



Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

September 30, 2011

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
Shoshone-Bannock Tribes, PO Box 306, Fort Hall, ID 83203
Blackfeet Nation, 1 Agency Square, Browning, MT 59417
Kerry Fee, President Joe Brooks TU # 25, PO Box 1378, Livingston, MT, 59047
Tim Aldrich, President, Montana Wildlife Federation, P.O. Box 1175, Helena MT 59624
Carl Webb, 2223 US Highway 89 S, Emigrant MT 59027-6021
Travis Morris, Madison Gallatin TU, PO Box 52, Bozeman, MT 59771
Ted Williams, 1328 West Crawford, Livingston MT 59047
Confederated Salish & Kootenai Tribes, 42487 Complex Blvd., PO Box 278, Pablo, Montana 59855
Kent & Peggy Koyle, 2223 Hwy. 89 South, Emigrant, MT 59027
Matt Long, PO Box 1224. Livingston, MT 59047
Jutta Braune, 169 E River Rd, Emigrant MT 59027-6103

Ladies and Gentlemen:

Centurylink/Qwest is requesting an easement from FWP to install a fiber-optic cable through Point of Rocks FAS Upstream Parcel. The proposed action is an easement granted by FWP. The easement would allow Centurylink/Qwest to bury a fiber-optic cable in the easement area. Centurylink/Qwest is building its fiber-optic cable to provide upgraded communications infrastructure to Yellowstone National Park, and the communities of Gardiner and West Yellowstone located in southwest Montana.

This Draft 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:

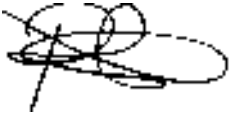
<http://www.fwp.mt.gov> .

Montana Fish, Wildlife & Parks invites you to comment on the attached proposal. The public comment period will be accepted until 5:00 p.m. October 14, 2011. Comments should be sent to the following:

Montana Fish, Wildlife & Parks
Point of Rocks Fiber Optic
1400 South 19th Avenue
Bozeman, MT 59718

Or e-mailed to rheagney@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 3 Supervisor
Attachment

**Draft
Environmental Assessment**

**Point of Rocks Fishing Access Site
Fiber-optic Cable Easement**

September 2011



***Montana Fish,
Wildlife & Parks***

**Draft Environmental Assessment
MCA 23-1-110 CHECKLIST**

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of proposed state action:** Centurylink/Qwest Corporation (Qwest) has requested a permanent utility easement from Montana Fish, Wildlife and Parks (FWP) to install a fiber-optic cable through Point of Rocks Fishing Access Site (FAS) Upstream Parcel.

2. **Agency authority for the proposed action:**

Section 87-1-209, Montana Code Annotated (MCA), provides Montana Fish, Wildlife and Parks with the authority to acquire and dispose of interests in land and water consistent with FWP's responsibilities for fish and wildlife habitat, associated public recreational opportunities, and land management objectives. As specifically referenced in 87-1-209 (4), the FWP Director is the decision-making authority for this proposed action.

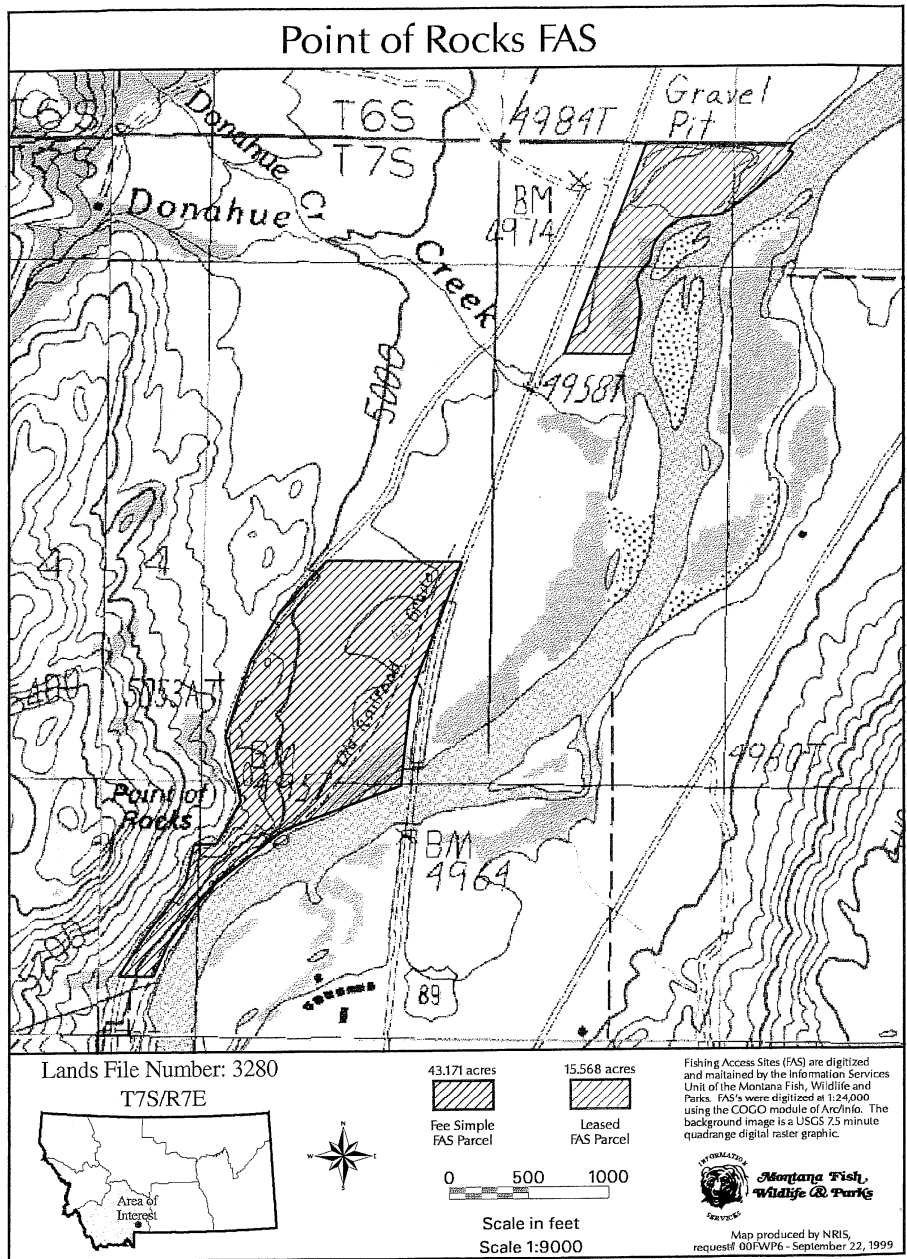
3. **Name of project:** Point of Rocks Fishing Access Site Fiber-optic Cable Easement

4. **Name, address and phone number of project sponsor (if other than the agency):**

Jason Wiseman
Senior Design Engineer
Centurylink/Qwest
Bozeman, MT

5. **Anticipated Schedule:**
Estimated Construction Commencement Date: Upon issuance of the Decision Notice and attainment of other applicable permits
Estimated Completion Date: Five days after project start date
Current Status of Project Design (% complete): 100 % complete

6. **Location affected by proposed action:** Point of Rocks FAS is located in Park County, Township 7 South, Range 7 East, Sections 3 and 4. The site is 30 miles south of Livingston on Highway 89 South.



7. Project size -- estimated the number of acres that would be directly affected that are currently:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(b) Open Space/ Woodlands/Recreation	<u>0.5 acres</u>	Irrigated cropland	<u>0</u>
(c) Wetlands/Riparian Areas	<u>0</u>	Dry cropland	<u>0</u>
		Forestry	<u>0</u>
		Rangeland	<u>0</u>
		Other	<u>0</u>

8. Permits, Funding, and Overlapping Jurisdictions:

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

<u>Agency Name</u>	<u>Permits</u>
Park County	Floodplain Permit
USACE (Army Corps)	Section 404 Clean Water Act
USACE	Section 10 Federal Rivers and Harbors Act
MDEQ	SPA 124 MT Stream Protection Act

(b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
Centurylink/Qwest Communications	N/A

(c) Other Overlapping or Additional Jurisdictional Responsibilities:
Montana SHPO Concurrence with findings of Cultural Resource Inventory

8. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action (See also Page 16 – Narrative Evaluation & Comment):

Centurylink/Qwest is requesting an easement from FWP to install a fiber-optic cable through Point of Rocks FAS Upstream Parcel. The proposed action is an easement granted by FWP. The easement would allow Centurylink/Qwest to bury a fiber-optic cable in the easement area. Disturbance would occur as a result of plowing, boring, or trenching the length of the easement in order to lay the cable. Upon completion of cable installation, the easement area would be cleaned up and compacted to its original condition. Fiber-optic marker stakes would be placed at line of sight intervals along the length of the easement. Centurylink/Qwest would be responsible for weed control costs for a two-year period after cable installation.

Centurylink/Qwest is building its fiber-optic cable to provide upgraded communications infrastructure to Yellowstone National Park and the communities of Gardiner and West Yellowstone located in southwest Montana. In addition, this infrastructure allows for future growth and upgrade potential for the entire Paradise Valley. Fiber-optic cable rights-of-way have already been obtained from landowners and the Montana Department of Transportation (DOT) on either side of the FAS Upstream Parcel. Topographic constraints make the requested easement the best possible route for the fiber-optic cable between previously-obtained leases.

Centurylink/Qwest will provide fair value compensation for any easement granted by FWP. Final easement location and cable installation project are subject to FWP approval, and efforts will be made to minimize impacts to FAS visitors. Centurylink/Qwest will restore disturbed ground to condition prior to cable installation as directed by FWP.

10. Alternatives:

- a. Preferred Alternative:** The preferred alternative is for FWP to grant an easement to Centurylink/Qwest allowing Centurylink/Qwest to install and maintain a buried fiber-optic cable. The easement would include conditions requiring Centurylink/Qwest to mitigate impacts to soil and vegetation including weed control. Centurylink/Qwest would provide fair-market value compensation for the easement.
- b. Alternative A: No Action**
The easement would not be granted by FWP, and the fiber-optic cable would not be placed through the FAS Upstream Parcel. No impacts to the FAS's existing physical and human resources would occur.
- c. Alternative B: Install Cable along Center-Line of Old Yellowstone Trail South**
Old Yellowstone Trail South is a road that runs mostly parallel with the abandoned railroad bed. In this alternative, Centurylink/Qwest would install the fiber-optic cable in the center-line of the road using the same procedures as stated in the proposed action above. This alternative is acceptable but not ideal due to geologic constraints along the road route. This alternative would be extremely costly. In at least two places along the road, the fiber-optic cable would have to be diverted to avoid rock outcrops resulting in disturbance of at least two previously undisturbed areas (i.e., have never been developed as a road or railroad). If avoidance by diversion of the fiber-optic cable were not possible, a rock saw would have to be used to cut through the rock which would create water drainage and base integrity issues within the existing road bed. This alternative would be much more costly to Centurylink/Qwest and Park County Road Department.

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

Centurylink/Qwest would be responsible to undertake or to pay FWP for weed control in the easement area for a period of two years following cable installation project completion and for the same time period following any future ground disturbance related activities such as cable maintenance. Weed control activities would be done in accordance with FWP and Park County weed control plans.

Point of Rocks is a Land and Water Conservation Fund (LWCF) assisted site. Therefore, FWP is responsible for compliance and enforcement of Land and Water Conservation Fund State Assistance Program stewardship guidelines. These stewardship guidelines allow for underground utility easements provided present and future outdoor recreation opportunities will not be impacted and the easement site is properly restored. LWCF is administered by the National Park Service and a Montana State Liaison Officer (SLO). The Montana SLO has been informed of this proposal, and FWP will continue to follow LWCF guidelines and SLO direction. FWP has determined that this proposal will not constitute a conversion. That determination memo is attached to this environmental assessment.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Preferred 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				
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				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:		X				

- 1b. Soil would be disturbed during plowing or trenching of the fiber-optic route. A scar 2,400 feet in length, 30 inches deep, and between six and 24 inches wide would be created. Between 120 and 481 cubic yards (c.y.) of soil will be disturbed. Upon completion of placement of the fiber-optic cable, the plow scar would be cleaned of rocks and compacted to its original condition. Reseeding will be performed as required with a mixture of native grasses and forbs approved by FWP.

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		No	2a.
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.)		N/A				
f. Other:		X				

- 2a. Minor and temporary dust and vehicle emissions will be created by operation of vehicles and equipment during trenching, laying of fiber-optic cable, and backfill and compaction.

At the start of the project, two diesel trucks with trailers will off-load one dozer, one small track-type bulldozer, one track-type tractor, one small vibratory single-drum compactor, and a 12-inch rock cutter. The trucks and trailers will be parked off-site while the machinery will be parked on-site for the duration of the project. At similar project sites, trenching and plowing occurs at a rate of one mile per day. Considering the Point of Rocks Site is 2,400 feet, the fiber-optic cable should be laid within one day. However, there is a potential for encountering rock during trenching and plowing which would then require the use of digging and sawing. For the purposes of this EA, the duration of site activities is a maximum of five days.

Emissions resulting from equipment usage on the site for five days would be negligible considering the short duration.

3. <u>WATER</u> 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				
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.)		N/A				
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.)		N/A				
n. Other:		X				

It is unlikely that the proposed action would result in any discharge into adjacent surface water.

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				
b. Alteration of a plant community?		X				
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			4e
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		N/A				
g. Other:		X				

4e. Centurylink/Qwest would be responsible for or pay FWP for weed control in the easement area for a period of two years following cable installation and for a period of two years following any future activities resulting in ground disturbance such as cable maintenance.

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				
c. Changes in the diversity or abundance of nongame species?		X				
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.)		N/A				
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.)		N/A				
j. Other:		X				

A search of the Montana Natural Heritage Program (MNHP) database showed that three mammal species of concern are located in Township 7 South, Range 7 East: Wolverine, Canada Lynx, and Grizzly Bear. The database also showed that five bird species of concern are located in Township 7 South, Range 7 East: Golden Eagle, Great Blue Heron, Cassin's Finch, Bald Eagle, and Sharp-tailed Grouse. Finally, the database showed that one fish species of concern is located in Township 7 South, Range 7 East: Yellowstone Cutthroat Trout.

The proposed action at the FAS Upstream Parcel is not likely to affect any of the species of concern listed on the MNHP database because of the project's short duration and minimal final footprint, and because the habitat affected by this project is a tiny amount of land that has previously been disturbed by human activity. US Fish & Wildlife Service has imposed a July 1 start date for Centurylink/Qwest fiber placement in Yankee Jim Canyon south of the project area due to Grizzly Bear habitat.

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			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:		X				

6a. There would be a temporary increase in noise level during plowing or trenching, backfilling, and compacting activities over a five-day period. Adjacent landowners will be notified and are not expected to be affected by site activities.

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:		X				

The proposed action would not alter or interfere with the productivity or profitability of the existing land use, nor does it conflict with a designated natural area or area of unusual scientific or educational importance

8. RISK/HEALTH HAZARDS 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		X	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)		N/A				
e. Other:		X				

8a. At the start of the project, two diesel trucks with trailers will off-load one dozer, one small track-type bulldozer, one track-type tractor, one small vibratory single-drum compactor, and a 12" rock cutter if needed. The trucks and trailers will be parked off-site while the machinery will be parked on-site for the duration of the project. Each piece of machinery has its own fuel storage tank, and refueling will take place off-site prior to commencement of the project. Refueling is not likely to occur due to the project's short duration.

The FWP Region 3 Weed Management Plan calls for an integrated method of managing weeds including the use of herbicides. The use of herbicides during the project would be in compliance with application guidelines.

9. COMMUNITY IMPACT 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				
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:		X				

Two diesel trucks pulling trailers with machinery will cause temporary, negligible interruption of traffic in the immediate area.

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:		X				

The proposed action would result in upgraded communications infrastructure to Yellowstone National Park and the communities of Gardiner and West Yellowstone located in southwest Montana. In addition, this infrastructure will allow for future upgrades throughout the entire Paradise Valley. FWP anticipates no additional maintenance costs at the FAS after the installation of the underground cable is completed.

11. <u>AESTHETICS/RECREATION</u> 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			11a.
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)		X	x			11c.
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.)		N/A				
e. Other:		X				

11a. Upon completion of laying and burying the fiber-optic cable, fiber-optic marker stakes would be placed at all creeks, irrigation ditches, and at line of sight intervals along the length of the easement (>10 total). This is an alteration of a publicly accessible space. The markers are also a safety precaution for users of the FAS Upstream Parcel.

11c. The FAS will remain open during cable installation, and the proposed action may result in temporary inconvenience to FAS visitors. Project timing would occur in a manner to reduce such impacts to visitors. A capital improvement project occurred at Point of Rocks FAS during the fall of 2010, and Centurylink/Qwest will ensure that any disturbances to improved areas are returned to condition prior to cable installation. The proposed action will neither improve nor change the existing footprint of the FAS or Upstream Parcel. Therefore, the tourism checklist was not performed as part of this EA.

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					12b
c. Effects on existing religious or sacred uses of a site or area?	X					12c
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)	X					12d
e. Other:		X				

12 a-d. During June 2008, FWP concluded a Class III Cultural Resource Inventory conducted by GCM Services Inc. of Butte, MT, for the proposed development of the Point of Rocks FAS. This resource inventory report did identify one archaeological and several historical sites, none of which were in the proposed FAS area. The report also cited that the area had been highly impacted by modern-day activity. The conclusions and recommendations of this 2008 report indicated that "No cultural resources were found in the Area of Potential Effect. No further cultural resources work is recommended for this project."

The scope of the current proposal would take place within the existing footprint of the FAS road access, parking area and boat ramp, which was previously addressed in the June 2008 Class III Cultural Resource Inventory. However, a supplemental Class III Cultural Resource Inventory will be conducted to confirm the findings expressed in the June 2008 inventory. Depending upon the results of the supplemental survey, the anticipated path of the buried cable may or may not need to be adjusted to minimize potential impacts. The State Historic Preservation Office (SHPO) has already signed off on Centurylink/Qwest proposed placement through Yellowstone National Park, NFS parcels.

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				
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.)		N/A				
g. For P-R/D-J, list any federal or state permits required.		N/A				See pg. 3

This EA found no significant impacts to the human or physical environment from the proposed action. FWP does not anticipate any substantial public controversy to be generated by the installation of a fiber-optic cable at the Point of Rocks FAS.

PART III. NARRATIVE EVALUATION AND COMMENT

Point of Rocks Fishing Access Site (FAS) is located in Park County, Township 7 South, Range 7 East, sections 3 and 4, and provides public access to a section of the Yellowstone River that is heavily used by anglers and recreational floaters. The FAS is located 30 miles south of Livingston on Highway 89 South.

Centurylink/Qwest has requested a permanent utility easement from FWP to install a 2,400-foot-long underground fiber-optic cable through Point of Rocks FAS Upstream Parcel. The proposed action is for FWP to grant this easement allowing Centurylink/Qwest to excavate, install, bury, and maintain a fiber-optic cable on Point of Rocks FAS along the route of the abandoned Burlington Northern Railroad bed that is contained within the site. Disturbance would occur as a result of either plowing or trenching the length of the easement in order to lay the cable. The resulting trench would be at least 30 inches below ground surface with a width of between six and 24 inches depending on the method used. Upon completion of cable installation, the six-inch plow scar would be cleaned up and compacted to its original condition. If trenching was the method used for laying cable, it would be backfilled, compacted and returned to grade. Fiber-optic marker stakes would be placed at all creeks, irrigation ditches, and at line of sight intervals along the length of the easement.

The cost of the easement would be \$5,000 to be paid by Centurylink/Qwest and deposited in FWP's Real Property Trust Account. This account is used to support FWP land management activities. The \$5,000 charge represents the market value of the one-half acre property being used for the easement based on a review of land sales that indicate an estimated value of \$10,000/acre for similar land in the area.

In addition, Centurylink/Qwest would be responsible for weed control on the disturbed area for a period of two years and can meet this obligation by undertaking the required weed control efforts (as directed by FWP) or by paying a fee to either FWP or the Park County Weed District in the amount of \$2,000, which represents two years weed control costs for the site.

Centurylink/Qwest is building its fiber optic cable to provide upgraded communications infrastructure to Yellowstone National Park and the communities of Gardiner and West Yellowstone, and future capacity for the entire Paradise Valley, located in southwest Montana. Fiber-optic cable rights-of-way have already been obtained by landowners and the Montana DOT on either side of the FAS Upstream Parcel. Topographic constraints make the requested easement the best possible route for the fiber-optic cable between previously-obtained leases.

Impacts to the human and physical environment are not significant because the impacts to the existing FAS resources would be short-term, localized, and require minimal mitigations to reduce disturbances. There would be a temporary and negligible increase in traffic and vehicle and machinery emissions due to site activities. Site activities are expected to last no longer than five days.

Also, the view will be changed from an abandoned railroad bed to compacted ground with up to 10 fiber-optic marker stakes along the length of the route. The resultant view quality is subjective dependent on the viewer. Considering the view prior to the proposed action was a railroad, the view shed is not being changed from a high quality to a low quality, but rather benignly to a similar quality.

PART IV. PUBLIC PARTICIPATION

1. Public Involvement:

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

- Two public notices in each of these papers: *Helena Independent Record* , *Bozeman Chronicle*, and *Livingston Enterprise*
- One statewide press release
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

Copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated. A public hearing may be scheduled if requested.

2. Duration of comment period:

The public comment period will extend for (14) fourteen days following the publication of the legal notice in area newspapers. Written comments will be accepted until 5:00 p.m., October 14, 2011 and can be mailed or emailed to the address below:

Ray Heagney
FAS Site Manager
Region 3 Montana FWP
1400 S. 19th Avenue
Bozeman, MT 59718
406-994-6987
rheagney@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.

Impacts to the human and physical environment are not significant. Disturbances are restricted to a very small area and, for a brief period of time, minimizing long term affects if any. The affected footprint after completion of the proposed action is limited to 10 fiber-optic marker stakes along the length of the 2,400-foot route. This is a benign alteration in the viewshed from an abandoned railroad bed to fiber-optic marker stakes. Expected long-term impact is limited to the addition of the buried cable within the FAS property. The presence of the cable is not to have any cumulative impacts (negative or positive) to the FAS.

Beyond the boundaries of the FAS and the analysis of this EA, the result of the proposed action would allow for the continued expansion of the fiber-optic line for Centurylink/Qwest which would increase communications infrastructure for southwest Montana.

2. **Persons responsible for preparing the EA:**

<p>Haven Westerman Environmental Scientist Tetra Tech P.O. Box 30615 Billings, Montana 59107 (406) 248-9161</p>	<p>Ray Heagney Fishing Access Site Manager Region 3 Montana Fish, Wildlife & Parks 1400 S. 19th Avenue Bozeman, MT 59718 406-994-6987 rheagney@mt.gov</p>
<p>Hugh Zackheim Land Section Supervisor Montana Fish, Wildlife & Parks 1420 East Sixth Avenue P.O. Box 200701 Helena, MT 59620-0701 406-444-4029</p>	<p>Rebecca Cooper EA Coordinator Montana Fish, Wildlife & Parks 1420 East Sixth Avenue P.O. Box 200701 Helena, MT 59620-0701 406-444-4756</p>
<p>Jason Wiseman Sr. Design Engineer Centurylink/Qwest Communications 2707 W Main St Bozeman, MT 59718 406-585-2354</p>	

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

Montana Fish, Wildlife & Parks

Parks Division

Wildlife Division

Design & Construction Bureau

Legal Bureau

Montana State Historic Preservation Office (SHPO)

Montana Natural Heritage Program – Natural Resources Information System (NRIS)

Qwest Communications

DRAFT



MEMORANDUM

TO: Ray Heagney
Region Three Fishing Access Site Manager

FROM: Walter W. Timmerman *WWT*
Parks Recreation Bureau Chief

DATE: August 18, 2011

RE: Centurylink/Qwest Request to Install Underground Utilities at Point of Rocks FAS

This memorandum regards the formal request by Centurylink/Qwest, a telecommunications company, to install an underground fiber optic cable at the Point of Rocks Fishing Access Site, a recreation site owned and managed by Montana Fish, Wildlife & Parks (FWP). The proposed line would run through the FAS for 2400 feet in an existing easement. After reviewing the request and meeting with the Assistant Parks Administrator and the Region Three Parks Manager and other regional staff, I agree that this project would not constitute a Section 6(f) conversion under the Land and Water Conservation Fund Act of 1965. The following is the rationale for this decision.

1. The National Park Service has given FWP discretion to consider allowing underground utility easements that do not impact the recreational use of the park and is restored to its original surface condition.
2. The project would take place within an established and recorded underground utility easement, which lies within an existing roadway and parking area.
3. The project would not negatively affect the natural or cultural resources at the FAS.
4. The project would not change the character of the property or impair the public's use of this property for outdoor recreational purposes.
5. The project would not restrict the Department's management options for the FAS.
6. Region Three FAS personnel will monitor the project and ensure that the easement surface is restored to its intended condition.
7. Centurylink/Qwest has agreed to be responsible for weed control costs for one year after the cable has been installed.

Centurylink/Qwest may proceed with this project without the need for mitigation-replacement property as typically required by the Land & Water Conservation Fund. Thank you for your cooperation and assistance in this matter and please keep me apprised of any major developments as this project is completed. I will notify the National Park Service of our determination in this case.