

# RIVERSIDE FISHING ACCESS SITE MUSSELSHELL RIVER



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## Executive Summary

Montana Fish Wildlife and Parks (FWP) has an opportunity to partner with Musselshell County for a no-cost leased fishing access site near Roundup MT on the Musselshell River. The proposed site would be called Riverside Fishing Access Site (FAS).

Musselshell County, through a Federal Emergency Management Agency (FEMA) grant, offered landowners a voluntary buyout for lands frequently flooded by the Musselshell River. Several homeowners and landowners opted into the buyout program.

The county recognized the opportunity to partner with FWP for a fishing access site to share management costs of some acquired properties. The proposed fishing access site, aside from the river connection, may be part of a future trail system that might connect the proposed site to the Bair-Collins restoration project area then the county fair grounds and the Cowbells Campground.

Musselshell County Commissioners and FWP’s lands, fishing access site, enforcement and fisheries staffs drafted an agreement providing for a 25- year no-direct-cost lease to FWP from the county with an option to opt out or renew by either party. FWP would finalize the area plan, which would include overnight camping, a primitive boat/raft ramp with parking and two vault latrines. FWP would then manage the area consistent with operations within the FAS program. Musselshell County will provide gravel and equipment to build a roadway. Once the roads and parking areas are established FWP will manage typical road maintenance with county assistance when major work is necessary. Musselshell County’s weed program will manage weeds within the fishing access site.

Alternatives for this proposal include No Action in which FWP doesn’t proceed to work with Musselshell County to create Riverside FAS in partnership with Musselshell County or manage the proposed Riverside Fishing Access Site.

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## Purpose and Need

The purpose of this project is for FWP to cooperatively create Riverside Fishing Access Site with Musselshell County.

The Musselshell River offers fishing and floating and wildlife viewing opportunities. But there are few public access points along the Musselshell River in Musselshell County and no FWP fishing access sites.

A cost share for land management in a portion of the green space created by Musselshell County through a FEMA grant would establish Riverside Fishing Access Site. The reach of the Musselshell River near Roundup is identified by FWP as a medium priority for FAS acquisition and regionally a high priority for a low- or no-cost lease agreements to establish FAS sites. The 2019-2027 Statewide Fisheries Management Program and Guide specifically indicated efforts on this project might result in an established FAS by 2020 (FWP 2019 pg. 345)

## A. Background and Proposed Actions

### Type of Proposed Action

The action proposed for FWP is to finalize a design, participate in the development, and manage a fishing access site to be known as Riverside Fishing Access Site. The site would be created as a no-cost 25-year automatic-renewal lease with Musselshell County. Cost sharing for development is anticipated between FWP and Musselshell County. Development includes building a road, parking lot, campsites, fencing and signing as well as installation of latrine(s).

### Agency Authority for the Proposed Action

- 87-1-209 MCA, FWP authority to acquire land by purchase, lease, agreement, gift or easement.
- 23-1-127 MCA Maintenance at FAS sites
- 12.8.602 ARM specifies development elements considered significant within sites
- 23-1-110 MCA defines public involvement for FAS
- 23-1-126 MCA, Good Neighbor Policy

### Project Name

Riverside Fishing Access Site, Musselshell River.

### Project Sponsor

Montana Fish, Wildlife, and Parks  
Region 5 Fisheries  
2300 Lake Elmo Drive  
Billings, MT 59105

### Anticipated Schedule

Table 1. Timeline of proposed actions.

<b>Event</b>	<b>Date</b>
<b>Public Comment Period</b>	December 18–January 20, 2021
<b>Public Meeting</b>	Not anticipated
<b>Decision Notice (estimated)</b>	January 28, 2020
<b>Project begins</b>	July 1, 2021
<b>Project completed</b>	25-year agreement cycle

### Location of Project

The project area considered for Riverside FAS is within four lots in Section 22, Township 8 North, Range 25 East. The four lots consists of about 20 acres and include parcels

23171722404010000, 23171722404030000, 23171722404040000, and 2317172240405000 owned by Musselshell County. The proposed FAS could be accessed via Highway 12 near the junction of Highway 87 to the southeast of Roundup, MT (Figure 1,2,3) or alternate route as determined with Musselshell County.

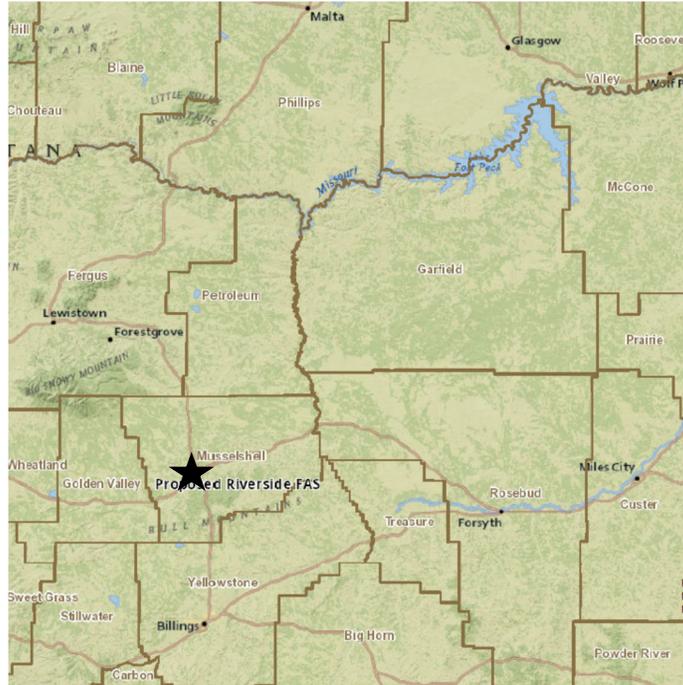


Figure 1. Map of location statewide reference.

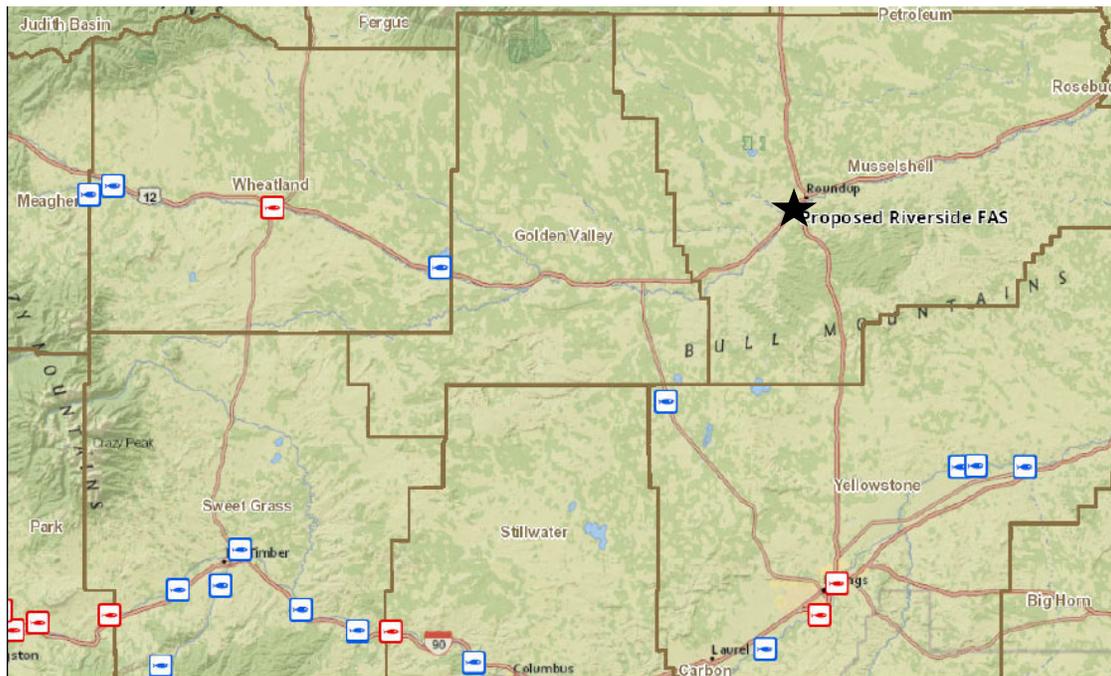


Figure 2. Map of location county reference with area FAS sites shown.



Figure 3. Satellite image of site with proposed access route.

### Project Size

The area considered for no-cost lease by Musselshell County to FWP is approximately 20 acres. Table 2 below indicates the approximate acreage for the fishing access site lands based on the 20 acres in the defined parcels. The area is defined in the FWP wetlands map (appendix Figure 5) showing the areas measured within the parcels for Table 2 and the USFWS Wetlands Inventory map which supplies data for the FWP map (appendix Figure 6). The entire area is part of the special flood hazard area (Appendix Figure 7). The developed area would be substantially smaller with a desire to promote cottonwood regeneration in areas of the proposed site. Figure 4 is the proposed draft site plan.

Table 2. Acres of land affected by the proposed project.

Description	Acres	Description	Acres
Developed	0	Floodplain	20
Residential	0	Productive land-----	0
Industrial	0	Irrigated Cropland	0
Open Space	14	Dry Cropland	0
Wetlands-----	6	Forestry	0
Riverine	2	Rangeland	0
Riparian Forest			
Riparian Shrub	4		
Freshwater Emergent	0.1		



Figure 4, Draft Riverside Fishing Access Site Plan.

### Consultation

- Montana Natural Heritage Species of Concern Reports
- USFWS Service Wetland Mapping
- Musselshell Water Coalition
- Musselshell County Commissioners, Sheriff, DES/Floodplain Administrator
- DNRC Sage Grouse Program website

### Permits

Musselshell County Floodplain permit

### Budget

The estimated budget to develop the site using the draft design is approximately \$140,000 with costs roughly assigned to each entity in Table 3. These costs reflect contracting values with associated contingency funding. Portions of the project may be completed with FWP and County staff and material which would reduce overall costs.

Table 3. Estimated Budget.

Entity	Activities	Estimated Cost
Montana Fish Wildlife and Parks	Preconstruction preparation, signs, fencing, gates, campsite development, parking lot blocks, barrier rock, gravel ramp, ditch culvert/bridge, vault latrines, Construction BMP's and equipment contract/rent	\$ 98,000.00
Musselshell County	Road and parking lot development gravel, equipment, operator.	\$ 42,000.00
<b>Total</b>		<b>\$ 140,000.00</b>

## Project Brief History

The city of Roundup has had severe flooding issues compounded by encroachment of development within the floodway of the Musselshell River. Historically the Milwaukee Railroad and state highways have reduced the length of the Musselshell River, creating narrowed floodplains and reduced flood capacity. Additional encroachment by city and county residences and urban development with associated dikes provide protection from small floods but likely have contributed to increased severe floods.

A study by Pioneer Technical Services completed in 2016 identified projects that could reduce peak flood elevations by nearly two feet in and near Roundup (Pioneer 2016). To address project findings, land acquisition was necessary to reduce encroachment and to remove some dikes, allowing the floodway to reclaim historic areas such as the Bair-Collins Mine Restoration project. Musselshell County successfully applied for a FEMA grant to purchase properties in the floodplain in and near Roundup. Deed restrictions don't allow for residential or business development, allow for recreational development, and require the county to hold the lands in perpetuity. The lands proposed for Riverside FAS were recently purchased through the grant. The county cannot sell properties purchased from this effort. The county was interested in developing a fishing access site as part of their planning for future land use and management. The county offered a no-cost lease opportunity to FWP provided that FWP was willing and able to cooperatively fund design, develop and maintain a proposed site.

FWP presented entering into an agreement with the county for this purpose to the Montana Fish Wildlife and Parks Commission during its April 2017 meeting and received endorsement to proceed. FWP and the county have worked to finalize the area that FWP would manage as an FAS, create a preliminary design (Figure 4), and complete a lease agreement contingent on legal access, legal land descriptions, and FWP Commission final endorsement. The county has removed structures present at the time of sale on the four parcels proposed for lease as Riverside Fishing Access Site.

This site represents the most upstream parcels purchased by the county in the voluntary buyout program. This proposed site would provide a developed area to access the Musselshell River which allow people to access additional county and city properties near the fairgrounds with the opportunity to pull out watercraft at the Cowbells Campground. This reach of river is approximately three miles. Other properties managed by the county and city provide trails and additional access to the river.

This stretch of river provides fishing opportunity for catfish, smallmouth bass and several species of nongame fish. The area also offers opportunity to recreationally float and view wildlife associated with the riparian areas along the Musselshell River.

## B. Alternatives

1. No Action
2. FWP accepts agreement and establishes Riverside FAS

## C. Description of Alternatives

### 1. No Action

Under this alternative FWP would not accept or continue to invest time to establish the no-cost lease nor undertake management of the area.

### 2. Implement project

FWP would work with Musselshell County to finalize the draft agreement, finalize the development plan and implement the project.

## D. ENVIRONMENTAL REVIEW

The following tables summarize potential effects to the physical and human environments if the preferred alternative is selected and implemented.

### D.1 LAND RESOURCES

Table 4. Physical Environment Land Resources.

Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Soil instability or changes in geologic substructure?		x				a
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?			x			b
c. **Destruction, covering or modification of any unique geologic or physical features?		x				c
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				d
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		x				e
f. Other:						

- a. There will be no change to soil stability or geologic.
- b. There will be soil compaction that takes place in the areas that are developed. Entrance/Exit roads and parking areas will be compacted and covered with compacted road mix material to allow travel during all conditions.
- c. No destruction or modification to any physical features.
- d. There will not be any modifications made to the Musselshell River.
- e. No exposure.

## D.2 AIR

Table 5. Physical Environment Air.

Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		x				a
b. Creation of objectionable odors?			x			b
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		x				c
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		x				d
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				e
f. Other:						

\* 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.

a: There will be no change to ambient air quality.

b: Installation of vault latrines can cause minor odors in the immediate vicinity of the units (<20').

c: There will be no alteration of air movement.

d: There will be no effect on vegetation due to pollutants

e: There will not be any discharge affecting air quality.

## D.3 WATER

Table 6. Physical Environment Water.

Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		x				a
b. Changes in drainage patterns or the rate and amount of surface runoff?			x			b
c. Alteration of the course or magnitude of floodwater or other flows?		x				c
d. Changes in the amount of surface water in any water body or creation of a new water body?		x				d
e. Exposure of people or property to water related hazards such as flooding?		x				e
f. Changes in the quality of groundwater?		x				f
g. Changes in the quantity of groundwater?		x				g
h. Increase in risk of contamination of surface or groundwater?		x				h
i. Effects on any existing water right or reservation?		x				i
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		x				j
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		x				k
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)		x				l
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				m
n. Other:						

- a. There will be no discharge into surface water.
- b. The addition of gravel surface parking areas and roads will cause minor controlled changes in drainage patterns.
- c. There will be no change to floodwater flows.
- d. There will be no changes to surface water or creation of a new body of water.
- e. Exposure to the effects of floodwaters will not be changed by the project.
- f. There will be no effect to the quality of groundwater.
- g. There will be no effect to the quantity of groundwater.
- h. There will be no increased contamination risk.
- i. There will be no effect on existing water right.

- j. There will be no effect to other water users in regard to quality.
- k. There will be no effect to other water users in regard to quantity.
- l. The project will not alter the floodplain other than small change in drainage patterns due to road construction.
- m. There will be no discharge that will affect water regulations.

#### D.4 VEGETATION

Table 7. Physical Environment Vegetation.

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

- a. There will be no changes made to plant species.
- b. No alterations to the plant community will be made.
- c. There will not be any adverse effect on any rare, unique or threatened plants. A review of the Montana Natural Heritage data indicates no plant species of concern in the township including the proposed site.
- d. There will be no reduction in agricultural land made.
- e. With the ground being disturbed during construction along with the potential for weeds being introduced by visiting traffic, an effective weed control plan will be necessary to control the spread. The county will follow local plans and manage weeds within this site.
- f. No wetlands or unique farmland will be affected.

## D.5 FISH/WILDLIFE

*Table 8. Physical Resource Fish and Wildlife.*

Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		x				a
b. Changes in the diversity or abundance of game animals or bird species?		x				b
c. Changes in the diversity or abundance of nongame species?		x				c
d. Introduction of new species into an area?		x				d
e. Creation of a barrier to the migration or movement of animals?		x				e
f. Adverse effects on any unique, rare, threatened, or endangered species?		x				f
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		x				g
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				h
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				i
j. Other:						

- a. There will be no deterioration of critical fish/wildlife habitat.
- b. No effects on game animal or bird diversity will be made.
- c. There will be no affect to non-game species.
- d. No new species will be introduced to the area.
- e. No barriers will be created.
- f. No effect on endangered species.
- g. There will be no changes to conditions that affect wildlife populations.
- h. No effect to T/E species, Natural Heritage Program data indicates these species are present in the Township including this area. See Appendix for Natural Heritage Report.
  - a. Townsend Big Eared Bat G4 S3

This bat prefers roost in caves and abandoned mines. It forages heavily around forested areas. This project anticipates expansion of cottonwood riparian areas which may benefit this bat.

- b. Spotted Bat G4 S3

This bat roosts on cliffs which are in the area of the proposed FAS. With the wild growth of cottonwoods and shrubs the feeding areas around the site may improve conditions for this bat.

c. Eastern Red Bat G3/G4 S3

This bat roosts in large hollows in trees and from trees is migratory typically not wintering in Montana. Management of this site to allow rewilding or adjacent areas may improve habitat for this bat.

d. Little Brown Myotis G3 S3

This bat uses a wide variety of roosting areas. Like the other bats this species may benefit from rewilding of the habitat around the FAS. Site development is unlikely to have a negative effect.

e. Golden Eagle G5 S3

No effect on Golden Eagles are anticipated as a function of this project.

f. Great Blue Heron G5 S3

No effect on Great Blue Heron is anticipated.

g. Greater Sage Grouse G3/G4 S2

No effect on Sage Grouse is anticipated this area is outside of the core areas

<https://sagegrouse.mt.gov/ProgramMap> as provided in the Montana Sage Grouse Habitat Conservation Program.

h. Loggerhead Shrike G4 S3B

The Loggerhead Shrike may use some areas near and in the proposed site. They feed in open prairie areas. They may nest in some shrubs along the riparian area. The project will alter the open space with anticipation of additional shrub and tree growth. No change to this species is anticipated.

i. Brewers Sparrow G5 S3B

The Brewers Sparrow is a sagebrush obligate. No change to sagebrush will occur as a part of this project and thus no effect is expected for this species.

j. Spiny Softshell G5 S3

Spiny Softshell turtles are present in this reach of river. No negative effects are anticipate as part of this project.

k. Greater Short Horned Lizard G5 S3

No effects are anticipated for this species.

l. Great Plains Toad G5 S2

No effects are anticipated for this species.

m. Northern Redbelly Dace G5 S3

No effects are anticipated for this species.

n. Northern Redbelly X Finescale Dace GNA S3

No effects are anticipated for this species.

i. No species will be introduced or exported.

## D.6 HUMAN ENVIRONMENT NOISE/ELECTRICAL EFFECTS

*Table 9. Human Environment Noise and Electrical Effects.*

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

- a. There will be increased levels of noise during construction during regular working hours.
- b. With the addition of camping areas and day use recreational areas, there will be increased exposure for neighboring landowners to minor levels of human caused noise.
- c. There will be no creation of electrostatic or electromagnetic energy.
- d. There will be no interference to radio or TV reception and/or operation.

## D.7 LAND USE

*Table 10. Human Environment Land Use*

Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
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				
e. Other:						

## D.8 RISK/HEALTH HAZARDS

Table 11. Human Environment Risk and Health Hazards.

Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
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			a
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		x				b
c. Creation of any human health hazard or potential hazard?		x				c
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		x				d
e. Other:						

- a. With the use of heavy equipment during construction, there is the inherent risk of minor leaks of fuel and/or oil that would be addressed immediately by the contractor.
- b. No effect.
- c. No hazards will be created.
- d. No chemical toxicants will be used.

## D.9 COMMUNITY IMPACT

Table 12. Human Environment Community Impact.

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

- a. No effect.
- b. No effect:
- c. No effect.
- d. No effect:
- e. With the addition of available camping and access to the river for recreational purposes, there will be a minor increase in traffic in the immediate area of the site.

**D.10 PUBLIC SERVICES/TAXES/UTILITIES**

*Table 13. Human Environment Public Services, Taxes, Utilities.*

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

- a. Adding a public camping and recreation area will inherently increase the necessity for local law enforcement to patrol and respond to call made from the site. A developed plan between local law enforcement and the Game Wardens will be key to making this process effective. Consultation with Musselshell County Sheriff’s office and FWP Enforcement has occurred. Currently the site is in county ownership with public starting to utilize the area in its current condition.
- b. No effect:
- c. No effect.
- d. No effect.
- e. Operations Budget for the Region 5 FAS program.
- f. Weekly caretaker visitation (bi-weekly in off season) including supplies \$78 (est.) with a seasonal cost of \$3549. Latrine pumping 1x per year with 2 latrines \$900. Total estimates maintenance cost of \$4449.00 per year.

## D.11 AESTHETICS/RECREATION

Table 14. Human Environment Aesthetics and Recreation.

Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		x				a
b. Alteration of the aesthetic character of a community or neighborhood?		x				b
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)			x			c
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				d
e. Other:						

- a. No effect.
- b. The development of a Fishing Access Site should improve the current aesthetic character of the current vacant land area.
- c. The proposed Fishing Access Site would increase the recreational opportunities in the local area including camping and river access.
- d. No effect.

## D.12 CULTURAL/HISTORICAL RESOURCES

Table 15. Human Environment Cultural and Historical Resources.

Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
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				A
e. Other:						

A. See appendix for SHPO letter of no Significant findings.

## E. SIGNIFICANCE CRITERIA

### SUMMARY EVALUATION OF SIGNIFICANCE

Table 16. Summary Evaluation of Significance.

Will the proposed action, considered as a whole:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
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				A
g. ****For P-R/D-J, list any federal or state permits required.		X				B

A. This project isn't expected to generate organized opposition. The land is currently held by the county the lease would establish an FWP managed site with organized camping and a primitive ramp for watercraft.

B. Road construction and latrine placement will require a floodplain permit. Any cleanup of concrete riprap and exposed geotextile fabric may require a 404 and 124 permit.

## F. EVALUATION AND LISTING OF MITIGATION, STIPULATION OR OTHER CONTROL MEASURES ENFORCEABLE BY THE AGENCY OR OTHER GOVERNMENT AGENCY

Musselshell County, FEMA grant stipulations.

## G. NARRATIVE EVALUATION AND COMMENT

No negative impacts are anticipated as part of this lease agreement and development of Riverside Fishing Access Site.

## H. EA CONCLUSION SECTION

1. Based on the significance criteria evaluated in this EA, is an environmental impact statement (EIS) required (YES/NO)?

NO.

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

County Commission open meetings to develop agreement, Montana Fish and Wildlife Commission endorsement to develop plan. Musselshell Water Coalition meetings, FWP Region 5 Citizen Advisory Council.

If substantial comments are received a public meeting will be considered.

- Legal notices will be published in the Billings Gazette, Independent Record (Helena), and Roundup Record.
  - Public notice will be posted on FWP's website and the draft EA will be available electronically.
  - Copies of this draft EA may be obtained by mail from FWP, 2300 Lake Elmo Drive, Billings, MT 59230 or by phoning 406-247-2940
3. Duration of the comment period will be 33 days. Comments are due by 12:PM AM of the closing day.
  4. Comment period will be December 18, 2020 to January 20, 2020. Written comments can be mailed to:

Mike Ruggles  
Montana Fish Wildlife and Parks  
2300 Lake Elmo Drive  
Billings, MT 59105

Emailed comments can be sent to: [fwpreion5pc@mt.gov](mailto:fwpreion5pc@mt.gov) Please use header: Riverside FAS

Phone comments can be directed to 406-247-2961.

5. Name, title, address and phone number of the person(s) responsible for preparing the EA:

Mike Ruggles, Regional Fisheries Manager, 2300 Lake Elmo Drive Billings, MT 59105.  
406-247-2961.

Ryan Taynton, Fishing Access Site Manager, 2300 Lake Elmo Drive Billings, MT 59105.  
406-247-2964.

## Literature Cited and Website Links

FWP. 2019. 2019-20-27 Statewide Fisheries Management Program and Guide.  
<http://fwp.mt.gov/fishAndWildlife/management/fisheries/statewidePlan/>

MTNHP. 2020. Montana Natural Heritage Program.  
<http://mtnhp.org/SpeciesOfConcern/?AorP=a> animal report, and  
<http://mtnhp.org/SpeciesOfConcern/?AorP=p> plant report. Using Township 2 Range 18.

Montana Sage Grouse Habitat Conservation Program. 2020.  
<https://sagegrouse.mt.gov/ProgramMap>

Pioneer Technical Services, Inc. 2016. Roundup Reach Flood Mitigation Engineering Evaluation and Cost Analysis. Technical Report Pioneer Technical Services, Inc., 106 Pronghorn Trail, Bozeman, MT 59718. November 3, 2016.

US Fish and Wildlife Service National Wetlands Inventory. 2020.  
<https://www.fws.gov/wetlands/data/mapper.html>

## Appendix

Table 17. Animal Species of Concern Report for Township.

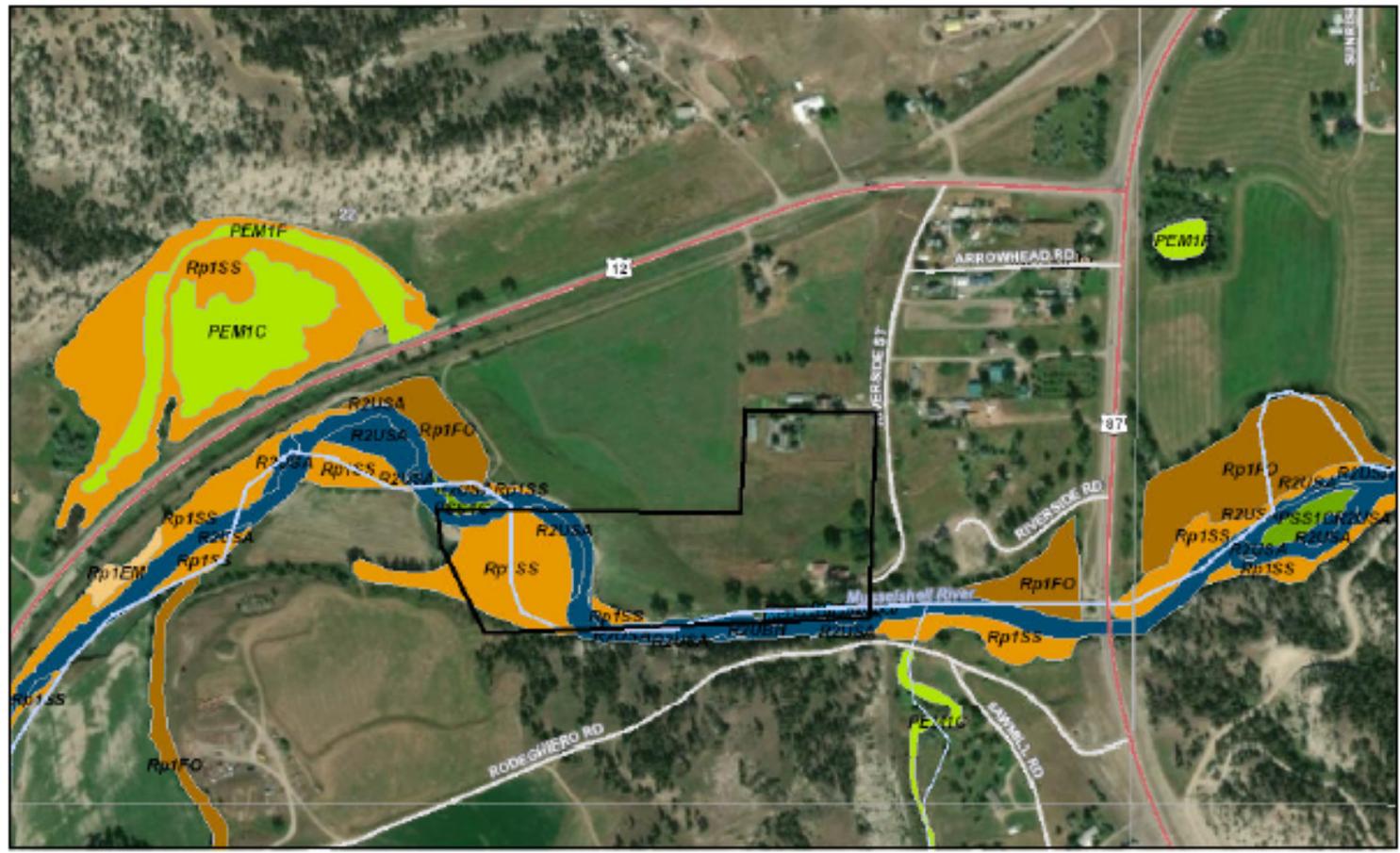
Species of Concern										
<b>Species of Concern</b> <b>15 Species</b> Filtered by the following criteria: Township = 008N025E (based on mapped Species Occurrences)										
MAMMALS (MAMMALIA) <span style="float: right;">4 SPECIES</span>										
TOWNSHIP = 008N025E (based on mapped Species Occurrences)										
SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT
<b>Corynorhinus townsendii</b> Townsend's Big-eared Bat	<b>Vespertilionidae</b> Bats	G4	S3		Sensitive - Known on Forests (BD, BRT, CG, HLC, KOOT, LOLO)	SENSITIVE	SGCN3	5%	87%	Caves in forested habitats
		<b>Species Occurrences verified in these Counties:</b> Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Fergus, Flathead, Gallatin, Garfield, Granite, Jefferson, Judith Basin, Lake, Lewis and Clark, Lincoln, Madison, McCone, Meagher, Mineral, Missoula, Musselshell, Park, Phillips, Powder River, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sanders, Silver Bow, Stillwater, Treasure, Valley, Yellowstone <b>State Rank Reason:</b> Species is widespread, but uncommon and appears to occur at low densities. Disturbance of cave and mine roosts and the hard closure of occupied mines threaten long-term persistence.								
<b>Euderma maculatum</b> Spotted Bat	<b>Vespertilionidae</b> Bats	G4	S3		Sensitive - Known on Forests (BD, CG)	SENSITIVE	SGCN3, SGIN	5%	27%	Cliffs with rock crevices
		<b>Species Occurrences verified in these Counties:</b> Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Cascade, Chouteau, Dawson, Fergus, Gallatin, Jefferson, Judith Basin, Lewis and Clark, Madison, Musselshell, Phillips, Powder River, Richland, Rosebud, Silver Bow, Stillwater, Treasure, Yellowstone <b>State Rank Reason:</b> Little is known about this species in Montana. Although widely distributed, the species is quite rare in almost all of its range. Little is known about trends, trends in abundance or occupancy, or life history.								
<b>Lasiurus borealis</b> Eastern Red Bat	<b>Vespertilionidae</b> Bats	G3G4	S3			SENSITIVE		0%	46%	Riparian forest
		<b>Species Occurrences verified in these Counties:</b> Big Horn, Blaine, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Fergus, Garfield, Glacier, Hill, Judith Basin, Lewis and Clark, McCone, Musselshell, Park, Petroleum, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sweet Grass, Toole, Valley, Wheatland, Yellowstone <b>State Rank Reason:</b> Recent surveys using acoustic detectors have shown this species to be present across much of central and eastern Montana during the summer and fall. Tree roosting bat species, including the Eastern Red Bat, are commonly killed at wind farms, which presents a substantial threat to the long-term viability of populations within the state.								
<b>Myotis lucifugus</b> Little Brown Myotis	<b>Vespertilionidae</b> Bats	G3	S3				SGCN3	3%	100%	Generalist
		<b>Species Occurrences verified in these Counties:</b> Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Lincoln, Madison, McCone, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sanders, Sheridan, Silver Bow, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, Yellowstone <b>State Rank Reason:</b> Species is common and widespread, but under significant threat of catastrophic declines due to White-Nose Syndrome, a fungal disease responsible for the collapse of populations of this species in the eastern US.								

BIRDS (AVES)										6 SPECIES		
										TOWNSHIP = 008N025E (based on mapped Species Occurrences)		
SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT		
Great Blue Heron	Bitterns / Egrets / Herons / Night-Herons										Species Occurrences verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Liberty, Lincoln, Madison, McCone, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sanders, Sheridan, Silver Bow, Stillwater, Sweet Grass, Teton, Treasure, Valley, Wheatland, Wibaux, Yellowstone State Rank Reason: small breeding population size, evidence of recent declines, and declining regeneration of riparian cottonwood forests due to altered hydrology and grazing.	
Centrocercus urophasianus Greater Sage-Grouse	Phasianidae Upland Game Birds	G3G4	S2			Sensitive - Known on Forests (BD) Sensitive - Suspected on Forests (CG, HLC)	SENSITIVE	SGCN2	17%	75%	Sagebrush	Species Occurrences verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Chouteau, Custer, Dawson, Deer Lodge, Fallon, Fergus, Gallatin, Garfield, Golden Valley, Hill, Madison, McCone, Meagher, Musselshell, Park, Petroleum, Phillips, Powder River, Prairie, Rosebud, Silver Bow, Stillwater, Sweet Grass, Treasure, Valley, Wheatland, Wibaux, Yellowstone
Lanius ludovicianus Loggerhead Shrike	Laniidae Shrikes	G4	S3B	MBTA; BCC10; BCC17			SENSITIVE	SGCN3	4%	100%	Shrubland	Species Occurrences verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Gallatin, Garfield, Glacier, Golden Valley, Hill, Jefferson, Liberty, Madison, McCone, Meagher, Musselshell, Petroleum, Phillips, Pondera, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Valley, Wheatland, Wibaux, Yellowstone
Numenius americanus Long-billed Curlew	Scolopacidae Sandpipers	G5	S3B	MBTA; BCC10; BCC11; BCC17			SENSITIVE	SGCN3	19%	100%	Grasslands	Species Occurrences verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Lake, Lewis and Clark, Liberty, Madison, McCone, Meagher, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sanders, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, Yellowstone
Spizella breweri Brewer's Sparrow	Passerellidae New World Sparrows	G5	S3B	MBTA; BCC10; BCC17			SENSITIVE	SGCN3	12%	100%	Sagebrush	Species Occurrences verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Chouteau, Custer, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Lake, Lewis and Clark, Liberty, Lincoln, Madison, McCone, Meagher, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sanders, Sheridan, Silver Bow, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, Yellowstone State Rank Reason: Species faces threats from loss of sagebrush habitats it is dependent on as a result of habitat conversion for agriculture and increased frequency of fire as a result of weed encroachment and drought.

REPTILES (REPTILIA)										2 SPECIES		
										TOWNSHIP = 008N025E (based on mapped Species Occurrences)		
SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT		
Apalone spinifera Spiny Softshell	Trionychidae Softshell Turtles	G5	S3				SENSITIVE	SGCN3	2%	26%	Prairie rivers and larger streams	Species Occurrences verified in these Counties: Big Horn, Blaine, Carbon, Cascade, Chouteau, Custer, Dawson, Fergus, Garfield, Glacier, Golden Valley, Lewis and Clark, Musselshell, Petroleum, Phillips, Pondera, Prairie, Richland, Rosebud, Stillwater, Sweet Grass, Teton, Toole, Treasure, Wheatland, Wibaux, Yellowstone
Phrynosoma hernandesi Greater Short-horned Lizard	Phrynosomatidae Sagebrush / Spiny Lizards	G5	S3			Sensitive - Known on Forests (CG) Sensitive - Suspected on Forests (HLC)	SENSITIVE	SGCN3, SGIN	19%	66%	Sandy / gravelly soils	Species Occurrences verified in these Counties: Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Dawson, Fergus, Gallatin, Garfield, Glacier, Golden Valley, Hill, Lewis and Clark, Liberty, McCone, Musselshell, Petroleum, Phillips, Pondera, Powder River, Prairie, Richland, Roosevelt, Rosebud, Silver Bow, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, Yellowstone

AMPHIBIANS (AMPHIBIA)										1 SPECIES
										TOWNSHIP = 008N025E (based on mapped Species Occurrences)
SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT
<b>Anaxyrus cognatus</b> Great Plains Toad	<b>Bufonidae</b> True Toads	G5	S2		Sensitive - Known on Forests (CG)	SENSITIVE	SGCN2	8%	62%	Wetlands, floodplain pools
<p><b>Species Occurrences verified in these Counties:</b> Big Horn, Blaine, Carter, Cascade, Chouteau, Custer, Garfield, Golden Valley, Hill, Lewis and Clark, Liberty, McCone, Musselshell, Petroleum, Phillips, Powder River, Prairie, Rosebud, Sheridan, Stillwater, Toole, Valley, Yellowstone</p> <p><b>State Rank Reason:</b> Current trend is unknown due to a scarcity of observations, but long-term declines are possible due to declines in ephemeral waterbodies (bison wallows). Species faces threats from habitat loss including development of native habitat, and reduced availability of burrows due to black-tailed prairie dog declines.</p>										

FISH (ACTINOPTERYGII)										2 SPECIES
										TOWNSHIP = 008N025E (based on mapped Species Occurrences)
SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	FWP SWAP	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT
<b>Chrosomus eos</b> Northern Redbelly Dace	<b>Cyprinidae</b> Minnows	G5	S3				SGCN3	4%	27%	Small prairie rivers
<p><b>Species Occurrences verified in these Counties:</b> Blaine, Cascade, Chouteau, Daniels, Dawson, Fergus, Golden Valley, Hill, Judith Basin, Lewis and Clark, McCone, Meagher, Musselshell, Petroleum, Phillips, Pondera, Richland, Roosevelt, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Valley, Wheatland, Wibaux</p> <p><b>State Rank Reason:</b> The Northern Redbelly Dace is currently listed as an "S3" species of concern in Montana because they are potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.</p>										
<b>Chrosomus eos x Chrosomus neogaeus</b> Northern Redbelly X Finescale Dace	<b>Cyprinidae</b> Minnows	GNA	S3			SENSITIVE	SGCN3		20%	Small prairie streams
<p><b>Species Occurrences verified in these Counties:</b> Blaine, Cascade, Chouteau, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell, Petroleum, Phillips, Pondera, Stillwater, Teton, Valley, Wheatland</p> <p><b>State Rank Reason:</b> The Northern Redbelly/Finescale Dace Hybrid is currently listed as an "S3" species of concern in Montana because they are potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.</p>										

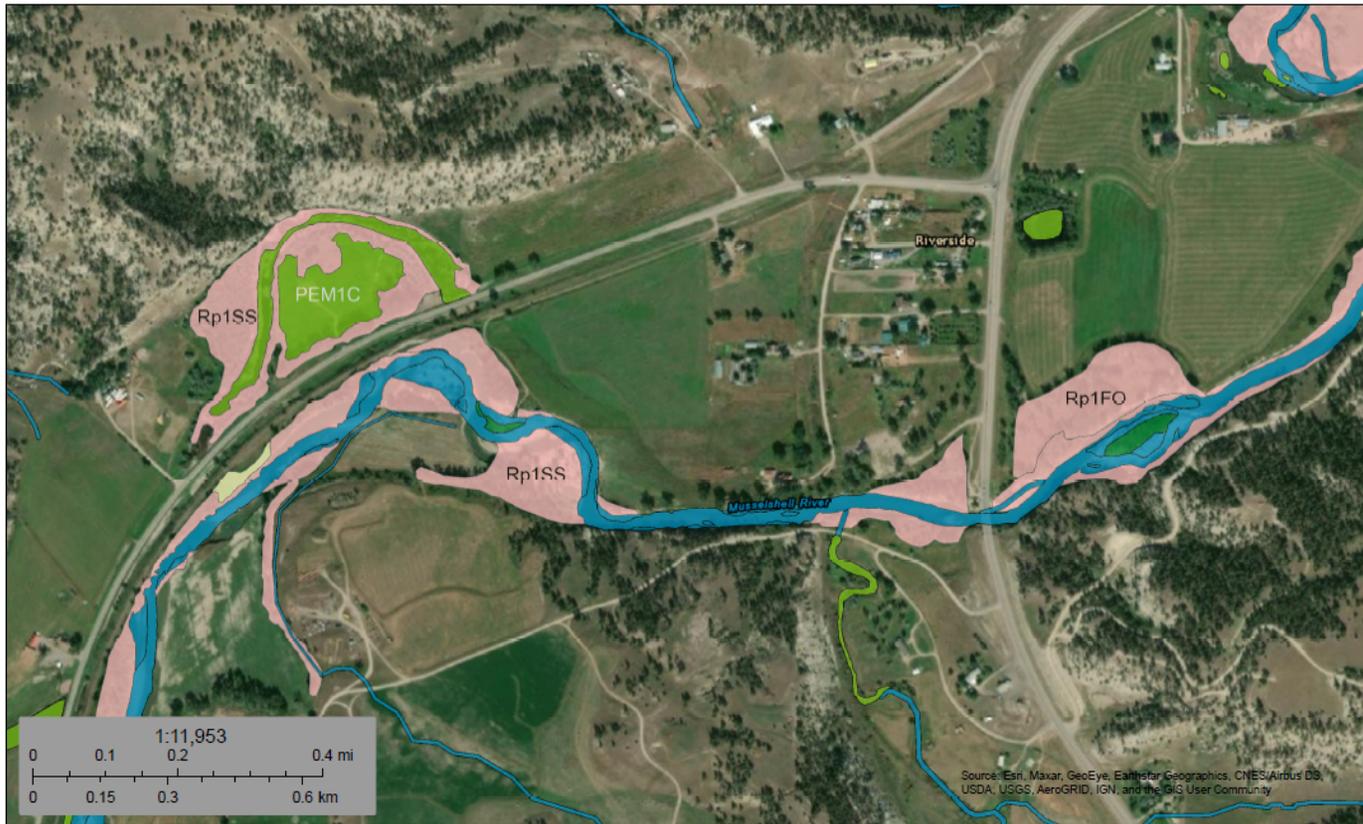


**Highways**  
 — Highways

Printed from fwp.mt.gov  
 October 31, 2020  
 1:9,028  
 0 0.075 0.15 0.3 mi  
 0 0.1 0.2 0.4 km

This map was generated from the Montana Fish, Wildlife & Parks (FWP) internal FWP Mapper online mapping system. Data layers on this map may depict sensitive species level information. This map is not intended for distribution or use beyond work associated with FWP.

Figure 5. FWP Map outlining Wetland Areas within the Project.



October 20, 2020

**Wetlands**

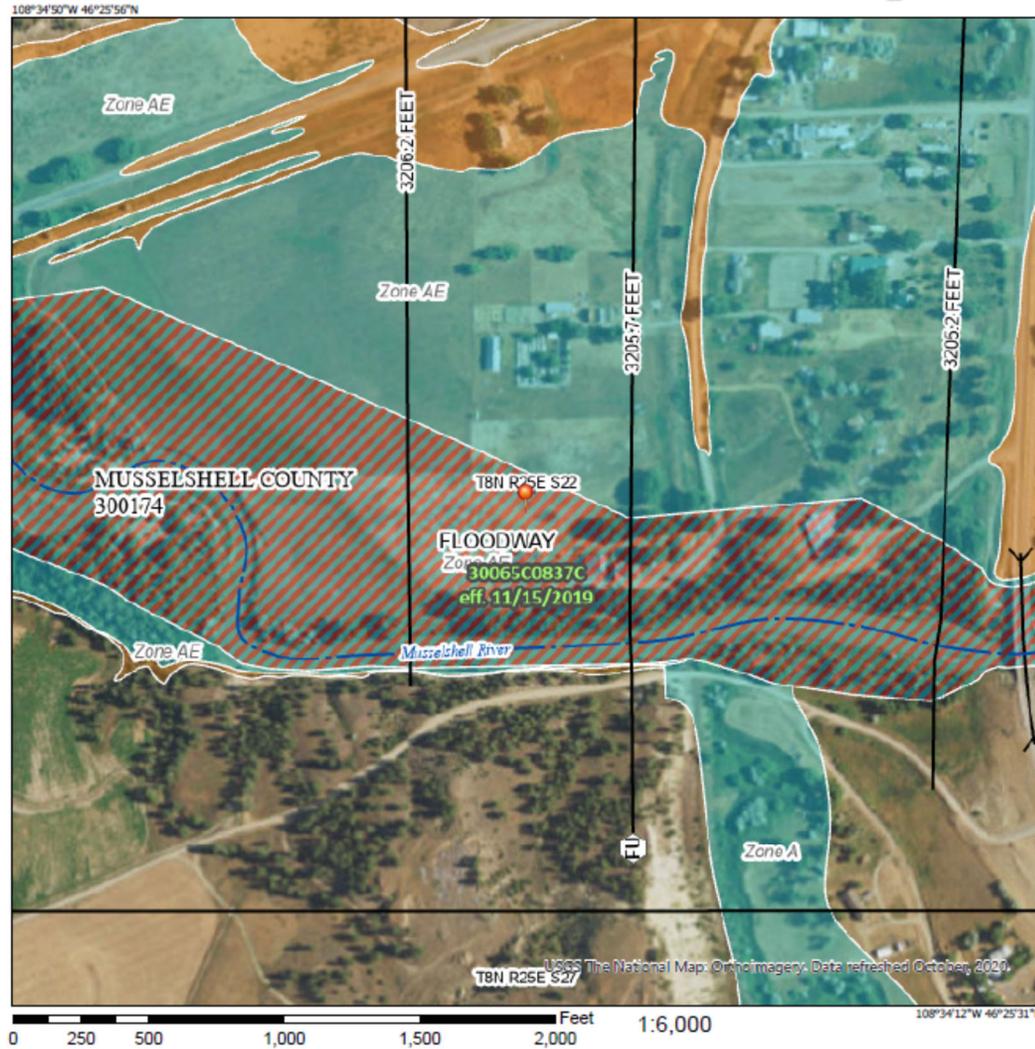
- |   |                                |   |                                   |   |          |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland       |  | Lake     |
|  | Estuarine and Marine Wetland   |  | Freshwater Forested/Shrub Wetland |  | Other    |
|  | Freshwater Pond                |  | Freshwater Pond                   |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)  
This page was produced by the NWI mapper

Figure 6. USFWS National Wetlands Survey Map.

# National Flood Hazard Layer FIRMette



**Legend**

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, A-99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes, Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
MAP PANELS		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/20/2020 at 8:28 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Figure 7. National Flood Hazard Map.

October 8, 2020

Bardell Mangum  
FWP  
PO Box 200701  
Helena MT 59620-0701

RE: PROPOSED MUSSELSHELL RIVERSIDE FISHING ACCESS SITE. SHPO Project #: 2020100807

Dear Bardell:

I have conducted a cultural resource file search for the above-cited located in Section 22, T8N R25E. According to our records there have been a few previously recorded sites within the designated search locales. Site 24ML0980 is located within the proposed project area. In addition to the sites there have been a few previously conducted cultural resource inventories done in the areas. I've attached a list of these sites and reports. If you would like any further information regarding these sites or reports, you may contact me at the number listed below.

It is SHPO's position that any structure over fifty years of age is considered historic and is potentially eligible for listing on the National Register of Historic Places. If any structures are to be altered and are over fifty years old, we would recommend that they be recorded, and a determination of their eligibility be made prior to any disturbance taking place.

Site 24ML0980 was previously determined ineligible. Based on this finding we feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should structures need to be altered or if cultural materials are inadvertently discovered during this project, we would ask that our office be contacted, and the site investigated.

If you have any further questions or comments, you may contact me at (406) 444-7767 or by e-mail at [dmurdo@mt.gov](mailto:dmurdo@mt.gov). I have attached an invoice for the file search. Thank you for consulting with us.

Sincerely,

Damon Murdo  
Cultural Records Manager

File: FWP/FISH/2020

*Figure 8. Copy of SHPO Letter.*