

Environmental Assessment Checklist

Project Name: West Reserve Drive Utility Relocation, Stillwater River

Proposed Implementation Date: August 2024

Proponent:

- Lumen – easement
- Northwestern Energy – easement
- Skylink – easement
- Interbel – easement
- Flathead Electric – land use license and easement
- HIEM – land use license and easement
- MontanaSky – land use license and easement
- Charter/Spectrum – land use license and easement

County: Flathead

Type and Purpose of Action

Description of Proposed Action:

Montana Department of Transportation has initiated a widening project of West Reserve Drive including a bridge replacement over the Stillwater River in Kalispell, Montana. Multiple utilities need to relocate to accommodate the project and would need a Navigable River Utility Easements and, in some cases, temporary Navigable River Land Use Licenses from DNRC. Some utilities would bore underneath the riverbed, and some would be located on poles above the river. The proposed action includes utility relocation, temporary and permanent.

Lumen, Flathead Electric, HEIM, Montana Sky, and Charter/Spectrum would be located overhead and Northwestern Energy, Skylink, and Interbel would be located underground. Flathead Electric and all telecom utilities proposing to be located on their poles (HIEM, MontanaSky, and Charter/Spectrum) would temporarily move during bridge construction prior to locating at their permanent location. Lumen would move to their permanent location prior to bridge construction. Northwestern Energy would be in their own underground corridor prior to bridge construction and require a 50-foot easement. Skylink and Interbel would be in a shared underground corridor prior to bridge construction and require a 20-foot easement.

The lands involved in this proposed project are held in trust for the Public Land trust. Pursuant to Article X, Section 11(1) of the 1972 Montana Constitution and 70-1-202(1) and 77-1-102(2), MCA, the title to all navigable lakes or streams is held by the board in trust for the benefit of the public. The Board of Land Commissioners and DNRC are required by law to administer these trust lands to produce the largest measure of reasonable and legitimate return over the long run for the beneficiary institutions (Section 77-1-202, MCA).

Project Development

SCOPING:

No formal scoping outside of DNRC was initiated. DNRC Hydrologist, Josh Harris, and DNRC Biologist, Justin Cooper, were consulted during the writing of this Environmental Assessment Checklist. All DNRC Trust Lands Bureau Chiefs; Dan Rogers, Trevor Taylor, Kelly Motichka, and Deidra Klobberdanz, as well as DNRC Trust Lands Archaeologist Patrick Rennie were also consulted.

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

- Provide a list of any state, local, or federal agencies that have overlapping or additional jurisdiction or environmental review responsibility for the Proposed Action and the permits, licenses, and/or other authorizations required.
 - **Flathead County Conservation District** - 310 Permit –needed for easements that will bore underneath the Stillwater River (Northwestern Energy, Interbel, and Skylink).

ALTERNATIVES CONSIDERED:

No-Action Alternative:

No-Action Alternative would recommend Land Board denial of these easements to the proponents and Department denial of the temporary land use licenses.

Action Alternative

Action Alternative would recommend Land Board approval of these easements to the proponents and Department approval of the temporary land use licenses.

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 COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify direct, indirect, and cumulative effects to vegetation.

A minor amount of vegetation may be slightly disturbed from equipment during installation. No measurable impacts would be anticipated.

GEOLOGY AND SOIL QUALITY, STABILITY, AND MOISTURE:

No measurable impacts would be expected to occur, as a result of, the action alternative.

WATER QUALITY, QUANTITY AND DISTRIBUTION:

The underground utilities would be installed by means of horizontal directional bore underneath the Stillwater River and the point of origin for drilling would occur 100-200 feet beyond riverbank. No change to the bed or banks of the Stillwater River would occur. The overhead utilities would not disturb any water, therefore there would be no expected impacts.

FISHERIES:

No-Action: No direct or indirect impacts would occur to affected fish species or affected fisheries resources beyond those described in Fisheries Existing Conditions. Cumulative effects (other related past and present factors; other future, related actions; and any impacts described in Fisheries Existing Conditions) would continue to occur.

Action Alternative (see Fisheries table below):

Native and introduced fish species in the Stillwater River, Flathead County.

Species	Family	Class	Native to MT
<u>Bull Trout</u>	Trout	Coldwater	Native
<u>Lake Trout</u>	Trout	Coldwater	Native
<u>Largescale Sucker</u>	Sucker	Warmwater	Native
<u>Longnose Sucker</u>	Sucker	Warmwater	Native
<u>Mountain Whitefish</u>	Trout	Coldwater	Native
<u>Northern Pike Minnow</u>	Minnow		Native
<u>Peamouth</u>	Minnow		Native
<u>Redside Shiner</u>	Minnow	Warmwater	Native
<u>Slimy Sculpin</u>	Sculpin		Native
<u>Westslope Cutthroat Trout</u>	Trout	Coldwater	Native
<u>Brook Trout</u>	Trout	Coldwater	Introduced
<u>Lake Whitefish</u>	Trout	Coldwater	Introduced
<u>Northern Pike</u>	Pike	Warmwater	Introduced

Rainbow Trout	Trout	Coldwater	Introduced
Yellow Perch	Perch	Warmwater	Introduced

The Table above shows native and introduced species present in the Stillwater River. No measurable or adverse impacts are expected as a result of the action alternative.

WILDLIFE:

No-Action: None of the proposed activities would occur. No wildlife habitat would be altered, and no additional disturbance would occur. Thus, no direct, indirect or cumulative effects to terrestrial wildlife species would be anticipated.

Action Alternative (see Wildlife table below):

Wildlife	Impact												Can Impact be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
Threatened and Endangered Species														
Grizzly bear <i>(Ursus arctos)</i> Habitat: Recovery areas, security from human activity	X				X				X					WI-1
Lynx (<i>Felis lynx</i>) Habitat: SF hab.types, dense sapling, old forest, deep snow zone	X				X				X					WI-2
Yellow-billed cuckoo (<i>Coccyzus americanus</i>) Habitat: open cottonwood riparian forest with dense brush understories (Lake and Flathead counties)	X				X				X					WI-2
Wolverine (<i>Gulo gulo</i>) Habitat: high elevation areas that retain high snow levels in late spring	X				X				X					WI-2
Sensitive Species														
Bald eagle <i>(Haliaeetus leucocephalus)</i> Habitat: Late-successional forest	X				X				X					WI-3

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Wildlife	Impact												Can Impact be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
within 1 mile of open water														
Black-backed woodpecker <i>(Picooides arcticus)</i> Habitat: Mature to old burned or beetle-infested forest	X				X				X					WI-2
Common loon <i>(Gavia immer)</i> Habitat: Cold mountain lakes, nest in emergent vegetation	X				X				X					WI-2
Fisher <i>(Martes pennanti)</i> Habitat: Dense mature to old forest less than 6,000 feet in elevation and riparian	X				X				X					WI-2
Flammulated owl <i>(Otus flammeolus)</i> Habitat: Late-successional ponderosa pine and Douglas-fir forest	X				X				X					WI-2
Peregrine falcon <i>(Falco peregrinus)</i> Habitat: Cliff features near open foraging areas and/or wetlands	X				X				X					WI-2
Pileated woodpecker <i>(Dryocopus pileatus)</i> Habitat: Late-successional ponderosa pine and larch-fir forest	X				X				X					WI-2
Fringed myotis <i>(Myotis thysanodes)</i> Habitat: low elevation ponderosa pine, Douglas-fir and riparian forest with	X				X				X					WI-2

Wildlife	Impact												Can Impact be Mitigated?	Comment Number
	Direct				Secondary				Cumulative					
	No	Low	Mod	High	No	Low	Mod	High	No	Low	Mod	High		
diverse roost sites including outcrops, caves, mines														
Hoary bat <i>(Lasiurus cinereus)</i> Habitat: coniferous and deciduous forests and roost on foliage in trees, under bark, in snags, bridges	X				X				X					WI-2
Townsend's big-eared bat <i>(Plecotus townsendii)</i> Habitat: Caves, caverns, old mines	X				X				X					WI-2
Big Game Species														
Elk	X				X				X					WI-2
Whitetail	X				X				X					WI-2
Mule Deer	X				X				X					WI-2
Moose	X				X				X					WI-2

Comments:

WI-1. The proposed project area occurs outside of grizzly bear Recovery Areas, approximately 9.4 miles from the nearest Recovery Zone (USFWS 1993, Wittinger 2002). Appreciable use of the project area by grizzly bears is very unlikely due to distance from high quality habitat, high levels development, and surrounding occupied home sites. Duration of proposed activities would be relatively short and would not affect preferred bear habitat (e.g. berry patches). Thus, negligible direct, indirect, or cumulative effects to grizzly bears would be anticipated as a result of the proposed activities.

WI-2. This species was evaluated, and it was determined that the Project Area lies outside of the normal distribution for the species, and/or suitable habitat was not found to be present.

WI-3. The proposed project is approximately 0.8 miles from a known bald eagle nest site, however current occupancy is unknown. There have been recent observations (within 3 years) of eagles foraging and traveling in the vicinity of the proposed project area (MNHP, 2024). Eagles that use this area are likely habituated to high levels of human disturbance from nearby residential & road activity. Considering the limited duration and scope of the proposed project and the existing level of disturbance, negligible adverse direct, secondary, or cumulative effects to bald eagles would be anticipated.

Wildlife Mitigations:

- If a threatened or endangered species is encountered, consult a DNRC biologist and develop additional mitigations that are consistent with the administrative rules for managing threatened and endangered species (ARM 36.11.428 through 36.11.435). Similarly, if undocumented nesting raptors are encountered within ½ mile of the Project Area contact a DNRC biologist.

Literature:

Montana Natural Heritage Program (MNHP). 2024. Environmental Summary Report for Latitude 48.17814 to 48.30159 and Longitude -114.20043 to -114.39190. Retrieved on 7/25/2024, from <http://mtnhp.org/MapView>.

USFWS. 1993. Grizzly bear recovery plan. Missoula, Montana. 181 pp.

Wittinger, W.T. 2002. Grizzly bear distribution outside of recovery zones. Unpublished memorandum on file at USDA Forest Service, Region 1. Missoula, Montana. 2pp.

AIR QUALITY:

What pollutants or particulate would be produced (i.e. particulate matter from road use or harvesting, slash pile burning, prescribed burning, etc)? Identify the Airshed and Impact Zone (if any) according to the Montana/Idaho Airshed Group. Identify direct, indirect, and cumulative effects to air quality.

- NONE

ARCHAEOLOGICAL SITES / AESTHETICS / DEMANDS ON ENVIRONMENTAL RESOURCES:

Should any historical or archeological sites be discovered, during these activities, all use will cease until a DNRC Archaeologist is consulted.

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.*

- Montana Department of Transportation, *Reserve Drive – W of Whitefish Stage*, Categorical Exclusion Documentation, dated September 6th, 2023.

Impacts on the Human Population

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

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

Human Health and Safety:

Identify any health and safety risks posed by the project.

- NONE

Industrial, Commercial, and Agricultural Activities and Production:

Identify how the project would add to or alter these activities.

- NONE

Quantity and Distribution of Employment

Estimate the number of jobs the project would create, move or eliminate. Identify direct, indirect, and cumulative effects to the employment market.

- NONE

Local and State Tax Base and Tax Revenues:

Estimate tax revenue the project would create or eliminate. Identify direct, indirect, and cumulative effects to taxes and revenue.

- NONE

Access to and Quality of Recreational and Wilderness Activities

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify direct, indirect, and cumulative effects to recreational and wilderness activities.

- The Stillwater River is considered a navigable river and is held by the board in trust for the benefit of the public and provides recreational opportunities for the public. No measurable impacts would be anticipated.

Social Structures and More

Identify potential disruption of native or traditional lifestyles or communities.

- None

Other Appropriate Social and Economic Circumstances:

Costs, revenues and estimates of return are estimates intended for relative comparison of alternatives. They are not intended to be used as absolute estimates of return.

The easements would generate \$3,620 and the land use licenses would generate \$600 dollars in revenue to the trust beneficiaries. Valuation of the easements was determined on current market land values per acre which includes a 50% deduction for navigable waters. Valuation of the land use license is set by statute (MCA 77-1-1110(2)).

Environmental Assessment Checklist Prepared By:

Name: Kari Nielsen
Title: NWLO Land Use Planner
Date: July 26, 2024

Finding

Alternative Selected

Action Alternative

Significance of Potential Impacts

Boring under the Stillwater River and overhead lines over the Stillwater River have little to no impact to the surrounding environment. No impacts are expected to the environment due to these actions.

Need for Further Environmental Analysis

EIS

More Detailed EA

No Further Analysis

Environmental Assessment Checklist Approved By:

Name: David M. Poukish
Title: Kalispell Unit Manager, DNRC
Date: 07/29/2024
Signature: /s/ David M. Poukish

Attachment A - Maps

A-1: Project Vicinity Map



