March 25, 2008

FINDING OF NO SIGNIFICANT IMPACT

TO ALL INTERESTED GOVERNMENTAL AGENCIES AND PUBLIC GROUPS

As required by state and federal rules for determining whether an Environmental Impact Statement is necessary, an environmental review has been performed on the proposed action below:

Project	Fort Benton Storm Drain Improvements
Location	Fort Benton, Montana
Project Number	C304156-01
Total Cost	$1,542,500

From the 2006 Preliminary Engineering Report, it is recommended that the existing storm drainage system be upgraded to address some surface drainage issues which result in potential safety and nuisance problems. In addition, the project will also eliminate sixteen storm water connections to the sanitary sewer system which will decrease flow to a sanitary sewer lift station and prevent the hydraulic overloading of the wastewater treatment system.

The proposed improvements include upgrading the existing storm water system by installing approximately 36 new storm drain inlets and 3,460 linear feet of storm drain mainline pipe at existing locations and installing a new storm system on 21st Street, which includes approximately 2,130 linear feet of mainline piping, approximately 18 new inlets and 8 new manholes.

Environmentally sensitive characteristics such as wetlands, floodplains, threatened or endangered species, and historical sites will not be adversely impacted as a result of the proposed project. No significant long-term environmental impacts were identified. An environmental assessment (EA), which describes the project and analyzes the impacts in more detail, is available for public scrutiny on the Department of Environmental Quality website: www.deq.mt.gov or at the following locations:

Department of Environmental Quality
1520 East Sixth Avenue
P.O. Box 200901
Helena, MT 59620-09011
jpaddock@mt.gov

City of Fort Benton
1204 Front Street
P.O. Box 8
Fort Benton, MT 59442

Comments on the EA may be submitted to the Department of Environmental Quality at the above address. After evaluating substantive comments received, the department will revise the environmental assessment or determine if an environmental impact statement is necessary. If no substantive comments are received during the comment period, or if

substantive comments are received and evaluated and the environmental impacts are still determined to be non-significant, the agency will make a final decision. No administrative action will be taken on the project for at least 30 calendar days after release of the Finding of No Significant Impact.

Sincerely,

_____

Todd Teegarden, Bureau Chief
Technical and Financial Assistance Bureau

CITY OF FORT BENTON
STORM DRAINAGE IMPROVEMENTS

ENVIRONMENTAL ASSESSMENT

I. COVER SHEET

A. PROJECT IDENTIFICATION

Name of Project:	Storm Drainage Improvements
Applicant:	City of Fort Benton
Address:	P.O. Box 8 City of Fort Benton, MT 59442

B. CONTACT PERSON

Name:	Richard D. Morris, Mayor
Address:	P.O. Box 8 Fort Benton, MT 59442
Telephone:	(406) 622-5494

C. ABSTRACT

The City of Fort Benton, through the Storm Drain System Improvements Preliminary Engineering Report March 2006 (PER), prepared by Great West Engineering, Inc., has identified the need to upgrade and replace portions of the existing storm drainage system. The current storm drain system, which includes some piping, inlets and shallow ditches, allow surface water runoff to pond at street intersections, which causes potential safety and nuisance problems. Some proposed storm drain improvements include new piping and inlets to replace sixteen existing inlets, which are connected to the sanitary sewer system in eight locations in the City. Stormwater entering the sanitary sewer system causes frequent overloading of the sanitary sewer conveyance system, increased flows to a lift station, and increased flows to the sanitary treatment system. The increased flows to the sanitary sewer system could limit new service connections to the wastewater treatment system. The proposed improvements will reduce potential public health concerns, and reduce adverse environmental impacts to the existing wastewater treatment facility. Total area expected to be disturbed during construction should be less than approximately 4 acres.

Federal and State grant/loan programs will help fund the project which is expected to cost approximately $1,542,500. The City has received a grant from the Department of Natural Resources Renewable Resources Grant Program (RRGL) for $100,000 and a $750,000 grant from the Treasure State Endowment Program (TSEP). The City will contribute $15,000 and the remaining cost of approximately $778,000 would be paid by the City of Fort Benton with bond financing from a 20-year low interest loan (3.75%) from the State Revolving Fund (SRF) loan program.

Environmentally sensitive characteristics such as wetlands, floodplains, threatened or endangered species, and historical sites are not expected to be adversely impacted as a result of the proposed project. Additional environmental impacts related to land use,

water quality, air quality, public health, energy, noise, and growth were also assessed. No significant long-term environmental impacts were identified.

Under the Montana Water Pollution Control State Revolving Fund Act, the DEQ may loan money to municipalities for construction of storm drainage systems and to separate sanitary sewer flow from storm drain flow (combined sewer systems).

The new storm drainage improvements will be constructed using standard construction methods and to minimize or eliminate pollutants during construction, best management practices will be implemented. A Stormwater Discharge General Permit and a construction-dewatering permit from the DEQ may be required prior to construction. A Section 404 permit from the U.S. Army Corp of Engineers and a 124 permit from the Montana Department of Fish, Wildlife and Parks will most likely be required for work within the high water mark of the Missouri River. A permit for construction in the floodplain of the Missouri River will most likely be required from Chouteau County or the DNRC. No permits are required from the State Revolving Fund (SRF) section of the DEQ for this project.

The DEQ, Technical & Financial Assistance Bureau, has prepared this Environmental Assessment (EA) because the DEQ received a Preliminary Engineering Report and an application for a State Revolving Fund (SRF) loan for the project for its review and written approval. This EA has been prepared to satisfy the requirements of the National Environmental Policy Act (NEPA) and the Montana Environmental Policy Act (MEPA).

D. COMMENT PERIOD

Thirty (30) calendar days

II. PURPOSE OF AND NEED FOR ACTION

The City of Fort Benton is located in north-central Montana, approximately 40 miles northeast of Great Falls (see Figure 1). Fort Benton serves as the county seat for Chouteau County. There currently exists an underground storm water system in several locations throughout the City (see Figure 2). Most of the system was constructed in 1949, and consists of inlets and primarily vitrified clay pipe, with some concrete pipe. The storm drain lines discharge into the Missouri River. Surface drainage ditches are used in some areas of the City for storm water management.

The current storm drain system includes numerous deficiencies, which include:

1. Poor drainage at several street intersections cause potential safety and nuisance problems,
2. Flat curb lines with poor drainage cause degradation of the street surfacing,
3. At eight locations in the City, including sixteen inlets, surface storm water is diverted into the sanitary sewer system. This storm water impacts the City wastewater treatment system in numerous ways, including:
    a. reduces the treatment capacity of the wastewater treatment system to treat raw sewage (storm flow is estimated to be 6 million gallons per year or 6.4 percent of the total flow to the system);
    b. the storm water increases the volume of water a lift station has to pump (which increases pumping costs), and
    c. the storm water has overloaded the sanitary sewer system on several occasions in the past, which caused flooding in basements.

4. During spring runoff, the surface ditches are filled with snow and ice, which caused localized flooding until the snow and ice melts,
5. The standing water can be a hazard for small children and can serve as a breeding ground for mosquitoes. Mosquitoes are known to transmit the West Nile virus.

Although the storm drainage lines discharge directly to the Missouri River, a Montana Pollution Discharge Elimination System (MPDES) permit is not required by the Montana Department of Environmental Quality because the City has a population under 10,000 people. .

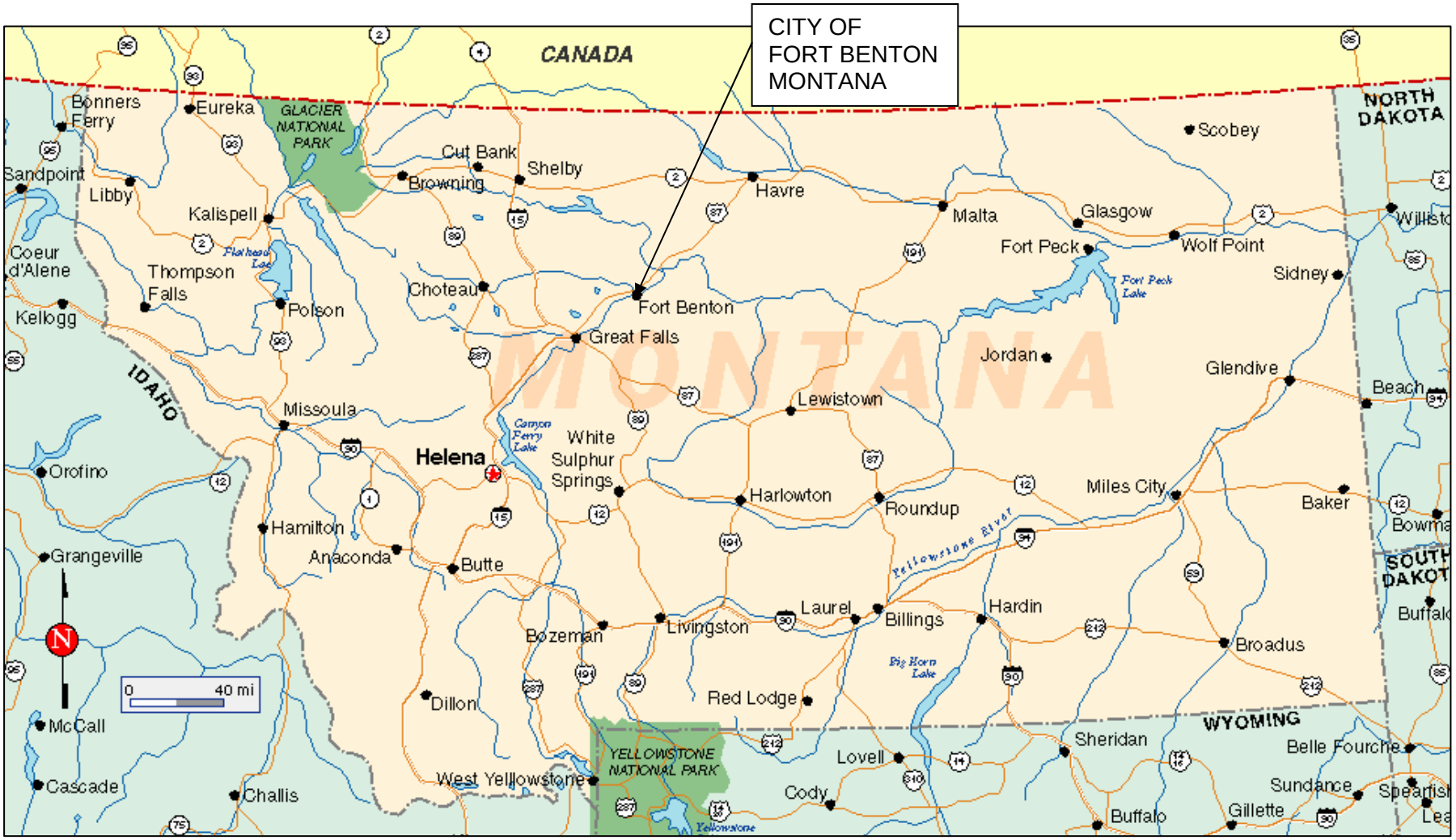

FIGURE 1
LOCATION MAP

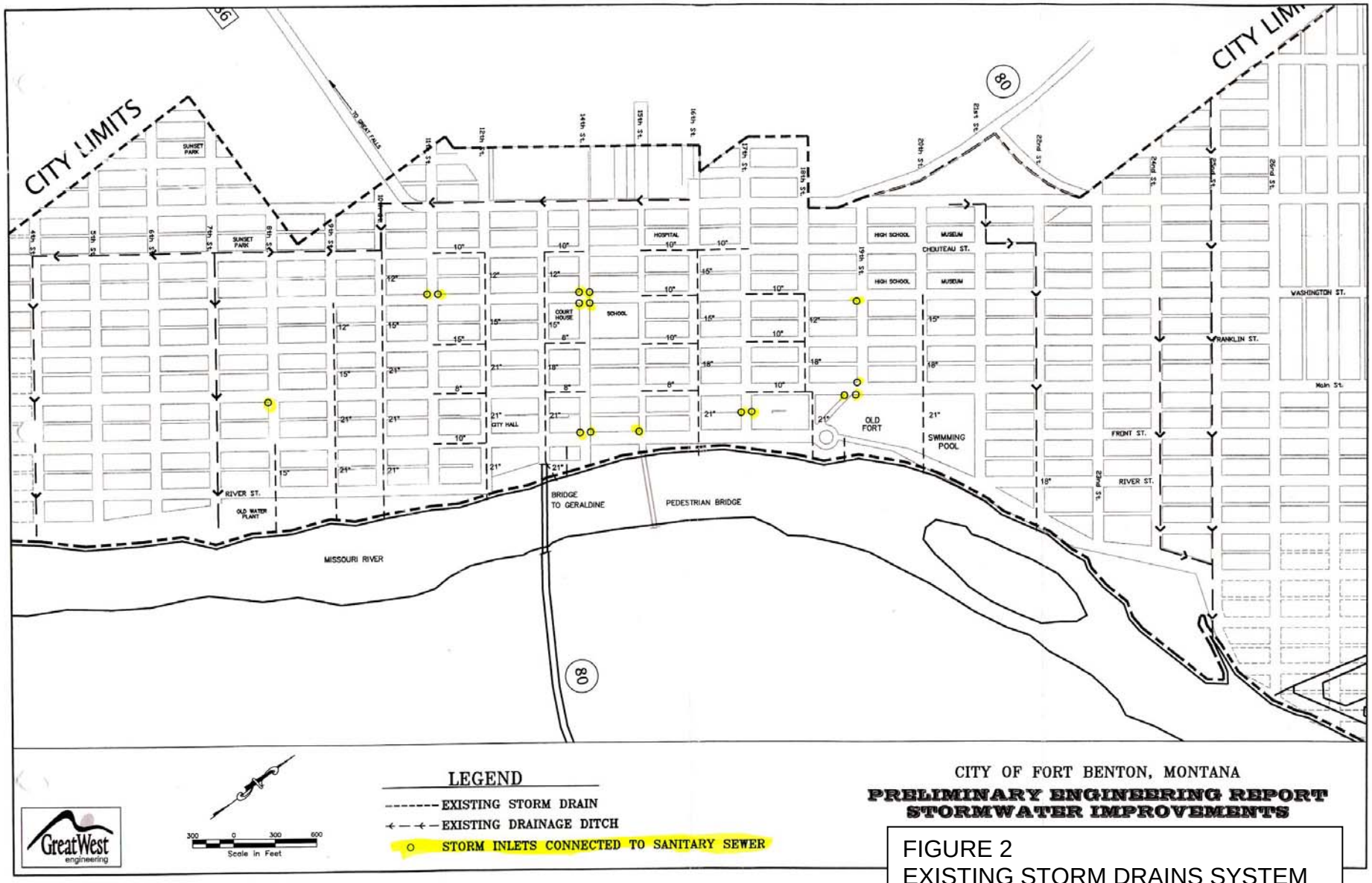

FIGURE 2
EXISTING STORM DRAINS SYSTEM

III. ALTERNATIVES INCLUDING THE PROPOSED ACTION

A. Three alternatives were investigated as possible solutions to improve the city storm water drainage and collection system in the PER. Each alternative was discussed briefly and the most practical alternative was then analyzed in greater detail. All surface water discharging alternatives included discharge to the Missouri River. The three alternatives discussed in the PER included the following:

1. No Action
2. New Storm Drain Piping Improvements
3. New Storm Drain Piping and Surface Drainage Improvements

1. NO ACTION – The no action alternative would involve making no improvements to the City's storm drain system. Storm water would continue to enter the sanitary sewer system and cause overloading of the sanitary sewer lift station pumps. The Montana Department of Environmental Quality (MDEQ) does not allow storm water from roofs, streets, and other areas to enter municipal wastewater sewers. Overloading of the sanitary sewer system due to the storm water flow has caused flooding in basements in the past. The storm water flow in the sewer system also reduces the capacity of the treatment lagoon. Public safety would continue to be compromised due to the formation of ice at street intersections from standing floodwater. Standing floodwater would continue to cause deterioration of the sub-base of the streets, sidewalks, and curbs, resulting in City crews to continue maintaining these areas. Increased energy costs, as well as increased wear and tear on the pumps, would continue to occur due to storm water flow in the sanitary sewer system. There would be no direct construction costs for this alternative. Based on public safety, MDEQ requirements, and the relatively higher operation and maintenance costs, this alternative is not practical for the City of Fort Benton, and was not further evaluated.

2. **NEW STORM DRAIN PIPING IMPROVEMENTS** – This alternative considered installing new storm piping in the areas that currently have storm drain inlets connected to the sanitary sewer system and construction of a new storm drain system on 21st Street. Currently, storm water that enters the sanitary sewer system causes overloading of the sewer lift station pumps and reduces the capacity of the treatment lagoon. The Montana Department of Environmental Quality (MDEQ) does not allow storm water from roofs, streets, and other areas to enter municipal wastewater sewers. This alternative would include additional operation and maintenance due to the increase in the number of inlets to the storm drain system. However, the maintenance of the street sub-grade, sidewalks, and curb would be reduced due to less standing floodwater. Because the storm water would not flow in the sanitary sewer system with this alternative, less energy costs and decreased wear and tear on the lift station pumps would be a distinct advantage. The storm water connections to the sanitary sewer would be removed, which would meet the MDEQ requirement that storm drains not discharge to the sanitary sewer system as well. This alternative would also decrease the influent flow to the wastewater treatment system, thereby increasing the treatment capacity of the system. No adverse environmental impacts are anticipated with this alternative. All improvements would be located in the existing City right of way and construction is expected to occur above the ground water table. No impacts to fish, wildlife, endangered species, or prime farmland would be expected with this alternative because the proposed improvements would be located within the existing City limits. Minimal impacts due to construction would be anticipated to the Missouri

River. Costs, including capital and operating costs are included in Table 1. Because this alternative is practical in terms of environmental and regulatory considerations, this alternative was further evaluated.

3. NEW STORM DRAIN PIPING AND SURFACE DRAINAGE IMPROVEMENTS – This alternative considered installing a combination of new storm piping and surface drainage improvements, including valley gutters and curb and gutter to direct storm water to existing storm drain inlets. Where feasible, valley gutters would be utilized at street intersections to transport storm water to the existing storm drain system and replacement of curb and gutter would be constructed in several locations to transport overland flow. As proposed in Alternative 2, areas that currently have storm drain inlets connected to the sanitary sewer system would be disconnected and a new storm drain system would be constructed on 21st Street. Currently, storm water that enters the sanitary sewer system causes overloading of the sewer lift station pumps and reduces the capacity of the treatment lagoon. The Montana Department of Environmental Quality (MDEQ) does not allow storm water from roofs, streets, and other areas to enter municipal wastewater sewers. This alternative would include additional operation and maintenance due to the increase in the number of inlets to the storm drain system. However, the maintenance of the street sub-grade, sidewalks, and curb would be reduced due to less standing floodwater. Because the storm water would not flow in the sanitary sewer system with this alternative, less energy costs and decreased wear and tear on the lift station pumps would be a distinct advantage. The storm water connections to the sanitary sewer would be removed, which would meet the MDEQ requirement that storm drains not discharge to the sanitary sewer system. This alternative would also decrease the discharge to the wastewater treatment system, thereby increasing the treatment capacity of the system. No adverse environmental impacts are anticipated with this alternative. All improvements would be located in the existing City right of way and construction is expected to occur above the ground water table. No impacts to fish, wildlife, endangered species, or prime farmland would be expected with this alternative because the proposed improvements would be located in the existing City limits. Minimal impacts due to construction would be anticipated to the Missouri River. Costs, including capital and operating costs are included in Table 1. Because this alternative is practical in terms of environmental and regulatory considerations, this alternative was further evaluated.

B. SELECTED ALTERNATIVE

The New Storm Drain Piping Improvements and New Storm Drain Piping and Surface Drainage Improvements alternatives were compared relative to one another based on the following criteria: cost, environmental compliance, regulatory compliance, compatibility with existing facilities, constructability, energy savings, and ease of maintenance. Although it has the higher capital cost, it was determined that the **New Storm Drain Piping Improvements** approach meets the requirements to protect environmental quality, reduce maintenance, energy costs, and achieve regulatory compliance. The proposed improvements are depicted on Figure 3.

C. COST COMPARISON FOR ALTERNATIVES USING PRESENT WORTH ANALYSIS

The present worth analysis is a method of comparing alternatives in present day dollars and can be used to determine the most cost-effective alternative. An interest rate of 6.0% over the 20-year planning period (Design Year 2026) was used in the

analysis. Summaries of the present worth analyses of the feasible alternatives are provided in Table 1.

TABLE 1 - ECONOMIC EVALUATION OF TREATMENT ALTERNATIVES

	Total Capital Cost	Yearly O&M	20-Year Salvage Value	Present Worth Salvage Value	O&M Present Worth Value	**Total Present Worth**
ALT. 2	$1,503,300	$2,850	$485,750	$151,460	$32,700	**$1,384,540**
ALT. 3	$939,000	$1,800	$300,500	$93,700	$20,600	**$865,900**

Total project cost is expected to be $1,542,500 and includes administration/financial costs, professional services (engineering), and construction costs. The City has received a grant from the Department of Natural Resources Renewable Resources Grant Program (RRGL) for $100,000 and a $750,000 grant from the Treasure State Endowment Program (TSEP). The City will contribute $15,000 and the remaining cost of approximately $778,000 would be paid by the City of Fort Benton with bond financing from a 20-year low interest loan from the State Revolving Fund (SRF) loan program.

The City Council has created a Stormwater Utility District in order to fund the City's debt service of the SRF loan for the proposed project and to develop a funding mechanism for maintenance of the storm drain system. The City will charge per parcel of property, plus a charge based on the total number of square feet of impervious surfaces on the property: rooftops, driveways, and other areas which shed water. The estimated minimum charge per parcel is $30, plus 3 cents per square foot of impervious surface. Thus, the estimated yearly cost for a typical lot with 1,000 square feet of imperious surface would be $60; 2,000 square feet would be $90, and so on. The financial impact of this project on the system users is shown in Table 2. Based on the EPA guidance for project affordability, the proposed project will result in a monthly cost per household that is less than 1% of the monthly median household income, and therefore is not expected to impose a substantial economic hardship on household income.

TABLE 2 Project Affordability	
Existing Monthly storm rate	$0.00
New monthly debt service and O&M increase	$ 12.22
Total monthly user cost[1]	$ 12.22
Monthly median household income (mMHI)[2]	$2,450.00
User rate as a percentage of mMHI	0.3 %

V. AFFECTED ENVIRONMENT

A. PLANNING AREA

The City of Fort Benton lies in portions of Sections 13, 14, 23, 24, 25, and 26, T23N, R8E, P.M.M at latitude 45°27’56” North and longitude 112°12’21” West. The City of Fort Benton is located in north-central Chouteau County, Montana, approximately 40 miles north of Great Falls. The planning area boundary is shown on Figure 4 and includes the incorporated boundary of the City and adjacent parcels that directly benefit from the project. The elevation of Fort Benton is 2630 feet above sea level and there is a dramatic change in topography in all directions as the land rises to the benches and plains adjacent to the planning area. The planning area includes residential homes, vacant lots, commercial businesses, and public entities.

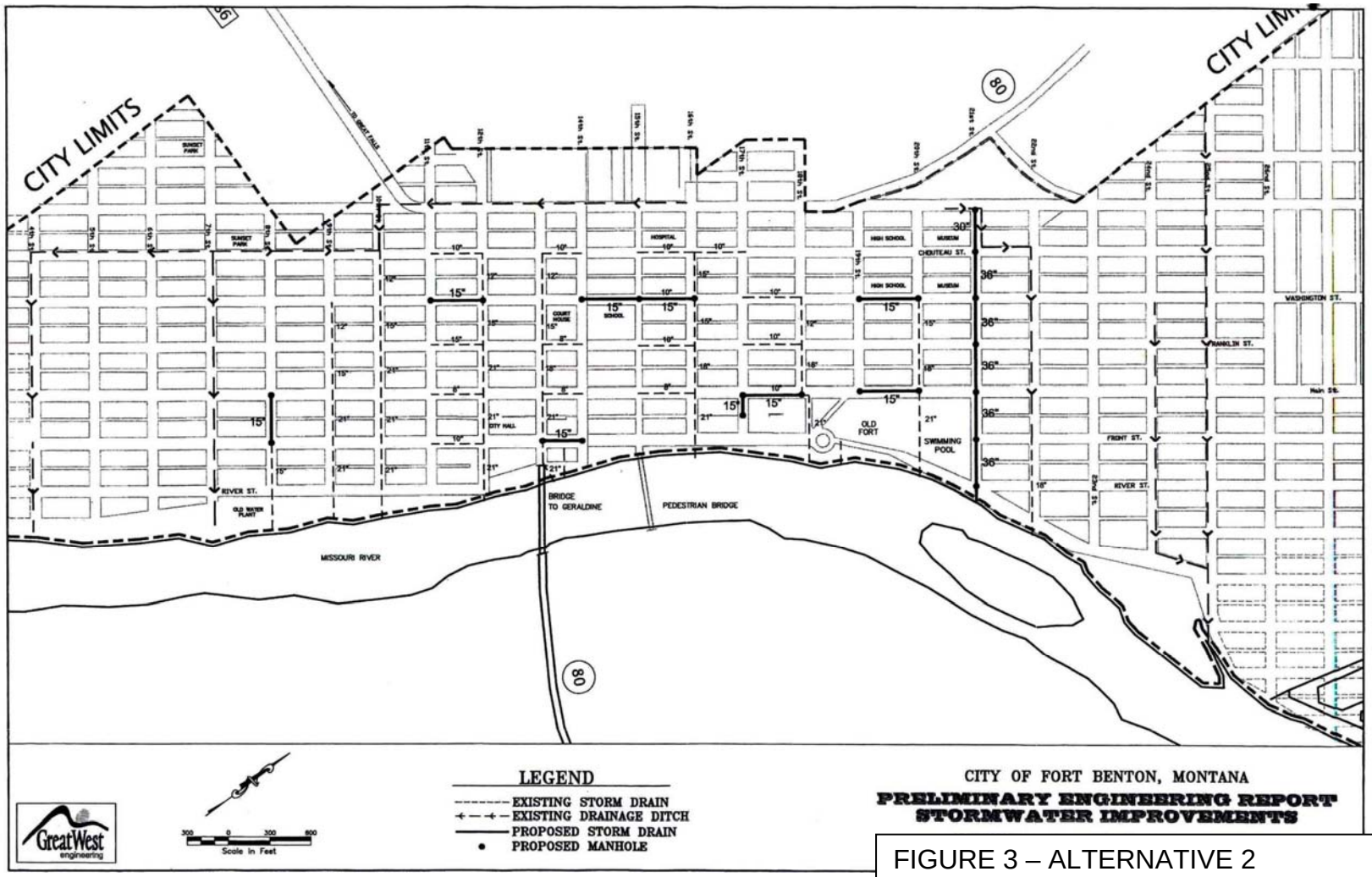

FIGURE 3 – ALTERNATIVE 2
PROPOSED IMPROVEMENT PLAN

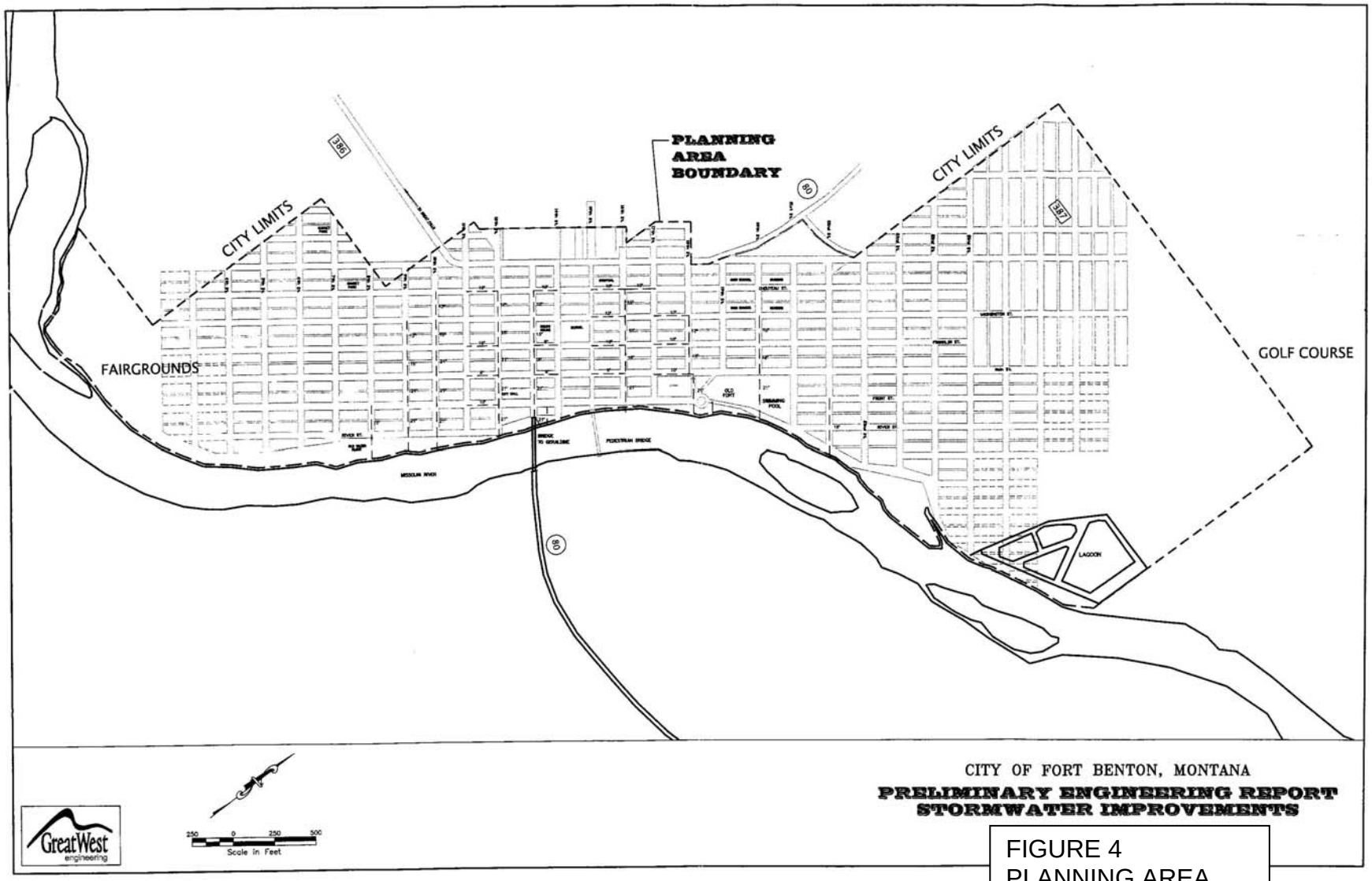

FIGURE 4
PLANNING AREA

B. STORM DRAIN FLOWS

The current storm drain system, which includes piping, storm water inlets, and shallow ditches, allow surface water runoff to pond at street intersections, which causes potential safety and nuisance problems. Moreover, some existing storm water inlets are connected to the sanitary sewer system. These storm water inlets direct in excess of 6 million gallons per year or 6.4% of the total flow to the wastewater treatment system and cause frequent overloading of the sanitary sewer conveyance system, increased flows to a lift station, and increased flows to the sanitary treatment system. The yearly contribution of flow from the storm inlets is equivalent to the flow from a population of approximately 164 people and could limit new service connections to the treatment system in the future. The storm water inlets currently connected to the sanitary sewer system will be connected to the existing storm drain piping which discharges to the Missouri River. The existing storm drain system is shown on Figure 2. There are 12 existing storm drain lines that discharge to the river.

The new storm pipe that will discharge into the Missouri River will be designed to pass the 2-year storm event. Typically, a pipe sized to pass a 2-year storm event will pass 99% of the rainfall events. However, storm events with greater intensity will occur and the proposed storm drain system will handle larger intensity storm with some ponding in the inlet areas and some overland flow. The largest pipe proposed is 36-inches in diameter and could convey a peak flow of 20 cubic feet per second (cfs). The minimum flow in the Missouri River occurs in September and averages 3,130 cfs (monthly average). A flow of 20 cfs from the proposed storm drain system would be approximately 0.6% of the average September flow. The average annual flow in the Missouri River is 7,620 cfs and 20 cfs would be 0.26% of the average annual flow.

C. NATURAL FEATURES

Fort Benton is located at the river bottom and there is a dramatic change in topography in all directions as the land rises to the benches and plains adjacent to the planning area. According to the Natural Resource Conservation Service, the soils in the region of the City of Fort Benton consist primarily of two types. The City is located on well-drained, no-saline to moderately saline and non-sodic to moderately sodic soils. These are typically located on semi-arid valley sides and can be shallow and deep. The benches and terraces overlooking the City are deep, well-drained, fine sandy loam soils / silty clay loams.

The City of Fort Benton is at elevation 2630 (feet above sea level). No prime farmland or specially classified land exists within the City limits. The average annual precipitation is reported at 13.97 inches, with the rainiest months in May and June. Ground water from the area above the City is highly mineralized and suitable for livestock. The yield from these soils (Colorado shale) is small. Ground water from soils along the river corridor is Alluvium, stream deposited sand, gravel, and valley fill. Springs and unconsolidated aquifers of glacial and alluvial gravels commonly produce the best water quality. Wells in shallow aquifers are subject to contamination. Some shallow depths of ground water create water problems in basements.

Fort Benton participates in the National Flood Insurance Program (NFIP) administered by the Federal Emergency Management Agency (FEMA). The community complies with regulations for NFIP. Maps of the floodplains and floodways, prepared by FEMA, indicate no special flood hazard areas in the community. The entire community of Fort Benton is classified as Zone C, which are areas that are not subject to any special floodplain restrictions. Occasional ice jams

have caused some storm water to back-up and resulted in flooding.

There are no designated wetlands in the Fort Benton planning area, but there are riparian areas along the Missouri River corridor. Riparian areas are defined as the green zones associated with lakes, reservoirs, estuaries, potholes, springs, bogs, fens, wet meadows, and ephemeral, intermittent, or perennial streams. The riparian zone occurs between the upland or terrestrial zone and the aquatic or deep water zone.

D. MAPS

Figure 1 shows the location of the City of Fort Benton area within the state of Montana. The existing storm drain system is shown in Figure 2 and the project area and proposed improvements are shown in Figure 3. The City of Forth Benton planning area is shown in Figure 4.

VI ENVIRONMENTAL IMPACTS OF PROPOSED PROJECT

A. DIRECT AND INDIRECT ENVIRONMENTAL IMPACTS

1. Land Use – There are no land use conflicts anticipated because all the improvements will be located within the existing limits of the City and within existing street rights of way. The proposed facility will not impact prime farmland. No additional land will be required for the proposed project.

2. Floodplain – The FEMA floodplain map for this area indicates the City is located in a Zone C mapped area. Zone C areas are not subject to any special floodplain restrictions.

3. Wetlands – There are no designated wetlands in the Fort Benton planning area and it does not appear that the proposed project will disturb wetlands. However, in the event that wetlands need to be disturbed to construct the project, these areas will be properly delineated per 404 permit standards and a 404 permit will be applied for. Before dredged or fill material can be discharged or placed into waters of the United States, including wetlands, a 404 permit must first be obtained from the U.S. Army Corps of Engineers. Prior to issuing this permit, any potential, future impacts to wetlands will be addressed.

4. Vegetation – Chouteau County has three species listed in the Montana Natural Heritage Program, the US Forest Service and the US Fish and Wildlife Service database of plant species of special concern. Species of special concern include plants that are rare, endemic, disjunct, threatened or endangered throughout the range, vulnerable to extirpation, or need further research. The species of special concern include the Psoralea hypogaea (Little Indian Breadroot, Rorippa calycina (Persistent-sepal Yellow-cress), and the Bidens comosa (Threelobed Beggarticks). These species may be located in habitat found in the planning area, but will probably not found in the area proposed to be under construction because the work will be within the existing street rights of way.

5. Cultural Resources – The proposed storm water improvements should not impact historic or cultural resources. The State Historic Preservation Office (SHPO) reviewed the proposed project. SHPO feels that since a majority of the project will be taking place in previously disturbed ground, and within street right-of-ways there is a low likelihood cultural properties will be impacted. As such, SHPO feels a cultural resource inventory is unwarranted at this time. However, should cultural materials be inadvertently discovered during this project,

SHPO should be contacted and the site investigated. In addition, it is SHPO's position that any structure over fifty years of age is considered historic and is potentially eligible for listing on the National Register of Historic Places. If any structures over fifty years old are to be altered, SHPO recommends that they be recorded and a determination of their eligibility be made. There have been a number of historic surveys completed for various projects and there are eight properties listed on the National Register in Fort Benton according to the National Park Service National Register. These include the I. G. Baker house, Chouteau County Courthouse, Citadel Rock, Fort Benton Bridge, Fort Benton Engine House, Grand Union Hotel, Masonic Building, and the St. Paul's Episcopal Church.

4. Fish and Wildlife – Federally-listed threatened or endangered species found in Chouteau County, Montana include the bald eagle, the falcon, black-footed ferret, Canada lynx .and the pallid and shovel nose sturgeon. Species of special concern in the area are the blue sucker and the spiny softshell. According to the US Fish and Wildlife Service, the proposed project is not anticipated to directly impact the habitat of these endangered plant or animal species. However, prior to issuance of a 404 permit, a final determination of effect must be made for each of these species. The U.S. Army Corps of Engineers will complete all appropriate coordination with the US Fish and Wildlife Services.

5. Water Quality – The proposed storm drain improvements will continue discharging storm water from the streets in the City of Fort Benton Creek to the Missouri River. Minimal impacts to the Missouri River are anticipated because of the proposed improvements. After the project is complete, the river may see an increase in material typically included with storm water discharges, such as sediment, hydrocarbons, and/or roadside debris because of the storm water that previously discharged to the sanitary sewer system (six million gallons per year or a peak discharge of approximately 0.13 cubic feet per second). The impacts to the river should be minimal as the flow of the storm water into the river should be of short duration and the storm water flow is a minor portion of the flow in the river (less than 0.002 percent of average annual flow). The U.S. Fish and Wildlife Service does not anticipate impacts to the river because of the proposed storm drain system improvements.

An MPDES Stormwater Permit for construction related activities will be required. A Section 404 Permit from the U. S. Corp of Engineers and a 124 permit from the Montana Fish, Wildlife and Parks will be required for work within the high water mark of the Missouri River. The City does not fall under the Phase II Stormwater Rule, therefore a Montana Pollution Discharge Elimination System general permit from the Montana Department of Environmental Quality (MDEQ) will not be required.

6. Air Quality – Short term negative impacts on air quality will occur during construction from heavy equipment in the form of dust and exhaust fumes. Proper construction practices will minimize this problem. Project specifications will require dust control.

7. Public Health – The selected improvements will result in less standing water in the community which decrease the possibility of drowning, particularly with small children, and will reduce potential breeding grounds for mosquitoes, which are known to transmit West Nile virus. The ability to better manage the storm water will lessen many safety related problems such as slipping and falls on icy streets and sidewalks where snowmelt cannot drain.

8. Energy – Eliminating the storm drain water inflow to the sanitary sewer system will eliminate the flow to the lift station, resulting in a reduction of energy requirements associated with pumping the storm water to the sewage treatment system for disposal.

9. Noise – Short-term impacts from excessive noise levels may occur during the construction activities. The construction period will be limited to normal daytime hours to avoid early morning or late evening construction. No significant long-term impacts from noise will occur.

10. Growth – Since 1960, the population of Fort Benton has declined steadily. Chouteau County declined until 1990 and experienced a 9.5% increase over the last decade. Although improvements to the storm water system should be a positive feature in the community as discussed above, the improvements should not result in secondary impacts that are associated with the growth of the community.

11. Cumulative Effects – No significant adverse impacts are anticipated.

B. UNAVOIDABLE ADVERSE IMPACTS

Short-term construction related impacts (i.e., noise, dust, traffic disruption, etc.) will occur but should be minimized through proper construction management. Energy consumption during construction cannot be avoided.

VII PUBLIC PARTICIPATION

A presentation on the draft Preliminary Engineering Report (PER) was made to the City of Fort Benton at their November 21, 2005 council meeting by the City's consulting engineers and a second public meeting was conducted on March 20, 2006 to discuss the recommendations in the PER. Numerous newspaper articles covering the public meetings were also published in the Fort Benton River Press and the Great Falls Tribune. A workshop was held to discuss the recommended storm drain and street improvements. Discussions included project costs (including the proposed storm drain improvements and possible street improvements), property tax rates for the improvements (including monthly rates and methods of calculating the rates), the formation of the Storm Water Drainage Utility System, funding sources to pay part of the costs, and overall scheduling to the project. No opposition to the project was voiced. The Fort Benton City Council adopted the Final PER Storm Drain System Improvement document during the March 20, 2006 council meeting.

VIII REFERENCE DOCUMENTS

The following document has been utilized in the environmental review of this project and is considered to be part of the project file:

1. Preliminary Engineering Report, Storm Drainage System Improvements, prepared for the City of Fort Benton, by Great West Engineering, Inc., Helena, Montana, March 2006.
2. Uniform Application Form for Montana Public Facility Projects for the Fort Benton Storm Improvement Project, July 2, 2007.

IX. AGENCIES CONSULTED

The following agencies have been contacted in regard to the PER, which determined the basis for the proposed wastewater treatment and collection system project:

1. The Montana Department of Fish Wildlife and Parks (FWP). No response was received from FWP on this project.

2. The U. S. Fish and Wildlife Service (FWS) reviewed the proposed project and determined there should be no issues to address.

3. The Montana State Historic Preservation Office (SHPO) considered the impacts of the proposed project on historical sites and cultural resources. The Montana State Historic Preservation Office indicated that this project has a low likelihood of impacting cultural properties and that a recommendation for a cultural resource inventory is unwarranted at this time. The Montana State Historic Preservation Office asks to be contacted and the site investigated should cultural materials be inadvertently discovered during construction.

4. The U.S. Army Corps of Engineers (COE) reviewed the proposed project and responded with the following comments:

   If the project includes the discharge of fill material, either permanently or temporarily below the ordinary high water mark into waters of the United State (Missouri River) and lakes or ponds connected to the tributary system, and wetlands adjacent to these waters, then a Department of Army Section 404 permit may be required. When working in navigable waters, a Section 10 of the Rivers and Harbors Act of 1899 permit is required. This project appears to be under the jurisdictional waters of the U.S. under the authority of Section 404 of the Clean Water Act, as well as Section 10 of the Rivers and Harder Act of 1899.

   The project appears to be within the limits of the Fort Benton Historic District, which was listed on the National Register of Historic Places in 1966. For this reason, Section 106 Consultation with the Montana State Historic Preservation Office will be necessary prior to issuance of a permit to ensure that all requirements of the National Historic Preservation Act are satisfied.

   The proposed project is within the limits of the Upper Missouri National Wild and Scenic River (UMNWSR). The US Bureau of Land Management (BLM) is the Federal agency with direct management responsibility for the UMNWSR, and they must provide a written determination that the proposed activity will not adversely affect the UMNWSR.

   Federally-listed threatened or endangered species found in Chouteau County, Montana include the bald eagle, pallid sturgeon, black-footed ferret, and Canada lynx. A determination of effect must be made for each of these species, and the COE must complete all appropriate coordination with the US Fish and Wildlife Service prior to issuance of a permit.

   A Montana Pollutant Discharge Elimination System (MPDES) (Stormwater) permit will be required in accordance with regulations of the National Pollution Discharge Elimination System program (Section 402 of the Clean Water Act).

   Include with the Application a delineation of all Special Aquatic sites in the area, including wetlands and riffle-pool complexes. If Special Aquatic sites are present and will be affected, include specific details regarding the area and length of the affected

sites, and the nature of the expected disturbances.

Minimize disturbance to the existing vegetation. Disturbed areas must be revegetated, utilizing native species where native species are affected.

Verify that the project complies with any applicable FEMA-approved state and local floodplain management requirements.

The Corps of Engineers is responsible for administering Section 404 of the Clean Water Act, which regulates the excavation or placement of dredged or fill material below the ordinary high water mark of our nation's rivers, streams, lakes or in wetlands. The need for a 404 permit is not anticipated.

5. Montana Natural Heritage Program reviewed the proposed project and considered the impacts of the proposed project on threatened and endangered species. Their databases identified the Spiny Softshell and Blue Sucker as species of special concern in the region.

6. Department of Natural Resources and Conservation (DNRC) reviewed the proposed project and determined there were no floodplain issues to address.

Recommendation for Further Environmental Analysis:

[ ] EIS [ ] More Detailed EA [X] No Further Analysis

Rationale for Recommendation: Through the Preliminary Engineering Report (PER), prepared by Great West Engineering, Inc., and the public process involved, the City of Fort Benton determined that the preferred new storm drain piping improvement alternative will improve the operation and maintenance capabilities of their system. Through this EA, the DEQ has verified none of the adverse impacts of the proposed storm drain improvement project are significant; therefore an environmental impact statement is not required. The environmental review was conducted in accordance with the Administrative Rules of Montana (ARM) 17.4.607, 17.4.608, 17.4.609 and 17.4.610. This EA is the appropriate level of analysis because none of the adverse effects of the impacts are significant. A Finding of No Significant Impact (FONSI) will be issued and legally advertised in the local newspaper and distributed to a list of interested agencies. Comments regarding the project will be received for 30 days before final approval is granted.

EA Prepared By:

_____ _____
Jerry Paddock P.E. Date

Approved By:

_____ _____
Mike Abrahamson P.E. Date