



Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

August 21, 2009

To: Governor's Office, Mike Volesky, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Dept. of Natural Resources & Conservation, P.O. Box 201601, Helena, MT 59620-1601
Montana Fish, Wildlife & Parks:
 Director's Office Parks Division Lands Section FWP Commissioners
 Fisheries Division Legal Unit Wildlife Division Design & Construction
MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202
MT State Parks Association, P.O. Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923
Jack Jones, 3014 Irene St., Butte, MT 59701
Beaverhead Conservation District, 420 Barrett Street, Dillon, MT 59725
U.S. Army Corp of Engineers, Helena
U.S. Fish and Wildlife Service, Helena
U.S. Fish and Wildlife Service, 420 Barrett Street, Dillon, MT 59725
Big Hole Watershed Committee, P.O. Box 931, Butte, MT 59703
Montana Trout Unlimited, P.O. Box 7186, Missoula, MT 59807
John and Phyllis Erb, 540 Skyline Drive, Dillon, MT 59725
Dan Vermillion, FWP Commissioner, Livingston MT
Dept. of Natural Resources and Conservation, 730 N. Montana Street, Dillon, MT 59725-9424
Beaverhead County Commissioners, 2 South Pacific Street CL #4, Dillon, MT 59725
Ray and Gloria Weaver, Box 15, Wisdom MT, 59761
Fred and Lynn Hirschy, General Delivery, Wisdom, MT 59761

Ladies and Gentlemen:

The enclosed Environmental Assessment (EA) has been prepared for a proposal to implement the North Fork of the Big Hole Car Body Removal Project. This project proposes to remove six car bodies from stream bank on the North Fork of the Big Hole River and stabilize the bank with a rock toe and native vegetation. The project will improve habitat for fish and wildlife species and the aesthetics of the North Fork of the Big Hole River.

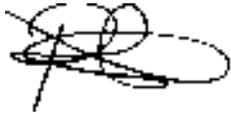
This EA is available for review in Helena at FWP's Headquarters, the State Library, and the Environmental Quality Council. It also may be obtained from FWP at the address provided above, or viewed on FWP's Internet website: <http://www.fwp.mt.gov>.

Montana Fish, Wildlife & Parks invites you to comment on the attached proposal. Public comment will be accepted until September 4, 2009 @ 5:00 pm. Comments should be sent to the following:

Montana Fish, Wildlife & Parks
North Fork Car Removal Project
Attn: Jim Magee
730 N. Montana St.
Dillon, MT 59725

Or e-mailed to: mageejames@mt.gov

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick J. Flowers', with a large, stylized flourish at the end.

Patrick J. Flowers
Region Three Supervisor

Environmental Assessment

North Fork of the Big Hole River Car Body Removal Project



*Montana Fish,
Wildlife & Parks*

Environmental Assessment MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

- 1. Type of proposed state action:** Montana Fish, Wildlife & Parks (MFWP) is proposing to provide funding and implement a project to remove six old car bodies that were placed to protect the stream bank on a reach of the North Fork of the Big Hole River. After the car bodies are removed, FWP proposes to stabilize approximately 100 meters of stream bank using a rock toe, willow clumps, and sod mats. The intent of this project is to stabilize and enhance an unnatural stream bank in order to improve habitat for fluvial (river dwelling) Arctic grayling and other native and sport fish species within this reach of the North Fork. The project is located adjacent to a county bridge on the lower North Fork Road. The project will maintain bank stability directly upstream of the bridge.
- 2. Agency authority for the proposed action:** Montana Fish, Wildlife & Parks (FWP) is required by law to implement programs that manage sensitive fish species in a manner that assists in the maintenance or recovery of those species, and that prevents the need to list species under 87-5-107 or the federal Endangered Species Act. Section 87-1-201(9)(a), M.C.A.
- 3. Anticipated Schedule:**
Estimated Construction Commencement Date: Project implementation is contingent on funding availability. If funding is available, project will begin in September 2009. If funding is not available to complete this project in Fall 2009, the project will be completed in Fall 2010.
Estimated Completion Date: December 2009 or December 2010 (depending on funding).
Current Status of Project: Design (0% complete): 90% complete
- 4. Location:**
The project site is located on property owned by John and Phyllis Erb (T1S, R15W, Section 33). The project is located directly upstream of the bridge crossing the North Fork of the Big Hole River on the Lower North Fork Road, approximately 3 miles north of the community of Wisdom in Beaverhead County (Figure 1).

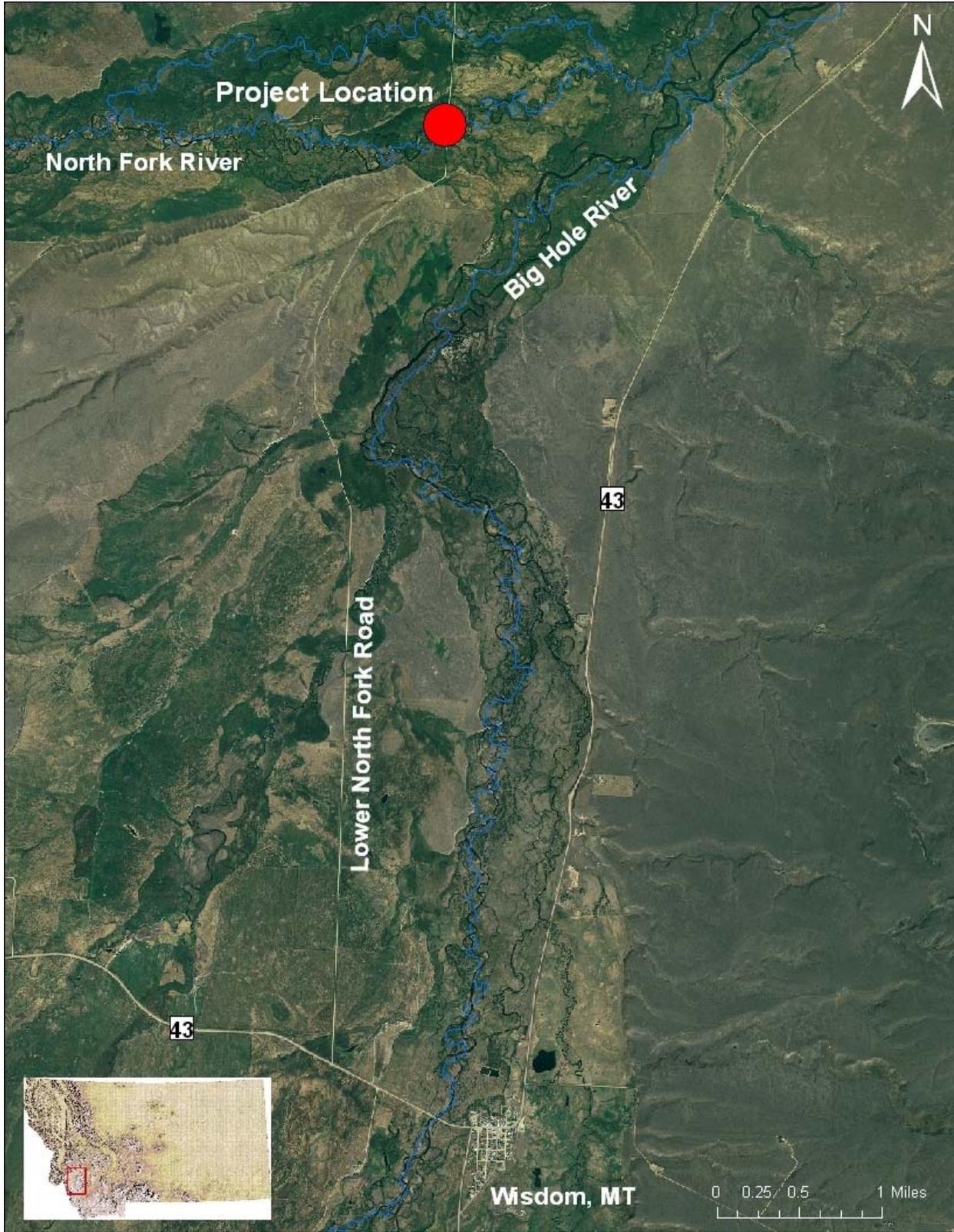


Figure 1. North Fork of the Big Hole River Car Body Removal Project located north of Wisdom, Montana.

5. Project size:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(existing shop area)		Irrigated cropland	<u>0</u>
(b) Open Space/ Woodlands/Recreation	<u>0</u>	Dry cropland	<u>0</u>
(c) Wetlands/Riparian Areas	<u><1</u>	Forestry	<u>0</u>
		Rangeland	<u>0</u>
		Other	<u>0</u>

6. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) Permits: permits will be filed at least 2 weeks prior to project start.

Agency Name	Permits
Montana Fish, Wildlife & Parks	SPA 124
U.S. Army Corps of Engineers	Section 404 Permit
Department of Environmental Quality	318 Authorization

(b) Funding:

Agency Name	Funding Amount
Montana Fish, Wildlife & Parks	Approximately \$ 25,000

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name	Type of Responsibility
Department of Natural Resources and Conservation	Water Rights,

7. Narrative summary of the proposed action:

The upper Big Hole River Basin supports the last fluvial Arctic grayling population in the lower 48 United States. These fish are classified as a “species of special concern” by MFWP because of their reduced abundance and diminished distribution.

The car bodies were placed on this 100-meter reach of the North Fork Big Hole River to stabilize the bank and prevent channel migration. Although the treatment has stabilized the bank, it does not provide the benefits or aesthetics of a natural vegetated stream bank. Replacing the car bodies with rock toe and native vegetation will stabilize the stream bank and also improve habitat (cover, shade, and food) for aquatic, avian, and terrestrial species. This project is part of a larger restoration effort on the North Fork of the Big Hole that includes channel restoration, riparian fencing, and grazing management.

The treatment involves: 1) removing and disposing of the old cars bodies, 2) constructing a rock toe on the bank, 3) re-establishing vegetation by transplanting sod mats, willow clumps, and planting willow rootstock.

8. Alternatives:

Alternative A: No Action

Under this alternative the bank in question on the North Fork of the Big Hole River will likely continue to be stable, but it will not provide adequate habitat for fish and wildlife species. In addition, aesthetic values will not be improved.

Alternative B: Proposed Action

The proposed alternative will maintain bank stability and immediately improve aesthetic values of this section of the North Fork of the Big Hole River. In addition, the proposed alternative will also improve riparian vegetation and habitats that benefit numerous fish and wildlife species.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. **Soil instability or changes in geologic substructure?			X		Yes	1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		Yes	1b.
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			X		Yes	1d.
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:						

Comments 1a. Soils along the stream margin will be disturbed during the installation of rock toe and transplanting willows and sod mats. The native vegetation used to stabilize the stream bank will mitigate impacts to the soil and improve bank stability.

Comment 1b. Temporary disruption, displacement, and erosion of the soil will occur during construction. Once the project is completed, the impacts will be removed.

Comment 1d. Short-term increases in turbidity will occur during project construction. To minimize this dynamic, construction will occur during low-flow periods and the operation of equipment in the stream channel will be minimized to the extent practical. The Department of Environmental Quality will be contacted to determine narrative conditions required to meet short-term water quality standards and protect aquatic biota. A 124 permit (Stream Protection Act) will be obtained from FWP, and a 404 permit will be obtained from the U.S. Army Corps of Engineers. The native vegetation used to stabilize the streambank will mitigate short-term impacts to the soil and improve bank stability.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. **Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)			X			
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		NA				
f. Other:						

Comment 2a. The proposed action includes the use of heavy equipment that may temporarily increase emissions and reduce air quality. All equipment will have properly maintained to reduce any short-term changes to the air quality.

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*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

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3. WATER Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X		Yes	3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		NA				
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		NA				
n. Other:						

Comment 3a. Short-term increases in turbidity will occur during project construction. To minimize this dynamic, construction will occur at low flows and the operation of equipment in the stream channel will be minimized to the extent practical. The Department of Environmental Quality will be contacted to determine narrative conditions required to meet short-term water quality standards and protect aquatic biota. A 124 permit (Stream Protection Act) will be obtained from MFWP, and a 404 permit will be obtained from the U.S. Army Corps of Engineers.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

4. VEGETATION Will the proposed action result in?	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X		No	4a.
b. Alteration of a plant community?			X		No	4b.
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X		Yes	4e.
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		NA				
g. Other:						

Comment 4a. The project seeks to re-establish native willow, sedge, forbs, and grass species in the riparian areas within the project area. The overall diversity of plant species in the area will be improved.

Comment 4b. The project seeks to re-establish native willow sedge, forbs, and grass species in the riparian areas within the project area. The overall diversity of plant species in the area will be improved.

Comment 4e. The project will include ground-disturbing activities that may result in the establishment of noxious weeds. The potential for this to occur is recognized and will be reduced by cleaning vehicles and equipment entering and leaving the project site. Also, only certified weed-free mixes will be used for reseeded areas. A management plan is also being developed for the project site to control and eliminate noxious weeds after construction of the project under the guidance of FWP's Integrated Noxious Weed Management Plan.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?			X		No	5b.
c. Changes in the diversity or abundance of nongame species?			X		No	5c.
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				
j. Other:						

Comment 5b/c. The proposed action seeks to improve the riparian and stream habitats. Thus, fish and wildlife species will be benefit from the action. Fish and wildlife species will migrate away from the project site during the construction but are expected to return soon after project completion.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?			X		Yes	6a.
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:						

Comment 6a. The proposed action includes the use of heavy equipment that may temporarily increase existing noise levels. All equipment will have properly functioning noise reduction equipment to limit noise levels.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other:						

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	8a
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		NA				
e. Other:						

Comment 8a. It is unknown whether or not the car bodies have any petroleum-based fluids (oil or gasoline) remaining in them. Crews will be cognizant of the possibility and maximize efforts to prevent leaks of these fluids during removal of the car bodies. Any leaks of said materials will be cleaned up as part of the project.

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?			X		No	9c.
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:						

Comment 9c. Project will have positive economic impacts by hiring consultant for project oversight and contractor/laborers to complete work. Hiring process will be completed through competitive state contracting process.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources		X				
f. **Define projected maintenance costs.		X				
g. Other:						

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** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?			X		Yes	11b.
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)		X				
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		NA				
e. Other:						

Comment 11b. The proposed action will negatively affect aesthetics during project construction because of ground disturbance and the presence of heavy equipment. These negative effects will be relatively short-term, and the heavy equipment on-site will be minimal. Proposed action is expected to have long-term positive impacts to aesthetics of stream and riparian corridors.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. **Destruction or alteration of any site, structure or object of prehistoric, historic, or paleontological importance?			X			12a
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		NA				
e. Other:						

Comment 12a. The proposed action will require an individual Army Corp of Engineers 404 permit. Patrick Rennie (Montana Department of Natural Resources and Conservation Archeologist) conducted a cultural inventory of the project area on May 13, 2009. During the course of inventory, no historic resources were identified and no archaeological investigative work was recommended. The results of this inventory were provided to State Historical Preservation Office (SHPO) and are currently being reviewed. The project will not begin until a cultural clearance is granted. If any cultural artifacts are identified or disturbed during the construction of this project, all ground-breaking activities will be halted and SHPO will be contacted immediately for guidance on how to proceed with the project.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)			X		Yes	13a.
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		NA				
g. ****For P-R/D-J, list any federal or state permits required.						13g.

Comment 13a. Project is expected to have positive impacts to stream function, bank stability, fish and wildlife habitat and diversity, and abundance of numerous fish and wildlife species.

Comment 13g. Federal or State Permits Required: Montana Fish, Wildlife & Parks - SPA 124; U.S. Army Corps of Engineers - Section 404 Permit; Department of Environmental Quality - 318 Authorization.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

FWP will be responsible for hiring contractor to complete the described work.

PART III. NARRATIVE EVALUATION AND COMMENT

Addressed in Part I and Part II.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified through publication in The Dillon Tribune and The Montana Standard and through contact with the local watershed and sports groups. This EA will also be published on the Montana Fish, Wildlife & Parks web page (<http://fwp.mt.gov/default.html>). Public comments can be in writing to: James Magee, Montana Fish, Wildlife & Parks, 730 N. Montana St., Dillon, MT 59725, or email: mageejames@mt.gov. Comments on the EA will be accepted until 5:00 pm, on September 4, 2009. This level of public involvement is believed adequate for the proposed project.

2. Comment period:

The public comment period for this proposed action begins with the posting date and continues through 5:00 pm on September 4, 2009. Written comment can be mailed to:

James Magee
Montana Fish, Wildlife & Parks
730 N. Montana St.
Dillon, MT 59725

Comments can also be sent by email to: mageejames@mt.gov

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)? No

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action. FWP concluded from this review that the proposed activities would have a positive impact on the physical and human environment and pose minimal negative effects to the resources. Any minor affects to the physical environment will be short-term and can be mitigated below significance. Long-term consequences of the proposed action will benefit native fish species and their habitat, as well as avian, amphibians, and other wildlife species that frequent the area. We conclude from this review that the proposed activities will have no significant impacts based upon the criteria at ARM

12.2.431 to determine the significance of an impact. Therefore, an EIS is not warranted.

2. Person responsible for preparing the EA:

James Magee – Fisheries Biologist	730 N. Montana St., Dillon, MT 59725 406-683-2675
Travis Horton—Native Species Coordinator	PO Box 200701, Helena, MT 59620 406-444-3364

3. List of agencies consulted during preparation of the EA:

Montana Fish, Wildlife & Parks – Fisheries Division and Legal Bureau