



# Montana Fish, Wildlife & Parks

Region 2 Headquarters  
3201 Spurgin Road  
Missoula, MT 59804  
Phone 406-542-5500

January 16, 2014

Dear Interested Party:

Enclosed you will find for your review, the Draft Environmental Assessment (EA) for a Montana Fish, Wildlife & Parks (FWP) proposal to sell a 0.09-acre right-of-way (ROW) road easement across its Stuart Mill Bay Fishing Access Site (FAS; Georgetown Lake, Deer Lodge County). Historic use of this 78-foot stretch of road by private landowners predates acquisition of the FAS by FWP. The purpose of the ROW is to provide two landowners with legal access across the FAS to their private property, in a manner that does not affect public use or the recreational or habitat values of the FAS.

The EA document may also be viewed on FWP's Internet website <http://fwp.mt.gov> ("Submit Public Comments"). The EA may also be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 406-542-5500; or by emailing [rzarling@mt.gov](mailto:rzarling@mt.gov).

Comments may be made on FWP's website or may be directed to Rory Zarling at the mail, phone or email addresses above. Comments must be received by FWP no later than 5:00 p.m. on February 14, 2014.

As part of the decision making process under the Montana Environmental Policy Act (MEPA), I expect to issue the Decision Notice for this EA soon after the end of the comment period.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Arnold". The signature is fluid and cursive, with the first name "Randy" being more prominent than the last name "Arnold".

Randy Arnold  
Regional Supervisor

RA/sr

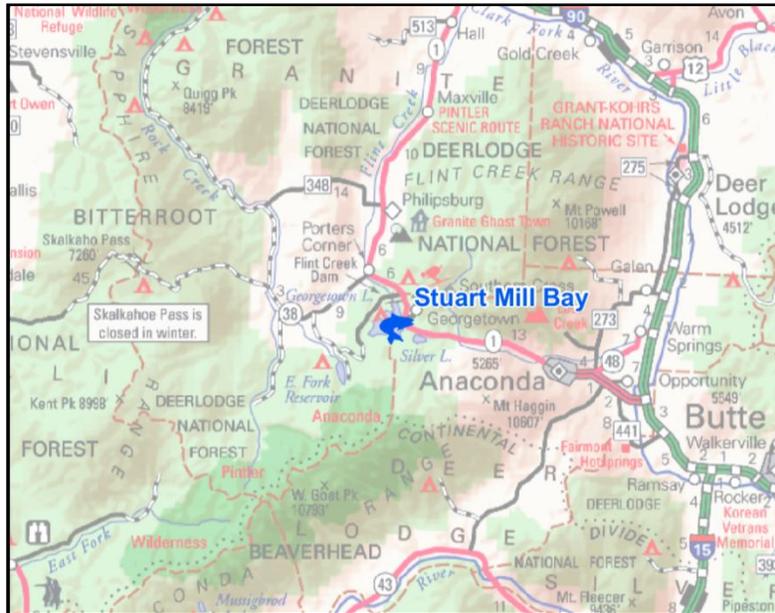
**ENVIRONMENTAL ASSESSMENT CHECKLIST**

**PART 1. PROPOSED ACTION DESCRIPTION**

**Project Title:** Stuart Mill Bay Fishing Access Site Proposed Right-of-Way Easement

**Project Location:** Stuart Mill Bay Fishing Access Site is located along the south shore of Georgetown Lake, Deer Lodge County, in Section 19, Township 5 North, Range 13 West (Figures 1 and 2).

**Figure 1. Location of Stuart Mill Bay Fishing Access Site.**



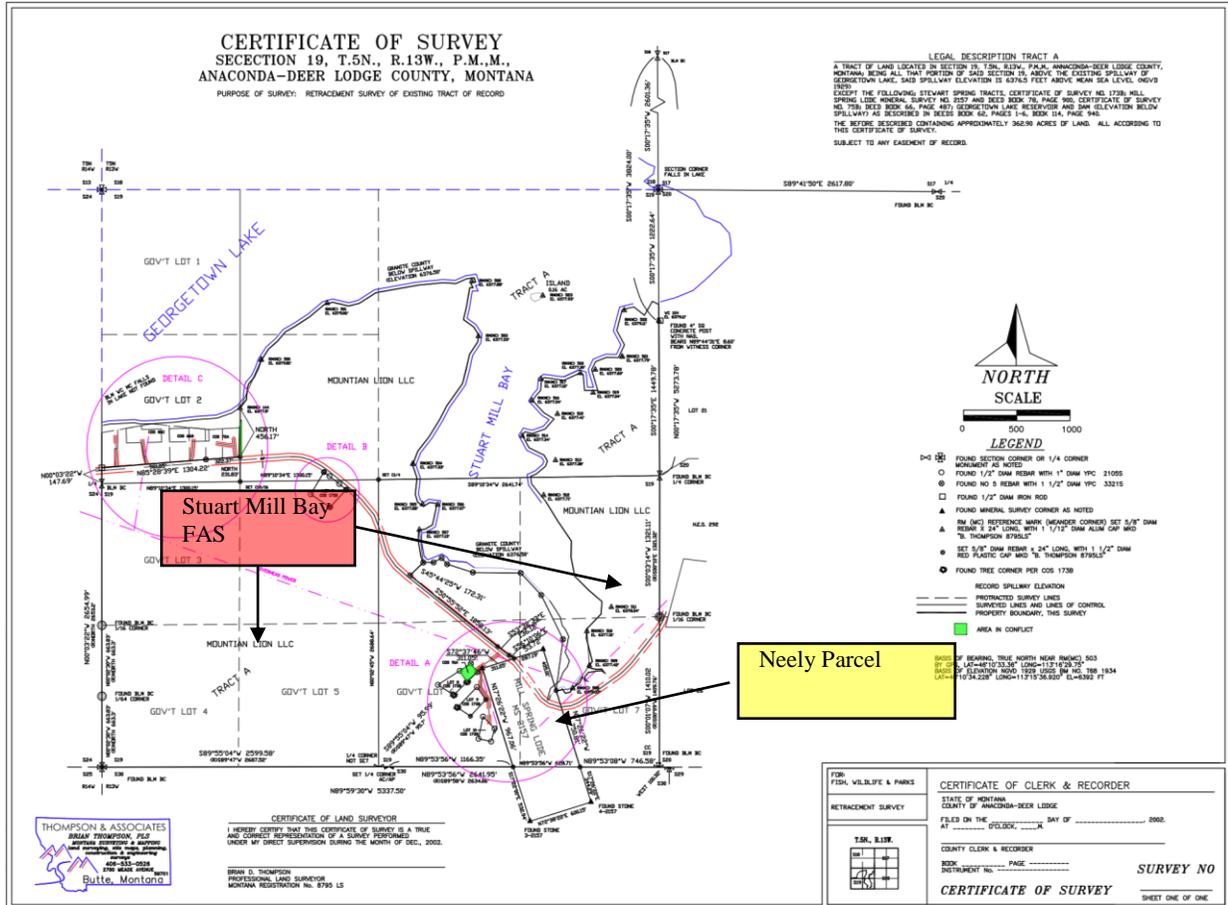
**Project Description:** Montana Fish, Wildlife and Parks (FWP) proposes to sell a right-of-way easement (ROW) to the owner of private land adjacent to Stuart Mill Bay Fishing Access Site (FAS) in order to provide additional access to the property.

**History:** In March 2003, FWP acquired approximately 363 acres of privately owned land (in 2 separated parcels) in the vicinity of Stuart Mill Bay on Georgetown Lake for the purpose of establishing an FAS. A parcel of private land (Diana Neely parcel) is located between the two parcels that comprise Stuart Mill Bay FAS (Figure 2). Within the Neely Parcel is a private inholding (0.26 acres) owned by Charles Stokke. The proposed ROW is located on an existing access road that connects Georgetown Lake Road with--and was formerly used as access for--an old mining claim (Stokke Lot) within the Neely Parcel.

The Stokke Lot, proposed ROW, and existing trail to the Stokke Lot are shown on Figure 3. The existing trail to the Stokke Lot crosses a meadow which is intermittently wet. Neely wishes to relocate the two-track road away from the meadow to the former access road, which is located on an upland dry site on the east boundary of the Neely Parcel.

A retracement survey conducted when FWP acquired Stuart Mill Bay FAS showed that approximately 78 linear feet of the proposed ROW crosses FWP property. This was confirmed by a survey of the road in 2012.

**Figure 2. Stuart Mill Bay Fishing Access Site and adjacent private land.**



**Proposed Action:** FWP proposes to sell a ROW to Neely. The ROW would provide access to an old mining road within the Stuart Mill Bay FAS. The purpose of the ROW is to provide Neely and Stokke with legal access across the FAS to their private property. The acreage proposed for the easement totals 0.09 acre (Figure 3). The sale of the right-of-way easement would not convey ownership of the land to Neely, and the wetland would remain undisturbed under the easement agreement. The public would be allowed to park along the portion of the road that falls within the FAS in an area of limited public parking (due to the confines of Georgetown Lake Road in that vicinity).

**Other groups or agencies contacted or which may have overlapping jurisdiction:** None



## **PART 2. ENVIRONMENTAL REVIEW**

**Table 1. Potential impact on physical environment.**

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Unique, endangered, fragile, or limited environmental resources				X		
2. Terrestrial or aquatic life and/or habitats				X		
3. Introduction of new species into an area				X		
4. Vegetation cover, quantity and quality				X		
5. Water quality, quantity and distribution (surface or groundwater)				X		
6. Existing water right or reservation				X		
7. Geology and soil quality, stability and moisture				X		
8. Air quality or objectionable odors				X		
9. Historical and archaeological sites				X		
10. Demands on environmental resources of land, water, air & energy				X		
11. Aesthetics				X		

### **Comments**

(A description of potentially significant, or unknown, impacts and potential alternatives for mitigation must be provided.)

The abandoned mining road has been located on the site for many years. As a result, the proposed easement would not impact the biological, physical, cultural resources of the site.

**Table 2. Potential impacts on human environment.**

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Social structures and cultural diversity				X		
2. Changes in existing public benefits provided by wildlife populations and/or habitat				X		
3. Local and state tax base and tax revenue				X		2.3
4. Agricultural production				X		
5. Human health				X		
6. Quantity and distribution of community and personal income				X		
7. Access to and quality of recreational activities				X		
8. Locally adopted environmental plans & goals (ordinances)				X		
9. Distribution and density of population and housing				X		
10. Demands for government services				X		
11. Industrial and/or commercial activity				X		

**Comments**

(A description of potentially significant, or unknown, impacts and potential alternatives for mitigation must be provided as comments.)

2.3 FWP would continue to own the property, thus there would be no effect on county taxes. (FWP is required by Montana Code 87-1-603 to pay “to the county a sum equal to the amount of taxes which would be payable on county assessment of the property were it taxable to a private citizen.”)

## **Comments**

(A description of potentially significant, or unknown, impacts and potential alternatives for mitigation must be provided as comments.)

**Does the proposed action involve potential risks or adverse effects, which are uncertain but extremely harmful if they were to occur?** No

**Does the proposed action have impacts that are individually minor, but cumulatively significant or potentially significant?** No

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

No-Action Alternative: Considered but dismissed. The road encroaches onto FWP property. Even though the road predates FWP acquisition of the property and was historically used by previous landowners, under the No-Action Alternative the neighboring landowners could not legally use the road to access their property.

Action Alternative: Grant the Right-of-Way Easement: This is the preferred alternative. The ROW easement would allow the landowners to legally access their property from this road. Because of the location of the easement on the perimeter of the WMA and the small acreage involved, the proposed easement would not materially affect the FAS or diminish the value of the FAS property. The ROW would also provide some parking (off of Georgetown Lake Road) for the public using the WMA.

**Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:** None

### **Individuals or groups contributing to, or commenting on, this EA:**

Region 2 FWP personnel

Rory Zarling, FAS Coordinator, Fisheries

Helena HQ FWP personnel:

Candace Durran, Land Conservation Specialist, Lands

**EA prepared by:** Andrea Darling, Natural Resource Consultant

**Date Completed:** January 14, 2014

### **Comments may be:**

**Emailed to:** [rzarling@mt.gov](mailto:rzarling@mt.gov)

**Phoned to:** Rory Zarling at 406-542-5561

**Or Mailed to:** Montana Fish, Wildlife & Parks  
Region 2, Attn: Rory Zarling  
3201 Spurgin Road  
Missoula, MT 59804

**Comment period** will run for 30 days, beginning January 16, 2014. Comments must be received by FWP no later than 5:00 p.m. on February 14, 2014.