MEPA COMPLIANCE

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of Proposed Action:** Initial Site Development - improve/upgrade interior road, develop a gravel parking area, install a pre-cast concrete vault latrine, develop a designated swimming area, and install a concrete boat ramp and a boat dock.

2. **Agency Authority for the Proposed Action:** Montana Fish, Wildlife & Parks has the authority to provide development for public recreation on department lands (23-1-102, MCA)

3. **Name of Project:** Brush Lake State Park - Initial Site Development

4. **Name, Address and Phone Number of Project Sponsor (If other than the agency)**
   Woody Baxter
   Montana Fish, Wildlife & Parks
   54078 US Hwy #2 W
   Glasgow, MT 59230
   (Phone #: 406-228-3707)

5. **If Applicable:**

   Estimated Construction/Commencement Date: April 1, 2006
   Estimated Completion Date: June 1, 2006
   Current Status of Project Design (% complete): 10%

6. **Location Affected by Proposed Action (county, range and township)**
   - Sheridan County, Montana
   - Township 33 North, Range 58 East, Section 22 (NE ¼)

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

   (a) Developed:
   residential..... 0 acres
   industrial ..... 0 acres

   (b) Open Space/Woodlands/
   Recreation..... 4 acres

   (c) Wetlands/Riparian
   Areas ..... 4 acres

   (d) Floodplain..... 0 acres

   (e) Productive:
   irrigated cropland……0 acres

   dry cropland..... 0 acres
   forestry..... 0 acres
   rangeland ..... 3 acres
   other ..... 0 acres

8. Map/site plan: See attached location map (Appendix A) and conceptual site plan (Appendix C).

9. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action.

In its heyday during the 1920's, 30's and 40's, Brush Lake would attract thousands of enthusiastic visitors each year, from various communities of northeastern Montana and northwestern North Dakota. Besides the attraction of the clear, clean water of the lake, there were facilities for lodging, dining and dancing on the lake's perimeter. It was the place for relaxation and socializing in an outdoor setting. Through time, the buildings and infrastructure of that era were either accidentally burned or were taken down. In more recent times, the lake's water continues to attract users of motorboats, personal watercraft, sailboats, and canoes.

Due to the unique chemical make-up of the water, there are no fish in the lake. Therefore, the lake has the uncommon recreational setting of eliminating the possibility of conflicts between anglers and boat users. Much of the shoreline of Brush Lake is lined with fine sand, thus is a very popular body of water for people to swim, or simply to 'cool down' on a hot summer day. Uncomfortably hot ambient air temperatures are common in this part of Montana.

The majority of recreationists using Brush Lake come from the surrounding communities of Plentywood, Scobey and Culbertson, Montana, and Grenora and Williston, North Dakota. For most of these towns, Brush Lake is the closest body of water and in some cases, the only body of water where the local public can do the types of recreation this lake offers. In recent years, the majority of the visitation on the lake's shoreline was found in two locations, the north end and the south end.

Presently, the northeast portion of the lake can be reached by a dirt trail, which comes off of Brush Lake County Road. This part of the lake's shoreline has no facilities and does not have commercial presence. Historically, the visitation in this area consists of folks who camp, picnic, swim and boat. In the past this area did not have any scheduled maintenance or bathroom facilities, thus the area was often littered with trash, and human waste. Occasionally, local groups or a Good Samaritan would clean up the area. Various vehicle-caused trails are scattered throughout the area due to the absence of defined roads and parking areas.

On December 29, 2005, through approval of the Montana Fish, Wildlife & Parks Commission and the Montana State Land Board, the FWP Parks Division purchased approximately 450 acres of land and water at Brush Lake. The sole purpose of this purchase was to establish a state park. The newly acquired acreage generally covers land on the north, west and east shorelines. The MFWP property was plotted for a Certificate of Survey by Interstate Engineering, Inc. out of Sidney, MT during the months of May and June of 2005. (See Land Ownership map, Appendix B.)

Proposed Facilities and Improvements

This project is for the initial development of Brush Lake State Park, and is proposed to be located on the

northeast portion of the lake's shoreline. Common recreational activities that would be accommodated at this water-based park would include motor boating, water skiing, personal water craft (PWC), sail boating and other non-motorized boating, swimming, scuba diving, sunbathing, picnicking, bird watching, and natural resource and cultural interpretation. Specific recreational improvements proposed in this project would include the rerouting and upgrading of an entry/interior road, a defined gravel parking area, boat ramp and boat dock, a vault latrine, designated swimming area, picnic tables and fire rings.

Specific elements of the proposed development include:

- Rerouting and upgrading of entry road: It is proposed to upgrade an existing access road to provide public access to the north portion of the lake. The entire road would be graveled, with a road surface of ¾ minus crushed gravel. Proper drainage would be provided in the design of the road in order to give integrity to the roadway and prevent costly upkeep. The portion of the existing roadway/trail not utilized in the new proposed road course would be reclaimed

- Defined graveled parking area: It is proposed to provide a graveled parking area. Specifically, this area would provide approximately 11 parking places for vehicles with boat trailers and 7 parking places for 'non-trailered' vehicles. There would also be two disabled parking places; one next to the boat dock area, and one next to the latrine. The parking area would have a cul-de-sac design that would allow vehicles that are loading/unloading boats convenient access from the boat ramp to the parking sites.

- Concrete boat ramp: A proposed 80-foot long by 16-foot wide concrete ramp would be directly connected to the parking area.

- Boat dock: It is proposed to install a 60-foot long by 8-foot wide "roll-in" boat dock. This would be placed next to the boat ramp, allowing efficient loading/unloading of boat passengers and gear.

- Designated swimming area: It is proposed to provide a designated swimming area located a safe distance to the west of the boat ramp/dock area. Wave actuator buoys would be placed around the perimeter of the swimming area. A 10' x 10' swimming dock would be placed within the designated area.

- Pre-cast concrete latrine with vault: A latrine would be placed in the near vicinity of the parking area. The facility would be disabled accessible, and would have an adjacent disabled parking space. The concrete vault would have a 1000-gallon capacity.

- Barriers: Barriers would be placed around the perimeter of the parking area, along with several locations along the entry road. The barriers are proposed to define parking areas and the interior roadway, along with restricting off-road travel. It is planned to use wood, rocks and/or pre-cast concrete for barrier materials.

- Fencing: A four-wire barbed wire fence is proposed to be place on a portion of the north boundary of the FWP deeded property. The approximate 1,967 linear foot fence would define the boundary, and restrict traffic from the portion of the existing dirt road that would be reclaimed.

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

(a) *Permits:

US Army Corps 404 / MFWP 124 / DEQ permit for boat ramp
Montana State DEQ storm water plan/permit
Sheridan County permit or approval for new entrance road approach
Sheridan County permits or approval for directional signs on county roads
Montana Department of Transportation permits for directional signs on highways
Sheridan County Sanitarian permit for vault latrine
US Fish & Wildlife Service – Medicine Lake NWR – letter authorizing there are no impacts on the wetland easement
(***** These permit would be acquired before this proposed project is initiated.)

(b) Funding:

Agency Name	**Funding Amount**
*Federal 'Wallop-Breaux' Motor Boat monies	$182,336
Montana Fish, Wildlife & Parks – Parks Funding Source	$ 60,779

(* The federal money will be requested and acquired through an Application for Federal Assistance (AFA).

11. List of agencies consulted during preparation of the MEPA Checklist:

- US Fish & Wildlife Service (USFWS) – Medicine Lake Wildlife Refuge, Medicine Lake, MT
- US Fish & Wildlife Service (USFWS) – Ecological Services, Helena, MT
- Sheridan County Sanitarian – Plentywood, MT
- Sheridan County Planner – Plentywood, MT
- Sheridan County Commission – Plentywood, MT
- Sheridan County Road Department – Plentywood, MT
- Sheridan County Sheriff's Office – Plentywood, MT
- Natural Resources and Conservation Service (NRCS) - Plentywood, MT
- Montana State Historic Preservation Office (SHPO) – Helena, MT
- Montana Dept. Of Transportation (MDOT) – Wolf Point, MT
- Montana Fish, Wildlife & Parks (MFWP) – Glasgow, Culbertson, and Helena, MT

PART II. MEPA CHECKLIST

PHYSICAL ENVIRONMENT

1. 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				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			X			1.d.
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other None						

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

1.d.) By upgrading the existing road and graveling a defined parking area, this project would reduce the amount of silt that flows off the existing areas where there is vehicle traffic. Therefore, the impacts of this project's final product would be positive in an attempt to eliminate soil runoff into Brush Lake.

PHYSICAL ENVIRONMENT

2. 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				
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-I projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a)		X				2.e.
f. Other None						

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

2.e. Both the construction and the final product of this project would not result in any discharge, which would conflict with federal or state air quality regulations.

PHYSICAL ENVIRONMENT

3. 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				
b. Changes in drainage patterns or the rate and amount of surface runoff?			X			3.b.
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-I, will the project affect a designated floodplain? (Also see 3c)		X				3.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				3.m.
n. Other: None						

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

3.b.) By upgrading the existing road and graveling a defined parking area, this project would reduce the amount of silt that flows off the existing areas where there is vehicle traffic. Therefore, the impacts of this project would be positive in an attempt to eliminate soil runoff into Brush Lake.

3.h.) The Sheridan County Sanitarian has inspected proposed site for the pre-cast concrete vault toilet (Dale Adams - 4/23/05). State requirements for the installation of vault toilets were presented to MFWP staff. Before the installation of the vault toilet, MFWP would acquire a permit from the sanitarian.

3.l.) This project is not in a designated floodplain, nor would it affect a designated floodplain (Sheridan County Planner – 11/2/04)

3.m.) This project would not result in any discharge, which would conflict with federal or state water quality regulations.

PHYSICAL ENVIRONMENT

4. 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				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X			4.e.
f. ~~For P-R/D- I~~, will the project affect wetlands, or prime and unique farmland?		X				4.f.
g. Other: ~~None~~						

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

4.e Activities such as soil disturbance during improvement construction and vehicular traffic tends to lead to the establishment and spread of noxious weeds. With the guidance of MFWP Region Six *Noxious Weed & Exotic Vegetation Management Plan – 2003 –2006*, weed control efforts (chemical, mechanical and biological) would be put in place by MFWP, with the coordinated efforts with the Sheridan County weed supervisor.

As with other MFWP sites, invasive specie information/awareness signing would be posted by the boat ramp/dock area. These signs educate boaters of the current problematic invasive species of Eurasian watermilfoil and purple loosestrife. Both a visual image and description is provided, along with preventive steps the boaters can take to minimize introductions.

4.f. There is a perpetual wetland easement with the US Fish & Wildlife Service (USFWS) within the deeded state park property. The purpose of this approximate 14-acre wetland easement is to protect the area from being drained, filled or leveled. Michael Rabenberg, USFWS Deputy Project Manager at Medicine Lake National Wildlife Refuge Complex (Medicine Lake, MT) has reviewed the location of the proposed improvements. While on site, May 11, 2005, Rabenberg located and defined the "borders" of the wetland easement. Beyond the east end of this defined wetland easement Rabenberg and FWP management agreed on an additional "buffer zone" that would also restrict any development, draining, filling or leveling of the area.

Also in compliance with the wetland easement a concentrated effort of weed control would be instituted under the MFWP Region Six *Noxious Weed and Exotic Vegetation Management Plan - 2003-2006.*

PHYSICAL ENVIRONMENT

5. FISH/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				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
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-I, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		X				5.h.
i. For P-R/D-I, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		X				5.i.
j. Other: None						

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

5. a,b,d,e,g. MFWP Wildlife Biologist, Scott Thompson, found no real potential impact to wildlife species with implementation of the proposed project. Thompson predicted that there would be some dispersion of wildlife that may normally use the area, but not to the point of impacting or putting stress on wildlife populations. (Scott Thompson, MFWP, Culbertson, MT, 8/31/05)

5.h. MFWP management contacted USFWS Ecological Services, Mark Wilson, in reference to Threatened &Endangered (T&E) species concerns. Wilson stated that based upon the proposed plans MFWP submitted it is not believed that the project would cause any significant adverse impacts to fish, wildlife, or habitats under the purview, or management jurisdiction of the USFWS. (Mark Wilson, USFWS, Ecological Services, Helena, MT, 9/1/05.)

5. a,b,d,e,g,h The following are mitigation measures planned to minimize dispersion of wildlife or adverse impacts to wildlife and habitats caused by the presence of park visitors:

- Specific recreational facilities which could concentrate continued recreation use such as vehicle parking, picnic tables, boat ramp, swimming area and latrine would be located in areas less likely for local mammal migration routes and optimum bird nesting.
- Education/interpretative signing would be posted to inform park visitors of wildlife species in the area and their behavior.
- The state park's pet leash regulation would be strictly enforced.
- Upon any indication that T&E species are frequenting or nesting within the park, immediate and continuous correspondence would be initiated with local USFWS officials from the Medicine Lake National Wildlife Refuge Complex. Upon evaluation of the sensitivity of the situation, an interagency management action would be engaged to minimize human contact or disturbances to the specie.
- "Wildlife friendly" fencing would be installed on approximately 1,967 linear feet of the parks property line. This would include wire-strand fencing with smooth wire used for the bottom wire, rather than barbed. Both ends of fence

line would be open, not connected to existing fence.

- As with other MFWP sites, invasive specie information/awareness signing would be posted by the boat ramp/dock area. These signs educate boaters of the current problematic invasive species of zebra mussels. Both a visual image and description is provided, along with preventive steps the boater can take to minimize introductions.

5.i. The proposed project would not introduce or export any species not presently or historically occurring in the receiving area.

HUMAN ENVIRONMENT

6. NOISE/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			6.a.b.
b. Exposure of people to severe or nuisance noise levels?			X			6.a.b.
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other: None						

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

6.a. b. There is likely to be a temporary increase in the existing noise levels during construction phase of the proposed project caused by heavy equipment such as dump trucks, backhoes, and graders. The increase in noise levels would be temporary in nature and would cease at the conclusion of the construction phase.

In response to potential increase noise levels produced by motorized watercraft from park users, MFWP staff has the ability to monitor decibel levels. In turn, boaters would be restricted to maintain engine noise levels based on state required standards or below.

HUMAN ENVIRONMENT

7. 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: None						

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

HUMAN ENVIRONMENT

8. RISK/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				
b. Affect an existing emergency response or emergency evacuation plans or creates a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other: None						

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

HUMAN ENVIRONMENT

9. 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				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			X			9.e.
f. Other: None						

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

9.e. Brush Lake has traditionally been a relatively high recreational use area during the summer months. With the establishment of the proposed recreational facilities within the state park it is expected that visitation numbers in the area would increase. To prepare for this influx, MFWP would form a cooperative partnership with Sheridan County Commissioners to upgrade/improve the existing road conditions of the county roads leading to the park. These upgrades would better facilitate the increase in vehicular traffic. (MFWP management visited with Sheridan County Commissioners on 9/7/05).

HUMAN ENVIRONMENT

10. 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			10.a.
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
e. Define projected revenue sources			X			10.e.
f. Define projected maintenance costs.			X			10.f.
g. Other:: None						

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

10.a. Brush Lake has traditionally been a relatively high recreational use area during the summer months. With the establishment of the proposed recreational facilities within the state park it is expected that visitation numbers in the area would increase. To prepare for this influx, MFWP would establish a cooperative partnership with Sheridan County Commissioners to upgrade/improve the existing road conditions of the county roads leading to the park. These upgrades would better facilitate the increase in vehicular traffic. (MFWP management visited with Sheridan County Commissioners on 9/7/05).

A cooperative partnership would be instituted between MFWP and the Sheridan County Commissioners to address law enforcement issues and protection. (MFWP management visited with Sheridan County Commissioners on 9/7/05).

10.e. There are no day-use/entrance fees for Montana residents, whereas non-residents would be charged a day-use/entrance fee. Although unable to predict what the non-resident revenue might bring to the park, with the close proximity of North Dakota to Brush Lake State Park, it is fair to say there would be revenues collected.

10.f. Annual maintenance/operation costs are projected at: $38,186

HUMAN ENVIRONMENT

11. AESTHETICS/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				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings?			X			11.c.
d. For P-R/D-I, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		X				11.d.
e. Other: None						

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

11.c. The quality and quantity of the recreation/tourism at this site would be altered. Both would be positively impacted due to the proposed improvements, allowing a greater number of visitors more efficient access to the site.

11.d. There are no Wild & Scenic Rivers, Trails or Wilderness areas in the area, therefore no impacts.

HUMAN ENVIRONMENT

12. CULTURAL/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-I, will the project affect historic or cultural resources? **Attach SHPO letter of clearance.** (Also see 12.a)		X				
e. Other: None						

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

12.d. A privately contracted cultural inventory was completed in August 2005. The results of the inventory/survey will be sent to the State Historical Preservation Office (SHPO). The proposed project would not be initiated until a letter of clearance is received from SHPO.

HUMAN ENVIRONMENT

13. 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, which create a significant effect when considered together, or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if, they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ~~For P-R/D-I~~, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		X				13.f.
g. ~~For P-R/D-I~~, list any federal or state permits required.						13.g.

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

13.f. No organized opposition is expected on the described proposed actions.

13.g. Federal and state permits required:

- Sheridan County Sanitarian – permit for vault toilet
- Joint Application Permit with US Army Corps (404), Montana DEQ, and MFWP (124) – permit for boat ramp construction
- Montana Dept. of Highways – Encroachment permit for signing along highway
- Sheridan County Commission – approach permit for access off of Brush Lake County Road and signing.
- Montana State DEQ storm water plan/permit
- Sheridan County permit or approval for new entrance road approach
- Montana Department of Transportation permits for directional signs on highways
- US Fish & Wildlife Service – Medicine Lake NWR – "letter of authorization," there are no impacts on the wetland easement

PART III MEPA CONCLUSION SECTION

1. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a comparison of the alternatives with the proposed action/preferred alternative:

Alternative A: No improvements (No Action Alternative) -
MFWP does not provide proposed recreational improvements at Brush Lake State Park.
With this alternative, the existing situation would probably continue on the perimeter of Brush Lake. The uncontrolled practices of off-road vehicular traffic, littering, and improper sanitary habits would likely continue under this Alternative. Under this alternative the current practice of launching/loading of boats on the unprotected shoreline would continue, causing resources impacts.

Alternative B: Improvements - MFWP does provide proposed recreational improvements at Brush Lake State Park
With the implementation of Alternative B, the many recreational needs of the public would be addressed. With this improved access, the public would be able to safely take part in several recreational activities, including but not limited to, motorized and non-motorized boating, picnicking, swimming, nature viewing, hiking, historical/cultural education, and natural resource education. This alternative would also lessen the existing unsanitary practices with the installation of a pre-cast latrine. This latrine would be accessible for some disabilities under the guidance of the American Disabilities Act.

2. Based on the significance criteria evaluated in this EA, is an EIS required? NO
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:
This environmental review revealed no significant negative impacts from the proposed action; therefore, an EIS is not necessary, and an Environmental Assessment is the appropriate level of analysis.

3. 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?
During the process of acquiring the property for the purpose of establishing a state park, MFWP presented the public with a general description of potential recreational facilities and opportunities a state park could offer. This was conveyed by the issuing of an EA, and was discussed and approved at the October and December 2004 FWP Commission Meetings.

On February 24, 2005, MFWP Region Six Parks Manager held a public meeting in Plentywood, MT, at the Sheridan County Courthouse. The purpose of this meeting was to not only inform the public of

potential improvements at the newly establish state park, but to also receive input on desired improvements from area residents. Thirty-one people attended the meeting.

Notification of the availability of this environmental assessment (EA) was distributed to the standard FWP mailing list and local elected officials. Newspaper legal notices were published in local newspapers throughout northeastern Montana and the "hi-line" area. Notices were posted on the MFWP Internet site. The public had thirty-one days to comment on this EA.

4. Duration of comment period if any:
The public had thirty-one days to comment on this EA. Written comments were accepted until 5:00 p.m. November 15, 2005.

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

Woody Baxter
Regional Parks Manager
Montana Fish, Wildlife & Parks
54078 US Hwy #2 West
Glasgow, MT 59230

Phone #: 406-228-3707

E-mail: gwbaxter@mt.gov

PART IV. NARRATIVE EVALUATION AND COMMENT

This proposed project conforms to the goals of MFWP Parks Division and Region Six as spelled out in Montana Fish, Wildlife & Parks *Six-Year Plan – 2001-2006.* Specifically, the plan conveys the need to establish and develop state parks in the northeast portion of Montana (MFWP – Region 6).

During the 2003 Montana State Legislation, a Senate Resolution (SJR 15) was passed which asked MFWP to make Brush Lake the first state park in Region Six. The state legislators also granted spending authority to MFWP for this project.

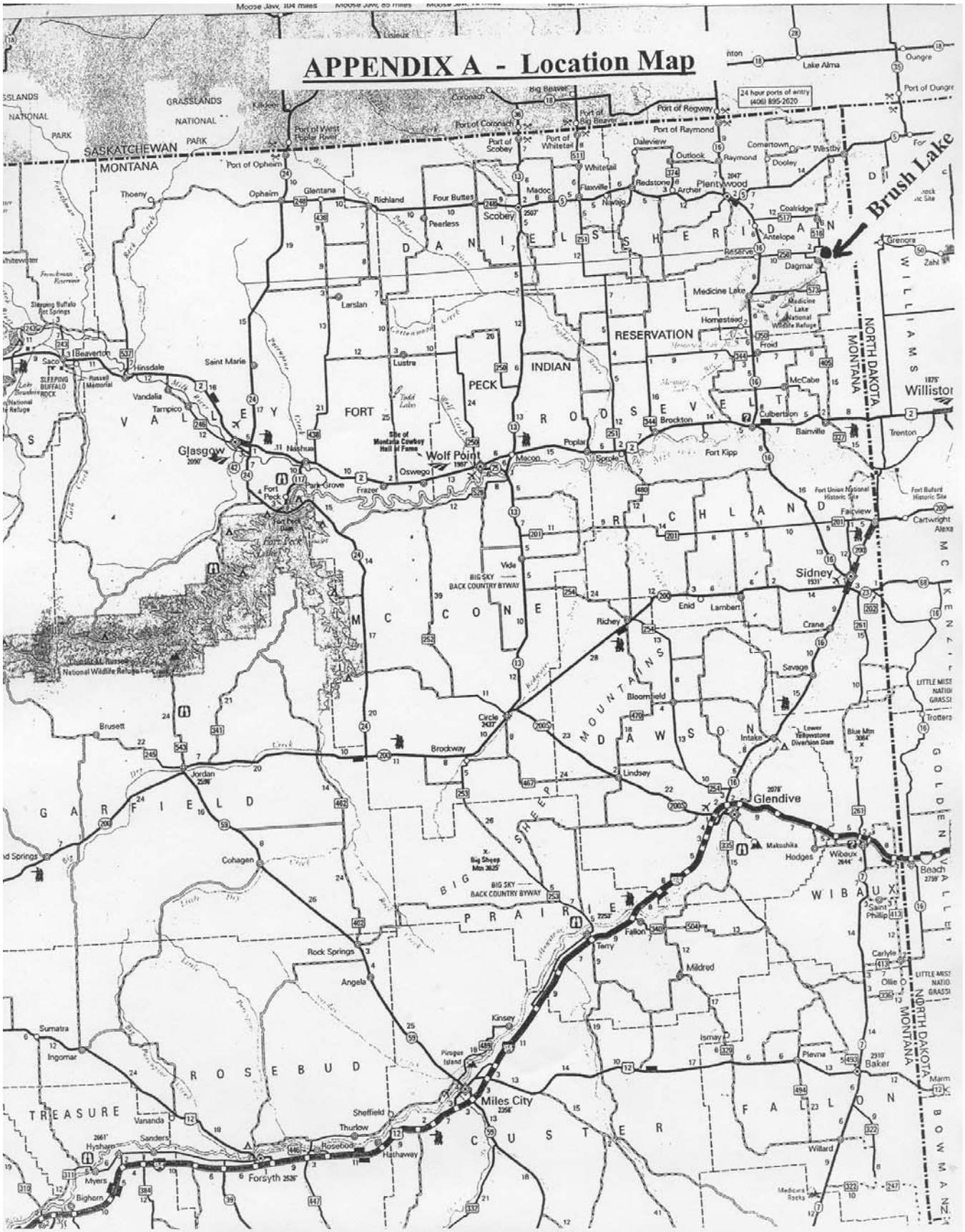
On December 16, 2004 the MFWP Commission approved for the Parks Division to purchase property on Brush Lake in order to establish and develop a state park. The land was deeded to MFWP on December 29, 2004.

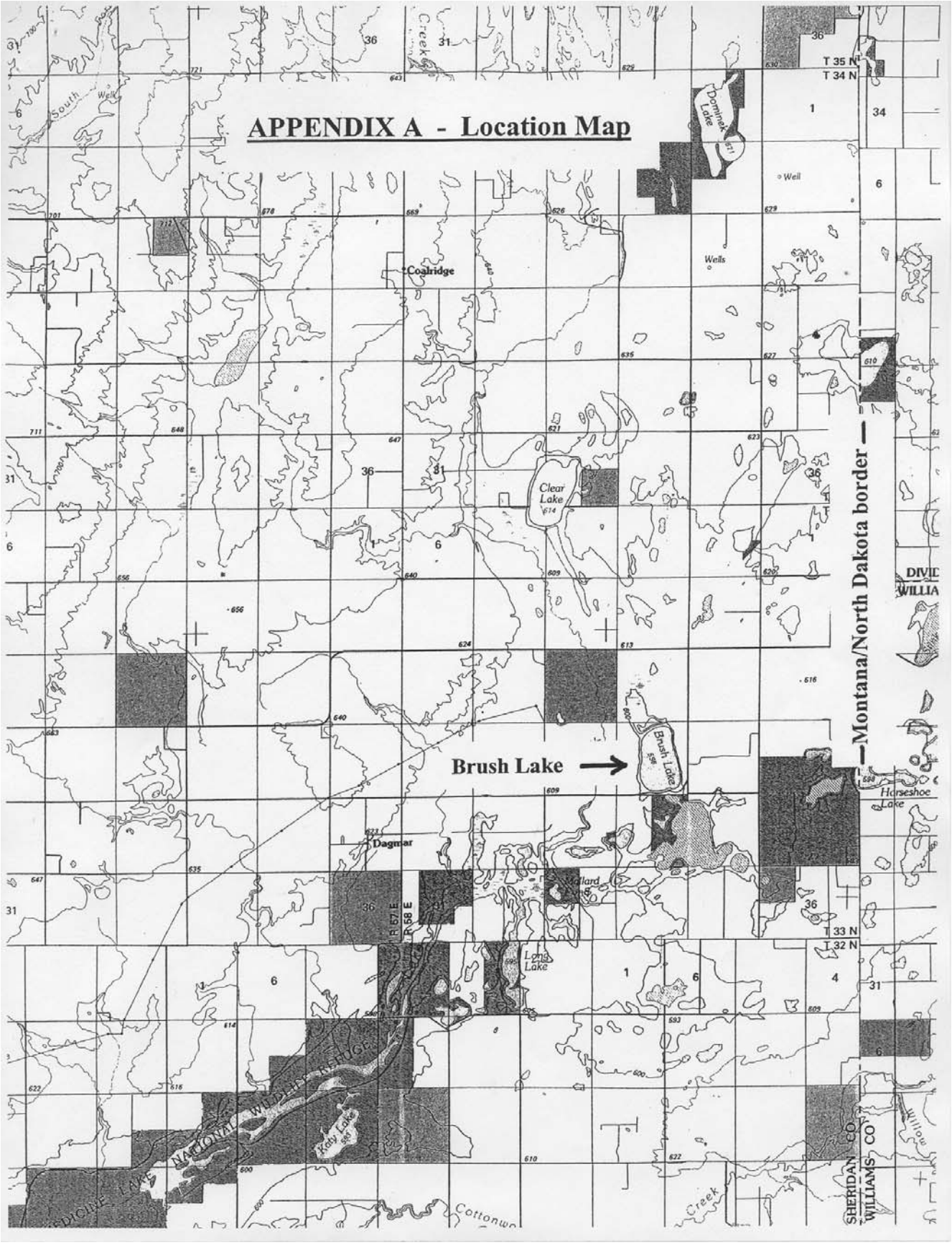
This document describes the first proposed recreational improvements since MFWP purchased the property at Brush Lake. This environmental assessment identified several minor impacts to the environment, both during the construction and from the potential recreational visitors. Some impacts were positive and others can be mitigated. These improvements would greatly enhance outdoor recreational opportunities in northeastern Montana.

APPENDICES

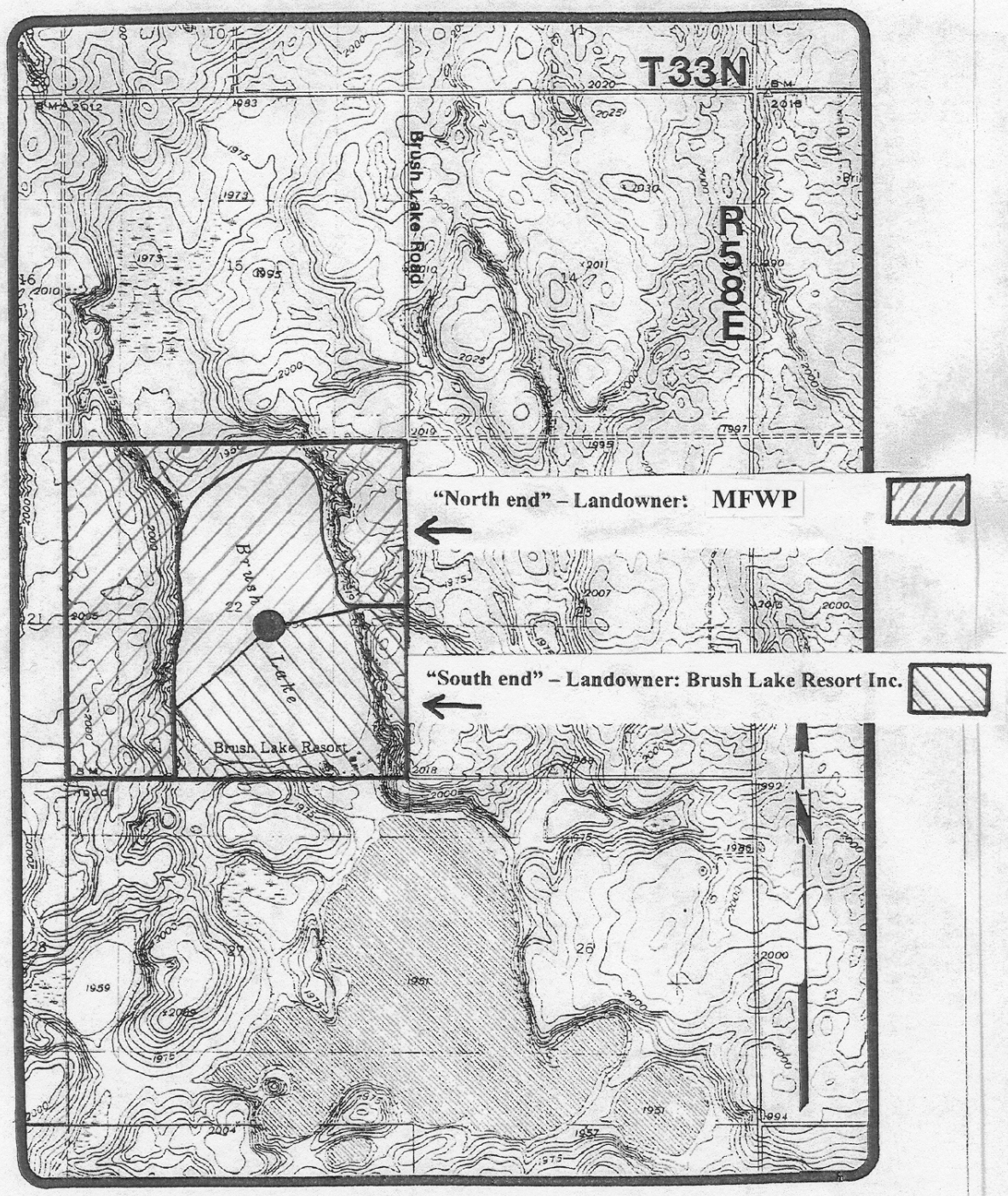
A. Site Location Maps (2)
B. Land Ownership Map
C. Location of Wetland Easement and Proposed Improvement Site
D. Concept Plan

APPENDIX A - Location Map



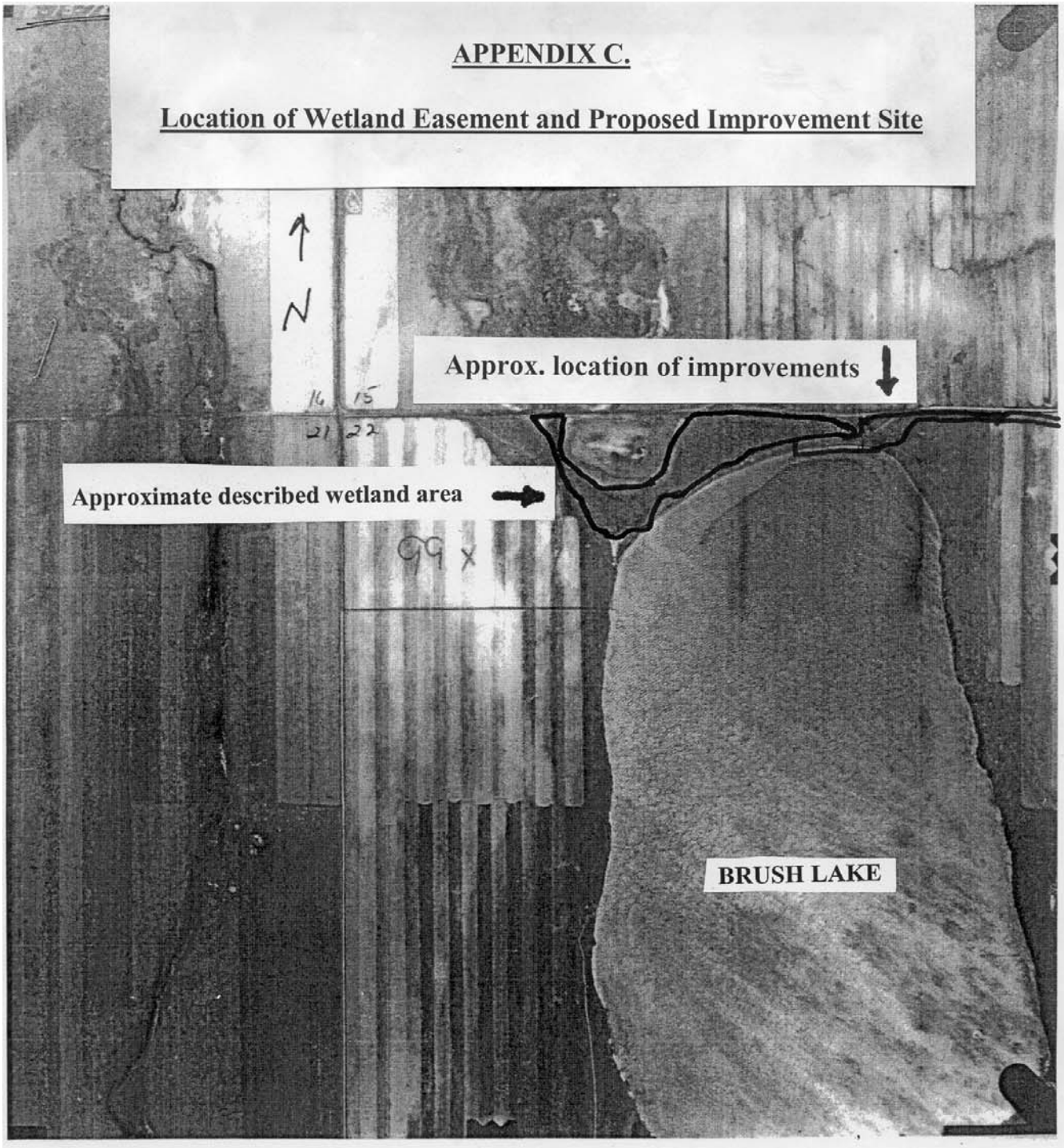

APPENDIX A - Location Map
Brush Lake
Montana/North Dakota border
Coalridge
Dagmar
Clear Lake
Brush Lake
Horseshoe Lake
Long Lake
Katy Lake
Dominek Lake
Wells
Well
T 35 N
T 34 N
T 33 N
T 32 N
R 57 E
R 58 E
NATIONAL WILDLIFE REFUGE
MEDICINE LAKE
SHERIDAN CO
WILLIAMS CO
Cottonwo
Creek
Willow
South
Creek

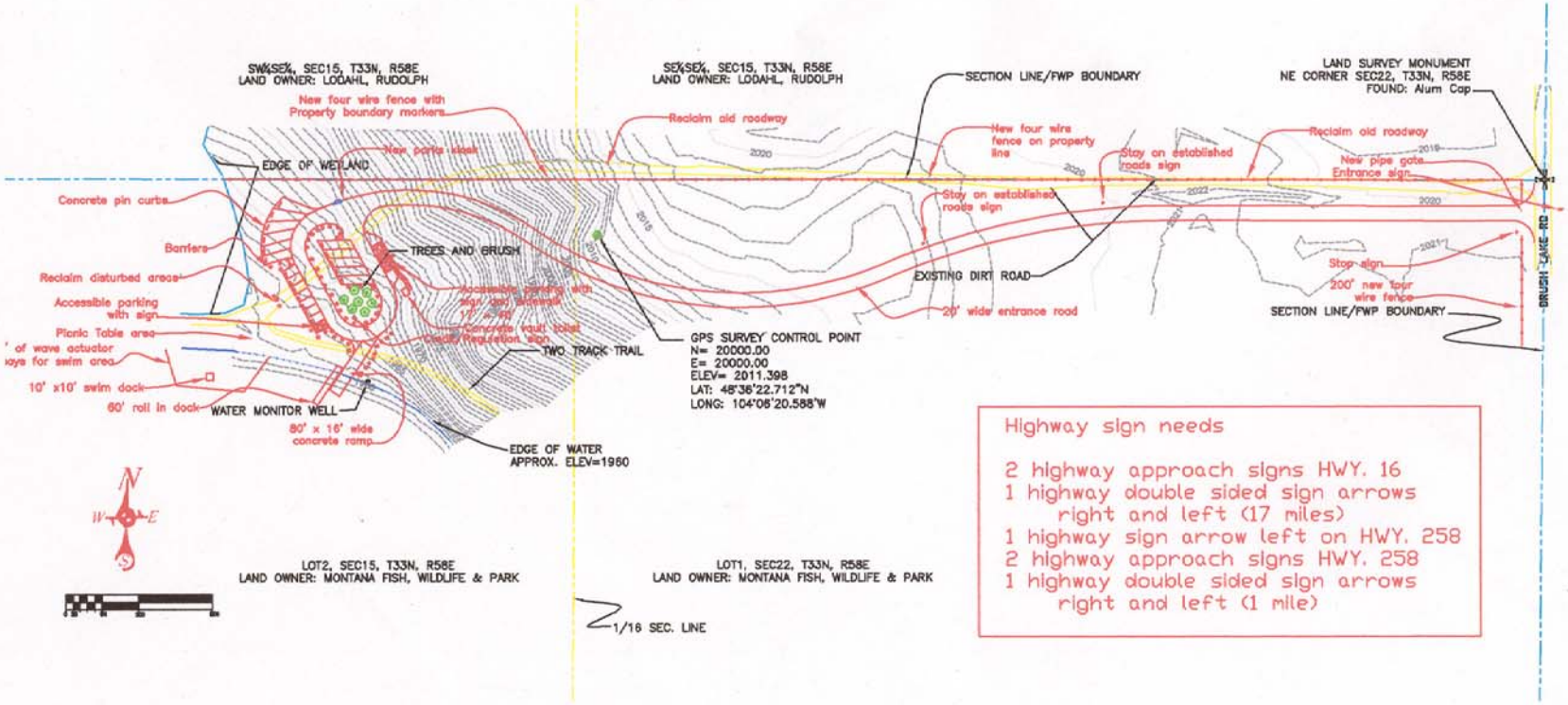
APPENDIX B - Land Ownership Map



APPENDIX C.

Location of Wetland Easement and Proposed Improvement Site



APPENDIX D.

Concept Plan