

DRAFT

ENVIRONMENTAL ASSESSMENT

CHECKLIST

Siskin Island FAS Acquisition Project

FWP-CEA-POR-R3-26-004

March 13, 2026



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Checklist Environmental Assessment

The Montana Department of Fish, Wildlife and Parks (FWP) has prepared this Draft Environmental Assessment (EA) in accordance with the requirements of the Montana Environmental Policy Act (MEPA). The purpose of an EA is to identify, analyze, and disclose the impacts of a proposed state action. This document may disclose impacts that have no required mitigation measures, or over which FWP, more broadly, has no regulatory authority.

Local governments and other state agencies may have authority over different resources and activities under separate regulations. FWP actions will only be approved if the proposed action complies with all applicable regulations. FWP has a separate obligation to comply with any federal, state, or local laws and to obtain any other permits, licenses, or approvals required for any part of the proposed action.

I. Compliance with the Montana Environmental Policy Act

Before a proposed project may be approved, environmental review must be conducted to identify and consider potential impacts of the proposed project on the human and physical environment affected by the project. The Montana Environmental Policy Act (MEPA) and its implementing rules and regulations require different levels of environmental review, depending on the proposed project, significance of potential impacts, and the review timeline. § 75-1-201, Montana Code Annotated (“MCA”), and the Administrative Rules of Montana (“ARM”) 12.2.430, General Requirements of the Environmental Review Process.

FWP must prepare an EA when:

- *It is considering a “state-proposed project,” which is defined in § 75-1-220(8)(a) as:
 - (i) a project, program, or activity initiated and directly undertaken by a state agency;
 - (ii) ... a project or activity supported through a contract, grant, subsidy, loan, or other form of funding assistance from a state agency, either singly or in combination with one or more other state agencies; or
 - (iii) ... a project or activity authorized by a state agency acting in a land management capacity for a lease, easement, license, or other authorization to act.*
- *It is not clear without preparation of an EA whether the proposed project is a major one significantly affecting the quality of the human environment. ARM 12.2.430(3)(a));*
- *FWP has not otherwise implemented the interdisciplinary analysis and public review purposes listed in ARM 12.2.430(2) (a) and (d) through a similar planning and decision-making process (ARM 12.2.430(3)(b));*
- *Statutory requirements do not allow sufficient time for the FWP to prepare an EIS (ARM 12.2.430(3)(c));*
- *The project is not specifically excluded from MEPA review according to § 75-1-220(8)(b) or ARM 12.2.430(5); or*
- *As an alternative to preparing an EIS, prepare an EA whenever the project is one that might normally require an EIS, but effects which might otherwise be deemed significant appear to be mitigable below the level of significance through design, or enforceable controls or stipulations or both imposed by the agency or other government agencies. For an EA to suffice in this instance, the agency must determine that all the impacts of the proposed project have been accurately identified, that they will be mitigated below the level of significance, and that no significant impact is likely to occur. The agency may not consider compensation for purposes of determining that impacts have been mitigated below the level of significance (ARM 12.2.430(4)).*

II. Background and Description of Proposed Project

Name of Project: Siskin Island FAS Acquisition

Montana Fish, Wildlife and Parks (FWP) propose to acquire an 82-acre island on the Upper Yellowstone River near the Pine Creek Fishing Access Site (FAS) for the establishment of a new FAS. The island is about 500 yards upstream from Pine Creek FAS, and two river miles downstream from Mallard's Rest FAS. The island features a rocky shoreline, mature cottonwood forests, willow thickets, marsh wetlands and open meadows that provide essential habitats for a variety of wildlife including waterfowl, songbirds, white-tailed deer, beaver, otters, and fish. Mule deer and elk occasionally pass through the property. The island complex and associated side channels within the Yellowstone River supports high-quality spawning and rearing habitat for trout in addition to a variety of game and non-game fish and wildlife species. The name of the proposed new FAS refers to Pine Siskin, a native finch that can be found in the Paradise Valley year-round. The name reflects the excellent bird and other wildlife habitat on the island and highlights the conservation values of the acquisition.

The island is subject to regulated floodway restrictions. Primary access to the island is by floating along the Yellowstone River with walk-in access available from Pine Creek FAS during periods of low water. The island is currently held in fee title by the Trust for Public Land (TPL), and they would transfer ownership to FWP as a donated property. FWP would pay for the closing costs for the transaction which are estimated to be around \$2,000. If approved, FWP would hold title and administer the property as an FAS.

Affected Area / Location of Proposed Project:

- o Latitude/Longitude: 45.5045, -110.58256
- o Section, Township, and Range: S11, T04 S, R09 E, Lot 5-7
- o Town/City, County, Montana: Pine Creek, Park County, Montana

Access Rules - See Reverse Page

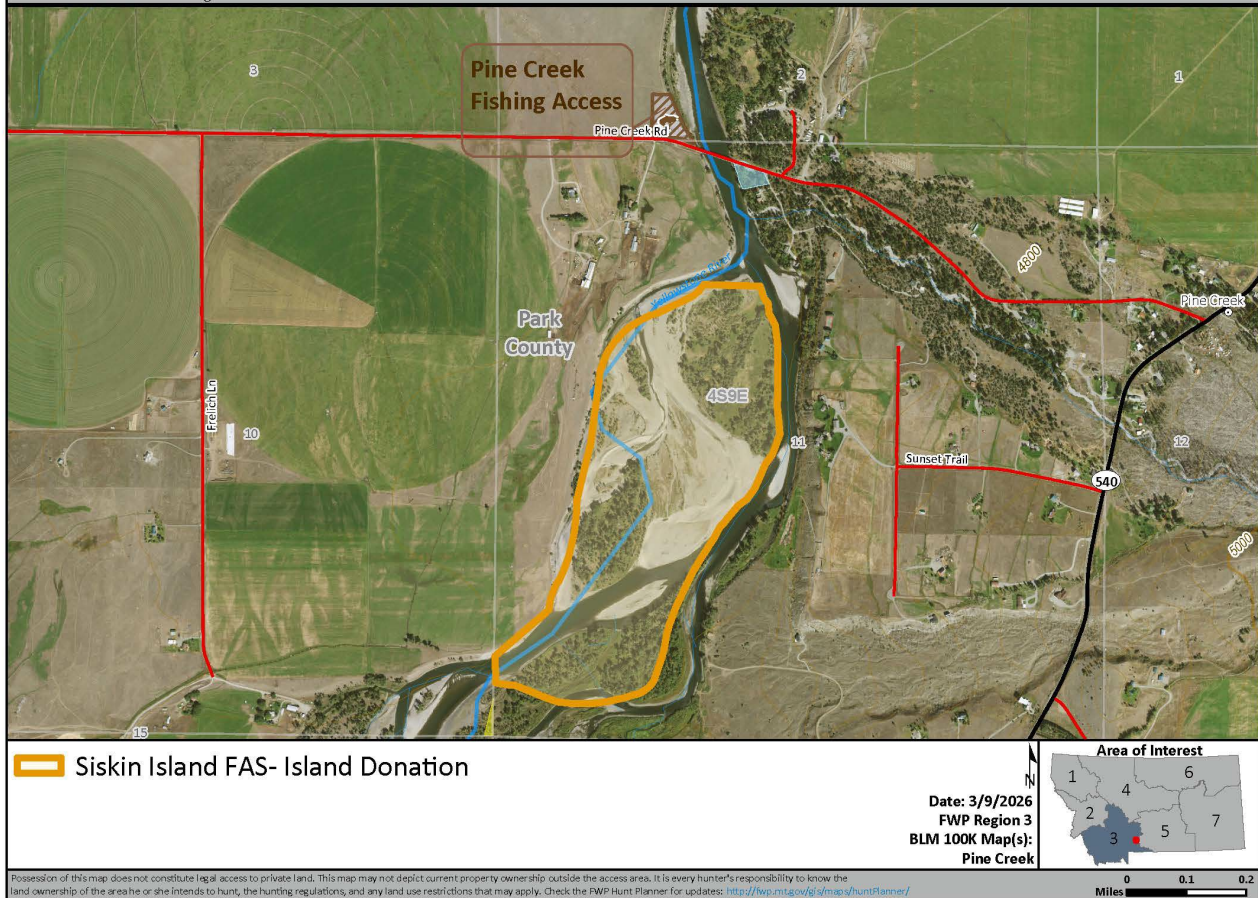


Figure 1: Location Map

III. Purpose and Need

The EA must include a description of the purpose and need or benefits of the proposed project. ARM 12.2.432(3)(b). Benefits of the proposed project refer to benefits to the resource, public, department, state, and/or other.

The purpose of this project is to acquire an island complex on the Yellowstone River for recreational use, fluvial river function, and fish and wildlife habitat and values. FWP would accept title to the land acquired from TPL and manage the site as a float-in or wade-in only site. Day-use would be allowed throughout the site and camping permitted within 50 feet of the normal high-water mark. The site would be undeveloped aside from signage, and users would be expected to pack out all garbage as well as human and pet waste. Upon acquisition, FWP staff would start patrolling the site approximately twice a month to maintain the site and monitor usage and compliance. As the public begin to establish regular usage patterns, FWP staff will adjust maintenance and patrol schedules as necessary to maintain the site and provide oversight. Staff will also periodically evaluate public use rules at the FAS to ensure public safety and long-term resource protection. Upon acquisition, maintenance staff would also initiate a weed control plan for the island.

The following public use rules would apply to the site immediately upon acquisition, but will be subject to change depending on usage and compliance:

- Boat-in dispersed camping allowed within 50 feet of normal high-water mark. *Boat-in campsites shall be solely for the use of the individuals traveling by watercraft as their primary mode of transportation to the site. (ARM 12.12.107(5)).* Stay limit of 7 nights within a 30-day period. Group size larger than 30 people prohibited without a special use permit. Camping fee not required.
- Fires prohibited.
- Human and pet waste must be packed out.
- Hunting/Weapons restriction: Discharge of weapons is allowed for hunting purposes only. Open during established hunting seasons. Rifles prohibited.
- Hunting blinds and stands must be removed daily.
- Trapping prohibited.
- Food storage rules apply. Food storage required.
- No walk-in big game hunting. As per the Stream Access law, access to hunt big game is only via watercraft.

These actions directly support FWP’s mission to preserve natural resources, sustain ecological integrity, and foster public enjoyment of Montana’s landscapes. Managing the island for both conservation and recreation upholds FWP’s vision of sustaining resilient ecosystems and connecting people with the state’s natural heritage. By expanding public recreation and wildlife viewing opportunities, this project builds on Montana’s tradition of connecting people to nature and furthering the legacy of the longest free flowing river in the continental US.

	Yes*	No
Was a cost/benefit analysis prepared for the proposed project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* If yes, a copy of the cost/benefit analysis prepared for the proposed project is included in Attachment A to this Draft EA

IV. Other Agency Regulatory Responsibilities

FWP must list any federal, state, and/or local agencies that have overlapping or additional jurisdiction, or environmental review responsibility for the proposed project, as well as permits, licenses, and other required authorizations. ARM 12.2.432(3)(c).

*A list of other required local, state, and federal approvals, such as permits, certificates, and/or licenses from affected agencies is included in **Table 1** below. **Table 1** provides a summary of requirements but does not necessarily represent a complete and comprehensive list of all permits, certificates, or approvals needed for the proposed project. Agency decision-making is governed by state and federal laws, including statutes, rules, and regulations, that form the legal basis for the conditions the proposed project must meet to obtain necessary permits, certificates, licenses, or other approvals. Further, these laws set forth the conditions under which each agency could deny the necessary approvals.*

Table 1: Federal, State, and/or Local Regulatory Responsibilities

Agency	Type of Authorization (permit, license, stipulation, other)	Purpose
Montana Fish and Wildlife Commission	Acquisition approval	The Montana Fish and Wildlife Commission sets policies and provides direction for the acquisition and management of Fishing Access Sites.

V. List of Mitigations, Stipulations

Mitigations, stipulations, and other enforceable controls required by FWP, or another agency, may be relied upon to limit potential impacts associated with a proposed Project. The table below lists and evaluates enforceable conditions FWP may rely on to limit potential impacts associated with the proposed Project. ARM 12.2.432(3)(g).

Table 2: Listing and Evaluation of Enforceable Mitigations Limiting Impacts

Are enforceable controls limiting potential impacts of the proposed action? If not, no further evaluation is needed.			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, are these controls being relied upon to limit impacts below the level of significance? If yes, list the enforceable control(s) below			Yes <input type="checkbox"/>	No <input type="checkbox"/>
Enforceable Control	Responsible Agency	Authority (Rule, Permit, Stipulation, Other)	Effect of Enforceable Control on Proposed Project	
Noxious Weed Management Plan	Montana FWP, Park County	Montana FWP Statewide Integrated Weed Management Plan	Requires FWP to monitor and control the spread of noxious weeds at the site	

VI. Alternatives Considered

In addition to the proposed project, and as required by MEPA, FWP analyzes the "No-Action" alternative in this EA. Under the "No Action" alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population in the analysis area would occur. The "No Action" alternative forms the baseline from which the potential impacts of the proposed Project can be measured.

If the No Action Alternative is selected, FWP would not accept a land donation from TPL to be managed under FWP's Administrative Region 3 FAS Management Plan. The proposed acquisition project would not proceed, and the benefits of the proposed action would not be realized. The proposed project site on the Upper Yellowstone River would not be managed by FWP, and therefore public access could be restricted and habitat restoration compromised due to potential development.

	Yes*	No
Were any additional and reasonable alternatives considered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* If yes, a list and description of the other alternatives considered, but not carried forward for detailed review is included below

VII. Summary of Potential Impacts of the Proposed Project on the Physical Environment and Human Population

The impacts analysis identifies and evaluates **direct, secondary, and cumulative impacts**.

- **Direct impacts** are those that occur at the same time and place as the action that triggers the effect.
- **Secondary impacts** "are further impacts to the human environment that may be stimulated or induced by or otherwise result from a direct impact of the action." ARM 12.2.429(18).
- **Cumulative impacts** "means the collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when these actions are under concurrent consideration by

any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures.” ARM 12.2.429(7).

Where impacts are expected to occur, the impact analysis estimates the **extent, duration, frequency, and severity** of the impact. The duration of an impact is quantified as follows:

- **Short-Term:** impacts that would not last longer than the proposed project.
- **Long-Term:** impacts that would remain or occur following the proposed project.

The severity of an impact is measured using the following:

- **No:** there would be no change from current conditions.
- **Negligible:** an adverse or beneficial effect would occur but would be at the lowest levels of detection.
- **Minor:** the effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource.
- **Moderate:** the effect would be easily identifiable and would change the function or integrity of the resource.
- **Major:** the effect would irretrievably alter the resource.

Some impacts may require mitigation. As defined in ARM 12.2.429, mitigation means:

- Avoiding an impact by not taking a certain action or parts of a project;
- Minimizing impacts by limiting the degree or magnitude of a project and its implementation;
- Rectifying an impact by repairing, rehabilitating, or restoring the affected environment; or
- Reducing or eliminating an impact over time by preservation and maintenance operations during the life of a project or the time period thereafter that an impact continues.

A list of any mitigation strategies including, but not limited to, design, enforceable controls or stipulations, or both, as applicable to the proposed project is included in **Section VI** above.

FWP must analyze impacts to the physical and human environment for each alternative considered. The proposed project considered the following alternatives:

- **Alternative 1: No Action. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population**

Under the “No Action” alternative, the proposed project would not occur. Therefore, no additional impacts to the physical environment or human population in the analysis area would occur. The “No Action” alternative forms the baseline from which the potential impacts of the proposed project can be measured.

If the No Action Alternative is selected, FWP would not accept a land donation from TPL to be managed under FWP’s Administrative Region 3 FAS Management Plan. The proposed acquisition project would not proceed, and the benefits of the proposed action would not be realized. The proposed project site on the Upper Yellowstone River would not be managed by FWP, and therefore public access could be further restricted.

- **Alternative 2: Proposed Project. Evaluation and Summary of Potential Impacts on the Physical Environment and Human Population**

Under Alternative 2, FWP would accept the donation of 82 acres of land from TPL on the Yellowstone River and manage it as an FAS. Potential impacts from the proposed project include litter and human waste from increased recreational use, and minor disturbance of wildlife. However, unmanaged and illegal recreational use is already occurring, and managing that use under the FAS program would likely result in benefits to both recreational users and the habitat. See *Cumulative Impacts Analysis: Table 3, Impacts on Physical Environment*; and *Table 4, Impacts on Human Population*, below.

VIII. Cumulative Impacts Analysis

For the purposes of MEPA, "cumulative impact" means the collective impacts on the human environment of the proposed action when considered in conjunction with other past and present actions related to the proposed action by location or generic type. Related future actions must also be considered when such actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures. ARM 12.2.429(7).

"Action" means a project, program or activity directly undertaken by the agency; a project or activity supported through a contract, grant, subsidy, loan or other form of funding assistance from the agency, either singly or in combination with one or more other state agencies; or a project or activity involving the issuance of a lease, permit, license, certificate, or other entitlement for use or permission to act by the agency, either singly or in combination with other state agencies. ARM 12.2.429(1).

Under the "No Action" alternative, the proposed project would not occur. Therefore, no cumulative impacts to the affected human environment would occur. The "No Action" alternative forms the baseline from which the potential impacts of the proposed project are measured. Past and present actions are accounted for as part of the existing, or "baseline," environmental conditions of the affected human environment prior to approval and implementation of the proposed project, and any known future related project(s).

FWP is unaware of any future related actions that would cumulatively impact the affected human environment with consideration for the proposed project and/or any past and present actions. For the purposes of the proposed project, the cumulative impacts analysis applies to all resources analyzed under Alternative 2, Proposed Project. See Tables 3 and 4 of this Draft EA.

Table 3 - Potential Impacts of Proposed Project on the Physical Environment

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Terrestrial, avian, and aquatic life and habitats	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to terrestrial, avian, and aquatic life and habitats would be expected from the proposed project. The property is approximately 82 acres in size. Long-term, negligible impacts to the abundance and movement of terrestrial and avian species would be expected during hours when FAS-users are actively present at the site and consistent with current impacts at the existing property without management from FWP.
Water quality, quantity, and distribution	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to water quality, quantity and distribution would be expected because of the proposed acquisition.
Geology	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to geology would be expected because of the proposed acquisition. No unique geologic formations are located within the proposed FAS; therefore, no impacts to geology would be expected.
Soil quality, stability, and moisture	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to soil quality, stability, and moisture would be expected because of the proposed acquisition. Under this proposal, FWP will permit camping within 50 ft of the normal high-water mark. FWP will monitor impacts to the island from visitation and camping, and signs of serious bank erosion resulting from this activity could result in restrictions on camping. Therefore, long-term and moderate impacts would be expected because of the project.
Vegetation cover, quantity, and quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to vegetation cover, quantity, and quality would be expected because of the proposed acquisition. FWP would manage the land under the current Statewide Weed Management Plan to monitor and control the spread of noxious weeds). Therefore, long-term and moderate beneficial impacts would be expected because of the proposed project.

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	Resource	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	
Aesthetics	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to aesthetics would be expected because of the proposed acquisition. The public already use this property (both legally and illegally) to picnic and occasionally camp on, so the aesthetics will largely stay the same. However, FWP would monitor and clean the site for garbage, prohibited fire rings, etc., so overall the aesthetics are expected to slightly improve.
Air quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to air quality would be expected because of the proposed acquisition.
Unique, endangered, fragile, or limited environmental resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>No significant adverse impacts to unique, endangered, fragile, or limited environmental resources would be expected because of the proposed project. The proposed acquisition would protect this island parcel from any future development with the goal of conserving habitat for wildlife and to sustain the ecological integrity of the landscape. No species of concern and Threatened or Endangered (T&E) species have been observed at the project site however some species can be found in the affected area. T&E species in the affected area include:</p> <p>Grizzly Bear (<i>Ursus arctos</i>) Silver-haired Bat (<i>Lasionycteris noctivagans</i>) Great Blue Heron (<i>Ardea herodias</i>) Rocky Mountain Cutthroat Trout (<i>Oncorhynchus virginalis</i>)</p> <p>This is not a complete list of T&E species in the affected area. The proposed FAS would continue to allow pack in/pack out river access to the island, and no infrastructure construction is proposed. Therefore, any impact from the proposed project to unique, endangered, fragile, or limited environmental resources would be long-</p>

PHYSICAL ENVIRONMENT	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Resource									term, negligible, adverse, and generally consistent with current impacts at the proposed project site.
Historical and archaeological sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse effects to historic and archaeological sites would be expected because of the proposed project. In keeping with the Montana Antiquities Act and related regulations (12.8.501-12.8.510), all undertakings on state lands are assessed by a qualified archaeologist or historian for their potential to affect cultural resources. The process for this assessment may include a cultural resource inventory and evaluation of cultural resources within or near the project area, in consultation with the State Historic Preservation Office. FWP also consults with all Tribal Historic Preservation Offices affiliated with each property in accordance with FWP's Tribal Consultation Guidelines. If cultural resources within or near the project area are recorded as eligible for the National Register of Historic Places, they will be protected from adverse effects through adjustments to the project design or cancellation of the project if no design alternatives are available. If cultural resources are unexpectedly discovered during project implementation, FWP will cease implementation, and contact FWP's Heritage Program for further evaluation. No ground disturbing activities are planned for the site or any other work that might constitute and undertaking requiring heritage review and consultation.
Demands on environmental resources of land, water, air, and energy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Table 4 - Potential Impacts of Proposed Project on the Human Population

HUMAN POPULATION	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Social structures and mores	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No impacts on social structures and mores are expected from the proposed project.
Cultural uniqueness and diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No impacts to cultural uniqueness and diversity are expected from the proposed project.
Access to and quality of recreational and wilderness activities	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed project would provide legal access to high-quality recreational opportunities on the upper Yellowstone River including walking, camping, hunting, fishing, rock hunting, and birding for perpetuity. Such access is becoming increasingly difficult to acquire in the Paradise Valley, and this project is a rare opportunity to achieve such a win for the public.
Local and state tax base and tax revenues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	FWP pays property taxes at the same rate as private citizens (MCS-87-1-603), so there would be no change to tax revenues from the proposed project.
Agricultural or Industrial production	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts would be expected because of the proposed project.
Human health and safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No significant adverse impacts to human health and safety are expected because of the proposed project.
Quantity and distribution of employment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed project is not expected to impact the quantity of distribution of employment in the area.
Distribution and density of population and housing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed project is not expected to impact the distribution and density of housing in the area.
Demands for government services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If FWP does gain ownership of this island, demands for government (FWP) services would increase including regular monitoring of the island for garbage, human waste, prohibited fire rings, etc. FWP would also initiate

HUMAN POPULATION	Duration of Impact			Severity of Impact					Summary of Potential Direct, Secondary, and Cumulative Impacts and Mitigation Measures
	None	Short-Term	Long-Term	None	Negligible	Minor	Moderate	Major	
Resource									and maintain weed control activities on the parcel. These impacts would be long-term and minor.
Industrial, agricultural, and commercial activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Locally adopted environmental plans and goals	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed acquisition would support locally adopted environmental plans and goals. The <i>2017 Park County Growth Policy</i> includes as part of its vision statement, “Park County is a place where the natural environment is a source of economic diversity and jobs, and provides tranquility, beautiful scenery and a unique way of life that attracts people here to call Park County home”. One of the specific goals (Goal 2) of the growth policy is to reduce huma-wildlife conflict, and FWP’s acquisition of this property would support that, as FWP would require food storage for all campers on the island as part of its public use rules. This acquisition would also support Goal 7: “Promote the use and enjoyment of publicly owned lands and waters”, and Objective 17.2, to “Recognize the value of Park County’s unique natural amenities and recreational opportunities as competitive strengths, attracting talent and companies that diversify and strengthen the economy.” This acquisition would improve public access, in line with FWP’s objectives for the affected area. Therefore, any impacts from the proposed project on locally adopted environmental plans and goals would be long-term, moderate, and beneficial.
Other appropriate social and economic circumstances	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Table 6: Determining the Significance of Impacts on the Quality of the Human Environment

If the EA identifies impacts associated with the proposed project FWP must determine the significance of the impacts. ARM 12.2.431. This determination forms the basis for FWP’s decision as to whether it is necessary to prepare an environmental impact statement. An impact may be adverse, beneficial, or both. If none of the adverse effects of the impact are significant, an EIS is not required. An EIS is required if an impact has a significant adverse effect, even if the agency believes that the effect on balance will be beneficial. ARM 12.2.431.

According to the applicable requirements of ARM 12.2.431, FWP must consider the criteria identified in this table to determine the significance of each impact on the quality of the human environment. The significance determination is made by giving weight to these criteria in their totality. For example, impacts identified as moderate or major in severity may not be significant if the duration is short-term. However, moderate or major impacts of short-term duration may be significant if the quantity and quality of the resource is limited and/or the resource is unique or fragile. Further, moderate or major impacts to a resource may not be significant if the quantity of that resource is high or the quality of the resource is not unique or fragile.

Criteria Used to Determine Significance

1	<p>The severity, duration, geographic extent, and frequency of the occurrence of the impact</p> <p>“Severity” describes the density of the potential impact, while “extent” describes the area where the impact will likely occur, e.g., a project may propagate ten noxious weeds on a surface area of 1 square foot. Here, the impact may be high in severity, but over a low extent. In contrast, if ten noxious weeds were distributed over ten acres, there may be low severity over a larger extent.</p> <p>“Duration” describes the time period during which an impact may occur, while “frequency” describes how often the impact may occur, e.g., an operation that uses lights to mine at night may have frequent lighting impacts during one season (duration).</p>
2	<p>The probability that the impact will occur if the proposed project occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur</p>
3	<p>Growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts</p>
4	<p>The quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources and values</p>
5	<p>The importance to the state and to society of each environmental resource or value that would be affected</p>
6	<p>Any precedent that would be set as a result of an impact of the proposed project that would commit FWP to future actions with significant impacts or a decision in principle about such future actions</p>
7	<p>Potential conflict with local, state, or federal laws, requirements, or formal plans</p>

IX. Private Property Impact Analysis (Takings)

The 54th Montana Legislature enacted the Private Property Assessment Act, now found at § 2-10-101. The intent was to establish an orderly and consistent process by which state agencies evaluate their proposed projects under the "Takings Clauses" of the United States and Montana Constitutions. The Takings Clause of the Fifth Amendment of the United States Constitution provides: "nor shall private property be taken for public use, without just compensation." Similarly, Article II, Section 29 of the Montana Constitution provides: "Private property shall not be taken or damaged for public use without just compensation..."

The Private Property Assessment Act applies to proposed agency projects pertaining to land or water management or to some other environmental matter that, if adopted and enforced without due process of law and just compensation, would constitute a deprivation of private property in violation of the United States or Montana Constitutions.

The Montana State Attorney General's Office has developed guidelines for use by state agencies to assess the impact of a proposed agency project on private property. The assessment process includes a careful review of all issues identified in the Attorney General's guidance document (Montana Department of Justice 1997). If the use of the guidelines and checklist indicates that a proposed agency project has taking or damaging implications, the agency must prepare an impact assessment in accordance with Section 5 of the Private Property Assessment Act.

Table 7: Private Property Assessment (Takings)

PRIVATE PROPERTY ASSESSMENT ACT (PPAA)			
Does the Proposed Action Have Takings Implications under the PPAA?	Question #	Yes	No
Does the project pertain to land or water management or environmental regulations affecting private property or water rights?	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action result in either a permanent or an indefinite physical occupation of private property?	2	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action deprive the owner of all economically viable uses of the property?	3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action require a property owner to dedicate a portion of property or to grant an easement? (If answer is NO, skip questions 4a and 4b and continue with question 5)	4	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there a reasonable, specific connection between the government requirement and legitimate state interest?	4a	<input type="checkbox"/>	<input type="checkbox"/>
Is the government requirement roughly proportional to the impact of the proposed use of the property?	4b	<input type="checkbox"/>	<input type="checkbox"/>
Does the action deny a fundamental attribute of ownership?	5	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action have a severe impact of the value of the property?	6	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public general? (If the answer is NO, skip questions 7a-7c.)	7	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the impact of government action direct, peculiar, and significant?	7a	<input type="checkbox"/>	<input type="checkbox"/>
Has the government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?	7b	<input type="checkbox"/>	<input type="checkbox"/>
Has the government action diminished property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?	7c	<input type="checkbox"/>	<input type="checkbox"/>
Does the proposed action result in taking or damaging implications?		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Taking or damaging implications exist if **YES** is checked in response to Question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if **NO** is checked in response to question 4a or 4b.

If taking or damaging implications exist, the agency must comply with MCA § 2-10-105 of the PPAA, to include the preparation of a taking or damaging impact assessment. Normally, the preparation of an impact assessment will require consultation with agency legal staff.

Alternatives:

The analysis under the Private Property Assessment Act, §§ 2-10-101 through -112, MCA, indicates no impact. FWP does not plan to impose conditions that would restrict the regulated person's use of private property to constitute a taking.

X. Public Participation

The level of analysis in an EA will vary with the complexity and seriousness of environmental issues associated with a proposed action. The level of public interest will also vary. FWP is responsible for adjusting public review to match these factors (ARM 12.2.433(1)). Because FWP determines the proposed action will result in limited environmental impact, and little public interest has been expressed, FWP determines the following public notice strategy will provide an appropriate level of public review:

- *An EA is a public document and may be inspected upon request. Any person may obtain a copy of an EA by making a request to FWP. If the document is out-of-print, a copying charge may be levied (ARM 12.2.433(2)).*
- *Public notice will be served on the Montana Fish, Wildlife and Parks website at: <https://fwp.mt.gov/news/public-notices>. Public notice will announce the availability of the Draft EA, summarize its content, and solicit public comment.*
- *Copies will be distributed to neighboring landowners to ensure their knowledge of the proposed project and opportunity for review and comment on the proposed action.*
- *FWP maintains a mailing list of persons interested in a particular action or type of action. FWP will notify all interested persons and distribute copies of the Draft EA to those persons for review and comment (ARM 12.2.433(3)).*
- *FWP issues a biweekly press release containing all FWP public commenting opportunities.*
 - ***Duration of Public Comment Period:*** *The public comment period begins on the date the Draft EA is published on FWP's website. Written or e-mailed comments will be accepted until 5:00 p.m., MST, on the last day of public comment period, as listed below:*

Length of Public Comment Period: 15 days

Public Comment Period Begins: March 13, 2026

Public Comment Period Ends: March 28, 2026

Comments must be addressed to the FWP contact, as listed below.

- ***Where to Mail or Email Comments on the Draft EA:***
Name: Mark Filonczuk, Region 3 Recreation Manager (Bozeman District)
Email: Mark.Filonczuk@mt.gov

Mailing Address: FWP Region 3

1400 S. 19th Ave.

Bozeman, MT 59718

XI. Recommendation for Further Environmental Analysis

NO further analysis is needed for the proposed action	<input checked="" type="checkbox"/>
FWP must conduct EIS level review for the proposed action	<input type="checkbox"/>

XII. EA Preparation and Review

	Name	Title
EA prepared by:	Mark Filonczuk	Recreation Manager
EA reviewed by:	Linnaea Schroeer	Regional Recreation Manager



Figure 3: Siskin Island (view to the north)



Figure 4: Siskin Island (view to the south)