the 200th most fished body of water in Montana and ranged from 183rd to 219th during this same period. Fairweather FAS is the only FAS on the 27-mile stretch between Missouri Headwaters State Park (river mile 2312) and Toston FAS (river mile 2285) and is frequently used as a put-in and take-out site for floaters and boaters.

Game fish in this stretch of the Missouri River include brown trout, rainbow trout, and mountain whitefish. Other fish species commonly found in this reach include longnose dace, white sucker, longnose sucker, and mottled sculpin.

Vegetation found in the vicinity of Fairweather FAS consists of Rocky Mountain Lower Montane Riparian Woodland and Shrubland, as defined by the Montana Natural Heritage Program (MNHP) and is dominated by narrowleaf cottonwood. A search of the MNHP Species of Concern database found no plant Species of Concern on Fairweather FAS.

Common wildlife species whose habitat distribution overlaps Fairweather FAS include white-tailed and mule deer, elk, mountain lion, black bear, red fox, beaver, and northern river otter. A wide variety of resident and migratory bird species use or travel through the area on a seasonal basis, including a variety of raptors, waterfowl, and songbirds. According to the MNHP, bald eagle, ranked as DM (recovered, delisted, and being monitored**)** by the US Fish and Wildlife Service (USFWS) (Appendix B), and the pileated woodpecker and veery, Species of Concern, have been observed on or in the vicinity of Fairweather FAS.

The 718-acre Fairweather Fishing Access Site (FAS) has been a popular recreational site since its acquisition by FWP in 1972. The site provides quality recreational opportunities for fishing, boating, floating, hunting, picnicking, and wildlife viewing. Existing facilities at the FAS include a singlewide concrete boat ramp, a gravel access road, a gravel parking area accommodating four to six vehicles, a concrete vault latrine, fencing, and signs. FWP will continue to manage for day use only.

Due to changing flows and winter ice jams on the Missouri River, river currents have undercut, scoured, and eroded the boat ramp and launch staging area. As a result, boat launching has become difficult and unsafe (Photos 1 and 2). FWP proposes to improve boat launching facilities and move and enlarge parking facilities. Proposed improvements include a new boat ramp located adjacent to the existing ramp; a new launch staging area located away from the river bank in the approximate location of the existing parking area; and a new gravel parking area to accommodate six to eight vehicles relocated approximately 150 feet from the existing parking area (Figure 4). The concrete blocks of the existing boat ramp (Photo 1) will be left in place to protect the new boat ramp from winter ice jams and river currents. The existing boat ramp would also be secured with matting for added protection to the new boat ramp.

The property would continue to be managed under existing FWP public use regulations. Management of the Proposed Action includes routine maintenance, control of vehicles, prohibition of firearms, and other accepted FWP recreation area management policies. Protection of the natural resources, the health and safety of visitors, and consideration of neighboring properties would all be considered and incorporated into improvement plans for this site. Construction of a new boat ramp, launch staging area, and parking area in safer and more convenient locations would enhance visitor use of this site as well as provide long-term protection of the resources. The FAS would be for day use only and hunting would be allowed. No off-road vehicle use would be allowed. The Proposed Action at Fairweather FAS would improve recreational opportunities by improving safety for fishing, boating, floating, hunting, and wildlife viewing and fill a need for water recreation opportunities on the scenic and popular upper Missouri River.

10. Description and analysis of reasonable alternatives:

Alternative A: No Action.

If no action was taken and the proposed improvements were not made, with a new boat ramp, launch staging area, and parking area, public safety, resource degradation, and security would continue to be issues at the FAS. Public safety would continue to be an issue, as visitors would continue to be forced to launch boats and rafts using the undercut boat ramp and launch staging area. Erosion of the launch staging area and sedimentation of the river would continue. The condition of the boat ramp would continue to deteriorate, making boat launching increasingly difficult.

Alternative B: Proposed Action.

In order to improve public safety and reduce resource degradation, FWP proposes to construct a new boat ramp in a more secure location, move the launch staging area for vehicles with trailers to maneuver, and move and expand the parking area.

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

FWP would employ Best Management Practices (BMP), which are designed to reduce or eliminate sediment delivery to waterways during construction. FWP would develop the final design and specifications for the Proposed Action. All county, state and federal permits listed in Part I 8(a) above would be obtained by FWP as required. A private contractor selected through the State's contracting processes would complete the construction.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

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

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		X				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		Yes Positive	1d.
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

1a. The Proposed Action would not affect existing soil patterns, structures, productivity, fertility, or instability. Soil and geologic substructure would remain stable during and after the proposed work.

1b. During construction, some minor modifications to the existing soil features would be required for the construction of the boat ramp, launch staging area, and parking area. Disturbed areas would be seeded with a native seed mix to minimize erosion, sediment delivery to the Missouri River, and the spread of noxious weeds. The FAS is managed for recreation and wildlife habitat. At the direction of FWP wildlife biologists, a neighboring farmer annually plants approximately 102 acres of the FAS with wheat and barley in order to enhance wildlife habitat. The proposed project site is not under agricultural production and the Proposed Action would not affect agricultural production, soil productivity, or soil fertility. FWP Best Management Practices (BMP) would be followed during all phases of construction to minimize erosion.

1c. No unique geologic or physical features would be altered by the Proposed Action.

1d. Ice jams and changing currents of the river have undercut, scoured, and eroded the boat ramp and launch staging area, causing erosion of those surfaces and sedimentation of the river. The proposed improvements to the boat ramp and launch staging area would reduce erosion of those surfaces and reduce sedimentation of the river. Minor amounts of sediment may enter the river during construction of the boat ramp, launch staging area, and parking area. However, upon completion, erosion and sedimentation to the river would be reduced.

2. AIR Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)			X		Yes	2a.
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regulations? (Also see 2a.)		NA				

2a. Dust may be temporarily generated during construction of the boat ramp, launch staging area, and parking area. If additional materials were needed off-site, loading at the source site would generate minor amounts of dust. FWP would follow FWP BMP during all phases of construction to minimize risks and reduce dust. See Appendix D for the BMP. There would be a temporary increase in diesel exhaust from equipment used during construction. If the Proposed Action were implemented, odors from diesel exhaust would dissipate rapidly. These impacts would be short term and minor.

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

3a. Construction of the boat ramp, launch staging area, and parking area may cause a temporary, localized increase in turbidity in the Missouri River. FWP would obtain a Montana Department of Environmental Quality (DEQ) 318 Authorization Permit for Short Term Water Quality Standard for Turbidity and follow all permit requirements. FWP BMP would also be followed (Appendix D).

3b. Replacement of the existing, eroded boat ramp and launch staging area would reduce erosion from those surfaces and reduce sedimentation of the river. The Proposed Action would be designed to minimize any effect on surface water, surface runoff, and drainage patterns. FWP BMP would be followed (Appendix D).

3d. There may be a minor, temporary increase of runoff during construction. FWP BMP would be followed (Appendix D).

3h. The use of heavy equipment during construction may result in a slight risk of contamination from petroleum products and a temporary increase in sediment delivery to the river. FWP BMP would be followed during all phases of construction to minimize these risks (Appendix D).

3l. The proposed project would have no impact on the floodplain.

4. VEGETATION **Will the proposed action result in?**	**IMPACT**					
	Unknown	**None**	**Minor**	**Potentially Significant**	**Can Impact Be Mitigated**	**Comment Index**
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X		Yes	4a.
b. Alteration of a plant community?		X				4b.
c. Adverse effects on any unique, rare, threatened, or endangered species?			X		Yes	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?		NA				
g. Other:		NA				

4a. The Proposed Action would have no impact on the plant diversity or productivity of the FAS and would have a minor impact on plant abundance. A minimal number of trees and shrubs would be removed during construction. Because the construction area is small, impacts from construction would be minor. Any area disturbed during construction would be reseeded with a native seed mix. Construction of the boat ramp and launch staging area would have no impact on plant communities or diversity because no new soil would be disturbed. Construction of the parking area would disturb a small clearing adjacent to the existing parking area that has likely been disturbed in the past by public use of the site.

4b. Vegetation found in the vicinity of Fairweather FAS consists of Rocky Mountain Lower Montane Riparian Woodland and Shrubland, as defined by the Montana Natural Heritage Program (MNHP), and is dominated by narrowleaf cottonwood. Common plant species found on the FAS include narrowleaf cottonwood, Rocky Mountain juniper, sandbar willow, Drummond's willow, Wood's rose, snowberry, golden currant, Russian olive, American licorice, smooth brome, Kentucky bluegrass, reed canarygrass, meadow foxtail, redtop, timothy, and sedge.

Common introduced species found on the FAS include Russian olive, smooth brome, timothy, cheatgrass, meadow foxtail, leafy spurge, common tansy, and curly dock. The most common noxious weeds found on the property include leafy spurge and common tansy. Though not classified as noxious weeds by the State of Montana, cheatgrass and Russian olive are classified as regulated species by the State of Montana and have the potential to pose a threat to riparian plant communities on the river. FWP would continue implementing the FWP Statewide Integrated Noxious Weed Management Plan to control

noxious weeds on the property. FWP spent over $500 on weed control in 2012, which continues to be a high management priority.

4c. A search of the MNHP Species of Concern database found no plant Species of Concern on Fairweather FAS.

4d. Livestock grazing is not allowed on the FAS. Approximately 102 acres of Fairweather FAS are under agricultural production for the purpose of enhancing wildlife habitat. However, the proposed project site is not part of this wildlife enhancement project and the proposed project would have no impact on the productivity or profitability of agricultural production or the wildlife enhancement project on the FAS.

4e. Relatively few noxious weeds are found in the vicinity of the Proposed Action site, with leafy spurge and common tansy found along the river and drainages. Soils disturbed during construction could colonize with weeds. Disturbed areas would be reseeded with a native reclamation seed mix where necessary to reduce the establishment of weeds. In conjunction with the Gallatin County Weed Control District, FWP would continue implementing the Statewide Integrated Weed Management Plan using chemical, biological, and mechanical methods to control weeds on the property. Weed management would include the establishment of native vegetation to prevent the spread of weeds. Vehicles would be restricted to the parking areas and access roads, which would be maintained as weed-free, and vehicles would not be allowed on undisturbed areas of the site to minimize the spread of noxious weeds. FWP estimates that weed control will cost approximately $800 during fiscal year 2014.

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		Yes	5a.
b. Changes in the diversity or abundance of game animals or bird species?		X				5b.
c. Changes in the diversity or abundance of nongame species?		X				5c.
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?			X		Yes	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.)		NA				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		NA				

5a. The proposed improvements are designed to minimize impacts to wildlife habitat. A minimal number of trees would be removed for construction of the parking area and launch staging area and every effort would be made to preserve all large healthy trees. This stretch of the Missouri River is not considered critical habitat for any fish or wildlife species.

5b/5c. Common wildlife species whose habitat distribution overlaps Fairweather FAS include white-tailed and mule deer, elk, mountain lion, black bear, red fox, beaver, and northern river otter. A wide variety of resident and migratory bird species use or travel through the area on a seasonal basis, including a variety of raptors, waterfowl, and songbirds.

Game fish in this stretch of the Missouri River include brown trout, rainbow trout, and mountain whitefish. Other fish species commonly found in this reach include longnose dace, white sucker, longnose sucker, and mottled sculpin.

The Missouri River, one of the most popular trout streams in the United States, is open to angling year-round along its entire length in Montana. According to recent surveys by FWP, the average angler days per year from 2003 to 2011 on the 23-mile stretch from the Missouri River headwaters (river mile 2312) to the Toston Dam (river mile 2289) was 1,748, with a low of 1,413 in 2003 and a high of 2,160 in 2009. The regional ranking for this stretch of river averaged the 41st most fished body of water, and range from 37 to 47 for the same period. The state ranking for this stretch of river averaged the 200th most fished body of water in Montana and ranged from 183rd to 219th during this same period. Fairweather FAS is the only FAS on the 27-mile stretch between the Missouri Headwaters State Park (river mile 2312) and Toston FAS (river mile 2285) and is frequently used as a put-in and take-out site for floaters and boaters.

5f. A search of the Montana Natural Heritage Program (MNHP) element occurrence database indicates occurrences of bald eagle, listed as DM by the USFWS and Sensitive by the US Bureau of Land Management and US Forest Service (Appendix B) within the vicinity of Fairweather FAS. No other occurrences of federally ranked animal or plant species have been found within the vicinity of the Proposed Action site. The search indicates that pileated woodpecker and veery, Species of Concern, have been observed in or near the Proposed Action site.

According to Claire Gower, FWP Region 3 Non-Game Wildlife Biologist, there is one pair of bald eagles that regularly nests in one of three nests on or near Fairweather FAS. The nearest of the three bald eagle nests is located approximately one mile from the proposed project site. While bald eagles were officially delisted in 2007, the USFWS has jurisdiction protecting this species under the Bald and Golden Eagle Protection Act (BGEPA) and the Migratory Bird Treaty Act (MBTA). The *Management Guidelines* of the Montana Bald Eagle Management Plan recommend seasonal restrictions from February 1 through August 15 for construction and maintenance of roads and trails, among other activities, within direct line of sight of an active nest. In addition, in the absence of a visual buffer, there should be a distance buffer of at least .25 mile from any construction of infrastructure, such as roads and trails. There should also be a .25-mile distance buffer for recreation during the breeding season. Because construction would begin in fall, 2013, after the recommended August 15 seasonal restriction date, and that the nest is over .25 mile from the construction site, the Proposed Action would not impact bald eagle nesting. In addition, increased public use of the FAS would have no or minor impact on bald eagles as they have been accustomed to human activity, such as agriculture, recreation, and residential development, in the area for years. FWP would minimize the impacts from increased public use by implementing the

recommendations outlined in the *Management Guidelines* of the Montana Bald Eagle Management Plan, including public education, signage, boating restrictions, and monitoring by FWP biologists.

The project is also unlikely to impact pileated woodpecker and veery, Species of Concern, as these species are also likely accustomed to some level of disturbance. The area has been disturbed by nearby agricultural and residential use and has had heavy recreational use by anglers, boaters, hunters, campers, and wildlife viewers for years.

According to Mike Ross, FWP Wolf Management Specialist, Fairweather FAS is within the habitat of the gray wolf. Currently there are no known radio-collared packs that have home ranges that could overlap the project area. While it is possible for wolves to travel through the project area, none have been recently sighted in the immediate area of Fairweather FAS. The wolf population in Montana is strong and wolves may pass through just about any area including this site. According to Mike Ross, FWP has no concerns with this project impacting gray wolves and no adverse impacts are anticipated from the proposed project on the wolf population.

B. HUMAN ENVIRONMENT

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

6a. Construction equipment would cause a temporary, minor increase in noise levels at the project site. Any increase in noise level at the construction site would be short term and minor.

6b. Fairweather FAS is located within 1/2 mile of approximately five residences. The minor and temporary increase of noise levels during construction may disturb nearby neighbors and visitors. FWP would follow the guidelines of the good neighbor policy, all of which would mitigate increased noise levels and would limit construction to periods of low visitation to minimize disturbance to others.

7. LAND USE Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				7a.
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				7d.

7a. Approximately 102 acres of Fairweather FAS are under agricultural production for the purpose of enhancing wildlife, particularly pheasant, habitat. Under the 1990 lease agreement, a neighboring farmer plants approximately 30 acres of wheat and 72 acres of barley, harvests 70% of the grain, and leaves 30% as standing crop for wildlife. The proposed project site is not part of this wildlife enhancement project and the proposed project would have no impact on the productivity or profitability of the agricultural production or wildlife enhancement project on the FAS.

7d. The Proposed Action would have no effect on nearby residences.

8. RISK/HEALTH HAZARDS Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	8a.
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?			X		Yes Positive	8c.
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		NA				

8a. Physical disturbance of the soil during construction would encourage the establishment of additional noxious weeds on the site. In conjunction with the Gallatin County Weed District, FWP would continue implementing an integrated approach to control noxious weeds, as outlined in the FWP Statewide Integrated Noxious Weed Management Plan. The integrated plan uses a combination of biological, mechanical, and herbicidal treatments to control noxious weeds. The use of herbicides would be in compliance with application guidelines to

minimize the risk of chemical spills or water contamination and would be applied by people trained in safe handling techniques.

There is a minor and temporary risk of fuel or oil from heavy equipment accidently releasing into the river during construction. Contractors would have absorbent materials on site to minimize any hydrocarbon releases, as well as conduct startup inspection of all hydraulic lines and cylinder seals daily to reduce the potential for a release. FWP would follow Best Management Practices during all phases of construction to minimize risks (Appendix D).

8c. Due to changing flows and winter ice jams on the Missouri River, river currents have undercut, scoured, and eroded the boat ramp and launch staging area. As a result, boat launching has become difficult and unsafe. The proposed project would improve public safety by constructing a safe boat ramp and launch staging area.

9. COMMUNITY IMPACT **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				9c.
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.

9c. The Proposed Action may improve recreational use of the area by improving the public safety of the FAS. This would benefit local retail and service businesses (Appendix C - Tourism Report).

9d. There would be no change in commercial use of the site.

9e. The Proposed Action would have little or no impact on traffic

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

10a. The Proposed Action would have no impact on public services or utilities. The proposed improvements would require periodic maintenance by FWP and the site would continue to be patrolled by FWP.

10b. The Proposed Action would have no effect on the local and state tax base and revenue.

10e. Under the Proposed Action, Fairweather FAS would be operated for day use only, so no revenue would be generated from camping fees.

10f. Projected annual operating, maintenance, weed control, and personnel expense for fiscal year 2014 is estimated to total approximately $1,200.

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

11a/b. The Proposed Action would not affect the aesthetic values of the FAS. The boat ramp and parking area would be visible from the Missouri River, but not from nearby residences.

11c. The site is already developed and the proposed improvements would have no effect on the aesthetic character of the neighborhood or community.

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

12a. A cultural resource inventory has been completed and no heritage sites were identified. The State Historic Preservation Office (SHPO) has been consulted and has concurred with FWP recommendations for the project (Appendix E). If cultural materials are discovered during construction, work would cease and SHPO would be contacted for a more in-depth investigation.

SIGNIFICANCE CRITERIA

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

During construction of the proposed project, there may be minor and temporary impacts to the physical environment, but the impacts would be short-term and the improvements would benefit the community and recreational opportunities over the long-term. The Proposed Action would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long-term, the Proposed Action positively impacts the public's recreational use of Missouri River, an important, popular, and heavily used recreational river.

PART III. NARRATIVE EVALUATION AND COMMENT

During construction of the proposed project, there may be minor and temporary impacts to the physical environment, but the impacts would be short-term and the improvements would benefit the community and recreational opportunities over the long-term. The Proposed Action would have no negative cumulative effects on the biological, physical, and human environments. When considered over the long-term, the Proposed Action positively impacts the public's recreational use this stretch of the upper Missouri River, an important, popular, and heavily used river in Montana.

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

The Proposed Action would not impact the local wildlife species that frequent the property and the project would be designed to avoid conditions that stress wildlife populations. Though bald eagle, pileated woodpecker, and veery, Species of Concern, have been observed in the vicinity of the proposed project site, the proposed project is unlikely to impact these species. Construction would commence in Fall 2013, well after the critical nesting period. In addition, these species are likely accustomed to disturbance from recreation, agriculture, and residential development in the area for years. While it is possible for wolves to travel through the project area, none have been sighted and there is no pack located in the area, so it is unlikely that the Proposed Action would impact gray wolves.

Soils disturbed during construction could colonize with weeds. Disturbed areas would be reseeded with a native reclamation seed mix where necessary to reduce the establishment of weeds. In conjunction with Gallatin County Weed Control District, FWP would continue implementing the Statewide Integrated Weed Management Plan using chemical, biological and mechanical methods to control weeds on the property.

The proposed improvements of Fairweather FAS would improve public safety hazards with convenient and safe boat launching facilities and would reduce erosion and degradation to water quality from the boat ramp and launch staging area. In addition, the proposed improvements would improve recreational opportunities for fishing, boating, floating, hunting, and wildlife viewing on the very popular and scenic Missouri River.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on the Fairweather FAS Proposed Improvement Project, the Proposed Action and alternatives:

- Two public notices in each of these papers: *the Bozeman Chronicle, the Three Forks Herald, and the Helena Independent Record.*
- Public notice on the Fish, Wildlife & Parks web page: *http://fwp.mt.gov.*
- Draft EA's will be available at the FWP Region 3 Headquarters in Bozeman and the FWP State Headquarters in Helena.
- A news release will be prepared and distributed to a standard list of media outlets interested in FWP Region 3 issues.

- Copies of this environmental assessment will be distributed to neighboring landowners and interested parties to ensure their knowledge of the Proposed Action.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

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

2. Duration of comment period:

The public comment period will extend for (30) thirty days. Written comments will be accepted until 5:00 p.m., October 10, 2013 and can be emailed to rheagney@mt.gov or mailed to the addresses below:

Fairweather FAS Proposed Improvement Project
Montana Fish, Wildlife & Parks, Region 3
1400 South 19th Avenue
Bozeman, MT 59718

PART V. EA PREPARATION

1. 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.

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the Proposed Action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis. In determining the significance of the impacts, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value affected, any precedent that would be set as a result of an impact of the Proposed Action that would commit FWP to future actions, and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the Proposed Actions, an EA is the appropriate level of review and an EIS is not required.

2. Person(s) responsible for preparing the EA:

Ray Heagney
Region 3 Fishing Access Site Manager
1400 South 19th Avenue
Bozeman, MT 59718
rheagney@mt.gov
(406) 994-4042

Andrea Darling
FWP EA Contractor
39 Big Dipper Drive
Montana City, MT 59634
apdarling@gmail.com

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

Montana Department of Commerce – Tourism
Montana Fish, Wildlife & Parks
- Field Services Division
  - Design and Construction Bureau
  - Lands Bureau
  - Legal Bureau
- Fisheries Division
- Wildlife Division

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

APPENDICES

A. MCA 23-1-110 Qualification Checklist
B. Native Species Report - Montana Natural Heritage Program
C. Tourism Report – Department of Commerce
D. Fish, Wildlife and Parks Best Management Practices
E. State Historic Preservation Office Concurrence

APPENDIX A
23-1-110 MCA PROJECT QUALIFICATION CHECKLIST

Date: June 15, 2013 **Person Reviewing:** Andrea Darling

Project Location: Fairweather FAS is located on the Missouri River 16 miles north of Logan in Gallatin County, Section 12, Township 3 North, Range 2 East (Figure 1 and 2).

Description of Proposed Work: Due to changing flows and winter ice jams of the Missouri River, river currents have undercut, scoured, and eroded the boat ramp and the launch staging area at Fairweather FAS. As a result, boat launching has become difficult and unsafe. FWP proposes to construct a new boat ramp in a more protected location, move the launch staging area to a stable location, and move and expand the parking area.

The following checklist is intended to be a guide for determining whether a proposed action or improvement is of enough significance to fall under 23-1-110 rules. (Please check all that apply and comment as necessary.)

[X] A. New roadway or trail built over undisturbed land?
Comments: The new parking area would be built over undisturbed land.

[ ] B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments: No building construction.

[X] C. Any excavation of 20 c.y. or greater?
Comments: Yes, for the new boat ramp, parking area, and launch staging area.

[X] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: The new parking area would slightly increase parking capacity and would be constructed over undisturbed land.

[ ] E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?
Comments: No.

[X] F. Any new construction into lakes, reservoirs, or streams?
Comments: The new boat ramp would be built into the Missouri River, adjacent to the existing boat ramp.

[ ] G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?
Comments: No. SHPO Concurrence has been obtained.

[ ] H. Any new above ground utility lines?
Comments: No new utility lines.

[ ] I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments: No campsites would be constructed.

[ ] J. Proposed project significantly changes the existing features or use pattern, including effects of a series of individual projects?
Comments: No. The proposed action would not affect existing features or use patterns.

APPENDIX B

NATIVE SPECIES REPORT – MONTANA NATURAL HERITAGE PROGRAM
Sensitive Plants and Animals in the Vicinity of Fairweather Fishing Access Site

Species of Concern Terms and Definitions

A search of the Montana Natural Heritage Program (MNHP) element occurrence database (http://nris.mt.gov) indicates occurrences of bald eagle, listed as DM by the US Fish and Wildlife Service, within the Proposed Action site. No other occurrences of federally ranked animal or plant species have been found within the vicinity of the Proposed Action site. The search indicates that pileated woodpecker and veery, Species of Concern, have been observed in or near the Proposed Action site. More information on these species is included below.

Montana Species of Concern. The term **"Species of Concern"** includes taxa that are at-risk or potentially at-risk due to rarity, restricted distribution, habitat loss, and/or other factors. The term also encompasses species that have a special designation by organizations or land management agencies in Montana, including: Bureau of Land Management Special Status and Watch species; U.S. Forest Service Sensitive and Watch species; U.S. Fish and Wildlife Service Threatened, Endangered and Candidate species.

Status Ranks (Global and State)

The international network of Natural Heritage Programs employs a standardized ranking system to denote global (**G** -- range-wide) and state status (**S**) (Nature Serve 2003). Species are assigned numeric ranks ranging from 1 (critically imperiled) to 5 (demonstrably secure), reflecting the relative degree to which they are "at-risk". Rank definitions are given below. A number of factors are considered in assigning ranks -- the number, size and distribution of known "occurrences" or populations, population trends (if known), habitat sensitivity, and threat. Factors in a species' life history that make it especially vulnerable are also considered (e.g., dependence on a specific Pollinator).

U.S. Fish and Wildlife Service (Endangered Species Act)- Terms and Definitions

LE. Listed endangered: Any species in danger of extinction throughout all or a significant portion of its range.

LT. Listed threatened: Any species likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

C. Candidate: Those taxa for which sufficient information on biological status and threats exists to propose to list them as threatened or endangered.

DM. Recovered, delisted, and being monitored - Any previously listed species that is now recovered, has been delisted, and is being monitored.

BGEPA. The Bald and Golden Eagle Protection Act of 1940 (BGEPA) prohibits anyone, without a permit issued by the Secretary of the Interior, from taking bald or golden eagles, including their parts, nests, or eggs. The BGEPA provides criminal and civil penalties for persons who take, possess, sell, purchase, barter, offer to sell, purchase or

barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof.

MBTA. The Migratory Bird Treaty Act (MBTA) implements four treaties that provide for international protection of migratory birds. The statute's language is clear that actions resulting in a "taking" or possession (permanent or temporary) of a protected species is a violation of the MBTA.

BCC. Birds of Conservation Concern 2008. The 1988 amendment to the Fish and Wildlife Conservation Act mandates the U.S. Fish and Wildlife Service to identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act

Status Ranks	
Code	**Definition**
G1 S1	At high risk because of extremely limited and/or rapidly declining numbers, range, and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.
G2 S2	At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state.
G3 S3	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.
G4 S4	Uncommon but not rare (although it may be rare in parts of its range), and usually widespread. Apparently not vulnerable in most of its range, but possibly cause for long-term concern.
G5 S5	Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.

MFWP Conservation Need. Under Montana's Comprehensive Fish and Wildlife Conservation Strategy of 2005, individual animal species are assigned levels of conservation need as follows:

Tier I. Greatest conservation need. Montana FWP has a clear obligation to use its resources to implement conservation actions that provide direct benefit to these species, communities and focus areas.

Tier II. Moderate conservation need. Montana FWP could use its resources to implement conservation actions that provide direct benefit to these species communities and focus areas.

Tier III. Lower conservation need. Although important to Montana's wildlife diversity, these species, communities and focus areas are either abundant or widespread or are believed to have adequate conservation already in place.

Tier IV. Species that are non-native, incidental or on the periphery of their range and are either expanding or very common in adjacent states.

SENSITIVE PLANTS AND ANIMALS IN THE VICINITY OF FAIRWEATHER FISHING ACCESS SITE

1. Haliaeetus leucocephalus (Bald Eagle)

Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S4**	U.S. Fish and Wildlife Service: **DM; BGEPA; MBTA; BCC**
Global: **G5**	U.S. Forest Service**: Sensitive**
	U.S. Bureau of Land Management: **Sensitive**

FWP CFWCS Tier: **1**

Element Occurrence data was reported of bald eagle within the project area. Last recorded observation date was 2008.

2. Dryocopus pileatus (Pileated Woodpecker)

Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S3**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**:**
	U.S. Bureau of Land Management:

FWP CFWCS Tier: **2**

Element Occurrence data was reported of pileated woodpecker within 1 mile of the project area. Last recorded observation date was 2008.

3. Catharus fuscescens (Veery)

Vertebrate animal- Bird

Natural Heritage Ranks	Federal Agency Status:
State: **S3**	U.S. Fish and Wildlife Service:
Global: **G5**	U.S. Forest Service**:**
	U.S. Bureau of Land Management:

FWP CFWCS Tier: **2**

Element Occurrence data was reported of veery within the project area. Last recorded observation date was 2004.

APPENDIX C
TOURISM REPORT

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

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

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

Project Name: Fairweather Fishing Access Site Proposed Improvement Project

Project Description: The 718-acre Fairweather Fishing Access Site (FAS) has been a popular recreational site since its acquisition by Montana Fish Wildlife and Parks (FWP) in 1972. The FAS is located along the Missouri River and provides quality recreational opportunities for fishing, boating, floating, hunting, picnicking, and wildlife viewing. Due to changing flows and winter ice jams of the Missouri River, river currents have undercut, scoured, and eroded the boat ramp and the launch staging area used to maneuver vehicles. As a result, boat launching has become difficult and unsafe. FWP proposes to construct a new boat ramp in a more protected location, move the launch staging area, and move and enlarge the parking area.

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

Yes, as described, the project has the potential to positively impact the tourism and recreation industry economy if properly maintained. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

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

Yes, as described, the project has the potential to improve quality and quantity of tourism and recreational opportunities if properly maintained. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

APPENDIX D
MONTANA FISH, WILDLIFE AND PARKS

BEST MANAGEMENT PRACTICES
10-02-02
Updated May 1, 2008

I. ROADS

A. Road Planning and location

1. Minimize the number of roads constructed at the FAS through comprehensive road planning, recognizing foreseeable future uses.
   a. Use existing roads, unless use of such roads would cause or aggravate an erosion problem.
2. Fit the road to the topography by locating roads on natural benches and following natural contours. Avoid long, steep road grades and narrow canyons.
3. Locate roads on stable geology, including well-drained soils and rock formations that tend to dip into the slope. Avoid slumps and slide-prone areas characterized by steep slopes, highly weathered bedrock, clay beds, concave slopes, hummocky topography, and rock layers that dip parallel to the slope. Avoid wet areas, including seeps, wetlands, wet meadows, and natural drainage channels.
4. Minimize the number of stream crossings.
   a. Choose stable stream crossing sites. “Stable” refers to streambanks with erosion-resistant materials and in hydrologically safe spots.

B. <u>Road Design</u>

1. Design roads to the minimum standard necessary to accommodate anticipated use and equipment. The need for higher engineering standards can be alleviated through proper road-use management. “Standard” refers to road width.
2. Design roads to minimize disruption of natural drainage patterns. Vary road grades to reduce concentrated flow in road drainage ditches, culverts, and on fill slopes and road surfaces.

C. <u>Drainage from Road Surface</u>

1. Provide adequate drainage from the surface of all permanent and temporary roads. Use outsloped, insloped or crowned roads, installing proper drainage features. Space road drainage features so peak flow on road surface or in ditches will not exceed their capacity.
   a. Outsloped roads provide means of dispersing water in a low-energy flow from the road surface. Outsloped roads are appropriate when fill slopes are stable, drainage will not flow directly into stream channels, and transportation safety can be met.
   b. For insloped roads, plan ditch gradients steep enough, generally greater than 2%, but less than 8%, to prevent sediment deposition and ditch erosion. The steeper gradients may be suitable for more stable soils; use the lower gradients for less stable soils.

c. Design and install road surface drainage features at adequate spacing to control erosion; steeper gradients require more frequent drainage features. Properly constructed drain dips can be an economical method of road surface drainage. Construct drain dips deep enough into the sub-grade so that traffic will not obliterate them.

2. For ditch relief/culverts, construct stable catch basins at stable angles. Protect the inflow end of cross-drain culverts from plugging and armor if in erodible soil. Skewing ditch relief culverts 20 to 30 degrees toward the inflow from the ditch will improve inlet efficiency.
3. Provide energy dissipators (rock piles, slash, log chunks, etc.) where necessary to reduce erosion at outlet of drainage features. Cross-drains, culverts, water bars, dips, and other drainage structures should not discharge onto erodible soils or fill slopes without outfall protection.
4. Route road drainage through adequate filtration zones, or other sediment-settling structures. Install road drainage features above stream crossings to route discharge into filtration zones before entering a stream.

D. Construction/Reconstruction

1. Stabilize erodible, exposed soils by seeding, compacting, riprapping, benching, mulching, or other suitable means.
2. At the toe of potentially erodible fill slopes, particularly near stream channels, pile slash in a row parallel to the road to trap sediment. When done concurrently with road construction, this is one method to effectively control sediment movement and it also provides an economical way of disposing of roadway slash. Limit the height, width and length of these “slash filter windrows” so not to impede wildlife movement. Sediment fabric fences or other methods may be used if effective.
3. Construct cut and fill slopes at stable angles to prevent sloughing and subsequent erosion.
4. Avoid incorporating potentially unstable woody debris in the fill portion of the road prism. Where possible, leave existing rooted trees or shrubs at the toe of the fill slope to stabilize the fill.
5. Place debris, overburden, and other waste materials associated with construction and maintenance activities in a location to avoid entry into streams. Include these waste areas in soil stabilization planning for the road.
6. When using existing roads, reconstruct only to the extent necessary to provide adequate drainage and safety; avoid disturbing stable road surfaces. Consider abandoning existing roads when their use would aggravate erosion.

E. <u>Road Maintenance</u>

1. Grade road surfaces only as often as necessary to maintain a stable running surface and to retain the original surface drainage.
2. Maintain erosion control features through periodic inspection and maintenance, including cleaning dips and cross-drains, repairing ditches, marking culvert inlets to aid in location, and clearing debris from culverts.
3. Avoid cutting the toe of cut slopes when grading roads, pulling ditches, or plowing snow.

4. Avoid using roads during wet periods if such use would likely damage the road drainage features. Consider gates, barricades or signs to limit use of roads during wet periods.

II. RECREATIONAL FACILITIES (parking areas, campsites, trails, ramps, restrooms)

A. Site Design

1. Design a site that best fits the topography, soil type, and stream character, while minimizing soil disturbance and economically accomplishing recreational objectives. Keep roads and parking lots at least 50 feet from water; if closer, mitigate with vegetative buffers as necessary.
2. Locate foot trails to avoid concentrating runoff and provide breaks in grade as needed. Locate trails and parking areas away from natural drainage systems and divert runoff to stable areas. Limit the grade of trails on unstable, saturated, highly erosive, or easily compacted soils
3. Scale the number of boat ramps, campsites, parking areas, bathroom facilities, etc. to be commensurate with existing and anticipated needs. Facilities should not invite such use that natural features will be degraded.
4. Provide adequate barriers to minimize off-road vehicle use.

B. Maintenance: Soil Disturbance and Drainage

1. Maintenance operations minimize soil disturbance around parking lots, swimming areas and campsites, through proper placement and dispersal of such facilities or by reseeding disturbed ground. Drainage from such facilities should be promoted through proper grading.
2. Maintain adequate drainage for ramps by keeping side drains functional or by maintaining drainage of road surface above ramps or by crowning (on natural surfaces).
3. Maintain adequate drainage for trails. Use mitigating measures, such as water bars, wood chips, and grass seeding, to reduce erosion on trails.
4. When roads are abandoned during reconstruction or to implement site-control, they must be reseeded and provided with adequate drainage so that periodic maintenance is not required.

III. RAMPS AND STREAM CROSSINGS

A. Legal Requirements

1. Relevant permits must be obtained prior to building bridges across streams or boat ramps. Such permits include the SPA 124 permit, the COE 404 permit, and the DNRC Floodplain Development Permit.

B. Design Considerations

1. Placement of boat ramp should be such that boats can load and unload without difficulty and the notch in the bank where the ramp was placed does not encourage bank erosion. Extensions of boat ramps beyond the natural bank can also encourage erosion.
2. Adjust the road grade or provide drainage features (e.g. rubber flaps) to reduce the concentration of road drainage to stream crossings and boat ramps. Direct

drainage flow through an adequate filtration zone and away from the ramp or crossing through the use of gravel side-drains, crowning (on natural surfaces) or 30-degree angled grooves on concrete ramps.

3. Avoid unimproved stream crossings on permanent streams. On ephemeral streams, when a culvert or bridge is not feasible, locate drive-throughs on a stable, rocky portion of the stream channel.
4. Unimproved (non-concrete) ramps should only be used when the native soils are sufficiently gravelly or rocky to withstand the use at the site and to resist erosion.

C. Installation of Stream Crossings and Ramps

1. Minimize stream channel disturbances and related sediment problems during construction of road and installation of stream crossing structures. Do not place erodible material into stream channels. Remove stockpiled material from high water zones. Locate temporary construction bypass roads in locations where the stream course will have a minimal disturbance. Time the construction activities to protect fisheries and water quality.
2. Where ramps enter the stream channel, they should follow the natural streambed in order to avoid changing stream hydraulics and to optimize use of boat trailers.
3. Use culverts with a minimum diameter of 15 inches for permanent stream crossings and cross drains. Proper sizing of culverts may dictate a larger pipe and should be based on a 50-year flow recurrence interval. Install culverts to conform to the natural streambed and slope on all perennial streams and on intermittent streams that support fish or that provide seasonal fish passage. Place culverts slightly below normal stream grade to avoid culvert outfall barriers. Do not alter stream channels upstream from culverts, unless necessary to protect fill or to prevent culvert blockage. Armor the inlet and/or outlet with rock or other suitable material where needed.
4. Prevent erosion of boat ramps and the effected streambank through proper placement (so as to not catch the stream current) and hardening (riprap or erosion resistant woody vegetation).
5. Maintain a 1-foot minimum cover for culverts 18-36 inches in diameter, and a cover of one-third diameter for larger culverts to prevent crushing by traffic.

APPENDIX E
STATE HISTORIC PRESERVATION OFFICE CONCURRENCE

Montana Fish, Wildlife & Parks

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JUL 03 2013
BY: SHPO

RECEIVED
JUL 16 2013
DESIGN & CONSTRUCTION
DEPT. OF FISH, WILDLIFE & PARKS

• STAN
• FWP/Fish
• Toston Fishing

1420 East Sixth Avenue
P.O. Box 200701
Helena, Montana 59620-0701

Dr. Mark Baumler SHPO
State Historical Preservation Office
P.O. Box 201202
1410 8th Avenue
Helena, Montana 59620-1202

RE: Toston Fishing Access Site Road Improvements

July 2, 2013

Dear Dr. Baumler:

The Department of Fish, Wildlife and Parks (FWP) is proposing road and parking improvements at the Toston Fishing Access Site in Broadwater County. The proposed project includes the improvement of an existing gravel road and parking area. A gravel parking area will be expanded by approximately 340 square yards and barrier rocks will be installed to discourage off road travel.

The project is located at approximately T5N R2E Section 23. The site lies within the APE of a previous cultural resource inventory completed by Steven Aaberg in 1978. No cultural resources were identified at that time. Additionally, the proposed project lies within an area of previous disturbance from various adjacent road construction projects and extensive recreational use. It is proposed that the project be funded with state moneys with no federal permits required and will therefore not be a federal undertaking. We feel that the likelihood of impact to cultural resources is low and the project should proceed, following local codes and jurisdictional permits.

We request your concurrence with our recommendation. Please feel free to contact me at (406) 841-4012 or bmangum@mt.gov if you have any questions or concerns regarding this project.

Sincerely,

Bardell Mangum PLA
Landscape Architect
Design & Construction

CONCUR
MONTANA SHPO
DATE 7/15/13 SIGNED

cc: File 930.2