

# DRAFT ENVIRONMENTAL ASSESSMENT

## Proposed Public Access Improvements for Fort Owen State Park

January 2021



Region 2 State Parks  
Montana Fish, Wildlife & Parks  
3201 Spurgin Rd, Missoula, MT 59804



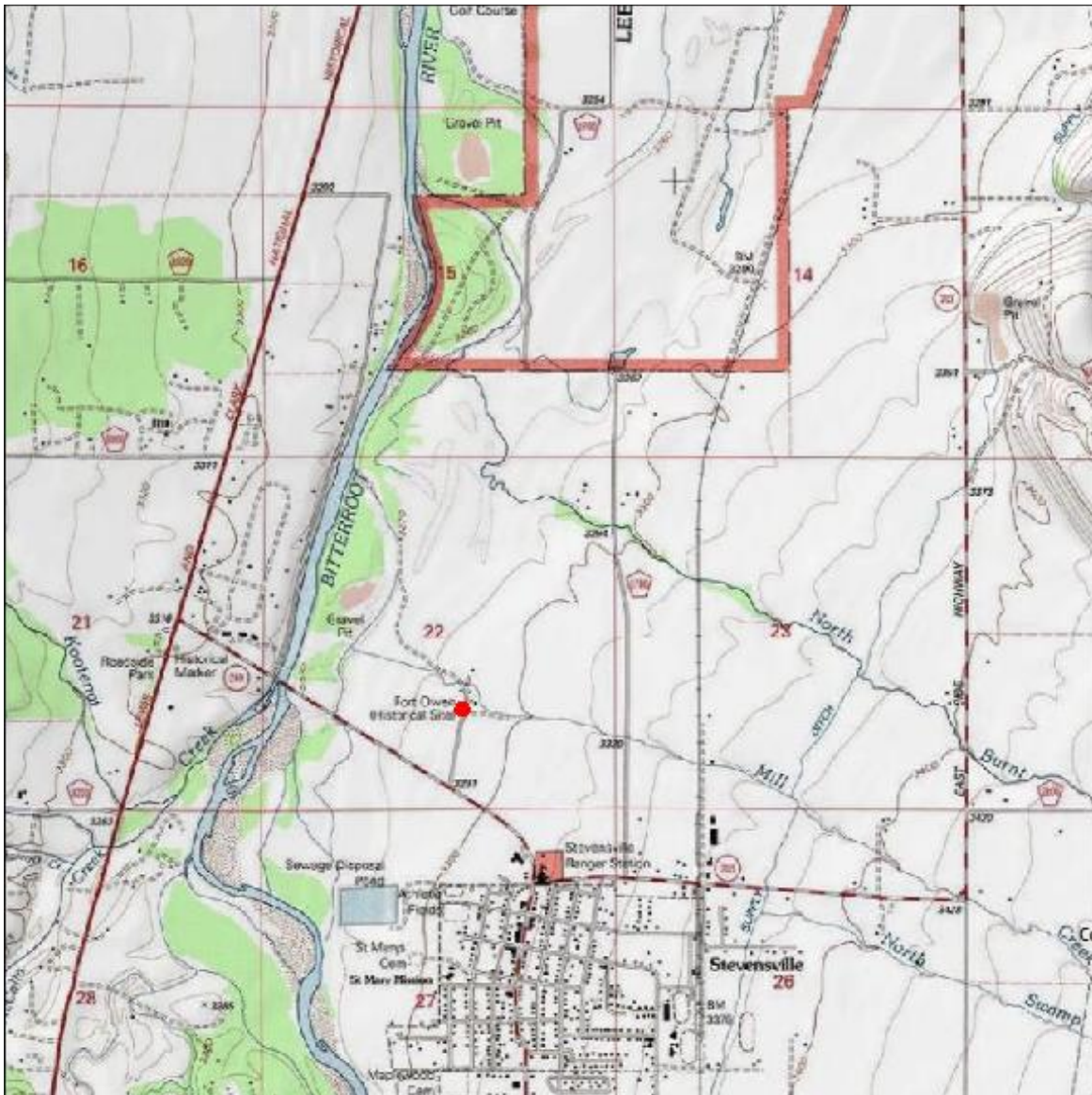
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## 1.0 PURPOSE OF AND NEED FOR ACTION

### 1.1. Type of Proposed State Action

Montana State Parks, a Division of Montana Fish, Wildlife & Parks (Department or FWP), proposes to develop a parking area and improve public access to Fort Owen State Park (SP) via a recently acquired 0.9-acre parcel of property located immediately south of the SP, which is located 1-mile northwest of Stevensville in Ravalli County (Figure 1). The development would address decades-old challenges for management, improve access to this historic site and reduce trespass for the adjacent landowner.



**Figure 1.** Location (red dot) of Fort Owen State Park, northwest of Stevensville in Ravalli County.

Approximately 25 miles south of Missoula on US Highway 93, Fort Owen SP visitors turn east at Stevensville Junction onto Secondary Highway 269 (Stevensville Cutoff Road) and proceed 0.9-mile east to the SP access road on the north side of Highway 269, and then proceed 0.2-mile north along the access road to the SP--a small publicly owned parcel surrounded by private ranch and farm land.

**1.2. Name of Project:** Proposed Public Access Improvements for Fort Owen State Park

**1.3. Agency Authority and Responsibility for the Proposed Action**

- Administrative Rules of Montana (ARM) 12.2.428 through 12.2.433 establish procedures for implementing the Montana Environmental Policy Act (MEPA; § 75-1, MCA) in conjunction with the Department’s Environmental Assessments (EAs) and public involvement for proposed FWP actions. This document provides for that public involvement.
- § 23-1-105, MCA, authorizes FWP to “levy and collect reasonable fees . . . for the use of privileges and conveniences that may be provided [at state parks].”

**1.4. Relevant Plans**

While there are no current planning documents related to this project, the preliminary site plan closely resembles a variety of proposals dating back to the 1960s, which were designed to address the issues (and objectives) that remain to this day.

**1.5. Location and Project Size**

The project area is located near the Town of Stevensville at 99 Fort Owen Ranch Road in Ravalli County.

Legal Description: Township 9 North, Range 20 West, portion of NW4 of SE4 Section 22

Project Size: 0.9 acre

**1.6. Permits, Funding, and Overlapping Jurisdiction**

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

a. **Permits:** None

b. **Funding:**

<u>Agency Name</u>	<u>Funding Amount</u>
Montana FWP	\$75,000

**c. Other Overlapping Jurisdictional Responsibilities:**

<u>Agency Name</u>	<u>Type of Responsibility</u>
State Historic Preservation Office	Consult on Compliance with the Montana Antiquities Act
Montana State Parks & Recreation Board	Project Approval (approved Sept 2020)

**1.7. Narrative Summary of the Proposed Action (including benefits and purpose of proposed action)**

From the time Fort Owen was added to state ownership in the 1950s, the managing agencies, including the Department, have struggled to provide appropriate public access and parking, while also protecting property rights and privacy for the neighboring private landowner. The small (1.0-acre) State Park is surrounded by a private ranch, with ranch traffic and public access along a shared road. (This shared access road leading north from Highway 269 is a private road, but the Department holds an access easement on the road from the highway to the south end of the State Park, to allow the public and Department personnel to access the state park.) Given the current configuration, it is nearly impossible for a member of the public or Department staff to park at the site without trespassing on ranch property. In addition, the proximity of ranch buildings, including residences, to the park creates almost a daily privacy and security concern for the ranch residents and visitors. Conversations with owners of the ranch beginning in the 1980s (perhaps earlier) were never able to gain enough traction to lead to a long-term solution.

In late 2017, MGY Ranch, LLC, purchased the private ranch, and discussions were initiated toward finding a solution that would provide consistent legal access for all members of the public, as well as create appropriate separation of public and private lands. In the fall of 2020, the Department purchased 0.9-acres from MGY Ranch with the stated purpose of working toward developing a parking area--once a cultural resources survey was completed and any appropriate protections and mitigation measures have been developed and approved to protect any identified historic resources on this new addition.

As part of the acquisition, the FWP agreed to close Fort Owen SP to public access until such a time that the parking area was developed to address access and privacy issues outlined above.

Proposed development of the access area (Figure 2) for the SP includes:

- Build parking area (PA), to include single-vehicle parking spaces with overflow parking, a van-accessible parking space, and a bus drop-off and large-vehicle parking area. (See section 3.7 for strategies to protect cultural resources.)
- Improve existing ditch at the north end of the PA, to include replacing an existing road culvert over the swale associated with the ditch.
- Build an ADA (Americans with Disabilities Act) accessible pedestrian path along the west side of the PA and connect it with a pedestrian bridge (over the swale) leading the historic site.
- Build partial perimeter fence (along south and west boundaries of the PA) to better delineate public and private land, and realign the ditch along the south boundary of the PA.
- Install standard state parks kiosk and additional signage as needed for the PA.

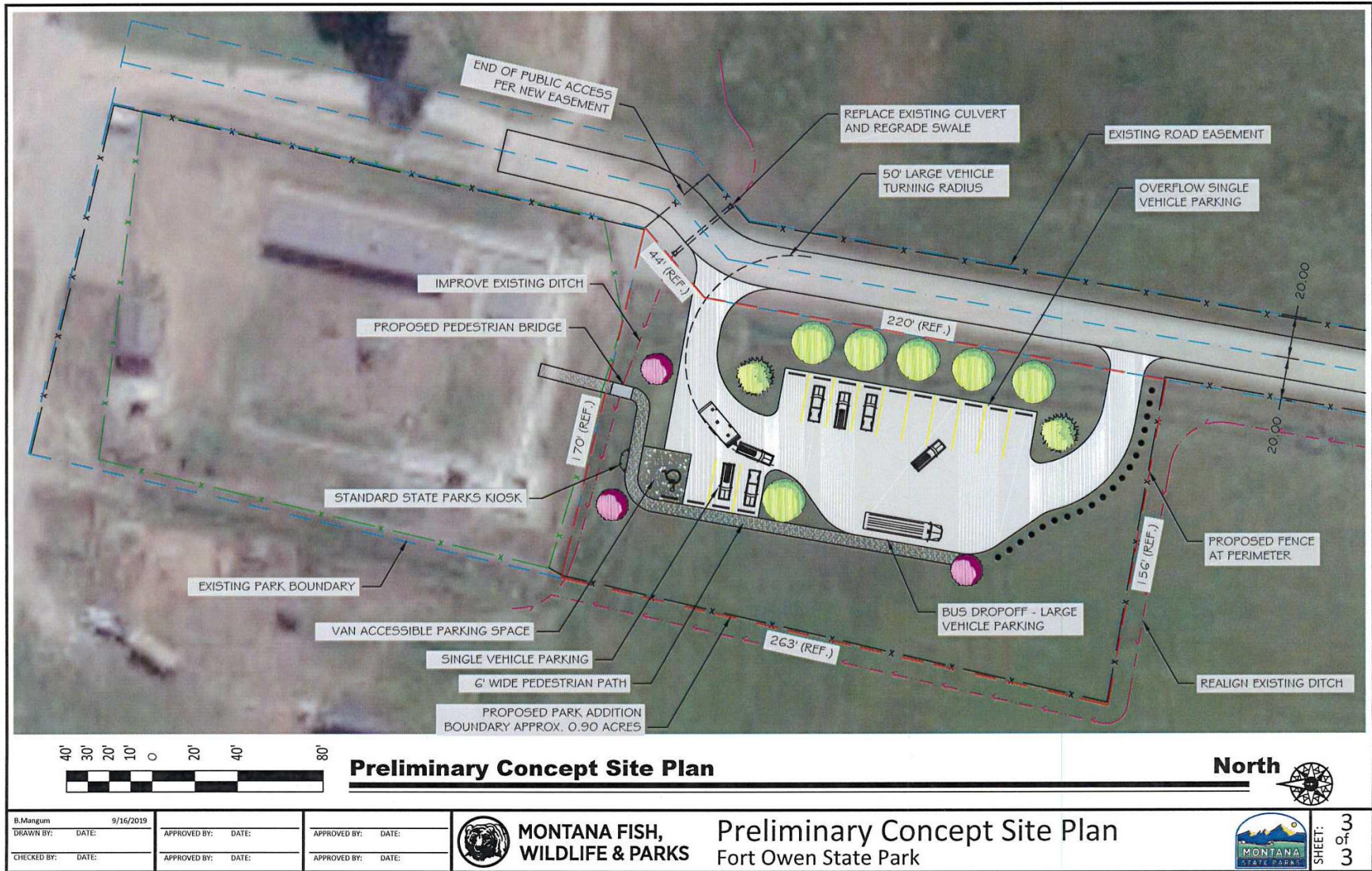


Figure 2. Proposed site concept for parking area development at Fort Owen State Park.

## **1.8. Objectives of the Proposed Action**

- Provide for appropriate public access and parking;
- create clear separation between private and public lands;
- improve the quality of the visitor experience; and
- improve landowner relations.

## **2.0 ALTERNATIVES**

### **2.1. Alternative A--Proposed Action: The Department would construct a parking area to allow for public access.**

Under this alternative, FWP would develop the newly acquired 0.9-acre property into a parking area after taking measures to protect cultural resources. The parking area would provide access for the general public, school groups, tour buses and special events. This new parking area would clearly define the park boundaries and reduce conflict between ranch and park operations.

### **2.2. Alternative B--No Action: The Department would not develop the parking area.**

If no action is taken, FWP would not develop the recently acquired 0.9-acre property into a parking area. Without the parking area, the extremely limited access to parking would require alternative management strategies that might include limited public access.

## **3.0 AFFECTED ENVIRONMENT AND ENVIRONMENT CONSEQUENCES**

### **3.1. LAND USE**

The proposed parcel has been part of an agricultural field that has been flood irrigated for hay production and used as pastureland for cattle as part of MGY Ranch. A current road easement for public and Department access to the SP exists from Stevensville Cutoff Road northward to the south end of the SP boundary.

Alternative A--Proposed Action: The Department would develop the proposed parking area to provide access for vehicles, bicycles, school buses and tour buses. This would greatly reduce confusion over where the public has the right to access the park.

Alternative B--No Action: Under the No Action Alternative, the Department would not develop the parking area. The Department would need to consider alternative management strategies such as limited public access.

### **3.2. Aesthetics, Recreational and Educational Opportunities**

This development has the potential to have positive impacts to recreational and educational opportunities. Providing a designated parking area and appropriate access to Fort Owen State Park would greatly improve visitor experience and also allow the Department and partners to better promote the site, increasing visitation. Additionally, the new parking area would allow

access for both school and tour busses that were not previously able to access the site, opening educational opportunities for students and adults alike.

Alternative A--Proposed Action: Recreation would continue to be managed in accordance with applicable Department rules and regulations, including the Montana State Parks Biennial Fee Schedule, Commercial Use Rules, and Commercial Use Permit Fee Rule. The 2020-2024 Statewide Comprehensive Outdoor Recreation Plan (SCORP<sup>1</sup>) would also serve as a guide for management and development. The Department would install appropriate boundary, entry and regulation signage, and additional site information would be available via brochures and the FWP's Montana State Parks webpage (<https://fwp.mt.gov/stateparks>) to inform the public of the recreational opportunities and activities within the park.

Alternative B--No Action: The Department would not build the parking area, thereby foregoing increased recreational and educational opportunities and not addressing ongoing access issues for the SP and adjacent private landowner.

### 3.3. Vegetation

The project parcel is largely comprised of introduced short grasses commonly found on agricultural land in west-central Montana. The elevation of the parcel is approximately 3300 feet throughout.

Invasive weed species are present in very limited areas within the parcel. Exotic weed species include spotted knapweed (*Centaurea maculosa*), leafy spurge (*Euphorbia esula*), common hound's-tongue (*Cynoglossum officinale*), and Canada thistle (*Cirsium arvense*). The primary invasive species found at the existing SP site is kochia (*kochia scoparia*).

Alternative A--Proposed Action: The Department would manage noxious weeds in accordance with the Department's Statewide Integrated Noxious Weed Management Plan<sup>2</sup> (2008) and the Department's Region 2 Parks Division Weed Management Implementation Plan (2010). In accordance with § 7-22-2154, MCA, by acquiring the 0.9-acre parcel the Department was required to have the property inspected and to develop a site-specific noxious weed management plan agreement in cooperation with the local weed district. Any isolated patches of invading species would be eradicated by the most efficient and effective means (e.g., hand-pulling, digging and/or herbicide spot treatment), depending on weed species and site limitations. The Department's priority for herbicide control of noxious weeds in the park would be to spray roadsides and previously disturbed areas. Roadsides and trail edges would be inspected annually to detect and eradicate any new weed introductions before infestations become established. As an additional preventive measure, the Department would confine motorized traffic to the existing road system and would otherwise avoid disturbance of the soil surface.

Alternative B--No Action: If the parking area is not developed, the parcel would continue to be maintained under the current short-grass regime.

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<sup>1</sup> Montana State Parks, a Division of Montana Fish, wildlife & Parks. 2019. Enhancing Montana's outdoor recreation legacy, 2020–2024 statewide comprehensive outdoor recreation plan. Available on Montana State Parks webpage <https://fwp.mt.gov/aboutfwp/about-state-parks> Accessed 25 Jan 2021.

<sup>2</sup> FWP's website was reorganized and under construction beginning December 2020; access for this cited document--and other cited documents without footnotes--items was attempted on 21 Jan 2021, but item not yet available online.



### 3.4. Wildlife Species

Fort Owen SP represents approximately 2 acres of land mass surrounded by private land. Therefore, it is unlikely that the park itself contains any critical wildlife habitat. However, the park is located less than one mile from Lee Metcalf National Wildlife Refuge and approximately ½ mile from the Bitterroot River. The park is also just outside the boundary of the Bitterroot Important Bird Area (IBA<sup>3</sup>).

Table 1 lists Montana Species of Concern<sup>4</sup> (SOC) that could be predicted to occur within the park, based on its location<sup>5</sup>. There are no Threatened or Endangered species under the federal Endangered Species Act (US Fish & Wildlife Service) that are expected to occur on this location.

Alternative A--Proposed Action: This proposed project is not expected to have negative impacts to wildlife.

Alternative B--No Action: No negative impacts to wildlife would be expected as the land would remain in its current condition with no use.

**Table 1.** Montana Species of Concern (SOC) observed or expected to occur on the land proposed for the public access improvements.

Common name <i>Species</i>	Status*	Habitat	Status in Vicinity of Parcels
<b><u>Species of Concern</u></b>			
Townsend's Big-eared Bat <i>Corynorhinus townsendii</i>	SOC, Tier 3	Caves in forest habitat	Unlikely to occur on site. Poor to non-existent habitat for this species
Little Brown Myotis <i>Myotis lucifugus</i>	SOC, Tier 3	Generalist	Unknown
Great Blue Heron <i>Ardea herodias</i>	SOC, Tier 3	Riparian forest	Not common on site, but common along the Bitterroot River in the area
Bobolink <i>Dolichonyx oryzivorus</i>	SOC, Tier 3B	Moist grasslands	Likely to occur on irrigated fields
Pileated Woodpecker <i>Dryocopus pileatus</i>	SOC, Tier 3	Moist conifer forests	Unlikely to occur on site. Poor to non-existent habitat for this species
Hooked Snowfly <i>Isocapnia crinita</i>	SOC, Tier 3	Mountain streams to rivers	Unlikely to occur on site. Poor to non-existent habitat for this species

\*Tier 1 status identifies those species in greatest conservation need.

### 3.5. Soils

A search of the Natural Resources Conservation Service Web Soil Survey found that the parcel in question includes Owenfort complex soils, a cobbly loam, with somewhat excessively drained soil.

<sup>3</sup> A program of Bird Life International; Montana Audubon, along with its local Bitterroot and Five Valleys chapters helped identify and designate the Bitterroot River IBA.

<sup>4</sup> A native animal (or plant) breeding in Montana and considered to be "at risk" due to declining population trends, threats to its habitats, and/or restricted distribution. Montana's SOC listing highlights species in decline and encourages conservation efforts to reverse population declines and prevent the need for future listing as Threatened or Endangered Species under the Federal Endangered Species Act. Further information available at <https://fwp.mt.gov/conservation/species-of-interest><http://mtnhp.org/> Accessed 21 Jan 2021.

<sup>5</sup> Montana Natural Heritage database Available <http://mtnhp.org/SpeciesOfConcern/?AorP=a>. Accessed 21 Jan 2021.

Alternative A--Proposed Action: The parking area would be constructed by adding a layer of geotextile fabric on the existing ground surface, followed with approximately 12” of fill added and compacted. The construction of the parking area would take place on top of that added fill, avoiding compaction of the native soil.

Alternative B—No Action: If the Department does not construct the parking area, there would be no changes to the soil.

### **3.6. Air Quality**

Alternative A--Proposed Action: There would be minor but temporary impacts (such as dust) to air quality during construction.

Alternative B--No Action: If the Department does not construct the parking area, there would be no impacts to air quality.

### **3.7. Cultural and Historic Resources**

From time immemorial, the area around Fort Owen and present-day Stevensville has been a significant part of the ancestral homeland of the Bitterroot Salish people. Beginning in the 1820s, the Salish sent emissaries to the east in search of the “black robes,” who were prophesied to have the ability to provide protection and safety to the Salish people. In 1839, one such expedition reached St. Louis and made contact with Jesuit missionaries. In 1841, a contingent of Jesuits under the leadership of Father Pierre-Jean De Smet arrived in the Bitterroot Valley. There they constructed a church (St. Mary’s Mission) and other structures around the current site of Fort Owen State Park. This was the genesis for the first European-style settlement in Montana.

By 1850, the Jesuits had determined to abandon the site. On November 5, 1850 John Owen leased the Jesuits’ property and improvements for \$250, signing what is the first legal document in Montana. “Major” John Owen took ownership from the Jesuits in 1852 and began to develop what turned into the cultural and commercial center of the region for many years. The people of Fort Owen constructed a sawmill, gristmill and cabins. By the late 1850s, they replaced most of the wooden structures with locally sourced adobe construction. Fort Owen became a major trading post, with Owen serving as Indian agent for the Salish, Upper Pend d’Oreille, Northern Paiute, and Northern Shoshone from 1856-1862.

Over the years, the people of Fort Owen developed the Fort area with two adobe barracks; a perimeter wall, constructed first of wood and later of adobe estimated at 12-feet tall and 2-feet thick; two-story bastions along the south wall; and a large, arching wooden gateway at the entrance. Outside of the compound were constructed structures such as an icehouse, barns and warehouses to store the agricultural products produced from the fields and gardens.

Following the death of his wife in 1868, Owen’s health, finances and mental state began to deteriorate. By 1872 he had been transferred to St. John’s hospital in Helena. In late 1872, Washington J. McCormick purchased the property at sheriff’s auction intended to assist with settling Owen’s debts. McCormick operated the gristmill and rented the property for many years, but the buildings and amenities associated with Fort Owen deteriorated as the Bitterroot Valley became the agricultural center of west-central Montana. McCormick himself was killed in

February 1889 when he was trying to save the roof of the west barracks during a windstorm. The remainder of the west barracks were pulled down in the 1890s.

In 1927, Jay McCormick transferred possession of the land containing the ruins of Fort Owen to the Society of Montana Pioneers for \$1. Over the next 30 years, the land passed through many owners who had a mind to restore or preserve this important piece of Montana history. The State of Montana accepted the one-acre parcel in 1956 to become part of the State Parks and Monuments system (now the Parks Division of Montana Fish, Wildlife & Parks).

Dr. Carling Malouf began archeological investigations of the site in 1957 and these continued off and on into the 1970s. Fort Owen State Park was listed on the National Register of Historic Places in 1970. Donald Merritt, as part of a Masters' thesis for the University of Montana's Department of Anthropology in 2010, catalogued more than 5,000 artifacts archived at the University of Montana, undertook excavations at the park and made recommendations for future actions to preserve the historical archaeology.<sup>6</sup>

Based on this long history, the importance of the Fort Owen site to state and regional history is evident. Any projects undertaken by the Department must recognize that importance and strive to preserve and learn from the historical and archeological record, while also providing access and interpreting this history to the public in a manner that inspires them to have pride in their history and take action to conserve and restore Fort Owen and other sites like this across the country.

In late 2020, the Montana State Parks Foundation secured a significant grant from a private philanthropic foundation to assist with access, preservation and interpretive efforts at Fort Owen State Park. Conversations with tribal and other partners have identified the parking area as an appropriate place for some interpretive elements. The parking area was designed and would be constructed in such a manner to allow space for culturally diverse and engaging interpretation in this area.

A cultural resource contractor was hired in October 2020 (Western Cultural, Inc.) and an on-site cultural resource inventory was conducted in early November. This work, which included survey with a metal detector as well as archaeological excavations, demonstrated that there are artifacts and historic features scattered throughout the newly acquired 0.9-acre of state park, at varying depths. These include artifacts and features that are of enough significance, and retain sufficient integrity, to contribute to Fort Owen's listing on the National Register of Historic Places. These significant features and artifacts require us to protect the cultural resources of the entire 0.9-acres from adverse effects related to the construction activities.

Based on the findings of the cultural resource inventory and in consultation with the State Historic Preservation Office (SHPO), the Department proposes to move forward with the construction of the parking area with mitigations in place to protect archeological resources on the site of the proposed development. All areas of disturbance would have a barrier placed on the native ground surface that would be topped with 12" inches of imported fill. This fill would be compacted and the parking area completed on top of the compacted material. This method allows the native ground surface, and the cultural resources it contains, to be protected from disturbance or from compaction.

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<sup>6</sup> Much of the history of Fort Owen comes from Donald Roy Merritt, "Fort Owen: The history and archeology of a contact period site in western Montana," 2010 (available at <https://scholarworks.umt.edu/cgi/viewcontent.cgi?article=1485&context=etd>, accessed 5 Aug 2020), and the website for Fort Owen at the National Register of Historic Places <https://catalog.archives.gov/id/71976490>, accessed 26 Jan 2021.

Alternative A--Proposed Action: Through consultation with SHPO, careful parking area design and the presence of a cultural resource monitor during any potentially ground-disturbing activities, this proposed action would have no adverse effect on Fort Owen or its historic features.

Alternative B--No Action: If the Department does not construct the parking area, there would be no impact to cultural resources.

### **3.8. Community and Taxes**

This parcel is located within Ravalli County and outside the boundaries of the nearby Town of Stevensville (population 1,809 in the 2010 census and estimated at 2,025 in 2019).

By providing consistent understandable access to the site, visitation is expected to increase. Having an established parking area would also allow the community of Stevensville and Montana State Parks to better promote the site to area residents and visitors to the region. This is expected to increase tourism traffic to Stevensville as well as other communities in the Bitterroot Valley (Appendix A, Tourism Report)

There has been widespread community involvement in addressing the access issues to Fort Owen SP. A local group, The Friends of Fort Owen, formed in 2018 in part because of the continued questions about public access and preservation of the site.

Alternative A--Proposed Action: By developing the parking area and providing appropriate and improved public access, the public would have greater opportunity to visit and enjoy Fort Owen State Park. The adjacent private landowner would enjoy greater security and privacy. The Department would be better able to manage the park and care for the historic resources.

Alternative B--No Action: If the Department does not construct the parking area, public access is expected to remain confusing and potentially in conflict with ranch operations.

### **3.9. Cumulative Impacts**

Alternative A--Proposed Action:

State Parks in Montana provide important economic benefits to local communities, and Fort Owen has the potential to add to the tourism economy of Stevensville, Ravalli County and west-central Montana. A survey of state park visitors in 2010 found that visitors to all Montana State Parks contributed \$289 million annually to Montana's economy, with nonresident spending creating 1,600 jobs statewide. In the Region 2 FWP area, nonresidents spent more than \$22 million in 2010 and created nearly 300 jobs.

The project has the potential to address issues that have faced the public, the landowner and the Department for decades, regarding where public parking and access the State Park.

Alternative B--No Action: If the Department does not construct the parking area, continued confusion on the part of the public is expected regarding where and how to access the site and where to park. Conflict between traditional private ranching uses and public access would persist.

#### **4.0 RESOURCE ISSUES CONSIDERED BUT ELIMINATED FROM DETAILED ANALYSIS**

The Montana Environmental Policy Act (MEPA) provides for the identification and elimination from detailed study of issues, which are not significant or which have been covered by a prior environmental review, narrowing the discussion of these issues to a brief explanation of why they would not have a significant effect on the physical or human environment or providing a reference to their coverage elsewhere (ARM 12.2.434(d)). While the following resources are important, the Department anticipates they would be unaffected by the proposed action or if any effects exist, those influences could be adequately mitigated, and therefore these resources were eliminated from further detailed analysis.

- Fisheries Species and Water Resources
- Noise and Electrical Effects
- Risk and Health Hazards

#### **5.0 NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT**

**Based on the significance criteria evaluated in this EA, is an EIS required? No.**

**If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

Based upon the above assessment of the Proposed Action, which has identified a limited number of minor impacts which can be mitigated, an EIS is not required and an Environmental Assessment is the appropriate level of review.

#### **6.0 PUBLIC PARTICIPATION**

##### **6.1. Public Involvement**

**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?**

The public would be notified as follows, to comment on the Proposed Land Acquisition for Fort Owen State Park, including its draft EA and alternatives:

- A news release would be prepared and distributed to a standard list of media outlets interested in FWP State Parks and Region 2 issues. This news release would also be posted on FWP's website.
- A legal notice would be published twice each in the following newspapers: *Bitterroot Star* (Stevensville), *Independent Record* (Helena), *Missoulian*, and *Ravalli Republic* (Hamilton).
- Copies would be available at the FWP Region 2 Headquarters in Missoula and the FWP State Headquarters in Helena.

- Copies of this environmental assessment would be mailed (or notification of its availability emailed) to neighboring landowners and other interested parties (individuals, groups, tribal governments, agencies) to assure their knowledge of the Proposed Action.
- The Draft EA would be available on FWP's website <https://fwp.mt.gov/> ("Public Notices").

Copies of this EA may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula MT, 5980; by phoning 406-542-5500; by emailing [shrose@mt.gov](mailto:shrose@mt.gov); or by viewing FWP's website <http://fwp.mt.gov> under Public Notices.

This level of public notice and participation is appropriate for a project of this scope having few and limited physical and human impacts.

## **6.2. Duration of Comment Period**

The public comment period would extend for thirty (30) days beginning January 27, 2021. Public comments must be received by FWP no later than February 25, 2021.

Comments may be mailed to the address below:

Region 2 FWP  
Attn: Fort Owen EA  
3201 Spurgin Rd  
Missoula MT 59804

or emailed to Sharon Rose at [shrose@mt.gov](mailto:shrose@mt.gov).

For questions about the project, contact Loren Flynn at [LFlynn2@mt.gov](mailto:LFlynn2@mt.gov) or phone 406-542-5517.

## **6.3. Timeline of Events**

- Draft EA public comment period: January to February 2021
- Decision Notice issued (estimated): March 1, 2021
- Bid Solicitation (estimated): March 15, 2021
- Bid Award (estimated): April 15, 2021
- Construction Period: May 1 to June 15, 2021

## **6.4. Offices/Programs Contacted or Contributing to this Document:**

- Montana Fish, Wildlife & Parks:
  - Legal Bureau, Helena
  - Parks Division, Helena and Missoula
- Wildlife and Fisheries Division, Missoula  
Montana Natural Heritage Program, Species of Concern database
- Montana Department of Commerce, Tourism Bureau
- Natural Resources Conservation Service website Soil Survey
- US Department of Agriculture, Soil Survey Database
- US Fish and Wildlife Service, Wetlands Database

## **7.0 EA PREPARATION**

Loren Flynn, Region 2 Parks Manager, FWP, Missoula

Rachel Reckin, FWP Heritage Resources Specialist, Helena

Sharon Rose, Region 2 Comments Coordinator, FWP, Missoula

**Appendix A**  
**TOURISM REPORT**  
MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

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

Jan Stoddard, Industry Services & Outreach Bureau  
Montana Office of Tourism and Business Development  
Department of Commerce  
301 S. Park Ave., Helena, MT 59601

**Project Name:** Fort Owen State Park

**Project Description:** Montana State Parks (MSP), a Division of Montana Department of Fish, Wildlife & Parks (FWP), proposes to acquire in fee simple approximately 0.9-acres immediately south of Fort Owen State Park, approximately 1 mile northwest of Stevensville in Ravalli County. The land, currently owned by MGY Ranch, would be acquired and added to Fort Owen State Park.

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

Yes, as described, the project has the potential to positively impact the tourism and recreation industry economy if properly maintained. Fort Owen State Park offers both recreational opportunities and an historical asset for non-resident and resident visitors. The park preserves a small part of the original trading post established by John Owen in the 1850's and is listed on the National Register of Historic Places. Over one-third of Montana's targeted market visitors, history buffs, identify "historic attractions" as extremely important in selecting their travel destination (Montana Destination Brand Research by Destination Analysts). This same survey identified Montana State Parks have very significant potential to attract visitors. Projects that upgrade or enhance the visitor experience including improved access, parking, and fencing are critical to destination development.

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

Yes, as described, the project has the potential to improve quality and quantity of tourism and recreational opportunities. Phases of the project will move forward only after consultation with both the Montana State Parks Heritage Resource Program and the Montana State Historic Preservation Office. The project includes important visitor amenities such as improving the existing access road; replace existing fencing with materials and style that are more reflective of the historic nature of the site; and, when funding permits, construct a permanent parking area on the newly acquired property. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

Signature: Jan Stoddard

Date: 2/7/20

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**Appendix B**  
**PROJECT QUALIFICATION CHECKLIST (§ 23-1-110, MCA)**

**Date:** January 27, 2021

**Person Reviewing:** Loren Flynn

**Project Location:** Fort Owen State Park, approx. 1-mile NW of Stevensville, Ravalli County, MT

**Description of Proposed Work:** Develop a parking area on a 0.9-acre land parcel south of the existing state park site, to improve access to this historic site and reduce trespass for the adjacent private landowner.

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

- A. New roadway or trail built over undisturbed land?  
Comments:
- B. New building construction (buildings <100 sf and vault latrines exempt)?  
Comments:
- C. Any excavation of 20 c.y. or greater?  
Comments: *See (D) below*
- D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?  
Comments: *Parking area will be constructed by adding a barrier to delineate current soil surface and 12" of fill added to protect beneath surface cultural artifacts.*
- E. Any new shoreline alteration that exceeds a double wide boat ramp or handicapped fishing station?  
Comments:
- F. Any new construction into lakes, reservoirs, or streams?  
Comments:
- G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?  
Comments: *All construction will be completed in a manner that will not produce adverse effects to National Registry quality artifacts, as per consultation with the State Historic Preservation Office.*
- H. Any new above ground utility lines?  
Comments:
- I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?  
Comments:

[  ] J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?

Comments:

If any of the above are checked, 23-1-110 MCA 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.