



MONTANA FISH, WILDLIFE & PARKS

Draft Environmental Assessment

Ruby Dam FAS Lease Agreement

November 2022

Overview: Ruby Dam Fishing Access Site (FAS) is a day-use site at the mouth of Ruby Dam about 7 miles south of Alder on the Ruby Dam Road. FWP operates Ruby Dam FAS under a no-cost recreational lease from DNRC. The most recent lease expired in August 2022 and FWP wishes to enter a new lease on that site from February of 2023-December 2032. The major terms in the lease remain the same as before: FWP would be responsible for recreational management and maintenance of the site, including weed control, routine road maintenance, and upkeep of the latrine. Any additional improvements or change in infrastructure would be covered by a future Environmental Assessment (EA) and public involvement process.

Public Involvement Process & Results: Montana DNRC completed an EA for this project in July 2022 and no significant or cumulative impacts from the proposed project were identified. Beneficial impacts to the human environment from the proposed project in the form of enhanced recreation and sanitation were noted and DNRC selected the Action Alternative (proceeding with the lease with FWP). DNRC received no public comment during a 30-day public involvement period. As allowed under ARM 12.2.441, FWP is adopting DNRC's EA and completing an additional 15-day public comment period from November 23-December 6, 2022. The EA is appended below and can also be viewed on the FWP website at <https://fwp.mt.gov/public-notice> or by contacting the Region 3 office at (406) 577-7862.

Comments may be made online on the EA's webpage or emailed directly to Linnaea Schroeer at lschroeer@mt.gov. Comments must be received by FWP no later than 5:00pm December 7, 2022.

MEPA ENVIRONMENTAL ASSESSMENT SUMMARY FORM

Project Name: Ruby River State Water Project – Ruby Dam Fishing Access Site Lease Agreement

Proposed Implementation Date: July 2022

Proponent: Montana DNRC – State Water Projects Bureau

Type and Purpose of Action:

The Montana Department of Natural Resources & Conservation (DNRC) currently administers a recreational Lease to the Montana Department of Fish, Wildlife & Parks (DFWP) for the Ruby Dam Fishing Access Site (FAS), near Alder, MT in Madison County. The Ruby Dam FAS serves as a public recreation opportunity on Project Lands owned by DNRC as part of the Ruby River State Water Project. The current Lease expires on August 15, 2022. The action alternative provides a new Lease Agreement to DFWP for the Ruby Dam FAS for a ten-year term.

Future development or improvements to the Ruby Dam FAS by DNRC or their Lessee will require a separate environmental analysis, independent of this MEPA environmental assessment.

Location: Section 8, T7S, R4W

County: Madison

I. PROJECT DEVELOPMENT

RESOURCE	POTENTIAL IMPACTS AND MITIGATION
<p>1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED: Provide a brief summary of the scoping and ongoing involvement for this project.</p>	<p>A scoping meeting was held on 6/15/2022 to discuss Lease terms and conditions and Lease boundary extents. Groups/agencies involved and/or contacted include:</p> <ul style="list-style-type: none"> • MT Fish, Wildlife and Parks • Ruby River Water Users Association
<p>2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:</p>	<p>The project is located on public land administered by Montana DNRC. No other government agencies have jurisdiction. No permits are needed for any alternative considered.</p>
<p>3. ALTERNATIVES CONSIDERED:</p>	<p>Action Alternative: Proceed with a Lease Agreement with DFWP. No Action Alternative: Do not proceed with a Lease Agreement with DFWP. The no action alternative will result in DFWP removing their public recreation owned infrastructure.</p>

II. IMPACTS ON THE PHYSICAL ENVIRONMENT

<p>4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:</p> <p>Are fragile, compatible or unstable soils present?</p> <p>Are there unusual geologic features?</p> <p>Are there special reclamation considerations?</p>	<p>Action Alternative: This administrative Lease Agreement will not impact the geology and soil quality, stability and moisture.</p> <p>No Action Alternative: Removal of DFWP infrastructure will have a minor disturbance to surrounding soils. Reclamation of soil disturbance will occur based on current Lease terms and conditions.</p>
<p>5. WATER QUALITY, QUANTITY AND DISTRIBUTION:</p> <p>Are important surface or groundwater resources present?</p> <p>Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?</p>	<p>Action Alternative: This administrative Lease Agreement will not impact water quality, quantity and distribution.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect water quality, quantity and distribution.</p>
<p>6. AIR QUALITY:</p> <p>Will pollutants or particulate be produced?</p> <p>Is the project influenced by air quality regulations or zones (Class I air shed)?</p>	<p>Action Alternative: This administrative Lease Agreement will not affect air quality.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect air quality.</p>
<p>7. VEGETATION COVER, QUANTITY AND QUALITY:</p> <p>Will vegetative communities be permanently altered?</p>	<p>Action Alternative: This administrative Lease Agreement will not affect vegetation cover, quantity and quality.</p> <p>No Action Alternative: Removal of DFWP infrastructure will have a minor disturbance to vegetation cover due to heavy equipment operations. Reclamation of vegetation establishment will occur based on current Lease terms and conditions.</p>
<p>8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:</p> <p>Is there substantial use of the area by important wildlife, birds or fish?</p>	<p>Action Alternative: This administrative Lease Agreement will not impact terrestrial, avian and aquatic life and habitats.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect terrestrial, avian and aquatic life and habitats.</p>

<p>9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:</p> <p>Are any federally listed threatened or endangered species or identified habitat present?</p> <p>Any wetlands?</p> <p>Any sensitive species or Species of Special Concern?</p>	<p>The project is in an area listed as habitat for the following State Species of Special Concern:</p> <p>Fauna: Grizzly Bear, Hoary Bat, Little Brown Myotis, Long-eared Myotis, Pygmy Rabbit, Wolverine, American White Pelican, Black Tern, Black-necked Stilt, Brewer’s Sparrow, Clark’s Grebe, Clark’s Nutcracker, Common Loon, Golden Eagle, Gray-crowned Rosy-Finch, Great Blue Heron, Grater Sage-Grouse, Green-tailed Towhee, Long-billed Curlew, Northern Goshawk, Western Toad, and Westslope Cutthroat Trout. The Grizzly Bear is also listed under the Endangered Species Act (ESA).</p> <p>Flora State Species of Special Concern: Beaked Spikerush, Beardless Wildrye, Parry’s Fleabane, Taper-tip Desert-parsley, Foxtail Muhly, and Mealy Primrose.</p> <p>There are no wetlands on the project site.</p> <p>Action Alternative: This administrative Lease Agreement will not impact environmental resources.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect environmental resources.</p>
<p>10. HISTORICAL / ARCHAEOLOGICAL :</p> <p>Are any historical, archaeological or paleontological resources present?</p>	<p>Action Alternative: This administrative Lease Agreement will not affect any historical, archaeological or paleontological resources.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect any historical, archaeological or paleontological resources.</p>
<p>11. AESTHETICS:</p> <p>Is the project on a prominent topographic feature?</p> <p>Will it be visible from populated or scenic areas?</p> <p>Will there be excessive noise or light?</p>	<p>The project location and access is located on public land. The site is visible from Route 357.</p> <p>Action Alternative: This administrative Lease Agreement will not affect aesthetics.</p> <p>No Action Alternative: Removal of DFWP infrastructure will slightly improve scenic characteristics of the area.</p>

<p>12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:</p> <p>Will the project use resources that are limited in the area?</p> <p>Are there other activities nearby that will affect the project?</p>	<p>Action Alternative: This administrative Lease Agreement will not impact demands on environmental resources.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect environmental resources.</p>
<p>13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:</p> <p>Are there other studies, plans or projects on this site?</p>	<p>Action Alternative: This administrative Lease Agreement will not impact any other studies or plans.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect any other studies or plans.</p>

III. IMPACTS ON THE HUMAN POPULATION

<p>14. HUMAN HEALTH AND SAFETY:</p> <p>Will this project add to health and safety risks in the area?</p>	<p>Action Alternative: This administrative Lease Agreement will maintain human health and safety by the continuation of sanitary facilities.</p> <p>No Action Alternative: Removal of DFWP infrastructure will affect human health and safety by removal of sanitary facilities. The public will have to find an alternative location for these services.</p>
<p>15. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION:</p> <p>Will the project add to or alter these activities?</p>	<p>The project is on private land, with the flume and associated canal right-of-way managed for the delivery of irrigation water.</p> <p>Action Alternative: This administrative Lease Agreement will not impact industrial, commercial, or agricultural activities.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect industrial, commercial, or agricultural activities.</p>

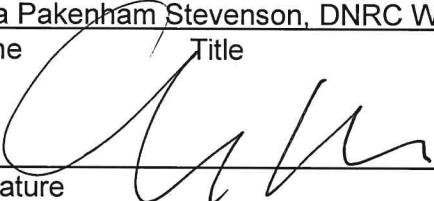
<p>16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:</p> <p>Will the project create, move or eliminate jobs? If so, estimated number.</p>	<p>Action Alternative: This administrative Lease Agreement will not affect employment.</p> <p>No Action Alternative: Removal of DFWP infrastructure may require the hiring of a local contractor. This work will only be temporary and could be completed in 1 day.</p>
<p>17. LOCAL AND STATE TAX BASE AND TAX REVENUES:</p> <p>Will the project create or eliminate tax revenue?</p>	<p>Action Alternative: This administrative Lease Agreement will not impact the local and state tax base or revenues.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect local and state tax base or revenues.</p>
<p>18. DEMAND FOR GOVERNMENT SERVICES:</p> <p>Will substantial traffic be added to existing roads?</p> <p>Will other services (fire protection, police, schools, etc.) be needed?</p>	<p>Action Alternative: This administrative Lease Agreement will maintain the public fishing access site. DFWP will continue to allocate governmental services and resources for general maintenance of the site.</p> <p>No Action Alternative: Removal of DFWP infrastructure eliminate the demand for governmental services for recreational maintenance of the site.</p>
<p>19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:</p> <p>Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?</p>	<p>Action Alternative: This administrative Lease Agreement will not impact environmental plans or goals.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect environmental plans or goals.</p>
<p>20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:</p> <p>Is wilderness or recreational areas nearby or accessed through the project location?</p> <p>Is there recreational potential within the project location?</p>	<p>Action Alternative: The administrative Lease renewal supports continued use of the public fishing access site and recreational opportunities with access to the Ruby River.</p> <p>No Action Alternative: Removal of DFWP infrastructure and recreational management lease termination will reduce the quality of the public's recreation experience by removing sanitary facilities.</p>

<p>21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:</p> <p>Will the project add to the population and require additional housing?</p>	<p>Action Alternative: This administrative Lease Agreement will not impact housing or population density and distribution.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect housing or population density and distribution.</p>
<p>22. SOCIAL STRUCTURES AND MORES:</p> <p>Is some disruption of native or traditional lifestyles or communities possible?</p>	<p>Action Alternative: This administrative Lease Agreement will not impact social structures and mores.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect social structures and mores.</p>
<p>23. CULTURAL UNIQUENESS AND DIVERSITY:</p> <p>Will the action cause a shift in some unique quality of the area?</p>	<p>Action Alternative: This administrative Lease Agreement will not impact cultural uniqueness and diversity.</p> <p>No Action Alternative: Removal of DFWP infrastructure will not affect cultural uniqueness and diversity.</p>
<p>24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:</p>	<p>Action Alternative: This administrative Lease Agreement will maintain social and economic conditions.</p> <p>No Action Alternative: Removal of DFWP infrastructure and recreational management lease termination may have a minor effect on the local economy as visitation to the site may be reduced due to lack of facilities.</p>

IV. FINDING

25. ALTERNATIVE SELECTED:	Action alternative.
26. SIGNIFICANCE OF POTENTIAL IMPACTS:	There are no significant or cumulative impacts anticipated with the action alternative.
27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS: <input type="checkbox"/> EIS <input type="checkbox"/> More Detailed EA <input checked="" type="checkbox"/> No Further Analysis	

EA Prepared By: Mark McNearney, P.E., DNRC-SWPB Date: 07/5/2022
Name Title

EA Approved By: Anna Pakenham Stevenson, DNRC Water Resources Division Administrator
Name Title
 7/6/22 Date:
Signature

Attachments: Site Map.

Additional Information:

This EA will be published for 30 days on the DNRC website at:

<http://dnrc.mt.gov/public-interest/environmental-docs>

Questions and comments should be directed to:

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Thank you for your interest.

SITE MAP

Ruby River Dam and Fishing Access Site



VICINITY MAP

