

# **APPENDICES**

# APPENDIX 1

## PROJECT QUALIFICATION CHECKLIST

### MONTANA CODE ANNOTATED 23-1-110

**Date:** May 15, 2000  
Updated January 14, 2003

**Person Reviewing:** Sue Dalbey, consultant  
Dalbey Resources

**Project Location:** Three proposed fishing access sites within the Alberton Gorge River Corridor proposed for acquisition.

**Upper Osprey FAS**

The first proposed new site is approximately one mile downstream from Cyr Bridge FAS, northwest along Highway 10. This parcel is identified as 3a on page 22 in the 1998 appraisal by Anne Renaud-Wilkinson.

**Township 15 North, Range 24 West;  
Section 35, Portion of Government Lots 3, 4, 5.  
Total Acreage = 17.29 acres**

**Middle Osprey FAS**

The second proposed new site is approximately three miles downstream from Cyr Bridge FAS, northwest along Highway 10. This parcel is identified as 10a on page 22 in the 1998 appraisal by Anne Renaud-Wilkinson.

**Township 15 North, Range 24 West;  
Section 34, Government Lot 4 and old railroad right-of-way.  
Total Acreage = 15.39 acres**

**Lower Osprey FAS**

The third proposed new site is approximately 4½ miles downstream from Cyr Bridge FAS, northwest along Highway 10. This parcel is identified as 13a on page 22 in the 1998 appraisal by Anne Renaud-Wilkinson.

**Township 15 North, Range 24 West;  
Section 33, Government Lots 3, 4 and old railroad right-of-way.  
Total Acreage = 24 acres**

#### **Description of Proposed Work:**

Upper, Middle and Lower Osprey Fishing Access Sites will be kept primitive in nature, with minimal development completed by 2006 to deter environmental degradation by indiscriminate use. These sites will allow day use only. Future development proposed includes:

- slight improvements to the trails leading to the river (approximately 500 feet from the parking area to the shoreline at each site),
- one latrine per site,
- signs to identify the sites and regulate use,
- gravel entry roads (approximately 150 feet long by 20 wide at each site)
- and gravel parking areas to accommodate approximately six, thirteen, and eight vehicles respectively at the Upper, Middle, and Lower fishing access sites.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under HB 495 rules. (Please check ✓ all that apply and comment as necessary.)

- A. New roadway or trail built over undisturbed land?  
Comments: *Some portions of the entrance drives and parking areas may be developed on undisturbed land. Much of the area has been disturbed in the past with construction of the abandoned railroad, clearing for the adjacent power line.*
- B. New building construction (buildings <100 sf and vault latrines exempt)?  
Comments: *Only pre-built, sealed vault latrines will be installed.*
- C. Any excavation of 20 c.y. or greater?  
Comments: *Construction of the entry roads and parking areas will require excavation of more than 20c.y.*
- D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?  
Comments: *New parking lots will be constructed to provide off road parking for 6-13 vehicles.*
- E. Any new shoreline alteration that exceeds a double wide boat ramp or handicapped fishing station?  
Comments: *None*
- F. Any new construction into lakes, reservoirs, or streams?  
Comments: *None: all construction will take place on the benches approximately 400 feet above the Clark Fork River. Minor trail improvements will occur to access the river area, but primitive trails will end above the floodplain.*
- G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?  
Comments: *MFWP has contracted services to complete a cultural survey on these sites in 2001. Construction will not begin until after the survey is complete and SHPO concurrence is received. (Update: SHPO concurrence received March 2, 2001. FWP will install interpretive signs regarding the historic Chicago, Milwaukee, St. Paul and Pacific Railroad, site 24MN164; road construction can cover, but not cut into, railroad bed, which crosses all three proposed FASs.)*
- H. Any new above ground utility lines?  
Comments: *None*
- I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?  
Comments: *None: these sites will allow day use only.*
- J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?  
Comments: *Though these areas have demonstrated use by anglers and recreationists, and proposed facilities are primitive, the addition of formal parking areas and latrines will change the features of these three areas, which currently have no improvements.*

If any of the above are checked, HB 495 rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

# APPENDIX 2 TOURISM REPORT MONTANA ENVIRONMENTAL POLICY ACT AND 23-1-110 MCA

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by HB495 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Victor Bjornberg, Tourism Development Coordinator  
Travel Montana-Department of Commerce  
PO Box 200533  
1424 9<sup>th</sup> Ave.  
Helena, MT 59620-0533

**Project Name:** Alberton Gorge Land Exchange

**Project Description:** MFWP tracts will be transferred to the US Forest Service. The non-profit organization, River Network, will acquire lands from both agencies, which they will sell in order to purchase a land corridor along the Clark Fork River owned by Montana Power Company. This corridor, known as Alberton Gorge, will be transferred to MFWP.

1.	<p>Would this site development project have an impact on the tourism economy?  <input type="checkbox"/> NO    <input checked="" type="checkbox"/> YES    If YES, briefly describe:  <u>Securing long term public access to the Alberton Gorge and protecting the area's viewshed provides a positive, beneficial impact on western Montana's tourism economy. Fishing and water recreation are important attractions for Montana's visitors and residents. The various land exchanges maintain public ownership and access as well.</u></p>
2.	<p>Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?  <input type="checkbox"/> NO    <input checked="" type="checkbox"/> YES    If YES, briefly describe:  <u>The quality of the recreation/tourism opportunities and settings will be maintained and may be improved by the land consolidations <del>and</del> under the various agencies' jurisdictions. Public ownership and management of the lands around the Alberton Gorge provides long term benefits for Montana users and non-resident users.</u></p>

Signature Victor A. Bjornberg, Travel Montana      Date Aug 10, 1999

**APPENDIX 3**  
**SHPO CONCURRENCE OF STATE LAND**  
**TRANSFER AND DEVELOPMENT**



**Montana Fish,  
Wildlife & Parks**

2001021313

**Design and Construction Bureau**  
600 North Park Avenue  
P.O. Box 200701  
Helena, MT 59620-0701

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February 9, 2001

BY: \_\_\_\_\_

Mark Baumler  
SHPO  
PO box 201202  
Helena, MT 59620-1202

MONTANA SHPO  
DATE: 2 Mar 2001 SIGNED: *Jeff J. Warhawk*

Dear Mark:

ALBERTON

The Department of Fish, Wildlife, and Parks is receiving several parcels of property in a land exchange. The parcels we will be receiving are from the Montana Power Company and the parcels we will be trading away will be going to the U.S. Forest Service. Part of the properties going to the USFS have been acquired through the use of federal funds administered by the USFWS. The federal restrictions will be transferred from the property leaving state ownership to the property being acquired by the state.

As the Department is proposing to develop fishing access sites at these properties the acquisition and development of these parcels are an undertaking under the 106 Regulations.

Attached you will find a Cultural Resource Inventory report for the properties and the proposed developments. Based on the inventory report, site 24MN164 (Chicago, Milwaukee, St. Paul & Pacific Railroad) is present at all three of the properties. An additional site 24MN1112 was recorded on one of the parcels. Site 24MN164 is listed as an eligible property and site 24MN1112 does not appear to be an eligible property due to lack of significant associations and loss of integrity.

Based on this report we believe that there will be no historic properties affected by this proposed land exchange and development of the three fishing access sites.

Please review this proposed project and provide us with your comments. Thank you.

Sincerely,

*Paul Valle*

Paul Valle  
Cultural Resources Coordinator

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MAR 09 2001

DEPARTMENT OF FISH, WILDLIFE & PARKS

Attachment