

February 20, 2009
1420 East 6th Ave.
P.O. Box 200701
Helena, MT 59620-0701

Environmental Quality Council
Montana Department of Environmental Quality
Montana Department of Fish, Wildlife and Parks
Fisheries Division
Endangered Species Coordinator
Bozeman Office

Montana State Library, Helena

MT Environmental Information Center

Montana Audubon Council

Montana Wildlife Federation

Wayne Hadley, 1016 Eastside Road, Deer Lodge, MT 59722

Montana River Action, 304 N 18th Ave., Bozeman, MT 59715

Park Conservation District, 5242 Highway 89 South, Livingston, MT 59047

U.S. Army Corp of Engineers, Helena

U.S. Fish and Wildlife Service, Helena

State Historic Preservation Office, Helena

David Kascht, NRCS, Bozeman Area Office, 10 East Babcock Street, Federal Building, Room 443, Bozeman, MT 59715

Joe Brooks Chapter of Trout Unlimited, P.O. Box 1378, Livingston, MT 59047

Park County Commissioners, 414 East Callender, Livingston, MT 59047

Todd Wester, Livingston School Districts 4 & 1, 132 South B St., Livingston, MT 59047

Dr. Dan Voyich, P.O. Box 510, Livingston, MT 59047

Ladies and Gentlemen:

Please find enclosed an Environmental Assessment prepared for the Future Fisheries Improvement Program. The Program tentatively plans to provide partial funding for a channel restoration project on a degraded reach of Fleshman Creek, a tributary to the Yellowstone River. The intent of the project is to enhance fish habitat on a degraded reach of the stream and improve water quality within and downstream of the project site. This proposed project is located on the Voyich Ranch immediately west of the city of Livingston in Park County.

Please submit any comments that you have by 5:00 P.M., March 23, 2009 to the Department of Fish, Wildlife and Parks in Helena at the address listed above. Funding of this project is contingent upon approval being granted by the Fish, Wildlife and Parks Commission. If you have any questions, feel free to contact me at (406) 444-2432. Please note that this draft EA will be considered as final if no substantive comments are received by the deadline listed above.

Sincerely,

Mark Lere, Program Officer
Habitat Protection Bureau
Fisheries Division
mlere@mt.gov

ENVIRONMENTAL ASSESSMENT

Fisheries Division Montana Fish, Wildlife and Parks Fleshman Creek Channel Restoration Project

General Purpose: The 1995 Montana Legislature enacted statute 87-1-272 through 273 which directs the Department to administer a Future Fisheries Improvement Program. The program involves physical projects to restore degraded fish habitat in rivers and lakes for the purpose of improving wild fisheries. The legislature established an earmarked funding account to help accomplish this goal.

The Future Fisheries Improvement Program is proposing to provide partial funding for a project calling for the restoration of a 2,400-foot reach of Fleshman Creek, a tributary to the Yellowstone River. The project is designed to restore the dimension, pattern and profile of the channel to improve natural channel function and overall aquatic habitat. The project also would reduce sediment and nutrient loading into the stream by controlling livestock grazing and removing an existing feedlot water gap. This reach of stream has been degraded by historic channelization and past livestock grazing practices. The project site is located immediately west of the town of Livingston on the Voyich Ranch in Park County (Attachment 1).

- I. Location of Project: This project will be conducted on Fleshman Creek, a tributary to the Yellowstone River, located near the town of Livingston within Township 2 South, Range 9 East, Section 23 in Park County.
- II. Need for the Project: One goal within Montana Fish, Wildlife and Parks six-year plan of operation for the fisheries program is to “restore and enhance degraded habitat” by implementing habitat restoration projects and administering the Future Fisheries Improvement Program to restore important habitats on public and private lands. This proposed project would help achieve this goal.

Fleshman Creek, as it flows through the Voyich Ranch, has been a subject of past channelization and overgrazing by livestock. These perturbations have resulted in extensive channel incision, increased channel width and associated decreased channel depth, bank instability and the loss of woody riparian vegetation. Currently, the over-widened and shallow channel has accumulations of 1 to 2 feet of silt and provides very poor habitat for trout. Additionally, an existing concentrated livestock feeding area located on the active channel is contributing sediment and nutrients to the stream and degrading water quality. This proposed project calls for the restoration of natural channel function and enhancement of fish and wildlife habitat on a 2,400-foot degraded reach of stream.

III. Scope of the Project:

The project proposes to restore a 2,400-foot degraded reach of Fleshman Creek. Restoration activities call for reconstruction of a stable, narrow and relatively deep channel that provides for high quality fish habitat and, at the same time, creates hydraulic conditions that would efficiently transport fine sediment (Attachment 2). The bank full flow on this reach of stream is estimated at 30 cubic feet per second and the new channel design will be based on both an analog and hydraulic modeling approach. A typical plan detail for construction of a pool-riffle segment is shown in Attachment 3. Due to the lack of existing native sod, the new stream banks would be constructed using encapsulated soil lifts that are seeded with

native grasses and planted with native riparian shrubs. The restored riparian corridor would be fenced using wildlife friendly designs as outlined in the Future Fisheries Improvement Program. Additionally, the existing concentrated livestock feeding area would be excluded from the riparian corridor with the installation of rail fencing and a new livestock watering facility would be developed using a well, pipeline and stock tank system.

This proposed project would complement other planned projects located in the watershed, including the potential for improving instream flow and restoring lower reaches of the stream to improve aquatic habitat and enhance migratory connectivity to the Yellowstone River. Additionally, the community plans to use this project to promote educational opportunities (biology and agriculture) through the local school system. This project is expected to cost \$172,830.00. Of this total, the Future Fisheries Improvement Program would be contributing up to \$54,326.30 to complete the project.

IV. Environmental Impact Checklist:

Please see attached checklist.

V. Explanation of Impacts to the Physical Environment

1. Terrestrial and aquatic life and habitats.

Restoring a degraded reach of Fleshman Creek is expected to create healthier habitat for aquatic life by reducing fine sediment deposition and restoring natural channel function through reconstruction of the dimension, pattern and profile of the existing channel. Improvements in aquatic habitat and water quality are expected to enhance the mixed salmonid assemblage residing in this reach of Fleshman Creek. Additionally, proposed streamside fencing and planting of native riparian shrubs are expected to enhance habitat for riparian dependent wildlife.

2. Water quantity, quality and distribution.

Short-term increases in turbidity will occur during project construction. To minimize turbidity, construction will occur during a low flow period and operation of equipment in the stream channel will be minimized to the extent practicable. The Department of Environmental Quality will be contacted to determine narrative conditions required to meet short-term water quality standards and protect aquatic biota (318 authorization). A 310 permit (Natural Streambed and Land Preservation Act) will be obtained from the local Conservation District and the U.S. Army Corp of Engineers will be contacted to determine the requirements to meet the federal clean Water Act (404 permit).

3. Geology and soil quality, stability and moisture.

Soils within the footprint of the restored channel would be disturbed during construction of the new channel and floodplain. Newly constructed stream banks would be stabilized with encapsulated soil lifts and re-vegetated with native grasses and riparian shrubs. All additional areas disturbed during the construction phase would be re-vegetated with native plants. Additionally, exclusion of a concentrated livestock feeding area from the active channel will reduce sediment and nutrient loading into the stream. Overall, the project is expected to improve channel stability by returning

the stream to a naturally functioning condition that is capable of efficiently transporting fine sediment.

4. Vegetation cover, quantity and quality.

Riparian vegetation would be disturbed during the period of construction. However, proposed re-vegetation efforts and streamside fencing would result in an overall improvement to the riparian community.

5. Aesthetics.

During the period of construction, aesthetics would be adversely impacted due to on-site construction activities and the presence of heavy equipment. Construction is expected to occur over a three to four week period. In the long term, aesthetics would be enhanced by restoring a degraded reach of Fleshman Creek to a healthier and more complex stream environment.

6. Unique, endangered, fragile, or limited environmental resources.

The Yellowstone River supports fluvial and resident forms of Yellowstone cutthroat trout. Yellowstone cutthroat trout is a species of special concern in Montana. Enhancement of the aquatic habitat in this reach of Fleshman Creek is expected to benefit Yellowstone cutthroat trout in both the stream and potentially the Yellowstone River.

7. Historic and archaeological sites

The proposed project may require an individual Army Corp of Engineers 404 permit. Therefore, the State Historic Preservation Office will be contacted to determine the need for compliance with the federal historic preservation regulations. Funding will not be released until a cultural clearance is granted.

VI. Explanation of Impacts on the Human Environment.

1. Access to & quality of recreational activities.

This project intends to improve the diversity and quality of fish habitat and riparian condition within a degraded reach of Fleshman Creek. As a result, the recreational fisheries within this reach of Fleshman Creek are expected to improve.

VII. Discussion and Evaluation of Reasonable Alternatives.

1. No Action Alternative

If no action is taken, this reach of Fleshman Creek will remain degraded, fish habitat will be poor, a concentrated livestock feeding area adjacent to the stream will continue to degrade water quality and the riparian corridor will continue to lack woody shrubs. Recreational opportunities associated with fish and wildlife resources will remain reduced and aesthetics will continue to be impaired.

2. The Proposed Alternative

The proposed alternative is designed to restore approximately 2,400 feet of degraded channel on Fleshman Creek. This restoration work would restore the natural function of the stream channel and provide conditions that would allow for the efficient transport of fine sediment. The restored channel would create diverse aquatic habitat that is expected to enhance the resident fisheries found there. Additionally, restoration of the riparian vegetative community is expected to enhance habitat for riparian dependent wildlife.

VIII. Environmental Assessment Conclusion Section

1. Is an EIS required? No.

We conclude from this review that the proposed activities will have a positive impact on the physical and human environment.

2. Level of public involvement.

The proposed project was reviewed and supported by the public review panel of the Future Fisheries Improvement Program. The Fish, Wildlife and Parks Commission also will review the proposed project and funding will be contingent upon their approval. The Environmental Assessment (EA) is being distributed to all individuals and groups listed on the cover letter. The EA will be published on Montana Fish, Wildlife and Park's web page: fwp.mt.gov.

3. Duration of comment period?

Public comment will be accepted through 5:00 PM on March 23, 2009.

4. Person responsible for preparing the EA.

Mark Lere, Program Officer
Habitat Protection Bureau
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Montana Department of Fish, Wildlife and Parks
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Helena, MT 59620
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MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS
 1420 E 6th Ave, PO BOX 200701, Helena, MT 59620-0701
 (406) 444-2535

ENVIRONMENTAL ASSESSMENT

Project Title Fleshman Creek Channel Restoration Project

Division/Bureau Fisheries Division -Future Fisheries Improvement

Description of Project The Future Fisheries Improvement Program is proposing to provide partial funding for a project calling for the restoration of a degraded, 2,400-foot reach of Fleshman Creek, a tributary to the Yellowstone River. The intent of this project is to improve natural channel function, water quality and overall aquatic habitat. The project site is located immediately west of the town of Livingston on the Voyich Ranch in Park County.

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

	MAJOR	MODERATE	MINOR	NONE	UNKNOWN	COMMENTS ON ATTACHED PAGES
1. Terrestrial & aquatic life and habitats			X			X
2. Water quality, quantity & distribution			X			X
3. Geology & soil quality, stability & moisture			X			X
4. Vegetation cover, quantity & quality			X			X
5. Aesthetics			X			X
6. Air quality				X		
7. Unique, endangered, fragile, or limited environmental resources			X			X
8. Demands on environmental resources of land, water, air & energy				X		
9. Historical & archaeological sites					X	X

POTENTIAL IMPACTS ON THE HUMAN ENVIRONMENT

	MAJOR	MODERATE	MINOR	NONE	UNKNOWN	COMMENTS ON ATTACHED PAGES
1. Social structures & mores				X		
2. Cultural uniqueness & diversity				X		
3. Local & state tax base & tax revenue				X		
4. Agricultural or industrial production				X		
5. Human health				X		
6. Quantity & distribution of community & personal income				X		
7. Access to & quality of recreational and wilderness activities			X			X
8. Quantity & distribution of employment				X		
9. Distribution & density of population & housing				X		
10. Demands for government services				X		
11. Industrial & commercial activity				X		
12. Demands for energy				X		
13. Locally adopted environmental plans & goals				X		
14. Transportation networks & traffic flows				X		

Other groups or agencies contacted or which may have overlapping jurisdiction Park Conservation District, US Fish and Wildlife Service, US Army Corp of Engineers, Montana Department of Environmental Quality, State Historic Preservation Office, Natural Resources and Conservation Service
 Individuals or groups contributing to this EA Carol Endicott, Montana Fish, Wildlife and Parks; Oasis Environmental
 Recommendation concerning preparation of EIS No EIS required.

EA prepared by: Mark Lere
Date: January 30, 2009