

Environmental Assessment Checklist

Project Name: Spectrum Nine Mile Creek Crossing

Proposed Implementation Date: 21 days in 2025 or 2026

Proponent: Missoula Unit, Southwest Land Office, Montana DNRC

County: Missoula

Type and Purpose of Action

Description of Proposed Action:

Charter is proposing to install a fiber optic cable along a 20 foot wide utility easement across Nine Mile Creek along Old MT Hwy 10, located in the northwest ¼ of the southwest ¼ of Section 28, Township 15 North, Range 22 West in Missoula County.

The project is located within the MDT right-of-way in Missoula County and is intended to enhance broadband connectivity in the region as part of the ARPA project.

The installation would involve the placement of two utility poles-one on each side of Nine Mile Creek. These poles will be 35-foot Class 5 wooden poles, sourced from Montana and buried approximately 5 feet deep. All poles and anchors would be located outside the riparian area associated with Nine Mile Creek, as confirmed by the Missoula Conservation District Board of Supervisors during their April 14, 2025 meeting.

Aerial fiber optic cable would be installed between the poles using new Corning Optic Altos Ultra 48-Count Fiber. Two strands of fiber optic cable would be hung between the poles, one for transport and one for distribution. Each of these cables include 48 fibers housed in three active tubes with two filling elements, enclosed in a buffer tube and protected by a polyethylene (PE) outer jacket. The total cable diameter is 12.1 mm (0.48 inches) for each cable. Each pole would be supported by one anchor to ensure stability.

All aerial strand and cable installations would comply with the National Electrical Safety Code (NESC) standards and MDT right-of-way requirements.

No construction activities would occur within the delineated riparian zone of Nine Mile Creek. All pole placements are sited outside this sensitive area.

It would take approximately 21 days to install the utility poles and hang the proposed cable.

The easement area contains .02 acres.

Project Development

PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:
Montana DNRC, MDT and Missoula Conservation District Board of Supervisors.

OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED: (*Conservation Easements, Army Corps of Engineers, road use permits, etc.*)

- **Missoula Conservation District Board-** 310 Permit Not Required. No work in the riparian area
- **Montana Department of Transportation –** Encroachment Utility Permit

ALTERNATIVES CONSIDERED:

No-Action Alternative: Not granting the easement request for installation of a fiber optics line as proposed.

Action Alternative : Granting an easement for the installation of a fiber optics line as proposed.

Impacts on the Physical Environment

Evaluation of the impacts on the No-Action and Action Alternatives including **direct, secondary, and cumulative** impacts on the Physical Environment.

VEGETATION: Action and No Action Alternative

DNRC only has jurisdiction within the low water mark of Nine Mile Creek at the proposed location. Because there is no vegetation within the low water mark of Nine Mile creek there will be no impacts to vegetation within the low water mark for both the Action and No Action Alternative.

SOIL DISTURBANCE AND PRODUCTIVITY:

No Action: The existing condition of these resources would remain unchanged.

Action Alternative: The lines would be suspended in the air. No disturbance to soil would take place. The existing condition would remain unchanged.

WATER QUALITY AND QUANTITY:

No Action: The existing condition of these resources would remain unchanged.

Action Alternative: The lines would be suspended in the air. No disturbance to water quality and quantity would take place. The existing condition would remain unchanged.

FISHERIES:

No-Action: No direct or indirect impacts would occur to affected fish species or affected fisheries resources.

Action Alternative: The lines would be suspended in the air. No disturbance to water quality and quantity would take place. The existing condition would remain unchanged.

WILDLIFE:

Existing Conditions: Limited habitats for terrestrial and avian wildlife exist in the project area. Some use of the DNRC-managed project area by aquatic mammals, birds, and amphibians is possible. Surrounding uplands and riparian habitats likely supports a variety of wildlife species native to western Montana, however proximity to numerous forms of human disturbance, including Old Highway 10, Highway 90, human residences, and agricultural activities has likely altered wildlife use of the vicinity. The nearest known bald eagle nest is across the river from the project area and exists in close proximity to several forms of disturbance including Highway 90, Old Highway 10, and numerous other human developments. This nesting pair appears to be somewhat habituated to elevated levels of human disturbance in the area and have had several nests between Highway 90 and Old Highway 10. Habitats for yellow-billed cuckoos appear to exist in the vicinity, but no habitats occur in the project area. No known great blue heron rookeries are in the vicinity. While northern hoary bats and fringed myotis have not been documented in the vicinity, some use is possible. A suite of avian species likely travel along the Clark Fork River and could use the project area and/or surrounding terrestrial habitats. Similarly, several waterfowl species likely use the aquatic habitats in the project area for foraging.

No-Action: No further disturbance to wildlife would occur. No changes to existing habitats would occur. Collectively, no direct, indirect, or cumulative effects to terrestrial wildlife would be anticipated.

Action Alternative: By granting an easement, installation of fiber optic cables would be anticipated, which could introduce some short-duration disturbance to terrestrial wildlife species in the vicinity during proposed activities. No long-term changes in disturbance to resident wildlife species would be anticipated. Potential work would likely occur outside of the bald eagle nesting season, so potential effects to the nesting pair would be minimal, however should work be conducted during the nesting season, minimal additional effects to bald eagles would be anticipated since this pair seems semi-habituated to the disturbance levels in the area. No appreciable changes to existing habitats would be anticipated. Collectively, negligible effects to the existing suite of wildlife species would be anticipated.

AIR QUALITY:

No Action: The condition of these resources would remain unchanged.

Action Alternative: No impacts to air quality would occur as a result of this project.

ARCHAEOLOGICAL SITES / AESTHETICS / DEMANDS ON ENVIRONMENTAL RESOURCES:

Because only the bed of Nine Mile Creek is state-owned land in the project's area of potential effect, there are no cultural resource concerns. Issuance of an easement will have No Effect to state owned heritage properties as defined in the State Antiquities Act.

OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA: *List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.*

None.

Impacts on the Human Population

Evaluation of the impacts on the proposed action including **direct, secondary, and cumulative** impacts on the Human Population.

Will Alternative result in potential impacts to:	Impact												Can Impact Be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
No-Action														
Health and Human Safety	X				X				X					
Industrial, Commercial and Agricultural Activities and Production	X				X				X					
Quantity and Distribution of Employment	X				X				X					
Local Tax Base and Tax Revenues	X				X				X					
Demand for Government Services	X				X				X					
Recreational and Wilderness Activities	X				X				X					

Spectrum Nine Mile Creek-Navigable Water Easement
Montana Department of Natural Resources and Conservation EACv2.0

Will Alternative result in potential impacts to:	Impact												Can Impact Be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
Density and Distribution of population and housing	X				X				X					
Social Structures and Mores	X				X				X					
Cultural Uniqueness and Diversity	X				X				X					
Action														
Health and Human Safety	X				X				X					
Industrial, Commercial and Agricultural Activities and Production	X				X				X					
Quantity and Distribution of Employment	X				X				X					
Local Tax Base and Tax Revenues	X				X				X					
Demand for Government Services	X				X				X					
Access To and Quality of Recreational and Wilderness Activities	X				X				X					
Density and Distribution of population and housing	X				X				X					
Social Structures and Mores	X				X				X					
Cultural Uniqueness and Diversity	X				X				X					

Locally Adopted Environmental Plans and Goals: List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

None.

Other Appropriate Social and Economic Circumstances:

No Action: The No Action alternative would not generate any return to the trust at this time.

Action: Granting the proposed easement would return approximately \$259 to the Public Land Trust-Navigable Rivers.

Environmental Assessment Checklist Prepared By:

Name: Amy Helena
Title: Missoula Unit Manager
Date: July 11, 2025

Finding

Alternative Selected

I select the Action Alternative; granting an easement involving .020 acres of State-owned property below the low water mark of Nine Mile Creek, thereby accommodating the installation of an overhead fiber optics line as proposed by Spectrum.

Significance of Potential Impacts

The action alternative will not result in significant environmental impacts.

Need for Further Environmental Analysis

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EIS

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More Detailed EA

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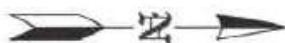
No Further Analysis

Environmental Assessment Checklist Approved By:

Name: Sierra Farmer
Title: Trust Lands Program Manager
Date: July 26, 2024
Signature: /s/



Attachment A - Exhibits



A-2: Nine Mile Creek Utility Easement

EXHIBIT A 20 FOOT WIDE UTILITY EASEMENT

PURPOSE: TO DEFINE A 20 FOOT WIDE UTILITY EASEMENT ON AND ACROSS STATE OF MONTANA LANDS, LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 15 NORTH, RANGE 22 WEST, P.M., MONTANA, MISSOULA COUNTY.

COMMISSIONED BY: LEDCOR

LEGAL DESCRIPTION: 20 FOOT WIDE UTILITY EASEMENT

A 20 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHWEST 1/4 SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 15 NORTH, RANGE 22 WEST, P.M., MONTANA, MISSOULA COUNTY, SAID 40 FOOT WIDE STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERN LOW WATER MARK OF NINE MILE CREEK, SAID POINT BEARS N27°42'00"E 244.86 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 28, THENCE S89°11'42"E 11.81 FEET TO THE EASTERN LOW WATER MARK OF SAID CREEK, THENCE S42°50'07"E 41.97 FEET TO THE EASTERN LOW WATER MARK OF SAID NINE MILE CREEK, THENCE S18°44'27"E ALONG SAID EASTERN LOW WATER MARK OF SAID NINE MILE CREEK, THENCE S49°53'07"W 42.10 FEET TO THE POINT OF BEGINNING, THE EASEMENT AREA CONTAINS 841 SQUARE FEET (19.02 ACRES) OF LAND, MORE OR LESS.

CERTIFICATE OF SURVEYOR

THOMAS E. STARK (1224915)
PROFESSIONAL LAND SURVEYOR

DATE: 6/16/2015

THOMAS E. STARK
PROFESSIONAL LAND SURVEYOR
STATE OF MONTANA
COUNTY OF MISSOULA

THIS INSTRUMENT WAS SIGNED OR ACKNOWLEDGED BEFORE ME ON THIS 16TH DAY OF June, 2015.

BY THOMAS E. STARK

NOTARY SIGNATURE

PATRICK DILPON
NOTARY PUBLIC for the State of Montana
My Comm. Expires 02/28/2017

U/4 SEC. T. R.
28 15N 22W

P.M. MONTANA,
MISSOULA COUNTY,
SHEET 1 OF 2

VICINITY MAP (no scale)

VICINITY MAP (QUADRANGLE) (no scale)

DATE: JUNE 2, 2015
JOB NO.: 14262 NINE MILE
FIELD BY: TES
DRAWN BY: TES

RIES & ASSOCIATES P.C.,
4850 GREEN WEAVER DR.,
HELENA, MONTANA 59602